

CONSERVATION MANAGEMENT PLAN

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

December 2020 - Issue B



Cover Image: Looking to the Chief Secretary's Building and the former Department of Public Works facing Phillip Street, c.1906.

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

50 PHILLIP STREET, SYDNEY

ISSUE	DESCRIPTION	DATE	ISSUED BY
A	Draft for Review	20/10/2020	SM
B	Issued for DA submission	08/12/2020	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

CONTENTS

1.0	INTRODUCTION	6
1.1	REPORT OVERVIEW	6
1.2	REPORT OBJECTIVES	6
1.3	METHODOLOGY AND STRUCTURE	7
1.4	SITE IDENTIFICATION	7
1.5	AUTHORSHIP	7
1.6	REPORT LIMITATIONS	7
1.7	DOCUMENTARY AND PHOTOGRAPHIC SOURCES	7
1.8	COPYRIGHT	8
2.0	HISTORICAL SUMMARY	9
2.1	ABORIGINAL HABITATION OF THE LOCALITY	9
2.2	EARLY COLONIAL SETTLEMENT OF SYDNEY COVE, 1788-1810	9
2.3	SYDNEY'S GOVERNMENT SECTOR, 1810-1850	12
2.4	EARLY DEVELOPMENT OF THE SITE, 1850s	14
2.5	THE OFFICE OF COLONIAL SECRETARY, 1788-1860s	16
2.6	NEW PUBLIC OFFICES, 1860s-1870s	17
2.7	JAMES BARNET (COLONIAL ARCHITECT)	19
2.8	NEW PUBLIC WORKS OFFICES, 1880s-1890s	20
2.9	CONSTRUCTION OF SECOND ADDITIONS, 1890s	23
2.10	WALTER LIBERTY VERNON	27
2.11	COMPETITIVE ADDITIONS, 1894	27
2.12	EARLY 20 TH CENTURY CHANGES, 1896-1915	28
2.13	BUILDING ALTERATIONS IN THE 1920s	29
2.14	ROOF WORKS, 1936	29
2.15	NEW LIFTS, 1954	29
2.16	THE FAMILY LAW DIVISION OF THE SUPREME COURT, 1967	29
2.17	NEW INDUSTRIAL COMMISSION, 1970s-2000s	34
2.18	CONSERVATION WORKS, 1980s	34
2.19	REFURBISHMENTS, 1990s	34
2.20	CONSERVATION MANAGEMENT PLAN, 1994	35
2.21	INDUSTRIAL RELATIONS COMMISSION, 1998	35
2.22	ALTERATIONS, POST 2000s	35
2.23	NSW DEPARTMENT OF JUSTICE, 2017	35
2.24	CHORONOLOGY	37
3.0	SITE DESCRIPTION	41
3.1	INTRODUCTION	41
3.2	BUILDING HEIGHTS IN SYDNEY	41
3.3	URBAN CONTEXT	43
3.4	VIEWS TO AND FROM THE SITE	44
3.5	DESCRIPTION OF THE BUILDING EXTERIOR	45
3.6	DESCRIPTION OF THE BUILDING INTERIOR	58
3.7	MOVABLE HERITAGE	68
3.8	CONDITION AND INTEGRITY	70

4.0	ASSESSMENT OF CULTURAL SIGNIFICANCE	76
4.1	INTRODUCTION	76
4.2	COMPARATIVE ANALYSIS	77
4.3	ANALYSIS OF CULTURAL SIGNIFICANCE	82
4.4	STATEMENT OF SIGNIFICANCE	85
4.5	GRADING OF SIGNIFICANCE	86
4.6	CURTILAGE ANALYSIS	93
4.7	ARCHAEOLOGICAL POTENTIAL	94
5.0	FORMULATION OF CONSERVATION POLICIES	96
5.1	INTRODUCTION	96
5.2	ISSUES ARISING FROM THE STATEMENT OF SIGNIFICANCE	96
5.3	HERITAGE MANAGEMENT FRAMEWORK	97
5.4	COMMUNITY AGENCIES	99
5.5	OTHER RELEVANT STATUTORY REQUIREMENTS	100
5.6	PHYSICAL CONDITION	100
5.7	OWNERS REQUIREMENTS	101
5.8	OPPORTUNITIES	101
5.9	CONSTRAINTS	102
6.0	CONSERVATION POLICIES	103
6.1	INTRODUCTION	103
6.2	PRINCIPAL CONSERVATION POLICIES	103
6.3	APPLICATION OF THE BURRA CHARTER	104
6.4	CONSERVATION OF THE CONTRIBUTION TO THE SETTING	105
6.5	CURTILAGE	105
6.6	HERITAGE CURTILAGE	106
6.7	EXPANDED CURTILAGE	106
6.8	TREATMENT OF FABRIC OF DIFFERENT GRADES OF SIGNIFICANCE	107
6.9	EXTERIOR ELEMENTS	109
6.10	VERANDAHS AND WINDOWS	110
6.11	BUILDING INTERIOR	110
6.12	PLASTERWORK, IRONWORK AND DECORATION	112
6.13	FIXTURES AND FITTINGS	112
6.14	PRINCIPLES FOR ADAPTIVE REUSE	113
6.15	ADAPTATIONS/ALTERATIONS & ADDITIONS	115
6.16	MANAGING CHANGE	116
6.17	SERVICES	117
6.18	CODE COMPLIANCE	118
6.19	ACCESS	119
6.20	SIGNAGE AND LIGHTING	120
6.21	INTERPRETATION	121
6.22	APPROPRIATE SKILLS AND EXPERIENCE	121
6.23	MAINTENANCE & REPAIR	122
6.24	STATUTORY OBLIGATIONS	125
6.25	BUILDING OWNERSHIP, MANAGEMENT AND TENANCY	126
6.26	MOVABLE HERITAGE	127
6.27	KEEPING RECORDS	127
6.28	REVIEW OF THE CONSERVATION MANAGEMENT PLAN	127
6.29	MANAGEMENT OF ARCHAEOLOGICAL RESOURCES	128
6.30	FUTURE MANAGEMENT TO CITY OF SYDNEY LISTING	128
6.31	FUTURE AMENDMENT TO STATE HERITAGE REGISTER LISTING	129

7.0	IMPLEMENTING THE PLAN	130
7.1	INTRODUCTION	130
7.2	MANAGEMENT PRINCIPLES	130
7.3	IMPLEMENTATION POLICIES	130
7.4	EXEMPTIONS UNDER THE NSW HERITAGE ACT	131
7.5	CONSERVATION SCHEDULE OF WORKS	131
7.6	HERITAGE MAINTENANCE SCHEDULE	131
8.0	BIBLIOGRAPHY	132
	APPENDIX ONE: STANDARD EXEMPTIONS	134

1.0

INTRODUCTION

1.1 REPORT OVERVIEW

This Conservation Management Plan (CMP) for the former Department of Public Works at 50 Phillip Street, Sydney, has been prepared to accompany a development application for the proposed development which aims to retain, conserve, and reuse the heritage listed building, while separating it functionally from the adjoining Chief Secretary's Building (CSB). This CMP replaces the 2016 CMP for the subject site.

Former Department of Public Works is situated immediately to the south of the Chief Secretary's Building (CSB). While the two buildings are currently connected by corridors internally, they are on discreet separate allotments. These two buildings are currently owned by NSW Government. This CMP analyses the building known as 50 Phillip Street as an independent building. As the building was initially constructed for the Department of Public Works, and in order to emphasise its independent function from the Chief Secretary's Building, in this document the building is addressed as 'former Department of Public Works'.

1.2 REPORT OBJECTIVES

The main objective of this CMP is to develop strategies and guidelines for the conservation and adaptive reuse of the heritage building and the redevelopment of the adjoining 52 Phillip Street site for 46 storey mixed use hotel and residential tower, which will cantilever over and be supported by new structure placed carefully within the footprint of 50 Phillip Street. It establishes the heritage significance of the property, identifies the original features and surviving fabric, and recommends appropriate policies to conserve these during the project.

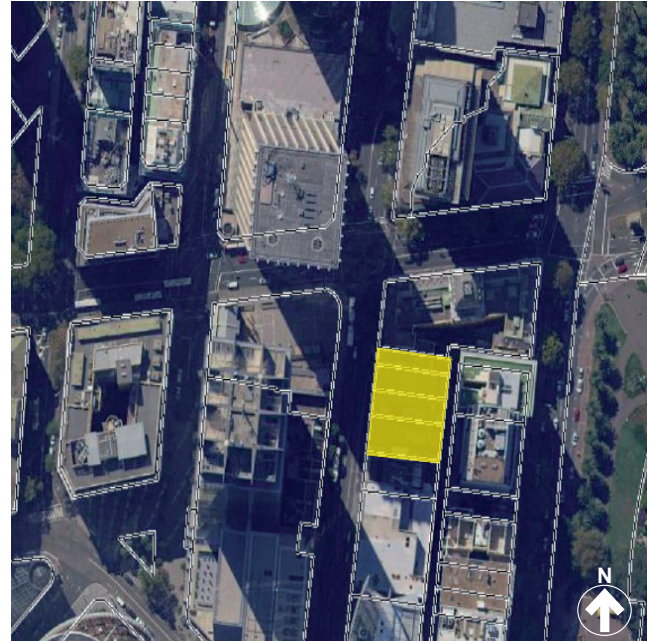


Figure 1.1
Location map showing the subject site shaded in yellow
Source: NSW LRS SIX Maps website

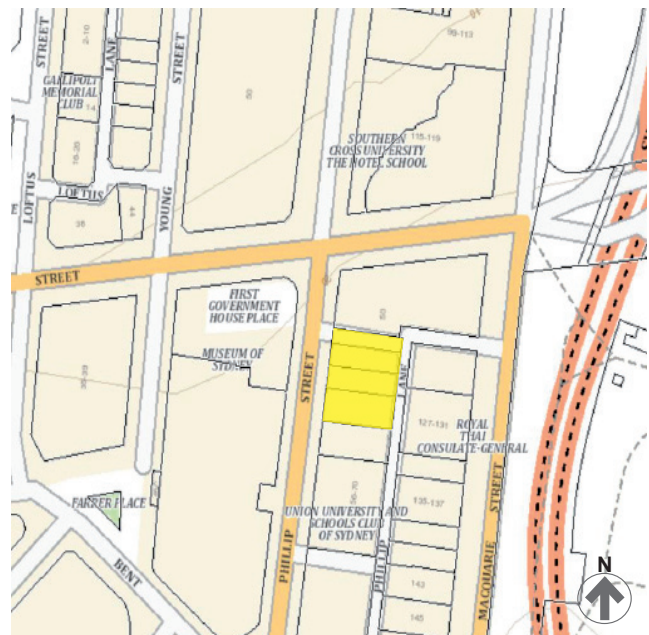


Figure 1.2
Street map showing the subject site shaded in yellow
Source: NSW LRS SIX Maps website

1.3 METHODOLOGY AND STRUCTURE

This CMP has been prepared in accordance with the guidelines contained in *The Conservation Management Plan*, by James Semple Kerr, and *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance*, 2013, also known by its more common title *The Burra Charter*. *The Burra Charter 2013* and *The Australian Natural Heritage Charter 2002* both provide definitions, principles and processes, for the conservation of items of cultural significance.

This CMP also follows guidelines set out in the *NSW Heritage Manual*. The aim of these documents is to assist with the identification of items of heritage significance. This assessment assists in providing guidance on substance, structure and methodology for the writing of effective conservation management plans.

This CMP is divided into sections, dealing with the history of the building and its immediate area, the physical description of the building, the assessment of the building's significance, options for ongoing use of the building including constraints and opportunities, and a conservation works schedule, while the final section contains a heritage maintenance strategy.

1.4 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. The subject site is located in a Metropolitan Centre zone area. The rear of the building (east side) 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 part of the Former Chief Secretary's building, is identified in Sydney LEP 2012 as Crown land in S268858R. The subject site is also within the draft boundary of Governors' Domain and Civic Precinct National Heritage List.

1.5 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.

1.6 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.

Although former Department of Public Works has played an important role in the history of the administration and government of the Colony and State of New South Wales, there is less surviving information for the construction, development, and use of the building over time¹. Accordingly, much of the information related to the recent history of the building has been sourced from the recent CMP (2016), the 1994 CMP, and the 2017 Statement of Heritage Impact.

Recommendations have been made on the basis of documentary evidence and inspection of the building.

Archaeological assessment of the subject site is outside the scope of this *CMP*.

1.7 DOCUMENTARY AND PHOTOGRAPHIC SOURCES

Primary and secondary documentary material utilised in the preparation of this *CMP* has been sourced from the State Library of New South Wales, City of Sydney Council, NSW State Archives and Records, Trove, National Library of Australia, the NSW Land Titles Office.

The following reports and documents were among those primarily consulted for the preparation of this report, although a range of other secondary and primary sources were also used for contextual material and evaluation, as referenced throughout the report:

- NSW Government Architect's Office, 50 Phillip Street Conservation Management Plan, 2016 (2016 CMP).

¹ CMP for 50 Phillip Street prepared by the NSW Government Architect's Office, 2016

- GBAHeritage, 50 Phillip Street, Sydney, Unsolicited proposal heritage commentary prepared in 2017 (2017 GBA).
- Betteridge Consulting, Movable Heritage 50 Phillip Street, Part 1: Review. June 2017 (2017 MH).
- Betteridge Consulting, Movable Heritage 50 Phillip Street, Sydney, Part 2: Movable Heritage Schedule. June 2017 (2017 MH).
- GBAHeritage, 50 Phillip Street, Sydney, Statement of Heritage Impact, 2017 (2017 SHI).
- NSW Government Architect's Office, 50 Phillip Street, Movable Heritage Strategy & Inventory. June 2015 (2015 MH)
- Jackson Teece Chesterman Willis Consultants Pty Limited, Chief Secretary's Building Conservation Plan, 1994 (1994 CMP).

1.8 COPYRIGHT

Copyright of this report remains with GBA Heritage.

2.0

HISTORICAL SUMMARY

2.1 ABORIGINAL HABITATION OF THE LOCALITY

The following information related to the location of the subject site is sourced from the 2016 CMP:

The site of 50 Phillip Street is on Cadigal clan country, which extends from the southern Harbour entrance along the south shore. All of that part of Sydney that surrounds Sydney Cove (now Circular Quay) is of importance in Indigenous tradition (Museum of Sydney).

The State heritage Inventory Listing for the CSB notes the following in relation to the Indigenous history of the site:

The “Eora people” was the name given to the coastal Aborigines around Sydney. Central Sydney is therefore often referred to as “Eora Country”. Within the City of Sydney local government area, the traditional owners are the Cadigal and Wangal bands of the Eora. There is no written record of the name of the language spoken and currently there are debates as whether the coastal peoples spoke a separate language “Eora” or whether this was actually a dialect of the Dharug language. Remnant bushland in places like Blackwattle Bay retain elements of traditional plant, bird and animal life, including fish and rock oysters.

With the invasion of the Sydney region, the Cadigal and Wangal people were decimated but there are descendants still living in Sydney today. All cities include many immigrants in their population. Aboriginal people from across the state have been attracted to suburbs such as Pyrmont, Balmain, Rozelle, Glebe and Redfern since the 1930s. Changes in government legislation in the 1960s provided freedom of movement enabling more Aboriginal people to choose to live in Sydney.¹

¹ State Heritage Inventory for ‘Former Chief Secretary’s Building’. Information sourced from Anita Heiss, “Aboriginal People and Place”, Barani: Indigenous History of Sydney City <http://www.cityofsydney.nsw.gov.au/barani>

When Europeans arrived at Sydney Cove in 1788, various Aboriginal communities lived in the vicinity of the peninsula surrounding the harbour.² The traditional custodians of the site, the Cadigal and Cadi played a significant role in supporting the material and cultural life of the people. Although there was no exact estimation of how many Aborigines lived around Sydney Cove when the First Fleet arrived, Governor Phillip estimated about 1500 Aborigines lived within a 16-kilometre radius of Port Jackson. However, their population reduced in 1789 due to the smallpox epidemic that is thought to have wiped out almost half of Sydney’s Aboriginal population.³

2.2 EARLY COLONIAL SETTLEMENT OF SYDNEY COVE, 1788-1810

Upon the arrival of the first European Settlers in 1788, Botany Bay was envisaged for settlement, which was selected by the British authorities based on the reports prepared by Cook and his politically-influential botanist, Joseph Banks, who had explored the east coast of Australia in 1770. However, Governor Phillip found the reality completely different from the reports, “it was a sandy, swamp filled wasteland, very open and greatly exposed to the fury of the south-east winds, with minimal supplies of potable water.” Accordingly, Governor Phillip decamped to Port Jackson, which was at the head of a Cove where a small creek provided good fresh water (Fig 2.1).⁴

The shore on each side of the cove was surrounded by rocks within which there was a fine soil full of trees, requiring some time and labour to clear away. It was decided that the Marines and Convicts stay on the West side and the Governor, his staff and a small part

² Kelly, M., & Crocker, R. (1977). Sydney takes shape: a collection of contemporary maps from foundation to federation. Macleay Museum, University of Sydney.

³ The Sydney Morning Herald. Sydney’s Garden: then and now. Accessible at <https://www.smh.com.au/interactive/2016/botanicgardens/>

⁴ Fromonot, F., & Thompson, C. (2000). Sydney: History of a Landscape. Vilo International.

of the Convicts to be encamped on the east side of the creek. Phillip planned to use his choice in the layout of the settlement. The aim of his preliminary actions was to separate the various groups into manageable units.³ Accordingly, the settlement was primarily on the western shore of Sydney Cove. Governor Phillip's house was located on the south eastern side of the Cove, area now known as the Macquarie Place.

Soon after the British settlement in 1788, Governor Phillip recorded a 9 acres farm to grow food for the colony in the bay adjacent to Sydney Cove, called Farm Cove. Henry Edward Dodd directed the development of this farm and the government garden which was located on the southern end of Farm Cove. This government garden has been cultivated since the horticulture and agriculture began in Australia, revealing the progressive layers of change to the natural landscape.⁴

In 1790, the prefabricated house of Governor Phillip was erected on the east side of the cove where it served as Government House until a more substantial building could be completed.⁵ The first permanent government house was built further east, which became the corner of Bridge and Phillip Streets. The eastern side of the Tank Stream was mainly for the official residences and farms and became the administrative centre of the colony later in the century. The following information is sourced from the 2016 CMP:

The choice of a site overlooking the cove on the east side of the stream for Governor Phillip's canvas house and its eventual replacement by a brick residence in the same location formed the nexus of the civil administration of the Colony. As the official residence of the Governor, Government House was both private residence and public office and, in the earliest years of settlement, the seat of absolute power and authority. The siting of the house and the development and extension of its grounds both restricted and enhanced the settlement at Sydney Cove, leaving a legacy still evident in the contemporary city.

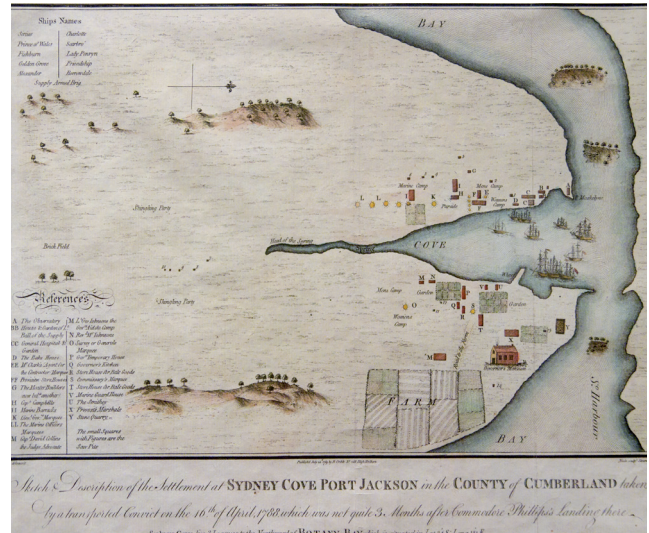


Figure 2.1
Map of 1788 showing the first settlement at Sydney Cove Port Jackson in the County of Cumberland, showing the eleven ships of the First Fleet and the buildings, tents, sawpits, workshops, storehouses, and gardens of the First Settlement.
Source: National Library of Australia



Figure 2.2
Phillip's Map of Sydney Cove 1792
Source: The Dictionary of Sydney, Contributed By State Archives & Records New South Wales [CGS 13859, [SZ430]]

⁵ Herman, M. (1970). The early Australian architects and their work. Angus & Robertson.

In 1792, Governor Phillip established the boundary of the settlement on the southern shore of Port Jackson, which was defined by two lines in which a single line connected the heads of the two bays known as Cockle Bay and Woolloomooloo Bay, and the second line enclosed the grounds around Government House and the government farm at Farm Cove.³ This land experienced extensive changes over time as the township encroached on the remaining areas of natural bush, and successive governors and their wives proposed improvement and beautification plans (Fig 2.2).¹

Phillip considered and marked out around 320 acres of land, the boundary of which was shown on the ground by a ditch, referred to the 'Governor's Domain' or 'Phillip's Domain' (Fig 2.2). All land and houses within this boundary were the property of the Crown, thus no ground within the boundary line was granted or let on lease. At the present time, most of this land remains as the park complex which comprises Government House grounds, the Botanic Gardens and the Domain.¹ Early governors believed that important buildings could be constructed in the Domain.⁶ The subject site is located within the boundary of Phillip's Domain.

Phillip ordered William Dawes to draw up a plan for the future of the township. However, his attempts to maintain Crown control over the layout and to enforce restrictions on the extent of settlement failed, Sydney's pattern of streets evolved in an almost medieval manner, from an orderly military campsite into a messy village. The reason of this growth was a deficiency of resources and the short-term possibility of easy gain. Phillip's design of a well-arranged settlement of civilised people, never happened; however, his idea of differentiating the functional from the administrative components of the settlement had a significant role in Sydney's future development. Generally, the western part became commercial and industrial, while the eastern part was characterised by open spaces and consequently proper suburbs.³

According to the 2016 CMP:

While control of the waterfront was essential for the security of a penal settlement, exclusive government use of this valuable asset was rapidly challenged by those engaged in private enterprise and trade, 'the keys to economic wealth and social success' in early Sydney society. From 1792 town allotments in Sydney were available for lease. In the absence of any prescribed town plan, enterprising private traders took up water frontages at Sydney Cove and along the Tank Stream. By the early 1800s substantial mercantile premises were to be found

interspersed between government buildings, at the heart of the settlement.

At Farm Cove, small private farms and orchards were established within the area that had once been the Colony's first agricultural enterprise. By the first decade of the 19th century the rudimentary settlement of 1792 had extended and crystallised into a town plan. On the west side of Sydney Cove and edging south along George Street along a roughly structured street plan were the residences of the convicts and the military. On the east Government House, extended and improved by Governors Hunter and King, with its neatly tended grounds was a dominant feature of the small settlement.

In 1807, a year after his arrival, Governor William Bligh, reminded the public of the demarcation that had been drawn on the map of Sydney by Governor Phillip:⁷

Whereas His Excellency Governor Phillip did, by Instructions from His Majesty's Ministers draw two lines of demarkation in the Vicinity of Sydney, within which, no Leases or Grants of Land for building were to be given, the said Land being the property of the Crown. — And whereas, a number of houses adjacent to Government House, to its great annoyance, now occupied by David Dickinson Mann, Abraham Ramsden, John Apjey, William Kimber, John Shea, Ferdinand Meurant, and others, within the said Limits, have been built on Land particularly marked out as making part of the Domain of the GOVERNOR'S Residence; The GOVERNOR is pleased to extend the Notice already given to the first day of November next; at which time they, the present occupiers, are required and directed to quit possession of the said houses, taking away or disposing of their materials, the said grounds being wanted for Government purposes.⁷

The purpose of the Domain in combination with the phrase 'of the Governor's Residence' was the estate of Government House that the Governor considered to be his own. As reported in the 2016 CMP:

The ditch marking Phillip's old boundary was re-dug, landscaping work was carried out and carriage roads were made 'all around Bennelong's Point and down about Farm Cove'. The Domain was now the exclusive preserve of the occupant of Government House.

6 Wotherspoon, G. (2010). The Domain. Dictionary of Sydney.

7 The Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842). July 1807, p.1

Governor Bligh's landscaping activities were curtailed by his deposition in January 1808 but continued under his successor Governor Lachlan Macquarie.

Figure 2.3 shows leases granted in the town of Sydney. The land around Farm Cove is noted as 'Ground absolutely necessary for use of Government House, but leases improperly granted on it.'⁸

2.3 SYDNEY'S GOVERNMENT SECTOR, 1810-1850

From the first colonial settlement in Sydney, various urban visions were proposed; however, the town grew in a disordered fashion that defied any centralising planning influence. Arthur Phillip, the colony's first governor, had a strong desire to impose a rational structure on his new territory. However, a vestige of civic order was not achieved until the arrival of Governor Macquarie in 1810.⁴ Under his governorship, Sydney changed from a small settlement of no architectural distinction to a sizeable town of some architectural aspiration.³

Governor Macquarie started to improve and embellish the small town. Between 1813 and 1816, Mrs Macquarie's Road was built, which was the most substantial of the paths, following the perimeter of the Domain. Mrs Macquarie's Chair, the lady's favourite viewpoint, can be accessed through a path from this road. Cartwright's map of 1816 (Fig 2.4) shows the Domain containing Government house and its garden, the colony's pleasure grounds, Bennelong point, and the core of the Botanic Gardens, comprising the 'Government House Kitchen Garden'. This plan presents a picturesque landscape of the Government House and its surroundings.⁴

The following information is obtained from the 2016 CMP:

By the 1820s the Tank Stream, the original water source, had become an open sewer and Sydney Cove, once a fine deep water anchorage, was beginning to silt up. Clearance of native vegetation, cultivation, building, poor drainage and no sewerage meant that the Tank Stream now deposited silt, mud and filth into the mouth of the Cove.



Figure 2.3
Map of 1807 showing the Town of Sydney by Jas. Meehan, assistant surveyor of Lands by order of his Excellency Governor Bligh.
Source: State Library of New South Wales



Figure 2.4
Cartwright's Map of 1816, showing the Governor's Domain (shaded in yellow) surrounding the site of the first Government House.
Source: State Library of New South Wales [a2869001 / ZM3 811.172/1816/1] (Mitchell Library)

8 Conservation Management Plan (CMP) prepared for 50 Phillip Street by the Government Architect's Office in January 2016

Sewage could be both seen and smelt and the clearance for vessels at the wharves was considerably reduced. Allotments that had once had valuable water frontages at the mouth of the Tank Stream were now becoming land locked.

By the early 1820s much more commercial wharfage was needed to facilitate the flow of goods to and from the Colony and to ensure continuing mercantile prosperity, but large scale replanning at Sydney Cove was compromised by the number of private leases in and around public institutions and government buildings. While legal title to these leases was yet to be properly ratified, compensation would inevitably be payable should they be required by government. On this basis alone, land still in public ownership was always the preferred option for government works.

The Governor also needed better accommodation. Government House, the first permanent building in the Colony, had been variously extended and patched up over forty years, but was essentially ramshackle and far from healthy. Private individuals had for long been building much better houses and Government House could no longer be considered fitting for the Governor of a thriving Colony. As the enclosure of the Domain had excluded the Colony's mercantile community from the whole of the east side of Sydney Cove, the provision of both additional wharfage and a new government house were inextricably linked. Replanning Sydney was an important and pressing issue.

In 1835, Mortimer William Lewis became Colonial Architect and held the position for almost fourteen years⁷. Lewis estimated the cost of the construction of the Government House could be £25,000, which exceeded the allocated budget by the Earl of Aberdeen at £12,000. Therefore, it was essential to sell some government land to finance the project. Accordingly, around 20 acres of land was proposed to be separated from the present inner domain (without inconveniently abridging the comfort of the Government House), and be dedicated to the improvement of that part of the Town, which adjoined upon the proposed new wharves at Sydney Cove.

Lewis believed that this land would pay the expense of constructing the new Government House, the new Quay in Sydney Cove, and the new Government Offices for public businesses. He mentioned this plan would make the frontages to the Quay more valuable through bringing many leading thoroughfares to it and provide enough space for merchants to build their dwellings and warehouses upon. Through this proposal, Macquarie, Phillip, Elizabeth, Castlereagh,



Figure 2.5
Map of the town of Sydney in 1836 [cartographic material], showing the site proposed for Government House and improvements in that vicinity are shown by dotted lines; also proposed prolongation of George Street
Source: National Library of Australia

and Pitt Streets would be prolonged in a northward direction to be opened for the new wharves, providing ample space for the construction of Public Offices, a commercial exchange, and a public library, on eligible sites.⁴

The clear intention of the Colonial Architect was to establish an urban quarter around Sydney Cove. Lewis intended to construct public offices in the location of the present State Library (on the southern side of the Governor's Domain) in order to provide an edge to the Governor's Domain. The location of Government House and the sale of land on the eastern side of Circular Quay were likely to be the most important decisions related to the future development of the peninsula, enabled the city to extend down to the new Circular Quay.⁴

The comparison between Cartwright's Map of 1816 (Figure 2.4) and a Map dated 1836 (Figure 2.5), shows that in 1816 the first Government House surrounded by the Governor's Domain which extended from present-day Pitt Street over the entire Bennelong peninsula as far as Farm Cove to the Governor's garden. The Map 1836 demonstrates the substantial impact of moving the site of Government House to the east of Macquarie Street, led to the uniting and extension of the streets of Sydney down to Circular Quay.⁴

As described in the 2016 CMP:

Work on the site of the new Government House began in 1836 and preparations for the construction of the new Semicircular Quay in 1838. Construction of the quay was slow, frustrated by a convict work force of variable size and skills. Progress on the new Government House was steady but laborious. Although the Governor was still in residence in the old house, parts of the grounds began to be used for other purposes. The first intrusion into the Governor's domain was by his back gate, on Bent Street. Weatherboard barracks for emigrants were erected here in 1837 and in 1841 Caroline Chisholm was given accommodation to establish her Female Immigrants' Home. The site next door, at the corner of Bent Street and Macquarie Street, was reserved for the Australian Subscription Library and there were also plans for some small residential allotments.

By 1845 the city was finally assuming a new shape. In January, anticipating the move to the new Government House and the removal of the old, the plan for the continuation of the main streets down to the quay was advertised. Macquarie Street, Elizabeth Street and Phillip Street would be continued north from Bent Street down to the Quay and Bridge Street would be extended east from Macquarie Place up the hill to Macquarie Street and the entrance to the new Government House. The line of Phillip Street would pass 'through the eastern end of the present Government House' while the extension of Elizabeth Street would obliterate the guard house. Further to the west Pitt Street and Castlereagh Street were to be continued north from Hunter Street to the Quay.

Although the sale of part of the Domain had been intended to fund the construction of the new Government House, it was some years before the area was fully developed as part of the city. The new streets were marked out, but were largely unformed and in the late 1840s and early 1850s the east end of Bridge Street was still more like a park than city building allotments. Trees continued to flourish

within the line of the street. The City Corporation had few resources to provide basic services such as roads and drainage. The Colonial government did little to facilitate its task. Discussions continued about suitable sites for new public buildings and government offices close to the Semicircular Quay. The east end of Bridge Street was somewhat remote from the commercial heart of the city.

The new city block bounded by Macquarie, Bent, Phillip and Bridge Streets [Section 107] that had once been part of the grounds of the first Government House was now occupied, at the Bent Street end, by the Emigrants' Barracks and the Australian Subscription Library, a fine new building that had opened in 1845. The Macquarie Street frontage of the block was particularly desirable, occupying an elevated site with fine views across the Domain to the harbour. At the request of Messrs Kemp and Fairfax, the owners of the Sydney Morning Herald, eight allotments on Macquarie Street were offered for sale in 1847. Despite a somewhat slow start (a number of these allotments were still unsold in 1848 and 1849) this part of Macquarie Street was to become well known for its fine residences and important occupants.

2.4 EARLY DEVELOPMENT OF THE SITE, 1850s

The first stage of the Department of Public Works building was designed on allotments 31-33 and part of allotment 34 Phillip Street. It was located to the southern side of the Chief Secretary's Building and was used for different branches of the Department of Public Works. The following information is sourced from the 2016 CMP:

In December 1853 eight allotments on the Phillip Street side of the block were offered for sale. Two years later the area to the south was being much improved with the removal of the old emigrants' barracks and the construction of a new Government Printing Office, a building that was to be added to and enlarged on a regular basis for almost a century. As early as 1855 the Bridge Street frontage of the block was 'Reserved for Public Buildings'. It seems that much of this block, conveniently located close to Parliament House, Government House, the new Treasury and Audit Office and the older government offices further down Bridge Street, had been earmarked for government purposes from the later 1830s.

The allotments on the east side of Phillip Street near Bridge Street were all purchased in 1854. Allotment 31 was purchased by Samuel Brush and William MacDonnell. Allotment 32 was quickly sold by the original purchaser James Raymond to the merchant Louis Barber, and it was Barber who began to build the first residence in this part of Phillip Street, designed by the well-known architect John Bibb. Barber may have intended the house for his own use, as he had recently built a substantial warehouse near the new Semicircular Quay in Castlereagh Street North, but he evidently over stretched his finances in the process. When he defaulted on his mortgage, the mortgagees put the, as yet unfinished, house up for sale. The house was described as a 'first-class city residence' of brick on a stone foundation, with ten rooms, 'besides entrance-hall, lobbies, kitchen, scullery, butler's and servants' pantries, &c.' The walls and flooring joists had been completed and the roof was 'ready for slating'. Only 'a comparatively trifling sum' was required to make it 'one of the finest houses in the city'. The purchaser was the barrister John Bayley Darvall, who paid £2,000 for the incomplete residence. Shortly afterwards, another house was built on the adjacent allotment to the north (allotment 31) owned by the jewellers Samuel Brush and William MacDonnell. Both of these houses (Nos. 44 and 46 Phillip Street) were substantial, well-appointed, single dwellings with back wings, outbuildings and with access from the back lane, then known as Macquarie Lane.

Four somewhat smaller dwellings, Nos. 48-54 Phillip Street were built in about 1861-1862, immediately to the south. These comprised two sets of paired houses, built on three allotments and so with narrower frontages than Nos. 44 and 46. The owner of Nos. 48 and 50 was R J Want and of Nos. 52 & 54 was Clark Irving who had purchased allotments 34 and 35 from R J Want in 1857.

With the exception of Samuel Brush and William MacDonnell, there was a strong parliamentary connection between the early owners of these properties. Clark Irving, a pastoralist and John Bayley Darvall, a barrister, were both elected to the first Legislative Assembly under responsible government in 1856 while Randolph John Want was an appointed member of the Legislative Council. It may have been this connection that gave Irving and Darvall some added influence when offering their Phillip Street properties for government use as offices and residences.



Figure 2.6
City of Sydney (Sheilds), 1845: Single sheet
Source: Historical Atlas of Sydney, City of Sydney Archives

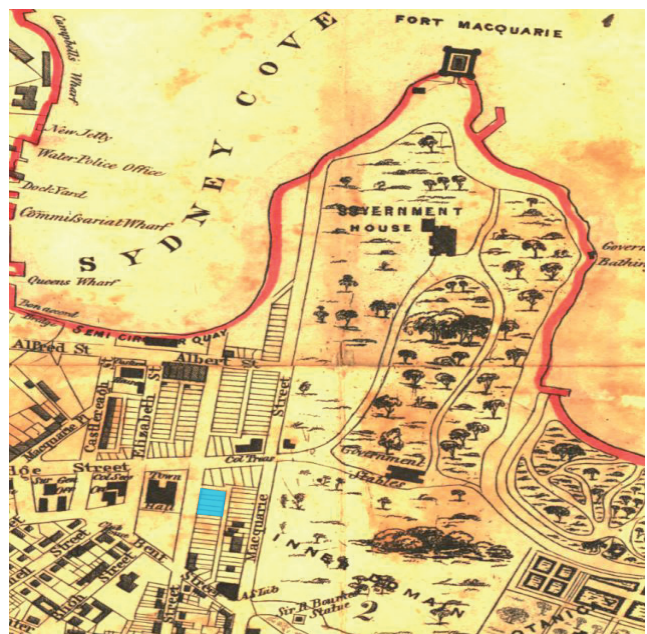


Figure 2.7
City of Sydney, 1854 showing allotments 31-35 at Phillip Street, shaded in blue
Source: Historical Atlas of Sydney

In 1858 Darvall's now complete 'first-class residence' No. 46 Phillip Street was being used as the Railway Commissioners office later joined by the Secretary for Public Works. In the late 1860s it resumed life as a residence, called Nunnington House, for the Commodore of the Naval Station. In November 1862 Clark Irving offered three of his houses for use as government offices, the fourth already being used by the Engineer for Harbours and Rivers. In January 1863 all four were occupied by the Department of Public Works. The Engineer for Harbours & Rivers, the Commissioner for Railways, the Commissioner for Roads, the Secretary for Public Works and the Engineer in Chief for Railways were all accommodated in this section of Phillip Street. The houses were photographed in 1871 as the Public Works offices (Fig 2.9).

2.5 THE OFFICE OF COLONIAL SECRETARY, 1788-1860s

The long history of the Office of the Colonial (later Chief) Secretary, as well as its close association with all aspects of the government of NSW, demonstrate the importance of the Colonial Secretary on all aspects of the history of the Colony particularly and the State of New South Wales generally. From 1788 to 1820, the Secretary to the Governor acted as Secretary to the Colony and until 1824, the office of Governor and Colonial Secretary were located in close association.⁹

Governor Phillip established the office of a secretary, as it was necessary for some paperwork to be delivered to a private secretary responsible to the Governor. Due to the rapid physical development of the colony, the responsibilities of the office were quickly expanded. During the administration of Governor Macquarie, a building for the secretariat was constructed in the site of the present Education Department, to serve the department. The physical separation of the Secretary from the Governor and the increase in numbers of clerks and assistants to the Secretary, resulted in a need for an individual department in its own right. In 1819, the office of the Secretary was granted an official status as the 'Colonial Secretary' or 'Secretary and Register of Records of NSW'.⁹ The Chief Secretary's Office was established with the Colony Secretary responsible for conducting the business of the Governor with various Government Departments and with the Colonists.

