
Appendix Z

Historic Heritage Impact Assessment

Hunter Street West Over Station Development Historic Heritage Impact Assessment

Appendix Z

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Glossary

Term	Definition
CBD	Central Business District
Concept and Stage 1 CSSI Application	Application SSI-10038 including all major civil construction works between Westmead and The Bays, including station excavation and tunnelling, associated with the Sydney Metro West line
Concept SSDA	A concept development application as defined in section 4.22 the EP&A Act, as a development application that sets out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application or applications.
Council	City of Sydney
CSSI approval	Critical State Significant Infrastructure Approval
DCP	Development Control Plan
DPE	Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPA	Environment Protection Authority
FSR	Floor space ratio
GFA	Gross floor area
ISD	Integrated Station Development
LEP	Local Environmental Plan
LGA	Local Government Area
OSD	Over Station Development
Planning Proposal	A request to Council as a planning authority to prepare a Planning Proposal to amend planning controls within the Sydney Local Environmental Plan 2012 as described in section 1.2.3
RL	Reduced level
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SSDA	State Significant Development Application
SSI	State Significant Infrastructure
Stage 2 CSSI Application	Application SSI-19238057, including major civil construction works between The Bays and Hunter Street Station

Term	Definition
Stage 3 CSSI Application	Application SSI-22765520, including rail infrastructure, stations, precincts and operation of the Sydney Metro West line
Sydney Metro West	Construction and operation of a metro rail line and associated stations between Westmead and the Sydney CBD as described in section 1.1
TfNSW	Transport for New South Wales

Executive summary

This Historic Heritage Impact Assessment supports a Concept State Significant Development Application (Concept SSDA) submitted to the Department of Planning and Environment (DPE) pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Concept SSDA is made under section 4.22 of the EP&A Act.

Sydney Metro is seeking concept approval for a commercial tower above the Hunter Street metro station eastern site (the site), otherwise known as the over station development (OSD).

The Concept SSDA seeks consent for a building envelope and its use for a commercial and retail premises, a maximum building height of 51 storeys (213 m/reduced level 220.0), a maximum gross floor area (GFA) of 69,863 m², pedestrian and vehicular access, circulation arrangements and associated car parking and the strategies and design parameters for the future detailed design of development.

This Historic Heritage Impact Assessment responds specifically to the Secretary's Environmental Assessment Requirements (SEARs) has investigated, documented and assessed the impact of the proposed development on the heritage items within and in the vicinity of the site. It has assessed the potential impact of the proposed concept design on the heritage items in terms of response to context and legislative controls which serve to retain, protect and enhance heritage places.

The Concept SSD has demonstrated that it has successfully responded to the site context and mitigated adverse impacts as much as possible in the context of the significant density of heritage items within the Sydney CBD. Overall, the proposed development has little to no heritage impact on heritage items within the site boundary and in the vicinity. The design is responsive to potential impacts caused by its scale and function and incorporates features to balance those impacts by improvement to the streetscape permeability and sightlines. The proposed development will not cause a significant impact on World, National and Commonwealth heritage items in the vicinity.

The proposed development will not impact any potential archaeological finds as ground disturbance is addressed as part of the Stage 2 CSSI Application.

Interpretation of the site will be in accordance with the Sydney Metro West Heritage Interpretation Strategy completed for the Stage 3 CSSI Application.

A Conservation Management Plan is currently being prepared for the former Skinners Family Hotel.

The following recommendations have been provided to guide future development:

- The Conservation Management Plan should be used to guide the future conservation and adaptive reuse of the former Skinners Family Hotel
- Skinners Family Hotel should be maintained and protected from damage during the works
- Skinners Family Hotel should be regularly monitored and maintained as required in accordance with the Minimum Standards of Maintenance and Repair (Heritage Council of NSW) while the building is unoccupied
- Consider provision for the interpretation of archaeological findings from the surface demolition and excavation proposed in Stage 2 CSSI as Public Art in the proposed development where not incorporated into the station.

1 Introduction

1.1 Sydney Metro West

Sydney Metro West will double rail capacity between Greater Parramatta and the Sydney Central Business District (CBD), transforming Sydney for generations to come. The 'once in a century' infrastructure investment will have a target travel time of about 20 minutes between Parramatta and the Sydney CBD, link new communities to rail services and support employment growth and housing supply.

Stations have been confirmed at Westmead, Parramatta, Sydney Olympic Park, North Strathfield, Burwood North, Five Dock, The Bays, Pyrmont and Hunter Street.

Sydney Metro West station locations are shown in Figure 1-1 below.

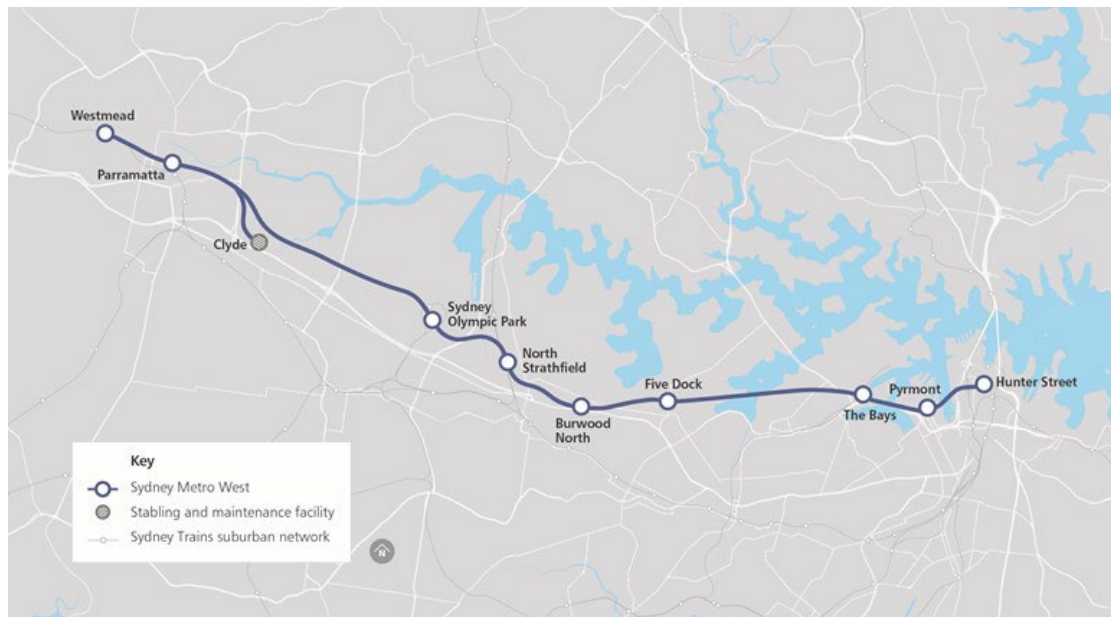


Figure 1-1 Sydney Metro West

1.2 Background and planning context

Sydney Metro is seeking to deliver Hunter Street Station under a two part planning approval process. The station fit out infrastructure is to be delivered under a Critical State Significant Infrastructure (CSSI) application subject to provisions under Division 5.2 of the EP&A Act, while the over station developments are to be delivered under a State Significant Development (SSD) subject to the provisions of Part 4 of the EP&A Act. It is noted a Planning Proposal request has been submitted to the City of Sydney Council to amend the planning controls on the site (refer to section 1.2.3).

1.2.1 Critical state significant infrastructure

The state significant infrastructure (SSI) planning approval process for the Sydney Metro West metro line, including delivery of station infrastructure, has been broken down into a number of planning application stages, comprising the following:

- Concept and Stage 1 CSSI Approval (SSI-10038) – All major civil construction works between Westmead and The Bays including station excavation, tunnelling and demolition of existing buildings (approved 11 March 2021).
- Stage 2 CSSI Application (SSI-19238057) – All major civil construction works between The Bays and Hunter Street Station (approved 24 August 2022).
- Stage 3 CSSI Application (SSI-22765520) – Tunnel fit-out, construction of stations, ancillary facilities and station precincts between Westmead and Hunter Street Station, and operation and maintenance of the Sydney Metro West line (under assessment).

1.2.2 State significant development application

The SSD will be undertaken as a staged development with the subject concept state significant development application (Concept SSDA) being consistent with the meaning under section 4.22 of the EP&A Act and seeking conceptual approval for a building envelope, land uses, maximum building heights, a maximum gross floor area, pedestrian and vehicle access, vertical circulation arrangements and associated car parking. A subsequent Detailed SSDA is to be prepared by a future development partner which will seek consent for detailed design and construction of the development.

1.2.3 Planning proposal

A Planning Proposal request has been submitted to the City of Sydney Council to amend the planning controls that apply to the Hunter Street Station under the Sydney Local Environmental Plan 2012 (LEP). Hunter Street Station includes both an eastern site (this application) and western site.

The Planning Proposal request seeks to enable the development of a commercial office building on the site that would:

- comprise a maximum building height of between reduced level (RL) 257.7m and RL 269.10m (as it varies to comply with the relevant sun access plane controls)
- deliver a maximum gross floor area (GFA) of 84,287m² (resulting in a maximum floor space ratio (FSR) of 22.82:1), measured above ground level
- facilitate the adaptive reuse of the existing Former Skinners Family Hotel within the overall development
- include site specific controls which ensure the provision of employment and other non-residential land uses
- require the mandatory consideration of a site specific Design Guideline
- allow for the provision of up to 70 car parking spaces
- establish an alternative approach to design excellence.

The Planning Proposal request was submitted to the City of Sydney in May 2022 and is currently under assessment.

1.3 Purpose of the report

This historic heritage impact assessment supports a Concept SSDA submitted to the Department of Planning and Environment (DPE) pursuant to Part 4 of the EP&A Act. The Concept SSDA is made under section 4.22 of the EP&A Act.

This report has been prepared to specifically respond to the Secretary's Environmental Assessment Requirements (SEARs) issued for the Concept SSDA on 8 August 2022 which states that the environmental impact statement is to address the following requirements.

SEARs	Where addressed
<ul style="list-style-type: none">Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.Provide staging details for the preparation of a Heritage Conservation Management Plan for the former Skinners Family Hotel at 296 George Street to guide any works to the item	Section 8 – The proposal

The Historic Heritage Impact Assessment has investigated, documented and assessed the impact of the proposed development on the heritage items within and in the vicinity of the site. It has assessed the potential impact of the proposed concept design on the heritage items in terms of response to context and legislative controls which serve to retain, protect and enhance heritage places.

2 The site and proposal

2.1 Site location and description

Hunter Street Station is in the northern part of the Sydney CBD, within the commercial core precinct of Central Sydney and within the Sydney Local Government Area (LGA). The Hunter Street metro station includes two sites – the western site and the eastern site. This report relates to the western site only.

Hunter Street West (the site) is on the corner of George and Hunter Street. It includes De Mestre Place, the heritage listed former Skinners Family Hotel, and land predominantly occupied by the existing Hunter Connection retail plaza. The site is occupied by commercial office buildings, restaurants, shops, as well as a range of business premises and employment and medical/health services premises.

The site area is 3,736 m² and will be cleared of all buildings and utilities prior to commencement of station construction activities. The site location is shown in Figure 2-1

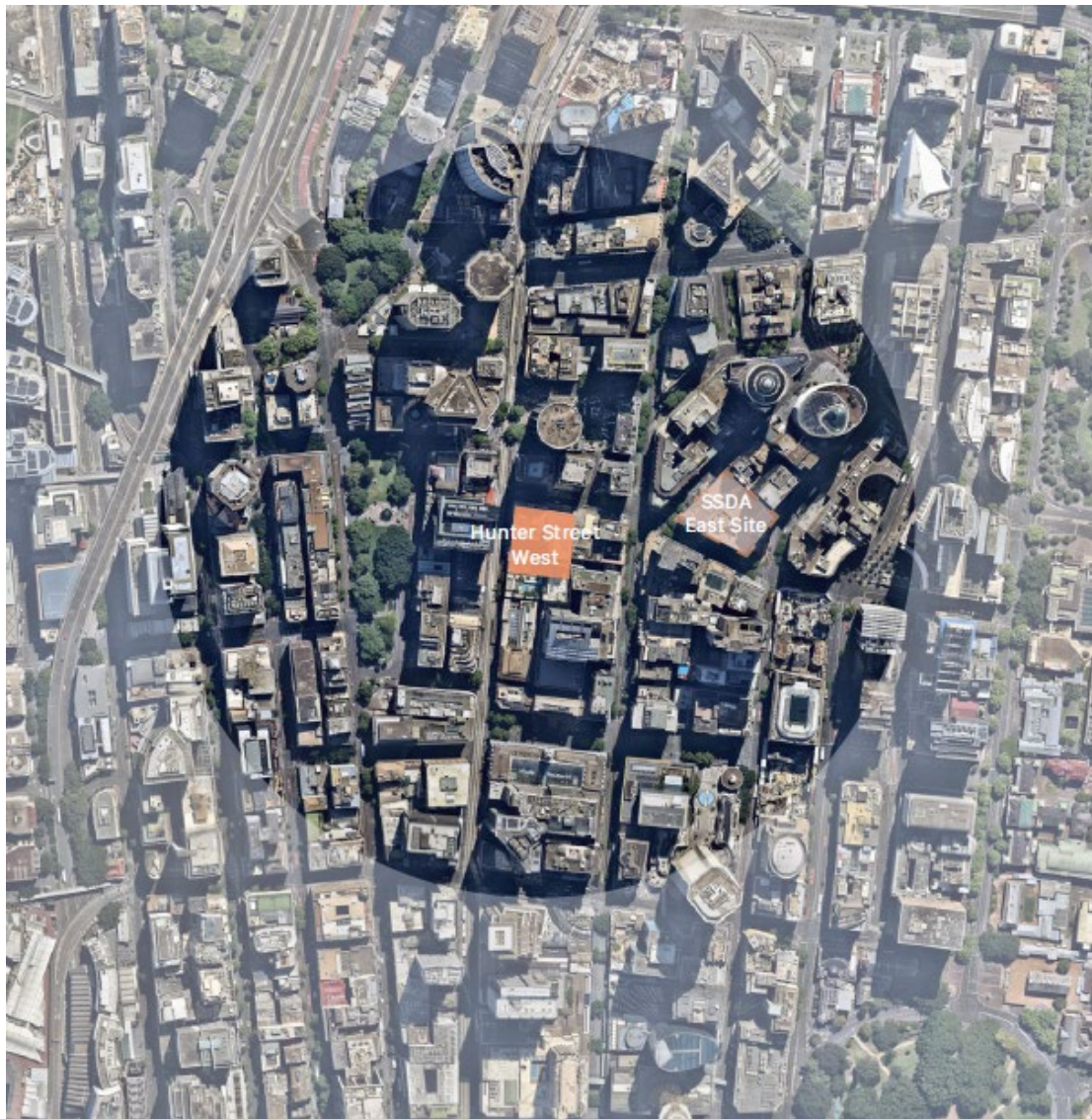


Figure 2-1 Location of the site

Table 2-1 sets out the address and legal description of the parcels of land that comprise the site.

Table 2-1 Site legal description

Address	Lot and DP
296 George Street, Sydney	Lot 1, DP438188
300 George Street, Sydney	CP and Lots 1-43, SP596
312 George Street, Sydney	Lot 1, DP211120
314-318 George Street, Sydney	Lot 13, DP622968
5010 De Mestre Place, Sydney (Over Pass)	Lot 1, DP1003818
9 Hunter Street, Sydney	Lot 2, DP850895
5 Hunter Street, Sydney (Leda House & Hunter Arcade)	CP and Lots 1-63, SP71068
5 Hunter Street, Sydney (Leda House & Hunter Arcade)	CP and Lots 1-14, SP65054
7-13 Hunter Street, Sydney (Hunter Connection)	CP and Lots 1-53, SP50276
7-13 Hunter Street, Sydney (Hunter Connection)	Lots 57 and 58, SP61007
7-13 Hunter Street, Sydney (Hunter Connection)	Lots 54, 55 and 56, SP60441
7-13 Hunter Street, Sydney (Hunter Connection)	Lots 59, 60 and 61, SP62889
7-13 Hunter Street, Sydney (Hunter Connection)	Lots 62, 63, 64 and 65, SP69300
7-13 Hunter Street, Sydney (Hunter Connection)	Lots 66 and 67, SP77409
7-13 Hunter Street, Sydney (Hunter Connection)	Lot 2, SP50276
De Mestre Place, Sydney	N/A
Total Area: 3,736m²	

2.2 Overview of the proposal

The Concept SSDA will seek consent for a building envelope above the site (the proposed development). As detailed in Table 2-2 and Figure 2-2.

Table 2-2 Proposed development overview

Built form component	Proposed development outcome
Site area	3,736m ²
Height	Building height up to 213.0m (RL 220.00)
Gross Floor Area	Up to 69,863m ²
Land use(s)	Commercial office and retail
Carparking	Up to 70 car parking spaces

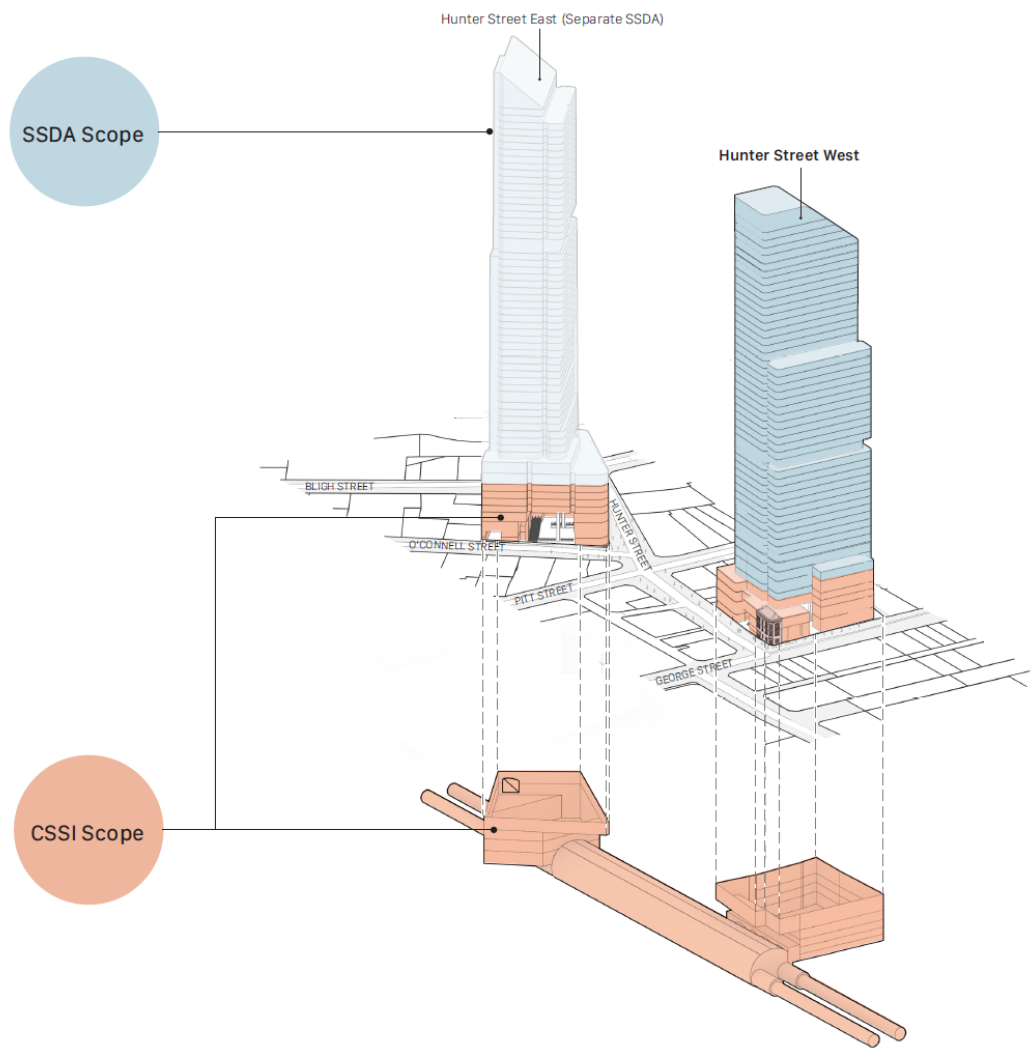


Figure 2-2 Proposed Concept SSDA development and CSSI scope

3 Scope of assessment

3.1 Methodology

The methodology has included assessing the potential heritage impacts of the proposed building concept design at the site and concept designs in response to the SEARs Environmental Heritage. The assessment has been conducted in accordance with the Heritage NSW guidelines for preparing Statements of Heritage Impact ('Statements of Heritage Impact' published in the New South Wales Heritage Manual by the Heritage Office (now Heritage NSW) and Department of Urban Affairs & Planning 1996, revised 2002) and the approach set out in the Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013.

The assessment utilises the 'heritage impact' definitions based on the Heritage NSW Materials Threshold Policy. These have been modified to include items of local, Commonwealth, National and World heritage significance relevant to the context of the subject site.

Table 3-1 Materials threshold policy – impact definitions

Impact	Definition
Total loss of significance	Major adverse impacts to the extent where the place would no longer meet the criteria for listing
Adverse impact	Major (that is, more than minor or moderate) adverse impacts. Moderate adverse impacts to the heritage significance of the item. Minor adverse impacts to heritage significance of the item.
Little to no impact	An alteration to a significant heritage item that is so minor that it is considered negligible.
Positive impact	Alterations to a significant item that enhance the ability to demonstrate its cultural heritage values

3.2 Limitations

This report has been conducted based on desktop research and non-invasive site investigation. It includes referencing of heritage reports for the purposes of heritage identification, history of the site, general information and assessment as follows:

- Sydney Metro West – Major civil construction between The Bays and Sydney CBD, Technical Paper 3, Non-Aboriginal Technical Report, October 2021
- Tank Stream Conservation Management Plan, Sydney Water, 2004
- Pre-Construction Dilapidation Report, completed for RPS by SAS TTI JV, September 2021
- Tank Stream – cross sections (Drawing PR145906-36-001-A Tank Stream Sections.DWG), RPS, 2/12/2021. Tank Stream Sections, Cultural Resources Management, 12/2021
- Former Skinners Family Hotel – Heritage Impact Statement, GML, 2017

Online resources include:

- State Library of NSW, Mitchell Library
- various newspaper archives accessed via Trove
- Sixmaps
- Google Maps.

While this report is focused on the Concept SSD, some impacts to heritage items by scope of delivery under the CSSI approval are interchangeable and not divisible due to the cumulative impacts of development. They are therefore addressed, where necessary.

