

*The Lands Department Building was notable at the time of its construction for its innovative use of fire resistant materials, as well as its services including heating, lighting, ventilation and communication devices, which were at the forefront of technology. The building displays a high degree of technical achievement in its fine detailing and high quality workmanship, both externally and internally; particularly its carved stonework, joinery, metalwork and decorative plasterwork.*

## 4.5 GRADING OF SIGNIFICANCE

The Department of Lands Building at 23-33 Bridge Street, Sydney, has been carefully assessed to determine a relative grading of significance into five levels. This process examines a number of factors, including:

- Relative age
- Original design quality
- Degree of intactness and general condition
- Extent of subsequent alterations
- Association with important people or events
- Ability to demonstrate a rare quality, craft or construction process

Grading reflects the contribution the element makes to the overall significance of the item (or the degree to which the significance of the item would be diminished if the component were removed or altered).

### EXCEPTIONAL SIGNIFICANCE

Includes rare or outstanding building fabric that displays a high degree of intactness or can be interpreted relatively easily.

### HIGH SIGNIFICANCE

Includes the original extant fabric and spaces of particular historic and aesthetic value. Includes extant fabric from the early phases of construction.

### MODERATE SIGNIFICANCE

Includes building fabric and relationships which were originally of higher significance but have been compromised by later, less significant modifications.

### LITTLE SIGNIFICANCE

Includes most of the fabric associated with recent alterations and additions made to accommodate changing functional requirements. These are components generally of neutral impact on the site's significance.

### INTRUSIVE

Recent fabric, which adversely affects the significance of the site.

Grading has been established as a valuable tool, to assist in developing appropriate conservation measures for the treatment of the building and its various elements. In general, good conservation practice encourages the focussing on change, or upgrading of, an historical building/site to those areas or components which make a lesser contribution to significance. The areas or components that make a greater or defining contribution to significance should generally be left intact or changed with the greatest care and respect.

The grading diagrams, provided below, have been copied from the endorsed 2015 CMP for the site.

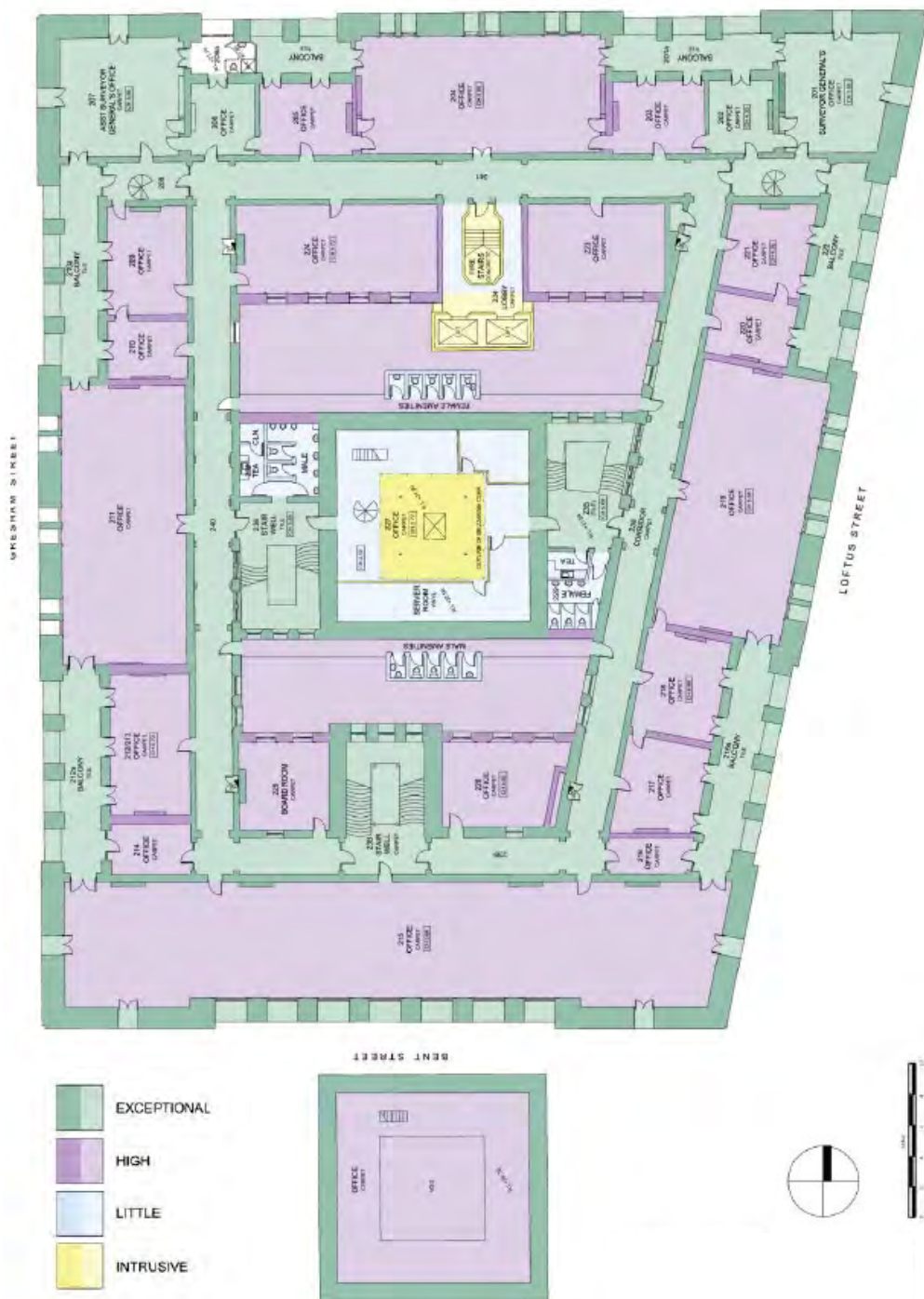


**Figure 4.8**  
Ground Floor Grading Diagram. Darker tone indicates walls, while light tone indicates spaces  
Source: 2015 CMP, Figure 38









**Figure 4.11**  
Second Floor Grading Diagram. Darker tone indicates walls, while light tone indicates spaces  
Source: 2015 CMP, Figure 41





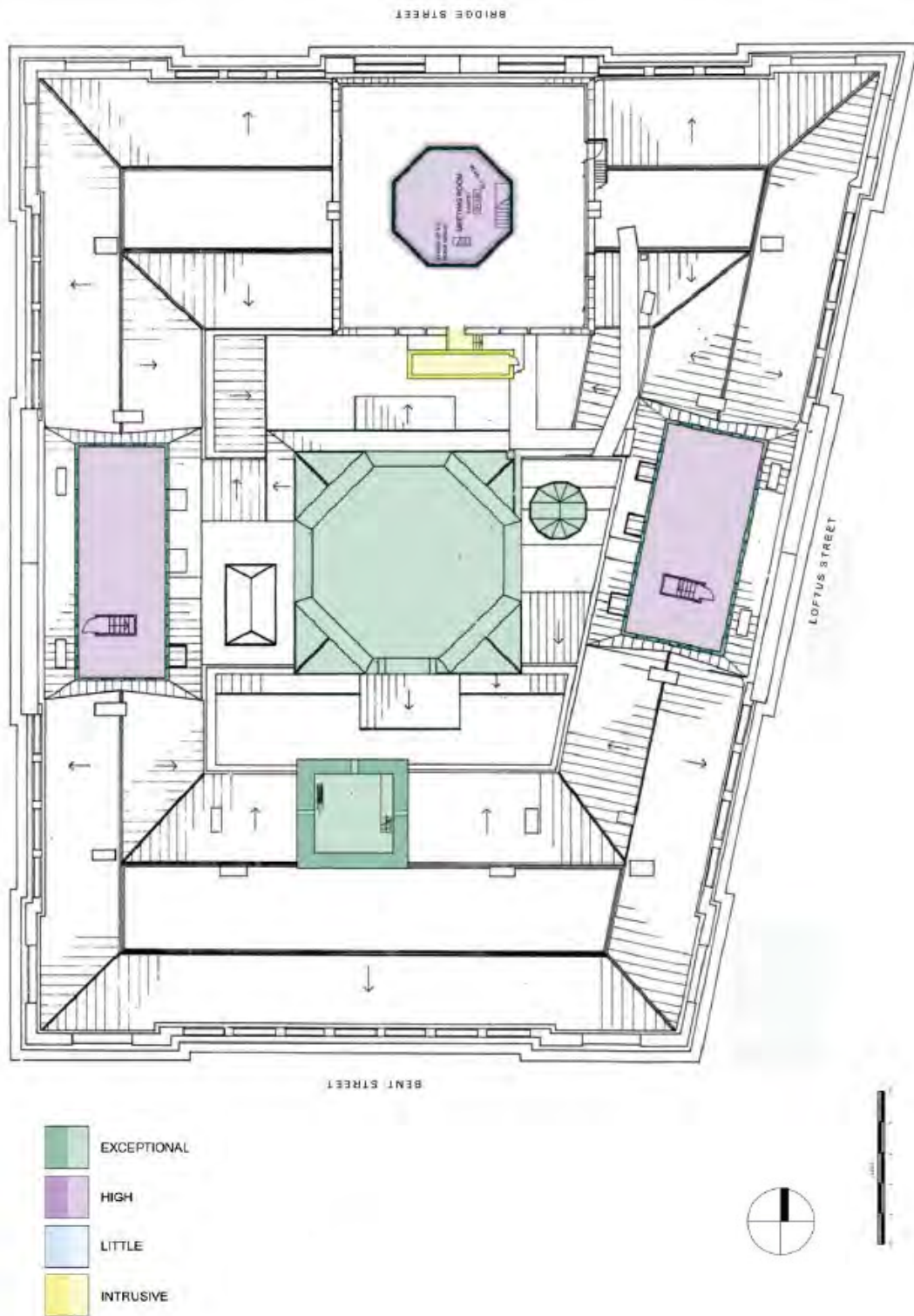


**Figure 4.14**

Fifth Floor Grading Diagram. Darker tone indicates walls, while light tone indicates spaces

Source: 2015 CMP, Figure 44





**Figure 4.15**

Roof Level Grading Diagram. Darker tone indicates walls, while light tone indicates spaces

Source: 2015 CMP, Figure 45



**Figure 4.16**

Grading Diagram showing location of original Carriage Loop. Darker tone indicates walls, while light tone indicates spaces

Source: 2015 CMP, Figure 46

## 4.6 CURTILAGE ANALYSIS

The NSW Heritage Office (now the Heritage Division of the NSW Office of Environment and Heritage) publication *Heritage Curtilages*<sup>10</sup> defines “heritage curtilage” as the area of land surrounding an item or area of heritage significance which is essential for retaining and interpreting its heritage significance. Heritage curtilage can be classified as one of four types:

- **Lot Boundary Heritage Curtilage:** for places where the legal boundary of the allotment is defined as the heritage curtilage. The allotment should, in general, contain all significant related features, for example outbuildings and gardens, within its boundaries.
- **Reduced Heritage Curtilage:** for places where an area less than the total allotment is defined as the heritage curtilage. Applicable where not all parts of a property contain places associated with its significance.
- **Expanded Heritage Curtilage:** for places where the heritage curtilage is larger than the allotment. Particularly relevant where views to and/or from a place are of significance.
- **Composite Heritage Curtilage:** for larger areas that include a number of separate related places, such as heritage conservation areas based on a block, precinct or whole village.

In addition to an Expanded Lot Boundary Curtilage, which encompasses the allotment including the ‘moat’ structure surrounding the building, the Lands Building also has an Expanded Visual Curtilage which extends across the ‘Sandstones’ precinct in the area of Bridge Street.

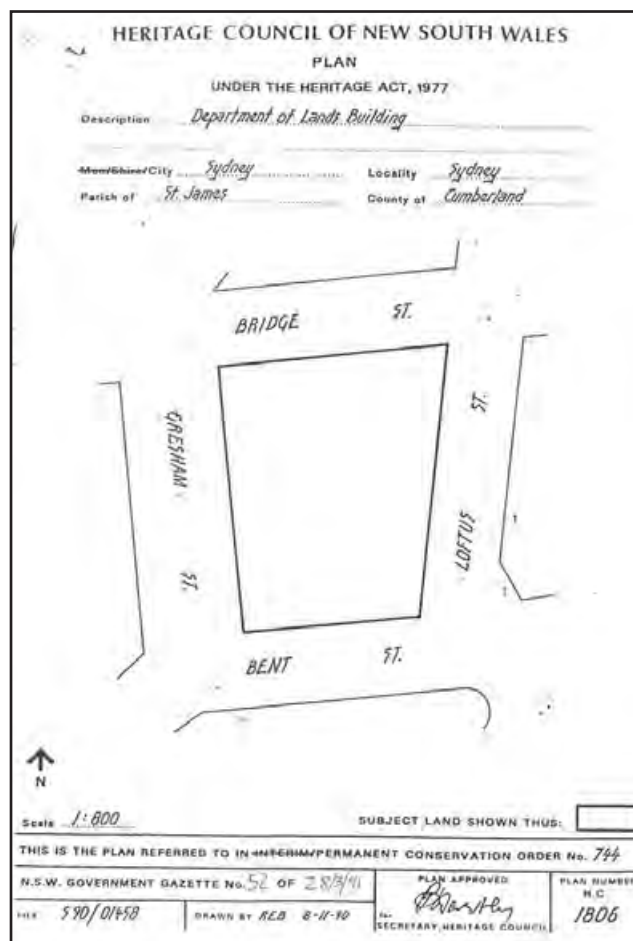
### 4.6.1 EXPANDED LOT BOUNDARY CURTILAGE

*The Lands Department Building was covered by a Permanent Conservation Order in March 1981, which was converted to a listing on the State Heritage Register in April 1999 (SHR No. 00744). The heritage curtilage established for the place and attached to the listing is Lot 1877 DP 877000.*

The established Lot Boundary Curtilage as shown on the State Heritage Register is provided below.

*A drainage ‘moat’ beneath the footpath surrounds the Lands Building. This ‘moat’ is an original element*

*designed to deal with water and ventilation issues at the base of the Lands Building. (Barnet designed a similar drainage system around the Chief Secretary’s Building (1873).) The ‘moat’ is an integral part of the building and has High Significance, but as evidenced in photographs ... and the land survey drawing ... it is located outside the lot boundary. To ensure the ‘moat’ around the base of the Lands Building is protected it is recommended that the curtilage of the Lands Building SHR listing be reviewed and amended.*



**Figure 4.17**  
The established Lot Boundary Curtilage as shown on the State Heritage Register  
Source: NSW Heritage Database, Item No. 5045424

### 4.6.2 EXPANDED VISUAL CURTILAGE

The 2015 CMP for the site proposed an Expanded Curtilage for the Lands Building which encompasses the Special Character Area A & E as defined in Section 5 - Specific Areas in the *Sydney DCP 2012*. This includes the ‘Sandstones’ precinct in the area of Bridge Street, Macquarie Place and Farrer Place and encompasses buildings such as the Chief Secretary’s Building, the Education Building and the former

<sup>10</sup> Warwick Mayne-Wilson, *Heritage Curtilages*, NSW Heritage Office and the Department of Urban Affairs and Planning, NSW, 1996



Treasury. We concur with the proposed Expanded Curtilage which should be defined as an Expanded Visual Curtilage as distinct from the Expanded Lot Curtilage.

The Expanded Visual Curtilage primarily takes into account the setting and visual context of the Lands Building within the 'Sandstones' precinct, in particular its siting and design as a building that was to be viewed from all sides.



**Figure 4.18**  
The Expanded Visual Curtilage of the Lands Building, as identified in the 2015 CMP. The curtilage is defined by the City of Sydney Special Character Areas A & E of the Sydney DCP 2012. The Lands Building is shown outlined in yellow.  
Source: City of Sydney Council, Sydney DCP 2012, Figure 5.14

## 4.7 ARCHAEOLOGICAL POTENTIAL AND SIGNIFICANCE

### 4.7.1 BACKGROUND

The subject site has been identified in the Central Sydney Archaeological Zoning Plan as an "Area of Archaeological Potential – Deeper Sub-surface Features Only". The Aboriginal and historical archaeological potential of the site, and its potential significance has been assessed in the *Archaeological Assessment of the 'Sandstone Precinct' -Lands Building, Education Building, Road & Public Reserves*

*at Gresham Street, Loftus Street and Farrer Place, Sydney prepared by Curio Projects, October 2016. Relevant extracts, from the full archaeological assessment, which relate to archaeological potential and significance have been provided by Curio Projects for inclusion in this CMP, and reproduced in italics in Sections 4.7.2 - 4.7.4 below.*

### 4.7.2 ABORIGINAL ARCHAEOLOGICAL POTENTIAL

*Whilst it is of a low likelihood that intact, in situ, Aboriginal archaeological deposits remain across the study area, if present, these deposits would be of high significance, and possibly of high cultural and social value for the local Aboriginal community.*

*The assessment of local and regional Aboriginal archaeology has demonstrated that Aboriginal people would have intensely used this area of Sydney cove prior to European settlement, as well during the post contact period (1788-early 1800s).*

*Potential Aboriginal archaeology that may be present within the study area could include, but not be limited to varying concentrations of Aboriginal stone artefacts and knapping floors, and shell middens. While unlikely to be within the study area, and not uncovered through previous archaeological investigations, the ethnohistorical reports of Aboriginal burials located at the site of the First Government House (east of the current study area), should be noted.*

*Should Aboriginal objects be present within the study area, any ground disturbing works outside of the existing physical footings etc., of the Lands and Education buildings that extend to bedrock, or have previously removed all natural soil profiles, may present a risk to any (as yet unregistered) Aboriginal sites that may be located within the study area.*

*Therefore, based on this desktop assessment, the potential for the presence of Aboriginal archaeological evidence within the study area is considered as follows:*

- *there is low potential for intact Aboriginal archaeological deposits at the study area;*
- *there is low to moderate potential for Aboriginal objects and archaeological deposits to be present at the study area in a disturbed context, where previous development has not completely removed soils;*
- *should intact Aboriginal archaeological deposits be present at the study area, these would be of high significance, for their research potential,*



rarity, and potential significance to the Aboriginal community (to be confirmed through consequent Aboriginal community consultation); and

- should Aboriginal objects be present within the study area in a disturbed context, these objects would be of moderate to high significance, for their research potential, rarity, and potential significance to the Aboriginal community (to be confirmed through consequent Aboriginal community consultation).<sup>11</sup>

#### 4.7.3 HISTORICAL ARCHAEOLOGICAL POTENTIAL

Archaeological evidence from Phase 1 use of the site—Establishment of the colony (1788-1810)—may survive in the form of sub-surface structural remains of early buildings known to have been erected on site, (including the original Commissary, Judge-Advocate, Chaplain, and Surveyor-General's residences), as well as in the form of archaeological evidence, such as wells, rubbish dumps and cesspit, produced as a result of day to day on-site activities. Potential cultural deposits that could be recovered from such features include household and work-place refuse, building debris (e.g. fragments of items include serving ware, alcohol bottles, smoking pipes, meat cuts, pieces of timber, nails etc.) and other remnant site-specific evidence. There is also the potential for isolated pockets of remnant soil profiles to exist within the study area.

Whilst the potential for remnant soil profiles to exist within the study area is likely to be low due to the site topography and level of site disturbances over time, should they be present, they have the potential to yield palaeobotanical evidence associated with the early occupation and use of the site, including providing evidence of the types of plants that present on the site prior to and during the earliest phases of settlement, as well as information pertaining to the gardens and farming activities that occurred on site post-1788. Should such evidence be present, this information would have research potential at a **State** level.

Buildings from the initial phase of occupation of the study area, as well as associated evidence for on-site activities and cultural deposits, represent some of the earliest purpose-built structures associated with the governance of the colony and the provision of housing and offices for civil officers, and would have research potential at a **State** level, as few examples from buildings from this period have survived.

Archaeological evidence associated with the second phase of occupation at the site (Phase 2—Macquarie-era buildings and road/sewer development, 1810-1876) may include structural remains of Macquarie-era buildings such as the Judge-Advocate's, Colonial Secretary's (c1810-1915) and Surveyor General's residences and offices, as well as associated outbuildings and remnant fabric associated with the construction and use of the buildings.

Sub-structural remains from Phase 2 may reveal or confirm the suspected locations of the Macquarie-era buildings. Additionally, if found in context (and particularly if stratified for example in wells, rubbish dumps or cesspits), cultural deposits from this period could provide extensive scientific evidence about how the site was used, what types of activities were located where, and information unable to be obtained from any other resources. Therefore, archaeological evidence relating to Phase 2 occupation and use of the study area would have research potential at a **State** level.

Sub-surface structural features associated with Phase 3 (Lands and Education Buildings (1876-1893 and 1912-Present) occupation of the study area, such as footings or underground service networks, would form part of the extant State heritage listings. The locations of these features could have the potential to inform on unknown factors of the development of these buildings such as construction techniques, design elements, and early functioning of the buildings. Therefore, archaeological evidence from Phase 3 use of the site would be considered to have **State** significance with regards to research potential.<sup>12</sup>

#### 4.7.4 HISTORICAL ARCHAEOLOGICAL SIGNIFICANCE

Three phases of historical use of the study area have been identified: Phase 1—Establishment of the Colony (1788-1810); Phase 2—Macquarie Era Buildings and road/sewer development (1810-1876); and Phase 3—Lands and Education Buildings (1876-Present). These three historical phases all have the potential to provide tangible physical evidence for the nature and location of early structures, as well as cultural deposits which may have the ability to demonstrate and interpret the daily lives of early colonial officers and their families, the day to day workings of the administration of the early Sydney colony, as well as its progression through the history of the Sydney colony.

The potential archaeological structural remains, and cultural deposits from all three phases of

<sup>11</sup> Curio Projects, Archaeological Assessment of the 'Sandstone Precinct' -Lands Building, Education Building, Road & Public Reserves at Gresham Street, Loftus Street and Farrer Place, Sydney, October 2016, p31-32

<sup>12</sup> Curio Projects, Archaeological Assessment of the 'Sandstone Precinct' -Lands Building, Education Building, Road & Public Reserves at Gresham Street, Loftus Street and Farrer Place, Sydney, October 2016, p63-64.

*occupation may provide excellent opportunities for public interpretation that can provide a tangible link between the current city of Sydney and its occupants, continuously back through to the original colonial settlement and functionality of the city.*

*All potential archaeological structures and stratified deposits from the three phases of use of the study area have the potential to be of **State Significance**, depending on their nature, extent and level of intactness.<sup>13</sup>*

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<sup>13</sup> Curio Projects, *Archaeological Assessment of the 'Sandstone Precinct' -Lands Building, Education Building, Road & Public Reserves at Gresham Street, Loftus Street and Farrer Place, Sydney*, October 2016, p66

# 5.0

## CONSTRAINTS AND OPPORTUNITIES

### 5.1 INTRODUCTION

This section outlines various major issues involved in the preparation of the conservation guidelines for the site. It takes into consideration matters arising from the Statement of Significance and procedural constraints imposed by cultural conservation methodology such as that of the Australia ICOMOS *Burra Charter*. It identifies all statutory and non-statutory listings that apply for the site and describes constraints and opportunities arising from these listings. It also addresses constraints and opportunities relating to the physical condition of the building and those arising out of ownership and management.

If not otherwise stated, those paragraphs provided in italics are copied verbatim from the relevant Sections in *Part 5.1 - Constraints and Opportunities* of the 2015 CMP.

### 5.2 ISSUES ARISING FROM THE STATEMENT OF SIGNIFICANCE

Considering the Statement of Significance, the following issues need to be addressed in the conservation guidelines:

- The Lands Building consists of two building components which, although constructed in two separate stages (1876-81 and 1888-93), provide a unified and consistent architectural presentation externally as an exceptional example of the late-Victorian classical revival style of architecture that includes a mix of Australian, British and classical decorative motifs as well as portrait statues of famous Australian explorers, surveyors and politicians. This largely unaltered architectural expression should be retained and conserved;
- Occupying a block bounded by Bridge Street, Bent Street, Loftus Street and Gresham Street, the Lands Building is a key element in the built landscape of Bridge Street, Macquarie Place and Farrer Place. Its landmark position and exceptional contribution to the surrounding areas as part of the core of colonial government administration and one of the most intact late Victorian/early

Edwardian precincts in Sydney, should be retained and conserved;

- The Lands Building is an outstanding example of a late nineteenth century purpose-built government administration building and retains a very high degree of authenticity and integrity in its external form and detailing as well as in its internal layout and design. The characteristic elements and spatial qualities of the building should be retained in any future upgrade of the building;
- The Lands Building displays a high degree of technical achievement in its fine detailing and high quality workmanship and was notable at the time of construction for its innovative use of fire resistant materials and for its services, including heating, lighting, ventilation and communication, which were at the forefront of technology. Any future uses and upgrades of the building should be mindful of these characteristic elements and respect their contribution to the significance of the place;
- Constructed during a significant phase in Australia's history leading up to Federation as the work of NSW Colonial Architect James Barnet and builder John Young, the Lands Building was for most of its life associated with the influential and powerful Lands Department and its ministers and Surveyor Generals who occupied the building. Any future uses of the building should be mindful of the original functions and associations of the building and its long lasting role in government administration, and interpret them appropriately and respectfully;

The Statement of Significance should be accepted as one of the bases for the future use and management of the site.

All original and significant components of the site that make a defining contribution to the significance of the site should be retained and conserved in accordance with the principles of the *Burra Charter*.

The building has a significant movable heritage collection. The *Lands Building Movable Heritage Management Strategy*, prepared by Musecape, dated August 2013, should be updated once the Department

vacates the building and the recommendations of the updated report should be adopted and implemented. Any issues arising from the Statement of Significance provided in the updated report should be addressed.

Likewise, the Statement of Significance and the recommendations provided in the Archaeological Assessment for the site, prepared under separate cover by Curio Projects, should be adopted and implemented.

## 5.3 HERITAGE MANAGEMENT FRAMEWORK

### 5.3.1 CURRENT HERITAGE LISTINGS

The following statutory and non-statutory lists have been reviewed in relation to the subject site. The implications of these listings, if any, is discussed below.

LIST	INCLUDED
World Heritage List	NO
Commonwealth Heritage List	NO
National Heritage List	NO
NSW State Heritage Register	YES
NSW Department of Land and Water Conservation, Section 170 Register	YES
Sydney Local Environmental Plan 2012	YES
National Trust of Australia (NSW)	YES
Australian Institute of Architects (AIA), formerly RAIA, 20th Century Register of Significant Buildings	YES
Register of the National Estate	YES

### 5.3.2 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999 (EPBC ACT)

The Lands Building is not listed on the National Heritage List, however, it forms part of a nomination for inclusion on the National Heritage List, currently under consideration by the Australian Heritage Council for an area of Sydney currently called “Colonial Sydney”. The area includes many sites fronting Macquarie and Bridge Streets and beyond, including the Lands Building. To date the draft “Colonial Sydney” Nominated place has not been gazetted.