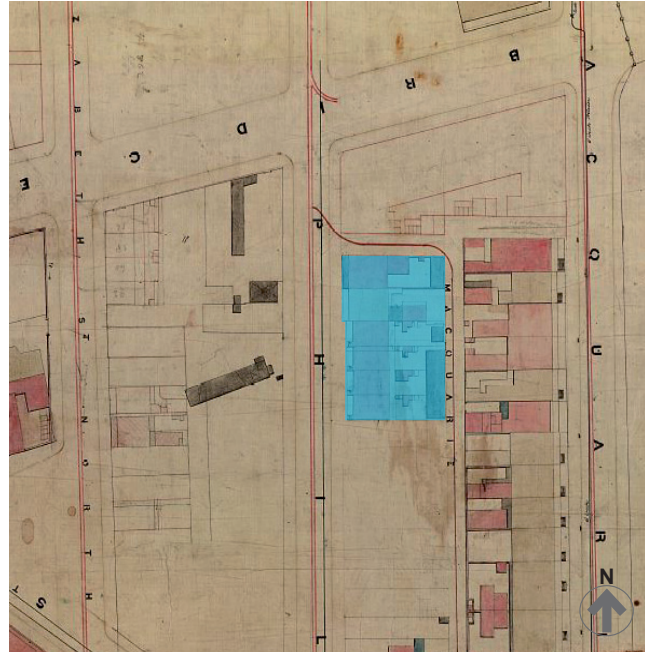


Figure 2.8
Plan of City of Sydney in 1865 showing allotments 31-35 at Phillip Street, shaded in blue. This map shows the existence of terraces on the subject site.
Source: *Historical Atlas of Sydney*



Figure 2.9
Terraces on allotments 31-35 at Phillip Street in 1871, located on the site
Source: *Mitchell Library*

⁹ NSW State Archives and Records. Colonial Secretary: An Overview.

The Colonial Secretary with his direct channel to the Governor, and as the head of the most powerful of the departments, with the ability to control the work of other departments, was the most important person in the political context after the Governor.¹⁰ The following information is obtained from the 1994 CMP:

The office of the Colonial Secretary remained the most far-reaching and influential of the public service departments. It was charged with the responsibility for the business connected with legislative matters, naval and military establishments (including volunteer corps), foreign correspondence, postal arrangements, immigration, police, gaols and penal establishments, medical establishments, registration, statistics, municipal institutions, the government printery, proclamations and other instructions under the Great Seal, naturalisation of aliens, ecclesiastical establishments, public education, literary and scientific institutions, hospitals, charitable organisations, aborigines, remission, and execution of sentences and matters of internal arrangement not confided to any other Minister.

In addition, the Colonial Secretary was responsible for the supervision and control of the departments of the Postmaster General, Immigration Agent, Police, police magistrates, clerks of petty sessions, visiting justices and officers in charge of penal and lunatic establishments, the medical advisor, health officer, registrar general and government printer.

The Colonial Secretary also had to correspond with sixteen separate authorities including the Judges of the Supreme Court, naval and military authorities, the heads of several churches and municipal authorities.¹¹

During the 20th century, several functions of the Chief Secretary's Department were relocated to other departments. In 1975, the Department was abolished and replaced with the Department of Services. In 1982, the Department of Services was abolished and its functions were reallocated to other departments.¹⁰ The office of the Chief Secretary, although it keeps its title, is now only responsible for administering the proper regulation of liquor and gaming. In its reformation to this area of interest, it received certain responsibilities from the office of State Revenue, the Treasurer, and the Minister for Sport.¹⁰

2.6 NEW PUBLIC OFFICES, 1860s-1870s

In 1856, New South Wales was granted responsible government. This important step in self-government required new office spaces. During this time, several departments were in a number of buildings, some hired, and some stayed in the domestic buildings that were constructed in the earliest days of the colony.¹¹

The following information is sourced from the 2016 CMP:

In October 1862 the site at the north end of Section 107, with frontages to Macquarie Street, Bridge Street and Phillip Street was surveyed 'for building offices for Public Works'. The possibility of using houses as government offices was still under consideration. An outline plan, prepared for the City Council by the Colonial Architect's Office in March 1863, shows a proposed terrace of houses on the vacant Bridge Street site 'to be used as Temporary Public Works Offices'.

The site for the construction of a new shared building, for Chief Secretary's Building and Public Works Department, was highly symbolic of the elevation in status of the office of Chief Secretary. Further up Bridge Street, it formed a significant element of the most important political and administrative offices through its close proximity to Government House, Parliament House and overlooked the Treasury Building. As such, its position, halfway between Parliament and Government House, was practical and illustrative of the respective relationships of those offices (Figure 2.10).¹²

In 1869, sufficient finance had been raised for the construction of a new building for the office of the Chief Secretary of the colony and offices for the Works Department.¹¹ The following information is sourced from the 2016 CMP:

Plans for offices for the Colonial Secretary and the Department of Public Works were prepared by James Barnet in June 1869 and were the first departmental administrative offices to be designed by him in his capacity as Colonial Architect. By the time work began on site in 1873 the proposed room allocation was quite different from that envisaged in 1869, due to administrative changes and departmental growth, but the design of the building, in Italian style, was essentially the same.

¹⁰ Chief Secretary's Building Conservation Plan prepared by Teece Chesterman Willis Consultants Pty Limited in 1994.

Built to accommodate all levels of departmental administration, from the Minister and his staff to the humblest clerk, the hierarchical nature of 19th century bureaucracy, with its detailed grading and associated social status, was expressed throughout the whole of the building, in the room dimensions and in the quality of its detail, fittings, furnishings and public spaces. Similar levels of elaboration and detail were also in evidence in Barnet's design for the General Post Office in Sydney, work on which was in its final stages when excavation began for the 'New Public Offices' facing Bridge Street between Macquarie Street and Phillip Street (Figure 2.11).

In April 1879 as the 'New Public Offices, Sydney' were nearing completion, the Australasian Sketcher described the building for its readers.

The basement contained three rooms for contractors, three spacious fireproof strongrooms and general waiting rooms. The Commissioners and Engineers for Railways, Roads and Harbours and Rivers were on the ground floor; the Ministers' rooms with Under-secretary's rooms adjoining on the first floor; drawing offices and clerks' rooms on the second and a large photographic room together with stationery stores in the attic level. There were also board, conference and council rooms.

The building was of high quality, both externally and internally with marble floors and chimneypieces and cedar joinery. The iron gate on the Bridge Street entrance by Richards & Co. had been entered in the 1879 International Exhibition and was of 'excellent design and workmanship'. The stone carving over the Bridge Street entrance was of exceptional quality. The principal rooms on the ministerial level had rich and elaborate decorative schemes and the rooms were further adorned with furniture, pictures, ceramics and other objects d'art, many of them exhibits in the recent Sydney International Exhibition held in the Garden Palace Exhibition Building nearby. Sir Henry Parkes, then Prime Minister and Colonial Secretary and the first occupant of the new ministerial offices was probably responsible for the choice of many of these items that reflected his own artistic, historical and literary tastes.

Although the Colonial Secretary and Public Works' offices were designed for both portfolios, the Department of Public Works always occupied the greater share of the building. The accommodation needed by each portfolio was a function of the type of business each conducted.



Figure 2.10
Sydney Colonial Secretary's Office to the rear of the Department of Education building in Bridge Street, front and rear elevations. [Colonial Secretary and Public Works Offices]. This building was demolished in 1915.
Source: NSW State Archives and Records

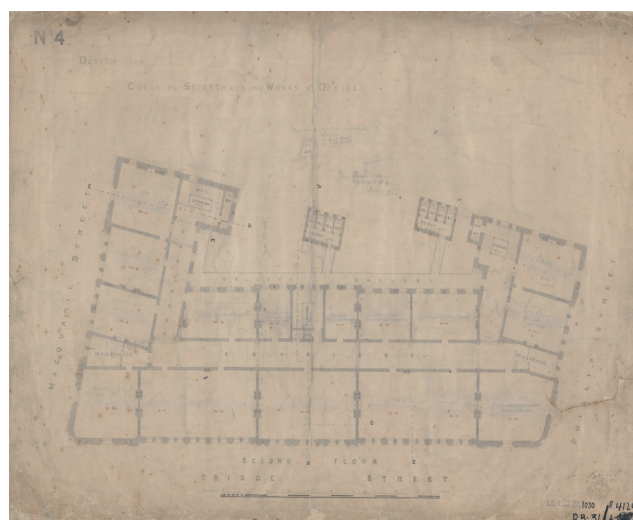


Figure 2.11
The plan of Sydney Colonial Secretary designed by Barnet in 1869.
Source: NSW State Archives and Records

The Colonial Secretary was responsible for the administration of a dauntingly large number of Acts of Parliament and controlled numerous, quite disparate government departments, but the very diversity of the portfolio meant that the work of its many departments was conducted elsewhere.

The departmental structure administered by the Secretary for Public Works was completely different and his department much larger. The individual components of public works – the Colonial Architect; Railways; Roads; Harbours and River Navigation – were carried out by separate branches, each with its own chief engineer or architect, draftsmen and clerical staff. The work was highly specialised, labour intensive and most efficiently run if staff were in close proximity to each another.

2.7 JAMES BARNET (COLONIAL ARCHITECT)

James Barnett was Colonial Architect from 1862 to 1890, and had a substantial impact on the shaping of Sydney, the civic development of Sydney, and the most country towns around New South Wales. During his time as Colonial Architect, the colony was experiencing major expansion and there was a widespread optimism in Australia's future role throughout the world. The Chief Secretary's Building is one of Barnett's designs which shows his due civic expression to the significance of the government's role in guiding the colony's development. Barnett's buildings formed the cornerstones of the city in the 1880s. Barnett was aware of the role of public buildings and civic propriety, in which civic order and urban legibility were established through public buildings, known as the 'Victorian concept of decorum'. Barnett's public buildings were civic landmarks which gave the city a civic definition and a sense of civic importance.¹¹

Barnet found out the importance of representing the symbols of Australia's genius loci through decorative carvings and statues and considered such expression of regionalism as an aspect of the universal classic order in which regionalism could only exist as part of a universal system.¹¹



Figure 2.12
The Colonial (later Chief) Secretary in its original form as designed by James Barnett between 1879-1880, showing the gates to the building on Macquarie Street.
Source: Charles Bayliss photograph, SPF/250, Mitchell Library



Figure 2.13
The Phillip Street side of the Chief Secretary's Building, as originally completed in 1880. The houses to the right in Phillip Street continued to be occupied by the Department of Public Works (shown by a red arrow).
Source: State Records NSW, Government Printer Glass Negatives Reel 2546 Image 1160

¹¹ Johnson, C. (1999). Shaping Sydney: Public architecture and civic decorum. Hale & Iremonger.

Barnet designed the building of defence works at Port Jackson, Botany Bay and Newcastle, court-houses, lock-ups, police stations and post offices throughout New South Wales and several lighthouses including the Macquarie Lighthouse on South Head, which replaced an earlier one designed by Francis Greenway. In Sydney he designed and supervised the construction of several important public buildings including a new wing to the Australian Museum, the General Post Office, Colonial Secretary's Office, Public Works and Lands Buildings, Customs House, Public Library, the Medical School at the University of Sydney and the Callan Park Lunatic Asylum. He was also responsible for additions to the Tarban Creek Asylum and the maintenance of other public buildings.¹²

In his architectural work Barnet had been strongly influenced by the Italian Renaissance. He had no sympathy for new styles of architecture which were becoming fashionable in Sydney at the end of the century and tended to ape American trends. He was equally critical of domestic architecture cluttered with useless ornamentation and 'surmounted with blazing red tiles from France'. As colonial architect for twenty-five years he had an important influence on colonial architecture; his public buildings were well built and well designed and stood as a memorial to his ability.¹²

2.8 NEW PUBLIC WORKS OFFICES (FIRST ADDITION), 1880s-1890s

The new building on Bridge Street was ultimately to become known as Chief Secretary's Building as the other departments were progressively relocated to other buildings. As the result of population growth in Sydney, the number of staff increased and consequently the need for more spaces arose. Accordingly, the first addition to the Chief Secretary's Building was designed and constructed. The following information is sourced from the 2016 CMP:

In the period from 1859 to 1876 the population of New South Wales had doubled creating a huge need for public works infrastructure. As the range of these works increased in the 1880s and 1890s, so did the number of specialist branches and boards in the Department. It was this growth and increasing specialisation that necessitated additions to the New Public Offices for Public Works staff in the late 1880s, less than a decade after the Chief Secretary's building had been completed.

The site chosen for these 'subsidiary buildings' was on Phillip Street immediately to the south of the laneway behind the existing offices, occupied by houses that were there in use as departmental offices.

The design for additional offices for the Public Works Department was prepared in November 1889 by the Acting Engineer-in-Chief, J H Deane, at the request of the Under-Secretary for Works, Joseph Barling. The instruction had come directly from the Minister, Bruce Smith and his failure to invite the Colonial Architect to prepare the plans suggests a deliberate slight, as subsequent correspondence was to show. The sketch Deane sent to the Under-Secretary does not survive, but his accompanying letter describes the building as of six stories with a frontage to Phillip Street of 60 feet and a depth of 102 feet to the lane at the rear. The elevations to Phillip Street and to the side lane were to be 'red brick with white and coloured bricks to quoins, strings, windows, dressings etc', with the main cornice and entrance in Phillip Street finished in cement. Communication with the existing offices was to be by iron footbridges to each floor and there would be a caretaker's quarters at the top of the building. Containing expenditure was already a consideration. The works would be executed in 'substantial but plain manner to reduce cost'. Savings could be effected by omitting the back wing. The description suggests that this red brick building, designed by an engineer, would be in somewhat stark contrast to the fine sandstone detailing of its adjacent, architect designed parent.

On 11 December 1889 Barling wrote in peremptory fashion to Barnet. A sum of money had been voted on the Loan Estimates for the erection of subsidiary office buildings on the site of the two houses in Phillip Street next to the department's present building. 'We wish the building put up at once and I have had with the Minister's approval a rough sketch prepared in the office shewing what is required. Will you kindly have it put into shape as quickly as possible. The Minister desires the cost to be kept under £20,000 exclusive of fittings and as he is very anxious that tenders should be called without delay, I should be very glad if you will kindly lose no time in giving effect to his wishes.' Quite what Barnet's response was to this request and to Deane's design, can only be surmised. The 'sketch' had defined the parameters of the building and 'putting it into shape' was scarcely an appropriate request of the Colonial Architect or his office. The final result suggests that the Colonial Architect and his officers did manage to exert considerable architectural influence on the design of at least the exterior of the building, despite

¹² Australian Dictionary of Biography. Barnet, James Johnstone (1827–1904)

its engineering origins.

An estimate of costs dated 11 February 1890 was 'submitted with the plans for instructions' by Barling and was approved by the Minister on the same day. The estimate was for a brick building with iron girders and a concrete roof. One item provided for some variation to the design, the 'Additional cost of stone front in place of brick and cement front £1,731'.

Whether the estimate had been drawn up in the Colonial Architect's office is unclear. It was not signed by Barnet or by any officer in his branch and the Colonial Architect's office stamp on the document is dated 13 February, presumably when it was received from the Under-Secretary together with the Minister's instructions. In the meantime the government had to arrange for the resumption of Nos. 44 and 46 Phillip Street, the site of the intended new building. Thirteen tenders were received to construct the new offices and the contract was let to Messrs Fallick and Murgatroyd on 4 April 1890 for the sum of £18,882.

Although he had been sidelined in the design process, the work was to incorporate one major recommendation made by Barnet, a stone front to the building 'as more durable and in keeping with the present building than brick'. While the interior was completely different from the original building, its outward form kept faith with Barnet's fine original, a last tribute to the architect are of the old order.

In June, James Barnet was informed of his 'retirement' by the Under Secretary. In a dignified letter in reply Barnet put on record 'as the last occupant of the office of Colonial Architect' a 'short statement' of the works carried out during his tenure. The new public offices in Phillip Street were noticeably absent from the list of works that he had hoped to see completed before his departure.



Figure 2.14
 Sydney Public Works and Chief Secretary's Building. Proposed additions. Basement, ground and first floor plans (1890)
 Source: NSW State Archives and Records, NRS-4335-4-[Plan1028]-PB31/A4025

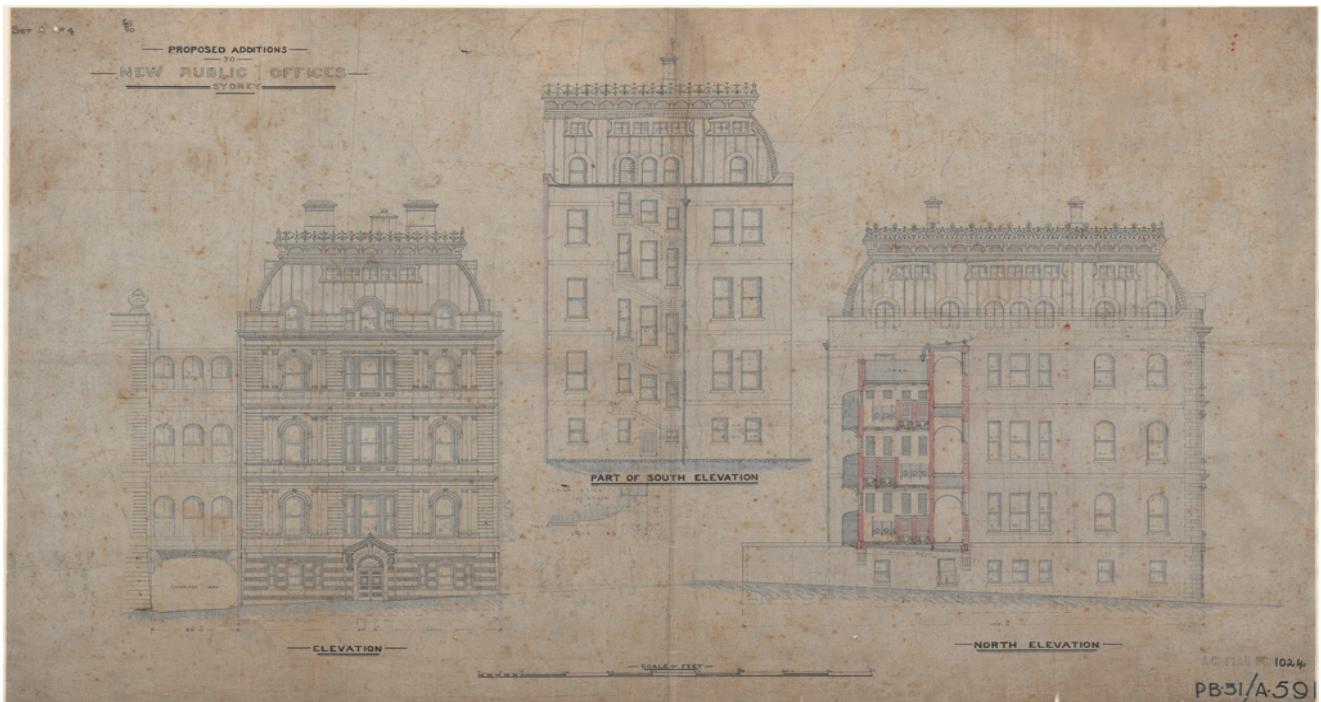


Figure 2.15
 Sydney Public Works and Chief Secretary's Building. Elevations (1890), showing 4 storeys plus mansard to Phillip Street.
 Source: NSW State Archives and Records, NRS-4335-4-[Plan1024]-PB31/A591

2.9 CONSTRUCTION OF SECOND ADDITIONS, 1890s

As the number of staff increase the need for more spaces became a necessity. Accordingly, a second addition was designed and constructed. The Phillip Street second additions were included 2 bay width from levels 1 to 6 at the southern side of the first addition. The following information is sourced from the 2016 CMP:

In March 1890 the government resumed the land occupied by Nos. 44 and 46 Phillip Street and also the lane that ran between the back of the Public Works Offices and the northern boundary of No. 44. Even before the contract for this work was let, the Parliamentary Standing Committee on Public Works submitted a request for the exclusive use of the Public Works Board Room in the Bridge Street building. The Committee was a powerful and important one and could not be ignored.

Yet again Barling 'had a sketch plan prepared' and suggested the resumption of two more houses in Phillip Street as an addition to the building on which work had only just begun. This would provide accommodation for the Public Works Committee, part of the Railways branch and the Architect's Branch, which was clearly in disfavour. 'I need scarcely point out the extreme inconvenience which exists at the present time by reason of this branch being so far from headquarters. Not only is it difficult to obtain information promptly, but the disadvantage of the absence of direct control, which this arrangement would remedy, is very apparent.' No mention was made of the discomfort suffered by the branch in its quarters in the outbuildings of the old Hyde Park Barracks. The proposal was approved by the Minister on 14 July and, with Barnett gone, Edward Spencer and Edward Rumsey, the 'officers in charge' of the Colonial Architect's Branch, were called upon to prepare plans.

The approval of this extension immediately triggered more requests for office space from others in the Department; the Commissioner for Roads, the Engineer-in-Chief for Harbours and Rivers, the Engineer-in-Chief for Railway Construction and the Land Valuer. A chain reaction had developed in which each branch of Public Works was clearly determined not to lose out to the others. As the push for space continued, a number of options were considered to try to provide more accommodation within the budget, with the added complication that work was already in progress on the first contract. The contractors priced an extension to the back lane boundary of the building then under construction,

but this was too costly. Accommodation was needed for 159 staff, scattered about in various parts of the city. The Architect's Branch again came in for special criticism, 'many of the complaints' about it being due to the fact that it was 'so far away from the control of the Minister'.

By the end of the month, a second addition had been decided upon, to be of six stories and occupying the whole of the block to the back lane. The front was to be of stone 'to harmonise with the present Public Works building' and the rest brick, 'put up in a very substantial manner. No money will be spent on useless decoration – the building will be plain, substantial and good'. The occupants were to be: 1st floor Railway Commissioners, 2nd floor Public Works Committee, 3rd and 4th floors Architect, 5th and 6th floors draftsmen. In addition to the offices, a narrow latrine block was to be built along the back lane boundary reached, above ground level, by means of open walkways along the north wall of the new extension. This block provided two levels of latrines for each of the basement, ground, first and second floors [Levels 1 to 4] with a single level for the third floor [Level 5].

In the first extension the front rooms occupied the whole of the street frontage with a narrow passageway left along most of the southern boundary, to provide an 'area', or light well, between the new building and the adjacent houses and outbuildings. In taking up the next site, occupied by Nos. 48 and 50 Phillip Street, a similar design was adopted. The front of the second extension occupied the whole of the street frontage, with narrow areas along both the north and south sides of the building. Communication between the first and second extensions was by iron bridges on each floor, crossing the area between them, This eliminated the need to build any stairs in the second extension, cutting costs and created a north-south corridor through the two sections. A similar bridge arrangement continued the connection through into the back of the original Bridge Street offices.

The possibility of continuing to extend the Public Works offices further along Phillip Street was obviously borne in mind in drawing up these plans, which provided for the continuation of the north-south corridor on all levels. The advantages of this scheme were that additions could be built in stages, limiting expenditure, gradually accommodating those parts of the Department that were then in the Phillip Street houses while causing minimal disruption to existing office arrangements.

Cabinet approval for the second extension was given on 31 July 1890 and a complete set of tracings was requested from the Colonial Architect's Branch. What the members of Cabinet do not seem to have noticed is that the elevation and floor plan presented to them were for two different designs. The elevation, showing the allocation of each floor, had two windows on the three main floors [Levels 2-4] of the Phillip Street frontage (a square window with two vertical bars and a round-headed window) while the ground plan for the floor designed to accommodate the important Public Works Committee Room [Level 2] had openings for three windows. The elevation presented to Cabinet gave the two extensions a continuous and balanced façade above street level, although it could not remedy the placement of the main entrance, which was central to the first extension. It also had the benefit of economy with a minimum number of window openings.

The second design gave more light in the main rooms on the Phillip Street frontage and provided for another extension to the south. If the building were continued along Philip Street, then the treatment of the façade as shown in the elevation would be unbalanced by any future extension. The ground floor plan, with three windows, anticipated further extension. In August 1890 Nos. 48 and 50 Phillip Street, with a street frontage of 45 feet (somewhat smaller than the first extension) were resumed.

As the details of the second extension were being worked out, Edward Rumsey and Edward Spencer also drew up plans for a substantial archway, bridging the laneway between the Barnet building and the Phillip Street extension with four-storeys above. The laneway had been resumed at the same time as Nos. 44-46 Phillip Street in April 1890. This section only had four rooms, one on each floor, but on the first and second floors [Levels 2 and 3] repeated the device of arcaded balconies to connect the two parts of the building. In the original building these balconies not only gave depth and variation to the façade but also provided private access between ministers and their staff.

The extension over the laneway also had the advantage of hiding the very plain and somewhat ugly connection between the back of the original offices and the new Phillip Street section.

On 1 August 1890 a new regime began in the Architect's Branch of the Department of Public Works with the appointment of Walter Liberty Vernon as Government Architect. On his arrival in the Branch, Vernon was confronted with the confusion of the Phillip Street additions and with continuing requests for more office space. In August 1890 composite plans were drawn of the first extension (then in progress) and of the second and archway extensions (approved but not yet commenced).

These plans had three windows in the Phillip Street frontage of the second extension and it was this design that went to tender in September. Only five tenders were received and not surprisingly the work was given to Fallick and Murgatroyd. Their tender exceeded the original estimate but was thought reasonable because considerable additional work had been included such as lavatories and galleries to provide additional facilities for the second extension. The firm was also awarded the contract for the addition over the laneway and bonds for the two parts of the work were entered into concurrently in October 1890. The roofs of the main section and of the archway were intended to be of concrete, with decorative metalwork on top of the main part of the extension.

The provision of yet more offices was clearly anticipated when the composite plans were drawn, for these included another proposed extension to the south, on the site of two more houses, in the same style as those already planned. The inclusion of a door in the south wall, for the connecting corridor, suggested that this pattern might be continued even further along Phillip Street if needed. The assumption that there might be more demands for office accommodation for the Public Works Department proved correct.

By May 1891 the Government Architect had received instructions to provide accommodation for the whole of the Public Works Department under one roof. Building yet another wing was rejected, probably due to the costs of resumption and Vernon considered the options for altering and enlarging the building then still under construction. Adding extra floors was considered, but this option presented both structural and aesthetic problems and was, it appears, still too costly for the government's liking.

The width of the external walls had been reduced to cut costs and did not comply with current building regulations. The walls would be 'only just sufficient' for the extra weight of more floors and timber and slate would have to be substituted in place of the original concrete roof.

In June 1891 an alternative was devised. The roof space of the building that Fallick and Murgatroyd had undertaken to construct in September 1890 would be completely remodelled. The third and fourth floors [Levels 5 & 6], within the roof space above the parapet level, were to be converted into full floors. The external wall was raised by one storey above the original parapet to a second parapet line to accommodate the third floor [Level 5] with the fourth floor [Level 6] within the roof space. The fenestration of both floors was radically altered and enlarged, the roof plan changed to Mansard form and the roof structure altered from concrete to timber clad with zinc sheeting. This together with the decorative detailing around the roof was supplied from the Wunderlich catalogues. The roof of the arch over the laneway was also changed to provide a visual connection with the heightened parapet level of the adjacent building. This plan was approved on 30 June. Not surprisingly perhaps, the contractors were far from happy and work on the site stopped. It was not until 26 September that the Government Architect was able to inform his superiors that 'after a considerable amount of negotiations and preparation of special plans and quantities', a price had been agreed with Messrs. Fallick and Murgatroyd for 'substituting the new roof and the raised storeys for the work originally in contract'.

Vernon's recommendation was considered by a Public Works' Board of Reference, of which he was a member. The Board conceded that there was 'no option but to accept Mr Vernon's recommendations. At present the buildings are at a standstill, the roof as originally designed having been found to be quite impracticable, hence the cause of the present trouble.' The Board exonerated Vernon from blame as he 'was not responsible for the design'. An estimate of costs also referred to 'defects' in the original design as one of the causes of cost overruns. Quite where this interpretation of events came from is not known. The main reason for the difference in the amount voted for the building and its eventual cost was a continuing demand for more space, which resulted in substantial additions and changes in plan when construction had already begun.

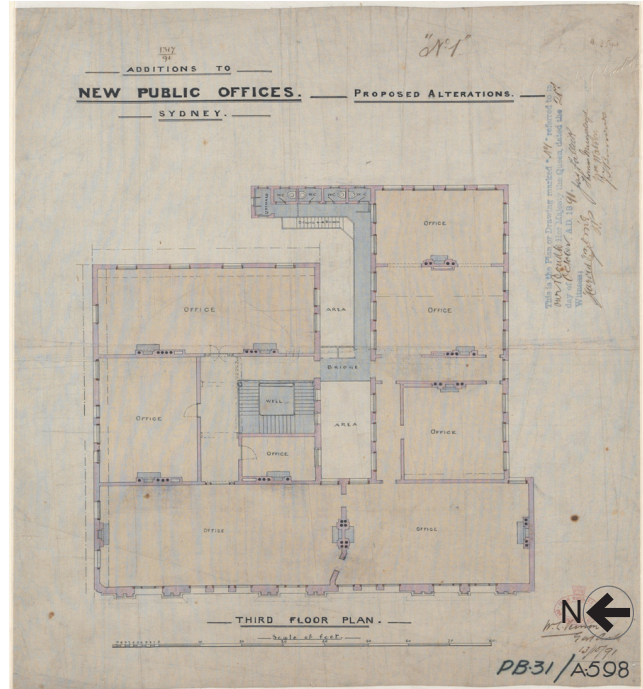


Figure 2.16
Former Department of Public Works Building. Proposed alterations, Third floor plan. (1891)
Source: NSW State Archives and Records, NRS-4335-4-[Plan1026]-PB31/A598

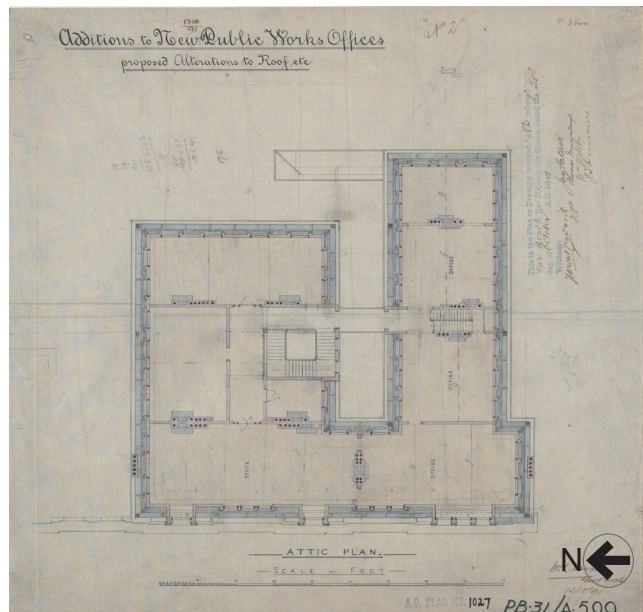


Figure 2.17
Former Department of Public Works Building. Proposed alterations, Attic plan (1891)
Source: NSW State Archives and Records, NRS-4335-4-[Plan1026]-PB31/A598

Between 1899 and 1891 the original building had been extended three times, the final and most drastic change being the complete redesign of the top two floors and the roof. Vernon had been in office as these changes were planned, put out to tender and contracted and had signed the plans. He had moreover been directly responsible for the final change in plan, which he had recommended to the Under Secretary, necessitating the total redesign of the roof and roof space. The suggestion that 'defects' in the original design had caused increased costs is also hard to substantiate.

The 'original' design had long since been lost in all the changes and its designer could not have been expected to take into account structural needs that would never have been an issue if the building had been executed as planned. Perhaps the Board of Reference was simply seeking to protect one of its own. Or was this one final slight against the staff of the old regime? J H Young who succeeded Bruce Smith as Secretary for Public Works in August 1891 was unimpressed, as his Minute on the Board's recommendation revealed: 'I trust this serious discrepancy in estimate of cost of work will cause the Government Architect to keep a more watchful eye on all such matters in future.'

The work was finally completed in the financial year 1893-1894. The six-storey extension with its prominent mansard roof rose conspicuously above the clean classical lines of Barnet's original.

The Phillip Street additions were constructed in four major stages between 1890 to 1893. The first stage included 3 bay width from levels 1 to 6 at the southern side of the Chief Secretary's Building, the second stage was the construction of an infill over Phillip Lane from level 2 to 5, stage3 included 2 bay width from levels 1 to 6 at the southern side of the first addition, and in stage four, Mansard increased in height on level 6.

The layout of the second additions through the continuation of the north-south corridor on all levels, demonstrates the intention of further addition to the building (southward); however, it the third portion did not proceed.



Figure 2.18

The work on the Phillip Street additions nearing completion c. 1893
Source: Mitchell Library Small Picture File Sydney – Public Buildings – Bridge Street, reproduced in L Coltheart (ed.): Significant Sites. History and public works in New South Wales, 1989

Population growth in early Sydney was spectacular. In 1817, when Greenway was Colonial Architect, the population of New South Wales was around 18,000. By 1836, during Mortimer Lewis time as Colonial Architect, the population had grown to 80,000. In 1840, the population was around 130,000. In 1880, when James Barnet was Colonial Architect, the population reached around 750,000. In 1900, when Vernon was appointed as Colonial Architect, the population doubled to 1,400,000. This population growth had resulted in the construction of additions to the existing buildings such as the GPO, Government House, the State Library, and Chief Secretary's Building.⁴ The population growth resulted in the increased number of staff and a need for more space to accommodate them. Although the essential consideration for the construction of new additions was economy, probably due to the great depression during the 1890s, the various works exceeded the estimated budget. This further confirms the importance of the building and the need for more spaces to be occupied by the Public Works Department.

2.10 WALTER LIBERTY VERNON

In 1890, Vernon was appointed as New South Wales Government Architect. Vernon played an important role in planning and urban design issues during his career. Vernon was interested in presenting a new architectural style that had emerged in England in which the English free style incorporated elements of picturesque and respect for craftsmanship encouraged by William Morris. This style was developed as the Queen Anne style and the Arts and Crafts movement. The style used by Vernon could be classified as Federation which comprises influences of the English Anne style, the Arts and Crafts Movement, European Art Nouveau, and the American shingle style.¹⁴

Vernon considered major city public buildings as 'monuments of Art', which were mainly large in scale and finely wrought in stone such as Chief Secretary's Building.¹³ Walter Liberty Vernon (1846-1914), New South Wales Government Architect, was most famous for his grand public works including the Art Gallery of New South Wales, and Former Land Titles Office. In 1890, Vernon designed additions to the Chief Secretary's Building, representing one of the first and major works by the newly appointed Government Architect. These additions were completed in a style and quality matching the original building and were constructed in a time of severe economic depression.¹⁴

2.11 COMPETITIVE ADDITIONS, 1894

Chief Secretary's Building and Public Works Department underwent several alterations and changes over time, mainly to meet the needs of the increased number of staff. The following information is sourced from the 2016 CMP:

When Vernon had proposed adding extra floors to the Phillip Street extension he had acknowledged that this would predominate over the Bridge Street façade and suggested by way of remedy that 'some compensating addition' such as a 'pavilion roof' should be made to the Barnet building. As the extra floors were not built, the suggestion went no further, but in 1894 the plan surfaced again.

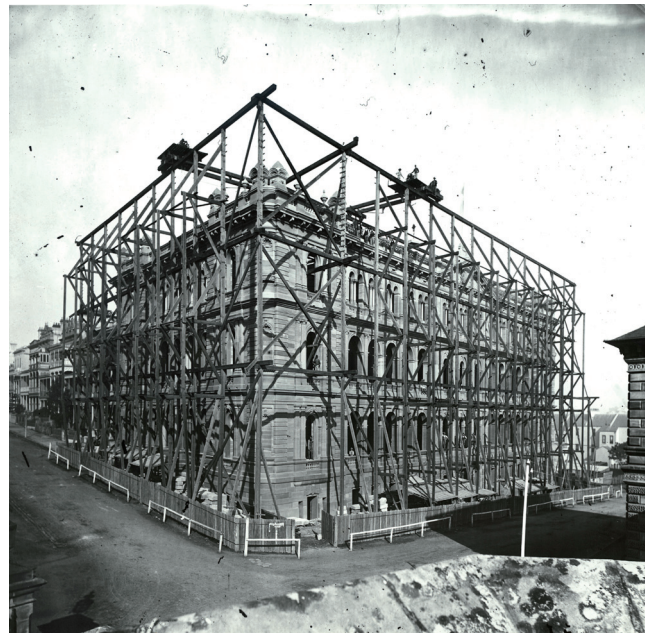


Figure 2.19
Chief Secretary's Building - construction of dome, Sydney (c.1894)
Source: NSW State Archives, Digital ID: 4481_a026_000333

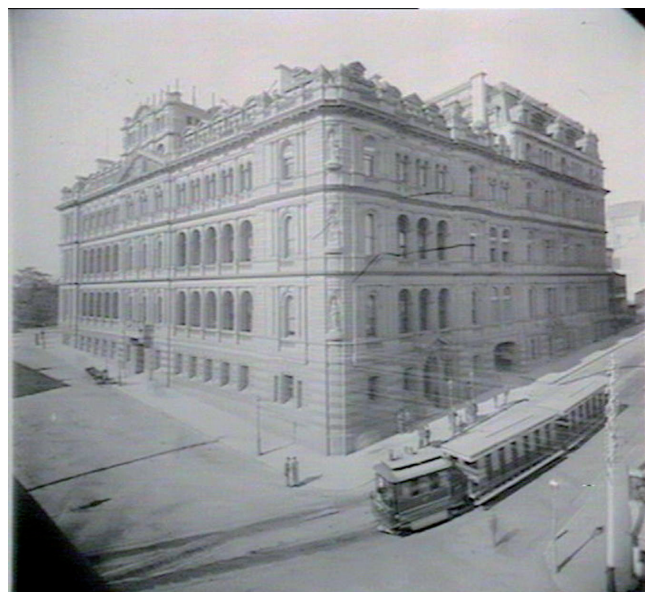


Figure 2.20
Work in progress on the construction of the dome over CSB c. 1896. The caretaker's quarters have been added to the roof of the Phillip Street building.
Source: Government Printing Office photograph St 990, Mitchell Library GPO 1-08674

¹³ Australian Dictionary of Biography. Vernon, Walter Liberty (1846–1914).

