



# 50-52 Phillip Street

Historical Archaeological  
Assessment

November 2020



## Document Information

### Citation

Curio Projects 2019, Historical Archaeological Assessment, 50-52 Phillip Street prepared for Built.

### Local Government Area

City of Sydney Council

### Cover Image

Chief Secretary’s Building, NSW State Records, NRS-4481-2-[4-8601]-374

| ISSUE No. | ISSUE DATE | VERSION      | NOTES/COMMENTS    | AUTHOR   | REVIEWED |
|-----------|------------|--------------|-------------------|--|----------|
| 1         | 30/09/20   | Draft Report | For client review | Matthew Kelly,<br>Alexandra Thorn,<br>Andre Fleury |          |
| 2         | 30-11-20   | Final Report | For Issue         | Matthew Kelly                                      |          |
| 3         |            |              |                   |  |          |

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## 1. Introduction

### 1.1. Purpose of this Report/Background

Curio Projects Pty Ltd was commissioned Built Development Group (the proponent) to prepare an Historical Archaeological Assessment to support a Stage 1 State Significant Development (SSD) Development Application (DA) for the redevelopment of a new mixed use hotel and branded residential building at 50-52 Phillip Street, Sydney. The Staged SSD DA proposes a concept proposal or Stage 1 DA for the retention and refurbishment of the heritage building on the site, demolition of other existing buildings on the site and construction of a new mixed-use building.

The Stage 1 SSD DA specifically seeks consent for land uses, a maximum gross floor area, a maximum building envelope, pedestrian and vehicle access and circulation arrangements, and associated car parking provision. Built is seeking to transform the current site to deliver a new and modern mixed use development which contributes to overcoming a shortage of hotel accommodation in Sydney, and positively contributes to the character and vibrancy of Sydney's Central Business District (CBD). As part of the redevelopment project, the existing heritage listed building on the site will be retained and refurbished for hotel purposes.

As the proposal is for the development of a predominately tourist related purpose, being a hotel, that has a capital investment value in excess of \$100 million, it is SSD as prescribed in Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

### 1.2. Background

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

The proposed redevelopment project will combine both private and Government land, breathing new life into an underutilised heritage-listed NSW Government owned building and Built's aging privately held commercial office building. The Chief Secretary's Building which fronts Bridge Street will not be leased as part of this redevelopment project, and it is intended to remain in Government ownership and control.

### 1.3. Study Area Location and Identification

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

The site itself is located at 50-52 Phillip Street, Sydney and has a total area of approximately 1,726m<sup>2</sup>, with frontages to Phillip Street and Phillip Lane. Two commercial buildings sharing a built-to-boundary condition currently occupy the site. The heritage-listed sandstone building in the northern portion of the site is six generous storeys in height and contains commercial office space. The building located on the southern portion of the site is 12 storeys in height, and contains a ground level café/bar use, with commercial office space above.

Phillip Lane, which forms part of the 50 Phillip Street lot, connects through the site from Phillip Street at the northern boundary of the site. Phillip Lane is not proposed to be altered from its current form as an access point to the remainder of Phillip Lane at the rear of the site. An aerial image of the site is provided at Figure 1 and a photograph of the existing buildings fronting Phillip Street is provided at

#### 1.4. Previous Reports

Previous reports on the study area include:

- NSW Government Architect's Office 2016, *50 Phillip Street Conservation Management Plan*
- DPWS Heritage Design Services 2002, *Chief Secretary's Building Conservation Management Plan (Revised)*
- Jackson Teece Chesterman Willis & Wendy Thorp 1994, *Conservation Management Plan for the Chief Secretary's Building*
- H. O. Woodhouse and Danks Pty Ltd 1987, *Historical Report and Conservation Plan for the Chief Secretary's Building*

#### 1.5. Limitations and Constraints

Site access was limited due to areas of each of the study area buildings being occupied/in use and some COVID concerns. No geo-technical information was available to assess for the study area.

#### 1.6. Authorship

The following report was written by Matthew Kelly, senior archaeologist, and Alexandra Thorn, archaeologist, Curio Projects. The overlays were done by Andre Fleury, GIS specialist and archaeologist, Curio Projects.

#### 1.7. Acknowledgements

Curio Projects acknowledges the assistance of Aston Weber during the reporting.



 The Site

 NOT TO SCALE

Figure 1-1 Study area in Sydney's CBD. (Source: Ethos Urban)



Figure 1-2 Existing frontages of 50-52 Phillip Street outlined in red (Source: Ethos Urban 2020)

## 2. Statutory Context

### 2.1. National Heritage List (NHL)

The Commonwealth Department of Environment and Energy currently maintains Australia’s National Heritage List. For a place to be included in the National Heritage List the Minister must be satisfied that the place meets one or more of the National Heritage Criteria. The Chief Secretary’s Building ( that portion 50 Phillip Street) is not on the NHL nor is it being proposed for listing.

However, it should be noted that the study area is adjacent to the First Government House (FGH) site, across Phillip Street, to the west which is listed on the NHL (Listing No. 105761). It should also be noted that currently (July 2020) a listing for the Governors’ Domain and Civic Precinct is currently being assessed after nomination. The draft boundary for the potential listing includes the Domain, Hyde Park, Macquarie Street (Hyde Park Barracks, St James Church, The Mint, Parliament House and the State Library), Macquarie Place and FGH as well as the study area (Figure 2-1).

### 2.2. Secretary’s Environmental Assessment Requirements

The proposed development is classified as State Significant Development (SSD-10464). The NSW Department of Planning has recently issued the Secretary’s Environmental Assessment Requirements (SEARS) which include, in respect of heritage, the requirements for a Statement of Heritage Impact (SOHI) to be completed for the project and:

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

### 2.3. NSW Heritage Act 1977

Historical archaeology is governed in NSW by a principle piece of legislation:

- NSW Heritage Act 1977 (The Act);

The purpose of the NSW Heritage Act 1977 (as amended) is to conserve the environmental heritage of the State. Environmental heritage is broadly defined under Section 4 of the Heritage Act as consisting of the following items:

*‘those places, buildings, works, relics, moveable objects, and precincts, of State or local heritage significance.’*

The Heritage Act protects heritage, but historical archaeological remains are additionally protected from being moved or excavated through the operation of the ‘relics’ provisions. These protect unidentified ‘relics’ which may form part of the State’s environmental heritage, but which have not been listed on the State Heritage Register or protected by an Interim Heritage Order. An archaeological site is an area of land which is the location of one or more archaeological ‘relics’.

Division 9 of the Heritage Act is titled 'Protection of certain relics', with Section 139 containing provisions for 'Excavation permit [being] required in certain cases' to 'disturb or excavate land'. Such permits are issued under Sections 140 and 141 of the Act, or under Sections 60 and 63 of the Act, in cases where 'relics' are situated within sites or places listed on the State Heritage Register. Section 139 prohibits the excavating or disturbing of land leading to a relic being discovered, exposed, moved, damaged or destroyed. To 'excavate and disturb land' in the context of the NSW Heritage Act is an act associated with the activity of digging or unearthing.

Since amendments were made to the Heritage Act made in 2009, a 'relic' has been defined as an archaeological deposit, resource or feature that has heritage significance at a local or State level. (NSW Heritage Branch Department of Planning. 2009. Assessing Significance for Sites and 'Relics').

This significance-based approach to identifying 'relics' is consistent with the way other heritage items such as buildings, works, precincts or landscapes are identified and managed in NSW. The key issue is whether a deposit, artefact, object or material evidence that survives from the past is significant. If it is significant, it will need to be managed under the 'relics' provisions of the Heritage Act. (Heritage Branch, 2009:1). If an historical deposit, artefact, object or material evidence from the past is deemed not to meet the threshold of local or State significance, then it does not need to be managed as a 'relic' under the Heritage Act.

While the relics provisions of the Act protect archaeological remains on most sites (in this case on 52 Phillip Street) those potential remains on sites listed on the NSW State Heritage Register (SHR) are protected under s57(1) of the Act. As part of the study area includes a portion of the site listed on the SHR area of the Chief Secretary's Building (Figure 2-2) the protections and Exemptions related to the site may apply (Listing 00766, Gazetted 02 April 1999, Gazette 27 p. 1546).

In addition, Section 146 of the Heritage Act relates to the requirement to report the discovery of relics to the Heritage Council.

Specially, Section 146 of the Heritage Act states:

#### 146 Notification of discovery of a relic

- A person, who is aware or believes that he or she has discovered or located a relic (in any circumstances, and whether or not the person has been issued with a permit) must:
- within a reasonable time after he or she first becomes aware or believes that he or she has discovered or located that relic notify the Heritage Council of the location of the relic, unless he or she believes on reasonable grounds that the Heritage Council is aware of the location of the relic, and
- within the period required by the Heritage Council furnish the Heritage Council with such information concerning the relic as the Heritage Council may reasonably require.

In accordance with the Section 146 provisions of the Heritage Act, the discovery of relics is generally reported to the Heritage Division, in the form of a post-excavation report or similar, depending on the circumstances in which the discovery was made- and in accordance with any requirements of the Minister.

## 2.4. City of Sydney Local Environmental Plan (LEP) 2012

Clause 5.10 of the Sydney Local Environmental Plan 2012 (LEP) sets out objectives and planning controls for the conservation of heritage in the City of Sydney, including the conservation of archaeological sites. The LEP states that development consent is required for works that will involve:

*5.10(2)(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed.*

Clause 5.10(7) specifically relates to the management of archaeological sites:

*(7) Archaeological sites*

*The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):*

*(a) notify the Heritage Council of its intention to grant consent, and*

*(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

The Chief Secretary's Building is listed on Schedule 5 of the LEP (Listing 11872) as "Former Chief Secretary's Building" (Figure 2-3). Note that Phillip Lane, to the rear of Phillip and Bridge Streets, is also listed on Schedule 5 of the LEP of the Sydney LEP 2012, (Listing 1905) as "Phillip Lane".

2.4.1. Heritage Items in the Vicinity

Table 2-1: Heritage Items in the Vicinity

| ITEM NAME  | ADDRESS                  | SIGNIFICANCE | SHR NO. | GAZZETTE DATE |
|--|--------------------------|--------------|---------|---------------|
| Phillip Lane   | Phillip Lane             | Local        | I1905   |               |
| Flat building “The Astor” including interiors                                    | 123–125 Macquarie Street | Local        | I1873   |               |
| Terrace house “History House” including interiors                                | 133 Macquarie Street     | State        | I1874   |               |
| Commercial building “BMA House” including interior                               | 135–137 Macquarie Street | State        | I1875   |               |
| “Royal Australian College of Physicians” terrace house including interior        | 145 Macquarie Street     | Local        | I1876   |               |
| FGH site including Museum of Sydney, archaeology and “Edge of the Trees” artwork | 41 Bridge Street         | State        | I1685   |               |
| Terrace pair including interiors   | 39-41 Phillip Street     | State        | I1907   |               |
| Terrace house including interior   | 43 Phillip Street        | State        | I1908   |               |
| Terrace house including interior   | 45 Phillip Street        | State        | I1909   |               |
| Terrace house including interior   | 47 Phillip Street        | State        | I1910   |               |
| Young Street Terraces including interiors  | 36–42 Young Street       | State        | I2000   |               |
| Department of Education building including interior                              | 35–39 Bridge Street      | State        | I1684   |               |
| Palm trees   | Farrer Place             | Local        | I1759   |               |

|  |                          |       |       |  |
|--|--------------------------|-------|-------|--|
| Former “Booth House” including interiors                     | 44 Bridge Street         | Local | I1686 |  |
| Former Treasury Building including interiors - Local         | 115–119 Macquarie Street | State | I1871 |  |
| Palm trees   | Macquarie Street         | State | I1861 |  |
| Edward VII statue  | Conservatorium Road      | Local | I1729 |  |
| Government House Lodge including interior and entrance gates | 4 Macquarie Street       | Local | I1863 |  |
| Conservatorium of Music including interior and grounds       | 1 Conservatorium Road    | Local | I1730 |  |
| Royal Botanic Gardens  | Royal Botanic Gardens    | State | I1652 |  |
|  |                          |       |       |  |

## 2.5. Non-Statutory Listings

### 2.5.1. Archaeological Zoning Plan for Sydney 1992

The 1992 Archaeological Zoning Plan (AZP) for Sydney shows 50 Philip Street as an area of archaeological potential with deeper sub-surface features (Figure 2-4). At the time of writing, 52 Philip Street was identified as having no archaeological potential. It should be noted that all road and laneways are by default assumed to be an area of archaeological potential.

### 2.5.1. National Trust

The Chief Secretary’s Building (including 50 Phillip Street) is classified as a heritage place by the National Trust and is adjacent to the Macquarie Place Urban Conservation area.

### 2.5.2. Register of the National Estate

The Chief Secretary’s Building was listed on the Register of the National Estate (21 March 1978) as item 1824. It should be noted however that the Register of the National Estate was closed in 2007 and is no longer a statutory list. All references to the Register of the National Estate were removed from the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) on 19 February 2012.

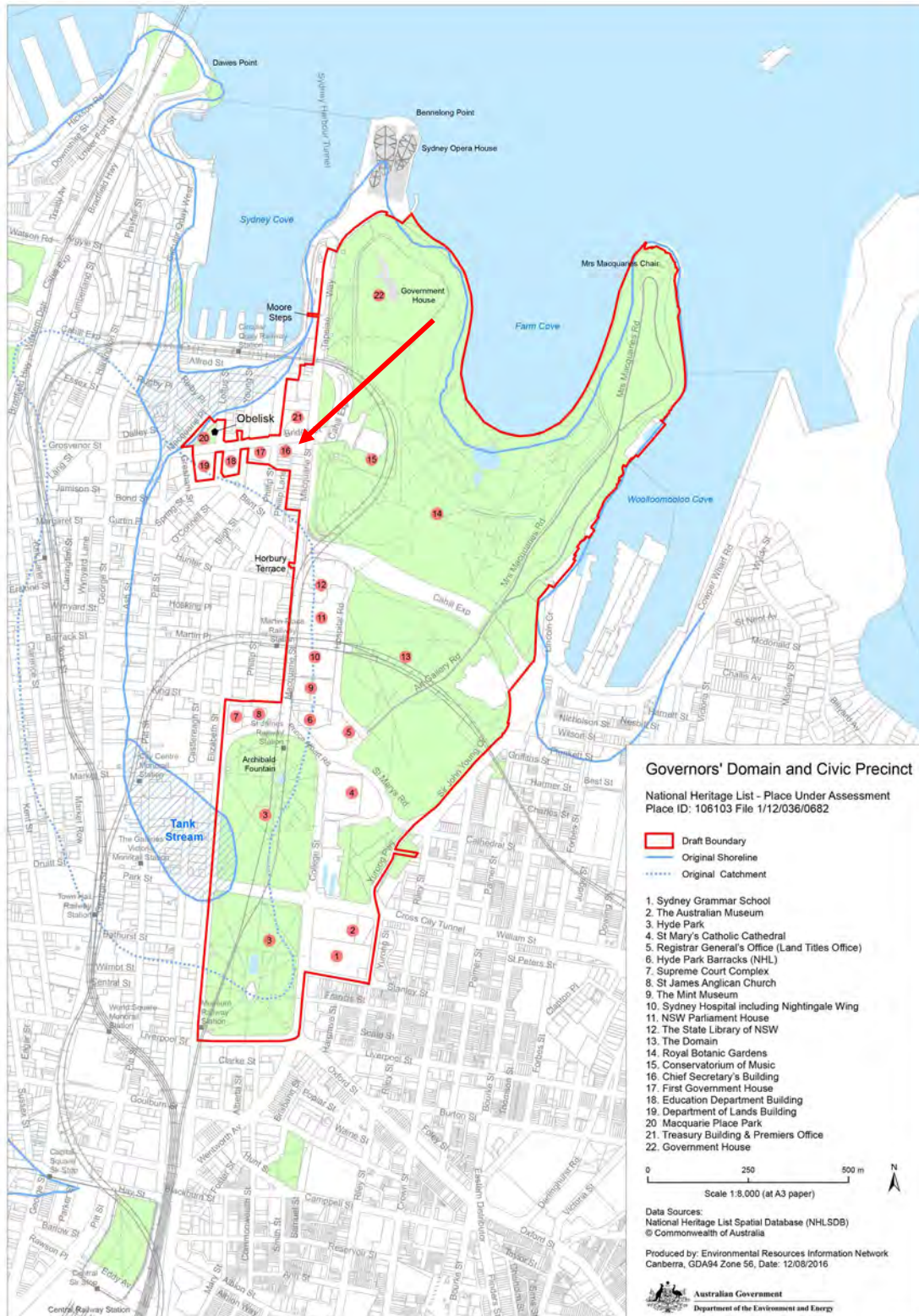


Figure 2-1 The proposed Governor's Domain and Civic Precinct boundary on the NHL. Note the study area is listed as item 16 (arrow). (Source: Commonwealth Dept of Environment).

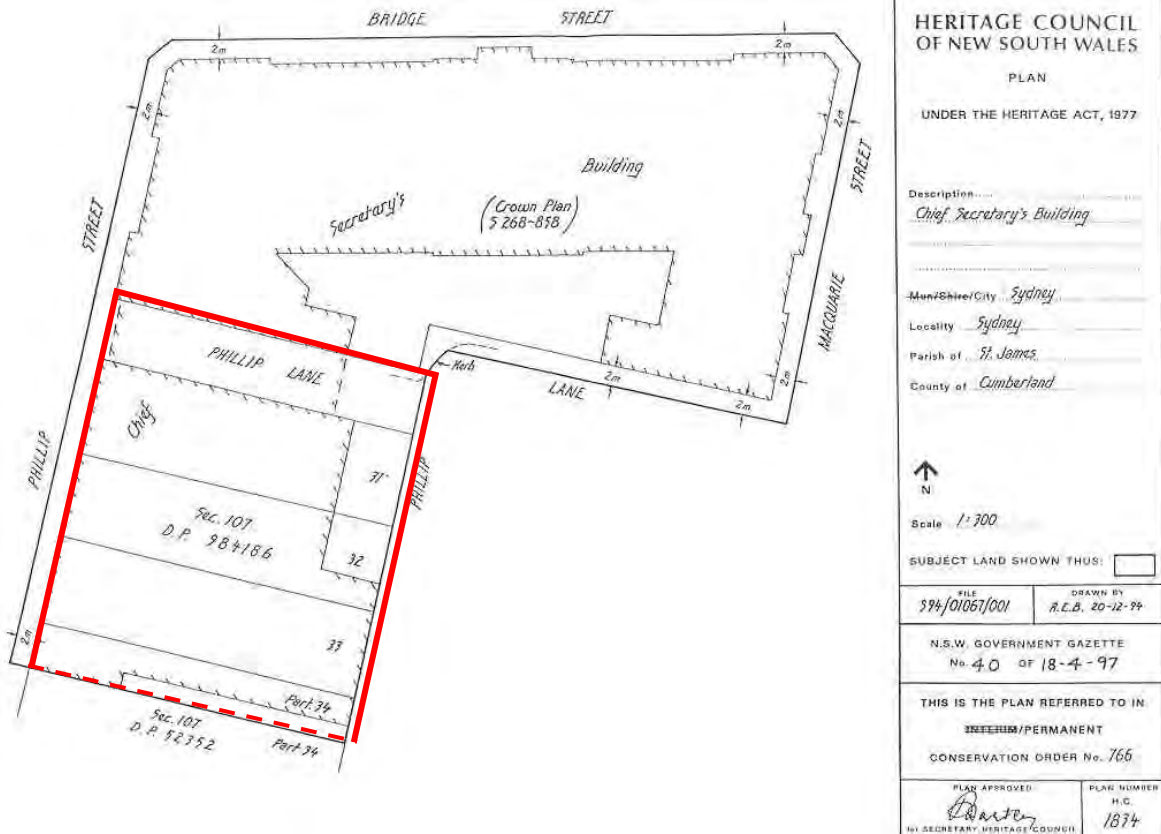
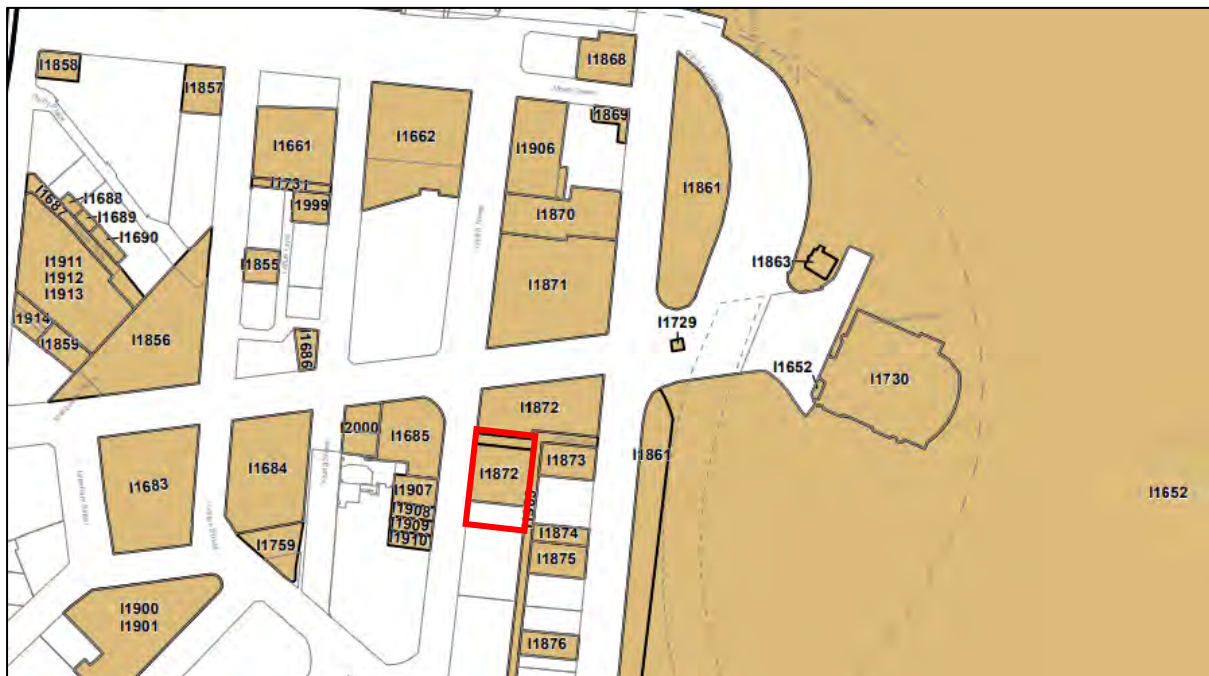


