



**Barangaroo South Stage 1B Residential Building R4B
Amending State Significant Development Application
8892218**

Statement of Heritage Impact

Prepared for
Lend Lease (Millers Point) Pty Ltd

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1 INTRODUCTION

1.1 Purpose of the report

This report supports a State Significant Development (SSD) Development Application (DA) submitted to the Department of Planning, Infrastructure and Environment (DPIE) pursuant to Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The ‘amending’ SSD DA seeks approval for eight additional storeys and 5,650sqm of gross floor area (GFA), amongst other items, to Residential Building R4B approved under SSD 6965. This SSD DA proposes to amend the 60-storey Residential Building R4B development approved under SSD 6965, which in turn necessitates the inclusion of condition(s) of consent to this SSD DA that require the modification of SSD 6965.

This report assesses the potential impact of the proposal on the surrounding heritage and archaeological items (both on and off the site) and proposed conservation and mitigation measures, including the Millers Point Conservation Special Area, Observatory Hill and Walsh Bay.

Residential Building R4A and Residential Building R4B form part of a composition of three buildings designed by Renzo Piano Building Workshop within the northern part of Barangaroo South, known as Stage 1B. This composition is collectively known as One Sydney Harbour, Barangaroo South.

The master plan for Stage 1B of the Barangaroo South was the subject of a modification (Mod 10) to Concept Plan (MP06_0162) submitted to the Minister for Planning and Infrastructure pursuant to Section 75W of Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Mod 10 has now been approved.

1.2 Methodology and terminology

This report follows the general guidelines for Statements of Heritage Impact, set out in the NSW Heritage Manual, Heritage Office and Department of Urban Affairs and Planning (1996).

This report also follows the methodology and terminology described in *The Conservation Plan*, Sydney, National Trust of Australia (NSW), 5th edition 2000 by Dr J. S. Kerr and in the Australia ICOMOS *Burra Charter*, 1999 as described below. The methodology of these documents is combined with the State Heritage Register criteria to formulate an assessment of cultural significance (refer Section 3).

J.S. Kerr’s *The Conservation Plan* considers the concept of cultural significance according to three qualities: The ability of a place to demonstrate a process, event, custom or style; associational (historical) links for which there may be no surviving evidence; and formal or aesthetic qualities.

The process of assessment of culturally significant places set out in the Australia ICOMOS *Burra Charter* breaks the concept of significance into “historic”, “aesthetic”, “technical/scientific” and “social” categories.

1.3 Site description

Barangaroo is located on the north western edge of the Sydney Central Business District (CBD), bounded by Sydney Harbour to the west and north, the historic precinct of Millers Point (for the northern half), The Rocks and the Sydney Harbour Bridge approach to the east; and bounded to the south by a range of new development containing large CBD commercial tenants.

The Barangaroo site has been divided into three distinct redevelopment areas (from north to south) – the Headland Park, Barangaroo Central and Barangaroo South. The Residential Building R4B site is located within Barangaroo South. The site of this proposed DA is located on land generally known and identified in the approved Concept Plan (as modified) as Block 4A, as shown in Figure 1 below.

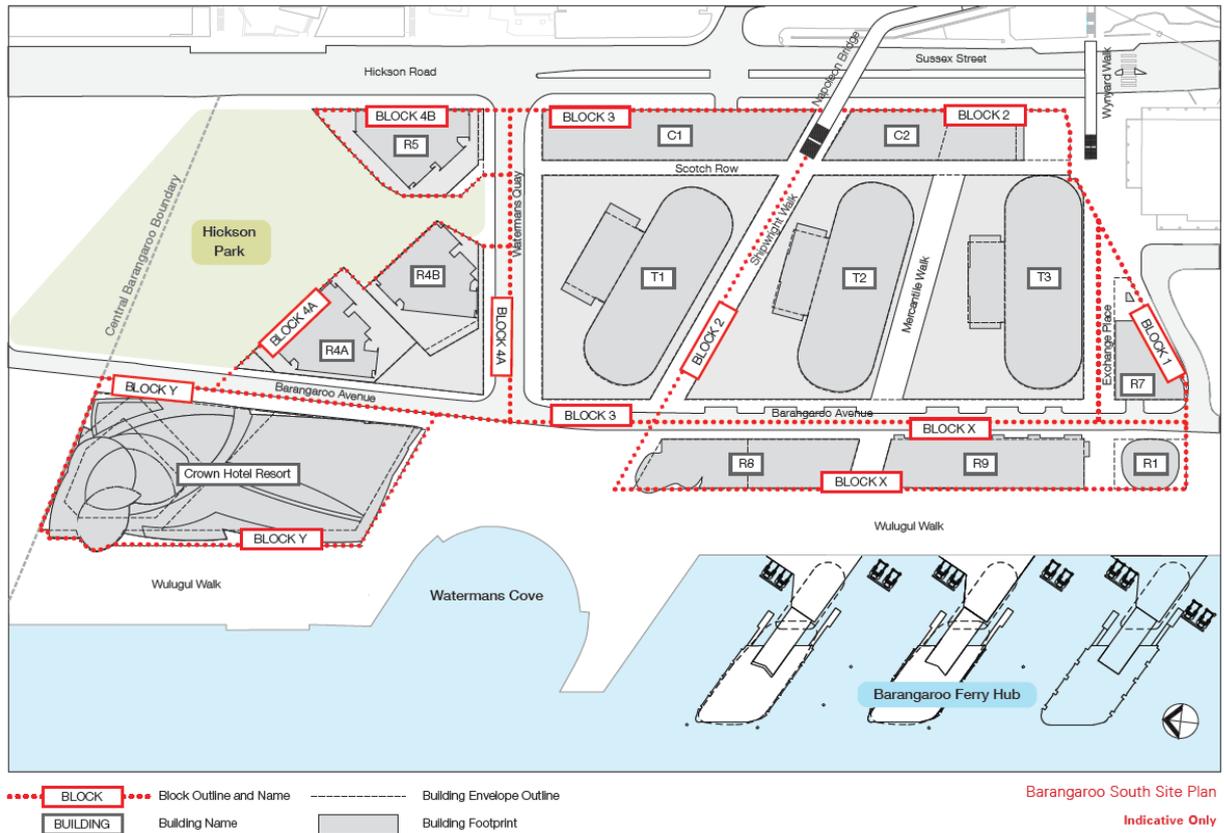


Figure 1 Block 4A in relation to Barangaroo South.
Source: Lendlease.



1.4 Background

1.4.1 Barangaroo South Concept Plan (as modified)

The approved Barangaroo South Concept Plan (MP06_0162) (as modified), includes approval for the following:

- A mixed use development involving a maximum of 602,354 sqm gross floor area (GFA), comprised of:
 - a maximum of 191,031 sqm of residential GFA of which a maximum of 162,031 sqm will be in Barangaroo South;
 - a maximum of 76,000 sqm of GFA for tourist uses of which a maximum of 59,000 sqm will be in Barangaroo South;
 - a maximum of 34,000sqm of GFA for retail uses of which a maximum of 30,000 sqm will be in Barangaroo South;
 - a maximum of 5,000 sqm of GFA for active uses in the Public Recreation zone of which 3,500 will be in Barangaroo South; and
 - a minimum of 12,000sqm GFA for community uses.

- Approximately 11 hectares of new public open space/public domain, with a range of formal and informal open spaces serving separate recreational functions and including an approximate 2.2km public foreshore promenade.
- Built form design principles, maximum building heights and GFA for each development block within the mixed use zone.
- Public domain landscape concept, including parks, streets and pedestrian connections.
- Alteration of the existing seawalls and creation of a partial new shoreline to the harbour.
- Construction, operation and maintenance of a concrete batching plant to supply concrete for construction of future development under this Concept Plan at Barangaroo South.
- No approval is granted or implied for the future use of a heliport and/or a helipad.

This 'amending' SSD DA seeks to achieve the maximum permissible GFA and height for Residential Building R4B that was approved as part of the latest modification to the Concept Plan (modification 10). Any consent that is granted to this SSD DA will be generally consistent with the terms of approval of the Concept Plan (as modified).

1.4.2 Residential Building R4B - Development Consent SSD 6965

Development consent SSD 6965 was granted by the NSW Minister for Planning on 7 September 2017 for Residential Building R4B, comprising of a 60-storey mixed use building, with 297 residential units and retail floor space at ground level. This included a total gross floor area (GFA) of 38,896sqm, 38,602sqm of which was approved for residential floor space, and the remaining 294sqm was approved for retail floorspace. Consent was also provided for associated building public domain works, fit-out and use of the basement, a link bridge connecting to Building R4A and associated building identification signage.

On 7 February, 2020, development consent SSD 6965 was amended to account for a range of design changes, including an increase in total GFA from 38,896sqm to 38,911sqm, comprised of an increase in retail GFA from 294sqm to 309sqm, and a reduction in the number of apartments to 283.

A second application to modify development consent SSD 6965 has been submitted to the DPIE. The amendments contained within the modification application broadly relate to the following changes:

- increase the number of apartments from 283 to 290;
- revised dwelling mix and internal layout changes;
- changes to the landscaped podium layout; and
- changes to the number of car spaces from 320 to 324.

It is anticipated that this modification application to development consent SSD 6965 will be determined prior to the determination of this SSD DA. As such, this SSD DA is made with the above changes in mind.

1.5 Author identification

This document was prepared by Dr Roy Lumby, Senior Heritage Specialist and reviewed by Megan Jones, Practice Director of Tanner Kibble Denton Architects.

1.6 Heritage management context

The following heritage items in the vicinity of the development site are included in the **State Heritage Register**:

- Grafton Bond Store and sandstone wall, Hickson Road, Millers Point.
- Millers Point and Dawes Point Village Precinct;
- Millers Point Conservation Area;
- MSB Stores Complex, 2-4 Jenkins Street, Millers Point;
- MSB Stores Complex Building 1, 2-4 Jenkins Street, Millers Point;
- Sydney Observatory, Upper Fort Street, Millers Point;
- Terrace 115-121 Kent St;
- Terrace 123-125 Kent Street;
- Walsh Bay Wharfs Precinct, Hickson Road Millers Point.