Any items listed on the National Heritage List are protected under the *Environment Protection & Biodiversity Conservation (EPBC) Act 1999*. The *EPBC Act* provides a legal framework to protect and

manage nationally and internationally important flora, fauna, ecological communities and heritage places — defined in the *Act* as matters of national environmental significance.

The seven matters of national environmental significance to which the *EPBC Act* applies are:

- world heritage sites
- national heritage places
- wetlands of international importance (often called ‘Ramsar’ wetlands after the international treaty under which such wetlands are listed)
- nationally threatened species and ecological communities
- migratory species
- Commonwealth marine areas
- nuclear actions.

In addition, the *Act* confers jurisdiction over actions that have a significant environmental impact on Commonwealth land, or that are carried out by a Commonwealth agency (even if that significant impact is not on one of the seven matters of ‘national environmental significance’).

Approval must be sought for any proposed actions that will, or are likely to, have a significant impact on the National heritage values of a listed item. The impact of these actions must be taken into account in the development assessment process.

### 5.3.3 AUSTRALIAN HERITAGE COUNCIL ACT 2003

The *Australian Heritage Council Act 2003* established the Australian Heritage Council, as an independent expert advisory body on heritage matters. The Australian Heritage Council is the principal adviser to the Australian Government on heritage matters. The Council assesses nominations for the National Heritage List, the Commonwealth Heritage List and the List of Overseas Places of Historic Significance to Australia.

### 5.3.4 NSW HERITAGE ACT 1977

#### State Heritage Register

The *NSW Heritage Act 1977* (Amended) is an Act to conserve the environmental heritage of New South Wales. The *Act* established the Heritage Council of NSW and, more recently, the State Heritage Register. Section 4 of the *Act* defines State heritage significance as being:



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

The Lands Building, 23-33 Bridge Street, Sydney, is listed on the NSW State Heritage Register. The Register contains the following Statement of Significance for the place.

*The building is one of the most outstanding surviving Victorian buildings in Sydney. The building has been used continuously for the purpose which it was designed for - as the administrative head office of Department of Lands. It has a long association with the public life of NSW, especially the rapid expansion of settlement during the later part of the 19th century. The building forms a visually satisfying enclosure to the southern side of Macquarie Place and relates in scale and materials to the other Government buildings at the eastern end of Bridge Street. A vital landmark in the history of surveying, land titles and public works in New South Wales. (DLWC S170 Register)*

Section 60 of the *NSW Heritage Act* requires approval to be gained from the Heritage Council when making changes to a heritage place listed on the State Heritage Register.

Section 118 of the *NSW Heritage Act* sets out minimum requirements for maintenance and repair of items listed on the State Heritage Register. These requirements are detailed in the *Heritage Regulation 2005*. In summary, the listed item must be protected from damage or deterioration due to weather, measures must be in place to prevent damage from fire and vandalism, and essential maintenance and repair must be carried out to prevent serious or irreparable damage or deterioration.

### **Department of Land and Water Conservation NSW S170 Register**

The Lands Building has been identified in the Department of Land and Water Conservation Section 170 Register prepared under s170 of the *NSW Heritage Act*. This listing places an obligation on responsible public agency to manage the asset in a manner that protects the heritage significance of the place.

S170 of the *NSW Heritage Act* requires the responsible public agency to provide a written notification to the NSW Heritage Council of any proposal to remove any item from its s170 Register, transfer ownership, cease to occupy, or demolish any building or work that is entered on its register. A minimum of 14 days notice is required.

## **Archaeological Management**

Under the *NSW Heritage Act 1977*, the disturbance or excavation of land containing or being likely to contain relics can only take place when an Excavation Permit has been granted by the Heritage Council. A “relic” is defined in the *NSW Heritage Amendment Act 2009* 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*

All “relics” are protected under the *Heritage Act*, regardless of whether or not the place is listed as a heritage item on a local, State or national level. For places listed on the State Heritage Register, an Excavation Permit is obtained under Section 60 of the *Heritage Act*. For all other places, the disturbance of relics requires an Excavation Permit under Section 140 of the *Heritage Act*.

### **5.3.5 LOCAL GOVERNMENT HERITAGE MANAGEMENT**

The former Department of Lands Building including Interior is listed as a heritage item in Schedule 5 of the *Sydney LEP 2012*.

Approval from the City of Sydney Council is required for any alterations or additions to the site which must be assessed under Part 4, 79(c) of the *NSW Environmental Planning and Assessment Act 1979*.

The relevant operative statutory regulations of the *Sydney LEP 2012* are noted in clause 5.10 Heritage conservation.

The City of Sydney Heritage Inventory sheet set outs the following recommended management guidelines for the building:<sup>1</sup>

*General: The building should remain the centre for land administration and information in NSW. The whole of the 19th century fabric should be retained. No further addition should be made to the building which would adversely affect the aesthetic value of the facade or the streetscape generally. Future use and changes to the building should be guided by the conservation plan. Exterior: All facades and early external features of the building should be retained and conserved. Surfaces never intended for painting, notably sandstone and copper, should remain unpainted, while surfaces such as wrought iron and timber which were originally painted*

<sup>1</sup> NSW Heritage Database Entry No. 2423868

*should continue to be painted in appropriate colours. Interior: The significant interiors and artefacts of the building should be preserved intact. Some adaptation of interiors is acceptable to enable the building fulfil its original function, provided it does not detract from the significance of the facade or significant interiors.*

The recommended management guidelines, outlined in the City of Sydney Heritage Inventory, represent general guidelines for the maintenance and retention of the significance of the building. The *CMP*, being a more comprehensive analysis of the building's condition and significance, recommends additional strategies. These are included in Section 6.0 of this report.

The controls of the *Sydney Development Control Plan (DCP) 2012* are also applicable to any future development of this site.

## **5.4 COMMUNITY AGENCIES**

### **5.4.1 NATIONAL TRUST OF AUSTRALIA (NSW)**

The property has been classified by the National Trust of Australia (NSW).

The Trust's register is intended to perform an advisory and educational role. The listing of a place on the Register, known as 'classification' has no legal force. However it is widely recognised as an authoritative statement of the cultural significance of a place.

The opinions of the Trust, however, are usually sought when major proposals are being formulated in heritage precincts or in relation to heritage buildings.

### **5.4.2 AUSTRALIAN INSTITUTE OF ARCHITECTS 20TH CENTURY REGISTER OF SIGNIFICANT ARCHITECTURE IN NSW**

The Australian Institute of Architects (AIA), formerly the Royal Australian Institute of Architects (RAIA), maintains a register of 20th Century Buildings it considers to be of heritage significance. The Lands Building is included on this list.

Although this has no statutory implications for the building, the opinion of the Institute's Heritage Committee is usually sought when proposals involving major changes to buildings included on this list are being formulated.

## **5.4.3 AUSTRALIA ICOMOS**

Australia ICOMOS a professional body of conservation practitioners, represented by the Australian National Committee of the International Council on Monuments and Sites (ICOMOS).

Australia ICOMOS has developed and published a Charter for the Conservation of Places of Cultural Significance, generally known as *The Burra Charter*. This document establishes principles and methodologies for conservation work in Australia, based primarily on an understanding of the heritage values of a place and then appropriate responses to looking after the place in relation to various management issues and requirements. Its status is advisory, not statutory, but it has become widely recognised as establishing the basic methodology for conservation work in Australia.

## **5.5 OTHER RELEVANT STATUTORY REQUIREMENTS**

### **5.5.1 DISABILITY DISCRIMINATION ACT 1992**

The provision of access must be taken into account when considering on-going and future use of the building.

The *Commonwealth Disability Discrimination Act 1992* relates to discrimination on the grounds of disability. Under Section 23 of this *Act* it is unlawful to discriminate by refusing persons with a disability access to any premises or facilities the public is entitled to use.

Amendments to this act that came into force in August 2009 introduced the concept of an explicit duty to make reasonable adjustments. A reasonable adjustment is any adjustment that does not impose an unjustifiable hardship on the person who would have to provide the access.

### **5.5.2 BUILDING CODE OF AUSTRALIA**

Building regulations for New South Wales are specified in the *Building Code of Australia (BCA)* and administered by the Building Codes Board. The *BCA* contains standards relating to fire safety, egress, health and amenity provisions for buildings, and requires that any future uses, alterations or additions to the building must comply with these standards. The application and integration of *BCA* standards into the building or place must, however, be undertaken in a manner that responds to the heritage significance.

Advice on how to best achieve BCA compliance for historic buildings can be sought from the Fire, Access and Services Advisory Panel of the Heritage Division of the NSW Office of Environment and Heritage.

## 5.6 PHYSICAL CONDITION

*The Lands Building is currently occupied by a government department and is in active daily use. The building is generally in sound physical condition.*

While *Part 7 - Element Summary* of the 2015 CMP identifies various elements as being in excellent or good condition, other elements are noted as being in fair, poor, or very poor condition, including the following:

### 5.6.1 EXTERNAL FABRIC

#### FAIR CONDITION

- The heritage item generally - *the external stonework requires maintenance and repair. Services are functional but require attention, requires some internal painting*
- Sandstone walls: cornices and balustrades (Fair/Poor)
- Entrances (Fair/Good)
- Internal courtyard and lightwells
- Cast iron catwalks
- Some statues (Fair/Poor) due to cracking or fretting
- Cast iron railings at roof level - cast iron requires repainting
- Copper roof cladding: flashings and outlets
- Roof plumbing: sumps
- Roof cladding to additions
- Windows in northern dome generally
- Lift overrun and lift motor plant structures
- Steel walkways, stairs and ladders at roof level
- Some elements of the roof structure
- Clock Tower including copper dome and stonework (Fair/Poor)

#### POOR CONDITION

- Timber and metal windows (Poor/Fair)
- Some membrane roof areas
- Stonework (Poor/Good)

#### VERY POOR CONDITION

- Windows in northern dome - Rot in windows

The following external elements require further assessment, due to access limitations at the time of the 2015 CMP:

- Eastern and Western Pavilion - Fair/Good
- Chimneys - Fair/Poor

### 5.6.2 INTERNAL FABRIC

#### FAIR CONDITION

- Level 3 concrete office ceilings are cracking
- Some lath and plaster office ceilings are cracking
- Corridor (coke) concrete vaulting (Fair/Good)
- Ceilings of corridor service tunnels (Fair/Good)
- Mezzanine levels between Ground and Level 1
- Loading dock - walls require repainting, some windows are broken
- Stairs off main entrances (Fair/Good)
- Central records strong room generally (Fair/Good)
- Paint finishes in strong room which also shows minor cracking in masonry/concrete dome
- 'Moat' (Fair/Good) (not inspected)
- Historic services
- Exhaust systems
- Hydraulic services courtyard
- Main switchboard and electrical metering panel

#### POOR CONDITION

- Some plaster walls and paint to office areas due to moisture
- Timber floors in office areas (Fair/Poor) Note: many of the timber floors have been damaged during the 1980s
- Carpet in office areas and corridors (Fair/Poor)
- Some architraves and skirting
- Some plant and service area spaces (Poor/Good)
- Toilets and wet areas overall
- Currently enclosed verandahs - *leaking drainage causing damage to the significant fabric*
- Hydraulic services generally
- General lighting
- Electrical services distribution boards
- Some older power socket outlets
- Emergency sound system, intercom system and lights

#### VERY POOR CONDITION

- Paint on some walls and ceilings failing
- Air conditioning, various levels (Very Poor/Good)
- Fire suppression and protection services

In addition, the 2015 CMP notes that the water plants within the building require upgrading.

## 5.7 OWNERS REQUIREMENTS

The identification of the needs of the owners and occupiers of the building need to be considered when formulating guidelines for the conservation, use and management of the building.

The Lands Building is owned by the NSW State Government, currently represented by Government Property NSW (GPNSW), and occupied by the

NSW Department of Planning. The departure of the Department is imminent, as Pontiac Land Group have been awarded the right to lease and adaptively reuse both the Lands and Education Buildings in Bridge Street, Sydney, as a landmark luxury hotel. Ownership will remain with the NSW Government. The lessee will be required to seek the landowner's consent prior to lodging any application to undertake works.

The approved adaptive reuse of the building as a luxury hotel will result in a change of use of the building from government offices to tourist accommodation and ancillary uses. The new use will require upgrades to the interior layout and circulation pattern within the building, including code compliance unifications. The approved concept plans for the site have been designed to take development pressure off the significant Lands Building and concentrate change on the adjacent Education Building which has undergone more extensive alterations. The policies in this report have been formulated to guide the changes required for the adaptive reuse of the Lands Building while conserving the cultural significance of the heritage item. It is an essential requirement of the new lessee that the new use is commercially viable.

## 5.8 OPPORTUNITIES

Considering the assessment of significance and Statement of Significance for the building, the following opportunities have been identified:

- The adaptive reuse of the former secure government offices as a luxury hotel will make the building accessible to the public for the first time, and future users and visitors of the building will be able to appreciate its significance;
- The adaptive reuse will provide the building with a viable on-going use that will ensure the building is conserved and then maintained;
- The adaptive reuse of the building will provide an opportunity to remove the later accretions and replace them with high quality spaces that are sympathetic and respectful to the building;
- There is an opportunity to recapture and interpret the original carriage route through the ground floor and include it in the ground floor pedestrian circulation;
- There is an opportunity repair and reinstate the operable lantern umbrella shutter and mechanism on the central Strong Room copper dome;
- The new adaptive reuse provides an opportunity to interpret and celebrate the cultural significance of the Lands Building and its significant elements for public and private users of the place;
- In particular, there is an opportunity to interpret and celebrate the significance of the multi-level Strong Room and dome to users of the Lands Building.



# 6.0

## CONSERVATION POLICIES

### 6.1 INTRODUCTION

Conservation can be regarded as the protection of heritage significance and the management of change. It seeks to safeguard that which is important in the built environment, within a process of controlled change and development. It is one of the functions of this document to establish policies and recommendations for the conservation, adaptation and ongoing use of the building in a way that protects and enhances its heritage value. In this way, the owners and managers of the building will be able to formulate proposals within a known framework of acceptable directions, and planning authorities will be able to assess those proposals against the criteria.

These policies apply directly to the conservation and adaptive reuse of the Lands Building as a hotel facility. They seek to protect those aspects of the place that make an important and defining contribution to its significance. They also seek to provide a framework for the new development that will be required to be carried out in order to effectively facilitate the approved change of use.

The conservation policies provide a set of guidelines to inform future decision making processes and are not intended to impose blanket prohibitions. Going forward circumstances may change, further analysis may reveal additional information and owner's requirements might develop that require a measured but sensible approach to managing change to the building.

Many of the following policies are sourced directly from the endorsed *Conservation Management Plan, The Lands Building prepared by the NSW Government Architect's Office dated March 2015* which remain relevant. Some policies have been amended and additional policies developed in the context of the Stage 1 Approval SSD 6751 that has approved adaptive reuse of the Lands and Education Buildings for "tourist accommodation, and ancillary uses".

Some policies have also been sourced directly from the endorsed *Conservation Management Plan, Department of Education Building prepared by City Plan Heritage dated March 2015* which has also been

updated. Because both the Lands and Education Buildings are being conserved and adaptively reused as a combined hotel facility it is of vital importance that the revised policies in the updated CMPs are of similar format.

### 6.2 PRINCIPAL CONSERVATION POLICIES

#### BACKGROUND

The Lands Building has been identified as being of considerable heritage significance.

#### POLICY 6.2.1

Those aspects of the Lands Building that make a defining contribution to its significance should be retained and celebrated in its adaptation for re-use as a hotel facility. New development or change should aim to minimise adverse heritage impacts.

#### POLICY 6.2.2

Conservation of the Lands Building should be in the form of ongoing or new compatible uses for the building.

#### POLICY 6.2.3

The current adaptive reuse proposal for the Lands Building as a hotel facility, linked to the Education Building, requires that the proposal is informed by the aims of best conservation practice balanced with an understanding of the functionality and commerciality of tourism accommodation projects.

#### POLICY 6.2.4

Future changes to fabric, form and associated structural elements should respect the building's visual significance and architectural integrity, and respond accordingly.

#### POLICY 6.2.5

The Lands Building's role as a landmark visual element in Farrer Place, Macquarie Place, Gresham Street, Loftus Street, Bent Street, Spring Street and Bridge Street should be retained.

#### **POLICY 6.2.6**

A key component of adaptation to hotel use must be increased public access to the building and increased interpretation of its significance.

#### **POLICY 6.2.7**

Any new work should be of design excellence and employ superior materials.

### **6.3 BUILDING OWNERSHIP, MANAGEMENT AND TENANCY**

#### **BACKGROUND**

The Lands Building has been in the ownership of the NSW State Government since its construction. Government Property NSW (GPNSW) is the nominated current owner on behalf of the NSW Government. It is currently leased to the NSW Department of Land and Water Conservation.

GPNSW have in September 2015 awarded Pontiac Land Group the right to lease and adaptively reuse the Lands Building (as well as the neighbouring Education Building) into a landmark luxury hotel.

The aim of this Plan is to set in place a framework for the future management of the building to protect and where possible to recover its heritage significance. The recommended lease structure envisaged by GPNSW is indicated at Figure 6.1:

#### **POLICY 6.3.1 OWNERSHIP**

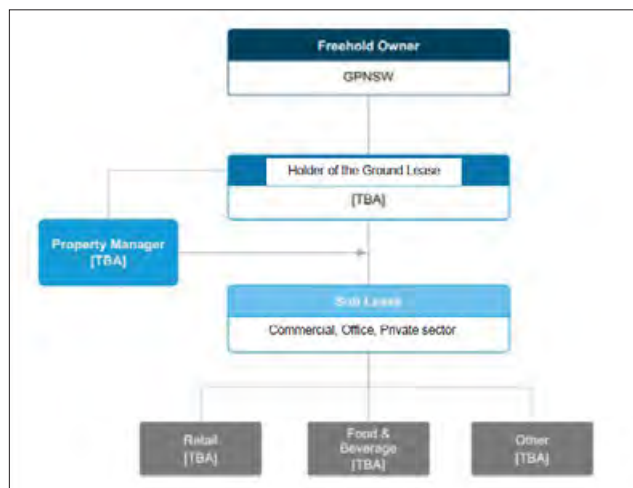
Ownership of the building should remain as one lot with the NSW State Government to ensure that the NSW Government continues to monitor appropriate use and change to the Lands Building.

#### **POLICY 6.3.2 LEASING**

Leasing of the Lands Building is acceptable. However, any lease should be to a single entity (the head lessee) to ensure continuity of use within the building. Any sublease would need to be approved by the holder of the ground lease and must take into consideration any heritage impact.

The ground lease should be on the basis of a long term 'whole of building' lease, and not multiple leases for parts of the building. Strata subdivision is not appropriate.

The Section 170 obligations under the *NSW Heritage Act* still remain as GPNSW retains the ownership of the Lands Building.



**Figure 6.1**

Recommended Lease Structure model for the Lands Building as envisaged by GPNSW

Source: Macquarie Bank with City Plan Heritage Notes

#### **POLICY 6.3.3 RESPONSIBILITY FOR ONGOING CARE**

The management and financial responsibility for the ongoing care and maintenance of the Lands Building should be incorporated into head lease obligations. This responsibility involves the employment of a strategy for the protection and ongoing care of significant fabric and spaces and the architectural integrity of the building.

#### **POLICY 6.3.4 MANAGEMENT PROGRAMME**

A Management Programme should be established and maintained that:

- Integrates conservation and maintenance into the overall management of the Lands Building
- Disseminates the aims and objectives of this Conservation Management Plan to the appropriate building managers.
- Outlines the responsibilities at each staff level for implementing this Conservation Management Plan.

#### **POLICY 6.3.5 ONGOING COMMITMENT**

There shall be an ongoing commitment from the lessee and hotel manager to make adequate financial provision for the engagement of persons able to provide relevant and experienced conservation and management advice.

There shall be an ongoing commitment from the lessee and hotel manager to adopt and comply with this Conservation Management Plan or its future updates.

## 6.4 APPLICATION OF THE BURRA CHARTER

### BACKGROUND

The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (known as the *Burra Charter*) is widely accepted in Australia as the underlying methodology by which all works to sites/buildings that have been identified as having national, state and regional significance are undertaken.

#### POLICY 6.4.1

Because the Lands Building is of demonstrated cultural significance, procedures for managing changes and activities for the site should be in accordance with the recognised conservation methodology of the *Burra Charter*.

### BACKGROUND

In order to achieve a consistency in approach and understanding of the meaning of conservation by all those involved, a standardised terminology for conservation processes and related actions should be adopted. The terminology in the *Burra Charter* is a suitable basis for this.

#### POLICY 6.4.2 CONSISTENT TERMINOLOGY

The following terms apply to the historic fabric of the site and are included here to assist in understanding the intent of the conservation requirements in this section.

*Place* means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.

*Cultural significance* means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the *place* itself, its *fabric*, *setting*, *use*, *associations*, *meanings*, records, *related places* and *related objects*. Places may have a range of values for different individuals or groups.

*Fabric* means all the physical material of the *place* including elements, fixtures, contents, and objects.

*Conservation* means all the processes of looking after a *place* so as to retain its *cultural significance*.

*Maintenance* means the continuous protective care of a *place*, and its *setting*. Maintenance is to be distinguished from repair which involves *restoration* or *reconstruction*.

*Preservation* means maintaining a *place* in its existing state and retarding deterioration.

*Restoration* means returning a *place* to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.

*Reconstruction* means returning a *place* to a known earlier state and is distinguished from *restoration* by the introduction of new material.

*Adaptation* means changing a *place* to suit the existing use or a proposed use.

*Use* means the functions of a *place*, including the activities and traditional and customary practices that may occur at the place or are dependent on the place.

*Compatible use* means a *use* which respects the *cultural significance* of a *place*. Such a use involves no, or minimal, impact on cultural significance.

*Setting* means the immediate and extended environment of a *place* that is part of or contributes to its *cultural significance* and distinctive character.

*Related place* means a *place* that contributes to the *cultural significance* of another place.

*Related object* means an object that contributes to the *cultural significance* of a *place* but is not at the place.

*Associations* mean the connections that exist between people and a *place*.

*Meanings* denote what a *place* signifies, indicates, evokes or expresses to people.

*Interpretation* means all the ways of presenting the *cultural significance* of a *place*.

## 6.5 PROTECTION OF THE SETTING

### BACKGROUND

The Lands Building is a landmark structure that occupies an entire city block in the historic heart of the Sydney CBD. It is part of a highly significant group of 19th and early 20th century government buildings on Bridge Street that includes the former Chief Secretary's Building, the former Treasury Building and Education Department Building. It is an important historic visual element in the streetscapes of Bridge Street, Macquarie Place, Farrer Place, Gresham Street, Loftus Street, Bent Street, Spring Street and O'Connell Street.

#### POLICY 6.5.1

Any proposals for alterations to the external facades or roof of the building must take into account the impact on the building's setting as seen from key viewpoints

- principally from Macquarie Street, Bridge Street, Macquarie Place, Farrer Place, Gresham Street, Loftus Street, Bent Street and Spring Street.

#### **POLICY 6.5.2**

The lessee and the hotel operator should work with the City of Sydney, the NSW Heritage Council and adjoining landowners to maintain or improve the relationship with adjacent heritage buildings, Macquarie Place, and Farrer Place.

#### **POLICY 6.5.3 VISUAL SETTING**

The visual setting around the Lands Building should be carefully managed, in conjunction with the City of Sydney, so that its prominent role in the immediate locale is not diminished. Significant views to the building should be maintained.

#### **POLICY 6.5.4 NEW STRUCTURES IN THE SETTING**

If any new structures are required in the setting, their design and siting must be planned to maintain the visual presence of the Lands Building.

#### **POLICY 6.5.5 LANDSCAPE WORKS IN THE SETTING**

Future landscape works within the setting but outside the lot boundary, should complement the presentation and significance of the Lands Building.

#### **POLICY 6.5.6 FARRER AND MACQUARIE PLACE**

The physical and visual setting of the building on both Farrer and Macquarie Place should be maintained and preserved. Any work to Farrer and Macquarie Place must not have an adverse heritage impact on either the character of Farrer and Macquarie Place or on their role as components of the setting of the Lands Building.

### **6.6 PRINCIPLES FOR ADAPTIVE REUSE**

#### **BACKGROUND**

With the exception of the some intrusive modifications the building is highly intact.

#### **POLICY 6.6.1**

During preparation of schemes for future uses for the building, including the approved change of use as a hotel facility care should be taken to respect the scale and character of the existing interior spaces of Exceptional and High significance, external openings and general character of the building.

#### **POLICY 6.6.2**

Installation of any new enclosures within the larger internal volumes of spaces of Exceptional significance

should recognise the approach that such enclosures should be clearly expressed as new, self contained units and can be readily removed or altered in the future.

#### **POLICY 6.6.3**

With the exception of the spaces of Exceptional significance the remainder of the interior and courtyard light wells of the building can accept further, high quality, sympathetic modification if it will support ongoing use or an approved new use.

#### **POLICY 6.6.4**

Internal divisions are permissible in spaces provided that they are reversible and do not read on the external facades, obscure any significant fabric such as windows openings, or views from those windows and are in accordance with the other conservation policies in this CMP.

#### **POLICY 6.6.5**

Location and visual presentation of new services within the building should generally remain subservient and respectful to the scale, dignity and presentation of the existing building.

#### **POLICY 6.6.6**

New internal elements should not attempt to replicate the original features. They should be of a contemporary design and character but remain respectful of the power, quality and character of the old.

#### **POLICY 6.6.7**

Alterations to the Lands Building, particularly those that recover significance, can be undertaken as long as the important aspects of the original external character and significant fabric and spaces (particularly those of Exceptional and High significance) are retained, as these are integral to the heritage significance of the place.

#### **POLICY 6.6.8**

Alterations/works in materials, forms and details, shall respect and complement the existing fabric.

Period design and detailing should be restricted to the reconstruction or restoration of elements for which there is evidence of their original form and character, either in remnant fabric, architectural drawings or historic photographs (conjectural period detailing in new work is not in accordance with the conservation philosophy of the *Burra Charter*).

The use of high quality, simple contemporary design is acceptable for new elements and is preferable to inappropriate period design. New work may be contemporary in character, materials and finishes as long as it is sympathetic and does not detract from or diminish the heritage significance of the place. For



example, sympathetic work may be different in detail to the original design, but might employ similar materials, bulk, form, siting, character, details, colour or texture.

