



Barangaroo Concept Plan Modification 8 (MP06_0162)

Statement of Heritage Impact

Prepared for
Lend Lease

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1 INTRODUCTION

1.1 Purpose of the report

This report supports a modification to Concept Plan (MP06_0162) submitted to the Minister for Planning and Infrastructure pursuant to Section 75W of Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposed application is the outcome of negotiations between Lend Lease and the NSW Government, including the Barangaroo Delivery Authority, to relocate the approved landmark hotel building site from a pier over Sydney Harbour to a location on land elsewhere on the Barangaroo South site. It also incorporates both the physical relocation of the hotel, along with a number of consequent and related changes to the urban design guidelines that are required to maintain an appropriate built form and public domain outcome for the Barangaroo South site.

1.2 Overview of proposed modification

The proposed modification to the Concept Plan seeks to:

- relocate the landmark building (Block Y) from the harbour onto the land in the Barangaroo South site in front of the existing Blocks 4A, B and C;
- revise the layout of Blocks 4A-C;
- amend the size and location of the Southern Cove and public domain;
- redistribute the GFA, public domain and land uses across development blocks 1-3, 4A-C, X and Y;
- increase the maximum GFA on the site to provide for additional GFA within the hotel building and redistribution of land uses;
- increase the height of the buildings within modified 'Block 4' and the relocated Block Y; and
- amend the conditions of the Concept Approval to reflect the modifications to development.

It is also proposed to amend Part 12 of Schedule 3 of the Major Development SEPP to reconcile the SEPP with the modifications to the Concept Plan, including amending the location of the RE1 and B4 Mixed Use zone boundaries.

1.3 Site description

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

The Barangaroo site has been divided into three distinct redevelopment areas (from north to south) - the headland Park, Barangaroo Central and Barangaroo South. Concept Plan (Mod 8) relates to Barangaroo South only as shown in Figure 1.



Figure 1 Indicative site boundary for Barangaroo South

1.4 Methodology and terminology

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

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

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

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

1.5 Author identification

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

1.6 Heritage management context

The Statement of Heritage Impact addresses impacts on heritage items that are included in statutory lists.

There are no listed heritage items on the development site.

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

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

The following heritage items are included in **Sydney Local Environmental Plan 2012**:

- Agar Steps;
- Bureau of Meteorology, 9 Upper Fort Street;
- Fort Phillip Signal Station, Observatory Hill;
- Fort Street Primary School site including buildings and their interiors, fig trees and grounds1005 Upper Fort Street;
- Former warehouse, Grafton Bond Store, 201-217 Kent Street
- Former warehouse, MSB Stores, 36 Hickson Road
- Fort Street Primary School site including buildings and their interiors, fig trees and grounds1005 Upper Fort Street;
- Grafton Bond Store and sandstone wall, Hickson Road;
- Lane off Gas Lane (Jenkins Street);
- Messenger's Cottage for Fort Phillip Signal Station;
- Messenger's Cottage for Sydney Observatory;
- Millers Point/Dawes Point Conservation Area. The conservation area includes a number of individually identified heritage items;
- National Trust Centre;
- MSB Stores Complex, 2-4 Jenkins Street;
- Observatory Park, including Boer War Memorial, Bandstand, fences and landscaping;
- Sydney Observatory;
- Sydney Observatory Group, including buildings and their interiors and grounds;
- Tennis Court and Pavilion. 96-108 Kent Street;
- Terrace Group Agars Steps Terrace, 5-9 Agars Steps;
- Terrace Group, Carlson Terrace 110-114 Kent Street
- Terrace Group, 3-9 High Street;
- Terrace, 115-121 Kent Street;
- Terrace, 123-125 Kent Street.

According to the OE & H website, the following heritage items are included in **Section 170 Registers**:

NSW Maritime Authority.

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

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

1.7 Director General's Requirements

This report has been prepared to fulfil the Director-General's Requirements under Section 75W of the Environmental Planning and Assessment Act 1979, dated 15 April 2014, which relate to the Barangaroo Concept Plan, application no. MP06_0162 (MOD 8). This report specifically responds to Key Assessment Requirement 20. Heritage, which states:

Undertake an assessment of the likely impacts of development as modified on surrounding heritage and archaeological items (both on and off the site) and proposed conservation and mitigation measures, including the Millers Point Conservation Special Area, Observatory Hill and Walsh Bay

The impacts of the proposal on relics of significance to Aboriginal people and European archaeological relics are the subject of the report prepared by Casey & Lowe, Barangaroo Concept Plan Modification 8 (MP6_0162) Aboriginal and non-Aboriginal Archaeology.

