

15 December 2016

Brendon Roberts
Acting Team Leader - Key Site Assessments Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Roberts,

The National Trust of Australia (NSW) makes the following comments on the Stage 2 Development Application for tourist and visitor accommodation at the Lands and Education Buildings (SSD 7484).

SUMMARY

In summary, the National Trust's position is that –

- The Trust notes with considerable relief that there will now be no provision for car parking beneath these buildings and accordingly no requirement for car parking access from the adjoining streets.
- The Trust also welcomes the proposals to retain key spaces and historic interior decoration.
- The Trust does not support the appointment of an “independent” Design Review Panel by the Developer as part of the development process. The Trust cannot accept that a developer-appointed panel can be expected to view the proposal objectively or in the public interest. Only a truly independent design review panel should review such a scheme.
- As an independent, community based heritage conservation organisation of seven decades standing, the National Trust would be prepared to contribute expertise from its Conservation Committees to assist in the establishment of a truly independent review panel to monitor the progress of this development proposal and to ensure, on behalf of the Australian public, that the highest levels of heritage conservation are achieved in this adaptive re-use proposal.
- The National Trust restates its earlier expressed position opposing the sale and/or leasing of the Lands Department and Education buildings and their conversion to privately operated hotels.
- The Trust maintains that a major part of the significance of these buildings is their operation as public buildings carrying out government functions. Ideally they should remain in their current use, as offices for major government agencies.
- Should conversion be deemed necessary, the Trust supports the well-publicised suggestion that the buildings be adaptively re-used as a public high school, retained in government ownership and use and giving a large number of people access to these buildings.



- The National Trust strongly objects to interventions that will adapt the ground level, off Bent Street, as the main hotel guest entry to the Lands Building. The main, historical entry to this building is from Bridge Street, opposite the Obelisk in Macquarie Place from which all distances are measured in NSW - an intrinsic part of the Lands Department Building's significance.
- Retention of examples of existing historic roofing elements on-site should be a mandatory condition of any roof redevelopment.
- Seismic strengthening can be achieved in many ways, and the installation of a lift shaft into the Lands Department Building tower at the expense of historic fabric does not appear to provide essential access critical for the functioning of a hotel.
- The Lands Department roofs are an integral part of the building and should be retained. The scheme appears to remove the existing pitched slate roofs and replaces them with another level and a glass roof. This appears to remove a substantial amount of significant original fabric.
- The additional two floors to the Education Building are very visible from street level and are too prominent. They conflict with the present top level which effectively caps the building. Any additional floors should be set back from the street frontages by at least two metres. The proposed additional floors on the Education Department overwhelm the building - the scale is much too large.
- Any increase to the roof level of the Education building would impact upon the solar access of Farrer Place and is not supported.
- Both the Lands and Educations buildings are of State Heritage Significance and should be treated accordingly. Lessening the impact on one building only to justify increasing heritage impact on another is not an acceptable heritage outcome.
- The Trust voices its concerns about the potential decrease in public space in Farrer Place through the construction of a new vehicular drop-off leading from Bent Street.
- The Trust views the leasing of not only public buildings but also public streets to private companies as not being in the public interest or of being a positive heritage outcome.

FULL SUBMISSION

General

The Trust must initially thank Mr Ian Lomas of Make Architects for his presentation of the project and his explanation of the proposed changes from the initial approved Stage 1 Concept Proposal.

On 21 January 2015 the National Trust lodged an objection to the Stage 1 Development Application for the concept proposal based largely on what the Trust viewed as failures in the public consultation process and the likely adverse impacts of car parking beneath the buildings, access to the proposed car parking and the considerable additions to the height of the Education building.

The Lands Department and Education Department buildings were listed on the National Trust Register in 1966, nearly fifty years ago. These were the first Victorian period buildings listed by the National Trust on its Register.