The following heritage items in the vicinity of the development site are included in **Sydney Local Environmental Plan 2012**:

- Agar Steps;
- Bureau of Meteorology, 9 Upper Fort Street;
- Fort Phillip Signal Station, Observatory Hill;
- Fort Street Primary School site including buildings and their interiors, fig trees and grounds 1005 Upper Fort Street;
- Former warehouse, Grafton Bond Store, 201-217 Kent Street
- Former warehouse, MSB Stores, 36 Hickson Road
- Fort Street Primary School site including buildings and their interiors, fig trees and grounds 1005 Upper Fort Street;
- Grafton Bond Store and sandstone wall, Hickson Road;
- Lane off Gas Lane (Jenkins Street);
- Messenger's Cottage for Fort Phillip Signal Station;
- Messenger's Cottage for Sydney Observatory;
- Millers Point/Dawes Point Conservation Area. The conservation area includes a number of individually identified heritage items;
- National Trust Centre;
- MSB Stores Complex, 2-4 Jenkins Street;
- Observatory Park, including Boer War Memorial, Bandstand, fences and landscaping;
- Sydney Observatory;
- Sydney Observatory Group, including buildings and their interiors and grounds;
- Tennis Court and Pavilion. 96-108 Kent Street;
- Terrace Group Agars Steps Terrace, 5-9 Agars Steps;
- Terrace Group, Carlson Terrace 110-114 Kent Street
- Terrace Group, 3-9 High Street;
- Terrace, 115-121 Kent Street;

- Terrace, 123-125 Kent Street.

According to the OE&H website, the following heritage items in the vicinity of the development site are included in **NSW Maritime Authority Section 170 Register**:

- MSB Stores Complex B1
- MSB Bond Store 3
- MSB Stores Complex
- Walsh Bay Precinct, bounded by Dalgety Road, Windmill and Downshire Streets.
- Grafton Bond Store

The NSW Maritime Authority was merged with the Roads and Traffic Authority in 2011 to form Roads and Maritime Services.

2 HISTORICAL SUMMARY

The following historical summary has been extracted from the *Barangaroo Demolition Project Application Heritage Impact Statement*, prepared by City Plan Heritage in 2007. A history of the wider Barangaroo site is provided in the *East Darling Harbour, Millers Point History and Development*, prepared by Monique Galloway of the Sydney Harbour Foreshore Authority in 2006. The historical summary describes the history of development that existed on the site prior to the commencement of the project:

Berths 3, 4, 5 and 8 resulted from the most recent phase of change relating to shipping in Darling Harbour. Sheds 3, 4, 5, 6 and 8 result from the most recent phase of change related to shipping in Darling Harbour. Prior to their final configuration the wharves along Millers Point went through two other major phases of change. From the mid to the end of the nineteenth century private wharves were constructed along the foreshore in a haphazard manner. Timber finger wharves stretched into the harbour while deepwater berths were able to be constructed alongside the headland. In 1900 the Rocks and Millers Point were struck down by the plague and the unsanitary conditions off the nineteenth century wharves were seen as a major cause. The area and the foreshores were resumed by the Government and eventually placed in the hands of the Sydney Harbour Trust. New tracts of housing were constructed throughout Millers Point and the new finger wharves were built along the foreshores and leased to shipping companies.

The finger wharves were constructed by the Sydney Harbour Trust between 1900 and 1930 along east Darling Harbour and continued to operate until the late 1950s. By this time shipping and transport technology had evolved with containers and larger ships the norm. This required deeper berths for the ships and greater open storage spaces for the containers.



Figure 2 Wharves along the eastern side of Darling Harbour in the location of the subject site, circa 1940.

Source: City of Sydney Archives SRC1868.

The southern end of the subject site (Barangaroo), incorporating the current King Street wharf area and no. 7 and 8 berths was redeveloped first with the smaller finger wharves converted to concrete platform wharves that could service container ships. An aerial image of the area from 1958 looking south over Millers Point shows the early twentieth century wharves to be extant. An aerial photograph taken one year later (1959) shows the completion of the demolition of berths 7 and 8. Approximately two years later large open concrete wharves are in the process of being constructed and are then shown to be completed by 1963 with large storage sheds similar to those in existence prior to development commencing. This roughly correlates to the building application to the City of Sydney for no. 7 wharf in 1964. An aerial photograph dated to the 1980s but probably taken in the 1970s shows concrete wharves have replaced finger wharves at berth 9. This image also shows the demolition of no. 6 berth finger wharf. An undated image from later in the 1970s shows the existing berths 3, 4 and 5 under construction with berth 3 still in operation and the foreshore being reclaimed as the sea wall is being constructed. The finger wharves appear to have been completely removed. Another image from c.1980 appears to show berth no. 3 under construction following the demolition of the earlier buildings with shed 3 yet to be constructed.

The larger finger wharves at the northern end of the (Barangaroo) site would be redeveloped in the late 1960s through to the early 1980s. The City of Sydney records a building application to demolish the timber wharf at berth no. 3 in 1969. The alignment of no. 3 and no. 4 berths adjacent to the headland were not altered by the warehouse and bond store structures were removed to provide the open platform for container storage. The section of foreshore between the headland and the approximate alignment of Jenkins Street was reclaimed with the construction of the platform wharves. A Maritime Services Board plan from 1970 for the construction of the no. 6 berth amenities and substation building includes a site plan showing that the no 6 and no. 5 berths had been formed. The site of the yet to be built no. 6 shed is indicated on the plan and appears to have been constructed shortly thereafter, no. 5 shed appears to have been constructed c.1972, no. 4 shed dates to c.1976 and no.3 shed appears to have been built c.1980 as shown on Maritime Services Board plans and recorded in building applications to the City of Sydney. In 1975 a building application was also registered by the City of Sydney for the demolition of the overhead bridge from High Street to the wharves. While not actually recorded, the application to demolish the bridge is likely to be concurrent with the demolition of the stores and boardwalk along Hickson Road.



Figure 3
Reclamation and construction of platform wharfs, 1971.
Source: State Library of NSW d7_36065r, Jack Hickson photograph.

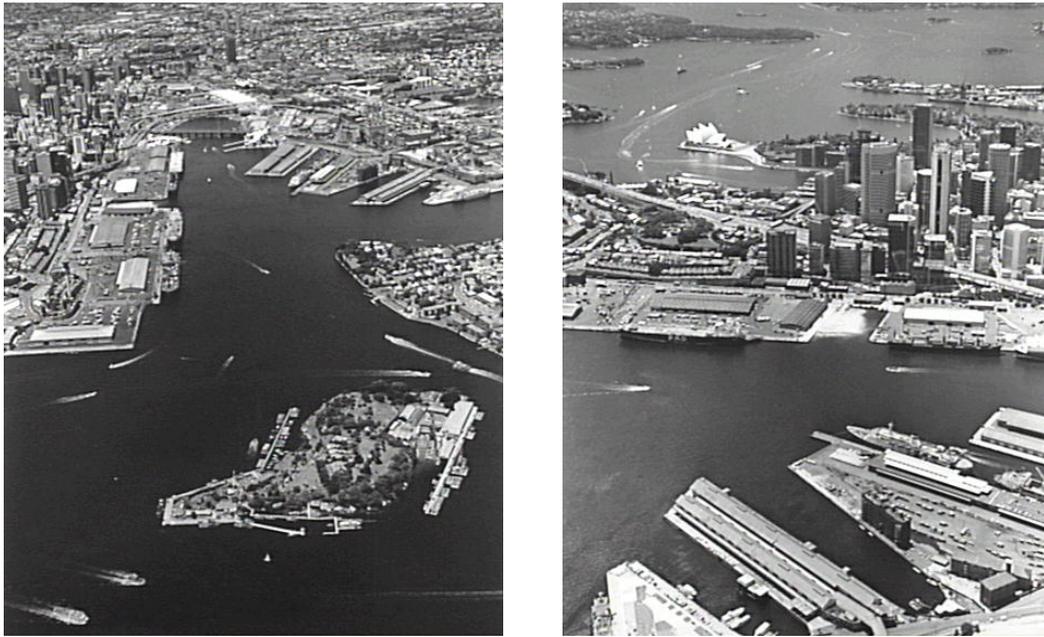


Figure 4 Circa 1988 photographs showing the redevelopment of the eastern side of Darling Harbour in response to the requirements of containerised shipping.
Source: City of Sydney Archives SRC1762 and SRC 1760.



Figure 5 Configuration of wharves on the eastern side of Darling Harbour, 2001.
Source: City of Sydney Archives - Historical Atlas of Sydney



3 HERITAGE SIGNIFICANCE

The proposed development is located in the vicinity of a number of listed heritage items and conservation areas.

The Statements of Significance in the following sections have been extracted from the State Heritage Register Database or State Heritage Inventory Database entries as applicable to each item in the vicinity of the development site. Where an item is included in the State Heritage register and Section 5 of Sydney LEP 2012 the State Heritage Register Statement of Significance has been quoted

3.1 State Heritage Register Items

3.1.1 Grafton Bond Store and Sandstone Wall, Hickson Road



Figure 6 Grafton Bond Store (left) and Sandstone Wall (right).

Sources: TKD Architects; SHR database entry for Grafton Bond Store (Sandstone Wall).

Statement of significance:

Grafton Bond has historic significance as a remnant of what was claimed to have been the largest bond store complex in Australia. It is a complex building redolent of the busy wharfage area of earlier times and of a large mercantile facility which was once an important part of the city. It has aesthetic significance as an excellent example of urban commercial utilitarian design, by an eminent Australian architect, William Wardell and its design displays the Northern European influence evident in much of the work of the architect, such as the three stepped parapet gables on the eastern elevation. Its recent refurbishment and well contrived juxtaposition with modern glass towers is a most successful conservation project. It has scientific significance for its fine craftsmanship and its clever response to the hilly terrain of this part of Sydney.

3.1.2 Millers Point and Dawes Point Village Precinct



Figure 7 Boundaries of the Millers Point and Dawes Point Village Precinct.
Source: SHR database entry

Statement of Significance:

Millers Point and Dawes Point Village Precinct is of state significance for its ability to demonstrate, in its physical forms, historical layering, documentary and archaeological records and social composition, the development of colonial and post-colonial settlement in Sydney and New South Wales.

The natural rocky terrain, despite much alteration, remains the dominant physical element in this significant urban cultural landscape in which land and water, nature and culture are intimately connected historically, socially, visually and functionally.

The close connections between the local Cadigal people and the place remain evident in the extensive archaeological resources, the historical records and the geographical place names of the area, as well as the continuing esteem of Sydney's Aboriginal communities for the place.

Much (but not all) of the colonial-era development was removed in the mass resumptions and demolitions following the bubonic plague outbreak of 1900, but remains substantially represented in the diverse archaeology of the place, its associated historical records, the local place name patterns, some of the remaining merchant's villas and terraces, and the walking-scale, low rise, village-like character of the place with its central 'green' in Argyle Place, and its vistas and glimpses of the harbour along its streets and over rooftops, the sounds of boats, ships and wharf work, and the smells of the sea and harbour waters.

The post-colonial phase is well represented by the early 20th century public housing built for waterside workers and their families, the technologically innovative warehousing, the landmark Harbour Bridge approaches on the heights, the parklands marking the edges of the precinct, and the connections to working on the wharves and docklands still evident in the street patterns, the mixing of houses, shops, and pubs, and social and family histories of the local residents.

