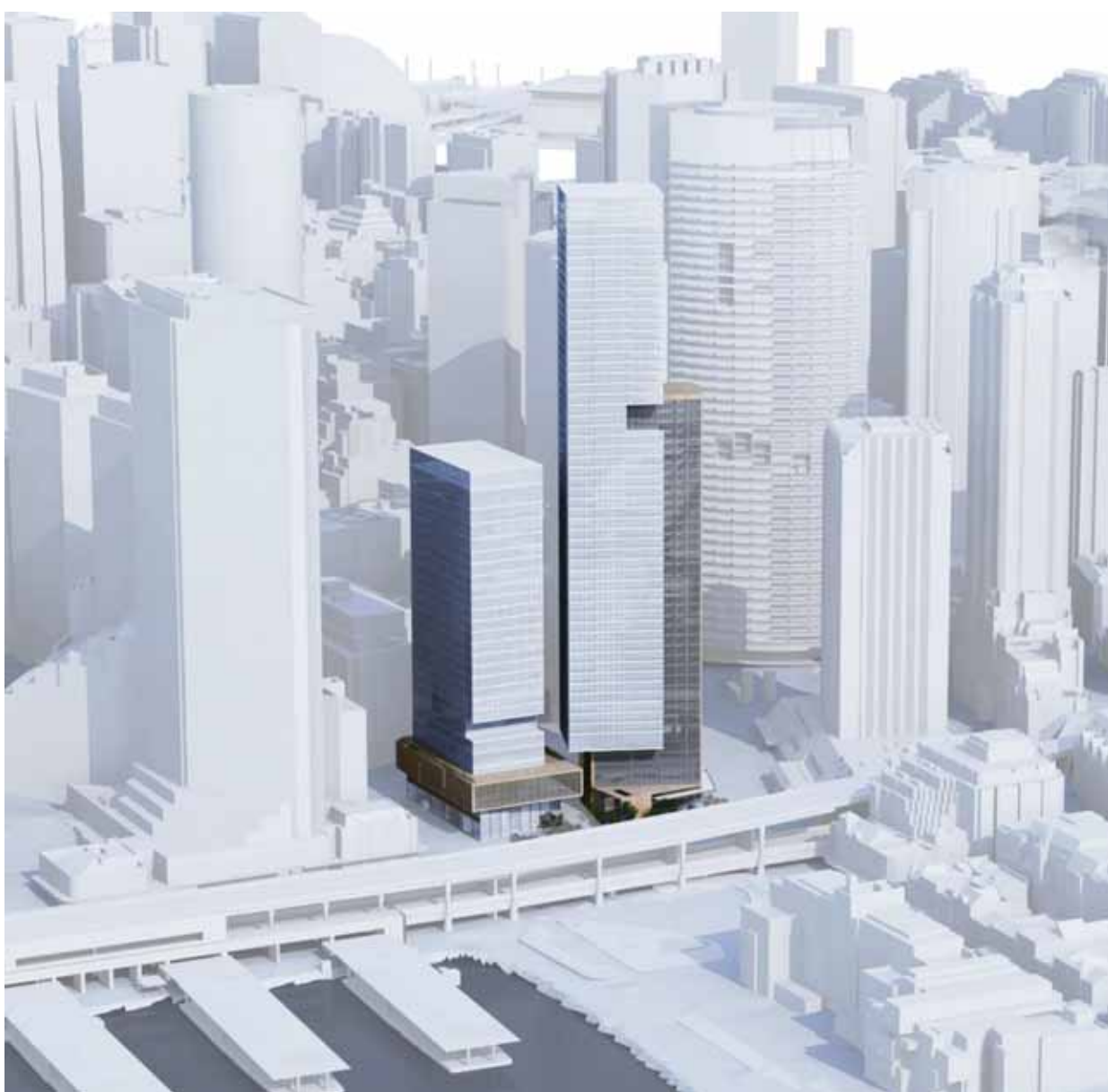


## Sydney 1 Project

### Heritage Impact Statement and Preliminary Archaeological Assessment

Report prepared for Dalian Wanda Group

June 2014



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## Report Register


The following report register documents the development and issue of the report entitled Heritage Impact Statement and Preliminary Archaeological Assessment, undertaken by GML Heritage Pty Ltd in accordance with its quality management system.

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15-0070	1	Preliminary Working Draft	12 June 2015
15-0070	2	Draft Report	18 June 2015
15-0070	3	Final Report	25 June 2015

## Quality Assurance

GML Heritage Pty Ltd operates under a quality management system which has been certified as complying with the Australian/New Zealand Standard for quality management systems AS/NZS ISO 9001:2008.

The report has been reviewed and approved for issue in accordance with the GML quality assurance policy and procedures.

Project Manager, Director & Reviewer:	Peter Romey
Issue No.	3
Signature	
Position:	Partner
Date:	25 June 2015

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## 1.0 Introduction

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### 1.1 Background

GML Heritage (GML) has been engaged by Dalian Wanda Group to prepare a Heritage Impact Statement (HIS) for the proposed redevelopment of the site currently occupied by Gold Fields House, Sydney. The current application is for Stage 1 development approval, and the development has been designated State Significant Development (SSD). The HIS provides an assessment of the potential heritage impacts of the proposed development on both the built heritage of the site itself and other sites in the vicinity, and on the potential archaeological resource. It incorporates a Preliminary Archaeological Assessment report.

### 1.2 The Site

The proposed development is located at 1 Alfred Street, Circular Quay, Sydney (Figure 1.1). The consolidated site is bounded by Pitt Street to the east, George Street to the west, and Rugby Place to the south. Alfred Street (to the site's north, and separated from the site by Herald Square) forms the southern edge of Circular Quay, and comprises part of the boundary of the 'buffer zone' for the World Heritage Listing for the Sydney Opera House. The subject site is therefore located a short distance outside the Sydney Opera House's WHL buffer zone (the implications of this are discussed in detail in Section 3.5; see also Figure 1.4). The south of the site connects with Rugby Place, although there is currently no through-site connection.

### 1.3 The Proposed Redevelopment

The proposed redevelopment comprises the demolition of the existing Gold Fields House fronting Herald Square, Fairfax House on Pitt Street and the Rugby Club building on Rugby Place. The subject site will be developed by the construction of a 185 metre high residential building (Tower A) on the northwest (George Street) corner and a 110 metre high hotel on the northeast (Pitt Street) corner. The proposed podiums of both buildings include retail tenancies at ground level, and the first floor of Tower B would provide additional retail. The space between the two podiums is intended to be activated with pedestrian uses and to provide a connection to Rugby Place to the south.

The project would require excavation beyond the footprint of the existing Gold Fields House basement (a matter relevant to potential impacts on the archaeological resource; see Section 5.0).

### 1.4 Heritage Items in the Vicinity of Gold Fields House

#### 1.4.1 Built Heritage

The properties comprising the subject site are not identified as having heritage value by any heritage agencies or authoritative bodies. Specifically, they are not:

- listed on the State Heritage Register (SHR);
- an identified heritage item in Schedule 5, Part 1 of the *Sydney Local Environmental Plan 2012* (SLEP 2012);
- part of a Heritage Conservation Area identified in Schedule 5, Part 2 of the SLEP 2012;
- listed as a Notable Building by the Australian Institute of Architects;

- listed on the National Heritage List or Commonwealth Heritage List; nor
- classified by the National Trust of Australia (NSW).

The statutory implications of the above are discussed in detail in Section 3.0 below.

The subject site is, however, located in the vicinity of several heritage items listed on one or more of the following:

- the SHR;.
- Schedule 5 of the SLEP 2012;
- the National Heritage List; and
- the World Heritage List.

Figure 1.3 shows the location of the subject site and the heritage items in its vicinity.

The Tank Stream Fountain in Herald Square is listed as a heritage item on Schedule 5 of the SLEP 2012 (Item No.11807). Although only the fountain is listed, it cannot be assessed without a consideration of its wider setting, ie Herald Square. Therefore, this report assesses the potential impacts of the proposed building envelope on the square as a whole, including the fountain.

The Tank Stream (an archaeological feature dating from the earliest days of the city's European settlement) is located below the western pavement of Pitt Street, approximately 2 metres from the eastern boundary of the subject site (see Sections 2.0 and 5.0 below). The Tank Stream is listed on the SHR (Listing No.00636, see Appendix C for the citation), and also on Schedule 5 of the SLEP 2012 (Item No.11656). The SHR listing form notes that 'The Tank Stream has a curtilage of 3 metres from all surfaces'.

Other heritage items in the vicinity of the subject site listed on Schedule 5 of the SLEP 2012 are:

- the Former Ship Inn facade (10–18 Pitt Street) (Item No.11858);
- the Paragon Hotel facades (27–29 Alfred Street) (Item No.11857);
- the Former Customs House (Item No.11661);
- the AMP Building (Item No.1662);
- Circular Quay Railway Station (Item No.11660); and
- the Sydney Harbour Bridge approaches group (Item No.1539).

Items in the vicinity listed under the *Heritage Act 1977* (NSW) (the Heritage Act)—ie on the SHR—are:

- Customs House (former) (Listing No.00727);
- Circular Quay Railway Station Group (Listing No.01112), also included on the Transport for NSW Section 170 Register; and
- Sydney Harbour Bridge, Approaches and Viaducts (Listing No.00781).

The Circular Quay Ferry Wharves are listed on the Roads and Maritime Services (RMS) Section 170 Register.

The Rocks is adjacent to the site, on the northern side of the Cahill Expressway, and is managed by the Sydney Harbour Foreshore Authority (SHFA). The Rocks Conservation Area is included on the SHFA Section 170 Register.

The Sydney Opera House and the Sydney Harbour Bridge are listed on the National Heritage List, and the Sydney Opera House is listed on the World Heritage List. The implications of these listings are discussed in detail in Section 3.5.

### 1.4.2 The Potential Archaeological Resource

The proposed redevelopment will include six levels of below-ground parking (Gold Fields House currently has two levels and Fairfax House has one level of basement parking on the Pitt Street frontage). The Rugby Club building does not have a basement. The existing parking levels on the Pitt Street frontage extend into the 3 metre SHR curtilage of the Tank Stream, as would any additional demolition and construction works in this zone.

Any works within the heritage curtilage of the Tank Stream would either require approval of the Heritage Council pursuant to Section 57 of the *Heritage Act 1977* (NSW) (Heritage Act), or an Exemption from the need for approval if the works are minor and will not result in an adverse impact on the Tank Stream. A preliminary assessment of the areas of the subject site outside the footprint of the Gold Fields House suggests there is the potential for historical archaeology to be present. As the proposed development would impact on this potential archaeological resource, a further detailed historical archaeological assessment will be required. If this assessment confirms that relics will be impacted, an archaeological research design and Section 140 Excavation Permit will be required prior to completion of Stage 2 approval process.

A preliminary desktop assessment of the remainder of the subject site has determined there may be some potential for Aboriginal objects, particularly within the unexcavated footprint of Rugby House. Therefore, a full Aboriginal Due Diligence Assessment should be undertaken in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010) (the Code of Practice) prior to the completion of the Stage 2 development application process.

Should this project be granted SSD approval, the *National Parks and Wildlife Act 1974* (NSW) (NPW Act) and the Heritage Act would no longer apply, thus permits referred to in this report would not need to be sought. With respect to the management of heritage, the project would be governed by the relevant conditions of the SEARS.

## 1.5 Methodology and Terminology

This HIS has regard to the methodology outlined in the NSW Heritage Manual guidelines for the preparation of Statements of Heritage Impact (NSW Department of Urban Affairs and Planning and the Heritage Council of NSW, First Edition, 1996). It is also consistent with the relevant principles and guidelines of the Australia ICOMOS Burra Charter (Burra Charter).

This HIS has been prepared based on the following documentation provided by Crone Partners Architects:

- Indicative Architectural Drawings SK 00, 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 (Crone Partners, June 2015);

- Sydney One Project—Aerial Perspective (Crone Partners 2015);
- Existing Basements—Extent of Additional Site Excavation SK001A (Crone Partners, June 2015);
- One Alfred Street Redevelopment—Heritage Impact statement and Archaeological Assessment (Godden Mackay Logan, November 2010);
- Briefing Paper—Wanda Project CQ—Stage 2 (McCullough Robertson, undated);
- One Alfred Street Architectural Drawings (Kerry Hill Architects, June 2010); and
- Statement of Heritage Impact—19–31 Pitt Street, Sydney (Rappoport Pty Ltd, September 2010).

## 1.6 Limitations

This report includes a preliminary desktop assessment of the potential for historical and Aboriginal archaeology at the subject site. It is anticipated that a more detailed assessment, including the nature and significance of any potential historical archaeological remains, will be undertaken during the Stage 2 approval process.

This report does not constitute a due diligence assessment in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010) (the Code of Practice). No Aboriginal consultation has been undertaken in preparing this report. To avoid unscheduled delays to the project, a full Due Diligence Assessment in accordance with the Code of Practice should be undertaken for the remainder of the subject site during the Stage 2 approval process.

## 1.7 Authorship

This report has been prepared by Peter Romey, Partner, with input from Janine Major and Anita Yousif, Associates, of GML Heritage. Historian Mark Dunn, GML subconsultant, prepared the history in Section 2.0.

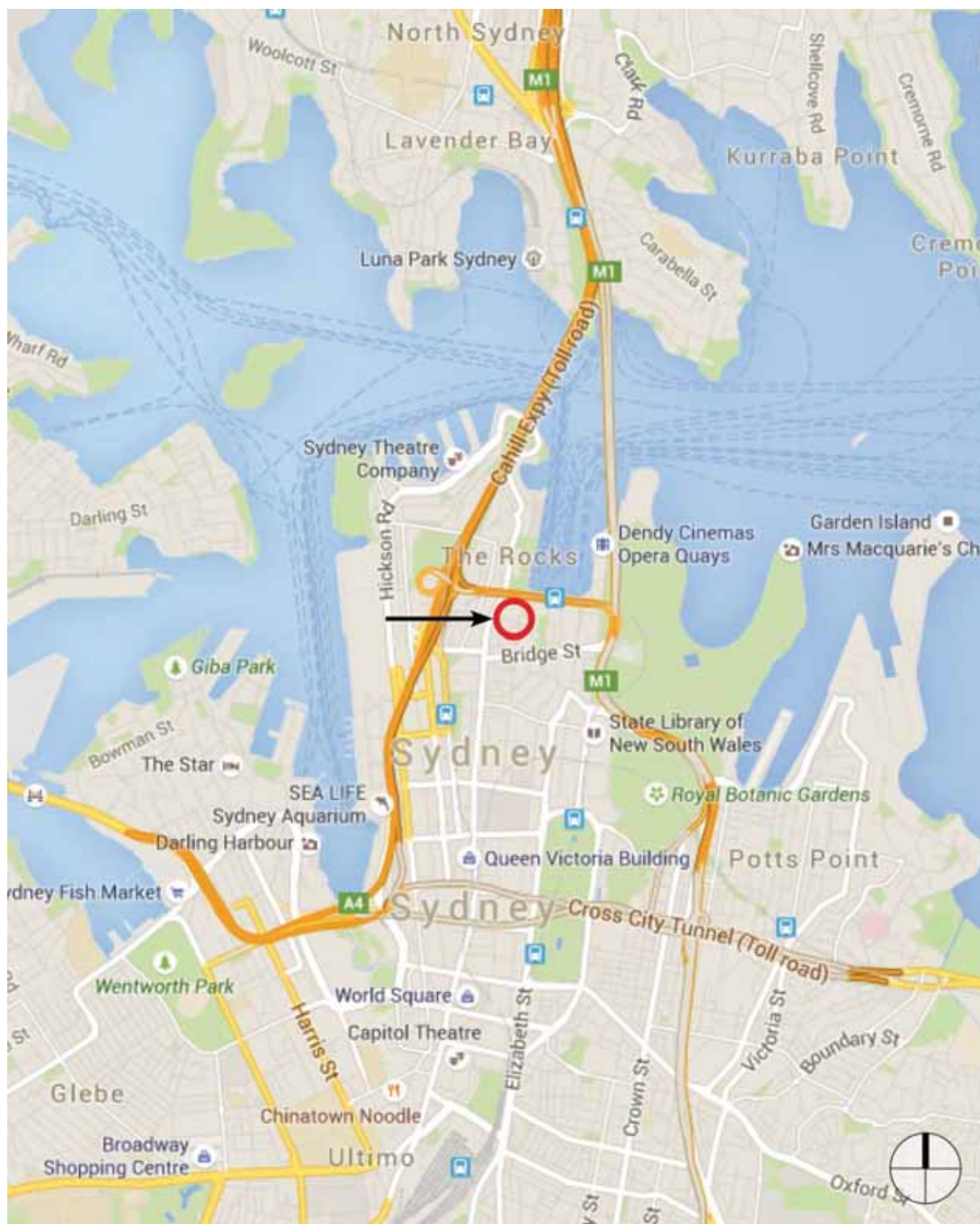
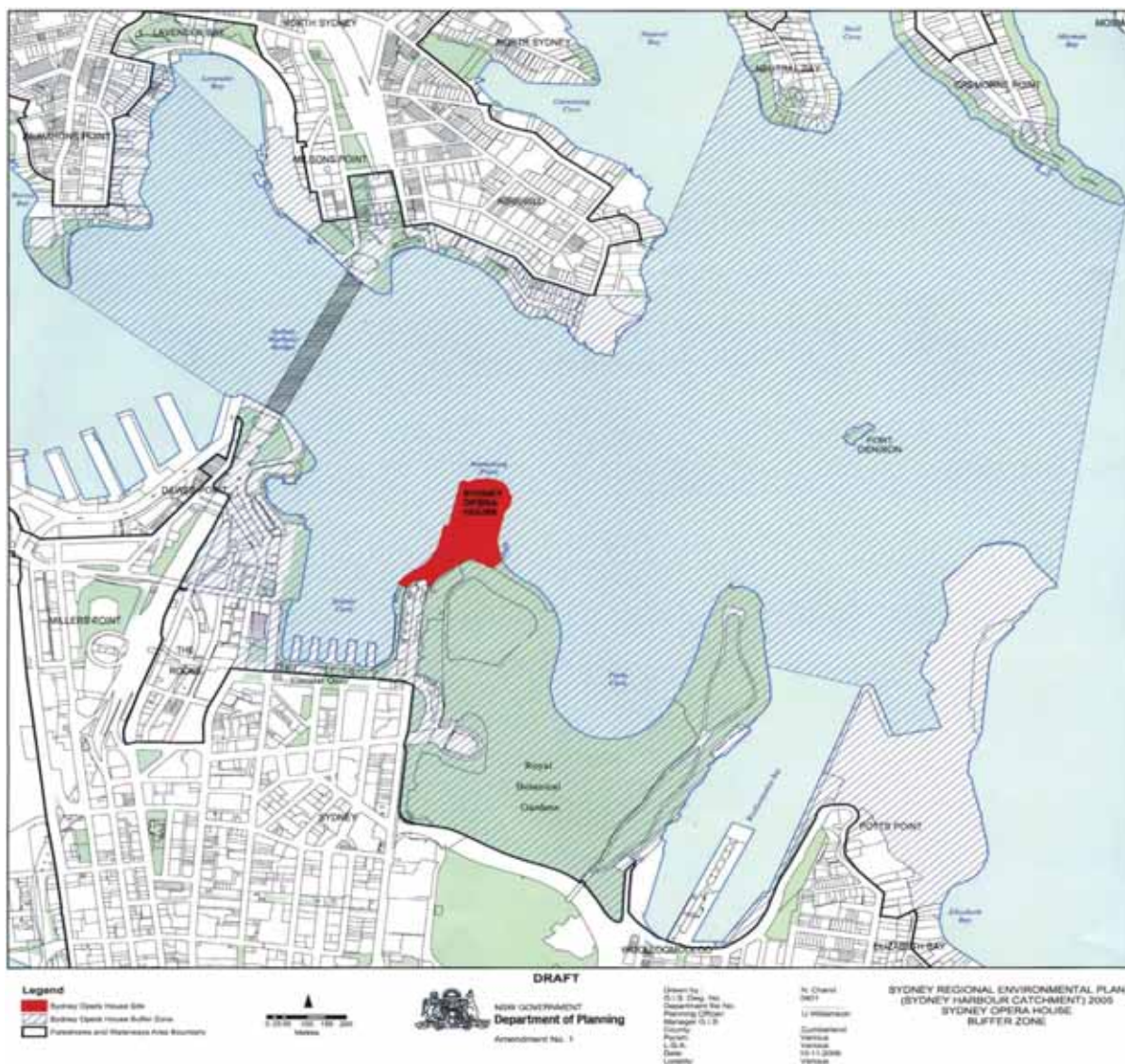