¹⁴ Federation Home. Federation Architect Walter Liberty Vernon. <https://federationhome.com/2015/03/15/federation-architect-walter-liberty-vernon/>

In 9 July 1894 a fire broke out at attic level in the north-west corner of the original building. The damage was comparatively limited, but the Minister 'thought it advisable to add an extensive mansard roof and central dome thus giving a large amount of additional accommodation and adding considerably to the architectural completeness of the building.'

The description of this work, in the Department's Annual Report, suggests that Vernon may have played a not inconsiderable part in encouraging the Minister towards this decision. The proposal was remarkably similar to that suggested by Vernon in 1891 and the style was very much his own. The implication that Baret's original building was in some way architecturally 'incomplete' was absurd, but if the Phillip Street extension was considered to be the exemplar of taste and style, then the rest of the building had to be made to conform. The additions were completed in about 1896.

The construction of Mansard roof and central dome over the Chief Secretary's Building provided additional accommodation and added to the architectural completeness of the building. The use of the corrugated aluminium roofing on the dome, was one of the earliest use of this cladding material in Australia.¹²

One other addition that made its appearance at this time was a structure on top of the first section of the Phillip Street extension. In redesigning the roof space in 1891 to create two full floors, the caretaker's quarters had been lost. This 'cottage' was built as the replacement and was added between 1892 and 1894. Somewhat ironically, this humble structure was also graced with metal cresting, like the rest of the Mansard roof.⁸

The basic plan of the Phillip Street extension was of very plain, large rooms but on the second and third floors [Levels 4 & 5] these had been divided by narrow partitioning into smaller offices. A hoist (or lift) within the stair well, served all floors. Unlike the main building, the Phillip Street extension was extremely plain with little architectural differentiation between floors other than the ceiling height.⁸

In the original design of the building, a lift was not considered. However, the building was constructed with a lift within the open central staircase.

As the Phillip Street additions were being constructed, the Colony was in the throes of a severe financial depression and the staff of the Public Works Department was much depleted. But from 1894 onwards there was renewed activity and a considerable amount of work for the Government Architect's Branch. In 1896 when the Mansard addition to the original building was completed, the Government Architect and his staff moved into the new roof space.⁸

The construction of additions in the four main stages to the Chief Secretary's Building demonstrates the needs and support of the government during the economic depression of the 1890s.

2.12 EARLY 20TH CENTURY CHANGES, 1896-1915

From the late 19th century to the early 20th century, the building has experienced several changes.

A number of minor changes were made within the Phillip Street additions in the early 20th century. Sometime between 1896 and 1911 the tanks on the top (third floor) of the toilet block at the south-west corner of the Old Building were removed and two new floors added, providing two large offices for Public Works. A further addition was constructed in 1911 when a new helio room [Room 105A] was made within the Mansard roof space of the same block, connecting with the helio room in Old Building. In 1915 provision was made for new ladies' lavatories [Room 12A] on the ground floor [Level 2] by partitioning off part of the large contractors' room at back of building.⁸

The provision of ladies' lavatories was a demonstration of a changing pattern within the workforce that serviced the departments.

2.13 BUILDING ALTERATIONS IN THE 1920s

During the 1920s, the building underwent several changes. As such, this period of time was the most active in terms of work carried out on the building.

*A comparison of plans of the building drawn in 1896 and in 1922 shows that a number of changes had also been made, on various levels, to alter the layout within the large offices by the insertion or removal of partition walls. The accommodation was, presumably, fairly flexible in this regard. By 1922 the room over the laneway on Level 3 had become incorporated into the workings of the Old Building, functioning as the Under Secretary's ante-room, with a connecting door into the south-east corner of the Under-Secretary's office. Nearby, within the New Building, part of a large office had been partitioned off to make an office for the Secretary to the Under-Secretary. This connection was an important one, linking these rooms with the business of the impressive Public Works ministerial suite at the Bridge and Phillip Street corner of the Old Building. With this exception the New Building was essentially used for departmental purposes and lacked the public spaces of the Old Building.*⁸

*Other alterations and additions consisted of the addition of external galleries on Levels 2 and 4 along the north side of the Phillip Street addition, over the laneway, providing a connection from the main corridor to these rooms. The date when these alterations and additions were made is not known. In 1923-1924 another connection was made from the New to the Old Building, a bridge with a roof covering across the laneway on the third floor [Level 5]. A window in the Mansard roof was converted into a doorway for the purpose. In 1926 three rooms on the fourth floor [Level 6] were converted into a large drafting room.*⁸

2.14 ROOF WORKS, 1936

*Major work was carried out on the roof of the Chief Secretary's and Public Works building in 1936. Much of the 1890s roof covering, including the Phillip Street addition, the aluminium dome and the Mansard addition needed replacing. The zinc sheeting on the Phillip Street building was replaced and the lead lining of the box gutters repaired.*⁸

2.15 NEW LIFTS, 1954

*The other major work in the New Building in this period was the installation of two new lifts in 1954. The Phillip Street additions had been provided with only one main staircase and a single lift within the stair well and had no other means of emergency egress, despite the fact that the building accommodated a large staff, on six levels across what were, in effect, two separate buildings. The new lifts were installed in the narrow area between the two parts of the building, leaving a much reduced light well at the west end. The original lift was removed from the stairwell and the balustrade filled in where the lift opening had been. The height of the stair handrail was increased by the addition of a metal rail.*⁸

2.16 THE FAMILY LAW DIVISION OF THE SUPREME COURT, 1967

In 1967, Department of Public Work relocated from the Chief Secretary's Building to their new headquarters in the State Office Block.¹² Accordingly, the building underwent major alterations on all levels to be reused for other functions. Although the office of Chief Secretary remained in existence, there was no single department to occupy the rest of the building. The building was occupied by variety of long and short term occupants over thirty years.⁹ The reuse of the building for the Family Law Division generated substantial internal changes to the building.

The re-use of the Phillip Street addition was much less difficult. It was much more compact, could function as a separate building and did not have any of the elaborate offices and associated historic contents that were such an important part of the original Bridge Street building. In 1967 it was decided that the Phillip Street building would be used to accommodate the Family Law Division of the Supreme Court, the divorce courts. The work was largely completed in 1969 at a cost 'approaching \$1,000,000'.⁸

The old latrine block and its associated galleries were demolished, a new fire escape stair was built next to the lifts, services were upgraded and major alterations made at all levels of the building. On Levels 3, 4 and 5 the large offices on the Phillip Street and Phillip Lane frontages were converted into court rooms and the areas between them, on the north side of the stairs, were opened up to provide waiting areas. Judges' and associates' rooms were located in the south end of the building, separated from the public areas by the court rooms

and lifts. Levels 1 and 2 were used for court records, administrative staff and the PABX exchange. Level 6 had one court room on the Phillip Street frontage and the other large rooms were used for Betting Tax records.

The old toilet block, to which three floors had been added early in the 20th century to provide office space, was converted into toilets on all levels. The gap between this block and the main building was enclosed. The old central corridor in the southern half of the building, which had been the means of communication between the two parts of the building, was converted on Levels 1-5 into tea rooms. In the course of this work all of the internal walls were stripped back to the bricks with the loss of all original plaster, cornices and skirtings and any evidence of original decoration. A thin cement render was substituted to cover the brickwork. The change of occupancy resulted in a change of nomenclature and the Phillip Street section of the Public Works building, erected from 1890, and occupied by 1894, became known as No. 50 Phillip Street.⁸

During this time, ensuites were constructed in Judges' Chambers rooms on levels 2 - 6, on the south side of the building.



Figure 2.21
Typical Courtroom in former Department of Public Works Building
Source: NSW Department of Public Works Annual Report Year ended 30 June 1969



Figure 2.22
Judge's Chamber in former Department of Public Works Building
Source: NSW Department of Public Works Annual Report Year ended 30 June 1969



Figure 2.23
Judges Associates Office in Former Department of Public Works building
Source: NSW Department of Public Works Annual Report Year ended 30 June 1969

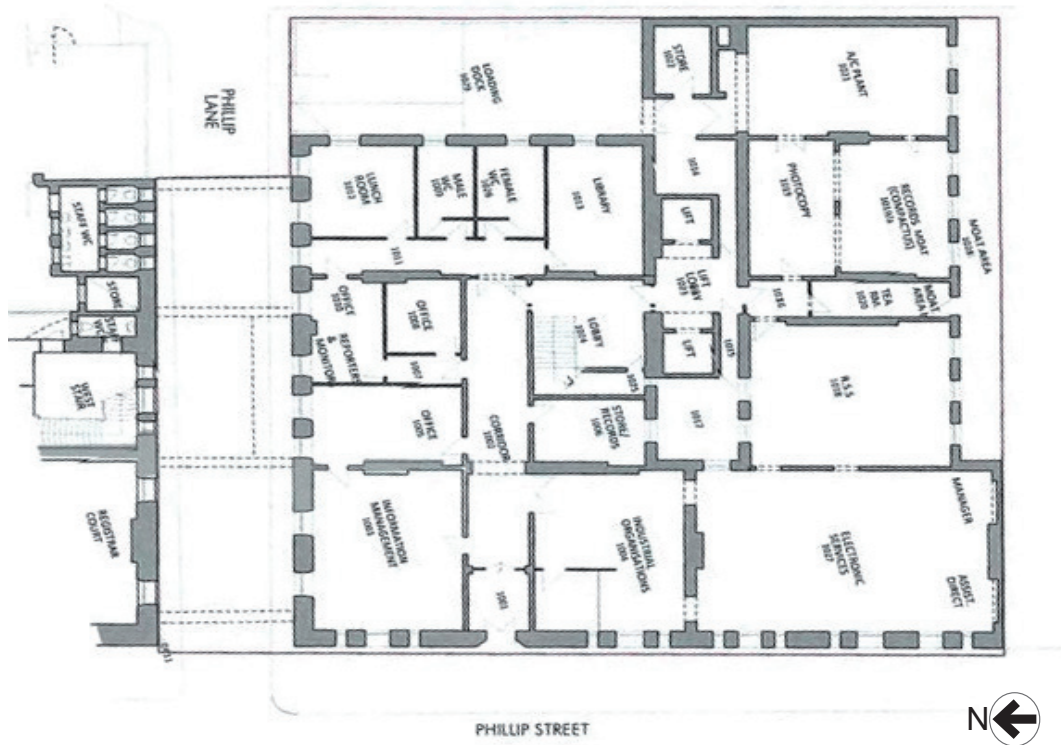


Figure 2.24
 Plan Level 1 showing changes to the building in 1967
 Source: 2016 CMP

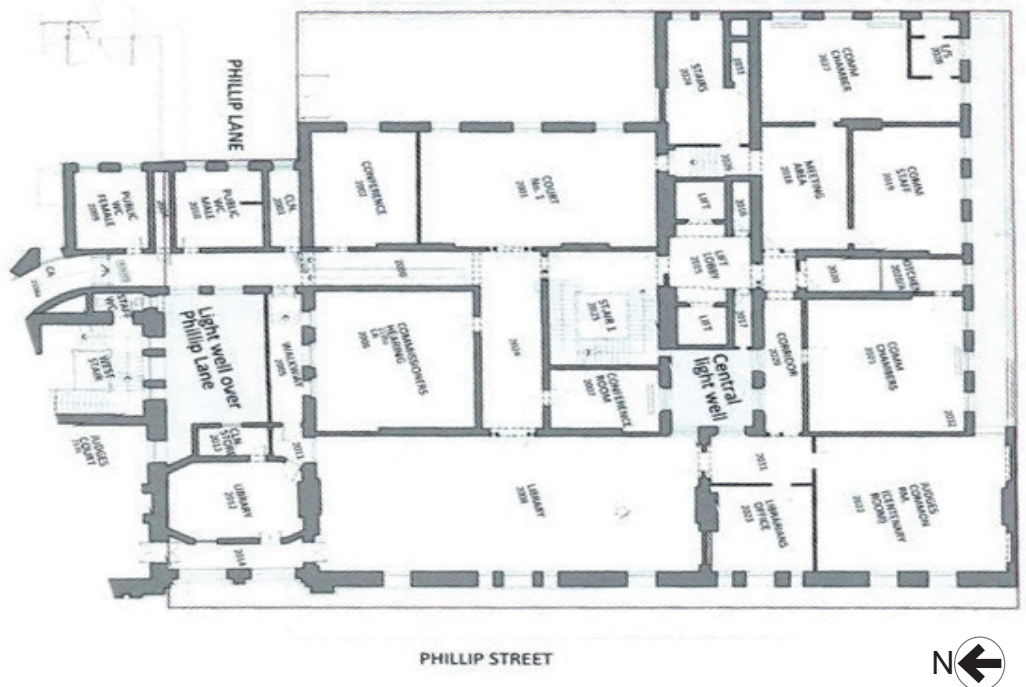


Figure 2.25
 Plan Level 2 showing changes to the building in 1967
 Source: 2016 CMP



Figure 2.28
 Plan Level 5 showing changes to the building in 1967
 Source: 2016 CMP

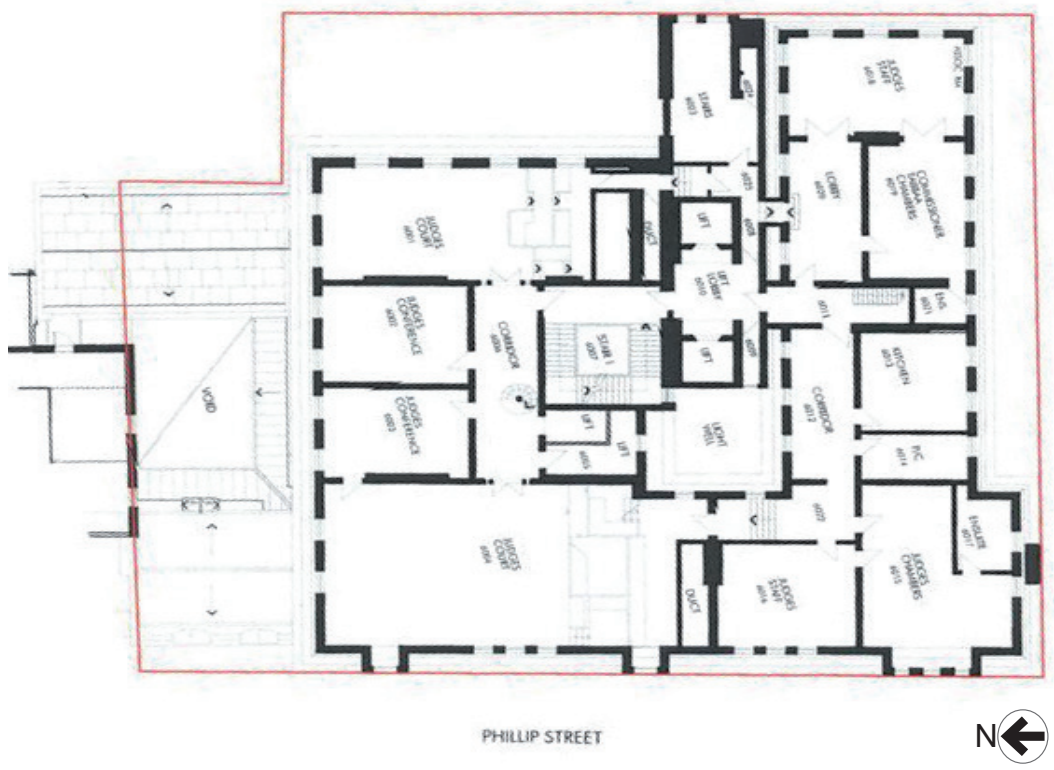


Figure 2.29
 Plan Level 6 showing changes to the building in 1967
 Source: 2016 CMP

2.17 NSW INDUSTRIAL COMMISSION, 1970S-2000s

In 1977 there was a change of occupant when the Family Law Division was transferred from state to federal jurisdiction and the New South Wales Industrial Commission, previously in very unsatisfactory premises at the Hyde Park Barracks, moved to No. 50 Phillip Street. The move was supported by a survey carried out for the Minister of Justice, J C Maddison and an independent report by the Public Service Board, but was opposed by the President of the Industrial Commission, the Honourable Sir Alexander Beattie, 'mainly on the basis that it was not modern accommodation'. In this case the Minister's recommendation that 'the Industrial Commission be required to transfer permanently to the Court accommodation at 50 Phillip Street, Sydney, when vacated by the Family Law Division of the Supreme Court and after any necessary alterations are carried out' carried the day. Very few alterations were needed to effect the change.

The Commission was not, it seems, entirely happy with its new accommodation which was described as exhibiting 'that combination of dignified severity with a slight suggestion of the down at heel, that is so often found in association with the law'.

Nor was No. 50 Phillip Street ultimately spacious enough for the Commission's needs. By the later 1980s the President of the Commission, its eleven Deputy-Presidents and the Commission's library were housed in 50 Phillip Street but more space for two courts and for the Commission's two registries had been rented in the main part of the adjoining Chief Secretary's building. Meanwhile eleven of the Commission's twelve Conciliation Commissioners were housed in Xerox House in George Street at Railway Square as was the Chief Industrial Magistrate and a small section of the registry. The arrangement was inconvenient at best and separated the Commissioners from both the library and the main registry. In 1992 discussions began about 'co-location', to bring the Presidential members and the Commissioners under one roof. The suggested location for the Commissioners and their staff was in the much under-used Chief Secretary's building, leaving the Registry, library and Presidential members in 50 Phillip Street to minimise disruption.

Plans for the redevelopment of the building, 'in terms approved by the Heritage Council', were signed by the President of the Industrial Commission by the end of 1994. It was hoped that the move would be

completed by late in 1996. In the following years the President regularly reported that 'little discernible progress' had been made to accomplish the plan. Towards the end of 1995 it was even suggested that the Chief Secretary's building 'might not be available' and that another building would have to be found in the CBD, or new purpose built accommodation constructed. It was not until 2000 that there were 'positive developments' and the hope of tangible progress. By 2002 the plan for the refurbishment of the Chief Secretary's building was finally 'well advanced' and the prospect of being able to transfer all of the Commission's staff from Railway Square to the Chief Secretary's building was a real one.

2.18 CONSERVATION WORKS, 1980s

The 1980s saw a major program of repair for both the CSB and 50 Phillip Street. The Phillip Street façade in particular underwent extensive stonework conservation – a bicentennial project by NSW Public Works as part of the Public Works Stonework Program. The façade work was supplemented by roof works, including replacement of dormer windows and vents, new cooper cladding to mansard and roof restoration.

In anticipation of ongoing conservation works for both the CSB and 50 Phillip St the first Conservation Management Plan was prepared in 1987 for both buildings by Woodhouse and Danks Pty Ltd.

2.19 REFURBISHMENTS, 1990s

Some improvements were made in the 1990s to 50 Phillip Street, still largely unchanged since the Commission moved to the building in 1977, but these were essentially piecemeal. In 1992 the judges' consultation room (R2022) was refurbished and redecorated. The occasion was the centenary of industrial arbitration in New South Wales. In July 1992 the Court Registrar requested that the room be renovated in time for a ceremony and reception marking the centenary to be held in September. Diana Schlicht was commissioned to undertake the work, with a tight time schedule. Paint scrapes were done but, not surprisingly, no evidence was found of any previous decorative scheme as the walls had been stripped of plaster in the 1960s.

In the absence of any authentic detail the room was decorated in 1890s period style with a painted frieze and dado. A cornice was added based upon the cornice profile in the rooms at the back of the second floor of the original Chief Secretary's building [that is, the rooms facing the laneway]. Cedar Venetians, new lights, curtains and a Wilton carpet, compatible with the period were supplied together with some new furniture. A number of pieces of cedar furniture were restored. On 13 October 1992 the President of the Industrial Relations Commission, the Hon W K Fisher AO unveiled a plaque on No. 47 Phillip Street to commemorate the first meeting of the Council of Conciliation and Arbitration there on 13 October 1892. He then hosted a reception in the newly renovated 'Centenary Room.'

1992 saw the centenary of industrial arbitration in New South Wales, prompting the refurbishment of the judges' consulting room including repainting of room, new curtains, carpet, lights & furniture and some furniture restored. The room was re-named the Centenary Room.

2.20 CONSERVATION MANAGEMENT PLAN, 1994

In 1994 Jackson Teece Chesterman & Willis Pty Ltd prepared a new Conservation Plan for both buildings as discussions had commenced concerning use of the whole of the Chief Secretary's Building and 50 Phillip Street by the Industrial Relations Commission. Plans for this redevelopment were approved by the President of Industrial Relations Commission and subsequently by the NSW Heritage Council. As a first step the Industrial Relations Commission, previously part of Department of Industrial Relations, occupied Level 5 of the CSB. In 1998 the Industrial Court Registry and the Industrial Commission Registry merged into one Registry.

2.21 INDUSTRIAL RELATIONS COMMISSION, 1998

In 1998 following the appointment of Lance Wright as President of the Commission further refurbishment was undertaken, in part to accommodate the amalgamation of the former Industrial Court Registry with the Industrial Commission's Registry. Other works included the replacement of the lift cars and painting the stairwell, again a 'period scheme' but without any historical basis.

2.22 ALTERATIONS, POST 2000s

A revised and updated Conservation Management Plan for the Chief Secretary's Building was prepared by the NSW Government Architect's Office in 2002.

More detailed drawings were prepared in 2002-03 by the NSW Government Architect's Office and refurbishment of both the Chief Secretary's Building and 50 Phillip Street for use by Industrial Relations Commission commenced in 2003. The project involved the transfer of all staff from Railway Square to site.

The major refurbishment of the CSB in 2003-2005 to provide an integrated IRC fitout across CSB and 50 Phillip Street included internal refurbishment of courtrooms in 50 Phillip Street including environmental services and new joinery for the Vice President's Courtroom (level 3) and Commissioners Hearing Room (level 2). The work also included structural bracing to the first floor balcony spanning over Phillip Lane.

Further minor works continued in 2005-2006, including the installation of a new lift, including new partition walls, servicing levels 5 and 6 to complete provision of publicly accessible disabled access to all floors of the building.

Because of legislative changes in the 1990s, industrial relations began to be managed from the federal body in Canberra and significant transfer of responsibilities to the Federal jurisdiction occurred in the late 2000s shortly after completion of the integrated IRC fitout. This has meant that the court facilities of 50 Phillip Street have received only limited use over the last 5 or so years.

2.23 NSW DEPARTMENT OF JUSTICE, 2017

After 2016, the building experienced further changes, probably due to the changes in users' needs and requirements. The building is currently occupied by the NSW Department of Justice.

In 2017, the building underwent minor alterations in terms of office fitouts for the NSW Department of Justice. The project involved demolition and strip out of existing court rooms and fitouts of new internal office spaces for the NSW Department of Justice.¹⁵

¹⁵ Cauchi Building. <http://www.cauchibuilding.com.au/project/nsw-department-of-justice-l3-4-50-phillip-st-sydney/>

Further changes included subdividing large rooms into two or three smaller spaces by partition walls or rolling walls (movable partitions), destruction of ensuites on levels 3-5, construction of walls and openings on the northern side of the building on all levels to separate toilets from other spaces, and the destruction of stairs to courtrooms on levels 3-6.

Several internal alterations and changes in the building over time resulted in the loss of internal integrity of the building, making it less sensitive to further changes. However, the additions were designed in a form of plain large rooms that could easily be subdivided by partitions, has enabled the building to undergo several changes over the course of its history, mainly as offices.

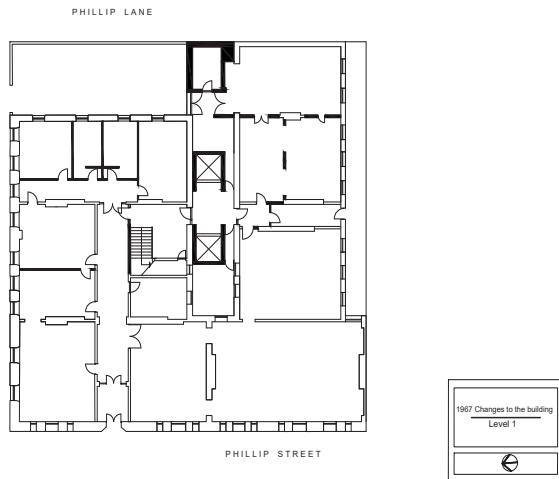


Figure 2.30
Plan Level 1. The current condition of the building showing the remaining 1967 changes to the building, shaded in black.
Source: GBA Heritage

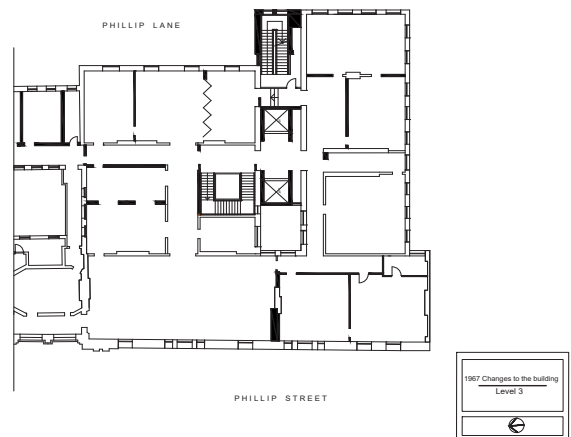


Figure 2.32
Plan Level 3. The current condition of the building showing the remaining 1967 changes to the building, shaded in black.
Source: GBA Heritage

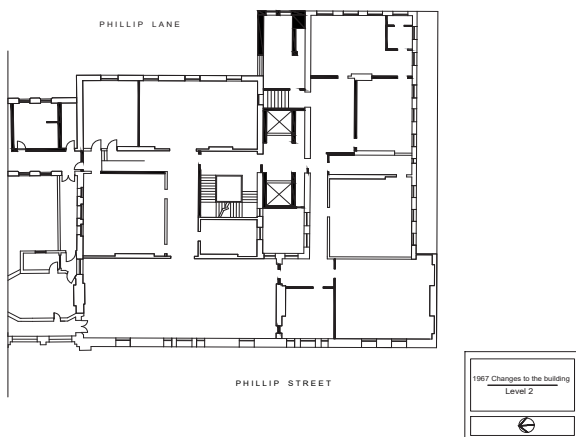


Figure 2.31
Plan Level 2. The current condition of the building showing the remaining 1967 changes to the building, shaded in black.
Source: GBA Heritage

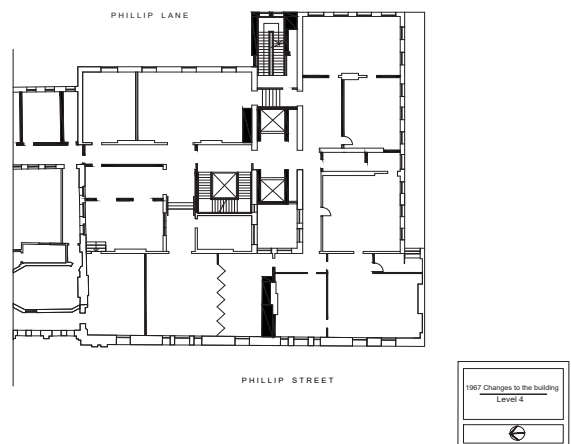


Figure 2.33
Plan Level 4. The current condition of the building showing the remaining 1967 changes to the building, shaded in black.
Source: GBA Heritage

2.24 CHRONOLOGY

The following chronological timeline of alterations and changes to the former Department of Public Works building in the course of its history, is an edited version from the 2016 CMP:

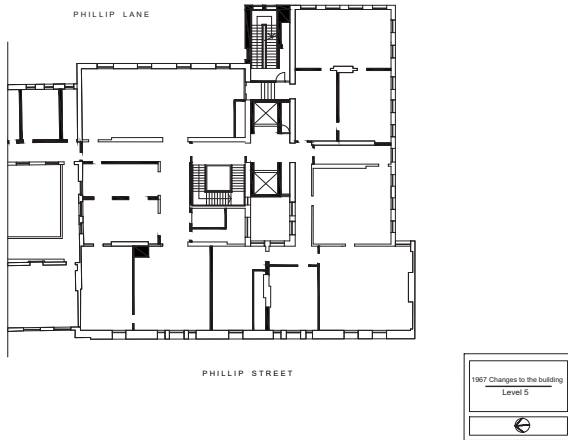


Figure 2.34
Plan Level 5. The current condition of the building showing the remaining 1967 changes to the building, shaded in black.
Source: GBA Heritage

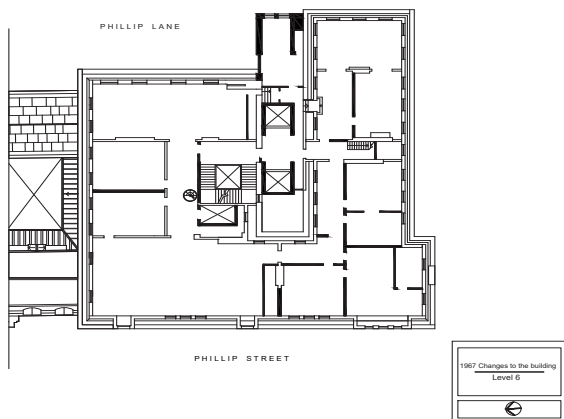


Figure 2.35
Plan Level 6. The current condition of the building showing the remaining 1967 changes to the building, shaded in black.
Source: GBA Heritage

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 building and its 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 discerned.¹

- 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 city.²

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. The views of the harbour that had delighted the early settlers, were preserved for those wealthy people to see it as a sea playground.²

¹ SHI for Sydney Metro prepared by GBA Heritage in 2020
² Fromonot, F., & Thompson, C. (2000). Sydney: History of a Landscape. Vilo International.

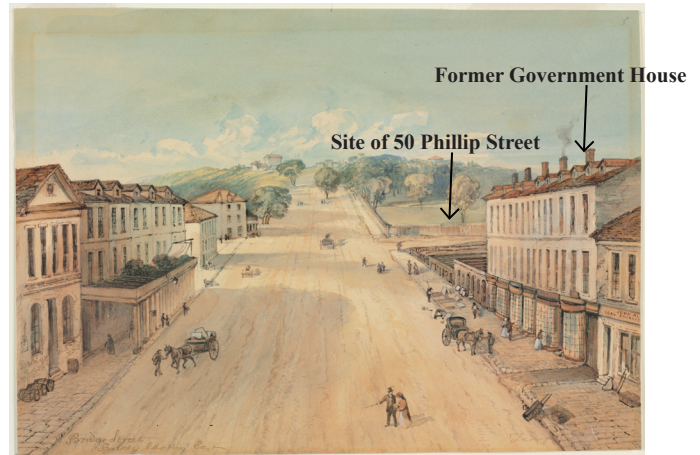


Figure 3.1
This picture shows western side of Bridge Street toward Macquarie Street in 1853.
Source: SLNSW_c1853_Frederic Charles Terry_Ref Code 862481

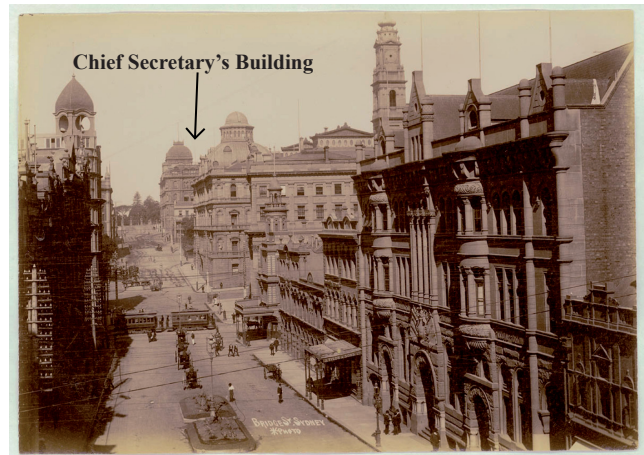


Figure 3.2
This picture shows western side of Bridge Street toward Macquarie Street. CSB is visible on the corner of Phillip and Bridge Streets.
Source: State Library New South Wales, ca. 1900-1910 PXE 711/386

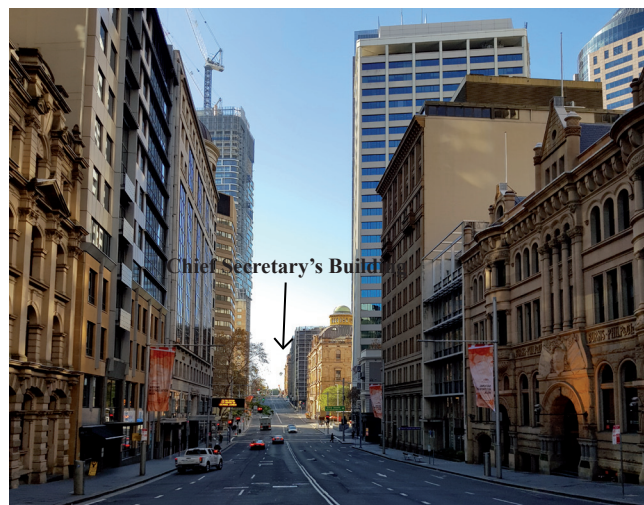


Figure 3.3
This picture shows western side of Bridge Street toward Macquarie Street in 2020 (CSB is not visible in this picture).
Source: GBA Heritage, 2020

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 buildings.¹

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, 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, 3.2, 3.3, and 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 height.³

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, prevailed.¹



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

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 Block.³

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 recently approved Central Sydney Planning Strategy, aiming at enhancing Sydney's global competitiveness, permissible heights will be further increased in certain locations.²

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, along the eastern edge of Sydney's core Central Business District (CBD), extending from the southern Harbour entrance along the south shore. The subject site is in Metropolitan Centre zone area, with frontages to Phillip Street on the west, and Phillip Lane on the east side. 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.

Phillip Lane 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.



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 located among many tall buildings, especially on the Phillip Street axis of the surrounding city block.

Source: Central Sydney Planning Strategy, Appendix C, Height of Buildings Study.

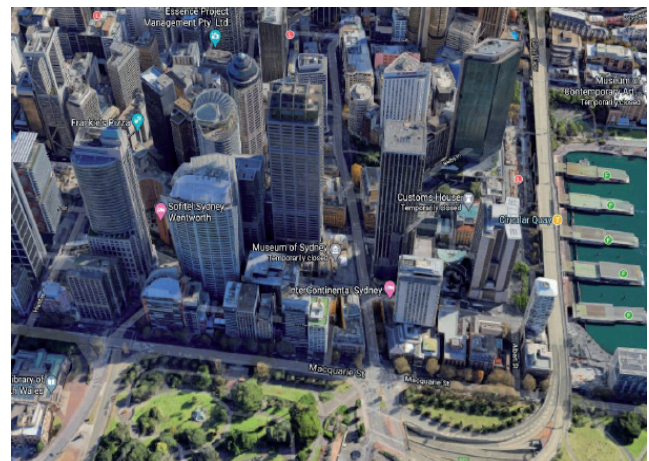


Figure 3.6
The aerial view shows the subject site (shaded in pink) is surrounded by tall buildings.

Source: Google Map

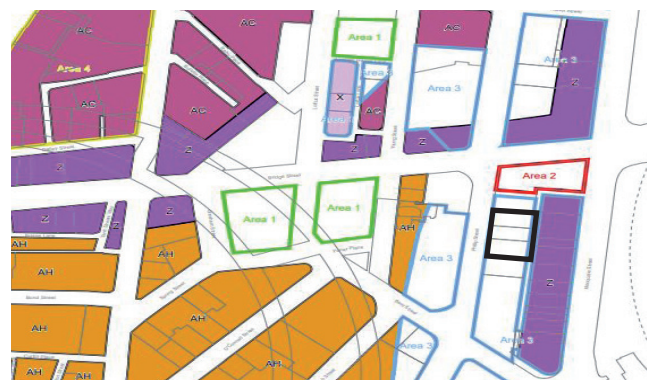


Figure 3.7
Extract from LEP Height of Buildings Map. The subject site is outlined in black, is located in Area 3 (outlined in blue), where the height is governed by solar access consideration.

Source: Sydney LEP 2012 Height of Buildings Map, sheet HOB_014

4 Sydney LEP 2012 Height of Buildings Map.

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 boundaries of Governor’s Domain and Civic Precinct (the pending National Heritage List), demonstrating the foundation and development of Australia’s civic institutions and early parliamentary forms of government.

3.4 VIEWS TO AND FROM THE SITE

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.



Figure 3.8
This view shows the CSB and 50 Phillip Street on the corner of Phillip and Bridge Streets, opposite the Museum of Sydney.
Source: GBA Heritage, 2020



Figure 3.9
Intersection of Bridge and Phillip Streets. 50 Phillip Street is located on the right side, opposite the Museum of Sydney.
Source: GBA Heritage, 2020

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 13 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 of 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.

3.5 DESCRIPTION OF THE BUILDING EXTERIOR

The following information has been taken from the 2016 CMP:

General Description

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.