Millers Point and Dawes Point Village Precinct has evolved in response to both the physical characteristics of its peninsular location, and to the broader historical patterns and processes that have shaped the development of New South Wales since the 1780s, including the British invasion of the continent; cross-cultural relations; convictism; the defence of Sydney; the spread of maritime industries such as fishing and boat building; transporting and storing goods for export and import; immigration and emigration; astronomical and scientific achievements; small scale manufacturing; wind and gas generated energy production; the growth of controlled and market economies; contested waterfront work practises; the growth of trade unionism; the development of the state's oldest local government authority the City of Sydney; the development of public health, town planning and heritage conservation as roles for colonial and state government; the provision of religious and spiritual guidance; as inspiration for creative and artistic endeavour; and the evolution and regeneration of locally-distinctive and self-sustaining communities.

The whole place remains a living cultural landscape greatly valued by both its local residents and the people of New South Wales.

3.1.3 Millers Point Conservation Area

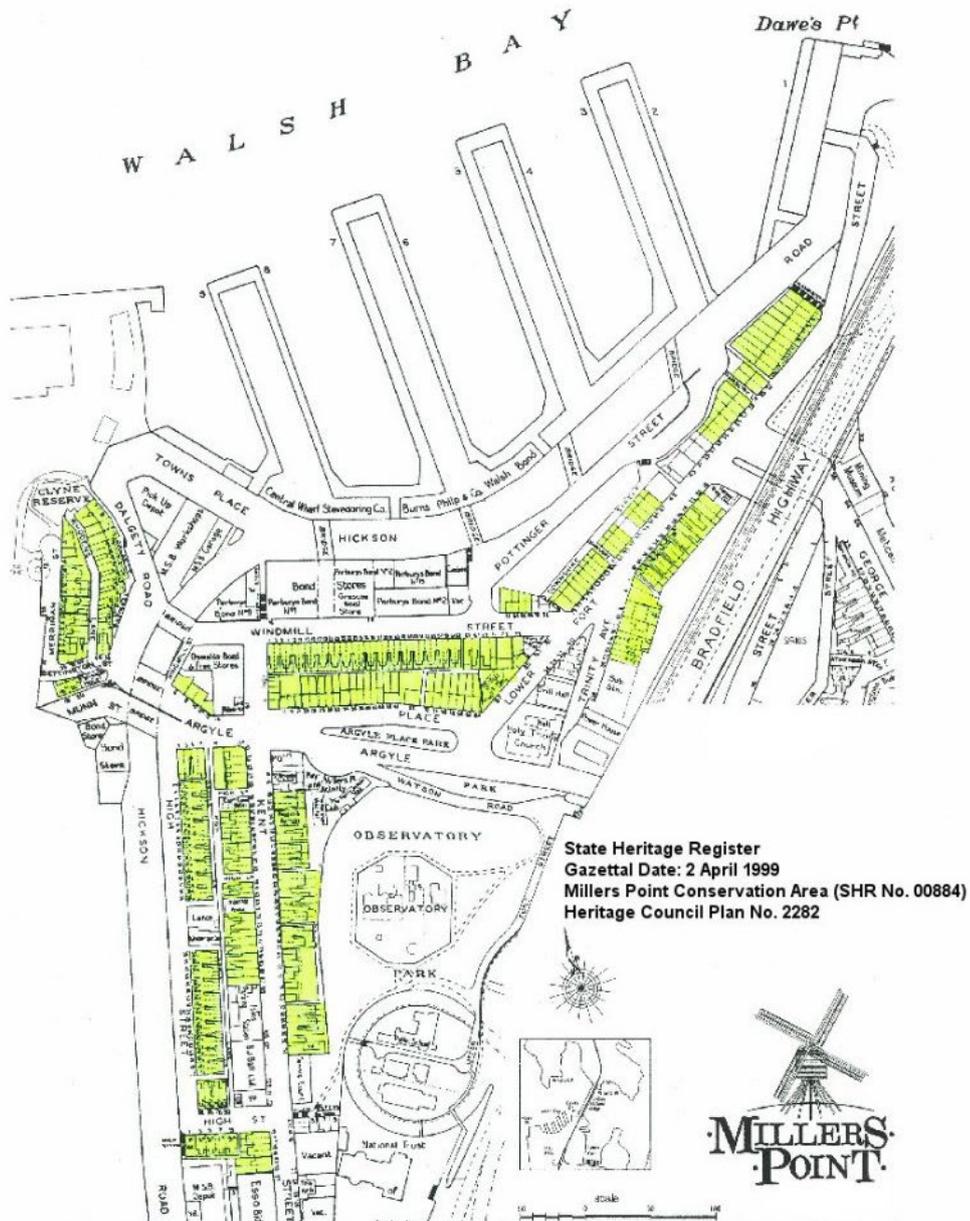


Figure 8 Millers Point Conservation Area.
Source: SHR database entry.

Statement of Significance:

Millers Point Conservation Area is an intact residential and maritime precinct of outstanding State and national significance. It contains buildings and civic spaces dating from the 1830s and is an important example of nineteenth and early twentieth century adaptation of the landscape. The precinct has changed little since the 1930s.

3.1.4 MSB Stores Complex



Figure 9 MSB Stores Complex viewed from Hickson Road.

Statement of Significance

The MSB Stores complex is of historical significance as Sydney's first gas manufacturing plant and gasworks, and illustrates the early development and subsequent growth of the organisation. The complex is of significance for its association with the port facilities and maritime activities of Darling Harbour and its role in the historical, social and physical development of Sydney. It has strong associations with prominent persons and organisations such as the Australian Gas Light Company (AGL), Sydney Harbour Trust and Maritime Services Board. It contains the oldest remaining above ground structure from Sydney's first gas manufacturing plants (Building 1) and a purpose-built brick structure constructed by the AGL to house specialist equipment. It represents the development of AGL and gas technology and provides evidence of the way in which the structures were altered to suit various uses and occupants.

3.1.5 MSB Stores Complex Building 1



Figure 10 MSB Stores Complex - Building 1, seen from Hickson Road (left) and Jenkins Street.

Statement of significance:

MSB Stores Building 1 is a good example of a Victorian Georgian warehouse building. It is historically significant as part of Sydney's first gas manufacturing plant and illustrates the early development and subsequent growth of the organisation. The building is of significance for its association with the port facilities and maritime activities of Darling Harbour and its role in the historical, social and physical development of Sydney. The building has strong associations with prominent persons and organisations such as the Australian Gas Light Company, Sydney Harbour Trust and Maritime Services Board. It has scientific significance as the oldest remaining above ground structure from Sydney's first gas manufacturing plants and is a rare example of a harbourside stone warehouse of the early Victorian period using traditional construction materials and techniques. It is the largest and finest remaining example of the five remaining sandstone warehouse buildings located in the city.

3.1.6 Sydney Observatory

Figure 11 Sydney Observatory viewed from the west (left) and north (right).

Statement of significance:

The Observatory is of exceptional significance in terms of European culture. Its dominant location beside and above the port town and, later, City of Sydney made it the site for a range of changing uses, all of which were important to, and reflected, stages in the development of the colony. These uses included: milling (the first windmill); defence (the first, and still extant, fort fabric); communications (the flagstaffs, first semaphore and first electric telegraph connection); astronomy, meteorology and time keeping.

The surviving structures, both above and below ground, are themselves physical documentary evidence of 195 years changes of use, technical development and ways of living. As such they are a continuing resource for investigation and public interpretation.

The place has an association with an extensive array of historical figures most of whom have helped shape its fabric. These include: colonial Governors Hunter, Bligh, Macquarie and Denison; military officers and engineers Macarthur, Barrallier, Bellasis and Minchin; convicts: the as yet unnamed constructors of the mill and fort; architects: Greenway (also a convict), Lewis, Blacket, Weaver, Dawson and Barnet; signallers and telegraphists such as Jones and the family Moffitt; astronomers: particularly PP King, Scott, Smalley, Russell, Cooke and Wood.

The elevation of the site, with its harbour and city views and vistas framed by mature Moreton Bay fig (*Ficus macrophylla*) trees of the surrounding park, make it one of the most pleasant and spectacular locations in Sydney.

The picturesque Italianate character and stylistic interest of the Observatory and residence building, together with the high level of competence of the masonry (brick and stone) of all major structures on the site, combine to create a precinct of unusual quality.

Finally, the continued use of the observatory for astronomical observations and the survival of astronomical instruments, equipment and some early furniture, although temporarily dispersed, and the retention of most interior spaces, joinery, plasterwork, fireplaces, and supports ensure that the observatory can remain the most intact and longest-serving early scientific building in the State.

Also significant for relationship of Commonwealth and State powers. Site of the first inter-colonial conference on meteorology and astronomy.

An excellent example of a Colonial building erected for scientific purposes and continuing to perform its function at the present time. The structure makes an imposing composition atop the historic hill originally known as Flagstaff Hill and occupies the historic Fort Phillip site (1804-45). Designed by the colonial architect Alexander Dawson and built in 1858.

3.1.7 Terrace, 115-121 Kent Street



Figure 12 115-121 Kent Street.

Statement of significance:

One of a group of well detailed Victorian Italianate terrace houses. Elaborately modelled facade. Important streetscape element. It is part of the Millers Point Conservation Area, an intact residential and maritime precinct. It contains residential buildings and civic spaces dating from the 1830's and is an important example of C19th adaptation of the landscape.

3.1.8 Terrace, 123-125 Kent Street



Figure 13 123-125 Kent Street.
Source: Google Street View.

Statement of significance:

These Victorian terraces are an important streetscape element. It is part of the Millers Point Conservation Area, an intact residential and maritime precinct. It contains residential buildings and civic spaces dating from the 1830's and is an important example of C19th adaptation of the landscape.