4 Statutory context

Heritage items and places in NSW are protected by a range of legislation relating to World, National, Commonwealth, State and Local places and sites of heritage significance. The following sections briefly outline the scope and application of the legislation applicable to places of World, National, Commonwealth, State and Local significance.

4.1 World, national and commonwealth heritage

4.1.1 Listing thresholds

World heritage list

World Heritage Sites are identified by UNESCO under the World Heritage Convention, adopted in November 1972. Australia is a signatory to the Convention. Article 4 of the World Heritage Convention states:

“Each State Party to this Convention recognizes that the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage referred to in Articles 1 and 2 and situated on its territory, belongs primarily to that State. It will do all it can to this end, to the utmost of its own resources and, where appropriate, with any international assistance and co-operation, in particular, financial, artistic, scientific and technical, which it may be able to obtain.”

Places on this list demonstrate universal values above and beyond the values they hold for a particular nation.

National heritage list

The National Heritage List comprises places of outstanding heritage significance to Australia. It includes natural, historic and Indigenous places that are of outstanding national heritage value to the Australian nation.

Commonwealth heritage list

The Commonwealth Heritage List is a list of natural, indigenous and historic places owned or controlled by the Australian Government, its departments, agencies or corporations.

4.1.2 EPBC Act 1999

The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a legal framework for the protection and management of places of World, National and Commonwealth heritage value. The objectives of the EPBC Act are to:

- provide for the protection of the environment, especially matters of national environmental significance
- conserve Australian biodiversity
- provide a streamlined national environmental assessment and approvals process
- enhance the protection and management of important natural and cultural places
- control the international movement of plants and animals (wildlife), wildlife specimens and products made or derived from wildlife

- promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources
- recognise the role of Indigenous people in the conservation and ecologically sustainable use of Australia's biodiversity
- promote the use of Indigenous peoples' knowledge of biodiversity with the involvement of, and in cooperation with, the owners of the knowledge.

4.1.3 Action or actions

Under the EPBC Act, a development proposal is defined as an “action”. The EPBC Act affects any group or individual (including companies) whose actions may have a significant impact on a matter of World or National Environmental Significance, including actions which may impact places on the Commonwealth Heritage List. If a project has the potential to cause significant impact, the proposal is required to be assessed for environmental impacts under the EPBC Act. The proponent must refer the project to the Department of Agriculture, Water and Environment.

Determination of a “significant impact” is set out below.

4.1.4 Significant impact criteria

An action is likely to have a significant impact on the World, National or Commonwealth Heritage values if there is a real chance or possibility that it will cause:

- one or more of the World, National or Commonwealth Heritage values to be lost
- one or more of the World, National or Commonwealth Heritage values to be degraded or damaged
- one or more of the World, National or Commonwealth Heritage values to be notably altered, modified, obscured or diminished.

4.1.5 Significant impacts on World, National or Commonwealth heritage places

If a World, National or Commonwealth Heritage property has cultural heritage values, the proposed action is likely to have significant impacts if there is a real chance or possibility that the action will:

- permanently remove, destroy, damage or substantially alter the fabric of the place
- extend, renovate, refurbish or substantially alter a place in a manner which is inconsistent with relevant values
- permanently remove, destroy, damage or substantially disturb archaeological deposits or artefacts in a place
- involve activities in a place which will have substantial and/or long-term impacts on its values
- involve construction of buildings or other structures within, adjacent to, or within important sight lines of, a place; which are inconsistent with relevant values
- make notable changes to the layout, spaces, form or species composition in a garden, landscape or setting of a place which are inconsistent with relevant values
- restrict or inhibit the existing use of a place as a cultural or ceremonial site causing its values to notably diminish over time

- permanently diminish the cultural value of a place for a community or group to which its values relate
- alter the setting of a World or National Heritage property in a manner which is inconsistent with relevant values
- remove, damage, or substantially disturb cultural artefacts, or ceremonial objects, in a World or National Heritage property
- permanently damage or obscure rock art or other cultural or ceremonial features with World or National Heritage values.

4.1.6 Self-assessment process

It is the responsibility of the entity undertaking an action to consider the extent of impacts on the environment (including heritage values) through a self-assessment process, as outlined in the Significant Impact Guidelines 1.2 (Department of Sustainability, Environment, Water, Population and Communities 2013). If the impacts are likely to be significant, or if the impacts cannot be fully defined, the action should be referred to the Department of the Agriculture, Water and Environment. Only a referral decision from the Department constitutes legal approval under the EPBC Act.

If an action is referred, the Minister for the Environment will decide whether it is likely to have significant impact on the environment and whether approval is therefore required under the EPBC Act. If the Minister decides that the action is likely to have a significant impact, it will be deemed a “controlled action” and be subject to the EPBC Act assessment and approval.

4.1.7 Bilateral agreement

A bilateral agreement between the Commonwealth and The State of NSW allows for NSW to assess certain actions under the *Environmental Assessment and Planning Act 1979* (EP&A Act 1979) to remove duplication of the assessment and approval process. The classes of action to which the clause applies are listed in Schedule 1 of the agreement and include decisions by the State of NSW or a State agency. To this effect, a self-assessment carried out in a Heritage Impact Assessment for actions listed in Schedule 1 of the Bilateral Agreement can be accepted if the action will not, or is unlikely to have, a significant impact.

In NSW, all World Heritage sites are included in the NSW State Heritage Register and responsibility for their conservation in accordance with the *Heritage Act 1977* lies with the NSW Heritage Council and the Minister for Heritage.

4.2 State heritage

The *Heritage Act 1977* was established to conserve the environmental heritage of NSW. Section 4 of the Act describes State heritage significance as:

“In relation to a place, building work, relic, movable object or precinct, means significance to the State in relation to the historic, scientific, cultural, social, archaeological, natural, or aesthetic value of the item.”

4.2.1 Registered heritage places

The Act, inter alia, established the NSW State Heritage Register and the Heritage Council of NSW. Under section 57(1) of the Heritage Act, approval from the Heritage Council, or its delegates, is required for any works to an item listed on the State Heritage Register. The Heritage Act specifically prohibits the full demolition of an item listed on the State Heritage Register.

The Heritage Council has published a set of Standard Exemptions from the need to seek approval for certain works. The Standard Exemptions allow the majority of routine maintenance and repair works to be undertaken without consent.

The Heritage Act provisions do not apply to State Significant Development (SSD) or State Significant Infrastructure (SSI) projects, which are assessed under Division 4.7 of the *Environmental Planning and Assessment Act 1979* and require development consent from the Independent Planning Commission or the Minister for Planning (or delegate). The Department of Planning, Industry and Environment co-ordinates the whole-of-government assessment of these projects and the Heritage Council and Heritage NSW provide comments to DPIE.

4.2.2 Archaeology

Historical archaeological materials are protected under the 'relics' provisions of the *Heritage Act 1977*. A relic is defined as:

"...any deposit, artefact, object, or material evidence that:

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

- is of State or local heritage significance."

Section 139 of the Act states that:

"(1) A person must not disturb or excavate any land 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 unless the disturbance or excavation is carried out in accordance with an excavation permit."

The SSD application only assesses the impact of the tower envelope, while also considering any effect from the surrounding built form development. The relics provision of the Heritage Act does not apply to SSI designated projects.

4.2.3 State agency registers

Section 170 of the *Heritage Act* requires that Government agencies establish and maintain a Heritage and Conservation Register of their heritage assets. A government instrumentality must give the Heritage Council not less than 14 days written notice before the government instrumentality:

"(a) removes any item from its register under section 170, or

(b) transfers ownership of any item entered in its register, or

(c) ceases to occupy or demolishes any place, building or work entered in its register."

Items on the register must be maintained with due diligence in accordance with the State-Owned Heritage Management Principles.

4.3 Local heritage

Local Council planning regulations are contained in Local Environmental Plans (LEPs). Most LEPs in NSW are based upon the NSW Government's standard model and include the same provisions for the protection of local heritage. The primary clause in this respect is Sydney LEP 2012 Clause 5.10 (2), which states:

"Heritage conservation

(2) Requirement for consent

Development consent is required for any of the following:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—

(i) a heritage item,

(ii) an Aboriginal object,

(iii) a building, work, relic or tree within a heritage conservation area,

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

(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,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land—

(i) on which a heritage item is located or that is within a heritage conservation area, or

(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

(f) subdividing land—

(i) on which a heritage item is located or that is within a heritage conservation area, or

(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance."

These provisions generally require that Development Consent is required for works affecting a Heritage Item identified in the Schedules attached to the LEP (or Aboriginal Places of Significance). Subsequent provisions provide for exceptions for minor works, empower the Council to request specific studies or plans to be prepared, provide for liaison with the Heritage Council in relation to archaeological sites and allow relaxation of other planning provisions as conservation incentives.

Local council Development Control Plans provide detailed objectives and controls which, whilst not relevant to this application for reasons described section 1 of this report, illustrate the standard of design response expected by the community.

5 Non-statutory heritage context

The Heritage Impact Assessment process is cognisant of community interest in listed heritage places and 'unrecognised' heritage places which are not provided statutory protection, but which may be important to the community. Where development sites contain 'unrecognised' places, a heritage impact assessment may include a heritage assessment to determine the significance of a place in order to assess potential impacts of development. Similarly, conservation management documents are sometimes available for heritage places. Where these are relevant, the detailed heritage assessments and conservation policies contained within these documents can assist with the assessment of potential impacts of development.

5.1 Conservation management plans & strategies

Conservation Management Plans (CMPs) provide guidance relating to opportunities and constraints for heritage items. Not all heritage items have a CMP and, in general, a CMP should be updated every 10 years or less. CMPs are not statutory documents, although they can be required under legislation.

5.2 National Trust Register (NSW)

The National Trust of Australia (NSW) maintains a Register of landscapes, townscapes, buildings, industrial sites, cemeteries and other items or places which the Trust determines have cultural significance and are worthy of conservation. Listing by the Trust has no statutory effect but is generally regarded as an authoritative statement regarding heritage significance.

5.3 Register of the national estate

The Register of the National Estate is a list of natural, Indigenous and historic heritage places throughout Australia. From 19 February 2007, the Register has been frozen, meaning that no places can be added or removed, and it no longer has status as a statutory list.

The Register of the National Estate was originally established under the *Australian Heritage Commission Act 1975*. Under that Act, the Australian Heritage Commission entered more than 13,000 places in the Register. In 2004, responsibility for maintaining the Register shifted to the Australian Heritage Council, under the *Australian Heritage Council Act 2003* (AHC Act).

On 1 January 2004, a new national heritage system was established under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act). This introduced the National Heritage List, which was designed to recognise and protect places of outstanding heritage to the nation, and the Commonwealth Heritage List, which includes Commonwealth owned or leased places of significant heritage value.

5.4 Register of significant buildings in NSW

The Australian Institute of Architects has been an active advocate for heritage conservation since the 1930s. The NSW Chapter maintains a Register of Significant Buildings which focuses on the preservation of buildings of merit, especially those that have received awards from the AIA(NSW) or the AIA (formerly RAIA). The Register aims to improve the recognition of the State's award-winning architectural heritage, encouraging sustainable adaptive reuse and increased consideration of the original design intent.

6 Built heritage context

6.1 Introduction

The Hunter Street West development is located at the northern end of the Sydney CBD. The development comprises a podium and overhead tower above the underground station box. Whilst the podium will be constructed as part of the Stage 3 CSSI Application, it is further developed in the Concept SSD to form an integrated development with the tower above.

The development site contains a building listed on the State Heritage Register and is in the vicinity of other listed heritage places. This report classifies heritage items in the vicinity to include those opposite or adjacent to the site and those within the sun plane of the concept design envelope. Overshadowing is discussed in section 8.6.

6.2 Contextual built environment

The site is located on the southeast corner of Hunter and George Streets. On George Street, the site faces the eastern entrance to Wynyard Station and the light rail on George Street; the Hunter Street side faces a mix of old and new buildings. The land falls steeply from west to east and contains a number of lots and a laneway known as De Mestre Place.

This end of Hunter Street is not a precinct dominated by sandstone buildings but, rather, by lighter stones such as grey granite and lighter marble (34 Hunter Street), painted stucco and brickwork (NSW Sports Club, Skinners Hotel and Pangas House), light coloured faience (Shell House) and precast concrete, including the precast etched quartz permanent formwork that forms the cladding of Australia Square.

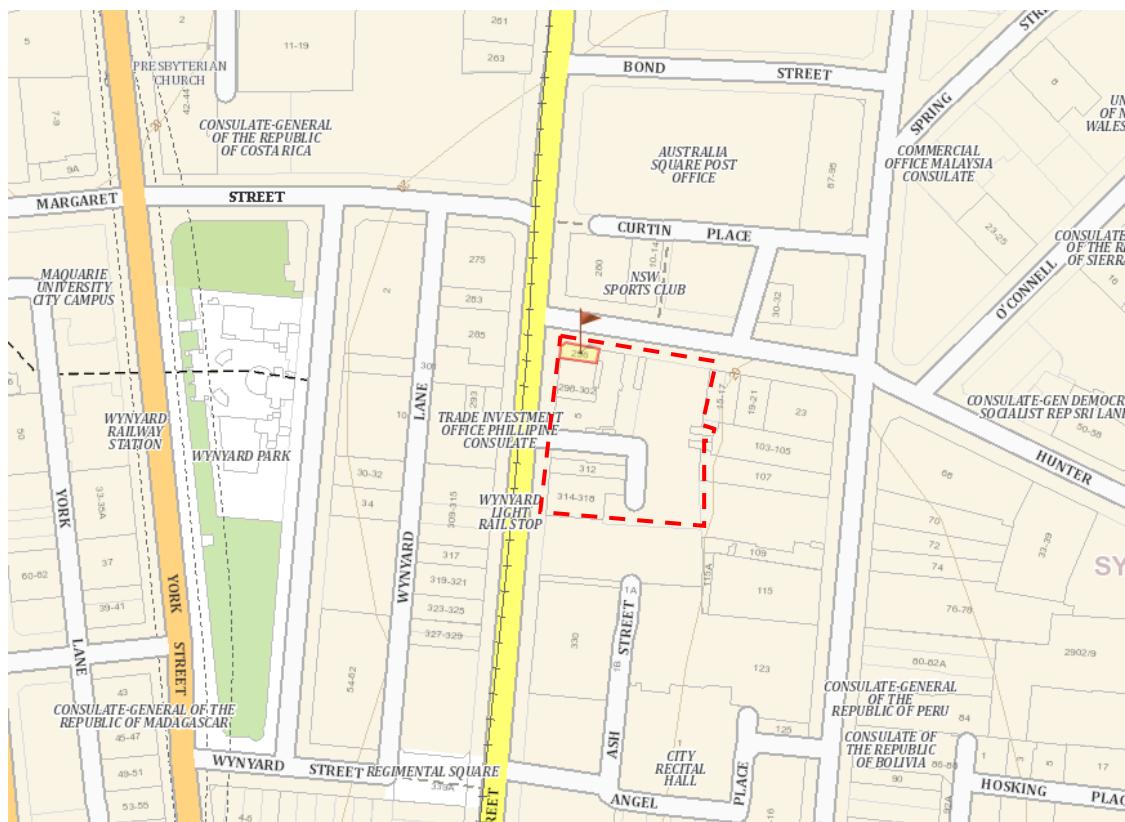


Figure 6-1 Street map showing location of the site.

Source: Sixmaps

The development at Australia Square (See Figure 6-6) comprises a 50-storey, 170 metre tall, cylindrical tower and thirteen-storey plaza building built at opposing major street frontages (George and Pitt Streets), with an extensive central public plaza. The Australia Square tower is the dominant physical element in the precinct, providing a strong cultural landmark, with an external structure consisting of sculptural precast concrete panels and recessed tinted glass. Whilst Australia Square breaks with the traditional street edge definition, the plaza design utilises the enclosure formed by the buildings, surrounding aligned streets and the two laneways that feed into the centre of the site. The simple forms of surrounding buildings provide an appropriate foil to the distinctive circular form of Australia Square.

In addition to De Mestre Place, the site potentially connects to several laneways, including Palings and Empire Lanes, Ash Street, Angel Place and Hunter Arcade. Little Hunter Street is located to the north, on the opposite side of Hunter Street. Hamilton Street, itself a State listed heritage item, is positioned further east and provides another access point to the Australia Square Plaza.

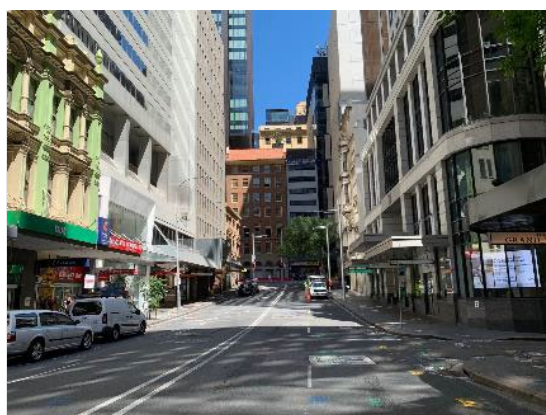


Figure 6-2 View west along Hunter Street.

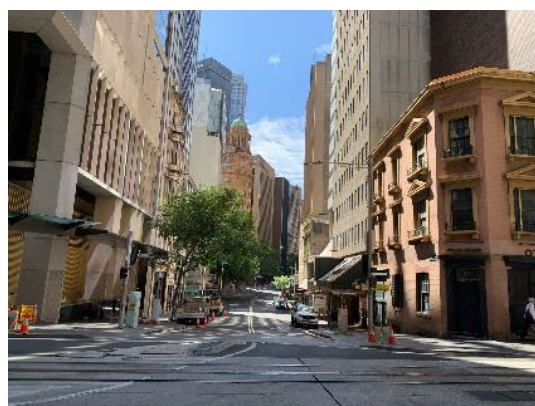


Figure 6-3 View east along Hunter from George Street.

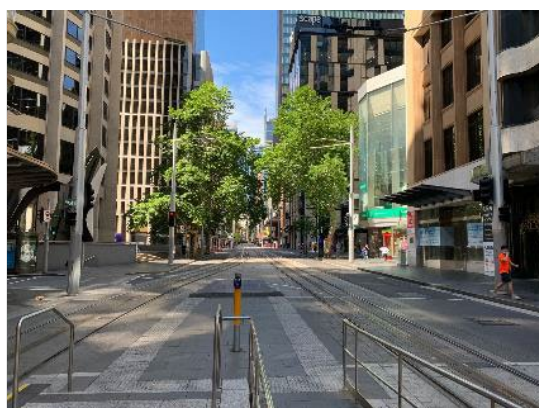


Figure 6-4 View south along George Street from Australia Square. Site obscured by street trees.

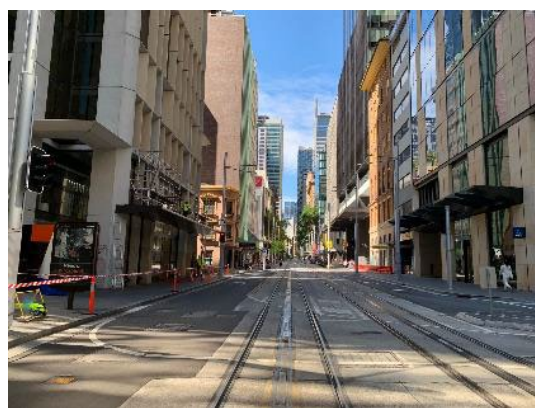


Figure 6-5 View looking south on George Street near Margaret Street.



Figure 6-6 View looking north on George Street towards Australia Square



Figure 6-7 View looking north on George Street at Wynyard Station.

6.2.1 Identified heritage items

The site includes one item listed on the State Heritage Register, the Former Skinners Family Hotel. The eastern boundary of the site intersects with the State Heritage Register statutory curtilage of the Tank Stream but does not include the Tank Stream itself. The site is also located in the vicinity of a number of other heritage items. These are identified below in Table 6.1 and Figure 6-8.

As the proposed development is a building envelope located above the podium, it does not directly interface with heritage items on the site.

Table 6-1 Heritage Items within and within the vicinity of the site

Register /listing	Item name	Item number
Heritage Items within the site		
State Heritage Register	Former Skinners Family Hotel - 296 George Street (Local)	I1766
	Tank Stream - King Street to Circular Quay in tunnel	I636
Heritage items in the vicinity of the Site		
State Heritage Register	Tank Stream - King Street to Circular Quay in tunnel	I636
	Little Hunter and Hamilton Street Precinct – includes NSW Sports Club and Grand Hotel	I1806
	Former Wales House, 64–66 Pitt Street	I1915
Sydney Water Heritage and Conservation Register	Bennelong Stormwater Channel No 29A (4570854)	4570854
Sydney Local Environment Plan	Former Commercial Building “Beneficial House” - 285–287 George Street	I1765
	NSW Sports Club, 10-14 Hunter Street	I1808
	Australia Square, 264-278 George Street	I1764
	Grand Hotel, 30-32 Hunter Street	I809

Register /listing	Item name	Item number
	Commercial building facades and external walls only, 319-321 George Street	I1767
	Former Telford Trust building including Interiors	I1763

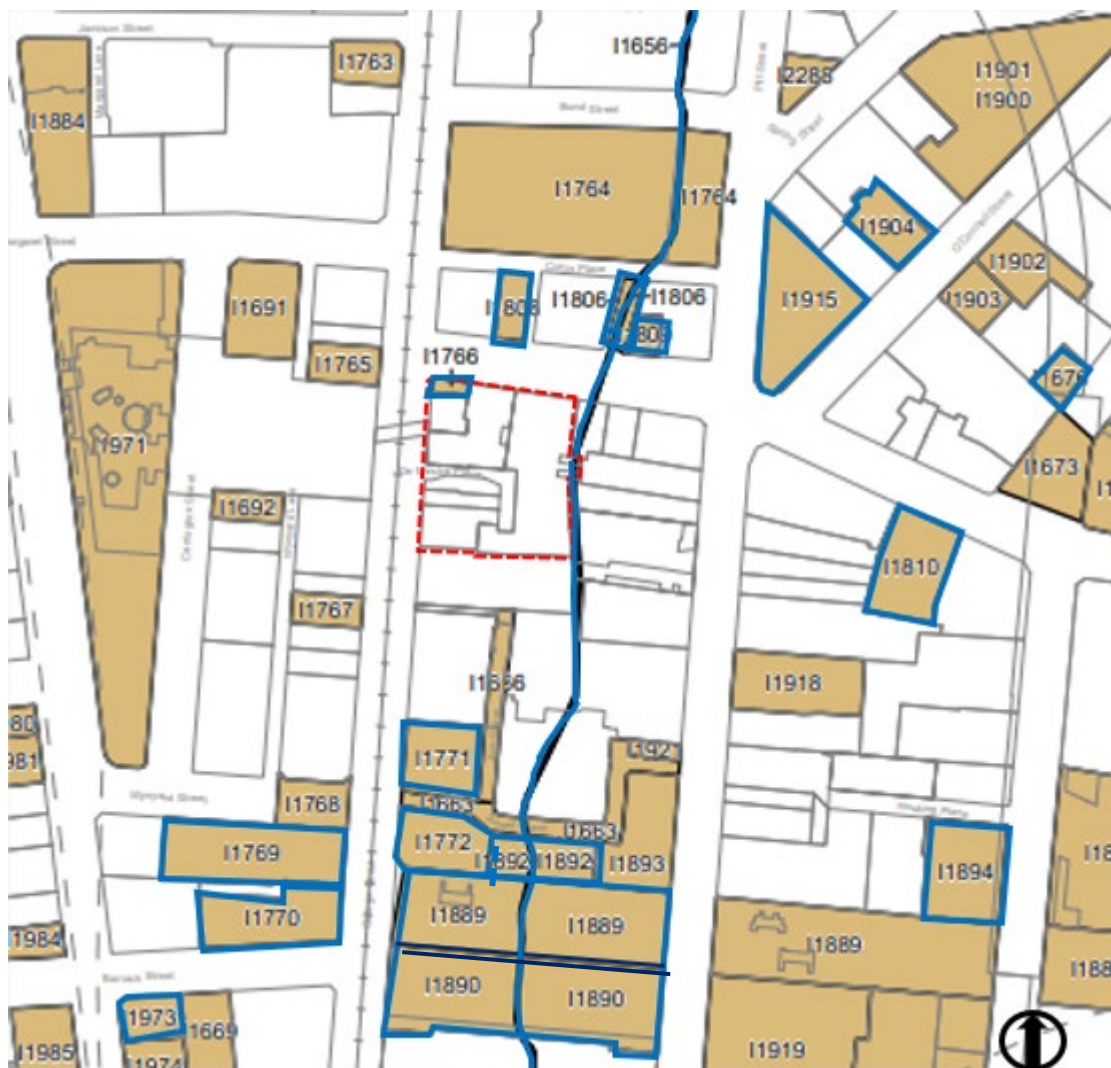


Figure 6-8 Heritage items in the vicinity of the site.