2 HISTORICAL SUMMARY

The following historical summary for the Stage 1 Area has been extracted from the *Barangaroo Demolition Project Application Heritage Impact Statement*, prepared by City Plan Heritage in 2007. A history of the wider Barangaroo site is provided in the *East Darling Harbour, Millers Point History and Development*, prepared by Monique Galloway of the Sydney Harbour Foreshore Authority in 2006. The historical summary describes the history of development that existed on the site prior to the commencement of the project:

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

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



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

Source: City of Sydney Archives SRC1868.

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

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



Figure 3 Circa 1988 photographs showing the redevelopment of the eastern side of Darling Harbour in response to the requirements of containerised shipping.
Source: City of Sydney Archives SRC1762 and SRC 1760.



Figure 4 Configuration of wharves on the eastern side of Darling Harbour, 2001.
Source: City of Sydney Archives - Historical Atlas of Sydney



3 HERITAGE SIGNIFICANCE

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

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

3.1 State Heritage Register Items

3.1.1 Grafton Bond Store and Sandstone Wall, Hickson Road



Figure 5 Grafton Bond Store (left) and Sandstone Wall (right).

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

Statement of significance:

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

3.1.2 Millers Point and Dawes Point Village Precinct

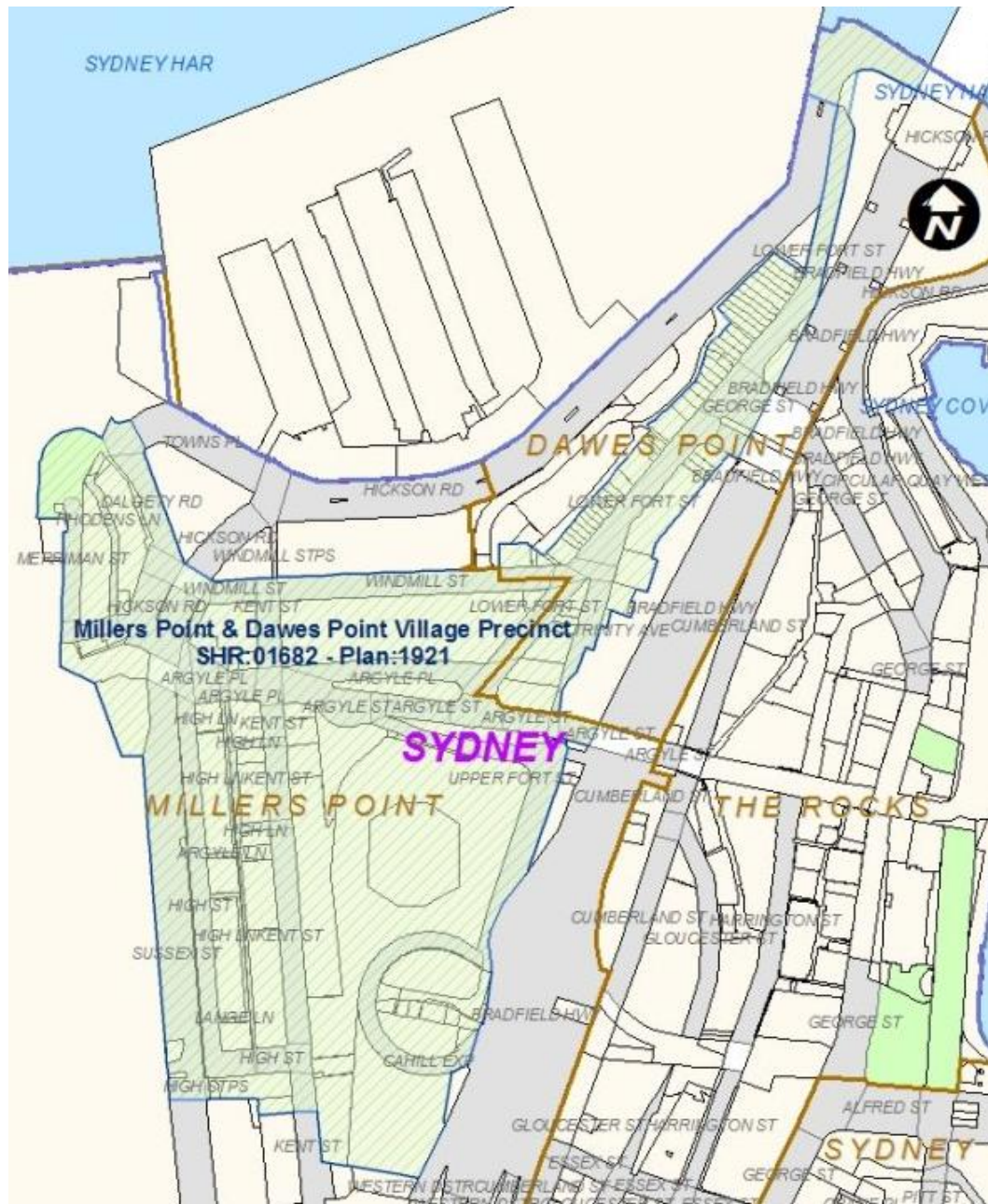


Figure 6 Boundaries of the Millers Point and Dawes Point Village Precinct.
Source: SHR database entry

Statement of Significance:

