

90-102 Regent Street Redfern

Statement of Heritage Impact

Report to Allen Jack + Cottier

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EXECUTIVE SUMMARY

Background

The Trust Company (Australia) Limited ATF WH Regent Trust are preparing an Environmental Impact Statement (EIS) for the proposed redevelopment of 90-102 Regent Street, Redfern. The project has been identified as a State Significant Development under Schedule 2 of the *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). The project would be assessed under the *Environmental Planning and Assessment Act 1979*.

Allen Jack + Cottier on behalf of The Trust Company (Australia) Limited ATF WH Regent Trust have engaged Artefact Heritage to prepare a Statement of Heritage Impact (SoHI) to accompany the EIS. The study area is near the locally significant St Luke's Presbyterian Church heritage item and the State significant Redfern Railway Station Group and is adjacent to the Redfern Estate Conservation Area. Other locally significant heritage items have visual connections with the proposal.

The proposal would involve the demolition of existing structures on the site and the construction of an 18-storey building comprising retail, communal spaces and offices at ground floor, and residential units above for use as student housing.

The aim of this report is to identify heritage items which may be impacted by the proposed works, determine the level of heritage significance of each item, assess impacts to those items, recommend mitigation measures to minimise heritage impact and identify other relevant management or statutory obligations. It also provides an archaeological assessment of the study area.

Overview of findings

Built heritage

There are no listed heritage items within the study area. There are several listed heritage items and a heritage conservation area within the surrounding study area, comprising of a 150-metre visual buffer zone. This visual buffer zone captures potential visual impacts to heritage items in the vicinity. This includes:

State significant

- Redfern Railway Station Group (State Heritage Register (SHR) 01234).

Locally significant

- St Luke's Presbyterian Church (Local Environmental Plan (LEP) I1352)
- Terrace house (LEP I1353)
- Former Redfern Municipal Electric Light Station (LEP I1354)
- Electricity Substation No. 112 (LEP I2254)
- Redfern Estate Heritage Conservation Area (LEP C56).

The proposed works would not have any direct (physical) impacts to the listed heritage items and the heritage conservation area within the study area. While the proposal has been designed where possible to minimise visual impact to heritage items in the vicinity, it would result in the following visual impacts:

The proposed works would have a **minor** visual impact on the following heritage items:

- Redfern Railway Station Group (SHR 01234)
- St Luke's Presbyterian Church (LEP I1352)
- Redfern Estate Heritage Conservation Area (LEP C56).

The proposed works would have a **negligible** visual impact on the following heritage conservation areas:

- Terrace house (LEP I1353)
- Former Redfern Municipal Electric Light Station (LEP I1354)
- Electricity Substation No. 112 (LEP I2254).

Non-Aboriginal archaeology

The study area has been assessed as having:

- Nil-low potential for locally significant historical archaeological remains associated with the early land grants (Phase 1)
- Moderate potential for locally significant 'works,' and low potential for locally significant 'relics' associated with mid to late 19th century residential development (Phase 2)
- Moderate potential to contain non-significant archaeological 'works' associated with the 20th century development of the site (Phase 3).

Recommendations

Built heritage

The site is located in the vicinity of several listed heritage items of both State and local significance. Therefore, the following recommendations are made:

- Vibration monitoring should be undertaken during works at the St Luke's Presbyterian Church (LEP No. I1352). If any inadvertent damage occurs the item the damage must be reported immediately to the Project Manager and the relevant Heritage Specialists. Damage is to be made good in accordance with specialist heritage advice
- Prior to the commencement of works, a Photographic Archival Recording (PAR) report should be prepared of the significant elements of 92-96 Regent Street to be impacted by the proposal. The PAR would document the exterior and interior of the buildings and their setting. The recording would be undertaken in accordance with the guidelines for *Photographic Recording of Heritage Items Using Film or Digital Capture*, as prepared by the NSW Heritage Office
- Prior to the commencement of works, a salvage strategy should be prepared by qualified heritage professional to identify and recover heritage building fabric to be removed during project works for salvage and reuse at the study area or at another appropriate place.

Consideration of the incorporation of contributory elements found within three of the existing buildings (92-96 Regent Street), specifically the pressed metal ceilings located within the first floor of all buildings, should be considered by the proposal. These ceilings could be salvaged and reinstated within the proposed building, or new pressed ceilings of similar designs incorporated into the building. Contributory fabric (pressed metal ceilings, fireplaces) not retained for future use should be salvaged where possible and donated or sold to heritage restoration specialists

- There is an opportunity for provision of interpretation measures outlining the history and evolution of the study area. A Heritage Interpretation Strategy should therefore be considered for the project. This should also include and acknowledge Aboriginal associations and values

Non-Aboriginal archaeology

The study area has the potential to contain a locally significant archaeological remains. The following recommendations will aid in mitigating the archaeological impact of the proposed works:

- Under Schedule 2 of SRD SEPP 2011 the proposal is classified as being SSD. Therefore, the relics provisions of the *Heritage Act 1977* do not apply. It is therefore recommended that archaeological works be undertaken in accordance with archaeological best practise. This would involve investigation and archival recording of any archaeological remains exposed during project works. The methodology adopted would be outlined in an Archaeological Research Design and Methodology prepared for the site prior to works commencing
- An archaeological testing program, guided by the Archaeological Research Design and Methodology, should be completed prior to the commencement of in-ground project works. Test trenches should target those areas known to contain 19th century outbuildings and structures
- On finalisation of the testing program a Result Report would be prepared. This report would include recommendations for the future management of the archaeological resource (should one be identified). Recommendations may include the implementation of monitoring and archival recording program during bulk excavation works, or the requirement to archaeologically salvage portions of the site prior to impact
- Any retrieved historical artefactual material would be the responsibility of the owner of the site. This includes appropriate treatment of the artefacts, and their long-term storage in a safe and accessible place
- All contractors responsible for ground disturbance within the study area should be provided with a heritage induction conducted by a suitably qualified archaeologist prior to any works commencing. This induction would provide information regarding the nature and appearance of potential heritage items within the study area and the requirements for reporting under the Heritage Act. It would also advise contractors of the role of the archaeologist on site during archaeological investigations

- 'Relics' are protected under the *Heritage Act 1977* and the Heritage Council of NSW should be notified in accordance with section 146 of the Heritage Act if 'relics' are identified at any stage of the project. All human skeletal remains are statutorily protected.

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1.0 INTRODUCTION

1.1 Background

The Trust Company (Australia) Limited ATF WH Regent Trust are preparing an EIS for the proposed redevelopment of 90-102 Regent Street, Redfern. The project has been identified as a State Significant Development under Schedule 2 of the *State Environmental Planning Policy (State and Regional Development)* 2011 (SRD SEPP). The project would be assessed under the *Environmental Planning and Assessment Act 1979*.

Allen Jack + Cottier on behalf of The Trust Company (Australia) Limited ATF WH Regent Trust have engaged Artefact Heritage to prepare a SoHI to accompany the EIS. The study area is in close proximity to the locally significant Redfern Estate Heritage Conservation Area, St Luke's Presbyterian Church heritage item and the State significant Redfern Railway Station Group.

1.2 The proposal

The proposal would involve the demolition of existing structures on the site and the construction of an 18-storey building. The new building would be comprised of retail, communal spaces and offices at ground floor, and residential units above for use as student housing.

The aim of this report is to identify heritage items which may be impacted by the proposed works, determine the level of heritage significance of each item, assess impacts to those items, recommend mitigation measures to minimise heritage impact and identify other relevant management or statutory obligations. The report also provides an archaeological assessment of the study area.

1.3 Secretary's Environmental Assessment Requirements

Under Schedule 2 of the SRD SEPP, the proposal is classified as State Significant Development (SSD). Approval from the Minister for Planning is required and will be based on the assessment of an EIS for the proposal. This SoHI has been prepared to support the EIS. As such the Director-General of the (NSW) Department of Planning and Environment (DP&E) has prepared Secretary's Environmental Assessment Requirements (SEARs) which need to be addressed in the EIS. The SEARs relating to heritage, and where they are addressed in this report, are listed in Table 1.

1.4 Study area

The study area for the proposal is 90-102 Regent Street, Redfern (Figure 1). The study area is located within the City of Sydney Local Government Area (LGA). The study area comprises Lots 1, 2 and 3 DP 3954, Lot 1 DP 184335, SP 57425, and a portion of Lot 10 DP 1026349. The site is bound by Marian Street to the north, Regent Street to the east, an existing BP petrol station to the south, and William Lane to the west.

1.4.1 Visual buffer zone

In order to assess visual impacts to and from heritage items, a visual buffer zone has been established to encapsulate nearby heritage items. A buffer zone has been set at 150 metres around the study area to assess other heritage items which may be subject to visual impacts by the proposed height of the development. Any heritage items located within this visual buffer zone will be assessed for possible heritage impacts from the proposal (refer to Section 1.5 for more detail). The visual buffer zone is illustrated in Figure 2.

Table 1: Secretary's environmental assessment requirements – Heritage and Archaeology.

Requirement	Fulfilment of requirements
9. Heritage and Archaeology	
<ul style="list-style-type: none"> • A Statement of Heritage Impact (SoHI) prepared by a suitably qualified heritage consultant in accordance with the guidelines in the NSW Heritage manual. The SoHI is to address the impacts of the proposal on any heritage significance of the site and adjacent areas to identify the following: <ul style="list-style-type: none"> ○ all heritage items (state and local) within the vicinity of the site including built heritage, landscapes, heritage conservation areas, and archaeology, and provide detail on their heritage significance and location of the impacts of the proposal on heritage items and heritage conservation areas ○ heritage assessment of the buildings on site that are more than 50 years old and proposed to be demolished ○ compliance with the policies of any relevant Conservation Management Plan ○ potential visual impacts of the proposal on the heritage significance of heritage items and heritage conservation areas in the vicinity of the site ○ the attempts to avoid and/or mitigate the impact on the heritage significance or cultural heritage values of the site and the surrounding heritage items ○ any impacts of the proposal including vibration impacts on the heritage significant building at St. Luke's Presbyterian Church, 118 Regent Street to the south of the site. 	Section 9.0
<ul style="list-style-type: none"> • A historical archaeological assessment prepared by a suitable historical archaeologist in accordance with the Heritage Division, Office of Environment and Heritage Guidelines including but not limited to 'Assessing Significance for Historical Archaeological Sites and Relics' 2009. The assessment is to demonstrate the following <ul style="list-style-type: none"> ○ the historical archaeological relics likely to be present within the site and their significance ○ the likely impacts of the proposal on these relics ○ opportunities for avoidance through careful consideration of redesign where state significant archaeological resources are identified ○ appropriate mitigation strategies where harm is likely to occur. If harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations or salvage programme. 	Section 5.0

In accordance with the consultation requirements of the SEARS, a draft of this report was provided to Heritage NSW on 9 October 2020 with comments requested by 6 November 2020. No comments on the report had been received at the time that this report was finalised. Any comments provided by Heritage NSW will be responded to as part of the projects Response to Submissions.

Figure 1: Study area



1.5 Report methodology

This SoHI has been prepared using the guidelines contained within *Statement of Heritage Impact* (2002), prepared by the NSW Heritage Office as part of the *NSW Heritage Manual*.

1.5.1 Identification of heritage listed items

Heritage listed items were identified through a search of relevant state and federal statutory and non-statutory heritage registers:

- World Heritage List
- Commonwealth Heritage List
- National Heritage List
- State Heritage Register
- Sydney LEP 2012
- Section 170 Heritage and Conservation Registers for Sydney Water, Roads and Maritime, Railcorp, Ausgrid, and Department of Housing
- Australian Heritage Database
- NSW State Heritage Inventory database.

Items listed on these registers have been previously assessed against the NSW Heritage Assessment guidelines (as outlined in Section 1.5.4). Statements of heritage significance, based on the NSW Heritage Assessment guidelines, as they appear in relevant heritage inventory sheets and documents, are provided in this assessment.

Where relevant, Conservation Management Plans (CMP's) and other heritage management documents and guidelines have been utilised to provide additional information regarding heritage significance. Where used, these have been cited.

1.5.2 Visual buffer

The building footprint for the proposal is not located within the heritage curtilages of any listed or unlisted heritage item. As such, there would be no physical or curtilage impacts to any heritage item for the proposal.

Heritage items are often classified as being significant due to their appearance, form or articulation, and other visual characteristics. Developments that block or impair the potential to see these visual characteristics can be classified as heritage impacts. Due to the scale and form of the proposed development, it would be a visually prominent building in the Redfern area. This visual prominence may detract from the visual characteristics of nearby heritage items. Because of this, potential visual impacts to these nearby heritage items have been assessed in this report.

The SEARs heritage requirements issued for the 90-102 Regent Street development stipulate that potential visual impacts to heritage items are to be assessed. An area that extends for 150 metres in all directions from the boundary of the study area has been created as the visual buffer zone (see 1.4.1 above).

1.5.3 Archaeological assessment

Historical archaeological potential is defined as the potential of a site to contain historical archaeological relics, as classified under the *NSW Heritage Act 1977*. The assessment of historical archaeological potential is based on the identification of former land uses and evaluating whether

subsequent actions (either natural or human) may have impacted on archaeological evidence for these former land uses.

Knowledge of previous archaeological investigations, understanding of the types of archaeological remains likely to be associated with various land uses, and the results of site inspection are also taken into consideration when evaluating the potential of an area to contain archaeological remains.

Assessments of significance are preliminary in nature and, where possible, significance has been assessed against the NSW Heritage Assessment Criteria. The assessment is informed by the NSW Heritage Division (now Heritage NSW) 2009 guidelines *Assessing Significance for Historical Archaeological Sites and Relics*.

1.5.4 NSW heritage assessment guidelines

Determining the significance of heritage items or a potential archaeological resource is undertaken by utilising a system of assessment centred on the *Burra Charter* of Australia International Council on Monuments and Sites (ICOMOS). The principles of the charter are relevant to the assessment, conservation and management of sites and relics. The assessment of heritage significance is outlined through legislation in the Heritage Act and implemented through the *NSW Heritage Manual* and the *Archaeological Assessment Guidelines*.¹

If an item meets one of the seven heritage criteria, and retains the integrity of its key attributes, it can be considered to have heritage significance. The significance of an item or potential archaeological site can then be assessed as being of local or state significance. If a potential archaeological resource does not reach the local or state significance threshold, then it is not classified as a relic under the Heritage Act.

'State heritage significance', in relation to a place, building, work, relic, moveable object or precinct, means significance to the State in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item.

'Local heritage significance', in relation to a place, building, work, relic, moveable object or precinct, means significance to an area in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item.²

The overall aim of assessing archaeological significance is to identify whether an archaeological resource, deposit, site or feature is of cultural value. The assessment will result in a succinct statement of heritage significance that summarises the values of the place, site, resource, deposit or feature. The heritage significance assessment criteria are as follows:

Table 2: NSW heritage assessment criteria

Criteria	Description
A – Historical Significance	An item is important in the course or pattern of the local area's cultural or natural history.
B – Associative Significance	An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history.
C – Aesthetic or Technical Significance	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.

¹ NSW Heritage Office 1996; 25-27

² This section is an extract based on the Heritage Office Assessing Significance for Historical Archaeological Sites and Relics 2009:6.

Criteria	Description
D – Social Significance	An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons.
E – Research Potential	An item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history.
F – Rarity	An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history.
G – Representativeness	An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places of cultural or natural environments (or the cultural or natural history of the local area).

1.5.5 Assessment of heritage impact

This Heritage Impact Assessment has been prepared using the document *Statement of Heritage Impact* 2002, prepared by the NSW Heritage Office, contained within the *NSW Heritage Manual*, as a guideline.

Impacts on heritage are identified as either:

- Direct impacts, resulting in the demolition or alteration of fabric of heritage significance
- Indirect impacts, resulting in changes to the setting or curtilage of heritage items or places, historic streetscapes or views
- Potential direct impact, resulting in impacts from vibration and demolition of adjoining structures.

Specific terminology and corresponding definitions are used in this assessment to consistently identify the magnitude of the project's direct, indirect or potentially direct impacts on heritage items or archaeological remains. The terminology and definitions are based on those contained in guidelines produced by the International Council on Monuments and Sites (ICOMOS)³ and are shown in Table 3. It is assumed that all direct and potential direct impacts are a result of construction. Indirect impacts are assumed to be operational unless specified as temporary in which case they are related to construction.

Table 3: Terminology for assessing the magnitude of heritage impact.

Grading	Definition
Major	<p>Actions that would have a long-term and substantial impact on the significance of a heritage item. Actions that would remove key historic building elements, key historic landscape features, or significant archaeological materials, thereby resulting in a change of historic character, or altering of a historical resource.</p> <p>These actions cannot be fully mitigated.</p>

³ Including the document *Guidance on Heritage Impact Assessments for Cultural World Heritage Properties*, ICOMOS, January 2011.

Grading	Definition
Moderate	<p>Actions involving the modification of a heritage item, including altering the setting of a heritage item or landscape, partially removing archaeological resources, or the alteration of significant elements of fabric from historic structures.</p> <p>The impacts arising from such actions may be able to be partially mitigated.</p>
Minor	<p>Actions that would result in the slight alteration of heritage buildings, archaeological resources, or the setting of an historical item.</p> <p>The impacts arising from such actions can usually be mitigated.</p>
Negligible	Actions that would result in very minor changes to heritage items.
Neutral	Actions that would have no heritage impact.

1.6 Previous heritage studies

The following heritage studies and listing data were reviewed for this report:

- Central to Eveleigh Corridor: Aboriginal and Historical Heritage Review⁴
- SHR
- City of Sydney LEP 2012
- City of Sydney DCP 2012
- Section 170 Heritage and Conservation Registers for RailCorp, Ausgrid, Australian Technology Park
- NSW State Heritage Inventory database.

The SHR and State Heritage Inventory (SHI) listings of the heritage items have been used to provide descriptions and statements of significance.

1.7 Limitations and constraints

This document assesses non-Aboriginal heritage only, including a review of the significance of heritage items in proximity to the study area, analysis of views and vistas, an assessment of historical archaeological potential, and assessment of potential impacts to those items from the proposed works. The assessment of historical archaeological potential is based on a desktop assessment and site survey.

An assessment of Aboriginal heritage has been conducted in a separate report.⁵

1.8 Report authorship

This report was prepared by Sophie Barbera (Heritage Consultant) and Jessica Horton (Heritage Consultant), with management and input from Alyce Haast (Senior Heritage Consultant). The report was reviewed by Carolyn MacLulich (Principal) and Dr Sandra Wallace (Managing Director).

⁴ AHMS 2015

⁵ Artefact 2020

2.0 STATUTORY CONTEXT

2.1 Heritage legislation

The proposal has been deemed SSD by the DPIE and as such, approval is not required from the Heritage NSW to impact historic archaeological remains or SHR listed items, providing the requirements of the SEARS.

There are several items of State legislation that form the basis for managing non-Indigenous heritage in NSW. This section provides a summary of these items of legislation and associated statutory registers.

The study area, including the extant buildings, are not listed on any heritage register.

2.1.1 Environmental Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a legislative framework for the protection and management of matters of national environmental significance, that is, flora, fauna, ecological communities and heritage places of national and international importance. Heritage items are protected through their inclusion on the World Heritage List (WHL), Commonwealth Heritage List (CHL) or the National Heritage List (NHL).

The EPBC Act stipulates that a person who has proposed an action that will, or is likely to, have a significant impact on a World, National or Commonwealth Heritage site must refer the action to the Department of the Environment and Minister for the Environment (hereafter Minister). The Minister will then determine if the action requires approval under the EPBC Act. If approval is required, an environmental assessment would need to be prepared. The Minister would approve or decline the action based on this assessment.

A significant impact is defined as “an impact which is important, notable, or of consequence, having regard to its context or intensity.” The significance of the action is based on the sensitivity, value and quality of the environment that is to be impacted, and the duration, magnitude and geographic extent of the impact. If the action is to be undertaken in accordance with an accredited management plan, approval is not needed and the matter does not need be referred to the Minister.

2.1.1.1 Commonwealth Heritage List

The CHL has been established to list heritage places that are either entirely within a Commonwealth area, or outside the Australian jurisdiction and owned or leased by the Commonwealth or a Commonwealth Authority. The CHL includes natural, Indigenous and historic heritage places which the Minister is satisfied have one or more Commonwealth Heritage values.

No items listed on the CHL are located within the study area or visual buffer zone

2.1.1.2 National Heritage List

The NHL has been established to list places of outstanding heritage significance to Australia. It includes natural, historic and Indigenous places that are of outstanding national heritage value to the Australian nation.

No items listed on the NHL are within proximity to study area or visual buffer zone

2.1.2 New South Wales Heritage Act 1977

The NSW *Heritage Act 1977* (Heritage Act) provides protection for items of 'environmental heritage' in NSW. 'Environmental heritage' includes places, buildings, works, relics, movable objects or precincts considered significant based on historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic values. Items considered to be significant to the State are listed on the SHR and cannot be demolished, altered, moved or damaged, or their significance altered without approval from the Heritage Council of NSW.

2.1.2.1 The 2009 'Relics provisions'

The Heritage Act also provides protection for 'relics', which includes archaeological material or deposits. According to Section 139 (Division 9: Section 139, 140-146):

- (1) *A person must not disturb or excavate any land knowingly or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, damaged or destroyed unless the disturbance is carried out in accordance with an excavation permit.*
- (2) *A person must not disturb or excavate any land on which the person has discovered or exposed a relic except in accordance with an excavation permit.*
- (3) *This section does not apply to a relic that is subject to an interim heritage order made by the Minister or a listing on the State Heritage Register.*
- (4) *The Heritage Council may by order published in the Gazette create exceptions to this section, either unconditionally or subject to conditions, in respect of any of the following:*
 - a. *Any relic of a specified kind or description,*
 - b. *Any disturbance or excavation of a specified kind or description,*
 - c. *Any disturbance or excavation of land in a specified location or having specified features or attributes,*
 - d. *Any disturbance or excavation of land in respect of which an archaeological assessment approved by the Heritage Council indicates that there is little likelihood of there being any relics in the land.*

Section 4 (1) of the Heritage Act (as amended in 2009) defines a relic as:

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

relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and is of State or local heritage significance

A relic has been further defined as:

Relevant case law and the general principles of statutory interpretation strongly indicate that a 'relic' is properly regarded as an object or chattel. A relic can, in some circumstances, become part of the land be regarded as a fixture (a chattel that becomes permanently affixed to land).⁶

Excavation permits are issued by the Heritage Council of NSW, or its Delegate, under Section 140 of the Heritage Act for relics not listed on the SHR or under Section 60 for relics listed on the SHR. An

⁶ *Assessing Significance for Archaeological Sites and 'Relics'*, Heritage Branch, Department of Planning, 2009:7.

application for an excavation permit must be supported by an Archaeological Research Design and Archaeological Assessment prepared in accordance with the Heritage NSW archaeological guidelines. Minor works that will have a minimal impact on archaeological relics may be granted an exception under Section 139 (4) or an exemption under Section 57 (2) of the Heritage Act.

As the development is being approved as an SSD no permits would be required under the NSW Heritage Act and the relics provisions do not apply to the study area.

2.1.2.2 Archaeological 'works'

The Heritage Act includes archaeological 'works' as a separate category to archaeological 'relics'. Exposure of a 'work' does not trigger reporting obligations under the Act. The following examples are commonly considered to be 'works': former road surfaces or pavement, kerbing, evidence of former infrastructure (such as drains or drainage pits where there are no relics in association), tram and train tracks and ballast and evidence of former rail platforms and bridges.

2.1.2.3 State Heritage Register

The SHR was established under Section 22 of the Heritage Act and is a list of places and objects of particular importance to the people of NSW, including archaeological sites. The SHR is administered by Heritage NSW of the Office of Environment and Heritage (OEH) and includes a diverse range of over 1500 items, in both private and public ownership. To be listed, an item must be deemed to be of heritage significance for the whole of NSW.

The study area is not listed in the SHR. There is a single SHR item within the visual buffer zone (see Section 2.2).

2.1.2.4 Section 170 registers

Under the Heritage Act all government agencies are required to identify, conserve and manage heritage items in their ownership or control. Section 170 of the Heritage Act requires all government agencies to maintain a Heritage and Conservation Register that lists all heritage assets and an assessment of the significance of each asset. They must also ensure that all items inscribed on its list are maintained with due diligence in accordance with State Owned Heritage Management Principles approved by the Government on advice of the NSW Heritage Council. These principles serve to protect and conserve the heritage significance of items and are based on NSW heritage legislation and guidelines.