Source: Sydney LEP 2011 Heritage Map HER_014

(Note: Heritage items are shaded brown, with State registered items outlined in blue. The site is outlined in red).

6.2.2 Significance of heritage items within the site

The italicised text in the following table is taken directly from the State Heritage Inventory. Items potentially impacted by overshadowing are discussed in section 8.6 of this report.

Table 6-2 Significance of heritage items

Items of state significance	
Item Name:	Former Skinners Family Hotel, including interiors
Address:	296 George Street, Sydney
Item No.	State Heritage Register: 00584 SLEP: I1766
Designer/maker:	Henry Robertson
Construction:	1845-1846
Proximity/location	Located at the northwest corner of the site and bounded by the new development to the east and south

Statement of Significance

The Former Skinners Hotel located at the corner of George and Hunter Streets is highly significant as one of the few Old Colonial Regency buildings remaining in the city. The former hotel has significance as one of only four buildings in the Old Colonial Regency style in the city although it no longer has the traditional hotel uses of bar and accommodation; the other buildings in the style are the Lord Nelson, the Hero of Waterloo and a commercial terrace at 246 George Street. While the Lord Nelson is the finest example of the remaining buildings, this former hotel is also significant for its strong contribution to the character of the immediate area and as one of the few remaining buildings of this style in the heart of the city. It has significance as a rare surviving example of an early hotel and as part of the network of corner hotels which provided social / recreational venues and budget accommodation in the city. It has significance as a possible site for scientific investigation due to the age of the building and continuing use of the site since the early days of European settlement. The building now carries the name of the first licensee of the hotel.



Item name:	Tank Stream: including tanks and tunnels
Address:	King Street to Circular Quay (underground), Sydney

Items of state significance

Item No	State Heritage Register: 00636 SLEP: I1656,
Designer/Maker:	Various
Construction:	1790, c1860, 1880
Proximity/location	Located below ground near the eastern boundary of the site. Extends from King Street to Circular Quay. The curtilage of the item extends into the site.

Statement of significance

The Tank Stream is significant because it was the reason the First Fleet settlement was established in Sydney Cove, and therefore influenced the future shape of Sydney over two centuries. It is linked in the public mind with the period of first European settlement and retains value as an iconic representation of that period and is interpreted as a metaphor of the period of contact and early urban settlement in Australia.

The Tank Stream itself has retained an identity through the functional changes from being a fresh water supply, through subsequent use as combined sewer and stormwater drain to its current function as a stormwater drain. It is an important survivor of the first period of organised and integrated water management in an Australian city. The stone-cut water tanks, which may survive archaeologically, are important symbols of the reliance upon water in the colony, both in absolute terms and as an indication of the fragility of the European presence in Australia.

The surviving fabric documents mid-nineteenth century sanitation design and construction, and subsequent changes in methods and also the theory of urban wastewater management. This evidence is preserved in the drain enclosing the Tank Stream, in physical evidence of change, and may also be present archaeologically in buried parts of the Tank Stream line.

The archaeological evidence of the Tank Stream has the potential to contain deposits that can contain information about pre-human and pre-urban environments in Sydney, Aboriginal occupation and early non-indigenous occupation of Sydney. The fabric enclosing the watercourse demonstrates one of the most comprehensive collections of hydrological technology in Australia.


The sections of the former Tank Stream south of King Street which survive have potential for retaining evidence of the earliest periods of its human use, although this is likely to have been severely compromised by development. The swampy source of the stream may provide evidence of past environmental conditions. (Tank Stream Conservation Management Plan, Sydney Water Date: June 2003)



6.2.3 Significance of heritage items within the vicinity

This report classifies heritage items ‘in the vicinity’ to include those directly opposite or adjacent to the site and those within the sun plane of the concept design envelope. The italicised text in the following table is taken from the State Heritage Inventory. Items potentially impacted by overshadowing are discussed in section 8.6 of this report.

Table 6-3 Assessed heritage places in the vicinity

Significance of heritage items	
Items of State Significance	
<p>Little Hunter and Hamilton Street Precinct Item No. I1806 SHR 00599</p> <p>Proximity/location</p>	<p>Includes Hamilton Street, Grand Hotel, NSW Sports Club (See local listings for Statements of Significance for individual buildings).</p> <p>Hunter Street and Hamilton Street between Hunter and Curtin Place to the west of the site.</p>
<p>Statement of Significance: Hamilton Street has historic significance: For its ability to evidence the development of Sydney's Tank Stream. For its ability to evidence the development of Victorian Sydney's lane networks.</p>	
<p>Former Wales House 64-66 Pitt Street Item No I1915 SHR 00586 Designer/maker: Manson & Pickering Construction: 1922-29</p>	
Proximity/location	Located prominently to the east of the site on the corner of O'Connell and Pitt Street.
<p>Statement of Significance: The site of the building has a 99 year association from 1856 to 1955 with the publication of Australia's oldest surviving newspaper, the Sydney Morning Herald. The building itself was designed for this purpose which it fulfilled for 28 years from 1927 to 1955. The building, with its rounded corner treatment on the prominent narrow-vee site provides a good and clearly visible element in the townscape. The building is a large and powerful reminder both of the success and prosperity of the publisher-owners, John Fairfax & Sons, and of the dominant role of newspapers in society at that time, before the advent of the electronic media. The exterior treatment of the building is a fine example, in good condition, of the Interwar Commercial Renaissance Palazzo style, then popular for office buildings of this type. It reflects an image consistent with the perceived role of the Sydney Morning Herald - conservative, substantial, influential and responsible.</p>	

Significance of heritage items

Items of local significance

Former Commercial Building "Beneficial House"

285-287 George Street

Item No. I1765

Designer/Maker:
Wilson, Neave &
Berry (Hardy Wilson)

Construction: 1923



Proximity/Location Located on George Street, to the west and directly opposite the site.

Statement of Significance:

Beneficial House is noteworthy for its former lengthy association with "Peapes Menswear" (1923-1970), a particularly well-known Sydney retail store, and its contribution to creating an image for the store. It reflects the importance of George Street as a principal retailing thoroughfare and, generally, an important period of development during the 1920s. The building is of aesthetic significance as one of very few surviving commercial examples of Inter-war Georgian Revival style architecture and the work of Hardy Wilson. It is strikingly similar to British Airways House also attributed to Wilson, Neave & Berry, and has parallels with Lisgar House (refer no 2004). It is a good example of the style and contributes significantly to the streetscape of George Street. The combination of Georgian Revival style in the brick facade, windows and section of tiled roof with a Commercial Palazzo style sandstone base adds to the architectural interest of the building.

NSW Sports Club

10-14 Hunter Street

Item No. I1808*

Designer/Maker:
Robertson & Marks

Construction: 1888

(*also State
Registered under
Little Hunter and
Hamilton Street
Precinct)



Proximity/Location Located to the north of the site on Hunter Street.

Statement of Significance:

The buildings occupied by the N S W Sports Club since 1900 are of Victorian Free Classical style. They have high historic significance for their long association with the NSW Sports Club. They are socially significant as a rare example of nineteenth century premises, exemplifying the longevity of clubs as a social institution in Sydney, and the stability of sport as a focus for social life. They have high aesthetic significance as rare and outstanding examples of highly intact original commercial Victorian exteriors of high-quality design, particularly noted for their elaborate use of decoration. Their exteriors have outstanding potential due to their successive restorations, to continue in their restored state.

Significance of heritage items

Grand Hotel

30-32 Hunter Street

Item No. I1810*

Designer/maker:
Copeland & Lemont

Construction: 1928-
1929

(*included as part of
state registered Little
Hunter and Hamilton
Street Precinct -
SHR 00599).



Proximity/Location

Located on the opposite side of Hunter Street between Castlereagh and Pitt Streets.

Statement of Significance:

The Grand Hotel is a six-storey building of Inter War Georgian Revival style. It has historic significance for its ability to contribute to an understanding of the impact made on Sydney city streetscapes by the building demolitions which preceded the building of the Sydney Harbour Bridge and the Sydney City Railway. The building has aesthetic significance as an outstanding example of a well intact original pub exterior of high-quality design with an intact interior stair also of high-quality design. High Significance: All the intact original fabric of the south and west façade above the awning. Medium Significance: The intact original fabric of the foyer, stair and lift. Low Significance: Any remaining interior spaces.

Australia Square including tower and plaza buildings, forecourt, plaza and interiors

264-278 George
Street

Item No. I1764

Designer/Maker:
Harry Seidler and
Associates

Construction: 1964-
67



Proximity/Location

Located to the north of the site on the eastern side of George Street

Significance of heritage items

Statement of Significance:

Australia Square is one of the most outstanding late twentieth century international style works of architecture for which Harry Seidler was awarded both the Royal Australian Institute of Architects Sulman Medal and Civic Design Award in 1967, in the year of its completion. Australia Square Tower established new principles in design and construction through its distinctive efficient cylindrical form, the use of reinforced concrete shaped sculpturally for structural efficiency and its innovative approach to urban renewal, through site amalgamation, and being the first to translate the incentives of the interim City of Sydney Strategic Plan into creation of an extensive plaza that remains one of the most highly successful civic spaces in Australia. It is of historic significance for its pioneering approach to the problems of urban redevelopment through amalgamation and the provision of public space on private land, thus minimising problems of pedestrian congestion. It was the first city block development in Sydney and a milestone for its architectural and urban contribution to the post war city. It is aesthetically significant as a finely crafted building and a seminal work by Seidler. The tower is significant for the many technological advances of the time such as patterned ribbing, tapering columns and the use of pre cast concrete both as permanent formwork, developed in collaboration with world renown engineer, Pier Luigi Nervi. The development is significant for the first time collaboration of Seidler and Nervi. Australia Square is of social importance for its subsequent influence on the architectural profession and as a landmark building to the general population. It is scientifically significant for the early use of precast panels utilising structural lightweight concrete to the tallest height in the world at the time of construction. It is significant as the highest and still the largest revolving restaurant in the world with the fastest lifts at the time of construction.

Commercial Building facades and external walls only

319-321 George
Street

Item No. I1767

Designer/maker:
unknown

Construction: c1858

-



Proximity/Location

Located on the western side of George Street to the south-west of the site.

Statement of Significance:

319-321 George Street is of historic, aesthetic, social and scientific significance as a rare early Victorian commercial facade of modest scale and restrained detail that typified the scale, form and pattern of developments of the 1850 period and which continue to demonstrate those attributes. The facade also demonstrates the quality of design from that period and is a strong contributor to the varied streetscape of this section of George Street.

Significance of heritage items

Former Telford Trust building including Interiors

261 George Street

Item No I1763

Designer/maker:
Adam, Wright &
Apperly 1939;
Buchanan, Felton &
Lovell, 1961

Construction: 1939
and 1961



Proximity/Location

Located to the north of the site on the western side of George Street

Statement of Significance:

The former Telford Trust Building demonstrates an important period of development in the city in 1930s for and the importance of Sydney as a site for corporate headquarters. The building is located on a prominent corner site an important contributor to the streetscape. It is an outstanding example of the Inter War Functionalist style as a break away from traditional architectural styles and building technologies of the 1930s and is notable for the expanses of unbroken horizontal windows. The original lower portion of the building is especially important despite the replacement of the original spandrel facing panels. The extension of the building in a similar style reflects the increasing value of city property.

7 Summary site history

7.1 Historical summary

Section 7.1 has been extracted from the Sydney Metro West - Major civil construction between The Bays and Sydney CBD, Technical Paper 3, Non-Aboriginal Technical Report, October 2021.

Insofar as this report deals with sites in the CBD of Sydney, the historical context for this area is the story of Aboriginal Australia, followed by the arrival of the English colonists in 1788 and the subsequent development of Sydney as the capital of NSW and the largest city in Australia.

7.2 Aboriginal history pre-1788

Prior to the appropriation of their land by Europeans, Aboriginal people lived in small clan groups that were associated with particular territories or places. Territorial boundaries were imprecise by modern standards but were typically based upon natural features and traditions. Aboriginal people across Australia were diverse in their language and culture but shared core beliefs regarding their origins and history.

The language group spoken across Sydney was known as Darug (Dharruk – alternate spelling). This term was used for the first time in 1900¹; in the nineteenth century, language groups or dialects were not well understood and were rarely discussed in European literature. The Darug language group is thought to have covered the area south from Port Jackson, north from Botany Bay and west to Parramatta.²

The name Gadigal and its alternative spellings (Cadigal, Cadi) was used in the earliest historical records of the European settlement in Sydney to describe the Aboriginal clan that lived on the southern shore of Port Jackson, from South Head west to the Darling Harbour area.³

7.3 Post-contact history

Captain Arthur Phillip led the eleven ships of the first colonial fleet into Port Jackson in January 1788, settling on Sydney Cove as the initial location for creating a settlement. The colonists raised a flag declaring the establishment of the settlement on 26 January 1788. A small township was quickly established, and the settlers commenced exploring the surrounding land for suitable land to establish crops and to graze their animals.

The existing inhabitants were initially curious and amused but were soon dismayed to realise that the settlement was intended to be permanent. First contacts were amiable but relations soon turned ugly, as the locals attempted to assert their proprietorship of the land and the soldiers that accompanied the settlers used their superior weaponry to resist. In any event, the rapid spread of the smallpox virus amongst the local population during 1879, fifteen months after the arrival of the fleet, led to the death of

¹ R. H. Mathews and Miss Mary Martha Everitt, 1900. 'The organisation, language and initiation ceremonies of the Aborigines of the south-east coast of NSW'. *Journal & Proceedings of the Royal Society of NSW*. 34:262-281; Valerie Attenbrow, 2010. *Sydney's Aboriginal Past: investigating the archaeological and historical records* (2nd ed). University of NSW Press, Sydney.

² Attenbrow 2010. p 34.

³ Attenbrow 2010. p 22 and 35-36.

up to 70 per cent of the local Aboriginal population within a matter of months. Survivors largely abandoned the area around the settlement and, despite some precarious moments, the colonists consolidated their foothold and began to reshape the country to their needs.



Figure 7-1 Aboriginal activities on the shore of Port Jackson in 1824.

Source: Peron and Freycinet, 1824.



Figure 7-2 The founding of Australia by Captain Arthur Phillip RN; Sydney Cove, January, 1788 by Algernon Talmage, 1937. A fanciful representation of the raising of the flag in Sydney Cove.

Source: Mitchell Library, SLNSW, FL3141725.

Sydney Town, as it was then known, developed on either side of a central creek-line that was later called the Tank Stream. Initially, the officers and senior administrators of the colony were located east of the creek and the convicts and soldiers were located on the west side. Although this division did not remain operational for long, it had a lasting impact on the city, with the major offices of government located along Bridge Street east of Pitt St and the working-class houses of the Rocks on the west forming a notable division that lasted until the end of the 20th century. Bridge Street was the alignment of the first bridge across the stream and George St and Pitt St ran on either side. In 1812, Governor Macquarie arrived and, within a few years, had regularised the streets and given them the names (of English royalty and aristocrats) that they still carry.



Figure 7-3 Plan of the town of Sydney in New South Wales in 1807 by James Meehan, Surveyor. Hunter St exists in its current alignment but is not named on this plan. The indicative location of the subject site is shown dotted.

Source: SLNSW, IE3738455.

By the 1850s, the Sydney City Council had been formed, water supply had been piped around the city and the underground sewers were laid in the main streets. Gas lighting, supplied by the AGL works at Darling Harbour, lit the streets and the city was about to face its greatest period of growth, as the potato blight in Europe and gold discoveries in the Bathurst region spurred an immigration rate that saw the population triple over the next three decades.⁴

⁴ ABS: 3105.0.65.001 - Australian Historical Population Statistics, 2006

7.4 Development of Hunter Street

Hunter Street developed early in the colony as the second crossing of the Tank Stream after Bridge Street. Originally known as Bell Street, it was renamed by Governor Macquarie in 1812 as Hunter St, in honour of Captain John Hunter, Master of the HMS Sirius in the First Fleet and the second Governor of the colony.



Figure 7-4 The Tank Stream in circa 1842 by John Skinner Prout, showing the view northwards from Hunter Street towards Sydney Cove. The Bridge Street bridge is visible in the centre, with the Commissariat Stores in the background.

Source: Art Gallery of NSW.

By the 1830s, the Tank Stream had been covered over at Hunter Street and both sides of the street were occupied with buildings. Most were large buildings which addressed the cross-streets (ie George, Pitt, Bligh, O'Connell Streets).⁵ By the 1850s, several of these had been subdivided and, west of Pitt Street, both sides of Hunter St were occupied by small retail premises; east of Pitt Street, the buildings tended to be larger, corporate offices and merchant houses, including the Union Bank.

This trend continued into the late nineteenth century, with the western end of Hunter St supporting small retail premises and the eastern end occupied by larger buildings of a more corporate or mercantile nature. The offices of the Sydney Morning Herald fronting Hunter St, between Bligh and O'Connell St's, was a major influence on the later development in its vicinity. Upper Hunter St was, in the late nineteenth century, the preferred location for Lawyers chambers; at least six buildings on either side of Hunter St housed lawyers' chambers in 1910. Other notable buildings included the Offices for the Inspector-General of Police, the Prisons Board and Aborigines Protection Board, the British Imperial Oil Company and the Pacific Cable Board.

⁵ City of Sydney Survey Plans, 1833; CCS Archives

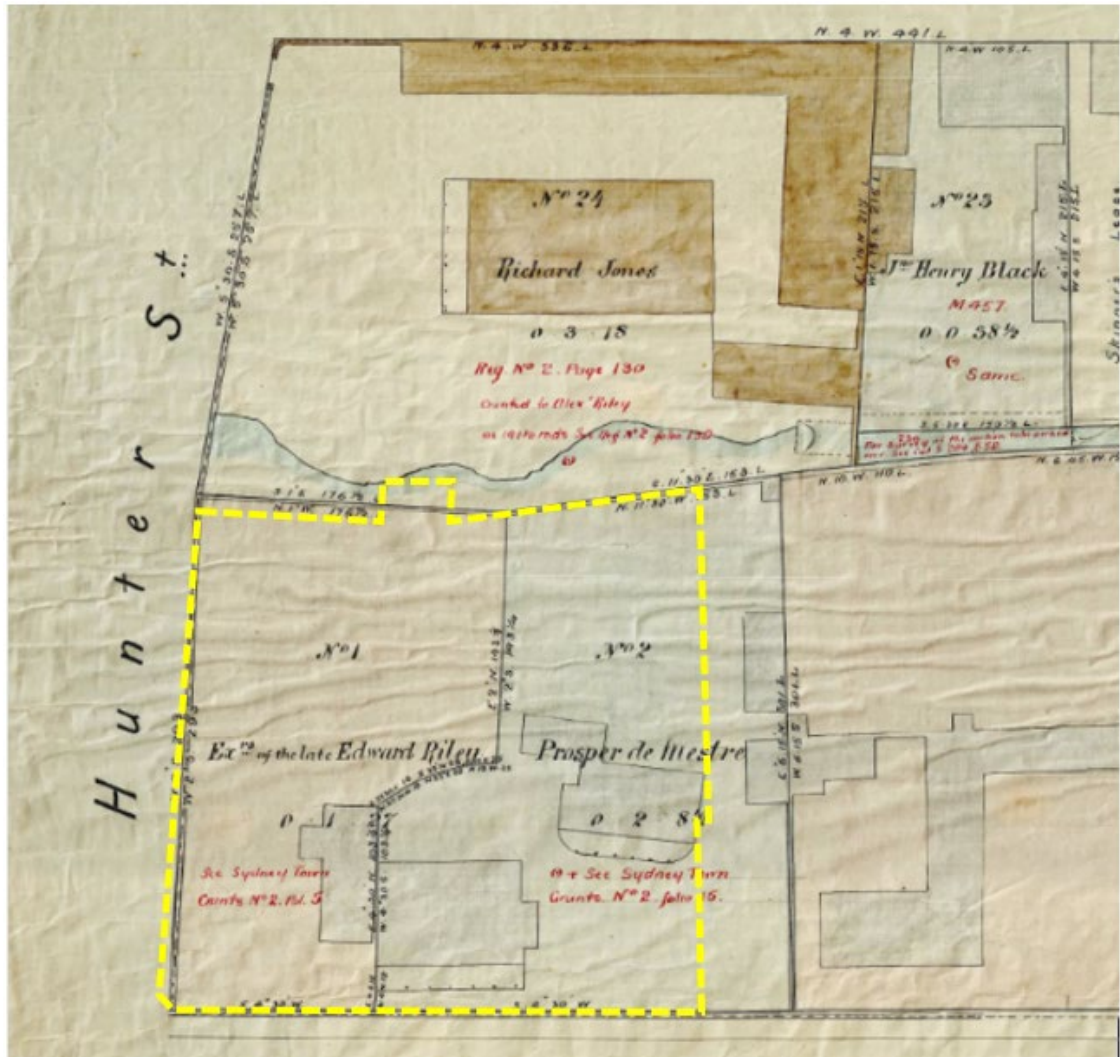


Figure 7-5 The south side of Hunter St between George and Pitt St's, in 1830. The banks of the Tank Stream are still existing in this plan, although the stream itself has been enclosed. The indicative location of the site is shown dotted.