Figure 1.1 The location of the subject site in the wider Sydney CBD context. (Source: Google Maps with GML overlay 2015)



Figure 1.2 Aerial photo showing Sydney 1 Project location. (Source: Google Earth Pro with GML overlay 2015)

Gold Fields House—Heritage Impact Statement and Preliminary Archaeological Assessment, 25 June 2015



**Figure 1.4** Plan showing the buffer zone for the World Heritage listing of the Sydney Opera House relative to the subject site. (Source: Sydney REP 2005)

## 2.0 Historical Development

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### 2.1 Pre-European Occupation and Landform

Prior to the arrival of Europeans in 1788, the subject site was within the traditional lands of the Gadigal (or Cadigal) people, which covered the area south of Sydney Harbour from South Head to around Petersham. Aboriginal people had occupied the Sydney area for upwards of 15,000 to 20,000 years, as identified by archaeological sites in the Sydney district.<sup>1</sup>

At the time of arrival of the First Fleet in 1788 there were an estimated 1,500 Gadigal people living in the area of Sydney, although numbers have never been accurately recorded. As their territory extended along the harbour foreshore, as well as the wooded hills and valleys behind it, the Gadigal people were able to vary their diet with seafood and terrestrial foods, including edible plants and animals. Fish from the harbour were supplemented with shellfish and molluscs, including oysters, gathered from the foreshores and mudflats that characterised the natural shoreline of the harbour. The area includes the current study area, which straddled the estuarine mouth of the Tank Stream.

The Tank Stream, as it was to be called by the First Fleet settlers, was one of a number of small streams and creeks that entered the harbour at the time of the European arrival. Its position in a sheltered cove was a deciding factor in the choice of a landing site for the arriving Fleet. At the time of arrival, Sydney Cove was lined on the western shore by sandy white beaches graduating to mud banks at the entrance of the stream into the harbour.<sup>2</sup> The slopes around the cove and the valley extending to the south would have been forested with indigenous trees and shrubs such as swamp mahogany, white gum, smooth-barked apple tree, bloodwood, turpentine and swamp oak, with an under-storey of acacia, banksias and other shrubs. The stream, which originated in marshy ground close to present day Hyde Park, ran north to meet the harbour at the tidal point close to the middle of present day Bridge Street. Its route to the harbour ran along the centre of a valley created by the stream through the sandstone bedrock, with the high points being approximately equivalent to the position of York and Macquarie Streets. The current alignment of Pitt Street, north from Bridge Street to Alfred Street, ran through the mud banks and into the open water of the original shore line.

The banks and valley area of the Tank Stream were utilised by the Gadigal people for campsites and gathering of food and fresh water. Archaeological excavation of sites in Sydney, including the Angel Place development site to the south of the study area (near the corner of Pitt Street and Martin Place, where a number of flaked-stone artefacts were retrieved from the remnant natural bed and banks of the Tank Stream), indicate the use of the Tank Stream Valley by the original inhabitants.<sup>3</sup>

However, the site of the study area within the tidal zone and on the mud banks of the original stream, particularly on the eastern portion, reduced the likelihood of similar results being produced.

### 2.2 European Settlement and Shoreline Reclamation 1788–1845

The arrival of the First Fleet in 1788 had an immediate impact on the shoreline of Sydney Cove and the Tank Stream. The impact of Europeans was felt immediately in the Tank Stream valley where convicts and marines went ashore on the first morning to begin felling trees and clearing the site for the settlement. Figure 2.1, a plan of the head of Sydney Cove as surveyed in March 1788, shows the positioning of the first shelters and buildings around the cove and on either side of the long tidal zone that formed the head of the stream. Within a few months of the arrival of the Fleet, a wooden bridge had been built over the head of the

stream to allow crossings from one side to the other. A track leading down to the bridge became the basis of the future Bridge Street and represented the first east–west crossing in the new town.

In 1797, the first town leases were granted in Sydney, which included a number of sites along the western edge of the Tank Stream facing George Street. Although these areas had been previously occupied in an unofficial capacity, the issue of leases and conditions upon them represent the first phase of deliberate alteration to the stream and its bed. A number of the leases extended beyond the high watermark, across the mud flats to the edge of the actual stream bed (See Figure 2.2). Despite the growing population and increasing shipping trade in Sydney after 1800, much of the developing wharf accommodation, while being in Sydney Cove, was being developed on either side of the Cove rather than at the head of the Cove. Wharfs and warehouses were being constructed further north of the study area, with the site remaining as open mud flats on the eastern side until the 1840s.

Facing George Street, however, the site had buildings appearing from the 1790s. The study area lies within the lease of Major George Johnson and those of George Howe and John Gill. Johnson had arrived with the First Fleet and risen to prominence in the colony as commander of the Rum Corps, for his part in suppressing the uprising of convicts at Vinegar Hill in 1804 and as the head of the troops who arrested Governor Bligh during the Rum Rebellion in 1808.<sup>4</sup> Although Johnson was returned to England and court-martialed for his involvement, he was allowed to return to the colony in 1813 where he remained until his death in 1823, farming on his large Annandale Farm estate. His lease site in George Street was occupied in the 1820s by two buildings fronting the street, with one being noted as Chapman's slaughterhouse<sup>5</sup> (see Figure 2.3).

Immediately to the north was the lease of William Blake which extended from George Street to the high watermark. Blake had sold the lease to Edward Wills in c1807 and buildings had been erected facing George Street by this time. Wills died in 1811 and his widow Sarah married George Howe, who had founded the *Sydney Gazette and New South Wales Advertiser*—Sydney's first newspaper—in 1803. Edward had run a store on the site, which was likely later used by Howe to house his publishing presses. Part of the Cove behind the store building had been resumed by the 1820s.

A sketch of the site from the George Street frontage in 1848 shows a row of two-storey Georgian shops and merchant houses, including the former Bank of Australia, a tea merchant, Livingstone's wine tavern and the offices of the Sydney Morning Herald. The association of the area with the Herald is remembered in the naming of Herald Square which fronts the study site on Alfred Street (see Figure 2.4). This section of George Street represented the hub of the colonial trade and mercantile scene, with shops, warehouses, taverns and traders all vying for the trade generated by the nearby wharves and the ships that visited them.

## 2.3 The Tank Stream and Semi Circular Quay

Although the original settlement around the head of Sydney Cove had depended on the Tank Stream for its fresh water needs, within the first twenty years of settlement the stream had been fouled with sewerage, rubbish and run-off from piggeries and yards, making the water undrinkable and transforming the Tank Stream into an open sewer. This, along with the growing need for wharf space in Sydney Cove, prompted the gradual covering over of the Tank Stream and the infill of the tidal zone at the head of the harbour. Work began on the scheme in the 1840s with the construction of a stone seawall along the western side of Sydney Cove. This was followed by a stone seawall along the eastern side. The mud flats in the centre were crossed by a wooden bridge extending east from Pitt Street (on the opposite side of the road to the study site), built by private enterprise to save pedestrians the trip to the Bridge Street crossing, and on which a halfpenny toll was charged. As it joined the Bon Accord Wharf in Pitt Street, it became known as the Bon Accord Bridge.<sup>6</sup>

In the early 1850s, the City Council decided to continue the wharf around the Cove to join the two stone sections. However, due to the cost involved (and the dwindling convict resource since the end of transportation in the 1840s), the work was completed using timber. A plan showing the Extension of the Semicircular Quay, dated 1854, shows the extent of the timber wharf extension from a position north of Argyle Street (within the Overseas Passenger Terminal) along the western shore line and around to approximately between ferry wharves 5 and 6. The construction consisted of metal tipped timber piles driven into the harbour bed at regular intervals of approximately 9 feet (2.7m) apart. Batons were placed across the piles and a timber decking then laid out to form the new wharf. Behind the wharf the site was reclaimed and Pitt Street extended to meet the harbour (see Figure 2.5–2.7).

As part of this work the Tank Stream was also enclosed. At the Circular Quay end adjacent to the study site, as this part of Sydney Cove now became known, the Tank Stream was enclosed within a stone semi-circular drain with a separate sewer line running along its eastern side. The drain was approximately 3.5 metres wide, 2 metres high and 3 metres below the street level to its base. The newly formed sewer then entered the harbour at Circular Quay to the west of the present Wharf 6. This work, and the extension of Pitt Street formed the eastern edge of the study site (see Figure 2.8).

The creation of the extended Pitt Street allowed for new development along the street, including along the eastern portion of the study area. By 1865, the Pitt Street frontage was occupied by two store buildings with associated yards. In 1880, these are identified on Percy Dove's plans as a cement store and Livingstone's Timber Merchant, with attached store and yards. Immediately to the north (still within the study site, including the Herald Square area) was the three-storey Peacock's Jam factory. The area between Pitt and George Street is occupied with yards and workshops, while the George Street frontage contains a row of single-storey shops and commercial premises (see Figures 2.9 and 2.10).

By the turn of the twentieth century both the Pitt Street and George Street frontages had been developed with two-storey shops and taller office chambers. Alfred Street, which ran parallel to Circular Quay, at this stage did not extend west of Pitt Street (see Figure 2.11). The area to the north of the study site was instead occupied by warehouses, shops and offices including the Circular Quay fire station on the corner of George and Barton Streets and the offices of the Sydney Harbour Trust (post 1901) on the corner of Pitt and Barton Street. (Barton Street was removed after the construction of the Cahill Expressway and now lies beneath the Expressway and part of First Fleet Park to the north of the study area.)

## 2.4 Gold Fields House

In 1958, the Cahill Expressway was opened to traffic. Its completion created a route for traffic from the Sydney Harbour Bridge to the eastern suburbs and allowed the final link of the city circle railway. Originally proposed as part of the city railway and harbour crossing in the early twentieth century, work to resume and demolish buildings in its path had been interrupted by World War II, although any construction work came later. By 1943 though, a number of buildings between George and Pitt Streets had been demolished primarily along an alignment with Alfred Street. The demolition of these buildings created the northern boundary of the study site. With the extension of the Cahill Expressway west to east across the front of Circular Quay, the remainder of the buildings in this part of George and Pitt Streets were demolished (see Figure 2.12 and 2.13).

The site bounded by George, Pitt and Alfred Streets had been resumed by the Department of Railways as part of the City Circle extension. In 1959 the Department wrote to the Council informing them that tenders had been called to develop the block bounded by George, Alfred and Pitt Streets and with it envisaged that the accepted tender would demolish the existing buildings, which included a three-storey chambers and an old warehouse, and erect a 'modern multi-storied building thereon, somewhat comparable to the proposed

new AMP Building which is now in the course of construction'.<sup>7</sup> The AMP building, completed in 1961 at the eastern end of the Cahill Expressway, was the first tall modern tower building in Australia and the first built in Sydney following the lifting of the 150 feet height restrictions that had been imposed on the Sydney skyline since the early 1910s. The proposed Gold Fields House was to act as a 'bookend' to Circular Quay, mirroring the groundbreaking AMP building. The architects Peddle Thorp & Walker, who had designed the AMP building, were also commissioned to design the Gold Fields House development.

Work began on site in late 1963 with deep excavation through bedrock for building foundations, underground parking, plant and equipment rooms and the lift well. The excavation was taken to all four edges of the allotment boundary and extended two and a half levels below Alfred Street. In the process the site was cleared of any remaining footings or remnant structures from the earlier development phases, as well as any existing pre-European landform or evidence. The edges of the excavation, which extended below the high water mark, were lined with steel sheeting and then braced to prevent their collapse (see Figure 2.15). The Tank Stream lay outside the actual building allotment boundary below the Pitt Street footpath (see Figure 2.8), with the strata through which the water course was cut restrained by the steel sheeting.

Gold Fields House was completed in 1966 as an office and commercial high rise tower development. It has maintained the same role and mix of occupation until the present time.

## 2.5 Fairfax House

Fairfax House, at 19–31 Pitt Street, is a fifteen storey commercial office building which was constructed in the late 1960s by Mainline Constructions Pty Ltd, for a cost of \$1.5m.<sup>8</sup> This building lies on part of allotment 6 Section 47 of the City of Sydney originally leased to Major George Johnson, and after his death in 1823 granted to his three daughters Julia, Maria and Blanche Johnson. When Pitt Street was extended from Hunter Street to Circular Quay in 1853, it ran through Johnson's original land grant. By the 1860s this part of Pitt Street was occupied by Lumber yards and merchant stores.<sup>9</sup> From the 1880s this area was part of the land owned by CE Crane & Co<sup>10</sup> hardware merchants. Crane's Lane (now Rugby Place) runs along the southern side of the subject site.

The area was redeveloped in the 1920s and the subject site was occupied by Carlton Chambers and the Commonwealth Bank (23–31 Pitt Street) plus two smaller buildings at 21 and 19 Pitt Street occupied by a restaurant (21) and fruit shop with dwelling above (19).<sup>11</sup> These buildings were demolished in 1968 for the construction of Fairfax House.

## 2.5 Rugby Club

The Rugby Club is a six storey brick warehouse building that was built in the late 1920s<sup>12</sup> and initially occupied by Bacon & Co Ltd photo engravers. It was known for many years as Bacon's Building.<sup>13</sup>

Prior to the construction of this building the site was part of the land owned by CE Crane & Co and contained limited development. The property was purchased by the Greater Sydney Investment Company Ltd in the late 1920s and the subject building constructed on the site.<sup>14</sup> Access to the building was via a lane off Pitt Street originally known as Crane's lane (now Rugby Lane).