Figure 2-2 Plan of the PCO (now SHR) boundary of part of the study area. (Source: NSW Heritage)



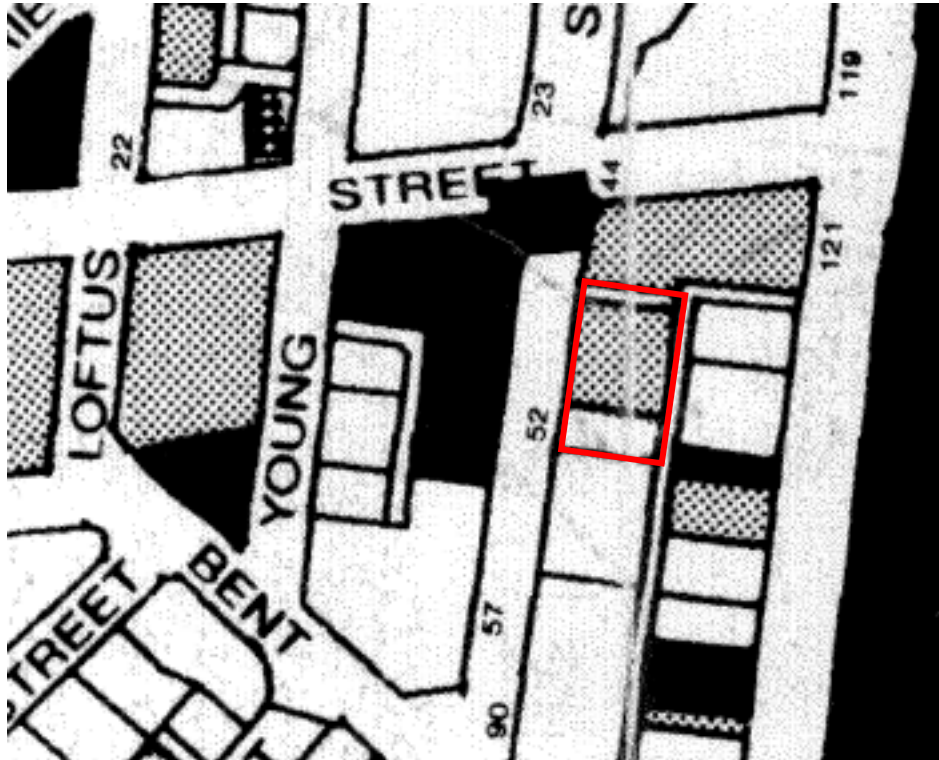


Figure 2-4 Sydney AZP Map with study area in red (Source: City of Sydney)

### 3. Historical Summary

#### 3.1. Preamble

The following historical summary considers some of the area and allotments surrounding 50-52 Phillip Street to provide a more detailed context for the development of the study area.

#### 3.2. Office of the Colonial (later Chief) Secretary

Governor Phillip instituted the office of a secretary, appointing Andrew Miller as his secretary. Miller resigned in 1790 and was succeeded by David Collins whose responsibilities expanded alongside the development of the colony.<sup>1</sup> Between 1788 and 1820 the Governor's secretary acted as the secretary, in effect, for the colony. In 1804 Governor King described the role:

*He has custody of all official papers and records belonging to the colony; transcribes the public dispatches; charged with making out all grants, leases and other public colonial instruments; also care of numerous indents or lists sent with convicts of their terms of conviction and every other official transaction relating to the colony and Government; and is a situation of much responsibility and confidence<sup>2</sup>*

Initially the role was occupied in brief tenures, with appointments averaging 2 years, often resulting in poor record keeping<sup>3</sup>. In 1810 John Thomas Campbell was appointed under Governor Macquarie and served for 11 years. The first Colonial Secretary's office was built in 1815, on the site of the present Department of Education Building, 35-38 Bridge Street, Sydney<sup>4</sup>.

*The Offices of the Colonial Secretary and Minister for Lands and Works are in Bridge-street. They are of primitive construction and but ill adapted to the purposes for which they are employed. When the finances of the colony shall be in a condition to admit of the expenditure, suitable offices will be erected in a more convenient locality for the heads of the departments<sup>5</sup>.*

In 1819 the role was granted official status as the "Secretary and Registrar of Records of NSW" or the Colonial Secretary<sup>6</sup>. Frank Goulburn was the first to be appointed as the Colonial Secretary although it was not until 1824 that the offices of the Colonial Secretary were separated from the Secretary to the Governor<sup>7</sup>.

Between the establishment of responsible government in 1856 and the establishment of the Premier's Department in 1907, the Colonial Secretary (also known as the Chief Secretary or Principal Secretary) would often act as Premier<sup>8</sup>. Whilst the title did not change to "Chief Secretary" until 1959, the title was used unofficially as early as 1859<sup>9</sup>.

The role was abolished in 1975, briefly revived in 1976 and then again between 1988 and 1995.

<sup>1</sup> W. Thorp, 1994, *Chief Secretary's Building Historical Analysis*, Cultural Resources Management for Noel Bell Ridley Smith & Partners, 2.2

<sup>2</sup> State Archives Office of NSW, preface to the Record of the Colonial Secretary, 3 cited in DPWS Heritage Design Services, 2002, *Chief Secretary's Building Conservation Management Plan*, p.19

<sup>3</sup> NSW State Archives & Records, *Chief Secretary: An Overview* < <https://www.records.nsw.gov.au/archives/collections-and-research/guides-and-indexes/colonial-secretary-overview> >

<sup>4</sup> Office of Environment & Heritage, *Department of Education Building*, <<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageltemDetails.aspx?ID=5045558>>

<sup>5</sup> S. T. Leigh, 1857, *The Handbook to Sydney and Suburbs* p. 16

<sup>6</sup> DPWS Heritage Design Services, 2002, *Chief Secretary's Building Conservation Management Plan*, p.19

<sup>7</sup> DPWS Heritage Design Services, op. cit., p.20

<sup>8</sup> NSW State Archives & Records, *Chief Secretary: An Overview*

<sup>9</sup> NSW State Archives & Records, *Chief Secretary: An Overview*

### 3.3. Aboriginal History

Prior to European occupation, Aboriginal people had lived in the Sydney basin for thousands of years. In 1788 there were around two dozen clans in the Sydney Region<sup>10</sup>. The Cadigal and Wanngal clans are historically associated with the study area.

*...the Cadigal, whose clan estate ran along the southern side of the harbour and included the fledgling colony at Warrane (Sydney Cove)<sup>11</sup>*

In 1792 Governor Phillip wrote:

*From the entrance of the harbour, along the south shore, to the cove adjoining the settlement the district is called Cadi, and the tribe Cadigal; the women, Cadigalleon. The south side of the harbour from the above mentioned cove to Rose Hill, which the natives call Parramatta, the district is called Wann, and the tribe Wanngal<sup>12</sup>*

Coastal Sydney had an estimated population of 1500 Aboriginal people in 1788<sup>13</sup> although the 1789 smallpox epidemic decimated half of the Sydney Aboriginal population<sup>14</sup>. Those that lost their lives included Arabanoo, a Cadigal man<sup>15</sup>, who was kidnapped at Manly Cove on December 31, 1788 in ‘a desperate but misguided attempt to establish contact with Sydney’s Aboriginal population’<sup>16</sup>. Governor Phillip had hoped to learn the language and customs of the local indigenous inhabitants and Arabanoo briefly lived at Government House in 1789, during which time he was held in high regard by Phillip and his officers<sup>17</sup>. Following Arabanoo’s death from smallpox, he was buried within the Governor’s “own garden”, otherwise unidentified but likely to be close to the house and potentially within the study area.<sup>18</sup> Another burial in the Governor’s garden, was the child Balooderry, after a ceremony described in some detail by Collins.<sup>19</sup> The location of this grave is also unknown.<sup>20</sup>

In 1789 Governor Phillip seized two more men, Bennelong and Coleby. Coleby, a Cadigal man, escaped soon after but Phillips spent some time with Bennelong, a Wanngal man. The two men became close<sup>21</sup> and Bennelong was often at Government House. He has been described as ‘the most renowned Aboriginal mediator of the early colonial period.’<sup>22</sup>

### 3.4. Post Contact Development of the Area

#### 3.4.1. The Government Domain (1788-c. 1845)

Governor Phillip’s House (known as First Government House) was located on the present site of the Museum of Sydney, on the corner of Bridge and Phillip Streets. It was the first substantial public building to be built in the colony, having initially been the site of the Governor’s canvas house. The original building constructed

<sup>10</sup> P. Irish 2017, *Hidden in Plain View*, p.17

<sup>11</sup> Irish, op. cit., p. 13

<sup>12</sup> A. Phillip 13 Feb 1790 cited in Attenbrow 2010, *Sydney’s Aboriginal Past*, p. 22

<sup>13</sup> Irish, op. cit., p. 13

<sup>14</sup> Attenbrow, op. cit., p. 21

<sup>15</sup> M. Hinkson, 2010, *Aboriginal Sydney*, p. 39

<sup>16</sup> Irish, op. cit., p. 20

<sup>17</sup> Hinkson, op. cit., p. 39

<sup>18</sup> Tench, W, 1793, *A Complete Account of the Settlement at Port Jackson*, London, p. 23 and NSW Government Architect’s Office 2016, *50 Phillip Street Conservation Management Plan*, p. 18

<sup>19</sup> Collins, D., 1798, *An Account of the English Colony of NSW Vol. 1*. London, pp.388f.

<sup>20</sup> Note also the discovery of the tombstone of John Hunter Kent, aged only 7 months, below the surface of Bridge Street, formerly the garden of Government House, during the extension of that street east in 1847; see Sydney Morning Herald, June 16, 1847, p. 3.

<sup>21</sup> Hinkson, op. cit., p. 40

<sup>22</sup> Hinkson, op. cit., p. 26

between 1788 and 1789 was a 2 storey, 6 room, brick and stone house.<sup>23</sup> Various extensions and additions occurred over the next forty years, the most substantial being Frances Greenway's additions of a five room wing and a new stable block under Governor Macquarie (1810-21).<sup>24</sup> Work began on a new Government House in 1836 and by 1846 the buildings that formed FGH had been demolished. At this time the eastern extent of FGH encroached on the study area (see Figure 3-5).

The site of the present Chief Secretary's Building was in the north east corner within the fenced perimeter of the extended Government House (see Figure 3-4).<sup>25</sup>

*The site of the later Chief Secretary's Building was located at the north-eastern corner of the extended government house within the fenced perimeter of the immediate house environs. It was an area of open, gentle sloping land that supported some shrubbery.*<sup>26</sup>

Following the demolition of FGH, Bridge Street was extended to Macquarie Street and Phillip Street was extended to the Quay.<sup>27</sup>

#### 3.4.1. The Colonial Secretary's Building<sup>28</sup>

In 1852, the corner L-Shaped block was surveyed as a potential office building for Public Works<sup>29</sup> and by 1853 had been reserved for the Colonial Secretary's Office.<sup>30</sup> In that year, the Phillip Street allotments 31-35 (to become 44-56 Phillip Street) were defined, yet still unallocated (Figure 3-7).<sup>31</sup> These lots were advertised for sale in the NSW Government Gazette on 15 November 1853,<sup>32</sup> and they were all purchased in 1854.<sup>33</sup>

The 1853 NSW Crown Plan<sup>34</sup> has a pencilled note 'Vide Coltreas Return of the Sale of 15 Dec 53 reporting Lots 5 to 17 Allots 31 to 43, Sec 107 Sold as per names' showing the following purchases for allotments 31 to 35:

- Allotment 31 Phillip Street: Samuel Brush & William MacDonnell (See Section 3.4.3)
- Allotment 32 Phillip Street: James Raymond (See Section 3.4.3)
- Allotment 33 Phillip Street: Randolph John Want (See Section 3.4.4)
- Allotment 34 Phillip Street: Randolph John Want (See Section 3.4.4)
- Allotment 35 Phillip Street: Randolph John Want.

By 1869 finances were sufficient to support the construction of offices for the Colonial Secretary and Works Department. Between 1869 and 1870 the Colonial Architect, James Barnet, designed a Victorian free classical style, multi-storey sandstone building for the corner, L-shaped block.<sup>35</sup> In 1872, as work was to begin on site,

<sup>23</sup> NSW OEH. *First Government House Site*, Heritage listing,

<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5045710>

<sup>24</sup> *ibid*

<sup>25</sup> DPWS Heritage Design Services, 2002, *Chief Secretary's Building Conservation management Plan*, p. 30

<sup>26</sup> J. Teece, C. Willis & W. Thorp, 1994, *Conservation plan- Chief Secretary's Building 121 Macquarie St Sydney*, cited in DPWS Heritage Design Services, 2002, *Chief Secretary's Building Conservation Management Plan*, p.30

<sup>27</sup> *ibid*. p.31

<sup>28</sup> The history of the Colonial Secretary and 50 Phillip Street have been recorded in great detail in DPWS Heritage Design Services, 2002, *Chief Secretary's Building Conservation Management Plan* and NSW Government Architect's Office 2016, *50 Phillip Street Conservation Management Plan*

<sup>29</sup> NSW Crown Plan R268.858

<sup>30</sup> *Plan Showing the Vacant land in the Neighbourhood of the Circular Quay*, 1853

<sup>31</sup> *Plan Showing the Vacant land in the Neighbourhood of the Circular Quay*, 1853

<sup>32</sup> *NSW Government Gazette*, 15 November 1853 p. 2039-2041

<sup>33</sup> The 1853 Crown Plan 213.858 shows the purchaser's names pencilled in the allotments.

<sup>34</sup> NSW Crown Plan 213.858

<sup>35</sup> J. Teece, C. Willis & W. Thorp, 1994, *Conservation plan- Chief Secretary's Building 121 Macquarie St Sydney*, cited in DPWS Heritage Design Services, 2002, *Chief Secretary's Building Conservation Management Plan*, p. 33

the design of the building remained but the room allocation had changed significantly as a result of departmental growth and administrative changes.<sup>36</sup>

Work neared completion in April 1879, and the building was described in detail in the *Australasian Sketcher* (Figure 3-1). Both the interior and the exterior of the building were of high-quality including cedar joinery and marble floors.<sup>37</sup> Richard's & Co's iron gate at the Bridge Street entrance was entered in the 1879 International Exhibition.

Prime Minister and Colonial Secretary, Sir Henry Parkes, was the first occupant of the building.

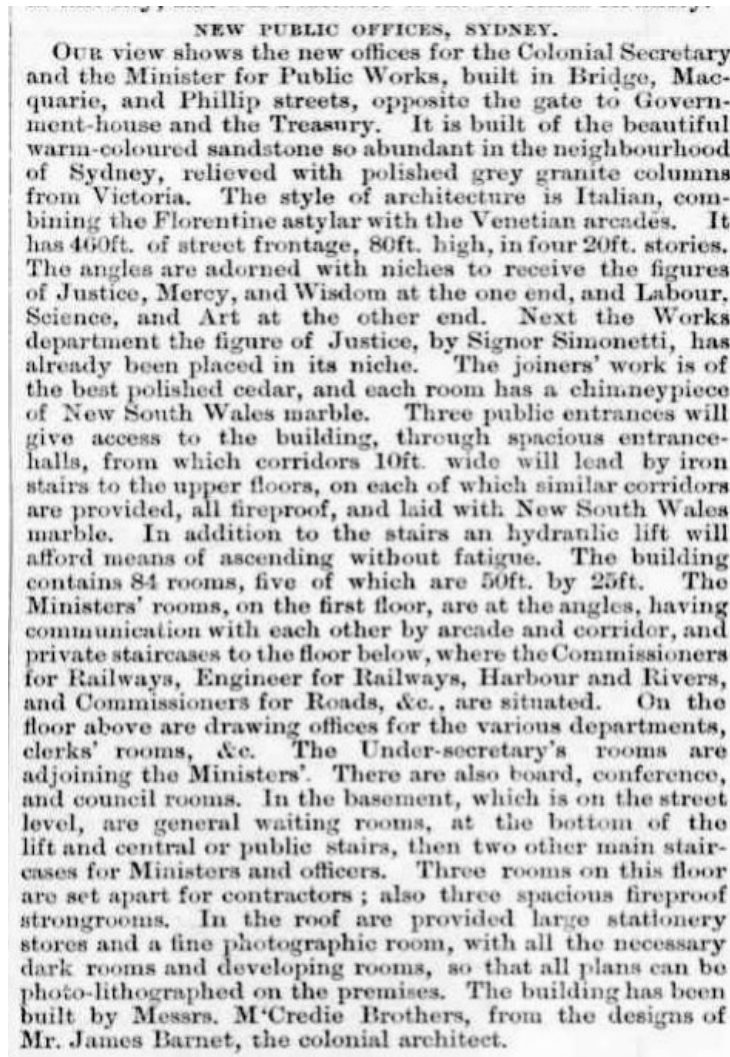


Figure 3-1: *Australasian Sketcher*, 12 April 1879 p. 7

#### 3.4.2. 50 Phillip Street and Extensions

In November 1889 J. H. Deane, the acting engineer in chief, designed additional offices for the Public Works Department, at the request of Joseph Barling, the Under-Secretary for Works.<sup>38</sup> Deane proposed a six story ,

<sup>36</sup> NSW Government Architect's Office 2016, *50 Phillip Street Conservation Management Plan*, p. 32

<sup>37</sup> NSW Government Architect's Office, op.cit. p. 32

<sup>38</sup> NSW Government Architect's Office 2016, op. cit., p. 36

red brick building with a 60 foot frontage to Phillip Street.<sup>39</sup> When the building was submitted for approval in 1890, Barnet, as Colonial Architect, had added the suggestion of a stone façade.<sup>40</sup>

The office was to be located on the sites of 44 and 46 Phillip Street (Allotments 31 and 32) and their resumption was organised in March 1890<sup>41</sup>, with a section of Phillip Lane, to the north boundary of 44 Phillip Street, resumed in April 1890.<sup>42</sup>

The workload of the Department of Public Works increased rapidly in the late 19<sup>th</sup> century prompting requests to extend the building before the contract had been let. Two additional extensions were approved in July 1890<sup>43</sup>, the linking arches over Phillip Lane and the southern extension of 50 Phillip Street. In order to proceed with these plans, 48 and 50 Phillip Street were resumed in August 1890.<sup>44</sup>

In June of 1890 James Barnet was forced into retirement and in August 1890 after a Royal Commission into defence work at Bare Island in Botany Bay. Barnet was found to have demonstrated “gross indifference towards his duties and of insubordination to the minister for public works”.<sup>45</sup> Walter Liberty Vernon was subsequently appointed Government Architect.<sup>46</sup>

In order to avoid additional extensions into 52-54 Phillip Street, Vernon proposed an additional floor on the Phillip Street building and additional offices in the original (Colonial Secretary’s) building. A caretaker’s cottage was added to the Phillip Street roof between 1892 and 1894 and the work on the Phillip Street additions was completed in the 1893-94 financial year.<sup>47</sup> Following a fire in the attic of the Colonial Secretary’s building, Vernon proposed plans for a mansard roof and dome on the Colonial Secretary’s building which were completed around 1896.<sup>48</sup>

By 1924 a roof and external galleries were added between levels 2-4 on the laneway bridge that connected the old and new buildings<sup>49</sup> with the level 5 bridge completed in 1924. In 1954 two new lift were added to the Phillip Street building, and the central stair lift was removed. Stonework restoration on both buildings began in 1985<sup>50</sup>.

The 50 Phillip Street address was used by the Department of Public Works from 1893 until 1967. From 1967 until 1977 it was used as Divorce Courts. Between 1977 and c.2011 the 50 Phillip Street Building was used by the Industrial Relations Commission of New South Wales

### 3.4.3. 44-46 Phillip Street (Allotments 31 and 32)

The first two lots developed on the study area were allotments 31 and 32 (44 and 46 Phillip Street). Allotment 31 was purchased by jewellers Samuel Brush and William McDonnell<sup>51</sup> in February 1854<sup>52</sup> who built on the

<sup>39</sup> NSW Government Architect’s Office 2016, op. cit., p. 37

<sup>40</sup> NSW Government Architect’s Office 2016, op. cit., p. 37-8

<sup>41</sup> NSW Government Architect’s Office 2016, op. cit., p. 39

<sup>42</sup> NSW Government Architect’s Office 2016, op. cit., p. 41

<sup>43</sup> NSW Government Architect’s Office 2016, op. cit., p. 40-41

<sup>44</sup> NSW Government Architect’s Office 2016 op. cit., p. 41

<sup>45</sup> McDonald, D.I., “Barnet, James Johnstone (1827–1904)”, Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/barnet-james-johnstone-2939/text4257>, published first in hardcopy 1969, accessed online 20 September 2020

<sup>46</sup> NSW Government Architect’s Office 2016 op. cit., p. 62

<sup>47</sup> NSW Government Architect’s Office 2016, op. cit., p. 47

<sup>48</sup> NSW Government Architect’s Office 2016, op. cit., p. 48

<sup>49</sup> NSW Government Architect’s Office 2016, op. cit., p. 63

<sup>50</sup> NSW Government Architect’s Office 2016, op. cit., p. 64

<sup>51</sup> Listed as Brush and McDonato in the Rates CSA027146 Bourke Ward p.35

<sup>52</sup> Ser 237 No 117 dated 21 Feb 1854 purchased for £1530 (L&PI) cited in NSW Government Architect’s Office 2016, *50 Phillip Street Conservation Management Plan*, p. 26

allotment around 1855. The building was a two-storey brick building with a slate roof, kitchen, coach house and stables. William John MacLeay M.L.A (1820-1891), a member of the NSW Legislative Assembly between 1856 and 1874<sup>53</sup>, occupied the property from at least 1858<sup>54</sup> until 1863<sup>55</sup>. Ownership remains with Brush & McDonnell during this time.