Source: City of Sydney - Survey Plans, 1833: Section 37 - CCS Archives.

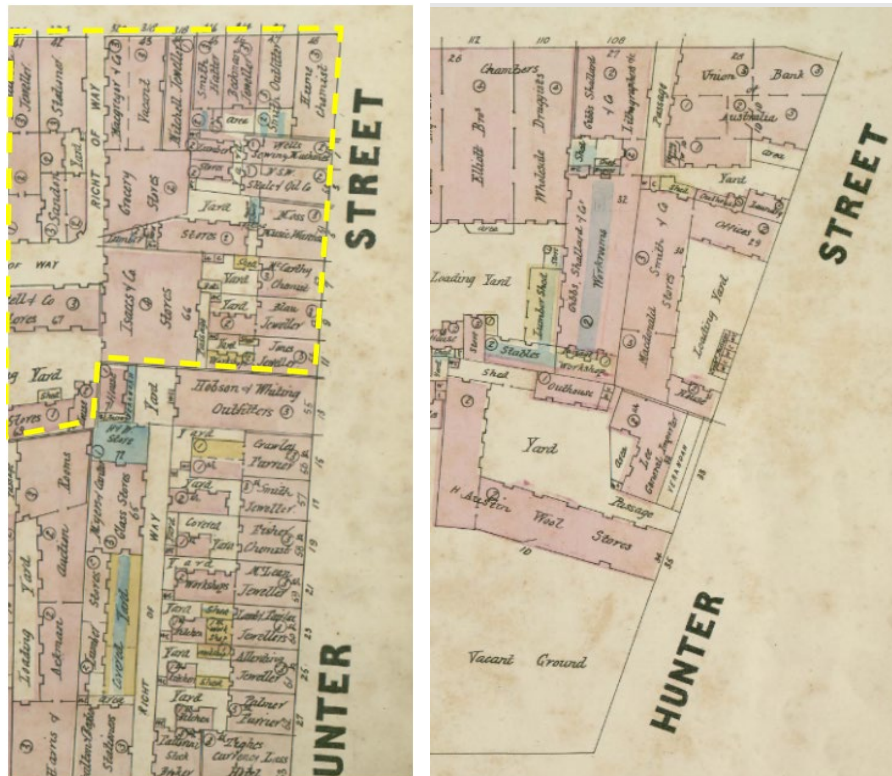


Figure 7-6 Sydney in 1880. At left is the south side of Hunter St, between George and Pitt Streets. On the right is the south side of Hunter St between Pitt and Castlereagh Streets. The indicative location of the site is shown dotted.

Source: Dove's Plans of Sydney CCS Archives.

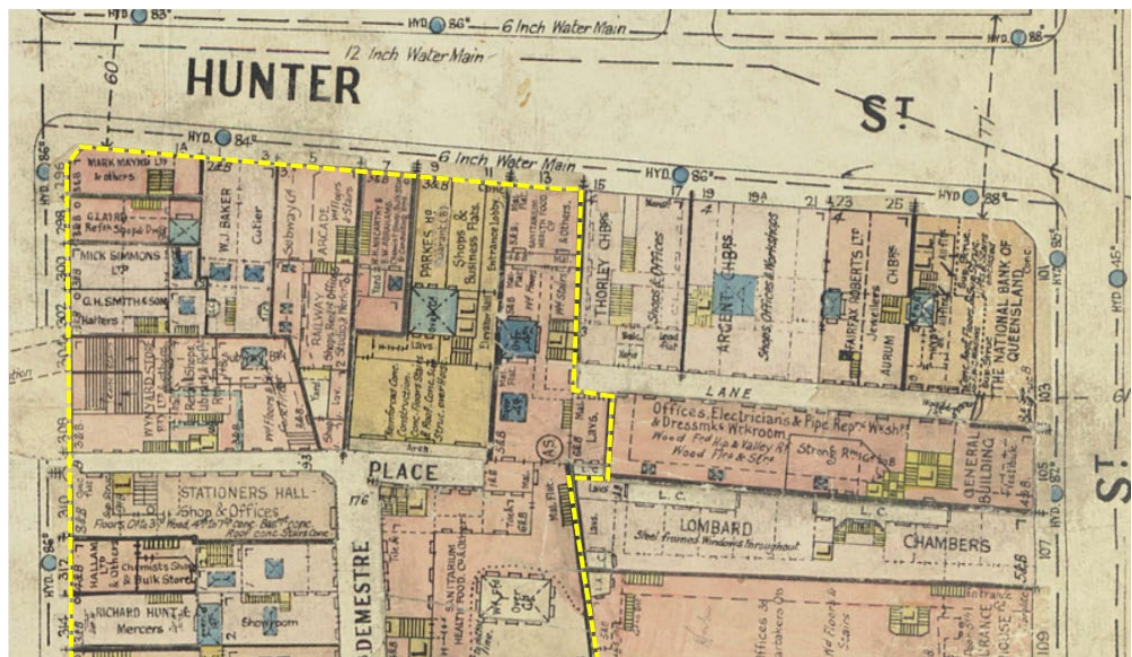


Figure 7-7 The south side of Hunter St, between George and Pitt Sts in circa 1920. The smaller shops have been consolidated into larger shops and offices. The indicative location of the site is shown dotted.

Source: Fire Underwriters Plans of Sydney - CCS Archives



Figure 7-8 The south side of Hunter St, between Pitt and Castlereagh Streets in circa 1920 now has three large buildings: a bank, an insurance company and legal offices.

Source: Fire Underwriters Plans of Sydney - CCS Archives.



Figure 7-9 View looking west along Hunter Street near corner of Pitt and O'Connell Street, 1870-75. The site is indicated by an arrow.

Source: Mitchell library, Holtermann Collection, ON 4 Box 59 No 306.



Figure 7-10 View looking east along Hunter Street, 1980s.

Source: City of Sydney Archives, A-00028530.

7.5 Historical development of heritage items

7.5.1 Former Skinners Family Hotel

The Former Skinners Family Hotel is located at the corner George and Hunter Street within the site boundary. The following content is based on information contained in Heritage Impact Statement prepared for the site by GML, 2017.

“The site of the Former Skinners Hotel was part of the original grant to Edward Riley in 1823. The property was sold to Isaac Simmons in 1845 and a hotel constructed in 1845–46, designed by architect Henry Robertson. There is no documentary evidence, but it appears that this is the building standing today. The building was named the Clown Hotel and the publican for 1846–49 was George Skinner. Other occupants included Andrew Torning (1849–55); Jno. Turner (1855–58); and Ralph Tolants (1858–60). In 1860 it was named Turner's Hotel, and in 1866 became known as the Clarendon Hotel. Licensees at the time were Margaret Harris and Henry Barnett. The proprietor of the hotel in 1873 was Benjamin Fyffe. From this point the building ceased to function as a hotel and became a chemist shop until 1900. Walter and Herbert Shrimpton (hatters) leased part of the premises at this time. A. H. Phillips, Orwell Phillips, A. E. Phillips, Ernest Lawton Davis and Louis Morris Phillips were joint proprietors in 1931 with an additional prop. Rex Cullen-Ward. A number of changes in the joint tenants resulted in the transfer of the property to Albert and Hannar Edmunds, George Laird and R. G. Holdings in 1950. Hallam Limited were the proprietors in 1925 and the property was leased to Osbourne Henry Harding and Victor Read (merciers) for the first and second floor in 1923. Hallam sold the property to the Phillips partnership in 1927 who were in possession in 1935. In 1955 the building was transferred from John Fairfax to George Coulter, and to Advance Bank Australia Ltd. in 1987.” (State Heritage Inventory)

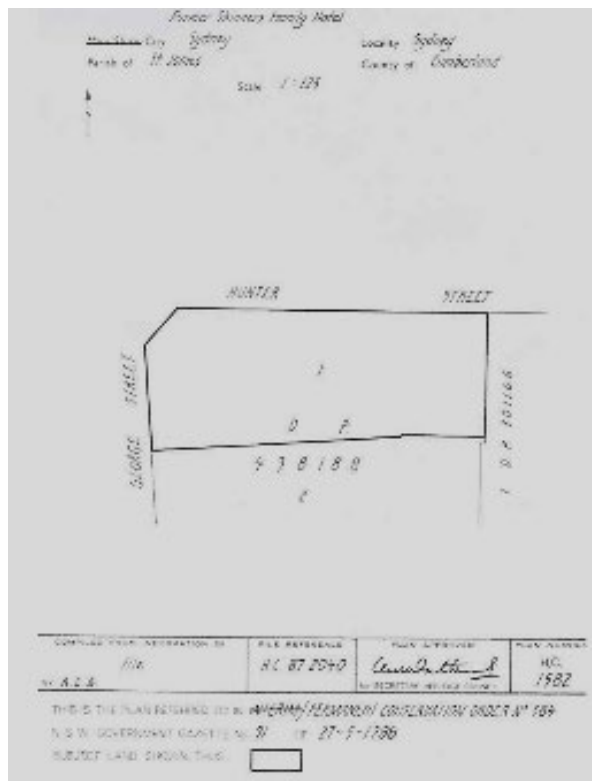


Figure 7-11 The State Heritage Register Curtilage of Former Skinners Family Hotel.

Source: State Heritage Inventory.

The building is illustrated in streetscapes of Hunter and George Street in 1848 held by City of Sydney archives. The Hunter Street elevation (Figure 7-12) shows a three-storey, hip-roofed building with four windows to both the first and second levels and three windows and a single door to the ground floor. The windows appear to be double-hung sashes, with the exception of those at each level of the western end of the elevation which appear to be tripartite or bay windows.



Figure 7-12 Extract of Hunter Street streetscape 1848.

Source: City of Sydney Archives 087512m with amendments by GML.

The western elevation also contains tripartite windows at each level towards the corner but the building is shown to extend along George Street for approximately four times its current length (Figure 7-13). It contains multipaned, glazed shopfronts at ground level and what appear to be double-hung sashes at the first and second floors. It appears to have two firewalls extending through the roofline dividing the southernmost portions of the building and the roof terminates with a gable to the south.



Figure 7-13 Extract of George Street streetscape 1848.

Source: City of Sydney Archives 087514 with mark up by GML.

A watercolour drawing of 1849 (Figure 7- 14) shows the hotel in face brick, with rendered window dressings and clearly illustrates a basement level to Hunter Street. A photograph of 1869-70, when the building was known as Clarendon Hotel, shows modifications to provide an additional ground floor entry at George Street and a new gable-roofed structure constructed above the parapet. It also illustrates construction of verandahs over the footpath in front of the shops on George Street (Figure 7-15).



Figure 7-14 Watercolour drawing of Skimmers Family Hotel.

Source: State Library of NSW, a1628487r.

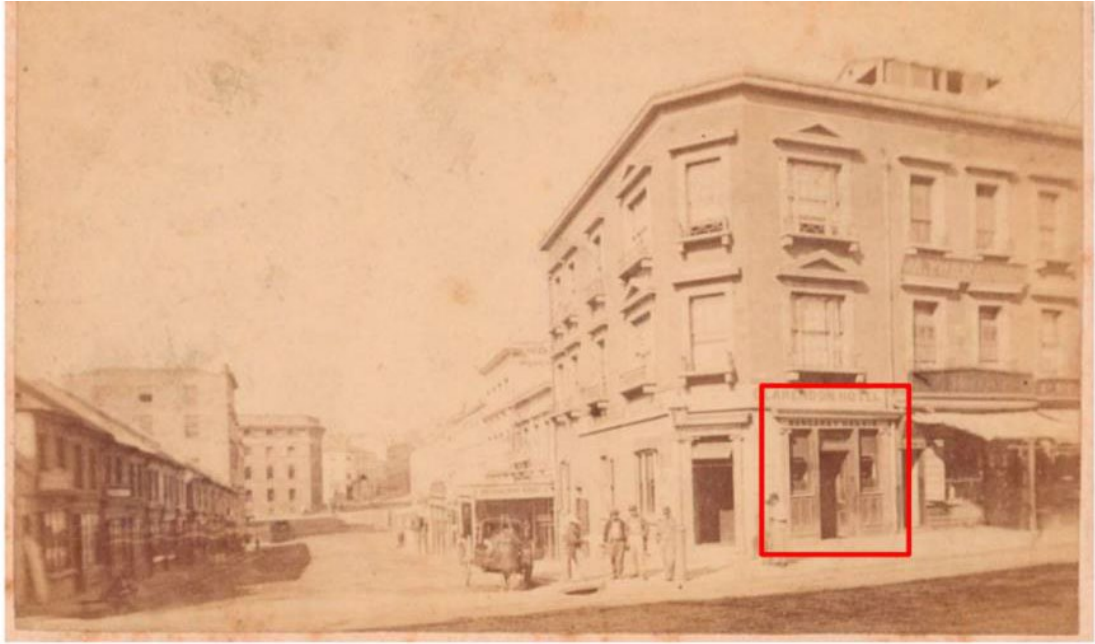


Figure 7-15 Hunter Street looking east with Clarendon Hotel on right ca.1869-70, with the earlier ground floor arrangement outlined in red.

Source: Mitchell Library SPF/551 with amendments by GML

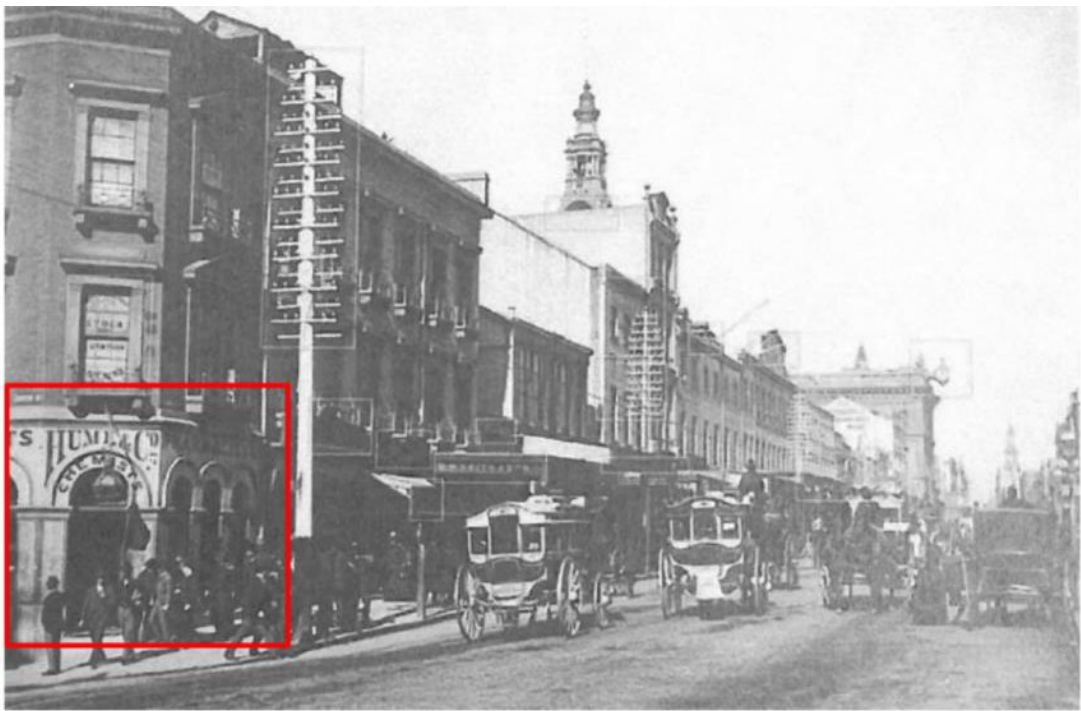


Figure 7-16 Former Skinnners Family Hotel c1890 showing modifications to the ground floor corner for the pharmacy, outlined in red.

Source: Tyrell Collection with amendments by GML.

A c1890 photograph illustrates extensive changes to the ground floor corner when it became used by Hume & Co. Chemist. The verandahs are retained to George Street and the roof-top structure is more clearly visible (Figure 7-15).

Further modifications are shown in a c1900 photograph, with a single storey verandah with cast iron posts attached to the ground floor of the building in Hunter Street (Figure 7-17). This is shown removed and replaced with a cantilever awning over the footpath continuing around both George and Hunter Street elevations in 1962. The building still extends to its original length along George Street, although modifications have occurred to the façade and parapet, differentiating the rest of the building from what remains today. The face brickwork of Former Skinners Family Hotel appears to have been painted over by this time (Figure 7-19).

By 1965, aerial photos show that the southern section of the building had been demolished, leaving only the current section fronting the corner of Hunter and George Streets, with a high degree of modification to the ground floor level. (Figure 7-20). The building was renovated in 1988 by Clive Lucas Stapleton & Partners, which included reconstruction of the ground floor detailing to that illustrated in the watercolour drawing of 1869-70 (Figure 7-14). A 2017 Development Application saw the renovation of the retail area of the ground floor fronting George Street. The basement area contains a food outlet.

A 2018 aerial photograph indicates the original roof form has been modified since the construction of the adjacent building on George Street (Compare Figures 7-17 and 7-21).

In 2022, the ground floor window fronting George Street was modified to form a door, reconstructed to the detail as shown in Figure 7-15.

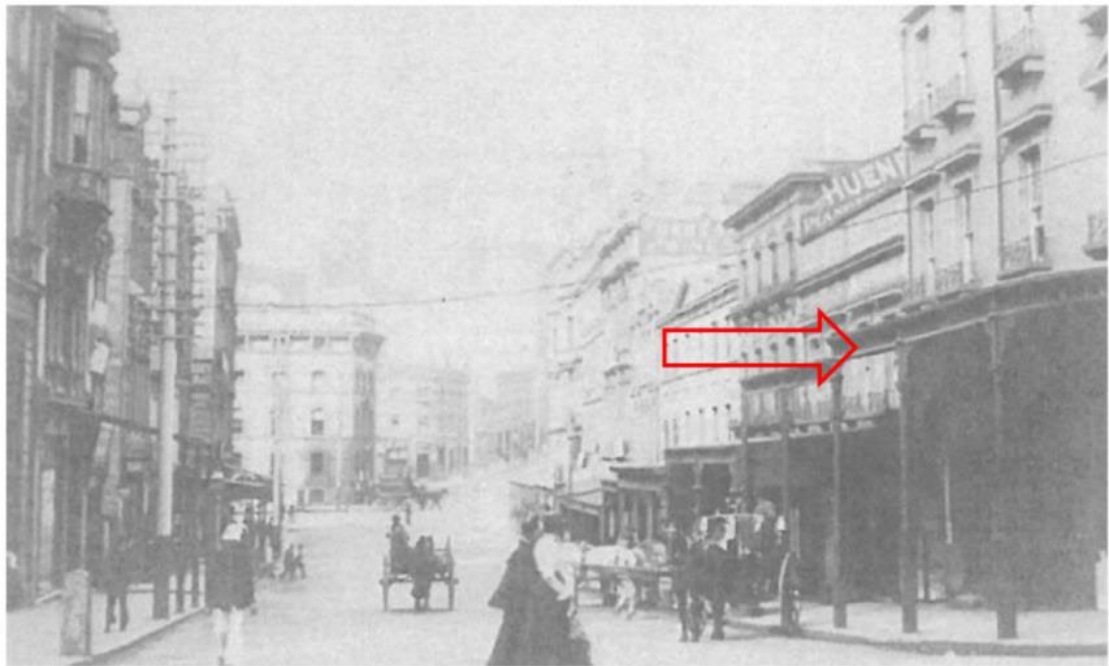


Figure 7-17 A c.1900 photograph showing view down Hunter Street with Former Skinners Family Hotel on the right.

Source: Tyrell Collection with modifications by GML.



Figure 7-18 1943 Aerial photograph showing roof form of Former Skinners Family Hotel, with three fire walls, indicating further subdivision of the interior of the building. The portion of the building remaining has a hipped and gabled roof with a narrow wing extending to the east and open yard to the rear of the building. Skinners Family Hotel is highlighted by dashed yellow line.

Source: Sixmaps.



Figure 7-19 Photograph of Former Skinners Family Hotel in 1962 showing the cantilever awning across both George and Hunter Street elevations and modifications to the building façade along George Street.

Source: Sydney Reference Collection A-00012857



Figure 7-20 A photograph taken during the 1980s showing the remainder of the building along George Street has now been demolished (highlight in red).

Source: Department of the Environment and Energy rt08961 with GML additions.



Figure 7-21 Aerial view of Former Skinners Family Hotel, 2018 showing roof form modified since 1943, indicated by an arrow.

Source: Google EarthPro, December 2018.



Figure 7-22 Former Skinners Family Hotel, in 2015.

Source: Fairfax Media.



Figure 7-23 Former Skinners Family Hotel in 2022.

7.5.2 Tank Stream

Tank Stream is stormwater drain located on the eastern boundary of the site. The structure extends from King Street to Circular Quay with the statutory heritage curtilage extending 3 metres in all directions from each surface of the structure along its entire length. This area is of Aboriginal cultural significance and has the potential to retain relatively undisturbed land containing significant archaeological evidence of Aboriginal occupation.⁶

The former watercourse was the primary reason for settlement by the First Fleet at Sydney Cove and the name arose due to the tanks cut into bedrock by early settlers, in an attempt to provide additional water storage.⁷

“As houses were established on both sides of the stream, with the low point as their back boundary, it soon became fouled with human and animal wastes and rubbish, as well as sediment inwash. In as early as 1795, orders were made to prevent the cutting of trees or grazing stock within a 15-metre distance of the stream. Further orders clarified that penalties for encroaching within this area would result in both a fine and the demolition of offending structures.”⁸

Tank Stream became an unofficial sewer by 1826 and an official sewer by 1857.