## 6.7 PRINCIPLES FOR PROPOSED CHANGE

### POLICY 6.7.1

Generally, proposed changes that impact on heritage significance should only be considered if:

- The change is considered necessary to maintain the asset in working order;
- They support the conservation and maintenance of elements of that make a defining contribution to the place's heritage significance;
- They enable the removal of intrusive fabric, thereby re-capturing degraded aspects of significance;
- Care is taken to minimise adverse impacts on heritage significance;
- The change helps to maintain the security or safety of the heritage building, its significant elements and its users;
- There is no other alternative solution;
- New work is of design excellence and quality materials are used that are sympathetic to the significant fabric;
- The change supports a viable ongoing use;
- The change enables or increases public accessibility;
- The change enables increased interpretation; and
- Any change is reversible if it adversely affects elements that make a defining contribution to the place's heritage significance. Non-reversible change should not prevent future conservation action.

## 6.8 CONSERVATION WORKS

### BACKGROUND

The aim of any conservation works should be to ensure that the existing fabric is stable, and to retard further deterioration without detracting from the cultural significance of the place. An understanding of the historical development and cultural significance of the place should be a prerequisite for all those involved in conservation works to the place.

It is essential that conservation works be undertaken in accordance with current conservation principles and methodologies. The current methodology stresses the need to document the reasoning behind the selection of a particular approach, either conservation or intervention, to enable those undertaking work in the future to understand the aims and intentions of a particular project.

Current conservation philosophy also stresses the importance of physical or documentary evidence when restoring or reconstructing significant places. Sufficient evidence must be available to ensure the accuracy and authenticity of the work proposed. Where such evidence is not available, and new work must be undertaken, such work should be complementary to the existing but contemporary in nature (refer to *Burra Charter* Article 20).

### POLICY 6.8.1 DOCUMENTATION

Ensure that a record of the underlying methodology for each conservation or adaptive re-use project is maintained including:

- Documentation of the approach behind major decisions;
- Records of any testing or additional research undertaken;
- Preparation of a photographic archival recording carried out in accordance with the NSW Heritage Office publication: *Photographic Recordings of Heritage Items Using Film or Digital Capture*; and
- Appropriate archival storage of this record.

### POLICY 6.8.2 CONSERVATION SCHEDULE OF WORKS

Prior to undertaking any conservation, adaptive reuse work or maintenance, a Conservation Schedule of Works should be prepared by a suitably experienced heritage specialist. This schedule should be a document that:

- Augments the assessment of cultural significance, by undertaking a more detailed investigation, recording and assessment;
- Contains a detailed assessment of the physical condition of the fabric;
- Determines the appropriate conservation methodologies; and
- Sets out a comprehensive schedule of conservation actions, based on the conservation policies.

### POLICY 6.8.3 METHODOLOGY FOR WORKS

Ensure that all conservation works, adaptive reuse works and maintenance programmes:

- Are undertaken in accordance with the aims and intentions of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance (known as the *Burra Charter*);
- Are undertaken in accordance with the aims and intentions of this Conservation Management Plan, i.e. the statement of cultural significance and the assessment of significant spaces and fabric should be accepted as the basis for future planning and works;
- Are aimed at ensuring the retention and enhancement of the cultural significance of the Lands Building generally; and

- Are co-ordinated by a project manager familiar with the philosophy, methodology and practice of heritage conservation.

#### **POLICY 6.8.4 RECONSTRUCTION**

Reconstruction should only be undertaken where there is sufficient documentary or physical evidence to ensure accuracy and authenticity.

#### **POLICY 6.8.5**

While reconstruction or reinstatement should return an element to a known earlier state, building practices or construction details which are known to be defective should not be adopted.

#### **POLICY 6.8.6**

Repair and maintenance of significant fabric shall employ traditional materials and methodologies.

### **6.9 TREATMENT OF FABRIC OF DIFFERENT GRADES OF SIGNIFICANCE**

#### **BACKGROUND**

The conservation planning process, which is outlined within this CMP, has its guiding principle to protect and conserve the elements and fabric of the place that most clearly make a defining contribution to its significance. In consequence, conservation activities are assigned to the assessed level of significance.

Some elements of the Lands Building are important in their own right. However, in general, the elements are significant in regard to their contribution to the significance of the place as a whole.

#### **POLICY 6.9.1**

In general, future changes should be focused on areas or components which provide a lesser contribution to the overall significance and are, therefore, less sensitive to change.

#### **POLICY 6.9.2**

The grading of individual elements within the spaces may vary greatly (e.g there may be individual elements of Little significance in a space identified as being of Exceptional significance) and hence each space or element should be considered in detail on a case-by-case or room-by-room basis. This assessment should be made by a qualified and experienced conservation architect or heritage consultant.

#### **POLICY 6.9.3 ELEMENTS OF EXCEPTIONAL SIGNIFICANCE**

- In areas of Exceptional significance, aim to retain all significant fabric as a first conservation option.
- Any work which affects fabric, spaces or

relationships with an Exceptional assessed heritage value should be generally confined to preservation, restoration, reconstruction or extremely careful adaptation as defined in the *Burra Charter* and should be closely managed.

- If adaptation is necessary for the continued viable use of the place, minimise extent of change and impact on significance.
- Work involving the alteration, reduction (or even the removal) of a particular element may be an acceptable option where it is necessary for the effective reuse and proper function of the place and does not reduce the overall significance of the place.
- Give preference to changes that are reversible.
- Undertake all new work in accordance with the policies in this CMP.
- Prior to any change, full archival recording is essential.

#### **POLICY 6.9.4 ELEMENTS OF HIGH SIGNIFICANCE**

- In areas of High significance, aim to retain all significant fabric as a first conservation option.
- Any work which affects fabric, spaces or relationships with an High assessed heritage value should be generally confined to preservation, restoration, reconstruction or extremely careful adaptation as defined in the *Burra Charter* and should be closely managed.
- If adaptation is necessary for the continued viable use of the place, minimise extent of change and impact on significance. Some adaptation of elements may be acceptable, particularly where this process might assist in the continuing viability and use of the site.
- Work involving the alteration, reduction (or even the removal) of a particular element may be an acceptable option where it is necessary for the effective reuse and proper function of the place and does not reduce the overall significance of the place.
- Give preference to changes that are reversible.
- Undertake all new work in accordance with the policies in this CMP.
- Prior to any change, full archival recording is essential.

#### **POLICY 6.9.5 ELEMENTS OF MODERATE SIGNIFICANCE**

- In areas of Moderate significance, aim to retain all significant fabric as a first conservation option.
- Any work which affects fabric, spaces or relationships with a Moderate assessed heritage value should be generally confined to preservation, restoration, reconstruction or adaptation as defined in the *Burra Charter*.
- If adaptation is necessary for the continued viable

use of the place, minimise extent of change and impact on significance. Some adaptation of elements may be acceptable, particularly where this process might assist in the continuing viability and use of the site.

- Work involving the alteration, reduction (or even the removal) of a particular element may be an acceptable option where it is necessary for the effective reuse and proper function of the place and does not reduce the overall significance of the place.
- Undertake all new work in accordance with the policies in this CMP.

#### **POLICY 6.9.6 ELEMENTS OF LITTLE SIGNIFICANCE**

Elements with a Little assessed significance are of slight heritage value and do not intrude on the place in a way that reduces significance. Both retention and removal are acceptable options.

#### **POLICY 6.9.7 INTRUSIVE ELEMENTS**

Intrusive elements reduce the overall significance of the place, despite their role as illustrations of continuing use. The preferred long-term option is for their removal or replacement in a way which helps retain or recapture the significance of the overall item.

#### **POLICY 6.9.8**

Where possible, damage or scarring to significant fabric caused by earlier fit-outs or service installations should be repaired to match the original and original fabric repaired.

#### **POLICY 6.9.9**

In order to reinstate, or reconstruct, parts of the building, sufficient information must be available to guide the design and documentation of the work. Such information includes documentary evidence, archaeological material and evidence held within the fabric of adjacent components. Reinstatement of missing fabric, or detailing known to be consistent with such traditional beginnings, or reconstruction, should only take place within the context of retention of cultural significance of a particular element and of the building.

#### **POLICY 6.9.10**

Examples of any Exceptionally or Highly significant fabric and fittings that must be removed should be catalogued, carefully dismantled and stored on-site for possible future reinstatement or repair.

## **6.10 BUILDING EXTERIOR**

### **BACKGROUND**

The Lands Building has a finely detailed sandstone façade of exceptional aesthetic quality. The external

detailing of the building includes fine stone carvings using a mix of Australian, British and classical motifs, all of which contribute to the significance of the building. All external (street) facades of the building to the top of the sandstone parapet are of Exceptional heritage significance.

The major roof features including the southern clock tower, central Strong Room dome, northern dome, and east and western tempietti mansard structures and adjacent skylights are of Exceptional heritage significance.

#### **POLICY 6.10.1**

It is essential that the major roof features (including the southern clock tower, central Strong Room dome, northern dome, and east and western tempietti mansard structures and adjacent skylights) of the Lands Building are not adversely affected by any new development.

#### **POLICY 6.10.2**

The major roof features including the southern clock tower, central Strong Room dome, northern dome, and east and western tempietti mansard structures and adjacent skylights must be retained and conserved.

#### **POLICY 6.10.3**

Any works to improve access to Level 4 and above or introduction of new plant equipment should not be located where it adversely affects important views of the significant major roof features when seen from the public domain.

#### **POLICY 6.10.4**

The clock in the southern clock tower should be retained, repaired and maintained in good working order.

#### **POLICY 6.10.5**

Retain and conserve the cast iron cresting and copper soffits, fascias, acroteria and other features on the major roof features that are in poor to fair condition. Deteriorated cast iron and copper elements should be replaced to match when required. Poorly detailed and installed copper sheeting, that is not original, can be replaced in competently detailed and installed copper sheeting when required.

#### **POLICY 6.10.6**

Retain and conserve the metal framed windows in the major roof features. Any interventions required for essential compliance or operational purposes should be carefully managed with the input of a conservation architect or heritage consultant

#### **POLICY 6.10.7 SANDSTONE FACADES**

The exceptionally significant sandstone clad facades, featuring fine stone carvings, are to be retained and

conserved. As a rule there are to be no changes to existing window or door openings and no cutting or chasing.

Any interventions for essential services compliance or operational requirements such as fire egress, Fire Brigade requirements, Ausgrid requirements, DDA compliance etc. should be carefully managed with the input of a conservation architect or heritage consultant.

#### **POLICY 6.10.8**

New openings or modification of any existing opening to the facades of the Lands Building should be considered only if an essential functional requirement (rather than a financial imperative) can be clearly demonstrated.

#### **BACKGROUND**

In the past some of the original verandahs were enclosed to provide additional accommodation. These enclosures are considered to detract from the overall significance of the building and, consequently, a number of these enclosures have been removed and the verandahs reinstated, the most recent of these being in 2004.

Some of the remaining enclosed verandahs are showing signs of damage to the external stonework due to leaking drainage and require repairs.

#### **POLICY 6.10.9 VERANDAHS**

Open verandahs should not be enclosed with either permanent or temporary structures. When the opportunity arises the current enclosed verandahs should be returned to their original open configuration.

#### **BACKGROUND**

The exterior of the Lands Building is adorned with a number of fine statues of notable Australian explorers, surveyors and other notable personalities. These statues are a reminder of the historical role played by the Lands Department in the expansion and development of the New South Wales colony.

#### **POLICY 6.10.10 STATUES**

The statues of notable Australian explorers, surveyors and other notable personalities that adorn the niches of the building exterior are to be retained and conserved.

All new statues to be placed on the exterior of the Lands Building should:

- Have the approval of the building owner;
- Be in accordance with the original intention to commemorate public persons 'who have devoted themselves to the exploration of Australia' or historically significant figures whose career was related to the Lands or Mining Departments of NSW;

- Be based on historical research and documentation to ensure a true reflection of the period and an accurate representation of the person; and
- Be constructed from sandstone chosen to best match that of the existing building fabric. (Note the 2012 Meehan statue is carved from Appin sandstone).

#### **POLICY 6.10.11 SURVEY BENCH MARK PLUG**

The survey bench mark plug on the Bridge Street facade provides the bench mark for all levels in New South Wales and must be retained and conserved.

#### **BACKGROUND**

The original timber and metal framed windows of the Lands Building are of considerable significance. Some original windows have been fitted with secondary glazing at some point in the past. Glazing in all the timber and metal framed windows (with the possible exception of the Ground Floor window facing Bridge Street with signage identifying "Publication Sales") and some timber glazing beads have been replaced at some point in the recent past and, for the most part, have been fixed with silicone.

#### **POLICY 6.10.12 FENESTRATION**

Retain and conserve the existing original metal and timber framed windows and brass hardware on the exterior sandstone clad facades and on the rendered masonry courtyard walls and roof structures. Any interventions required for essential compliance or operational purposes should be carefully managed with the input of a conservation architect or heritage consultant.

#### **POLICY 6.10.13**

There is scope to replace the existing float glass with new compliant glass that provides the required acoustic privacy.

#### **POLICY 6.10.14**

Window repairs (and reconstruction when required) should be carried out using materials and construction techniques that match the original. It is preferable that original fabric is retained wherever possible, but if necessary replaced with similar materials.

#### **POLICY 6.10.15**

There is scope to further modify or replace the recently installed metal louvres (overlooking the courtyard light wells) that access the service zones located over the hallways.

#### **POLICY 6.10.16 ENTRANCE DOORS**

The Exceptionally significant main timber entrance doors on Bridge Street, Bent Street, Gresham Street and Loftus Streets should be retained and conserved.



**POLICY 6.10.17**

The clock above the Loftus Street main entrance should be retained. The clock should be repaired if required and maintained in good working order.

**POLICY 6.10.18 ENTRANCE GATES AND SECURITY GRILLES**

The Exceptionally significant painted wrought iron entrance gates and security grilles should be retained and conserved.

Any interventions required for accessibility and essential compliance or operational purposes should be carefully managed with the input of a conservation architect or heritage consultant.

**POLICY 6.10.19**

The subsurface moat structure is to be retained.

**6.11 ANCILLARY ROOFS****BACKGROUND**

The major roof features including the southern clock tower, central Strong Room dome, northern dome, and east and western tempietti mansard structures are of Exceptional significance. The modified, inaccessible ancillary linking roof structures are of less significance.

The modified ancillary roofs were designed to be largely invisible behind the sandstone parapet when seen from the public domain. They were designed to protect the building from the weather and provide a low scale foil to the major roof features. Now that the surrounding occupants of buildings of contemporary Sydney look down on the building, this historically largely unseen “fifth facade” of the building is now seen from many viewpoints from the surrounding buildings.

**POLICY 6.11.1**

It is permissible to further modify or replace the modified, ancillary linking roof structures provided that new elements are of architectural excellence, of superior materiality, are well articulated, that they maintain the visual prominence of the major roof features (including the southern clock tower, central Strong Room dome, northern dome, and east and western tempietti mansard structures) and result in increased amenity.

**POLICY 6.11.2**

Any new ancillary roof structures should be setback from the stone parapet in a manner that respects and complements the building’s significant architectural style, features and form.

**POLICY 6.11.3**

Any new ancillary roof structures should be of contemporary design and be sympathetic to the significance and appearance of the historic building.

**6.12 COURTYARD LIGHT WELL****BACKGROUND**

The form of the building with its two connected central courtyard light wells is a significant and integral feature of the design of the building. It was once critical to the amenity of the building in terms of natural lighting and ventilation. Currently it is modified, utilitarian and functionally disappointing. Post war construction has seriously disrupted the legibility and functionality of the historic carriage route.

In the context of the Stage 1 Approval SSD 6751 approved change of use, there may be opportunities to further modify the courtyard light wells. There may be opportunities to explore removing fabric of Little or Intrusive significance and recapturing the original carriage route.

The flooring of the internal ground floor carriage route has been replaced, but there may be evidence of earlier materials beneath the present finish.

**POLICY 6.12.1**

Fabric of Little or Intrusive significance should be carefully removed to recapture the legibility and functionality of the original carriage route.

**POLICY 6.12.2**

The legibility of the original route of the carriage route should be strengthened with an appropriate, sympathetic paving material.

**POLICY 6.12.3**

The concept of courtyard light wells should be retained.

**POLICY 6.12.4**

There is an opportunity to incorporate new exterior development in the courtyard light wells to increase amenity in the context of the new use. Such development could include new vertical transportation to replace the intrusive post war northern fire stair, lifts and fourth floor linking passages.

**POLICY 6.12.5**

Any alterations and additions to the courtyard light wells must be of design excellence and employ superior construction materials that are sympathetic to the significance and appearance of the historic building.

#### **POLICY 6.12.6**

The rendered masonry walls and original timber framed fenestration (but not the recently installed glazing or metal louvres) within the courtyard light wells should be retained and conserved.

#### **POLICY 6.12.7**

It is acceptable to alter or demolish the intrusive post war northern fire stair, lifts and fourth floor linking passages. Removing or replacing these intrusive elements should be considered in the context of the adaptive reuse proposal.

#### **POLICY 6.12.8**

It is acceptable to alter or demolish the modified toilet blocks located in both courtyard light wells to provide greater public amenity.

#### **POLICY 6.12.9**

It is acceptable to alter or remove the modified cast iron walkways that currently access the modified toilet blocks.

If the modified cast iron walkways are to be removed then consideration should be given to retaining a sample portion of the structures in situ or on site as an interpretive initiative.

#### **POLICY 6.12.10**

The fire shutters on the exterior of the Strong Room are to be retained and conserved.

#### **POLICY 6.12.11**

Future exterior colour schemes should be informed by research of earlier schemes or be limited to those schemes commonly used on buildings of the period.

### **6.13 SUBTERRANEAN LINK**

#### **BACKGROUND**

The Stage 1 Approval SSD 6751 identifies an indicative subterranean building envelope below the Lands Building and Education Building, under Loftus Street, Farrer Place and Gresham Street.

#### **POLICY 6.13.1**

A subterranean link between the Education and Lands Building may be developed subject to due consideration of archaeological constraints and provided it protects those elements and spaces that make a defining contribution to the building's heritage significance.

### **6.14 BUILDING INTERIOR**

#### **BACKGROUND**

The building structure, from both phases of its original construction, is of heritage significance.

#### **POLICY 6.14.1 STRUCTURE**

Aim to retain, conserve and maintain all intact structural elements of the original c.1880 and c.1894 building phases except where noted in this CMP.

Penetrations and risers in the concrete and timber structure are to be minimised.

The original concrete, riveted iron, sandstone, timber and masonry structure is to be retained and may be augmented, if required, rather than replaced.

#### **POLICY 6.14.2 UTILISATION OF SPECIALISTS FOR REPAIR OF STRUCTURAL ELEMENTS**

Advice regarding the repair or adaptation of structural elements in-situ should be sought from an engineer with specialist knowledge of the construction of late 19th century buildings.

#### **BACKGROUND**

The building was designed with both smaller and larger rooms that appeared to have been partitioned with solid cedar partitions that were used for flexibility of fit-out as the Department's requirements evolved from its earliest days in the building in the late nineteenth century. Subsequent changes have seen the original or early partitions removed.

#### **POLICY 6.14.3 SUBDIVISION OF INTERNAL SPACES**

With the exception of the spaces of Exceptional significance; the spaces of lesser significance are capable of careful further division to facilitate the new hotel use.

#### **BACKGROUND**

Effort should be made, in the first instance, to retain the spatial volume of the larger Highly significant rooms and utilising them for purposes that do not require division. In the context of the Stage 1 Approval SSD 6751 approved change of use, it is accepted that the majority of larger Highly significant spaces will need to be subdivided to provide the required guest rooms.

Great care must be taken if the larger spaces are to be subdivided to ensure the buildings significance and presentation is not unacceptably compromised.

#### **POLICY 6.14.4**

Subdivision and installation of partitions is acceptable in the large spaces of High significance provided the newly created rooms are of generous proportion.

#### **POLICY 6.14.5**

Any new dividing wall should be detailed in such a way as to:

- Retain evidence of the original space;
- Integrate with the structural pattern of the wall and ceiling detailing, rather than cut across or through them.
- Be based upon the proportions and rhythm of the interior spaces;
- Avoid windows and architraves;
- Align with timber muntins, that may have to be carefully adjusted, in rooms with timber wainscotting.
- Not obscure significant internal detailing; and
- Be minimally affixed to the building and easily reversible.

#### **POLICY 6.14.6**

Consideration should be given to removing the proposed partitions to recapture more of the larger Highly significant spaces in the future if a use that requires a large space is identified.

#### **POLICY 6.14.7 GUEST ROOM PLANNING**

Guest rooms and bathrooms should be planned to minimise the impacts of required service risers.

#### **POLICY 6.14.8 NEW INTERNAL DOORWAYS**

The introduction of any new internal doorways into the existing building fabric should respect the heritage significance of the space and be positioned to respect the existing structural pattern.

#### **POLICY 6.14.9**

Discrete new internal openings could be considered with the following provisos:

- Generally no fireplaces or chimney breasts or part thereof should be removed;
- Generally no pilasters or part thereof should be removed; and
- Opening dimensions should respect the interior architectural detailing of the spaces (timber wainscotting, archways).

Except in archways, new doors should ideally retain an approximate 200mm nib wall each side (to minimise impact on the spatial qualities of the original spaces), and should match adjacent typical door heights (so that the original doorways continue to dominate the space).

#### **POLICY 6.14.10**

New doors should not replicate the appearance of the historic doors. New doors should be of design excellence and superior materiality. Their design should respond to the proportion, dimensions, quality and detail of the existing doors in a contemporary manner.

#### **BACKGROUND**

Throughout the Lands Building there is fine internal timber joinery of rare Australian red cedar, including decorative doorways with elaborately carved door heads, four panelled doors and ornate architraves, wainscotting, skirting boards and window joinery. The evident hierarchy in the elaborate detailing of the joinery helps to distinguish between public and private areas, as well as denoting the varying importance of different rooms and their intended occupants.

The overall quality of the joinery contributes strongly to the high aesthetic value of the place. The continuous bank of window joinery in Room 307, which forms the central portion of the southern wall, is particularly impressive and requires special consideration.

#### **POLICY 6.14.11 TIMBER JOINERY**

Generally original joinery throughout the building, in particular the doorways and highlights along the corridors, the window architraves, wainscotting and skirting boards should be retained in-situ. Any essential alterations should be carefully managed.

Adaptation of doors to achieve compliance (particularly in regard to protection against fire) should be minimised and carefully managed.

Any new partitioning of interior spaces should be detailed to minimise visual and material impacts on the original joinery.

#### **POLICY 6.14.12**

Timber joinery should generally have a new traditional shellac finish applied every 12 years and should be waxed every 4 years. Polyurethane finishes should not be used.

It is accepted that guest room doors may not be able to be finished in shellac in order to achieve compliance (particularly in regard to protection against fire).

#### **POLICY 6.14.13 ORIGINAL DOORWAYS AND DOORS**

Original doorways and doors should be retained in-situ. Should a doorway no longer be required it is preferable that the door is made inoperable rather than the doorway and door be removed.

#### **POLICY 6.14.14 HARDWARE**

Ideally original locks and handles should be retained and made inoperable. New compliant hardware should be of contemporary design, of design excellence and superior materiality.

#### **BACKGROUND**

The rooms in the Lands Building demonstrate a variety of elaborately decorated ceilings. The design and extent of decoration varies from the elaborate in the public and higher status spaces on the ground and first floors to the simple on the upper floors. In many instances the building's underlying structural grid is clearly expressed in the detailed ceiling plasterwork. New work should be detailed to harmonise with the existing ceiling plasterwork.

#### **POLICY 6.14.15 CEILING PLASTERWORK**

The elaborate lath and plaster decorative plasterwork throughout the Lands Building contributes to the significance of the place and should generally be retained in-situ, repaired and conserved.

Any division of a large space should minimise damaging the plaster ceiling detailing.

#### **POLICY 6.14.16 CEILING PROTECTION**

Lath and plaster ceilings should be protected during construction - particularly when construction vibration occurs. Strategies, such as temporary battening, should be investigated in order to ensure that failing plaster keys do not lead to ceiling failure.

#### **BACKGROUND**

There are black and white Belgian marble tiles in the corridors on Ground Level, Levels 1, 2 and 3 and stair lobbies. The marble tiles on Levels 1, 2 and 3 are currently partially carpeted for acoustic reasons.

The timber floors in the office areas have been severely modified when sprinkler services were installed in the 1980s and have been clad with direct-stick linoleum and then recently carpeted over. With the exception of the carpet in the former Minister's Office (Room 107), which was woven in the 1980s, the carpets throughout the rest of the building are of little significance.

#### **POLICY 6.14.17 FLOOR FINISHES**

Original floor materials, in good condition, should be retained and conserved in-situ, but may be covered with a new floor covering appropriate to the room's particular function. New floor coverings should be laid in a manner that minimises damage to the original floor material.

#### **POLICY 6.14.18**

If timber floorboards (that are currently carpeted over) are to be exposed, then floorboards in good condition

and of reasonable length (minimum 2m lengths) should be salvaged and consolidated and relaid in specific rooms. With the exception of bathrooms, new floorboards should be installed in the remainder of rooms that originally featured timber floorboards. Floorboards in areas to accommodate bathrooms are to be salvaged and consolidated and relaid in other specific rooms.

#### **POLICY 6.14.19**

Historic timber floorboards are only to be coated in traditional finishes such as tung oil. Polyurethane should not be used.

#### **POLICY 6.14.20**

The black and white marble tiles are to be retained and conserved. Ideally the marble tiles should remain exposed although a carpet runner may be reversibly installed.

#### **POLICY 6.14.21**

The specially woven carpet in the former Minister's Office (Room 107) should be retained in-situ or alternatively carefully labelled, catalogued and securely stored on site.

#### **BACKGROUND**

Throughout the Lands Building fine internal detailing of joinery and other finishes were used to denote the functions of spaces, to distinguish the hierarchy of their occupants and to differentiate between publicly and privately accessible areas. This was also reflected in the original decorative paintwork.

The majority of rooms are currently painted in a range of uniform colours, whereas the former Minister's Office (Room 106 and 107) has had a paint scheme reinstated. A professional investigation could reveal whether this scheme is accurate. A professional investigation could also reveal the nature of original colour schemes throughout the building.

The appropriate use of colour is an important aspect in the conservation and interpretation of historic buildings.

#### **POLICY 6.14.22 COLOUR**

Investigate and record former significant internal decorative schemes, colours and finishes throughout the building, particularly through paint scrapes carried out by a suitably experienced historic finishes expert, prior to any adaptation and/or repair which could cause loss of such important historical evidence.