In 1952 this building was sold to the Rugby Union Club.<sup>15</sup> The Rugby Club was formed in 1945 as a city base for all rugby players and lovers of the game. The Rugby Club was originally the HQ of the NSW Rugby Union and later the ARU and was where Wallaby touring teams were presented their jerseys. It was also where the Australian and New Zealand Rugby Boards agreed to establish the Rugby World Cup and later the Super Rugby and Tri-Nations competitions.<sup>16</sup>

Gold Fields House—Heritage Impact Statement and Preliminary Archaeological Assessment, 25 June 2015

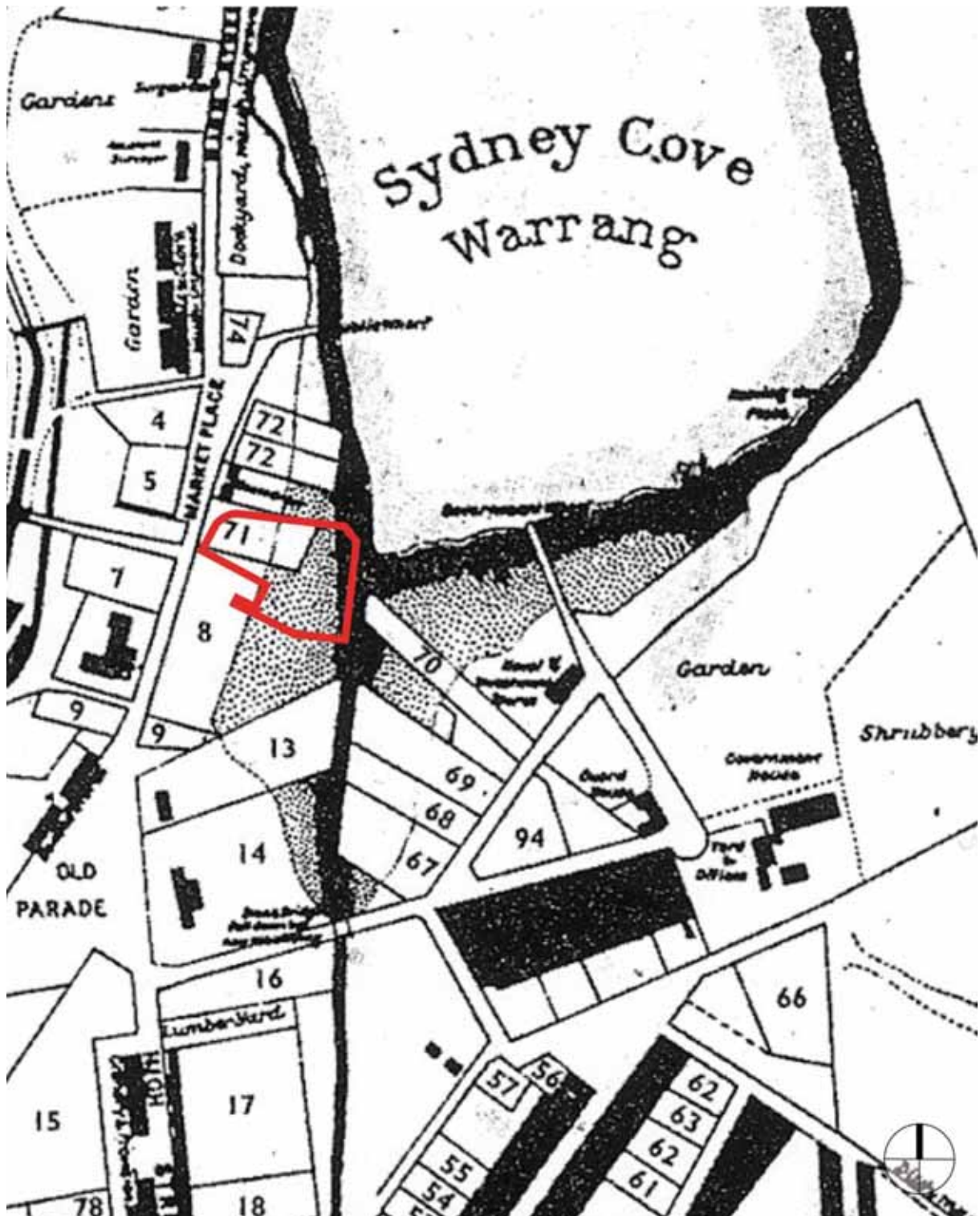


Figure 2.2 1807 Plan of the Town of Sydney by James Meehan. This plan, with the study site indicated, shows the early leases along George Street which extended through the study site. These sites were developed early with shops and stores catering to the nearby wharves. (Source: Ashton, P and D Waterson, 2000, *Sydney Takes Shape*, HEMA, Sydney)

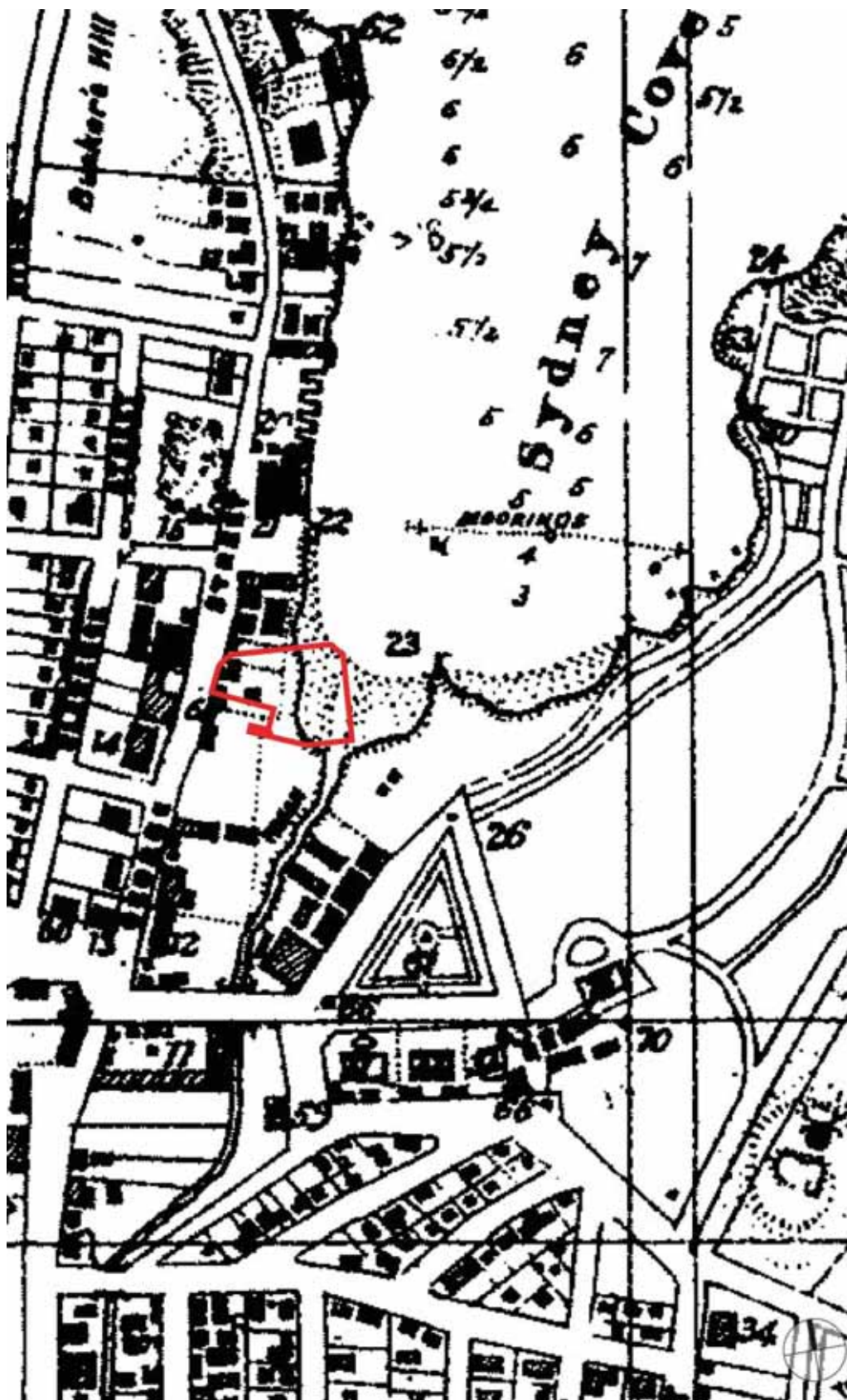


Figure 2.3 1822 Plan of the Town and Suburbs of Sydney. George Street and Bridge Street have been created as has Macquarie Place, all which are beginning to give shape to the area around the study site. The approximate position of the subject site is shown in relation to the natural Tank Stream flow and the mud flats where it entered the harbour. (Source: Ashton, P and D Waterson, 2000, *Sydney Takes Shape*, HEMA, Sydney with GML overlays 2015)

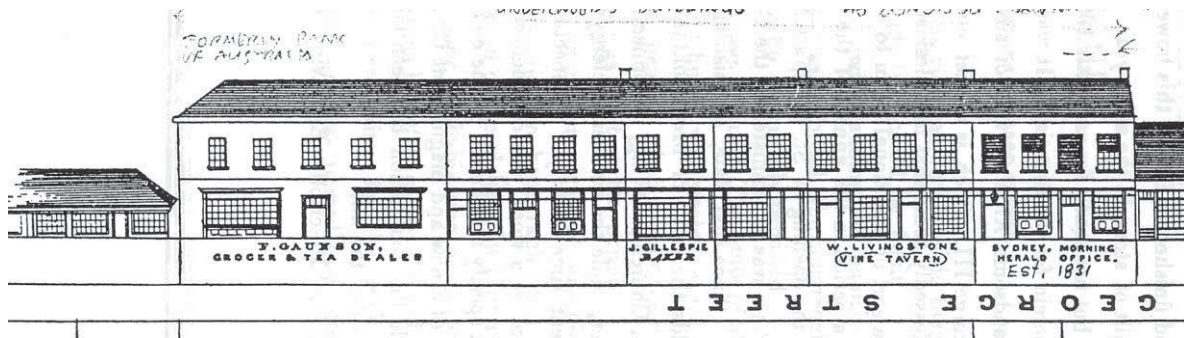


Figure 2.4 Joseph Fowles 1848 sketch of George Street showing the style of commercial development fronting George Street across the study site. Of interest is the office of the Sydney Morning herald, shown on the right, after which herald Square takes its name. (Source: Fowles, J, Sydney in 1848, facsimile edition 1962, Ure Smith)

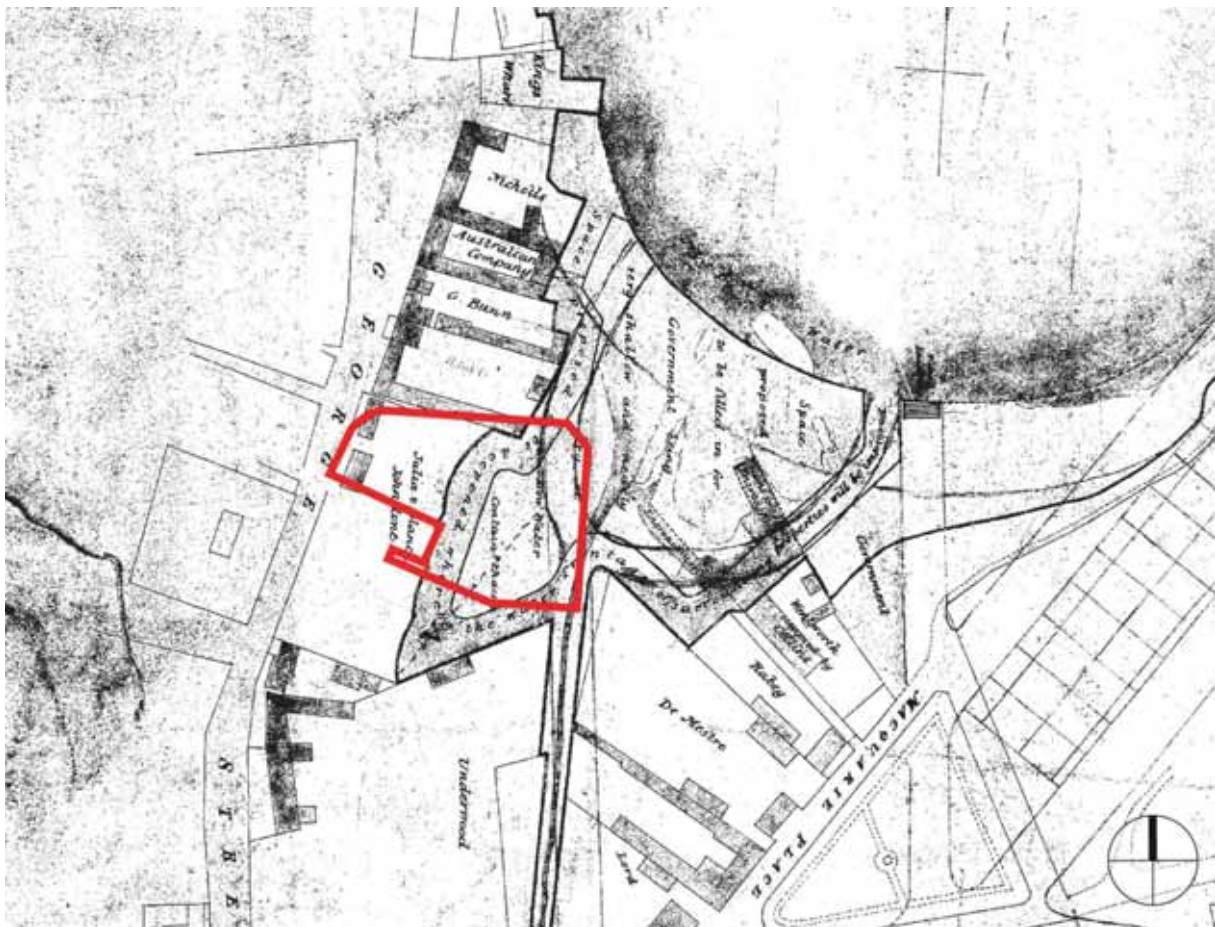


Figure 2.5 c1850 plan showing proposed reclamation with the study site shown. Note that the allotment boundary extends from George Street, with earlier buildings shown on it, to the east across the high water mark and mud flats of the Tank Stream delta. The proposed Quay extension is shown in relation to the earlier development. (Source: State Records NSW AOMAP 5634 with GML overlays 2015)