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

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

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

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

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

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

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

3.1.3 Millers Point Conservation Area

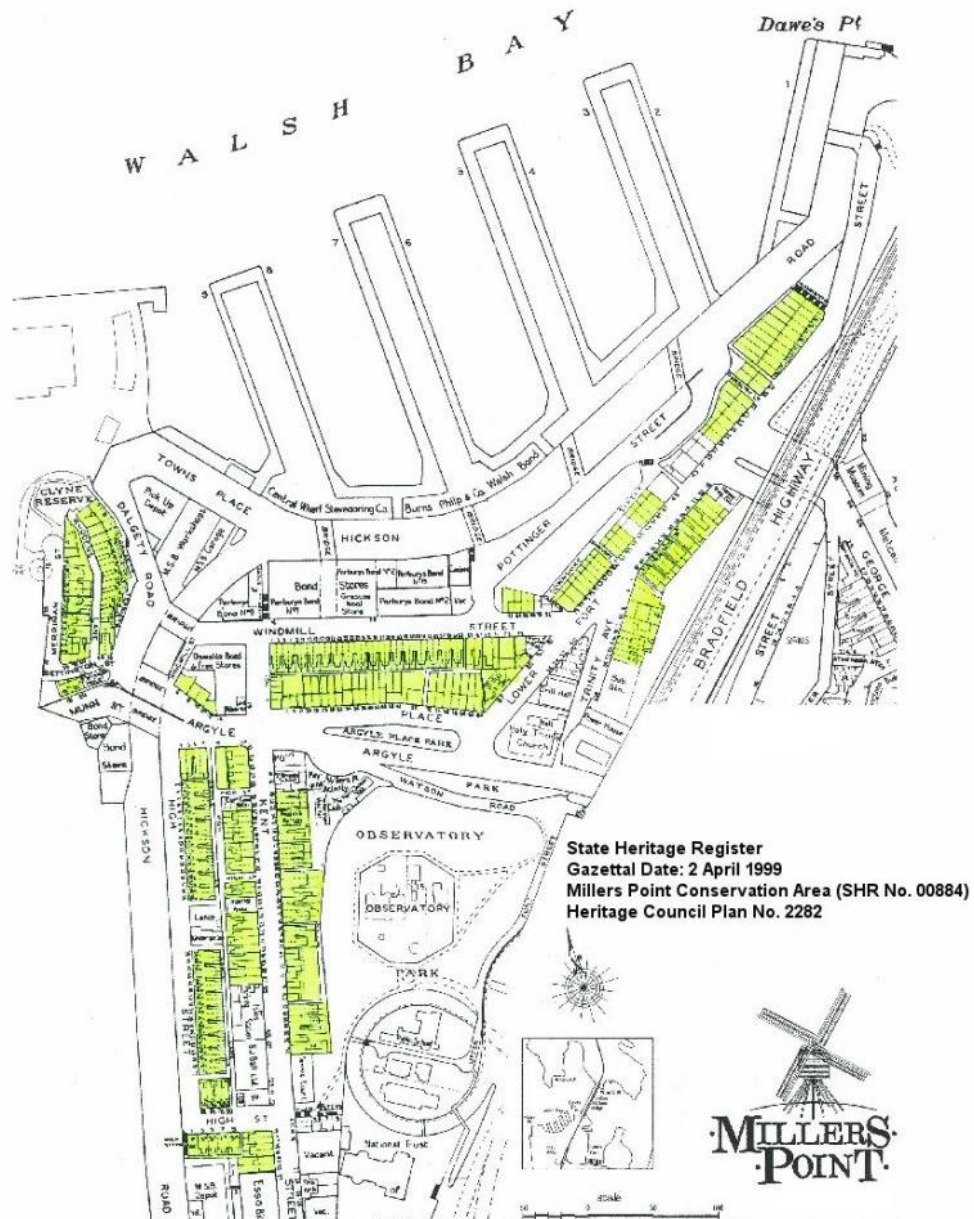


Figure 7 Millers Point Conservation Area.
Source: SHR database entry.

Statement of Significance:

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

3.1.4 MSB Stores Complex



Figure 8 MSB Stores Complex viewed from Hickson Road (left) and Jenkins Street (right).

Statement of Significance

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

3.1.5 MSB Stores Complex Building 1



Figure 9 MSB Stores Complex - Building 1, viewed from Hickson Road (left) and Jenkins Street (right).

Statement of significance:

MSB Stores Building 1 is a good example of a Victorian Georgian warehouse building. It is historically significant as part of Sydney's first gas manufacturing plant and illustrates the early development and subsequent growth of the organisation. The building is of