#### **POLICY 6.14.23**

Strategic investigation of previous interior colour and decorative schemes should be undertaken by a suitably experienced historic finishes expert to



determine if they might be suitable for full or partial reinstatement.

If full or partial reinstatement is not desired then consideration should be given to revealing a paint scraped transect panel of significant original paint finishes in select locations within the building if they are found to be of historical interest. This work should be carried out by a suitably experienced historic finishes expert and could become a component of the heritage interpretation of the building.

#### **POLICY 6.14.24**

It is not expected that original paint schemes should be reinstated throughout the Lands Building. New interior colour schemes are permissible providing that they are sympathetic to the presentation and significance of the building. If new colour schemes are instituted then care should be taken to retain evidence of historic paint finishes during surface preparation.

#### **POLICY 6.14.25**

Any changes to interior colour schemes, details and finishes should be developed with the input of a suitably experienced conservation architect or heritage consultant.

#### **BACKGROUND**

The Lands Building contains a range of original and early architectural hardware, service elements and signage that contributes to its character and heritage value. Even with a change of use, these significant items should be retained. Where such retention is not possible the reason for its removal must be documented.

#### **POLICY 6.14.26 FIXTURES AND FITTINGS**

Original interior fixtures and fittings, significant to the building's use by the Lands Department, should ideally be retained and conserved in their original locations.

#### **POLICY 6.14.27**

Where it can be demonstrated that an original fixture or fitting, cannot be retained in-situ the item should be labelled, catalogued and securely stored on site.

#### **POLICY 6.14.28 SURVEYORS BASE LINE**

The brass and marble Surveyors Base Line in the eastern corridor on the Ground Level was used to calibrate survey instruments and must be retained and conserved.

#### **POLICY 6.14.29 FIRE PLACES**

Remaining marble fire place surrounds and cast iron grates are to be retained. Missing elements (such as cast iron grates or parts thereof) should ideally be reinstated with sympathetic replacement elements.

#### **POLICY 6.14.30 LOFTUS STREET VESTIBULE**

The significant Loftus Street vestibule should be retained and conserved. Consideration should be given to returning lost or degraded elements to their original appearance.

#### **POLICY 6.14.31 BENT STREET VESTIBULE**

The significant Bent Street vestibule, which may become the main hotel entrance to the Lands Building, should be retained and conserved. Consideration should be given to returning lost or degraded elements to their original appearance.

#### **POLICY 6.14.32 GRESHAM STREET VESTIBULE**

The significant Gresham Street vestibule should be retained and conserved. Consideration should be given to returning lost or degraded elements to their original appearance.

#### **POLICY 6.14.33 BRIDGE STREET VESTIBULE**

The significant, reconstructed Bridge Street vestibule should be retained and conserved. Consideration should be given to returning lost or degraded elements to their original appearance. Some features of the reconstructed vestibule (re-designed in the 1980s) may be altered to better reflect the original design intention based upon the details in the intact Loftus, Gresham and Bent Street vestibules.

#### **POLICY 6.14.34 MAJOR STAIRCASES**

The major original south, east and west cast iron staircases should be retained and conserved.

#### **POLICY 6.14.35 SPIRAL STAIRCASES**

The two east and west cast iron spiral staircases connecting Ground Level, Level 1 and level 2 should be retained and conserved. The spiral staircase in the Strong Room should also be retained and conserved.

#### **BACKGROUND**

The timber staircases in the northern dome and east and west tempietti mansard structures are highly unlikely to ever be capable now, or in the future, of being altered to achieve code compliance or meet OH&S objectives.

#### **POLICY 6.14.36 TIMBER STAIRCASES**

Ideally the timber staircases in the northern dome and observatory and east and west tempietti mansards should be retained in situ and alternative compliant access installed. If this approach is found to make these spaces unreasonably difficult to effectively use, thereby making the affected spaces uninhabitable, then the staircases should be the subject of an archival recording and carefully dismantled. Samples of timber balusters, handrails and newels should be labelled, catalogued and securely stored on site.

#### **POLICY 6.14.37 LIFT**

Consideration should be given to reinstating a lift in the southern staircase stairwell where a hydraulic lift was once located.

#### **BACKGROUND**

Rooms 101, 102, 106, 107, 201, 202, 206 and 207 were originally the highest status offices in the building.

#### **POLICY 6.14.38 HIGH STATUS OFFICES**

The significant set of four offices suites on Level 1 and 2 (Rooms 101, 102, 106, 107, 201, 202, 206 and 207) should be retained and conserved, ideally as suites of rooms. Installation of any new enclosures should recognise the approach that such enclosures should be clearly expressed as new, self contained units and can be readily removed or altered in the future.

#### **BACKGROUND**

The Strong Room is one of the most important rooms in the building but its original spatial format was severely disrupted in 1954 when the voids were infilled. The room features highly significant fire-proof construction initiatives.

#### **POLICY 6.14.39 STRONG ROOM**

The significant multilevel Strong Room should be retained and conserved. New use should aim to exploit the grand sense of potential continuous space and the top lit nature of the room.

#### **POLICY 6.14.40**

The intrusive Strong Room floor infills should be carefully removed to recapture the original spatial format and multilevel nature of the space.

#### **POLICY 6.14.41**

The original Strong Room mezzanine structures and metal shelving should be retained.

#### **POLICY 6.14.42**

The Strong Room ceiling dome “umbrella” should be reopened to admit daylight as intended.

#### **POLICY 6.14.43**

Opportunities to create an opening in the modified Level 1 Strong Room floor could be explored to a facilitate greater public awareness of this space from the publicly accessible Ground Level.

#### **POLICY 6.14.44 NORTHERN DOME**

The interior of the functionally disappointing northern dome has been modified and can accept a degree of further sympathetic interior modification.

Improved compliant access to and within the northern dome is a priority.

#### **POLICY 6.14.45 OBSERVATORY**

The interior of the observatory has been modified and can accept a degree of further sympathetic interior modification.

Improved compliant access to and within the observatory is a priority.

Consideration could be given to opening the modified timber ceiling in the octagon drum based on Barnet’s original plans.

#### **POLICY 6.14.46 SOUTHERN CLOCK TOWER**

Improved compliant access to and within the clock tower is a priority.

#### **POLICY 6.14.47 EASTERN AND WESTERN TEMPIETTI**

The interior of the eastern and western tempietti mansard structures is functionally disappointing and can accept a degree of further sympathetic interior modification.

Improved compliant access to and within the eastern and western tempietti mansard structures is a priority.

### **6.15 PRINCIPLES FOR DESIGN OF NEW ELEMENTS**

#### **POLICY 6.15.1 NEW ELEMENTS**

New elements should not attempt to replicate the original features. They should be of a contemporary design and character but remain respectful of the power and mixed character of the old, in accordance with Article 22.2 of the *Burra Charter*.

#### **POLICY 6.15.2 DESIGN EXCELLENCE**

New elements must be of design excellence and employ superior construction materials that are sympathetic to the significance and appearance of the historic building.

### **6.16 SERVICES**

#### **BACKGROUND**

Some original historic building services may remain in the building.

#### **POLICY 6.16.1**

To achieve the most effective and efficient outcome the approach should be a ‘whole of building’ solution, rather than piecemeal.

#### **POLICY 6.16.2 UPGRADE OF SERVICES**

Ensure that the upgrading of services and/or planning for new services:

- Minimises the impact on significant fabric;
- Locates services in areas of lesser significance or areas already containing services;
- Uses the existing penetrations as much as possible; and
- Avoids areas of potential archaeological sensitivity.

#### **POLICY 6.16.3 LOCATION AND VISUAL PRESENTATION OF NEW SERVICES**

The location and visual presentation of new services within the building should generally remain subservient and respectful to the scale, dignity and presentation of the existing building.

#### **POLICY 6.16.4**

The introduction of new services within spaces identified as being of Exceptional and High significance requires careful attention. The work should aim to be reversible wherever possible, with minimal impact on significant fabric.

#### **POLICY 6.16.5 RECORDING OF ORIGINAL OR EARLY SERVICES**

Retain and conserve or record evidence of any original or early services if uncovered in the course of maintenance or proposed modifications to services installations.

#### **POLICY 6.16.6 REDUNDANT SERVICES**

Redundant, non-significant services should be removed carefully to avoid damaging original fabric.

#### **POLICY 6.16.7 NEW SERVICES**

Where new services or upgrading of existing services are required (communication, fire, electrical and plumbing), these should be sympathetic to the original design intent. They should be introduced discreetly in areas of lesser significance to avoid damage to significant fabric and avoid visual impact on significant spaces.

#### **POLICY 6.16.8 CONSERVATION ARCHITECT / HERITAGE CONSULTANT**

All proposed modifications and related penetrations should be approved by a conservation architect or heritage consultant on site and must not be left to tradespeople to decide.

#### **BACKGROUND**

The Stage 1 Approval SSD 6751 identifies an indicative subterranean building envelope below the Lands Building and Education Building, under Loftus Street, Farrer Place and Gresham Street and has approved

the change of use of both the Education and Lands Building for hotel use.

#### **POLICY 6.16.9**

Because the Lands Building is of greater significance and more intact than the Education Building there is an opportunity to concentrate plant required for the entire development in the Education Building, thereby mitigating potential adverse impacts on the Lands Building.

### **6.17 CODE COMPLIANCE**

#### **POLICY 6.17.1**

Required initiatives to meet the requirements of the National Construction Code (including the Building Code of Australia and the Plumbing Code of Australia) and other codes and standards must be carefully designed to avoid unacceptable adverse heritage impacts.

#### **POLICY 6.17.2**

Required initiatives to meet the requirements of public utilities, such as the NSW Fire Brigade and Ausgrid, must be carefully designed to avoid unacceptable adverse heritage impacts.

#### **POLICY 6.17.3**

Future adaptations and upgrades of the Lands Building must aim to meet the requirements of the National Construction Code, particularly in regard to protection against fire. Where there is a conflict between the National Construction Code and the heritage significance of the building, alternative options to achieve compliance should be investigated, including performance fire engineered solutions. However if it can be demonstrated that the alteration is absolutely essential then such alteration must be made in accordance with the policies in this CMP.

#### **POLICY 6.17.4**

If original or early architectural elements have to be removed or concealed in order to achieve code compliance, then the appropriate approach should be one of "reversibility" and the minimisation of damage.

#### **POLICY 6.17.5**

A strategy should be developed which seeks to address Code compliance from a whole of building perspective to avoid piecemeal solutions that may have an incremental adverse heritage impact.

## 6.18 ACCESS

### BACKGROUND

An objective of the *Disability (Access to Premises - Buildings) Standard 2010*, made under the *Commonwealth Disability Discrimination Act 1992* (DDA) is 'to ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings, and facilities and services within the building, is provided for people with a disability'. However, if strict adherence to the provisions of the DDA is likely to have an adverse heritage impact on significant fabric, this may be considered unjustifiable hardship under the terms of the Act. In such cases expert consultancy advice should be sought to investigate alternative compliance provisions.

#### POLICY 6.18.1

The lessee and hotel operator is encouraged to investigate best international practice equitable access solutions to improve the accessibility of the building to all citizens and visitors.

#### POLICY 6.18.2

Any changes to the site required to improve public access should also be made in accordance with the other policies in this CMP.

#### POLICY 6.18.3

Where compliance with the DDA is likely to have an unacceptably adverse heritage impact on significant fabric, formal advice on alternative means of compliance shall be sought from expert consultants. Where there is a conflict between the DDA and the heritage significance of the building (particularly the retention of fabric of Exceptional or High significance), alternative options to achieve compliance should be investigated.

However if it can be demonstrated that the alteration is absolutely essential then such alteration must be made in accordance with the policies in this CMP.

### BACKGROUND

The Lands Building is a significant public building within the Sydney CBD. Currently the public is only able to access the public foyer off Bridge Street and a limited number of adjacent rooms. A change of use as a hotel facility offers an opportunity to make this historic building more accessible to the public.

#### POLICY 6.18.4

The lessee and hotel operator must ensure that the public areas of the hotel remain publicly accessible and that members of the public, who may not be staying in the hotel, are able to access the public areas of the building.

Greater access to areas of the building which are normally only accessed by hotel guests should also be available on regular organised heritage tours.

#### POLICY 6.18.5

Consideration should be given to ensuring that areas of the ground floor are publicly accessible and that public connectivity is promoted through the ground plane of the building.

## 6.19 SIGNAGE

### BACKGROUND

Due to the detailed stone façade of the building opportunities for new external signage are limited.

#### POLICY 6.19.1 EXISTING BUILDING SIGNAGE

Where the historic name of the building, the Department of Lands, is either inscribed in the historic granite or sandstone fabric of the building or on brass plaques or other metal signs above or beside major entrances, these exterior inscriptions and signs shall be retained and conserved.

Any historic references, integral to the fabric, to the Department of Lands that remain within the building should remain on site.

The gilded window sign on Bridge Street advertising "Publication Sales" shall be retained in situ.

#### POLICY 6.19.2

All original and early internal signage assessed as being of High or Exceptional heritage significance should be retained either in situ or catalogued and stored on site to enable potential future reinstatement or reuse.

#### POLICY 6.19.3 NEW SIGNAGE

New signage should be:

- Consistent in design to the architectural form of the building to which it is attached;
- Harmoniously integrated with the architecture of the building and should not obscure nor damage any significant features or heritage fabric.
- Of a high standard of materials, construction and graphics;
- Appropriately located on the building and of a compatible design and style, with appropriate lettering; and
- In accordance with a whole-of-building Signage Strategy addressing building, entrance, tenant, wayfinding, statutory, and interpretive signage.



#### **POLICY 6.19.4**

There is an opportunity to install a new exterior sign on the right hand plinth of the Bent Street entrance re-using existing signage fixing points. The sign should be of the same approximate dimensions as the existing "Department of Lands sign" already located on the left hand plinth.

#### **POLICY 6.19.5**

There is an opportunity to install a new exterior sign on the right hand plinth of the Loftus Street entrance re-using existing signage fixing points. The sign should be of the same approximate dimensions as the existing "Department of Lands sign" already located on the left hand plinth.

#### **POLICY 6.19.6**

There is an opportunity to install a new exterior sign on the right hand side of the Bridge Street entrance re-using existing signage fixing points.

#### **POLICY 6.19.7**

There is an opportunity to install a new exterior sign on the left hand side of the Gresham Street loading dock re-using existing signage fixing points.

#### **POLICY 6.19.8**

Internally illuminated signs affixed to the exterior of the building (other than statutory signs) may be inappropriate. Signs should be illuminated, if necessary, subtly or by remote lighting.

### **6.20 LIGHTING**

#### **BACKGROUND**

The Lands Building has a grand sandstone façade of outstanding aesthetic quality. Appropriate external lighting could enhance the public's appreciation of the building.

#### **POLICY 6.20.1**

New exterior lighting should be:

- Carefully designed to complement the architecture of the building;
- Of high quality, visually recessive, discreet fittings;
- Appropriately located on the building and of a compatible design and style; and
- In accordance with a whole-of-building Exterior Lighting Strategy.

#### **POLICY 6.20.2**

Any exterior illumination of the building should highlight architectural features rather than floodlighting whole façades. Care should be taken to ensure that over-illumination does not occur. The fixing of any lighting and associated cabling to significant exterior fabric will

require specialist advice in order to avoid any damage to heritage fabric.

#### **POLICY 6.20.3**

All original and early interior light fittings assessed as being of High or Exceptional heritage significance should be retained either in situ or catalogued and stored on site to enable potential future reinstatement.

Recently installed light fittings in hallways, staircases and offices may be disposed of.

### **6.21 INTERPRETATION**

#### **BACKGROUND**

Interpretation is a valuable means of communicating the significance of a site to its current users and other members of the public. An Interpretation Strategy is a site specific document that identifies how this can be best achieved.

#### **POLICY 6.21.1 INTERPRETATION STRATEGY**

A separate Interpretation Strategy should be prepared by a suitably qualified consultant and its recommendations implemented.

#### **POLICY 6.21.2**

The Interpretation Strategy should identify the principal themes related to all aspects of the site's heritage significance, and recommend appropriate and creative means of interpretation.

#### **POLICY 6.21.3**

The Interpretation Strategy should take into account the significant movable heritage items.

#### **POLICY 6.21.4**

As part of the change of use of the building the vacating Department should consider an archival and celebratory record of its heritage value as a public institution, potentially including:

- A well-researched and illustrated professional history, including personal stories of past and present occupants (i.e. oral histories);
- A professional digital video recording including personal stories of past and present occupants;
- An assessment of the Lands Building's social significance to the community; and
- A 3D scanning of the building.

### **6.22 APPROPRIATE SKILLS AND EXPERIENCE**

#### **BACKGROUND**

When conserving the heritage values of a place with considerable heritage significance such as the Lands

Building, it is particularly important to seek advice from heritage specialists (such as conservation architect or heritage consultant) when planning or implementing conservation works, repairs and maintenance or when proposing major changes to the place.

This input should be sought at the concept stage of any proposal, rather than seeking advice on potential impacts once a scheme has been developed and expectations set. This is likely to reduce the amount of redesign, and will ease potential problems and delays with the approvals process and the undertaking of work on site.

It is appropriate to engage a conservation architect or heritage consultant in any proposed work involving alteration to significant fabric. Technical advice and building work should only be undertaken by consultants and contractors with proven heritage experience and expertise in their relevant fields.

It is important that all staff and contractors who are physically undertaking maintenance, repairs or new work have an understanding of the key heritage values of the place. Many negative impacts occur unintentionally, despite careful planning because the on-site personnel were not aware of heritage issues, or are inexperienced in working with historic building fabric, traditional materials and building techniques, and in areas with archaeological potential.

#### **POLICY 6.22.1**

The approach to the conservation of the historic building fabric should be based on a respect for the existing significant fabric. Competent direction and supervision should be maintained at all stages, and any building, conservation, decorating or maintenance work should be implemented by professionals and/or tradespeople with appropriate conservation experience and knowledge of traditional building skills.

Where any significant fabric or spaces are to be disturbed, the advice of a suitably experienced heritage consultant or conservation architect is to be sought and implemented.

#### **POLICY 6.22.2**

Prior to commencing work on the site all design professionals and tradespeople working on the Lands Building should be required to undertake an induction on the heritage significance and sensitivities of the building and be provided with either access to the relevant sections of this CMP or a concise heritage information briefing note that explains the heritage significance and sensitivities of the building.

#### **POLICY 6.22.3**

Conservation work to the exterior sandstone clad facades shall be of the best quality craftsmanship, commensurate with the level of skills and quality of materials used in the original construction of the building.

### **6.23 ONGOING MAINTENANCE**

#### **BACKGROUND**

Maintenance is the single most important process in the conservation of heritage items. To ensure the conservation of the cultural significance of the building it is essential that maintenance be undertaken in accordance with recognised conservation principles. Following completion of the conservation and adaptive reuse works, it is recommended that a programme of regular maintenance for the building be formally established, aimed at the prevention of deterioration of fabric. The ongoing maintenance programme should be closely co-ordinated with the policies of this Conservation Management Plan. It should be guided by the recommendations of various condition reports commissioned in recent years into specific elements such as steel windows, stonework etc.

#### **POLICY 6.23.1**

It is the responsibility of the building owner, lessee and hotel operator to insure that the building is maintained and repaired to standards that are not less than the *Minimum Maintenance and Repair Standards* imposed by the 1999 Amendments to the *NSW Heritage Act*.

#### **POLICY 6.23.2**

Ensure there is an ongoing commitment from the lessee to the development and implementation of a regular planned maintenance program, to involve regular inspections and testing of all fabric and services with prompt follow up maintenance and repair if needed.

#### **POLICY 6.23.3**

Following completion of the conservation and major adaptive reuse works, an Ongoing Maintenance Schedule should be prepared and its recommendations implemented. Regular inspections should be carried out and remedial action taken to minimise deterioration of building fabric due to the effects of weathering and use.

#### **POLICY 6.23.4**

The Ongoing Maintenance Schedule should be prepared to assist in the care and maintenance of the historic building. This outline report should be supported by detailed reports commissioned from expert consultants - particularly in regards to the maintenance of sandstone facade fabric, timber windows and doors, wrought iron gates and security

grilles, copper clad and slate clad roof structures, rainwater goods, interior joinery and plaster surfaces including lath and plaster ceilings.

#### **POLICY 6.23.5**

Schedule routine maintenance inspections and undertake regular maintenance of the building with particular emphasis on maintenance of elements of Exceptional and High heritage significance or elements of lower significance whose condition would affect elements of Exceptional and High heritage significance. Instigate maintenance as soon as deterioration is identified, so as to avoid more serious problems and costly capital works at a later date.

#### **POLICY 6.23.6**

In addition to regular maintenance activities, prompt preventative action and repair should be taken as necessary.

#### **POLICY 6.23.7**

The Ongoing Maintenance Schedule should be reviewed and updated every ten years or after major programmes of upgrading or reuse.

#### **POLICY 6.23.8**

No maintenance or repair work should negatively impact on the significance of the fabric. It is essential that maintenance works do not result in incremental negative heritage impacts, irreversible change or use of inappropriate materials.

#### **POLICY 6.23.9 FINANCIAL RESOURCES**

The lessee and hotel operator will be responsible to make adequate financial resources available for the development and implementation of a planned regular maintenance programme, to involve regular inspections and testing of all significant fabric and services relevant to such fabric, with prompt follow-up and repairs if needed.

#### **POLICY 6.23.10 RESPONSIBILITY FOR MAINTENANCE PROGRAMME**

The person(s) responsible for the implementation of the maintenance programme for the site should be familiar with good maintenance practices and the appropriate conservation methodology relevant to any proposed maintenance works.

#### **POLICY 6.23.11 APPROPRIATE SPECIALISTS**

All works, including regular inspections and maintenance of historic fabric, shall be undertaken and supervised by persons qualified and experienced in dealing with works of a specialist heritage nature and the particular materials involved.

#### **POLICY 6.23.12**

Ensure that repairs to historic fabric are undertaken using appropriate high quality materials and workmanship to match the existing historic fabric.

#### **POLICY 6.23.13**

Heritage management requirements and method specifications should be included in all maintenance and repair contracts that involve historic fabric.

#### **POLICY 6.23.14**

When planning maintenance and repair works to historic fabric, detailed specifications should be developed in consultation with an experienced heritage specialist. Note that some activities may be subject to approval under the *NSW Heritage Act*.

#### **POLICY 6.23.15**

An up-to-date record of all maintenance and repair work undertaken on the building shall be maintained by the lessee and hotel operator.

### **6.24 MANAGEMENT OF ABORIGINAL AND HISTORICAL ARCHAEOLOGICAL RESOURCES**

#### **BACKGROUND**

Archaeological relics of local and State significance are protected under the *NSW Heritage Act (1977)* and Aboriginal objects and places are protected under the *National Parks and Wildlife Act (1979)*.

The Aboriginal and historical archaeological potential of the site has been assessed numerous times, and most recently, in the *Archaeological Assessment of the 'Sandstone Precinct' – Lands Building, Education Building, Road & Public Reserves at Gresham Street, Loftus Street and Farrer Place, Sydney* prepared by Curio Projects, October 2016.

The Curio assessment concludes with respect to Aboriginal archaeology that the site does not contain any previously registered Aboriginal sites but would have been a focus for Aboriginal occupation prior to the establishment of the Sydney colony in 1788. The study area has been assessed by Curio Projects to have a *low level of potential* for Aboriginal archaeological deposits that would be of *high scientific significance* if found.

The Curio assessment concludes with respect to historical archaeology that the site has the potential to contain *State significant archaeological relics* associated with all phases of development at the site, including archaeological relics associated with Phase 1 – Establishment of the Colony (1788-1810), Phase 2 – Macquarie Era (1810-1876) and Phase 3

– Lands and Education Buildings (1876-1893). The Curio assessment considers it likely that the historical archaeological resource will have been subject to various levels of disturbance.

The management protocol for the discovery of unexpected Aboriginal objects at the site has been prepared by Curio Projects in consultation with the Aboriginal community and is identified in the report titled *Aboriginal Cultural Heritage Methodology and Methodology for Unexpected Aboriginal Archaeology – Sandstone Precinct, Bridge St, Sydney* prepared by Curio Projects, October 2016.

The policies in this Section have been formulated and provided by Curio Projects for inclusion in this CMP, as reproduced in italics below.

#### **POLICY 6.24.1**

*Aboriginal objects and places, if unexpectedly discovered on the site, should be managed in accordance with an unexpected Aboriginal objects protocol developed for the site and must be conserved in accordance with the requirements of the National Parks and Wildlife Act (1979).*

#### **POLICY 6.24.2**

*Significant Aboriginal objects and places, if unexpectedly discovered should be interpreted within a suitable location on site, in an appropriate form, where relevant. Consultation with the Aboriginal community identified as having a cultural connection to the site would help to inform an appropriate interpretative outcome.*

#### **POLICY 6.24.3**

*All bones uncovered during project works should be treated with care as they have the potential to be human remains. The project-specific Excavation Director will need to assess the remains to determine if they are human, or non-human. Additional specialist advice may need to be sought (a qualified forensic or physical anthropologist). If the unidentified bones are determined to be human, the likely ancestry (Aboriginal or non-Aboriginal) and burial context (archaeological or forensic) will need to be determined. If the unidentified bones are from a recently deceased person (less than 100 years old), the police must be notified immediately as per the obligations to report a death or suspected death under Section 35 of the Coroner's Act 2009 (NSW). It should be assumed that the police will then take command of the site until otherwise directed. If the bones are likely to be older than 100 years old, and potentially Aboriginal, then the Metropolitan Local Aboriginal Land Council, and OEH Heritage Team must be notified immediately. If the bones are likely to be older than 100 years old, and likely to be non-Aboriginal then the NSW Heritage Division and DPE must be notified immediately.*

#### **POLICY 6.24.4**

*As the site has been identified as having the potential to contain State significant relics (Curio, 2016), subsurface disturbances must be designed to have as little impact, as is practical, so that the destruction of, or disturbance to potential State significance resources is minimised as much as possible.*

#### **POLICY 6.24.5**

*Where works are proposed to be carried out in close vicinity to known or potential archaeological relics that are proposed to be retained in situ (i.e. not intended to be impacted upon by the proposed development works), appropriate strategies must be put in place to ensure that all construction work, including the use of heavy machinery, will not accidentally disturb or compact any relics proposed to be conserved.*

#### **POLICY 6.24.6**

*Prior to the commencement of any works that may result in the discovery, disturbance or destruction of historical archaeological relics of State or local significance on site an archaeological assessment prepared for the site by an appropriately qualified historical archaeologist in accordance with the NSW Heritage Council "Archaeological Assessment Guidelines" (1996) must be used as the basis for determining an appropriate mitigation for any proposed historical archaeological impacts.*

#### **POLICY 6.24.7**

*Prior to the commencement of any works within the curtilage of the site that may result in the discovery, disturbance or destruction of historical archaeological relics of State or local significance, an archaeological Research Design and Excavation Methodology must be prepared by an appropriately qualified historical archaeologist. The proposed research design and excavation methodology must be approved by the NSW Heritage Division in accordance with a Section 60 application under the NSW Heritage Act (1977) prior to the commencement of works onsite. Where the proposed works form part of a State Significant Development Application, a S60 application would not be required to be submitted to the NSW Heritage Division. Instead, the consent authority would be the Department of Planning and Environment.*

#### **POLICY 6.24.8**

*An appropriately qualified historical archaeological Excavation Director who meets with the NSW Heritage Council State Significant Excavation Director requirements must be nominated as the Excavation Director for any excavation or ground works program that is likely to impact on areas with the potential to contain historical archaeological relics. The Excavation Director is required to undertake all archaeological investigations, including archaeological monitoring*



and detailed salvage excavations, in accordance with an approved Research Design and Excavation Methodology, as outlined in policy 6.24.7.