The study area is not listed on any s70 register. There are s170 listed items within the visual buffer zone (see Section 2.2).

2.1.3 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) establishes the framework for cultural heritage values to be formally assessed in the land use planning and development consent process. The EP&A Act requires that environmental impacts are considered prior to land development; this includes impacts on cultural heritage items and places as well as archaeological sites and deposits. The Proposal is subject to assessment under Part 4 Division 4.7 of the EP&A Act.

The EP&A Act also requires that local governments prepare planning instruments (such LEP's and Development Control Plans [DCPs]) in accordance with the EP&A Act to provide guidance on the level of environmental assessment required.

The site is located within Redfern-Waterloo Authority Sites area which is identified as a State Significant Precinct under the *State Environmental Planning Policy (State Significant Precinct) 2005* (SS SEPP) (formerly known as the Major Development SEPP 2005). As such, the SS

SEPP prescribes the principle statutory land use planning and development controls for the site. The specific controls applying to this area (including the site) are set out in Schedule 3 – Part 5 of the SS SEPP.

2.1.3.1 City of Sydney LEP 2012

As the study area falls within the Redfern-Waterloo Authority Sites area the provisions of the City of Sydney LEP 2012 do not apply. There are, however., several LEP listed heritage items within the study area and 150m visual buffer zone.

Clause 5.10 of the City of Sydney LEP outlines the provisions which apply to heritage conservation and requirements in relation to development applications affecting a heritage item or within a conservation area. The aim of the LEP in relation to heritage is to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings, views and archaeological sites. The LEP lists identified items of heritage significance in Schedule 5.

There are listed LEP items within the visual buffer zone (see Section 2.2).

2.1.4 State Environmental Planning Policy (State Significant Precincts) 2005

The SS SEPP aims to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. This is in order to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State. It facilitates service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes.

Development projects which are governed by SEPP legislation require SEARs to be issued by the legislative authority in order for consent on major works to proceed. Heritage provisions under SS SEPP legislation require developmental consent for activities that demolish, move, alter or excavate a heritage item or known archaeological site. It also requires that potential impacts from development projects to heritage items be assessed.

The SS SEPP provisions for the Redfern-Waterloo area stipulate fourteen heritage items within the area. The following provision of the SS SEPP related to heritage conservation:

27 Heritage conservation

- (1) A person must not, in respect of a building, work, relic, tree or place that is a heritage item –
 - (a) Demolish, dismantle, move or alter the building, work, relic, tree or place, or
 - (b) Damage or remove the relic, or
 - (c) Excavate land for the purpose of discovering, exposing, or moving the relic, or
 - (d) Damage or despoil the tree or place, or
 - (e) Erect a building on, or subdivide, land on which the building, work, or relic is situated or that comprises the place, or
 - (f) Damage any tree or land on which the building, work or relic is situated on or on the land which comprises the place, or
 - (g) Make structural changes to the interior or work,
Except with the consent of the consent authority.
- (2) However, consent under this clause is not required if 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

- (a) Is of a minor nature, or is for the maintenance of the heritage item, and
- (b) Would not adversely affect the significance of the heritage item.
- (3) In this clause, **heritage item** means a building, work, relic, tree or place that is indicated as a heritage item on the Heritage map (see Figure 3).

Heritage items within the vicinity of the study area are listed in see Section 2.2.

2.1.5 State Environment Planning Policy (State and Regional Development) 2011

The SRD SEPP identified development which is declared to be State significant. Schedule 2 of the SRD SEPP states that development on the Redfern-Waterloo Sites, with Capital Investment Value (CIV) of more than \$10 million, is considered SSD. The current proposal has been classified as SSD under application SSD 7749. The boundary of the Redfern-Waterloo Sites is provided in Figure 4.

2.2 Heritage register search

As outlined in Section 2.1 above, statutory registers provide legal protection for heritage items. A search of all relevant registers was undertaken on 20 September 2018 of heritage items located within the visual buffer zone. **The study area does not contain any heritage items.**

There are several heritage listings that are located within the visual buffer zone. These items are identified below in Table 4, and the heritage curtilages are illustrated in Figure 2.

Table 4: Heritage listings within the 150m visual buffer zone.

Item Name	Address	Lot No.	Significance	Item/Listing Number	Relevant Legislation
				SHR 01234	
Redfern Railway Station Group	Lawson Street, Redfern	Part Lot 4, DP 862514	State	RailCorp s170 Heritage and Conservation Register (SHI 4801095)	<i>Heritage Act 1977</i>
Redfern Railway Station Booking Office	Lawson Street, Redfern	Part Lot 4, DP 862514	State	SS SEPP 2005 Redfern-Waterloo Authority Sites No. 11	SS SEPP 2005
St Luke's Presbyterian Church	118 Regent Street, Redfern	Lot 1, DP 194067	Local	LEP No. I1352	Sydney LEP 2012
Former Redfern Municipal Electric Light Station	78 Renwick Street, Redfern	Lot I, DP 742476	Local	LEP No. I1354	Sydney LEP 2012
Electricity Substation No. 112	99 Renwick Street, Redfern	Lot B, DP 175502	Local	LEP No. I2254	Sydney LEP 2012
Terrace house	181 Regent Street, Redfern	Lot 1, DP 781853	Local	LEP No. I1353	Sydney LEP 2012
Redfern Estate Heritage Conservation Area	Redfern	-	Local	LEP No. C56	Sydney LEP 2012

Figure 2: Heritage items within the visual buffer zone.

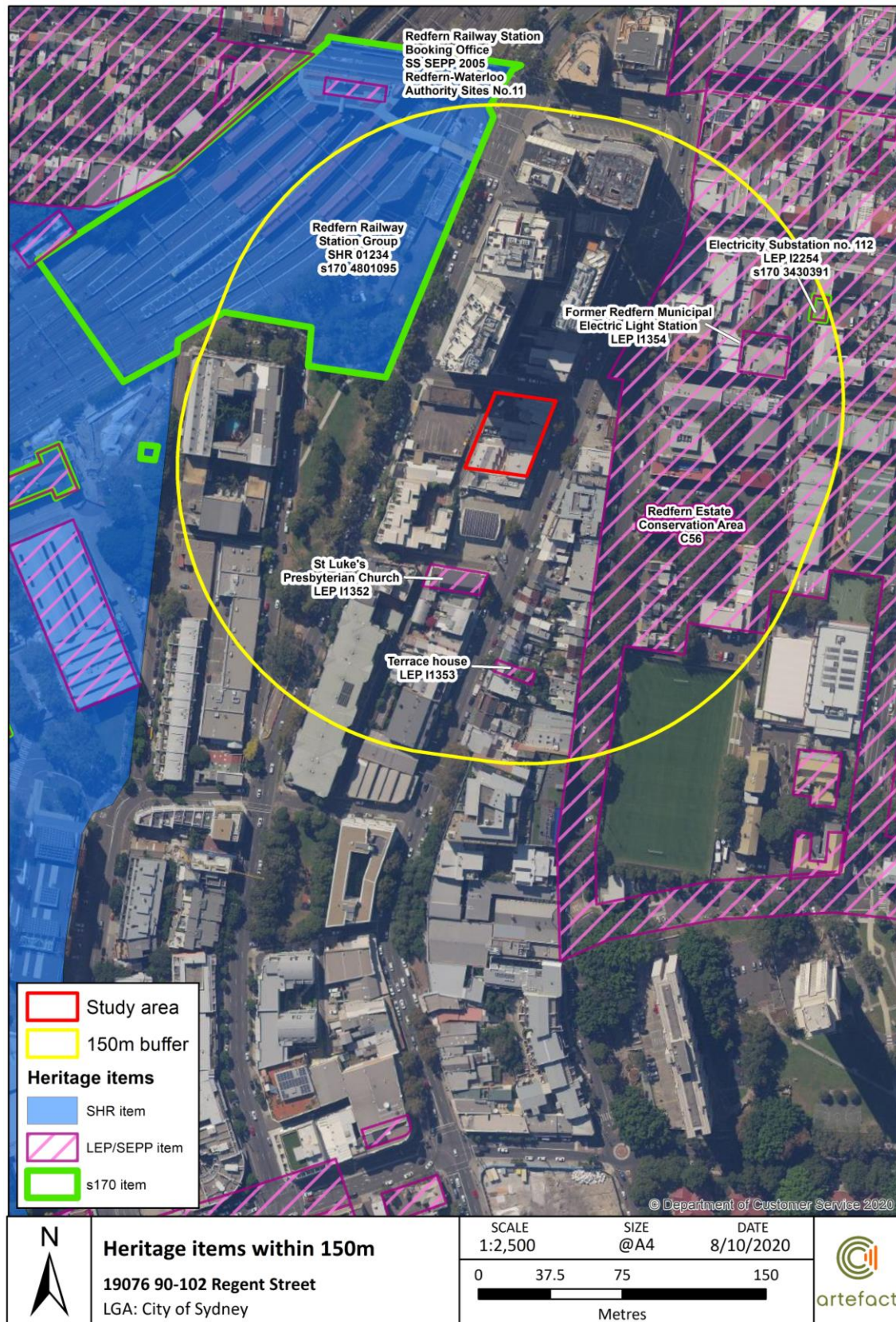


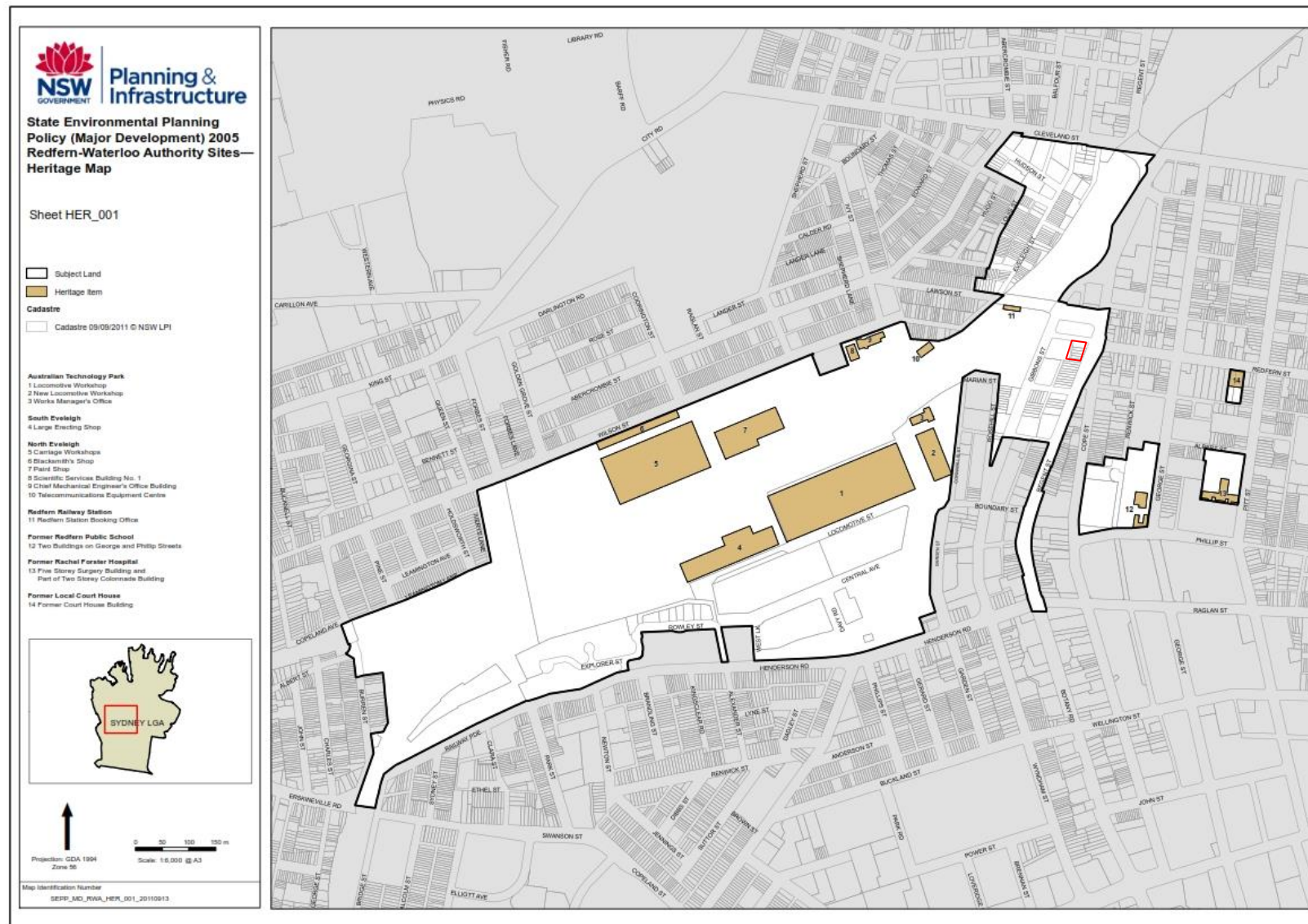
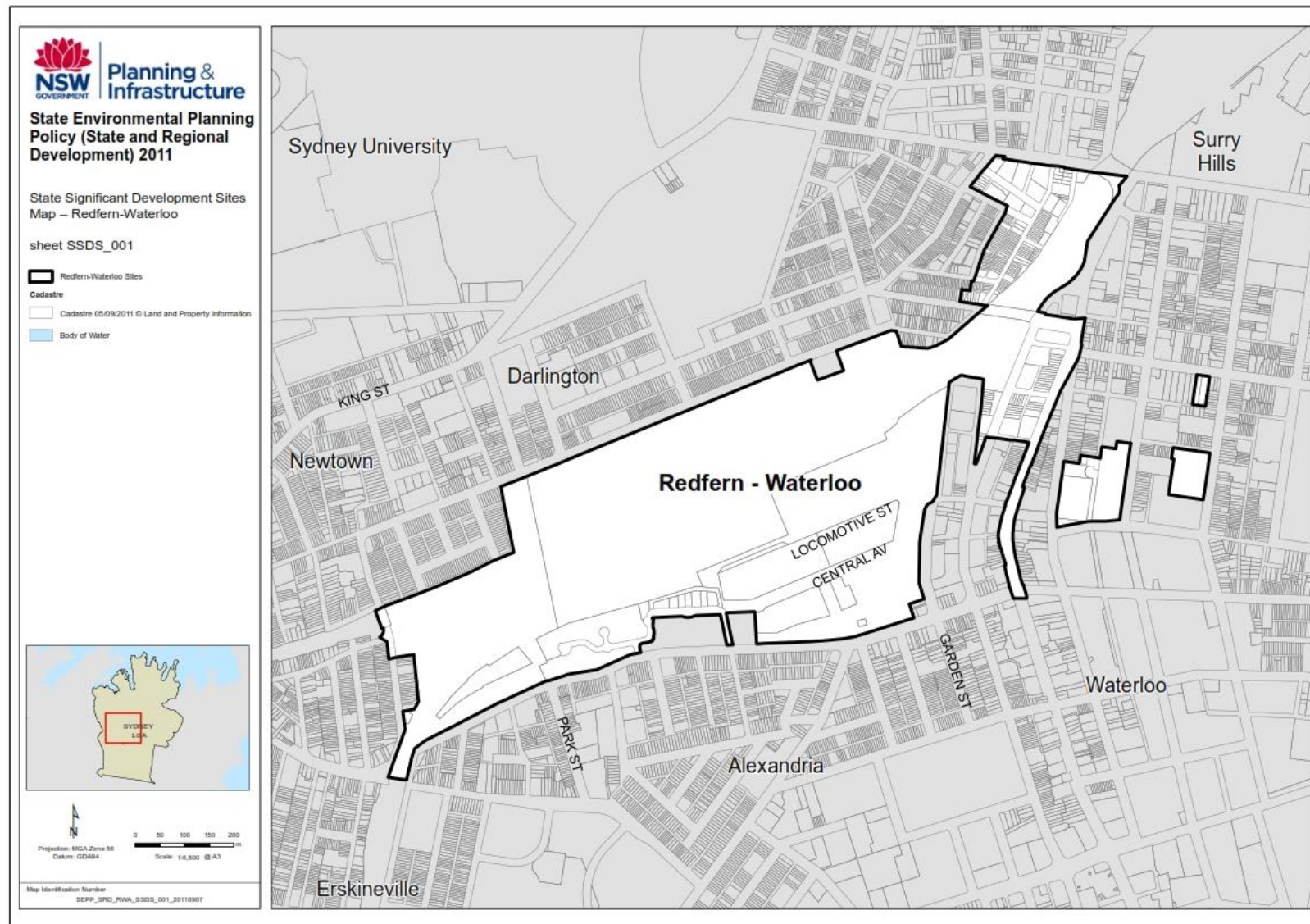
Figure 3: Curtilage of the heritage items within the Redfern-Waterloo Authority Sites area, study area shown in red.⁷⁷ NSW Government. Planning and Infrastructure

Figure 4: Curtilage of the Redfern-Waterloo State Significant Development Site.⁸⁸ NSW Government. *Planning & Infrastructure*

3.0 HISTORICAL BACKGROUND

The historical context of the study area has been largely adapted from previous SoHI reports prepared by Artefact Heritage in 2018 for adjacent sites at 13-23 Gibbons Street and 11 Gibbons Street. This information was compiled from cartographic material, illustrations and aerial photographs. Written histories and the results of archaeological investigations were also used. Other records, held for example by the State Records Office, have the potential to provide information about the historical context of the subject land. Such detail would not alter the recommendations of this report, although its limitations are acknowledged.

3.1 Aboriginal histories of the locality

Prior to the settlement of Europeans in 1788, areas surrounding Sydney Harbour were occupied by the Eora people. The name Eora is derived from Ea, meaning yes and ora, meaning this place or here.⁹ The Eora inhabited a territory bordered by the coast to the east, Pittwater and the mouth of the Hawkesbury River to the north and the Georges River and Botany Bay to the south. Their geographical location meant that the Eora subsisted on a predominantly marine based diet of fish, shellfish and edible plants from the shoreline. Today their occupation is evident from various middens, rock shelter art and engravings along the coastline.

The Eora were distributed into family and clan groups, which included different languages and varying settlements around the harbour. These groups comprised three main clans, the Gadigal, the Wanegal and the Cammeraygal.

Upon initial contact, the population of the Eora is likely to have been 1000; however, some estimates put the figure at between 3000-5000.¹⁰ The arrival of Europeans had a rapid effect on the Eora population due to introduced disease and dislocation and disruption of traditions and established behaviours. In 1789, the area was hit by an epidemic of smallpox-or similarly contagious disease-leading to a significant drop in population and by the 1820s, the number of Aboriginal people inhabiting the area had been irreversibly reduced.¹¹

Of the three Eora clans, the Gadigal people occupied the land closely associated with the study area. Their traditional occupation of the area is believed to have been for at least 20,000 years prior to European arrival in 1788. The territory associated with the Gadigal people stretched from the south side of Port Jackson from South Head to Petersham.¹²

3.2 Early land use and grants: 1788-1830s

The area today known as Redfern was likely being utilised by Europeans from the earliest years of the colony. It is located in close proximity to fresh water and food resources which may have made it popular to the early colonists.

The early years of the nineteenth century saw several large land grants made within Redfern. These included grants to Dr William Redfern, William Hutchinson, John Thomas Campbell and William Chippendale. These land parcels were mainly used as farming land. The study area is located within land granted to Chippendale (Figure 5). Chippendale had been officially granted 95-acres in 1819, however, he and his family had been residing on the land since 1817, during which time, the family had constructed a house and servants quarters.¹³ The land parcel was bordered by Black Wattle

⁹ Smith 2006

¹⁰ *Ibid*

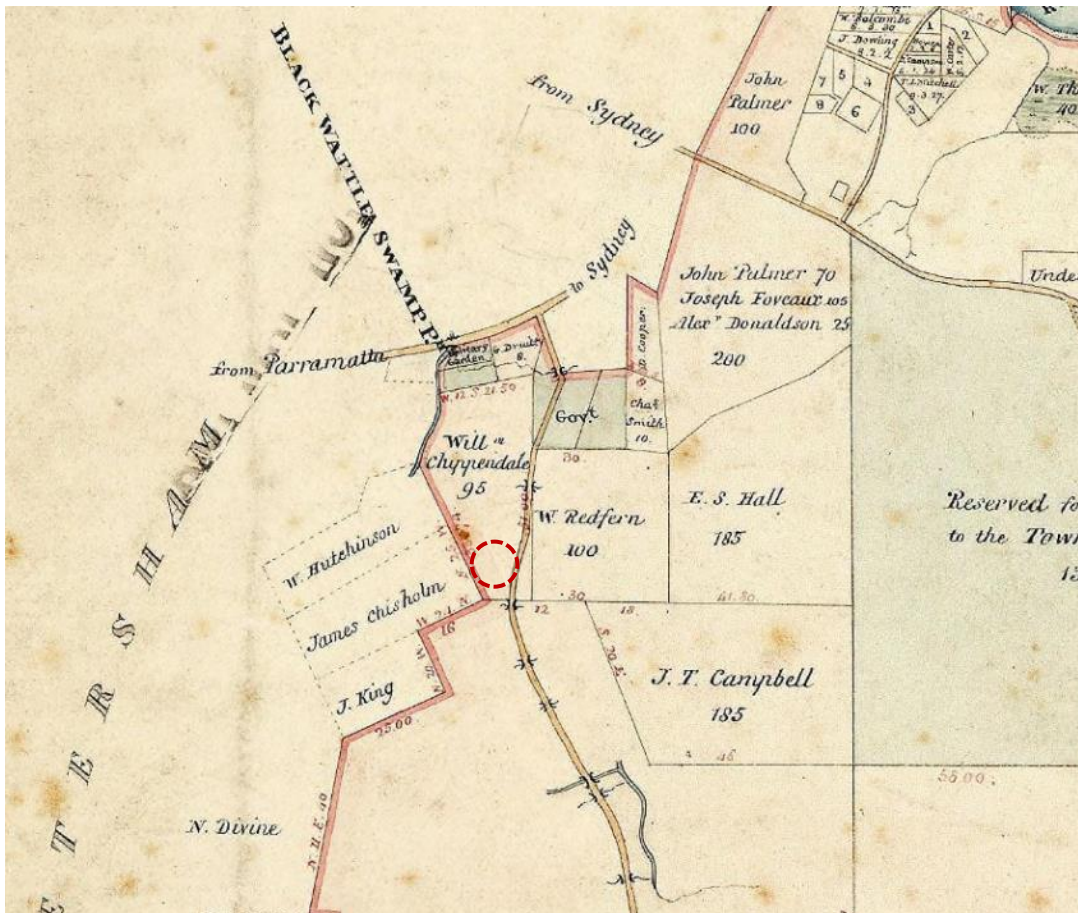
¹¹ Curon 1985:9

¹² Heiss 2002

¹³ Office of Environment and Heritage, 2018. 'Chippendale Heritage Conservation Area'. Viewed 27 June 2018 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2421466>

Swamp to the north west, Redfern's land grant to the east and William Hutchinson's land grant to the south. Chippendale undertook farming activities on his grant, but eventually sold the land to emancipist, Solomon Levey for £380 in 1821.¹⁴ Over the next few years, Levey sold portions of the land and by the time of his death in 1833, he held just over 30-acres of the original grant. After his death, Levey's heirs sold the land to neighbour, William Hutchinson.¹⁵ William Hutchinson, a former convict, had been granted a neighbouring 52-acre grant in 1819. William Hutchinson leased this land to small farmers and gardeners.

Figure 5: Undated parish map, showing the extent of Chippendale's grant. The approximate location of the study area is circled in red.¹⁶



3.3 Early subdivision 1830s-1860s

William Hutchinson subdivided his land in 1844 as the Chippendale Estate into six blocks, each to be inherited by his children. The blocks contained between seven and ten acres.¹⁷ The study area was located in Block E, and the area was recorded as being under cultivation. The Chippendale Estate was owned by Hutchinson until his death in 1846, when the land then passed to his children.

In the years following the 1842 subdivision of the Redfern Estate and 1844 subdivision of the Chippendale Estate, Redfern began to thrive. A survey produced by John Armstrong in 1844 (Figure 6) shows that the current study area bridges two leased portions of the former Chippendale estate. The northernmost portion of the study area was leased to an E. Fitzgibbons, and the southern portion to an S. Fubury. Both properties were fenced and 'under cultivation' at this time. The Fitzgibbon

¹⁴ Shirley Fitzgerald. 'Chippendale' *Sydney Journal* Vol. 1 (December 2008). pp 118-122.

¹⁵ Fitzgerald. 'Chippendale' (2008). pp 118-122.

