



Mr Cameron Sargent
Team Leader – Key Sites Assessments
NSW Department of Planning and Environment
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SYDNEY NSW 2001

Email: Rebecka Groth: rebecka.groth@planning.nsw.gov.au

Dear Mr Sargent

**NEW RESTAURANT & MICRO-BREWERY, OVERSEAS PASSENGER TERMINAL
(TENANCY 5), CIRCULAR QUAY WAY, THE ROCKS, SYDNEY (SSD 7683) –
RESPONSE TO SUBMISSIONS**

I refer to your letter of 6 June 2017 seeking comments on the Response to Submissions (RTS) for the above State Significant Development application for a new restaurant and micro-brewery at the Overseas Passenger Terminal (Tenancy 5), Circular Quay Way, The Rocks.

It is understood that the proposal is for an indoor/outdoor restaurant, bar and micro-brewery within and adjacent to Tenancy 5 of the Overseas Passenger Terminal (OPT). Tenancy 5 is located at the northernmost end of the OPT and occupies the ground and first floor levels, including an outdoor seating area. It has direct views across the harbour to the Sydney Opera House.

Whilst the subject site is not listed on the State Heritage Register (SHR), several sites adjacent to the proposed development are listed on the SHR including the:

- Sydney Opera House (SHR 01685)
- Sydney Harbour Bridge (SHR 00781)
- Campbell's Stores (SHR 01536)
- Australian Steam Navigation Building (SHR 01526)
- Metcalfe Bond Stores (SHR 01562)

The site is also located within the Buffer Zone of the World Heritage listed Sydney Opera House. In addition, the OPT is identified as a heritage item and located within The Rocks Heritage Conservation Area which are both listed on the Sydney Harbour Foreshore Authority's heritage register (as per section 170 of the *Heritage Act 1977*) and has a high potential for historic archaeology. Therefore, consideration must be given to the impact of the proposed development on the surrounding SHR heritage listed items, heritage items listed on any s.170 heritage register, historic archaeology, and in particular, its visual impact on the Sydney Opera House.

As a delegate of the Heritage Council of NSW, I provide the following comments.

- It is understood that the proposal has been revised to relocate the external micro-brewery structure closer to the OPT. The original design positioned the external element in a location that had adverse visual impacts on the Sydney Opera House and the Campbells Stores' setting. The revised proposal relocates the structure south towards the OPT which reduces the visual impact on the setting and on the significant views to the Sydney Opera House.

The revised design reduces the structure's height from 8.24m to 5.2m, further reducing its visual impact. Therefore, the revised micro-brewery design is considered acceptable. Whilst it is still considered that a better option would be to locate the micro-brewery wholly within the existing building envelope, the revised design gives appropriate consideration to the retention and recovery of views and vistas to the Sydney Opera House.

- The proposed structure will be in close proximity to the approved awning for outdoor seating at Campbell's store and will be within its setting. It is therefore, recommended that the design and implementation of the new brewery structure be of high quality. Care should also be taken to avoid the new structure becoming a dominant element within the setting of Campbell's store.
- The proposed works to introduce an additional outdoor dining area within the double height space of the existing tower structure of the OPT will limit transparency of the structure and impact views to the Sydney Opera House. However, the proposed structure's open balustrading and the glazed exterior wind barriers will minimise the adverse impacts on the views. It is therefore considered that both elements are acceptable provided that the exterior wind barriers are constructed of clear glazing and no shade awnings are installed in the tower structure.
- The proposed works are located within an area of mixed archaeological potential; high on the western portion of the study area, but low on the eastern portion of the study area. Archaeological information would be related to the sea walls built in this area in 1840s and the 1870s/1880s. It is noted that impacts would be confined to the piling and pad footings for the micro-brewery as no other excavation is proposed.

The archaeological assessment recommended a program of archaeological test excavation in the areas of the footings and piling locations (wherever the micro-brewery structure is located) and if archaeological information is uncovered, protection of the 1840s sea wall and detailed recording of the removal of any later sea walls and associated historic reclaimed fills.

Should the application be approved, the following conditions, including those previously provided by the delegate of the Heritage Council in response to the SSD application, are recommended.

New works

- 1) No shade awnings are to be installed within the proposed outdoor seating area located within the double height space of the existing tower structure. Further, the proposed exterior wind barriers shall be constructed of clear glazing.

Archaeology

- 2) If the proposal is approved in its current form, archaeological test excavation should occur prior to the commencement of footing and piling works for the micro-brewery.
- 3) The testing shall be guided by an appropriate research design, excavation methodology and be directed by a suitably qualified and experienced excavation director who fulfils the Heritage Council's Excavation Director Criteria for the excavation of state significant archaeological sites.
- 4) The testing results shall guide the next stage of development. Areas of state significant archaeology and substantially intact archaeological evidence shall be appropriately managed and avoided wherever possible in the design.
- 5) In the event this is not possible in whole or in part, detailed full archaeological salvage shall be undertaken. This shall be guided by an appropriate research design,

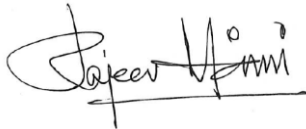
excavation methodology and be directed by a suitably qualified and experienced excavation director who fulfils the Heritage Council's Excavation Director Criteria for the excavation of state significant archaeological sites.

- 6) A final excavation report shall be prepared within 12 months of the completion of archaeological works on site. It should also include details of any artefacts recovered, where they are located and details of their ongoing conservation and protection in perpetuity by the land owner. Copies shall be provided to the Department of Planning and Environment, the Heritage Council and to the Sydney Local studies unit.
- 7) An archaeological interpretation strategy shall be prepared by an interpretation specialist to the satisfaction of the Heritage Council or its delegate and implemented as part of the proposed works prior to the issue of the occupation certificate. This strategy shall include details of the archaeological investigation of the site and how the results will be incorporated into the completed development.

The Heritage Council would appreciate the opportunity to provide further comments to the Department of Planning and Environment on this State Significant Development.

If you have any questions regarding this matter, please contact David Nix, State Heritage Assets Officer, at the Heritage Division, Office of Environment and Heritage, on (02) 9895 6523 or at david.nix@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rajeev Maini', with a horizontal line drawn underneath.

Rajeev Maini
Manager, Conservation
Heritage Division
Office of Environment & Heritage
As Delegate of the NSW Heritage Council
21 July 2017