#### **POLICY 6.24.9**

*The Lands Building has the potential to contain archaeological resources of significance within the fabric of the building itself, including in the roof, wall cavities and between floor spaces. It is recommended that a suitably qualified historical archaeologist investigate and record any resources discovered, including the provenance of the find(s), as part of the overall heritage works on site.*

#### **POLICY 6.24.10**

*Suitable clauses must be included in all contractor and subcontractor contracts to ensure that onsite personnel are aware of their obligations and requirements in relation to the archaeological provisions of the NSW Heritage Act. These contracts must also specify obligations which need to be met under the National Parks and Wildlife Act 1974 relating to Aboriginal objects or places.*

#### **POLICY 6.24.11**

*An unexpected archaeological finds protocol must be prepared and disseminated to all site personnel, including contractors and sub-contractors, involved in ground disturbance works prior to the commencement of any proposed works on site.*

#### **POLICY 6.24.12**

*Where an archaeological investigation yields significant evidence either in the form of new information and/or the discovery of significant relics, onsite interpretation of the archaeological program is to be undertaken within suitable publicly accessible locations on site. Consideration should be given to in situ retention of significant structural remains, where practical, as part of the interpretative options for the site.*

## **6.25 MOVABLE HERITAGE**

### **BACKGROUND**

In the context of the planned relocation of the Department to alternative accommodation, GPNSW has informed us that the *Lands Building Movable Heritage Strategy* prepared by Musecape, dated August 2013 will be reviewed following the Department's departure.

#### **POLICY 6.25.1 MOVABLE HERITAGE**

The recommendations of the *Lands Building Movable Heritage Strategy* prepared by Musecape, dated August 2013 should be implemented where they relate to items that remain in the Lands Building following the Department's departure.

#### **POLICY 6.25.2 CUSTODIANS OF MOVABLE HERITAGE**

If the Department chooses to retain movable heritage collection items within the Lands Building (in accordance with the recommendations of the updated *Lands Building Movable Heritage Strategy*) then an experienced movable heritage curator should be engaged by the lessee and hotel operator to update the Musecape report into a Movable Heritage Collections Management Plan. The Movable Heritage Collections Management Plan should provide detailed recommendations on the future conservation management, display conditions, security and location of each identified moveable heritage item.

#### **POLICY 6.25.3 MOVABLE HERITAGE CURATOR**

An experienced movable heritage curator should be engaged by the lessee and hotel operator to manage the collection and advise the lessee about its obligations regarding the heritage management framework and care of the movable heritage items.

#### **POLICY 6.25.4**

If the Department chooses to retain movable heritage collection items within the Lands Building, the lessee and hotel operator should endeavour to utilise movable heritage items as part of their Heritage Interpretation of the place.

## **6.26 RECORD KEEPING**

### **BACKGROUND**

In accordance with best practice heritage management the lessee and hotel operator should ensure that an accurate record is kept of changes to significant fabric and elements and that documents relating to the building are archived. Articles 27 and 32 of the *Burra Charter* discuss the importance of continuing to create records about conservation activities and other work occurring at heritage places to inform future understanding of a place and its heritage significance. This article also emphasises the importance of keeping a collection of records about the history of a place.

Archival recording is one tool for allowing the characteristics of a place to be conserved in the historic record when changes are proposed. Archiving documents relating to the use of the place is a way of conserving information about changing management or operational practices.

#### **POLICY 6.26.1 PHOTOGRAPHIC ARCHIVAL RECORDING**

A photographic archival recording should be carried out in accordance with the NSW Heritage Office publication: *Photographic Recordings of Heritage Items Using Film or Digital Capture* when undertaking

major changes to elements of Exceptional and High heritage significance.

#### **POLICY 6.26.2**

The lessee and hotel operator is to maintain an archival record of changes to the building and to store such an archive in a single location accessible to all future decision makers and researchers. Records could include, but not be limited to, file notes or memos, logbooks, copies of heritage impact assessments or works proposals and works contracts.

#### **POLICY 6.26.3 EXISTING ARCHIVE RECORDS**

While the Building Owner has responsibility to maintaining the existing archive material the lessee should have ready ongoing access for research and interpretive purposes.

#### **POLICY 6.26.4 FUTURE ARCHIVED RECORDS**

Ensure that all future archived records are able to be searched and accessed by future researchers.

## **6.27 CONSERVATION MANAGEMENT PLAN**

### **BACKGROUND**

The effectiveness of this CMP depends upon it being implemented. This CMP provides a framework for the management of heritage issues in relation to the adaptive re-use of the Lands Building and, in the long term, aims to ensure that the identified heritage significance of the building is retained and maintained.

Circumstances will change over the years as various recommendations are implemented and new user requirements emerge. Conservation policies will need to progressively respond to changing situations if they are to remain relevant and effective in the protection and conservation of the Lands Building.

It is essential that all persons involved in decision making that might affect the building are made aware of the process, which is to be followed when proposing maintenance, repairs or other work affecting significant fabric.

#### **POLICY 6.27.1 ADOPTION OF THE CONSERVATION MANAGEMENT PLAN**

This Conservation Management Plan should be adopted by the owner, lessee and hotel operator as one of the bases for the ongoing management of the Lands Building. The intention at all times should be to protect and enhance the cultural significance of the place.

### **BACKGROUND**

This CMP for the Lands Building proposes a framework for the adaptive reuse and maintenance of the building. Circumstances, however, will change over the years as various recommendations are implemented and new user requirements emerge.

Conservation Policies need to progressively respond to changing situations if they are to remain relevant.

#### **POLICY 6.27.2 REVIEW OF THE CONSERVATION MANAGEMENT PLAN**

The Conservation Management Plan should be reviewed no less than every ten years or whenever a major upgrade of the building is considered. It may be useful for this CMP to be updated once the Stage 2 SSD approved adaptive reuse works are complete to assist in the appropriate management of the building moving forward.

Reviews of the Conservation Management Plan should be based on the *Burra Charter* and other guidelines provided by the Heritage Division of the NSW Office of Environment and Heritage.

Reviews should also take into account any other relevant legislation, planning framework, appropriate literature and widely recognised conservation practices and procedures. They should be undertaken by experienced conservation practitioners, in conjunction with relevant ownership and management representatives.

#### **POLICY 6.27.3 DISTRIBUTION OF THE CONSERVATION MANAGEMENT PLAN**

Copies of the final Conservation Management Plan should be made available to the relevant consent authorities and all relevant staff, contractors, consultants, and property managers engaged in the management of the building. Copies of this CMP should be deposited with the following public access repositories:

- State Library of NSW;
- NSW Heritage Division, Office of Environment and Heritage; and
- City of Sydney Archives.

# 7.0

## IMPLEMENTING THE PLAN

### 7.1 INTRODUCTION

This Conservation Management Plan has been prepared to provide guidelines for the conservation and adaptive reuse of the Lands Building and to ensure that the heritage value of the place is maintained and enhanced.

This section sets out the implementation guidelines for the policies.

### 7.2 MANAGEMENT PRINCIPLES

The current lessee and the hotel operators are to:

- Review and adopt this Conservation Management Plan.
- This Conservation Management Plan should be sent to the NSW Heritage Council for its endorsement.
- Ensure funding for recurrent long-term maintenance.
- Ensure the buildings remain publicly accessible.

### 7.3 OBTAINING DEVELOPMENT CONSENT

Following the successful completion of the Stage 2 SSD approved works any future development proposals for the Lands Building must be submitted to the building owner (currently GPNSW) for owner's consent. Prior to seeking owner's consent the advice of an experienced heritage practitioner should be sought and implemented.

Once owner's consent has been granted all developments applications must be referred to the City of Sydney Council for approval. As the Lands Building is listed on the NSW State Heritage Register, any works proposed also require approval from the NSW Heritage Council, under Section 60 of the *NSW Heritage Act*. Some minor works can be confirmed

by the NSW Heritage Council, or its delegate, to be exempt from the need to seek a section 60 approval.

### 7.4 EXEMPTIONS UNDER THE NSW HERITAGE ACT

The *NSW Heritage Act* allows the Minister responsible, on the recommendation of the NSW Heritage Council, to grant exemptions for certain activities which would otherwise require approval under section 60 of the *NSW Heritage Act*.

There are two types of exemptions which can apply to a heritage item listed on the State Heritage Register. These are:

- Standard exemptions for all items on the State Heritage Register. Typical activities that are exempted include building maintenance, minor repairs, alterations to certain interiors or areas and change of use.
- Site specific exemptions for a particular heritage item can be approved by the Minister on the recommendation of the Heritage Council.

A list of the Standard Exemptions, issued by the NSW Heritage Office (now the Heritage Division of the NSW Office of Environment and Heritage) in 2006 has been included as an appendix to this report. They apply to on-going heritage management works that are only minor in nature and will have minimal impact on the heritage significance of the place.

Some exempted works require that an application for exemption be lodged with the Heritage Division of the NSW Office of Environment and Heritage as delegate of the NSW Heritage Council.

Following the successful completion of the Stage 2 SSD approved works to adapt the building for a viable future, it is recommended that the lessee and hotel operator engage an experienced heritage specialist to liaise with the NSW Heritage Council to develop an agreed list of site specific exemptions in order to streamline the efficient on-going management of the building.

# 8.0

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# APPENDIX ONE: STANDARD EXEMPTIONS

The standard exemptions were issued by the NSW Heritage Office, now the Heritage Division of the NSW Office of Environment and Heritage, in 2006. The purpose of the standard exemptions is to clarify for owners, the Heritage Office and local councils what kind of maintenance and minor works can be undertaken without needing Heritage Council approval. This ensures that owners are not required to make unnecessary applications for minor maintenance and repair.

The exemptions are for:

- 1: MAINTENANCE AND CLEANING
- 2: REPAIRS
- 3: PAINTING
- 4: EXCAVATION
- 5: RESTORATION
- 6: DEVELOPMENT ENDORSED BY THE HERITAGE COUNCIL OR DIRECTOR-GENERAL
- 7: MINOR ACTIVITIES WITH NO ADVERSE IMPACT ON HERITAGE SIGNIFICANCE
- 8: NON-SIGNIFICANT FABRIC
- 9: CHANGE OF USE
- 10: NEW BUILDINGS
- 11: TEMPORARY STRUCTURES
- 12: LANDSCAPE MAINTENANCE
- 13: SIGNAGE
- 14: BURIAL SITES AND CEMETERIES
- 15: COMPLIANCE WITH MINIMUM STANDARDS AND ORDERS
- 16: SAFETY AND SECURITY
- 17: MOVABLE HERITAGE ITEMS

## EXEMPTION 1: MAINTENANCE AND CLEANING

1. The following maintenance and cleaning does not require approval under s.57(1) of the Act:

(a) the maintenance of an item to retain its condition or operation without the removal of or damage to the existing fabric or the introduction of new materials;

(b) cleaning including the removal of surface deposits, organic growths or graffiti by the use of low pressure water (less than 100 psi at the surface being cleaned) and neutral detergents and mild brushing and scrubbing.

NOTE 1: Traditional finishes such as oils and waxes must continue to be used for timber surfaces rather than modern alternative protective coatings such as

polyurethane or acrylic which may seal the surface and can cause damage.

NOTE 2: Surface patina which has developed on the fabric may be an important part of the item's significance and if so needs to be preserved during maintenance and cleaning.

### Guidelines

*Maintenance is distinguished from repairs, restoration and reconstruction as it does not involve the removal of or damage to existing fabric or the introduction of new materials. It is a continuing process of protective care. Typical maintenance activity includes*

- *the removal of vegetation and litter from gutters and drainage systems;*
- *resecuring and tightening fixings of loose elements of building fabric;*
- *lubricating equipment and services which have moving parts;*
- *the application of protective coatings such as limewash, polish, oils and waxes to surfaces which have previously had such coatings applied; and*
- *cleaning by the removal of surface deposits using methods other than aggressive mechanical or chemical techniques such as high pressure, high temperature or strong solvents which may affect the substrate.*

*This standard exemption applies to the maintenance of all types of heritage items including buildings, works, landscapes, cemeteries and movable heritage. Reference should be made to other relevant standard exemptions (#12, 14 and 17) for particular types of items.*

## EXEMPTION 2: REPAIRS

1. Repair to an item which is of the type described in (a) or (b) below does not require approval under s.57(1) of the Act:

(a) the replacement of services such as cabling, plumbing, wiring and fire services that uses existing service routes, cavities or voids or replaces existing surface mounted services and does not involve damage to or the removal of significant fabric;

(b) the repair (such as refixing and patching) or the replacement of missing, damaged or deteriorated fabric that is beyond further maintenance, which matches the existing fabric in appearance, material and method of affixing and does not involve damage to or the removal of significant fabric.



NOTE 1: Repairs must be based on the principle of doing as little as possible and only as much as is necessary to retain and protect the element. Therefore replacement must only occur as a last resort where the major part of an element has decayed beyond further maintenance.

NOTE 2: Any new materials used for repair must not exacerbate the decay of existing fabric due to chemical incompatibility, obscure existing fabric or limit access to existing fabric for future maintenance.

NOTE 3: Repair must maximise protection and retention of fabric and include the conservation of existing detailing, such as vents, capping, chimneys, carving, decoration or glazing.

### **Guidelines**

*This standard exemption is not intended to allow the cumulative replacement of large amounts or a high proportion of the fabric of an item. If replacement of large amounts of fabric is necessary, an application will be required to be submitted under s.60 of the Heritage Act. If there is uncertainty about whether the proposed extent of repair is exempt from approval, advice should be sought from the NSW Heritage Office.*

*Repairs should have detailed specifications and carried out by licensed tradespeople with experience in the conservation of heritage buildings. It is essential that the composition of elements of the fabric such renders, mortars, timber species and metal types remain the same to assist with matching appearance and avoiding chemical incompatibility.*

*Repair may involve reconstruction which means returning an item to a known earlier state. This may involve the use of new or recycled materials. Reconstruction must satisfy a four-part test to qualify for exemption from approval:*

*1. The nature of the earlier state being reconstructed must be known. Where there is conjecture about the earlier state of the fabric or where it is proposed to change the appearance, material or method of fixing of the fabric an application under s.60 of the Heritage Act will be required.*

*2. The replacement fabric must be matching in appearance and method of fixing. The use of salvaged or recycled fabric can be a valuable resource in matching appearance in preference to the use of new fabric which may appear obtrusive. However the damage to other heritage buildings by the salvaging of fabric for reuse is unacceptable. Salvaged materials must be judiciously sourced so as not to encourage secondary damage to other heritage resources.*

*The use of artificial ageing techniques to assist the matching of new with original fabric is only advocated where there is an obtrusive mismatch of materials which negatively impacts on the heritage significance of the item. Ideally, new and original fabric should be subtly discernable on close examination to assist interpretation of the history of change to the building.*

*3. The fabric being replaced must be beyond further maintenance. The replacement of fabric may only occur where fabric is missing or it is so damaged or deteriorated that it is beyond further maintenance. In many cases the judgement about the level of deterioration and the effectiveness of further maintenance will require the advice of a person who is suitably experienced in similar heritage conservation projects. If it is unclear that the fabric is beyond further maintenance, its replacement will require the submission of an application under s.60 of the Heritage Act.*

*4. Significant fabric must not be damaged or removed. In all cases of repair, the damage or removal of significant fabric is not permitted without approval. Significant fabric is that which contributes to the heritage significance of the item. The identification of the level of significance of fabric will usually require the advice of a person who is suitably experienced in similar heritage conservation projects. The damage or removal of significant fabric will require the submission of an application under s.60 of the Heritage Act.*

*New material used in repairs should where possible be date stamped in a location which is not conspicuous but is legible on close examination.*

*Archival recording of removed and replacement fabric is advocated and should be used in interpretative displays where practicable.*

### **EXEMPTION 3: PAINTING**

1. Painting does not require approval under s.57(1) of the Act if the painting:

(a) does not involve the disturbance or removal of earlier paint layers other than that which has failed by chalking, flaking, peeling or blistering;

(b) involves over-coating with an appropriate surface as an isolating layer to provide a means of protection for significant earlier layers or to provide a stable basis for repainting; and

(c) employs the same colour scheme and paint type as an earlier scheme if they are appropriate to the substrate and do not endanger the survival of earlier paint layers.

2. Painting which employs a different colour scheme and paint type from an earlier scheme does not require approval under s.57(1) of the Act, provided that:

(a) the Director-General is satisfied that the proposed colour scheme, paint type, details of surface preparation and paint removal will not adversely affect the heritage significance of the item; and

(b) the person proposing to undertake the painting has received a notice advising that the Director-General is satisfied.

3. A person proposing to undertake repainting of the kind described in paragraph 2 must write to the Director-General and describe the proposed colour scheme, paint type, details of surface preparation and paint removal involved in the repainting. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 2(a) the Director-General shall notify the applicant.

NOTE: Preference should be given to the re-establishment of historically significant paint schemes of the item that are appropriate to the significance of the building.

#### **Guidelines**

*Painting of surfaces which have not previously been painted such as face brickwork, stone, concrete or galvanised iron is likely to adversely affect the heritage significance of the item and is not exempt from approval under this standard exemption. Likewise, the stripping of paint coatings which were intended to be protective may expose the substrate to damage and cause the loss of the historical record and significance of the building. In cases where surface preparation has revealed significant historic paint layers, repainting should facilitate the interpretation of the evolution of the building by displaying appropriately located sample patches of historic paint schemes. This information should also be examined if it is proposed to recreate earlier finishes or paint schemes.*

*Paint removal of failed layers to achieve a stable base for repainting is exempt from approval but intervention should be minimised to avoid the loss of the significant historical record. Where old paint layers are sound they should be left undisturbed. The removal of paint with a high content of lead or other hazardous materials requires considerable care and use of experienced tradespeople as its disturbance can create health hazards. If the removal of such paint layers will adversely affect the heritage significance of the item, an application will be required under section 60 of the Heritage Act.*

*Reference should be made to The Maintenance Series, NSW Heritage Office, particularly Information Sheets 6.2 Removing Paint from Old Buildings, 7.2 Paint Finishes and 7.3 Basic Limewash. Available online at [www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au).*

#### **EXEMPTION 4: EXCAVATION**

1. Excavation or disturbance of land of the kind specified below does not require approval under s.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:

(a) where an archaeological assessment 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) where the excavation or disturbance of land will have a minor impact on archaeological relics; or

(c) where the excavation or disturbance of land involves only the removal of unstratified fill which has been deposited on the land.

2. 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 (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 Conservation.

NOTE 2: If any Aboriginal objects are discovered on the site, excavation or disturbance is to cease and the Department of Environment and Conservation is to be informed in accordance with s.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 or statement required by this exemption, are unexpectedly discovered during excavation, work must cease in the affected area

and the Heritage Office must be notified in writing in accordance with s.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.

#### **Guidelines**

*Excavation or disturbance to which clause 1(c) applies only involves the removal of unstratified fill material of minor heritage significance. Such fill will have been deposited in a single episode.*

### **EXEMPTION 5: RESTORATION**

1. Restoration of an item by returning significant fabric to a known earlier location without the introduction of new material does not require approval under s. 57(1) of the *Act*.

2. The following restoration does not require approval under s. 57(1) of the *Act*, provided that the Director-General is satisfied that the criteria in (a) have been met and the person proposing to undertake the restoration has received a notice advising that the Director-General is satisfied:

(a) the restoration of an item without the introduction of new material (except for fixings) to reveal a known earlier configuration by removing accretions or reassembling existing components which does not adversely affect the heritage significance of the item.

3. A person proposing to undertake restoration of the kind described in paragraph 2 must write to the Director-General and set out why there is a need for restoration to be undertaken and the proposed material and method of restoration. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 2(a), the Director-General shall notify the applicant.

#### **Guidelines**

*Restoration in accordance with clause 1 of this standard exemption does not involve the removal of fabric and only relates to the return of fabric which has been removed to storage or has been dislodged from its original location.*

### **EXEMPTION 6: DEVELOPMENT ENDORSED BY THE HERITAGE COUNCIL OR DIRECTOR-GENERAL**

1. Minor development specifically identified as exempt development which does not materially impact on heritage significance, by a conservation policy or

strategy within a conservation management plan which has been endorsed by the Heritage Council of NSW or by a conservation management strategy endorsed by the Director-General does not require approval under s.57(1) of the *Act*.

2. A person proposing to do anything of the kind described in paragraph 1 must write to the Director-General and describe the proposed development. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1, the Director-General shall notify the applicant.

#### **Guidelines**

*This standard exemption does not exempt development that is consistent with a conservation policy or strategy contained in an endorsed conservation management plan or interim conservation management strategy other than development that is specifically identified as exempt development in that conservation plan or strategy.*

### **EXEMPTION 7: MINOR ACTIVITIES WITH NO ADVERSE IMPACT ON HERITAGE SIGNIFICANCE**

1. Anything which in the opinion of the Director-General is of a minor nature and will not adversely affect the heritage significance of the item does not require approval under s.57(1) of the *Act*.

2. A person proposing to do anything of the kind described in paragraph 1 must write to the Director-General and describe the proposed activity. If the Director-General is satisfied that the proposed activity meets the criteria set out in paragraph 1, the Director-General shall notify the applicant.

#### **Guidelines**

*This standard exemption has the potential to relate to a wide range of minor development. In determining whether a proposed development is minor the Director may have regard to the context of the particular heritage item such as its size and setting. For instance a development may be considered to be minor in the context of Prospect Reservoir's 1200ha curtilage whereas a similar proposal affecting an item on a smaller site may not be considered to be minor.*

*In order to assess whether a proposal has an adverse effect on heritage significance it is necessary to submit a clear and concise statement of the item's heritage significance and an assessment of whether a proposal impacts on that significance.*



## EXEMPTION 8: NON-SIGNIFICANT FABRIC

1. The following development does not require approval under s.57(1) of the *Act*, provided that the Director-General is satisfied that the criteria in (a) have been met and the person proposing to undertake the development has received a notice advising that the Director-General is satisfied:

(a) the alteration of a building involving the construction or installation of new fabric or services or the removal of building fabric which will not adversely affect the heritage significance of the item.

2. A person proposing to do anything of the kind described in paragraph 1 must write to the Director-General and describe the proposed development. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1(a), the Director-General shall notify the applicant.

### Guidelines

*In order to assess the level of significance of fabric it is necessary to submit a clear and concise statement of the item's heritage significance and to grade the fabric of the place in accordance with its association with or impact on that significance. It may not always be concluded that more recent fabric is of less or no heritage significance.*

## EXEMPTION 9: CHANGE OF USE

1. The change of use of an item or its curtilage or the commencement of an additional or temporary use does not require approval under s.57(1) of the *Act*, provided that the Director-General is satisfied that the criteria in (a) and (b) have been met and the person proposing to undertake the change of use has received a notice advising that the Director-General is satisfied:

(a) the use does not involve the alteration of the fabric, layout or setting of the item or the carrying out of development other than that permitted by other standard or site specific exemptions; and

(b) the use does not involve the cessation of the primary use for which the building was erected, a later significant use or the loss of significant associations with the item by current users.

2. A person proposing to change the use of an item or its curtilage or to commence an additional or temporary use of an item or its curtilage in the manner described in paragraph 1 must write to the Director-General and describe the changes proposed. If the Director-General is satisfied that the proposed development

meets the criteria set out in paragraph 1(a) and (b), the Director-General shall notify the applicant.

### Guidelines

*For the purposes of this standard exemption any change of use which is inconsistent with specific conditions of any previous approval or consent such as hours of operation or nature of conduct of an activity requires approval under section 57(1) or the modification of an approval under section 65A of the Heritage Act.*

## EXEMPTION 10: NEW BUILDINGS

1. Subdivision under the *Strata Scheme (Freehold Development) Act* or *Strata Scheme (Leasehold Development) Act* of the interior of a building that has been constructed since the listing of the item on the State Heritage Register or the publication of an interim heritage order in the Gazette which applies to the land does not require approval under s.57(1) of the *Act*.

2. Alteration to the interior of a building which has been constructed since the listing of the item on the State Heritage Register or the publication of an interim heritage order in the Gazette which applies to the land does not require approval under s.57(1) of the *Act*.

### Guidelines

*Subdivision to which clause 1 of this standard exemption applies must not subdivide the curtilage of the exterior of a building other than approved car spaces. A strata plan which otherwise proposes the subdivision of the curtilage of a heritage item requires approval under section 57(1) of the Heritage Act.*

*For the purposes of clause 2 of this standard exemption, alterations to the interior of a building:*

- do not include internal alterations to additions to buildings which existed prior to the listing of the site on the State Heritage Register or publication of the interim heritage order;*
- must not affect the external appearance of the building such as by balcony enclosure or window screening; and*
- must not be inconsistent with any specific conditions of a previous approval.*

*Such alterations require approval under section 57(1) of the Heritage Act.*

## EXEMPTION 11: TEMPORARY STRUCTURES

1. The erection of temporary structures does not require approval under s. 57(1) of the *Act*, provided that the Director-General is satisfied that the criteria in



(a) and (b) have been met and the person proposing to erect the structure has received a notice advising that the Director-General is satisfied:

(a) the structure will be erected within and used for a maximum period of 4 weeks after which it will be removed within a period of 2 days and not erected again within a period of 6 months; and

(b) the structure is not to be located where it could damage or endanger significant fabric including landscape or archaeological features of its curtilage or obstruct significant views of and from heritage items.

2. A person proposing to erect a structure of the kind described in paragraph 1 must write to the Director-General and set out the nature of the structure, the use for the structure and how long it will remain in place and the next occasion on which it is anticipated that the structure will be erected. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraphs 1(a) and 1(b) the Director-General shall notify the applicant.