¹⁶ NSW Department of Lands Parish Map No. 14066301, Parish of Alexandria

¹⁷ Cultural Resources Management June 2009: 25

property was associated with a small structure fronting present-day Marian Street. The Fubury property is associated with a larger residence, illustrated as having a verandah and outhouse. Both of these structures are located outside the current study area.

Figure 6: Detail from Armstrong's 1844 plan 'Part of the Chippendale Estate, the property of W. Hutchinson, and actual survey.' Study area outlined in red. SLNSW Z/M4811.1819/1844/1



By the 1850s, Redfern, and particularly Pitt Street in Redfern, had become an affluent and sought-after area. The architectural style of the residences built during this time reflect this affluence, as buildings were constructed with an attic storey, timber columns, French doors and stucco to resemble ashlar stonework.¹⁸ Between George and Pitt Streets, the courthouse, post office, police station and fire station were built.¹⁹

Due to Redfern's central location, the coming of the Sydney to Parramatta railway line in 1855 further boosted its development.²⁰ Land resumptions for the rail line facilitated inner city residential developments along the rail corridor, allowing for an increase in Redfern's population. By 1863,

¹⁸ OEH, 2006. 'Redfern Estate Heritage Conservation Area'.

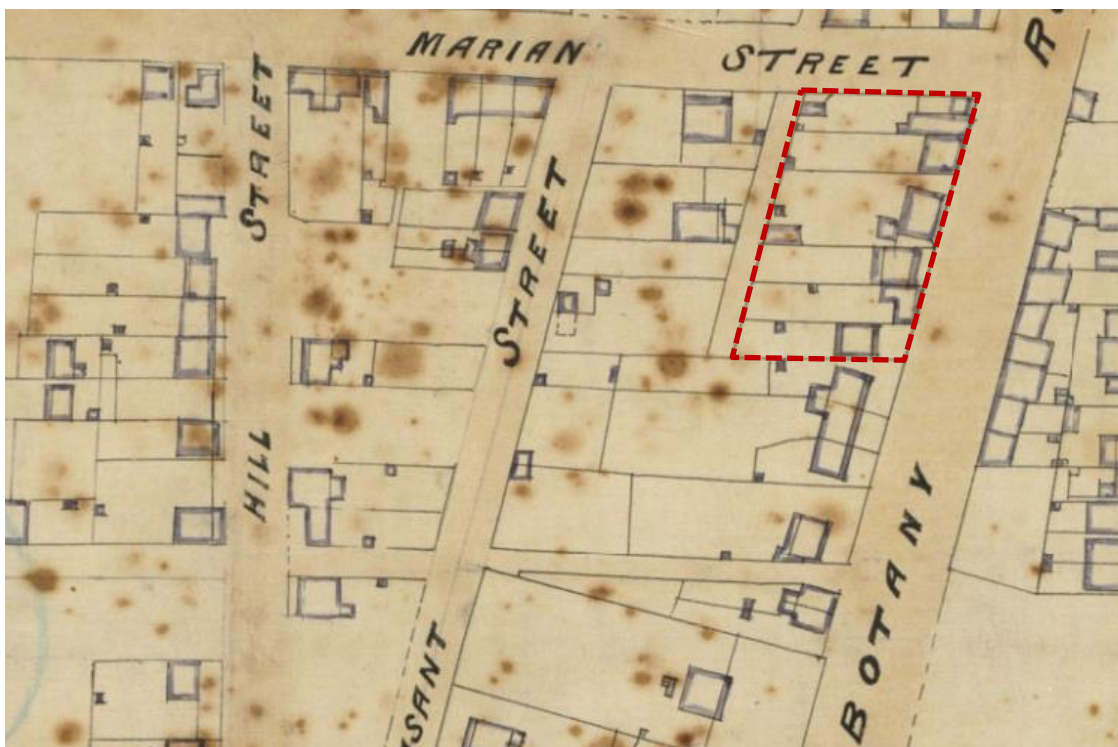
¹⁹ OEH, 2006. 'Redfern Estate Heritage Conservation Area'.

²⁰ Office of Environment and Heritage, 2009. 'Redfern Railway Station Group'. Viewed 27 June 2018 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5012154>

Botany Road had been surveyed as running from Mascot to Botany, also known as 'Corduroy Road', the road was charging a threepence toll until 1882. To support the new railway, horse-buses ran from the city along Botany Road and during the 1880s, a horse-powered tramline was introduced.

The new rail line and the subsequent creation of various municipalities, including Redfern in 1859 created a sense of community and local identity. New streets were aligned or solidified, along with upgrading of public services such as drainage routes. In the 1860s residential buildings appear within the study area on the 1864 plan of Redfern Municipality (Figure 7), with more buildings noted in the 1865 City of Sydney Trigonometric Survey (Figure 8). The first national school was opened in 1858, Prince Alfred Park became gazetted in 1865 and the Town Hall was established in 1870.²¹ From here, Redfern had developed into a thriving suburb with prospering business and became known as the Borough of Redfern, remaining an independent municipality until 1949 at which time Redfern was absorbed into the City of Sydney.

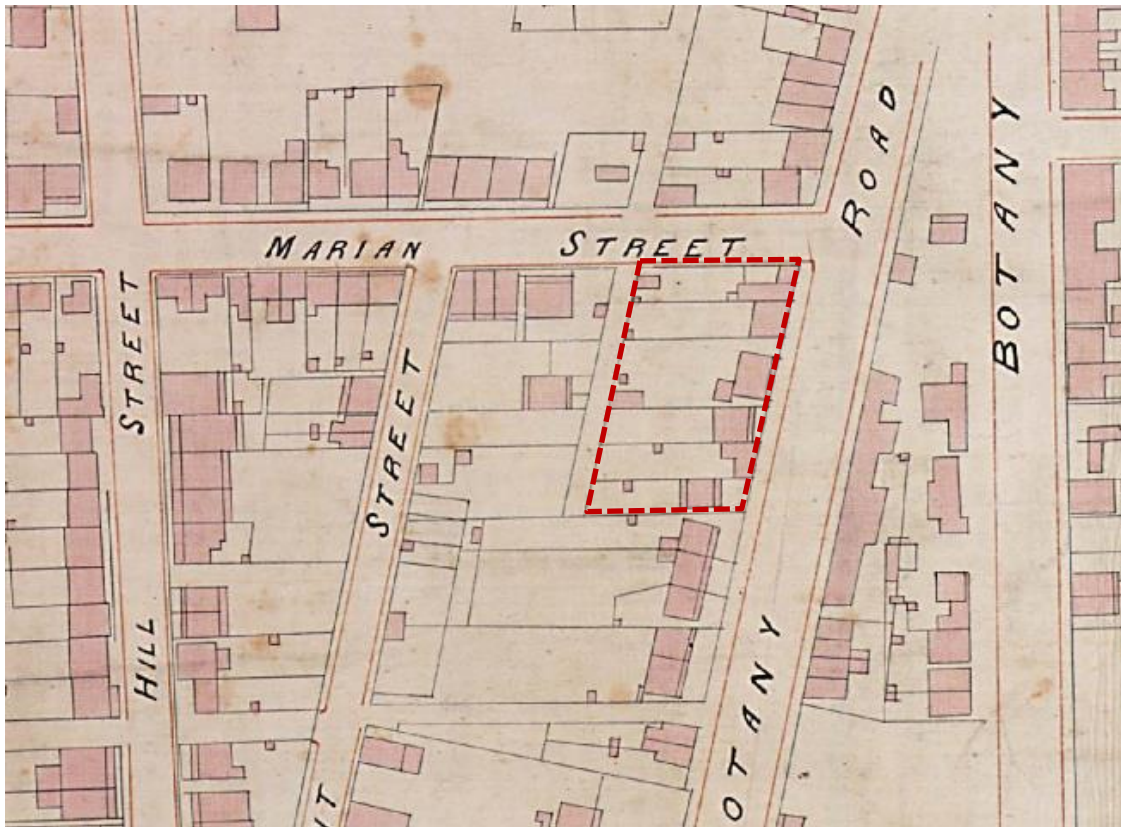
Figure 7: 1864 plan of Redfern Municipality, showing study area in red.²²



²¹ OEH, 2006. 'Redfern Estate Heritage Conservation Area'.

²² State Library of NSW, File a6850001

Figure 8: City of Sydney Trigonometrical Survey, 1864, showing study area in red.²³



3.4 Development of local area: 1870s-1900s

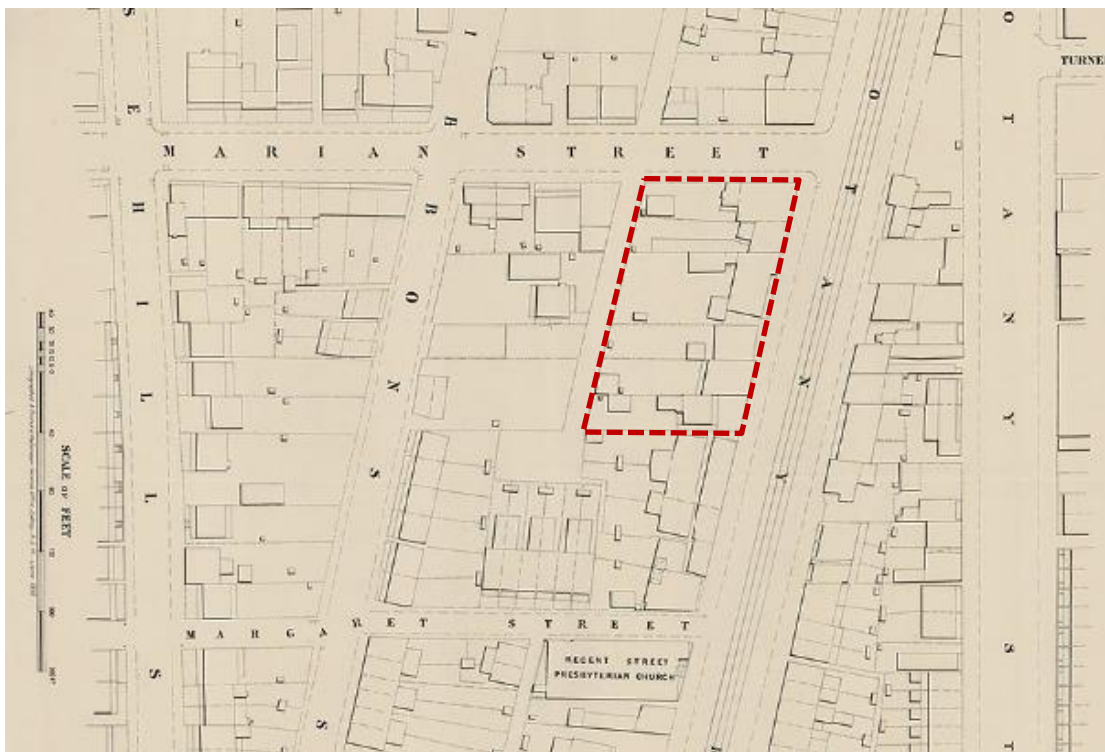
In 1884, a train station was built at Redfern, located to the northwest of the study area. At this time, the station was called Eveleigh Station, being renamed 'Redfern Station' in 1906. The station consisted of three island platforms serving four lines and a ticket office, later being expanded in 1912 to house 10 platforms. Construction of the original timber station had begun in 1883, with expansion continuing throughout the following years.

The station had been constructed to serve the Eveleigh Railway Workshops along with the inner-city residential and industrial suburb of Redfern.²⁴ With the construction of the workshops, came further subdivisions within Redfern providing more housing for workers and shopping facilities. These developments drastically altered the streetscape of Redfern. At this point the properties in Redfern consisted of a mix of residential and commercial premises, taking advantage of passing trade on busy Botany Road.

²³ City of Sydney 'Atlas of Sydney'

²⁴ Office of Environment and Heritage, 2009. 'Redfern Railway Station Group'. Viewed 27 June 2018 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=4801095>

Figure 9: Detail from the 1887 City of Sydney Section plan, showing study area in red.²⁵



3.5 Twentieth century development: 1900s-Present

The 1938 civic survey plan (Figure 10) indicates that at this time, the study area maintained its residential and commercial use. The site immediately to the west by this time had been established as a Council depot, which was constructed to provide waste, maintenances and construction services for the surrounding inner-city area. Directly west of the study area, Marian Street Park was officially established during the late 1970s. The land had been resumed for railway purposes in 1948, with demolition occurring shortly after, however the land never fulfilled its intended purpose and began to decay, thus a park was established.

With the depression of the 1890s and the Great Depression into the 1930s, the Eveleigh Workshops and residents of Redfern were hit with a period of severe downturn. This coupled with the transition from timber to steel and the move from steam to electric locomotives, the works at the Eveleigh Railway Workshops official closed by the end of the 1980s.

Strong working and social networks were built within Redfern and the Eveleigh Railway Workshops, with the Eveleigh complex becoming pivotal in the Australian Labour Movement. In addition to this, due to the close proximity of the La Perouse reserve, Aboriginal people had found employment within the factories of Chippendale, Waterloo, Alexandria and Redfern with the Eveleigh Workshops being no exception. There was a steady migration of Aboriginal people from rural centres due to the reasonable rent and employment opportunities of the area.²⁶ Redfern became a centre for activism by the mid-twentieth century and the first Aboriginal Football Club – the Redfern All Blacks – was established in 1944 having an important effect on the community. By 1960, the Aboriginal population

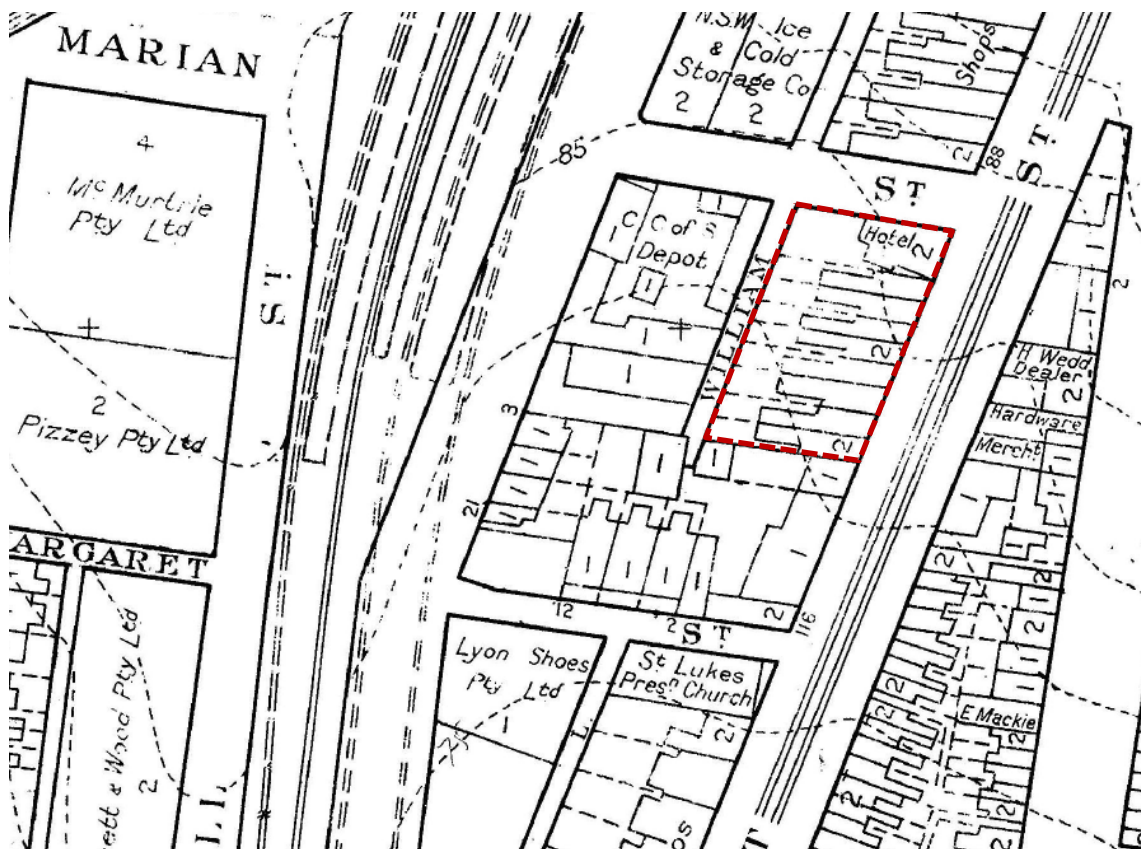
²⁵ State Library of NSW. *Redfern, Sheet 18, 1887*.

²⁶ Eveleigh Stories, 2018. 'Indigenous Connections' Viewed 27 June 2018 at: <https://eveleighstories.com.au/story/indigenous-connections>

in Redfern was estimated at 12,000, swelling to 35,000 in the 1970s. It was during this time that the Aboriginal Housing Company was formed to manage the grant known as 'The Block'.²⁷

In recent decades, there has been a rapid gentrification of inner Sydney suburbs, including Redfern.²⁸ In 2005, the NSW State Government formed the Redfern Waterloo Authority (RWA) with a focus on developing and gentrifying Redfern.²⁹ This development has seen an influx of students and young professionals to the area along with the establishment of new cafes, restaurants and bars. In addition, many of the industrial spaces have been redeveloped into residential spaces.³⁰ Around the 1990s to early 2000s, the study area (98-102) was redeveloped with the present medium density residential apartment building.

Figure 10: Detail from the 1938 Civic survey, showing study area in red.³¹



²⁷ Kay Anderson, 2000. 'Savagery and Urbanity: Struggles over Aboriginal Housing, Redfern, 1970-73', in Peter Read (ed), *Settlement: A History of Australian Indigenous Housing*. Aboriginal Studies Press, Canberra, p.130-143.

²⁸ George Morgan, 2012. 'Urban Renewal and the Creative Underclass', *Journal of Urban Affairs*, Vol. 34 No. 2, 207-222.

²⁹ Z. Begg & K. De Souza, 2009. 'Introduction', in Z. Begg and K. De Souza (eds), *There Goes the Neighbourhood: Redfern and the Politics of Urban Space*, Creative Commons, Sydney.

³⁰ AHMS, 2015. *Central to Eveleigh Corridor: Aboriginal and historical Heritage Review Final Report*. UrbanGrowth NSW, p. 21.

³¹ City of Sydney. *Civic survey, 1938-1950, Map 18*.

Figure 11: 1951 aerial photograph of study area.³²



3.6 History of the extant structures

3.6.1 90 Regent Street, Redfern: The Captain Cook Hotel/the Bunnerong Hotel

The former Bunnerong Hotel (originally named the Captain Cook Hotel) is located at the corner of Regent and Marian Streets. However, the hotel was originally located slightly south of its current location, as seen in Figure 13. Although an exact date of establishment is unclear, the original Captain Cook Hotel is first mentioned within the Sands Directory in 1870 in which T. Howard is listed as residing in the hotel. An additional listing from 1880 identifies Mrs Maria McBride as a resident. The Captain Cook Hotel is also listed in an 1888 Government Gazette advertising the transfer of assets to a Norah Moylan, on the death of her publican husband, John Moylan.³³

The reconstruction of the Captain Cook Hotel began in 1890, when Walter Liberty Vernon was commissioned for the redevelopment of the corner allotment of Regent and Marian Streets. The original drawings (Figure 12 and Figure 13) note a proposal date of June 1890, shortly before Vernon's appointment as the NSW Government Architect in August of that year.³⁴ Due to his new position, Vernon invited his fellow architect and collaborator, Howard Joseland, to take over his practice on Pitt Street, Sydney.³⁵ In November of the same year, Joseland advertised a tender for the

³² NSW Government. Historical Imagery

³³ ECCLESIASTICAL JURISDICTION. (1888, November 27). New South Wales Government Gazette (Sydney, NSW: 1832 - 1900), p. 8435. Retrieved June 18, 2019, from <http://nla.gov.au/nla.news-article221688964>

³⁴ Peter Reynolds, 'Vernon, Walter Liberty (1846–1914)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/vernon-walter-liberty-8916/text15667>, published first in hardcopy 1990, accessed online 15 July 2019.

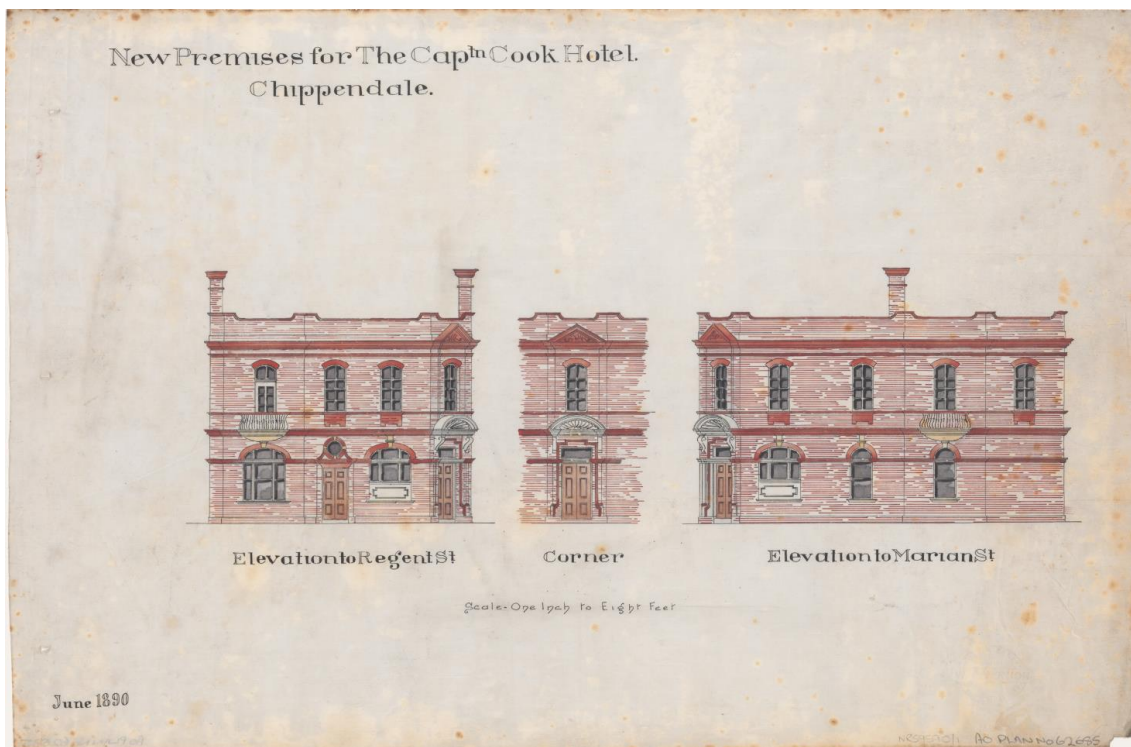
³⁵ Patricia Chisholm, 'Joseland, Richard George Howard (Howard) (1860–1930)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/joseland-richard-george-howard-howard-6886/text11937>, published first in hardcopy 1983, accessed online 15 July 2019.

'the erection of the new Captain Cook Hotel, Redfern, for the Assets Realisation Company'³⁶ in the Sydney Morning Herald.

As seen in Figure 12 to Figure 14, the original plans for the Captain Cook Hotel included architectural details and a floor plan that are not evident within the existing building. It is noted the building has undergone various internal and external modifications throughout its lifetime, and although some elements of Vernon's original plans are present at 90 Regent Street (internal layout of front rooms to the ground and first floor, segmental arch fenestration) the proposed plans drawn by Vernon do not consistently match the internal layout, nor display evidence of the intricate façade details. In addition, as documented above, the drawings were completed by June 1890 and the tender for works was advertised in November that same year by Vernon's former colleague. It is therefore conceivable that Joseland may have altered the original Vernon plans prior to construction.

Nevertheless, Vernon's designs were an obvious inspiration to the design of the facade and parts of the internal layout, as evident in the duplicated internal layout of the front rooms, the majority of the fenestration and their siting and the parapet detailing. These elements, coupled with the building being the only recorded public house designed by Vernon, display a clear association to the early works of the prominent architect.

Figure 12: New Premises for the Captain Cook Hotel Plan, June 1890.³⁷



³⁶ "Advertising" The Sydney Morning Herald (NSW: 1842 - 1954) 7 November 1890: 8. Web. 15 Jul 2019 <<http://nla.gov.au/nla.news-article13775593>>.