Other sewers were constructed in the 1850s to remove stormwater and sewerage from the city, the most significant being the Bennelong Sewer, which dramatically reduced the stormwater catchment of Tank Stream and resulted in a reduction in effective flushing of sewage. Work started on covering the section of Tank Stream from Bridge to Hunter Street with a sandstone arch roof in c1860.⁹ Immediately south of Hunter Street, an oviform structure was built, using terracotta flow channel, in 1879.¹⁰

The Tank Stream was also used to carry saltwater as part of the City’s street-cleaning system.

“The Tank Stream has remained as a stormwater channel within the central Sydney system over the past century. Changes have largely been restricted to replacement of sections of channel with more modern pipe forms as increasingly large buildings and deeper basements encroached upon the Tank Stream. The perception of the Tank Stream as historic remained but there was little connection between its public recognition and the surviving physical relic. Where there had to be impacts upon the stream, these were carried out without substantial regard for the preciousness of the fabric. As a result, there was little hindrance to the developers of the post-World War II period having an impact upon the Tank Stream. This has resulted in the complete destruction of a number of sections of the channel and their replacement with pipes.”¹¹

The Tank Stream remains a significant, heritage-listed, stormwater drain built in the early nineteenth century, running approximately 1.5 metres below the existing ground level, which carries stormwater from the lower CBD to the harbour.

The Tank stream tunnel profile changes throughout its alignment. From North to South, the tunnel transitions from a large horse-shoe profile to an oviform profile to an atypical horse-shoe profile (Section iii) and back to the oviform profile. These typical

⁶ *Tank Stream Conservation Management Plan*, Sydney Water Corporation, 2005, p.21.

⁷ Ibid. p.11.

⁸ Ibid. p.25.

⁹ Ibid. p.31.

¹⁰ Ibid. p.35.

¹¹ Ibid. p.32.

sections are shown in the diagram below. In addition, lengths of the Tank Stream have been replaced with reinforced concrete box sections or pipes due to above-ground developments.

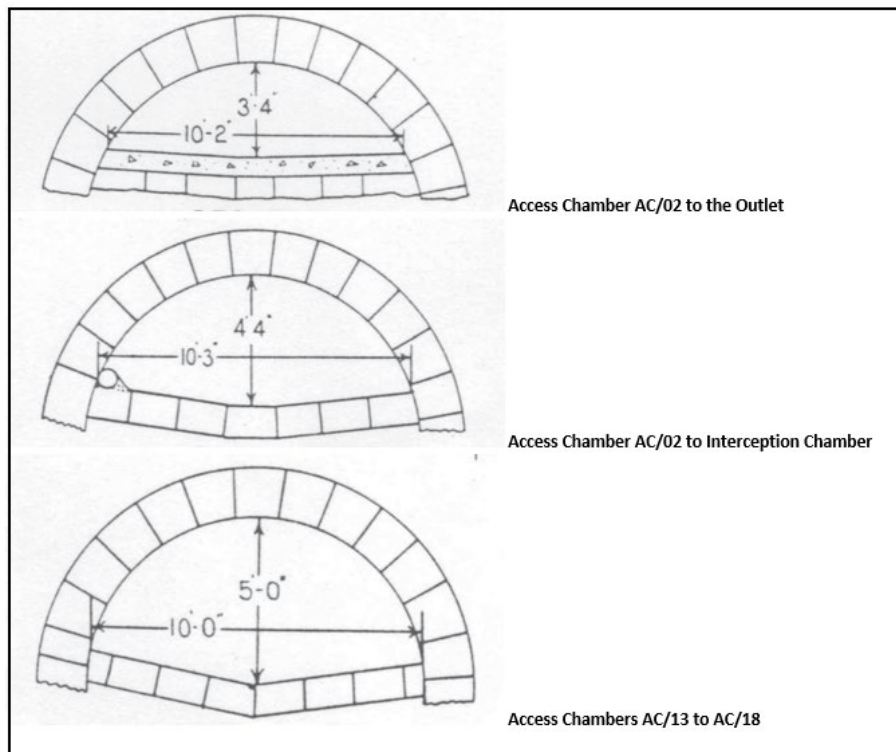


Figure 7-24 Tank Stream – Typical Cross Section Profiles.

Source: Sydney Water



Figure 7-25 The sandstone masonry arch section of the Tank Stream.

Source: Sydney Water

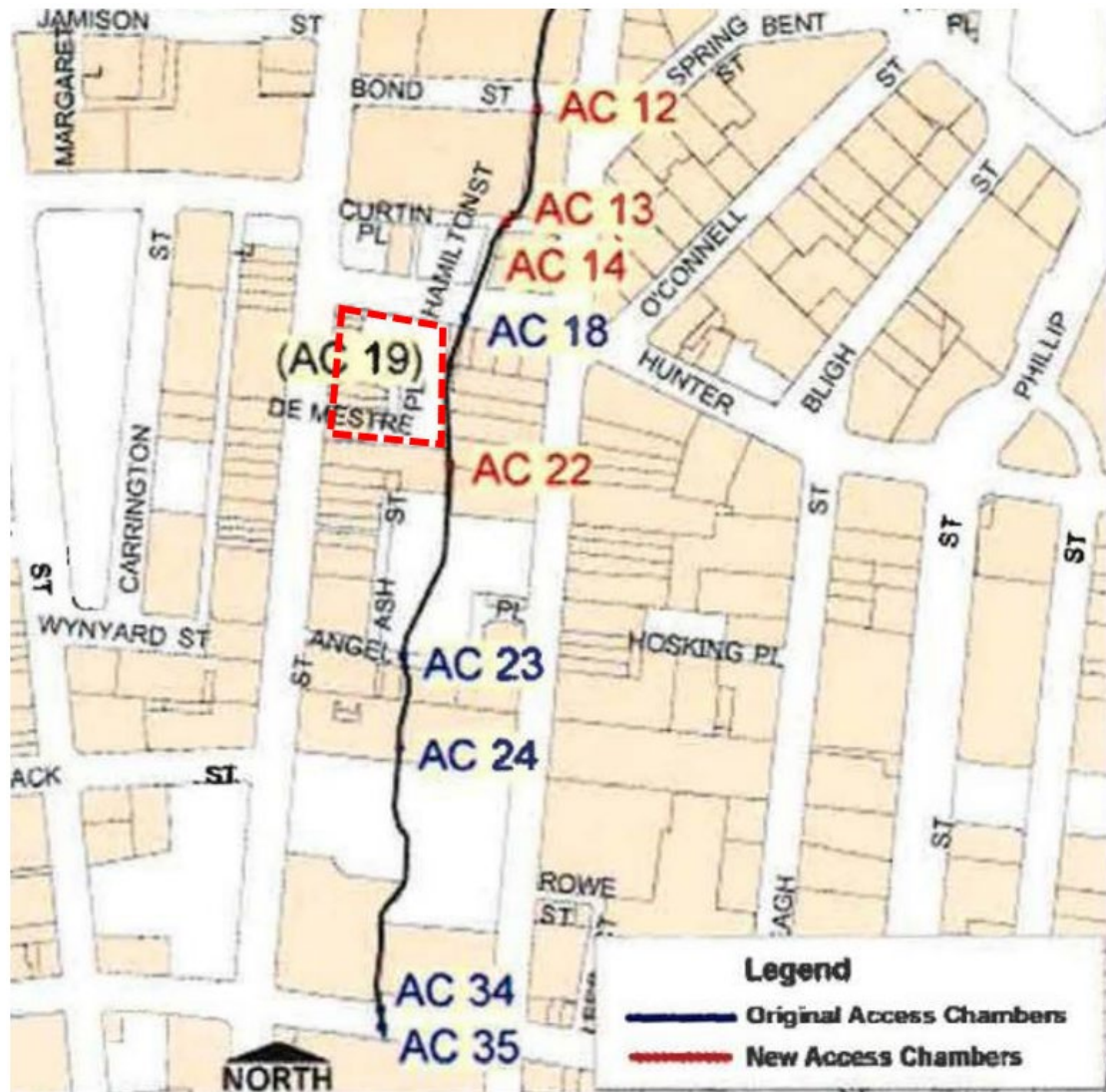


Figure 7-26 Extract of plan showing location of access chambers. AC22 is located within a building and not accessible externally. AC19 is located near De Mestre Place but may have been blocked. AC18 is an original access chamber located in Hunter Street immediately adjacent to the site. Indicative site boundary shown dotted red.

Source: Tank Stream Conservation Management Plan, Sydney Water, 2004.

The section from Access Chambers AC 22 to the vicinity of Empire Lane, is approximately 36m long and consists of two segments: a sector created in 1962 of concrete pipes and a shorter sector of steel pipes laid in 1958 and 1978, separated by a brick chamber, about 1.5m long. Both sections are 1350mm in diameter and both circular profiles feature a formed cement invert in the bottom part of the pipes, with the invert formed of terracotta elements in the latter section. From about 36m downstream from AC 22 (in the vicinity of Empire Lane) to AC 18 (on the south side of Hunter Street) the profile tapers back into oviform, of dimensions 710mm by 1070mm and apparently fully brick built.

The next section downstream runs between access chambers AC 18 and AC 13, the latter located in the vicinity of Curtin Place. The section is about 35m long and runs generally straight. The profile in this section is semi-circular stone arch, approximately 1500mm by 3000mm, with floor formed as a shallow V-shape to increase the flow. The thickness of the sandstone blocks of this section are 490 mm and 315 mm for the arch and the base, respectively.

A Pre-Construction Dilapidation Report was completed for RPS by SAS TTI JV in September 2021. The completion of this report forms part of the previous Conditions of Approval for Excavation of the site. The findings and recommendations for the sandstone arch and brick oviform sections of Tank Stream as follows:

“3050 x 1050 Sandstone Block Arch (CH31-CH71)

The sandstone block archway section of the TSSC also appeared in fair condition. Within this section there were some localised areas of the sandstone brickwork becoming washed-out, minor dislodging and some minor cracking with mortar loss occurring. There were isolated minor seeping infiltrations and cracks occurring between blocks, however, none of these appeared significant or gushing. The Oviform Structure of one of the inverts of Bennelong Tunnels intersected the obvert of the blockwork at CH62m. The cast iron structure is corroded and appears to have been patched with a repair mortar, however, present on the patch was dripping infiltration, significant cracking and delamination of the coating. The minor cracking in the arch, previous dislodgement of loose stones and evidence of previous repairs suggests some movement has been experienced in the past, therefore this must be closely monitored at subsequent inspections of the TSSC.

910 x 1370 Brick Oviform (CH71-CH109)

The Brick Oviform section appeared in fair condition. There did not appear to be any bricks missing in the obvert of the oviform and mortar loss appeared negligible. The oviform contained a cement render from the invert to the spring line of the structure which was mostly in fair condition with only minor localised deterioration present.”

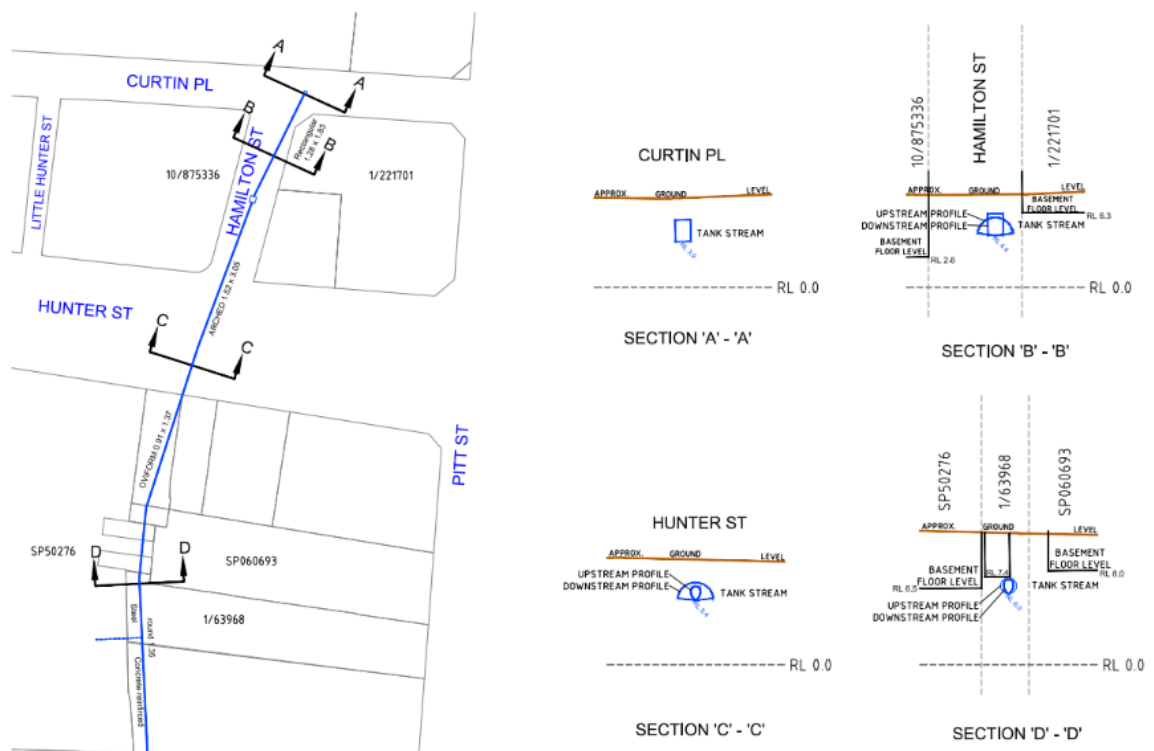


Figure 7-27 Diagram illustrating the Tank Stream tunnel profiles in the vicinity of the site, as surveyed by SAS TTI JV in 2021.

Source: Tank Stream Cross-Sections, RPS, December 2021.

7.5.3 Bennelong Stormwater Channel No.29

The Bennelong Stormwater Channel No.29 is a significant historical combined sewer/stormwater drain in Sydney. It was the main sewer for the CBD area and the first oviform sewer to be constructed in Australia. The Bennelong Stormwater Channel is situated in close proximity to the Hunter Street Station locations and the turnback tunnels.

The Sydney City Council was formed in 1842 to, among other things, establish a suitable drainage system for Sydney. In the 1850s, construction of five sewers commenced, draining the streets and buildings of the city into the Harbour. The five sewers were the Bennelong Sewer (to Bennelong Point), the Blackwattle Bay Sewer, the Hay Street Sewer (to Darling Harbour), the Tank Stream and the Woolloomooloo Sewer.

Bennelong Stormwater Channel No.29 was the main sewer of these five, as it was built to service the Central Business District. The majority of the sewer was completed in 1856 by the City Council, the exception being the Pitt Street Branch, which was completed in 1857, and it was probably the first of the five sewers to be completed.

By the 1870's, the Harbour was becoming extensively polluted from the discharge of sewage and this led to the formation of the Sewerage and Health Board in 1874. The Board's principal task was to draw up a scheme to intercept the sewerage entering the Harbour. This led to the construction of the Bondi Ocean Outfall Sewer (BOOS), to divert most of the sewage within the city to the ocean. The BOOS was completed in 1889 and intercepted the flow of sewage from all levels above its height limit. The five sewers continued to carry all sewage from below this level. In 1900, following the development of electrical power supply for the tramway system, sewage pumping stations were introduced around the Harbour foreshores to divert sewage from the original five sewers into the BOOS. Subsequently, the Bennelong Sewer has been used predominantly for stormwater carriage.

The Bennelong Stormwater Channel No.29 is owned by Sydney Water and is currently in use as a stormwater drain. The underground tunnel comprises of oviform brick sections with dimensions of approximately 1.5m x 1.2m.

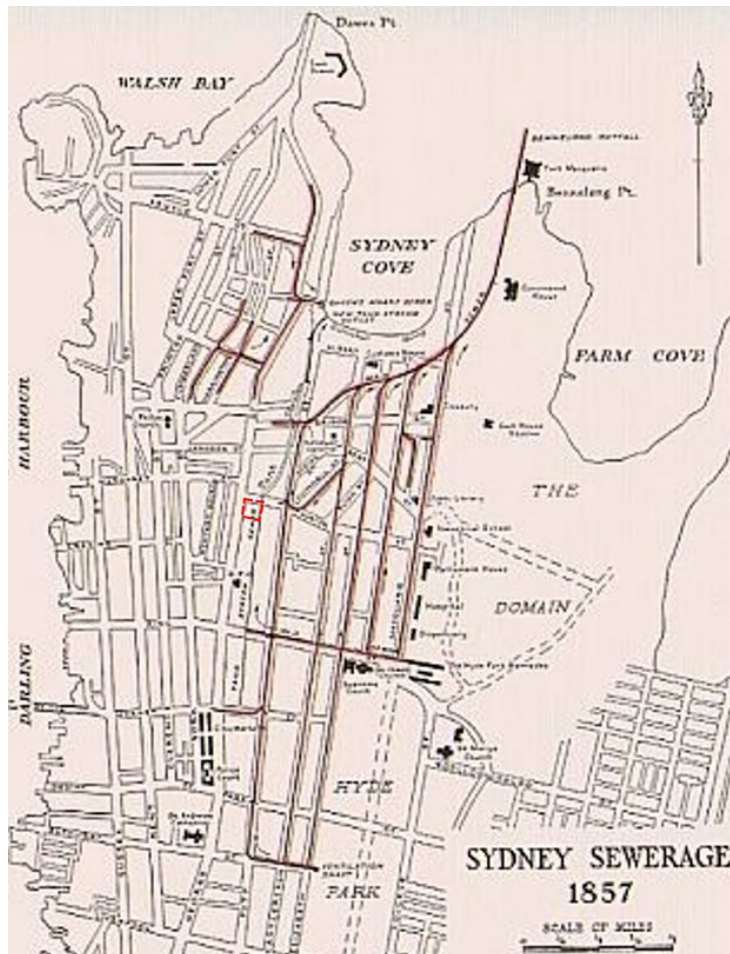


Figure 7-28 Bannelong Sewers - Historical Plan, with indicative site boundary shown dotted red.

Source: Aird, WV.

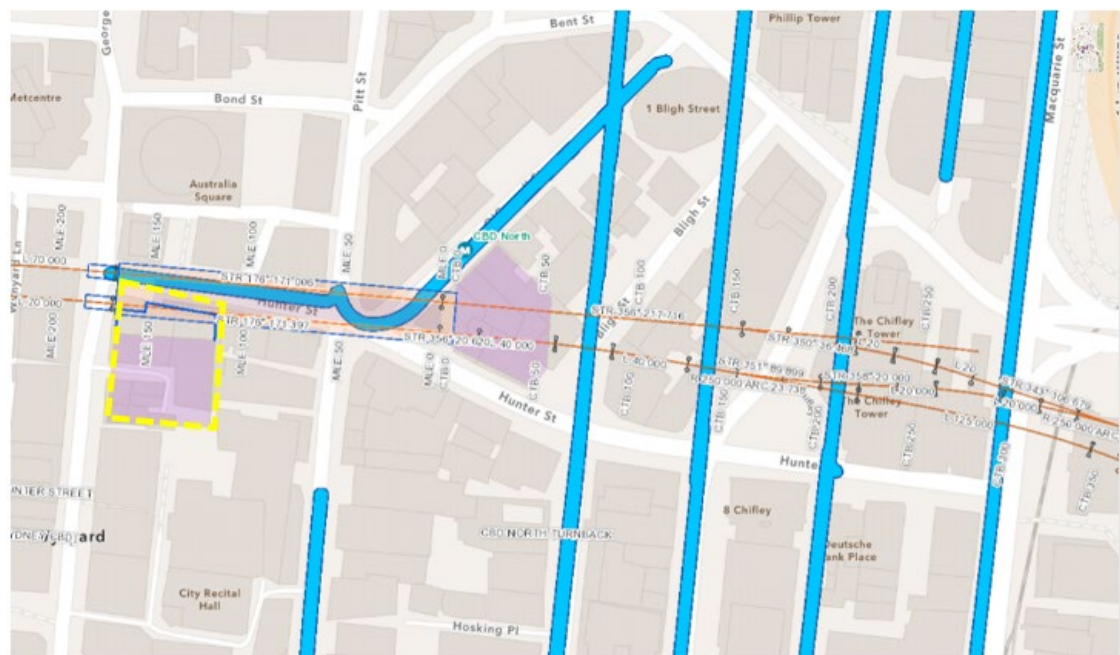


Figure 7-29 Bannelong Stormwater Channel – plan of underground layout with indicative site boundary shown dashed.

8 Heritage impact assessment

8.1 Introduction

The site includes two heritage items which are included on the State Heritage Register and in Schedule 5 of the Sydney Local Environment Plan 2012 (SLEP 2012), the Former Skinners Family Hotel and the Tank Stream.

The site is located in the vicinity of a number of other local and State listed heritage sites and a structure listed on the Sydney Water Heritage and Conservation Register. The following assessment of the building envelope identifies and assesses the impacts on heritage items within the site and heritage items in the vicinity of the site.

The shadows cast by the proposed development will fall over the CBD from the southwest to the southeast of the site. The extent of shadow fall includes items of local and State significance and extends to Hyde Park Barracks, which is included in the National Heritage list and serial listing of Australian Convict Sites on the World Heritage List. Section 8.6 discusses impacts of additional overshadowing.

Analysis of heritage impact is consistent with the guidelines provided in the Heritage NSW's publication, Design in Context. The proposal is assessed against the objectives and provision of the Sydney Local Environment Plan 2012 (SLEP 2012) and the Sydney Development Control Plan 2012 (SDCP 2012). The concept design is also assessed against conservation management documents relevant to the site.

8.2 Response to design principles

The following section contains descriptions of the proposed development in its context and provides assessments of the design against the design principles contained in Design in Context, Guidelines for Infill Development in the Historic Environment, produced by NSW Heritage Office.

The building envelope includes a podium which is aligned to the street frontage and to the height of Former Skinners Family Hotel. It steps up in height along George Street to south and Hunter Street to the east in response to the predominant parapet height of heritage items in the view lines.

This site includes the Former Skinners Family Hotel at the corner of Hunter and George Streets. The site also intersects the curtilage of the Tank Stream which runs along the eastern boundary of the site. Approval for the demolition of all buildings on the site (with the exception of Former Skinners Family Hotel) and excavation of the site is subject to approval in accordance with the Stage 2 CSSI application.

Excavation and construction in this area will be managed according to the historic archaeological management plan as prepared for the demolition and excavation.

The site is located in the vicinity of a number of other heritage items including Grand Hotel and Former NSW Sports Club on Hunter Street and the Hunter and Hamilton Street Precinct. It is also located opposite Former Commercial Building "Beneficial House" on George Street. Other heritage listed places in the vicinity are as described in sections 6.2.2 and 6.2.3 of this report.