James Raymond purchased Allotment 32 in May 1854<sup>56</sup> but in July of that year sold it to Louis Barber, a merchant<sup>57</sup>. Barber began building a house, designed by the architect John Bibb, however it appears he defaulted on his mortgage as it was advertised for sale by the mortgagees in December 1855 (Figure 3-2). The building was purchased by John Bayley Darvall, a solicitor<sup>58</sup>. By 1857 the premises, a three-storey brick and stone building with a slate roof, was being leased by Darvall<sup>59</sup> to the Railway Commissioners Office<sup>60</sup>. Darvall still owned 46 Phillip Street in 1863, leasing it to the Government Commissariat<sup>61</sup>, occupied by William H Aldis<sup>62</sup>.

*The Works Department and the Railways, conduct their businesses close at hand in hired private houses in Phillip-street...*<sup>63</sup>

Robert Dickson occupied 44 Phillip Street in 1864. No one was recorded at 44 Phillip Street in 1865 but Mrs Martin was seen to be operating a boarding house at 46 Phillip Street that year.<sup>64</sup> The property was likely used as a boarding house until 1867 as Mrs Martin was still recorded living at 46 Phillip Street in that year.<sup>65</sup>

By 1867 William Andrews had purchased 46 Phillip Street alongside 44 Phillip Street where he resided.<sup>66</sup> Andrews, a shipbuilder, shipowner, and alderman of Sydney<sup>67</sup> remained living 44 Phillip Street<sup>68</sup> until his death in 1873.<sup>69</sup> His will states his address as 'William Andrews of Denison House, Phillip Street North in the City of Sydney' and also states the property included 'all the yard stables outbuilding and appurtenances all of which I purchased from – Brush'<sup>70</sup>.

Ownership of 46 Phillip Street passed to L. Kendall by 1871 who rented it as a private residence to Commodore Sterling.<sup>71</sup> By 1877 Edward Jones is listed as the owner, who rented the property to the Department of Works.<sup>72</sup>

<sup>53</sup>1856-1858 for Lachlan and Lower Darling and then 1859-1874 for seat of Murrumbidgee  
[http://www.parlpapers.sl.nsw.gov.au/display.cfm?parl\\_id=11700](http://www.parlpapers.sl.nsw.gov.au/display.cfm?parl_id=11700)

<sup>54</sup> Rates 1858 Bourke Ward p. 35, note spelling as "McLeart , Brush & McDonato"

<sup>55</sup> 44 Phillip Street: Sands 1861, Rates 1863

<sup>56</sup> Ser. 239 No. 12, 11 May 1854, £1,230 (L&PI), cited in NSW Government Architect's Office 2016, *50 Phillip Street Conservation Management Plan*, p. 26

<sup>57</sup> Bk 32 No 952, 14 July 1854 (L&PI) cited in NSW Government Architect's Office 2016, *50 Phillip Street Conservation Management Plan*, p. 27

<sup>58</sup> BK 42 No. 955 (L&PI) cited in NSW Government Architect's Office 2016, *50 Phillip Street Conservation Management Plan*, p. 27

<sup>59</sup> Listed as J. B. Darvall in the Rates CSA027146 Bourke Ward p.35

<sup>60</sup> Sands 1858; S. T. Leigh, 1857, *The Handbook to Sydney and Suburbs* p.12

<sup>61</sup> Rates 1863 Bourke Ward, p. 5

<sup>62</sup> Sands 1864

<sup>63</sup> S. T. Leigh, 1857, *The Handbook to Sydney and Suburbs* p.12

<sup>64</sup> Sand 1865 p. 101

<sup>65</sup> Rates 1867 Bourke Ward

<sup>66</sup> Rates 1867 Bourke Ward

<sup>67</sup> Between 1869 and 1871. City of Sydney, Sydney Aldermen < <https://www.sydneyaldermen.com.au/alderman/william-andrews/>>

<sup>68</sup> Rates 1871 Bourke Ward p. 31: William Andrews listed as owner and occupant

<sup>69</sup> Source: <https://www.wikitree.com/wiki/Andrews-7006>

<sup>70</sup> Ibid.

<sup>71</sup> Rates 1871 Bourke Ward p.31

<sup>72</sup> Rates 1877 Bourke Ward p. 30, note incorrect street numbers

In 1875, William Andrews, shipowner (most likely the deceased William Andrews' son) was residing at 44 Phillip Street between the Government offices which were being erected on the corner of Bridge Street and the terraces 48- 54 Phillip Street, which were being rented as the Public Works offices. By 1877 William Andrews was also renting 44 Phillip Street to the Department of Works<sup>73</sup>.

By 1880 Andrews had purchased 46 Phillip Street as well, renting 44 Phillip to the Public Works Department and 46 Phillip to the Railway Branch<sup>74</sup>. In 1882 the Railway Engineer, George Cowderoy is listed as the occupant of both 44 and 46 Phillip Street suggesting the Railways offices extended between the two terraces<sup>75</sup>.

Andrews remained the owner until 44 and 46 Phillip Street were resumed in March 1890 for the Phillip Street extension to the Colonial Secretary's Building<sup>76</sup>, this is reflected in the 1891 Rates which shows Government NSW owning what appears to have been 44 and 46 Phillip Street<sup>77</sup>

#### 3.4.4. 48-54 Phillip Street (Allotments 33 to 35)

Randolph John Want (1811-1869) was a solicitor and Member of the Upper House<sup>78</sup>. He purchased Allotments 33, 34 and 35 in May 1854,<sup>79</sup> but sold allotments 34 and 35 to Clark Irving<sup>80</sup> in 1857<sup>81</sup>. Irving (1808-1865) was a pastoralist, merchant and politician who represented the Clarence and Darling Downs in the 1856-57 Legislative Assembly, the first after responsible government.<sup>82</sup>

In 1858 Irving was renting 48 Phillip Street to (Thomas) Rice for use as a Cow Shed<sup>83</sup>, the remaining allotments remained vacant at this time. At some time between 1861-1863<sup>84</sup> four terraces were built on the three allotments 33, 34 and 35<sup>85</sup> forming 48 to 54 Phillip Street. These were four storey (3 storey plus basement level) brick buildings with slate roofs and by 1864 they were being rented as Government offices.<sup>86</sup>

In 1867<sup>87</sup>, Irving owned 48-50 Phillip Street and Randolph Want owned 52-54 Phillip. All four terraces were being rented by the General Government as office buildings. The land is vacant between 54 and 76 Phillip Street.

There appears to have been a change in ownership as by 1871 the Ex (Executor?) of R Want was recorded as the owner of 48-50 Phillip Street, with John Struth owning 52 -54 Phillip Street. The properties remained as Government offices.<sup>88</sup> Randolph Want passed away in 1869 yet the 1877 Rates recorded R C Want as the

<sup>73</sup> The Rates for 1877 (Bourke Ward p. 30) have the numbers incorrectly listed. The property that should be 44 is listed as 50.

<sup>74</sup> Rates 1880 Bourke Ward, p. 38

<sup>75</sup> Rates 1882 Bourke Ward, p. 39

<sup>76</sup> NSW Government Architect's Office 2016, *50 Phillip Street Conservation Management Plan*, p. 39

<sup>77</sup> Rates Bourke Ward 1891 p. 40. The street numbers are not listed but they precede 48 Phillip Street

<sup>78</sup> Australian Dictionary of Biography, *Want, Randolph John* <<http://adb.anu.edu.au/biography/want-randolph-john-4797>>

<sup>79</sup> Ser. 239 Nos 209, 209 & 210 dated 11 May 1854 (L&PI) cited in NSW Government Architect's Office 2016, *50 Phillip Street Conservation Management Plan*, p. 26

<sup>80</sup> Spelling varies between Irvine and Irving

<sup>81</sup> Bk 87 No 796, 10 Dec 1857 £1800 (L&PI) cited in NSW Government Architect's Office 2016, *50 Phillip Street Conservation Management Plan*, p. 27

<sup>82</sup> Australian Dictionary of Biography, *Irving, Clark (1808-1865)* <<http://adb.anu.edu.au/biography/irving-clark-3839>>

<sup>83</sup> Rates CSA027146 Bourke Ward p.35

<sup>84</sup> In the 1863 rates (Rates 1863 Bourke Ward p. 5) no properties are listed at 48-54 Phillip Street, nor is anyone mentioned in the Sands for 1863

<sup>85</sup> NSW Government Architect's Office 2016, *50 Phillip Street Conservation Management Plan*, p. 27

<sup>86</sup> Sands 1864 p.80 Phillip Street

<sup>87</sup> Rates 1867 Bourke Ward p. 40, spelling "Irvine"

<sup>88</sup> Minister of Works recorded at 48-54 Phillip Street

owner of 48-50 (mistakenly entered as 54-56). John Struth remained the owner of 52-54 (mistakenly entered as 58-60).<sup>89</sup> All four terraces were rented to the Department of Works.

The 1880 Rates List G F Want as the owner of 48 and 50 Phillip Street, renting to the Government as offices to the Harbour and Rivers (48) and Road (50) Departments. Jonathan Struth remained the owner of 52 and 54 Phillip, renting as Government Offices for the Engineer and Chief.<sup>90</sup>

By 1882 the terraces were being rented privately.<sup>91</sup> Woolcott is listed as an agent for 48 and 50 Phillip Street with Mrs Kate McKenzie at 48 Phillip Street and Miss Mary Campbell occupying 50 Phillip Street. They are also listed on the Sands for 1883<sup>92</sup> at the same address.

In 1882 James Struth was listed as the owner of 52 and 54 Phillip Street, with F Grant listed at 52 Phillip and T J Brady at 54.<sup>93</sup>

In 1883 Sands listed the Department of Public Works on the corner of Bridge Street, followed by the Offices of the Engineer for Existing Railway Lines (G. Cowdery C E) and the Railway Department followed by 52 Phillip Street occupied by Mrs J. M. Logan and 54 Phillip Street occupied by T. H. Brady.<sup>94</sup>

48 and 50 Phillip Street were resumed in August 1890.<sup>95</sup>

1891 rates listed the trustees of Hon T R Humphreys as the owner of 48 and 50 Phillip Street. Mrs Hogg was recorded at 48 Phillip Street and E G W Palmer at 50 Phillip Street. The buildings were still recorded as 4 storey brick houses with slated rooves.<sup>96</sup>

Mrs Talbot purchased 52-54 Phillip Street by 1891 with the wool merchants Ostermeyer Dewey & Co recorded at 54 Phillip Street<sup>97</sup>. There is a break in the Rates records between 1891 and 1896.

An image from 1906 shows the terraces at 52 and 54 Phillips Street remaining next to the completed extension of the new building at 50 Phillip Street.<sup>98</sup>

By 1911 Reginald Charles Monday has purchased 52 and 54 Phillip Street, both were still 4 storey brick buildings with a slate rooves. The occupants of the building were Ostermeyer, Dewey & Van Rompalz<sup>99</sup>. R C Monday remains the owner until at least 1918<sup>100</sup>. The occupant is not listed for that year.

Between 1918 and 1921 the "Kimo"<sup>101</sup> Flats were built on the site at 52-54 Phillip Street. They were a five-storey brick building with an iron roof occupy 52-54 Phillip Street, owned by M. C. Davey and occupied by Nina Wessberg<sup>102</sup>. By 1925 the ownership passed to Adolph H Lange, with Nina Wessberg remaining as the

<sup>89</sup> <http://adb.anu.edu.au/biography/struth-john-2710>

<sup>90</sup> Rates 1880 Bourke Ward p. 38

<sup>91</sup> Rates 1882 Bourke Ward p. 39

<sup>92</sup> Sands 1883

<sup>93</sup> Rates 1882 Bourke Ward p. 39

<sup>94</sup> Sands 1883

<sup>95</sup> NSW Government Architect's Office 2016, *50 Phillip Street Conservation Management Plan*, p. 41

<sup>96</sup> Rates Bourke Ward 1891 p. 40

<sup>97</sup> No occupant recorded for 52 Phillip Street

<sup>98</sup> Mitchell Library, Small Picture File, Bridge Street 1906 in NSW Government Architect's Office 2016, *50 Phillip Street Conservation Management Plan*, p. 51

<sup>99</sup> Rates Bourke Ward 1911, p. 55

<sup>100</sup> Rates, Bourke Ward 1918

<sup>101</sup> Also referred to as "Kima"

<sup>102</sup> Rates Bourke Ward 1921 p. 51

(Manager?).<sup>103</sup> The Kimo Flats remained until at least 1930 when Violet Bennett was listed on the Sands<sup>104</sup>. The Rates for the same year list the (manager?) as Ivo Kerr, ownership remained with Lange.<sup>105</sup>

Newspaper articles from March 1931 referenced Wyobe Court, suggesting the unit block was built between 1930-1931. Lange remained the owner with J W Kerr as the (manager) at 52-54 Phillip Street.<sup>106</sup> The 1936 Rates list Ivo W Kerr as the occupant, owned by Adolphe Henrich Lange. At this time, they were described as 29 flats on 6 storeys<sup>107</sup>. By 1939 Lange has died and “Wyobe Court, 29 flats” at 52-54 Phillip Street was owned by his estate with Irene Lucy Tweedie managing the building<sup>108</sup>. The land to the south was unoccupied to 72 Phillip Street and used as a car lot.

By 1948 Paray Paris Pty Ltd own and occupy Wyobe Court and continue to at least 1950.<sup>109</sup> In 1953 the Maritime Federation Union purchased Wyobe Court, 52-54 Phillip Street, a five-storey building to use as their offices.<sup>110</sup> In 1970 Metropolitan Freehold is listed on the Builders card.<sup>111</sup> The present building at 52-54 Phillip Street is a 12 storey commercial office tower (constructed in the 1970s) known as “Kusu House”.

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<sup>103</sup> Rates Bourke Ward 1925 p. 25; Sands 1925

<sup>104</sup> Sands 1930, p.93

<sup>105</sup> Rates Bourke Ward 1930 p. 23

<sup>106</sup> Rates Macquarie Ward 1933 p. 23, name of flats not mentioned

<sup>107</sup> Rates Macquarie Ward 1936 p. 23

<sup>108</sup> Rates Macquarie Ward 1939 p. 21

<sup>109</sup> Rates 1948 Macquarie Ward p. 22

<sup>110</sup> *Maritime Worker*, ‘Union Buys Own Offices’ 27 October, 1953 p. 1

<sup>111</sup> Sydney City Council, Builders Card, 1970.

By Order of the Mortgagees.  
**VALUABLE BLOCK OF LAND**, situate in **PHILLIP-STREET**, close to the **GOVERNMENT HOUSE GATE**, together with the **FIRST-CLASS CITY RESIDENCE** erected thereon, in an unfinished state, but requiring little now to complete it.  
 TITLE granted by purchase from the Crown.  
 Terms at sale.

**MORT and CO.** have been instructed by the Mortgagees to sell by public auction, at the Rooms, Pitt-street, on **TUESDAY, 11th December**, at 11 o'clock,  
 That valuable block of land situate in Phillip street, city of Sydney, being allotment No. 32 of section 167 in the city plan. It has about  
 30 feet frontage to Phillip-street, by  
 165½ feet in depth,  
 extending to and having about 30 feet to a reserved lane at the rear. Together with **THE FIRST-CLASS CITY RESIDENCE** erected thereon, but not yet finished.  
**THE HOUSE** contains 10 rooms, besides entrance-hall, lobby, kitchen, scullery, butler's and servants' pantries, &c. It is built of brick, principally 18-inch work, on solid stone foundations, and with cut stone front. The walls are all raised to their full height, the flooring-joints laid, and the roof ready for slating. The expenditure of but a comparatively trifling sum would make it one of the finest houses in the city.  
 It is not necessary to dwell upon the value of a property of this class. The situation is one of the most delightful, as well as valuable in the city, and equally well adapted for business purposes and a private residence.  
 The house has been raised under the immediate superintendance of **JOHN BIBB, Esq., Architect**, a guarantee not only for the solidity of the work, but also that regard has been had to domestic comfort in the plan and arrangement of the house.  
 Intending purchasers are requested to get their own architects to inspect the building, which, although in an unfinished state, might be completed at a comparatively small additional outlay.

Figure 3-2: The unfinished residence at lot 32, Phillip Street for sale, 11 Dec 1855 (Sydney Morning Herald p.7)



Figure 3-3: Lesueur's 1802 Map of Sydney showing the house and garden of the Governor (Source: NLA)



Figure 3-4: First Government House c.1807, watercolour by John Eyre (Source: State Library NSW)



Figure 3-5: “Plan of streets intersecting at Old Government House”, c.1845 showing part of the boundaries of the study area in red. Note the structure of FGH encroaches onto the study area. (Source: Dixon Coll. DLADD 193)

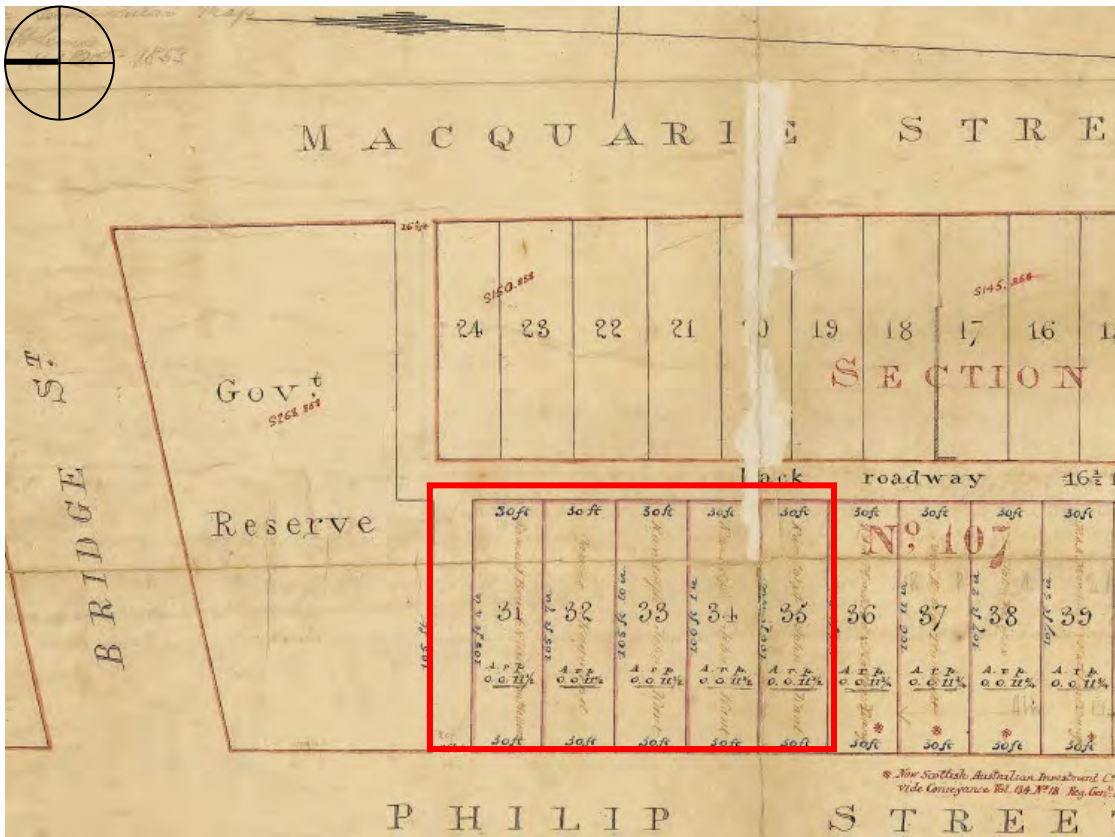


Figure 3-6: 1853 NSW Crown Plan (Source: NSW LPI)



Figure 3-7: 1853 Plan Showing the vacant land in the neighbourhood of the Circular Quay (Green are reserved, pink are already disposed of, yellow are unallocated) (Source: Mitchell Library ML8428001h)



Figure 3-8: 1854 Map of Sydney (Source: City of Sydney)