Figure 3.10
Former Department of Public Works (50 Phillip Street). The building is connected at the upper floors, on the north side, across Phillip Lane to the Chief Secretary's Building
Source: GBA Heritage, 2020



Figure 3.11
The entrance portico to the building on the central axis of the first addition.
Source: GBA Heritage, 2020

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.

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 level 1 to 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 level 1 to 6, and stage 4 included the increase height of mansard at level 6.

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 yellowblock 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 façade 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.



Figure 3.12
Cantilevered walkway connecting the building to CSB on levels 3 and 4, set back from the east-west alignment of Phillip Lane.
Source: GBA Heritage, 2020



Figure 3.13
Cantilevered walkway connecting the building to CSB on levels 3 and 4. The curved walkway connecting two buildings on level 5 in the form of a glass corridor.
Source: GBA Heritage, 2020

The pattern of fenestration is similar to the Chief Secretary's Building, the arcades of that building are 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 main facade of the building, the principal sandstone-clad facade fronting Phillip Street is currently in good condition.

On the eastern side of the building at levels 3 and 4, an external cantilevered walkway connects the building to the CSB on the south side of the CSB. On level 5, the curved walkway, on the east side, is in a form of glass corridor (Figure 3.13).

Roof

The roof comprises copper flat rolled sheet supported on timber trusses and purlins. It uses a variety of traditional sheet metal roofing details over a boarded sarking. Level 6 is housed within a mansard roof.



Figure 3.14
structural bracing to the first floor balcony spanning over Phillip Lane
Source: GBA Heritage, 2020



Figure 3.15
General view of the roof to the north, showing the copper roof sheeting that generally look in good condition.
Source: GBA Heritage, 2020



Figure 3.16
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

The metal architraves around the dormer windows and the metal louvred vents are original designs by Wunderlich originally in Muntz metal and lead. The original zinc items were patched with a fibreglass resin and painted in 2002 in what appears to be 'high build' paint similar to Emerclad.

Cast Iron Balustrade

Around the perimeter of the roof (including to the light well) is a decorative cast iron balustrade that is supported by struts on to the roof structure. It was noted that the bolts connecting the struts to the roof structure have been replaced with new stainless steel bolts along the Phillip Street elevation. Similarly some of the bolts connecting the various parts of the baluster have been replaced with stainless steel. The majority of the balustrade however is joined together and fixed to the roof structure with galvanised bolts.

One access to the roof is via a narrow timber stair at the southern side of the building (3.70). The stair opens to a small enclosure located between two chimneys. This enclosure has flat copper clad walls, copper roof sheeting and timber window.

The main roof space is accessed via a spiral stair from the corridor adjacent the lift well and central stair. The roof space is generally not accessible, with the exception to service the air-conditioning ductwork where flooring has been provided. It is unlikely that the access complies.

The roof space is ventilated via Wunderlich oval-shaped zinc vents through the mansard roof.

Chimneys

There are five painted stone chimneys located on the southern half of the building. Four of these appear sound, however the stone coping of the chimney at the southern boundary (adjacent the neighbouring party wall) is cracked (refer to structural report below). New air conditioning condensers are located on a new platform spanning between two chimneys on the southern side.

Lift Motor Room

The lift motor room is housed in a rendered concrete structure at the centre of the original long narrow light well. This structure is generally in good condition, however there is some cracking evident at the exterior at the location of the internal floor level and adjacent window/ vent openings. Two levels of the lift motor room are accessed via a metal stair and walkway from the roof. The external rendered wall of the lift motor room has cracked along the internal floor structural level and around the openings in the wall. This appears to be due to a combination of differential movement and moisture ingress through the wall/flashing and should be repaired.

Roof Structure

The roof structure consists of:

- Timber boards (sarking) directly under roof lining are generally in a reasonable condition, although some areas were found to be locally damaged/ defective due to water leakage in the past and/or inadequate fixings.
- Timber roof trusses. The trusses had typically been strengthened in the past by addition of steel elements, assumed to be for additional loads from mechanical equipment.
- Timber roof purlins. There is minor decay where roof leakage has occurred in the past.
- Timber ceiling joists & flooring: generally found to be in reasonable condition, although some areas were found to be locally damaged/ defective due to water leakage in the past and/or inadequate fixings.
- Roof decking/flooring boards in some areas for access: generally in a reasonable condition; however some boards were damaged/ decaying.
- Steel members: generally in a reasonable condition, although some rusting was found, this was minor and not considered structurally significant.
- Depending on the use of the roof space as defined under the BCA, it may require further investigation and assessment for structural adequacy.

SEISMIC

No seismic work has been undertaken to the roof structure or chimneys at No. 50 Phillip Street. Seismic stabilisation work was been undertaken at the adjacent Chief Secretary's Building in 2005.

Comment

Due to the lack of access to the roof, observations are limited to those conducted in the 2016 CMP. Although, the current condition of the roof is not clear, it seems to be in a good condition.

LIGHTWELL & VOIDS

There are three full height light wells within 50 Phillip Street: the light well over Phillip Lane at the northern end of the building; an internal light well in the centre of the building; and a light well at the southern end of the building (sometimes referred to as the moat).

The light well over Phillip Lane has rendered and painted masonry walls up to level 5, with level 6 located behind the copper clad mansard roof. Cantilevered walkways extend along the south elevation of the light well and these are supported by steel brackets from the masonry walls. The floor covering to each walkway differs, and is a mix of timber boards, glass panels and metal sheeting. Similarly, the balustrade and handrails differ and are timber framed with opaque plastic sheeting, original and later metal balustrades. Only the walkway to level 3 would appear to be original.

Comment

The walkway on level 3 would appear to be original. The floor covering of this walkway is opaque glass block, which is translucent, scattering the light through to the lower level. However, currently the floor covering to each walkway differs, which could be the result of a damaged floor over time and consequent renovation of floor coverings.

Between the walkways, on top of the handrails and to the various ledges to the masonry walls are various systems of bird-proofing, including metal spikes, tension wires and nets.

The condition of these walkways is generally fair, although it is noted that there are several instances of non-compliance with the current building codes, in particular with regard the height and construction of the balustrades. Generally, the main access to the rooms over Phillip Lane fronting Phillip Street is via these walkways.

The 'Area' (Area 1028) is a narrow space on the south side of the building between No. 50 Phillip Street and the adjacent Kusu House at 52 Phillip Street. The ground is bitumen and walls are rendered and painted and appear in fair condition although dirty.



Figure 3.18
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 3.19
The floor covering the walkway over Phillip Lane on level 3 is from opaque glass panels, scattering the light.
Source: GBA Heritage, 2020

There are several surface mounted downpipes and sewer pipes running along the walls.

The central light well (Area 1017) is created within the area left remaining after the installation of the lift well. It has rendered walls up to level 6, while level 6 is occupied within the copper clad mansard roof. A bird net stretches across the top of the masonry walls, and look to have been effective in preventing access by birds.

The floor of the void is concrete, which has been raised and blocks lower floor vents. The void has been partially constructed over with a separate steel framed structure at ground level to support condenser units. This structure is accessed via a ladder stair. External walls are rendered and "coursed" to imitate stone. The painted finish is in fair condition, although the walls generally are dirty. There is a significant amount of storage in this area that could be relocated or removed to clear the space.

Comment

The condition of the light well and void are still in fair condition. The access to the rooms over Phillip Lane fronting Phillip Street is via walkways on the southern side of the light well. These walkways remain in fair condition. However, there are still instances of non-compliance with the current building codes in terms of height and construction of balustrades. The overall form of walkway on level 3 differs slightly from walkways on the other levels.

Phillip Lane slopes toward west, so that the external ground level is partly above the finished floor level. The north facade of the building at ground level facing Phillip lane is dirty. There are signs of flaking, cracking, and peeling paintwork to the ceiling of the archway over Phillip Lane. Some of window sills are damaged and broken on the north side of the heritage building. Some louvre vents on the north side of the heritage building are partially or totally hidden under the finished floor level of Phillip Lane. Generally, windows on the ground level are not in a good condition.

At the present time, the narrow light well, 'Area', which is located on the southern side of the building, remains in fair condition, and the space is clear. There is one air conditioning condenser unit, along with several surface mounted downpipes and sewer pipes in this space (Figure 3.20).

Air conditioning condenser units are mainly located in the central light well via a mezzanine floor on the ground level.



Figure 3.20
An air-conditioning condenser unit in the southern 'Area'
Source: GBA Heritage, 2020



Figure 3.22
Looking to the north side of the heritage building from Phillip Lane, showing the louvre vents are hidden under the finished floor level.
Source: GBA Heritage, 2020



Figure 3.21
The 'Area' between 50 Phillip Street and the adjacent Kusu House at 52 Phillip Street.
Source: GBA Heritage, 2020



Figure 3.23
Looking to the north side of the heritage building from Phillip Lane, showing the damaged and broken windows sills.
Source: GBA Heritage, 2020



Figure 3.24
The north facade of the building and the south facade of Chief Secretary's Building over Phillip Lane.
Source: GBA Heritage, 2020



Figure 3.25
The north facade of the building over Phillip Lane.
Source: GBA Heritage, 2020



Figure 3.26
The north facade of the building and the lightwell over Phillip Lane.
Source: GBA Heritage, 2020



Figure 3.27
The north facade of the building, looking west over Phillip Lane.
Source: GBA Heritage, 2020



Figure 3.27
Flaking and peeling of paintwork over Phillip lane.
Source: GBA Heritage, 2020



Figure 3.28
Access to the Chief Secretary's Building via the octagonal room, and balcony on levels 2-5.
Source: GBA Heritage, 2020



Figure 3.29
External walkway to level 5 over Phillip lane, connecting the building to CSB. Bird proofing to the external walkway.
Source: GBA Heritage, 2020

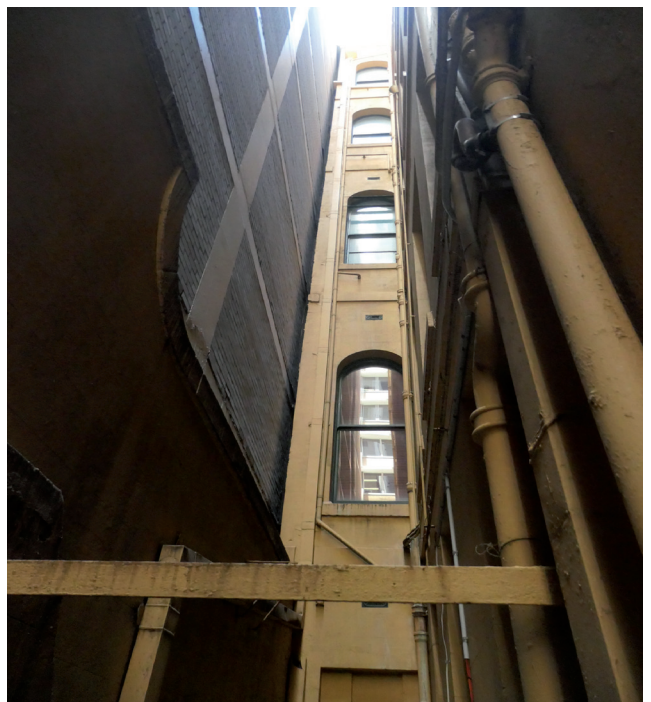


Figure 3.30
The southern side of the building, the area between the building and the adjacent building at 52 Phillip Street, looking west, known as the "Moat"
Source: GBA Heritage, 2020



Figure 3.31
 The southern side of the building, the area between the building and the adjacent building at 52 Phillip Street, looking east, known as the "Moat"
 Source: GBA Heritage, 2020

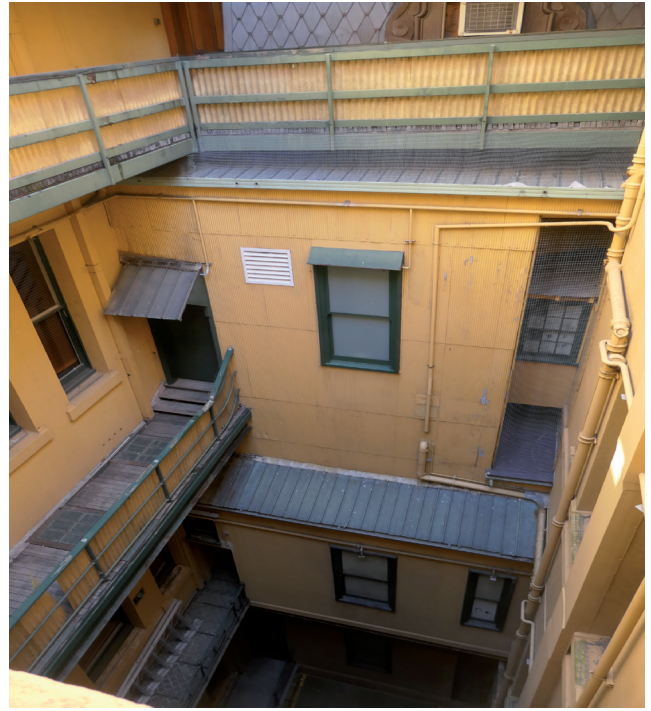


Figure 3.32
 View down the lightwell over Phillip Lane
 Source: GBA Heritage, 2020



Figure 3.33
 The floor covering the walkway to level 5 is metal sheeting
 Source: GBA Heritage, 2020

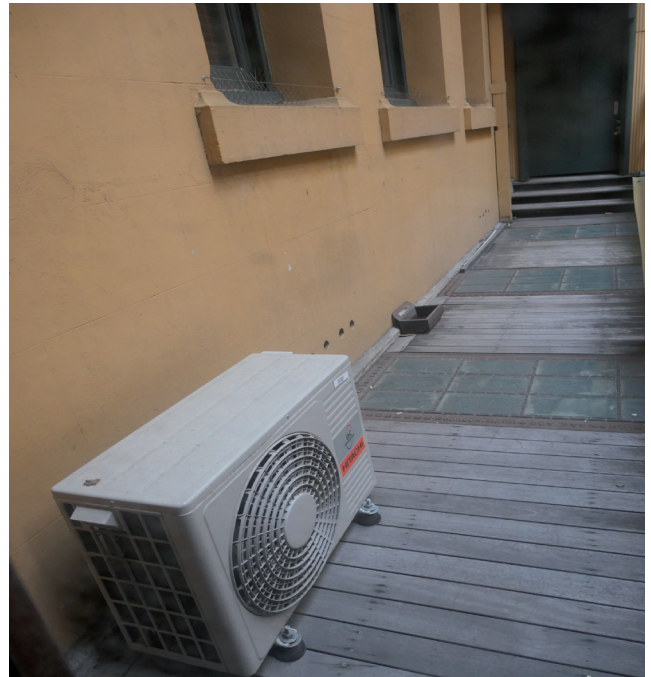


Figure 3.34
 The floor covering the walkway to level 4 is a mix of glass panels and timber boards
 Source: GBA Heritage, 2020



Figure 3.35
The floor covering the walkway on level 4 is a mix of glass panels and timber boards
Source: GBA Heritage, 2020



Figure 3.36
Air conditioning condenser units located in the central light well
Source: GBA Heritage, 2020



Figure 3.37
Views looking up from the central light well
Source: GBA Heritage, 2020



Figure 3.38
The east facade of 50 Phillip Street in cement-rendered brickwork. The fire stairs in a new brick wall is attached to the building.
Source: GBA Heritage, 2020



Figure 3.39
The east facade of the building, looking to the south facade of Chief Secretary's Building
Source: GBA Heritage, 2020



Figure 3.40
A linking suite for rooms of four stories with arches over Phillip lane
Source: GBA Heritage, 2020



Figure 3.41
The west facade of the building to Phillip Street, this part is the first addition to Chief Secretary's Building.
Source: GBA Heritage, 2020



Figure 3.42
The west facade of the building to Phillip Street, this part is the second addition to Chief Secretary's Building.
Source: GBA Heritage, 2020



Figure 3.43
The west facade of former Department of Public Works (50 Phillip Street).
Source: GBA Heritage, 2020



Figure 3.44
Intersection of Phillip and Bridge Streets. The west facade of former Department of Public Works (50 Phillip Street).
Source: GBA Heritage, 2020

3.6 DESCRIPTION OF THE BUILDING INTERIOR

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 two lifts either side of a small lift lobby.

Comment

Currently, the building is used by the NSW Department of Justice. The several reuses of building over time has resulted in some internal changes to the building including the alterations to Judges' Courtrooms, as well as upgrade of office fitouts.

The building is connected to the Chief Secretary's Building across Phillip Lane at two locations: on levels 2 to 5 facing Phillip Street by an interconnecting octagonal room, balcony and external cantilevered walkway (1895) (3.27), and at the eastern side by a curved walkway and toilet block (1895) on levels 2 to 4 (3.44), and by a new walkway at level 5 (2005). The toilet block which serves both building on levels 2 to 5, extends across the boundary onto the CSB site.

Comment

Partition walls and fire safety doors were constructed on the north side of the building at levels 2 to 5, creating a separation between the toilet block, the former Department of Public Works building, and the Chief Secretary's Building.

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 heavy furniture has been relocated. The floor linings to original kitchens (level 4-5) are in poor condition, and contain asbestos.



Figure 3.45

Access to the Chief Secretary's Building via the curved walkway at the eastern side of the building on levels 2-5.

Source: GBA Heritage, 2020

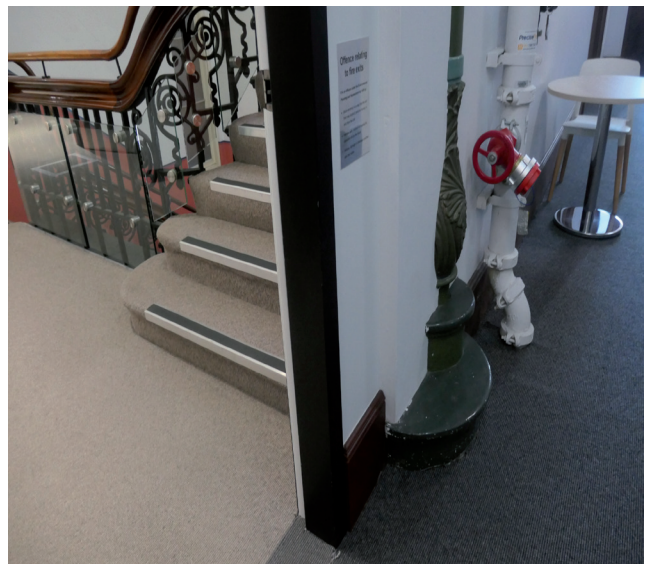


Figure 3.46

Cast iron column and part of the former open stair embedded in to the north wall on level 3.

Source: GBA Heritage, 2020

Comment

At the present time, floors are mostly covered with carpet. 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 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 management.

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.

Comment

At level 3, some parts of the former open stair are embedded into the north wall to the corridor.

The decision to convert the building to accommodate the NSW Divorce Court in 1967 resulted in the most dramatic changes to the interior of the building.

The larger rooms to the east and west of each floor were converted to courtrooms while smaller rooms were adapted to suites of judges' chambers with en-suite bathrooms, associates chambers and conference rooms.

The 1967 renovations designed by the office of the Government Architect E H (Ted) Farmer, resulted in the stripping out of virtually all original and early fabric from the buildings interiors.

Ceilings and cornices were demolished, fireplaces were removed and bricked-up (with a few exceptions on Level 6). Almost all walls were stripped of their plaster and of course their painted decorative finishes. The only rooms to survive the carnage were the lozenge-shaped rooms above the Phillip Lane 'bridge'. These retain their wall plaster and paintwork, ceilings and cornices intact, although the fireplaces to these rooms have been removed.

The occupation by the NSW Industrial Commission in 1977 resulted in few changes to the building fabric other than a fresh coat of (white) paint to the walls of most rooms.



Figure 3.47
Cast iron column to the former open stair embedded into the north wall on levels 2-5.
Source: GBA Heritage, 2020



Figure 3.48
Typical office fitout, Level 5. Typical plasterboard ceiling with simple coved cornice.
Source: GBA Heritage, 2020

The large room to the west of level 2, which had been subdivided office space during the time of the Divorce Courts, was converted to a library.

In the late 1980s the library was upgraded with a new fit-out and colour scheme.

Generally the interior spaces are in fair/ good condition, with the following observations:

Paintwork to the internal faces of the perimeter walls is peeling and flaking at the base of walls at some location, largely due to moisture penetration. This is likely due to dampness caused by the external ground level being higher and the internal finished floor level. This damage is minor, and the recommended repair techniques of inserting an external damp-proof course and barrier are considered to be cost prohibitive given the scale and nature of the damage.

An original decorative colour scheme was reinstated to remnant original fabric around the central stair well during the Industrial relations Court fitout.

Comment

The contemporary use of the building as the NSW Department of Justice has resulted in further changes to the building. At level 2, the library was converted to a large office space. Other spaces at this level are mainly used as office spaces. At levels 3 to 5, en-suite bathrooms in Judges' Chambers have been demolished, except one that remains unchanged. At level 3 on the south eastern side of the building, a Judge's Chamber has been converted to a large lunchroom. Larger rooms such as Courtrooms at level 3, Judges' Court at level 4, Judge's Technology Court at levels 4 and 5, have been subdivided to small office spaces through fixed or sliding partition walls. Most spaces have been mainly converted to offices, conference rooms, and storage. New and modern fitouts have been installed in the new office spaces. No signs of paintwork peeling, and flaking were observed throughout the building. They probably have been addressed during the latest refurbishment of the building in 2017.

Joinery

Internal doors are generally four panelled with glazed highlights over, and many have the original brass knob handles. Additional locks have been provided in some instances as required (sliding bars, lever door handles etc.) Doors in to the larger courtroom and library spaces have double doors of timber with glazed insert panels and highlights.



Figure 3.49
Typical office fitout, Level 1. Typical plasterboard ceiling with simple coved cornice.
Source: GBA Heritage, 2020



Figure 3.50
A remnant fireplace on level 6.
Source: GBA Heritage, 2020



Figure 3.51
Reinstated historic colour scheme to some of the existing original fabric
Source: GBA Heritage, 2020

Original windows are timber sash and retain their original hardware (handles) although additional locks have been provided (ground floor). Some of the windows at ground floor have also had vents and other mechanical fans installed within the window sashes. Double glazing has been provided to many windows, and this is in the form of a second fixed layer of glass to the inside of the original window.

Other remnant timber joinery includes door and window architraves and skirtings.

Generally, the internal timber joinery is either stained or has a painted finish and is in good/ fair condition.

Comments

Vents and other mechanical fans within the window sashes were observed at ground level and level 3. Although generally the internal timber joinery is in fair condition, some door frames, architraves, and skirtings are damaged, and some locks are broken.

Floors

Access to inspect the existing timber floor structure is very limited due to covering linings – and can only be inspected locally at access hatches. No existing structural drawings could be found in archives, only architectural plans which may have been superseded by subsequent alterations and additions.

It is assumed the floor structure generally comprises of floor and ceiling timber joists supported on load bearing walls. It is further assumed that a structural beam exists in the floor space wherever a solid (e.g. masonry) partition wall is not supported by a similar load bearing wall on the floor below.

This system is structurally acceptable but may need to be further investigated for BCA fire-rating compliance. The floors generally felt quite stiff and sound; however, there was minor creaking noises noticed in some floor areas.

Comment

At the present time, there is still no access to inspect existing timber floor structure due to the lining cover throughout the building. However, several hatches on floors were observed, which may provide access to the floor structure for further investigation.



Figure 3.52

A four panelled door with original brass knob, and a lever door handle that added later (level 6). Door architrave is removed from the wall.

Source: GBA Heritage, 2020



Figure 3.53

A door architrave on level 5 is removed from the wall.

Source: GBA Heritage, 2020

Walls

The generally thick brick walls, which are covered by lime plaster, appear to be in reasonable structural condition and no major/ structurally significant cracks were observed.

Minor non-structural cracks in the plaster were found in some locations. Cracking was also found at the top of the adjacent part-freestanding chimney located at the south-west end of the building.

There are signs of damp penetration in many parts of the ground floor, particularly where the external ground is higher and where there are adjacent services.

Comment

The walls remain in good condition since no signs of cracks or paint peeling were observed. No signs of damp penetration were observed, probably the latest refurbishment of the building in 2017 has addressed these issues.

The ‘Centenary Room’

This room in the south west corner of level 2 was re-furbished in 1992 to mark the centenary of the establishment of industrial arbitration in NSW. In the absence of any evidence of original decoration (demolished in the 1967 refurbishment) the room was decorated in an 1890s period style with stencilled dado frieze to the walls and a new suspended plasterboard ceiling with reproduction moulded cornices based on those of the rear rooms of level 3 of the Chief Secretary’s Building.

A brass plaque on the wall commemorates the occasion. The fireplace to the south wall, demolished and bricked-up in 1967 was not restored.

The refurbishment was completed with new curtains and cedar Venetian blinds to the windows and a reproduction ‘period’ carpet to the floors. New light fittings of contemporary design were installed to the new ceiling.

Comment

The ‘Centenary Room’ which was refurbished in 1992, has been converted to an office space for the NSW Department of Justice (Figures 3.54 and 3.55). The room is in reasonable condition. Stencilled dado frieze to the walls, plasterboard ceiling with moulded cornices, curtains and carpet remain unchanged in the room; however, no brass plaque in this room was observed.



Figure 3.54
General view of the Centenary room on the south west corner of level 2.
Source: GBA Heritage, 2020



Figure 3.55
Moulded cornices in the ‘Centenary Room’ that are reproduced based on those at level 3.
Source: GBA Heritage, 2020



Figure 3.56
The central stair. The wall on the northern side of the staircase was constructed to compartmentalise each floor from the spread of smoke in case of fire.
Source: GBA Heritage, 2020

Staircases

The central stair wraps around the central lobby on three sides, and has concrete treads with carpet over, and cast iron baluster with timber handrail. A second handrail to increase balustrade height was installed to meet building code requirements, although it is noted that it does not comply with current requirements (required 300mm projection past the lowest stair).

The enclosure of the central staircase (an Ordinance 70 requirement to compartmentalise each floor from the spread of smoke in case of fire) resulted in the once freestanding decorated cast iron column being incorporated into a new brick wall.

Smoke separation between the lift well, central stair and office areas has been created using timber framed glass single doors with frameless glass infill panels above. It was observed that these doors are generally left in the open position during opening hours.

The rear fire stairs are located on the eastern side of the building and open out to the loading dock at this side of the building. These stairs generally comply with the building code.



Figure 3.57
The rear fire stairs on the eastern side of the building.
Source: GBA Heritage, 2020

Comment

The central stair cast iron baluster, timber handrail and second handrail to increase the original balustrade height remain unchanged. However, a new glass balustrade was added to the original cast iron baluster for safety. This probably was added during the latest refurbishment of the building in 2017.

At the present time, smoke separation between the lift well and central stair is via appropriate fire safety doors. However, the separation between the lift well and offices, on the south side, is still through timber framed glass single doors with frameless glass infill panels above.

Lifts

The lift installation (c.1954), which partially infilled the central 'area', involved bricking up some internal windows and modifying others, notably those to the south wall of the staircase. The two lift cars and lift lobby were refurbished as part of the 1967 work and the car fit-out has been upgraded since, most recently in 1998.



Figure 3.58
The separation between lift well, central stair, and offices.
Source: GBA Heritage, 2020

Comment

No further changes to the two central lifts were observed. A new lift was installed in 2006 between levels 5 and 6 to extend disabled access to all floors. This lift is located behind the central staircase, on its western side.

Mechanical Services

There is a variety of air conditioning and air extract systems throughout the building. Many have been installed in the last 10 years and are in very good condition.

Other areas are 15 years or more old and at the end of their serviceable life. These systems also tend to be more intrusive in terms of the heritage interiors. Some en-suite areas do not meet current BCA requirements in terms of air movement.

Comment

Various ducted air conditioning and air extract systems, as well as air vents and floor standing split systems have been installed throughout the building, which are in good condition. Many air conditioning systems appear to have been installed recently. Some systems including air conditioning and split systems are still intrusive in terms of the heritage interiors.

Some en-suite areas were demolished, probably during the latest refurbishment of the building in 2017.

Lighting

The majority of the lighting is using T16 fluorescent lamps. These are 38mm diameter fluorescent tubes which were used in the 1960's and 1970's. They have been superseded by more efficient T8 (26mm diameter) and latterly T5 (16mm diameter) lamps. The T16 lamps will soon no longer be available. The newer lamps cannot be fitted to these light fittings and therefore these light fittings will need to be replaced with fittings that do accept the more efficient lamps.

Most of the other light fittings are 30 to 40 years old and at the end of their useful life. Often diffusers are broken or partly or completely missing. These should also be replaced when possible and certainly within 5 years. This upgrade of the lighting will lead to significant reductions in energy usage.

Comment

As the building underwent a refurbishment in 2017, the issues of lighting may have been addressed. No broken diffusers were observed in the building.



Figure 3.59
Typical exposed air conditioning duct throughout the building
Source: GBA Heritage, 2020



Figure 3.60
Typical floor standing split systems throughout the building
Source: GBA Heritage, 2020



Figure 3.61
Typical fire hose reel and hydrant throughout the building on all levels
Source: GBA Heritage, 2020

Fire Services

The building has had a recent upgrade implementing current fire safety regulations to make the building compliant when used in conjunction with the CSB. Several fire services such as the hydrant pipework and EWIS system inter-connect with and serve both 50 Phillip street and the CSB.

Comment

Throughout the building, fire protection equipment such as fire hose reel and hydrants, as well as fire extinguishers and fire alarms were observed.

Accessories

Accessories such light switches, socket outlets and voice/data outlets are generally satisfactory although in many cases the cover plates are quite old and in poor condition. There is widespread use of double adaptors and power boards, and cables run along the floor due to there being insufficient socket outlets. This represents a safety issue with the possibility of tripping, fires or electrocution.

There has been much ad hoc installation of surface mounted services.

Comment

There are still a variety of double adaptors and power boards throughout the building, which can present a safety issue. No running cables along the floor were observed. There are many surface mounted services throughout the building.

Office Facilities

Kitchens are located within narrow spaces at the southern side of the building and appear to have a mixed date of origin. The oldest kitchens are located on Levels 4-5 and likely date from the 1967 refurbishment. These benches are reaching the end of their life span, with laminate bench tops and cupboards. Other kitchens on levels 1-3 & 6 appear to date from a more recent refurbishment. These spaces have linoleum floor finishes, ceramic wall tiles and laminate cabinets. Smaller kitchenettes appear dotted around the building and these are generally older and more dated, being of laminate construction (ground level).

Public toilets and en-suites on Levels 1, 2, 3 (female only), 4 and 5 appear to date from either the 1967 or 1977 refurbishment (brown and white tiles). The male toilet on Level 3 has been reconfigured to allow for the inclusion of an accessible sanitary facility.



Figure 3.62

Typical skirting with surface mounted electrical cabling throughout the building

Source: GBA Heritage, 2020



Figure 3.63

Expanded and renovated kitchen on level 6.

Source: GBA Heritage, 2020



Figure 3.64

Typical renovated toilet block with modern fitouts. The white painted door is visible in the background.

Source: GBA Heritage, 2020

Comment

kitchens at all levels appear to be renovated recently. A kitchen on level 6 was expanded toward the adjacent space and enlarged. On level 3, 'Judge's Chambers' was converted to a large kitchen. The previous ensuite area in this room was demolished. It is assumed that all these changes were carried out during the recent refurbishment of the building in 2017.

Ensuite areas at levels 3 to 5, on the south eastern side of the building, were demolished. All lavatories on the northern side of the building, between the building and CSB, were renovated and upgraded with white tiles and contemporary toilet fitouts. The inside surface of doors has been painted white.

Courtroom Fitouts & Other Building Contents

Although no comprehensive survey of the building's contents has been undertaken for this study, it is evident that there are some items of moveable heritage which may have a direct connection to the place. These include the commemorative round table made by members of the cabinetmakers guild and presented to the industrial commission which has been in the building since c.1977.

Many pieces of Victorian period furniture including desks, chairs, side tables, benches and hat stands are found in various locations throughout the building. These may have come from the ubiquitous collection of the Attorney Generals Department and may or may not have any documented connection with the building. A large English Oak dresser, possibly of 1890s origin, in a staff lunch room on level 6 is unusual in that it does not fit the profile of standard issue 19th century Public Works furniture. It may well be a piece that has an association with the original building.

The majority of joinery to the courtrooms, including benches, legal counsel, witness boxes etc, date from the initial refurbishment from Public Works offices in 1967. There are 7 courtroom spaces that retain the 1967 joinery between levels 2-6. Generally the condition of this joinery is fair, although worn and it is noted there are several instances of non-compliance with the BCA, including travel widths and disabled access. On level 6 there is one courtroom (Room 6001) that has joinery from 1976. This joinery similarly does not comply with the building codes for travel widths and disabled access.



Figure 3.65
False ceiling in an office space on level 6, covered some parts of windows.
Source: GBA Heritage, 2020



Figure 3.66
Typical mounted projector installed in an office space on level 6.
Source: GBA Heritage, 2020

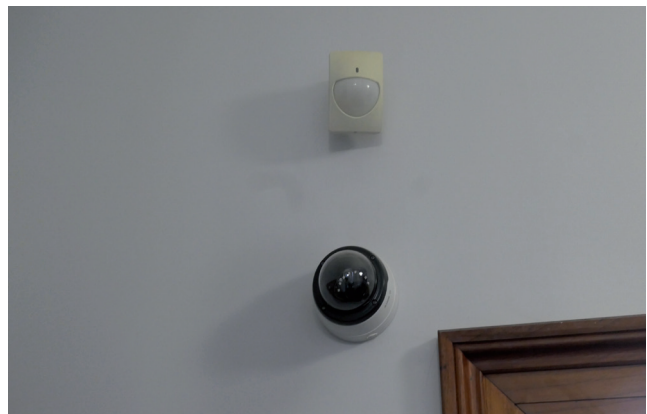


Figure 3.67
Typical surveillance camera throughout the building
Source: GBA Heritage, 2020

The Vice President's Courtroom (Rm. 3007) on level 3 and a small Commissioners Hearing room on level 2 (Rm. 2135a) have recent joinery completed in 2005. These benches also do not comply with the provisions for disabled access to the raised platforms, although it is understood that provision was made in the design for adaptation to provide access to the judge's bench if required.

Comment

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

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.

The NSW Department of Justice required new and modern office fitouts and spaces. As such, 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 room divider). Sliding partitions have capability to be folded and combine spaces into a large space when needed.

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

Building Signage

Signage is provided within the lift lobby to identify the level. The publicly accessible courtrooms are identified by glazed panels bolted on the walls. Room signage is via gold painted numbering and lettering on the timber doors.

New glazed panel courtroom signs were installed to all courtrooms in 50 Phillip Street as part of the IRC fitout in 2006. These signs were mounted on the plastered walls adjacent to the courtroom public entry doors and matched the signs used throughout the CSB.



Figure 3.68
Suspended ceiling in an office room on level 5. Typical Coat of Arms (Some significance) - late 20th century.
Source: GBA Heritage, 2020



Figure 3.69
Signage within the lift lobby to show the level.
Source: GBA Heritage, 2020



Figure 3.70
Gold lettering to identify rooms and functions. Some of gold letterings have been removed over time. The current function of some spaces is identified via a printed paper stick on the door.
Source: GBA Heritage, 2020

Comments

Signage is provided within the lift lobby to show each level. As the building is currently used by the NSW Department of Justice, glazed panel signs have been removed. However, gold painted numbering and lettering on the timber doors remain unchanged, showing the previous use of the building by Industrial Relations. The current function of some spaces is identified through a printed paper stick on the door. The location of toilets is identified by glazed panels bolted on the walls in each floor. The exit signages and evacuation diagrams are installed throughout the building. Some glazed panel courtroom signs have remained unchanged on level 2.

3.7 MOVABLE HERITAGE

Former Department of Public Works building has experienced change of use several times in the course of its history. Movable Heritage items reflect these functional changes, probably more than other items of heritage significance on the site.⁵

The following information is sourced from the Movable Heritage 50 Phillip Street report prepared by Betteridge Consulting in 2017⁶:

NEW GOVERNMENT OFFICES - 1894 - 1967

The principal tenant was the NSW Department of Public Works and changes to interiors were minimal. The building would have been furnished with late 19th century/early 20th century furniture and maintained until the Public Works Department relocated to the State Office Block.

FAMILY LAW COURTS - 1967 - 1977

The principal tenant during this period was the Family Law Court, Supreme Court of NSW. Contemporary 1970s steel framed office furniture and stained timber predominated in the courtrooms and offices. It would appear from preceding photographs that some heritage furniture from the earlier fitout were retained in judge's chambers.

1977 - PRESENT

During this period, heritage furniture consistent with the upgrades which reflected the late 19th century interiors was reinstated and items of contemporary furniture acquired.

From 2017, the building has been used by the NSW Department of Justice, requiring new office furniture. Accordingly, some items of movable heritage in the building were re-allocated.

The following Statement of Significance is sourced from the Movable Heritage Inventory and Strategy report 2015:

The Movable Heritage Collection at 50 Phillip Street is of State historical significance because of its use by the NSW Government from 1893/4 until c.2014. The most significant pieces in the collection are furniture items related to the original NSW Public Works and Government Architect's use of the building from 1893/4 until about 1939. Some of the other more significant items also date from the late 19th and early 20th centuries, but may have been bought into the building during its court uses from the 1960s.

The collection in 50 Phillip Street is strongly related to the collection in the adjacent Chief Secretary's Building (completed 1880). The majority of the Movable Heritage Collection at 50 Phillip Street is a visible demonstration of the importance of the NSW Public Works from the late 19th until the mid-20th centuries when it had a remarkable influence on every level of NSW society. The furniture would have been used by important branch heads of the Department of Public Works working from this building, notably Dr J J C Bradfield, who was responsible for the construction of the Sydney Harbour Bridge and the City Railway.