Whilst diminutive in the contemporary CBD and only remaining as a remnant of its original form, the Former Skinners Family Hotel anchors the corner as an important landmark within the view, looking east along Hunter Street. It defines a strong parapet line and masonry street edge to both Hunter and George Streets with regular openings and finely detailed decorative elements.

The opposite and adjacent heritage places are less dominant in defining the street character and form, with each being a self-contained expression within a varied streetscape. The regular brick façade of Former Commercial Building "Beneficial

House” does, however, provide a strong termination to the view looking west along Hunter Street.

The following assessment assesses the proposal against the Design Principles of Design in Context, Guidelines for Infill Development in the Historic Environment produced by NSW Heritage Office.

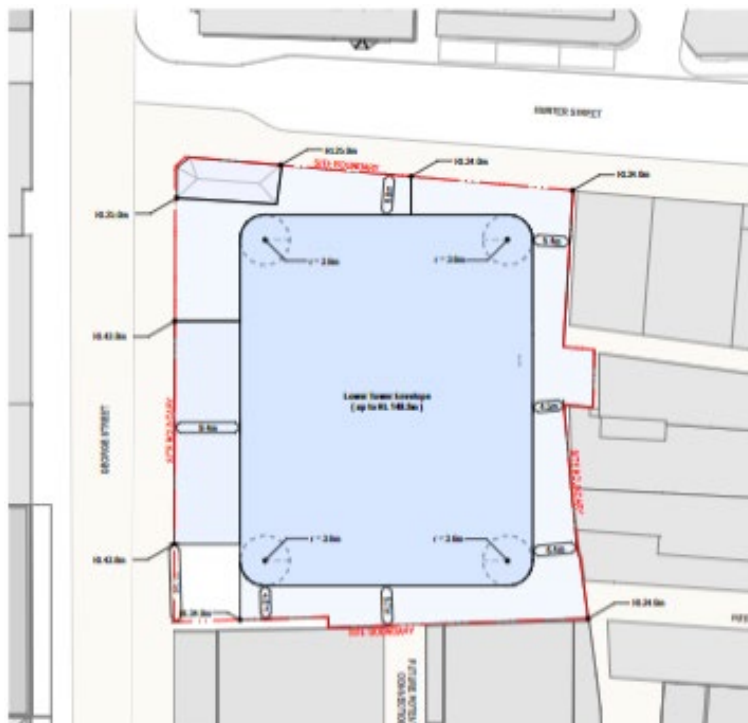


Figure 8-1 Plan of the concept design tower envelope at RL 148.2m.

Source: FJMT Studio, July 2022.

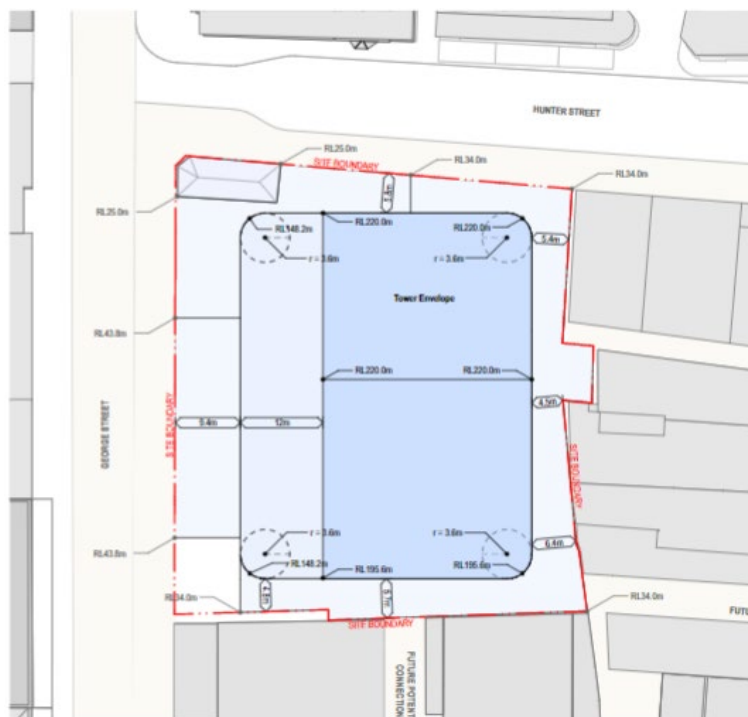


Figure 8-2 Plan of the concept design envelope at RL 220m.

Source: FJMT Studio, July 2022.

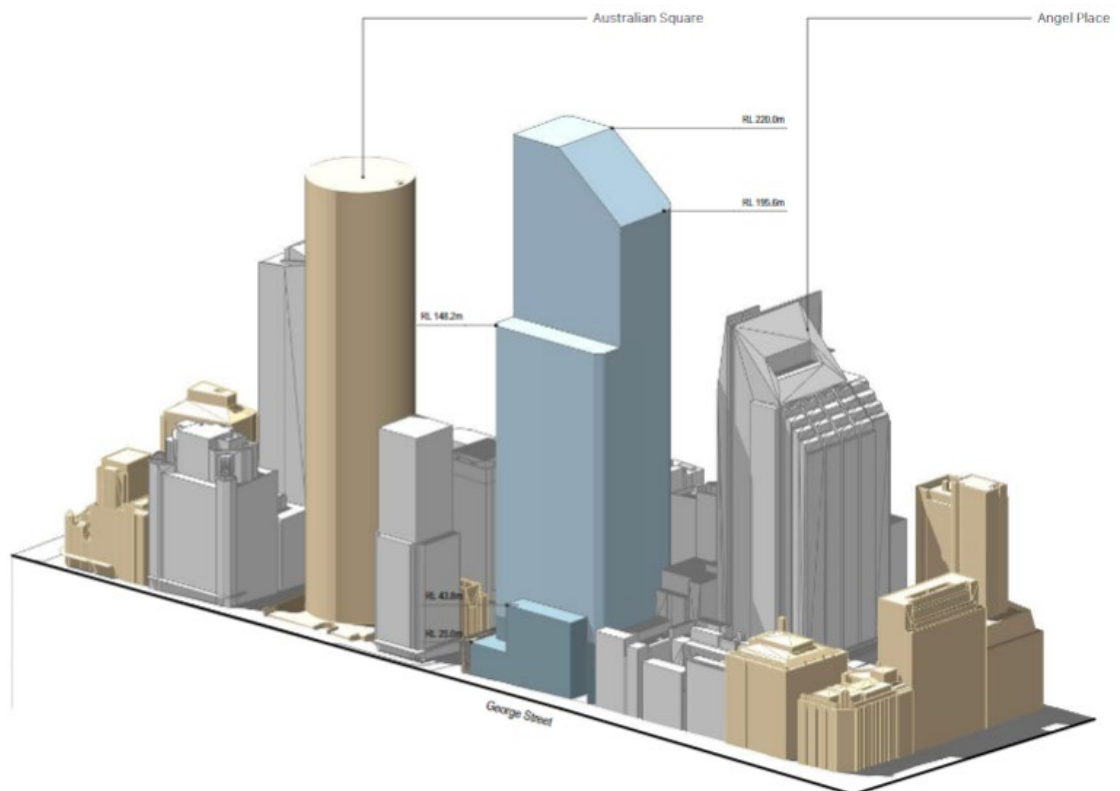


Figure 8-3 Southwest view of proposed concept design tower envelope.

Source: FJMT Studio, July 2022.

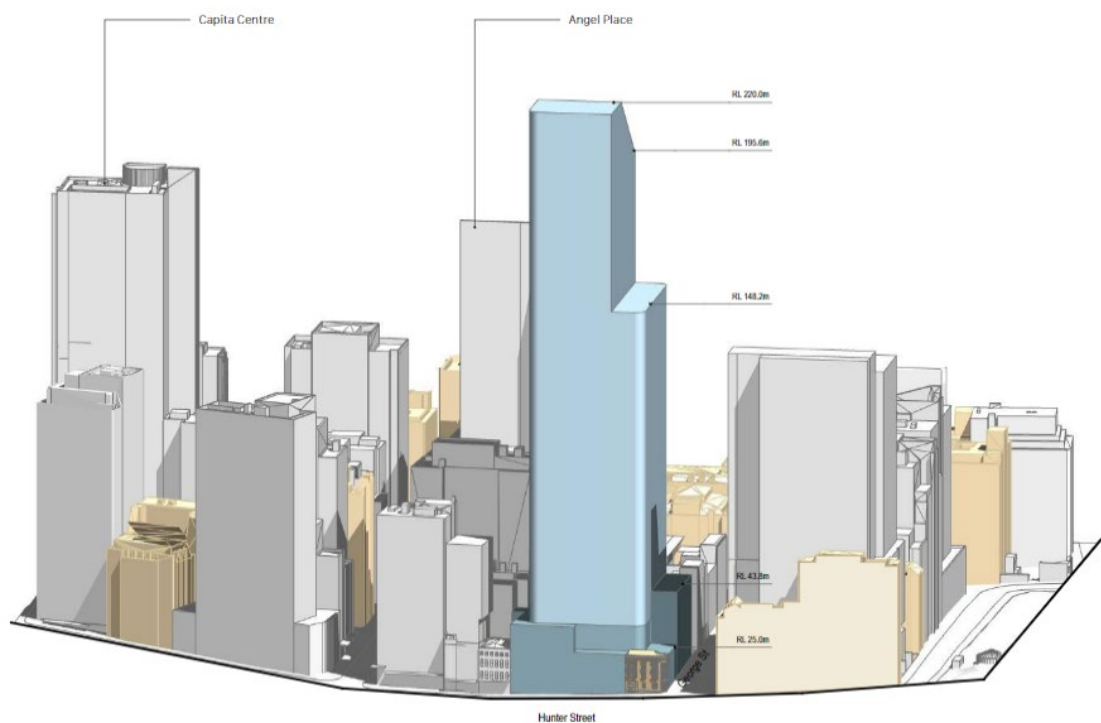


Figure 8-4 Northwest view of proposed concept design tower envelope.

Source: FJMT Studio, January 2022.



Figure 8-5 Reference design view of Hunter Street elevation.

Source: FJMT Studio, July 2022.



Figure 8-6 Reference design view of George Street elevation

Source: FJMT Studio, July 2022.



Figure 8-7 Reference design aerial view of tower in CBD context (highlighted red).

Source FJMT Studio, July 2022.

Table 8-1 Assessment of the concept design tower envelope according to design principles

Design in context	Assessment
Character	<p>The concept design tower envelope is set within the boundaries of the proposed podium envelope which responds to the Former Skinners Family Hotel including interiors and heritage items within view lines along George Street and Hunter Street.</p> <p>The street setbacks of the tower visually separate the podium and tower elements, allowing a future building to respond to its immediate context amongst significant heritage places and also to the contemporary context amongst the commercial towers of Sydney.</p> <p>The tower envelope does not interface with Former Skinners Family Hotel and is sufficiently set back from the heritage item. It aligns with the setback of the upper podium envelope, promoting the prominence of the Former Skinners Family Hotel including interiors, providing an opportunity to interpret the building's original form.</p>
Scale	<p>Operating in cohesion with the upper podium setback, the concept design tower envelope allows the top of the podium at the street to drive the legibility of scale at a pedestrian level by reinforcing adjacent parapet heights and view lines to surrounding development.</p>

Design in context	Assessment
Form	<p>The form of the tower provides articulation to break down the massing and reduce the perception of bulk and scale, particularly from street line view sheds.</p> <p>The angled top of the tower responds to the Martin Place sun plane and, in doing so, reflects the adjacent building forms, stepping up from Martin Place to form a cohesive central city environment.</p> <p>The form of the podium sympathetically responds to the parapet height of former Skinners Family Hotel and steps up along George and Hunter Streets to respond to heritage items in the vicinity and dominant view lines.</p>
Siting	<p>The tower envelope steps back from the western boundary opening up longer street views on George Street to the north and south. The northern setback locates the tower envelope behind the historic view line looking west on Hunter Street, allowing clear views through to Former Commercial Building opposite the site.</p> <p>The street alignment of the podium continues the historical street alignment of the area and strengthens the position of former Skinners Family Hotel as a prominent corner building.</p>
Materials/ Colour	N/A.
Detailing	N/A.

Conclusion:

The concept design envelope adequately responds to the Design Principles of Design in Context. Operating cohesively with the podium envelope, the design of the tower sympathetically anchors the building within a historical context, allowing the tower envelope to form part of the contemporary city above with little to no impact on the historic context of the site.

8.3 Sydney Local Environment Plan 2012

The following section provides an assessment against the heritage objectives contained in the Sydney LEP 2012. Text taken from the LEP is shown in *italics*.

Table 8-2 Sydney Local Environmental Plan 2012

LEP control	Heritage impact assessment
<p>5.10 Heritage Conservation</p> <p>(1) Objectives</p> <p>The objectives of this clause are as follows—</p> <p>(a) to conserve the environmental heritage of Sydney,</p> <p>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</p> <p>(c) to conserve archaeological sites,</p> <p>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</p>	<p>The building envelope responds to the context of heritage buildings in the vicinity and on the site through the modulation of podium heights which reinforce the street-edge and parapet heights formed by the heritage buildings.</p> <p>The design promotes the legibility of former Skinners Family Hotel as part of the site. The street edge podium reinforces its scale at a pedestrian level whilst the upper podium and tower are set back from the podium edge reinforcing view lines to surrounding development.</p> <p>Whilst the site overlaps the SHR curtilage of the Tank Stream, the potential impacts will be managed through an archaeological research design prepared for the demolition and excavation of the remainder of the site (Stage 2 CSSI Application). It will be subject to ongoing monitoring during construction of the station.</p> <p>The adaptive reuse of former Skinners Family Hotel will form part of the Detailed SSDA. It will be guided by a Conservation Management Plan which is in the process of being finalised. The CMP will also address the integration of the new development with Skinners Family Hotel.</p>

LEP control	Heritage impact assessment
<p>(4) <i>Effect of proposed development on heritage significance</i></p> <p>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p>	<p>The concept design demonstrates a sympathetic response to the heritage context of the site.</p> <p>The podium responds to the parapet heights of adjacent heritage buildings and those in the vicinity, including prominent buildings in sightlines along Hunter Street and George Street.</p> <p>The heritage significance of the Former Skinners Family Hotel is maintained through its retention and intended conservation and adaptive reuse within the podium which will be guided by a Conservation Management Plan.</p>
<p>(5) <i>Heritage assessment</i></p> <p>The consent authority may, before granting consent to any development—</p> <p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<p>This report provides a heritage impact assessment for the building envelope of the proposed development. The site is located within the vicinity of a number of heritage items. The site contains one heritage item and proposes development within the curtilage of another.</p> <p>Of these heritage items, a Conservation Management Plan has been prepared by Sydney Water for the Tank Stream, of which, a portion of the curtilage is impacted by the SSI development. The potential impacts will be managed through an archaeological research design prepared for the demolition and excavation of the remainder of the site (Stage 2 CSSI Application) and station construction (Stage 3 CSSI).</p> <p>The proposed development envelope has been assessed against the gradings of significance of the fabric and spaces of Former Skinners Hotel contained in a Heritage Impact Statement prepared by GML, 2017. (Section 8.5.1).</p> <p>The adaptive reuse and conservation of Former Skinners Family Hotel will be guided by a Conservation Management Plan which is currently being prepared.</p>

8.4 Sydney Development Control Plan 2012

The following section provides an assessment against the objectives and provisions contained in the SDCP 2012. Whilst the concept design is not subject to the provisions of the SDCP 2012, owing to reasons outlined in section 1 of this report, the DCP sets out detailed guidelines for development of, and within the vicinity of, heritage items which illustrate the standard of design response expected by the community. Relevant provisions are included for each site. Text from the DCP is shown in italics.

8.4.1 DCP heritage objectives and provisions

Table 8-3 Sydney Development Control Plan 2012 – heritage provisions

Heritage objectives and provision (Section 3.9)	Heritage impact assessment
<p>Objectives</p> <p>(a) Ensure that heritage significance is considered for heritage items, development within heritage conservation areas, and development affecting archaeological sites and places of Aboriginal heritage significance.</p> <p>(b) Enhance the character and heritage significance of heritage items and heritage conservation areas and ensure that infill development is designed to respond positively to the heritage character of adjoining and nearby buildings and features of the public domain.</p>	
<p>3.9.4 Development on sites of State heritage significance or containing more than one heritage item</p>	
<p>Provisions</p>	
<p>(1) This provision applies to development that will introduce major changes to a heritage item identified in Schedule 5 of the Sydney LEP 2012 as being of State heritage significance or to a site containing more than one heritage item, if the development involves:</p> <p>(a) demolition that will result in a reduction of the building envelope of the heritage item by more than 35%;</p> <p>(b) an increase in the size of the building envelope of the heritage item by more than 20%; or</p> <p>(c) building over more than 20% of a heritage item's building footprint within the airspace above the item, but not within the airspace next to the item.</p>	<p>The proposed development does not include the demolition of any heritage items. Excavation of the site forms part of the Stage 2 CSSI Application as explained in section 1 of the report.</p> <p>The proposed development does not involve an increase in size of the Former Skinners Family Hotel including interiors. Its adaptation and conservation will be guided by a Conservation Management Plan currently being prepared.</p> <p>There is no proposed development in the airspace over the Former Skinners Family Hotel.</p>
<p>(2) When considering an application for development to which this provision applies, the consent authority is to:</p> <p>(a) appoint a committee that includes heritage professionals to examine and advise on the merits of the proposal;</p> <p>(b) be satisfied that that committee has followed an appropriate public process for the purpose of that examination; and</p> <p>(c) consider the advice of the committee, but is not bound by the advice of the committee</p>	<p>This proposal was presented to the Sydney Metro Heritage Working Group (including a Heritage NSW representative) in December 2021. The Working Group continue to meet regularly to consider issues as they arise.</p>
<p>3.9.5 Heritage items</p>	
<p>Objective</p> <p>(a) Ensure that development in the vicinity of heritage items is designed and sited to protect the heritage significance of the item</p>	
<p>Provisions</p>	

Heritage objectives and provision (Section 3.9)	Heritage impact assessment
<p>(1) Development affecting a heritage item is to:</p> <ul style="list-style-type: none"> (a) minimise the extent of change to significant fabric, elements or spaces; (b) use traditional techniques and materials where possible unless techniques and materials can offer substantial conservation benefits; (c) enable the interpretation of each of the significant values of the item through the treatment of the item's fabric, spaces and setting; (d) provide a use compatible with its significance and which with any changes proposed, including any BCA upgrade or the introduction of services will have minimal impact on significant fabric, elements or spaces; (e) the provision of on-site interpretation, or a combination of each of these measures; (f) not reduce or obscure the heritage significance of the item; and (g) be reversible where necessary so new work can be removed with minimal damage, or impact to significant building fabric. (h) be consistent with an appropriate Heritage Conservation Management Plan, Conservation Management Strategy, or policy guidelines contained in the Heritage Inventory Assessment report for the item; (i) ensure that any changes to the original/significant room configuration is evident and can be interpreted; and (j) respect the pattern, style, dimensions or original windows and doors. 	<p>The proposed development creates a backdrop for Former Skinners Family Hotel and strengthens its corner location. The extension of the same parapet height allows for the interpretation of the previously demolished portion of the heritage item along George Street and for a continued understanding and appreciation of the remnant fabric.</p> <p>The proposed tower is adequately setback from the heritage item so that it does not reduce or obscure the significance of the item.</p> <p>The adaptation and conservation of Former Skinners Family Hotel and its integration into the podium will be guided by a Conservation Management Plan currently being prepared to support the Detailed SSDA. Similarly, a proposal for adaptive reuse would incorporate a full examination of BCA compliance of the structure and any adaptations.</p>
<p>(2) Development should enhance the heritage item by removing unsympathetic alterations and additions and reinstating missing details, building and landscape elements, where physical or documentary evidence is available.</p>	<p>The adaptation and conservation of Former Skinners Family Hotel and its integration with the podium will be guided by a Conservation Management Plan which is currently being prepared.</p>

Heritage objectives and provision (Section 3.9)	Heritage impact assessment
<p><i>(3) Alterations and additions to buildings and structures and new development of sites in the vicinity of a heritage item are to be designed to respect and complement the heritage item in terms of the:</i></p> <p><i>(a) building envelope;</i></p> <p><i>(b) proportions;</i></p> <p><i>(c) materials, colours and finishes; and</i></p> <p><i>(d) building and street alignment.</i></p>	<p>The podium aligns to the street frontage and the parapet height of Former Skinners Family Hotel, reinforcing the place as the corner landmark and providing the opportunity for interpretation of the previously demolished portion of the building along George Street. The proposed tower envelope is set back from the corner of the site allowing a full appreciation of the historic building.</p> <p>The adaptation and conservation of Former Skinners Family Hotel and its integration with the podium will be guided by a Conservation Management Plan which is currently being prepared.</p>
<p>(4) Development in the vicinity of a heritage item is to minimise the impact on the setting of the item by:</p> <p>(a) providing an adequate area around the building to allow interpretation of the heritage item;</p> <p>(b) retaining original or significant landscaping (including plantings with direct links or association with the heritage item);</p> <p>(c) protecting, where possible and allowing the interpretation of archaeological features; and</p> <p>(d) Retaining and respecting significant views to and from the heritage item.</p>	<p>The proposed development provides a sympathetic response to heritage items in the vicinity. The tower element is located above a podium which reinforces significant view lines. The tower height does not contribute to additional overshadowing of Martin Place due to the truncation and articulation of the tower which responds to the Martin Place sun plane. The articulation of the tower contributes to a reduced perception of bulk.</p> <p>The proposed development does not impact any significant plantings.</p> <p>The proposed development does not involve any change within the SHR curtilage of Tank Stream. Any impact to archaeological resources associated with the Tank Stream will be managed in accordance with an archaeological research design prepared for the Stage 2 CSSI Application which seeks the approval for demolition and excavation of the site.</p>

3.9.13 Excavation in the vicinity of heritage items and in heritage conservation areas

Provisions	
<p>(1) Excavation beneath, or adjacent to heritage items and/or buildings in heritage conservation areas will only be permitted if it is supported by both a Geotechnical Engineering report and a Structural Engineering report.</p>	<p>The proposed development does not include additional excavation beneath or adjacent to Former Skinners Family Hotel including interiors or Tank Stream.</p> <p>Any structural impacts or impacts to archaeological resources associated with the heritage items will be managed in accordance with an archaeological research design prepared for the Stage 2 CSSI application which seeks the approval for demolition and excavation of the site.</p>

Heritage objectives and provision (Section 3.9)	Heritage impact assessment
<p>(2) Excavation will not be permitted if:</p> <p>(a) it will occur under common walls and footings to common walls, or freestanding boundary walls, or under any other part of adjoining land, and</p> <p>(b) it will occur under or forward of the front facade.</p>	<p>The proposed development does not include excavation under common or freestanding boundary walls. Works on the project site under the Stage 2 CSSI application seek the approval for demolition and excavation of the site. The Stage 3 CSSI Application provides for the construction of the station.</p>

3.10 Significant architectural building types

3.10.3 Pubs and hotels older than 50 years

Objectives

- (a) Ensure that alterations, additions and change of use of pubs and hotels:
- (i) retain significant fabric and building elements from all periods of construction; and
 - (ii) provide for the ongoing use primarily as pubs and hotels.