³⁷ W. L. Vernon, 1890. 'Captain Cook Hotel, Regent and Marian Streets'. Accessed 18 June 2019, https://www.records.nsw.gov.au/image/9590_62685#

Figure 13: New Premises for the Captain Cook Hotel, June 1890.³⁸

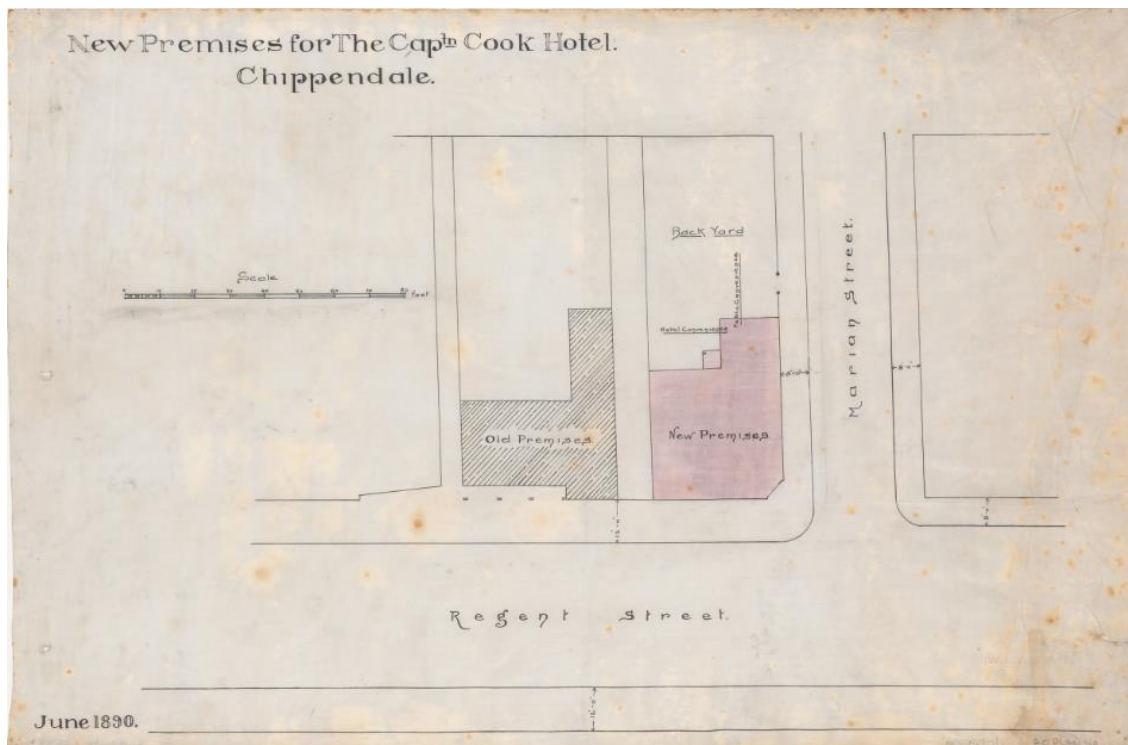
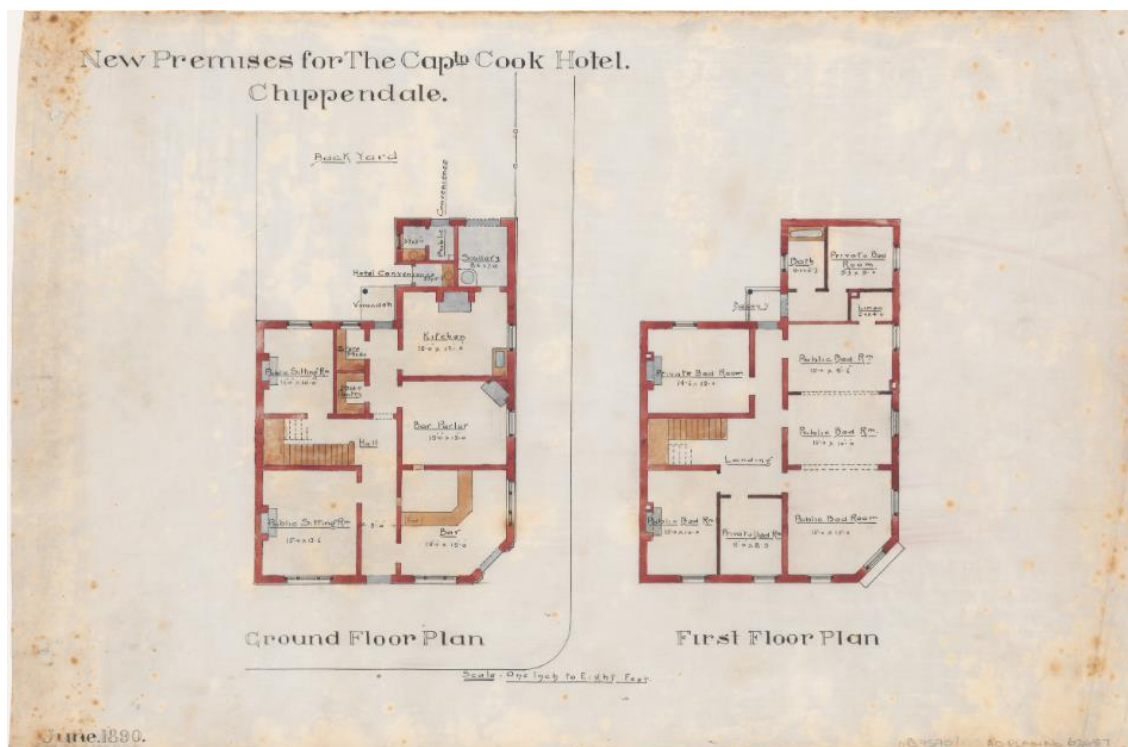


Figure 14: New Premises for the Captain Cook Hotel, June 1890.³⁹



³⁸ W. L. Vernon, 1890. 'Captain Cook Hotel, Regent and Marian Streets'. Accessed 18 June 2019, https://www.records.nsw.gov.au/image/9590_62688#

³⁹ W. L. Vernon, 1890. 'Captain Cook Hotel, Regent and Marian Streets'. Accessed 18 June 2019, https://www.records.nsw.gov.au/image/9590_62687#expanded

Unlike other public houses at the time, the re-opening of the hotel was not advertised. The public house was clearly established by June 1892, when Moylan's liquor licence was renewed, despite the objections of the police department.⁴⁰ The hotel changed names in 1895, as it is mentioned within an article in the *National Advocate* dated March 1895 as the Captain Cook Hotel,⁴¹ and within the *Australian Star* in November 1895 as the Bunnerong Hotel.⁴² In addition, the Bunnerong Hotel is listed in the Sands Directory of 1896 in association with A. J. Hammond and again in 1901 in association with Mrs Ellen Devir.

In 1902⁴³ and 1903, the hotel (and its surroundings allotments) was listed for sale. The property was advertised as 'Newly built of brick, two-storey, with full accommodation'.⁴⁴ Early licensees included Cornelius Devir, a reportedly well-liked publican,⁴⁵ whose wife, Ellen, would retain the license of the hotel until 1938.⁴⁶ During the 1940s, the hotel was transferred between the Finlayson family⁴⁷ and George Albert Kennedy.⁴⁸ Although the public house generated modest beverage sales throughout the 1960s and 1970s,⁴⁹ the establishment was listed for sale in 1981 as a 'licensed freehold – vacant possession'⁵⁰, with the physical description of the building including the neighbouring properties of 92 and 94 Regent Street:

*'An older style 2 storey brick building with 2 attached, 2 storey single fronted brick shops and residences. Hotel comprises public bar, games room, 2 storerooms, laundry, 4 bedrooms, lounge-dining room, kitchen, sealed yard and carport'*⁵¹

The hotel was de-licensed and closed less than a year later in February 1982,⁵² from which point it has served a number of uses, including medical centre, office space and residential dwelling.⁵³

⁴⁰ "LICENSING COURT." The Sydney Morning Herald (NSW: 1842 - 1954) 8 June 1892: 5. Web. 15 Jul 2019 <<http://nla.gov.au/nla.news-article13860603>>.

⁴¹ Dishonest Publicans. (1895, March 29). National Advocate (Bathurst, NSW: 1889 - 1954), p. 3. Retrieved July 15, 2019, from <http://nla.gov.au/nla.news-article156694450>

⁴² CENTRAL LICENSING COURT. (1895, November 12). *The Australian Star* (Sydney, NSW: 1887 - 1909), p. 6. Retrieved June 14, 2019, from <http://nla.gov.au/nla.news-article227268432>

⁴³ The Sydney Morning Herald (Sydney, New South Wales, Australia) 18 Jun 1902, Wed. Page 3. Retrieved July 9, 2019 from

newspapers.com/image/122553504/?terms=Bunnerong%2BHotel

⁴⁴ The Sydney Morning Herald (Sydney, New South Wales, Australia) 28 Nov 1903, Sat. Page 19. Retrieved July 9, 2019 from:

newspapers.com/image/125640275/?terms=Bunnerong%2BHotel

⁴⁵ Mr. Cornelius Devir, Redfern. (1913, April 10). Freeman's Journal (Sydney, NSW: 1850 - 1932), p. 17.

Retrieved July 9, 2019, from <http://nla.gov.au/nla.news-article108163847>

⁴⁶ The Sydney Morning Herald (Sydney, New South Wales, Australia) 03 May 1927, Tue. Page 8. Retrieved July 9, 2019 from

newspapers.com/image/126122732/?terms=Bunnerong%2BHotel

⁴⁷ The Sydney Morning Herald (Sydney, New South Wales, Australia) 08 Jul 1942, Wed. Page 10. Retrieved July 9, 2019 from

www.newspapers.com/image/124262041/?terms=Bunnerong%2BHotel

⁴⁸ The Sydney Morning Herald (Sydney, New South Wales, Australia) 12 Aug 1941, Tue. Page 7. Retrieved July 9, 2019 from

www.newspapers.com/image/124308671/?terms=Bunnerong%2BHotel

⁴⁹ Australian National University. Noel Butlin Archives Centre. Tooth's and Company Limited Yellow Cards. Card 7, Side 1. 1960. 'Bunnerong Hotel'. Accessed 9 July 2019, <https://openresearch-repository.anu.edu.au/handle/1885/96745>

⁵⁰ The Sydney Morning Herald (Sydney, New South Wales, Australia) 18 Jul 1981, Sat Page 112. Retrieved July 9, 2019 from

newspapers.com/image/121169421/?terms=%22Bunnerong%2BHotel%22

⁵¹ *ibid*

⁵² Australian National University. Noel Butlin Archives Centre. Tooth's and Company Limited Yellow Cards. Card 7, Side 1. 1960. 'Bunnerong Hotel'. Accessed 9 July 2019, <https://openresearch-repository.anu.edu.au/handle/1885/96745>

⁵³ Author unknown, n.d. 'Former Bunnerong Hotel, Redfern'. Accessed 18 June 2019, <https://www.gdaypubs.com.au/NSW/sydney/redfern/50278/former-bunnerong-hotel.html>

Figure 15: Bunnerong Hotel, 1930.⁵⁴



Figure 16: Bunnerong Hotel, 1949.⁵⁵



⁵⁴ Author unknown, n.d. 'Bunnerong Hotel'. Accessed 14 June 2019, <https://openresearch-repository.anu.edu.au/handle/1885/16297>

⁵⁵ Author unknown, 1949. 'Bunnerong Hotel'. Accessed 14 June 2019, <https://openresearch-repository.anu.edu.au/handle/1885/16297>

Figure 17: Bunnerong Hotel, c1960s.⁵⁶



Figure 18: Bunnerong Hotel, 1970.⁵⁷



⁵⁶ Author unknown, c1960. 'Bunnerong Hotel'. Accessed 14 June 2019, <https://openresearch-repository.anu.edu.au/handle/1885/16297>

⁵⁷ Author unknown, 1970. 'Bunnerong Hotel'. Accessed 14 June 2019, <https://openresearch-repository.anu.edu.au/handle/1885/16297>

Figure 19: Plans depicting the proposed renovations to the building in 1985.⁵⁸

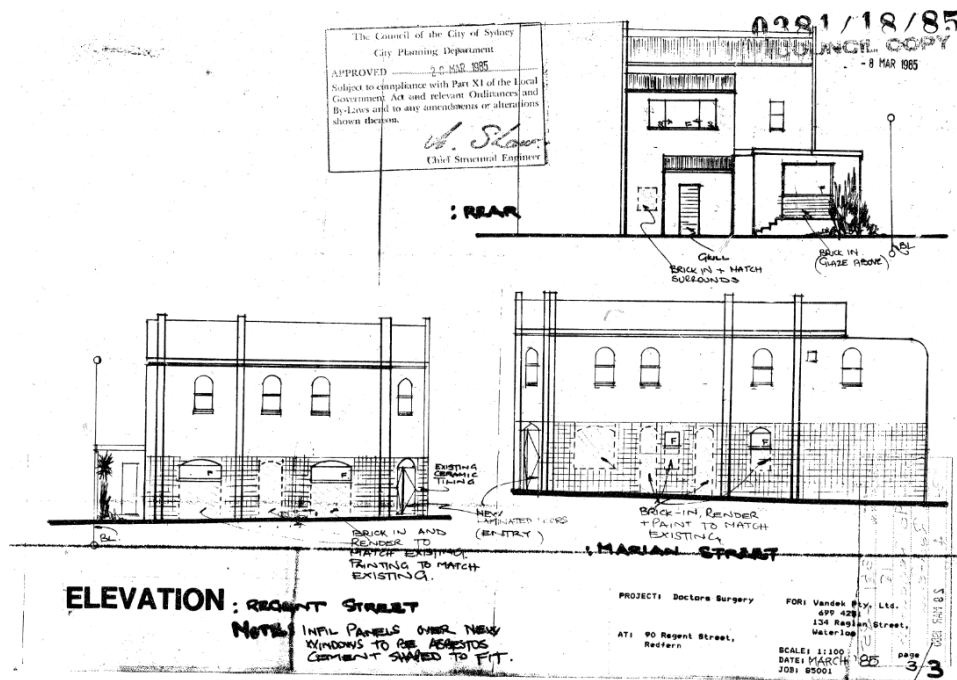
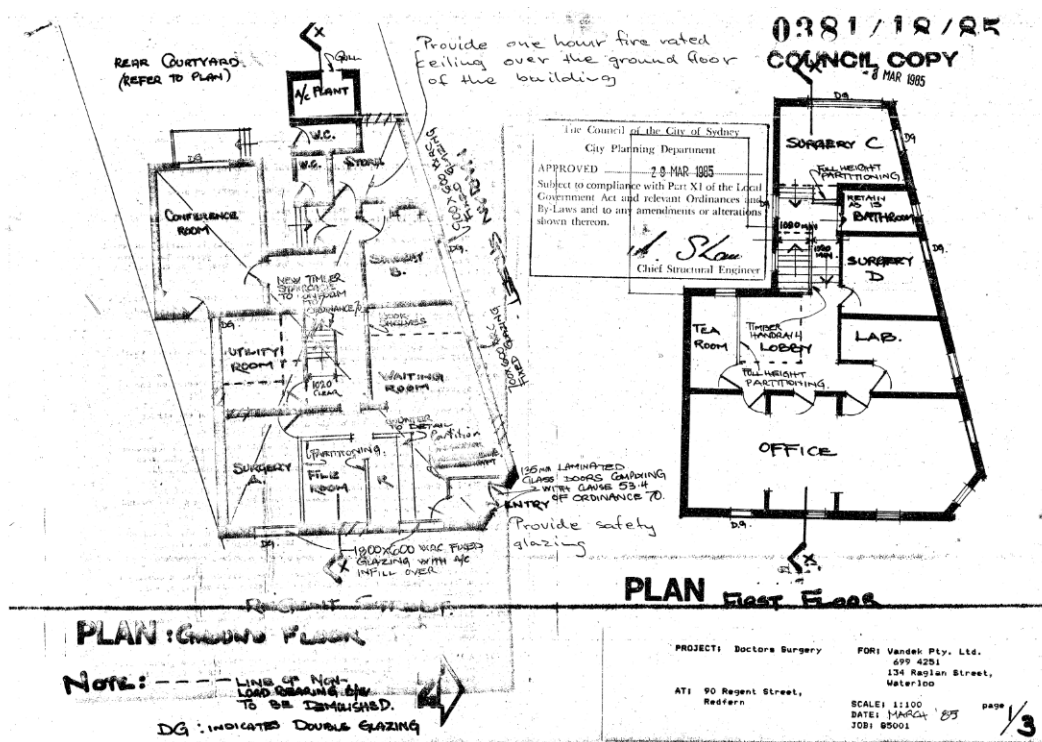


Figure 20: Plans depicting the proposed renovations to the building in 1985.⁵⁹



⁵⁸ Source: City of Sydney Archives

⁵⁹ Source: City of Sydney Archives

Figure 21: Former Bunnerong Hotel, 1995.⁶⁰



Figure 22: Former Bunnerong Hotel, 2008.⁶¹



⁶⁰ Jon Graham, 1995. 'Former Bunnerong Hotel'. Accessed 14 June 2019, <https://www.gdaypubs.com.au/NSW/sydney/redfern/50278/former-bunnerong-hotel.html>

⁶¹ Jon Graham, 2008. 'Former Bunnerong Hotel'. Accessed 14 June 2019, <https://www.gdaypubs.com.au/NSW/sydney/redfern/50278/former-bunnerong-hotel.html>

3.6.2 92 and 94 Regent Street, Redfern

As noted above and depicted in Figure 13, the siting of the original Captain Cook hotel was within the current allotments of 92 and 94 Regent Street, Redfern. The existing structures share a consistent architectural style, giving weight to their concurrent construction, which appears to have been completed around the same time as the adjacent hotel.⁶² During the late 19th and the early 20th century, the buildings were occupied by a variety of trades including, fruiterers,⁶³ furniture⁶⁴ and second-hand dealers.⁶⁵ By the 1950s through to the 1980s, the buildings were utilised for various dealers,⁶⁶ and manufacturers, including the fiberglass industry.⁶⁷ As noted above, the buildings were listed for sale in 1981 as part of the Bunnerong Hotel sale. In 1986, DB Studios occupied the building at 94 Regent Street,⁶⁸ while 92 Regent Street was occupied by real estate agents, LJ Hooker⁶⁹ until the mid-1990s, when both buildings were listed for auction.⁷⁰

3.6.3 96 Regent Street, Redfern

The allotment known as 96 Regent Street, Redfern was purchased by George Rudkin Jackson, a master mariner, in 1905.⁷¹ Sydney Gentleman Charles Adolphus de Kantzow purchased the property in 1931⁷² and leased the ground floor store out to a poultry supplier⁷³ throughout the next decade. In the early 1940's, the building was listed for auction as a:

*Single-fronted two-story shop and dwelling, built of brick, iron roof, having cantilevered awning, tiled shop front and containing balcony, shop, dining-room, 3 bedrooms, bathroom, kitchen and laundry.*⁷⁴

By the 1970s, the building was occupied by Jenkins Redfern Florist (see Figure 23), and was later utilised as a clothing store from the 1980s until the mid-1990s⁷⁵

⁶² Sands Directory. 1891

⁶³ Sands Directory. 1891

⁶⁴ Sands Directory. 1895

⁶⁵ Sands Directory. 1910

⁶⁶ (1950). Wise's New South Wales post office directory Retrieved July 10, 2019, from <http://nla.gov.au/nla.obj-652609917>

⁶⁷ The Sydney Morning Herald (Sydney, New South Wales, Australia) 14 Apr 1956, Sat. Page 17. Retrieved 10 July 2019 from: newspapers.com

⁶⁸ The Sydney Morning Herald (Sydney, New South Wales, Australia) 13 Feb 1986, Thu. Page 5. Retrieved 10 July 2019 from newspapers.com

⁶⁹ The Sydney Morning Herald (Sydney, New South Wales, Australia) 16 Mar 1985, Sat. Page 132. Retrieved 10 July 2019 from: newspapers.com

⁷⁰ The Sydney Morning Herald (Sydney, New South Wales, Australia) 02 Mar 1994, Wed. Page 37. Retrieved 10 July 2019 from newspapers.com

⁷¹ NSW Land Registry Services. Vol 1605 Fol 98.

⁷² NSW Land Registry Services. Vol 4489 Fol 13.

⁷³ (1937). Wise's New South Wales post office directory Retrieved July 10, 2019, from <http://nla.gov.au/nla.obj-639986210>

⁷⁴ The Sydney Morning Herald (Sydney, New South Wales, Australia) 01 Dec 1943, Wed. Page 4. Retrieved 10 July 2019 from newspapers.com

⁷⁵ The Sydney Morning Herald (Sydney, New South Wales, Australia) 08 Dec 1988, Thu Page 9. Retrieved 10 July 2019 from newspapers.com

Figure 23: Jenkins Florist Redfern, located at 96 Regent Street, Redfern during the 1970s.⁷⁶



Figure 24: Photographic evidence of the earlier building located at 98 Regent Street. Building is highlighted in red⁷⁷



3.6.4 98 –102 Regent Street, Redfern

The building located at 98-102 Regent Street, Redfern was constructed in 1998.⁷⁸ Prior to the establishment of the current built form, the allotment consisted of two storey shop-top single fronted buildings. These earlier buildings were constructed around the turn of the century and were occupied by a variety of businesses, including a crockery store (98)⁷⁹, a draper (100)⁸⁰ and a tailor (102).⁸¹

98 Regent Street was listed for rent during the 1930s. During the 1950s, the building was occupied by Robert Carbery, a rags dealer,⁸² and later transformed into a coffee shop and café in the 1960s.⁸³ By the 1970s, the site was occupied by a clothing factory.⁸⁴ 100 Regent Street was occupied by a milliner during the 1930s,⁸⁵ later advertised for lease in 1936⁸⁶ and 1942⁸⁷ as a:

⁷⁶ City of Sydney Archives. NSCA CRS 1140, SSMC Heritage Photographic Survey. CRS1140:BM704. Retrieved 10 July 2019 from: photosau.com.au/cos/scripts/ExtSearch.asp?SearchTerm=058178

⁷⁷ Author unknown, c1960. 'Bunnerong Hotel'. Accessed 14 June 2019, <https://openresearch-repository.anu.edu.au/handle/1885/16297>

⁷⁸ The Sydney Morning Herald (Sydney, New South Wales, Australia) 17 Jan 1998, Sat. Page 126. Retrieved 10 July 2019 from [newspapers.com/image/119754020/?terms=%22100%2BRegent%2Bstreet%22](https://www.newspapers.com/image/119754020/?terms=%22100%2BRegent%2Bstreet%22)

⁷⁹ Sands Directory, 1915

⁸⁰ ibid

⁸¹ ibid

⁸² City of Sydney Archives. 18 Dec 1952. 1232/52.3760

⁸³ City of Sydney Archives. 30 Jun 1961. 3872/61.7824

⁸⁴ City of Sydney Archives. 03 May 1971. 129/71. 3927

⁸⁵ Sands Directory, 1930

⁸⁶ The Sydney Morning Herald (Sydney, New South Wales, Australia) 13 May 1936, Wed, Page 5. Retrieved 10 July 2019 from <https://www.newspapers.com/image/124348719/?terms=%22100%2BRegent%2Bstreet%22>

⁸⁷ The Sydney Morning Herald (Sydney, New South Wales, Australia) 27 May 1942, Wed, Page 3 retrieved 10 July from <https://www.newspapers.com/image/122494138/?terms=%22100%2BRegent%2Bstreet%22>

'lock-up shop, 10ft by 30ft, central position...⁸⁸ (with) dwelling of four rooms, kitchen etc'⁸⁹

The building was later occupied by a barber shop in the mid-1960s.⁹⁰ 102 Regent Street was occupied by various tailors until the 1950s⁹¹, and later associated with the sale of electrical appliances in the 1960s.⁹²

In 1972, Gunnar Jensson applied for the demolition of the buildings 98-102,⁹³ to be followed by the construction of an office and shop building. As stated above, by 1998 the existing building, established as "Regency Mews" was advertised for sale.

⁸⁸ *ibid*

⁸⁹ The Sydney Morning Herald (Sydney, New South Wales, Australia) 13 May 1936, Wed, Page 5

⁹⁰ City of Sydney Archives. 06 Dec 1965. 787/2/0437. 2.

⁹¹ The Sydney Morning Herald (Sydney, New South Wales, Australia) 12 Nov 1955, Sat. Page 50. Retrieved 10 July 2019 from: <https://www.newspapers.com/image/122633166/?terms=%22102%2BRegent%2Bstreet%22>

⁹² City of Sydney Archives. 01 Nov 1967. 0947/67. 3871

⁹³ City of Sydney Archives. 16 June 1972. 238/42. 3954.