More generally the collection is part of a collection of late 19th century and early 20th century government office furniture collection that is particularly found in the grander NSW administrative and justice buildings in Sydney.

GRADING OF HERITAGE SIGNIFICANCE WITHIN THE COLLECTION

Gradings of heritage significance are the contribution that element makes to the significance of the overall place and/or that place's collection of MH.

The grading terms are "exceptional"; "considerable"; "moderate/some"; & "little".

⁵ 50 Phillip Street Movable Heritage Strategy & Inventory, 2015

⁶ Movable Heritage 50 Phillip Street, Part1: Review written by Margaret Betteridge, 2017

Items of Exceptional significance exhibit a high degree of integrity (original or early fabric) together with rarity or other such quality, though some alterations or degradation may be evident. Often the items will have a strong relationship to the place in which they are situated. There are 7 items (or collections of items) in this register of Exceptional Significance.

Items of considerable significance feature a high degree of original or early fabric or are demonstrative of a key type of movable heritage, with a degree of alteration that does not unduly detract from that significance. There are 32 items (or collections of items) in this register of Considerable Significance.

Items of Moderate/Some significance include altered or modified items, or elements that provide only some contribution to the overall significance of the place and the collection, but have little heritage value in their own right. Removal from the collection would have minimal impact on the overall significance of the collection. In this MH Inventory there are 2 items of moderate significance and 60 items of some significance.

Movable heritage items of Little significance are usually items that are recent additions to a place, which could be removed or replaced without impact on the overall significance of the place significance. In this MH Inventory there are 31 items of little significance.

Comment

In the current inspection of the building, the only following movable heritage items were identified.

There are 4 items of Exceptional Significance:

- Australian Cedar Hall Stand on level 4 (late 19th century);
- Exhibition Piece: Book Case on Chest of Drawers on level 4 (late 19th century);
- Side table on level 4 (1890s);
- Three chairs from a set of chairs on level 5 (1890s).

There are 5 items of considerable (high) significance:

- Tall Boy Wardrobe on level 4 (1870s);
- Knee Hole Desk on level 4 (late 19th century);
- Hall Stand on level 5 (early 20th century);
- Matching Blackwood Credenzas on level 5 (early 20th century);
- Dumbwaiter on level 6 (late 19th century).



Figure 3.71
Australian Cedar Hall Stand on level 4 (Exceptional Significance) - late 19th century
Source: GBA Heritage, 2020



Figure 3.72
Exhibition Piece: Book Case on Chest of Drawers on level 4 (Exceptional Significance) - late 19th century
Source: GBA Heritage, 2020

There are three items of moderate/some significance:

- Typical Coat of Arms on levels 2, 4, 5, and 6 (late 20th century);
- Table on level 5 (1890s);
- Clerk's Desk on level 4 (c. 1920).

There are 7 items of little significance:

- Dining Suite on level 4 (late 20th century);
- Computer Desk on level 4 (late 20th century);
- Desk on level 4 (early 20th century);
- One Chair from Set of 6 Timber Chairs on level 4 (late 20th century);
- Pair of Balloon Back Chairs on level 5 (late 20th century);
- Side Table on level 5 (1930s);
- Timber Framed Mirror on level 6 (late 20th century).

The current identified numbers of movable heritage items differ from those identified in the Movable Heritage 50 Phillip Street report 2017. This shows some items have been probably relocated to other properties as they were not required by the NSW Department of Justice.

3.8 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 interior 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. Ensuite bathrooms were constructed on the southern side of the building to the large rooms such as Judges' Chambers. The toilet



Figure 3.73
Side Table on level 4 (Exceptional significance) - 1890s
Source: GBA Heritage, 2020



Figure 3.74
Clerk's Desk on level 4 (Some significance) - c. 1920
Source: GBA Heritage, 2020



Figure 3.75
A pair of chairs from a set of 5 chairs (Exceptional significance), a pair of Balloon Back chair (Little significance), and Table (some significance).
Source: GBA Heritage, 2020

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 3.76
Timber Framed Mirror on level 6 (Little significance) - late 20th century.
Source: GBA Heritage, 2020



Figure 3.77
Dumbwaiter on level 6 (Considerable/High significance) - late 19th century.
Source: GBA Heritage, 2020

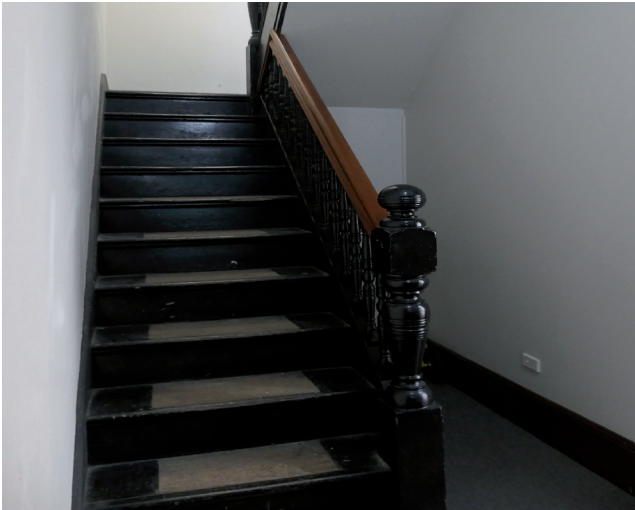


Figure 3.78
A narrow timber stair at the southern end of the building (level 6), providing access to the roof on the sixth floor.
Source: GBA Heritage, 2020



Figure 3.79
A spiral stair on level 6, that provides access to the main roof
Source: GBA Heritage, 2020



Figure 3.80
Previous Judges' Chambers on level 6 (mansard roof), that is currently used as an office space. The moulded window cornices are probably reproduced in the 2000s.
Source: GBA Heritage, 2020



Figure 3.81
A door with missing furniture on level 6
Source: GBA Heritage, 2020



Figure 3.82
A typical office fitout and a bulkhead structure below the ceiling on level 6
Source: GBA Heritage, 2020



Figure 3.83
Double door leading into the previous courtroom at level 5. This door is typical of the larger spaces at each floor.
Source: GBA Heritage, 2020



Figure 3.84
Typical office fitout on level 4.
Source: GBA Heritage, 2020



Figure 3.85
Previous Judges Technology Court on level 4 subdivided to three smaller office rooms via sliding partitions (on the left side)
Source: GBA Heritage, 2020



Figure 3.86
Previous Judges' Chambers on level 3, converted to a large kitchen
Source: GBA Heritage 2020



Figure 3.87
Remaining glazed panel courtroom signs on level 2.
Source: GBA Heritage, 2020



Figure 3.88
Vents and mechanical fans installed within the window sashes on ground level.
Source: GBA Heritage, 2020



Figure 3.89
Cracking and flaking of the paintwork to the exterior sill level of window on level 4.
Source: GBA Heritage, 2020



Figure 3.90
Cracking and flaking of the paintwork to the exterior sill level of window on level 6.
Source: GBA Heritage, 2020



Figure 3.91
Central open stair. A second handrail was installed to increase balustrade height. The glass balustrade was installed for safety reasons.
Source: GBA Heritage, 2020



Figure 3.92
The lobby on level 5 is currently used as a storage.
Source: GBA Heritage 2020



Figure 3.93
Old timber sash window with a new lock
Source: GBA Heritage, 2020

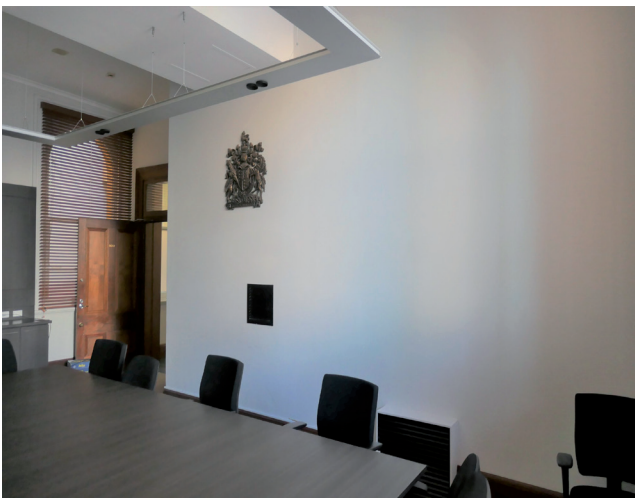


Figure 3.94
Typical office fitout. An air vents is on the wall below the brass plaque.
Source: GBA Heritage, 2020



Figure 3.95
Sliding partition subdividing a previous courtroom to smaller office spaces
Source: GBA Heritage, 2020



Figure 3.96
Main hall on ground level
Source: GBA Heritage, 2020



Figure 3.97
The main door to the building on ground level.
Source: GBA Heritage, 2020



Figure 3.98
Renovated kitchen on level 3. A mechanical fan installed within the window sashes.
Source: GBA Heritage, 2020

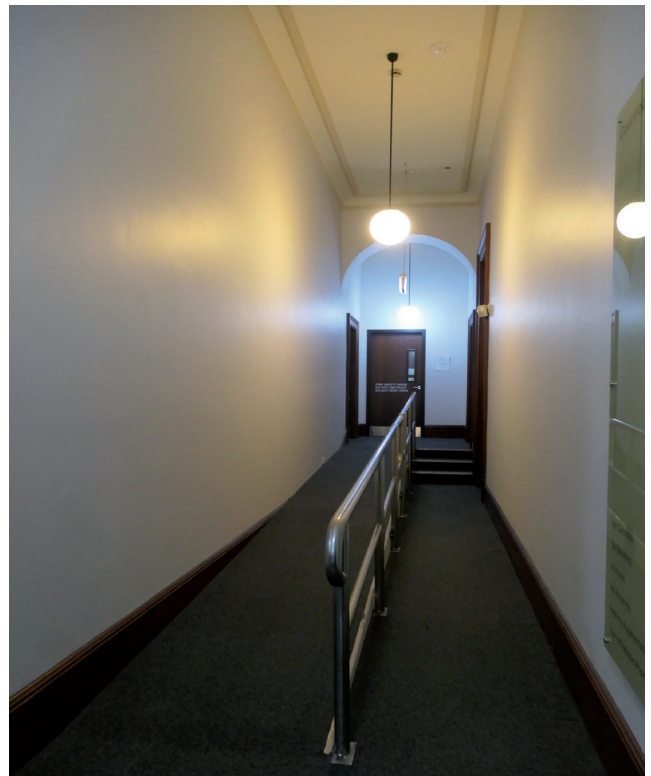


Figure 3.99
Ramp and stairs to office spaces and toilets on level 2 (northern side of the building). At the end of this corridor, a partition wall and door separate toilets from other office spaces.
Source: GBA Heritage, 2020

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.

The NSW Heritage Inventory does not include independent information related to Statement of Significance for the former Department of Public Works, as it 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.

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

² ie “social”, or community, value

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.

4.2 COMPARATIVE ANALYSIS

4.2.1 INTRODUCTION

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.

4.2.2 COMPARABLE BUILDINGS IN THE AREA

Chief Secretary's Building

121 Macquarie Street, Sydney

The NSW Heritage Database provides the following information for Chief Secretary Building, Sydney, Database No. 5045423:

Statement of Significance:

The Chief Secretary's building is of national significance by reason of its historic, social, architectural, aesthetic and scientific values. It embodies, by its construction for and association with, preeminently important office and department of the Colonial, later Chief Secretary. This most enduring of political and administrative institutions achieved, through its expansion and growing politicisation, the most far reaching powers of any of the administrative departments of the Colonial bureaucracy. The decisions made in this department affected every level of society in the colony.

After the institution of responsible government in 1856 the office of the Chief Secretary was almost continuously held until the twentieth century by the Premier of NSW further underlining its important role. Several outstanding figures in NSW political life held this office and through it, and the role of the Premier, were able to campaign for the most important political agendas of the time, including, but not exclusively, economic and land reform and Federation.

The locations, size and lavish treatment graphically demonstrate the importance of the departments that were housed there, the social hierarchy of its occupants as well as the practical workings of the fully developed late nineteenth century bureaucracy. The interior finish demonstrates refinement of public taste. Its continual occupation as government offices through to the twentieth century make it possible to demonstrate, through changes made to the fabric, changing community practices such as greater opportunities for women in the workforce.

The building is one of the most significant late nineteenth century architectural works in Sydney. It embodies two of the most significant projects of Barnet and Vernon and was ranked, by contemporary accounts, with preeminent public works of the time such as the GPO. It remains a dominant element in the Victorian streetscapes of this part of Sydney.

Its placement in relation to Government House, Parliament House, the Treasury Building and other major departmental offices symbolises the relationship to the office to both political and public offices.

Physical description:

In its existing configuration the Chief Secretary's Building consists of 2 major directly linked components. At Macquarie, Bridge and Phillip Streets a four storey sandstone building, with a copper and slate roof mansard and a copper clad dome. At Phillip Street a five storey sandstone building with copper roofed mansards.

The original building was designed by Barnet in what is now called the Victorian Free Classical style; characteristics of this style are the massive basement wall with superimposed classical orders and circular arched openings, wide arcaded balconies and balustraded parapets behind which are the barely visible low pitched hipped roofs. When Vernon added to and extended this building he chose the somewhat different, though related, Victorian Second Empire style, the chief characteristics of which can be seen in the iron crested mansard roofs and the pavilion dome.

Barnet adopted a scheme of decoration that involved variations from floor to floor and a further variation within each floor. The most ornate decoration was given to all corridors and entrances, principal room located at the four corners of the building on levels 2 and 3, large rooms at the centre of the bridge Street elevation on levels 2 and 3. Decreasing ornateness was given to the spaces along the Bridge Street elevation, between principal rooms on levels 2 and 3. Austere, simple decoration was given to the range of rooms facing south into the Phillip Lane courtyard.



Figure4.1
Chief Secretary's Building
Source: GBA Heritage, 2020

General Post Office
Martin Place, Sydney

The NSW Heritage Database provides the following information for General Post Office, Sydney, Database No. 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.

Physical description:

This entry includes two buildings which are part of the General Post Office complex. The main building, constructed in stages from 1874-1904, is an important streetscape element on Martin Place with returns to George Street and Pitt Street. The detailed sandstone facade, constructed across an entire city block, incorporates stone sculptures including royal, allegorical and heraldic figures and reliefs. The Martin Place facade also features a long colonnade and central clock tower. The clock tower was removed in 1942 and reinstated in 1963. The 1927 building was constructed within the 'u-shape' formed by the main building. Consequently, it does not have any street facades. For this reason it was built as a functional building with no architectural treatment externally except for the upper two floors

which project above the Martin Place building. These upper sections feature rendered masonry walls with rectangular window openings and cornice. It was a sympathetic addition to the main building, its main feature being the large Postal Hall on the ground floor.

Former Lands Titles Office (NSW Land Registry Services)

Liverpool Street, Sydney

The NSW Heritage Database provides the following information for Former Lands Titles Office (NSW Land Registry Services), Sydney, Database No. 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 trade marks, bills of sale, business agents etc. The building stores valuable old registers and other land title documents.

Physical description:

A three-storey Neo-Gothic sandstone-faced office building with attic storey and basement, of steel-framed construction with reinforced concrete floor and slate covered steel framed roof. The facades contain some elaborate gothic detailing to windows and good carving work to gables and over entrances. The three large gables facing Prince Albert Road are flanked by castellated corner turrets, whilst the facade to Queen's Square has a similar small gable flanked by two turrets on each side. The initials CH (Colin Hudson, stonemason), are carved into one of the string course bosses at about second-floor level on the western side return wall of the main entrance facing St. Mary's. Nearby on a small octagonal turret are the initials of his father HCH (Herbert Charles Hudson). On the eastern side of the main entrance on the east and west elevations, with initials of the architects and clerks of works. On the keystone of the arch over the main entrance are the entwined numbers 1912.



Figure 4.2
General Post Office Building
Source: GBA Heritage, 2020



Figure 4.3
Former Lands Title Office (NSW Land Registry Services)
Source: Google Map, 2020

The main roofs are high pitch and clad in grey slate. The main facade facing Prince Albert Road features parapeted gables joined by projecting pavilions with crenellated parapets and turrets. Smaller gables with similar detailing face Queen's Square and Art Gallery Road. Stone tracery to the windows is detailed in a Tudor Gothic style. The interior features doric columns in all main spaces and carved timber detailing to the lift surrounds. Attic level rooms are located within mansard style roof extensions clad in sheet copper. Basement rooms are located within the rusticated base course. Both entrances to the building have been modernised with a revolving door in the western facade. A six storey extension to the north is a steel frame structure with a concrete floor and steel framed roof. A later adjoining building is clad in clinker bricks with aluminium windows and timber spandrel panelling.

Former Treasury Building (Intercontinental Hotel)
Macquarie Street

The NSW Heritage Database provides the following information for Former Treasury Building, Macquarie Street, Database No. 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.

Physical description:

The former Treasury building has fine Georgian elevations of exceptional scale, proportion and detailing. It occupies an important location in central Sydney. It contributes greatly to the sandstone townscape aesthetic of the Government precinct as well as being an excellent example of the craft work of its period.

Sandstone; timber joinery; iron & stone palisade fence Sandstone; timber joinery; face brick with stone dressings to external walls & colonnade to cortile.



Figure 4.4
Former Treasury Building (Intercontinental Hotel)
Source: GBA Heritage, 2020

Former Customs House
Albert Street

The NSW Heritage Database provides the following information for Former Treasury Building, Macquarie Street, Database No. 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.

Physical description:

Sydney Customs House is a prominent civic building occupying a city block bounded by Loftus, Young & Alfred Streets. It features a north Pedestrian Plaza centred on Circular Quay axis. The building form is made up of two basic sections - the five storey load bearing masonry structure facing the three public streets, with the returns to the rear lane, this section was complete up to the First World War; and a steel framed 6 storey structure within the former courtyard that was enclosed by the masonry building, with a corridor at each level against the stonemasonry walls and windows to the light well. The facade of the building features ornately carved sandstone and polished granite coupled ionic columns. Carvings include coat of arms, crests of major shipping nations. c. 1925 interiors use Free Classical motifs and materials. The building was constructed in several stages with prominent Sydney architects responsible for each stage.



Figure 4.5
Former Customs House
Source: GBA Heritage, 2020

4.2.3 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 former Land Titles Office, and Treasury Building are in the pending National Heritage List of Governor's Domain and Civic Precinct, playing an important role in the demonstration of Australia's historic development as a nation.

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 analysis of cultural significance has largely been based on the 2016 CMP prepared by NSW Government Architect's Office, as reproduced in italics. Additional research carried out by GBA Heritage during the preparation of this report is included in regular font and referenced throughout.

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 is within the boundaries of Governors' Domain and Civic Precinct pending National Heritage List, demonstrating a direct connection of the building to the first decades of British Settlement in Sydney.

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 boundaries of Governors' Domain and Civic Precinct pending national heritage list, having a direct connection to the first decades of British settlement in Sydney. 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.

4.4 STATEMENT OF SIGNIFICANCE

The following information 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.

Comment

The former Department of Public Works building was constructed in almost 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

Former Department of Public Works 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

<i>EXCEPTIONAL</i>
<i>HIGH</i>
<i>MODERATE</i>
<i>LITTLE</i>
<i>INTRUSIVE</i>

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 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.

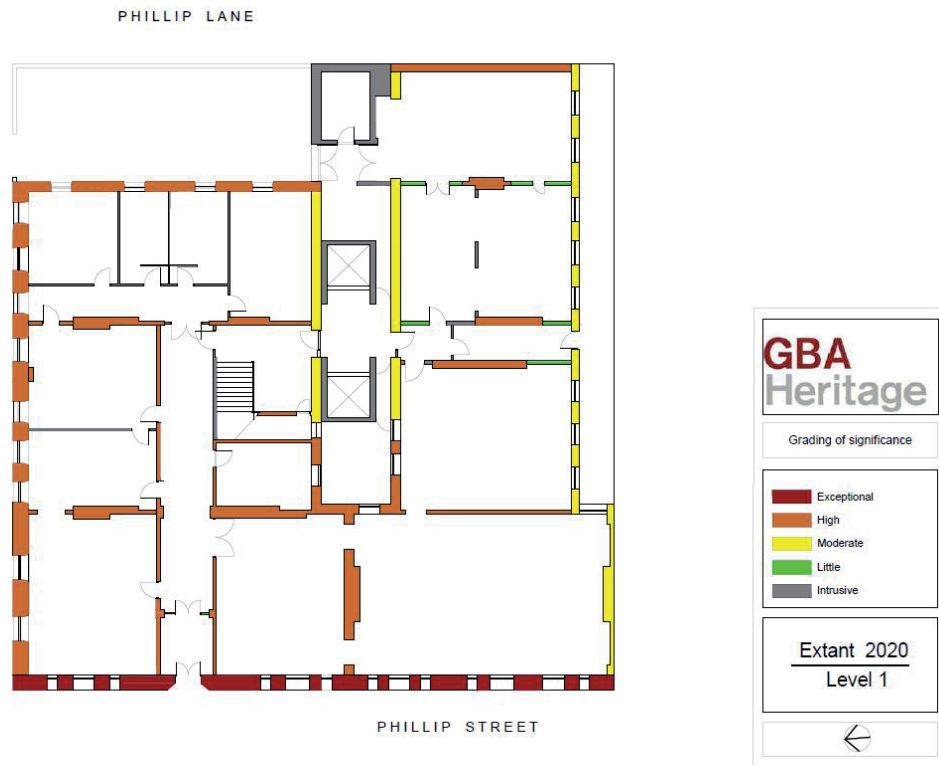


Figure 4.6
Existing Floor Plan: Level 1 (Ground Level)
Source: GBA Heritage

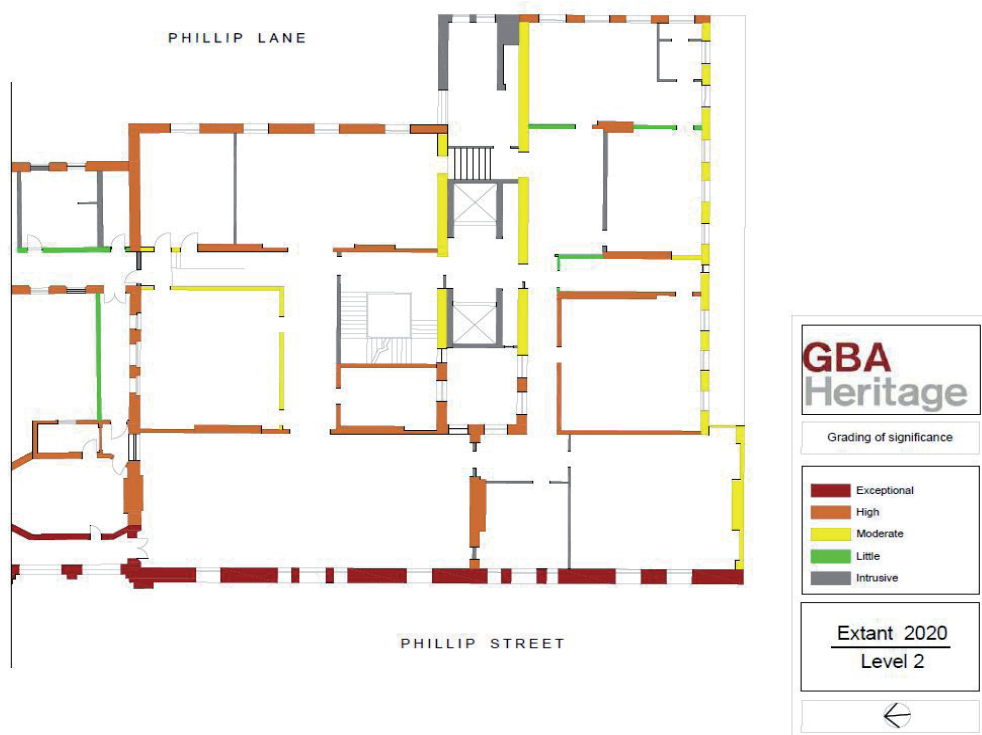


Figure 4.7
Existing Floor Plan: Level 2
Source: GBA Heritage

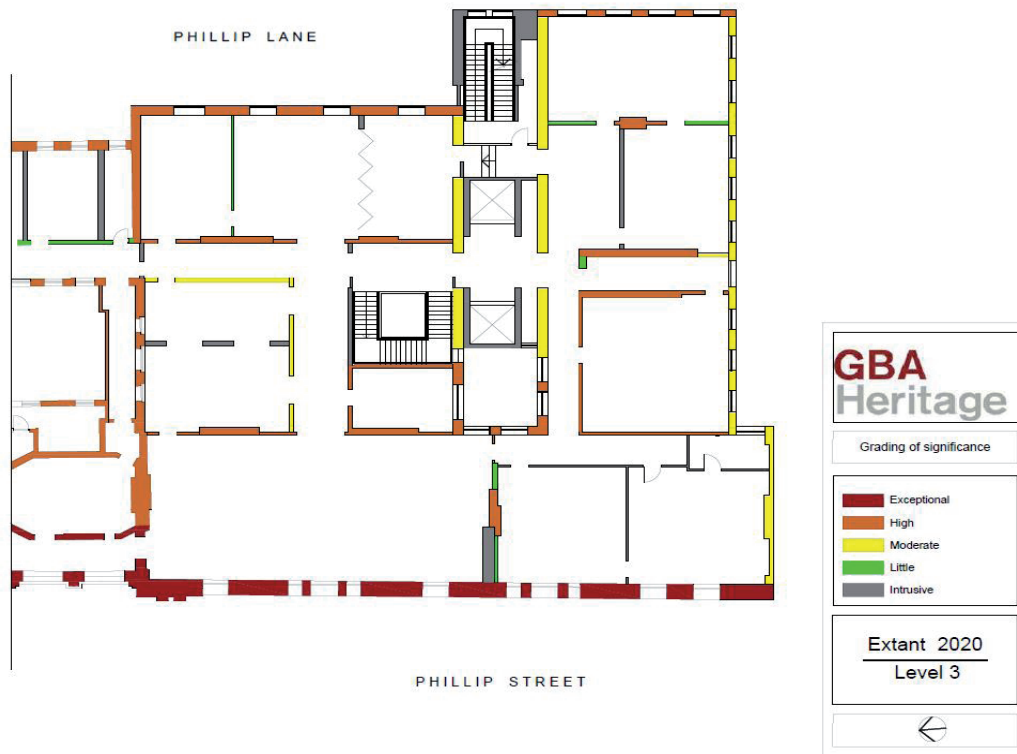


Figure 4.8
Existing Floor Plan: Level 3
Source: GBA Heritage

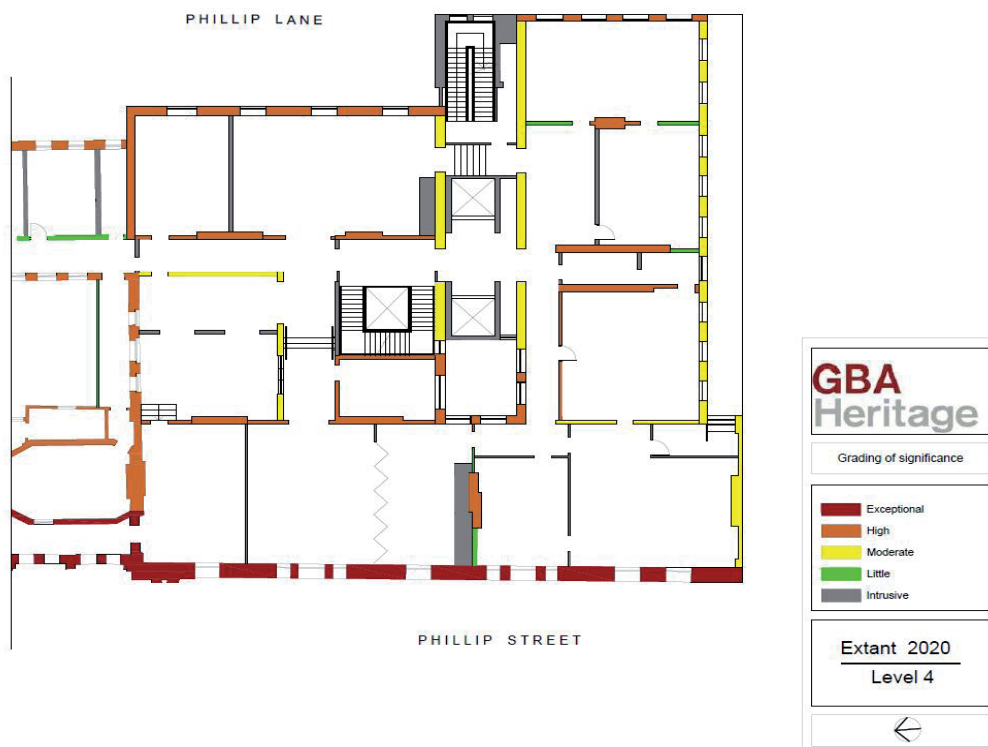


Figure 4.9
Existing Floor Plan: Level 4
Source: GBA Heritage

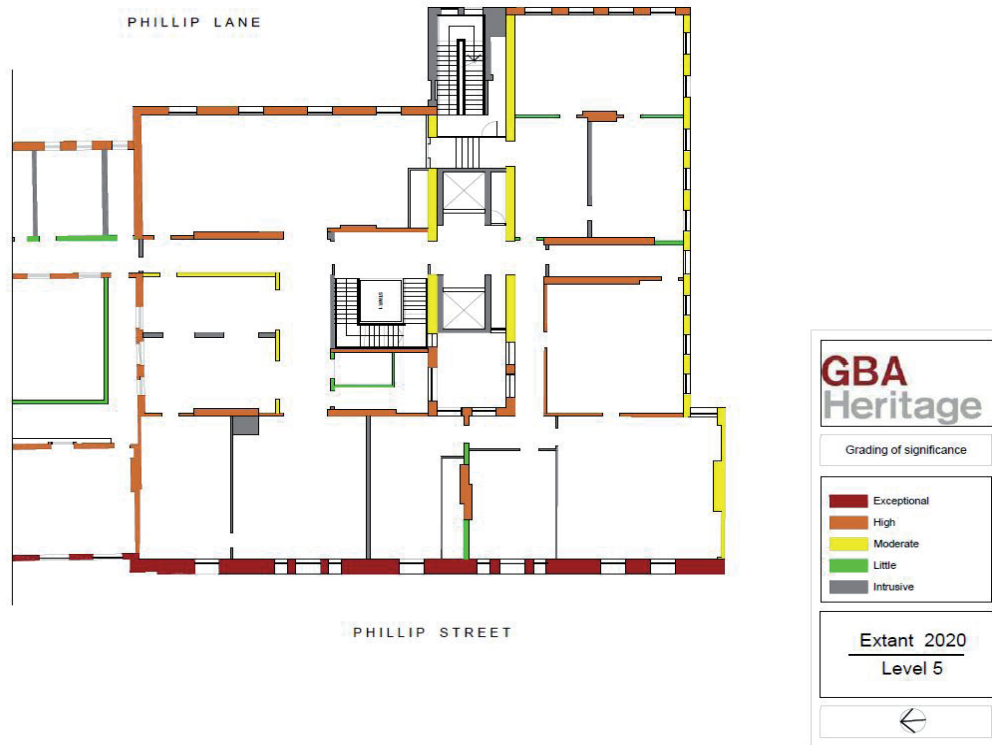


Figure 4.10
Existing Floor Plan: Level 5
Source: GBA Heritage



Figure 4.11
Existing Floor Plan: Level 6
Source: GBA Heritage

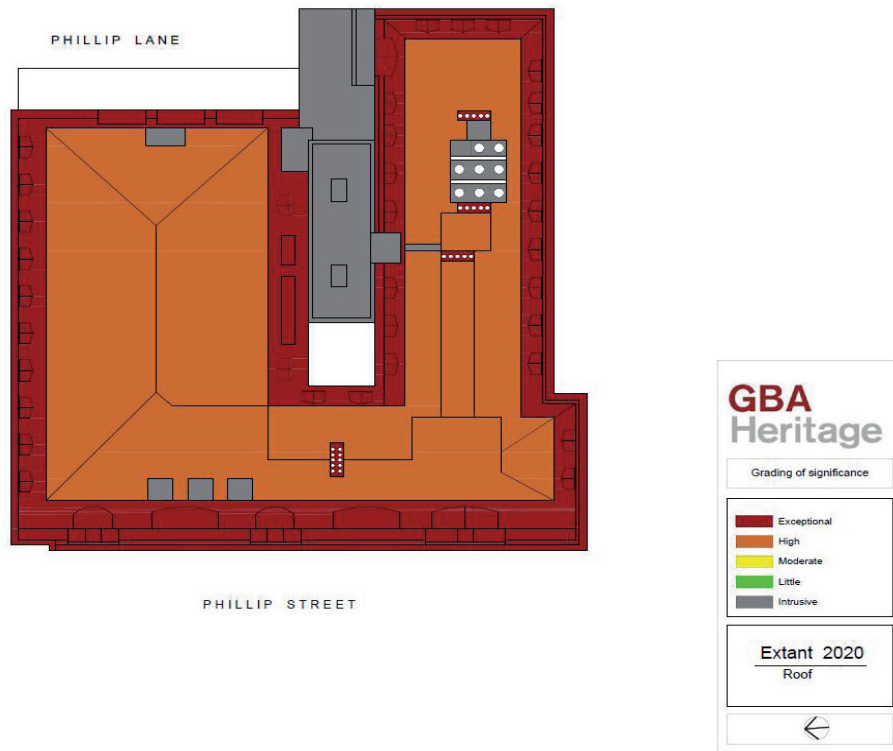


Figure 4.12
Existing Roof Plan
Source: GBA Heritage

4.6 CURTILAGE 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 the former Department of Public Works building is shown in Figure 4.14.

The SHR listing curtilage map dates from the 1997 Permanent Conservation Order, shows the Chief Secretary’s Building and the former Department of Public Works building were jointly considered (Figure 4.15). 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 4.13 & Figure 4.15). 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.

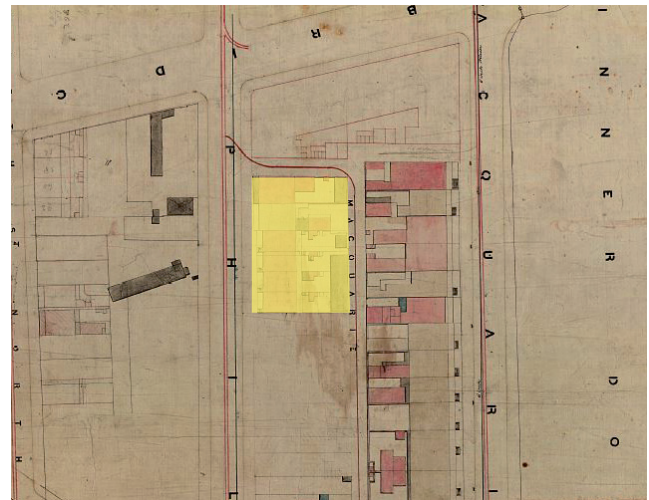


Figure 4.13
1880 Dove Plan showing the original lot boundaries shaded in yellow.
Source: City of Sydney, *Historical Atlas of Sydney*.

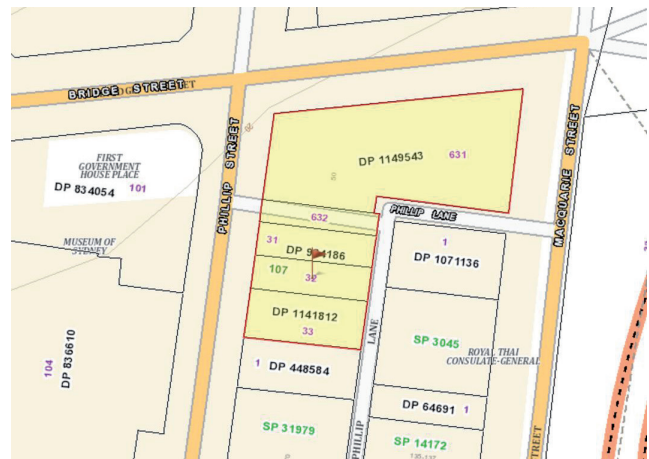


Figure 4.14
Lot boundary for 50 Phillip Street is highlighted in yellow.
Source: Six Maps

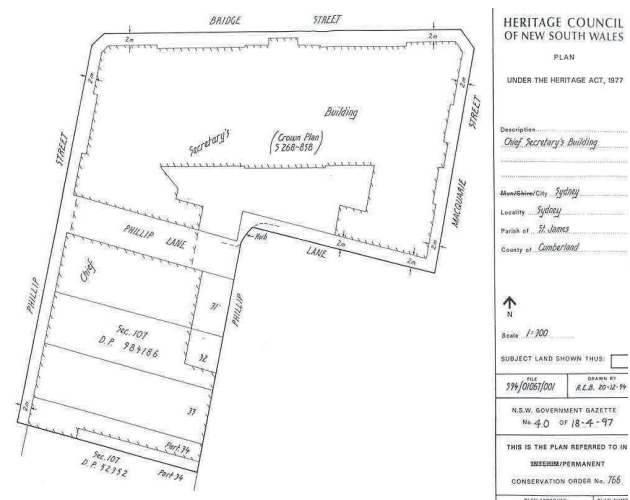


Figure 4.15
Heritage listing curtilage map, with the original Lot and DP numbers.
Source: *SHR Inventory*

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

The former Department of Public Works building as an extension to the Chief Secretary's Building is within the boundaries of "Government Domain and Civic Precinct" pending national heritage listing that also includes Education Building, Lands Building, and former Treasury Building (Figure 4.16).