Provisions

<p>(1) Alterations and additions are to maintain significant fabric and building elements including:</p> <p>(a) external design details such as wall tiles, wall signs and advertising, awnings, pressed metal and patterned awning soffits, balconies and verandahs, doors, windows and joinery;</p> <p>(b) internal design details such as bars, ceiling details, fireplaces, bathroom tiling and fittings, joinery;</p> <p>(c) wall tiles, or external face brickwork or stonework are not to be painted over or otherwise obscured; and</p>	<p>The adaptive reuse and conservation of former Skinners Family Hotel will be guided by a Conservation Management Plan currently being prepared to inform Detailed SSDA.</p> <p>Adaptation, conservation and integration of former Skinners Family Hotel with the new development will form part of Detailed SSDA and be guided by the Conservation Management Plan.</p>
<p>(2) Street verandahs, balconies and post-supported awnings should only be constructed where there is documentary or physical evidence of an early verandah, balcony, or post-supported awning attached to the building.</p>	<p>Adaptation, conservation and integration of former Skinners Family Hotel with the new development will form part of Detailed SSDA and be guided by the Conservation Management Plan.</p>
<p>(3) New colours schemes are to reflect the most significant design period of the building</p>	<p>A proposal for adaptation, conservation and integration of former Skinners Family Hotel with the new development will form part of Detailed SSD and be guided by the Conservation Management Plan.</p>

8.4.2 DCP 2012 Section 5 Specific Areas – Central Sydney

The SDCP 2012 provides objectives and provisions for development within Central Sydney. These provide best practice guidelines for development in Central Sydney's heritage context. An assessment of the proposed development against these objectives and provisions demonstrates how it achieves an appropriate response.

Table 8-4 DCP section 5.1 Central Sydney

DCP section 5.1 – Central City		Heritage Impact assessment
Objectives		
(c) Encourage flexibility in building design and reinforce the character of Central Sydney and ensure built form is compatible with heritage items and the desired streetscape character.		
Provisions		
<p>(1) The street frontage height of a new building must be between 20m and 45m above the site ground level with the specific height set with regard to:</p> <p>(a) the predominant street frontage height of adjacent buildings and buildings in the vicinity;</p> <p>(b) the location of the site in the street block, for example, corner sites can include special design emphasis, such as increased street frontage height of one or two storeys; and</p> <p>(c) the size of the site, for example small sites, less than 1,000sqm may attain a street frontage height of 45m regardless of the above criteria</p>	<p>The podium form shows a variation to the street frontage heights in response to the predominant heights of adjacent buildings and buildings in the vicinity.</p> <p>The overall concept design for site responds to the street frontage height of Former Skinners Family Hotel including interiors at the corner of Hunter and George Streets and steps up towards the south of the site to reinforce predominant street frontage heights of heritage places in the vicinity, including the Former Head Offices of Bank of NSW and CBC Bank, Former Bank of Australasia and Former Equitable Life Assurance Building located to the south of the site facing George Street.</p> <p>The podium height to either side of Former Skinners Family Hotel including interiors allows the remnant portion of the original building to regain its prominence as a corner building and allows for the interpretation of its missing facade along George Street.</p>	
5.1.2.1 Front Setbacks		
<p>Provisions</p> <p>(3) New buildings or additions above a heritage item must have a setback of at least 10m from the street frontage as shown in Figure 5.7 Minimum setback above a heritage item. However, a conservation management plan required as part of the development application may require a greater setback.</p> <p>Note: The weighted average setback may be reduced on corner sites and where the secondary or minor street has a minimum width of 6m and the street block has a depth of less than 30m</p>	<p>There is no proposed development above the registered curtilage of Former Skinners Family Hotel including interiors. The proposed tower envelope is adequately set back allowing the podium to dominate the pedestrian experience and reinforce the historical pattern of street edge development in the area.</p>	
5.1.6 Building exteriors		

Objectives

- (a) Positively contribute to the streetscape with high quality architecture.
- (b) Provide richness of detail and architectural interest particularly in prominent parts of buildings.
- (c) Present appropriate design responses to nearby development to complement the streetscape.
- (d) Clearly define adjoining streets, street corners and public spaces.
- (e) Retain pedestrian scale in the articulation and detailing of the lower levels of the building.
- (f) Contribute to a visually distinct skyline.

Provisions

- | | |
|---|---|
| <p>(1) Adjoining buildings, particularly heritage buildings must be considered in the design of new buildings in terms of:</p> <ul style="list-style-type: none"> (a) street alignment; (b) street frontage heights; (c) setbacks above street frontage heights; and (d) facade proportions including horizontal or vertical emphasis and enclosed corners at street intersections. | <p>The podium responds to the street alignment and street frontage heights of Former Skinners Family Hotel including interiors and heritage items in the vicinity.</p> <p>The reference design demonstrates that future development of the site can provide a sympathetic contemporary design response to the heritage context.</p> |
|---|---|

8.5 Assessment of impact with reference to conservation management documents

8.5.1 Former Skinners Family Hotel including interiors

The site includes the State registered heritage item Former Skinners Family Hotel including interiors. A Heritage Impact Assessment prepared by GML in 2017 provides plans of the building and gradings of significance of the fabric based on information contained in Clive Lucas Stapleton & Partners documentation in 1988 and 1990 and plans produced by Smith and Carmody.

The definition of the gradings of significance reflect the contribution the element to the overall significance of the place. The various grades of significance require different approaches to management, including the retention and conservation of spaces or elements as follows:

Table 8-5 Gradings of significance definition and management

Significance grading	Definition	Management guidelines
Exceptional	Rare or outstanding element directly contributing to an item's local or state significance	Retain and conserve in situ.
High	Contribute to the site's overall significance and provide evidence of historic and functional relationships. These may include elements that have undergone alterations of a substantial nature but that do not obscure significance	Retain, restore and conserve. Minor intervention into fabric including adaptation and alteration may be permissible provided the level of significance of each element is retained.

Significance grading	Definition	Management guidelines
Moderate	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.	Adaptation of spaces and elements is acceptable providing the overall cultural significance of the place is retained.
Little	Altered or modified elements. Elements with little heritage value, but which contribute to the overall significance of the item.	Both retention and removal are acceptable depending on the element and the impact on significant surrounding fabric and spaces
Intrusive	Altered or added elements which adversely impact upon the site's heritage significance. Damaging to the item's significance.	Removal of intrusive elements is encouraged

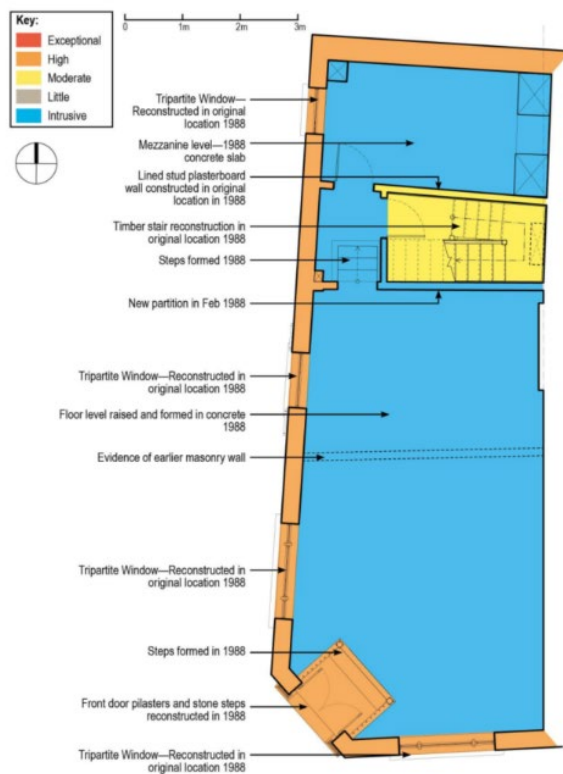


Figure 8-8 Plan of ground floor showing gradings of significance and noting reconstructed and modified building fabric

Source: GML, 2017.

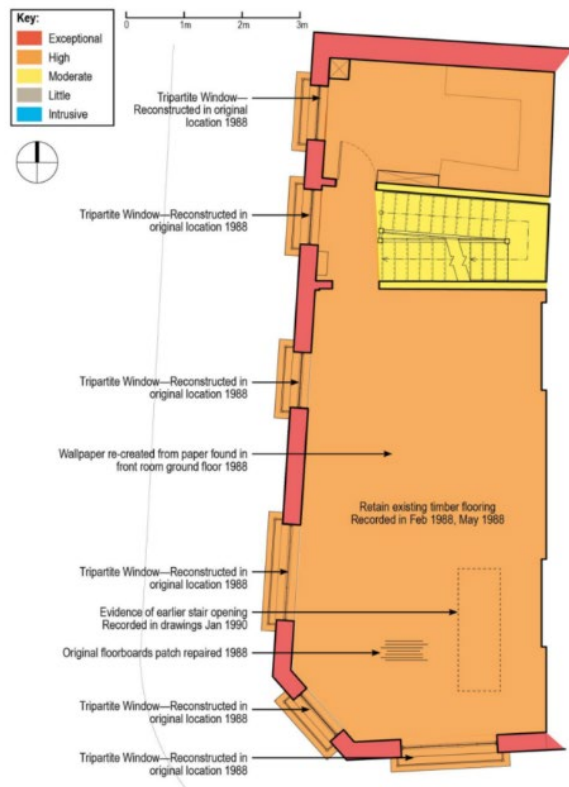


Figure 8-9 Plan of first floor showing gradings of significance and noting reconstructed and modified building fabric.

Source: GML, 2017

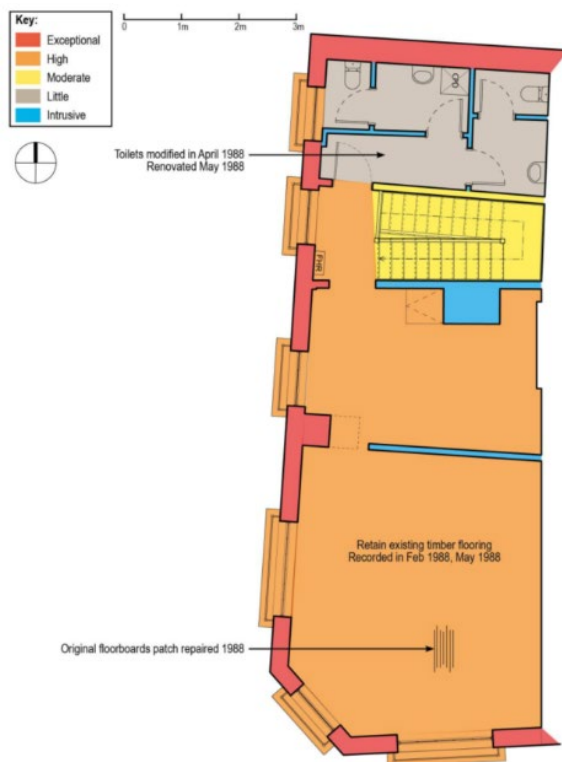


Figure 8-10 Plan of second floor showing gradings of significance and noting reconstructed and modified building fabric.

Source: GML, 2017.

The following management summary is included in the State Heritage Inventory:

“General: The form, scale and external original fabric of the building should be retained. All those materials which originally had a paint finish or are now painted should be repainted in complementary colours. There should be no alterations which break through the roofline or rise above the parapet level. Original window and door openings should not be enlarged or filled in but those areas such as the entrance to basement food shop could be altered, consideration should be given to restoring this opening to an entrance, more in keeping with the style of the building.

Exterior: The original brick and render detailing of the facades should be retained. As the facade of the building on the two street frontages remains largely intact there should be no alterations which adversely impact on the original fabric, break the skyline or rise above the parapet. As the facade at ground floor level on both George and Hunter Streets has undergone some modification, changes to this area could be permitted but there should be no alterations which adversely impact on remaining original significant fabric such as brickwork, timber windows and rendered detailing.

Interior: As the interior of the building at ground floor level has been extensively modified, further alterations to this area could be considered but any new work should not impact on any remaining original fabric or alter the window or door openings. Early fabric on the upper floor such as fireplaces, pressed metal ceilings and timber staircase should be retained and repaired. Areas on the upper floors where original fabric has been replaced with modern materials could be altered or repaired with similar materials; provided they do not adversely impact on remaining original fabric.

The building should be retained and conserved. A Heritage Assessment and Heritage Impact Statement, or a Conservation Management Plan, should be prepared for the building prior to any major works being undertaken. There shall be no vertical additions to the building and no alterations to the façade of the building other than to reinstate original features. The principal room layout and planning configuration as well as significant internal original features including ceilings, cornices, joinery, flooring and fireplaces should be retained and conserved. Any additions and alterations should be confined to the rear in areas of less significance, should not be visibly prominent and shall be in accordance with the relevant planning controls.”

Comment:

The future adaptive re-use and incorporation of former Skinners Family Hotel into the broader site development will be informed by a Conservation Management Plan currently being prepared to inform the Detailed SSDA.

8.5.2 Tank Stream conservation management plan

The proposed development envelope does not involve any changes within the curtilage of Tank Stream.

The Stage 2 CSSI includes above ground demolition and excavation of the site, including retention structures at its perimeter. The historical and Aboriginal archaeological management of the site will be carried out as a condition of approval for the Stage 2 CSSI as outlined in section 1 of this report. These works will be undertaken in accordance with an Archaeological Research Design and Aboriginal Cultural Heritage Assessment Report.

A condition survey was completed in 2021 and the structure will be monitored during excavation and construction.

Interpretation will form part of the future development of the site in accordance with the Sydney Metro West Heritage Interpretation Strategy prepared for the Stage 3 CSSI.

8.6 Potential additional overshadowing

Heritage places are particularly susceptible to increased deterioration of building fabric due to increased moisture caused by extensive overshadowing. Overshadowing is often cumulative due the gradual increase in development density across high-density high-rise areas.

Overshadowing caused by the proposed development was assessed in the Planning Proposal to amend planning controls for both the Hunter Street East and Hunter Street West sites. The assessment concluded that there are no places subject to extensive potential additional overshadowing. The shadow cast by the proposed development moves quickly across the city from the south-west to south-east. The cumulative heritage impact is minimal.

8.7 Impacts on World, National and Commonwealth heritage places

8.7.1 Introduction

Places of National significance in the vicinity of the site include Sydney Opera House, and Governors' Domain and Civic Precinct. Within Governors' Domain and Civic Precinct, Hyde Park Barracks and the first Government House site are also included as individual places on the National Heritage List (NHL). Sydney Opera House and Hyde Park Barracks are also UNESCO World Heritage places. Reserve Bank and Sydney GPO are also listed on the Commonwealth Heritage List (CHL). Development ("action") which is likely to have a significant impact on the World, National or Commonwealth Heritage values on these places is managed through the EPBC Act.

The site is not located within the boundaries of any World, National or Commonwealth listed places but future development on the site (an "action") has the potential to cause overshadowing and/or impact significant views. The following section contains a summary of potential impacts for each place with a general discussion of potential impact.

8.7.2 Potential impacts by future development on listed places

Sydney Opera House

The site is not located within the Sydney Opera House Buffer Zone as defined under the State Environmental Planning Plan (Biodiversity and Conservation) 2021 which:

- establishes a buffer zone around Sydney Opera House so as to give added protection to its world heritage value and
- recognises that views and vistas between the Sydney Opera House and other public places within the zone contribute to its world heritage value.

Comment:

The site is located to the south of Sydney Opera House and its buffer zone. Future development of the site will not cause any potential overshadowing of the item or its buffer zone.

Future development within the proposed development will potentially be visible from the Opera House but will form part of the density and height of CBD development and will not have a significant impact on the World or National Heritage values associated with the place.

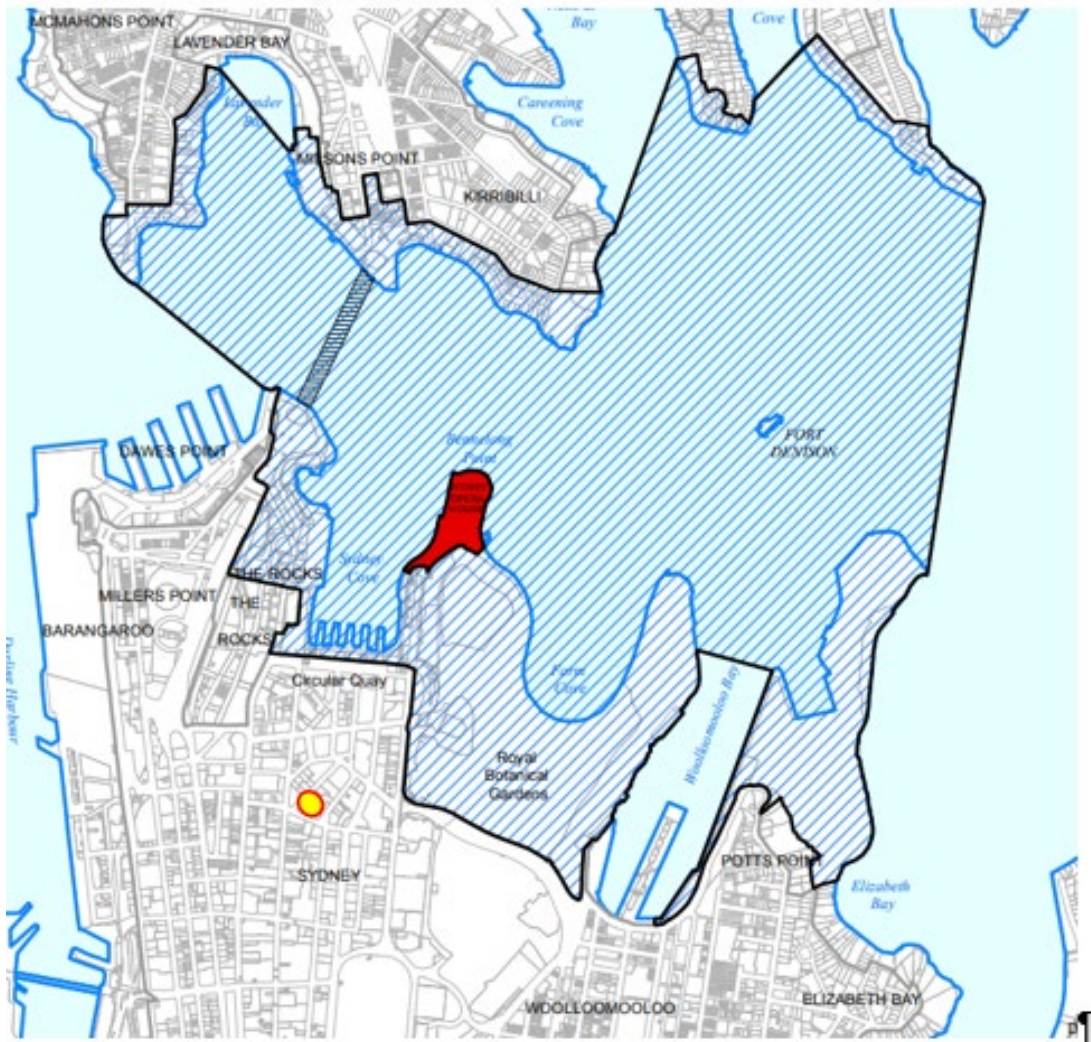


Figure 8-11 Extract from Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021, Sydney Opera House Buffer Zone Map (Amendment 2016) with site location indicated in red/yellow.

Source: Planning NSW

Governors' Domain and Civic Precinct

Governors' Domain and Civic Precinct was included in the National Heritage List on 12 February 2021 for having National Heritage Values under criteria (a), (b), (c), (f) and (h). It is located to the east of the site.

The Australian Heritage Database, place file no 1/12/036/0682 includes the following Summary Statement of Significance:

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

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

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

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

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

Governors' Domain and Civic Precinct is not a blanket listing; instead, its National Heritage Significance is expressed only in the places identified in the National Heritage values. Most of the places included within the National listing are already included on the NSW State Heritage Register. The following places are included in the listing:

Buildings:

- Hyde Park Barracks
- St James Church
- St Mary's Cathedral
- NSW Parliament House
- The Mint Sydney Hospital (including Nightingale Wing)
- The State Library of NSW
- The Australian Museum
- NSW Government House
- First Government House (site of)
- The Conservatorium of Music (former Macquarie Stables)
- Sydney Grammar School
- Registrar General's Office (Land Titles Office)
- Department of Lands Building
- Department of Education Building
- Chief Secretary's Building (including 50 Phillip Street)
- Royal Australian Historical Society (terrace house)
- Treasury Building (now Intercontinental Hotel)
- Royal Australasian College of Physicians Building (terrace house)
- Supreme Court of NSW complex

Areas:

- Royal Botanic Garden
- The Domain outer and inner
- Hyde Park
- Macquarie Place (including obelisk)

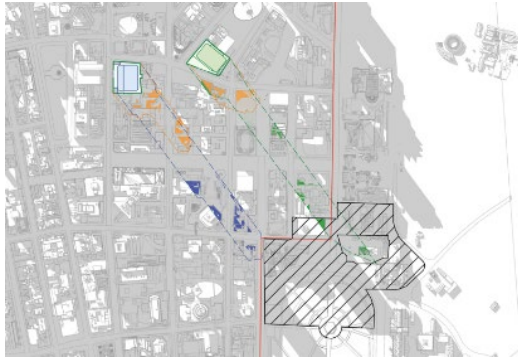
The boundary map is included in Figure 8-12.