3.1.9 Walsh Bay Wharves Precinct

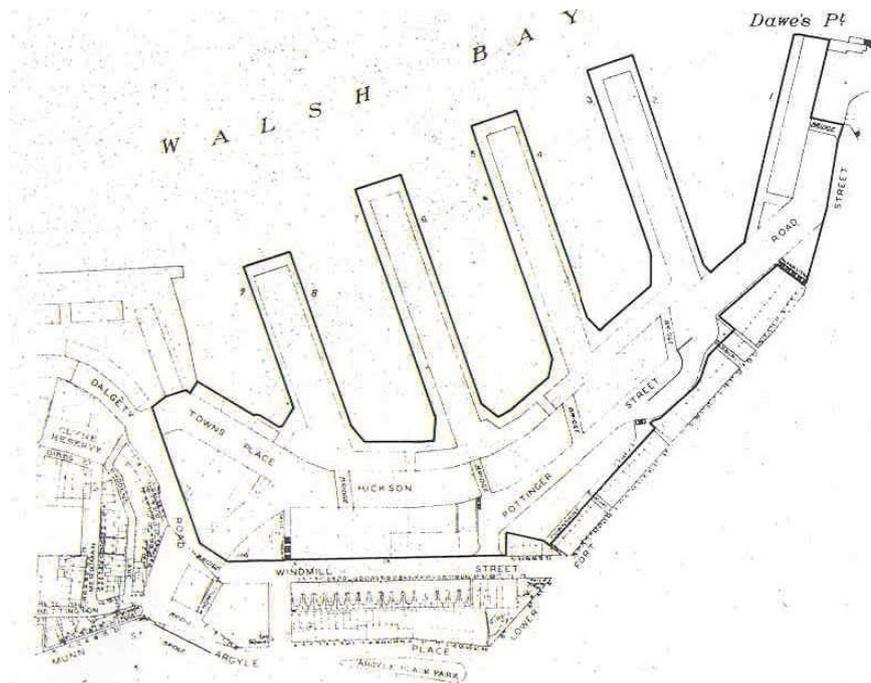


Figure 14 Extent of Walsh Bay Wharves Precinct.
Source: SHR database entry.

Statement of significance:

The Walsh Bay area is of State cultural significance due to its unique combination of steep rocky terrain, early, mid, late-Victorian and Edwardian housing, surviving relatively intact Victorian bond stores, and the results of an early twentieth century urban redevelopment scheme of unique scale: the magnificent timber wharf and shore structures and associated rock cuttings, roads and bridges. The Walsh Bay Wharves and associated buildings and works are a virtually intact port and stevedoring facility created by the Sydney Harbour Trust in response to the requirements of maritime trade at the time (1900s-1910s). The precinct documents the workings of a technologically advanced early twentieth century shipping port, developed specifically to accommodate new mechanised transportation technology. The wharves have a strong distinctive character created by the logical use of heavy timber construction and the regular grid layout of piles, columns, beams and infill cladding. The precinct is unified in materials, form and scale and contains structures demonstrating maritime uses. It demonstrates the life of inner Sydney in the early twentieth century. The precinct demonstrates technical and creative excellence of the period 1820-1930.

3.2 City of Sydney Local Environmental Plan Items

3.2.1 Agar Steps



Figure 15 Agar Steps

Statement of significance:

The steps are of significance as the best surviving example of the many stairways that led from the old Flagstaff Hill area to the Lower Rocks.

3.2.2 Bureau of Meteorology

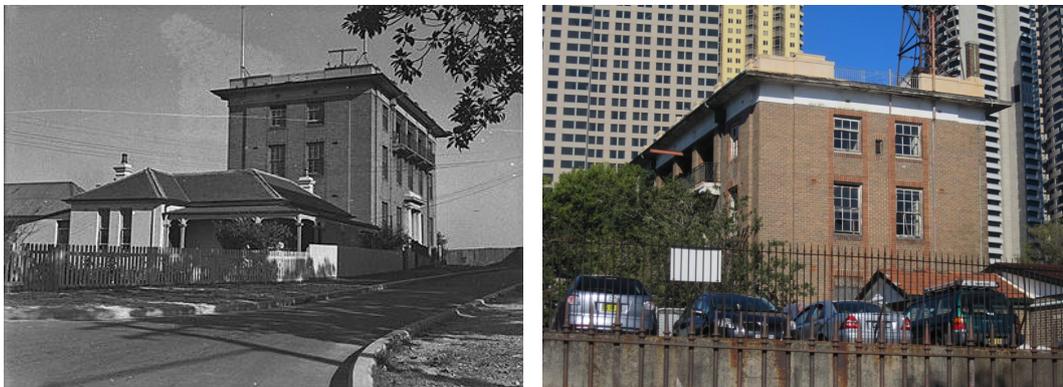


Figure 16 Bureau of Meteorology. The archival image at left shows the Messenger's Cottage for Sydney Observatory in the foreground.

Source: State Library of NSW (archival image).

Statement of significance:

The Bureau of Meteorology Building is significant as one of the first purpose built building for Meteorology in NSW in 1922. The building is associated with the Bureau of Meteorology which is an Executive Agency of the Australian Government responsible for providing weather services to Australia and surrounding area which was established in 1906 under the Meteorology Act, and brought together the state meteorological services that existed before then. The building's dominant location beside and above City of Sydney, made it an appropriate site for meteorological observations. The building is significant for its operation as a Weather Bureau for over 70 years from 1922 until 1992. The building's size, colour, massing and position render it a dominant physical element in its immediate setting. Designed by the Commonwealth Department of Works and Railways, it is part of a fine

tradition of well-designed Commonwealth buildings in a prominent location within the centre of a very significant historic precinct. The building is a rare example of a mid-war Georgian revival style building purposefully designed for meteorological observations and reflects the economic constraints of the period in which it was built with only minor changes since construction.

3.2.3 Fort Phillip Signal Station



Figure 17 Fort Phillip Signal Station.

Statement of significance:

Fort Phillip Signal Station is significant as part of the Sydney Observatory complex visible from Sydney Cove. It played a significant role in the history and development of early colonial communication system in Sydney Harbour. Built on the remnants of the former Fort Phillip rampart. The building is historically significant as it represents the various stages in the development of the colony's communications (flagstaff, first semaphore and first electric telegraph connection). It is significant for its association with colonial military command and later with the Harbour Master's department, and with colonial architect Mortimer Lewis. The site is significant for the continuity of use dating from 1823. The building is the only remaining Signal Master's cottage in the city.

3.2.4 Lane off Gas Lane (Jenkins Street)

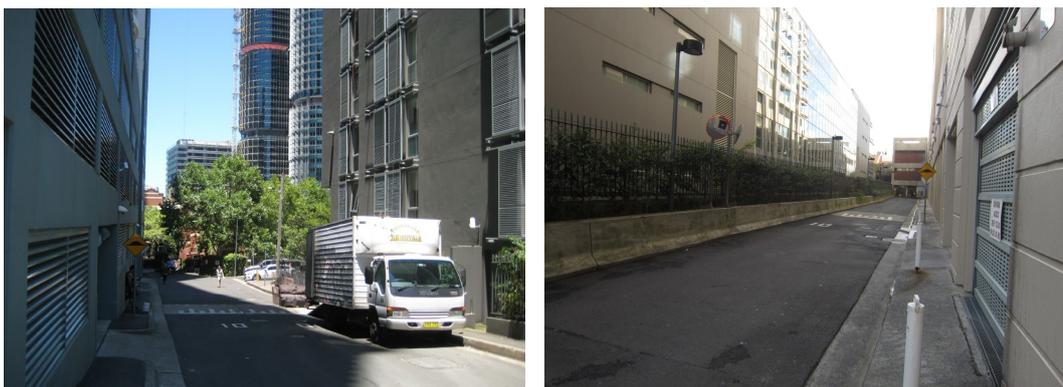


Figure 18 Lane off Gas Lane (Jenkins Street) looking to the south (left) and north (right) from Gas Lane.

Statement of significance:

The Lane is of historic significance as it contains remnants of a past streetscape.

3.2.5 Fort Street Primary School Site



Figure 19 Fort Street Primary School.

Statement of Significance:

Fort Street School is significant in providing evidence of educational use at Observatory Hill from the 1850s to the present day. The current school building is significant as a good example of post war modernism in a complete building complex with only minor changes since construction. Designed by the Government Architect's Office, it is part of a fine tradition of well-designed school buildings in contemporary styles located in a prominent location within the centre of a very significant historic precinct. The building is a rare example of a modernist school.

3.2.6 Messenger's Cottage for Fort Phillip



Figure 20 Messenger's Cottage, Fort Phillip.

Statement of significance:

The Messenger's Cottage for Fort Phillip (c1869) is a single storey brick building constructed in the Victorian Regency style. It was built as an addition to the Signal Station on Observatory Hill as a result of the implementation of the electric telegraph, and is historically significant for the part it played in the Harbour communication network and by its association with prominent persons and organisations such as the Harbour Master's department and Maritime Services Board. The building is significant for

its association with the Colonial Architects office and as a design of the prominent Australian architect James Barnet. It has aesthetic significance as a fine and largely intact example of a brick building decorated with a pattern of bitumen impregnated bricks, uncommon in Sydney. The building is significant as a rare example of its type in the city.

3.2.7 Messengers Cottage for Sydney Observatory



Figure 21 Messenger's Cottage, Sydney Observatory.
Source: SHR database entry.

Statement of significance:

Messenger's Cottage for Sydney Observatory (C1862) is aesthetically significant as a fine and largely intact single storied rendered brick cottage with hipped corrugated iron roof and timber framed verandah in the simple asymmetrical Victorian cottage style. It was built in its current location far from the Observatory on the suggestion of Government Astronomer William Scott in order to reduce expense by allowing a brick building to be constructed. The building is significant for its association with architect Alexander Graham.

3.2.8 National Trust Centre



Figure 22 National Trust Centre.

Statement of Significance:

The National Trust Centre is of state historical significance providing evidence of the Military Precinct located between Dawes Point and the Wynyard Barracks c1815 to c1850 of which the former Military Hospital, the first and earliest purpose built hospital building associated with the colony was an integral part. It is of aesthetic significance in providing an example of the spread of architectural taste and standard building forms during the first half of the nineteenth century by the Royal Engineers and subsequently the Colonial Architect and architects designing public schools including John Watts, Mortimer Lewis and Henry Robertson.

The extant building, now the finest largely intact example of the Victorian Mannerist style in the city, includes the adoption of archaeologically correct motifs based on published measured drawings of Greek monuments adapted to new building forms, and demonstrates the alterations carried out by Robertson based on model English design. The building has been associated with a range of institutional purposes, being an early example of the reuse of a colonial building from a hospital to the largest national school of its time and again adapted as the headquarters of the National Trust. The National Trust Centre occupies a prominent position on Observatory Hill overlooking the southern approaches to the Harbour Bridge, its elevated position giving an important visual and contextual relationship to the Observatory and Upper Fort Street.

The major part of associated structures on the site are significant as fine examples of mid-nineteenth century buildings constructed in the Victorian Free Classical and Victorian Regency styles. The buildings have a prominent position and an important visual and contextual relationship with the former Military Hospital building. These buildings have significance as part of the largest national school to be established in the colony during the mid-1850s. They have had a lengthy association with a variety of historically important persons and organisations and are significant as a design of the colony's first Schools Architect, Henry Robertson. The buildings have social significance for their association with the change from denominational to government schooling and for their association with community functions since their construction. The buildings have scientific significance for demonstrating the sequential development of an educational institution.