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 4.17):

- 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 located within the eastern 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

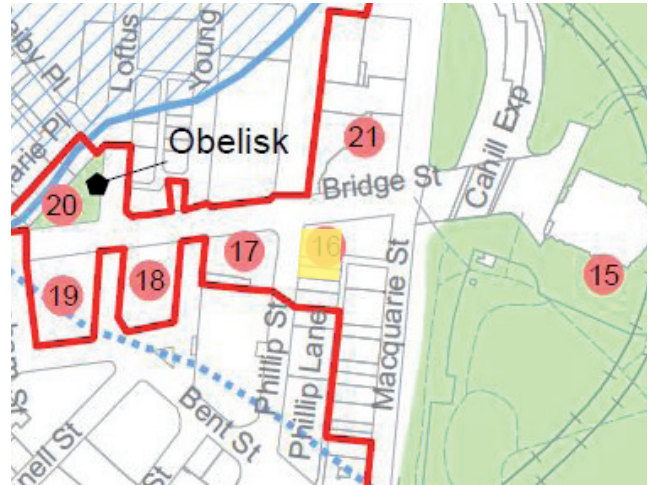


Figure 4.16
Government domain boundary map outlined in red and 50 Phillip Street is highlighted in yellow.
Source: National Heritage List Spatial Database (NHL S DB), Commonwealth of Australia

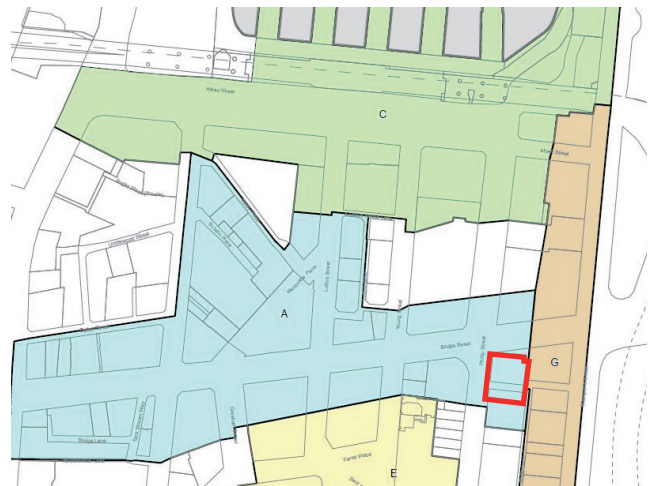


Figure 4.17
This map shows the former Department of Public Works (outlined in red) is located within the boundaries of Bridge Street/Macquarie Place/Bulletin Place Special Character Area (shaded in Blue), and is also on the boundary of Macquarie Street Special Character Area (Shaded in Brown).
Source: Sydney LEP 2012

although this cannot be confirmed with any certainty 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

FORMULATION OF CONSERVATION POLICIES

5.1 INTRODUCTION

This section outlines various major issues involved in the preparation of the conservation guidelines for the site. It takes into consideration matters arising from the Statement of Significance and procedural constraints imposed by cultural conservation methodology such as that of the Australia ICOMOS *Burra Charter*.

It identifies all statutory and non-statutory listings that apply for the site and describes constraints and opportunities arising from these listings.

5.2 ISSUES ARISING FROM THE STATEMENT OF SIGNIFICANCE

Considering the Statement of Significance, the following issues need to be addressed in the conservation guidelines:

- The former Department of Public Works building is a later addition to the Chief Secretary's Building, providing a unified and consistent architectural presentation as a whole. As such, the building in its setting as viewed from the Phillip Street must be retained and conserved as an essential component of any development in the subject site.
- The exceptional significant elements of the building including the main sandstone facade of the building on the west side, and copper roofed mansard, which contribute to the built landscape of Phillip and Bridge Streets should be retained and conserved.
- The former Department of Public Works building has experienced several alterations over time, but has substantially retained its character as a 19th century government office building. As such, any future alterations or additions to the building should respect the characteristic elements of the building.
- The external main sandstone facade of the building in a Victorian Second Empire style have been retained intact, while the interior spaces have experienced extensive changes over time to meet contemporary standards and the users' needs. Accordingly, any future alterations to the building should be focused on the interior of the building, while the external presentation of the building to Phillip Street, and the roof top should be retained and conserved.
- Any proposed future use for the building should be mindful of the main historical functions of the building over time in which it has been constantly used by the public. Accordingly, any future use should contribute to the interpretation of the building and its historical function.
- The subject site has a significant contribution to the streetscape of the CBD and the surviving Victorian era style of Phillip Street. It further reinforces the late Victorian era character of Bridge Street. Accordingly, the existing scale and form of the building must be retained and any large scale additions should not detract from how the building presents to the Streetscape.
- The Statement of Significance should be accepted as one of the bases for the future use and management of the site.
- Planning for the future reuse and additions to the building must respect and minimise changes to its high significance spatial arrangement and fabric.
- Development of the site to include high rise additions on top of the building is acceptable, if the proposed development respects the exceptional significant roofscape of the heritage building by providing an appropriate gap.

- As identified in Section 4.5, all components of exceptional significance should be retained and conserved in accordance with the principles of the *Burra Charter*. Components of high significance should be carefully managed to minimise heritage impacts.
- Components of lesser significance may be altered or redeveloped in accordance with a new proposal.
- The subject 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.
- Any future alterations and additions to the overall building should respect the scale, materials, footprint, roofscape, and characteristic external imagery, while they should remain subservient.
- The Statement of Significance must be one of the bases for the future use and management of the site.
- All original and significant components of the site that make a defining contribution to the significance of the site should be retained and conserved in accordance with the principles of the *Burra Charter*.
- The building has a small but significant movable heritage collection. The Movable Heritage report of the former Department of Public Works, dated 2017, should be updated once the current Department vacates the building and the recommendations of the updated report should be adopted and implemented. Any issues arising from the Statement of Significance provided in the updated report should be addressed.

5.3 HERITAGE MANAGEMENT FRAMEWORK

5.3.1 STATE SIGNIFICANT DEVELOPMENT

This CMP for the subject property has been prepared, to accompany a Stage 1 State Significant Development Application for the adaptive reuse of the site as a hotel facility.

The Department of Planning and Environment is the current authority in assessing and determining proposals for major developments in NSW, including State Significant Development and State Significant Infrastructure. Normal approval responsibilities from local council and the Heritage Act 1977 are switched off in the context of a State Significant Development approvals process. The process generally includes a consultation period, known as a public exhibition.

Proposals can be submitted to be assessed through a number of different systems depending on the proposal's classification.

Major development proposals, including mines, manufacturing plants, warehousing, waste, energy, tourist, education and hospital facilities are considered to be State Significant Development (SSD) if they:

- Are over a certain size;
- Are located in a sensitive environmental area; or
- Exceed a certain capital investment value.

The steps that a SSD project must take include:

- The issuing of environmental assessment requirements by the Department;
- Preparation of an environmental impact statement by the applicant;
- Public exhibition and opportunity for comment on the proposal by the community;
- Response by the applicant to the submissions made during exhibition;
- Assessment of the proposal by the Department; and
- Determination of the proposal by the Planning Assessment Commission or the Department or the Minister.

In addition, the Minister may also decide that a review and public hearing by the Planning Assessment Commission may be required for the complex SSD proposals.

5.3.2 CURRENT HERITAGE LISTINGS

The following statutory and non-statutory lists have been reviewed in relation to the subject site. The implications of these listings, if any, are discussed below.

LIST	INCLUDED
World Heritage List	NO
Commonwealth Heritage List	NO
National Heritage List	NO
NSW State Heritage Register	YES
Department Section 170 Register	NO
Sydney Local Environmental Plan 2012	YES
National Trust	YES
Register of the National Estate	YES

5.3.3 NSW HERITAGE ACT 1977

State Heritage Register

Under SSD, Heritage NSW will be an important referral agency. 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, more recently, the State Heritage Register. Section 4 of the Act defines State heritage significance as being:

...relation to a place, building, work, relic, moveable object or precinct, means significance to the State in relation to the historical, scientific, cultural, social, archaeological, natural or aesthetic value of the item.

Former Department of Public Works as an extension to Chief Secretary's Building is combined with the Chief Secretary's Building listing on the NSW State Heritage Register. However, the Register contains no Statement of Significance for the place separately, as the building 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.

Upon completion of the adaptive reuse scheme, including associated archaeological investigation, the history, description and Statement of Significance identified in the SHR listing should be updated to reflect any additional research information as well as the adaptive reuse changes.

Section 60 of the *NSW Heritage Act* requires approval to be gained from the Heritage Council when making changes to a heritage place listed on the State Heritage Register.

Section 118 of the *NSW Heritage Act* sets out minimum requirements for maintenance and repair of items listed on the State Heritage Register. These requirements are detailed in the *Heritage Regulation 2005*. In summary, the listed item must be protected from damage or deterioration due to weather, measures must be in place to prevent damage from fire and vandalism, and essential maintenance and repair must be carried out to prevent serious or irreparable damage or deterioration.

Archaeological Management

Under the *NSW Heritage Act 1977*, the disturbance or excavation of land containing or being likely to contain relics can only take place when an Excavation Permit has been granted by the Heritage Council. A “relic” is defined in the *NSW Heritage Amendment Act 2009* as:

Any deposit, artefact, object or material evidence that:

(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and

(b) is of State or local heritage significance

All “relics” are protected under the *Heritage Act*, regardless of whether or not the place is listed as a heritage item on a local, State or national level. For places listed on the State Heritage Register, an Excavation Permit is obtained under Section 60 of the *Heritage Act*. For all other places, the disturbance of relics requires an Excavation Permit under Section 140 of the *Heritage Act*.

5.3.4 LOCAL GOVERNMENT HERITAGE MANAGEMENT

Former Departments of Public Works (50 Phillip Street) is listed as a heritage item in Schedule 5 of the *Sydney LEP 2012*.

Approval from Sydney Council is normally required for any alterations or additions to the site which must be assessed under Part 4, 79(c) of the *NSW Environmental Planning and Assessment Act 1979*.

The relevant operative statutory regulations of the *Sydney LEP 2012* are noted in clause 5.10 Heritage conservation.

The controls of the *Sydney Development Control Plan (DCP) 2012* are also applicable to any future development of this site.

5.4 COMMUNITY AGENCIES

5.4.1 NATIONAL TRUST OF AUSTRALIA (NSW)

The property has been classified by the National Trust of Australia (NSW).

The Trust’s register is intended to perform an advisory and educational role. The listing of a place on the Register, known as ‘classification’, has no legal force. However, it is widely recognised as an authoritative statement of the cultural significance of a place.

The opinions of the Trust, however, are usually sought when major proposals are being formulated in heritage precincts or in relation to heritage buildings.

5.4.2 AUSTRALIA ICOMOS

Australia ICOMOS a professional body of conservation practitioners, represented by the Australian National Committee of the International Council on Monuments and Sites (ICOMOS).

Australia ICOMOS has developed and published a Charter for the Conservation of Places of Cultural Significance, generally known as *The Burra Charter*. This document establishes principles and methodologies for conservation work in Australia, based primarily on an understanding of the heritage values of a place and then appropriate responses to looking after the place in relation to various management issues and requirements. Its status is advisory, not statutory, but it has become widely recognised as establishing the basic methodology for conservation work in Australia.

5.5 OTHER RELEVANT STATUTORY REQUIREMENTS

5.5.1 DISABILITY DISCRIMINATION ACT 1992

The provision of access must be taken into account when considering on-going and future use of the building.

The *Commonwealth Disability Discrimination Act 1992* relates to discrimination on the grounds of disability. Under Section 23 of this Act it is unlawful to discriminate by refusing persons with a disability access to any premises or facilities the public is entitled to use.

Amendments to this act that came into force in August 2009 introduced the concept of an explicit duty to make reasonable adjustments. A reasonable adjustment is any adjustment that does not impose an unjustifiable hardship on the person who would have to provide the access.

Comment

In the construction of the second addition, a hoist (lift) within the stair well was considered. In 1954, this lift was demolished, and two new lifts were installed in the building. In 2005-2006, a new lift was installed, serving levels 5 and 6. Accordingly, the building has been in compliance with Disability Discrimination Act 1992.

5.5.2 NATIONAL CONSTRUCTION CODE (INCORPORATING BUILDING CODE OF AUSTRALIA)

The National Construction Code (NCC), incorporating the Building Code of Australia (BCA) is a national set of building regulations with some state-specific variations. The performance requirements of the BCA are mandatory, although the introductory sections of the NCC make clear that not all requirements will apply to a given case. The NCC includes 'deemed to satisfy' requirements which are accepted as meeting the performance requirements. However, the NCC also makes provision for alternative solutions to meet the performance requirements, subject to satisfactory verification.

Under the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation), all new building work must be carried out in accordance with the BCA. In the case of an existing building, there is generally no requirement to comply with the BCA unless works are being carried out. However where works (in particular alterations or additions) are proposed, the building in question will need to comply on completion with the relevant performance requirements of the BCA (EP&A Regulation Clause 145). In addition, where an existing building has a change of use, the structural capacity and fire safety of the building must be acceptable for the new use. Alterations to a building where the use remains unchanged must not reduce its structural capacity and fire safety (EP&A Regulation, Clause 143).

In certain circumstances, exemption can be obtained from the requirements of the BCA under Clause 187 of the EP&A Regulation. Because in most cases there will be an acceptable alternative solution to satisfy the performance requirements of the BCA, applications for exemption are sought comparatively rarely. If such an application is contemplated, it should be sought at development application stage and include advice from an appropriately qualified professional with experience with heritage buildings.

Comment

In the former Department of Public Works building, fire stairs on the eastern side of the building were constructed.

Walkways on the northern side of the building over Phillip lane are noted to be non-compliance with the BCA in terms of the height and balustrades.

Although in the central staircase a second handrail was installed to meet BCA, it is understood that it still does not comply with current BCA requirements.

5.6 PHYSICAL CONDITION

The building is generally in sound condition, with minor maintenance requirements. The building has undergone several changes over time, resulting in loss of its internal integrity.

5.7 OWNERS REQUIREMENTS

The identification of the needs of the owners and occupiers of the building need to be considered when formulating guidelines for the conservation, use and management of the building.

Although the building appears to be part of the Chief Secretary's Building, they currently function separately. The former Department of Public Works building is in the ownership of the NSW State Government and is currently used as offices for the NSW Department of Justice.

Built Development Group are proposing to undertake a development of a new 6-star luxury hotel at 52 Phillip Street, part of which will cantilever over and be supported by new structure placed carefully within the footprint of 50 Phillip Street. The development concept includes the conservation, alteration, and adaptive reuse of the existing heritage building (the former Department of Public Works). Consequently, removal of the internal additions such as partition walls which have no heritage sensitivity is an essential requirement of the project to remain feasible. This development will be dealt with by a Statement of Heritage Impact.

5.8 OPPORTUNITIES

Considering the assessment of significance and revised Statement of Significance, the following criteria have been identified which formulate the conservation policies:

- Several phases of alterations and additions to the heritage building over time demonstrate the capacity of the building for further changes particularly internally.
- The adaptive reuse of the heritage building to a luxury hotel may make the building accessible to the public for the first time, and further users and visitors of the building will be able to appreciate its significance.
- The adaptive reuse of the heritage building to a hotel facility may provide an on-going use for the building, ensuring the building is conserved and then maintained.
- The adaptive reuse of the heritage building may provide an opportunity to remove later intrusive components to the extensively altered interior and replace them with high quality spaces that are sympathetic and respectful to the building, contributing to the interpretation of the building.
- Any new additions should be contained within the established footprint of the heritage building, being sympathetic to the design intent of the original architect and complementing the very distinctive architectural character of the heritage building.
- Any new additions should create a defined visual break between historic and new built elements to help to consolidate the visual identity of the former Department of Public Works building.
- Removing the later intrusive additions such as wall partitions may provide an opportunity to expand and reuse spaces that are sympathetic and respectful to the building.
- Reinstating and preserving the original elements, especially those that are graded as having the exceptional and high significance are encouraged.
- Re-painting some original elements based on the original heritage paint scrape is encouraged.
- Retaining and conserving the main facade of the building that has an exceptional significance and contributes to the Victorian era character and townscape values of Phillip Street is required.
- Providing appropriate on-going uses may ensure long-term functional viability of the building, reducing the risk of damage to components of heritage significance.
- Phillip Lane that passes underneath the former Department of Public Works building may provide the best potential location for this purpose.
- Any potential on site parking could be located in the basement to retain and respect the heritage significance of the building.

5.9 CONSTRAINTS

- The building has some significant movable heritage items in various locations throughout the building. The number of identified movable heritage items differs from those ones in the 2017 report. As such, for the adaptive reuse of the building, the report needs to be reviewed and existing movable heritage items need to be carefully catalogued and managed.

6.0

CONSERVATION POLICIES

6.1 INTRODUCTION

Conservation can be regarded as the management of change. It seeks to safeguard that which is important in the built environment, within a process of change and development. As such, it is one of the functions of this document to establish policies and recommendations for the conservation and on-going use of the building in a way that protects and enhances its heritage value. In this way, the owners and managers of the building will be able to formulate proposals within a known framework of acceptable directions, and planning authorities will be able to assess those proposals against the criteria.

These established policies are aimed at guiding the building owners, property managers, consultants and contractors through the processes of conserving, adapting, repairing and maintaining of the former Department of Public Works. The policies aim to be sufficiently flexible in recognising both constraints and requirements for the place, while enabling the significance of the item to be retained.

Decisions about future work to the former Department of Public Works, including conservation, maintenance works and/or more extensive adaptation, should always take into consideration the significance of the place - in its setting as a whole - and the relative significance of individual elements affected.

The established conservation policies below provide a set of guidelines to inform future decision making processes and are not intended to impose blanket prohibitions or conditions. Circumstances may change in the future, further analysis may reveal additional information and owner's requirements might develop that require a measured but sensible approach to managing change to the building. Accordingly, it is not possible to cover all potential future impacts that may be associated with the future use of the building; these conservation policies aim to cover the key categories of change that may be relevant.

Many of the following policies are sourced from the endorsed Conservation Management Plan, 50 Phillip Street prepared by the NSW Government Architect's Office dated February 2016 which remain relevant. The 2016 CMP was written in the context of 'static' on-going management for government occupancy. This current CMP takes account of the future adaptive reuse of the building. The conservation policies and guidelines in this CMP will ensure that the heritage significance of the building is retained and celebrated by the private sector for adaptive reuse as a hotel, as well as by informing:

- decision making by the Building Owner, lessee and Property Manager;
- those considering or making changes to 50 Phillip street (e.g. consultants and contractors);
- those assessing statutory applications for approval for change.

6.2 PRINCIPAL CONSERVATION POLICIES

BACKGROUND

The former Department of Public Works building has been identified as being of considerable heritage significance. Its long term ownership is expected to remain with the NSW government, with a lease hold arrangement for new hotel.

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).

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.

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 aim 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.

POLICY 6.2.8

It is expected that the former Department of Public Works building will be transferred to the private sector under a long term lease from government.

6.3 APPLICATION OF THE BURRA CHARTER

BACKGROUND

The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (known as the *Burra Charter*) is widely accepted in Australia as the underlying methodology by which all works to sites/buildings that have been identified as having national, state and regional significance are undertaken.

In order to achieve a consistency in approach and understanding of the meaning of conservation by all those involved, a standardised terminology for conservation processes and related actions should be adopted. The terminology in the *Burra Charter* is a suitable basis for this.

POLICY 6.3.1

Because the former Department of Public Works building is of demonstrated cultural significance, procedures for managing changes and activities for the site should be in accordance with the recognised conservation methodology of the *Burra Charter*.

POLICY 6.3.2 CONSISTENT TERMINOLOGY

The following terms apply to the historic fabric of the site and are included here to assist in understanding the intent of the conservation requirements in this section.

Place means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the *place* itself, its *fabric*, *setting*, *use*, *associations*, *meanings*, records, *related places* and *related objects*. Places may have a range of values for different individuals or groups.

Fabric means all the physical material of the *place* including elements, fixtures, contents, and objects.

Conservation means all the processes of looking after a *place* so as to retain its *cultural significance*.

Maintenance means the continuous protective care of a *place*, and its *setting*. Maintenance is to be distinguished from repair which involves *restoration* or *reconstruction*.

Preservation means maintaining a *place* in its existing state and retarding deterioration.

Restoration means returning a *place* to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.

Reconstruction means returning a *place* to a known earlier state and is distinguished from *restoration* by the introduction of new material.

Adaptation means changing a *place* to suit the existing use or a proposed use.

Use means the functions of a *place*, including the activities and traditional and customary practices that may occur at the place or are dependent on the place.

Compatible use means a *use* which respects the *cultural significance* of a *place*. Such a use involves no, or minimal, impact on cultural significance.

Setting means the immediate and extended environment of a *place* that is part of or contributes to its *cultural significance* and distinctive character.

Related place means a *place* that contributes to the *cultural significance* of another place.

Related object means an object that contributes to the *cultural significance* of a *place* but is not at the place.

Associations mean the connections that exist between people and a *place*.

Meanings denote what a *place* signifies, indicates, evokes or expresses to people.

Interpretation means all the ways of presenting the *cultural significance* of a *place*.

6.4 CONSERVATION OF THE CONTRIBUTION TO THE SETTING

BACKGROUND

The former Department of Public Works building is a landmark structure that is located at 50 Phillip Street, contributing to the exceptionally significant government administrative precinct that includes the Chief Secretary's Building, Lands Building, Education Building and former Treasury Building. It is an important historic visual element in the streetscape of Phillip Street, and contributes to the late Victorian era character of Bridge Street.

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.

6.5 CURTILAGE

BACKGROUND

Since its completion in 1893/4, the former Department of Public Works building has been managed by State government as part of the Chief Secretary's Building (CSB). The two buildings share some common services and compliance issues, such as the provision of adequate fire egress and WC amenities.

The State Government now wishes to consider the former Department of Public Works building in isolation from the CSB.

There are many issues to be resolved for the former Department of Public Works building and its relationship with the adjacent Chief Secretary's Building including:

- an appropriate subdivision physically and operationally;
- separation in land management terms;
- separation in terms of statutory compliance with fire safety and access codes; and
- separation in terms of heritage listings.

POLICY 6.5.1

Careful consideration needs to be given to the implications of operational management separation of the CSB and the former Department of Public Works building including:

- legal definition of land parcels
- physical separation for security and fire safety
- availability of WC facilities

6.6 HERITAGE CURTILAGE

BACKGROUND

Heritage curtilages are established as a management tool to set a physical boundary around the significant aspects of a place. In some cases, this curtilage includes a land buffer to protect the significant elements from surrounding impacts. Curtilages are particularly important when an item is heritage listed as they establish legal boundaries that determine when approvals are required and what types of approvals are required.

The Chief Secretary's Building and the former Department of Public Works building were jointly covered by a Permanent Conservation Order in 1997, which was converted to a listing on the State Heritage Register in April 1999 (SHR No.00766). The heritage curtilage established for the building is shown in Figures 4.14 & 4.15. Similarly, the heritage listing under the Sydney LEP 2012 is a joint listing with the Chief Secretary's Building.

POLICY 6.6.1

Should the former Department of Public Works building have a separate ownership and management regime to the Chief Secretary's Building (e.g. a new ground lease over the former Department of Public Works building), then the State Heritage Register listing and curtilage (shown in Figures 4.14 & 4.15); and the Sydney LEP 2012 Heritage Listing; should be reviewed so that there are separate listings and curtilages for both the CSB and the former Department of Public Works building.

In addition, the National Trust of Australia (NSW) should be requested to consider separating the two buildings for inclusion in the National Trust Register.

6.7 EXPANDED CURTILAGE

BACKGROUND

The Heritage Council uses the following definitions:

- Curtilage: the area of land surrounding an item, area or place of heritage significance that is essential for retaining and interpreting its heritage significance.
- Expanded Curtilage: where the heritage curtilage required is greater than the property boundary. (In defining an expanded curtilage, the prominent observation points from which the item can be viewed, interpreted and appreciated must be identified.)

Consideration also needs to be given to the expanded curtilage or setting of the former Department of Public Works building, which has been identified as an aspect of the Building's significance. While the State Government owns and manages the adjacent CSB building, it does not own or control the majority of this wider setting.

Former Department of Public Works building contributes to the exceptionally significant government administrative precinct that includes the Chief Secretary's Building, Lands Building, Education Building and former Treasury Building. The expanded curtilage of the building can be defined by the City of Sydney's Sydney DCP 2012 Section 5 Special Character Areas:

- The Bridge Street/Macquarie Place/Bulletin Place Special Character Area (which includes the footprint of the former Department of Public Works building), shown in Figure 4.17;
- The Macquarie Street Special Character Area (which includes the north-south section of Phillip Lane. The eastern elevation of the building is located on this boundary), shown in Figure 4.17.

The impact of any works to the former Department of Public Works building has to take into account the impact within this expanded curtilage and the associated adjacent or nearby heritage places or buildings. For example:

- changes to the less significant eastern frontage of the building have the potential to impact on the heritage significance of Phillip Lane and on the values of the Macquarie Street Special Area.
- north, west façade or roof top changes to the building may impact on the CSB and also on the values of the First Government House Place and other elements within the Bridge Street/Macquarie Place/Bulletin Place Special Character Area.

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.

GUIDELINES

Proposed works affecting the exterior of the former Department of Public Works building 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 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.

(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.

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.

6.8 TREATMENT OF FABRIC OF DIFFERENT GRADES OF SIGNIFICANCE

BACKGROUND

Different elements of a place make different contributions to the significance of the place as a whole. These elements may also have significance in their own right. While some elements of the former Department of Public Works building are important in their own right, in general the elements are significant in regard to their contribution to the overall significance of the place.

The building is significant for its high level of external integrity and intactness. It is recommended that all elements of Exceptional significance be retained whereas elements of High significance should be carefully managed to minimise heritage impacts. There is more flexibility to remove or replace elements of lower levels of significance.

Loss of integrity or condition of individual elements will have varying impacts on the heritage significance of the place as a whole. It is important to be aware of the negative aspects of cumulative heritage impact when managing change to specific elements within the building.

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.

POLICY 6.8.8

Where possible, damage or scarring caused by earlier internal fitouts or service installations should be repaired to match the original, and original fabric reinstated.

POLICY 6.8.9

In order to reinstate, or reconstruct parts of the building, sufficient information must be available to guide the design and documentation of the work. Such information includes documentary evidence, archaeological material and evidence held within the fabric of adjacent components. Reinstatement of missing fabric, or detailing known to be consistent with such traditional beginnings, or reconstruction should only take place within the context of retention of cultural significance of a particular element and of the building.

POLICY 6.8.10

While reconstruction or reinstatement should return an element to a known earlier state, building practices or construction details which are known to be defective should not be adopted. Reinstated or reconstructed fabric should be selectively 'date stamped' in discreet ways, to indicate that the work is of this nature.

POLICY 6.8.11

Any significant fabric and fittings removed should be catalogued and stored on-site.

GUIDELINES

The Burra Charter recommends a cautious approach in removing fabric graded as having significance at Exceptional, High or Moderate/Some significance. Removal should be limited to protecting and enhancing fabric of greater significance or enabling practical use of the building.

6.9 EXTERIOR ELEMENTS

BACKGROUND

Given the Exceptional significance of the western facade and its intactness, this fabric should be preserved and maintained to extend its life for as long as possible. As the result of an ongoing conservation and maintenance program for the roof and main facades of the building, co-ordinated in the past by NSW Public Works, the external fabric can generally be considered to be in excellent condition.

Replacement of the fabric should only be considered as a last resort. Particularly important and detailed elements (e.g. the head of the Prince of Wales above the entry doorway) should be preserved only.

The western (and upper parapet of the northern) facades of the former Department of Public Works building have finely detailed sandstone construction of exceptional aesthetic quality.

POLICY 6.9.1

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

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.

POLICY 6.9.3 ROOF STRUCTURE

It is essential that the major internal and external 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.

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.

GUIDELINES

Discrete new internal openings can be considered with the following provisos:

- No fireplaces or chimney breasts or part thereof should be removed;
- No pilasters or part thereof should be removed;
- Opening dimensions should respect the interior architectural detailing of the spaces (timber panelling, joinery, archways);
- Except in archways, new doors should retain an approximate 450mm nib wall each side (to minimise impact on the spatial qualities of the original spaces), and should match adjacent typical door heights (so that the original doorways continue to dominate the space).

Modification of any existing opening of the building would have to be clearly justified on the basis that there is no prudent or feasible alternative. Any modification would require very careful detailing so as to not visually disrupt the overall composition of the stone façade.

The routine inspection, maintenance and repair of the exterior stonework of the building should be in accordance with best practice.

Statutory approvals to make these changes are required.

6.10 VERANDAHS AND WINDOWS

POLICY 6.10.1

Original open verandahs on the west elevation should not be enclosed to provide additional accommodation. Such enclosures are considered to detract from the overall significance of the building.

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.

GUIDELINES

All the windows of the former Department of Public Works building should be regularly inspected for damage or deterioration.

It is preferable that original fabric is retained wherever possible, but if necessary, replace any damaged areas with matching materials.

6.11 BUILDING INTERIOR

BACKGROUND

Unlike the earlier section of the Chief Secretary's Building, relatively little of the interior fabric of the former Department of Public Works building has remained intact. What survives of the original door and window joinery is generally in good condition, though in most cases the original polished timber finish has been painted over. Future fitouts and refurbishment should consider the restoration of traditional clear timber finishes to the cedar door and window joinery.

All fireplaces have been removed and bricked up with the exception of those remaining in the Judges Staff room and Commissioner Chambers room on Level 6. These fireplaces should be retained and conserved.

The octagonal rooms above Phillip Lane are the only spaces to retain their original plaster ceilings and cornices. These should be retained and conserved.

The same rooms are among the few in the building to retain their original wall plaster painted decoration. These also should be retained, and the historic colour schemes investigated, recorded and where possible, restored or reconstructed.

Spaces of Considerable Significance include:

- The central staircase with its decorative wrought iron balustrade. (Later infill sections at the landings are evidence of the original lift, removed c.1954); and

- The octagonal rooms above the Phillip Lane 'bridge'. Although the fireplaces have been removed these rooms are the only spaces in the building to retain their original wall and ceiling plasterwork and therefore also the evidence of original decorative schemes.

The greatest success in adapting a heritage building for a new purpose is the result of effectively matching the new functions to the existing interior spaces, rather than altering the rooms to suit the new functions. Ensuring the compatibility between old spaces and new uses will reduce the need to modify original building fabric and introduce new fabric.

The former Department of Public Works building contains rooms that range in size from very spacious to very modest. Successive alterations have reduced the integrity of internal spaces.

However, should any spaces be required to be subdivided then the dividing walls will need to be carefully detailed to be reversible in the future with minimal impact on original building fabric.

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 and window detailing, rather than cut across or through them.

GUIDELINES

Any new doorways required in the corridors, e.g. for smoke isolation, should be positioned to respect the existing structural pattern and detailings.

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.

POLICY 6.11.3 FLOORING

The former Department of Public Works building has mainly timber floors that have been carpeted. These carpets have no heritage significance.

Original floor materials should be retained and conserved in-situ but may be covered with a new floor covering appropriate to the room's particular function in a manner that minimise damage to the original floor material.

POLICY 6.11.4 TIMBER JOINERY

BACKGROUND

Throughout the former Department of Public Works building there is fine internal timber joinery of rare Australian red cedar, including doorways, four panelled doors, architraves, skirting and window joinery. The evident hierarchy in the elaborate detailing of the joinery helps to distinguish between public and private areas, as well as denoting the varying importance of different rooms and their intended occupants. The overall quality of the joinery contributes strongly to the high aesthetic value of the place.

Original joinery throughout the building, in particular the doorways and highlights along the corridors, should be retained in-situ and maintained.

Any new partitioning of interior spaces should be detailed to fit around the original joinery rather than cut into it.

GUIDELINES

Significant timber joinery, including original doors, door frames, and architraves should be retained in-situ. Should a doorway not be required it is preferable that the door be carefully catalogued and managed or locked shut. Then, it can be reinstated when is needed.

POLICY 6.11.5 FIREPLACES

Significant fireplaces and elements of fireplaces, such as two remnant fireplaces at level 6 should be retained and conserved.

POLICY 6.11.6 STAIRCASE

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

POLICY 6.11.7

The timber staircase in the southern end of the building, which provides access to the roof, should be retained in situ and alternative compliant access installed. If this approach is found to make this space unreasonably difficult to effectively use, thereby making the affected spaces uninhabitable, then the staircase should be the subject of an archival recording and carefully dismantled. Samples of timber balusters, handrails and newels should be labelled, catalogued and securely stored on site.

6.12 PLASTERWORK, IRONWORK AND DECORATION

BACKGROUND

Preliminary investigations indicate that all original wall finishes as well as the plaster substrate beneath them were removed in areas affected by the 1967 refurbishment for the new Family Law Division. The original plaster ceilings to these spaces were also demolished at that time. The only evidence of original interior finishes to ceilings and walls may be found in the octagonal rooms at levels 2, 3 and 4 above the Phillip Lane 'bridge' and possibly the eastern courtroom and associated chambers on level 6, which were not part of the 1967 remodelling, and significantly perhaps, are the only rooms in the building to retain their original fireplaces.

Options for restoring or reconstructing original decorative schemes could therefore only be considered in the few cases mentioned above where there is the potential for the recovery of such schemes. Due to the advanced state of deterioration of painted finishes to the walls of the rooms above the 'bridge', it is important to investigate and record the historic colour schemes to these rooms. They should not however be taken as being typical of other spaces in the building. Their moulded plaster cornices indicate that they were more closely aligned in style to the adjoining rooms in the Chief Secretary's Building than to those in the former Department of Public Works extension which had simple square-set cornices to its principal rooms.

Some remnant original decorative details can be found throughout the building, including plaster console brackets in main corridors and iron columns associated with the main staircase. New work should be detailed to harmonise the existing decorative detailing.

The majority of rooms are currently painted in a range of uniform colours. A professional investigation could reveal more of the original colour schemes throughout the building.

GUIDELINES

It is not intended that original paint schemes should be reinstated throughout the building, but rather that consideration should be given to using the known original colours as the basis for a contemporary paint scheme suited to the aesthetic character of the building.

POLICY 6.12.1

Any new work should conserve original plaster and ironwork detailing.

POLICY 6.12.2

Investigate and record former significant internal decorative schemes, colours and finishes throughout the building, particularly through paint scrapes carried out by an historic finishes' expert, prior to any adaptation and/or repair which could cause loss of such important historical evidence.

POLICY 6.12.3

Any changes to interior colour schemes, details and finishes should be developed with the input of a suitably experienced conservation architect or heritage consultant.

6.13 FIXTURES AND FITTINGS

BACKGROUND

The former Department of Public Works building interiors contain very few original architectural fixtures and fittings. With a change of use, an effort should be made to retain any significant items in-situ wherever possible.

POLICY 6.13.1

Wherever feasible, original fixtures and fittings, significant to the building's use, should be retained and conserved in their original or significant locations.

Any items that cannot be retained in-situ should be labelled, catalogued, and securely stored.

GUIDELINES

- Retain all original door hardware as these items are significant. If fire engineered approach determines some of these items are at significant risk, then retain original items in-situ and make inoperable. Add only required new additional items nominated in approved fire engineered solutions which have been approved by heritage authorities.
- Where feasible retain original numbering and signage system on doors.
- Any item that cannot be retained in-situ should be labelled, catalogued and securely stored on site in accordance with the movable heritage policy.

POLICY 6.13.2 SUB-TENANCY FITOUT GUIDELINES

Tenancy fitout guidelines should be developed to advise retail/hospitality sub-tenants of the cultural significance of the former Department of Public Works building and the requirements for its ongoing conservation and management. Any proposed alterations or new works must be reviewed and supervised by a qualified heritage specialist.

POLICY 6.13.3 RESPONSIBILITY FOR ONGOING CARE

The management and financial responsibility for the ongoing care and maintenance of the building should be incorporated into head lease obligations. This responsibility involves the employment of a strategy for the protection and ongoing care of significant fabric and spaces and the architectural integrity of the building.

POLICY 6.13.4 MANAGEMENT PROGRAMME

A Management Programme should be established and maintained that:

- Integrates conservation and maintenance into the overall management of the building.
- Disseminates the aims and objectives of this CMP to the appropriate building managers.
- Outlines the responsibilities at each staff level for implementing this CMP.
- Monitors impacts to exceptional and high heritage significant fabric to ensure compliance with the CMP.

GUIDELINES

Sale and/or lease agreements should be carefully worded to ensure the Building Owner has control and responsibility for ensuring unified heritage conservation approaches to the building, rather than resulting in piecemeal changes.

Sale and/or Lease arrangements for comparable situations involving heritage assets should be analysed to ensure the best outcomes in terms of managing the heritage values of the site and funding ongoing maintenance of heritage fabric.

As part of the change in ownership and/or management of the building action should be taken to record and celebrate its significance, including:

- recording of personal stories of past and present occupants (i.e. oral histories).
- a professional archival photographic recording.

It should be noted that an archival recording is likely to be required under heritage legislation prior to any major interventions.

6.14 PRINCIPLES FOR ADAPTIVE REUSE

BACKGROUND

The former Department of Public Works building was purpose designed as government offices in the 1890s to supplement accommodation already provided in the Chief Secretary's Building. It was occupied from 1893-4 until 1967 by the NSW Department of Public Works. In that period the only major alteration to the building was the removal of the original lift in the main stairwell and the installation of new lift shafts and a fire stair in what had been the open 'area' or light well separating the first and second stages of the extension.

In 1967 the interiors were dramatically altered to accommodate the Family Law Division which occupied all of the building, with the exception of two rooms on the sixth floor which were retained by the Treasury Department for betting tax records. The adaptation from public works offices to courtrooms and judge's chambers involved the amalgamation of sub-divided office spaces into large spaces for courtrooms on the four upper levels, L3 to L6, and the creation of en-suite bathroom facilities to the larger rooms on the southern side of the building which became judges' chambers.