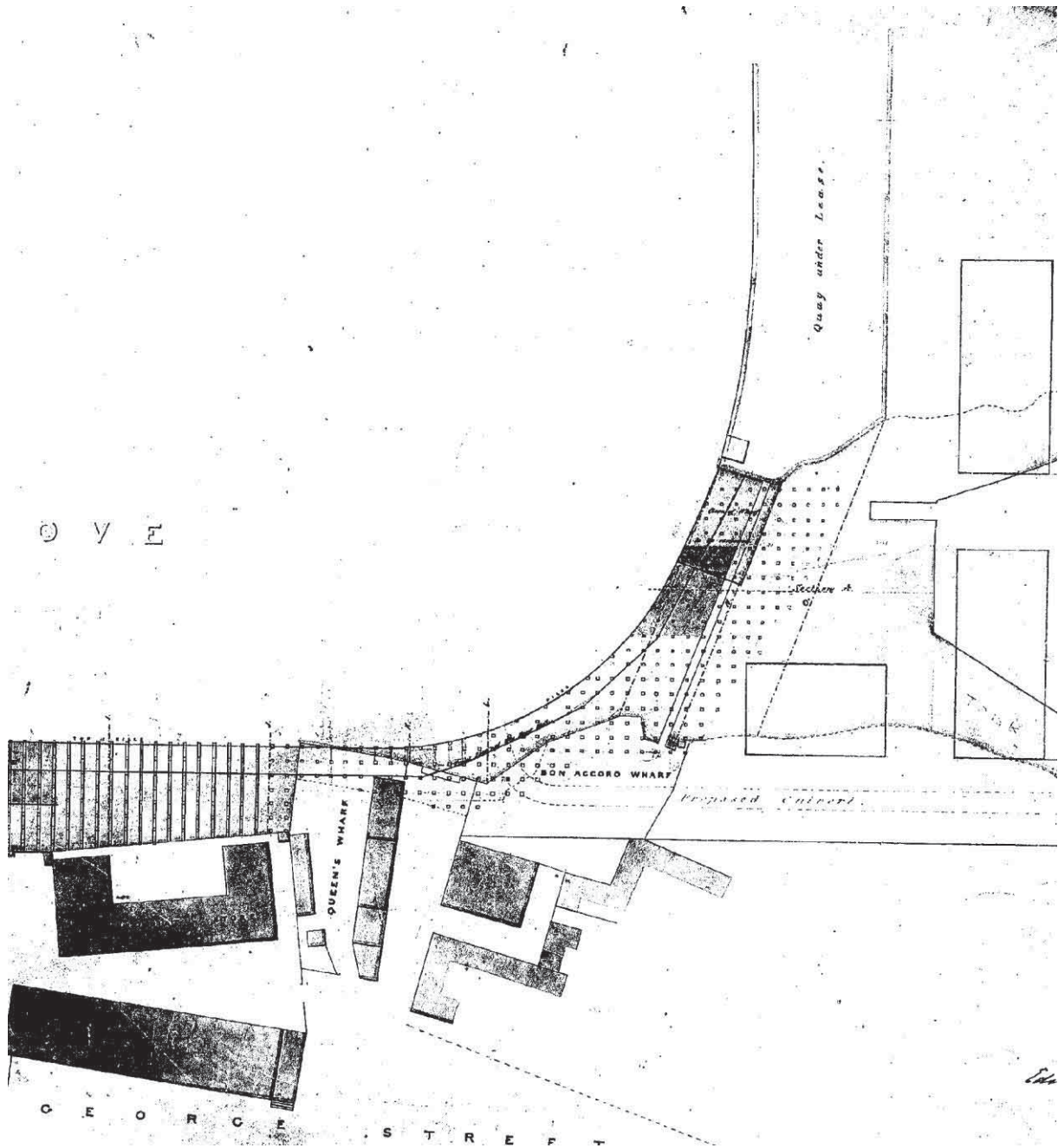
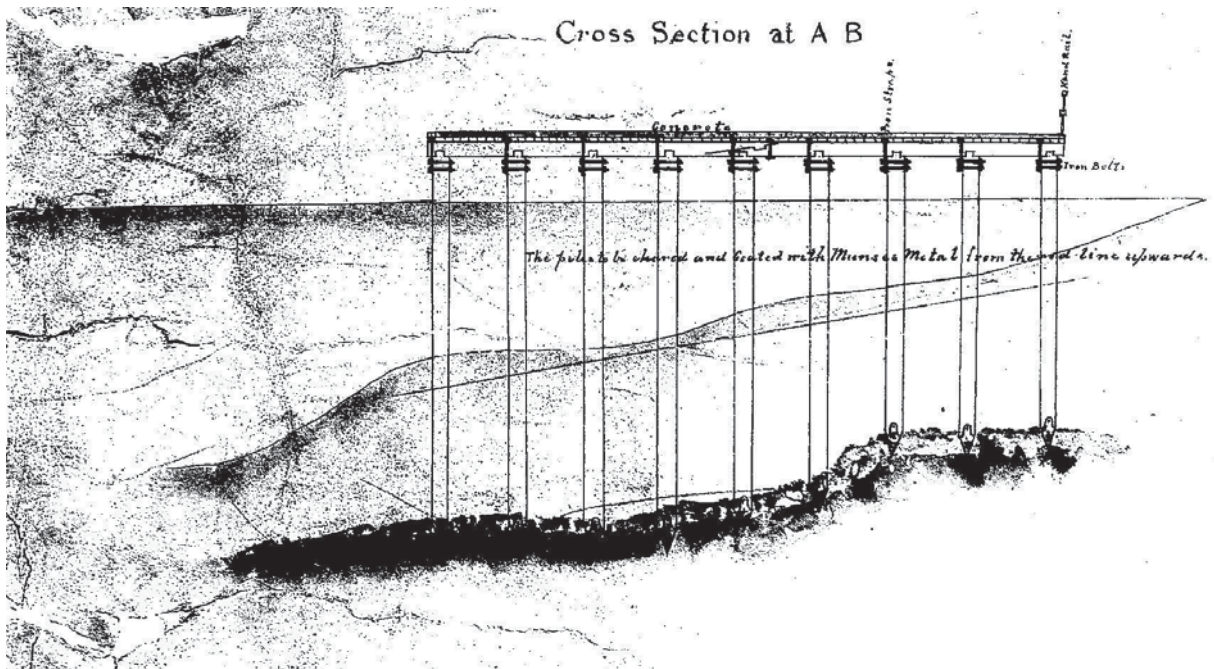


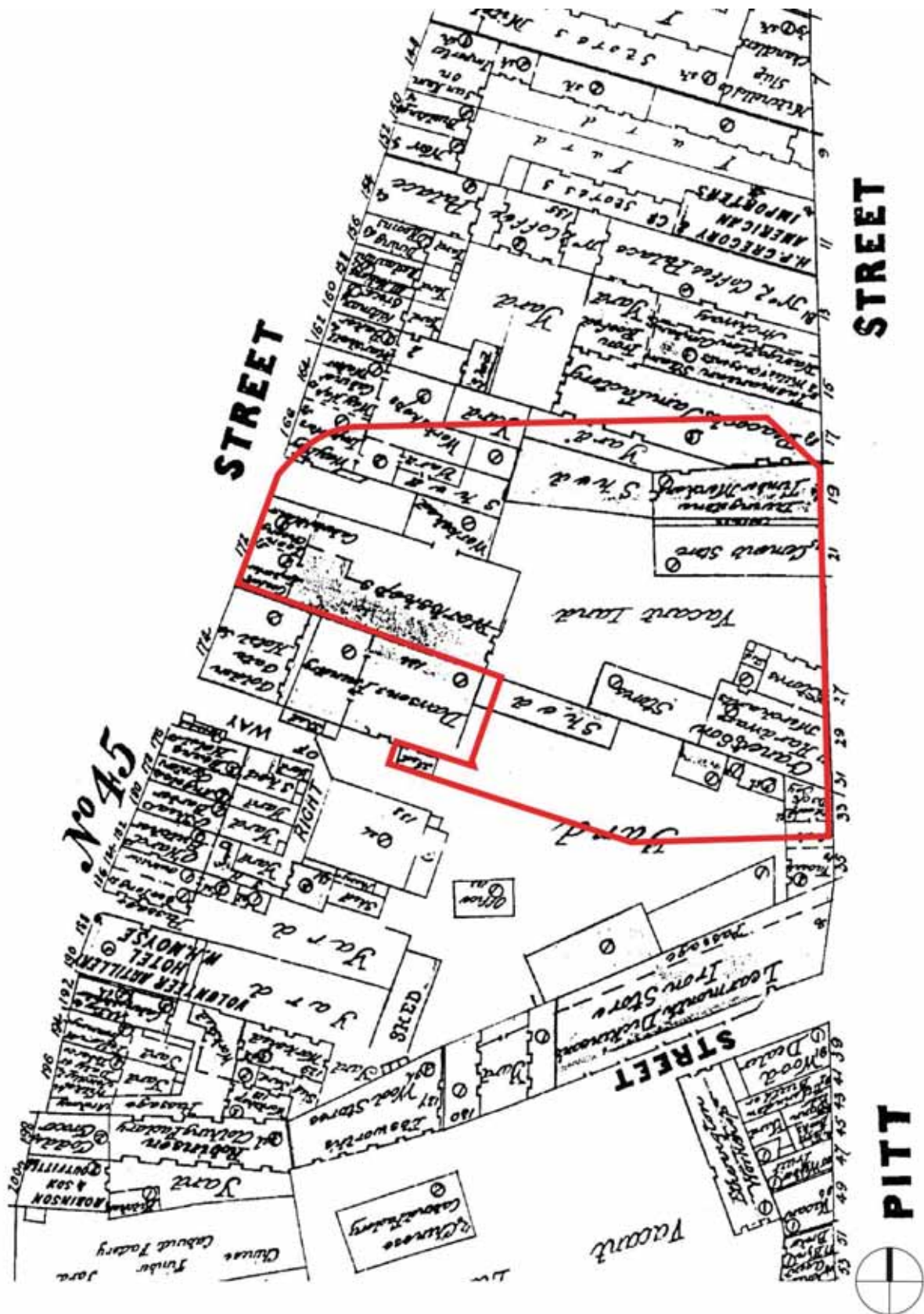
Figure 2.6 Detail of Plan of Extension of Semicircular Quay 1854, showing the plan for the timber piles and decking, as well as the intended Pitt Street extension and the proposed culvert for the Tank Stream. (Source: State Records NSW AO Plan 1282)



**Figure 2.7** 1853 Detail of plan for the extension of the semicircular quay showing the plan for piles for the wharf decking. The timber piles were to be positioned at regular intervals in a grid pattern, then topped with cross beams and timber decking. Each was tipped with a metal cap for driving through the stream bed and into the harbour floor. (Source: State Records of NSW AO Plan 5641)



**Figure 2.9** 1865 Trigonometrical Survey showing the position of the Tank Stream drain running along Pitt Street and the buildings occupying the subject site. (Source: Department of Lands with GML overlays 2015)



**Figure 2.10** 1880 Dove plan of Sydney. This shows the high density development on the subject site and around the George Street and Pitt Street areas. This part of the city was dominated by warehouses, merchants and shops dealing with the bustling maritime trade of Circular Quay and other nearby wharves. (Source: City of Sydney Council Archives with GML overlays 2015)

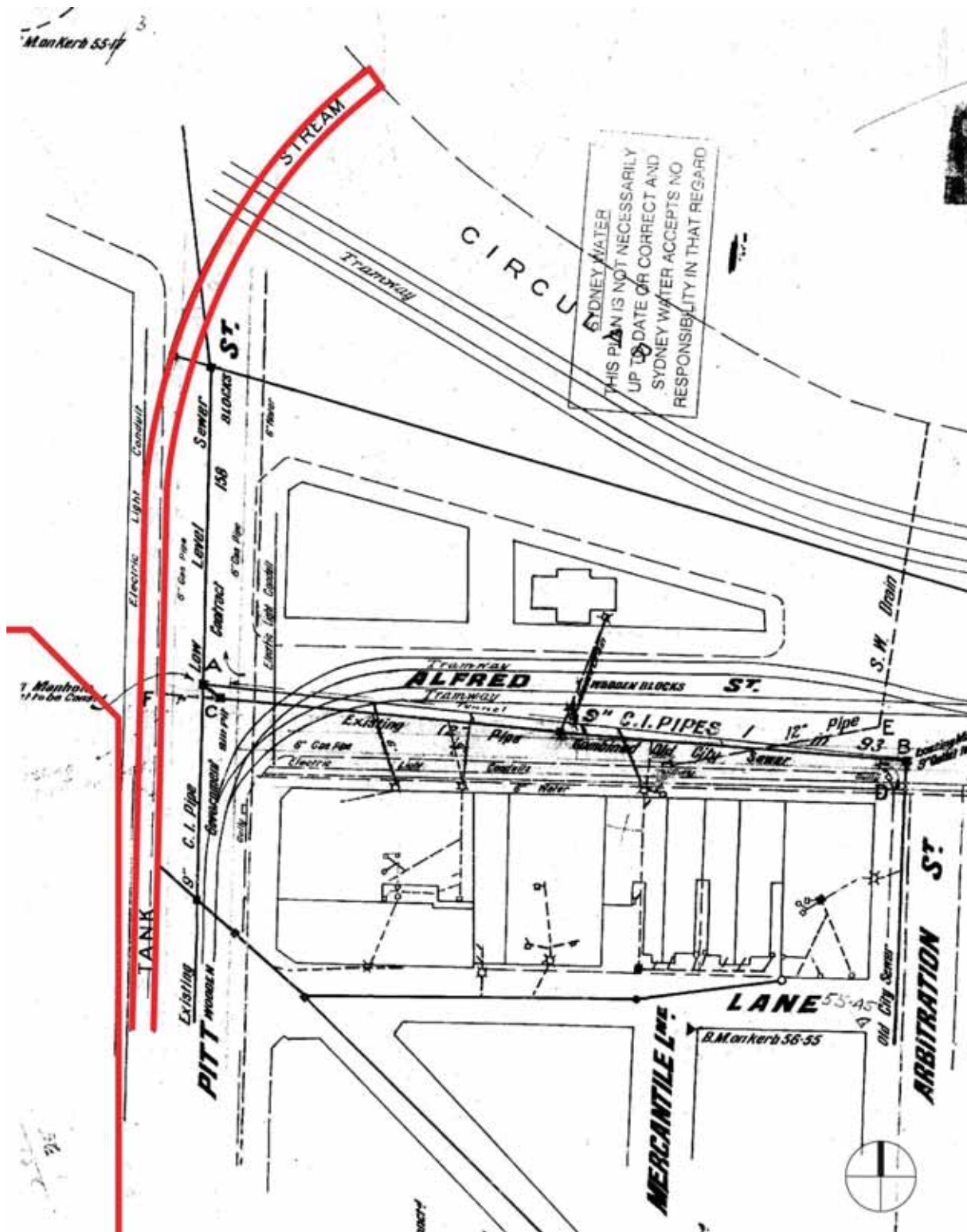


Figure 2.11 1922 Sydney Water board survey for the Northern Sewer branch, showing the position of the Tank Stream drain and its entry point into the harbour. The drains relationship to the site boundary is also shown. (Source: Sydney Water Plans Room with GML overlays 2015)

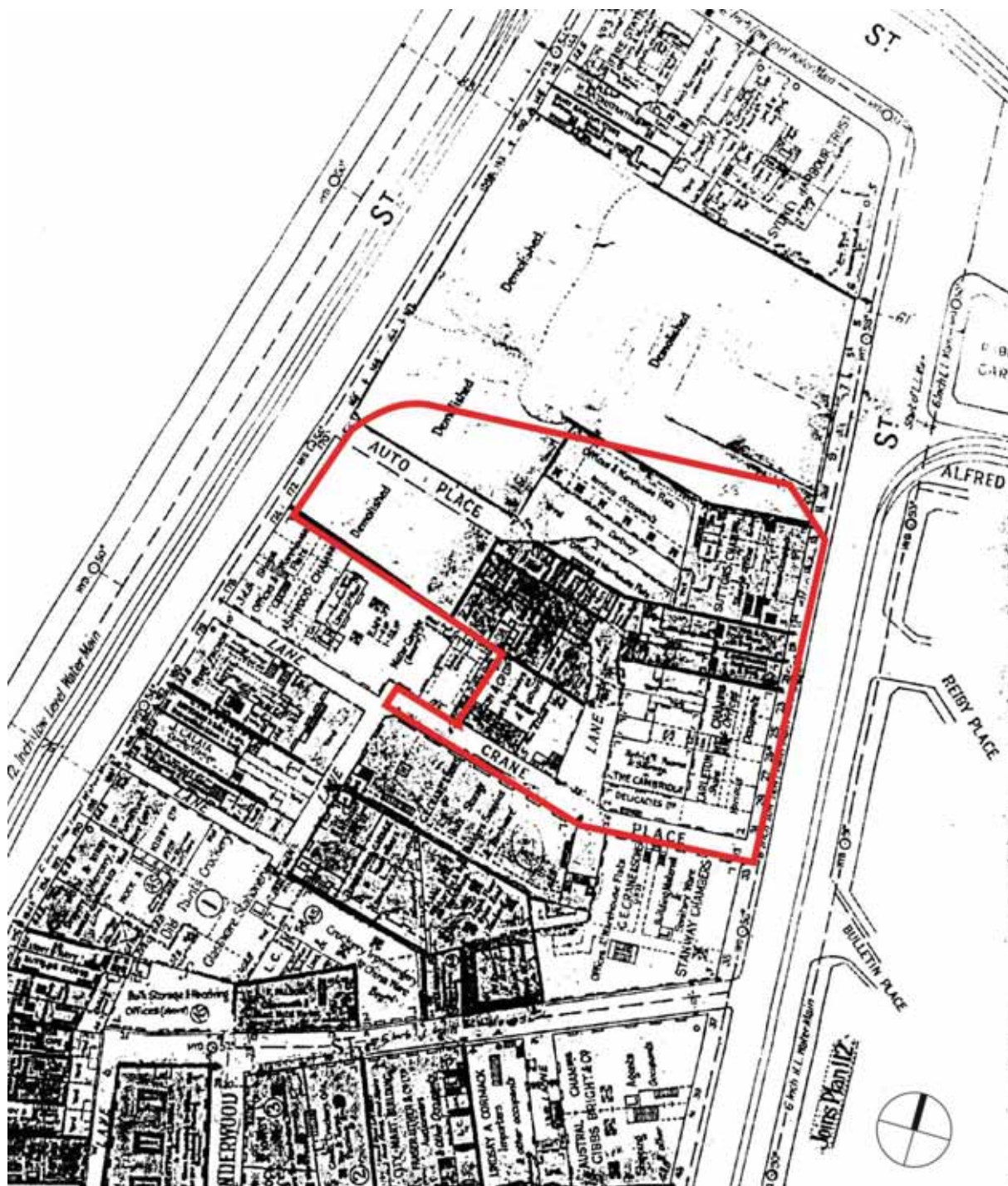


Figure 2.12 Sydney Fire Underwriters Association Plan 1924–1949. These plans were started during the 1920s and updated until the late 1940s. This plan shows the demolition of buildings in preparation for the construction of the Cahill Expressway and remodelling of Circular Quay. The work included the extension of Alfred Street through to meet George Street. (Source: City of Sydney Council Archives with GML overlays 2015)