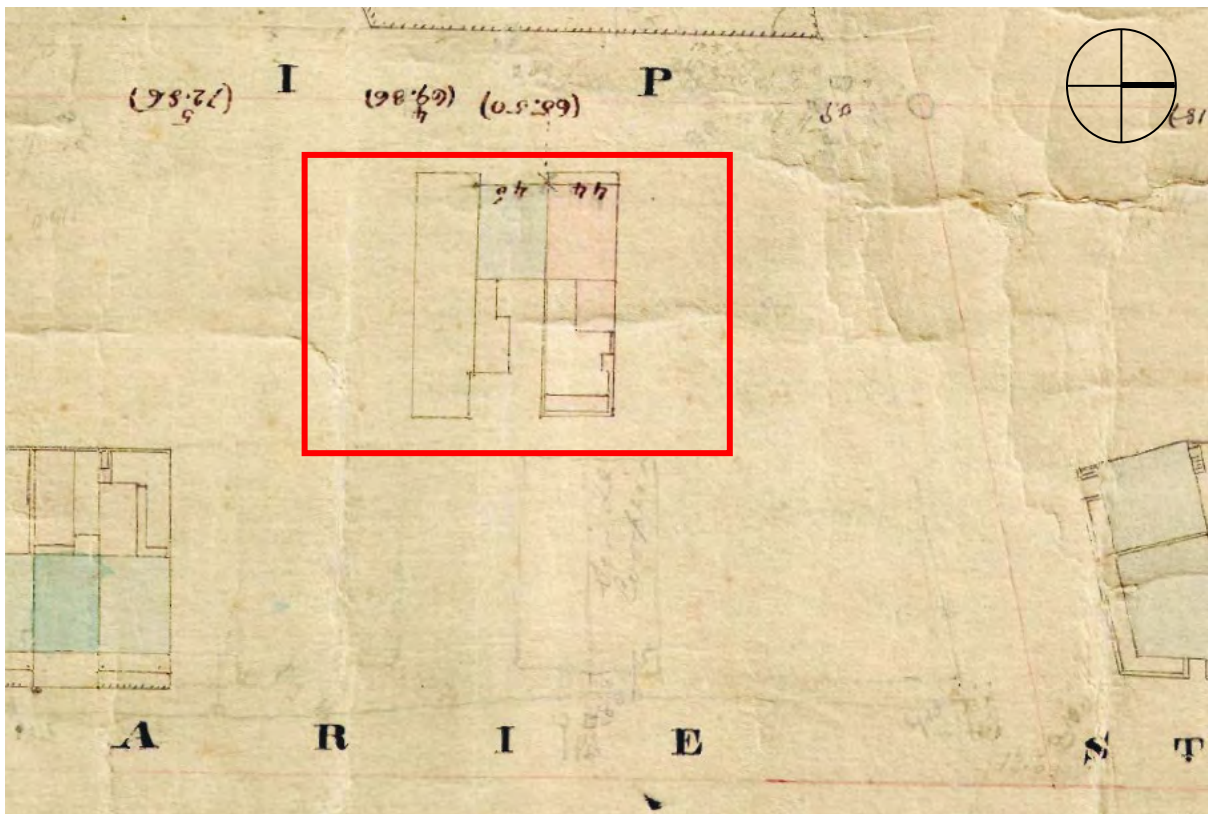


Figure 3-9: 1855 City Detail Sheet 28 with Curio outline (estimated) showing the earliest development of the study area. (Source: City of Sydney)

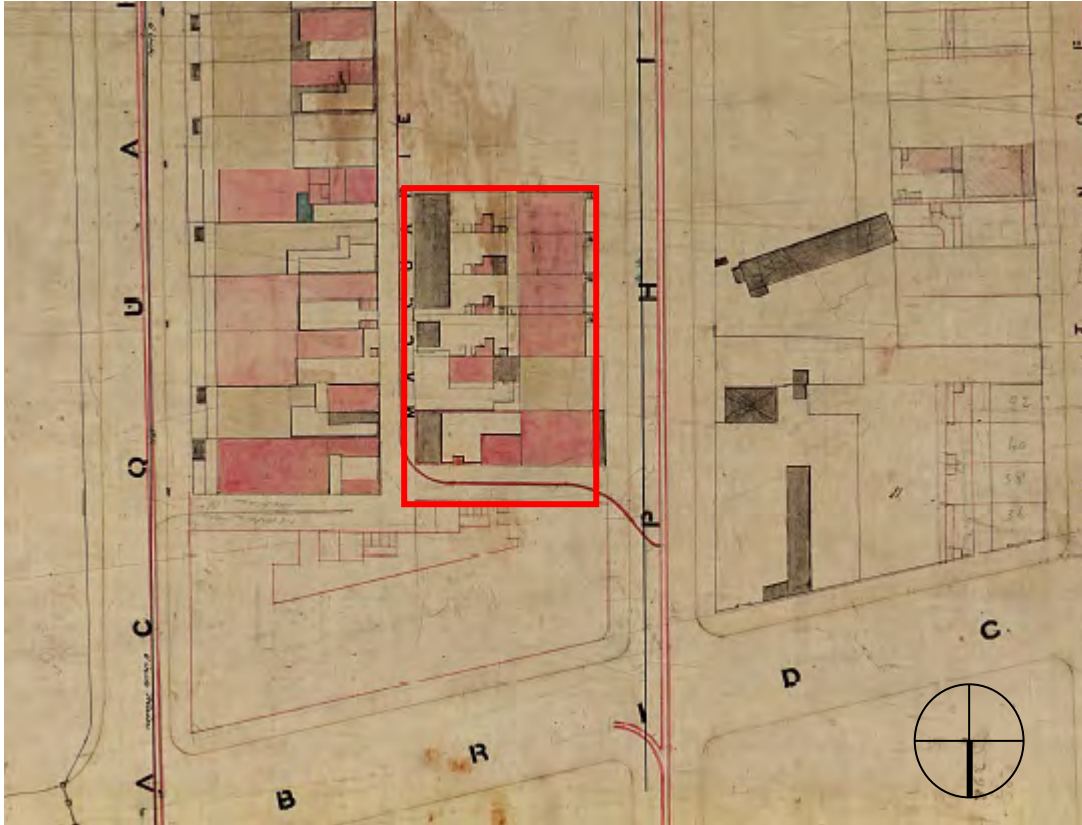


Figure 3-10: 1865 Trigonometrical Survey of Sydney Section D Map (Source: City of Sydney)

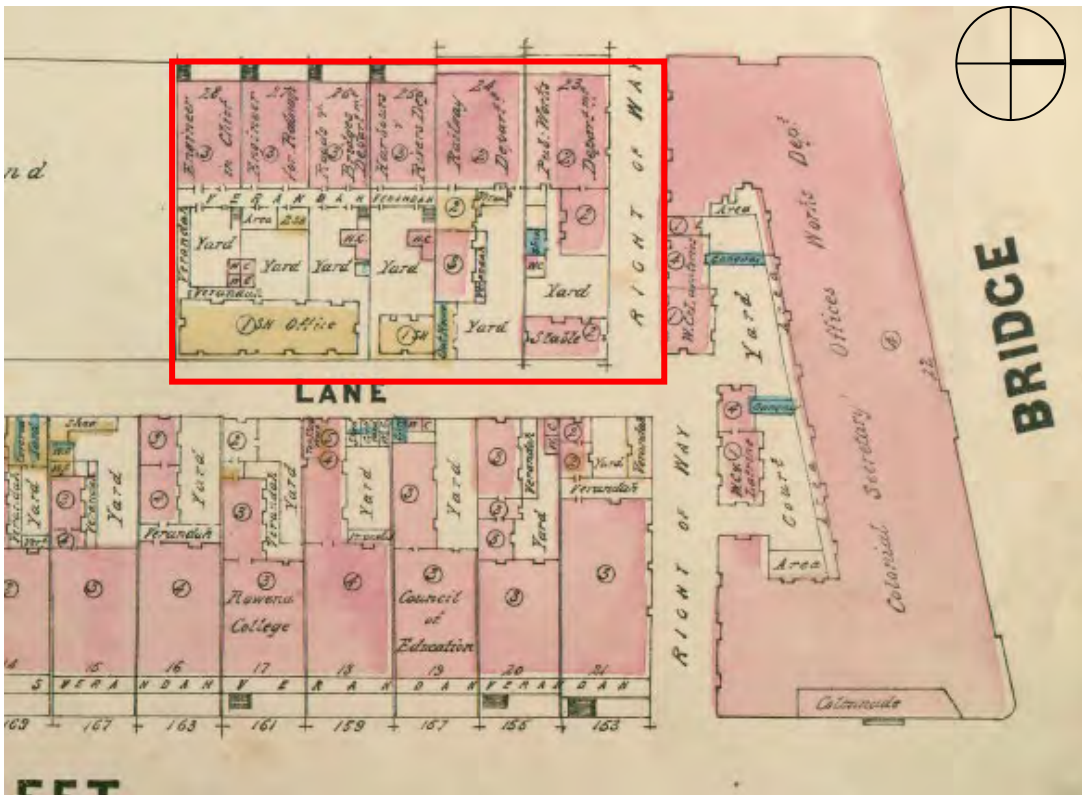


Figure 3-11: Dove's 1880 Plan. (Source: Sydney City Council)

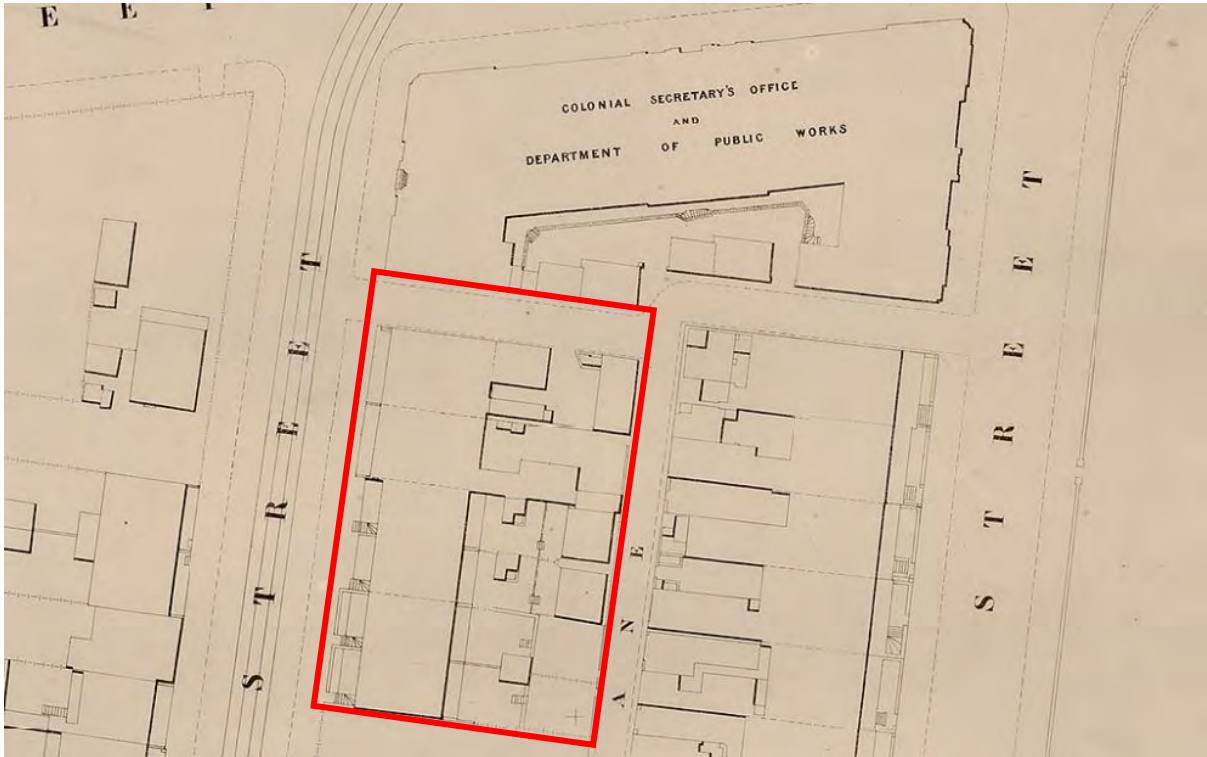


Figure 3-12: Detail of Plan, Section 49 Metropolitan Detail Series, 1884. (Source: ML M Ser 4 811.17/1)



Figure 3-13: 1890 Photograph of Phillip Street 'View showing ships moored at Circular Quay in Sydney Cove. Chief Secretary's Department building behind terraces at R. Goldsborough Mort wool store building (Farmers & Graziers) L at bottom of street.' (Source: City of Sydney SRC9899)

### ADDITIONS TO THE PUBLIC WORKS OFFICE.

The additions to the Public Works Office in Phillip-street, for which a tender has recently been accepted, comprise 27 rooms averaging in size about 85ft. by 20ft. by 14ft. high, which, allowing seven occupants per room, will give 1500 cubic feet for each. The work will be of brick cemented, with stone front in character with the present Phillip-street front, and of fire-resisting properties as far as practicable. All the rooms will be scirted in cement and plainly finished in plaster, with polished cedar doors, windows, &c. The stair will also be of fire-resisting materials, constructed with iron framing surrounded by concrete, slate steps, landings and wrought-iron balustrade with cedar polished handrail. The stair well will be sufficiently capacious to admit of a lift within it. The total height of the buildings from the footway at Phillip-street entrance to the promenade roof will be 100ft. Ample provision for ventilation will be made, also for warming throughout by gas and for extinguishing fire by dome tanks and main therefrom with connections and hose on each landing of stair. The time provided by contract for the completion of the work is 18 months, Messrs. Fallick and Murgatroyd being the tenderers and the total cost coming to £17,865.

Figure 3-14: Daily Telegraph 15 April 1890 p. 3

### The Works Office Fatality.

The inquest on the body of Edward John Young, who was killed through the falling of a jib crane at the Public Works Office on Wednesday, was resumed at the Coroner's Court Friday. The evidence was to the effect that the deceased and the young man Simpson, who died at the Sydney Hospital Thursday from the effects of injuries received at the same time, had just taken a stone from the slings, and were about to set it in position, when the jib, which was standing near, by some unknown means fell with a crash, striking the two men, and fatally injuring them. The jury returned a verdict of accidental death.

### Where Was the Body?

A peculiar incident occurred yesterday in connection with the burial of the unfortunate man, Edward John Young, who was killed at the Public Works Office on Wednesday. The undertaker went to the North Sydney Morgue where the body was lying, for the purpose of removing it, but was unable to find it. He then went to the Sydney Hospital deadhouse, expecting to find it there, but on arriving at that place was informed that it had not been brought there. The question then arose in his mind, Where could the remains of the deceased be? The undertaker then took the hearse back to the North Sydney Morgue and this time the body was found safely screwed down ready for burial. There is no accounting for this mysterious disappearance, but it is presumed that the coffin had been removed into another room during the undertaker's absence.

Figure 3-15: Both articles from Evening News 27 Dec 1890 p. 6



Figure 3-16: 1903 Map of Sydney detail with study area in red (Source: City of Sydney with Curio additions)

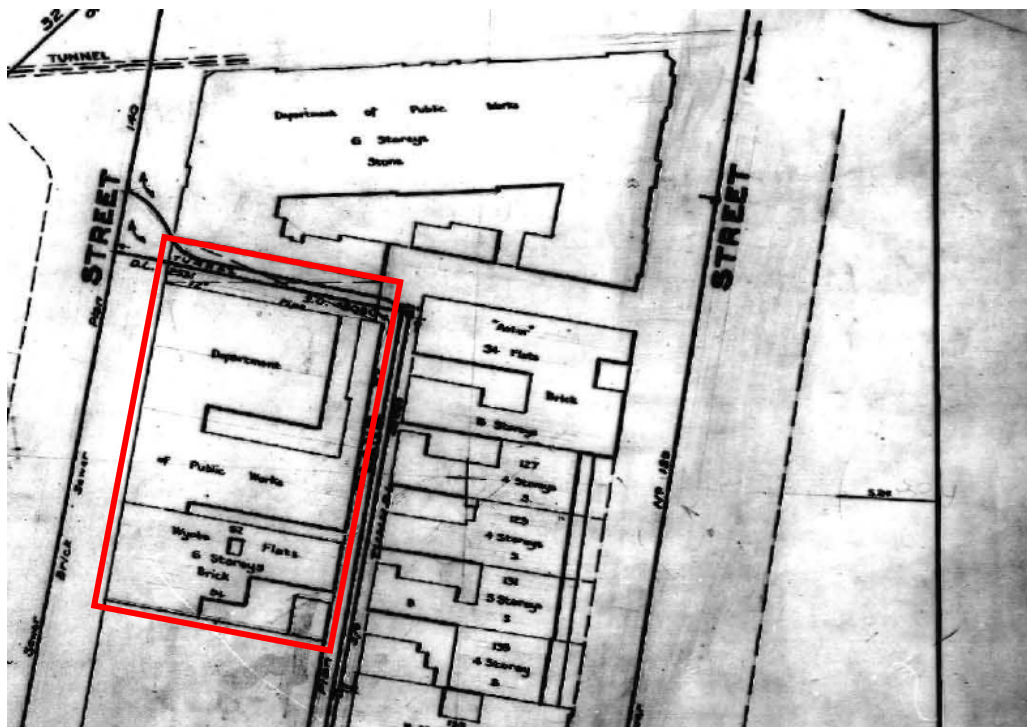


Figure 3-17: MWS DB Sydney Water Detail Sheet 3772

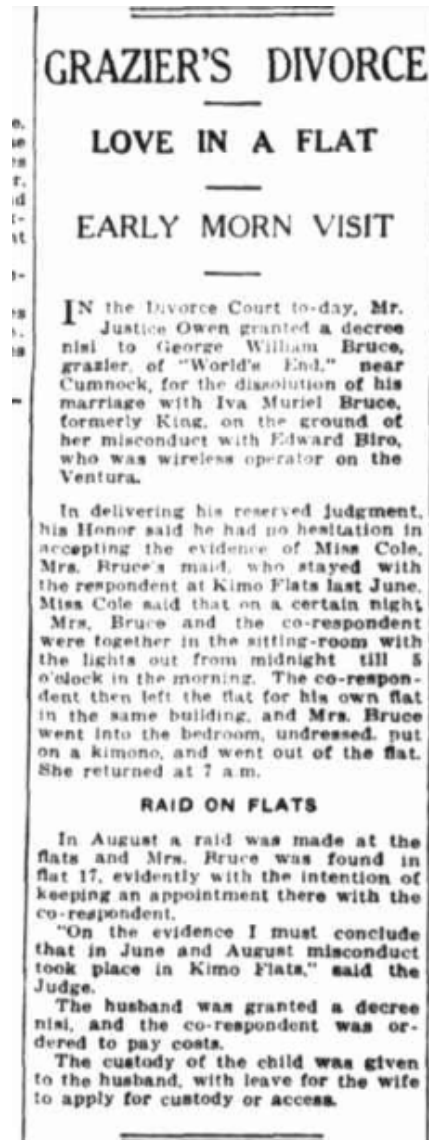


Figure 3-18: Evening News 15 Nov 1927



Figure 3-19: The Newcastle Sun, 12 July 1928

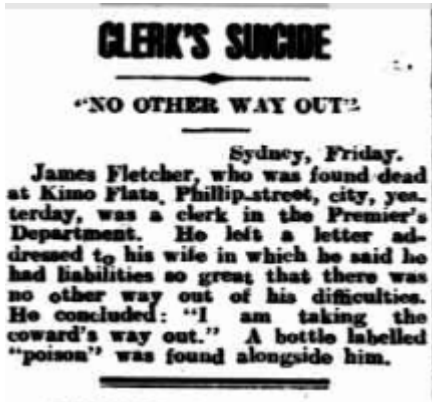


Figure 3-20: Barrier Miner, 15 March 1929

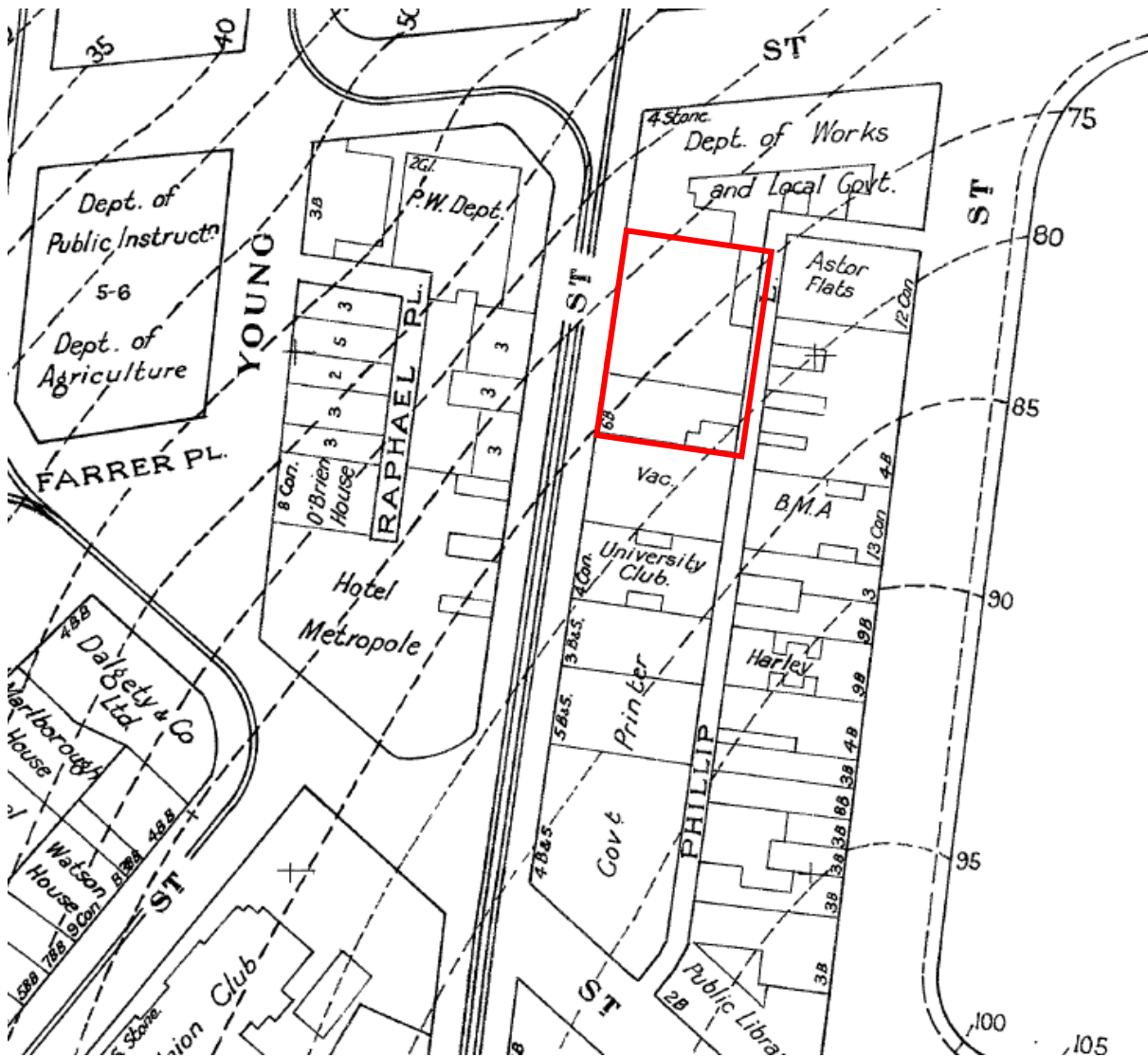


Figure 3-21: City of Sydney Civic Survey 1938 (Source: City of Sydney)