#### **Guidelines**

*The cumulative impact of the multiple use of this standard exemption will be considered by the Director in the assessment of the simultaneous construction of a number of temporary structures or a succession of temporary structures which may have a prolonged adverse impact on heritage significance of the item.*

### **EXEMPTION 12: LANDSCAPE MAINTENANCE**

1. Landscape maintenance which is of the type described below does not require approval under s. 57(1) of the Act:

(a) weeding, watering, mowing, top-dressing, pest control and fertilizing necessary for the continued health of plants, without damage or major alterations to layout, contours, plant species or other significant landscape features;

(b) pruning to control size, improve shape, flowering or fruiting and the removal of diseased, dead or dangerous material, not exceeding 20% of the crown of a tree within a period of 2 years; or

(c) tree surgery by a qualified horticulturist or tree surgeon necessary for the health of those plants.

NOTE 1: In relation to cemeteries, landscape features include monuments, grave markers, grave surrounds, fencing, path edging and the like.

#### **Guidelines**

*Landscape features and gardens are fundamental to the setting of heritage items and are important to the appreciation of heritage significance. Landscape setting is by its nature evolving and often requires more regular maintenance than other elements of heritage fabric. Horticultural advice may be required to ensure a regime of maintenance appropriate to the retention of heritage significance of a place. General advice about landscape maintenance is provided by The Maintenance of Heritage Assets: A Practical Guide Information Sheet 9.1 Heritage Gardens and Grounds, printed versions available from the Heritage Branch of the NSW Office of Environment and Heritage) NSW Heritage Office.*

### **EXEMPTION 13: SIGNAGE**

1. The erection of signage which is of the types described in (a) or (b) below does not require approval under s.57(1) of the Act:

(a) temporary signage which is located behind or on the glass surface of a shop window which is not internally illuminated or flashing and is to be removed within eight weeks; or

(b) a real estate sign indicating that the place is for auction, sale or letting and related particulars and which is removed within 10 days of the sale or letting of the place;

2. The erection of signage which is of the types described in (a) or (b) below does not require approval under s.57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a) and (b) respectively have been met and the person proposing to erect it has received a notice advising that the Director-General is satisfied:

(a) the erection of non-illuminated signage for the sole purpose of providing information to assist in the interpretation of the heritage significance of the item and which will not adversely affect significant fabric including landscape or archaeological features of its curtilage or obstruct significant views of and from heritage items; or

(b) signage which is in the form of a flag or banner associated with a building used for a purpose which requires such form of promotion such as a theatre or gallery, which is displayed for a maximum period of eight weeks and which will not adversely affect significant fabric including landscape or archaeological features of its curtilage;

3. A person proposing to erect signage of the kind described in paragraph 2 must write to the Director-General and describe the nature and purpose of the advertising or signage. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 2(a) or 2(b), the Director-General shall notify the applicant.

4. Signage of the kind described in paragraphs 1 and 2 must:

(a) not conceal or involve the removal of signage which has an integral relationship with the significance of the item;

(b) be located and be of a suitable size so as not to obscure or damage significant fabric of the item;

(c) be able to be later removed without causing damage to the significant fabric of the item; and

(d) reuse existing fixing points or insert fixings within existing joints without damage to adjacent masonry.

#### **Guidelines**

*In addition to the requirements of clause 4 of the standard exemptions, signage may be controlled by development control plans or signage policies prepared by the relevant local council. The operation of the standard exemptions do not affect the requirements for consent by local councils or the need to satisfy any signage policies which may have been adopted by them.*

*Additional forms of signage not addressed by this standard exemption may not require approval under section 57(1) of the Heritage Act if they satisfy the requirements of other standard exemptions such as Standard Exemption 7 (Minor Activities with no Adverse Impact on Heritage Significance) or Standard Exemption 8 (Non-significant Fabric).*

*Signage in accordance with clause 2(a) of the standard exemption for the purpose of assisting the interpretation of heritage significance:*

- *requires approval under section 57(1) of the Heritage Act if additional information is provided which is unrelated to heritage interpretation such as commercial promotion or sponsorship; and*
- *must be in accordance with Interpreting Heritage Places and Items published by the NSW Heritage Office and available online.*

### **EXEMPTION 14: BURIAL SITES AND CEMETERIES**

1. Development on land within a burial site or cemetery which is of the type described in (a), (b) or (c) below does not require approval under s. 57(1) of the Act:

(a) the creation of a new grave;

(b) the erection of monuments or grave markers in a place of consistent character, including materials, size and form, which will not be in conflict with the character of the place; or

(c) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers; provided that there will be no disturbance to human remains, to relics in the form of grave goods, associated landscape features or to a place of Aboriginal heritage significance.

2. A person proposing to carry out development in the manner described in paragraph 1(b) or (c) must write to the Director-General and describe the development proposed. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1, the Director-General shall notify the applicant.

3. This exemption does not apply to the erection of above-ground chambers, columbaria or vaults, or the designation of additional areas to be used as a burial place.

NOTE 1: Other standard exemptions apply to the maintenance, cleaning and repair of burial sites and cemeteries.

#### **Guidelines**

*In addition to burial remains and artefacts, above ground cemetery elements may include headstones, footstones and other burial markers or monuments and associated elements such as grave kerbing, iron grave railings, grave furniture, enclosures and plantings. It is important that cemeteries listed on the State Heritage Register have a conservation policy or conservation management plan endorsed by the Heritage Council and that it records the history and significant fabric of the place with policies for conservation, relocation and the erection of new monuments and grave markers.*

*Additional advice about the management of heritage cemeteries is provided in:*

- *Cemeteries: Guidelines for their Care and Conservation, NSW Heritage Office, 1992;*
- *Skeletal Remains, NSW Heritage Office, 1998;*
- *Guidelines for Cemetery Conservation, National Trust of Australia (NSW), 2002.*

### **EXEMPTION 15: COMPLIANCE WITH MINIMUM STANDARDS AND ORDERS**

1. Development which is required for the purpose of compliance with the minimum standards set out in Part

3 of the *Heritage Regulation 1999* or an order issued under either:

(a) section 120 of the *Heritage Act 1977* regarding minimum standards of maintenance and repair; or

(b) section 121S of the *Environmental Planning and Assessment Act 1979* regarding an order which is consistent with a submission by the Heritage Council under section 121S(6) of that Act; does not require approval under s. 57(1) of the Act.

#### **Guidelines**

*This standard exemption is intended to facilitate and expedite compliance with orders and minimum standards of maintenance and repair.*

*The Minimum Standards of Maintenance and Repair replaced the “wilful neglect” provisions of the Heritage Act in 1999. The minimum standards are contained in Part 3 of the Heritage Regulation 1999 and are reproduced in the Heritage Information Series published by the NSW Heritage Office. The minimum standards only apply to items listed on the State Heritage Register and relate to:*

- weather protection;
- fire prevention and protection;
- security; and
- essential maintenance and repair to prevent serious or irreparable damage.

*Maintenance and repair which exceed the minimum standards in the Regulation may be exempt from approval under other standard exemptions (refer to #1 and #2).*

*Orders under s.121S(6) of the EP&A Act are those given by a council or other consent authority in relation to an item listed on the State Heritage Register, land to which an interim heritage order applies or a heritage item listed under an environmental planning instrument. Orders must not be given in relation to items listed on the State Heritage Register or land to which an interim heritage order relates unless the consent authority has given notice of it to the Heritage Council and considered any submission made by it.*

### **EXEMPTION 16: SAFETY AND SECURITY**

1. The following development does not require approval under s. 57(1) of the Act, provided that the Director-General is satisfied that the criteria in (a) or (b) have been met and the person proposing to undertake the development has received a notice advising that the Director-General is satisfied:

(a) the erection of temporary security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access or secure public safety which will not adversely affect significant fabric of the item including landscape or archaeological features of its curtilage; or

(b) development, including emergency stabilisation, necessary to secure safety where a building or part of a building has been irreparably damaged or destabilised and poses a safety risk to its users or the public.

2. A person proposing to undertake development of the kind described in paragraph 1 must write to the Director-General and describe the development and, if it is of the kind set out in 1(b), provide certification from a structural engineer having experience with heritage items confirming the necessity for the development with regard to the criteria set out in 1(b) and any adverse impact on significant fabric. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1(a) or (b), the Director-General shall notify the applicant.

#### **Guidelines**

*Development exempt under this standard exemption must be for the temporary or emergency securing of safety for users or the public.*

*Permanent upgrading of site or building security may be exempt under other standard exemptions such as #7 (Minor Activities with no Adverse Impact on Heritage Significance) or #8 (Non-significant Fabric). Development described in 1(b) of this exemption is intended to apply in circumstances where there has been damage caused by a sudden change in circumstances of the building such as a catastrophic event, rather than safety risks which may arise from ongoing neglect of maintenance.*

*Emergency maintenance and repairs such as required following a storm event may be exempt under other standard exemptions such as #1 (Maintenance and Cleaning) and #2 (Repairs). More intrusive means of upgrading security which may damage significant fabric will require the submission of an application under section 60 of the Heritage Act.*

*Development in accordance with this exemption must be undertaken with minimal intervention to significant fabric.*

### **EXEMPTION 17: MOVABLE HERITAGE ITEMS**

1. The temporary relocation of movable heritage items, including contents, fixtures and objects, to ensure their security, maintenance and preservation,

for conservation or exhibition, to ensure health or safety, the need for a controlled environment for those heritage items, or to protect the place, and which are to be returned to their present location within six months, does not require approval under s.57(1) of the Act.

2. A person proposing to relocate a movable heritage item as set out in paragraph 1 must advise the Director-General in writing of the proposed location and the reasons for its relocation. If the Director-General is satisfied that the temporary relocation meets the criteria set out in paragraph 1 the Director-General shall notify the applicant.

### **Guidelines**

*Movable heritage items or objects which are listed on the State Heritage Register must be specifically referred to in the gazetted listing. Unless specifically listed, the movable content of buildings such as furniture, paintings and other decoration is not movable heritage for the purposes of the Heritage Act which triggers approval requirements to “move, damage or destroy it”.*

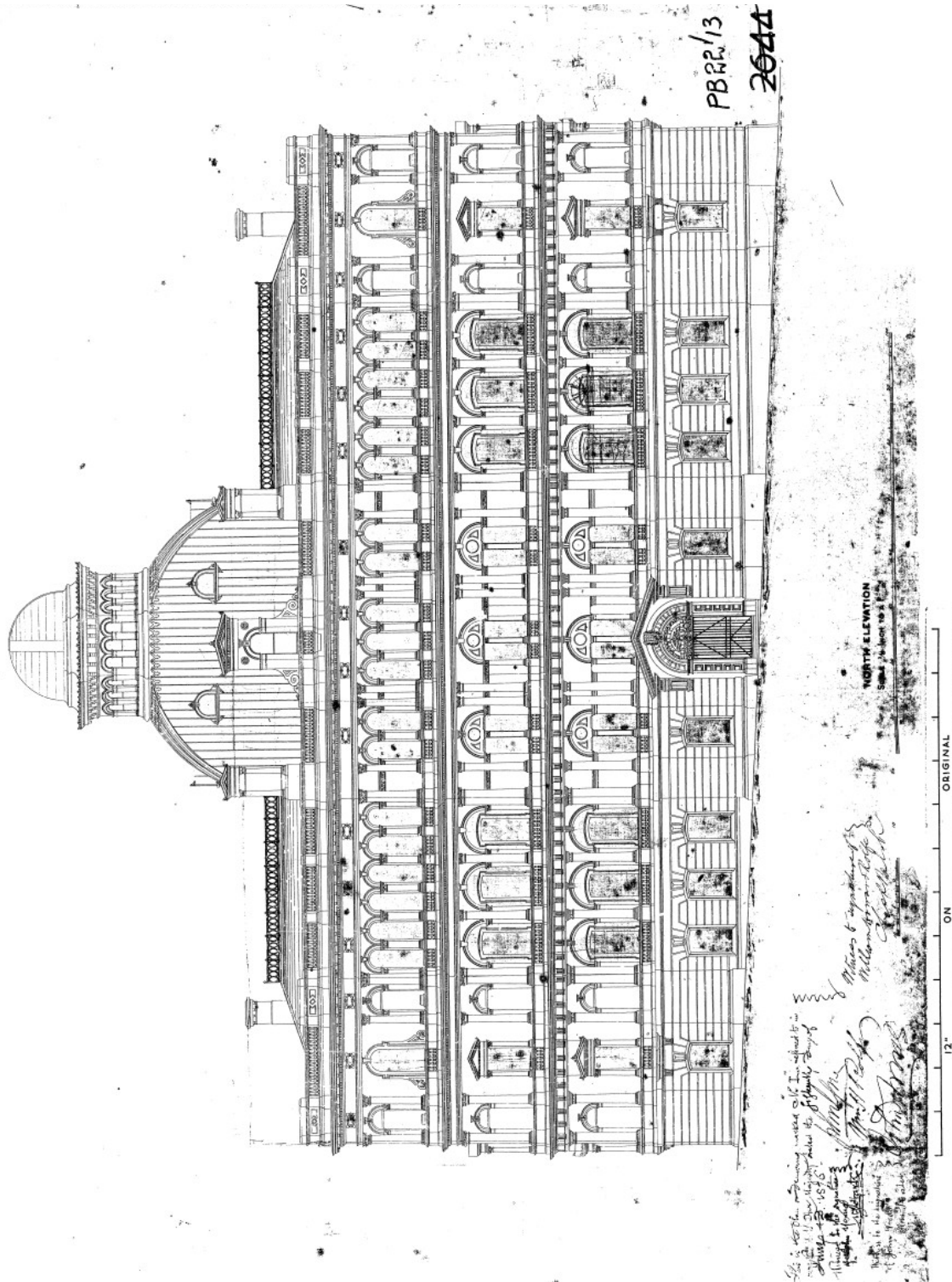
*The permanent relocation of an item of movable heritage such as listed ships or railway rolling stock will require the submission of an application under section 60 of the Heritage Act.*

*Additional advice regarding movable heritage is provided by:*

- *Objects in Their Place: An Introduction to Movable Heritage, NSW Heritage Office, 1999; and*
- *Movable Heritage Principles, NSW Heritage Office and Ministry for the Arts, 1999.*

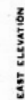


## APPENDIX TWO: HISTORICAL PLANS



**Figure A.1**  
Lands Building Stage 1, "North Elevation", 1876  
Source: Provided by GPNSW

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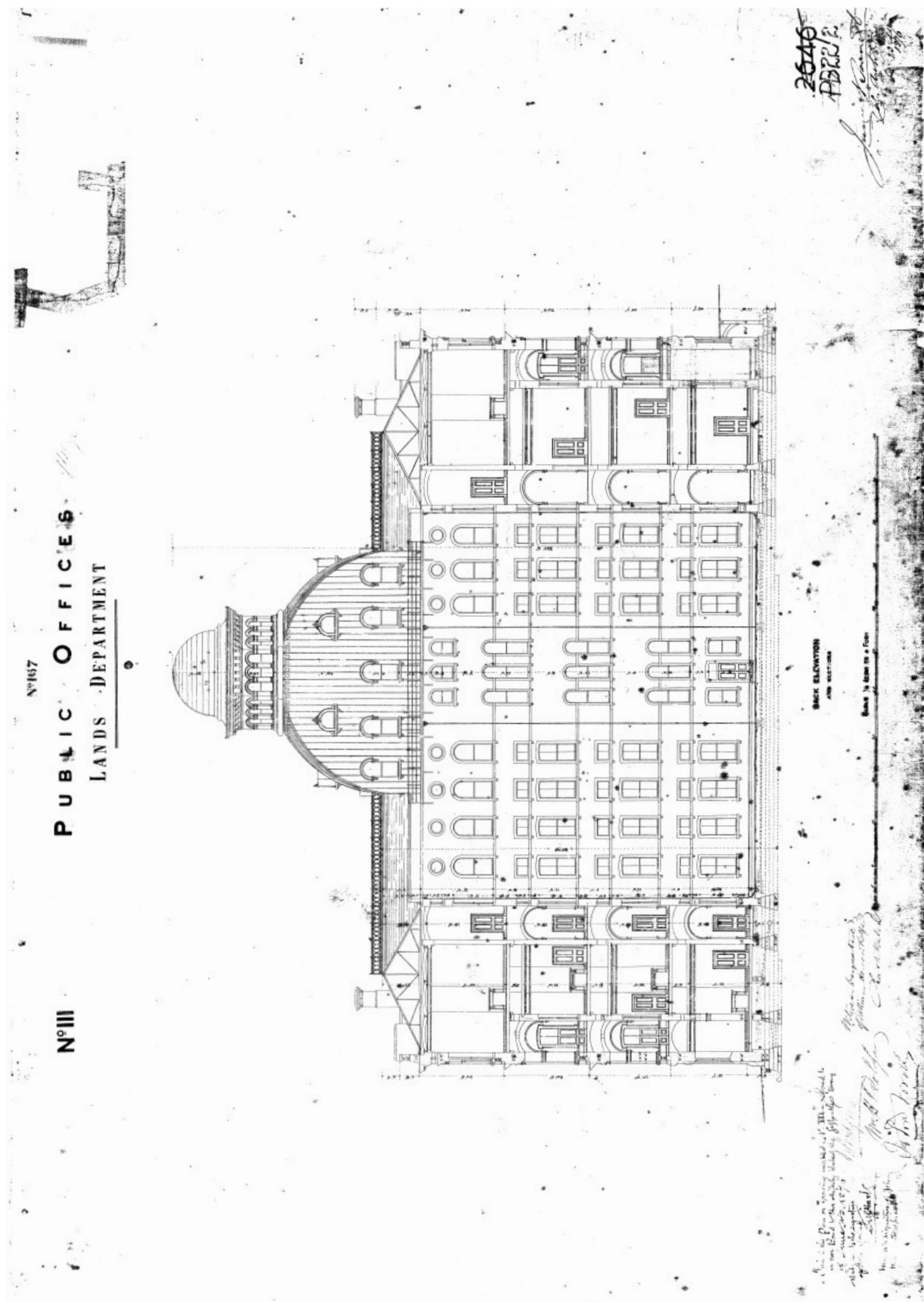
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### Figure A.2



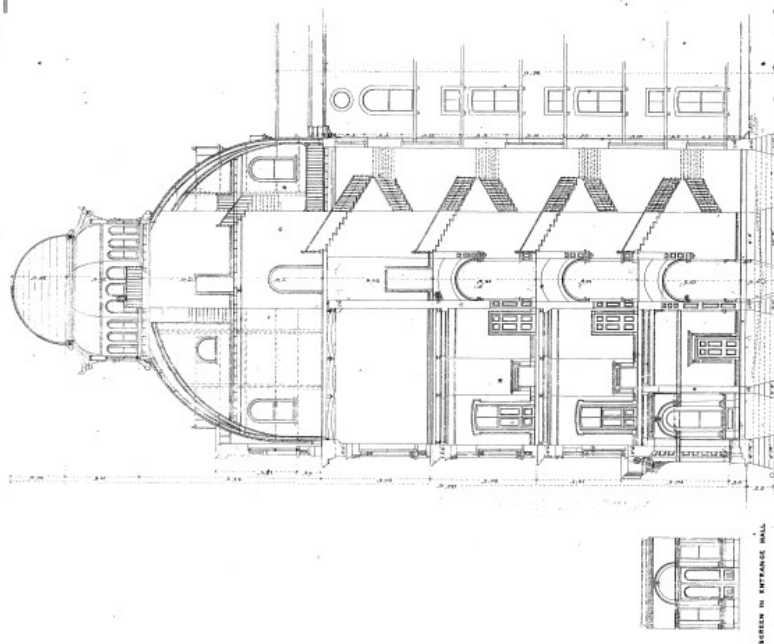
**Figure A.3**  
Lands Building Stage 1, "Back Elevation and Sections", 1876  
Source: Provided by GPNSW



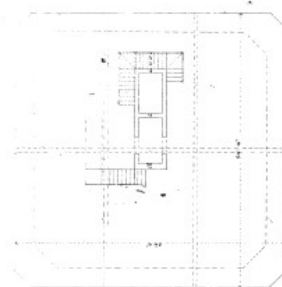
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**PUBLIC OFFICES**  
**LANDS DEPARTMENT**

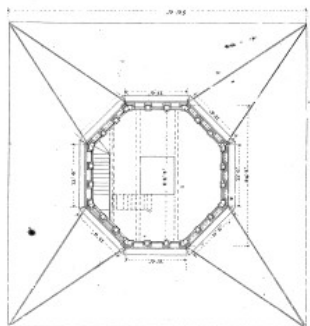
Nº IV



SECTION IN ENTRANCE HALL



UPPER FLOOR IN DOME



PLAN OF OBSERVATORY

TRANSVERSE SECTION

Scale 1/4 inch to a foot

Scale 1/4 inch to a foot

Scale 1/4 inch to a foot

Scale 1/4 inch to a foot

Scale 1/4 inch to a foot

Scale 1/4 inch to a foot

PBB 3  
2047  
J. B. B. 1876

Handwritten notes and signatures, including "J. B. B. 1876" and "J. B. B. 1876".

ORIGINAL

**Figure A.4**  
Lands Building Stage 1, "Transverse Section", "Upper Floor in Dome" and "Plan of Observatory", 1876  
Source: Provided by GPNW