4.0 SITE INSPECTION

4.1 Background

A site inspection was undertaken by Charlotte Simons (Artefact Heritage) and Alyce Haast (Artefact Heritage) on 24 September 2018. Additional site inspections were undertaken by Sophie Barbera (Artefact Heritage) and Alyce Haast (Artefact Heritage) on 9 July 2019 and 30 January 2020. The inspection was necessary to determine the extent of the study area, assess views and vistas, and potentially identify and assess any areas of disturbance for archaeological potential. The survey area was covered on foot and the survey was undertaken in accordance with best practice standards.

4.2 Site description (90-102 Regent Street, Redfern)

The study area is located at 90-102 Regent Street, Redfern. The study area location currently comprises of a row of five brick buildings. Detailed descriptions of the buildings are as follows:

4.2.1 90 Regent Street

A two-storey brick building (c1891). Externally, much of the original and early details of the building have been removed or modified, resulting in an illegible design. The northern façade features three double hung windows to the first floor, while the ground floor fenestration has been repeatedly modified over time, most recently with the siting of a door and window within the original arched window casement and the infill of two doorways into the property from this elevation. Intrusive elements along this façade include security bars to the ground floor fenestration.

The main entry (now inaccessible) into the building is located on the corner of Regent and Marian Streets and has been modified from the original design and its earlier aesthetic qualities, current consisting of a single aluminium and glass door with security bars covering the entryway. The eastern façade displays the fenestration location of an additional entryway. This elevation also retains the arched fenestration location of an additional entryway. The elevation also retains the arched fenestration of the original design which has been subject to some modification. There is evidence of the earlier tiled façade of the building (see Figure 26). A small courtyard and parking area is located to the rear of the building

Figure 25: View towards 90 Regent Street at the corner of Regent and Marian Streets



Figure 26: View of existing early tiles, painted over during the building's lifetime



Internally, the building has undergone substantial modification since its construction in the 1890s. Much of the internal fabric has been removed and replaced with modern materials. Early elements such as a hallway arch (the first floor) and the cellar stairs have been retained, however the majority of the original contributory elements have been removed. As highlighted above, the existing layout (Figure 29 and Figure 30) does not completely correspond to the original plans by Vernon, nor do they respond to the later 1985 plans (Figure 20).

Figure 27: View of façade from Regent Street.



Figure 28: View of current ground floor elevation.



Figure 29: View of current ground floor layout



Figure 30: View of current first floor layout.



Figure 31: View of current ground floor rear room. Note infilled fireplace.



Figure 32: View of existing basement stairs.



Figure 33: View north within the front ground floor room of the building



Figure 34: View east towards the front room of the ground floor and later stairway.



Figure 35: View of a first-floor bedroom infilled fireplace.



Figure 36: View of the first-floor decorative archway.



4.2.2 92 Regent Street

92 and 94 Regent Street were built as a set of two, two storey shop top brick buildings with original shop entryways intact. 92 Regent Street has been modified on the ground floor with little original fabric remaining, with the exception of the exterior brickwork and the original shop entry, including the tiled façade, floor tiling and pressed metal ceiling to the front awning. The first floor has remained relatively intact, with contributory elements including various press metal ceilings to almost all rooms and an original fireplace located in the front first floor room. Windows and air vents remain intact and some early gas lamp fixtures are located within rooms on the first floor. The rear allotment of the building has been modified (concrete driveways), however the original built form has been retained.

Figure 37: View of 92 Regent Street original shop entry (concealed)



Figure 38: View of 92- 94 Regent Street.



Figure 39: View of the northern elevation of the building from 90 Regent Street.



Figure 40: View of the rear elevation of the building.



Figure 41: Interior view towards original vents within ground floor of dwelling.



Figure 42: View east towards the original shop front on the ground floor of the building.



Figure 43: View of interior stairwell. Note original pressed metal ceiling.



Figure 44: View of original pressed metal ceiling within the first floor.



Figure 45: View of original rear room of first floor. Note pressed metal ceiling.



Figure 46: Pressed metal ceiling detailing within the middle first floor room.



Figure 47: View of existing fireplace within the first-floor front room.



Figure 48: View of the pressed metal ceiling within the first-floor front room.



4.2.3 94 Regent Street

92 and 94 Regent Street were built as a set of two, two-storey shop top brick buildings with original shop entryways intact. 94 Regent Street has been modified on the ground floor with little original fabric remaining, with the exception of the exterior brickwork and the original shop entry, including the tiled façade, floor tiling and pressed metal ceiling to the front awning. A small fireplace remains intact on the ground floor. The first floor has remained relatively intact, with contributory elements including various press metal ceilings to almost all rooms and an original fireplace located in the front first floor room. A portion of the hallway wall has been removed for the introduction of a kitchenette; however, the original pressed metal ceiling remains intact. Windows and air vents remain intact and some early gas lamp fixtures are located within rooms on the first floor. The rear allotment of the building has been modified (concrete driveways), however the original built form has been retained.

Figure 49: View of 94 Regent Street original shop entry



Figure 50: View of 92- 94 Regent Street.



Figure 51: View of the ground floor shop entry. Figure 52: View of the ground floor fireplace.

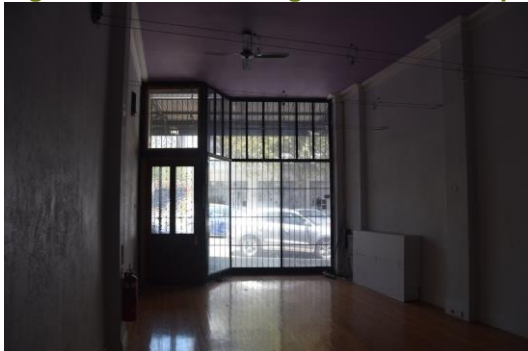


Figure 53: View west of the ground floor shop to the front of the building. Note removal of original ceiling.

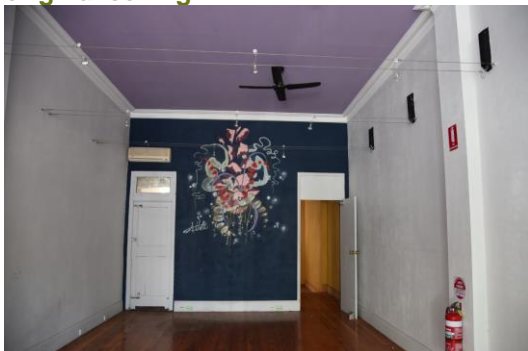


Figure 54: View of first floor pressed metal ceiling.



Figure 55: Interior view of first floor room.



Figure 56: View of first floor pressed metal ceiling.



Figure 57: View of interior first floor kitchenette. Note: removal of internal wall.



Figure 58: View of existing fireplace on the first floor of building.



Figure 59: View of the first-floor pressed metal ceiling in front room.



Figure 60: Close up image of pressed metal ceiling.



4.2.4 96 Regent Street

A two-storey brick shop top structure, with a detailed sun motif displayed along the first-floor façade, outlining the original opening to this area (since infilled). Earlier images show the original shop entryway, which has since been modified, although earlier tiles are still present along the front façade. Internally, the building has been heavily modified on the ground floor with noticeable new intrusive additions made over time. The first floor contains original contributory elements including pressed metal ceilings of various designs to all rooms. An original fireplace has been infilled to the front first floor room.

Figure 61: View of 96 Regent Street original shop entry



Figure 62: View of 92- 96 Regent Street.



Figure 63: View of ground floor pressed metal ceiling.



Figure 64: Close up image of the pressed metal ceiling to the existing staircase.



Figure 65: View of the ground floor shop entrance. Note modifications.



Figure 66: View of the ground floor additions and modifications.



Figure 67: Pressed metal ceiling located in the stairway.



Figure 68: Pressed metal ceiling located in the existing bathroom area.



Figure 69: Pressed metal ceiling located in first floor rear room.



Figure 70: Pressed metal ceiling located first floor middle room.



Figure 71: Image of first floor pressed metal ceilings within hallway.



Figure 72: View of infilled fireplace within the first-floor front room.



Figure 73: Image of the front room of the first floor.



Figure 74: Image of the pressed metal ceilings of the front room.



4.2.5 98-102 Regent Street

A three-storey brick and concrete apartment block, c1998. Access was not available to the interior of the building. No significant fabric was evident during the site inspection.

Figure 75: View of existing 1998 building at 98-102 Regent Street



Figure 76: View of existing rear of 98-102 Regent Street



4.3 Nearby heritage listed items with the study area (150m buffer zone)

4.3.1 Redfern Railway Station Group (SHR 01234)

The Redfern Railway Station Group is situated on the western edge of the suburb of Redfern. It is positioned between Gibbons and Little Eveleigh Streets. The precinct is bordered by high density residential areas and small shops to the east and west, whilst the rail line is situated to the north and south. The precinct borders various other heritage items including the Eveleigh Railway Workshops (SHR Listing No. 01140).

The main entrance to the station is via the Lawson Street overbridge, to the north of the station, with additional access via Gibbons Street. The entranceway provides access to the overhead booking office and step access to the platforms. The station consists of an overhead booking office, waiting room, ten above-ground platforms with 5 station buildings, 2 underground platforms, Lawson Street overbridge and the Platform 1 store room and office. Much of the station dates to 1884, with other structures and additions being added over time.

Elements from the original construction period consist of the Waiting Room, Platform 1 Store, Platform 1 Office, and platforms 1-4. The Lawson Street Overbridge was constructed in 1891, with the Overhead Booking Office constructed the following year. Later developments included the 1912 platform 5-10 construction and platform upgrades along with the platform building additions. The underground platforms 11 and 12 were added in 1979, servicing the Eastern Suburbs Railway and Illawarra Line.

Figure 77: View south across Lawson Street towards Station Booking Office building at Redfern Railway Station.



4.3.2 St Luke's Presbyterian Church (LEP I1352)

St Luke's Presbyterian Church is a two-storey Victorian Gothic style church, constructed in 1876. It has an asymmetrical façade with a rendered finish, integrated tower at the north-east corner, and a roof clad in slate. Above the main entry is a large rose window. The side elevations present as six bays, divided by engaged piers and each bay has tall twin-arch windows. A one bay deep extension presents to the rear. The church is bound by Regent Street to the east (front), existing development to the south, William Lane to the west (rear), and Margaret Street to the north along the building's side elevation.

Figure 78: View west across Regent Street to front (east) elevation of St Luke's Presbyterian Church.



4.3.3 Terrace House (LEP I1353)

The 'Terrace house' heritage item, located on the eastern side of Regent Street, comprises an imposing two-storey sandstone Victorian Filigree style structure. The terrace has a gabled corrugated iron roof and a balcony with flat decorative cast iron columns, decorative cast iron balustrading and a hipped concave curved roof. The first-floor façade features a pair of timber framed French doors with semi-circular glass panes. The ground floor façade features a pair of timber framed, double hung, four-paned windows and a timber panelled front door with semi-circular fanlight. The cast iron palisade front fence along the street boundary is original.

Figure 79: View south east to front (west) elevation of the 'Terrace house' heritage item.



4.3.4 Former Redfern Municipal Electric Light Station (LEP I1354)

Located on the western side of Renwick Street, the Former Redfern Municipal Electric Light Station comprises an imposing two-storey late Victorian “Free Classical” style building with rendered brick external walls and decoration. The Former Redfern Municipal Electric Light Station was constructed in 1891. The building has distinctive street-fronting facades and is considered an important element within the wider conservation area.

Figure 80: View across Renwick Street to the Former Redfern Municipal Light Station.



4.3.5 Electricity Substation No. 112 (LEP I2254)

Located on the eastern side of Renwick Street, the Electricity Substation No. 112 comprises a long gable roofed structure built in the Federation Arts and Crafts style in 1920 during the interwar period. Typical of its style, the substation has exposed rafters, a lower façade of tuck-pointed façade brick and an upper façade of rough-cast cement render. The substation features a timber framed louvered ventilation turret.

Figure 81: View across Renwick Street to the Electricity Substation No. 112.



4.3.6 Redfern Estate Heritage Conservation Area (LEP C56)

The Redfern Estate Heritage Conservation Area incorporates the 1842 residential subdivision of Dr William Redfern’s land grant. The subdivision comprises of eight street blocks with irregular secondary streets, dividing the blocks. Redfern Street bisects the area and is the civic and commercial centre of the suburb. This centre comprises of civic, religious and commercial buildings. Shops within the area date from the Victorian, Federation and Inter-war period. Residential structures range from early single storey cottages, Victorian terraces, later terraces and modern moderate density developments. In addition, the area is interspersed with factories and warehouses dating from the early twentieth century, some of which have been converted for residential use.

Figure 82: View north along Cope Street showing terrace dwellings within the Redfern Estate Heritage Conservation Area.



Figure 83: View north east across Cope Street to terrace dwellings within the Redfern Estate Heritage Conservation Area.



5.0 ARCHAEOLOGICAL ASSESSMENT

5.1 Introduction

This section assesses the non-Aboriginal (historical) archaeological potential of the study area.

The identified levels of archaeological potential referred to in this assessment are based on the following definitions outlined in Table 5.

Table 5: Archaeological potential definitions

Assessed Potential	Definition
Nil Potential	Where there is no evidence of historical development or use, or where previous impacts such as deep basement structures would have removed all archaeological potential.
Nil to Low Potential	Where there has only been low intensity historical activity, such as land clearance or informal land use, with little to no archaeological 'signature' expected; or where previous impacts were extensive, such as large-scale bulk excavation which would leave isolated and highly fragmented deposits.
Low Potential	Where research has indicated little historical development, or where there have been substantial previous impacts which may not have removed deeper subsurface remains entirely.
Moderate Potential	Where analysis has demonstrated known historical development with some previous impacts, but where it is likely that archaeological remains would survive with localised truncation and disturbance.
High Potential	Where there is evidence of multiple phases of historic development and structures, with minimal or localised twentieth-century development impacts, and where it is likely that archaeological resources would remain intact.

5.2 Overview of previous and current structures

As discussed in Section 3.0, the earliest known buildings on the site were surveyed in 1864 (Figure 7). These buildings appear on the 1855-1865 Trigonometric Survey (Figure 8) as five structures, with possible outbuildings or sheds along the western boundary of the site fronting the adjoining laneway. The early Captain Cook Hotel is evident in its original location, prior to its relocation to the corner of Marian and Regent Streets. The 1887 survey (Figure 9) indicates that by this time development on the site had expanded, with building works including rear additions and new development with the study area.

The later 1890s redevelopment of the study area included the establishment of the new Captain Cook Hotel and the development of the shop top dwellings along the southern portion of the study area fronting Regent Street. The 1938 civic survey (Figure 10) of the area and a 1951 historical aerial photograph (Figure 11) indicate that by the mid-twentieth century, buildings had been established across the study area, within the renamed Bunnerong Hotel and the three southern adjoining buildings in their extant location. An historical aerial photograph taken in 1951 (Figure 11) shows buildings within the study area still extant, with surrounding development and demolition occurring to the south of the study area c.1990.

An historical overlay diagram of these structures is presented in Figure 84.

Figure 84: Historical overlay of previous structures at study area.



5.3 Previous archaeological assessments in the area

A number of non-Aboriginal archaeological assessments have been conducted within the local region.

11 Gibbons Street, Redfern⁹⁴

A preliminary archaeological assessment was undertaken by Artefact Heritage in 2018 at the adjoining site at 11 Gibbons Street, Redfern. The study found that this study area had potential to contain archaeological resources that could have potential to meet the local significance threshold by providing insight into the development of Redfern. This included evidence of early land grants to William Chippendale, evidence of the subdivision of Chippendale Estate and residential development of the site in the 1860s, and artefact deposits associated with the 1880s development of the site. The absence of basement level excavations and disturbances on this site increased the potential for high-yield artefact-bearing deposits such as wells or rubbish dumps to be encountered during works.

Archaeological testing of the site was undertaken in July 2019.⁹⁵ The testing program identified that soils in areas of the site subject to bulk excavation were highly disturbed, comprising multiple layers and phases of fill deposit ranging from clays to deeply stained sands with demolition debris throughout. In the areas investigated, these mixed fill layers extended to a depth of approximately 1.5-2m and were found to overlay an intact Tuggerah soil profile of grey mottled sands above

⁹⁴ Artefact Heritage, 11 Gibbons Street Redfern, Heritage and Archaeological Impact Assessment, report to SGHC, August 2018

⁹⁵ Artefact Heritage, 11 Gibbons Street Redfern, Results of Historical Archaeological Test Excavation and Monitoring, report to SGHC, March 2020

bleached dune sands. No *in situ* artefactual deposits were identified during the test excavation program.

The only archaeological find consisted of a single truncated sandstone wall footing. The find was interpreted as potentially being associated with a residence illustrated on historical plans dating to 1864 and 1887. The level of soil disturbance immediately above and to either side of the footing indicates that survival of the remains was likely by chance.

Figure 85: Exposed west face of footings exposed during test excavation at 11 Gibbons Street. Artefact 2019



13-23 Gibbons Street, Redfern⁹⁶

A preliminary archaeological assessment was undertaken by Artefact Heritage in 2018 at the adjacent site at 13-23 Gibbons Street, Redfern. The study found that the study area had low potential to contain archaeological resources of local significance. The existing basement level excavation across the site substantially reduced potential for high-yield artefact-bearing deposits such as wells or rubbish dumps to be encountered during works.

60-78 Regent Street, Redfern⁹⁷

Archaeological test excavation was undertaken by Artefact Heritage in 2016 at 60-78 Regent Street, Redfern. Archaeological remains associated with the most recent building phases at the site, the northern terrace dating to c.1871-1887, and the southern terrace to c.1902-1938, were identified and did not reach the local significance threshold. Minor remains, including three timber post holes, of earlier phases were identified but did not reach the local significance threshold.

The testing indicated that the landscape was levelled to the clay subsurface prior to the construction of the most recent phases of building. These landscape modifications would have removed all but the lower portions of deeper subsurface features such as wells/cess pits dating from the earlier occupation phases c.1854-1871.

National Indigenous Development Centre, Redfern⁹⁸

AHMS prepared a historical archaeology and impact assessment for the proposed National Indigenous Development Centre. The report concluded that potential archaeology remains relating to

⁹⁶ Artefact Heritage 2018

⁹⁷ Artefact Heritage 2014

⁹⁸ AHMS March 2007

the occupation of the site from the mid-nineteenth through to the twentieth century may be present on the site and be of local significance.

157-159 Redfern Street, Redfern⁹⁹

Cultural Resources Management prepared an archaeological assessment of European archaeology for the proposed redevelopment of the Redfern RSL site. The report conclude that the site had potential for locally significant archaeological remains dating from the 1850s to the early twentieth century. This could include structures, relics, and deposits that relate to both domestic and small commercial properties dating to the 1850s, as well as later 1870s development that could include basements of two domestic buildings, and later twentieth century deposits and services.

5.3.1 Discussion

The results of archaeological investigations undertaken within adjacent areas and nearby sites demonstrating a similar historical profile have identified that the current study area has the potential to contain intact archaeological remains.

Previously identified archaeological remains date predominantly to the latter half of the 19th century, tend to be somewhat fragmentary, and generally reach the local significance threshold.

5.4 Known disturbance

The site inspection undertaken during preparation for this report identified that the study area contains two basement areas:

- Basement carparking extends across the entire footprint of 98-102 Regent Street
- A basement cellar (approximately 4 x 2m) is associated with the c.1890s Captain Cook/Bunnerong Hotel.

5.5 Assessment of historical archaeological potential

The following assessment is based on findings made from early maps and plans, archival research, historic and contemporary land use and analysing levels of ground disturbance. The significance of any potential archaeological remains will also be assessed to inform recommendations for archaeological management throughout the project.

It is noted that 98-102 Gibbons Street contains a basement carpark and, therefore, no archaeological remains are likely to have survived within the southern portion of the study area.

5.5.1 Phase 1: Early land use and grants 1788 – c.1860

Phase 1 is associated with the ownership of the study area by William Hutchinson, and the cultivation of the Chippendale Estate by a series of tenant farmers up until the subdivision of the estate in 1844.

Although there is cartographic evidence of neighbouring properties containing residences and/or structures associated with the cultivation and improvement of the land by tenants, there is no direct evidence that the current study area contained more than a fenced property boundary prior to the first known structures on the site being surveyed for the 1864 Redfern Municipality plan (Figure 7) and the 1855-1865 Trigonometrical Survey (Figure 8).

Archaeological remains from this phase are likely to be ephemeral in nature and have likely been impacted by subsequent development of the study area. Archaeological evidence may include

⁹⁹ Cultural Resources Management June 2009

postholes associated with fence lines, backfilled tree boles and/or evidence of water management in the form of wells or in-ground tanks.

There is nil-low potential that remains associated this phase of use remain within the study area. There is potential that archaeological remains from this phase of use would reach the local significance threshold. This has been discussed further in Section 5.6.

5.5.2 Phase 2: First residential development 1860s-1890s

The 1864 Redfern Municipality plan (Figure 7) and the 1864 Trigonometrical Survey (Figure 8) indicate that the study area contained six structures fronting Regent Street throughout this period. These residences were associated with small outbuildings/structures on the western boundary backing on to William Lane.

Possible archaeological remains dating to this phase may include building foundations associated with both documented (i.e. residences, outbuildings) and undocumented structures (i.e. storehouses, outhouses), demolition fills, postholes and rubbish deposits; in addition to undocumented subsurface features including basements, drains, cesspits, cisterns and wells. Evidence of gardens, layout and use of the yard areas could also be present. The former Captain Cook Hotel, originally located at 92 Regent Street, may also have been associated with a basement or cold storage space.

Archaeological investigation of nearby sites with the potential to contain resources of a similar type (for example, 60-78 Regent Street and 11 Gibbons Street) indicates that archaeological remains associated with residential properties dating to this period are unlikely to be associated with significantly intact artefact bearing occupation deposits. The investigation of these sites also identified that former top and subsoils have been significantly truncated, further reducing the potential for an intact and early archaeological resource to be present on the current site.

The 1864 Trigonometrical Survey (Figure 8) indicates that municipal water and sewer had been constructed within Botany Road, although the study area is sufficiently above the water-table to suggest that the presence of wells is not entirely unlikely. Cisterns are also likely to have been located within the study area, used for collecting run-off from sheds and roofs. Deposits within former wells have the potential to contain substantial numbers of artefacts. These artefacts can be associated with discard practises during the life of the structure, and, more particularly, with backfill in connection with its disuse.

Overall, the study area has moderate potential to contain structural evidence associated with this historical phase of use. The study area has generally low potential to contain intact and significant artefact bearing occupation deposits that would be considered to be 'relics' under the *Heritage Act 1977*. This has been discussed further in Section 5.6.

5.5.3 Phase 3: Continued development 1900s-present

Historical aerial photographs taken in 1943 and 1949, in addition to the 1938 Civic Survey confirm that the hotel and terraces within the northern portion of the study area were constructed between c1890s-c1900s. It is assumed that much of the evidence associated with this phase of development remains extant, with the exception of those structures removed during construction of the basement carpark at 98-102 Regent Street c.1990 and structures that have been removed in the rear yards.

Potential archaeological remains of undocumented outbuildings or former external structures may include brick footings and postholes associated with former buildings/sheds in the rear yards. Archaeological evidence may also include demolition fills associate with the removal of the mid-19th century buildings c. 1890.

There is moderate potential for remains of the buildings associated this phase of use to remain. It is unlikely, however, that remains from this phase would reach the local significance threshold or be considered to be 'relics' under the *Heritage Act 1977*. This has been discussed further in Section 5.6.

5.6 Heritage significance of the potential archaeological resource

The assessment of the significance of the potential archaeological resource contained within the study area against the NSW heritage assessment criteria is outlined in Table 6.

Table 6: Consideration against NSW heritage assessment criteria.