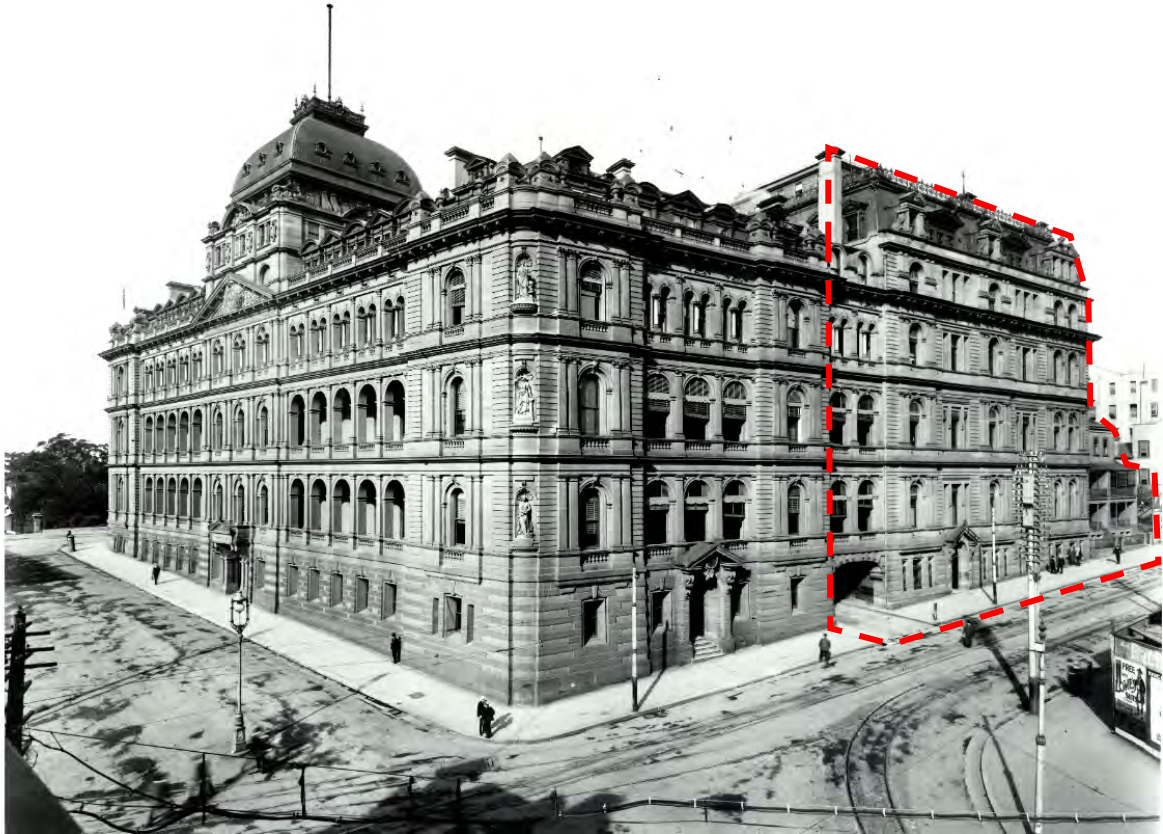


Figure 3-22 Chief Secretary's Building and terrace at Phillip Street. Study area indicated in red. (Source Archives office NSW NRS-4481-2-[4/8601]-374) showing adjoining terraces.



Figure 3-23: Detail from Chief Secretary's Building and terrace at Phillip Street (Source Archives Office NSW NRS-4481-2-[4/8601]-374) showing adjoining terraces



Figure 3-24: Civil Services Board Office, Phillip Street. The central building is numbered 50, the building to the right appears to be the Forest Department (Source: SA FL14201. nd)



Figure 3-25: 1871, Nos. 44-54 Phillip Street, Public Works Office (Government Printing Office GPO 1-05303, Mitchell Library)



Figure 3-26 Plan of the study area in the 1892-1937. Note the notation circled in red for 50 Phillip indicating the presence of a basement in at the east end of the structure (i.e. "B"). (Source: Ignis et Aqua series Sheet 46.ML Z/MAXX 811.17/1892/1 FM4/10537)



Figure 3-27: 1949 Aerial Photograph (Source: City of Sydney)

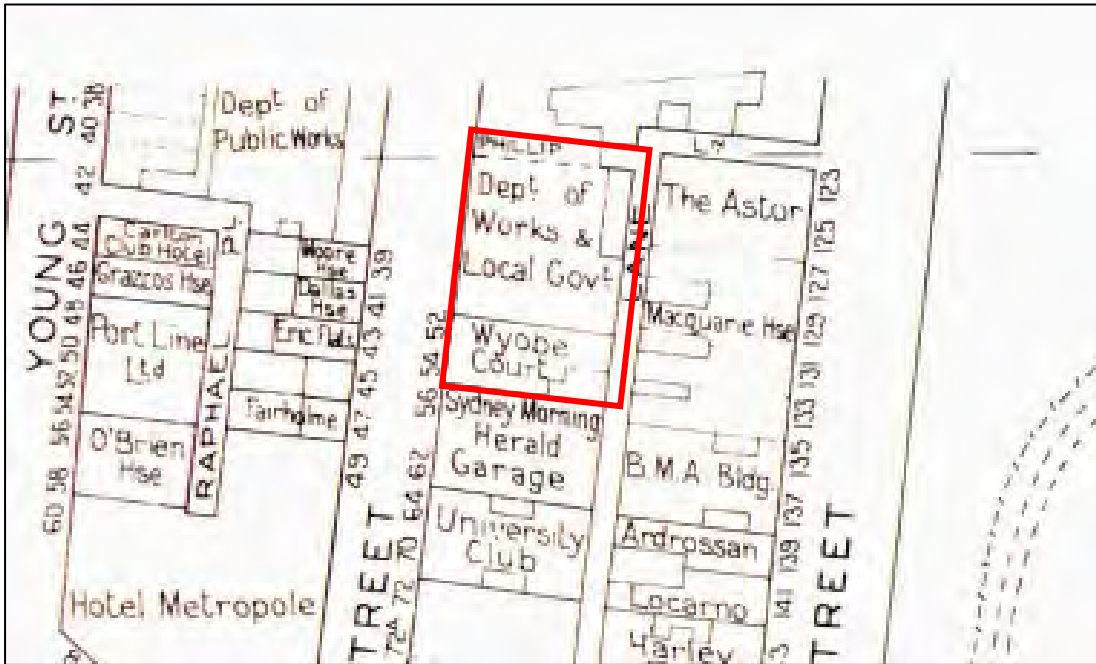


Figure 3-28: Building Surveyor Plan 1949-1972 Sheet Six (detail)

**COMMODORE ROWLEY LAMBERT.**

TO THE EDITOR OF THE ARGUS.

Sir,—In your issue of to-day there is an extract from the *Sydney Morning Herald*, in which it is stated that Commodore Rowley Lambert, who takes charge of the Australian station, "served through the whole of the Burmese war." The fleet that proceeded to Pégú at the end of 1851 was under the command of Commodore George R. Lambert, and after the annexation of that part of Burmah by the British he was knighted and promoted to the rank of admiral. At Rangoon his flagship was the *Fox*, frigate, the officer on board next in rank being Captain J. W. Tarleton, by whom Prince Alfred was subsequently instructed in the duties of his profession. During the stay of the fleet at Rangoon I was frequently on board the various ships, but do not remember to have heard of any officer bearing the same name as the commodore.—I am, Sir, your obedient servant,  
Hawthorn, Aug. 22. T.

Figure 3-29: The Argus, 24 Aug 1867 p. 6

Table 3-1: Sands Directory Listings for Phillip Street

| YEAR | ADDRESS  | DETAILS   | NOTES  |
|------|--|---|--|
| 1858 | 44 Phillip Street  | William McLeay, M. L. A   | Likely William John MacLeay M L A 1820-1891 (Member of NSW Legislative Assembly 1856-1858) for Lachlan and Lower Darling and then 1859-1874 for seat of Murrumbidgee) <sup>112</sup> |
| 1858 | 46 Phillip Street  | Railway Commissioner's Office   |  |
| 1861 | 44 Phillip Street  | William McClay (Likely same as above)   | Likely William John MacLeay M L A 1820-1891 (Member of NSW Legislative Assembly 1856-1858) for Lachlan and Lower Darling and then 1859-1874 for seat of Murrumbidgee) <sup>113</sup> |
| 1861 | 46 Phillip Street  | Commissariat Office   |  |
| 1864 | 44 Phillip Street  | Robert Dickson  |  |
| 1864 | 46 Phillip Street  | William G Aldis   |  |
| 1864 | (btwn 46 Phillip and Govt printing Office on cnr of Bent St) | Engineer for Harbour and Rivers; Commissioner for Railways; Secretary for Public Works; Commissioner for Roads; Engineer-in-Chief for Railways    |  |
| 1865 | 46 Phillip Street  | Mrs Martin, boarding house  |  |
| 1865 | (btwn 46 Phillip and Govt printing Office on cnr of Bent St) | Engineer in Chief for Harbour and Rivers; Commissioner for Railways; Public Works' Office; Commissioner for Roads; Engineer-in-Chief for Railways |  |
| 1870 | Phillip cnr Bridge (East Side)                               | Vacant  |  |
| 1870 | 44 Phillip Street  | William Andrews, Ship owner   | William Andrews (1811-1873) was a shipbuilder, shipowner and was an Alderman for the City of Sydney between 1869-1871 <sup>114</sup>   |

<sup>112</sup> [http://www.parlpapers.sl.nsw.gov.au/display.cfm?parl\\_id=11700](http://www.parlpapers.sl.nsw.gov.au/display.cfm?parl_id=11700)

<sup>113</sup> [http://www.parlpapers.sl.nsw.gov.au/display.cfm?parl\\_id=11700](http://www.parlpapers.sl.nsw.gov.au/display.cfm?parl_id=11700)

<sup>114</sup> <https://www.sydneyaldermen.com.au/alderman/william-andrews/>

| YEAR | ADDRESS                  | DETAILS  | NOTES  |
|------|--------------------------|--|--|
| 1870 | 46 Phillip Street        | Commodore Rowley Lambert, C. B   |  |
| 1875 | Phillip cnr Bridge St    | Government Offices in course of erection   |  |
| 1875 | 44 Phillip Street        | Andrew William's, shipowner  | Appears to be between the construction of the Colonial Secretary's Building and the Public Work's Office |
| 1875 | 48-54 Phillip Street     | Public Works Office  |  |
| 1875 | (btwn 54-76 Phillip St)  | Vacant land  |  |
| 1875 | 76 Phillip St            | Mrs Newell, Laundress  | Dove's 1880 plan shows vacant land before Mrs Newell's yard at 74 Phillip St here as a working reference |
| 1880 | Phillip cnr Bridge St    | New offices for Secretary of Works   | <i>Lane</i>  |
| 1880 | ( <i>after lane</i> )    | Government Offices   | (followed by "vacant land")  |
| 1880 | 76 Phillip St            | Mrs Margaret Newell, Laundress   |  |
| 1890 | ( <i>cnr Bridge St</i> ) | Department of Public Works   |  |
| 1890 | 44 Phillip Street        | Railway Land Valuator's office   |  |
| 1890 | 46 Phillip Street        | Public Works Dept (military works branch)  |  |
| 1890 | 48 Phillip Street        | Mrs Kate McKenzie, boarding-house  |  |
| 1890 | 50 Phillip Street        | Civil Service Board  |  |
| 1890 | 54 Phillip Street        | Ostermeyer, Dewez & Co, Limited, wool brokers  |  |
| 1900 | ( <i>cnr Bridge St</i> ) | Department of Public Works; Roads and Bridges Dept; Dredge Service, Harbours and Rivers; Railway Construction; |  |

| YEAR | ADDRESS                  | DETAILS   | NOTES   |
|------|--------------------------|---|---|
|      |                          | Tramway Construction; Government Architect; Dept of Public Works (valuation branch); Sewerage Construction; Railway Service |   |
| 1900 | 52-54 Phillip Street     | Ostermeyer, Dewez & Van Rompaey, wool brokers; R. D. White; Thomas Quinn, caretaker   |   |
| 1910 | ( <i>cnr Bridge St</i> ) | Department of Public works; Government Architect; Chief Engineers; Dept of Public Works (valuation); Railway Service        |   |
| 1910 | 52-54 Phillip Street     | Ostermeyer, Dewez & Van Rompaey, wool brokers; R. D. White; Wilkens & Co, wool buyers                                       | <i>no more entries before Govt Printing Office at 72a Phillip</i> |
| 1920 | ( <i>cnr Bridge St</i> ) | Public Works Building (basement to 3 <sup>rd</sup> floor, various departments)  | <i>no more entries before Govt Printing Office at 72a Phillip</i> |
| 1925 | ( <i>cnr Bridge St</i> ) | Public Works Building (basement to 3 <sup>rd</sup> floor, various departments)  |   |
| 1925 | 52-54 Phillip Street     | Mrs N R Wessberg "Kima Flats" ; Misses Spears, hair and skin specialists  |   |
| 1930 | 52-54 Phillip Street     | Violet Bennett "Kimo Flats"   |   |

Table 3-2 Rates Books for 50- 52 Phillip Street

| YEAR | ADDRESS                 | PERSON RATED            | OWNER/LANDLORD                     | NOTES  |
|------|-------------------------|-------------------------|------------------------------------|--|
| 1855 | 57 Phillip Street       | Mr Thos Rice            | Mr Thos Rice                       | 1 storey, 4 room wooden house with shingled roof. Cow Shed, east side going south<br><i>(Street number change between 1855 and 1858)</i> |
| 1858 | 36 to 42 Phillip Street | Vacant Ground           |                                    |  |
| 1858 | 44 Phillip Street       | McLeart                 | Brush & McDonato (likely McDonald) | 2 storey, 10 room brick and stone house, slate roof with kitchen, coach house and stable, £300   |
| 1858 | 46 Phillip Street       | Railway Commrs Office   | J. B. Darall (darivale?)           | 3 storey, 16 room brick and stone house with slate roof, £400  |
| 1858 | 48 Phillip Street       | Rice                    | Clark Irving                       | Cow Shed, 1 room 1 floor   |
| 1858 | 50 to 72 Phillip Street | Vacant Ground           |                                    |  |
| 1863 | 44 Phillip Street       | William Macleay         | William MacDonald                  | 3 storey, 7 room stone house with a slated roof at £250  |
| 1863 | 46 Phillip Street       | Government Commissariat | (John B Darivale)                  | 3 storey , 10 room stone house with a slated roof at £400  |
| 1867 | 44 Phillip Street       | William Andrews         | William Andrews                    | 3 storey, 10 room brick house with slate roof, £200  |
| 1867 | 46 Phillip Street       | Mrs Martin              | William Andrews                    | 3 storey, 10 room brick house with slate roof, £200  |
| 1867 | 48 Phillip St           | General Government      | Clarke Irvine                      | 4 storey, 8 room brick house with slate roof £180  |
| 1867 | 50 Phillip Street       | General Government      | Clarke Irvine                      | 4 storey, 8 room brick house with slate roof £180  |
| 1867 | 52 Phillip Street       | General Government      | Randolph Want                      | 4 storey, 8 room brick house with slate roof £180  |

| YEAR | ADDRESS                | PERSON RATED        | OWNER/LANDLORD   | NOTES   |
|------|------------------------|---------------------|------------------|---|
| 1867 | 54 Phillip Street      | General Government  | Randolph Want    | 4 storey, 8 room brick house with slate roof £180 - <i>Followed by vacant land to 76 Phillip owned by George Thorne</i> |
| 1871 | 44 Phillip Street East | William Andrews     | William Andrews  | 2 storey, 4 room brick and stone house with an iron roof (here Bridge St)   |
| 1871 | 46 Phillip Street East | Commodore Stirling  | L Kendall        |   |
| 1871 | 48 Phillip Street East | Minister for Works  | Ex of R Want     |   |
| 1871 | 50 Phillip Street East | Minister for Works  | Ex of R Want     |   |
| 1871 | 52 Phillip Street East | Minister for Works  | John Struth      |   |
| 1871 | 54 Phillip Street East | Minister for Works  | John Struth      | <i>(next entry 76 Phillip owned by George Thorne)</i>   |
| 1877 | 50 Phillip Street      | Department of Works | William Andrews  | Offices, 3 storey 10 room brick with slate roof   |
| 1877 | 52 Phillip Street      | Department of Works | Edmund Jones     | Offices, 3 storey 14 room brick with slate roof   |
| 1877 | 54 Phillip Street      | Department of Works | R C Want         | Offices, 5 storey, 11 room brick slate roof   |
| 1882 | 44 Phillip Street      | George Cowderoy     | W Andrews        | Offices, 3 storey 10 room brick with slate roof   |
| 1882 | 46 Phillip Street      | George Cowderoy     | W Andrews        | Offices, 3 storey 10 room brick with slate roof   |
| 1882 | 48 Phillip Street      | Catherine McKenzie  | Woolcott (agent) | House, 5 storey , 14 room brick with slated roof  |
| 1882 | 50 Phillip Street      | Mary Campbell       | Woolcott (agent) | House, 5 storey , 17 room brick with slated roof  |

| YEAR | ADDRESS  | PERSON RATED                   | OWNER/LANDLORD             | NOTES   |
|------|--|--------------------------------|----------------------------|---|
| 1882 | 52 Phillip Street                                  | F Grant                        | James Struth               | House, 5 storey , 15 room brick with slated roof  |
| 1882 | 54 Phillip Street                                  | T J Brady                      | James Struth               | House, 5 storey , 13 room brick with slated roof (Followed by 127 feed unoccupied land before 72 Phillip) |
| 1891 | <i>(after 6 Phillip, before 48 Phillip Street)</i> | James Roberts & Tramway Dept   | Government NSW             | Offices/land, 1 storey, 10 room wood building with an iron roof   |
| 1891 | <i>(after 6 Phillip, before 48 Phillip Street)</i> | (NA)                           | Government NSW             | Land, superseded by 3745  |
| 1891 | 48 Phillip Street                                  | Mrs Hogg                       | Trustees Hon T R Humphreys | 4 storey, 14 room brick house with slate roof , superseded by 3745  |
| 1891 | 50 Phillip Street                                  | E G W Palmer                   | Trustees Hon T R Humphreys | 4 storey, 14 room brick house with slate roof   |
| 1891 | 52 Phillip Street                                  | (NA)                           | Mrs Talbot                 | 4 storey, 10 room brick house with slate roof   |
| 1891 | 54 Phillip Street                                  | Ostermeyer Dewey & Co          | Mrs Talbot                 | 4 storey, 10 room brick house with slate roof   |
| 1896 | 52 Phillip Street                                  | (NA)                           | Mrs Talbot                 | 4 storey, 10 room brick house with slate roof   |
| 1896 | 54 Phillip Street                                  | Ostermeyer Dewaz & Van Rompalz | Mrs Talbot                 | 4 storey, 10 room brick house with slate roof   |
| 1911 | 52 Phillip Street                                  | Ostermeyer Dewaz & Van Rompalz | R C Monday                 | 4 storey brick office building with a slate roof, 12 rooms, £146  |
| 1911 | 54 Phillip Street                                  | Ostermeyer Dewaz & Van Rompalz | R C Monday                 | 4 storey brick office building with a slate roof, 12 rooms, £146  |
| 1924 | 52/54 Phillip Street                               | Nina Wessberg                  | Adolph H Lange             | 6 storey brick and stone flats with an iron roof "Kimo Flats"   |
| 1930 | 52/54 Phillip Street                               | Ivo Kerr                       | Adolph Henrich Lange       | "Kimo flats", 6 storey & B, flat roof, 40 rooms £2370   |

| YEAR | ADDRESS              | PERSON RATED       | OWNER/LANDLORD                      | NOTES  |
|------|----------------------|--------------------|-------------------------------------|--|
| 1939 | 52/54 Phillip Street | Irene Lucy Tweedie | Estate of late Adolph Henrich Lange | "Wyobe" Court, 29 flats. 6 storey brick with an iron roof, 45 rooms £1800  |
| 1945 | 52/54 Phillip Street | (Mrs) H Aspinwall  | Estate of late Adolph Henrich Lange | "Wyobe" Court, 29 flats. 6 storey brick with an iron roof, 45 rooms £1800  |
| 1948 | 52/54 Phillip Street | Paray Pty Ltd      | Paray Paris Pty Ltd                 | "Wyobe" Court, 29 flats. 6 storey brick with an iron roof, 45 rooms, £2160 |

## 4. Study Area Description

### 4.1. Environmental

#### 4.1.1. Soils

The study area is located on the Gymea soil landscape profile, underlain by Hawkesbury Sandstone (Medium to coarse grained quartz sandstone, very minor shale and laminate lenses) (Figure 4-1). The Gymea soil profile is considered to be an erosional landscape, characterised by undulating to rolling rises and low hills with broad convex crests, moderately inclined side slopes with wide benches, and localized rock outcrop. Soils are generally shallow to moderately deep (30-100cm) on crests and insides of benches, shallow (<20cm) on leading edges of benches, and moderately deep (<100cm) on drainage lines (Chapman & Murphy 1989).

Soils of the Gymea profile are generally comprised of loose, coarse sandy loam to yellowish-brown clayey sand, sandy clay loam, and clay. Small sandstone and ironstone fragments, and charcoal fragments are common in the sandy loam topsoil. The soils native to the study area are also generally characterised by high levels of erosion, tend to be highly permeable, and with low fertility.