3.2.9 Observatory Park including Boer War Memorial, Bandstand, Fences and Landscaping

The statement of significance is an abbreviated form of the SHR statement of significance for Sydney Observatory:

The Observatory Park is of outstanding historical significance and a major component of the Observatory Hill precinct. The park commands panoramic views to the north, west and south.

The Observatory is of exceptional significance in terms of European culture. Its dominant location beside and above the port town and, later, City of Sydney made it the site for a range of changing uses, all of which were important to, and reflected, stages in the development of the colony. These uses included: milling (the first windmill); defence (the first, and still extant, fort fabric); communications (the flagstaffs, first semaphore and first electric telegraph connection); astronomy, meteorology and time keeping.

The surviving structures of the Observatory Hill precinct, both above and below ground, are themselves physical documentary evidence of 195 years changes of use, technical development and ways of living. As such they are a continuing resource for investigation and public interpretation.

Observatory Hill has an association with an extensive array of historical figures most of whom have helped shape its fabric. These include: colonial Governors Hunter, Bligh, Macquarie & Denison; military officers and engineers Barrallier; Bellasis and Minchin; convicts: the as yet unnamed constructors of the mill and fort; architects: Greenway (also a convict), Lewis, Blackett, Weaver, Dawson and Barnett;

signallers and telegraphists such as Jones and the family Moffitt; astronomers: particularly PP King, Scott, Smalley, Russell, Cooke and Wood.

The elevation of the site, with its harbour and city views and vistas framed by mature Moreton Bay fig (*Ficus macrophylla*) trees of the surrounding park, make it one of the most pleasant and spectacular locations in Sydney.

The picturesque Italianate character and stylistic interest of the Observatory and residence building, together with the high level of competence of the masonry (brick and stone) of all major structures on the site, combine to create a precinct of unusual quality.

Finally, the continued use of the observatory for astronomical observations and the survival of astronomical instruments, equipment and some early furniture although temporarily dispersed, and the retention of most interior spaces, joinery, plasterwork, fireplaces, and supports ensure that the observatory can remain the most intact and longest serving early scientific building in the State (Kerr 1991: 39). The site is also of significance for relationship of Commonwealth and State powers. It is the site of the first intercolonial conference on meteorology and astronomy. (Pearson et al 1999)

The building is an excellent example of a Colonial building erected for scientific purposes and continuing to perform its function at the present time. The structure makes an imposing composition atop the historic hill originally known as Flagstaff Hill and occupies the historic Fort Phillip site (1804-45). It was designed by the colonial architect Alexander Dawson and built in 1858.

3.2.10 Tennis Court and Pavilion, Kent Street



Figure 23 Tennis Court and pavilion, Kent Street

Statement of significance

The site is historically significant as it demonstrates the use of the area for early Government quarries and areas of land specifically reserved to supply stone for the completion of Public Works. It is significant for its association with the National School and in providing for the recreational needs of school children and local residents. The continued use of the site as a tennis court since the 1960s is of historical and social significance. Retention of the land as undeveloped recreational space in the CBD is rare and is of streetscape significance in providing a break in the intensely developed area.

3.2.11 Terrace Group, Agar Steps



Figure 24 Agar Steps Terraces.

Statement of significance:

The Agar Steps Terraces are significant as an example of the Italian Villa style of architecture in a terrace form, which contributes to an architecturally diverse and historically important residential streetscape of Kent Street/Agar Steps. The terraces contribute to the historical and aesthetic development of late 19th century housing in Millers Point forming an integral part of the Observatory Hill Precinct, which has national significance as one of the earliest surviving residential neighbourhoods in Australia. The Terrace's intimate relationship to the Agar steps demonstrates 19th century pedestrian networks and urban principles associated with the Millers Point precinct.

3.2.12 Terrace Group, Carlson Terrace



Figure 25 Carlson Terrace.

Statement of significance:

Carlson Terrace has significance as an example of the Italian Villa style of architecture in a terrace form, which contributes to an architecturally diverse and historically important residential streetscape of Kent Street. The terrace contributes to the historical and aesthetic development of late 19th century housing in Millers Point forming part of the Observatory Hill Precinct, which has national significance as one of the earliest surviving residential neighbourhoods in Australia. The Terrace's relationship to the Agar steps demonstrates 19th century pedestrian networks and urban principles associated with the Millers Point precinct.

3.2.13 Terrace Group, 3-9 High Street



Figure 26 3-9 High Street.

Statement of significance

3 - 9 High Street is of historical significance as physical evidence of the major state government redevelopment of the district in the years following the 1901 bubonic plague. It is of aesthetic significance for its contribution to an architecturally consistent and historically important residential streetscape, and as a good example of its style.

4 DESCRIPTION OF THE PROPOSAL

This 'amending' SSD DA seeks consent for eight additional storeys with 5,650sqm of GFA and containing 32 additional apartments, and an allocation of 7 additional car parking spaces to Residential Building R4B. More specifically, this SSD DA proposes to amend Residential Building R4B, through:

- an increase to the overall building height from RL208.23 up to RL235 (an additional 8 levels)
- increasing the overall number of apartments from to 290 to 322
- revising the dwelling mix and apartment relocations within the building envelope; and
- change to the number of car spaces from 324 to 331.

The following site plan (Figure 27) shows the development in context within the approved buildings of Stage 1B Barangaroo South:

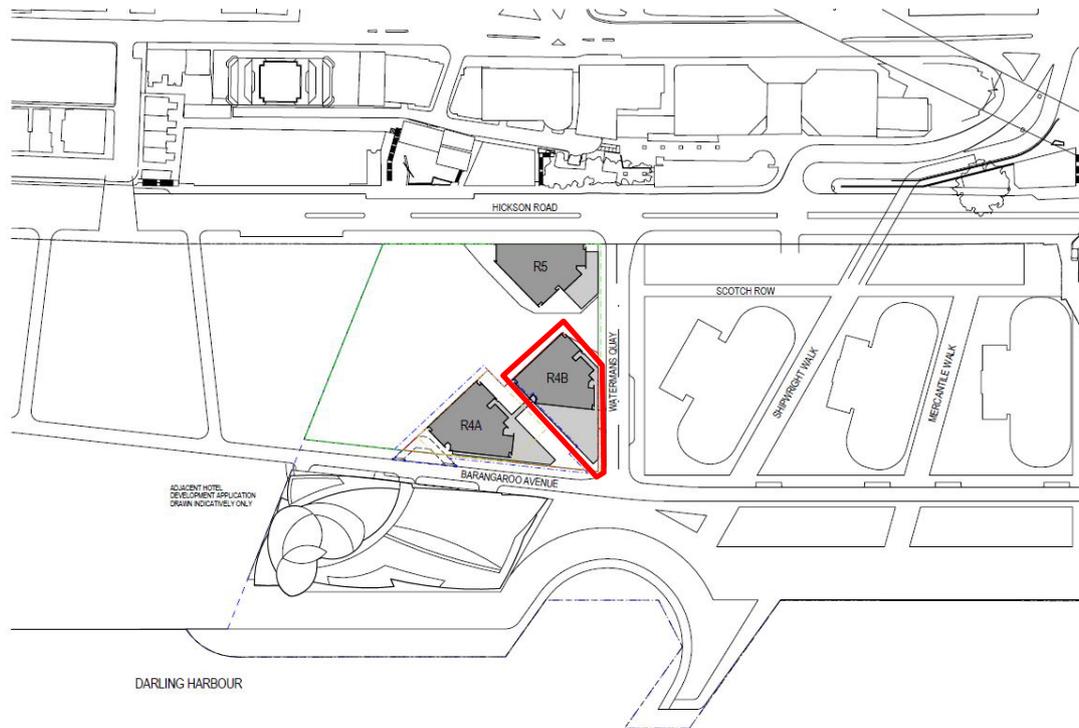


Figure 27 Barangaroo Stage 1B Site Plan. The location of Building R4B is highlighted (not to scale).
Source: Lendlease.



5 ASSESSMENT OF HERITAGE IMPACT

5.1 Impacts on individual heritage items

The potential impacts on individual heritage items are summarised in the following sections of the report.

5.1.1 Grafton Bond Store and sandstone wall

Building R4B is located to the immediate north-west of the Grafton Bond Store and the sandstone wall. The proposal for Building R4B will have no additional impact on the Grafton Bond Store's site as the additional height will not be apparent from this location. There will be no impacts on views to the building within the public realm including those available from the north and north-west along Hickson Road.



Figure 28 Looking towards the site of Building R4B from the north-western end of the Grafton Bond Store. From further south the building is partially screened by Daramu House.

5.1.2 Millers Point and Dawes Point Village Precinct;

The development will have little or no heritage impact within the Millers Point and Dawes Point Precincts because of the distances between the Precinct and Barangaroo South. Any potential impacts on the Precinct's visual context will be ameliorated by the topography and built form of Miller's Point. Significant buildings on Kent Street will be shielded by recent development along the western side of the street. The proposed additional height of Residential Building R4B will effectively have no additional impact, adding relatively little appreciable mass to the building.

There will be little additional visual impact on the setting of the Precinct when parts of it are viewed from vantage points on the western side of Millers Point and in views towards Millers and Dawes Point from the north and northwest for the same reasons.



Figure 29 Looking south along High Street, August 2020.

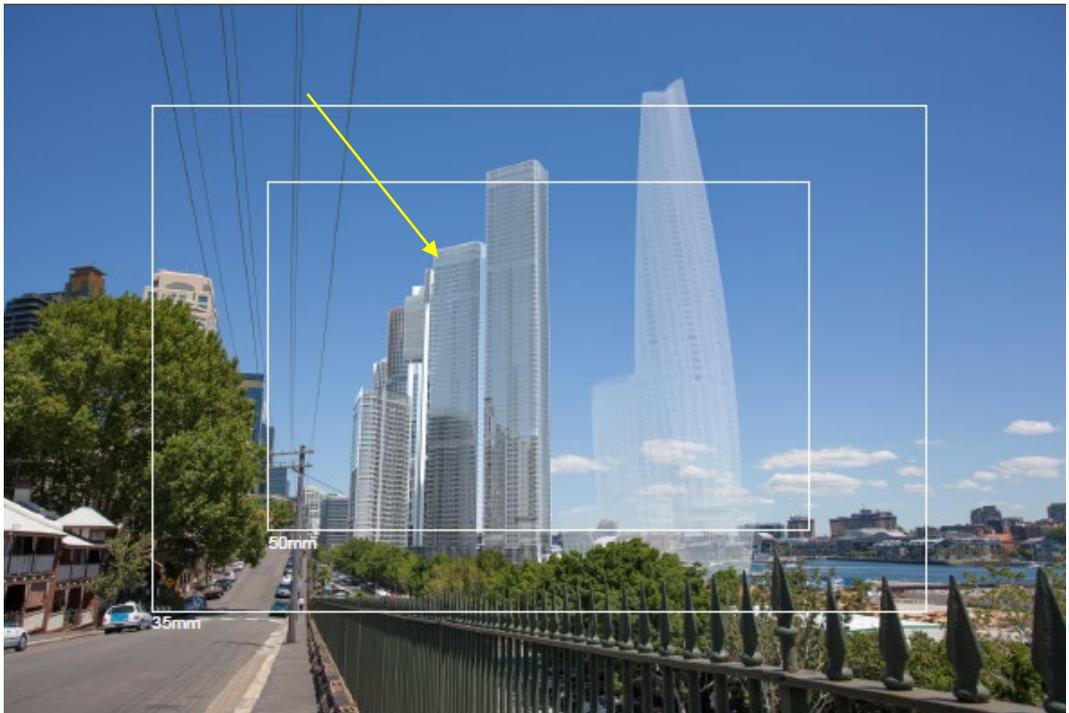


Figure 30 Montage showing the approved proposal for Buildings R4A and R4B (indicated by the arrow) in the context of High Street.