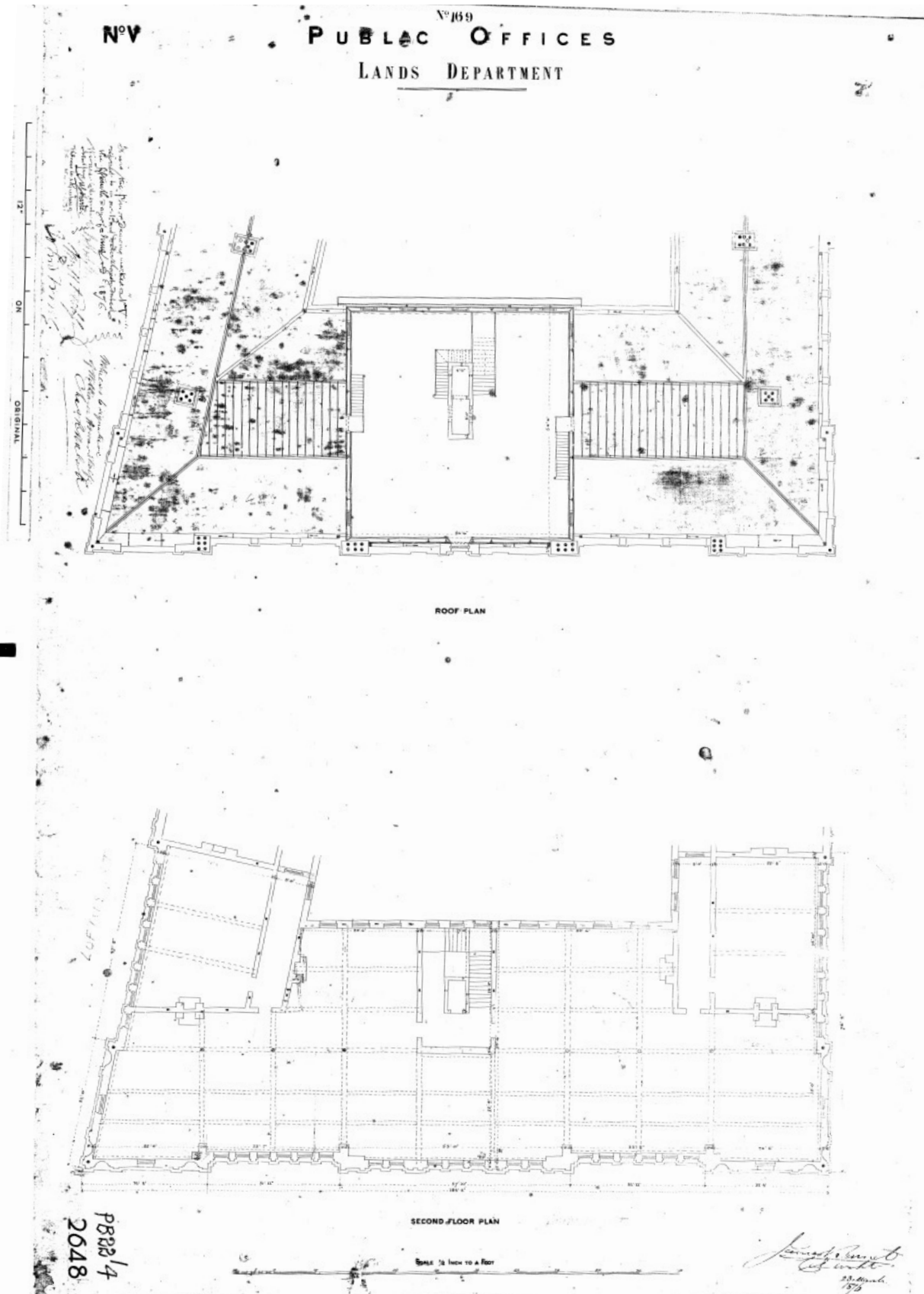






168





**Figure A.8**  
Lands Building Stage 1, "Second Floor Plan" and "Roof Plan", 1876  
Source: Provided by GPNSW



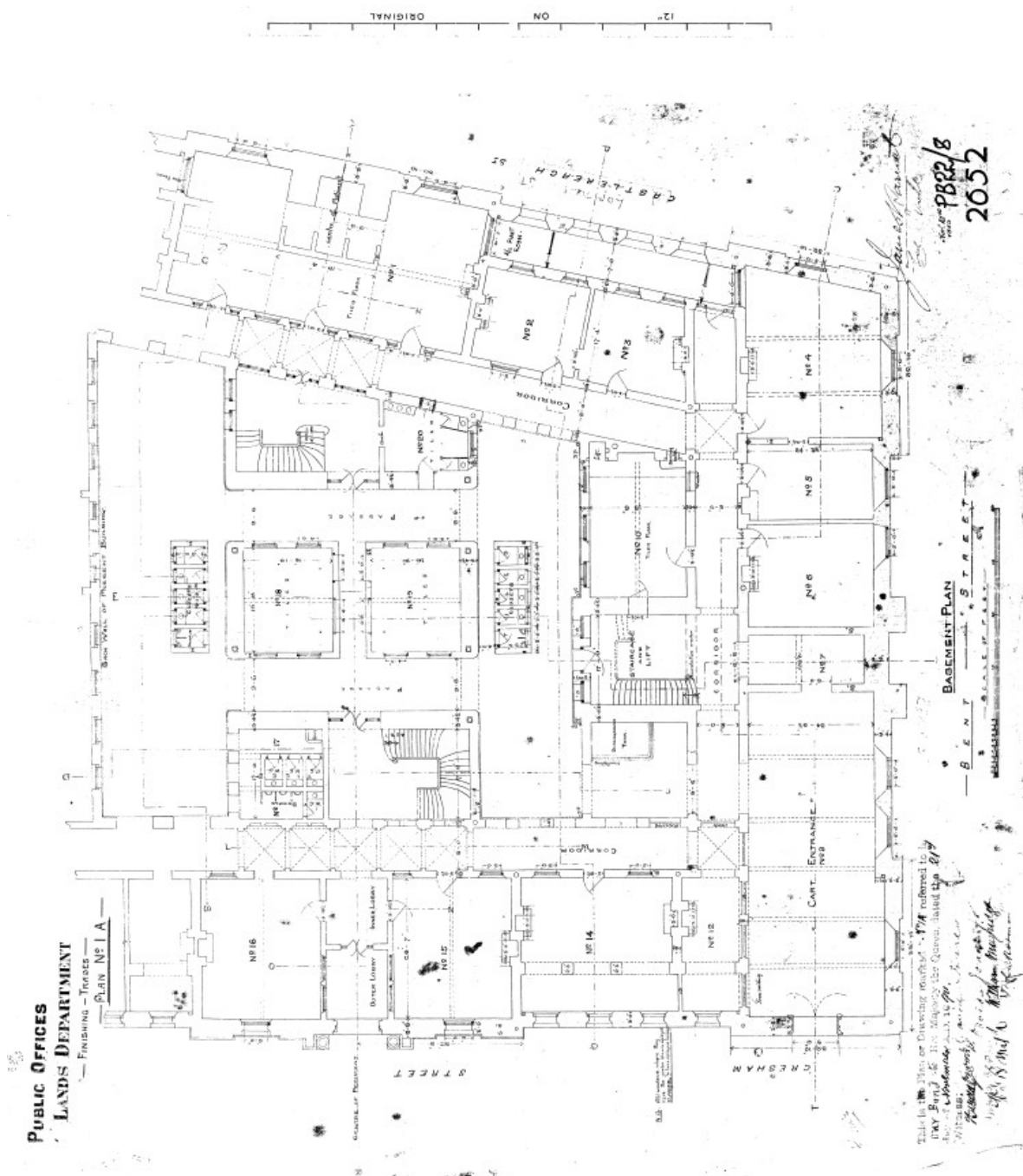
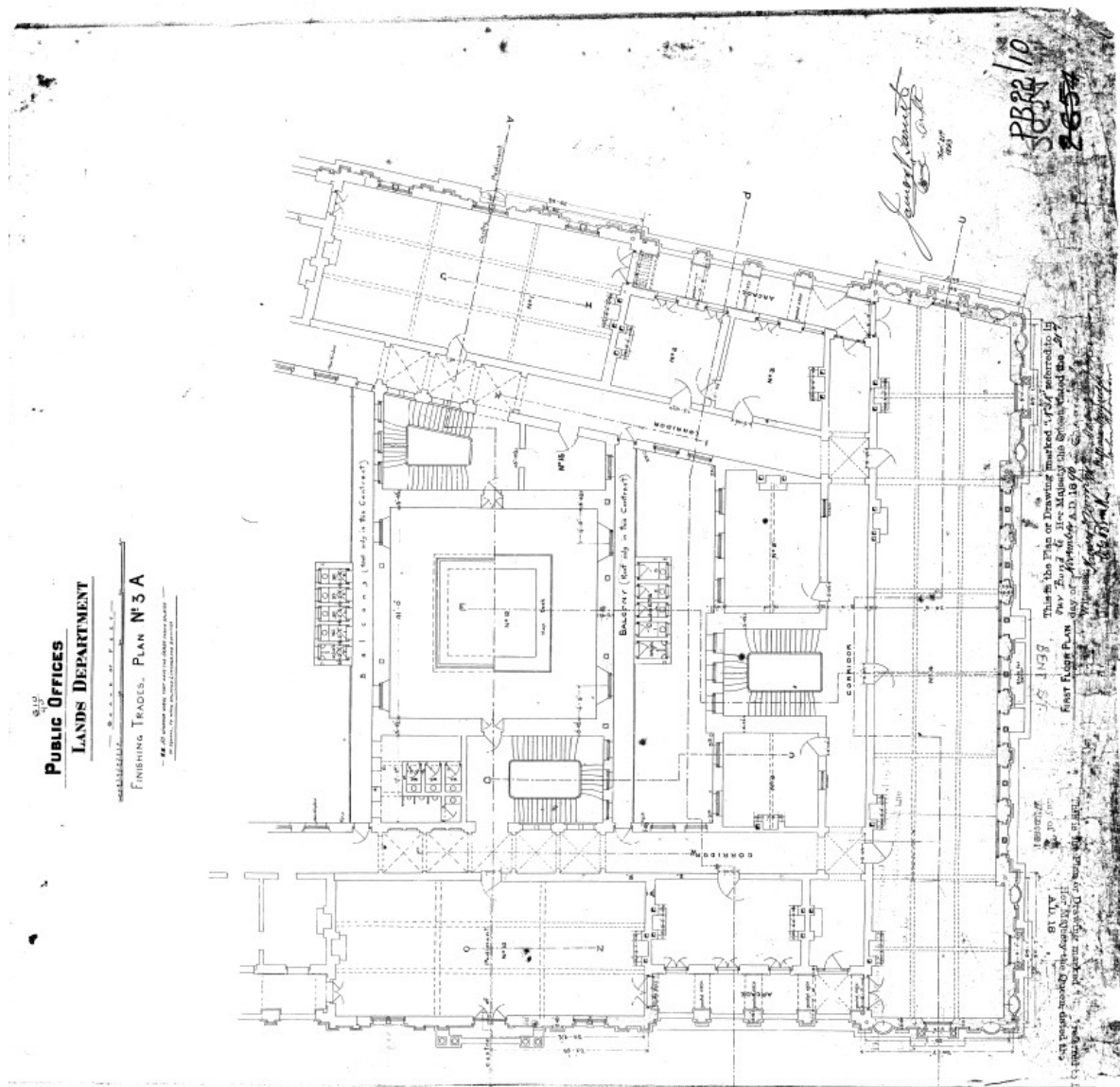


Figure A.9  
Lands Building Stage 2, "Basement Plan", 1883  
Source: Provided by GPNSW

**PUBLIC OFFICES  
LANDS DEPARTMENT**

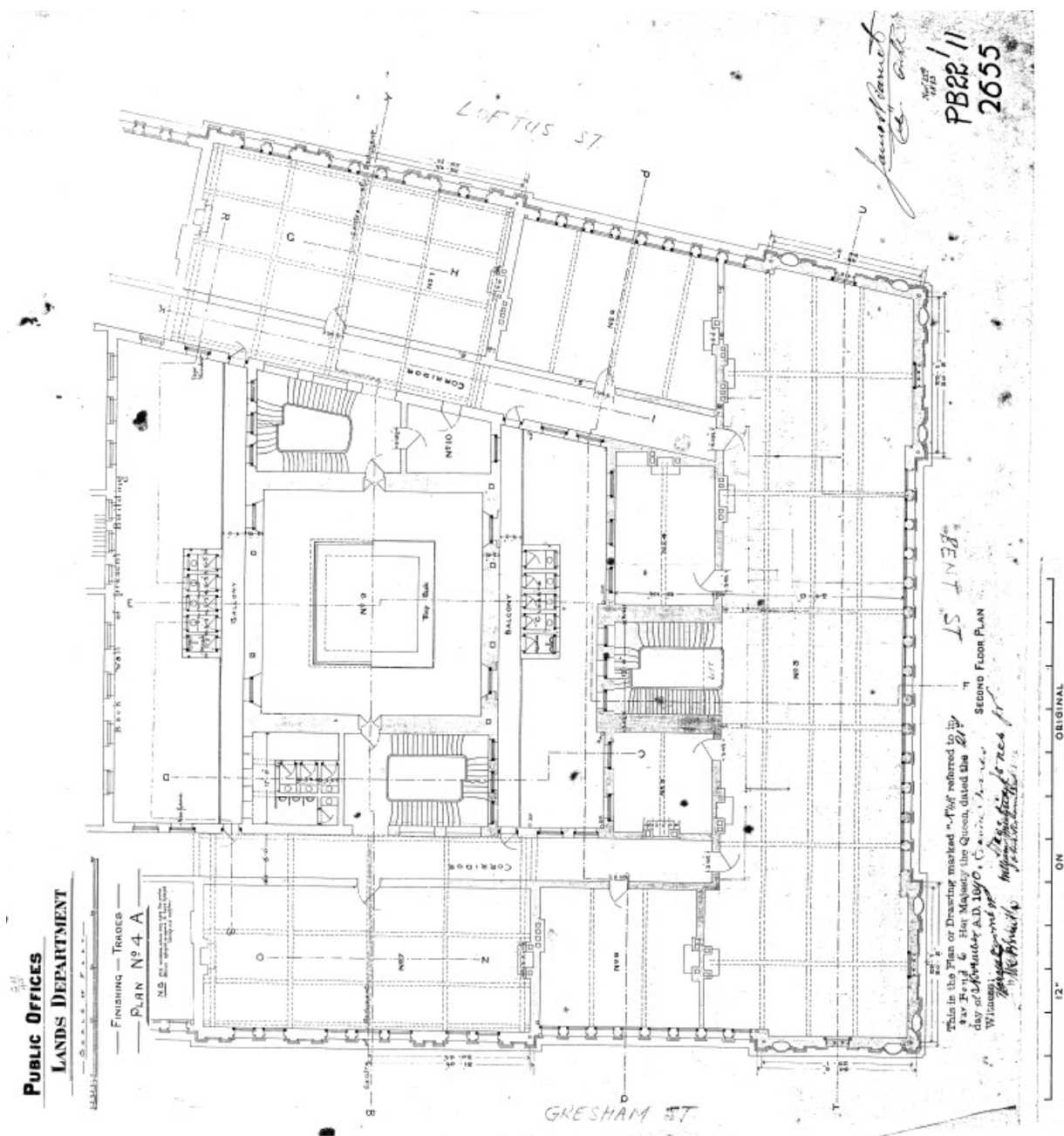
**FINISHING TRADES, PLAN N° 2 A**

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— 1/16" = 1' —  
— 1/32" = 1' —  
— 1/64" = 1' —  
— 1/128" = 1' —  
— 1/256" = 1' —  
— 1/512" = 1' —  
— 1/1024" = 1' —  
— 1/2048" = 1' —  
— 1/4096" = 1' —  
— 1/8192" = 1' —  
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— 1/32768" = 1' —  
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**Figure A.11**  
Lands Building Stage 2, "First Floor Plan", 1883  
Source: Provided by GPNSW





**Figure A.12**  
Lands Building Stage 2, "Second Floor Plan", 1883  
Source: Provided by GPNSW



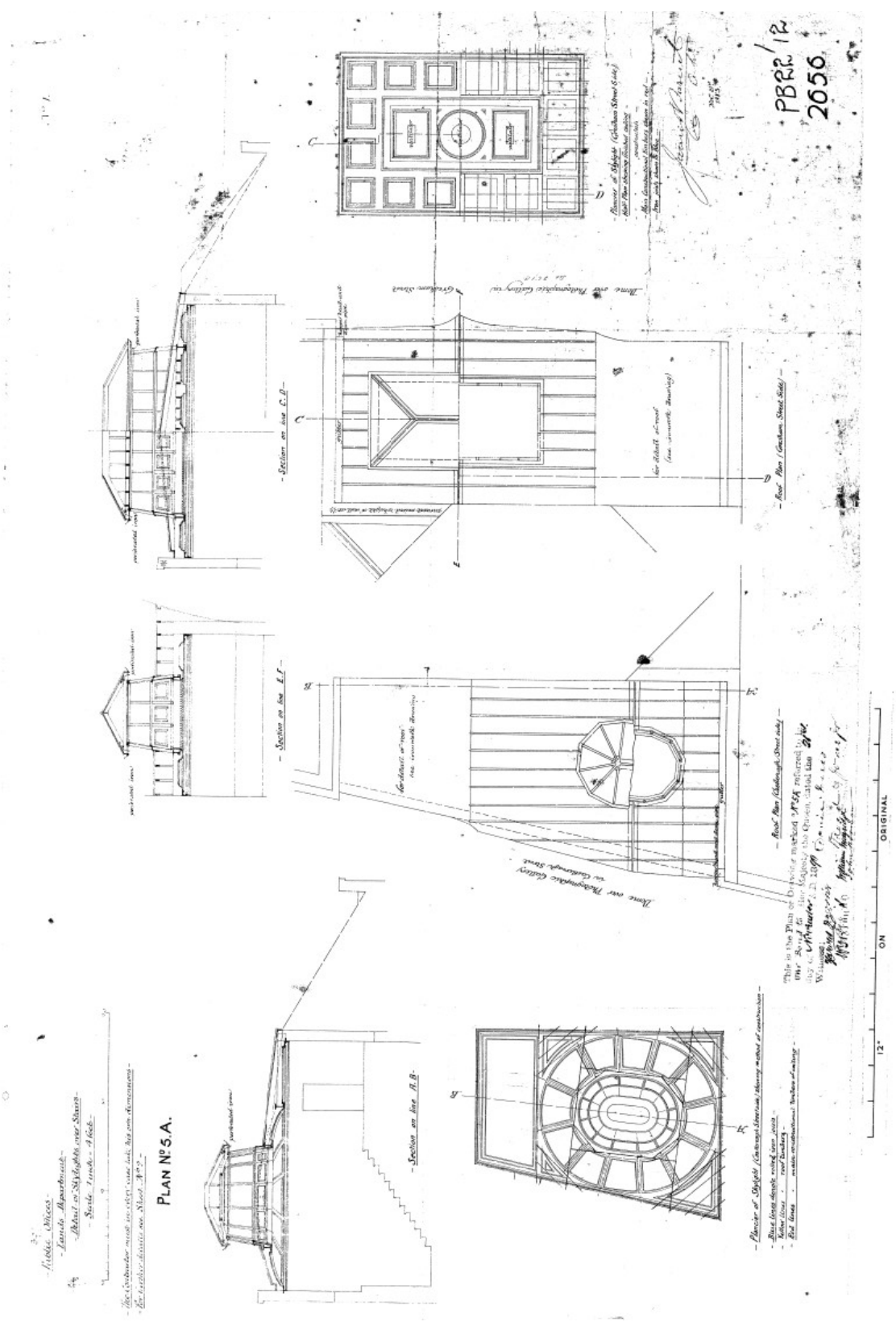
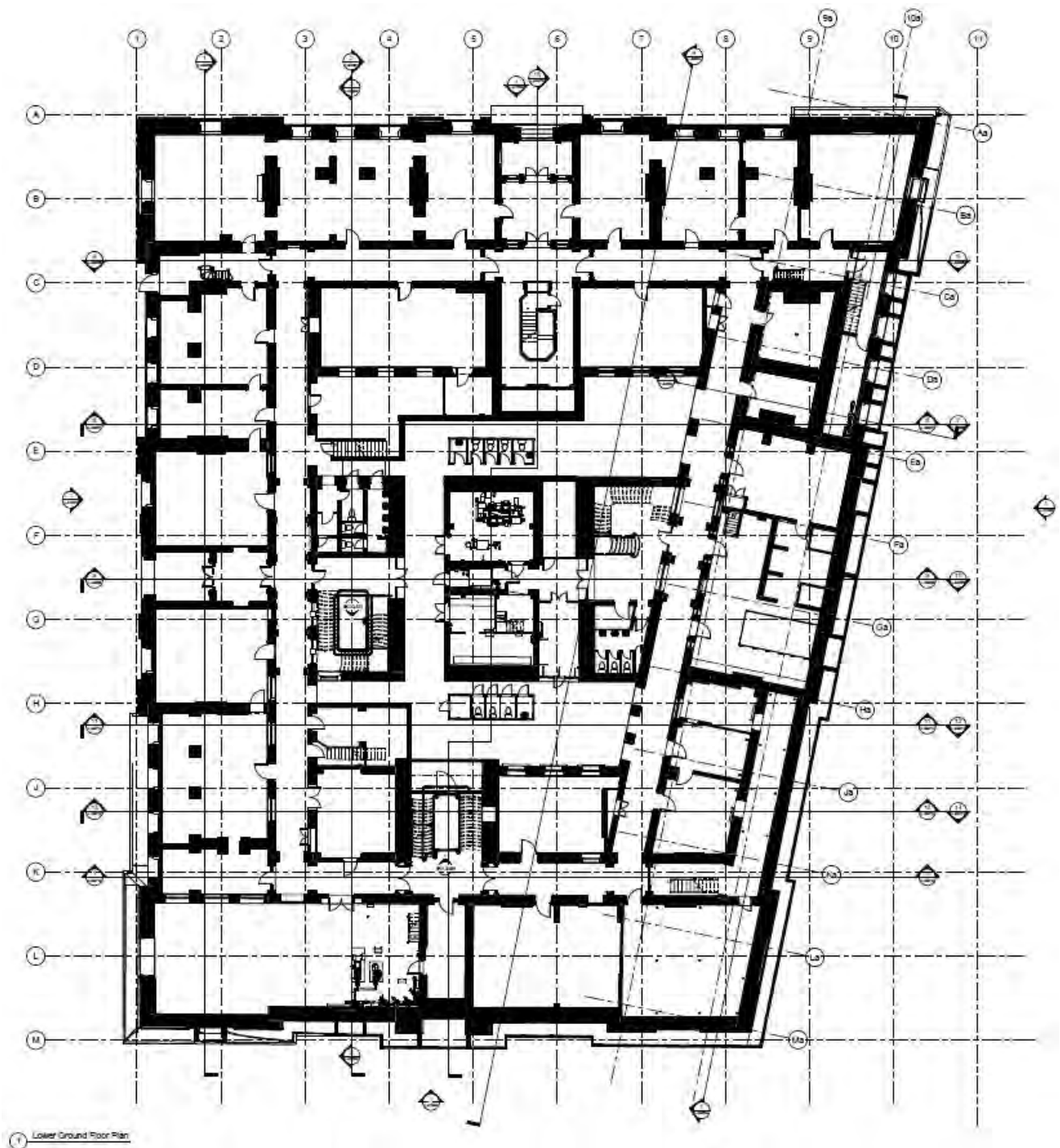
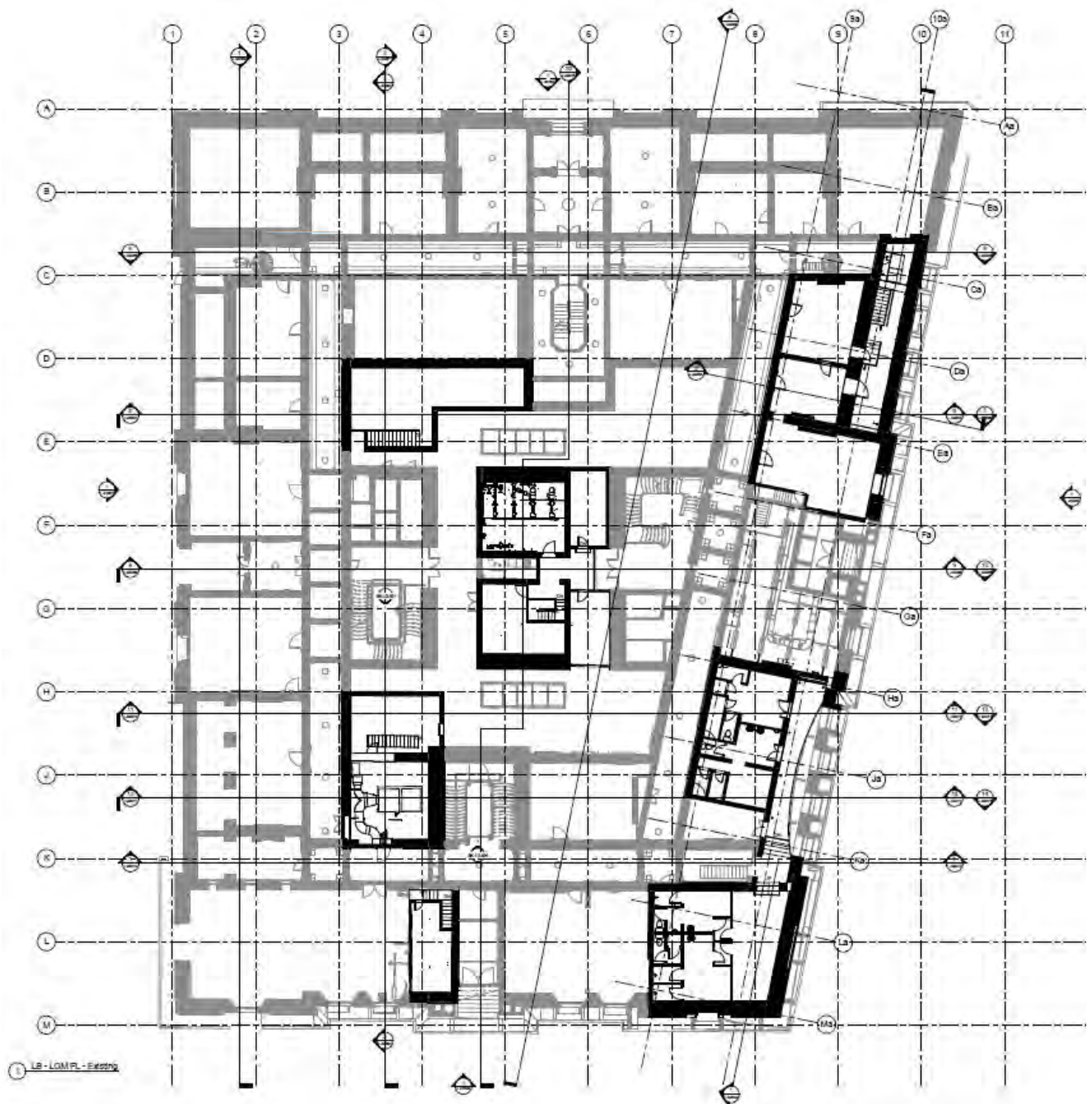


Figure A.13  
Lands Building Stage 2, "Detail of Skylight over Stairs", 1883  
Source: Provided by GPNSW

## APPENDIX THREE: EXISTING PLANS

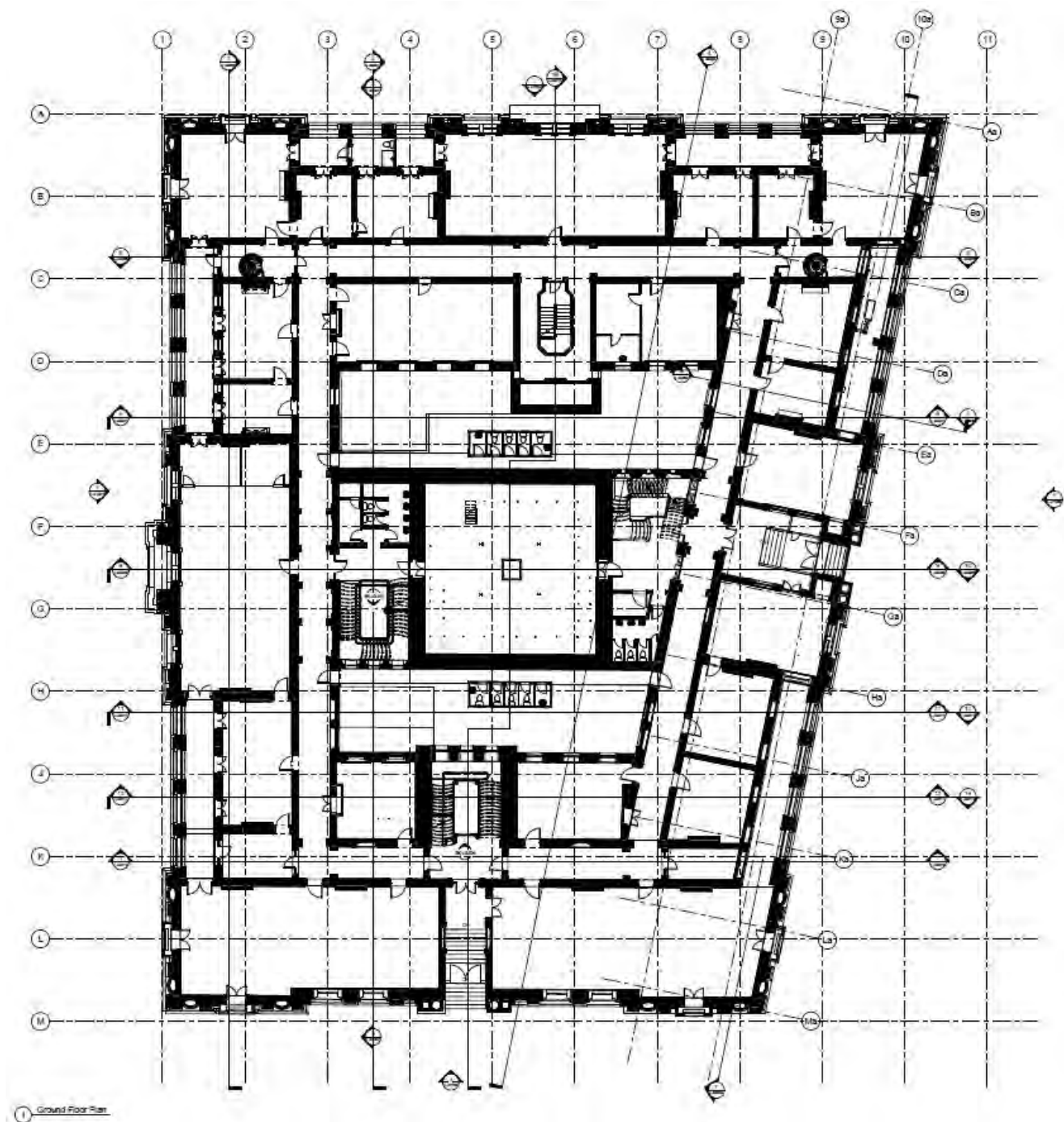


**Figure A.14**  
Lands Building - Existing lower ground floor plan (Bridge Street)  
Source: Make Architects



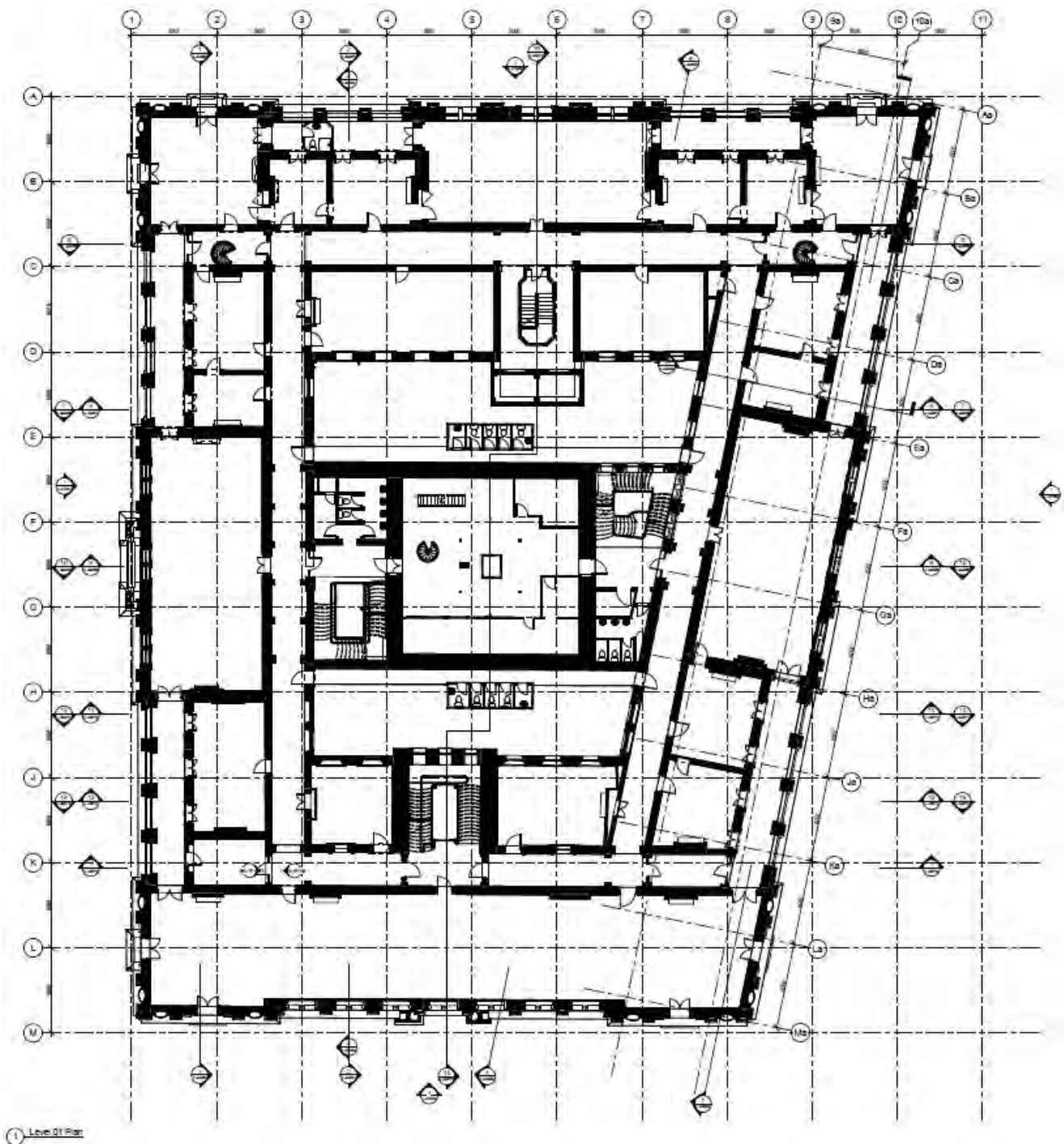
**Figure A.15**  
Lands Building - Existing lower ground mezzanine floor plan  
Source: Make Architects