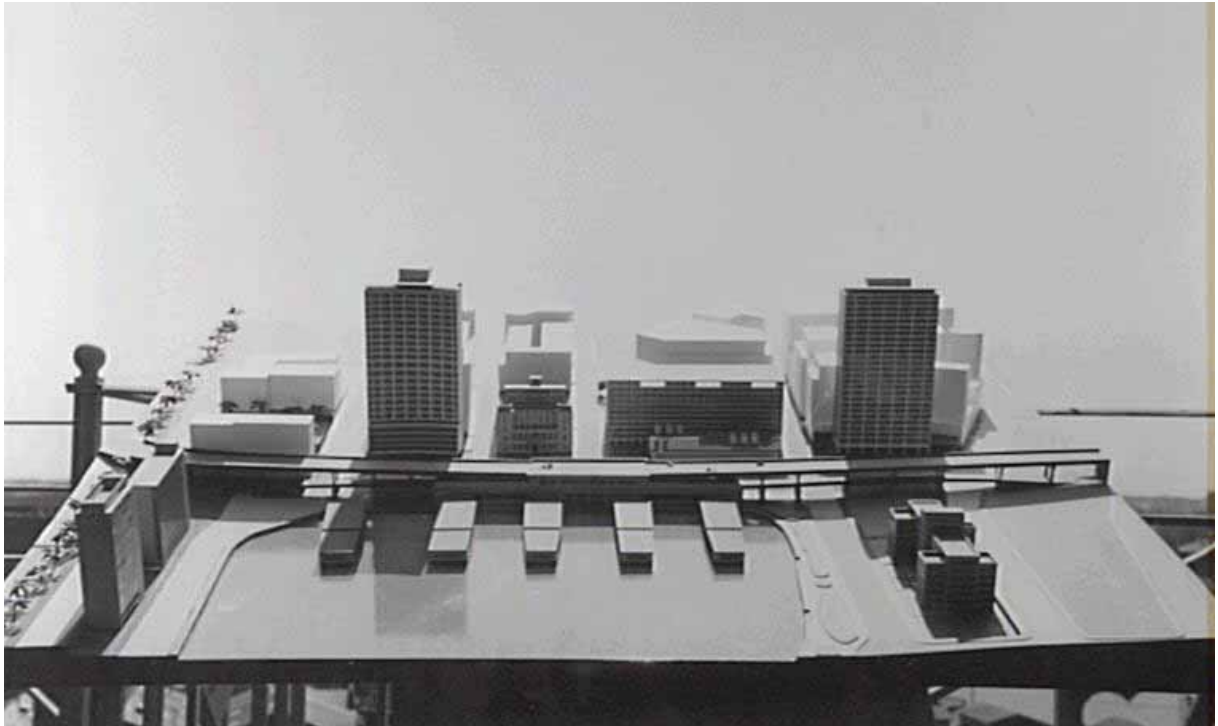
**Figure 2.13** 1943 aerial photograph with the current cadastre information shown. The subject site is arrowed. Note the buildings being demolished (in the future herald Square area) as shown on Plan 10. (Source: Department of Lands with GML overlays)



**Figure 2.14** Aerial view west along Alfred Street, showing the site on the corner of Alfred, Pitt and George Streets. The completed Cahill Expressway is on the right. (Source City of Sydney Council Archive)



**Figure 2.15** 1965 image showing the excavation and shoring for the below ground levels of the Gold Fields House development. This view is looking east to Pitt Street, note the bystander on street level (beneath the Theiss sign). The tank stream is in Pitt Street behind the shoring. (Source: City of Sydney Council Archive)



**Figure 2.16** Architects model of the Gold Fields House site and its relationship to the AMP building at the opposite end of the Quay. Gold Fields House was designed by Peddle Thorp Walker, the same architects who had previously designed the AMP building. (Source: City of Sydney Council Archive)



**Figure 2.17** View across Circular Quay showing the completed Gold Fields House. (Source: City of Sydney Council Archive)



Figure 2.18 Gold Fields house from the corner of Alfred Street and Pitt Street. (Source: GML Heritage)



Figure 2.19 Fairfax House from Pitt Street. (Source: GML Heritage)



Figure 2.20 The Rugby Club building from Rugby Place. (Source: GML Heritage)



Figure 2.21 Herald Square and the Tank Stream Fountain. (Source: GML Heritage)

## 2.5 Endnotes

- <sup>1</sup> Attenbrow, V, 2002, *Sydney's Aboriginal Past*, UNSW Press, Sydney, p 3.
- <sup>2</sup> Campbell, JF, 'The Valley of the Tank Stream', in *Journal of the Royal Australian historical Society*, Vol X, Part II, 1924, p 69.
- <sup>3</sup> Godden Mackay Logan, Angel Place Project 1997, Archaeological Excavation Volume 3, Salvage Excavation of Site #45-6-2581, report prepared for AMP Asset Management Australia, the NSW Heritage Council and NPWS(NSW).
- <sup>4</sup> A. T. Yarwood, 'Johnston, George (1764 - 1823)', *Australian Dictionary of Biography*, Volume 2, Melbourne University Press, 1967, pp 20–22.
- <sup>5</sup> Weingarh, J, The Head of Sydney Cove, in the *Journal of the Royal Australian Historical Society*, Vol X, Part V, 1924, p 293.
- <sup>6</sup> Andrews. G, 1986, *Port Jackson 200: 1786-1986*, Reed Books, Sydney, p 67.
- <sup>7</sup> Letter Department of Railways to Cumberland County Council 17 September 1959, Sydney City Council Archives.
- <sup>8</sup> Rappoport Pty Ltd, Statement of Heritage Impact 19-31 Pitt Street, 2010, p 20.
- <sup>9</sup> 1865 Trig Survey, City of Sydney Archives.
- <sup>10</sup> Certificate of Title Volume 947 folio 213, Department of Lands.
- <sup>11</sup> Sydney Fire Underwriters Association Plan of Sydney 1924–1949, City of Sydney Archives.
- <sup>12</sup> Sands Sydney and Suburban Directory
- <sup>13</sup> 1956 City Plan, City of Sydney Archives.
- <sup>14</sup> Certificate of Title Volume 3784 Folio 237, 238, Department of Lands.
- <sup>15</sup> Certificate of Title Volume 4151 Folio 27, Department of Lands.
- <sup>16</sup> The Rugby Club, <<http://www.rugbyclub.com.au/about/>> viewed 12 June 2015.

## 3.0 Statutory Framework

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### 3.1 The Sydney Local Environmental Plan 2012

#### 3.1.1 Heritage Status of the Subject Site

As noted in Section 1.4.1, Gold Fields House, Fairfax House and the Rugby Club building are not:

- listed as heritage items in Schedule 5, Part 1 of the Sydney Local Environmental Plan 2012 (SLEP 2012); or,
- within a Heritage Conservation Area identified in Schedule 5, Part 1 of the SLEP 2012.

However, the subject site is in the vicinity of a number of heritage items listed on the SLEP 2012, and the basement areas of Gold Fields House and Fairfax House are within the SHR curtilage of the Tank Stream.

#### 3.1.2 Sydney Local Environmental Plan 2012—General Heritage Protections

In addition to any specific heritage protections described in Section 3.1.1 above, the site is subject to Part 5, Clause 5.10 of the SLEP 2012 which contains the following provisions relevant to development in the vicinity of heritage items and historical archaeology:

*5.10(5) Heritage assessment*

*The consent authority may, before granting consent to any development:*

- (a) on land on which a heritage item is located, or*
- (b) on land that is within a heritage conservation area, or*
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*

*require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.*

*5.10 (7) Archaeological sites*

*The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):*

- (a) notify the Heritage Council of its intention to grant consent, and*
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

### 3.2 Sydney Development Control Plan 2012

The *Sydney Development Control Plan 2012* (DCP 2012) provides detailed planning and design guidance for new development to supplement the provisions of the SLEP 2012. The DCP 2012 is not a statutory control but rather an additional set of planning guidelines to refine plans for development.

Section 3.9.5 of the DCP 2012 prescribes the heritage objective for development in the vicinity of heritage items and archaeological features which is to 'ensure that development in the vicinity of heritage items is designed and sited to protect the heritage significance of the item'.

Development in the vicinity of heritage items is to minimise the impact on the setting of the item by:

- a) *providing an adequate area around the building to allow interpretation of the heritage item;*
- b) *retaining original or significant landscaping (including plantings with direct links or association with the heritage item);*
- c) *protecting, where possible and allowing the interpretation of archaeological features; and*
- d) *Retaining and respecting significant views to and from the heritage item.*

This HIS addresses the likely effects of the proposed development on the significance of the Tank Stream and other heritage items in the vicinity, and upon the potential archaeological resource of the subject site itself.

### 3.3 Heritage Act 1977 (NSW)

#### 3.3.1 The State Heritage Register (SHR)

The State Heritage Register (SHR) is established under the Heritage Act. It is a list of identified heritage items of particular importance to the people of NSW. It includes items and places (such as buildings, works, archaeological relics, movable objects or precincts) determined to be of state heritage significance. As previously noted, the proposed building envelope (and any subsequent works) would fall within the heritage curtilage of the Tank Stream, which is an item listed on the SHR.

Provisions in the Heritage Act require that before work occurs on an SHR property, or work is undertaken that may disturb or destroy archaeological 'relics' within an SHR boundary, approval must be granted under Section 63 of the Heritage Act, unless those works are 'exempted' under Section 57 of the Act.

Section 57(2) of the Heritage Act provides for a number of Exemptions to Section 57(1) approval requirements. Standard Exemption 4 applies to excavation works (see Appendix D), which are works that would have minor impacts on archaeological relics. It requires the Director General to be satisfied that 'the excavation or disturbance of land will have a minor impact on archaeological relics'.

This HIS concludes that the proposed redevelopment (and any excavation or other works associated with it) would have no adverse impacts on the Tank Stream, as long as an appropriate construction methodology is utilized to minimize vibration and instability risks to the Tank Stream. Pursuant to the concurrence of the Director General, excavation and construction work within the SHR curtilage of the Tank Stream (for example new basement car parking levels) could be undertaken subject to Standard Exemption 4 as an alternative to an application for approval pursuant to Section 60 of the Heritage Act.

#### 3.3.2 Section 139–146 of the Heritage Act ('Relics Provisions')

For places not listed on the SHR (being the whole of the Gold Fields House site), Section 139 of the Heritage Act requires that:

*A person must not disturb or excavate any land knowing or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed unless the disturbance or excavation is carried out in accordance with an excavation permit.*

Relics are defined in the Heritage Act as:

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

*(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and*

*(b) is of State or local heritage significance.*

This report concludes that there is potential for relics to exist within the subject site, specifically in areas outside the footprint of the Gold Fields House. To manage the archaeological potential of the subject site, a Section 140 Excavation Permit and Research Design will be required prior to works commencing.

### **3.3.3 Section 170 State Agency Heritage Register**

Section 170 of the Heritage Act requires that government instrumentalities maintain a Heritage and Conservation Register of items in their ownership or control which (inter alia):

*could in accordance with guidelines issued from time to time by the Heritage Council, be subject to an interim heritage order or listing on the State Heritage Register.*

The Tank Stream is in the ownership of Sydney Water, and is listed on its Section 170 Heritage and Conservation Register. Any works that would affect the Tank Stream would need to meet the requirements of Sydney Water, including its heritage requirements.

## **3.4 National Parks and Wildlife Act 1974 (NSW)**

The *National Parks and Wildlife Act 1974* (NSW) (NPW Act) provides statutory protection for all 'Aboriginal objects' (consisting of any material evidence of the Indigenous occupation of NSW) under Section 90 of the NPW Act, and for 'Aboriginal places' (areas of cultural significance to the Aboriginal community) under Section 84 of the NPW Act. Aboriginal objects and places are afforded automatic statutory protection in NSW whereby it is an offence (without the Minister for Environment and Water Resources' consent) to:

*Damage, deface or destroy Aboriginal sites without the prior consent of the Director-General of the National Parks and Wildlife Service (now the Department of Environment and Conservation).*

The NPW Act defines an Aboriginal object as:

*any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.*

The protection provided to Aboriginal objects and places applies irrespective of the level of their significance or issues of land tenure. Sites of traditional significance that do not necessarily contain material remains may be gazetted as 'Aboriginal Places' and thereby be protected under the NPW Act. However, areas are only gazetted if the Minister is satisfied that sufficient evidence exists to demonstrate that the location was and/or is of special significance to Aboriginal culture.

This report concludes (Section 5.1) that the construction of Gold Fields House involved excavation through fill layers into natural rock strata, which will have destroyed any Aboriginal archaeological objects within the footprint of this area of the proposed development. A preliminary desktop assessment of the remainder of the subject site has determined there may be some potential, particularly within and immediately surrounding the unexcavated footprint of Rugby House, but also below the single basement level of Fairfax House. Therefore, a full Aboriginal Due Diligence Assessment should be undertaken in accordance with the Code of Practice prior to the completion of

the Stage 2 development application process to determine whether or not a Section 90 Aboriginal Heritage Impact Permit (AHIP) is required.

## 3.5 World Heritage List and National Heritage List

### 3.5.1 Introduction

The Sydney Opera House is listed on the National Heritage List. Additionally, the Sydney Opera House was inscribed on the World Heritage List in June 2007.

The Sydney Harbour Bridge, Approaches and Viaducts is listed on the National Heritage List.

The National Heritage Listing for the Sydney Opera House is confined to the site of the Opera House itself. The World Heritage Listing extends beyond the site of the Opera House to include a 'buffer zone' which captures large parts of the Harbour, The Rocks and Circular Quay (see Figure 1.4). The subject site is located immediately adjacent to, but outside, the buffer zone.

The World Heritage List nomination dossier states that the buffer zone is 'designed to protect (the Opera House's) World Heritage values in relation to its setting on Sydney Harbour.' It goes on to state that:

*The buffer zone centres on the inner waters of Sydney Harbour. It includes places around Sydney Harbour within a radius of 2.5 kilometres that have been identified as offering critical views to and from the Sydney Opera House that contribute to its World Heritage significance.*

Gold Fields House and the other buildings on the subject site have not been identified as offering critical views to and from the Sydney Opera House.

Notwithstanding the above, because both the Sydney Harbour Bridge and the Sydney Opera House are listed on the National Heritage List (and the World Heritage List in the case of the Opera House), and are in the vicinity of the subject site, the provisions of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth) (EPBC Act) could nevertheless apply to any development of the Gold Fields House site (see Section 3.5.2 below).

### 3.5.2 Environment Protection and Biodiversity Conservation Act 1999

The EPBC Act governs the management of places listed on the World Heritage List and the National Heritage List.

Although the subject site is outside the designated World Heritage buffer zone for the Sydney Opera House, and outside the areas of the Sydney Opera House and Sydney Harbour Bridge included on the National Heritage List, the EPBC Act specifies (Sections 12 and 15B) that any action that has, will have or is likely to have a significant impact on a place's National or World Heritage values is prohibited, without the approval of the Minister for the Environment and Water Resources. This provision applies regardless of whether the action would take place within or outside the World Heritage List buffer zone or National Heritage List boundaries.

It is for the proponent of an 'action' to determine whether the action should be referred to the Minister, but heavy penalties apply if an action is not referred that later proves to have a significant adverse impact. This HIS concludes (see Section 4.3.7) that the proposed development would have no adverse impacts on the National Heritage values of either the Sydney Opera House or the Sydney Harbour Bridge, or the World Heritage values of the Opera House, due principally to its physical and

visual separation from these structures. A referral to the Minister for the Environment and Water Resources under the EPBC Act will therefore not be required.

## 4.0 Description of Proposal and Identification of Heritage Impacts

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### 4.1 Description and Context of the Site

The subject site is located at the western end of Circular Quay. The site is located within the context of the multi-storey commercial buildings that line the northern end of George Street. Directly across George Street to the west is the Four Seasons Hotel. To the north of the subject site, Alfred Street is divided from Circular Quay by the Circular Quay Railway Station and viaduct, topped by the Cahill Expressway overpass. The railway station, viaduct and expressway form a significant visual barrier between Alfred Street and the significant precincts of Circular Quay and The Rocks to the north.

Directly to the north of the subject site, between the site and Alfred Street, is Herald Square and the extensive Tank Stream Fountain (Figure 4.1). Donated to the City by John Fairfax and Sons Ltd and installed in 1981, the cascading fountain with bronze animals is by the Australian sculptor Stephen Walker. Occupying a thin rectangular strip of land between the subject site and Alfred Street, Herald Square forms an extension of the large pedestrianised areas of Alfred Street. Herald Square is informally divided from Gold Fields House and the café seating by a line of trees (Figure 4.2). Herald Square commemorates the 150th anniversary of the publication of the first Sydney Morning Herald. The Sydney Morning Herald was established in 1831 in premises fronting George Street to the south of the current site.

Fronting Alfred Street to the east of the subject site, on the block between Pitt and Loftus Streets, is a combination of modern three and four-storey structures with two retained nineteenth-century elements at the corners: the Ship Inn on the corner of Pitt Street and the Paragon Hotel on the corner of Loftus Street. Above street level and set back from these facades is the glass clad tower of the high rise Gateway Quayside development.

Further east along Albert Street is the much altered 1845 Customs House with its large paved forecourt, and beyond it is the 1962 AMP Building. The latter—a significant example of modern architecture—was designed by Peddle Thorpe and Walker (the same firm that designed Gold Fields House), and at 115m in height, was the first structure in Sydney to exceed the previous 45m height limit. The AMP Building also has an extensive paved forecourt.