Generally known as the Lands Department and Education Department Buildings, 23-33 & 35-39 Bridge Street are subject to an application (Stage 2 DA) for tourist and visitor accommodation. The application is described as:

- *demolition of existing improvements and alterations to the Lands and Education Buildings to facilitate their adaptive reuse for the purposes of hotel or motel accommodation, with ancillary licensed food and drink premises and retail premises;*
- *excavation and construction of three basement levels below the Education Building and a subterranean link beneath Loftus Street between the two buildings;*
- *construction of three additional levels above the Education Building up to a height of RL 60.03;*
- *removal of existing pitched roof elements and construction of a replacement roof structure on the Lands Building up to a height of RL 35.50*

The National Trust restates its earlier expressed position opposing the sale and/or leasing of the Lands Department and Education Department Buildings and their conversion to privately operated hotels. The Trust maintains that a major part of the significance of these buildings is their operation as public buildings carrying out government functions. Ideally, they should remain in their current use, as offices for major government agencies. The Trust rejects the notion put forward in Section 3.4.1 of the Environmental Impact Statement that conversion of the buildings to luxury hotels will “*provide public access in a privately run building to redress the inherent conflict of the public administration buildings being closed to the public they serve*”.

We note, in the information submitted by the applicant as part of the application, that the conversion of these buildings will result in 300 operational jobs - a significant decrease from the number of government employees currently housed in these buildings that provide numerous flow-on benefits to surrounding small businesses.

With regard to the current application, the Trust has reviewed the Environmental Impact Statement and associated documentation and makes the following specific comments in relation to the current proposal.

LANDS DEPARTMENT BUILDING

General

The Trust welcomes the proposals to retain key spaces and historic interior decoration: -

“The proposed design for the Lands Building is based upon the need to retain, secure and safeguard as much of the existing historic fabric of the building as possible. In this respect it retains the central ‘Strong Room’ vault, the two central light wells and the general room and perimeter corridor arrangement.” Page 30, Section 3.7.1 of the Environmental Impact Statement.

Entry

The National Trust strongly objects to interventions that will adapt the ground level, off Bent Street, as the main hotel guest entry to the Lands Building. The main historical entry to this building is from Bridge Street, opposite the Obelisk in Macquarie Place from which all distances are measured in NSW - an intrinsic part of the Lands Department Building’s significance.

The Survey benchmark plug in the Bridge Street entrance will have its significance lessened by removing the main entrance to the building from Bridge Street to Bent Street. With the proximity of Circular Quay and the Opera House to the north, surely retention of a significant public pedestrian entrance to this elevation of the building is acceptable in operational terms for a hotel?



The on-grade Gresham Street loading dock is intended to become the major public entrance to the Lower Ground Level. Utilising a former loading dock and the rear entrance as the main entry points to the building risks the original entry becoming irrelevant. The State Library of NSW suffers from the Mitchell Wing no longer being its main entrance and the same fate should not befall the Lands Department Building.

Roof

The Lands Department roofs are an integral part of the building and should be retained. The proposal might not be highly visible from the ground but the Lands Building is looked down on from many nearby buildings. The scheme appears to remove the existing pitched slate roofs and replaces them with another level and a glass roof - a la Commonwealth Bank (which however had a flat roof). This appears to remove a substantial amount of significant original fabric.

The Heritage Impact Statement (Section 6.3.3) states that “consideration should also be given to reusing or storing representative examples of elements of the iron trusses and all the cast iron roof cresting.” Retention of examples of existing historic roofing elements on-site should be a mandatory condition of any roof redevelopment.

Lift Shaft

Interventions into the southern clock tower to provide access are viewed with apprehension. The Heritage Impact Statement notes that a lift and cage will travel up the southern clock tower, “thereby achieving improved access... (and) will entail localised demolition of some ladders and floor structures in the middle section of the clock tower in order to install the lift shaft.” Seismic strengthening can be achieved in many ways and the installation of a lift shaft into the tower at the expense of historic fabric does not appear to provide essential access critical for the functioning of a hotel.

Parking

The Trust notes with considerable relief that there will be now no provision for car parking beneath these buildings and accordingly no requirement for car parking access from the adjoining streets.