Source: Virtual Ideas Stage 1B Residential Towers Application – Barangaroo, August 2015.

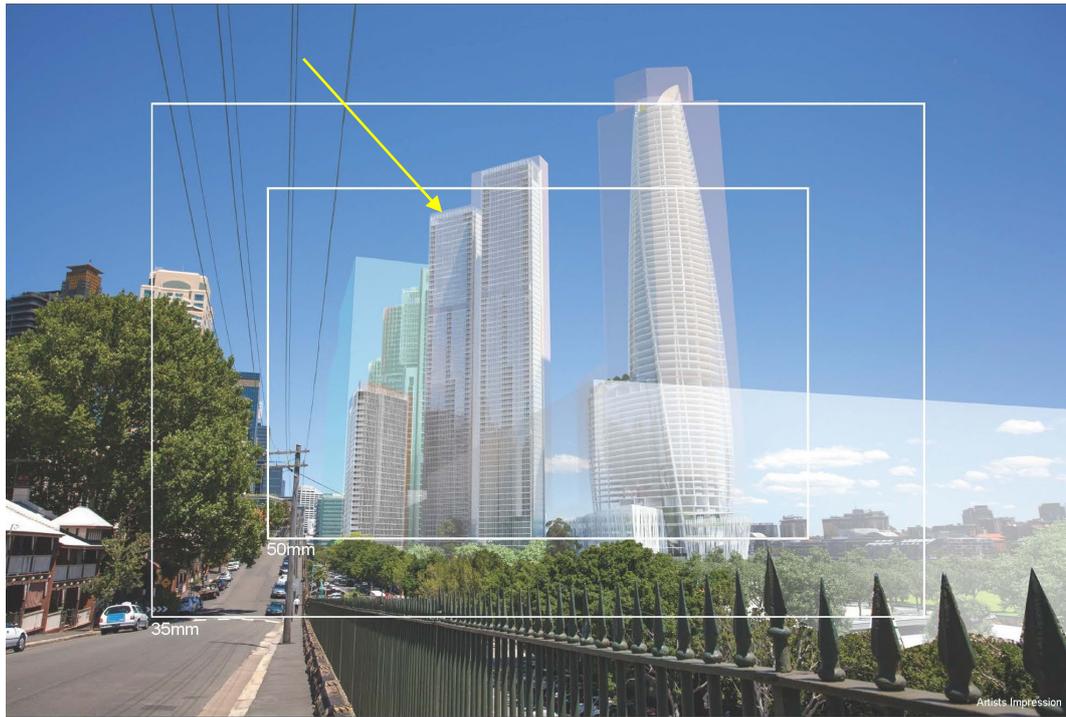


Figure 31 Montage showing the proposed increase in height for Building R4B (indicated by the arrow). The impact resulting from its additional height will be minimal.
Source: Virtual Ideas Visual Impact Assessment 4 September 2020.



Figure 32 The proposed development will have some impact on the visual setting of some sections of the conservation area, such as the southern end of High Street and early buildings along Kent Street. This part of Millers Point is already affected by existing residential apartment buildings in Kent Street. The same apartment buildings will prevent impacts on significant buildings on the eastern side of Kent Street.

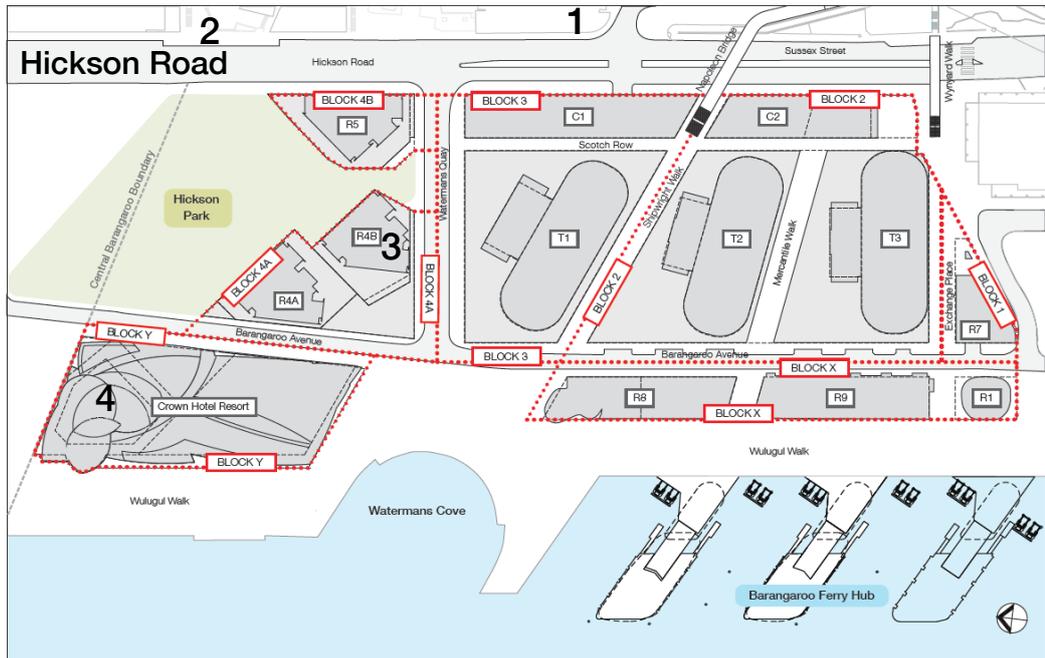
5.1.3 Millers Point Conservation Area

Similar comments to those for the Millers Point and Dawes Point Village Precinct apply to the Millers Point Conservation Area.

5.1.4 MSB Stores Complex and MSB Stores Complex Building 1

Residential Building R4B will have some impact on the visual setting of the MSB group. However, this will be offset by the construction of Residential Building R4A and Residential Building R5 (which is the subject of a separate application). Existing views to the buildings along Hickson Road will not be impacted; there is large scale development to the north, south and east of the Complex. The heritage impact is considered to be acceptable because of the density of recent development that already

exists around the Complex, including the International Towers in Barangaroo South, and the approved Residential Building R4A, which will be taller than Residential Building R4B.



- Legend**
1. Grafton Bond
 2. MSB Stores Complex
 3. Residential Building R4B
 4. Crown Resort



Figure 33 Location of Grafton Bond and MSB Stores relative to Building R4B.
Source: Lendlease.



Figure 34 The setting of the MSB Stores Complex includes relatively recent development along Hickson Road and Jenkins Street/Kent Street. The proposal for Building R4B will have no additional impact on the Complex.



Figure 35 Open space resulting from the courtyard in front of the MSB group formerly extended visually to Darling Harbour. The construction of the approved Buildings R4A and R4B, which are directly opposite, will impact on the courtyard (left); views looking west from Gas Lane are already partially terminated by the Crown Resort but will not be impacted by Building R4B, which will be to the south of this viewpoint.

5.1.5 Sydney Observatory, Upper Fort Street, Millers Point.

The Sydney Observatory was converted to a museum in 1982 and is now part of the portfolio of the Powerhouse Museum. Harbour and city views from the Observatory are acknowledged as a part of its significance. Although it is historically significant as an astronomical observatory the building no longer serves this function.

The proposal for Building R4B will have little or no additional impact on the setting of the Observatory, which is already affected by the approved scheme for Buildings R4A and R4B. The Observatory's setting is already impacted in several locations by existing development in the northern section of Central Sydney, and by the Crown Resort.

Potential sky view loss and resultant impacts on the functioning of the Sydney Observatory telescopes and astronomical sightlines is the subject of a separate report by an independent consultant.



Figure 36 Mature trees with dense canopies surround the southern section of the Observatory. The photographs show the trees viewed from the southern side of the Observatory looking towards Barangaroo South (left), and viewed from the south western part of Observatory Hill.



Figure 37 View looking south-east toward Central Sydney from the northern side of the Observatory, which is dominated by high rise development (left). The proposal for Building R4B will have little or no additional impact on the setting of the Observatory, which is already affected by the Crown Resort and buildings further to the south, and will also be affected by the approved Buildings R4A and R4B (right).

5.1.6 Walsh Bay Wharfs Precinct, Hickson, Road Millers Point

The proposal for Building R4B will have little impact on the setting of the Walsh Bay Wharfs Precinct because of the location of the subject site relative to the Precinct and the character of topography and development between the two locations.

5.1.7 Bureau of Meteorology, Fort Street Primary School site and Messenger's Cottage for Sydney Observatory

The Bureau of Meteorology and Fort Street School are in close proximity to each other. Large scale development in the northern and north western section of Central Sydney forms a prominent part of the setting of these items, as will the approved Building R4A and R4B. The proposal for Building R4B will have little additional impact on them because of this and will not affect other aspects of their heritage significance.



Figure 38 Buildings in the northern section of Central Sydney and the Crown Resort are a prominent part of the setting of Fort Street School and Bureau of Meteorology. Although R4B will be visible behind the two heritage items, the additional proposed height will have little or no additional impact.

5.1.8 National Trust Centre

It is unlikely that the proposed works associated with Building R4B will have any additional impact on the National Trust Centre. Its eastern, southern and south western settings are already characterised by large office and apartment buildings in the northern section of Central Sydney, augmented by the construction of Buildings R4A and R4B.



Figure 39 The visual curtilage of the National Trust Centre is characterised by high-rise development in Central Sydney. The image at left is the view east from the main entrance to the Centre. The bulk of Building R4B will be screened by the Highgate apartment block at 127 Kent Street and partially screened by Building R4A, and its additional height will make little additional impact on the setting of the National Trust Centre (right).

5.1.9 Observatory Park, and Sydney Observatory Group (including Messenger’s Cottages for Fort Phillip and Sydney Observatory)

Buildings R4A and R4B are likely to be visible from the western side of Observatory Park, screened to some extent by mature trees in the Park and existing residential towers along Kent Street. The proposal for R4B will have little or no additional impact.