The subject site is currently occupied by the multi-story commercial buildings Gold Fields House and Fairfax House, and the Rugby Club building. Due to the slope of the site from west to east (4 metres), commercial areas are at street level on Pitt Street and below street level on the George Street elevation. The main entry to Gold Fields House is from a flight of stairs at the centre of the north elevation. There is an additional entry off George Street. The building has two levels of basement parking, with vehicular access to the parking levels from Pitt Street.

Gold Fields House has a height of 110m. The rectangular tower is set back from the Pitt and George Street boundaries above the single-storey podium. The rectangular shape of the existing building is reinforced with strong horizontal bands of white concrete panels. The thinner verticals of the façade are clad in alternating white and grey metal sheets. The lower street levels are clad in polished terrazzo.

Fairfax House is a fifteen storey commercial office building which was built in the late 1960s. It appears to have been constructed as a reinforced concrete frame, with a two-storey podium and

expressed spandrels at the upper floor levels, separated by horizontal lines of glazing. It is apparent that in recent years the building has had a substantial internal and external refurbishment. The main entry to Fairfax House is from Pitt Street. The building has one level of basement parking, with vehicular access to the parking levels from Pitt Street.

The Rugby Club is a six-storey brick warehouse building built in the late 1920s. The facade to Rugby Place and the eastern and western facades are of plain face brick with expressed horizontal render at the lines of the window heads, and the roof parapet is also rendered. It is not known what the internal structure of the building comprises, but given the period of its construction it is likely to be steel columns and beams, possibly concrete encased for fire rating purposes. The building does not have a basement.

Any impacts on significant heritage items or spaces in the vicinity that would result from the proposed development are discussed in Section 4.3 below.

## **4.2 Prominent Views**

The subject site is located within one of the most important visual catchments within the City of Sydney. Gold Fields House is one of a few high rise buildings directly fronting Circular Quay. It is a prominent element within wider views of Circular Quay, principally those looking south from the harbour and those looking southwest from Bennelong Point.

The building is also visible from the lower-scale area of The Rocks and First Fleet Park, and in views to the south from George Street North, although in both cases these views are restricted.

At street level the Cahill Expressway and the railway viaducts form a visual barrier along the north side of Alfred Street, visually separating the site from Circular Quay, The Rocks and the Sydney Opera House.

Any impacts on views that would result from the proposed development are discussed in Section 4.3 below.

## **4.3 Identification and Assessment of Impacts**

### **4.3.1 Tank Stream Fountain and Herald Square**

Gold Fields House currently has a poor connection with Herald Square, with recessed commercial spaces separated from the public realm by a change of level and a retaining wall (Figure 4.4). The proposed new buildings (Tower A and Tower B) are set further back from Herald Square than is the existing situation, and the additional at grade plaza area created by the increased setbacks will connect seamlessly with Herald Square. The outcome is that the public realm along the Alfred Street frontage will be enlarged, providing greater opportunities for outdoor dining, sitting and other pedestrian utilization of the space (refer to Appendix A). The arrangement will also provide at grade pedestrian connectivity between Herald Square and Rugby Place.

The ground and first floor levels of both proposed new buildings is activated with a mixture of retail, café/bars and a registered club uses. The space between the two podiums is also intended to be landscaped and activated to encourage pedestrian utilisation. Overall, the proposed development would provide an enhanced connection with Herald Square, and has the potential to complement and enhance the use and public appreciation the square and the heritage-listed Tank Stream Fountain.

### 4.3.2 Ship Inn and Paragon Hotel

These two façade elements are listed as heritage items on Schedule 5 of the SLEP 2012. Both buildings were substantially demolished and their façades incorporated into the podium of the Gateway development in the early 1980s.

The Statement of Significance in the State Heritage Inventory for the Ship Inn is as follows:

*The remaining façades of the Ship Inn, formerly a three storey rendered brick building, are significant as a fine external example of Federation Free Classical style façades as used on a hotel. The Ship Inn was one of five remaining hotels of this style in the city, the others being the Metropolitan, the Bristol Arms, the Harbour View, and the Lismore and was significant as part of a network of small hotels providing a social / recreational venue and budget accommodation in the immediate area of the waterfront. This significance has been greatly reduced with the changed use of the building and subsequent termination of its association with the hotel trade in 1985. The external façades are a representative example of the small corner hotel in this harbourside location and, although heavily modified in the early decades of the twentieth century, still retain moderate aesthetic significance and with the removal of tower and glazing of balconies, reflected the changing architectural ideas of the early twentieth century and the evolving character of the immediate area.*

The Statement of Significance for the Paragon Hotel on the State Heritage Inventory is as follows:

*The Paragon Hotel, a two storey rendered brick and sandstone building dating from the 1860s, is significant as a fine external example of a corner hotel which evolved over nearly a century and a half to present the existing uniform Victorian Regency style façades. The hotel has significance as part of a network of small hotels providing a social / recreational venue and budget accommodation as well as dining facilities in the immediate area of the waterfront. This significance has been somewhat reduced with the changed use of the building but the retention of bar facilities at the rear of the building continues an association with the hotel trade. It is representative as an example of the evolutionary process of the small corner hotel and is particularly significant as a remaining example of a waterside hotel in this part of the city. The façades of the building retain aesthetic significance due to their simplified Victorian Regency ornamentation which reflected the social character of the immediate area.*

In summary, these two façade structures are listed for their:

- representativeness as former prominent corner hotels;
- social significance as social/recreational venues and connection to the evolving hotel trade; and
- aesthetic significance, although the Ship Inn is described in the citation as being of only moderate local aesthetic significance.

The Paragon Hotel is located some distance from the proposed development. The Ship Inn is much closer to the subject site, being on the opposite corner of Pitt and Alfred Streets. The scale of the proposed redevelopment (at least the 185 metre high tower on the northwest corner) is substantially greater than the existing Gold Fields House. However, due to the degree of separation and the existing density of development in the area (especially the Gateway development which forms the backdrop to the Ship Inn and Paragon Hotel) the disparity of scale will not have an adverse impact on the setting or individual integrity of either heritage item.

The proposed redevelopment will not impact on views of the Ship Inn or Paragon Hotel from key vantage points, including from within Herald Square. The reduced footprint of the proposed redevelopment at ground level compared to the existing Gold Fields House would potentially enhance views of significant heritage items and spaces along Alfred street from Herald Square and George Street to the west.

### 4.3.3 The AMP Building

The AMP Building is listed as a heritage item on Schedule 5 of the SLEP 2012. The State Heritage Inventory summarises its significance as follows:

*Historical significance as Sydney's first 'modern' high-rise, setting an important precedent. Of environmental significance as a landmark site at Circular Quay and a good example of its architectural style.*

The existing Gold Fields House building has historic and aesthetic connections with the AMP Building, in that it was designed by the same firm of architects and shortly after the AMP Building was completed. It was designed to be similar in height and similar in scale, as a 'book end' with the AMP building, on Circular Quay. However, in terms quality of architectural refinement, the simple rectangular prism form and curtain wall of Gold Fields House is not comparable with that of the AMP Building, with its curved form, distinct base and tower elements, distinctive 'H' plan and strong vertical articulation.

The 'book end' design concept dates to a period when the AMP building was the first to exceed the pre-existing 45m height limit in the city. However, in recent decades later high rise development in Sydney has reduced the clarity of the 'book end' relationship between the two structures. In particular, the construction of the Gateway development between the AMP Building and Gold Fields House has significantly diminished the relationship between the two buildings. The bulk of the Cahill Expressway has also significantly compromised the connection between the two buildings when viewed from the harbour, although Circular Quay Railway Station was already in existence when both buildings were constructed.

The substantial change in the form and scale of the proposed redevelopment in comparison with Gold Fields House will not significantly impact on the appreciation of the AMP Building, particularly the already compromised 'book ending' of the Alfred Street frontage, its 'modern' high-rise form or its broader setting.

### 4.3.4 Customs House

The Customs House is listed as a heritage item on Schedule 5 of the SLEP 20 and the SHR. The State Heritage Inventory provides the following summary Statement of Significance:

*The Sydney Customs House occupies a unique symbolic and physical position on the site of the First Fleet Landing. Its location is a physical reminder of the importance of Circular Quay as the original maritime centre for the colony.*

*The Customs House contains parts of the oldest surviving building of its type in Australia, used continuously for 145 years. It is a physical record of the history of the Customs Service and its importance in the history of Australia.*

*The Customs House embodies the work of three successive and individually distinguished government architects: Mortimer Lewis, James Barnet and Walter Liberty Vernon.*

*Because of the scarcity of documentary evidence about the early stages of construction, the surviving building fabric from these stages constitutes the principal source of additional evidence about the early history of the building and its occupants.*

Primarily due to their physical separation, the proposed redevelopment would have no impacts on the significant fabric or associations of the Customs House. Further, because of the large number, density and variety of built forms that have been constructed in the immediate vicinity of Customs House in the second half of the twentieth century, creating an architecturally mixed visual background, the visual separation between Customs House and proposed redevelopment is substantial. The visual and

historical connections between Customs House and Circular Quay to the north (compromised by the Cahill Expressway) would not be adversely affected by the proposed development.

#### **4.3.5 Circular Quay Railway Station**

The Circular Quay Railway Station Group is listed on Schedule 5 of the SLEP 20 and the SHR because (according to the citation):

*The structure has State significance. It is a marker of the transition from interwar functionalist railway architecture and establishes a transition point between rivetting and welding in large steel construction projects. It represents a movement away from the placement of buildings on platforms to their location either above or below the rail lines.*

The proposed redevelopment would have no impact on the appreciation of these aspects of the significance of the Circular Quay Railway Station Group. The significant separation to the Herald Square frontage of the subject site would be maintained, retaining existing views to the group from the south. When viewed from the north, the group would continue to be read against a cityscape backdrop characterised by a wide variety of built form of considerable density and diversity of form.

#### **4.3.6 The Rocks Conservation Area, Museum of Contemporary Art and Sydney Harbour Bridge**

The railway viaducts and the Cahill Expressway form a significant physical and visual barrier between The Rocks and the proposed redevelopment, effectively quarantining The Rocks 'experience' to the north of the Expressway. The historic character of The Rocks, and the aesthetic and historic significance of the area as one of Australia's first places of European settlement, would be unaffected by the proposed development. It would merely substitute a more complex and taller built form for more simple and squat form of Gold Fields House, which comprises part of a cityscape beyond the Cahill Expressway characterized by built forms of considerable density and diversity.

For the same reasons, the proposed building envelope would not impact significantly on the setting of the Museum of Contemporary Art. The key points of appreciation for this building are from the east (from the ferry wharves and east Circular Quay), from the north across First Fleet Park, and from the Cahill Expressway itself.

#### **4.3.7 The Sydney Opera House and Sydney Harbour Bridge**

As noted in Section 3.0, the inscription of the Sydney Opera House on the World Heritage List includes a buffer zone that:

*centres on the inner waters of Sydney Harbour. It includes places around Sydney Harbour within a radius of 2.5 kilometres that have been identified as offering critical views to and from the Sydney Opera House that contribute to its World Heritage significance.*

Gold Fields House and the other buildings on the subject site have not been identified as offering critical views to and from the Sydney Opera House, and are not within the buffer zone established for the purpose of protecting these views. Moreover, the proposed building envelope would have no significant impact on the setting of the Sydney Opera House. Although the new structure would be visible from the western loggia of the Sydney Opera House, and would form a part of long views of the Sydney Opera House from parts of the harbour and the North Shore, it would be a remote part of the existing cityscape characterized by built forms of considerable density and diversity.

Similarly, the proposed building envelope would have no adverse impacts on the National Heritage values of either the Sydney Opera House or the Sydney Harbour Bridge, due principally to its physical

and visual separation from these structures, and in the case of the Sydney Harbour Bridge, due to the very large scale and emphatic geometry of that structure.



Figure 4.1 Herald Square, with the extensive Stephen Walker sculpture and Tank Stream fountain. (Source: GML Heritage)



Figure 4.2 The existing ground level frontage of Gold Fields House from Herald Square. (Source: GML Heritage)



Figure 4.3 The existing change of level separating Gold Fields House from Herald Square. (Source: GML Heritage)



Figure 4.4 Rugby Place and the existing connection with the rear of Gold Fields House. (Source: GML Heritage)



Figure 4.5 The Ship Inn at the corner of Pitt and Alfred Streets. (Source: GML Heritage)



**Figure 4.6** Gold Fields House from the corner of Pitt and Alfred Streets. (Source: GML Heritage)



**Figure 4.7** Gold Fields House as viewed from First Fleet Park. (Source: GML Heritage)



**Figure 4.8** The podium of Gold Fields House from Pitt Street. (Source: GML Heritage)



**Figure 4.9** The Pitt Street entry to the basement car parking levels of Gold Fields House. (Source: GML Heritage)

## 5.0 Archaeological Assessment

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### 5.1 The Potential Aboriginal Archaeological Resource

The historical development of the Tank Stream and the subject site is described in Section 2.0. As noted, the excavation for the construction of Gold Fields House basement involved excavation through fill layers and deep into natural rock strata, which will have destroyed any Aboriginal archaeological objects within the footprint of the building.

Similarly, the excavation will have destroyed any geomorphological and archaeo-botanical evidence of the original Tank Stream on the site.

The Rugby Club building does not have a basement, although a preliminary assessment of the historical maps (Section 2.0) indicates this area of the site has been subject to a series of historical development and disturbance which may have impacted on the Aboriginal archaeological potential of the site.

Likewise, the site of the Fairfax building has been subject to a series of historical development and disturbance. The single basement within this building may have impacted on the Aboriginal archaeological potential of the site (documentation to allow for a detailed understanding of the depth of this basement was not available at the time of the preparation of this report).

### 5.2 The Potential Historical (Non-Aboriginal) Archaeological Resource

As demonstrated by the history presented in Section 2.0, the construction of Gold Fields House is likely to have resulted in the destruction of all archaeological relics within the footprint of the building.

The Tank Stream is located immediately adjacent to the site on Pitt Street (Figure 5.1 illustrates the approximate form and location of the Tank Stream adjacent to the site). Its western extremity is located below the footpath c100–175mm east of the site's legal boundary, with an additional 1 metre offset to the inside wall of the existing Gold Fields House basement car park, and 2 metres to that of Fairfax House. Its base is documented as being 8' 9" (2.44m) below the footpath, although this is likely to vary. The 3 metre SHR curtilage of the Tank stream therefore extends beyond the existing Gold Fields House and Fairfax House basement retaining walls.

The SHR citation describes the Tank Stream on Pitt Street, at the Tank Stream's northern end, as comprising a sandstone arch with, in places, the original sandstone floor overlaid with concrete, for which the date is unknown. The excavation and construction works involved in the 1965-1966 Gold Fields House development do not appear to have adversely affected the Tank Stream, despite its proximity to the subject site.

The Rugby Club building does not have a basement, although historical maps (Section 2.0) indicate this area of the site has been subject to a series of historical developments. There is thus some potential for archaeological evidence to survive relating to the use of land prior to the construction of the Rugby Club. In summary, there is the potential for archaeological relics to exist within and around the footprint of the Rugby Club which would relate to the nineteenth-century development of the precinct.

The existing Fairfax Building single level basement is likely to have disturbed the historical archaeological potential in this area of the site, however a full archaeological assessment would be required to fully understand of the impact to the historical archaeological resource.