EDUCATION DEPARTMENT BUILDING

General

The Heritage Impact Statement prepared by GBA states that “In the context of adaptive reuse as linked luxury hotel facilities, the proposed scheme aims to reduce development pressure on the more intact Lands Building by concentrating a greater degree of change on the Education Building’s modified interior and roof space.” Whilst the Trust recognises that the Lands Department Building may be more intact and of undoubtedly finer architectural detail than the Education Department Building, this should not be used as an excuse to concentrate change on the Education Department Building. Such an attitude has no basis in heritage terms, advocating as it does to “rob Peter to pay Paul”. Both buildings are of State Heritage Significance and should be treated accordingly. Lessening the impact on one building, only to justify increasing heritage impact on another, is not an acceptable heritage approach.

Roof

The Trust does not support the construction of three additional levels above the Education Department Building up to a height of RL 60.03 as part of a separate application to modify Stage 1 consent. The original Stage 1 consent (SSD 6751) permitted a building envelope up to RL58.69 (approximately 3 additional storeys) above the Education Building.

The new application seeks “*construction of three additional levels above the Education Building up to a height of RL 60.03*”. Despite this, the Heritage Impact Statement claims (in Section 6.3.2) that “*the proposed Stage 2 building envelope of the developed vertical extension is a substantial*



reduction from the approved Stage 1 building envelope which is a positive outcome for the building.”

The design of the proposed additional floors on the roof of the Education Department is not subservient in the same manner as the roof proposal for the Lands Department building and, as well as affecting the overall proportions of the building, will have overshadowing implications on the surrounding streets, likely as far as the ground floor steps of 1 Bligh Street. The additional two floors are very visible from street level and are too prominent. The additional floors, as designed, overwhelm the building - the scale is much too large. The proposal's rationale about the character of the corner is not relevant. No matter how it is detailed, the scale is too large. Further, there are roof lanterns in some areas lighting the floors below, which will be lost. Any additional floors should be set back from the street frontages by at least two metres.

Section 6.3.1 of the Heritage Impact Statement states that it “assesses the potential impact of the proposal on views of the Lands Building”, yet no mention is given of the impact upon the views to the Lands Department building (and, in particular, its roofscape elements, including the clock tower) by the increased height of the Education Department Building addition. Page 227 of the Sandstone DA Design Report (The ‘Roofscape’ Response to the Stage 1 DA envelope) does not show the envelope of the proposed roof additions when viewed from Farrer Place or Bent Street (only the existing and Stage 1 concept are shown).

The Trust believes that the proposal as it presently stands does not achieve the stated design principle to “reinforce the confident simplicity of the external form”. The current roofscape has been criticised for its numerous additions and lack of cohesion but the proposed design also does not have a singular character or unified composition (as has been considered desirable for the Lands Department building). The Education Department Building, architecturally speaking, (and with reference to the cited original design concepts of Palazzo Strozzi and Palazzo Medici Riccardi given on Page 183 of the Design Report) requires a more cohesive design of its roofscape, as part of the proposed development of a “fifth façade”.

In our view, the proposed additions do not meet the following requirements: -

Future Development Applications shall ensure that development above the existing parapet of the Education Building achieves a high quality design.

- a) gives consideration to increased setbacks and articulation within the building envelope, particularly from the southern façade to minimise visual impacts of the addition from Farrer Place and maintain the visual prominence of the existing building, and the legibility of its composition, architectural style, form and features;*
- b) presents as a contemporary projection of the existing building and be visually subservient to the existing building;*
- d) uses materials and detailing that respect and are submissive to the heritage sandstone facades of the Education Building*

Balconies

The Heritage Impact Statement prepared by GBA states that “It is proposed to remove limited and discreet sections of stone fabric beneath some Level 1 and Level 4 windows located above currently inaccessible balconies to provide access to the balconies and increase amenity. This will have an acceptable impact on existing views of the building because the affected areas are visually shielded by the balustrades.” The Trust questions this statement and opposes removal of original stone fabric, given that adaption of window openings into door openings will alter the original form of the building and presumably lead to alterations to the balconies to make them compliant in terms of access.



FARRER PLACE

Farrer Place commemorates William Farrer (1845-1906), pioneer in the development of drought and disease resistant wheat strains (State Heritage Inventory).