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

3.1.6 Sydney Observatory



Figure 10 Sydney Observatory viewed from the west (left) and north (right).

Statement of significance:

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

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

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

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

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

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

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

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

3.1.7 Terrace 115-121 Kent St



Figure 11 115-121 Kent Street.

Statement of significance:

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

3.1.8 Terrace 123-125 Kent Terrace



Figure 12 123-125 Kent Street.
Source: SHR database entry.

Statement of significance:

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

3.1.9 Walsh Bay Wharves Precinct

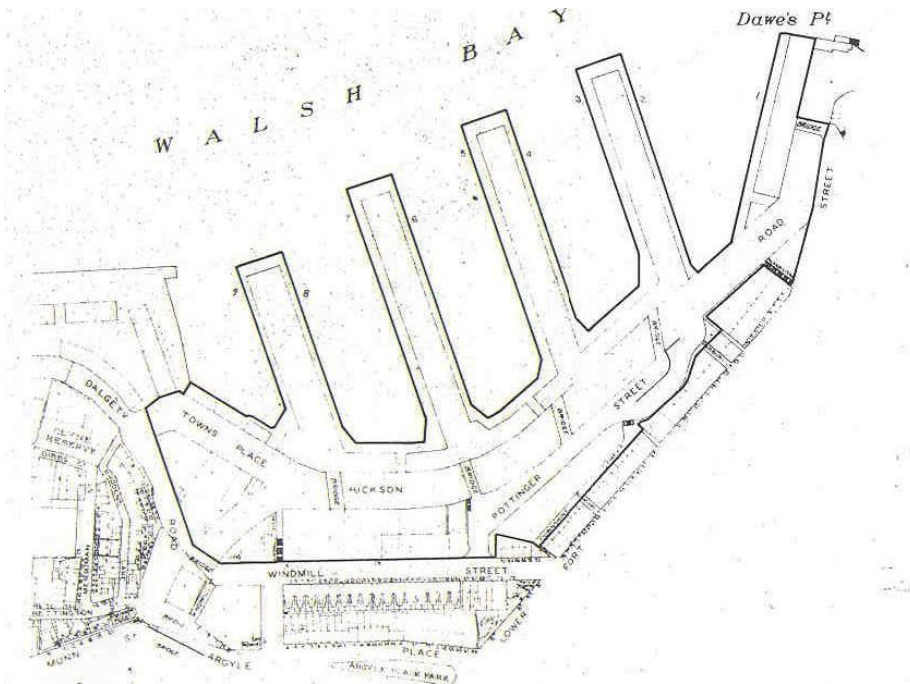


Figure 13 Extent of Walsh Bay Wharves Precinct.
Source: SHR database entry.