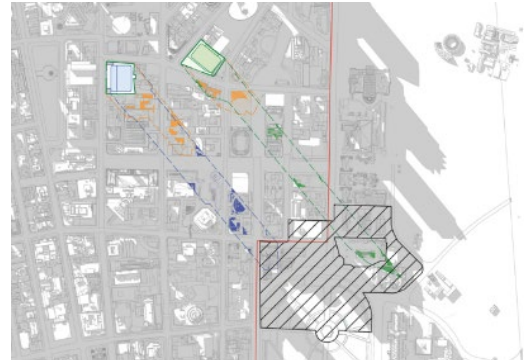
Figure 8-12 National Heritage List boundary map of Governors' Domain and Civic Precinct with subject site outlined in yellow.

Source: Department of Agriculture, Water and the Environment.

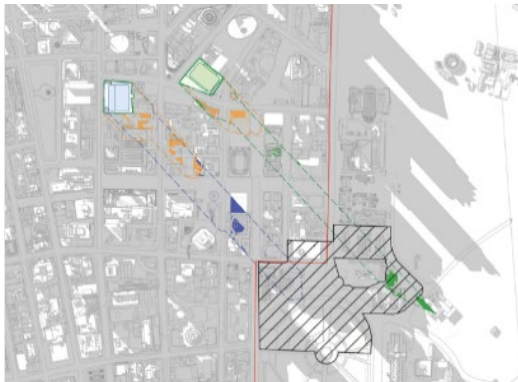
Further detailed shadow diagrams were developed for the purposes of this Heritage Impact Assessment. The shadow diagrams, in 15-minute intervals, indicate future development within the concept design has the potential to create additional overshadowing between 2.15 and 4.00pm within the National Heritage listed boundary as indicated in Figure 8-13 and documented in Table 8-6.



2.15pm



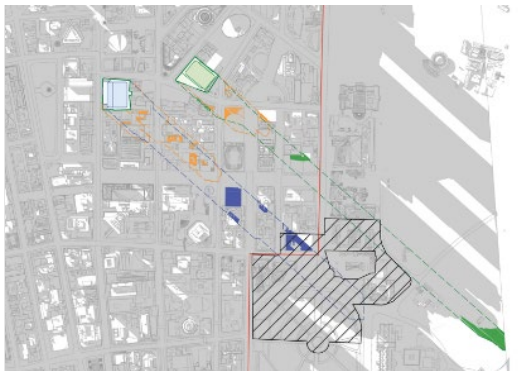
2.30pm



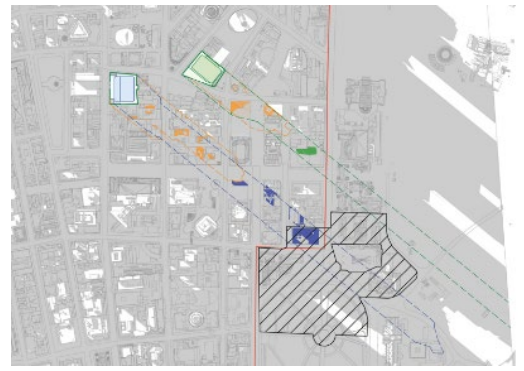
2.45pm



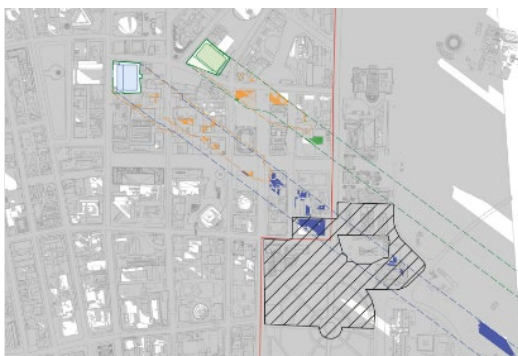
3.00pm



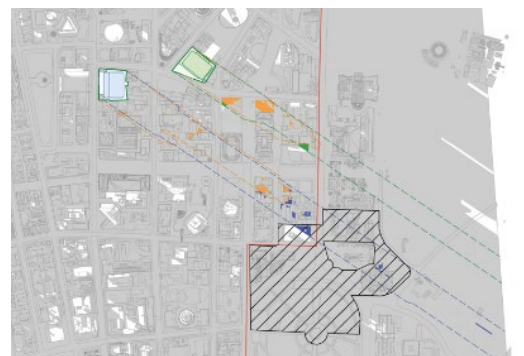
3.15pm



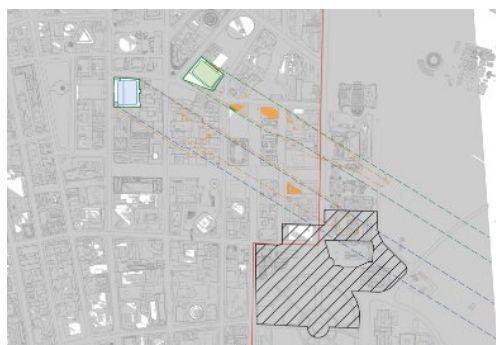
3.30pm



3.45pm



4.00pm



4.15pm

Figure 8-13 Diagrams showing potential additional overshadowing within the National heritage listed boundary of Governors' Domain and Civic Precinct. The subject site and additional overshadowing caused by the proposed development is shown in blue.

Source: FJMT Studio with overlay of NHL boundary by EDA Heritage.

Table 8-6 Analysis of potential additional overshadowing across Governors' Domain and Civic Precinct

Time	Place	Extent of shadow
2.15	Hyde Park Barracks	No additional overshadowing
2.30	Hyde Park Barracks	No additional overshadowing
2.30	Registrar General's Office (Land Titles)	No additional overshadowing
2.45	Registrar General's Office (Land Titles)	No additional overshadowing
2.45	The Domain	No additional overshadowing
3.00	The Domain	No additional overshadowing
3.00	Supreme Court of NSW	Minor overshadowing of southwest corner of roof
3.15	The Domain	No additional overshadowing
3.15	Supreme Court of NSW	Approximately 50% overshadowing of roof
3.30	Supreme Court of NSW	Approximately 90% overshadowing of roof
3.45	Registrar General's Office (Land Titles)	Shadow from the proposed development falls on small areas of roof
3.45	The Domain	Shadow from the proposed development falls on a narrow strip at the southern end of Domain Fields
3.45	Supreme Court of NSW	Approximately 50% overshadowing of roof
4.00	Registrar General's Office (Land Titles)	Shadow from the proposed development falls on small areas of roof
4.00	Supreme Court of NSW	Minor overshadowing of northeast corner of roof
4.15	N/A	No additional overshadowing

Comment:

The Governors' Domain and Civic Precinct National Heritage Place Environment Protection and Biodiversity Conservation Act (1999): Referral Guidelines 2021 (Commonwealth of Australia, 2021) provide general principles to be applied when considering whether a proposed action will have a significant impact on the National Heritage Values of Governor's Domain and Civic Precinct. As there is no proposed works within the boundary of Governors' Domain and Civic precinct the action of potential minor overshadowing caused by future development is not likely to have a significant impact on the National Heritage Values.

Future development within the proposed development envelope will potentially be visible from the Governors' Domain and Civic Precinct, but it will form part of the density and height of CBD development and will not have a significant impact on the National Heritage values associated with the place.

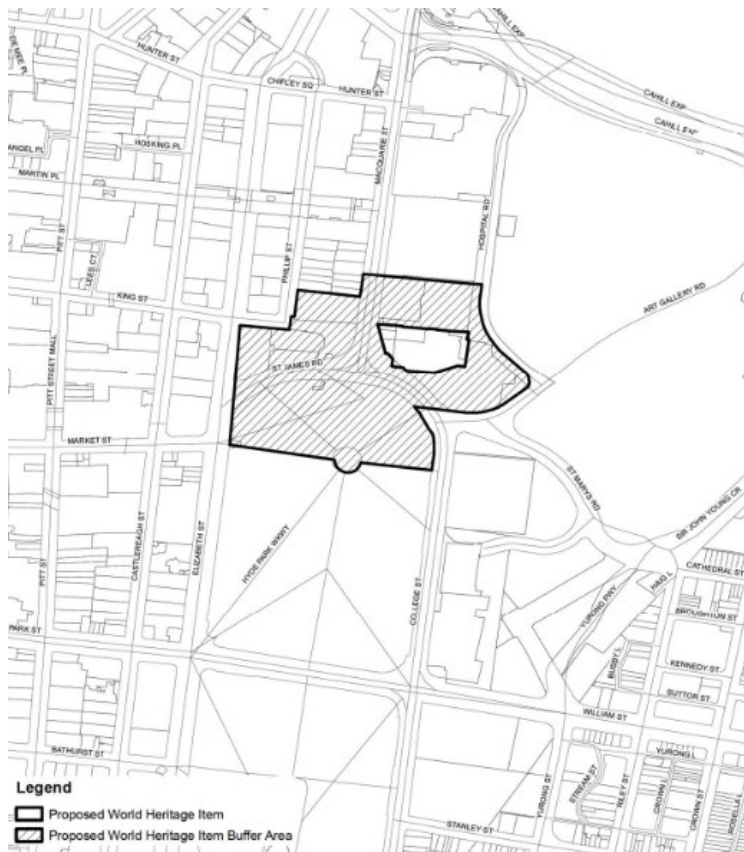
Hyde Park Barracks

Hyde Park Barracks is included on the National Heritage List and is also part of a serial listing of Convict Sites on the UNESCO World Heritage List. It is located to the southeast of the site. The Hyde Park Barracks Conservation Management Plan (2018) expresses a buffer zone around the World and National listed curtilage in which development in, and views to and from, the buffer zone are protected.

As demonstrated in Figure 8-13 and Table 8-6 above, future development within the proposed building envelope does not have the potential to cause additional overshadowing over Hyde Park Barracks. It has the potential to cause overshadowing within the buffer zone for approximately 60 minutes between 3.00pm and 4.00pm on 21 June, predominantly over the Supreme Court building at the north-western corner of the buffer zone. Additional overshadowing of Supreme Court is unlikely to cause adverse impact due to the nature of construction of the building. The Supreme court is located outside the boundary of the National listed Governor's Domain and Civic Precinct as shown in Figure 8-12. The Hyde Park Barracks Conservation Management Plan (2018) does not address potential overshadowing. The extent of overshadowing in the buffer zone is not likely to cause a significant impact.

Comment:

The site is not located within the National or World Heritage Listed area and does not impact views to and from the World and Nationally listed curtilage. Future development within the proposed building envelope does not have the potential to cause additional overshadowing over Hyde Park Barracks (See Figure 8-13 and Table 8-6) however it is likely to cause overshadowing within the buffer zone between 3.00pm and 4.00pm on 21 June. The partial overshadowing of the buffer zone is not likely to cause a significant impact.



First Government House Site

Reserve Bank of Australia

The Reserve Bank of Australia, Sydney Heritage Management Plan (Draft) prepared by NBRS Architecture, 2019, does not provide any policies in regard to overshadowing. It recognises significant views of the RBA as follows:

“The building is an important part of the presentation of Martin Place and Macquarie Street and in views along both streets The RBA Head Office building defines the south edge of the eastern section of Martin Place. The significance relates to:

Views and vistas of high significance are stated as follows:

“It contributes to the varied character of the western side of Macquarie Street. The significance relates to:

- *The quality of the facade designs and use of high- quality materials.*
- *The setback of the tower above the podium.”*

There are no views and vistas of significance from the RBA building.

The following conservation policies relate to views and vistas:

“The Reserve Bank of Australia head office building occupies a prominent site at the corner of Martin Place and Macquarie Street, Sydney, and in close proximity to several buildings identified as having heritage significance at the State and Local levels. It is an important element in the important historic streetscapes of Martin Place and Macquarie Street (Criterion E). It forms a gateway feature at the eastern end of one of the cities principal pedestrian thoroughfares. Changes to the RBA building should take into consideration the impact of the works on significant views from surrounding streets and areas including Queen Square, Phillip Street or the Domain. The RBA Head office building is visible in some views from Hyde Park Barracks, which is included on the National Heritage List (Place ID 105935) and is part of the World Heritage Listing of ‘Australian Convict Sites’. Under the EPBC Act, the Reserve Bank is obliged to protect Commonwealth Heritage values and National Heritage values demonstrated by other places located nearby.

Policy 52 *Additions to the Reserve Bank of Australia Head Office building should be located to minimise adverse visual impacts on views to the building from Martin Place and Macquarie Street.*

Policy 53 *Views from the pedestrian level of Martin Place and Macquarie Street to the ground floor foyer of the RBA Head Office building are to be retained in keeping with the concept of openness and transparency underpinning the design of the building.”*

Comment:

The site is located to the northwest of the RBA building and is not located within the views and vistas assessed as being of exceptional and high significance. There is no potential overshadowing of the RBA building as a result of the proposed development.

The proposed development is not likely to create a significant impact on the Commonwealth Heritage values associated with the site.

General Post Office, 1 Martin Place

The General Post Office, 1 Martin Place is included in the Commonwealth Heritage List. It is located to the south of the site. Future development within the building envelope has the potential to cause additional overshadowing across approximately 10% of the site at 1.00pm on 21 June. This overshadowing will be of negligible heritage impact.

The General Post Office Sydney Conservation Analysis and Draft Conservation Management Plan, Clive Lucas Stapleton, 1991, does not contain any conservation policies in regard to overshadowing. The Hunter Street concept design is not located in any specified significant views.

Comment:

The site is located to the north of General Post Office and is not located in any assessed significant views to or from the heritage item. Development within the building envelope will create a potential for minor additional overshadowing which is not likely to have a significant impact.

The proposed development will potentially be visible from the General Post Office, but it will form part of the density and height of CBD development and will not have a significant impact on the Commonwealth Heritage values associated with the place.

8.7.3 EPBC Act assessment

The EPBC Act requires an action to demonstrate no significant impact on the cultural heritage values associated with a listed site. The concept design (the “action”) is assessed against the significant impact criteria in the table below.

Table 8-7 Assessment of significant impact on World, National and Commonwealth listed places

Significant impact criteria	Assessment
<i>The proposed action must not:</i>	
<ul style="list-style-type: none">permanently remove, destroy, damage or substantially alter the fabric of the place	The proposed action will not result in the destruction, damage or alteration of the fabric of the places.
<ul style="list-style-type: none">extend, renovate, refurbish or substantially alter a place in a manner which is inconsistent with relevant values	The proposed action does not propose to extend, renovate, refurbish or substantially alter the places in a manner inconsistent with identified values.
<ul style="list-style-type: none">permanently remove, destroy, damage or substantially disturb archaeological deposits or artefacts in a place	The proposed action will not result in any significant impact on the archaeological remains or artefacts within the sites.
<ul style="list-style-type: none">involve activities in a place which will have substantial and/or long-term impacts on its values	The proposed action creates the opportunity for future development to cause potential additional overshadowing over the sites and buffer zone between 1pm and 4 pm on 21 Jun. This overshadowing is minimal and ephemeral, and will not have substantial or long-term impacts on the values of the place. It will not result in a significant impact.
<ul style="list-style-type: none">involve construction of buildings or other structures within, adjacent to, or within important sight lines of, a place which are inconsistent with relevant values, and	The proposed action is not located within, adjacent or in important sightlines to the sites or buffer zone and will not result in a significant impact to the places which are inconsistent with relevant values.
<ul style="list-style-type: none">make notable changes to the layout, spaces, form or species composition in a garden, landscape or setting of a place which are inconsistent with relevant values.	The proposed action does not propose any change to landscape or setting of the places which is inconsistent with relevant values and will not result in a significant impact.
or,	
<ul style="list-style-type: none">restrict or inhibit the existing use of a place as a cultural or ceremonial site causing its values to notably diminish over time;	The proposed action will not restrict or inhibit the existing use of the places as cultural or ceremonial sites and will not result in a significant impact.

Significant impact criteria	Assessment
<ul style="list-style-type: none"> permanently diminish the cultural value of a place for a community or group to which its values relate 	The proposed action will not permanently diminish the cultural values associated with the sites. It will not have a significant impact.
<ul style="list-style-type: none"> alter the setting of a World or National Heritage property in a manner which is inconsistent with relevant values 	The proposed action will not alter the setting of the places. It will not have a significant impact.
<ul style="list-style-type: none"> remove, damage, or substantially disturb cultural artefacts, or ceremonial objects, in a World or National Heritage property, and 	The proposed action will not remove, damage or substantially disturb cultural artefacts or ceremonial objects. It will not have a significant impact.
<ul style="list-style-type: none"> permanently damage or obscure rock art or other cultural or ceremonial features with World or National Heritage values. 	The proposed action will not permanently damage or obscure cultural or ceremonial features. It will not have a significant impact.

Comment:

The proposed development will not have a significant impact on the World, National and Commonwealth heritage values associated with the identified heritage sites. The building envelope provides the opportunity for future development which has the potential to cause additional overshadowing over the site however the degree of overshadowing is generally minor and ephemeral and is not likely to cause a significant impact.

8.8 Heritage NSW impact assessment criteria

The following assessment of the proposal follows the guidelines for Statements of Heritage Impact prepared by the NSW Heritage Office and included in the NSW Heritage Manual. The guidelines provide for a broad assessment of impacts which may result from development of and within the vicinity of heritage items. Whilst the presentation of a concept design does not explore many of these impacts in detail, a consideration of potential impacts allows for the development of guidelines for the detailed design of future development.

Text provided in italics is taken directly from the Heritage Office Guidelines. Only criteria relevant to the concept design are included.

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

- The proposed development envelope does not propose future works within the curtilage of Tank Stream.
- The proposed development includes the Former Skinners Family Hotel for which the future conservation and adaptive reuse will form part of the Detailed SSDA.
- The podium reinforces the corner landmark qualities of Former Skinners Family Hotel including interiors and allows for interpretation of the extent of its former building form. It also references the historic scale of the area responding to significant view lines on George and Hunter Street. The tower envelope is set back from both Hunter and George Streets allowing the podium to dominant the pedestrian perception of scale.
- Future concept design will be informed by advice from a heritage consultant.
- Interpretation will be in accordance with the Sydney Metro West Heritage Interpretation Strategy prepared for Stage 3 CSSI.

The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:

- Work adjacent to Skinners Family Hotel including interiors, Tank Stream and other heritage items in close proximity will require ongoing monitoring of the heritage structures during construction to minimise indirect impacts from vibrational damage.

Table 8-8 Heritage NSW impact assessment criteria

(Note: Only relevant considerations from the HNSW SOHI guidelines are addressed below)

Proposed change to heritage item	Discussion
<p>New development adjacent to a heritage item</p> <ul style="list-style-type: none"> • How is the impact of the new development on the heritage significance of the item or area to be minimised? • Why is the new development required to be adjacent to a heritage item? • How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance? • How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects? • Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected? • Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)? • Will the additions visually dominate the heritage item? How has this been minimised? • Will the public, and users of the item, still be able to view and appreciate its significance? 	<p>The proposed development is responsive to the heritage significance of Former Skinners Family Hotel including interiors through its definition of a modulated podium which anchors the remnant building reinforcing its corner prominence and allows for interpretation of the original extent of the building form.</p> <p>The tower component is set back from the street frontages and does not overhang or overshadow the heritage item.</p> <p>Whilst the proposed tower envelope is significantly different to the original context of the Former Skinners Family Hotel including interiors, it is not unusual in the contemporary context of the CBD. The setback of the tower allows a clear comprehension of the volume and scale of the heritage item in its contemporary context. The extension of the podium at the parapet height of the heritage item references the original scale of development within the city centre and reinforces sightlines.</p> <p>Future design development will be informed by advice from a heritage consultant.</p> <p>The tower envelope does not propose any further demolition or excavation other than that as documented in the Stage 2 CSSI (SSI-19238057). The excavation is adjacent to and within the SHR curtilage of Tank Stream. Impacts to archaeological resources will be managed in accordance with an archaeological research design for the site prepared for the SSI.</p>

9 Conclusion

The proposed development envelope reaches a maximum RL of 220.0m. The building envelope gives floor space and height above an integrated station box and commercial podium. The context of heritage places within this area has been subject to substantial and ongoing change. The proposed development responds to its immediate context and other heritage buildings in the vicinity with consistent application of high-density design, as expressed in other parts of the environment. Overall, the proposed development has little to no heritage impact on heritage items within the site boundary and in the vicinity. The design is responsive to potential impacts caused by its scale and function and incorporates features to balance those impacts by improvement to the streetscape permeability and sightlines.

The tower envelope aligns with the corresponding upper podium and facilitates a responsive development form that advances the surrounding high-rise environment while retaining an appreciable street frontage. Appropriate setbacks to the tower are provided on George and Hunter Street to pull tower bulk away from the eye level. The tower responds to sun-plane controls with articulations at RL 148.2m and RL 196.6m. The shape of the tower envelope provides adequate controls for the perception of bulk, form, and shadow impacts.

The building envelope adequately responds to the Design Principles of Design in Context. The podium level sympathetically anchors development on the site to an earlier historical context, allowing the tower envelope to form part of the contemporary city above without adversely impacting on the historic streetscape formed by a density of heritage buildings.

The building envelope allows for future development which will have the potential to cause additional overshadowing of heritage items located from the southwest to the southeast of the site however the impact is minor due to the shadow already cast by existing buildings and the speed of the shadow as it moves across the city. The potential shadows over World, National and Commonwealth listed heritage places is not likely to cause a significant impact.

The proposed development is likely to be visible from heritage items within the CBD. The building envelope is not located within any significant views to or from World, National or Commonwealth heritage listed places and is not likely to cause a significant impact on the heritage values relevant to those places.

The Tank Stream is not impacted by this proposal and will be managed in accordance with an Archaeological Research Design for the site under the Stage 2 CSSI (SSI-19238057) and be subject to ongoing monitoring through construction associated with the Stage 3 CSSI (SSI-22765520).

A Conservation Management Plan is currently being prepared for the former Skinners Family Hotel to inform its conservation, adaptive reuse and integration into the overall development. The future Detailed SSDA will include the advice of experienced heritage consultants.

The proposed development will not impact potential archaeological finds as ground disturbance is addressed as part of the Stage 2 CSSI Application, and no further excavation is proposed.

Interpretation of the site will be in accordance with the Sydney Metro West Heritage Interpretation Strategy prepared as part of the Stage 3 CSSI Application.

The following recommendations have been provided to guide future development:

- The Conservation Management Plan should be used to guide the future conservation and adaptive reuse of the former Skinners Family Hotel.
- Skinners Family Hotel should be maintained and protected from damage during the works.
- Skinners Family Hotel should be regularly monitored and maintained as required in accordance with the Minimum Standards of Maintenance and Repair (Heritage Council of NSW) while the building is unoccupied.
- Consider provision for the interpretation of archaeological findings from the surface demolition and excavation proposed in Stage 2 CSSI as Public Art in the proposed development where not incorporated into the station.