The Trust notes that the applicant has decided not to include the public domain works in the Stage 2 SSD application and to instead seek development consent via a local development application to the City of Sydney Council. Significant public domain “improvements” to Farrer Place, Young Street, Gresham Street Loftus Street and Bridge Street will form part of this separate Development Application. The Trust will comment on such proposals when they become available but voices its concerns about the potential decrease in public space in Farrer Place through the construction of a new vehicular drop-off leading from Bent Street.

The City of Sydney DCP 2012 Locality Statement states that *“the limited height of the heritage buildings to the north and west allows solar access and provides some visual relief in this highly built up area.”* Any increase to the roof level of the Education building would impact upon the solar access of Farrer Place and is not supported.

The Trust notes, in the request for the Secretary’s Environmental Assessment Requirements (SEARs), a key aspect for the proposed development is *“to facilitate access to Farrer Place, Young Street may be connected to Bent Street.”* This part of Farrer Place currently provides an important entry to the Governor Macquarie and Governor Phillip Towers and is a well-used and enjoyed place of public urban space that provides an appropriate setting to the Education Department Building in particular. It also provides an indirect link to the square on the site of Old Government House in Bridge Street. The Trust acknowledges that the closure of Young Street between Bridge and Bent Streets on 18 May 1992 by resolution of Council can be reversed but would not view this as a positive outcome, particularly given the proposed hotel accommodation that is to be placed in the Education Department Building.

LOFTUS STREET

As is stated in the request for the Secretary’s Environmental Assessment Requirements (SEARs) for the Sandstone precinct, *“the applicant is exploring the potential to extend the site boundaries to include Gresham, Bent and Young Streets to provide improved access and drop-off arrangements. The Stage 1 Consent may need to be modified to incorporate an expanded site boundary. This will be confirmed during design development.”*

The Trust views the leasing of not only public buildings but also public streets to private companies as being contrary to the public interest and a negative heritage outcome. In relation to the lease of the subterranean space beneath Loftus Street in order to enable the provision of the subterranean link between the buildings, the Trust states its concern about archaeological impacts and the need for adequate controls to ensure that areas of archaeological potential are adequately investigated and interpreted.

The Trust notes that one of the key design objectives of the proposal is to *“set up a respectful and active dialogue between the two buildings and their heritage”*. Linking the two buildings together (albeit underground) appears to ignore one of the important aspects of the heritage significance, that the two buildings are in themselves distinct city blocks with entirely separate functions.

The Trust notes in Section 3.5.2 of the Environmental Impact Statement that *“the exact method of excavation is still to be determined”*. Any excavation should result in minimal disturbance to ground floor level of the building, the public street and the footpath. The loss of public space, not only in the end result but also during the construction process, is a major concern.



The site has high potential for surviving archaeological remains of State significance including the site of the Judge-Advocate's residence and gardens, boundaries and setting for the residences of the Judge-Advocate and the Colonial Secretary. These remains may survive below the Loftus Street vehicular entry and the northwest corner of the site. (Education Department Statement of Significance)

DESIGN REVIEW PANEL

The Trust does not support an Independent Design Review Panel appointed by the Developer. The Trust cannot accept that a developer-appointed panel can be expected to view the proposal objectively or in the public interest. Only a truly independent design review panel should review such a scheme.

As an independent, community based heritage conservation organisation of seven decades standing, the National Trust would be prepared to contribute expertise from its Conservation Committees to assist in the establishment of a truly independent review panel to monitor the progress of this development proposal and to ensure, on behalf of the Australian public, that the highest levels of heritage conservation are achieved in this adaptive re-use proposal.

MOVEABLE HERITAGE

The HIS states that the Lands Department Building Movable Heritage Management Strategy will be reviewed following the Department of Planning's departure. The Trust urges retention of significant furniture and collections within the building as part of any hotel development.

CONCLUSION

The Trust would be pleased to provide further input and enter into discussions to resolve the issues highlighted above and reiterates its offer to contribute expertise from its Conservation Committees to assist in the establishment of a truly independent review panel to monitor the progress of this development proposal and to ensure, on behalf of the Australian public, that the highest levels of heritage conservation are achieved in this adaptive re-use proposal.

Yours sincerely,

Graham Quint
Director - Advocacy