Criteria	Discussion
A – Historical Significance	<p>The study area was part of the original land grant made to William Chippendale in 1819, that was later purchased by William Hutchinson and then subdivided as part of the Chippendale Estate. The site has potential to contain evidence of this original land grant.</p> <p>It is noted the location of structures and development relating to Phase 2 is known through available historical resources, and it is unlikely that any relics would be located in the study area due to previous disturbance. Residential properties dating to the 1880s (Phase 3) are well documented with extant examples remaining within Redfern.</p> <p>If substantial and intact potential archaeological resources associated with Phase 1 is present within the study area, these remains would reach the threshold for local significance under this criterion.</p>
B – Associative Significance	<p>Archaeological remains associated with the early land grants (William Chippendale), and Chippendale Estate (William Hutchinson) would have associative significance, although it would be difficult to ascertain this with certainty due to the fragmentary nature of potential archaeological remains that would be uncovered dating to this period of occupation.</p> <p>The potential archaeological resource does not meet the local significance threshold under this criterion.</p>
C – Aesthetic Significance	<p>Although it is recognised that exposed <i>in situ</i> archaeological remains may have distinctive/attractive visual qualities, only rarely are these considered 'important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW'.</p> <p>The potential archaeological resource does not meet the local significance threshold under this criterion.</p>
D – Social Significance	<p>Archaeological remains associated with the early land grants and the early development of Redfern in the mid nineteenth century would have social significance for local historical societies and the local community.</p> <p>The history of this site reflects the working class of Redfern, and less prestigious addresses. This provides an alternative view of the development of the area, although it is noted that the location of structures and development relating to Phase 2 and Phase 3 is known through available historical resources, and it is unlikely that any relics would be located in the study area due to previous disturbance.</p> <p>A substantial and intact potential archaeological resource associated with Phase 1 of the development of the site would have local significance under this criterion, although it is unlikely that remains dating from this phase would remain.</p>

Criteria	Discussion
E – Research Potential	<p>Artefact deposits pre-dating the 1860s and 1880s series of residential development of the study area would have research potential for providing information about prior use of the study area that is not known from current records.</p> <p>Intact artefact bearings deposits associated with Phase 1 would meet the local significance threshold under this criterion, although it is unlikely that remains dating from this phase would remain.</p>
F – Rarity	<p>Archaeological sites in Sydney are becoming increasingly rare due to the rapid pace of continuing commercial and private development and therefore archaeological sites. Intact archaeological remains dating to the earliest land grants in the area (Phase 1) would be rare, as the majority of later development has removed any traces of this phase, although it is noted that the study area has undergone previous disturbance including construction of the existing basement level.</p> <p>A substantial and intact potential archaeological resource associated with Phase 1 of the development of the site would have local significance under this criterion, although it is unlikely that remains dating from this phase would remain.</p>
G – Representative	<p>The study area is representative of the expansion of Redfern during the nineteenth century as evidenced by residential development. The potential archaeological remains within the study area are likely to be representative of residential properties typically found in suburban contexts. Although any remains are likely to demonstrate the principal characteristics of this type of site, it is unlikely that they would be considered to be particularly representative.</p> <p>The potential archaeological resource does not meet the local significance threshold under this criterion.</p>

5.6.1 Statement of archaeological significance

The study area has been assessed as generally having low potential to contain locally significant archaeological 'relics' in the form of intact artefact bearing backfill and/or occupation deposits associated with the mid-late 19th century residential and commercial development of the study area. If high-yield artefact-bearing deposits, such as those often found in backfilled cisterns or rubbish dumps, survive intact, they may reach the local significance threshold through their ability to provide information regarding the life-ways of the previous occupants of the site.

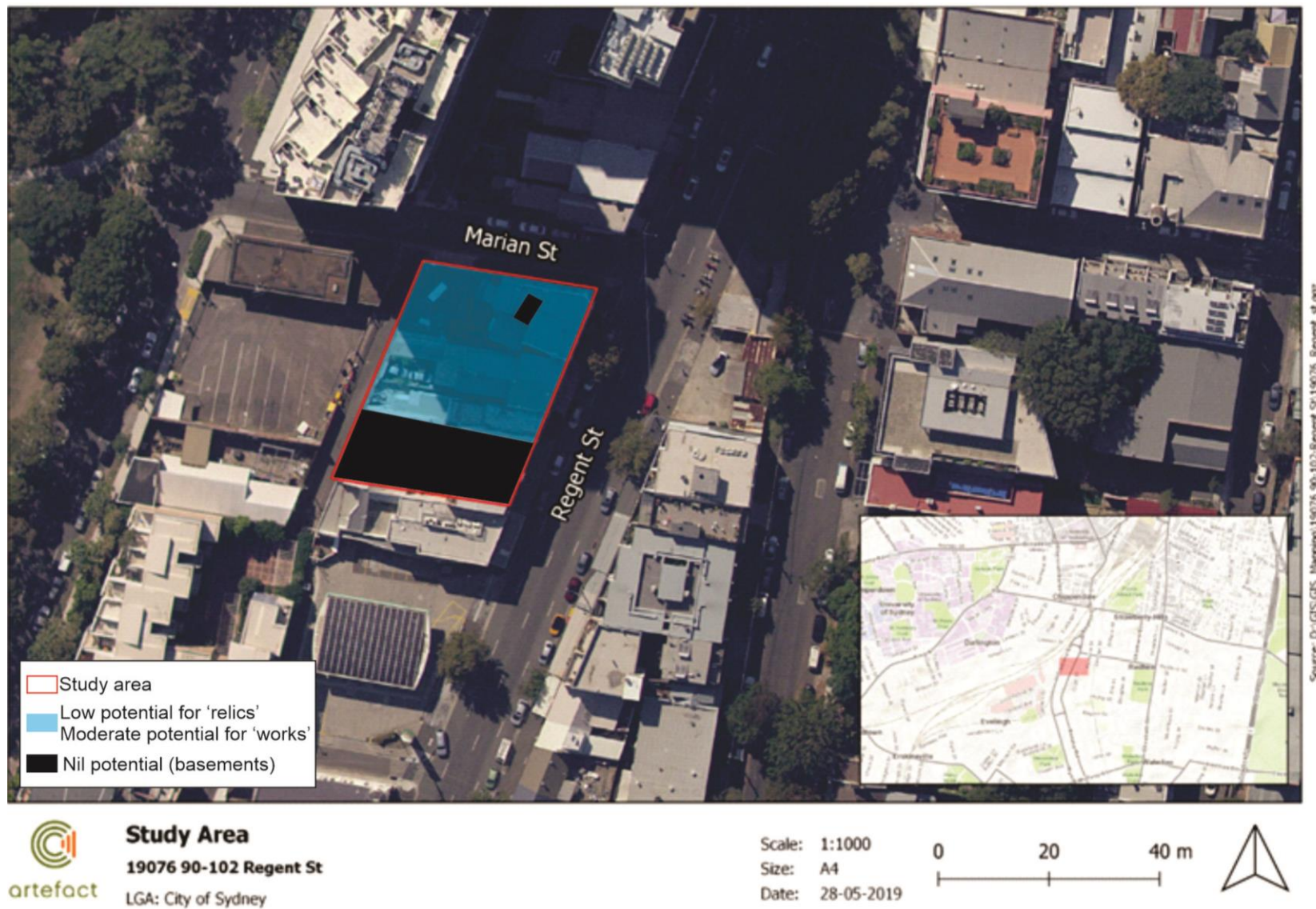
The study area has also been assessed as having moderate potential to contain locally significant archaeological 'works' in the form of structural remains. Remains of this type would provide evidence of the structural development of the site. Table 7 and Figure 86 provide a summary of the archaeological potential and significance of the study area.

Table 7: Summary of archaeological potential and significance for the study area.

Phase	Potential	Significance
1 (1788 – c.1860)	Nil-low Nil (98-102 Regent Street)	N/A
2 (c.1860 – c.1890)	Moderate (structural remains of former residences/Captain Cook Hotel) Low (artefact bearing deposits) Nil (98-102 Regent Street)	Local - low potential for 'relics' as defined by the NSW <i>Heritage Act 1977</i>

Phase	Potential	Significance
3 (c.1890 – present)	Moderate (structural remains associated with former outbuildings) High (extant buildings) Nil (98-102 Regent Street)	Unlikely to reach local significance threshold

Figure 86: Historical archaeological potential for study area



6.0 SIGNIFICANCE ASSESSMENT

6.1 Introduction

The following assessments of significance and statements of significance are based upon criteria specified by the NSW Office of Environment and Heritage. The below assessments relate to four of the five buildings located within the study area (90-96 Regent Street, Redfern). 98-102 Regent Street was constructed less than 50 years ago and as such has been excluded from the assessment.

6.2 90 Regent Street, Redfern

6.2.1 Assessment of significance

Table 8: Significance assessment for 90 Regent Street

Criteria	Discussion
A – Historical Significance	<p>90 Regent Street was part of the original land grant made to William Chippendale in 1819, that was later purchased by William Hutchinson and then subdivided as part of Chippendale Estate. The building is situated on a corner plot fronting one of the earliest roads within the area. As documented above, the building was one of the first on the block to be re-established in the 1890s by development associated with Government architect Walter Vernon, with its development and use as a place for social and community activities remaining for almost a century.</p> <p>90 Regent Street meets this criterion at a local level</p>
B – Associative Significance	<p>Although the building does not completely align with the original plans drawn by NSW Government Architect, Walter Liberty Vernon, his drawings were an obvious inspiration to the existing facade and parts of the internal layout. These elements, coupled with the building being the only recorded public house designed by Vernon, display a clear association to the early works of the architect. As such, the subject building demonstrates associative significance.</p> <p>90 Regent Street meets this criterion at a local level</p>
C – Aesthetic Significance	<p>Although the building's facade has been intrusively modified, including the infill of original fenestration, the building contributes to the streetscape of Regent Street as a late 19th century structure of brick construction. The building retains some contributory elements including original segmental arches and the parapet with triangular motif facing the corner of Regent and Marian Streets. Additionally, there is evidence that contributory fabric has been retained to the ground floor facade, including the early tiles, which are still in situ.</p> <p>90 Regent Street meets this criterion at a local level</p>
D – Social Significance	<p>The building was constructed as a public house and would be utilised for these social activities throughout the majority of its lifetime. Although the building has been utilised for various commercial and residential purposes since the closure of the public house in the 1980s, no formal or strong relationship have been identified.</p> <p>90 Regent Street does not meet this criterion</p>
E – Research Potential	<p>The building does not display any construction methods or technical achievements other than what was known at the time of construction. As such, the building does not meet the criterion for technical significance.</p> <p>90 Regent Street does not meet this criterion</p>

Criteria	Discussion
F – Rarity	<p>While the building is not a rare item within Sydney, and there are numerous examples in the Redfern area the building is considered to contain rarity values as the only known example of a public house designed by Walter Liberty Vernon.</p> <p>90 Regent Street meets this criterion at a local level</p>
G – Representative	<p>90 Regent Street contributes to the collection of late 19th and early 20th century development along Regent Street. However, its multiple intrusive modifications over the last century have limited the building's legibility and integrity.</p> <p>90 Regent Street does not meet this criterion</p>

6.2.2 Statement of Significance

90 Regent Street is situated within the early Chippendale land grant and resides along one of the earliest roads within the Redfern area. The building's façade and internal layout were original designed by former NSW Government Architect, Walter Liberty Vernon, and although the plans were altered before construction, some of Vernon's original architectural details are still present within the existing facade. Intrusive modifications over time has resulted in a lack of integrity and legibility of the original form and detailing of the building. However, the building demonstrates some contributory fabric, including the tiled ground floor façade and segmental fenestration arches. The building at 90 Regent Street, Redfern does not meet the criteria for technical, rare, representative or social significance.

While containing some heritage values which meet the local significance criteria, the item is not considered to be suitably intact to be registered as an item of local or state significance.

6.3 92 Regent Street, Redfern

6.3.1 Assessment of significance

Table 9: Significance assessment for 92 Regent Street

Criteria	Discussion
A – Historical Significance	<p>92 Regent Street was part of the original land grant made to William Chippendale in 1819, that was later purchased by William Hutchinson and then subdivided as part of Chippendale Estate. The building is situated on a plot fronting one of the earliest roads within the area.</p> <p>92 Regent Street meets this criterion at a local level</p>
B – Associative Significance	<p>There is no evidence to suggest the property has any association to a person or group that would meet the threshold for associative significance.</p> <p>92 Regent Street does not meet this criterion</p>
C – Aesthetic Significance	<p>The building's street facade remains relatively intact, contributing to the streetscape of Regent Street as a late 19th century structure of brick construction. Although the ground floor has been intrusively modified, the first floor retains some contributory elements including original pressed metal ceilings and a fireplace to one room.</p> <p>92 Regent Street meets this criterion at a local level</p>
D – Social Significance	<p>Although the building has been utilised for various commercial and residential purposes since construction, no formal or strong relationship have been identified.</p> <p>92 Regent Street does not meet this criterion</p>

Criteria	Discussion
E – Research Potential	<p>The building does not display any construction methods or technical achievements other than what was known at the time of construction. As such, the building does not meet the criterion for technical significance.</p> <p>92 Regent Street does not meet this criterion</p>
F – Rarity	<p>The building is not a rare item within Sydney, and there are numerous examples in the Redfern area.</p> <p>92 Regent Street does not meet this criterion</p>
G – Representative	<p>92 Regent Street contributes to the collection of late 19th and early 20th century development along Regent Street. However, its multiple intrusive modifications over the last century have limited the building's legibility and integrity.</p> <p>92 Regent Street does not meet this criterion</p>

6.3.2 Statement of Significance

92 Regent Street is situated within the early Chippendale land grant and resides along one of the earliest roads within the Redfern area. Intrusive modifications over time have resulted in a lack of integrity and legibility of the original form and detailing of the building. However, the building demonstrates some contributory fabric, primarily the first-floor pressed metal ceilings and the fireplace located in the front room of the first floor. The building at 92 Regent Street, Redfern does not meet the criteria for technical, associative, rare, representative or social significance.

While containing some heritage values which meet the local significance criteria, the item is not considered to be suitably intact to be registered as an item of local or state significance.

6.4 94 Regent Street, Redfern

6.4.1 Assessment of significance

Table 10: Significance assessment for 94 Regent Street

Criteria	Discussion
A – Historical Significance	<p>94 Regent Street was part of the original land grant made to William Chippendale in 1819, that was later purchased by William Hutchinson and then subdivided as part of Chippendale Estate. The building is situated on a plot fronting one of the earliest roads within the area.</p> <p>94 Regent Street meets this criterion at a local level</p>
B – Associative Significance	<p>There is no evidence to suggest the property has any association to a person or group that would meet the threshold for associative significance.</p> <p>94 Regent Street does not meet this criterion</p>
C – Aesthetic Significance	<p>The building's street facade remains relatively intact, contributing to the streetscape of Regent Street as a late 19th century structure of brick construction. Although the ground floor has been intrusively modified, the first floor retains some contributory elements including original pressed metal ceilings and a fireplace to one room. External contributory features include the triangular parapet with keystone facing Regent Street.</p> <p>94 Regent Street meets this criterion at a local level</p>

Criteria	Discussion
D – Social Significance	<p>Although the building has been utilised for various commercial and residential purposes since construction, no formal or strong relationship have been identified.</p> <p>94 Regent Street does not meet this criterion</p>
E – Research Potential	<p>The building does not display any construction methods or technical achievements other than what was known at the time of construction. As such, the building does not meet the criterion for technical significance.</p> <p>94 Regent Street does not meet this criterion</p>
F – Rarity	<p>The building is not a rare item within Sydney, and there are numerous examples in the Redfern area.</p> <p>94 Regent Street does not meet this criterion</p>
G – Representative	<p>94 Regent Street contributes to the collection of late 19th and early 20th century development along Regent Street. However, its multiple intrusive modifications over the last century have limited the building's legibility and integrity.</p> <p>94 Regent Street does not meet this criterion</p>

6.4.2 Statement of Significance

94 Regent Street is situated within the early Chippendale land grant and resides along one of the earliest roads within the Redfern area. Intrusive modifications over time have resulted in a lack of integrity and legibility of the original form and detailing of the building. However, the building demonstrates some contributory fabric, primarily the first-floor pressed metal ceilings and the fireplace located in the front room of the first floor. The building at 94 Regent Street, Redfern does not meet the criteria for technical, associative, rare, representative or social significance.

While containing some heritage values which meet the local significance criteria, the item is not considered to be suitably intact to be registered as an item of local or state significance.

6.5 96 Regent Street, Redfern

6.5.1 Assessment of significance

Table 11: Significance assessment for 96 Regent Street

Criteria	Discussion
A – Historical Significance	<p>96 Regent Street was part of the original land grant made to William Chippendale in 1819, that was later purchased by William Hutchinson and then subdivided as part of Chippendale Estate. The building is situated on a plot fronting one of the earliest roads within the area.</p> <p>96 Regent Street meets this criterion at a local level</p>
B – Associative Significance	<p>There is no evidence to suggest the property has any association to a person or group that would meet the threshold for associative significance.</p> <p>96 Regent Street does not meet this criterion</p>

Criteria	Discussion
C – Aesthetic Significance	<p>The building's street facade has been significantly altered through intrusive modifications. Although the ground floor has been intrusively modified, the first floor retains some contributory elements including original pressed metal ceilings. External contributory features include the parapet facing Regent Street.</p> <p>96 Regent Street meets this criterion at a local level</p>
D – Social Significance	<p>Although the building has been utilised for various commercial and residential purposes since construction, no formal or strong relationship have been identified.</p> <p>96 Regent Street does not meet this criterion</p>
E – Research Potential	<p>The building does not display any construction methods or technical achievements other than what was known at the time of construction. As such, the building does not meet the criterion for technical significance.</p> <p>96 Regent Street does not meet this criterion</p>
F – Rarity	<p>The building is not a rare item within Sydney, and there are numerous examples in the Redfern area.</p> <p>96 Regent Street does not meet this criterion</p>
G – Representative	<p>96 Regent Street contributes to the collection of late 19th and early 20th century development along Regent Street. However, its multiple intrusive modifications over the last century have limited the building's legibility and integrity.</p> <p>96 Regent Street does not meet this criterion</p>

6.5.2 Statement of Significance

96 Regent Street is situated within the early Chippendale land grant and resides along one of the earliest roads within the Redfern area. Intrusive modifications over time have resulted in a lack of integrity and legibility of the original form and detailing of the building. However, the building demonstrates some contributory fabric, primarily the first-floor pressed metal ceilings. The building at 96 Regent Street, Redfern does not meet the criteria for technical, associative, rare, representative or social significance.

While containing some heritage values which meet the local significance criteria, the item is not considered to be suitably intact to be registered as an item of local or state significance.

6.6 Nearby heritage listed items within the study area (150m buffer zone)

6.6.1 Redfern Railway Station Group (SHR 01234)

The NSW SHR database contains the following statement of significance for the item:

Redfern Railway Station Group is significant at a state level as a major suburban station which played an important role in the development of the surrounding residential and industrial suburbs. The overhead booking office is a rare remaining example of the Queen Anne style of railway architecture and along with the 1884 station building on Platform 1 remain as some of the last examples of these types of structures to survive in the metropolitan area. The booking office retains its overall form and much original detail.

The platform buildings on platforms 2-10 are consistent in design and represent the

largest group of such buildings in the system at one site, reflecting the location's importance as a junction for commuters and for its access to the adjacent Eveleigh workshops. The addition of platforms and their associated platform buildings, including the Eastern Suburbs Railway, represent the importance of the Station as a commuter hub and reflect the expansion of Redfern Station and the Sydney network generally though the later nineteenth and into the twentieth century. Structures such as the air vents or chimneys connected to the underground engine dive, on Platform 1, are indicators of the adjacent industrial uses of the Eveleigh Yards and are unusual features on a suburban station.

The early station buildings and structures indicate the high quality of buildings provided during the mid-Victorian period of railway construction and the former importance of Redfern as an industrial and residential area in the development of the Sydney suburbs. The pair of newel posts is an example of colonial cast-iron work and represents the end of the era of ornamentation brought about by Railway Commissioner Eddy.¹⁰⁰

6.6.2 St Luke's Presbyterian Church (LEP I1352)

The NSW SHI database contains the following statement of significance for the item:

*St Luke's Presbyterian Church is a fine example of a Victorian Gothic Church which makes an important contribution to the streetscape and township of Redfern. It has social significance as a place of worship for the local community.*¹⁰¹

6.6.3 Terrace House (LEP I1353)

The NSW SHI database contains the following statement of significance for the item:

*Of historic and aesthetic significance as a relatively early representative example of a Victorian Filigree style terrace.*¹⁰²

6.6.4 Former Redfern Municipal Electric Light Station (LEP I1354)

The NSW SHI database contains the following statement of significance for the item:

The Redfern Electric Light Station has high local and regional significance as Sydney's first municipal electric light station and is one of the earliest half dozen within the state. It was an early forerunner of the great city power stations built in the early 20th century and is of importance for its role in the early history of electricity generation in the state.

The high degree of intactness of the building's character and fabric contribute to the building's historic and technical significance, the building still able to provide important information about 19th century generating and distributing processes. In

¹⁰⁰ Office of Environment and Heritage, 2009. 'Redfern Railway Station Group'. Viewed 12 June 2019 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=4801095>

¹⁰¹ Office of Environment and Heritage, 2013. 'St Luke's Presbyterian Church including interior'. Viewed 12 June 2019 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2421173>

¹⁰² Office of Environment and Heritage, 2005. 'Terrace House including interior'. Viewed 12 June 2019 at <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2421175>

this respect, key features such as the main chimney and cable connection points on the street-frontages of the building add considerably to the character and significance of the item.

The building is also an important example of late Victorian industrial architecture, its largely intact street-fronting facades with their simple "Free Classical" forms and decoration contributing to its significance as a good representative of its particular building type and architectural style.

The visual character and historical associations of the building also contribute to the general character, cohesiveness and hence significance - both historical and aesthetic - of the Conservation Area of which it is a part, the relatively high degree of intactness of the building, most notably its streetscape facades, enhancing the building's contributory role.¹⁰³

6.6.5 Electricity Substation No. 112 (LEP I2254)

The NSW SHI database contains the following statement of significance for the item:

The Renwick Street substation is a rare and representative example of an Interwar designed and built structure which incorporates typical Federation Arts and Crafts detailing. It was constructed by the Municipal Council of Sydney during the early expansion of the electricity network into the suburbs.¹⁰⁴

6.6.6 Redfern Estate Heritage Conservation Area (LEP C56)

The NSW SHI database contains the following statement of significance for the item:

The Redfern Estate Heritage Conservation Area is historically significant as an early Victorian structured subdivision covering the entire grant to William Redfern. The development of the estate from the 1840s - 1890s reflects the establishment of the Railway at Redfern. The importance of the suburb of Redfern in the mid/late nineteenth century is evidenced in the development of the Commercial Centre, the fine Civic buildings, the Park and the prestige housing on primary streets. The area is able to represent a great diversity of housing types dating from the period 1840 - 1890. Large scale factories and warehouses reflect the importance of manufacturing in Redfern in the early twentieth century.¹⁰⁵

¹⁰³ Office of Environment and Heritage, 2005. 'Former Redfern Municipal Electric Light Station. Viewed 12 June 2019 at <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=2421178>

¹⁰⁴ Office of Environment and Heritage, 2005. 'Electricity Substation No. 112'. Viewed 12 June 2019 at <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=3430391>

¹⁰⁵ Office of Environment and Heritage, 2006. 'Redfern Estate Heritage Conservation Area'. Viewed 12 June 2019 at: <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2421496>

7.0 PROPOSED WORKS

7.1 Description

The proposal includes the demolition of all existing buildings and structures and construction of an 18-storey mixed use building. The proposed land uses include retail premises on the ground floor facing Regent Street with the remainder of the ground floor and levels above to be used for student accommodation providing a total of 408 beds, indoor and outdoor communal areas, bicycle storage, loading dock and ancillary services and facilities. No on-site car parking (or associated basement) is to be provided

The podium would be constructed of exposed brick, while the tower above would primarily comprise a combination of exposed and painted precast concrete panels and transparent glazing. The tower would also include aluminium fin elements

The proposal is illustrated in the following Figure 87 to Figure 92.

Figure 87: Proposed basement levels.