#### 4.1.2. Vegetation

Prior to European settlement and subsequent land clearing, the vegetation of the study area and surrounds would have generally comprised of dry sclerophyll open woodland and forest across ridges and upper slopes. Common varieties would have included Red Bloodwood, Scribbly Gum, Brown Stringybark and Old Man Banksia. The understory would have consisted of a variety of native shrubs.

After European settlement the area became part of the Governor's Demesne (Domain). The natural vegetation was gradually stripped, albeit with a few mature trees left, and the gardens cultivated with imported shrubs, trees and other plants to suit particular tastes of the period.

### 4.2. Site Survey

Curio archaeologists attended site for a short inspection/survey on July 15<sup>th</sup>, 2020. Access was somewhat limited as building security during COVID restrictions had resulted in doors being locked to various offices. The building at 52 Phillip Street was completely secured and was not accessible.

The Phillip Street frontage slopes markedly to a low point at its intersection with Bridge Street. This slope is the result of the study area lying within the Tank Stream valley. A consequence of this slope and the buildings original construction requirements is that the lower floors of 50 Phillip Street maintains level by cutting into the slope as it progress south. At the rear of the Phillip Street building this cut into the slope is also apparent as a marked disparity in height between the floor level and the exterior road level which is apparent through ground floor windows.

A similar circumstance was observed at the nearby Education Building, which also fronts Bridge Street and may be broadly compared to the study area in terms of the building's relationship with the area's topography. Excavation of the sub-floor areas here, in 2019, revealed greater survival of archaeological features and deposits at the north-west corner of the site (i.e. at the lowest point at the intersection of Bridge and Loftus Streets). Towards the south and east of the building the cut into the slope resulted in the removal of all the evidence of former occupation by the middle of the building where bedrock was then exposed.

### 4.3. Geotechnical Desktop Study

A geotechnical and contamination desktop study was conducted by Golder in June 2020 for the 50-52 Phillip Street project area in order to investigate and assess the contaminated soils, subsurface concept/model for

the site and identify potential constraints of geotechnical and contaminated soils, and any known existing/historical underground facilities within the vicinity of the site. The study concluded that there was no evidence of contamination or waste facilities present within the locality, and acknowledged that the Pitman LIV dyke geological structure is located approximately 50m north, the GPO Fault Zone 100m west and the Martin Place Joint Swarm 50m east of the site (Figure 4-8). There are several deeply excavated basements within the locality of the study area, and therefore a large portion of the landscape and soil profiles are greatly disturbed.



Figure 4-1 Soil Landscapes of the Sydney Harbour Foreshore (Source: Curio 2020)



Figure 4-2 52 Phillip Street from the south. (Source: Curio 2020)



Figure 4-3 Internal space of 50 Phillip Street. Note the floor level of this office lies below the external street level of Phillip Lane by approximately 1m. (Source: Curio 2020)



Figure 4-4 Eastern end of Phillip Lane looking west. (Source: Curio 2020)



Figure 4-5 Remnant stone kerbing at the elbow of Phillip Lane. (Source: Curio 2020)

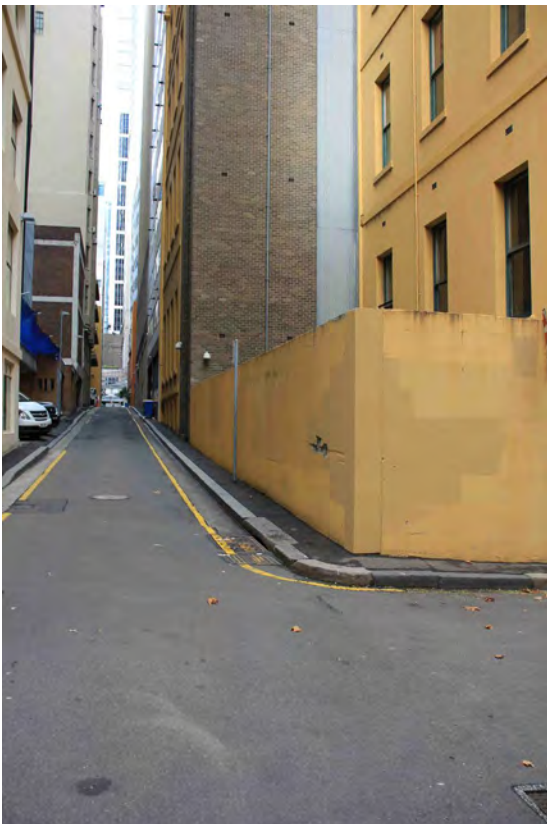


Figure 4-6 Looking south up Phillip Lane to the rear of 52 Phillip Street. (Source: Curio 2020)



Figure 4-7 Phillip Lane to its exit at Phillip Street. (Source: Curio 2020)

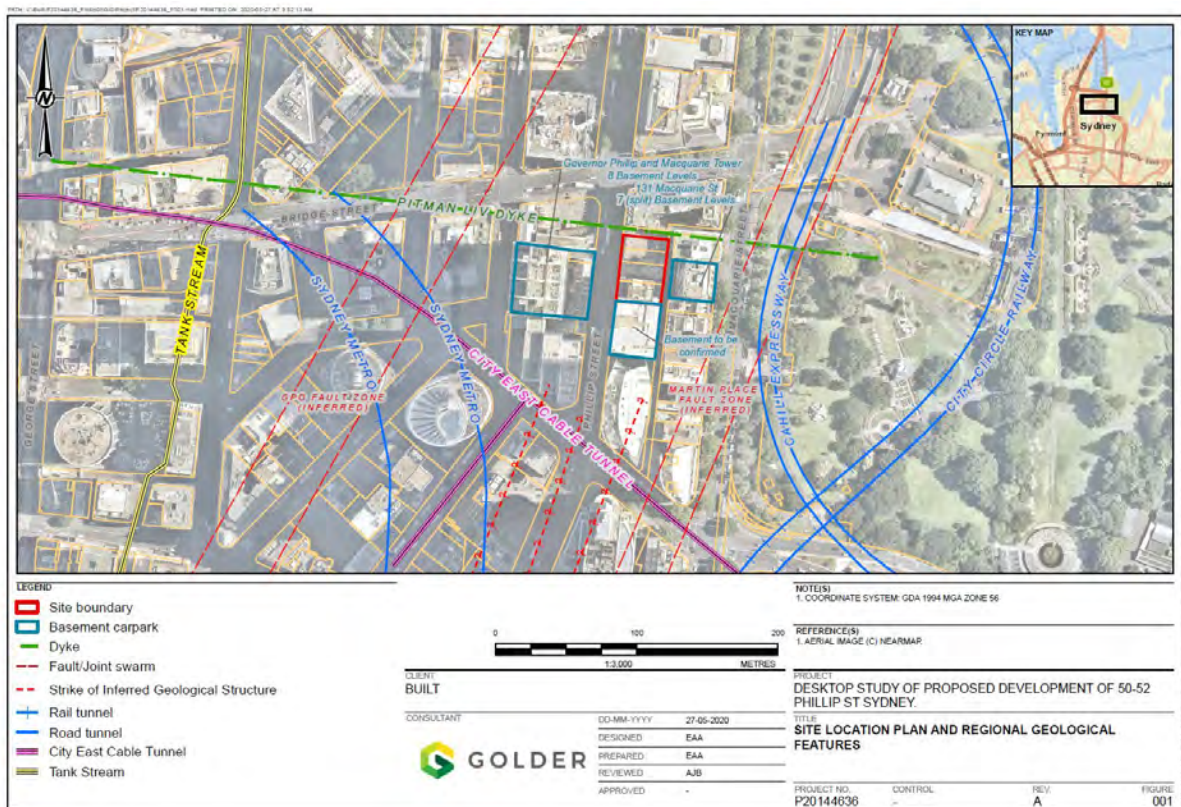


Figure 4-8 Study Area (red) and Surrounding Geological Features (Source Golder 2020)

## 5. Assessment of Archaeological Potential

### 5.1. Introduction

The extent to which physical remains of past occupation survive across any site is dependent on the nature of the archaeological remains and the modifications made to the site following their construction or deposition. While each subsequent phase of development and occupation may contribute new deposits and features to the archaeological record, it may also remove or disturb deposits and features associated with previous phases of occupation.

Deep structures such as cellars, wells and cess pits have a greater potential for survival than features located on former surfaces. Built structures are generally less easily disturbed than “soft” artefact rich deposits such as yard soils or underfloor deposits. Based on the information presented in the study area history, and the current building configuration it is possible to make some observations regarding the likely survival of archaeological resources at the study area.

The topography and subsequent modifications to the study area during the historical period contributes to the potential survival of archaeological resources at the study area. The topography of the study area during the nineteenth and twentieth century is unknown. It is not known whether the study area was on flat ground at similar levels to today, or if the study area was on sloping ground. However, the current topography surrounding the study area suggests that the study area may have been on a slight slope where the corner of George and Park Streets sloped downwards gradually to the corner of Market and Pitt Streets.

The study area has undergone a small number of phases of substantial physical development which may have disturbed and/or removed evidence of previous occupation (that is, archaeological resources). Based on previous disturbance, the study area can be

### 5.2. Study Area Development and Physical Impacts

This area of early Sydney was occupied by FH and its gardens. The majority of the study area appears to have sat to the east of the main FGH. However the eastern most rooms of the building do encroach upon the corner of Bridge and Phillip Streets with the rear of the house, represented as gardens, paths and a drive from Bent Street running across the study area (see Figure 5-4). The use of this area as a garden is attested through historic sources but the specific activities and nature of the development here is lacking specific detail. Figure 3-5 shows the area crossed by sinuous paths and the drive from the Bent Street gates. Another, curious and unidentified feature is shown on the plan and has been highlighted in the overlay. The burial of local Aboriginal’s in the grounds of FGH is well known but the locations area unspecified. Arabanoo was buried in the Governor’s “own garden” and while the possibility is low is cannot be completely discounted that the feature identified in the 1845 plan is one of the graves-perhaps Arabanoo’s.

The study area has otherwise remained largely undeveloped until the 1850s when two large terraces were constructed on the southern part of the study area on the Phillip Street frontage (see Figure 3-9). Development proceeded through the 1850s and 1860s with six terraces completed by 1865 (see Figure 3-10, Figure 5-5 and Figure 5-6). The development of the block was later completed by the construction of the Colonial/Chief Secretary’s Building with the purposeful demolition of two of the terraces for the Phillip Street extensions in 1890.

This latter construction would have had a physical impact on archaeological remains where lower floor levels, the ‘moat’, service lines and foundations intersected with the former surface levels. The areas that had formerly been part of the FGH gardens were likely to suffer from this impact. However, the area at the north-west corner of the study area has very likely survived as the ground floor level in this area remains above the

current footpath level. As the lower floor of 50 Phillip Street moves south it is likely to cut into the slope thereby removing the surface archaeology and leaving deeper sub-surface features such as pits and wells (and possibly burials). The development of 52 Phillip Street does not suggest that former basements have disturbed the earlier archaeological deposits (see Figure 3-26). The configuration of the sub-lobby area is unknown at this time. The current building on the site will have certainly disturbed the areas around the external footprint (foundations) and lift pits but the possible impacts of the interior of the structure are difficult to gauge without access to the site. Development within the laneways is likely to have had the least impact on previous evidence of occupation, notwithstanding the introduction of services through these areas. In Phillip Lane an early service line is shown in the centre of the lane, possibly reflecting an early brick oviform drain, in this area (see Figure 5-6). This drain is likely to have survived. Survival of archaeological deposits within roads and lanes in the city of Sydney is assumed by the Sydney City AZP (see Section 2.5.1).

### 5.3. Previous Relevant Archaeological Investigations

#### 5.3.1. Education Building Excavations

The most relevant recent excavation that is illustrative of the potential situation at the Chief Secretary's Building is recent work at the Education Building at Bridge and Loftus Streets. The archaeological monitoring of the works inside the Education Building revealed a variable level of survival of archaeological features and deposits. The highest level of survival of archaeological remains was at the north-west corner of the site (corner of Bridge and Loftus). Here the floor level had covered but not disturbed the underlying archaeological deposits and features (Figure 5-1). This resulted in original topography of the Tank Stream being present and represented as a discernible slope to the west with drains (sandstone and brick) from the early occupation still present in relatively deep remnant deposits over natural bedrock.

As the archaeological monitoring proceeded to the south and east the ground floor level intersected with the rising bedrock and in the southernmost part of the site only rock cut features were extant (see Figure 5-2). Here a series of cisterns which had been cut into the bedrock survived the twentieth century development of the Education Department. Here it was evident that later development had required the removal of soils and archaeological deposits with substantial trimming of the exposed bedrock also required to achieve the required floor level.

Outside the Education Building, in the nearby Young Street, roadway archaeological remains were also present in a moderate state of 'intactness' (Figure 5-3). The remains present reflected structural elements of the FGH guard house and wall lines. These external features were excavated in the 1980s and 1990s.

### 5.4. Summary of Archaeological Potential

The study area retains some archaeological potential albeit variable. The highest potential for archaeological deposits and features to remain intact is at the north-west corner of the study area and Phillip Lane. In both locations there is high potential for some parts of FGH and its gardens and paths to remain. As the Phillip Street frontage moves south the potential is reduced where it is likely to be moderate to low for the remains of the 1855 to 1865 terraces to be present.



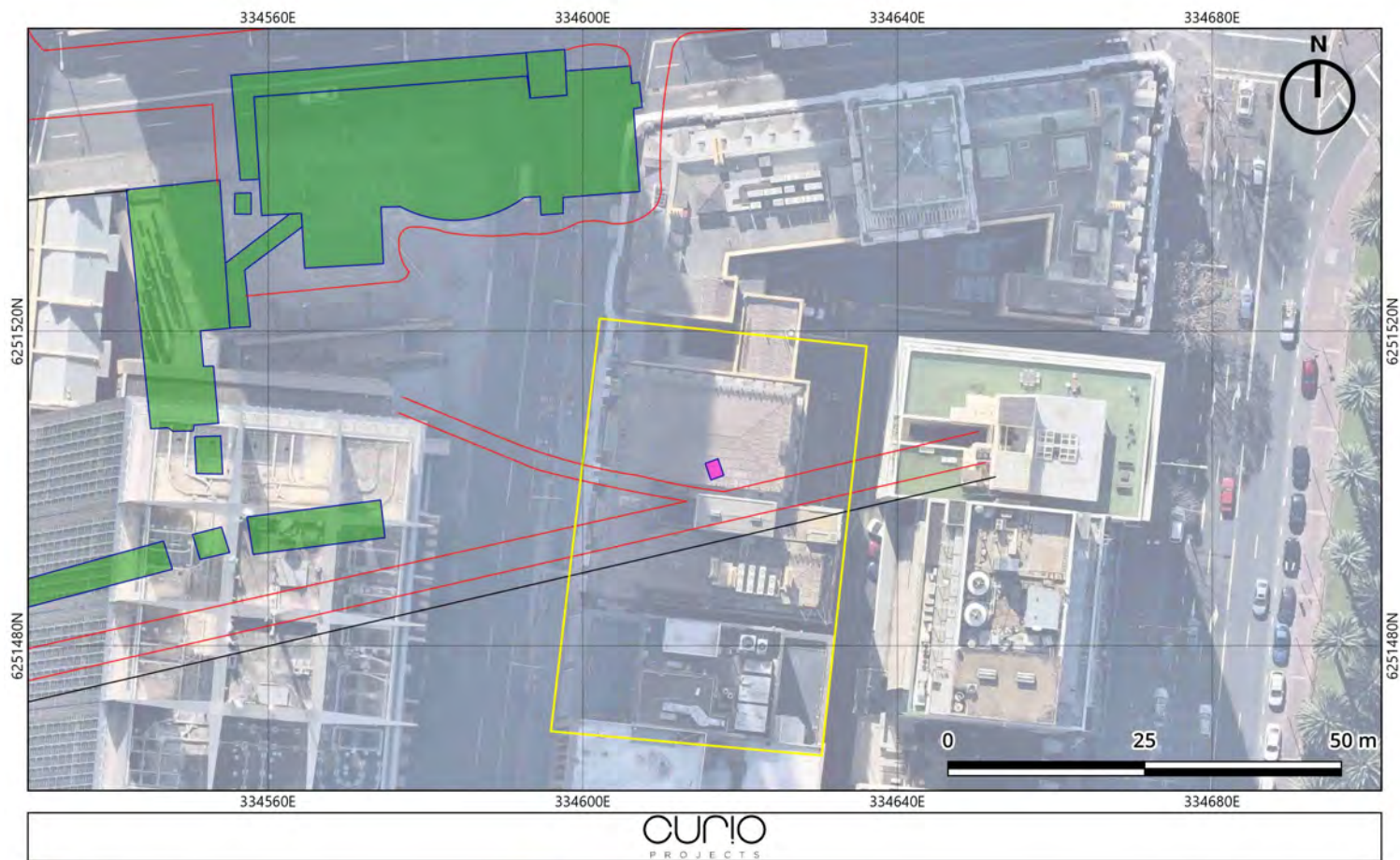
Figure 5-1 Education Building archaeological excavation north-west corner, looking north. Note the level of the former floor (arrows) and the slope away from the camera of the former land surface with drains, in-situ, running north. (Source: Curio 2019)



Figure 5-2 Rock cut cistern/cess pit, Education Building, south west, looking west. (Source: Curio 2020)



Figure 5-3 Photograph, outside of the Education Building showing the remains of the former guard house. (Source: City Plan 2015)



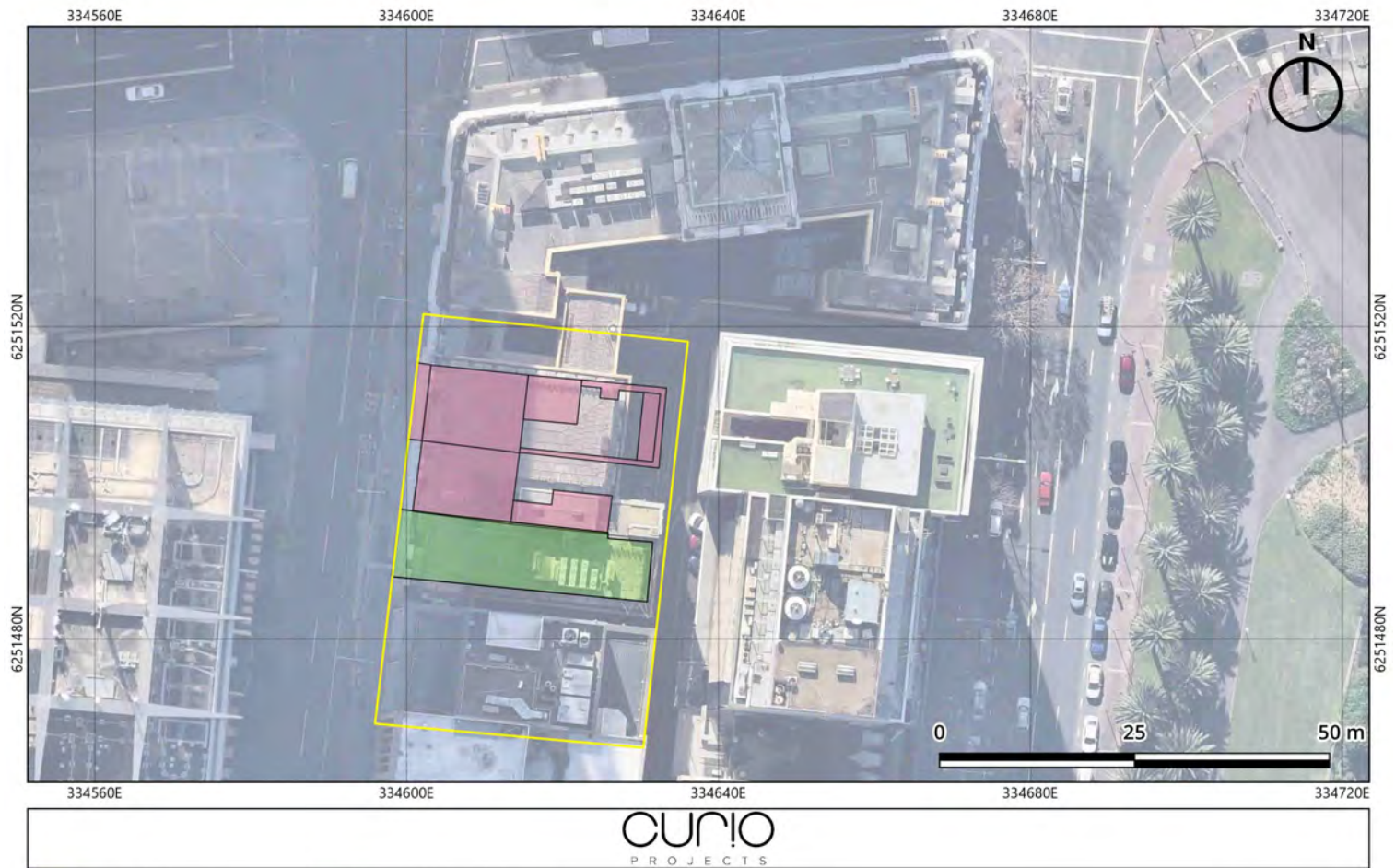
- Study Area
- 1845 Structures**
- First Government House (built structures)

- Unknown Structure
- First Government House (fences & walls)
- Roads outlines

CRS: GDA94 / MGA zone 565  
1:600  
Basemap: Nearmap 2020

Andre Fleury / Curio Projects (2020)

Figure 5-4 Overlay of the 1845 plan-c.f. with Figure 3-5.



Study Area

Lot area (no structures)

1855 Structures

Structures

CRS: GDA94 / MGA zone 565  
1:600  
Basemap: Nearmap 2020

Andre Fleury / Curio Projects (2020)

Figure 5-5 Overlay of the 1855 plan-c.f. with Figure 3-9



Figure 5-6 Overlay of the 1865 plan-c.f. with Figure 3-10.