The subsequent conversion from Divorce Courts to Industrial Commission Courts in the mid-1970s was essentially a continuation of the same usage and involved few further modifications to original fabric.

In 2017, the reuse of the building for the NSW Department of Justice resulted in some level of changes and modifications to original fabric of the building.

Currently, the former Department of Public Works building is largely disused and more sustainable uses are being investigated. While the building is unused, the risk of damage to components of heritage significance is significantly increased (e.g. through lack of maintenance or through vandalism).

Alternative sympathetic uses should be considered, particularly where such a change of use will provide a sustainable future for the key aspects and elements of heritage value, including ongoing maintenance and repair. Any change to the former Department of Public Works building, including a change in use, requires statutory approval processes as outlined in this CMP. Careful consideration of the heritage impacts of such change in use will be a major factor in determining the appropriateness of such proposed new use.

The historical and social value of the former Department of Public Works building as a signature government building is not as strong as for the CSB or for the Lands Building. This is because the building is a secondary extension to the CSB in terms of internal planning and detailing, partly because of the internal changes since the 1960s.

A major issue for any new use will be the functional separation from the CSB in terms of property title; statutory zonings and listings; fire safety; access; and the provision of services and toilets.

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.

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.

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.

POLICY 6.14.5

Location and visual presentation of new services within the building should generally remain subservient and respectful to the scale, dignity and presentation of the existing building.

POLICY 6.14.6

New internal elements should not attempt to replicate the original features. They should be of a contemporary design and character but remain respectful of the power and mixed character of the old.

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.

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.

POLICY 6.14.9

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

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.

POLICY 6.14.11

As part of any change of use an archival and celebratory record of its heritage value as a public institution should be made.

GUIDELINES

Uses which result in the removal of any current intrusive elements and the conservation of significant elements (e.g. an upgrade to Phillip Lane) should be favourably considered.

New uses that would result in intrusive changes to significant fabric are unacceptable.

While more public uses may be accommodated on the ground floor as part of any adaptive re-use.

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.

6.15 ADAPTATION/ALTERATIONS & ADDITIONS

BACKGROUND

Alterations and additions may be required:

- in response to a new or expanded use;
- because facilities require upgrading to provide contemporary functional requirements; or
- to meet current standards; e.g. the National Construction Code of Australia (formerly called the Building Code of Australia), Disability Discrimination Act, 1992, and/or Occupation Health and Safety legislation.

The Burra Charter establishes that changes that reduce cultural significance should be reversible and reversed when circumstances permit (Article 15, Clause 15.2). Non-reversible change should only be included as a last resort and should not prevent the future conservation of the place.

The Burra Charter also states that new work (e.g. extensions, changes to internal configuration) is acceptable only where they do not distort or obscure the cultural significance of a place, or detract from its interpretation and appreciation (Article 22, Clause 22.1). To avoid later confusion, new work, as distinct from reconstruction, should not replicate the original fabric, but should be recognisable on close inspection as being new.

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. For example, sympathetic work may be different in detail to the original design, but might employ similar materials, bulk, form, colour, siting, character, details, colour or texture (Articles 22, Clause 22.1).

In the case of the former Department of Public Works building, the integrity and significance of its internal layout and finishes are such that they have a low tolerance for change. External building fabric and components to Phillip Street has no tolerance for change, whereas external building fabric and components to Phillip Lane and on the other sides of the building have some tolerance for potential changes. Therefore new design details need to be more sympathetic. In some instances, it may be appropriate to replicate original detailing with the age of the new work only evident on close inspection (e.g. though slight streamlining of detailing and/or by date stamping elements).

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*.

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.

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.

POLICY 6.15.5

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

GUIDELINES

Period design and detailing should be restricted to the reconstruction or restoration of elements for which there is evidence of their original form and character, either in remnant fabric, architectural drawings or historic photographs.

The use of high quality integrated contemporary design is acceptable for new elements and is preferable to inappropriate period design. Conjectural period detailing in new work is not recommended and is not in accordance with the conservation philosophy of the *Burra Charter*.

6.16 MANAGING CHANGE

BACKGROUND

Managing change to places of cultural heritage significance while retaining their heritage values can be one of the most challenging aspects for a building owner. Change is almost always possible to a significant heritage item although some items have more tolerance to change than others. The policies in this section are designed to assist the Building Owners, Property Managers and users of the building to understand its tolerance to change and to feel confident in making changes in a way that supports the conservation of its heritage values rather than detracting from them.

The Australia ICOMOS Burra Charter, 2013, written by Australia ICOMOS in 1979 and most recently updated in its fourth revision in 2013, is widely accepted by heritage practitioners and Australian governments at all levels, as the basis for heritage management in Australia. The Burra Charter is mentioned regularly in the background sections to particular conservation policies, as it is a key influence in the development of these policies and a reminder that sound heritage management practices are based in its principles.

Under the Burra Charter, conservation means all the processes of looking after a place, including preservation, restoration, reconstruction, adaptation and maintenance, so as to retain its cultural significance.

In all decisions regarding changes to the building, doing “as much as necessary and as little as possible” (Burra Charter Article 3), should be the guiding principle. The Charter also recognises that change may be necessary to retain cultural significance, but that the amount of change should be guided by the cultural significance of the place (Articles 15 and 22).

Proposed potential adaption of the former Department of Public Works to hotel building should always be considered in the context of the significance of the place as a whole, as well as the significance of the affected elements. The impacts of the change on significance should be well understood and planned for before any work commences. The Burra Charter supports this process of understanding and planning for change. For many types of change there will be a number of ways of achieving the desired outcome. Successfully choosing an option that supports retention of heritage values is often simply a case of seeking heritage advice from the appropriate specialist during the planning stages for the work.

Types of changes that may be proposed at the building will range from use and managerial change to actual physical works at the site. Types of changes could include (but are not limited to):

- conservation methodology (e.g. removal of intrusive elements and reconstruction of missing elements);
- adaptation to suit future sustainable use;
- managing different levels of significance
- maintenance and repair of building fabric;
- introduction of new fabric, services and equipment; and
- compliance with access and safety codes.

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.

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

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.

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.

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.

GUIDELINES

In addition to the Policies and Guidelines in this CMP, refer also to the Burra Charter and its Guidelines for direction on the conservation of this significant building. This CMP uses the terminology defined under the Burra Charter.

Generally, 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 High 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;
- new work is of a high design standard, and quality materials are used sympathetic to the significant fabric.

It is also important to consult with expert consultants and with the relevant consent authorities as soon as practical when planning major changes.

6.17 SERVICES

BACKGROUND

The introduction and upgrading of services into historic buildings requires careful consideration to avoid having a damaging effect on the heritage significance of the building. Examples of intrusive services that should be addressed in any future upgrades include:

- Exposed fire hydrant mains and hose reels in public corridors, staircase and lobbies.
- Window mounted air-conditioning units to the east and south facades.

The 1950s lift installation (later upgraded) which filled in the original light well that defined the two stages of the buildings construction. Although it is clearly not practical to relocate the lifts, it should be possible to interpret the lifts and their lobby as an obvious intervention in any future fit-out.

The wall to the north of the central staircase which encloses what was originally designed as an open stairway and, in the process, engulfs the once free-standing decorative cast iron column that was intended to be the feature of that space. It may be possible in some future revision of the fire safety management of the building to devise a solution that allows for the removal of this section of wall and the re-instatement of the free-standing column and balustrading to the northern flight of the staircase.

The existing toilets to the east of the building were re-furbished in the 1960s when the external access galleries were demolished, and new doorways were made giving access from the internal corridors. The service spaces adjacent to the toilets should be used to conceal services including perhaps fire hydrant pipes.

A change of use to tourism purposes will require a substantial upgrade of existing services and the introduction of many new services in the building.

The introduction of new services is often the most intrusive aspect of adapting a heritage building to a new use. Fortunately, the former Department of Public Works building appears to have already lost its original ornate ceilings, so that the installation of new false ceilings and bulkheads can be considered (provided they do not cut across significant opening heights).

To achieve the most effective and efficient outcome the approach should be a 'whole of building' solution, rather than piecemeal.

The exterior and roofscape of the building is somewhat uncluttered with modern services. Consideration could be given to rationalising any clutter in consideration of the fact that many tall buildings look down on this significant roofscape.

POLICY 6.17.1

Ensure that the upgrading of existing services and the introduction of new services are:

- confined to areas already containing services;
- located in areas of lesser significance and do not impact on fabric of Exceptional or High significance;
- carefully designed to integrate with existing services in an unobtrusive manner; and
- does not involve the location of new plant in areas where they are visible on the significant roofscape.

POLICY 6.17.2

Where new services or upgrading of existing services are required (communication, fire, electrical and plumbing), these should be sympathetic to the original design intent. They should be introduced discreetly in areas of lesser significance to avoid damage to significant fabric and avoid visual impact on significant spaces.

POLICY 6.17.3

Redundant services should be removed carefully to avoid damaging original heritage fabric.

POLICY 6.17.4

The location of presentation of new plant and services within the building should generally remain subservient and respectful to the scale, dignity, and presentation of the existing building in lower section of the tower.

POLICY 6.17.5

All proposed modifications and related penetrations should be approved by a conservation architect or heritage consultant.

GUIDELINES

The introduction of new services i.e. bathrooms, heating and cooling, lighting, etc. within spaces identified as being of Exceptional or High significance requires careful consideration. The work should aim to be reversible wherever possible, with minimal impact on significant fabric.

When upgrading services do so with the intent of increasing efficiency while reducing the size of service equipment and its impact on heritage fabric.

Original vertical and horizontal service ducts should be reused for new services. Redundant pipes and wires, etc. should be removed to provide space for new services and avoid damaging original fabric.

Reduce pipe and cable diameters and, where possible, place in runs concealed in cavities or grouped in less significant areas. Run new service in already altered or damaged fabric and reduce opening up, drilling through and damaging original fabric.

Engage an experienced heritage specialist to manage the design, heritage approval applications and installation of new services.

Do not add new elements where they will negatively impact significance. Remove unsympathetic services and associated intrusive fabric when possible and reinstate original appearance.

When developing adaptive re-use proposals for the building consider implications arising from the requirements of the Building Code of Australia (BCA) including structure, fire resistance, access and egress, firefighting equipment, mechanical ventilation, certain aspects of health and amenity, and the provision of adequate disabled facilities. Where possible, consider alternative approaches to the resolution of functional, safety, BCA or health requirements to minimise any adverse impacts upon significant fabric or features.

6.18 CODE COMPLIANCE

BACKGROUND

Any proposed re-use of the building will require compliance with the National Construction Code (NCC) and the Premises Standard of the Disability Discrimination Act 1992 (DDA) amongst others.

The BCA sets out the legislative requirements in terms of the structure, fire resistance, access and egress, firefighting equipment, mechanical ventilation and certain aspects of health and amenity.

The DDA is a Federal Act, which seeks to ensure, as far as practicable, that persons with disabilities have the same rights to equality as the remainder of the community. The Premises Standard 2010 has the potential to affect the adaptive re-use of the former Department of Public Works, particularly with regard to access through the internal spaces of the building.

A fire engineered approach may need to be applied to achieve adequate compliance for the building and the separate of the compliance issues (Fire and Access) currently integrated with the CSB. Solutions should ensure an appropriate balance between safety and the retention of heritage significance.

The arrangement of any new services should be carefully planned to minimise impact on significant fabric. The careful design of services (both fixtures and routes) throughout the building is required to integrate new services in an unobtrusive manner. Upgrades of existing services should be reviewed on a case by case basis. Some existing services may have heritage significance and may need to remain in situ if possible.

Where compliance with the BCA or DDA may compromise the architectural integrity and diminish cultural significance, alternate solutions should be explored and advice sought through the Fire, Access Services Advisory Panel (FASAP), a sub-committee of the NSW Heritage Council.

POLICY 6.18.1

Future adaptations and upgrades of the building should aim to meet the requirements of the NCC, particularly in regard to protection against fire and the separation of the current fire safety measures that are integrated with the CSB. Where there is a conflict between the NCC and the heritage significance of the building, alternative options to enable compliance should be investigated, including performance fire engineered solutions.

POLICY 6.18.2

Future adaptations and upgrades of the building should aim to meet the objectives of the Disability Discrimination Act 1992, and the requirements of the 2010 Premises Standard particularly in regard to the provision of equal access. Where there is a conflict between the DDA and the heritage significance of the building (particularly the retention of fabric of Exceptional or High significance), alternative options to achieve compliance should be investigated.

POLICY 6.18.3

Alteration to fabric of Exceptional and High significance, to provide disabled access compliance with the DDA, could be considered provided that:

- it is demonstrated that alternative options to provide access, which retain fabric of High significance and comply with the DDA, have been considered;
- that alterations are reversible, with minimal impact on the significant fabric; and
- the policies concerning recording of fabric to be removed are met.

POLICY 6.18.4

A strategy should be developed which seeks to address Code Compliance from a whole of building perspective to avoid piecemeal solutions that may have an incremental adverse heritage impact.

Where a conflict between the requirements of Codes and the heritage significance of the building exist, alternate options to enable compliance should be investigated.

POLICY 6.18.5

If original or early architectural elements have to be removed or concealed in order to achieve code compliance, then the appropriate approach should be one of “reversibility” and the minimisation of damage. Dispensation options must be explored prior to any intervention.

GUIDELINES

- Where floor levels need to be raised, or ramps installed, these should be freestanding, isolated elements that are not fixed into significant walls, and are reversible with no adverse impacts.
- Consideration could be given to widening of door openings, provided that this is undertaken in accordance with other policies in this CMP, and consideration has been given to the re-use and augmentation of the existing joinery as required.
- Where original doors become redundant due to raised floor levels or widened door widths, these could be removed, marked as to their location, and stored on site for future reinstatement. Replacement doors (if required due to the re-use) should be in a style and finish similar to originals).
- Undertake a fire engineered assessment of the stairs for any future use of the building. Determine and implement appropriate and sympathetic methods of upgrading the stairs/stair shafts with minimal impact on heritage significance.
- Where original door hardware remains, this should be retained in situ and alternative solutions sought to comply with the relevant standards.

6.19 ACCESS

BACKGROUND

An objective of the *Disability (Access to Premises - Buildings) Standard 2010*, made under the *Commonwealth Disability Discrimination Act 1992 (DDA)* is 'to ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings, and facilities and services within the building, is provided for people with a disability'. However, if strict adherence to the provisions of the *DDA* is likely to have an adverse heritage impact on significant fabric, this may be considered unjustifiable hardship under the terms of the Act. In such cases expert consultancy advice should be sought to investigate alternative compliance provisions.

The former Department of Public Works is a notable historic public building within the Sydney CBD. Currently the general public is not able to access the building. A change of use may offer an opportunity to make this historic building more accessible to the public.

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.

POLICY 6.19.5

Where compliance with the *DDA* is likely to have an adverse heritage impact on significant fabric, formal advice on alternative means of compliance shall be sought from the Fire, Access and Services Advisory Panel of the Heritage Division of the NSW Department of Premier and Cabinet, or expert consultants.

Where there is a conflict between the *DDA* and the heritage significance of the building (particularly the retention of fabric of Exceptional or High significance), alternative options to achieve compliance should be investigated and dispensation options explored prior to any intervention.

However, if it can be demonstrated that the alteration is absolutely essential then such alteration must be made in accordance with the policies in this CMP.

6.20 SIGNAGE & LIGHTING

BACKGROUND

The former Department of Public Works building has a very detailed sandstone façade of outstanding aesthetic quality. Appropriate external lighting and signage could enhance the public's appreciation of the Building.

POLICY 6.20.1

New signage should be:

- Easily removable without damage to the facade;
- Consistent in design to the architectural form of the building;
- Harmoniously integrated with the architecture of the building and should not obscure nor damage any significant features of heritage fabric;
- Of a high standard of materials, construction and graphics;
- Appropriately located on the building and of a compatible design and style, with appropriate lettering.

POLICY 6.20.2

All original and early signage and lighting fixtures assessed as being of Exceptional or High heritage significance should be retained.

POLICY 6.20.3

An overall Signage and Lighting Strategy should be prepared for the site, addressing building, entrance, tenant, wayfinding, safety, and interpretive signage. Such a Strategy, if endorsed by the relevant approval authorities, could form the basis for exemptions from statutory approvals for signage and lighting.

POLICY 6.20.4

Subject to formulation of a strategy all new signage (internal and external) for the building and new lighting should be designed, detailed and located on the advice of a heritage specialist to minimise impact on the heritage building and its significant fabric.

POLICY 6.20.5

All original and early interior light fittings assessed as being of Exceptional or High heritage significance should be retained either in situ or catalogued and stored on site to enable potential future reinstatement.

GUIDELINES

Signs, external lighting and new building services must be consistent with the relevant Sydney City Council policies for signage and lighting on heritage sites.

Signage and lighting for the building should be designed, detailed and located in consultation with a Conservation Architect in order to minimise the impact on heritage significance.

Signs should be harmoniously integrated with the architecture of the building and should not obscure nor damage any significant features or heritage fabric.

Internally illuminated signs (other than statutory exit signs) are inappropriate at the former Department of Public Works building. Signs should preferably be illuminated by remote lighting.

Any illumination of the building should highlight architectural features rather than floodlighting whole façades. Care should be taken to ensure that over-illumination does not occur. The fixing of any lighting and associated cabling to significant fabric will require specialist advice in order to minimise any damage to heritage fabric.

6.21 INTERPRETATION

BACKGROUND

Interpretation is a valuable means of communicating the significance of a site to its current users. An Interpretation Strategy is a site specific document that identifies how this can be achieved.

Article 25 of the Burra Charter states that the significance of a cultural heritage place should be interpreted to the public where it is not readily apparent. The interpretation of the place should enhance our understanding and enjoyment of the place.

Heritage interpretation can be useful to communicate intangible aspects of the heritage values of a place; highlight little known aspects of its history; explain its conservation; identify significant features and elements; and raise awareness of conservation management issues.

The former Department of Public Works building is a notable historic public building within the Sydney CBD. Currently the general public is not able to access the building. A change of use may offer an opportunity to make this historic building more accessible to the public. There is also more scope to effectively interpret the heritage significance of the place.

POLICY 6.21.1

A separate Interpretation Strategy/Plan should be prepared by a suitably qualified consultant and its recommendations implemented.

POLICY 6.21.2

The Interpretation Strategy should be based on the principal themes related to all aspects of the site's heritage significance, and recommend appropriate and creative means of interpretation.

POLICY 6.21.3

The Interpretation Strategy should take into account the significant movable heritage items.

POLICY 6.21.4

As part of the change of use, the vacating Department could consider an archival and celebratory record of its heritage value as a public institution, potentially including:

- A well-researched and illustrated professional history, including personal stories of past and present occupants (i.e. oral histories);
- A professional digital video recording including personal stories of past and present occupants;
- An assessment of the former Department of Public Works' social significance to the community; and
- A 3D scanning of the building.

6.22 APPROPRIATE SKILLS AND EXPERIENCE

BACKGROUND

When conserving the heritage values of a place with exceptional heritage values, such as the former Department of Public Works building, it is particularly important to seek advice from heritage specialists when planning or implementing conservation works, repairs and maintenance or when proposing major changes to the place. This input should be sought at the concept stage of any proposal, rather than seeking advice on potential impacts once a scheme has been developed and expectations set. This is likely to reduce the amount of re-design and will ease potential problems and delays with the approvals processes and the undertaking of work on site.

Heritage specialists can also assist with ensuring compliance with obligations under the NSW Heritage Act and other planning regulations.

Heritage specialists can assist in the application of the policies contained in this CMP and can develop more detailed, project specific heritage conservation strategies where necessary. Depending on the nature of the adverse impact, advice may be needed from a heritage planner, heritage architect, heritage engineer, archaeologist, interpretation specialist, or it may be appropriate to involve a relevant combination of all or some of these specialists who have a demonstrated knowledge and experience in dealing with this specific type of issue.

It is also important that all staff and contractors who are physically undertaking maintenance, repairs or new work have an understanding of the key heritage values of the place. Many negative heritage impacts occur unintentionally, despite careful planning, because the on-site personnel are unaware of heritage issues or are inexperienced in working with historic building materials and techniques, and in areas with archaeological potential.

POLICY 6.22.1

Seek advice from relevant heritage specialists when planning or implementing conservation works, repairs and maintenance or when proposing major changes to the building.

POLICY 6.22.2

Use contractors with demonstrated specialist heritage skills and an understanding of heritage conservation principles to undertake repairs and maintenance, or when undertaking major works.

POLICY 6.22.3

Prior to commencing work on the site all design professionals and tradespeople working on the building should be required to undertake an induction on the heritage significance of the building and be provided with a copy of this CMP.

POLICY 6.22.4

The approach to the conservation of the historic building fabric should be based on a respect for the existing exceptional and high significant fabric. Competent direction and supervision should be maintained at all stages, and any maintenance work should be implemented by professionals and/or tradespeople with appropriate conservation experience and knowledge of traditional building skills.

Where any exceptional and/or high significant fabric or spaces are to be disturbed, the advice of a Heritage Consultant is to be sought and implemented.

POLICY 6.22.5

Conservation work to the exterior sandstone clad facades shall be of the best quality craftsmanship, commensurate with the level of skills and quality of materials used in the original construction of the building.

GUIDELINES

- Depending on the nature of the work proposed, advice may be needed from a heritage architect, materials conservation specialist, heritage engineer, or an interpretation specialist, although sometimes it may be more appropriate to involve a team of specialists. Generally, for structural or conservation works a heritage architect should be contacted. They can then advise what other specialist skills might be required.
- Work to elements of Exceptional and High heritage significance should be supervised and undertaken by consultants and contractors who have demonstrated experience and expertise in conservation works of a similar nature and scale.
- Only building contractors, project managers and trades personnel who are experienced with working on historic buildings should be selected to work on the significant elements of the building.

6.23 MAINTENANCE & REPAIR

BACKGROUND

Article 16 of the Burra Charter establishes that maintenance is fundamental to the conservation of heritage values. It is essential that maintenance be undertaken in accordance with recognised conservation principles. Following completion of the conservation and adaptive reuse works, it is recommended that a programme of regular maintenance for the building be formally established, aimed at the prevention of deterioration of fabric. The ongoing maintenance programme should be closely co-ordinated with the policies of this Conservation Management Plan. It should be guided by the recommendations of various condition reports commissioned in recent years into specific elements such as stonework.

Regardless of the proposed future use of the place, the Building Owner or Head Leasee has a responsibility to ensure that the building is maintained in a manner that ensures the retention of its significance. It is essential therefore, that future maintenance works are undertaken in accordance with recognised conservation principles.

* The installation of lightweight demountable partitions, suspended ceiling systems, floor coverings, in a manner that is reversible without damage to fabric of the item, and the repainting of the internal fabric of those areas.

MINIMUM STANDARDS OF MAINTENANCE AND REPAIR

Section 118 of the NSW Heritage Act requires the owner of a building, work or relic listed on the State Heritage Register to ensure that the heritage item is maintained and repaired to standards that are not less than the Minimum Standards required by the 1999 Amendments to the NSW Heritage Act.

It is the Building Owner's or Head leasee's responsibility to assure the auditable compliance with these Standards.

EXEMPTIONS UNDER THE NSW HERITAGE ACT 1977

There are a number of standard exemptions under Section 57(2) of the Heritage Act. When these exemptions apply a formal application under Section 60 of the Heritage Act is not required; however, the application of the exemption needs to be carefully considered by a heritage professional, and in some instances formal notifications of the use of the standard exemption may be required.

Under Section 57(2) of the Heritage Act, the Minister may also make site specific exemptions from approval otherwise required under Section 57(1) for works to SHR items. There are currently no site specific exemptions for the former Department of Public Works. Standard and site specific exemptions are intended to streamline the approvals process.

SITE SPECIFIC EXEMPTIONS UNDER S. 57(1) OF THE HERITAGE ACT

Site Specific Exemptions under Section 57 (2) of the NSW Heritage Act, 1977 for both the Chief Secretary's Building and the former Department of Public Works were gazetted on 18 April 1997. The following activities were exempted from requiring approval under the Heritage Act:

1. The maintenance of the components of the place, where "Maintenance" means the continuous protective care of the fabric, contents and setting of the place.
2. In respect only of those internal floor areas designated in the October 1994 Conservation Plan endorsed by the Heritage Council of New South Wales as being of "Lesser Significance".

* The repair and upgrading of services and fittings where this does not involve alterations to or opening up of early fabric, or appear on the facade of the building.

3. Repair or reconstruction of roadways, footpaths, re-kerbing and guttering and associated drainage works and utility installations by authorised instrumentalities provided that such works are superficial and do not disturb potential archaeological resource sites.

These previous site specific exemptions for the former Department of Public Works should be reviewed and updated for Minister's approval and gazetted under Section 57 of the Heritage Act. New site specific exemptions may include:

- The repair, adjustment or removal of the existing interior elements rated as being of little significance or intrusive in the CMP;
- Signage and lighting works carried out in accordance with an endorsed Signage and Lighting Strategy;
- Repair or removal of the existing air conditioning plant or other building services plant or equipment (e.g. kitchen and bathroom plumbing) that becomes redundant. Any voids left in significant fabric by removal of the plant or equipment should be replaced to match adjacent significant fabric.
- Lightweight interior partitioning to spaces other than exceptional or high significance, which is installed in a reversible manner.

POLICY 6.23.1

To ensure the on-going conservation of significant building fabric, a regular maintenance schedule should be implemented. Regular inspections should be carried out and remedial action taken to minimise deterioration of building fabric due to the effects of weathering and use.

In addition to regular maintenance activities, prompt preventative action and repair should be taken as necessary.

No maintenance or repair work should negatively impact on the significance of the fabric.

POLICY 6.23.2

Former Department of Public Works building must be maintained and repaired to standards that is not less than the Minimum Standards of Maintenance and Repair imposed by the NSW Heritage Act 1999. Lease arrangements between the Building Owner and the Head Lessee (and possible sub-lessees) should be clear about who is responsible for such maintenance.

POLICY 6.23.3

Ensure there is an ongoing commitment to the development and implementation of a planned cyclical maintenance program, to involve regular inspections and testing of all fabric and services with prompt follow up maintenance and repair if needed.

POLICY 6.23.4

Schedule routine maintenance inspections and undertake regular maintenance of the building with particular emphasis on maintenance of elements of Exceptional and High heritage significance or elements of lower significance whose condition would affect elements of Exceptional and High heritage significance. Instigate maintenance as soon as deterioration is identified, so as to avoid more serious problems and costly capital works at a later date.

POLICY 6.23.5

It is essential that maintenance works do not result in incremental negative heritage impacts, irreversible change or use of inappropriate materials.

POLICY 6.23.6

Ensure that repairs are undertaken using appropriate high quality materials and workmanship to match the existing historic fabric.

POLICY 6.23.7

All works, including regular inspections, maintenance and repairs, shall be undertaken and supervised by persons or contractors qualified and experienced in dealing with works of a specialist heritage nature, and/or the particular materials requiring conservation.

POLICY 6.23.8

The Building Owner/Property Manager should maintain an up to date record of all maintenance and repair work undertaken to the former Department of Public Works building.

POLICY 6.23.9

Following the determination of a new use, and the completion of major works to adapt the building to a new use; the Building Owner and/or Lessee should consider requesting that appropriate Site Specific Exemptions are made for the building, in accordance with Heritage Council policies and procedures.

POLICY 6.23.10

The Ongoing Maintenance Schedule should be reviewed and updated every ten years or after major programmes of upgrading reuse.

POLICY 6.23.11

The Ongoing Maintenance Schedule should be supported by detailed reports commissioned from expert consultants - particularly in regards to the maintenance of sandstone facade fabric, attic floor with dormer windows and the mansard roof, metal louvred vents, cast iron balustrade, copper roof sheeting, and interior joinery and plaster surfaces.

POLICY 6.23.12

The lessee will be responsible to make adequate financial resources available for the development of a planned regular maintenance programme, to involve regular inspections and testing of all significant fabric and services relevant to such fabric, with prompt follow-up and repairs if needed.

POLICY 6.23.13

Heritage management requirements and method specifications should be included in all maintenance and repair contracts that involve historic fabric.

GUIDELINES

Include heritage management requirements and method specifications in maintenance and repair contracts.

When planning maintenance and repair works, detailed specifications should be developed in consultation with an experienced heritage specialist. Note: some activities may be subject to approval under the NSW Heritage Act.

Maintenance and repair activities should generally replace like-with-like, or ensure that the item is cleaned and maintained in its original or early working condition.

Where required due to poor condition or failure of elements to perform their original intended function, necessary repair works may include restoration, reconstruction and/ or replacement.

Consultants and tradespersons involved in planning and implementing maintenance and repair works should be appropriately experienced in their fields and with knowledge of good conservation practice. Care should be taken during all work to ensure significant fabric and/or features are not damaged.

The Building Owner should maintain an up-to-date record of all maintenance and repair work undertaken to the building.

The Building Owner should ensure that adequate, consistent, and long-term funding for the implementation of regular maintenance and repair is available to ensure conservation of the heritage values.

Check to ensure that maintenance and repair works are covered under the Standard Exemptions gazetted under the NSW Heritage Act 1977. Follow any notification requirements for some standard exemptions.

Consent from the City of Sydney Council may not be required for minor maintenance and repair works, but Council must be notified and provide a written response before any work commences.

Seeking site specific exemptions for works that are in accordance with an endorsed CMP takes some time to achieve, therefore it would be best to seek the exemptions by the HC after any major works have been completed and the CMP is reviewed and revised.

6.24 STATUTORY OBLIGATIONS

BACKGROUND

The existing heritage listings that affect the management of the former Department of Public Works building are outlined in Section 5 (5.3.1) of this CMP. Depending on the type and scale of adaption and development proposed for the building (and any integration with adjacent sites); there are a number of statutory approval pathways that may be followed. Advice should be sought from a planning consultant with experience in heritage projects. The consent process for the initial adaptive re-use of the building will be subject to the advice of the NSW Government.

Subject to the advice from an expert planner in relation to future proposed alterations, some development works on a heritage building can be classified as either Major Works or Minor Works. This classification can determine the appropriate approvals process required to be followed. A definition of major and minor works and preliminary guidance concerning some of the approval processes relating to the statutory heritage listings are discussed below.

DEFINITION OF MAJOR AND MINOR WORKS

The NSW Heritage Office (now Heritage Division) defines major works as those that will “materially affect” the heritage significance of the heritage item. “Materially affect” means the changes being proposed will have an effect on its heritage significance. Such changes include more than just change made to the built or physical fabric. The term “materially affect” is used in section 61 of the Heritage Act 1977 as the basis for deciding whether or not an application for work to a heritage item, place or area must be advertised. It is appropriate that the public have an opportunity to comment on any proposal that might impact on (materially affect) a heritage item, either positively or negatively.

Minor works to heritage items are usually defined as those works which will have no, or minimal, impact on heritage values. Such works often include aspects of maintenance and repair and can usually be carried out under a Standard Exemption under Section 57 (2) of the NSW Heritage Act 1977 (see below). Minor works should always be carried out in a manner that is reversible. Consideration should always be given to the possible accumulative negative effect of successive or excessive minor works.

POLICY 6.24.1

Obtain the required statutory heritage and planning approvals or exemptions prior to undertaking any changes to the place. Carry out the works in accordance with any conditions placed on these approvals or exemptions and provide a report on completion certifying compliance.

POLICY 6.24.2

Before applying for statutory approvals for development associated with the former Department of Public Works building; the proponent shall seek expert heritage advice.

GUIDELINES

- This CMP should be the guiding document for managing changes to the former Department of Public Works building.
- A Heritage Impact Statement is required to accompany any application for approval or exemption under the NSW Heritage Act.

- It is advisable to consult earlier the Heritage Division of the NSW Office of Environment and Heritage and with the Heritage Officers of Sydney City Council regarding any proposal affecting the building prior to the finalisation of any design of new work and the preparation of any applications for approval, to ensure that relevant issues and requirements are addressed, particularly with regard to the need to demonstrate that all options for minimising heritage impacts have been explored.
- The approval and signature of the site owner will be required before making any statutory approval application.

6.25 BUILDING OWNERSHIP, MANAGEMENT AND TENANCY

BACKGROUND

The former Department of Public Works building has been in the ownership of the NSW State Government since its construction in the late 19th century. In 1967, this building and the Chief Secretary’s Building were largely vacated when the government agencies moved to the new State Office Block. After 1967, the buildings were managed by different agencies. The former Department of Public Works was managed by Attorney General’s Department and the Chief Secretary’s Building by Government asset management services, on behalf of the NSW Treasury.

In 2003, following the adaptation of the building, the Industrial Relations Commission occupied part of the Chief Secretary’s Building and the former Department of Public Works building, with the whole building managed by the Attorney General’s Department.

As the former Department of Public Works building is currently surplus to State government accommodation needs and is largely unoccupied and at risk, the long term lease can be considered as an option, preserving the building and its cultural significance.

The State Agency Heritage Guide 2005 produced by the NSW Heritage Council states that the transfer of ownership or control of a heritage asset that is surplus to an agency’s requirements should be carefully planned and executed to conserve the cultural significance of the heritage item. In all cases, the heritage management information for the heritage item must be provided to the new managing agency or lessee. It is important that careful planning for heritage conservation be part of such a transfer and this CMP should be provided to the new Owner, Lessee and/or Property Manager.

Careful recording and celebration of the heritage value of the former Department of Public Works building at the time of change in management should be carried out, including digital photographic recording and any appropriate oral histories.

A gradual loss of cultural significance through incremental change is a common negative outcome of transfer from government ownership and/or management, particularly if the result is a multi-tenanted heritage place. To ensure that there is consistent management of the former Department of Public Works building, all future new uses, sub-leases and modifications to the significant fabric should require compliance with this CMP.

The aim of this CMP is to set in place a framework for the future management of the building to protect and where possible to recover its heritage significance.

POLICY 6.25.1 OWNERSHIP

Ownership of the building should remain with the NSW State Government to ensure that the NSW Government continues to monitor appropriate use and change to the former Department of Public Works building.

POLICY 6.25.2 LEASING

Leasing of the former Department of Public Works building is acceptable; however, any lease should be to a single entity (the head/ground lessee) on a long term, ensuring continuity of use within the building. Any sublease would need to be approved by the holder of the ground lease and must take into consideration any heritage impact.

POLICY 6.25.3

Conditions of transfer from government ownership and/or management should require that the responsibilities for the monitoring, maintenance and repair of all significant fabric is clearly defined and funded.

POLICY 6.25.4

In the event of strata subdivision being approved for the site, ensure that the Head Leasee is given clear and concise responsibility for the management of the common fabric and that this responsibility is connected to the CMP and any specific heritage requirements otherwise imposed by a consent authority at the time of strata subdivision consent'. In particular ensure that allowance is made for the cost of continued conservation of common heritage fabric.

6.26 MOVABLE HERITAGE

BACKGROUND

A relatively small number of late 19th century, early 20th century, and late 20th century furniture of Exceptional, High, and Little significance remain in the former Department of Public Works building. If the building is to be transferred out of Government ownership and/or management, the Exceptional and High significant furniture need to be carefully catalogued and managed in accordance with the Movable Heritage 50 Phillip Street report prepared by Betteridge Consulting in 2017.

POLICY 6.26.1

As the current numbers of movable heritage assets differ from numbers outlined in the the Movable Heritage 50 Phillip Street report 2017, the existing report needs to be reviewed and updated.

POLICY 6.26.2

The recommendations in the Movable Heritage 50 Phillip Street report 2017 should be followed including careful records keeping on the management of movable heritage during any sale or lease process.

6.27 KEEPING RECORDS

BACKGROUND

In accordance with best practice heritage management, the Head Leasee should ensure that an accurate record is kept of changes to significant fabric and elements and that documents relating to the former Department of Public Works building are archived. Articles 27 and 32 of the Burra Charter discuss the importance of continuing to create records about conservation activities and other work occurring at heritage places to inform future understanding of a place and its heritage significance. This article also emphasises the importance of keeping a collection of records about the history of a place.

Archival recording is one tool for allowing the characteristics of a place to be conserved in the historic record when changes are proposed. Archiving documents relating to the use of the place is a way of conserving information about changing management or operational practices.

POLICY 6.27.1

Undertake formal archival recording in accordance with NSW Heritage Office guidelines when undertaking major changes to elements of Exceptional and High heritage significance.

POLICY 6.27.2

The Head Leasee is to archive ongoing records of changes to former Department of Public Works building and to store such an archive in a central location accessible to all future decision makers.

GUIDELINES

- While the Head Leasee has responsibility maintaining the archive material, the lessee should have ready access for research and interpretive purposes.
- Ensure that all future archived records are able to be searched and accessed by future researchers.
- Informal records could include, but not be limited to, file notes or memos, logbooks, copies of heritage impact assessments or works proposals and works contracts.

6.28 REVIEW OF THE CONSERVATION MANAGEMENT PLAN

BACKGROUND

This CMP for the former Department of Public Works building proposed a framework for the ongoing use and maintenance of the building. Circumstances, however, will change over the years as various recommendations are implemented and new user requirements emerge.

This CMP provides a framework for the management of heritage issues in relation to the adaptive re-use of the former Department of Public Works building and, in the long term, aims to ensure that the identified heritage significance of the building is retained and maintained. Conservation Policies need to progressively respond to changing situations if they are to remain relevant and effective in the protection and conservation of the former Department of Public Works building.

POLICY 6.28.1

The Head Leasee of the former Department of Public Works building should adopt this Conservation Management Plan as the basis for the ongoing management and retention of the heritage significance of the building.

POLICY 6.28.2

Provide a copy of this Conservation Management Plan to all staff responsible for managing the building or planning works to it. Provide relevant sections to consultants and contractors undertaking work to the place.