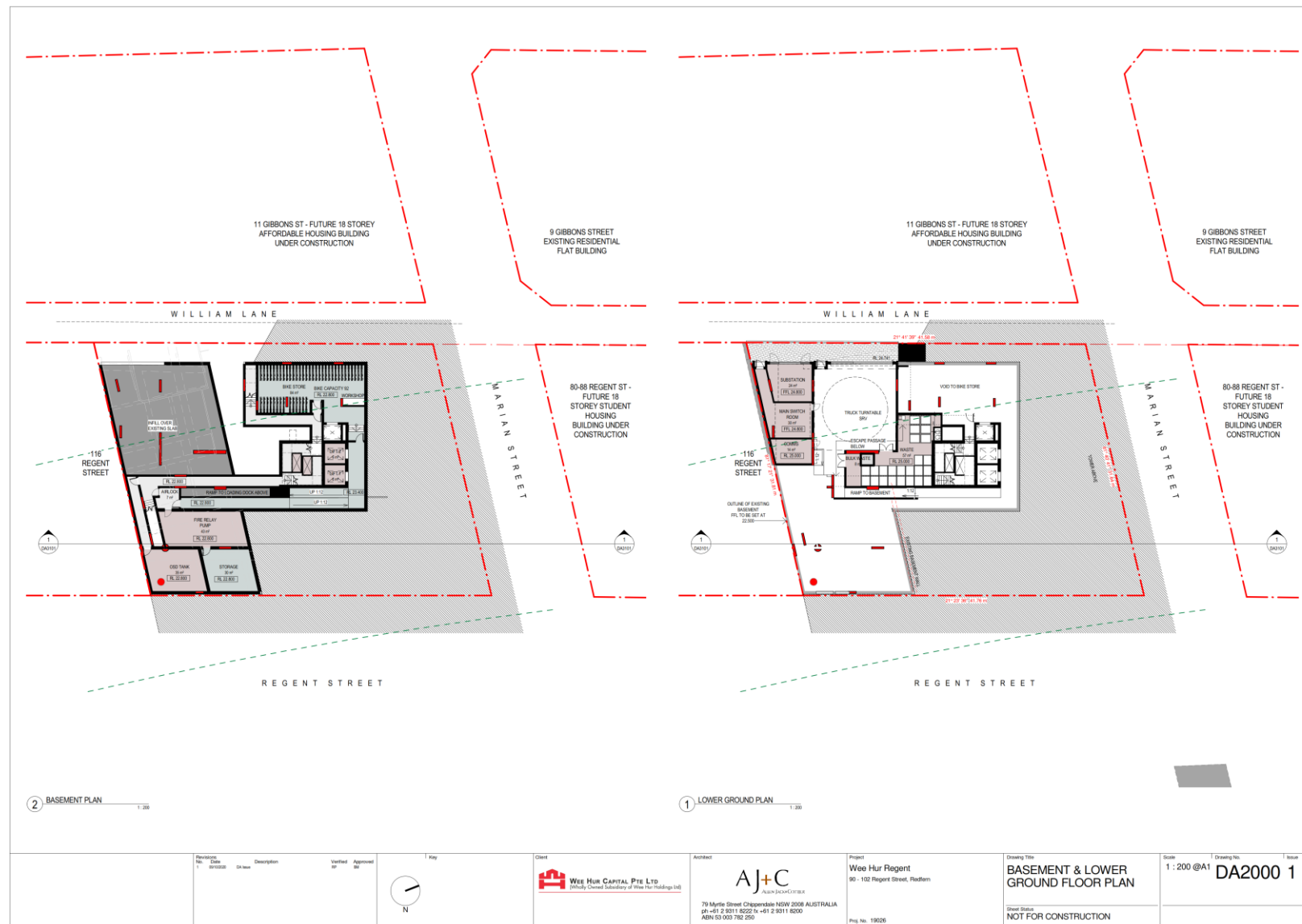


Figure 88: Proposed ground floor and level 2 design.

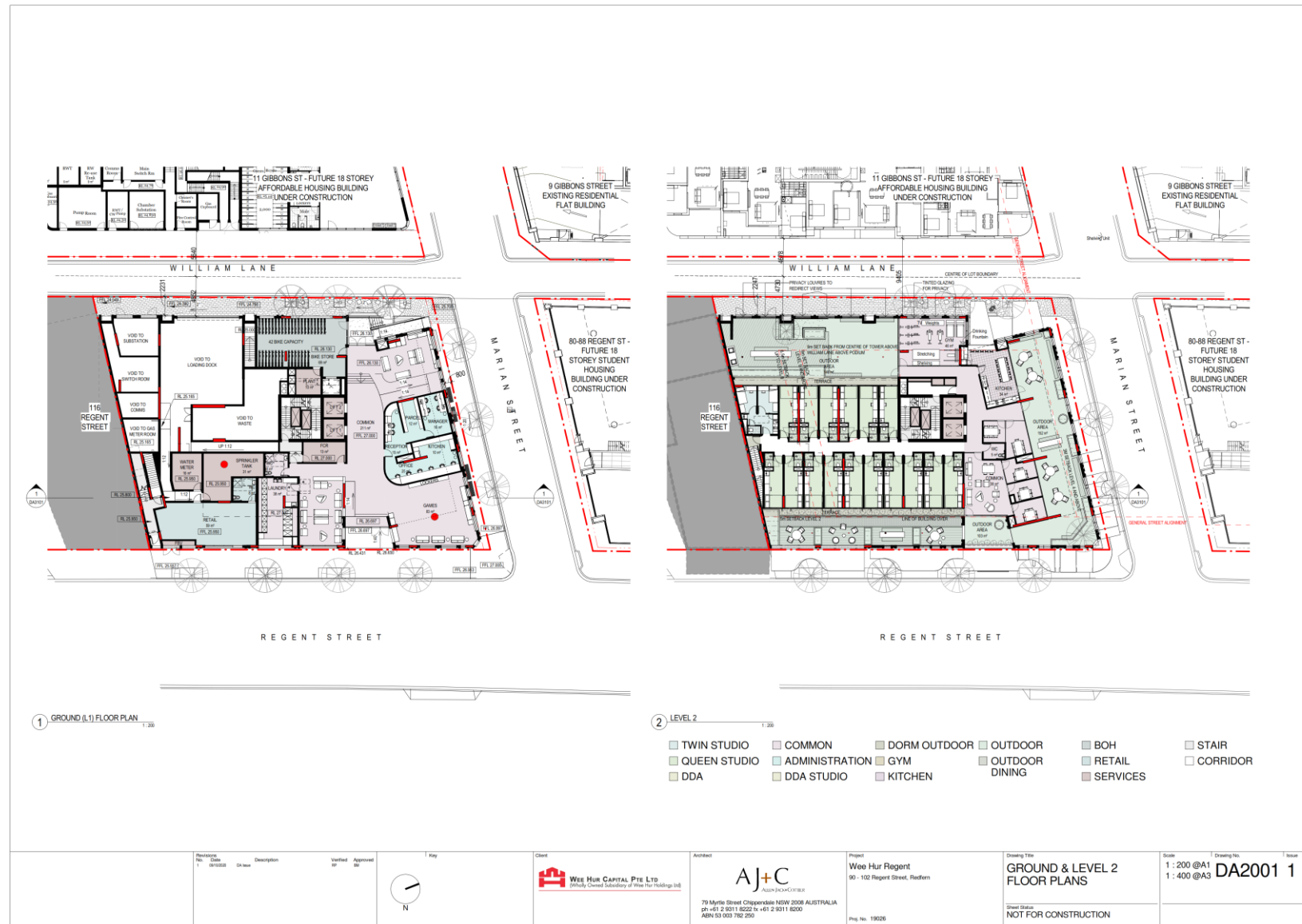


Figure 89: Example of floor plan within upper floors

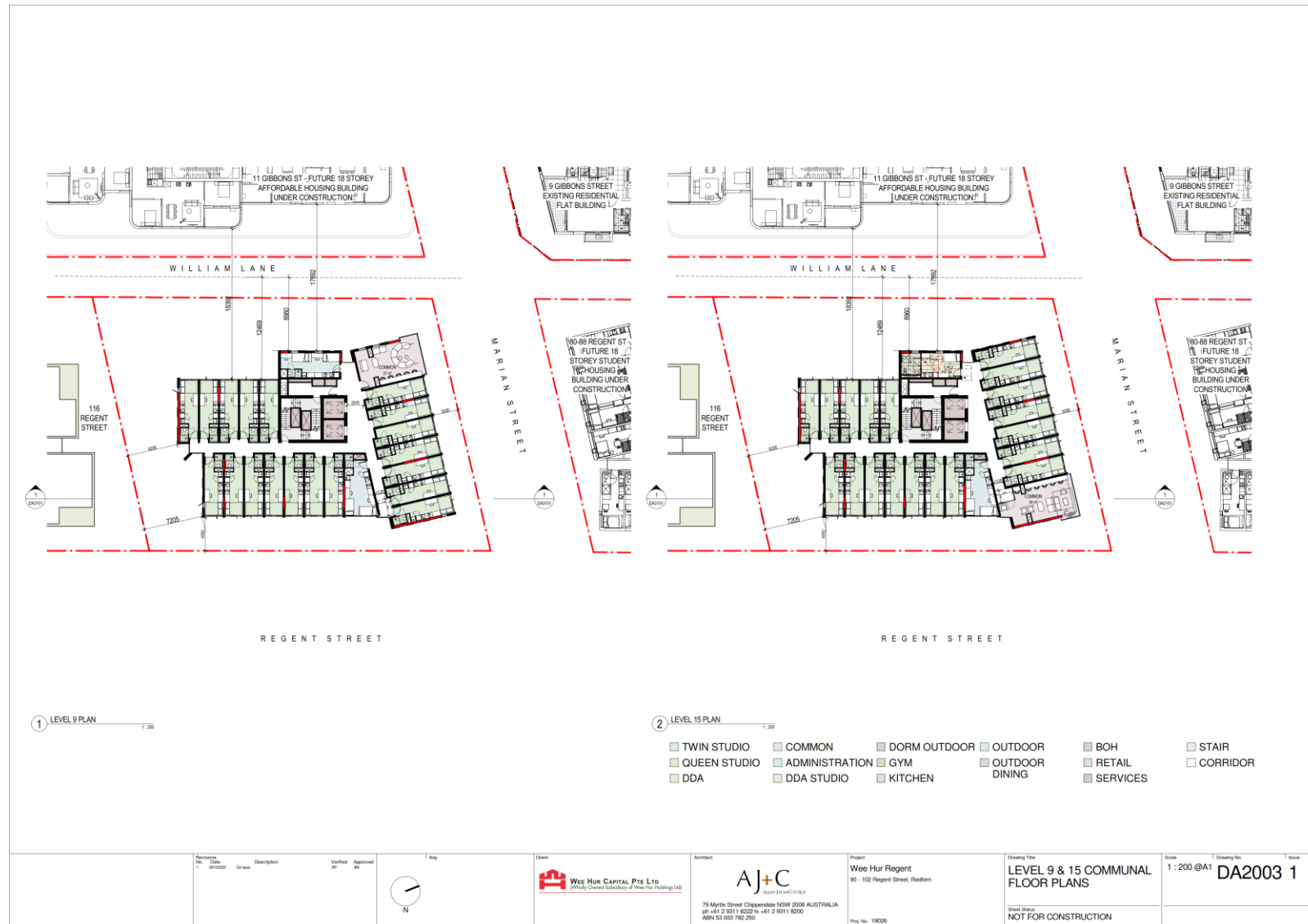


Figure 90: Street elevations

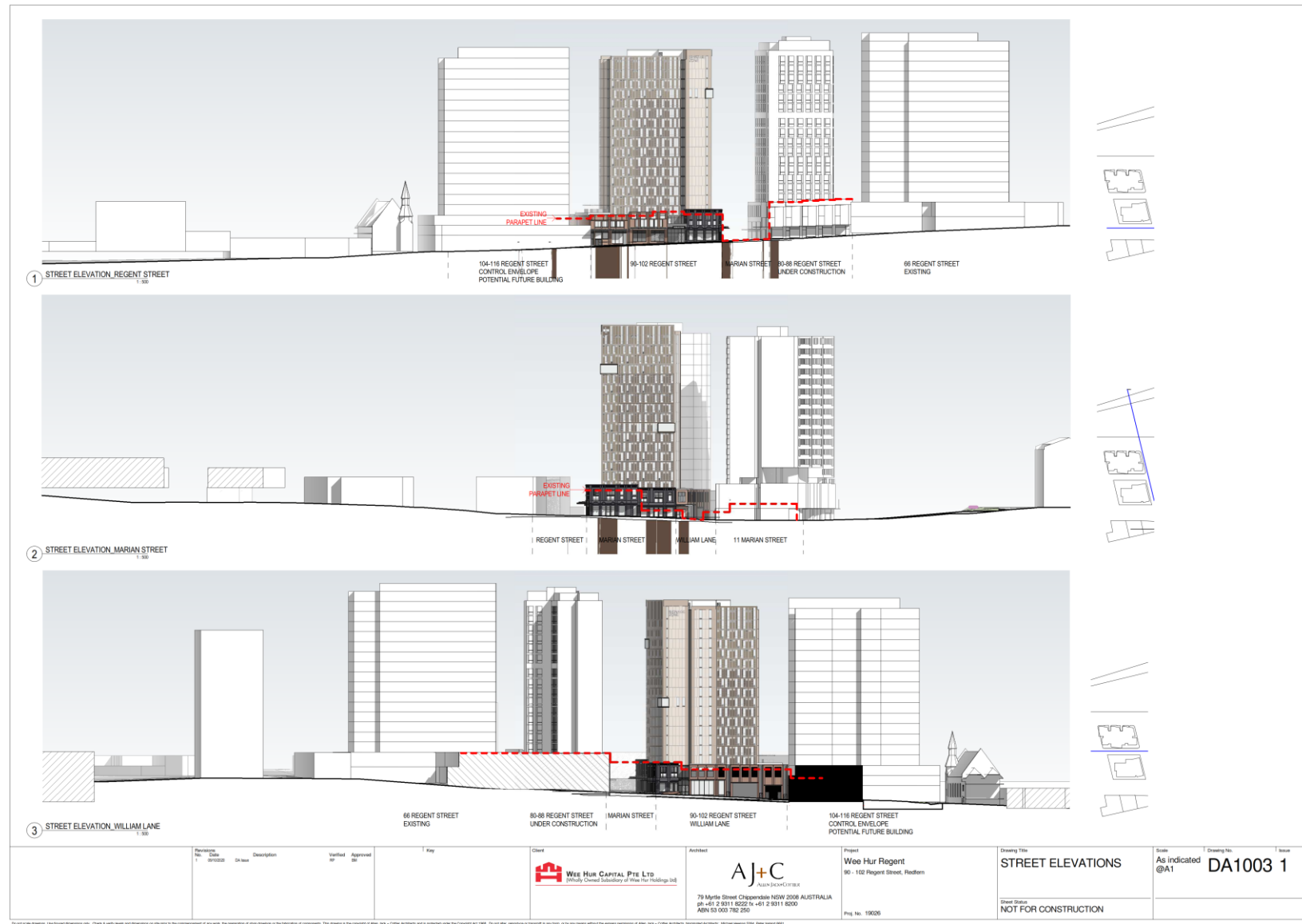


Figure 91: Rendering of eastern elevation.

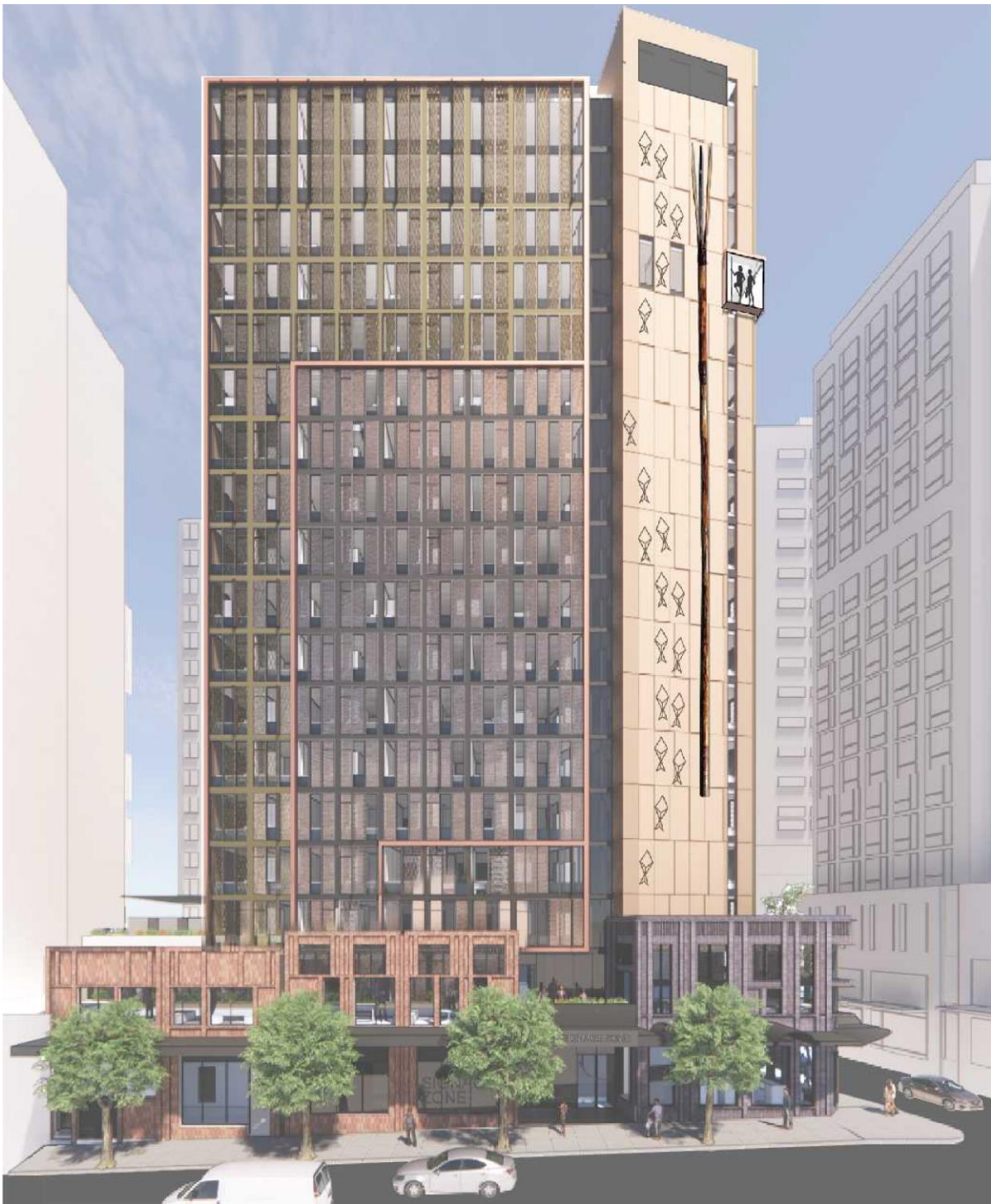


Figure 92: Rendering of northern elevation.



8.0 HERITAGE IMPACT ASSESSMENT

8.1 Heritage impacts to 90-102 Regent Street

Section 6.0 provides an assessment of significance for four of the five buildings located within the study area. As discussed above, although the structures located at 90 to 96 Regent Street display some heritage significance, the overall integrity, legibility and significance of each building has been severely reduced due to various forms of intrusive modifications, demolition works and a general lack of maintenance. As such, the proposed demolition of all five buildings located within the study area would not result in any direct heritage impact to an item of heritage significance.

As noted in Section 6.0 above, three of the five buildings contain a selection of contributory fabric (pressed metal ceilings, fireplaces), which could be removed for salvage or heritage interpretation purposes prior to the demolition works. Heritage recommendations are provided in Section 10.2 of this report.

8.2 Heritage impacts to Redfern Railway Station Group (SHR 01234)

The following section provides a views analysis and heritage impact assessment for Redfern Railway Station Group in relation to the proposal.

Figure 93: View south east across Lawson Street to Station Booking Office at Redfern Station, study area indicated by arrow.



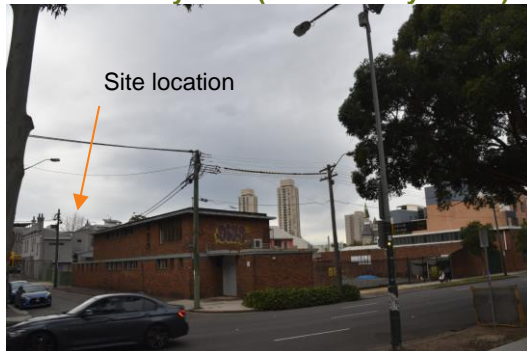
Figure 94: View south east towards study area (indicated by arrow) from boundary of SHR curtilage of Redfern Railway Station.



Figure 95: View south east over the Redfern Railway Station from overhead concourse towards study area (indicated by arrow).



Figure 96: View south along Gibbons Street from SHR curtilage of Redfern Railway Station towards study area (indicated by arrow).



The proposed works would result in no direct (physical) impact on Redfern Railway Station Group and would be situated approximately 53 metres to the east of the heritage curtilage of the heritage item. The nearest built element within the Redfern Railway Station Group is around 120 metres to the north west of the study area. The proposed works would have a neutral direct impact on Redfern Railway Station Group.

The proposed development would be visible from the south-eastern part of Redfern Railway Station Group along Gibbons Street and partially from Lawson Street. Significant views of the Redfern Railway Station Group are from Lawson Street looking south at the Station Booking Office. From this location, the proposed 18-storey building would rise above the two-storey historic building and the tower would be viewed in tandem with the heritage item, which would change existing views. It is noted surrounding high-rise development along Gibbons Street to the north of the study area currently obscures these views. Given the distance to the study area, the proposed works would not overshadow the Redfern Railway Station Group.

The proposed development would also be visible from the overhead concourse and from platform level within the station complex, although these views currently comprise the existing high-rise development on Gibbons Street. The proposed works would have a **minor** visual impact on Redfern Railway Station Group.

As the study area is more than 75 metres away from the nearest building within this heritage item, potential indirect impact by way of vibration is not anticipated.

8.3 St Luke's Presbyterian Church (LEP I1352)

The following provides a views analysis and heritage impact assessment for St Luke's Presbyterian Church in relation to the proposal.

Figure 97: View north from St Luke's Presbyterian Church, study area to left in distance (indicated by arrow).



Figure 98: View south showing locations of the subject site and St Luke's Presbyterian Church.



The proposed works would not have a direct (physical) impact on St Luke's Presbyterian Church and would be situated approximately 60 metres to the north of the curtilage of the heritage item. The proposed works would have a **neutral** direct impact on St Luke's Presbyterian Church.

The proposal, comprising construction of an 18-storey residential building in the vicinity of St Luke's Presbyterian Church, would result in a range of indirect impacts to the heritage item. The proposal would result in the construction of a high-density residential building near the church building, which would alter the setting and context of St Luke's Presbyterian Church. Historically, the setting and context of the church comprised a combination of late 19th century and early 20th century low-rise commercial development and residential terrace housing.

Construction of a tall structure reaching a height of around 65 metres north of the church would introduce a prominent element in the surrounding skyline that would potentially diminish the prominence and landmark qualities of St Luke's Presbyterian Church, which are an integral aspect of the item's identified significance. However, the proposal would not compete with primary views of the church from Regent Street, and also distant views towards St Luke's Presbyterian Church from the surrounding landscape, including glimpsed views of the church spire from the nearby Redfern Estate Heritage Conservation Area. It is noted that primary views looking out from the church are east to

Regent Street and north across Margaret Street, and these primary views would not be affected by the proposal.

Adverse visual impacts associated with the proposal would be offset by positive aspects of the design, which has been developed wherever possible to respect and communicate the aesthetic and historical values of St Luke's Presbyterian Church. It is noted the current buildings on the study area are of two to three storeys that align the Regent Street boundary of the site. The proposal incorporates an increased and generous setback distance from the northern and eastern boundary of the study area, which would visually increase the distance between development on the site and the small-scale church building.

It is noted that the setting and context of St Luke's Presbyterian Church has, to an extent, been previously modified by other developments like the adjacent BP petrol station and also existing high-rise buildings along Gibbons Street. The traditional streetscape of the church, however, remains somewhat intact along Regent Street. Planned developments immediately adjacent to the study area to the north and east of the study area will further undermine this setting in the future.

Overall, the proposed works would have a **minor** visual impact on St Luke's Presbyterian Church.

As this heritage item is within 75 metres from the study area, the proposed works would have a **negligible** potential indirect impact by way of vibration.

8.4 Terrace House (LEP I1353)

The following provides a views analysis and heritage impact assessment for the 'Terrace house' heritage item in relation to the proposal.

Figure 99: View north west across Regent Street towards the study area from the directly outside the 'Terrace house' heritage item.



Figure 100: View south towards the 'Terrace house' heritage item from the entrance to the existing building on the study area.



The proposed works would not have a direct (physical) impact on the 'Terrace house' and would be situated approximately 67 metres to the northwest of the curtilage of the heritage item. The proposed works would have a **neutral** direct impact on the 'Terrace house' heritage item.

The proposal would be visible from the 'Terrace house' heritage item, the primary outlook of which comprises views west over Regent Street. While distant views looking north west towards the study area from 'Terrace house' would be partially screened by existing development along Regent Street, the proposed 65 metre building would rise above this development and would introduce a new element in the skyline surrounding the heritage item. It is noted these views have been previously impacted, to an extent, by existing high-density developments along Gibbons Street. The proposed works would not overshadow the 'Terrace house' heritage item, or interrupt or obscure any views towards the two-storey terrace. The proposed works would have a **negligible** visual impact on the 'Terrace house' heritage item.