Figure 40 Views to various items across Observatory Park include trees within the Park itself and the backdrop of buildings to the south, including those associated with development at Barangaroo.



Figure 41 View to the south-west (and Barangaroo South) from Observatory Park, August 2020. Existing development on Kent Street, including the northern International Tower, and Crown Resort to the west are part of the Park's setting.



Figure 42 View to the south-west from Observatory Park with montage indicating the approved Buildings R4A and R4B (indicated by the arrow). Source: Virtual Ideas Stage 1B Residential Towers Application – Barangaroo, August 2015.

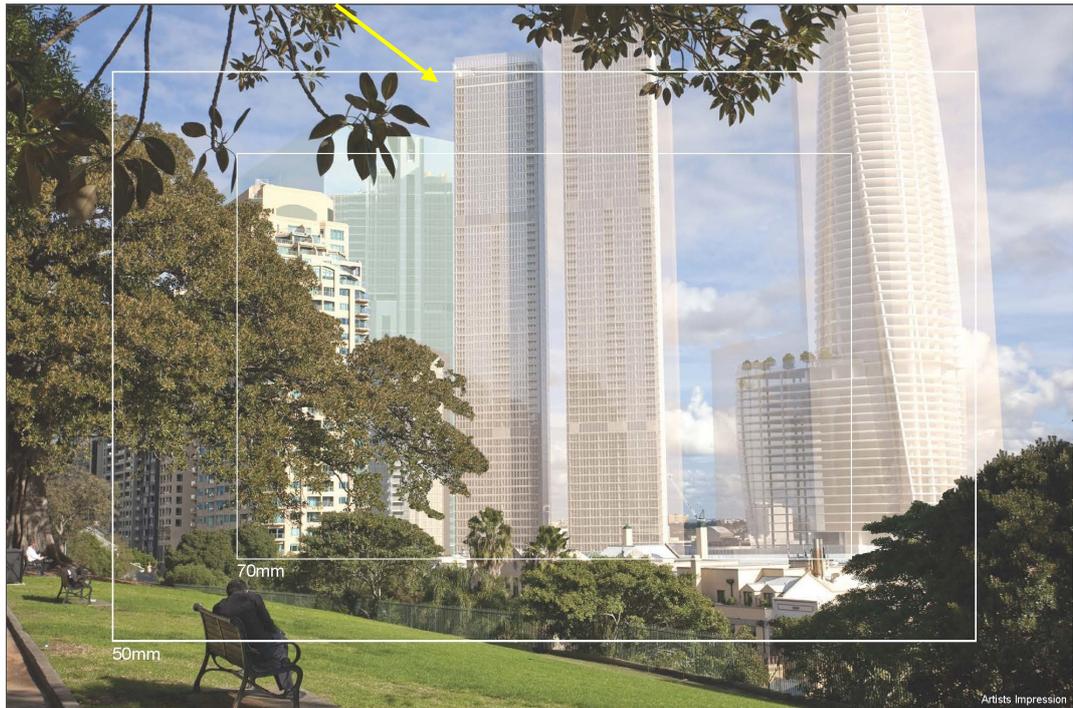


Figure 43 View to the south-west from Observatory Park with montage indicating the form of R4B (indicated by the arrow), reflecting the proposal that forms the subject of this report. Source: Virtual Ideas Visual Impact Assessment 4 September 2020.

5.1.10 Terrace groups, 3-9 High Street and 115-125 Kent Street

The proposal for Building R4B will have little or no impact over and above the approved building on the setting of these items.



Figure 44 The Crown Resort is a major component of the setting of 3-9 High Street and 115-125 Kent Street.

5.1.11 Tennis court and pavilion, Agar Steps and Terrace, Carlson Terrace

The proposed works will not have an additional impact on the setting of these items because of their location relative to the development, the intervention of tall buildings on Kent Street and the mature trees in their vicinity. The Crown Resort has become a prominent part of their setting.



Figure 45

Agar Steps and the terrace of houses accessed from it, Highgate at 127 Kent Street (left) and Crown Resort (right) are dominant elements in the setting of these items.

5.2 NSW Heritage Branch Model Questions

The assessment of heritage impacts has been undertaken in reference to the model questions given in the NSW Heritage Office’s publication ‘*Statements of Heritage Impacts*’.

Demolition of a building or structure	×
Minor partial demolition	×
Major partial demolition	×
Change of use	×
Minor additions	×
Major additions	×
New development adjacent to a heritage item	✓
Subdivision	×
Repainting	×
Re-roofing/re-cladding	×
New services	×
Fire upgrading	×
New landscape works and features	×
Tree removal or replacement	×
New signage	×

New development adjacent to a heritage item

Whilst the proposed development is not immediately adjacent to some heritage items or the conservation areas embracing Millers and Dawes Points, it does lie within their visual curtilage. The principal heritage impacts relate to views to and from these items.

Question: How is the impact of the new development on the heritage significance of the item or area to be minimised?

Response:

There will be very little or no additional impact on most affected items accruing from the proposed works, which include the Millers Point and Dawes Point Precinct, Sydney Observatory, and the Walsh Bay Precinct because Barangaroo South is located at some distance from them. Building R4B is situated on the southern side of Block 4A and is the greatest distance possible from these items. The additional height proposed is minor when placed in the context of the existing approved forms of Buildings R4A and R4B and the nearby Crown Resort.

Harbour and city views are recognised as part of the heritage significance of the Sydney Observatory. There will be no additional loss of views to the south west across Darling Harbour towards Ultimo because of the height of the proposed additional levels above the approved height of Building R4B. Other views from the Observatory will not be affected.

There will be no additional impact on views looking south across the western side of the Millers Point and Dawes Conservation Area towards Darling Harbour.

The proposed works for will have no additional impact on the Walsh Bay Precinct because of the location of the two sites relative to each other, intervening topography and existing development. There will be no impact on distance views to Walsh Bay.

Impacts on other items are evaluated in the preceding section.

Question: Why is the new development required to be adjacent to a heritage item?

Response:

The proposed works relate to an approved building that is part of a comprehensive redevelopment of a major precinct on the eastern side of Darling Harbour. Heritage items in the vicinity of the site and its environs are an integral component of the locality.

Question: How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?

Response:

The existing curtilage around heritage items and conservation areas is largely unaffected, allowing ongoing appreciation of heritage significance and interpretations of the place and individual items. The proposed development will have a minimal impact on the setting of several items but will not affect their visual integrity and heritage significance.

Question: How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?

Response:

There will be little or no impact on views to and from the heritage items and the Millers Point and Dawes Point Precinct. This is because of the existing approved heights of Building R4A and Building R4B relative to the items and the Precinct. The proposed additional levels will increase the height of Building R4B, but it will remain lower than the adjacent Building R4A and the Crown Resort.

Question: Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?

Response:

There will be no archaeological impacts. The proposed works relate to an approved building and do not require further excavation.

Question: Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?

Response:

The location of Building R4B to the south of Millers Point will minimise any potential impacts, which will be negligible because of the scale of approved development in Stage 1B of Barangaroo South. The impact of development will be ameliorated by its distance from large parts of the Conservation Area.

Question: Will the public, and users of the item, still be able to view and appreciate its significance?

Response:

Yes. The proposal for Building R4B will not affect appreciation of the heritage significance of items in the vicinity of the building.

5.3 State Environmental Planning Policy (State and Regional Development) 2011

Darling Harbour is listed in Schedule 2 of the Policy, which identifies State Significant development sites. Land, places, buildings or structures listed on the State Heritage Register under the *Heritage Act 1977*, are identified as environmentally sensitive areas of State significance in Section 4(h) of the Policy.

Impacts are limited to views to and from several of these items, addressed elsewhere in this report.

5.4 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Clause 15 of the SREP contains planning principles for heritage conservation, as follows:

- (a) Sydney Harbour and its islands and foreshores should be recognised and protected as places of exceptional heritage significance,
- (b) the heritage significance of particular heritage items in and around Sydney Harbour should be recognised and conserved,
- (c) an appreciation of the role of Sydney Harbour in the history of Aboriginal and European settlement should be encouraged,

- (d) the natural, scenic, environmental and cultural qualities of the Foreshores and Waterways Area should be protected,
- (e) significant fabric, settings, relics and views associated with the heritage significance of heritage items should be conserved,
- (f) archaeological sites and places of Aboriginal heritage significance should be conserved.

There are no heritage items in Barangaroo included in Schedule 4 of the SREP.

In reference to subclause 15(e), the proposal for Building R4B will have little or no additional impact over the approved building on settings and views associated with heritage items in the vicinity of the Foreshores and Waterways Area. Significant views were identified in Section 2.3 of the East Darling Harbour Concept Plan Heritage Impact Statement (City Plan Heritage, 23 March 2007). The specific identified views - the panorama from Observatory Hill to the west and over the Barangaroo site and the view along Hickson Road from Munn Street – will not be affected. The proposed development will not affect the visual context of the southern section of the Millers Point Conservation Area and heritage items near the northern boundary of the Barangaroo South site.

There will be no archaeological impacts as there is no additional excavation required for the proposed works.

5.5 Sydney Local Environmental Plan 2012

The City of Sydney Local Environmental Plan 2012 (LEP) does not apply to development at Barangaroo. The provisions do not directly apply to the site, but are helpful criteria in determining the heritage impacts of the development proposal. Clause 5.10 of the Sydney LEP contains heritage provisions, which are applicable to heritage items in the vicinity of the subject site.

Provisions	Response
5.10(1) Objectives	
(a) to conserve the environmental heritage of the City of Sydney	The proposal for Building R4B will not result in any physical change to heritage items or conservation areas in its vicinity. The proposal will have little or no additional impact on views to and from some heritage items and the Millers Point Conservation Area.
(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views	There will be little or no additional impact on the setting of the Conservation Areas. The heritage significance of the Millers Point and Dawes Point Conservation Area will not be affected by the proposal.
(c) to conserve archaeological sites	This provision is not applicable to the proposed works.
(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.	This provision is not applicable to the proposed works
5.10(2) Requirement for consent Development consent is required for any of the following:	

Provisions	Response
(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,	This provision is not applicable.
(ii) an Aboriginal object,	This provision is addressed in the Aboriginal and Non-Aboriginal Archaeological Assessment previously prepared by Casey & Lowe for an earlier application.
(iii) a building, work, relic or tree within a heritage conservation area,	This provision is not applicable.
(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	This provision is not applicable.
(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	The proposed works do not require additional excavation of the site.
(d) disturbing or excavating an Aboriginal place of heritage significance	The proposed works do not require additional excavation of the site.
(e) erecting a building on land:	
(i) on which a heritage item is located or that is within a heritage conservation area, or	Impacts on built heritage items are addressed elsewhere in this report, as part of the formal application for development consent.
(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance	Archaeological assessment is the subject of a separate report previously undertaken by Casey & Lowe for an earlier application.
(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.	This provision is not applicable. Subdivision is not proposed.