- |                         |                  |                |          |
|-------------------------|------------------|----------------|----------|
| Study Area              | Brick Structures | S.H. Office    | Yards    |
| <b>1880s Structures</b> | Gangway          | Verandah Areas | Outhouse |
| Sunken Walkway / Area   | Sheds            | W.C.           |          |

CRS: GDA94 / MGA zone 565  
1: 700  
Basemap: Nearmap 2020

Andre Fleury / Curio Projects (2020)

Figure 5-7 Overlay of the 1880 plan-c.f. with Figure 3-11



Figure 5-8 Overlay of the 1884 plan-c.f. with Figure 3-12.



Study Area

CRS: GDA94 / MGA zone 56S  
1: 1000  
Basemap: Greyscale imagery of inner Sydney and highways circa 1943.  
Department of Finance, Services & Innovation 2018

Andre Fleury / Curio Projects (2020)

Figure 5-9 Overlay of the 1943 aerial-c.f. with Figure 3-27.

## 6. Development Impact Assessment

This report has been prepared to assess, mitigate, and manage the impact to any potential archaeological resources contained within the subject site, and more broadly, any impacts to relics that may be unexpectedly discovered during the construction works.

The proposed development impacts are those that will impact below the ground surface, and therefore risk disturbing any potential historical archaeology that may be present.

### 6.1. Proposed Development Impacts

The development impacts as they relate to archaeology, predominantly relate to the proposed basement excavation limited to the general area of Phillip Lane and 52 Phillip Street (see Figure 6-1 to Figure 6-4).

The proposed development of the basement includes the addition of plant room, storage space, mechanical car parking facilities and lift pits. The excavation would be approximately 9m below the current lane and street levels. The depth of this excavation would be likely to remove all archaeological remains that site within the excavation footprint.

Relevant geotechnical data for the subject site and surrounds, which may assist in refining the understanding of the site's historical archaeological potential, was not available at the time of the preparation of this report. This data, if available, could have provided an indication of the general depth of the sandstone bedrock in this location. While archaeology, if present, would only be expected to occur between the current ground surface and within the top levels of sandstone bedrock, without an indication of the depth of the sandstone, the depth of potential archaeology is unable to be more accurately assessed than that predicted within this assessment, without further ground-truthing, either in the form of an historical archaeological test excavation, or geotechnical testing, as a minimum.

### 6.2. 7.2. Potential Impact to Historical Archaeological Resources

Potential historical archaeological resources that may be present within the study area have been assessed in Section 5.4, with regards to possible types of evidence that may be found. In general, the development impacts of the excavation for the basement would have the potential to impact and remove any remnant archaeological resources from all historical phases of the use of the subject site.

The proposed excavation within Phillip Lane also has the potential to remove features and deposits associated with the rear gardens of FGH (see Figure 6-5). These may take the form of remnant soils, garden beds, paths and drives, drains, fence/wall lines and evidence of the plants themselves either in the form of pollen samples or tree boles etc. This area also has the potential to contain early services lines in the form of brick sewers and stormwater lines at least one of which is indicated on a nineteenth century plan (Figure 6-7).

The excavation at 52 Phillip Street has the potential to remove deposits and features associated with the occupation of these original lots by the 1861-63 terraces and earlier cow shed. The potential for survival of these is low to moderate.

To summarise the potential impacts, relate to deposits and features associated with:

1. FGH occupied from 1788-1845 in the form of garden features and deposits – primarily in the Phillip Lane area; and
2. Terraces and their occupation deposits 1861-1918 – at 52 Phillip Street.

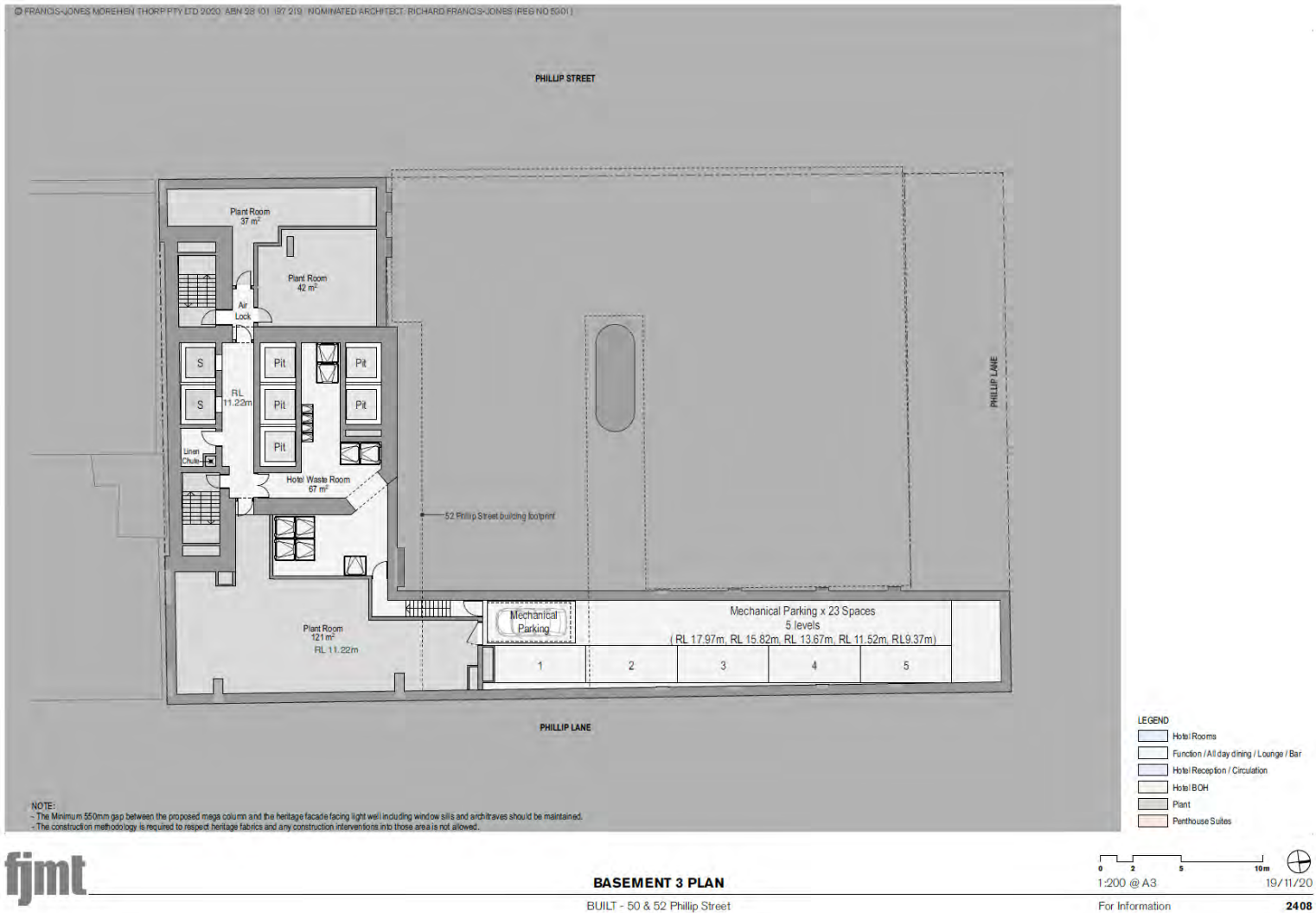


Figure 6-1 Basement Level 3 of the proposed development. (Source FJMT)

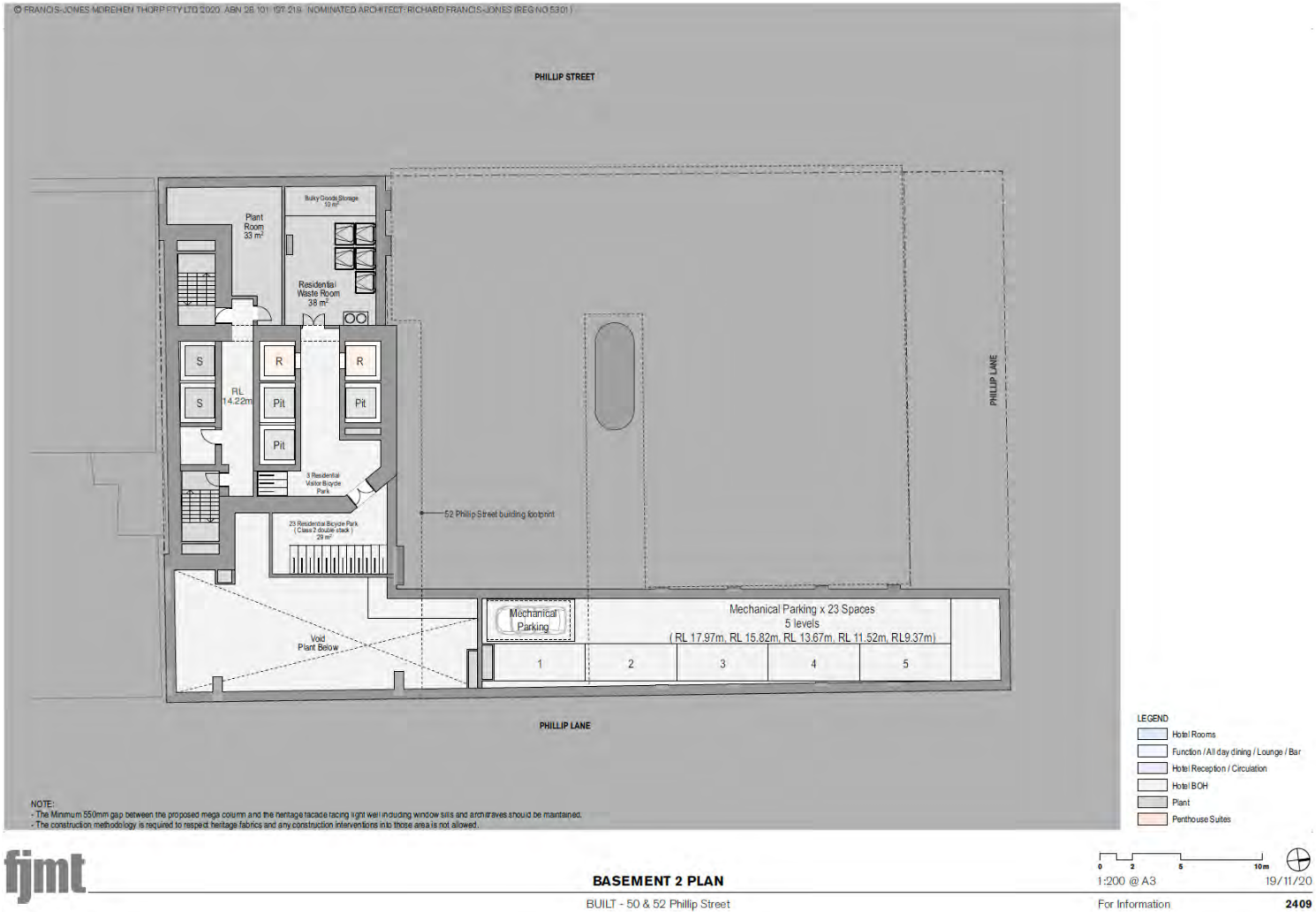


Figure 6-2 Basement Level 2 of the proposed development. (Source FJMT)

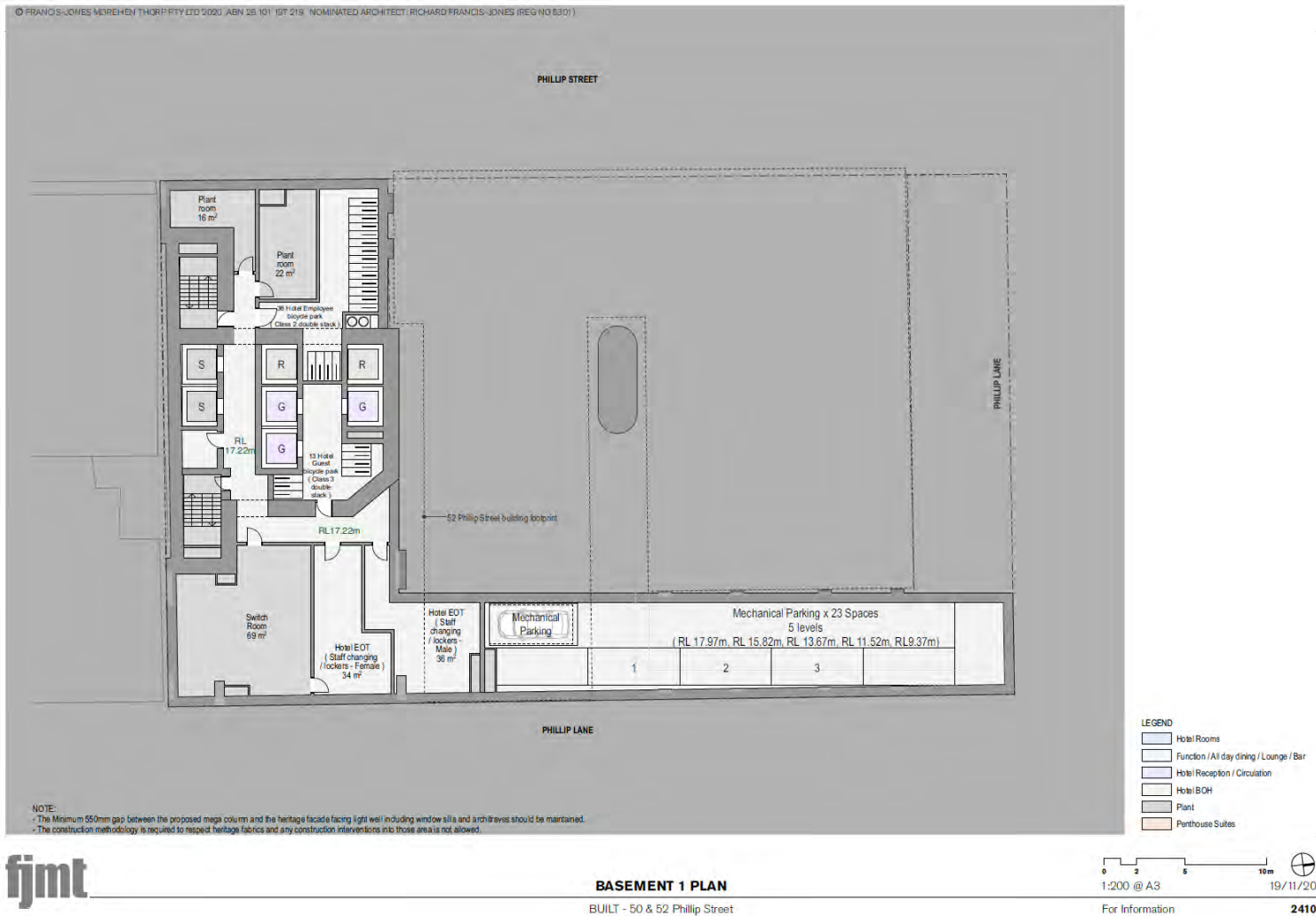


Figure 6-3 Basement Level 1 of the proposed development. (Source FJMT)

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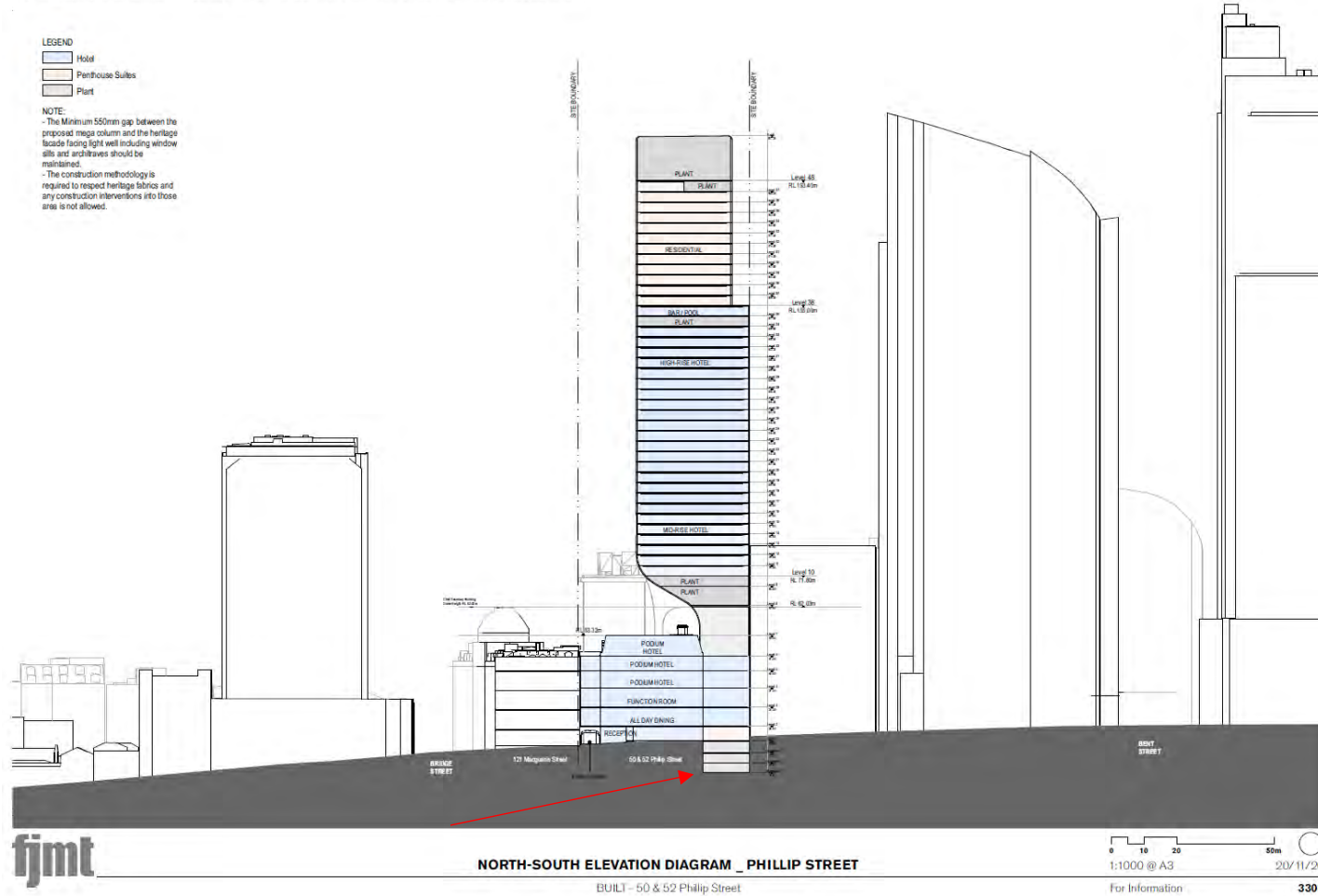
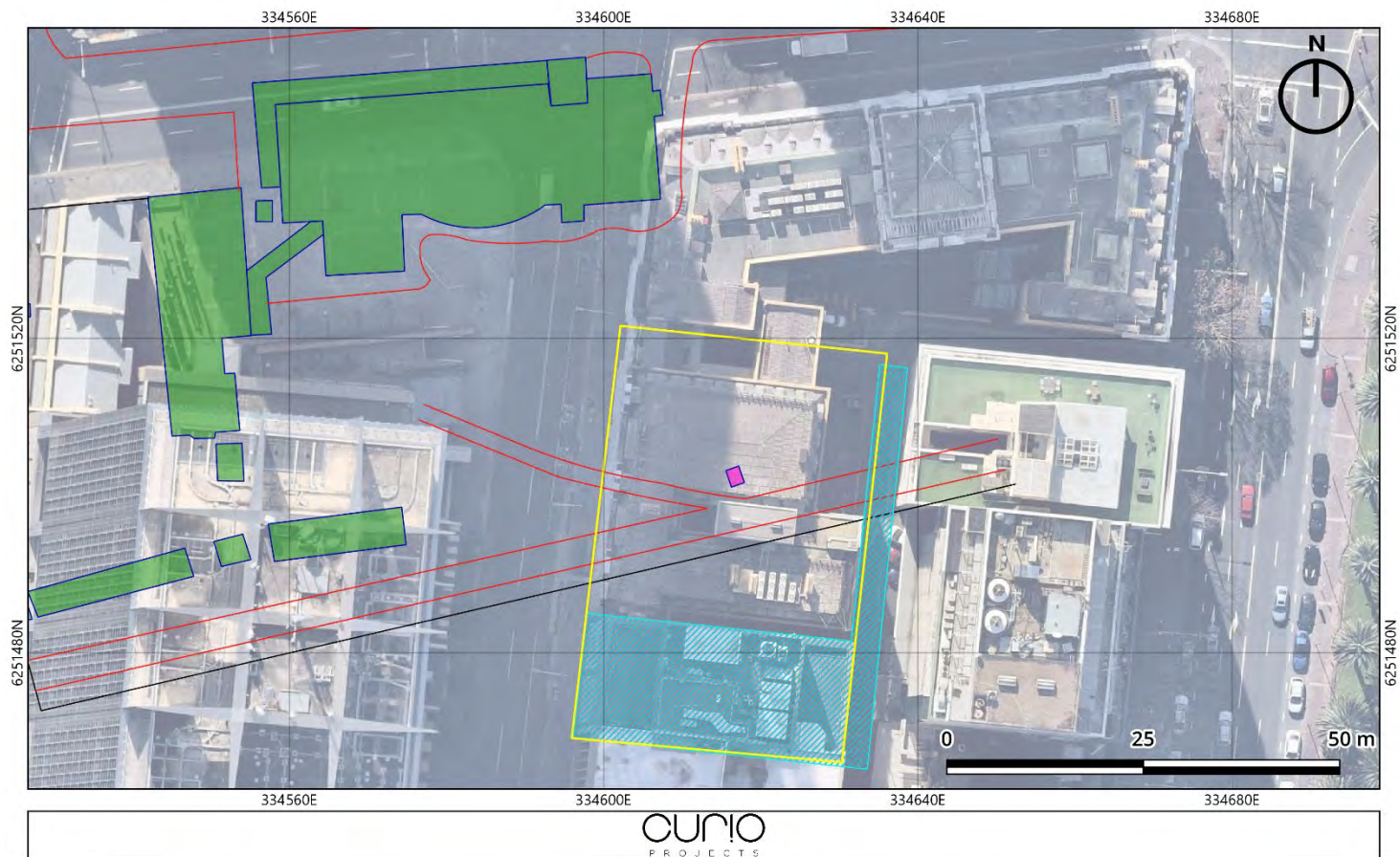