POLICY 6.28.3

Ensure this Conservation Management Plan is a readily accessible document. Copies of this CMP should be deposited with the following public access repositories:

- NSW Heritage Office;
- State Library of NSW;
- Parliamentary Library of NSW;
- National Library of Australia;
- Relevant local studies collection.

POLICY 6.28.4

This Conservation Management Plan should be reviewed and updated whenever a major upgrade of the building is being considered.

Guidelines

Reviews of the Conservation Policies should be based on The Burra Charter and any other guidelines provided by the Heritage Division of the NSW Department of Premier and Cabinet.

Reviews should also take into account any other relevant legislation, planning framework, appropriate literature and widely recognised conservation practices and procedures. They should be undertaken by experienced conservation practitioners, in conjunction with relevant ownership and management representatives.

6.29 MANAGEMENT OF ARCHAEOLOGICAL RESOURCES

BACKGROUND

The former Department of Public Works building at 50 Phillip Street has some archaeological potential. The site may contain archaeological evidence from its use as a government office during the nineteenth and twentieth centuries. The areas around the building may contain significant structural and artefact evidence of First Government House.

Potential archaeological remains may include below ground features throughout the site, deposits within underfloor areas of the building on all levels, roof, chimney, ventilation and ceiling cavities, drainage and other service lines, as well as historic services and structural evidence of changes to the building over time.

Phillip Lane, between the original Colonial Secretary's Building and the former Department of Public Works building, as well as the pavement and roadway of Phillip Street may also have some archaeological potential.

The NSW Heritage Act affords statutory protection to archaeological relics on this site. The Act defines a relic as any deposit, artefact, object or material evidence that relates to the settlement of NSW, not being Aboriginal settlement, that is of State or Local heritage significance. Section 57(1) of the Act prevents the excavation or disturbance of land where it is known or there is reasonable cause to suspect that this will result in a relic being exposed, moved, destroyed, discovered or damaged, except in accordance with an excavation permit issued by the Heritage Council of NSW.

POLICY 6.29.1

An archaeological assessment of proposals involving excavation will be necessary during the planning stages for any excavation works and approval under the NSW Heritage Act may be required prior to commencement of work on site.

6.30 FUTURE AMENDMENTS TO CITY OF SYDNEY LISTING

BACKGROUND

Following the successful completion of the approved works, the City of Sydney's heritage inventory sheet listing of the former Department of Public Works building should be updated.

POLICY 6.30.1

Upon completion of the adaptive reuse scheme, including associated archaeological investigations, the history, description, Statement of Significance and Recommended Management sections of the City of Sydney's heritage inventory sheet listing should be updated to reflect any additional research information as well as the adaptive reuse changes.

6.31 FUTURE AMENDMENTS TO STATE HERITAGE REGISTER LISTING

POLICY 6.31.1

Upon completion of the adaptive reuse scheme, the SHR listing should be amended to separate the former Department of Public Works building from the adjacent Chief Secretary's Building and include a separate inventory sheet for the former Department Public Works building, reflecting any additional research information as well as the adaptive reuse changes.

7.0

IMPLEMENTING THE PLAN

7.1 INTRODUCTION

This *Conservation Management Plan* has been prepared to provide guidelines for the on-going use and conservation of the former Department of Public Works (50 Phillip Street) and to ensure that the heritage value of the place is maintained and enhanced.

This section sets out the implementation guidelines for the policies, including a list of management issues and schedules for conservation and maintenance works.

7.2 MANAGEMENT PRINCIPLES

The current owners are to:

- Review and adopt this *Conservation Management Plan (CMP)*.
- Refer any development proposals to Sydney Council and the NSW Heritage Council.
- Ensure funding for recurrent long-term maintenance.

7.3 IMPLEMENTATION POLICIES

BACKGROUND

Article 27 of the Burra Charter establishes the importance of assessing the impacts of proposed changes to places of cultural heritage significance. Any proposed work to the former Department of Public Works building should trigger an assessment of the potential impact on the heritage value and integrity of the site. Heritage impact assessment is usually outlined in a Heritage Impact Statement (HIS). In addition to clearly articulating the potential heritage impact of a proposal, a HIS should:

- examine options to avoid or minimise that impacts;
- identify remedial measures to ameliorate that impact; and
- determine if the work requires a statutory heritage approval, or if it can be considered exempt.

In some cases, it will be clear that an approved Standard Exemption under the NSW Heritage Act will cover the work (for example standard maintenance and repairs).

All major work will require an HIS to accompany an application for approval submitted to the NSW Heritage Council. An HIS is also required to accompany a Development Application to Sydney City Council or (for State Significant Development) the NSW Department of Planning.

POLICY 7.3.1

Undertake an informal assessment of heritage impact for all proposed works to the building to determine if an automatic exemption applies under s.57(2) of the NSW Heritage Act or if a formal Heritage Impact Statement is required to accompany an application for a s.60 approval.

POLICY 7.3.2

Prepare a Heritage Impact Statement for all works requiring an exemption notification or application for approval under the NSW Heritage Act, or when required to accompany a Development Application.

GUIDELINES

An initial heritage impact assessment to determine if any automatic exemptions apply could be undertaken by the Building Owner/Property Manager rather than a heritage specialist. This CMP should be used for guidance when undertaking that assessment. If it is not clear which approval processes apply, seek expert heritage advice.

Consult with the relevant approval authorities in the early stages of the project.

A formal HIS should be prepared by a suitably qualified heritage specialist.

An HIS will usually include the following information:

- why the item is of heritage significance
- a summary of the works proposed
- what impact the proposed works will have on that significance
- what alternative options with lesser impact were considered and why they could not be adopted
- why the preferred option is justified
- what measures are recommended or proposed to mitigate heritage impact

The timing of the heritage impact assessment and Heritage Impact Statement is important. Initial assessment should occur early in the process of planning and designing changes to the building. This will allow potential heritage impacts to be identified early in the project and mitigated through design and choice of option where possible, prior to the lodging of any application to the consent authority.

7.4 EXEMPTIONS UNDER THE NSW HERITAGE ACT

The *NSW Heritage Act* allows the Minister responsible, on the recommendation of the Heritage Council, to grant exemptions for certain activities which would otherwise require approval under the *NSW Heritage Act*.

There are two types of exemptions which can apply to a heritage item listed on the State Heritage Register. These are:

- Standard exemptions for all items on the State Heritage Register. Typical activities that are exempted include building maintenance, minor repairs, alterations to certain interiors or areas and change of use.
- Site specific exemptions for a particular heritage item can be approved by the Minister on the recommendation of the Heritage Council.

A list of the Standard Exemptions issued by the NSW Heritage Office (now the Heritage Division of the NSW Department of Premier and Cabinet) in 2006 has been included as an appendix to this report. They apply to on-going heritage management works that are only minor in nature and will have minimal impact on the heritage significance of the place.

7.5 CONSERVATION SCHEDULE OF WORKS

The Conservation Works Schedule, refers to conservation works that should be implemented by the owners of the place before the On-going Maintenance Schedule comes into effect. The Conservation Work Schedule should be prepared as part of the development from current office use to a luxury hotel.

7.6 HERITAGE MAINTENANCE SCHEDULE

The Heritage Maintenance Schedule, refers to cyclical maintenance works to fabric, that should be implemented by the owner as part of the process of on-going management of the site.

A record of when this work is performed, and any faults discovered or repairs made, should be recorded and kept separately alongside a copy of this maintenance schedule.

8.0

BIBLIOGRAPHY

ARCHIVAL SOURCES

NSW State Archives and Records. Colonial Secretary: An Overview

City of Sydney Archives

NSW Land Registry Services

BOOKS

Kelly, M., & Crocker, R. (1977). Sydney takes shape: a collection of contemporary maps from foundation to federation. Macleay Museum, University of Sydney

Fromonot, F., & Thompson, C. (2000). Sydney: History of a Landscape. Vilo International.

Herman, M. (1970). The early Australian architects and their work. Angus & Robertson.

Wotherspoon, G. (2010). The Domain. Dictionary of Sydney.

Johnson, C. (1999). Shaping Sydney: Public architecture and civic decorum. Hale & Iremonger.

WEBSITES

State Heritage Inventory for 'Former Chief Secretary's Building'. Information sourced from Anita Heiss, "Aboriginal People and Place", Barani: Indigenous History of Sydney City <http://www.cityofsydney.nsw.gov.au/barani>

The Sydney Morning Herald. Sydney's Garden: then and now. Accessible at <https://www.smh.com.au/interactive/2016/botanicgardens/>

Australian Dictionary of Biography. Barnett, James Johnstone (1827–1904)

Australian Dictionary of Biography. Vernon, Walter Liberty (1846–1914)

Federation Home. Federation Architect Walter Liberty Vernon. <https://federationhome.com/2015/03/15/federation-architect-walter-liberty-vernon/>

Cauchi Building. <http://www.cauchibuilding.com.au/project/nsw-department-of-justice-l3-4-50-phillip-st-sydney/>

The Dictionary of Sydney, Culwulla Chambers, 2006-2016.

Sydney LEP 2012 Height of Buildings Map

City of Sydney Archives - Digital Information, Assessment Books 1845-1948, <http://photosau.com.au/CosRates/scripts/home.asp>

City of Sydney Archives - Digital Information, Historical Atlas of Sydney, www.photosau.com.au/CoSMaps/scripts/home.asp

City of Sydney Archives - Digital Information, Sands Directory Search 1858-1933, www.cityofsydney.nsw.gov.au/learn/search-our-collections/sands-directory/sands-search

National Library of Australia - Trove, <http://trove.nla.gov.au>

Nearmap, <http://maps.au.nearmap.com>

NSW Government Legislation, www.legislation.nsw.gov.au

NSW LRS SIX Maps, www.six.nsw.gov.au

NSW Heritage Inventory, <http://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx>

State Library of NSW - Manuscripts, Oral History & Pictures Catalogue, www.acmssearch.sl.nsw.gov.au

REPORTS

NSW Government Architect's Office, 50 Phillip Street Conservation Management Plan, 2016 (CMP, 2016)

GBA Heritage, 50 Phillip Street, Sydney, Unsolicited proposal heritage commentary prepared in 2017 (GBA, 2017).

Betteridge Consulting PTY LTD, 50 Phillip Street Movable Heritage Furniture report, 2017 (MH, 2017).

GBA Heritage, 50 Phillip Street, Sydney, Statement of Heritage Impact, 2017 (SHI, 2017).

Jackson Teece Chesterman Willis Consultants Pty Limited, Chief Secretary's Building Conservation Plan, 1994 (CMP, 1994).

SHI for Sydney Metro prepared by GBA Heritage in 2020

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

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

NSW Department of Public Works Annual Report Year ended 30 June 1969

NEWSPAPERS

The Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842). July 1807, p.1

APPENDIX ONE: STANDARD EXEMPTIONS

The standard exemptions were issued by the NSW Heritage Office, now the Heritage Division of the NSW Office of Environment and Heritage, in 2006. The purpose of the standard exemptions is to clarify for owners, the Heritage Office and local councils what kind of maintenance and minor works can be undertaken without needing Heritage Council approval. This ensures that owners are not required to make unnecessary applications for minor maintenance and repair.

The exemptions are for:

- 1: MAINTENANCE AND CLEANING
- 2: REPAIRS
- 3: PAINTING
- 4: EXCAVATION
- 5: RESTORATION
- 6: DEVELOPMENT ENDORSED BY THE HERITAGE COUNCIL OR DIRECTOR-GENERAL
- 7: MINOR ACTIVITIES WITH NO ADVERSE IMPACT ON HERITAGE SIGNIFICANCE
- 8: NON-SIGNIFICANT FABRIC
- 9: CHANGE OF USE
- 10: NEW BUILDINGS
- 11: TEMPORARY STRUCTURES
- 12: LANDSCAPE MAINTENANCE
- 13: SIGNAGE
- 14: BURIAL SITES AND CEMETERIES
- 15: COMPLIANCE WITH MINIMUM STANDARDS AND ORDERS
- 16: SAFETY AND SECURITY
- 17: MOVABLE HERITAGE ITEMS

When these exemptions apply a formal application under Section 60 of the Heritage Act is not required; however, the application of the exemption needs to be carefully considered by a heritage professional, and in some instances formal notifications of the use of the standard exemption may be required.

Under Section 57(2) of the Heritage Act, the Minister may also make site specific exemptions from approval otherwise required under Section 57(1) for works to SHR items.

EXEMPTION 1: MAINTENANCE AND CLEANING

1. The following maintenance and cleaning does not require approval under s.57(1) of the Act:

(a) the maintenance of an item to retain its condition or operation without the removal of or damage to the existing fabric or the introduction of new materials;

(b) cleaning including the removal of surface deposits, organic growths or graffiti by the use of low pressure water (less than 100 psi at the surface being cleaned) and neutral detergents and mild brushing and scrubbing.

NOTE 1: Traditional finishes such as oils and waxes must continue to be used for timber surfaces rather than modern alternative protective coatings such as polyurethane or acrylic which may seal the surface and can cause damage.

NOTE 2: Surface patina which has developed on the fabric may be an important part of the item's significance and if so needs to be preserved during maintenance and cleaning.

Guidelines

Maintenance is distinguished from repairs, restoration and reconstruction as it does not involve the removal of or damage to existing fabric or the introduction of new materials. It is a continuing process of protective care. Typical maintenance activity includes

- *the removal of vegetation and litter from gutters and drainage systems;*
- *resecuring and tightening fixings of loose elements of building fabric;*
- *lubricating equipment and services which have moving parts;*
- *the application of protective coatings such as limewash, polish, oils and waxes to surfaces which have previously had such coatings applied; and*
- *cleaning by the removal of surface deposits using methods other than aggressive mechanical or chemical techniques such as high pressure, high temperature or strong solvents which may affect the substrate.*

This standard exemption applies to the maintenance of all types of heritage items including buildings, works, landscapes, cemeteries and movable heritage. Reference should be made to other relevant standard exemptions (#12, 14 and 17) for particular types of items.

EXEMPTION 2: REPAIRS

1. Repair to an item which is of the type described in (a) or (b) below does not require approval under s.57(1) of the Act:

(a) the replacement of services such as cabling, plumbing, wiring and fire services that uses existing service routes, cavities or voids or replaces existing surface mounted services and does not involve damage to or the removal of significant fabric;

(b) the repair (such as refixing and patching) or the replacement of missing, damaged or deteriorated fabric that is beyond further maintenance, which matches the existing fabric in appearance, material and method of affixing and does not involve damage to or the removal of significant fabric.

NOTE 1: Repairs must be based on the principle of doing as little as possible and only as much as is necessary to retain and protect the element. Therefore replacement must only occur as a last resort where the major part of an element has decayed beyond further maintenance.

NOTE 2: Any new materials used for repair must not exacerbate the decay of existing fabric due to chemical incompatibility, obscure existing fabric or limit access to existing fabric for future maintenance.

NOTE 3: Repair must maximise protection and retention of fabric and include the conservation of existing detailing, such as vents, capping, chimneys, carving, decoration or glazing.

Guidelines

This standard exemption is not intended to allow the cumulative replacement of large amounts or a high proportion of the fabric of an item. If replacement of large amounts of fabric is necessary, an application will be required to be submitted under s.60 of the Heritage Act. If there is uncertainty about whether the proposed extent of repair is exempt from approval, advice should be sought from the NSW Heritage Office.

Repairs should have detailed specifications and carried out by licensed tradespeople with experience in the conservation of heritage buildings. It is essential that the composition of elements of the fabric such renders, mortars, timber species and metal types remain the same to assist with matching appearance and avoiding chemical incompatibility.

Repair may involve reconstruction which means returning an item to a known earlier state. This may involve the use of new or recycled materials.

Reconstruction must satisfy a four-part test to qualify for exemption from approval:

1. The nature of the earlier state being reconstructed must be known. Where there is conjecture about the earlier state of the fabric or where it is proposed to change the appearance, material or method of fixing of the fabric an application under s.60 of the Heritage Act will be required.

2. The replacement fabric must be matching in appearance and method of fixing. The use of salvaged or recycled fabric can be a valuable resource in matching appearance in preference to the use of new fabric which may appear obtrusive. However the damage to other heritage buildings by the salvaging of fabric for reuse is unacceptable. Salvaged materials must be judiciously sourced so as not to encourage secondary damage to other heritage resources. The use of artificial ageing techniques to assist the matching of new with original fabric is only advocated where there is an obtrusive mismatch of materials which negatively impacts on the heritage significance of the item. Ideally, new and original fabric should be subtly discernable on close examination to assist interpretation of the history of change to the building.

3. The fabric being replaced must be beyond further maintenance. The replacement of fabric may only occur where fabric is missing or it is so damaged or deteriorated that it is beyond further maintenance. In many cases the judgement about the level of deterioration and the effectiveness of further maintenance will require the advice of a person who is suitably experienced in similar heritage conservation projects. If it is unclear that the fabric is beyond further maintenance, its replacement will require the submission of an application under s.60 of the Heritage Act.

4. Significant fabric must not be damaged or removed. In all cases of repair, the damage or removal of significant fabric is not permitted without approval. Significant fabric is that which contributes to the heritage significance of the item. The identification of the level of significance of fabric will usually require the advice of a person who is suitably experienced in similar heritage conservation projects. The damage or removal of significant fabric will require the submission of an application under s.60 of the Heritage Act.

New material used in repairs should where possible be date stamped in a location which is not conspicuous but is legible on close examination.

Archival recording of removed and replacement fabric is advocated and should be used in interpretative displays where practicable.

EXEMPTION 3: PAINTING

1. Painting does not require approval under s.57(1) of the Act if the painting:

(a) does not involve the disturbance or removal of earlier paint layers other than that which has failed by chalking, flaking, peeling or blistering;

(b) involves over-coating with an appropriate surface as an isolating layer to provide a means of protection for significant earlier layers or to provide a stable basis for repainting; and

(c) employs the same colour scheme and paint type as an earlier scheme if they are appropriate to the substrate and do not endanger the survival of earlier paint layers.

2. Painting which employs a different colour scheme and paint type from an earlier scheme does not require approval under s.57(1) of the Act, provided that:

(a) the Director-General is satisfied that the proposed colour scheme, paint type, details of surface preparation and paint removal will not adversely affect the heritage significance of the item; and

(b) the person proposing to undertake the painting has received a notice advising that the Director-General is satisfied.

3. A person proposing to undertake repainting of the kind described in paragraph 2 must write to the Director-General and describe the proposed colour scheme, paint type, details of surface preparation and paint removal involved in the repainting. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 2(a) the Director-General shall notify the applicant.

NOTE: Preference should be given to the re-establishment of historically significant paint schemes of the item that are appropriate to the significance of the building.

Guidelines

Painting of surfaces which have not previously been painted such as face brickwork, stone, concrete or galvanised iron is likely to adversely affect the heritage significance of the item and is not exempt from approval under this standard exemption. Likewise, the stripping of paint coatings which were intended to be protective may expose the substrate to damage and cause the loss of the historical record and significance of the building. In cases where surface preparation has revealed significant historic paint layers, repainting should facilitate the interpretation of the evolution of the building by displaying appropriately located sample patches of historic paint schemes. This information should also be examined if it is proposed to recreate earlier finishes or paint schemes.

Paint removal of failed layers to achieve a stable base for repainting is exempt from approval but intervention should be minimised to avoid the loss of the significant historical record. Where old paint layers are sound they should be left undisturbed. The removal of paint with a high content of lead or other hazardous materials requires considerable care and use of experienced tradespeople as its disturbance can create health hazards. If the removal of such paint layers will adversely affect the heritage significance of the item, an application will be required under section 60 of the Heritage Act.

Reference should be made to The Maintenance Series, NSW Heritage Office, particularly Information Sheets 6.2 Removing Paint from Old Buildings, 7.2 Paint Finishes and 7.3 Basic Limewash. Available online at www.heritage.nsw.gov.au.

EXEMPTION 4: EXCAVATION

1. Excavation or disturbance of land of the kind specified below does not require approval under s.57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a), (b) or (c) have been met and the person proposing to undertake the excavation or disturbance of land has received a notice advising that the Director-General is satisfied:

(a) where an archaeological assessment has been prepared in accordance with Guidelines published by the Heritage Council of NSW which indicates that any relics in the land are unlikely to have State or local heritage significance; or

(b) where the excavation or disturbance of land will have a minor impact on archaeological relics; or

(c) where the excavation or disturbance of land involves only the removal of unstratified fill which has been deposited on the land.

2. A person proposing to excavate or disturb land in the manner described in paragraph 1 must write to the Director-General and describe the proposed excavation or disturbance of land and set out why it satisfies the criteria set out in paragraph 1. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph (a), (b) or (c) the Director-General shall notify the applicant.

NOTE 1: Any excavation with the potential to affect Aboriginal objects must be referred to the Director-General of the Department of Environment and Conservation.

NOTE 2: If any Aboriginal objects are discovered on the site, excavation or disturbance is to cease and the Department of Environment and Conservation is to be informed in accordance with s.91 of the *National Parks and Wildlife Act, 1974*.

NOTE 3: This exemption does not allow the removal of State significant relics.

NOTE 4: Where substantial intact archaeological relics of State or local significance, not identified in the archaeological assessment or statement required by this exemption, are unexpectedly discovered during excavation, work must cease in the affected area and the Heritage Office must be notified in writing in accordance with s.146 of the *Act*. Depending on the nature of the discovery, additional assessment and possibly an excavation permit may be required prior to the recommencement of excavation in the affected area.

Guidelines

Excavation or disturbance to which clause 1(c) applies only involves the removal of unstratified fill material of minor heritage significance. Such fill will have been deposited in a single episode.

EXEMPTION 5: RESTORATION

1. Restoration of an item by returning significant fabric to a known earlier location without the introduction of new material does not require approval under s. 57(1) of the *Act*.

2. The following restoration does not require approval under s. 57(1) of the *Act*, provided that the Director-General is satisfied that the criteria in (a) have been met and the person proposing to undertake the restoration has received a notice advising that the Director-General is satisfied:

(a) the restoration of an item without the introduction of new material (except for fixings) to reveal a known earlier configuration by removing accretions or reassembling existing components which does not adversely affect the heritage significance of the item.

3. A person proposing to undertake restoration of the kind described in paragraph 2 must write to the Director-General and set out why there is a need for restoration to be undertaken and the proposed material and method of restoration. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 2(a), the Director-General shall notify the applicant.

Guidelines

Restoration in accordance with clause 1 of this standard exemption does not involve the removal of fabric and only relates to the return of fabric which has been removed to storage or has been dislodged from its original location.

EXEMPTION 6: DEVELOPMENT ENDORSED BY THE HERITAGE COUNCIL OR DIRECTOR-GENERAL

1. Minor development specifically identified as exempt development which does not materially impact on heritage significance, by a conservation policy or strategy within a conservation management plan which has been endorsed by the Heritage Council of NSW or by a conservation management strategy endorsed by the Director-General does not require approval under s.57(1) of the *Act*.

2. A person proposing to do anything of the kind described in paragraph 1 must write to the Director-General and describe the proposed development. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1, the Director-General shall notify the applicant.

Guidelines

This standard exemption does not exempt development that is consistent with a conservation policy or strategy contained in an endorsed conservation management plan or interim conservation management strategy other than development that is specifically identified as exempt development in that conservation plan or strategy.

EXEMPTION 7: MINOR ACTIVITIES WITH NO ADVERSE IMPACT ON HERITAGE SIGNIFICANCE

1. Anything which in the opinion of the Director-General is of a minor nature and will not adversely affect the heritage significance of the item does not require approval under s.57(1) of the Act.

2. A person proposing to do anything of the kind described in paragraph 1 must write to the Director-General and describe the proposed activity. If the Director-General is satisfied that the proposed activity meets the criteria set out in paragraph 1, the Director-General shall notify the applicant.

Guidelines

This standard exemption has the potential to relate to a wide range of minor development. In determining whether a proposed development is minor the Director may have regard to the context of the particular heritage item such as its size and setting. For instance a development may be considered to be minor in the context of Prospect Reservoir's 1200ha curtilage whereas a similar proposal affecting an item on a smaller site may not be considered to be minor.

In order to assess whether a proposal has an adverse affect on heritage significance it is necessary to submit a clear and concise statement of the item's heritage significance and an assessment of whether a proposal impacts on that significance.

EXEMPTION 8: NON-SIGNIFICANT FABRIC

1. The following development does not require approval under s.57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a) have been met and the person proposing to undertake the development has received a notice advising that the Director-General is satisfied:

(a) the alteration of a building involving the construction or installation of new fabric or services or the removal of building fabric which will not adversely affect the heritage significance of the item.

2. A person proposing to do anything of the kind described in paragraph 1 must write to the Director-General and describe the proposed development. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1(a), the Director-General shall notify the applicant.

Guidelines

In order to assess the level of significance of fabric it is necessary to submit a clear and concise statement of the item's heritage significance and to grade the fabric of the place in accordance with its association with or impact on that significance. It may not always be concluded that more recent fabric is of less or no heritage significance.

EXEMPTION 9: CHANGE OF USE

1. The change of use of an item or its curtilage or the commencement of an additional or temporary use does not require approval under s.57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a) and (b) have been met and the person proposing to undertake the change of use has received a notice advising that the Director-General is satisfied:

(a) the use does not involve the alteration of the fabric, layout or setting of the item or the carrying out of development other than that permitted by other standard or site specific exemptions; and

(b) the use does not involve the cessation of the primary use for which the building was erected, a later significant use or the loss of significant associations with the item by current users.

2. A person proposing to change the use of an item or its curtilage or to commence an additional or temporary use of an item or its curtilage in the manner described in paragraph 1 must write to the Director-General and describe the changes proposed. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1(a) and (b), the Director-General shall notify the applicant.

Guidelines

For the purposes of this standard exemption any change of use which is inconsistent with specific conditions of any previous approval or consent such as hours of operation or nature of conduct of an activity requires approval under section 57(1) or the modification of an approval under section 65A of the Heritage Act.

EXEMPTION 10: NEW BUILDINGS

1. Subdivision under the *Strata Scheme (Freehold Development) Act* or *Strata Scheme (Leasehold Development) Act* of the interior of a building that has been constructed since the listing of the item on the State Heritage Register or the publication of an interim heritage order in the Gazette which applies to the land does not require approval under s.57(1) of the Act.

2. Alteration to the interior of a building which has been constructed since the listing of the item on the State Heritage Register or the publication of an interim heritage order in the Gazette which applies to the land does not require approval under s.57(1) of the Act.

Guidelines

Subdivision to which clause 1 of this standard exemption applies must not subdivide the curtilage of the exterior of a building other than approved car spaces. A strata plan which otherwise proposes the subdivision of the curtilage of a heritage item requires approval under section 57(1) of the Heritage Act.

For the purposes of clause 2 of this standard exemption, alterations to the interior of a building:

- *do not include internal alterations to additions to buildings which existed prior to the listing of the site on the State Heritage Register or publication of the interim heritage order;*
- *must not affect the external appearance of the building such as by balcony enclosure or window screening; and*
- *must not be inconsistent with any specific conditions of a previous approval.*

Such alterations require approval under section 57(1) of the Heritage Act.

EXEMPTION 11: TEMPORARY STRUCTURES

1. The erection of temporary structures does not require approval under s. 57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a) and (b) have been met and the person proposing to erect the structure has received a notice advising that the Director-General is satisfied:

(a) the structure will be erected within and used for a maximum period of 4 weeks after which it will be removed within a period of 2 days and not erected again within a period of 6 months; and

(b) the structure is not to be located where it could damage or endanger significant fabric including landscape or archaeological features of its curtilage or obstruct significant views of and from heritage items.

2. A person proposing to erect a structure of the kind described in paragraph 1 must write to the Director-General and set out the nature of the structure, the use for the structure and how long it will remain in place and the next occasion on which it is anticipated that the structure will be erected. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraphs 1(a) and 1(b) the Director-General shall notify the applicant.

Guidelines

The cumulative impact of the multiple use of this standard exemption will be considered by the Director in the assessment of the simultaneous construction of a number of temporary structures or a succession of temporary structures which may have a prolonged adverse impact on heritage significance of the item.

EXEMPTION 12: LANDSCAPE MAINTENANCE

1. Landscape maintenance which is of the type described below does not require approval under s.57(1) of the Act:

(a) weeding, watering, mowing, top-dressing, pest control and fertilizing necessary for the continued health of plants, without damage or major alterations to layout, contours, plant species or other significant landscape features;

(b) pruning to control size, improve shape, flowering or fruiting and the removal of diseased, dead or dangerous material, not exceeding 20% of the crown of a tree within a period of 2 years; or

(c) tree surgery by a qualified horticulturist or tree surgeon necessary for the health of those plants.

NOTE 1: In relation to cemeteries, landscape features include monuments, grave markers, grave surrounds, fencing, path edging and the like.

Guidelines

*Landscape features and gardens are fundamental to the setting of heritage items and are important to the appreciation of heritage significance. Landscape setting is by its nature evolving and often requires more regular maintenance than other elements of heritage fabric. Horticultural advice may be required to ensure a regime of maintenance appropriate to the retention of heritage significance of a place. General advice about landscape maintenance is provided by *The Maintenance of Heritage Assets: A Practical Guide Information Sheet 9.1 Heritage Gardens and Grounds*, printed versions available from the Heritage Branch of the NSW Office of Environment and Heritage) NSW Heritage Office.*

EXEMPTION 13: SIGNAGE

1. The erection of signage which is of the types described in (a) or (b) below does not require approval under s.57(1) of the Act:

(a) temporary signage which is located behind or on the glass surface of a shop window which is not internally illuminated or flashing and is to be removed within eight weeks; or

(b) a real estate sign indicating that the place is for auction, sale or letting and related particulars and which is removed within 10 days of the sale or letting of the place;

2. The erection of signage which is of the types described in (a) or (b) below does not require approval under s.57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a) and (b) respectively have been met and the person proposing to erect it has received a notice advising that the Director-General is satisfied:

(a) the erection of non-illuminated signage for the sole purpose of providing information to assist in the interpretation of the heritage significance of the item and which will not adversely affect significant fabric including landscape or archaeological features of its curtilage or obstruct significant views of and from heritage items; or

(b) signage which is in the form of a flag or banner associated with a building used for a purpose which requires such form of promotion such as a theatre or gallery, which is displayed for a maximum period of eight weeks and which will not adversely affect significant fabric including landscape or archaeological features of its curtilage;

3. A person proposing to erect signage of the kind described in paragraph 2 must write to the Director-General and describe the nature and purpose of the advertising or signage. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 2(a) or 2(b), the Director-General shall notify the applicant.

4. Signage of the kind described in paragraphs 1 and 2 must:

(a) not conceal or involve the removal of signage which has an integral relationship with the significance of the item;

(b) be located and be of a suitable size so as not to obscure or damage significant fabric of the item;

(c) be able to be later removed without causing damage to the significant fabric of the item; and

(d) reuse existing fixing points or insert fixings within existing joints without damage to adjacent masonry.

Guidelines

In addition to the requirements of clause 4 of the standard exemptions, signage may be controlled by development control plans or signage policies prepared by the relevant local council. The operation of the standard exemptions do not affect the requirements for consent by local councils or the need to satisfy any signage policies which may have been adopted by them.

Additional forms of signage not addressed by this standard exemption may not require approval under section 57(1) of the Heritage Act if they satisfy the requirements of other standard exemptions such as Standard Exemption 7 (Minor Activities with no Adverse Impact on Heritage Significance) or Standard Exemption 8 (Non-significant Fabric).

Signage in accordance with clause 2(a) of the standard exemption for the purpose of assisting the interpretation of heritage significance:

- *requires approval under section 57(1) of the Heritage Act if additional information is provided which is unrelated to heritage interpretation such as commercial promotion or sponsorship; and*
- *must be in accordance with Interpreting Heritage Places and Items published by the NSW Heritage Office and available online.*

EXEMPTION 14: BURIAL SITES AND CEMETERIES

1. Development on land within a burial site or cemetery which is of the type described in (a), (b) or (c) below does not require approval under s. 57(1) of the Act:

(a) the creation of a new grave;

(b) the erection of monuments or grave markers in a place of consistent character, including materials, size and form, which will not be in conflict with the character of the place; or

(c) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers; provided that there will be no disturbance to human remains, to relics in the form of grave goods, associated landscape features or to a place of Aboriginal heritage significance.

2. A person proposing to carry out development in the manner described in paragraph 1(b) or (c) must write to the Director-General and describe the development proposed. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1, the Director-General shall notify the applicant.

3. This exemption does not apply to the erection of above-ground chambers, columbaria or vaults, or the designation of additional areas to be used as a burial place.

NOTE 1: Other standard exemptions apply to the maintenance, cleaning and repair of burial sites and cemeteries.

Guidelines

In addition to burial remains and artefacts, above ground cemetery elements may include headstones, footstones and other burial markers or monuments and associated elements such as grave kerbing, iron grave railings, grave furniture, enclosures and plantings. It is important that cemeteries listed on the State Heritage Register have a conservation policy or conservation management plan endorsed by the Heritage Council and that it records the history and significant fabric of the place with policies for conservation, relocation and the erection of new monuments and grave markers. Additional advice about the management of heritage cemeteries is provided in:

- *Cemeteries: Guidelines for their Care and Conservation, NSW Heritage Office, 1992;*
- *Skeletal Remains, NSW Heritage Office, 1998;*
- *Guidelines for Cemetery Conservation, National Trust of Australia (NSW), 2002.*

EXEMPTION 15: COMPLIANCE WITH MINIMUM STANDARDS AND ORDERS

1. Development which is required for the purpose of compliance with the minimum standards set out in Part 3 of the *Heritage Regulation 1999* or an order issued under either:

(a) section 120 of the *Heritage Act 1977* regarding minimum standards of maintenance and repair; or

(b) section 121S of the *Environmental Planning and Assessment Act 1979* regarding an order which is consistent with a submission by the Heritage Council under section 121S(6) of that Act;

does not require approval under s. 57(1) of the Act.

Guidelines

This standard exemption is intended to facilitate and expedite compliance with orders and minimum standards of maintenance and repair.

The Minimum Standards of Maintenance and Repair replaced the “wilful neglect” provisions of the Heritage Act in 1999. The minimum standards are contained in Part 3 of the Heritage Regulation 1999 and are reproduced in the Heritage Information Series published by the NSW Heritage Office. The minimum standards only apply to items listed on the State Heritage Register and relate to:

- *weather protection;*
- *fire prevention and protection;*
- *security; and*
- *essential maintenance and repair to prevent serious or irreparable damage.*

Maintenance and repair which exceed the minimum standards in the Regulation may be exempt from approval under other standard exemptions (refer to #1 and #2).

Orders under s.121S(6) of the EP&A Act are those given by a council or other consent authority in relation to an item listed on the State Heritage Register, land to which an interim heritage order applies or a heritage item listed under an environmental planning instrument. Orders must not be given in relation to items listed on the State Heritage Register or land to which an interim heritage order relates unless the consent authority has given notice of it to the Heritage Council and considered any submission made by it.

EXEMPTION 16: SAFETY AND SECURITY

1. The following development does not require approval under s. 57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a) or (b) have been met and the person proposing to undertake the development has received a notice advising that the Director-General is satisfied:

(a) the erection of temporary security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access or secure public safety which will not adversely affect significant fabric of the item including landscape or archaeological features of its curtilage; or

(b) development, including emergency stabilisation, necessary to secure safety where a building or part of a building has been irreparably damaged or destabilised and poses a safety risk to its users or the public.

2. A person proposing to undertake development of the kind described in paragraph 1 must write to the Director-General and describe the development and, if it is of the kind set out in 1(b), provide certification from a structural engineer having experience with heritage items confirming the necessity for the development with regard to the criteria set out in 1(b) and any adverse impact on significant fabric. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1(a) or (b), the Director-General shall notify the applicant.

Guidelines

Development exempt under this standard exemption must be for the temporary or emergency securing of safety for users or the public.

Permanent upgrading of site or building security may be exempt under other standard exemptions such as #7 (Minor Activities with no Adverse Impact on Heritage Significance) or #8 (Non-significant Fabric). Development described in 1(b) of this exemption is intended to apply in circumstances where there has been damage caused by a sudden change in circumstances of the building such as a catastrophic event, rather than safety risks which may arise from ongoing neglect of maintenance.

Emergency maintenance and repairs such as required following a storm event may be exempt under other standard exemptions such as #1 (Maintenance and Cleaning) and #2 (Repairs). More intrusive means of upgrading security which may damage significant fabric will require the submission of an application under section 60 of the Heritage Act.

Development in accordance with this exemption must be undertaken with minimal intervention to significant fabric.

EXEMPTION 17: MOVABLE HERITAGE ITEMS

1. The temporary relocation of movable heritage items, including contents, fixtures and objects, to ensure their security, maintenance and preservation, for conservation or exhibition, to ensure health or safety, the need for a controlled environment for those heritage items, or to protect the place, and which are to be returned to their present location within six months, does not require approval under s.57(1) of the Act.

2. A person proposing to relocate a movable heritage item as set out in paragraph 1 must advise the Director-General in writing of the proposed location and the reasons for its relocation. If the Director-General is satisfied that the temporary relocation meets the criteria set out in paragraph 1 the Director-General shall notify the applicant.

Guidelines

Movable heritage items or objects which are listed on the State Heritage Register must be specifically referred to in the gazetted listing. Unless specifically listed, the movable content of buildings such as furniture, paintings and other decoration is not movable heritage for the purposes of the Heritage Act which triggers approval requirements to “move, damage or destroy it”.

The permanent relocation of an item of movable heritage such as listed ships or railway rolling stock will require the submission of an application under section 60 of the Heritage Act.

Additional advice regarding movable heritage is provided by:

- *Objects in Their Place: An Introduction to Movable Heritage, NSW Heritage Office, 1999; and*
- *Movable Heritage Principles, NSW Heritage Office and Ministry for the Arts, 1999.*