Provisions	Response
<p>5.10 (3) When consent not required</p> <p>However, development consent under this clause is not required if:</p> <p>(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:</p> <p>(i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and</p> <p>(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or</p> <p>(b) the development is in a cemetery or burial ground and the proposed development:</p> <p>(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and</p> <p>(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or</p> <p>(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or</p> <p>(d) the development is exempt development.</p>	<p>These provisions are not applicable to the proposed development.</p>
<p>5.10(4) Effect of proposed development on heritage significance</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</p>	<p>This report has been undertaken to evaluate the effects of the proposed development on listed heritage items in the surrounding locality.</p>

Provisions	Response
under subclause (6).	
<p>5.10(5) Heritage assessment The consent authority may, before granting consent to any development:</p> <ul style="list-style-type: none"> (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), (d) 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>This report has been undertaken to evaluate the effects of the proposed development on listed heritage items in the surrounding locality.</p>
<p>5.10(6) Heritage conservation management plans The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p>	<p>This provision is not considered applicable to the proposed development. Development in the Barangaroo South site has been the subject of previous applications.</p>
<p>5.10(7) Archaeological sites The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):</p> <ul style="list-style-type: none"> (a) notify the Heritage Council of its intention to grant consent, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent. 	<p>Archaeological assessment is the subject of a separate report previously undertaken by Casey & Lowe for an earlier application.</p> <p>There are no archaeological impacts resulting from the proposal for Building R4B.</p>
<p>(8) Aboriginal places of heritage significance The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:</p> <ul style="list-style-type: none"> (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and 	<p>Refer to previous comments.</p>

Provisions	Response
<p>(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent</p>	
<p>5.10(9) Demolition of nominated State heritage items The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:</p> <p>(a) notify the Heritage Council about the application, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	<p>The proposed development does not require the demolition of nominated State heritage items.</p>
<p>5.10(10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:</p> <p>(c) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and</p> <p>(d) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and</p> <p>(e) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and</p> <p>(f) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and</p> <p>(g) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.</p>	<p>These provisions are not applicable to the proposed development.</p>

5.6 Sydney Development Control Plan 2012

Clause 3.9 of the Sydney Development Control Plan contains heritage provisions. The provisions do not directly apply to the site, although the development is in the vicinity of several heritage items and a conservation area included in Schedule 5 of Sydney Local Environmental Plan 2012.

Clause 3.9 Heritage - Provisions	Response
Objectives	
(a) Ensure that heritage significance is considered for heritage items, development within heritage conservation areas, and development affecting archaeological sites and places of Aboriginal heritage significance.	<p>The heritage significance of items and conservation areas will not be affected by the proposal for Building R4B.</p> <p>Any impacts on heritage items included in Sydney LEP 2012 will be as a result of Residential Building R4B being visible behind several items and in views to and from the Millers Point Conservation Area. These impacts will be limited because of the previously approved heights of Buildings R4A and R4B. The increase in height that is proposed for R4B is relatively minor in relation to its previously approved height, and the building will still not be as tall as R4A. Any impact is further offset by to some extent because of the bulk, scale and height of recent development in their vicinity and the location of these buildings relative to the affected heritage items and the conservation area.</p> <p>Archaeological assessment is the subject of a separate report undertaken by Casey & Lowe that formed part of a previous application for the site.</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.	The proposal does not involve infill development.
Provisions	
3.9.1 Heritage Impact Statements	
<p>(1) A Heritage Impact Statement is to be submitted as part of the Statement of Environmental Effects for development applications affecting:</p> <p>(a) heritage items identified in the Sydney LEP 2012; or</p> <p>(b) properties within a Heritage Conservation Area identified in Sydney LEP 2012.</p>	This report has been undertaken to evaluate the effects of the proposal for Residential Building R4B on listed heritage items within the vicinity of the development site.

Clause 3.9 Heritage - Provisions	Response
<p>(2) The consent authority may not grant consent to a development application that proposes substantial demolition or major alterations to a building older than 50 years until it has considered a heritage impact statement, so as to enable it to fully consider the heritage significance of a building and the impact that the proposed development has on the building and its setting.</p>	<p>This provision is not applicable to the proposed development.</p>
<p>(3) A Heritage Impact Statement is to be prepared by a suitably qualified person, such as a heritage consultant.</p>	<p>Tanner Kibble Denton Architects is recognised for its heritage expertise and has won awards for heritage-related building projects.</p>
<p>(4) The Heritage Impact Statement is to address:</p> <ul style="list-style-type: none"> (a) the heritage significance of the heritage item or the contribution which the building makes to the heritage significance of the heritage conservation area; (b) the options that were considered when arriving at a preferred development and the reasons for choosing the preferred option; (c) the impact of the proposed development on the heritage significance of the heritage item, heritage items within the vicinity, or the heritage conservation area; and (d) the compatibility of the development with conservation policies contained within an applicable Heritage Conservation Management Plan or Conservation Management Strategy, or conservation policies within the Sydney Heritage Inventory Report. 	<ul style="list-style-type: none"> (a) this provision is addressed elsewhere in the report. (b) the proposed development is the outcome of detailed briefing and the specific requirements of the client. In terms of heritage items on the overall Barangaroo site, these have been previously addressed in the Aboriginal and Non-Aboriginal assessment by Casey & Lowe and Comber Consultants. (c) this provision is addressed elsewhere in the report. (d) this provision is not applicable.
<p>(5) Where the site adjoins another local government area, the Heritage Impact Statement is to address the potential impact on adjoining or nearby heritage items or heritage conservation areas in the adjoining local government area.</p>	<p>This provision is not applicable to the proposed development.</p>

Clause 3.9 Heritage - Provisions	Response
<p>(6) Where the development application proposes the full or substantial demolition of a heritage item, or a contributory building within a heritage conservation area, the Heritage Impact Statement is to:</p> <p>(a) demonstrate why the building is not capable of retention or re-use;</p> <p>(b) include a statement from a quantity surveyor comparing the cost of demolition to the cost of retention if the demolition is recommended primarily on economic grounds;</p> <p>(c) include a report by a suitably qualified structural engineer if the demolition is proposed on the basis of poor structural condition; and</p> <p>(d) include a pest inspection report if the building is a weatherboard building.</p>	<p>This provision is not applicable to the proposed development, which does not require demolition of a heritage item or contributory building.</p>
<p>(7) When giving consent to the full or partial demolition of a heritage item, a building in a heritage conservation area, or a building older than 50 years, Council may require photographic recording of the building as a condition of consent.</p>	<p>This provision is not applicable to the proposed development.</p>
<p>3.9.3 Archaeological assessments</p>	
<p>(1) An archaeological assessment is to be prepared by a suitably qualified archaeologist in accordance with the guidelines prepared by the NSW Office and Environment and Heritage.</p>	<p>Archaeological assessment is the subject of a separate report undertaken by Casey & Lowe as part of a previous application. There is no additional excavation required as part of the proposed works.</p>
<p>3.9.5 Heritage items</p>	
<p>Development in the vicinity of a heritage item can have an impact upon the heritage significance of the item. The determination of the setting of a heritage item should consider the historical property boundaries, significant vegetation and landscaping, archaeological features, and significant views to and from the property.</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>There will be little or no additional impact arising from the proposal for Building R4B.</p> <p>Refer to Section 5.1 for impacts on individual items.</p>
<p>Provisions</p>	
<p>(1) Development affecting a heritage item is to:</p> <p>(a) minimise the extent of change to significant fabric;</p> <p>(b) use traditional techniques and materials</p>	<p>a) this provision is not applicable;</p> <p>b) this provision is not applicable;</p>

Clause 3.9 Heritage - Provisions	Response
<p>unless contemporary techniques and materials will result in a better conservation outcome;</p> <p>(c) enable the interpretation of each of the significant values of the item through the treatment of the item's fabric, spaces and setting;</p> <p>(d) provide a use compatible with its significance;</p> <p>(e) the provision of on-site interpretation, or a combination of each of these measures;</p> <p>(f) not reduce or obscure the heritage significance of the item; and</p> <p>(g) be reversible where necessary so new work can be removed with minimal damage, or impact to significant building fabric.</p>	<p>c) this provision is not applicable. The proposed development does not physically impact on heritage items and differs from items within its visual curtilage in terms of function, form and scale.</p> <p>The setting of a number of heritage items included in the Sydney LEP 2012 will be unaffected. There will be little to no impact on views to and from items located on Observatory Hill.</p> <p>d) this provision is not applicable;</p> <p>e) Interpretation has been addressed in previous development applications associated with Barangaroo;</p> <p>f) the heritage significance of items in the vicinity of the subject site will not be affected by the proposed works. There is no physical change to them and their curtilages will be largely unaffected. Interpretation of the heritage significance of items and conservation areas will not be physically affected. There will be little to no impact on the setting of a number of items and the southern section of the Millers Point Conservation Area;</p> <p>g) this provision is not applicable.</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>This provision is not applicable.</p>

6 CONCLUSIONS

The heritage impacts resulting from the proposed additional height to Building R4B are unchanged from the currently approved 60 storey building, and are as follows:

- There are no physical impacts on identified heritage items and conservation areas in the vicinity of the proposed development;
- The existing curtilage around heritage items and conservation areas is not unaffected, allowing ongoing appreciation of heritage significance and interpretations of the places and individual items. The proposed development will impact marginally, if at all, on the setting of several items and will not affect their visual integrity and heritage significance.
- The proposed additional height will have no impact on the setting of the Walsh Bay Wharfs Precinct because of the location of the subject site relative to the Precinct and the character of topography and development between the two locations.
- There will be little or no visual impacts from the proposed additional height to Building R4B on the heritage items and conservation areas in the immediate vicinity north and east of the site. There are or will be taller buildings near Building R4B, including Building R4A and the Crown Resort, which will ameliorate any impacts arising from the proposed additional levels;
- Visual impacts on a number of heritage items and the Millers Point Conservation Area will be marginal and ameliorated by the location of the subject site relative to the heritage items and conservation areas;
- The additional height of Building R4B will have little additional impact views from the north to several heritage items and views to the south from these items including: the setting of Sydney Observatory, Observatory Park and items within it, and terraces at 3-9 High Street and 115-125 Kent Street. Similarly, there will be little or no impacts on Fort Street School, the Bureau of Meteorology and the National Trust Centre. Any impact will be mitigated by existing large-scale development to the south of these items.

The heritage impacts of the proposed development on identified heritage items and conservation areas in the vicinity of the proposed development are generally considered negligible and acceptable.