Figure 6-4 North-south elevation revealing the cross section of the basement levels (arrow) through Phillip Lane. (Source: FJMT)



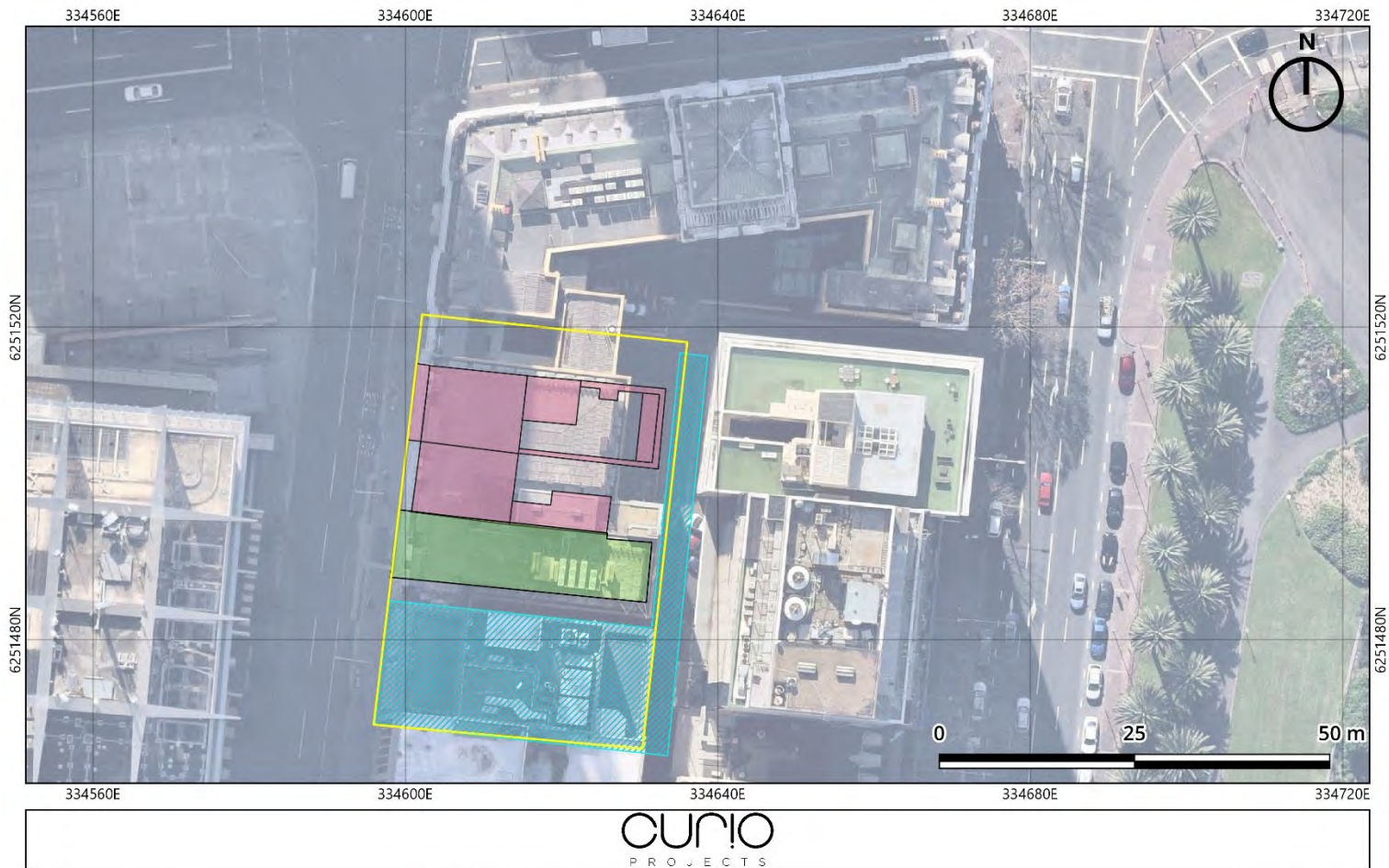
- Study Area
- General area of deep excavation
- 1845 Structures**
- First Government House (built structures)

- Unknown Structure
- First Government House (fences & walls)
- Roads outlines

CRS: GDA94 / MGA zone 56S  
1: 600  
Basemap: Nearmap 2020

Andre Fleury / Curio Projects (2020)

Figure 6-5 Overlay of the 1845 plan with the development impact indicated in light blue. Note the unknown structure possibly the location of a burial in the FGH gardens.



- |   |                                 |   |                          |
|---|---------------------------------|---|--------------------------|
|  | Study Area                      |  | 1855 Structures          |
|  | General area of deep excavation |  | Lot area (no structures) |
|   |                                 |  | Structures               |

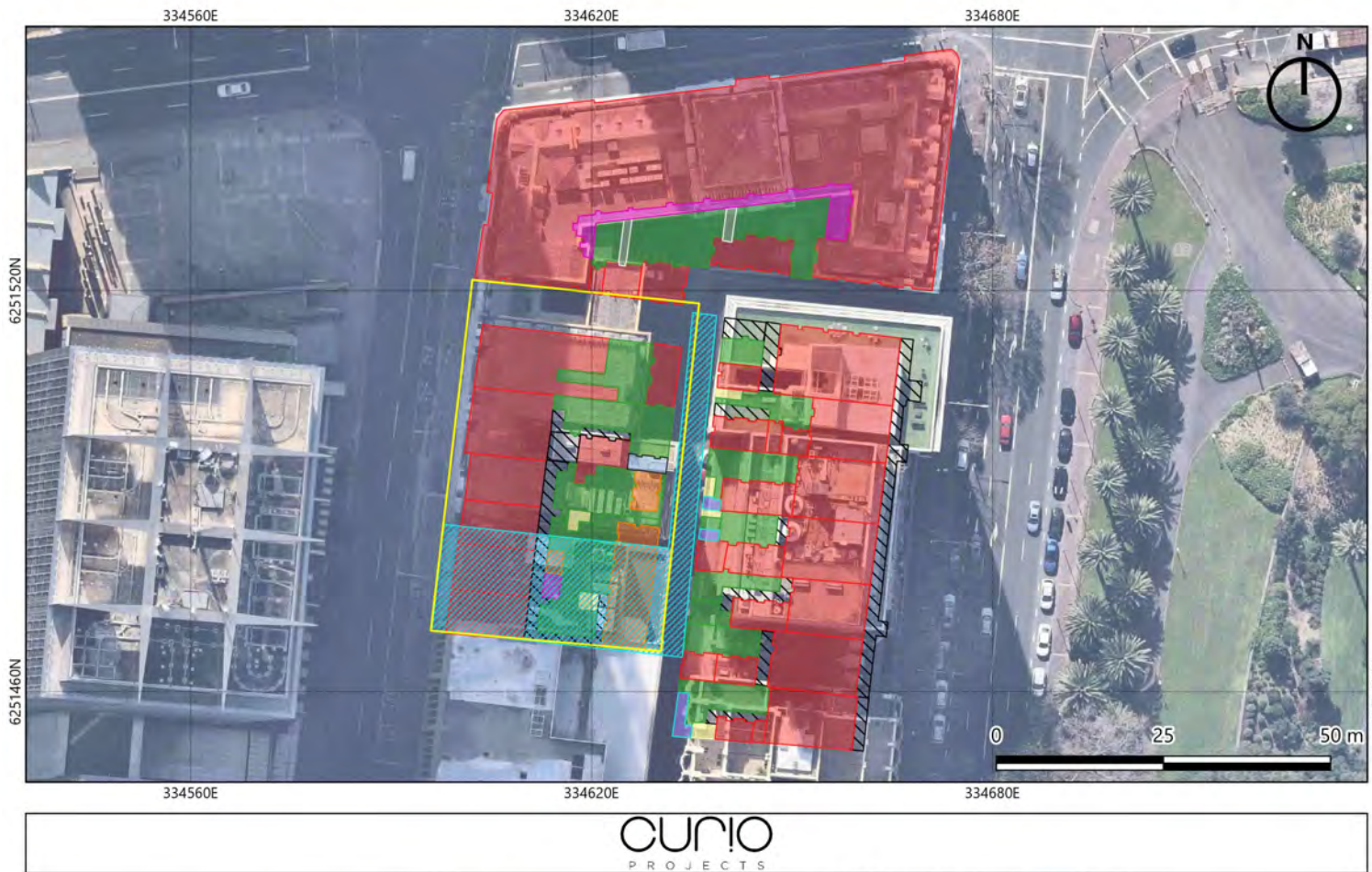
CRS: GDA94 / MGA zone 565  
1: 600  
Basemap: Nearmap 2020

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Figure 6-6 Overlay of the 1855 plan with the development impact indicated in light blue.



Figure 6-7 Overlay of the 1865 plan with the development impact indicated in light blue.



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|                                 |                         |             |                |          |
|---------------------------------|-------------------------|-------------|----------------|----------|
| Study area                      | <b>1880s Structures</b> | Gangway     | Verandah Areas | Outhouse |
| General area of deep excavation | Sunken Walkway / Area   | Sheds       | W.C.           |          |
|                                 | Brick Structures        | S.H. Office | Yards          |          |

CRS: GDA94 / MGA zone 565  
1:700  
Basemap: Nearmap 2020  
Andre Fleury / Curio Projects (2020)

Figure 6-8 Overlay of the 1880 plan with the development impact indicated in light blue.



- 1884 Structures**
- Study area
  - Sunken Walkway / Area
  - Brick Structures
  - Verandah Areas
  - General area of deep excavation

CRS: GDA94 / MGA zone 565  
1: 600  
Basemap: Nearmap 2020  
Andre Fleury / Curio Projects (2020)

Figure 6-9 Overlay of the 1884 plan with the development impact indicated in light blue.



Figure 6-10 Overlay of all phases of occupation with the development impact indicated in light blue.

## 7. Significance Assessment

### 7.1. Introduction

Heritage significance and cultural significance are terms used to describe an item's value or importance to our society. The Australian ICOMOS Burra Charter defines cultural significance as:

*Aesthetic, historic, scientific or social value for past, present or future generations.*

This value may be contained in the fabric of the item, its setting and relationship to other items, the response that the item stimulates in those who value it now, or the meaning of that item to contemporary society.

Accurate assessment of the cultural significance of sites, places and items, is an essential component of the NSW heritage assessment and planning process. A clear determination of a site's significance allows informed planning decisions to be made, in addition to ensuring that heritage values are maintained, enhanced, or at least minimally affected by development. Assessments of significance are made by applying standard evaluation criteria. These criteria can be used to assess both Aboriginal and European items and landscapes, and are as follows:

- (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)*
- (b) An item has strong or special associations with the life or works of a person, or group of persons, of importance in NSW' cultural or natural history (or the cultural or natural history of the local area)*
- (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)*
- (d) An item has strong or special associations with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons*
- (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)*
- (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)*
- (g) An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural and natural environments.*

The above criteria were established under Part 3A of the NSW Heritage Act 1977 for the listing of items of environmental heritage (defined as 'buildings, works, relics, moveable objects and precincts') that are of state heritage significance. These criteria are commonly used to assess all items of heritage significance whether state or local, with the criterion that relates most directly to historical archaeological significance and archaeological relics being Criterion (e): commonly referred to as 'scientific significance'.

### 7.2. Archaeological Significance Criteria

The following criteria have been developed by the NSW Heritage Division to assist archaeologists determine the significance of archaeological sites and relics.

*Archaeological Research Potential (current NSW Heritage Criterion E).*

Archaeological research potential is the ability of archaeological evidence, through analysis and interpretation, to provide information about a site that could not be derived from any other source and which contributes to the archaeological significance of that site and its 'relics'.

The integrity of the site, the state of preservation of archaeological material and deposits will also be relevant.

- To which contexts (historical, archaeological and research-based) is it anticipated that the site would yield important information?
- Is the site likely to contain the mixed remains of several occupations and eras, or is it expected that the site has the remains of a single occupation or a short time-period?
- Is the site rare or representative in terms of the extent, nature, integrity and preservation of the deposits (if known)?
- Are there a large number of similar sites?
- Is this type of site already well-documented in the historical record?
- Has this site type already been previously investigated with results available?
- Is the excavation of this site likely to enhance or duplicate the data set?

*Associations with individuals, events or groups of historical importance (NSW Heritage Criteria A, B & D).*

Archaeological remains may have particular associations with individuals, groups and events which may transform mundane places or objects into significant items through the association with important historical occurrences.

- Does the archaeological site link to any NSW Historic Themes? Will the site contain 'relics' and remains which may illustrate a significance pattern in State or local history?
- Is the site widely recognized?
- Does the site have symbolic value?
- Is there a community interest (past or present) which identifies with, and values the specific site?
- Is the site likely to provide material expression of a particular event or cultural identity?
- Is the site associated with an important person? (the role of the person in State or local history must be demonstrated/known)
- What is the strength of association between the person and the site?
- Did the person live or work at the site? During the phase of their career for which they are most recognized? Is that likely to be evident in the archaeology/physical evidence of the site?
- Did a significant event or discovery take place at the site? Is that evident/or likely to be evident in the archaeology/physical evidence of the site?

*Aesthetic or technical significance (NSW Heritage Criterion C).*

Whilst the technical value of archaeology is usually considered as 'research potential' aesthetic values are not usually considered to be relevant to archaeological sites. This is often because until a site has been excavated, its actual features and attributes may remain unknown. It is also because aesthetic is often interpreted to

mean attractive, as opposed to the broader sense of sensory perception or ‘feeling’ as expressed in the Burra Charter.

Nevertheless, archaeological excavations which reveal highly intact and legible remains in the form of aesthetically attractive artefacts, aged and worn fabric and remnant structures, may allow both professionals and the community to connect with the past through tangible physical evidence.

- Does the site/is the site likely to have aesthetic value?
- Does the site/is the site likely to embody distinctive characteristics?
- Does the site/is the site likely to embody a distinctive architectural or engineering style or pattern/layout?
- Does the site demonstrate a technology which is the first or last of its kind?
- Does the site demonstrate a range of, or change in, technology?

*Ability to demonstrate the past through archaeological remains (NSW Heritage Criteria A, C, F & G).*

Archaeological remains have an ability to demonstrate how a site was used, what processes occurred, how work was undertaken and the scale of an industrial practice or other historic occupation. They can demonstrate the principal characteristics of a place or process that may be rare or common.

A site may best demonstrate these aspects at the time of excavation. It may also be possible to explain the nature of the site and demonstrate past practices via public interpretation either before, during, or after excavation.

- Does the site contain well-preserved or rare examples of technologies or occupations which are typical of particular historic periods or eras of particular significance?
- Was it a long-term or short-term use?
- Does the site demonstrate a short period of occupation and therefore represents only a limited phase of the operations of a site or technology or site? Or does the site reflect occupation over a long period?
- Does the site demonstrate continuity or change?
- Are the remains at the site highly intact, legible and readily able to be interpreted?

In addition to the significance described according to significance criteria as presented above, archaeological significance is generally further informed by three key questions:

- Can the site contribute knowledge that no other resource can?
- Can the site contribute knowledge which no other site can?
- Is this knowledge relevant to general questions about human history or other substantive questions relating to Australian history, or does it contribute to other major research questions?

**7.2.1. Archaeological Significance Assessment**

The archaeological significance for the study area has been assessed in consideration of the historical overview for the study area and surrounds, in relation to the comparative analysis of other relevant historical archaeological sites in Sydney, as well as the nature of potential structural and cultural remains that may exist on study area and the historical periods to which they may belong. The archaeological significance assessment presented here is in relation to each of the historical phases of use of the study area and has been assessed in accordance with the ‘NSW Heritage Criteria for Assessing Significance related to Archaeological Sites and Relics’.

### Historical Archaeological Research Potential (Criterion E)

The historical information indicates the study area was used as gubernatorial and domestic from at least the end of the 18<sup>th</sup> Century. Early occupants of the study area were the Governors and the workers around FGH. There is some potential for historical archaeological remains relating to the pre 1800 occupation of FGH's garden area and part of the FGH structure to be present on the study area. As demonstrated at the Education Building there is potential for substantial survival of even garden features such as soils, drains and fence lines. Considering that such features are associated with occupation of FGH then these remains are of substantial significance.

There is the potential for archaeological resources of the mid nineteenth to mid twentieth century to survive at the study area in the form of features and deposits from the 1861 to 1918 terraces. These remains have the potential to demonstrate aspects of the changing domestic cultural history of the local area.

If archaeological remains associated with this phase of occupation survive in intact archaeological contexts at the study area, they would be considered to provide information that would illustrate, embody and enhance historical knowledge associated with the historic themes of the Governor's occupation, nineteenth century urban domestic life, the early colonial environment – cultural landscape and land tenure.

### Aesthetic or Technical Significance (Criterion C)

As the study area was occupied by garden features and small-scale domestic buildings it is unlikely that the construction of the buildings or the types of crafts, and other activities undertaken at the study area were technically unique or innovative. Potential archaeological resources at the study area are considered unlikely to display a high degree of technical or creative achievement, however, archaeological excavation may reveal aesthetic or technical achievements at the study area that have not been identified during historical research. The potential archaeological resources are unlikely to have heritage significance in terms of this criterion.

### Ability to Demonstrate the Past through Archaeological Remains (Criteria A, C, F & G)

Any archaeological resource associated with the gardens and buildings (with associated occupation deposits) of the study area, have the potential to provide information about the daily lives of the people living and working in this location in the early township. Archaeological investigations of nearby sites such as the Education Building, FGH (excavated between 1983-91), 200 George Street are important comparative examples for the proposed excavation at the study area. These sites included features and deposits associated with various phases of garden features and remains of domestic occupation, from the mid- to late nineteenth century, of the study area. The archaeological features and deposits potentially from the study area should be considered significant for their potential to yield information relating to the environmental and domestic occupation of the study area from at least the late eighteenth century through to the nineteenth century. The suite of potential archaeological resources at the study area has the potential to yield a significant account of aspects of the cultural history of the study area and be able to be compared to other sites in the Sydney CBD.

Details of the physical development of the study area during the nineteenth century may also be explored through these remains and the potential archaeological remains at the study area. More specifically, information regarding urban development in Sydney, provision of services to the study area, and changing land use patterns and land uses may be revealed by archaeological investigation of the study area. In addition to exploring the social and physical development of the study area, investigation of broad scale research questions designed to generate a greater understanding of wider social and economic change may be explored through comparative analysis with other archaeological sites from similar urban contexts.

### 7.3. Statement of Archaeological Significance

The study area has been occupied and used continuously since the end of the eighteenth century-first as part of the gubernatorial domain and then subdivided for inner urban domestic occupation. The study area is located in one of Sydney's most central districts, once part of and then closely adjacent to Government sites. The history of the study area, through its evolving uses and intensity of occupation, reflects change in colonial urban behaviour at a local level. The study area has been occupied by the Governor, important figures such as William John MacLeay M.L.A, Government departments and private owner/occupiers.

The potential archaeological relics on portions of the study area (i.e. Phillip Lane) which date between 1788 and 1845 are assessed as demonstrating rare and endangered aspects of the local area's history as the archaeological resource at FGH is rare and finite. The historical archaeological resources that may be present within the study area that have association with the Governors garden would be of State significance.

As portions of the study area is substantially undeveloped compared to other sites in the Sydney CBD, the potential archaeological relics predating the 1850s on the study area have the potential to yield a comprehensive account of the environmental history of the local area as part of the development of the early Governor's domain and gardens.

The historical archaeological resources that may be present within the study area that have association with the 1861-1918 terraces, and the associated phases of occupation would be of local significance.

## 8. Conclusions and Recommendations

### 8.1. Conclusions

The following conclusions have been reached regarding the historical archaeology at the study area:

- There has been over 200 years of continuous historical occupation of the study area;
- There is potential for intact historical archaeological resources to survive at the study area;
- The historical archaeological resources have the potential to date from the last decades of the eighteenth century (FGH garden) through to the later twentieth century (1861 – 1918 terraces);
- There have been substantial modifications to portions of the study area, (i.e. ground floor and basement impacts in areas to the south and east of the study area) which has likely removed the archaeology in these areas;
- Their integrity/intactness appears variable across the study area with the north-western portion and Phillip Lane, on the study area, having high to medium archaeological potential, and the remainder having medium to low archaeological potential;
- The potential relics are likely to be associated with the early gubernatorial (FGH) and domestic occupation (1861 – 1918 terraces) of the study area;
- The potential historical archaeological resources have been assessed under the NSW Heritage Significance Criteria, have a State and local level of significance and are likely to be classed as ‘relics’; and,
- The proposed development, (as described above) would disturb and remove potential relics only within the areas of 52 Phillip Street and Phillip Lane.

### 8.2. Recommendations

Therefore, it is recommended that:

- An Archaeological Research Design (ARD) should be completed on the basis of the conclusions of this report. The ARD will contain an excavation methodology, nominate an excavation director, and provide recommendations for post-excavation reporting and management of the archaeological resource exposed by the testing works;
- Additional impacts, not identified in this report, may require further assessment and any identified impact on potential archaeology should be considered in an updated ARD. .

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