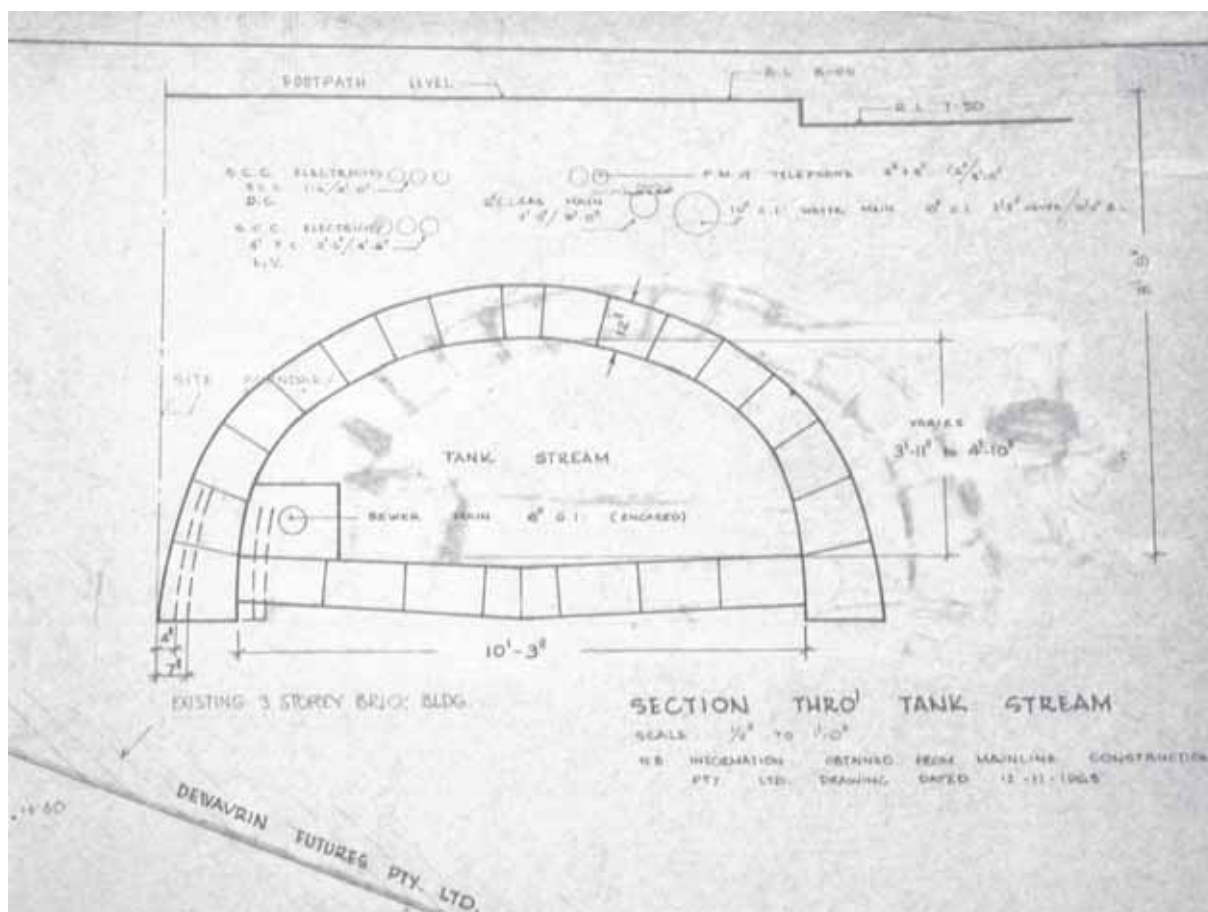


Figure 5.1 1964 detail of Services Plan for the construction of Gold Fields House showing a cross section of the Tank Stream at Pitt Street, its relative depth below the footpath level and its relationship to the site boundary. (Source: City of Sydney Council Archives)

### 5.3 Potential Impacts and Mitigative Measures

The excavation for the additional basement parking levels proposed for the redevelopment would extend beyond the existing basement of Gold Fields House and Fairfax House. Therefore it is likely that any extant archaeological relics would be impacted by construction of the proposed building envelope. Areas of archaeological potential as identified through this preliminary assessment are identified in Figure 5.2.

At this stage, the assessment of potential impacts to the Tank Stream is based on an assumption that any excavation in Fairfax House below the current basement will not be within the 3m curtilage. This detail needs to be confirmed in the next stage by careful survey.

A detailed historical archaeological assessment for areas identified in this preliminary assessment as having archaeological potential will need to be undertaken. If this assessment confirms that relics will be impacted, an archaeological research design and Section 140 Excavation Permit will be required prior to completion of the Stage 2 approval process.

An Aboriginal Due Diligence Assessment in accordance with the Code of Practice should also be undertaken for the area of the site outside the footprint of the existing basement of Gold Fields House. This assessment would be required to be prepared to support the Stage 2 detailed application.

The proposed building envelope would involve physical intervention within the site along the Pitt Street boundary within the SHR curtilage of the Tank Stream, comprising the installation of temporary restraints to the existing basement walls, the removal of the existing basement slabs, and new rock excavation below the existing basement levels. There is the potential for damage to be caused to the Tank Stream during those works through vibration, subsidence and structural instability. It is essential that the work method be designed to minimize vibration and instability risks during the demolition, excavation and construction phases of the redevelopment project.

The proposed redevelopment would have no adverse impacts on the ability to interpret the Tank Stream to the public. Similarly, subject to the implementation of the construction methodology required to protect it during the demolition, excavation and construction phases, the ability of archaeologists to investigate the Tank Stream in the future would not be impacted. The proposed development will also present new opportunities for interpretation of not only the Tank Stream but also the early history of the broader precinct.

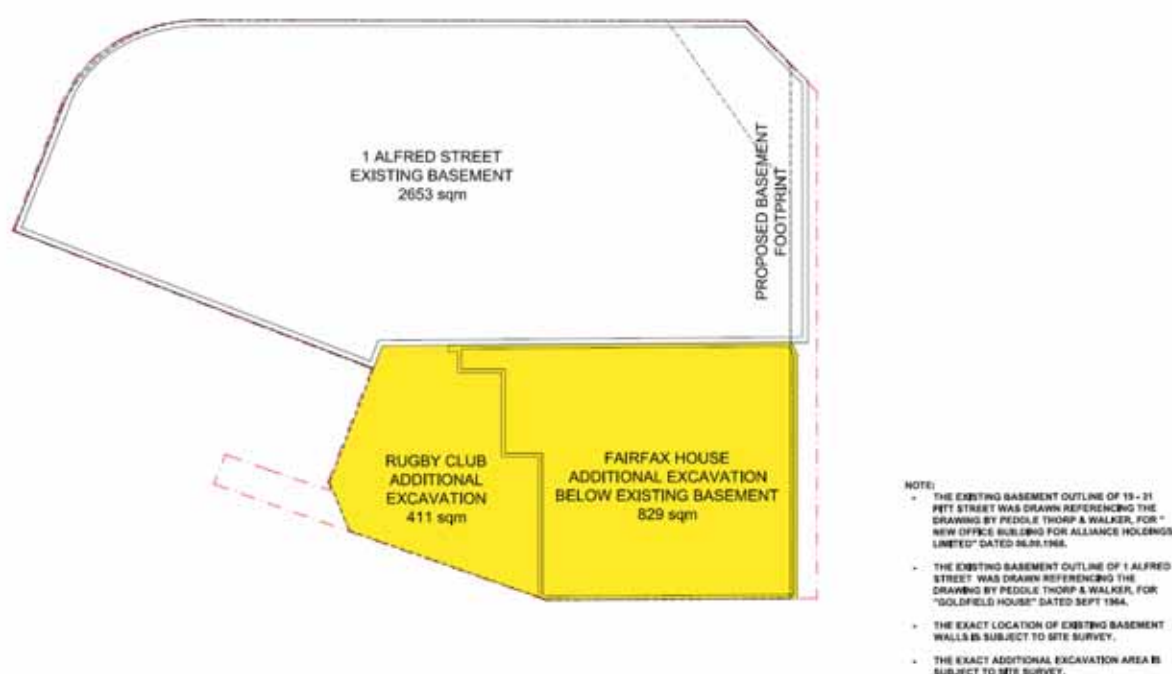


Figure 5.2 Basement plan of the subject site, showing potential archaeology in yellow. (Source: Crone partners)

## 6.0 Conclusions and Recommendations

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### 6.1 Built Heritage

#### 6.1.1 Conclusions

As discussed in detail in Section 4.0, the proposed redevelopment would not have any direct or indirect adverse impacts on the heritage values of the heritage items in the vicinity of the subject site. No significant views would be impacted by the proposed redevelopment.

#### 6.1.2 Recommendations

Although the proposed development form would not have any adverse heritage impacts, it is recommended that the following measures be undertaken in conjunction with the proposed development:

- The proposed redevelopment should include the development and implementation of an interpretation strategy to facilitate an understanding of both the early history of the precinct and its maritime uses, and of the Tank Stream.
- Prior to the commencement of demolition, a photographic archival recording of Gold Fields House and the Rugby Club building should be undertaken.

### 6.2 Archaeological Assessment

#### 6.2.1 Conclusions

The proposed redevelopment extends into the 3 metre SHR curtilage of the Tank Stream, an archaeological item listed on the SHR. The methodology proposed for the excavation of the additional basement parking levels comprises the installation of temporary restraints to the existing basement walls of Goldfields House and Fairfax House, the removal of the existing basement slabs, and new rock excavation below the existing basement levels of both buildings. The works within Gold Fields House would not, however, involve lateral excavation within the Tank Stream curtilage. It is understood that that works associated with the proposed additional basement levels of Fairfax House will similarly not involve lateral excavation within the Tank Stream curtilage, but this needs to be confirmed by careful survey prior to Stage 2.

Prior to the works commencing, an approval would be required from the NSW Heritage Council pursuant to Section 60 of the Heritage Act. Alternatively, on the basis that the methodology proposed for the demolition, excavation and construction phases is designed to avoid any disturbance to the Tank Stream beyond the subject site, the works may be approved proceed upon a successful application being made to the Director General of the Heritage Branch, NSW Department of Planning, for an Exemption pursuant to Standard Exemption 4.

It is understood that the development is seeking SSD approval. Should this be granted, the role of the Heritage Council will be to provide recommendations to the City of Sydney Council for avoiding or mitigating any adverse impacts on SHR listed items, particularly the Tank Stream. In this case, the Heritage Council is likely to require confirmation that the proposed work method will minimize vibration and instability risks to the Tank Stream during the demolition, excavation and construction phases of the project.

The proposal would have no adverse impacts on the ability to interpret or archaeologically investigate the Tank Stream in the future. On the contrary, it provides a number of opportunities for enhanced interpretation.

All areas of the site outside the footprint of the Gold Fields House basement levels will require further detailed assessment to understand the historical development of this part of the subject site, its archaeological potential and the heritage significance of any extant relics. It is likely that any historical archaeological resource that will be impacted by future development will require a program of archaeological monitoring and recording, and possibly excavation. A detailed historical archaeological assessment for these areas will need to be prepared as part of the Stage 2 detailed application. If this assessment confirms that relics will be impacted, an archaeological research design and Section 140 Excavation Permit will be required prior to completion of the Stage 2 approval process.

While there is no potential for Aboriginal archaeological objects to be present within the footprint of Gold Fields House, the remainder of the site should be further investigated for its potential to contain Aboriginal objects.

### **6.2.2 Recommendations**

The proposed redevelopment could proceed without an adverse impact on the Tank Stream, provided the proposed methodology for the proposed work minimises vibration and instability risks to the Tank Stream during the demolition, excavation and construction phases of the project and does not involve lateral excavation within its 3 metre SHR curtilage, as described in Section 5.3. Prior to the works commencing, an approval would be required from the NSW Heritage Council pursuant to Section 60 of the Heritage Act. Alternatively, on the basis that the methodology proposed for the demolition, excavation and construction phases is designed to avoid any disturbance to the Tank Stream beyond the subject site, it may be possible for the works may proceed upon a successful application being made to the Director General for an Exemption pursuant to Standard Exemption 4.

There is the potential for historical archaeological relics to survive outside the footprint of Gold Fields House. It is therefore likely that these will be impacted by the proposed development, and will require a program of archaeological monitoring and recording, and possibly excavation.

As part of the Stage 2 application process, the following measures should be undertaken:

- Details of the proposed methodology for demolition, excavation and construction phases of the project should be submitted for approval to ensure that there will be no disturbance to the Tank Stream beyond the subject site. This includes that a careful survey of the excavation in Fairfax House below the existing basement be undertaken to confirm that it will not be within the 3m curtilage of the Tank Stream.
- A detailed historical archaeological assessment for the area of the subject site outside the footprint of Gold Fields House should be prepared. If this assessment confirms that relics are likely to be impacted, an archaeological research design and Section 140 Excavation Permit will be required prior to completion of the Stage 2 approval process.
- An Aboriginal Due Diligence Assessment process following the Code of Practice should be undertaken for the area of the subject site outside the basements of Goldfields House.

Should this project be granted SSD approval, the NPW Act and Heritage Act would no longer apply. Therefore, the permits referred to in this report would not need to be sought. With respect to the management of heritage, the project would be governed by the relevant conditions of the SEARS.

## 7.0 Appendices

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### **Appendix A**

Ground Floor Plan showing interface with Herald Square and Tank Stream Fountain

### **Appendix B**

State Heritage Register citation for the Tank Stream

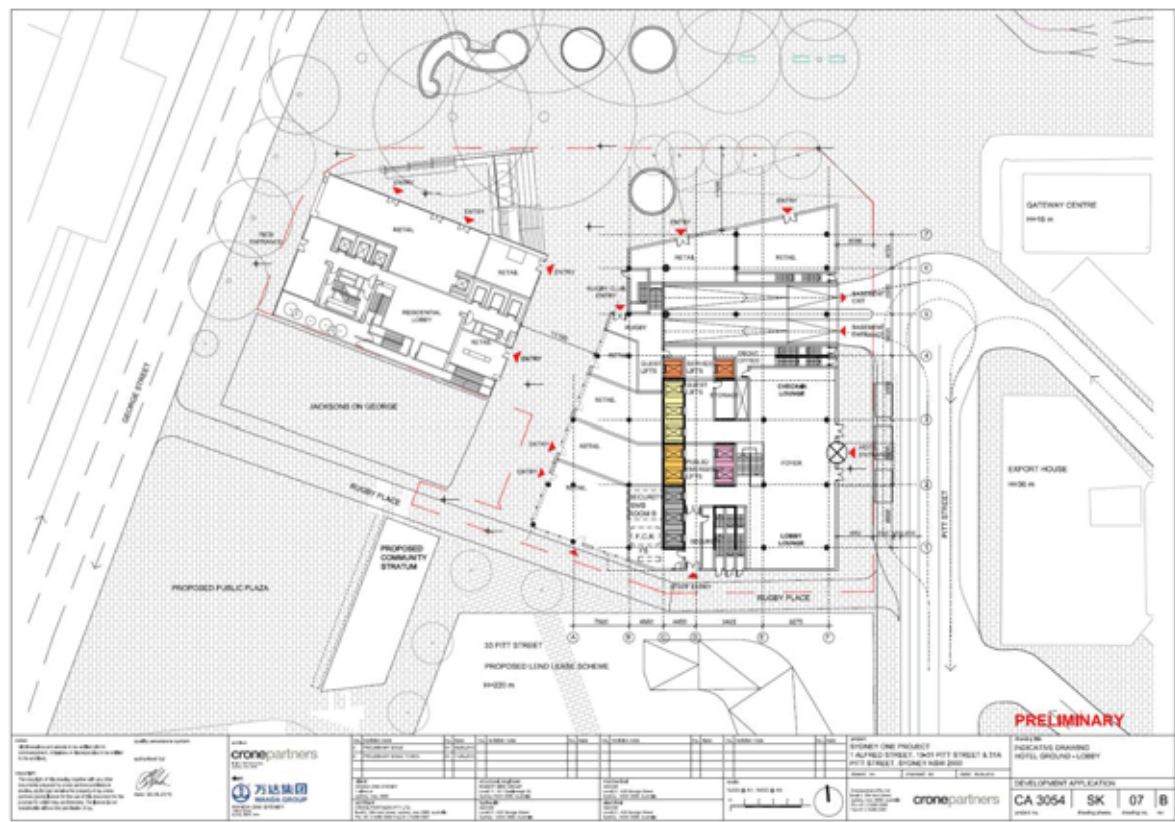
### **Appendix C**

Standard Exemption 4—Excavation (Revised 2009)



Appendix A

Ground Floor Plan showing interface with Herald Square and Tank Stream Fountain



## Appendix B

State Heritage Register citation for the Tank Stream (property details omitted)

# Tank Stream

### Item details

**Name of item:** Tank Stream

**Other name/s:** Tank Stream Fountain Circular Quay

**Type of item:** Archaeological-Terrestrial

**Group/Collection:** Utilities - Water

**Category:** Spring

**Location:** Lat: -33.8646525465 Long: 151.2084435630

**Primary address:** , Sydney, NSW 2000

**Parish:** St James

**County:** Cumberland

**Local govt. area:** Sydney

### All addresses

Street Address	Suburb/town	LGA	Parish	County	Type
	Sydney	Sydney	St James	Cumberland	Primary Address

### Owner/s

Organisation Name	Owner Category	Date Ownership Updated
Sydney Water	State Government	

### Statement of significance:

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

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

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

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

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

Date significance updated: 31 May 06

Note: There are incomplete details for a number of items listed in NSW. The Heritage Branch intends to develop or upgrade statements of significance and other information for these items as resources become available.

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Description

Designer/Maker: various

Builder/Maker: various

Physical description: The surviving fabric of the Tank Stream is extant from King Street in the south at a point between Pitt and George Streets to Circular Quay in the north.

The Stream has been blocked at a point just south of King Street and for 13 metres north of this point represents the 1866 open sewer, which was covered in 1876. The dimensions are 810mm broad by 1220mm high. Between King

Street and Martin Place (163 metres) there are three phases of construction, beginning with a modern concrete pipe (750mm diameter), the section approaching the GPO is part of the historic oviform sewer (810 by 1220mm) and lastly a stainless steel box-profile pipe (1070 by 750mm). The section between Martin and Angel Places returns to the 1866 brick open drains enclosed in 1876. This form continues between Angel Place and Hunter Street for 95 metres before being interrupted by a 36 metre section of modern cement lined pipe laid in 1962 and a steel section laid in 1958 and 1978 (both are 1350mm).