As this heritage item is within a 75-metre buffer of the proposed works, the proposal would have a **negligible** potential indirect impact by way of vibration is not anticipated.

8.5 Former Redfern Municipal Electric Light Station (LEP I1354)

The following provides a views analysis and heritage impact assessment for the Former Redfern Municipal Electric Light Station heritage item in relation to the proposal.

Figure 101: View north from the entrance to the existing building on the study area, noting development obstructing views to the heritage item.



Figure 102: View south east towards the 'Terrace house' heritage item from the entrance to the existing building on the study area.



The proposed works would not have a direct (physical) impact on the 'Former Redfern Municipal Electric Light Station' and would be situated approximately 112 metres to the north east of the curtilage of the heritage item. The proposed works would have a **neutral** direct impact on the 'Former Redfern Municipal Electric Light Station' heritage item.

The proposal would be partially visible from the 'Former Redfern Municipal Electric Light Station' heritage item. While distant views looking north west towards the study area from 'Former Redfern Municipal Electric Light Station' would be largely screened by existing development along Renwick and Turner Streets, the proposed 65 metre building would rise above this development and would introduce a new element in the skyline surrounding the heritage item. It is noted these views have been previously impacted, to an extent, by existing high-density developments along Gibbons Street. The proposed works would not overshadow the 'Former Redfern Municipal Electric Light Station' heritage item, or interrupt or obscure any views towards the building. The proposed works would have a **negligible** visual impact on the 'Former Redfern Municipal Electric Light Station' heritage item.

As this heritage item is more than 75 metres away from the proposed works, potential indirect impact by way of vibration is not anticipated.

8.6 Electricity Substation No. 112 (LEP I2254)

The following provides a views analysis and heritage impact assessment for the Electricity Substation No. 112 heritage item in relation to the proposal.

Figure 103: View west across Renwick Street towards the study area from directly outside the heritage item.



Figure 104: View north from the entrance to the existing building on the study area, noting development obstructing views to the heritage item.



The proposed works would not have a direct (physical) impact on the 'Electricity Substation No. 112' and would be situated approximately 150 metres to the south west of the curtilage of the heritage item. The proposed works would have a **neutral** direct impact on the 'Electricity Substation No. 112' heritage item.

The proposal would be largely screened by existing development along Regent Street and the surrounding streetscapes. The proposed works would not overshadow the 'Electricity Substation No. 112' heritage item, or interrupt or obscure any views towards the building. The proposed works would have a **neutral** visual impact on the 'Electricity Substation No. 112' heritage item.

As this heritage item is more than 75 metres away from the proposed works, potential indirect impact by way of vibration is not anticipated.

8.7 Redfern Estate Heritage Conservation Area (LEP C56)

The following provides a views analysis and heritage impact assessment for Redfern Estate Heritage Conservation Area in relation to the proposal.

Figure 105: View west from Cope Street within the Redfern Estate Conservation Area towards the study area.



Figure 106: View north west from Cope Street within the Redfern Estate Conservation Area towards the study area.



Figure 107: Detail shot of view west from Cope Street within the Redfern Estate Conservation Area towards study area.



Figure 108: View east from study area towards the Redfern Estate Conservation Area.



The proposed works would not have a direct (physical) impact on the Redfern Estate Heritage Conservation Area, being situated approximately 70 metres to the west of the curtilage of the heritage conservation area. The proposed works would have a **neutral** direct impact on the Redfern Estate Heritage Conservation Area.

The proposed development would be visible from the western part of Redfern Estate Heritage Conservation Area, in particular from vantage points along Cope Street. It is noted that significant views of the Redfern Estate Heritage Conservation Area from this location on the western extent of the heritage item are oriented east and north east. These views would not be impacted by the proposal.

Current views towards the study area from the Redfern Estate Heritage Conservation Area are largely obscured by existing development and the general landscape of the area. The proposed 65 metre building would rise above existing development and would be discernible from vantage points and buildings within the conservation area, with the proposal adding a prominent element in the distant skyline. It is noted the distant visual context surrounding the heritage conservation area has been previously affected by existing high-rise development on Gibbons Street. Additionally, the proposal incorporates a materials and colour scheme that responds to the existing materiality and hues of the existing structures within the conservation area, the incorporation of which would mitigate the visual impact to the study area from the conservation area.

The proposed works would have a **minor** visual impact on the Redfern Estate Heritage Conservation Area.

As this heritage item is within a 75-metre buffer of the proposed works, the proposal would have a **neutral** potential indirect impact by way of vibration.

8.8 Archaeological resources

The study area has been assessed as having moderate potential to contain locally significant archaeological 'works' associated with the mid to late 19th century historical development of the study area, and low potential to contain locally significant archaeological 'relics.' Excavation of the proposed basement level has the potential to impact on these archaeological resources, should they survive.

The proposed basement level would extend along the William Lane frontage, within the rear yards of the extant c.1900 terrace buildings. This area has the highest potential to contain artefactual remains deposited within former privies/water closets, cisterns and rubbish pits.

Should an archaeological resource survive within the proposed basement footprint, this activity would have a major impact on archaeological remains.

8.9 Summary of Heritage Impacts

A summary of the heritage impacts to the heritage items in the vicinity of the study area is provided in Table 12.

Table 12: Built heritage impact assessment summary.

Item Name	Listing No.	Direct (physical) impact	Visual impact	Indirect (vibration) impact
	SHR 01234			
Redfern Railway Station Group/ Redfern Railway Station Booking Office	RailCorp s170 Heritage and Conservation Register (SHI 4801095) SS SEPP 2005 Redfern-Waterloo Authority Sites No. 11	Neutral	Minor	Neutral
St Luke's Presbyterian Church	LEP No. I1352	Neutral	Minor	Negligible
Terrace house	LEP No. I1353	Neutral	Negligible	Negligible
Former Redfern Municipal Electric Light Station	LEP No. I1354	Neutral	Negligible	Neutral
Electrical Substation No.112	LEP No. I2254	Neutral	Neutral	Neutral
Redfern Estate Heritage Conservation Area	LEP No. C56	Neutral	Minor	Neutral
Archaeological resources	Not listed	Major	n/a	n/a

8.10 Office of Environment and Heritage guidelines

The following table provides a summary of the heritage impacts in consideration of the *Statements of Heritage Impact* guidelines by the Office of Environment and Heritage (2002).

Table 13: Discussion of impact against Office of Environment and Heritage guidelines.

Impact on a heritage item	Discussion
Aspects that respect or enhance the heritage significance of the heritage items	<ul style="list-style-type: none"> The proposal would not result in any direct (physical) impacts to listed heritage items within the study area The proposal would not exceed the current high-rise development along Regent Street and would be keeping with the current amenity of the area The proposed development would be designed according to the SEPP State Significant 2005 design guidelines specific for the Redfern-Waterloo area. During the design phase the development has considered non-Aboriginal heritage and Aboriginal heritage

Impact on a heritage item	Discussion
	<ul style="list-style-type: none"> The proposal has been designed to sympathetically integrate with the existing aesthetic qualities of the historic streetscape context. This has been achieved by using appropriate setback distances, customised design features that reference the original buildings within the study area utilisation of a podium that responds in materiality, form and scale to surrounding development, and the use of modern materials and finishes for the tower structure to provide a sympathetic yet contemporary counterpoint to the historic setting of the study area The proposal would provide an opportunity for the provision of heritage interpretation, which could strengthen public engagement with and understanding of the history of the place and its associations with nearby heritage items. Any substantial non-Aboriginal archaeological remains or relics uncovered on the site could be interpreted through elements such as panels and/or artefact displays
Aspects that would detrimentally impact on the heritage significance of the heritage items	<ul style="list-style-type: none"> The proposed works would have a minor visual impact to the State significant Redfern Railway Station Group and a minor visual impact to the locally significant St Luke's Presbyterian Church, although these views would be in keeping with the current high-rise development in the area The proposed works would have a negligible potential indirect impact to the St Luke's Presbyterian Church by way of vibrations during construction works Should the site contain an intact and significant archaeological resource, they would be removed during excavation of the proposed basement.
Justifications for impact	<ul style="list-style-type: none"> The proposed development is required to provide student housing amenities in the area. The proposed development would be in keeping with the current high-rise development along Regent Street, both existing and planned. The proposal offers an opportunity for interpretation of associations and connections with heritage items in the vicinity, including the incorporation of the original contributory fabric within three of the existing buildings (pressed metal ceilings).
How is the impact of the new development on the heritage significance of the item or area to be minimised?	<ul style="list-style-type: none"> The proposed development has been designed in reference to the current Redfern Street streetscape with the bulk and scale of the existing buildings within the study area reflected in the proposed podium design. Podium materiality has similarly utilised brick construction in keeping with common construction techniques in the streetscape. The proposed tower has also been set back substantially from the Redfern Street streetscape reducing the bulk of the proposed development from vantage points within Redfern Street including the surrounding heritage items.

8.11 'Design Guide for Heritage' objectives

The following discussion provides a response to key objectives and design processes of the Government Architect NSW and Heritage Council of NSW 'Design Guide for Heritage' publication that are relevant to the proposal.

Design for the context

Additions and new buildings in valued heritage contexts should be sympathetic to the local streetscape and urban grain. New design should respond to its heritage context through an informed analysis of the area's character.

- *Site new work in a way that responds to the context and reinforces the quality of the streetscape. This will generally involve responding to and respecting existing front and side setbacks, locating additions or new elements on site in a way that respects existing patterns, and/or complementing the treatment of street edges.*
 - *Explore how the design of new buildings will relate to the existing urban fabric in terms of scale, height, form and mass; the relationship between solid and void; the play of light and shadow on facades, the proportions of openings; and materiality and detail.*
 - *Retain natural features of significance, such as mature trees. Landscape elements, such as fences, garden walls and planting schemes, also help define local character and should be retained where they contribute to the area's heritage significance.*
-

The study area is within a historic part of Sydney, as demonstrated by its proximity to heritage items and conservation areas in the vicinity. The proposal has been developed and refined to enhance the suitability and appropriateness of the proposed residential tower within its historic streetscape setting. The podium has been designed to provide a sympathetic transition in terms of scale and form at ground level to the tower structure above, and utilises brick materiality to respond to and interpret the predominant construction typology and aesthetic quality of the surrounding streetscape.

Provision of appropriate setback distances for both the podium and tower further ensures the proposal provides a sympathetic addition to its historic streetscape context. This includes development of an increased setback distance of both the podium and tower from the east and southern boundary of the study area, which respects and seeks to maintain the visual prominence and landmark qualities of heritage items in the vicinity, particularly the visual relationship between Regent Street and St Luke's Presbyterian Church.

The use of customised design features that reference the form and scale and Victorian detailing further responds to the heritage context of the study area, and provides a sympathetic addition to the surrounding streetscape that could enhance public appreciation and interpretation of nearby heritage items.

Reveal, protect and interpret the heritage significance of the place as an integral part of the project

Interpretation is a key element in any adaptive project, and should be integrated into the design process at an early stage. An interpretation strategy should be prepared by an expert and could inform the design approach, detailing and materiality. For example, it may be possible to preserve worn thresholds or markings that index prior use, or create an atmosphere that evokes the history of the site.

Interpretation communicates the history and previous uses of a building to its occupants and visitors, and helps to explain how and why changes have been made. It also helps people to understand how the new life of the building has added a chapter to its story, providing a sense of continuity from the past to the present.

The proposal presents an opportunity for the provision of interpretation, effective design and integration of which could strengthen public engagement and understanding of the history of the place and its use over time, and associations with heritage items in the vicinity.

Prepare a Heritage Impact Statement

The Heritage Impact Statement is prepared once the design has been agreed. This is essential for approvals processes and should demonstrate that the proponent has fully considered the heritage significance of the place when developing the design.

The statement should identify any potential impact and discuss why it may or may not be acceptable. (It is not sufficient to claim there is no impact.) For minor works, such as small-scale alterations and additions, it may be acceptable for the owner/architect/designer to prepare the documentation. For more complex work, it is generally necessary to commission an experienced heritage consultant to provide the documentation.

Preparation of this report satisfies this guideline, outlining the significance of the study area and study area, identifying and assessing physical, visual and potential indirect impacts of the proposal, and outlining recommendations and mitigation measures to manage identified impacts.

8.12 Statement of Heritage Impact

The study area does not contain any listed heritage items. There are several listed heritage items and a heritage conservation area within the study area, which consists of a 150-metre visual buffer zone surrounding the study area. This includes one SHR item, several s170 items, two SS SEEP sites, two LEP items and one LEP heritage conservation area. The proposed works would not result in any direct (physical) impacts to these heritage items.

The proposal would result in visual impacts to heritage items and heritage conservation areas within the study area. Potential visual impacts to views to and from heritage items include a minor impact to the locally listed St Luke's Presbyterian Church (LEP I1352), a minor impact on the Redfern Railway Station Group (SHR 01234), a minor impact on the locally listed 'Terrace house' (LEP I1353), a minor impact to the Redfern Estate heritage conservation area and neutral to negligible impacts to remaining heritage items within the study area. Visual impacts would be balanced by the design of the proposal, which has been carefully developed to acknowledge and respect the significant aesthetic and historical values of nearby heritage items.

The study area has been assessed as having moderate potential to contain locally significant archaeological 'works' associated with the mid to late 19th century historical development of the study area, and low potential to contain locally significant archaeological 'relics.' Excavation of the proposed basement level has the potential to impact on these archaeological resources, should they survive. Should an archaeological resource survive within the proposed basement footprint, this activity would have a major impact on archaeological remains.

8.13 Justification

Justification for the proposed development and associated heritage impact include:

- The proposal meets a demonstrated need for affordable housing in the area, particularly for students close to major tertiary institutions and good transport links.
- The proposal is consistent with the existing and developing built form in the precinct

- The proposal is consistent with the planning controls for the area, which envisage high rise development
- The proposal offers an opportunity for non-Aboriginal archaeological remains and Aboriginal heritage to be interpreted on site.
- The proposal has been designed to limit subsurface impacts through the retention of existing basement facilities in the southern end of the site. Additional subsurface impact will be limited and include lift access and fire escape routes as well as structural support for the proposed building load.

9.0 CONCLUSIONS AND RECOMMENDATIONS

9.1 Conclusions

9.1.1 Built heritage

There are no listed heritage items within the study area. There are several listed heritage items and a heritage conservation area within the surrounding study area, comprising of a 150-metre visual buffer zone. This visual buffer zone captures potential visual impacts to heritage items in the vicinity. This includes:

State significant

- Redfern Railway Station Group (State Heritage Register (SHR) 01234).

Locally significant

- St Luke's Presbyterian Church (Local Environmental Plan (LEP) I1352)
- Terrace house (LEP I1353)
- Former Redfern Municipal Electric Light Station (LEP I1354)
- Electricity Substation No. 112 (LEP I2254)
- Redfern Estate Heritage Conservation Area (LEP C56).

The proposed works would not have any direct (physical) impacts to the listed heritage items and the heritage conservation area within the study area. While the proposal has been designed where possible to minimise visual impact to heritage items in the vicinity, it would result in the following visual impacts:

The proposed works would have a **minor** visual impact on the following heritage items:

- Redfern Railway Station Group (SHR 01234)
- St Luke's Presbyterian Church (LEP I1352)
- Redfern Estate Heritage Conservation Area (LEP C56).

The proposed works would have a **negligible** visual impact on the following heritage conservation areas:

- Terrace house (LEP I1353)
- Former Redfern Municipal Electric Light Station (LEP I1354)
- Electricity Substation No. 112 (LEP I2254).

9.1.2 Non-Aboriginal archaeology

The study area has been assessed as having:

- Nil-low potential for locally significant historical archaeological remains associated with the early land grants (Phase 1)
- Moderate potential for locally significant 'works,' and low potential for locally significant 'relics' associated with mid to late 19th century residential development (Phase 2)

- Moderate potential to contain non-significant archaeological 'works' associated with the 20th century development of the site (Phase 3).

9.2 Recommendations

9.2.1 Built heritage

The site is located in the vicinity of several listed heritage items of both State and local significance. Therefore, the following recommendations are made:

- Vibration monitoring should be undertaken during works at the St Luke's Presbyterian Church (LEP No. I1352). If any inadvertent damage occurs the item the damage must be reported immediately to the Project Manager and the relevant Heritage Specialists. Damage is to be made good in accordance with specialist heritage advice
- Prior to the commencement of works, a Photographic Archival Recording (PAR) report should be prepared of the significant elements of 92-96 Regent Street to be impacted by the proposal. The PAR would document the exterior and interior of the buildings and their setting. The recording would be undertaken in accordance with the guidelines for *Photographic Recording of Heritage Items Using Film or Digital Capture*, as prepared by the NSW Heritage Office
- Prior to the commencement of works, a salvage strategy should be prepared by qualified heritage professional to identify and recover heritage building fabric to be removed during project works for salvage and reuse at the study area or at another appropriate place. Consideration of the incorporation of contributory elements found within three of the existing buildings (92-96 Regent Street), specifically the pressed metal ceilings located within the first floor of all buildings, should be considered by the proposal. These ceilings could be salvaged and reinstated within the proposed building, or new pressed ceilings of similar designs incorporated into the building. Contributory fabric (pressed metal ceilings, fireplaces) not retained for future use should be salvaged where possible and donated or sold to heritage restoration specialists
- There is an opportunity for provision of interpretation measures outlining the history and evolution of the study area. A Heritage Interpretation Strategy should therefore be considered for the project. This should also include and acknowledge Aboriginal associations and values

9.2.2 Non-Aboriginal archaeology

The study area has the potential to contain a locally significant archaeological remains. The following recommendations will aid in mitigating the archaeological impact of the proposed works:

- Under Schedule 2 of SRD SEPP 2011 the proposal is classified as being SSD. Therefore, the relics provisions of the *Heritage Act 1977* do not apply. It is therefore recommended that archaeological works be undertaken in accordance with archaeological best practise. This would involve investigation and archival recording of any archaeological remains exposed

during project works. The methodology adopted would be outlined in an Archaeological Research Design and Methodology prepared for the site prior to works commencing

- An archaeological testing program, guided by the Archaeological Research Design and Methodology, should be completed prior to the commencement of in-ground project works. Test trenches should target those areas known to contain 19th century outbuildings and structures
- On finalisation of the testing program a Result Report would be prepared. This report would include recommendations for the future management of the archaeological resource (should one be identified). Recommendations may include the implementation of monitoring and archival recording program during bulk excavation works, or the requirement to archaeologically salvage portions of the site prior to impact
- Any retrieved historical artefactual material would be the responsibility of the owner of the site. This includes appropriate treatment of the artefacts, and their long-term storage in a safe and accessible place
- All contractors responsible for ground disturbance within the study area should be provided with a heritage induction conducted by a suitably qualified archaeologist prior to any works commencing. This induction would provide information regarding the nature and appearance of potential heritage items within the study area and the requirements for reporting under the Heritage Act. It would also advise contractors of the role of the archaeologist on site during archaeological investigations
- 'Relics' are protected under the *Heritage Act 1977* and the Heritage Council of NSW should be notified in accordance with section 146 of the Heritage Act if 'relics' are identified at any stage of the project. All human skeletal remains are statutorily protected.

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11.0 APPENDICES

11.1 Appendix 1 – Request for consultation from Heritage NSW

Alyce Haast

From: Alyce Haast
Sent: Friday, 9 October 2020 10:35 AM
To: OEH HD Heritage Mailbox
Cc: Carolyn MacLulich; Ryan Peeters
Subject: 90-102 Regent Street: Request for review as part of consultation on SSD 10382
Attachments: 19076_90 102 Regent Street Redfern_ACHAR_201009.pdf; 19076_90-102 Regent St Redfern SoHI DRAFT V1 201009.pdf

To whom it may concern,

The Trust Company (Australia) Limited ATF WH Regent Trust is proposing to redevelop 90-102 Regent Street into a student accommodation building. The project is being assessed as a State Significant Development as SSD-10382.

As part of the development of the EIS, there is a requirement to consult with several agencies within the SEARs. Agencies listed include

- Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former Office of Environment and Heritage)
- Heritage Division of the Department of Premier and Cabinet (former Heritage Division of the Office of Environment and Heritage)

As part of this consultation, I have attached a copy of the Draft SoHI (which addresses Built heritage and non-Aboriginal archaeology) and Draft ACHAR (which addresses Aboriginal heritage) for comment by Heritage NSW.

If Heritage NSW wishes to provide comment, We request any feedback or comment on the Draft SoHI or Draft ACHAR by 6 November 2020.

Please let me know if you require any further information,


Kind regards,

Alyce Haast
Senior Heritage Consultant

ARTEFACT

Cultural Heritage Management | Archaeology | Heritage Interpretation

Telephone: 61 2 9518 8411 **Mobile:** 0412 487 963
Address: Suite 56, Jones Bay Wharf, 26-32 Pirrama Rd, Pyrmont NSW 2009
Web: www.artefact.net.au

 We acknowledge the Traditional Custodians of Country in which we live and work, and pay our respects to them, their culture and their Elders past, present and emerging

Alyce Haast

From: OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>
Sent: Friday, 9 October 2020 10:46 AM
To: Alyce Haast
Subject: Automated Response
Attachments: image002.png; image001.png



Heritage NSW

Thank you for your email to Heritage NSW, Department of Premier and Cabinet. We will respond to your email as soon as possible.

Coronavirus (COVID 19)

Given the rapid spread of coronavirus (COVID-19) Heritage NSW has taken steps to protect the safety, health and wellbeing of our staff, partners and communities. We have implemented a number of safeguards that meet official Australian Government COVID-19 guidelines. Whilst our offices remain open, we have well established flexible working arrangements for our teams across NSW, and we will continue to adapt as necessary as these guidelines continue to evolve. Face-to-face meetings and field work/site visits with our customers are now subject to new rules on gatherings and social distancing measures. There may also be some short delays in processing postage in the coming weeks.

We are committed to supporting our communities during this developing situation and we thank you for your patience and understanding.

Aboriginal cultural heritage regulation is now part of Heritage NSW

From 1 July 2020 Heritage NSW began managing Aboriginal cultural heritage regulatory functions under the *National Parks and Wildlife Act 1974*. Now the government functions for the management of Aboriginal cultural heritage is within the one State government agency. All the staff that previously carried out these functions in the Department of Planning, Industry and Environment have been welcomed into Heritage NSW.

Applications

If you have submitted an application under the *Heritage Act 1977* or the *National Parks and Wildlife Act 1974*, it will first be reviewed for completeness and then allocated to the appropriate assessment team. An officer will contact you if any additional information is required. The completeness check is generally completed within 7-14 business days.

We aim to process applications within the timeframes below:

Application Type	Timeframe (Commences once an application is complete)
Section 57(2) Exemption Notification	14 days
Planning Proposals Section 139 Exceptions Section 140 Permits Section 4.55 Modifications	21 days

Integrated Development Applications	If advertised: 21 days following receipt of submissions, or advice there were no submissions, or If not advertised: 40 days
Section 60 Applications Section 65A Modifications	40 days (or 60 days if advertised)
Section 90 Aboriginal Heritage Impact Permit	60 days

Nominations for listing under the *Heritage Act 1977* (State Heritage Register) must accompany a nomination form available on our website (<https://www.heritage.nsw.gov.au/protecting-our-heritage/nominate-listing-on-the-state-heritage-register/>). SHR Nominations are considered by the State Heritage Register Committee who will decide whether the nomination will proceed to the next stage of assessment.

Nominations for Aboriginal Place listings under the *National Parks and Wildlife Act 1974*, are allocated to the relevant team within 2 business days. An officer will contact you if any additional information is required. The Aboriginal Place proposal form is available on our website: <https://www.heritage.nsw.gov.au/protecting-our-heritage/nominating-an-aboriginal-place/>

Aboriginal Cultural Heritage Conservation and Repatriation

Programs supported by Heritage NSW include the ACH Conservation and Repatriation of Aboriginal ancestors and objects. This work is managed by staff located across NSW. Enquiries into these programs are sent to the relevant team within 2 business days. One of our staff will respond to you directly. Please advise us of any requests to modify our projects or timeframes to better accommodate your needs.

A new Heritage Management System is coming!

We are working to improve our systems to make it easier for you to work with us. Early next year, we will be releasing a new Heritage Management System, which will provide:

- Improved heritage search tools, and
- The ability to submit, pay and track the progress of applications online

Further updates will be provided as work progresses.

Further information is also available at <https://www.heritage.nsw.gov.au/>

Sincerely



Customer Strategies
Heritage, Department of Premier
and Cabinet.

Locked Bag 5020, Parramatta 2124
T (02) 9873 8500

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