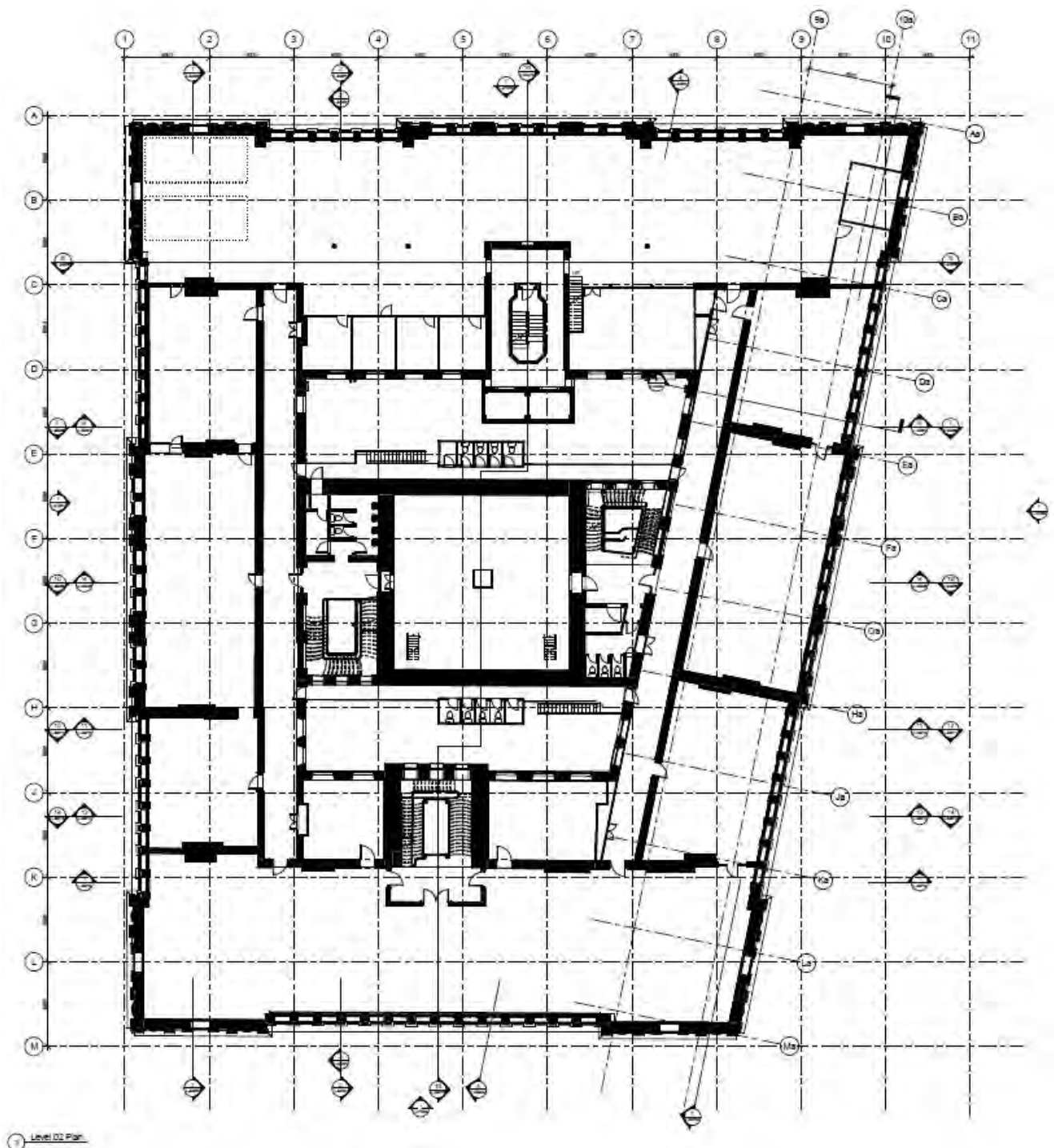


**Figure A.16**  
Lands Building - Existing ground floor plan (Bent Street)  
Source: Make Architects



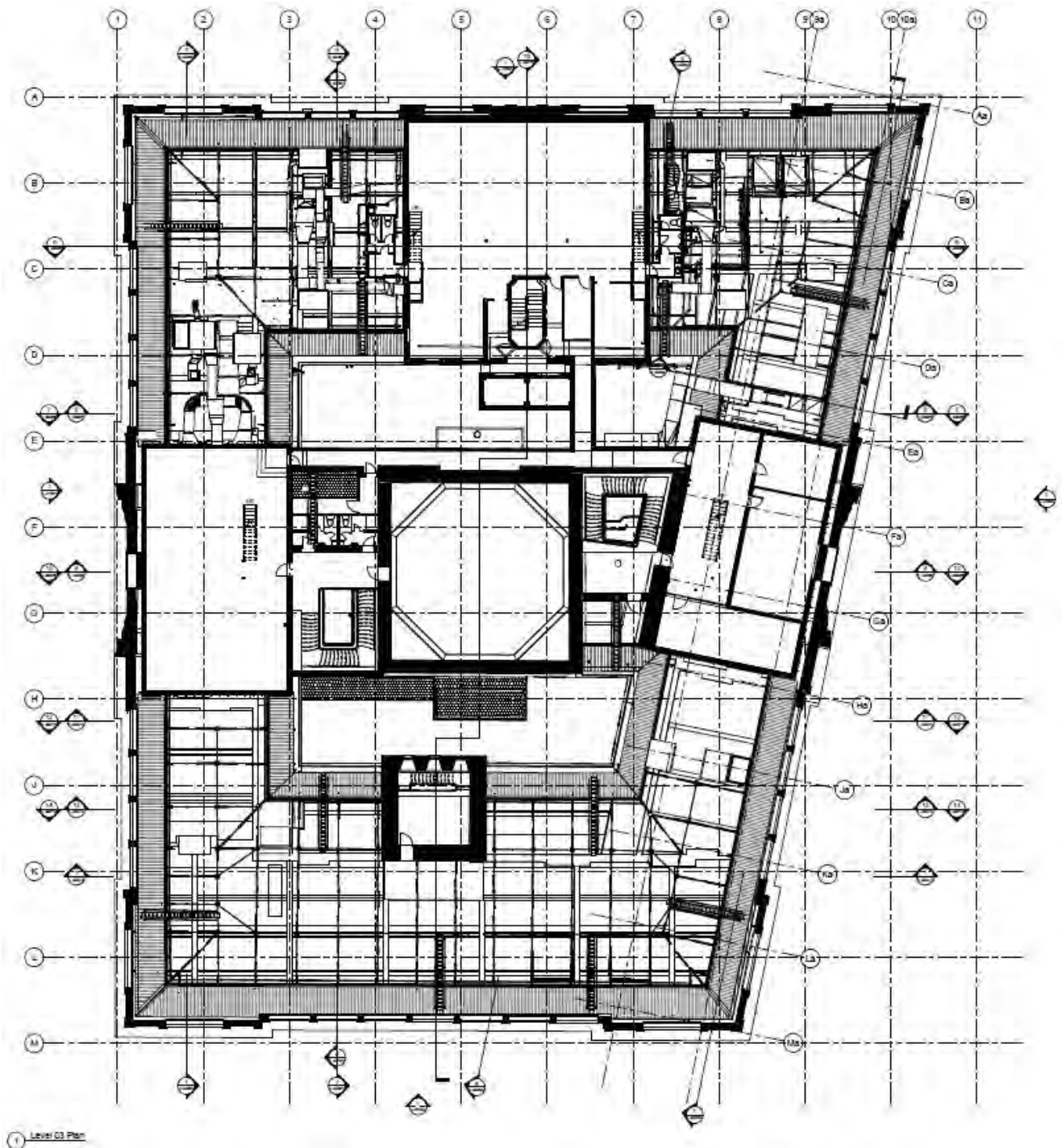


**Figure A.17**  
Lands Building - Existing Level 1 plan  
Source: Make Architects

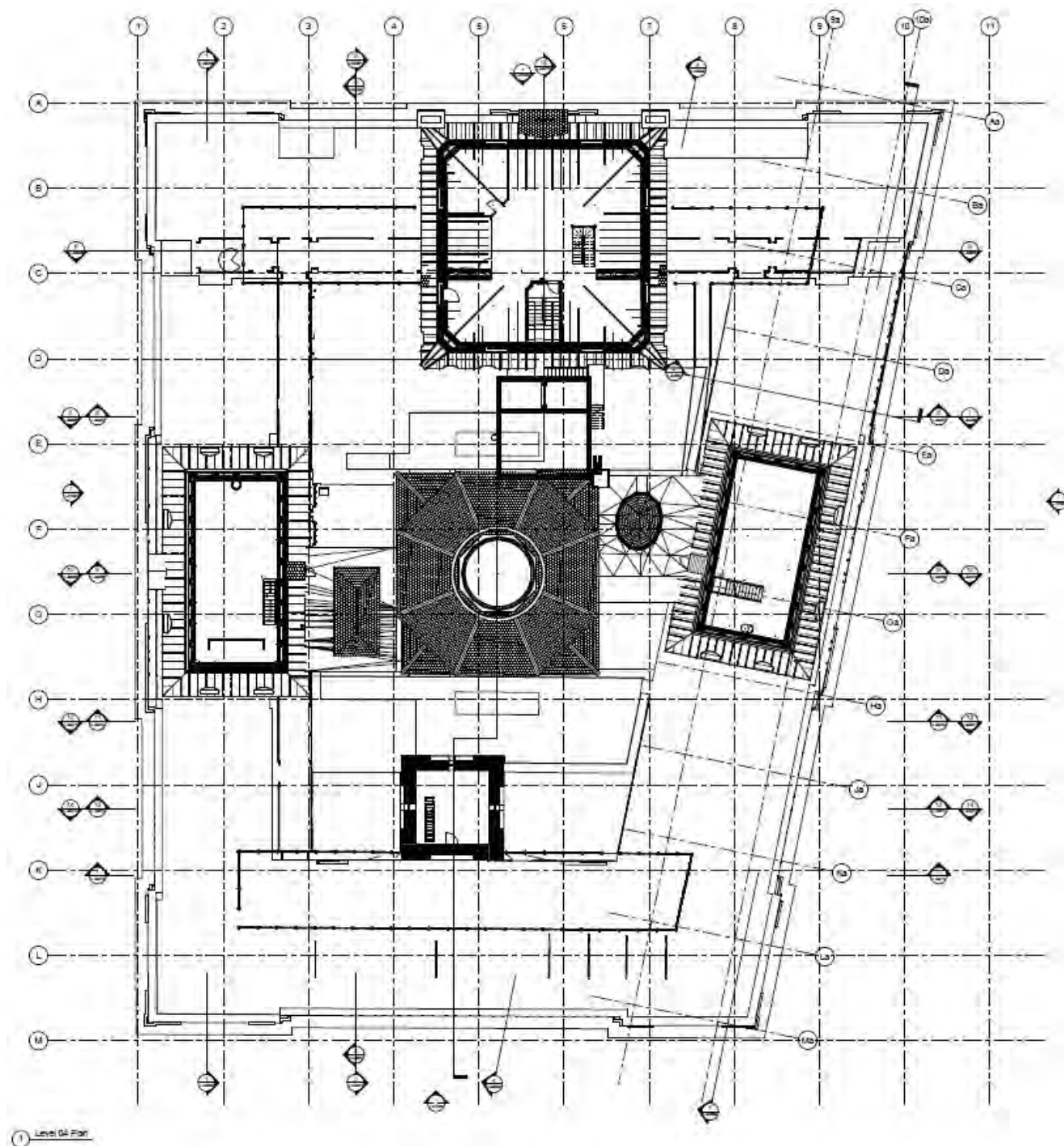


**Figure A.18**  
Lands Building - Existing Level 2 plan  
Source: Make Architects



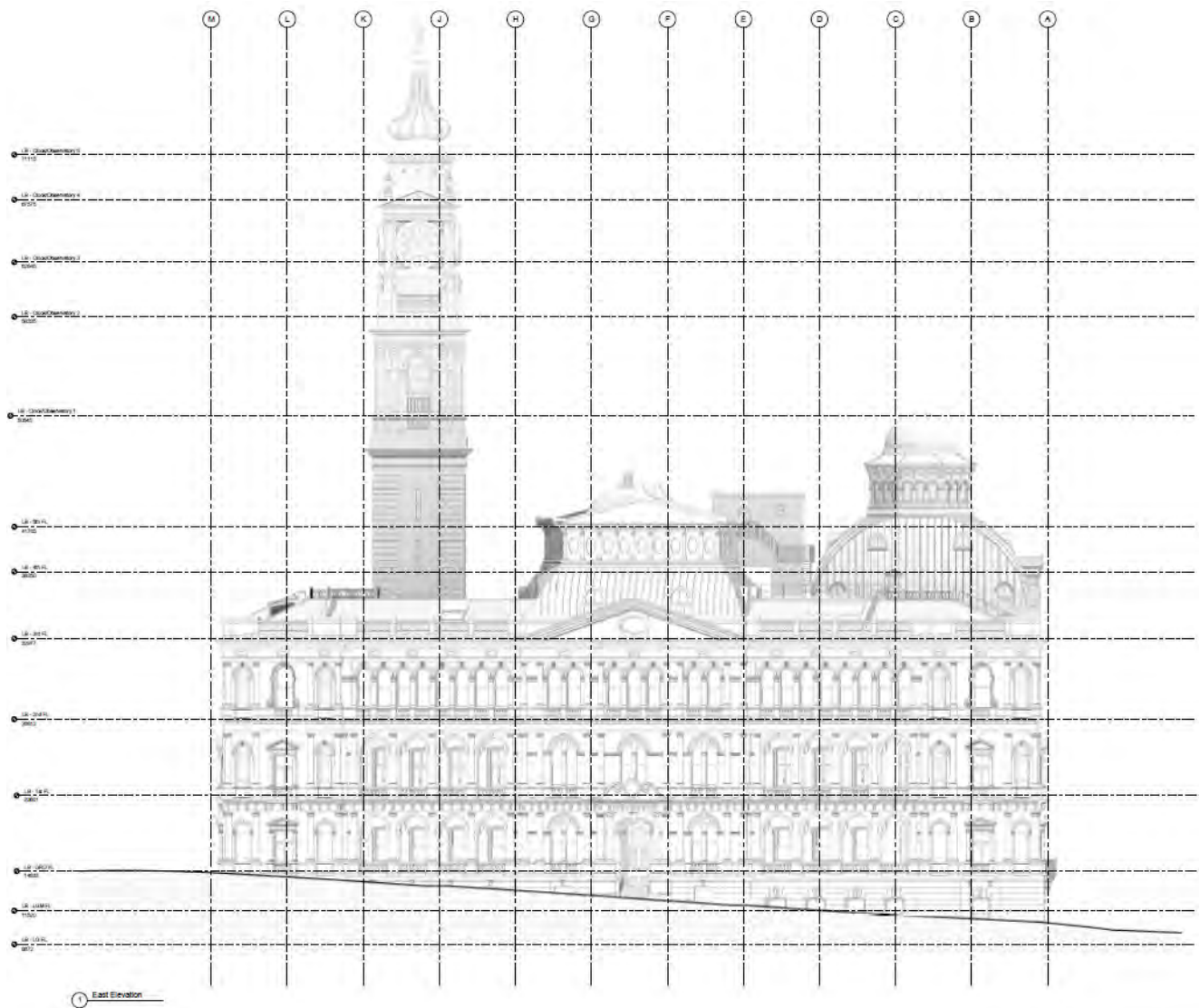


**Figure A.19**  
Lands Building - Existing Level 3 plan  
Source: Make Architects

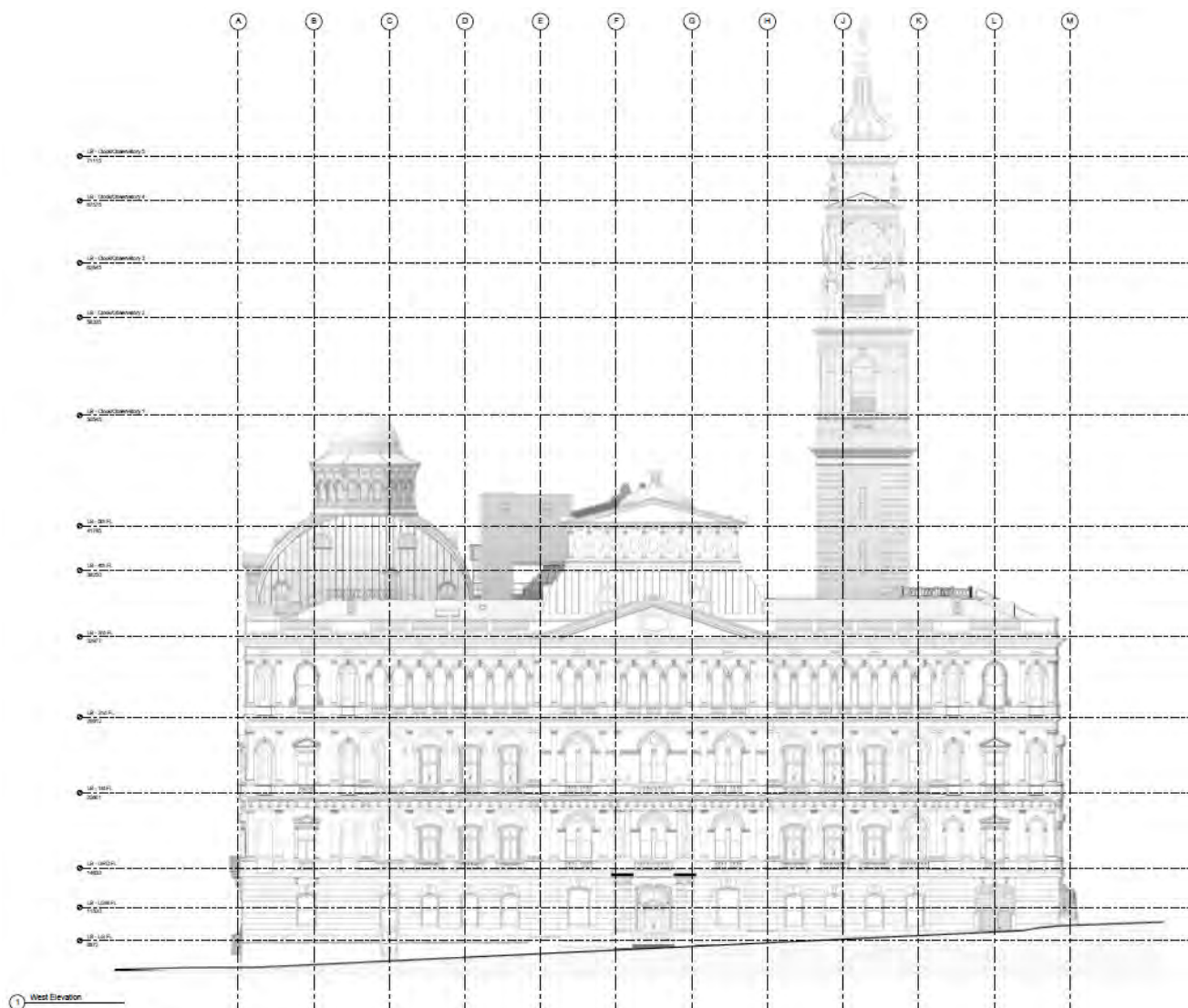


**Figure A.20**  
Lands Building - Existing Level 4 plan  
Source: Make Architects

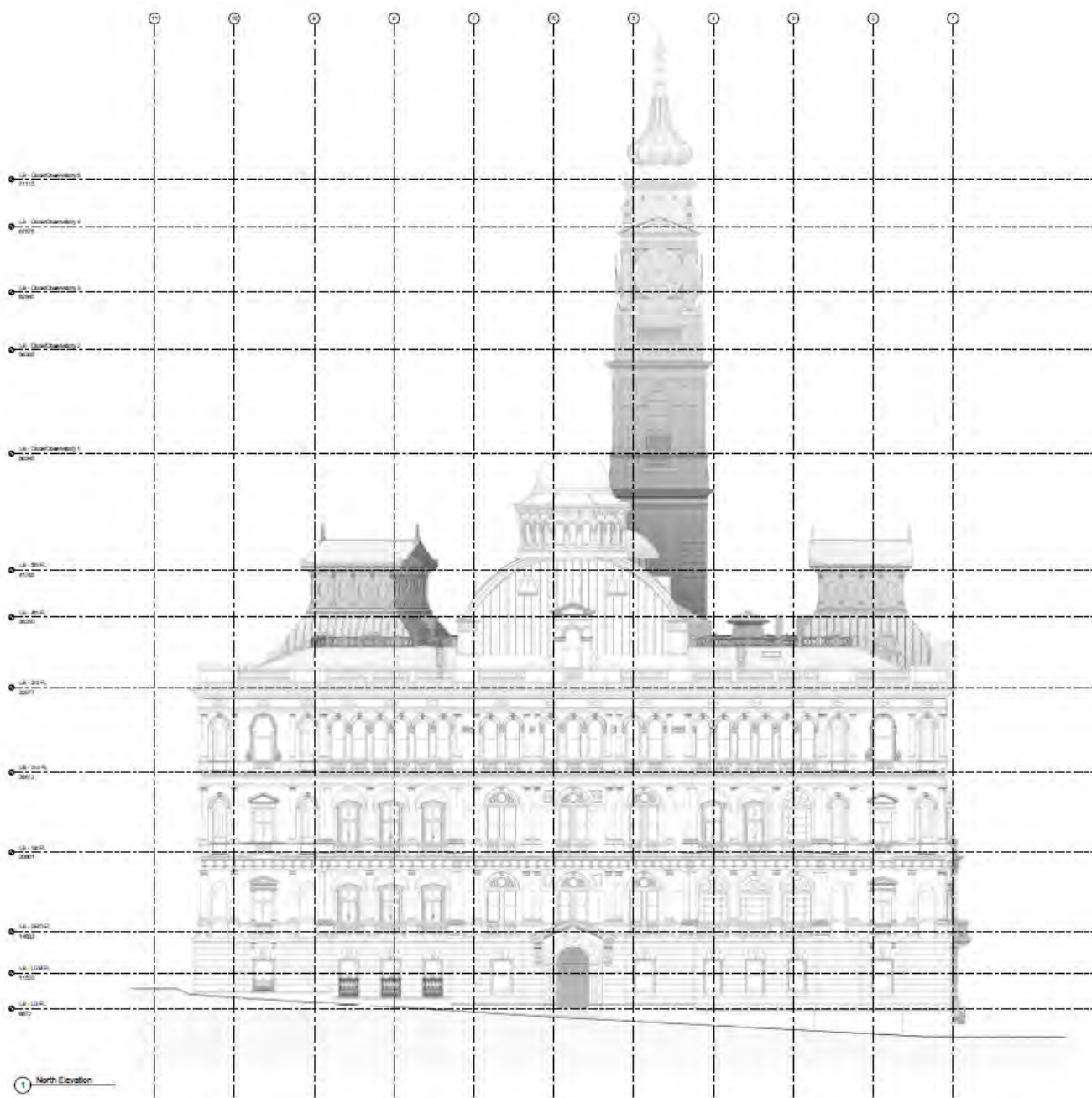




**Figure A.21**  
Lands Building - Existing east elevation  
Source: Make Architects



**Figure A.22**  
Lands Building - Existing west elevation  
Source: Make Architects



**Figure A.23**  
Lands Building - Existing north elevation  
*Source: Make Architects*