From Hunter to Bond Street the Stream is a semi-circular stone arch with a shallow V shaped floor for 35 metres (1500 by 3000mm). The 1790 cut tanks were originally located in this area, but are not thought to have survived. For the following 86 metres, below Australia Square, the original sewer has been replaced with concrete box-profile pipe (1220 by 1830mm), inserted during the construction of the Square in 1962. The Australia Square Tower basement houses the access to Tank Stream for public tours and as an inspection point for Sydney Water.

The boxed concrete section (1220 by 1830mm) continues from Bond Street to Abercrombie Lane, a distance of 60 metres. Tank Stream between Abercrombie Lane and Bridge Street, a length of 40 metres, is of c.1860 semi-circular stone arch (1500 by 3000mm). From Bridge Street Tank Stream diverts to run under Pitt Street to Circular Quay, a length of 185 metres. Beginning with a stone oviform sewer of 810mm by 1220mm, constructed in c.1878, the shape changes to a semi-elliptic stone arch of 3000mm and varying between 1100 and 1400mm.

Modifications and dates:	<p>1788-1826: Clearing of vegetation within the vicinity of stream, construction of dwellings, grazing and watering of animals.</p> <p>1790: Cutting of tanks for water storage</p> <p>1790: Chiselling of stone and inset of additional slabs into base of stream to improve flow in a shallow V profile.</p> <p>1791: Enclosure within a fence against livestock and trespass.</p> <p>1792: First bridge crossing.</p> <p>1810: Cut-off drains along side of Tank Stream channel to reduce inflow of polluted stormwater</p> <p>1826: Tank Stream disallowed for drinking by Governor Brisbane. Governor Darling arranged for seven wells to be dug in the city. Governor Darling employed people to repair existing sewers.</p> <p>1832: Construction of sewers seriously discussed.</p> <p>1833: Water from partly built Busby's Bore used to pipe water to ships.</p> <p>1842: City Council incorporated.</p> <p>c.1850: Semi Circular Quay was formed which necessitated the extension of the Tank Stream for the area north of Bridge St.</p> <p>1855: Brickworks at Newtown was purchased, along with vitreous clay pipes and Roman Cement.</p>
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1857: Work completed on first part of the Bennelong Sewer to discharge sewage as far out as possible into the harbour. This would service the more elevated areas, whereas the Tank Stream in Hunter St and King St as a bolted cast iron oviform aqueduct. This sewer (and possibly stormwater) network had the effect of draining the swamp area that had previously supplied some water to the Tank Stream, making the Tank stream more polluted by being less 'cleansed'.

The section of the Tank Stream from the Sydney Cove to the Interception Chamber in Pitt St was completed, approx. 200m. The section at the mouth (approx. 5m has been strengthened with concrete in the two filleted corners. The next 10 m is sandstone arch. The next 15m section has the original stone floor overlaid with concrete, date unknown. The remaining section up to the Interception Chamber (approx. 170m) is sandstone arch.

1858: Independent outfalls also completed at Woolloomooloo, Hay Street and Black Wattle Bay. Over the next 20 years, approx 10 other minor outlets were also opened.

1860: The sandstone arch between Bridge St and Hunter St was constructed. This was done to reduce odours from the previously open sewer/stormwater that up until that time had been more of a slops line.

1866: Section from south of Hunter St to Martin Place was formed as an open stone channel. In late 1870s was converted by roofing with an arch to oviform, whereas more southerly section was oviform invert with a flat roof, where it passes under Challis House. (With northerly section, there were minor alterations in 1878). (The whole of this was replaced by a concrete pipe in 1962 and a steel pipe in 1958). (Other parts were replaced in 2001 as part of the Angel Place project).

Two sections were laid as oviform through the future GPO.

To the south, two sections were laid as brick oviform and with some amendments in 1878.

1878: The brick oviform section from the Interception Chamber to Bridge St was constructed by contract for the City council. This was built to replace the open section that ran through private property. At the southern end there is a transition section (reducer), which leads to the sandstone arch, which is in Tank Stream Way (formerly Hamilton St.).

1879: The section from Bridge St to Hunter St, with its sandstone arch roof in place has its floor slabs lifted and re-instated with mortar foundations to water proof the floor for its use as a sewer. In addition a terra cotta 'scouring channel' was cut into the centre of the floor

The section immediately upstream of Hunter St was built as oviform. This included a terra cotta flow channel.

The next section upstream was also constructed. It was a bottom only oviform, and part of it was built underneath an existing stone arch bridge. (The whole of this section, including the stone arch bridge, seems to have been removed in c.1960).

1880: Brick oviform was constructed for the full width of King St and terminating.

1898: SPS [Sewerage Pumping Station] 16 constructed. the section

immediately downstream of the interception chamber, has an interception pipe leading to SPS 16 from the tidal weir.

1940: Section just upstream of Martin Place was replaced with concrete pipe under the GPO in 1940. This replaced 1866 brick oviform.

1951: Stormwater drainages charges were introduced for parts of the City of Sydney from 16/11/1951.

1958: Replacement, at the rear of 105-107 Pitt St.

1962: Replacement, at rear of Commercial Union House [south end of Pitt St.]

1965: Replacement within Australia Square. Construction of Tank Stream visitor access space.

1975: Replacement within basement of New Zealand Insurance Building [North of Bond St.]

2001: Replacement in Former GPO site.

2002: Replacement within Angel Place project.

Taken directly from Sydney Water CMP 2005, p.32-33

Current use: Tunnel, Water course

Former use: Stream

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## History

Historical notes: The history of Tank Stream incorporates aboriginal use of the land; the history of European settlement; the natural forming stream as a water supply; and its later use for waste disposal and as a part of the stormwater system.

The Gadigal (or Cadigal) people were the Aboriginal group most commonly accepted to have lived around the Sydney Cove area prior to European arrival. The catchment area around Tank Stream provided "a range of environments- marine, estuarine, rock platform, creek, open forest, wetland" all located within a short distance and able to provide a range of food and material.

The First Fleet's settlement at Botany Bay was shifted to Port Jackson in 1788 largely because of the presence of a stream (later known as Tank Stream) that appeared to be a constant water source, though it was unable to consistently provide water in dry weather. The stream also played a role in dividing the settlement, with the eastern side being held for government and administrative functions and convicts living on the western side.

In 1790 Tanks were cut into the bedrock of the stream (hence the name), the number of tanks is believed to be three or four, and are thought to have held 20,000 litres and been 5m deep.

As early as 1791 Governor Phillip enclosed Tank Stream with a fence in an

attempt to prevent stock muddying the water; and later, trenches were cut alongside the stream in an attempt to catch runoff before it could enter the stream. Yet due the increasing population; number of buildings around the stream and the loss of trees as land was cleared, runoff increased, which included human and animal wastes and domestic products. In 1795 orders were made to prevent the grazing of stock or cutting of trees within a 15m distance of the stream. These measures were ultimately unsuccessful. [Sydney Water, 2003, p. 24-25]

In 1792 a stone arch bridge over Tank Stream was constructed, replacing existing wooden structures. Its foundations may survive within the streambed under modern Bridge Street.

Tank Stream was the main source of fresh water until the completion of Busby's Bore in 1837. [Sydney Water, 2003, p. 24] Other dams were later added within the catchment area of Lachlan Swamps; now located within Centennial Park. Yet by 1826 Tank Stream had become an unofficial sewer, it became an official sewer in 1857. This (and other) sewers discharged directly into the harbour; a situation that created discontent as social attitudes changed.

The form of the open channels was generally a convict period shallow V profile which assisted in improving the flow of the stream; in the late 1850s work commenced in covering the Bridge Street- Hunter Street section of Tank Stream. This was necessary to reduce smells. The form of the channel was a mixture of stone and brick in the lower half, with a sandstone arch roof. Later sections were also roofed, generally with an arch to oviform.

Prior to 1888 Tank Stream also carried salt water, stored in council reservoirs for the purpose of street cleaning and dust suppression. Salt water was used to minimise the use of fresh water supplies.

Over the past century, Tank Stream has remained a part of the stormwater channel within the Sydney system. Changes to the channel have been largely restricted to replacing sections with modern pipe. This has destroyed a number of sections of the channel and is largely tied to post-World War II redevelopment where little regard was paid to the historic value of the Tank Stream.

Redevelopment of the GPO site allowed further investigation of Tank Stream and has provided information on the building development of Tank Stream over time. Brick drains, possibly dated pre 1820, were found. A further search revealed soil from the original Tank Stream bed. (Sydney Water, 2003)

See Modification Dates for a summary of structural works.

## Historic themes

Australian theme (abbrev)	New South Wales theme	Local theme
2. Peopling- Peopling the continent	Convict-Activities relating to incarceration, transport, reform, accommodation and working during the convict period in NSW (1788-1850) - does not include activities associated with the conviction of persons in NSW that are unrelated to the imperial 'convict system': use the theme of Law & Order for such activities	Working for the Crown-
4. Settlement- Building settlements, towns and cities	Utilities-Activities associated with the provision of services, especially on a communal basis	Providing drinking water-
4. Settlement- Building settlements, towns and cities	Utilities-Activities associated with the provision of services, especially on a communal basis	Providing sewers and stormwater outlets-

## Assessment of significance

SHR Criteria a) [Historical significance]	<p>The Tank Stream is significant because it was the reason the First Fleet settlement was established in Sydney Cove, and therefore influenced the future shape of Sydney over two centuries. It is linked in the public mind with the period of first European settlement and retains value as an iconic representation of that period and is interpreted as a metaphor of the period of contact and early urban settlement in Australia.</p> <p>The Tank Stream itself has retained an identity through the functional changes from being a fresh water supply, through subsequent use as combined sewer and stormwater drain to its current function as a stormwater drain. It is an important survivor of the first period of organised and integrated water management in an Australian city. The stone-cut water tanks, which may survive archaeologically, are important symbols of the reliance upon water in the colony, both in absolute terms and as an indication of the fragility of the European presence in Australia.</p>
SHR Criteria b) [Associative significance]	<p>The original watercourse and catchment would have provided a resource for exploitation by the Gadigal people who occupied the southern shore of Sydney Harbour at contact and their ancestors. As a result of the severity of this displacement the Tank Stream has become symbolic of the European settlers immediate appropriation of essential resources and Aboriginal dispossession.</p>

The Tank Stream influenced, and has been influenced by, Governor Phillip and subsequent early governors of the Australian colony. The course of the stream determined Phillip's siting of the first camp and this early administrative decision influenced the subsequent urban form of Sydney (Sydney Water 2005:65).

SHR Criteria c)  
[Aesthetic significance] The Tank Stream features fine quality stonemasonry and brickwork from the nineteenth century, human scale and an intriguing form showing layers of different phases of construction. This includes modifications introduced to improve the operation, e.g. terracotta drains (Sydney Water 2005:65).

SHR Criteria d)  
[Social significance] The Tank Stream is of State significance for its recognition in the community with the placement of Sydney in its current location, as evidenced by the popularity of tours. Community value of the Stream has increased with the growth of heritage consciousness since the 1970s.


SHR Criteria e)  
[Research potential] The sections of the former Tank Stream south of King Street which survive have potential for retaining evidence of the earliest periods of its human use. This includes early construction, brickmaking and waterproofing techniques. The swampy source of the stream may provide evidence of past environmental conditions and potentially of Aboriginal occupation prior to European arrival.

SHR Criteria f)  
[Rarity] Tank Stream is of State significance as the only water source available to the First Fleet arrival in their settlement of Sydney. Tank Stream is the only surviving evidence of this early period of water resource development.

The fabric of the Tanks Tream and its enclosing stormwater drain contains rare surviving evidence of the eighteenth and nineteenth century water supply and sewerage construction in the one linear site (Sydney Water 2005:69).

SHR Criteria g)  
[Representativeness] The Tank Stream is representative of a significant collection of water and wastewater heritage assets from the mid-nineteenth century onwards. From the operational perspective the Tank Stream competently serves as a stormwater drain, from the historical and social perspective, the Tank Stream serves to represent the system and Sydney Water as a whole, as its most high profile, historic and valued heritage item.

The fabric of the Tank Stream and of the enclosing stormwater drain is representative of a range of technologies associated with water reticulation, sewerage and drainage for a period of two centuries (Sydney Water 2005:70).

Assessment criteria: Items are assessed against the  [State Heritage Register \(SHR\) Criteria](#) to determine the level of significance. Refer to the Listings below for the level of statutory protection.

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**Procedures /Exemptions**

Section of act	Description	Title	Comments	Action date
57(2)	Exemption to allow work	Heritage Act	<p>See File For Schedule</p> <p>Order Under Section 57(2) to exempt the following activities from Section 57(1):</p> <p>The Sydney Water Board's operational and maintenance requirements which could involve some modification to inlets, provided that such modifications do not significantly affect the historic fabric or integrity of the Tank Stream.</p> <p>Eradication of noxious plants and animals.</p>	Jun 2 1989
21(1)(b)	Conservation Plan submitted for endorsement	Tank Stream Conservation Management Plan, prepared by Sydney Water for Sydney Water, hand dated July 2003	Conservation Management Plan endorsed 22 February 2005 for a period of five years	Feb 22 2005

57(2)	Exemption to allow work	Standard Exemptions	<p>SCHEDULE OF STANDARD EXEMPTIONS HERITAGE ACT 1977 Notice of Order Under Section 57 (2) of the Heritage Act 1977</p> <p>I, the Minister for Planning, pursuant to subsection 57(2) of the Heritage Act 1977, on the recommendation of the Heritage Council of New South Wales, do by this Order:</p> <p>1. revoke the Schedule of Exemptions to subsection 57(1) of the Heritage Act made under subsection 57(2) and published in the Government Gazette on 22 February 2008; and</p> <p>2. grant standard exemptions from subsection 57(1) of the Heritage Act 1977, described in the Schedule attached.</p> <p>FRANK SARTOR Minister for Planning Sydney, 11 July 2008</p> <p>To view the schedule click on the Standard Exemptions for Works Requiring Heritage Council Approval link below.</p>	Sep 5 2008
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[Standard exemptions](#) for works requiring Heritage Council approval

## Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Heritage Act - State Heritage Register		00636	02 Apr 99	27	1546

Heritage Act - Permanent Conservation Order - former		00636	02 Jun 89	69	3307
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#### References, internet links & images

Type	Author	Year	Title	Internet Links
Tourism		2007	Tank Stream	<a href="#">View detail</a> 
Tourism	Attraction Homepage	2007	Tank Stream	<a href="#">View detail</a> 
Written	Sydney Water	2005	Tank Stream: Conservation Management Plan	

## Appendix C

### Standard Exemption 4—Excavation (Revised 2009)

#### STANDARD EXEMPTION 4: EXCAVATION

1. Excavation or disturbance of land of the kind specified below does not require approval under subsection 57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a), (b) or (c) have been met and the person proposing to undertake the excavation or disturbance of land has received a notice advising that the Director-General is satisfied that:

(a) an archaeological assessment, zoning plan or management plan has been prepared in accordance with Guidelines published by the Heritage Council of NSW which indicates that any relics in the land are unlikely to have State or local heritage significance; or

(b) the excavation or disturbance of land will have a minor impact on archaeological relics including the testing of land to verify the existence of relics without destroying or removing them; or

(c) a statement describing the proposed excavation demonstrates that evidence relating to the history or nature of the site, such as its level of disturbance, indicates that the site has little or no archaeological research potential.

2. Excavation or disturbance of land of the kind specified below does not require approval under subsection 57(1) of the Act:

(a) the excavation or disturbance of land is for the purpose of exposing underground utility services infrastructure which occurs within an existing service trench and will not affect any other relics;

(b) the excavation or disturbance of land is to carry out inspections or emergency maintenance or repair on underground utility services and due care is taken to avoid effects on any other relics;

(c) the excavation or disturbance of land is to maintain, repair, or replace underground utility services to buildings which will not affect any other relics;

(d) the excavation or disturbance of land is to maintain or repair the foundations of an existing building which will not affect any associated relics;

(e) the excavation or disturbance of land is to expose survey marks for use in conducting a land survey

3. A person proposing to excavate or disturb land in the manner described in paragraph 1 must write to the Director-General and describe the proposed excavation or disturbance of land and set out why it satisfies the criteria set out in paragraph 1. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1 (a), (b) or (c) the Director-General shall notify the applicant.

NOTE 1: Any excavation with the potential to affect Aboriginal objects must be referred to the Director-General of the Department of Environment and Climate Change.

NOTE 2: If any Aboriginal objects are discovered on the site, excavation or disturbance is to cease and the Department of Environment and Climate Change is to be informed in accordance with section 91 of the National Parks and Wildlife Act, 1974.

NOTE 3: This exemption does not allow the removal of State significant relics.

NOTE 4: Where substantial intact archaeological relics of State or local significance, not identified in the archaeological assessment, zoning plan, management plan or statement required by this exemption, are unexpectedly discovered during excavation, work must cease in the affected area and the Heritage Council must be notified in writing in accordance with section 146 of the Act. Depending on the nature of the discovery, additional assessment and possibly an excavation permit may be required prior to the recommencement of excavation in the affected area.

NOTE 5: Archaeological research potential of a site is the extent to which further study of relics which are likely to be found is expected to contribute to improved knowledge about NSW history which is not demonstrated by other sites or archaeological resources.