Statement of significance:

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

3.2 City of Sydney Local Environmental Plan Items**3.2.1 Agar Steps**

Figure 14 Agar Steps

Statement of significance

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

3.2.2 Bureau of Meteorology



Figure 15 Bureau of Meteorology. The archival image at left shows the Messenger's Cottage for Sydney Observatory in the foreground.

Source: State Library of NSW (archival image).

Statement of significance:

The Bureau of Meteorology Building is significant as one of the first purpose built building for Meteorology in NSW in 1922. The building is associated with the Bureau of Meteorology which is an Executive Agency of the Australian Government responsible for providing weather services to Australia and surrounding area which was established in 1906 under the Meteorology Act, and brought together the state meteorological services that existed before then. The buildings dominant location beside and above City of Sydney, made it an appropriate site for meteorological observations. The building is significant for its operation as a Weather Bureau for over 70 years from 1922 until 1992. The buildings' size, colour, massing and position render it a dominant physical element in its immediate setting. Designed by the Commonwealth Department of Works and Railways, it is part of a fine tradition of well designed Commonwealth buildings in a prominent location within the centre of a very significant historic precinct. The building is a rare example of a mid war Georgian revival style building purposefully designed for meteorological observations and reflects the economic constraints of the period in which it was built with only minor changes since construction.

3.2.3 Fort Phillip Signal Station



Figure 16 Fort Phillip Signal Station.

Statement of significance

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

3.2.4 Lane off Gas Lane



Figure 17 Lane off Gas Lane (Jenkins Street) looking to the south (left) and north (right) from Gas Lane.

Statement of significance:

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

3.2.5 Fort Street Primary School Site



Figure 18 Fort Street Primary School.

Statement of Significance:

Fort Street School is significant in providing evidence of educational use at Observatory Hill from the 1850s to the present day. The current school building is significant as a good

example of post war modernism in a complete building complex with only minor changes since construction. Designed by the Government Architect's Office, it is part of a fine tradition of well designed school buildings in contemporary styles located in a prominent location within the centre of a very significant historic precinct. The building is a rare example of a modernist school.

3.2.6 Messenger's Cottage for Fort Phillip



Figure 19 Messenger's Cottage, Fort Phillip.

Statement of significance

The Messenger's Cottage for Fort Phillip (c1869) is a single storey brick building constructed in the Victorian Regency style. It was built as an addition to the Signal Station on Observatory Hill as a result of the implementation of the electric telegraph, and is historically significant for the part it played in the Harbour communication network and by its association with prominent persons and organisations such as the Harbour Master's department and Maritime Services Board. The building is significant for its association with the Colonial Architects office and as a design of the prominent Australian architect James Barnet. It has aesthetic significance as a fine and largely intact example of a brick building decorated with a pattern of bitumen impregnated bricks, uncommon in Sydney. The building is significant as a rare example of its type in the city.

3.2.7 Messengers Cottage for Sydney Observatory



Figure 20 Messenger's Cottage, Sydney Observatory.
Source: SHR database entry.

Statement of significance

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

3.2.8 National Trust Centre



Figure 21 National Trust Centre.

Statement of Significance:

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

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

The major part of associated structures on the site are significant as fine examples of mid-nineteenth century buildings constructed in the Victorian Free Classical and Victorian Regency styles. The buildings have a prominent position and an important visual and contextual relationship with the former Military Hospital building. These buildings have significance as part of the largest national school to be established in the colony during the

mid 1850s. They have had a lengthy association with a variety of historically important persons and organisations and are significant as a design of the colony's first Schools Architect, Henry Robertson. The buildings have social significance for their association with the change from denominational to government schooling and for their association with community functions since their construction. The buildings have scientific significance for demonstrating the sequential development of an educational institution.

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

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

3.2.10 Tennis Court and Pavilion



Figure 22 Tennis Court and pavilion, Kent Street

Statement of significance

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

3.2.11 Terrace Group, Agars Steps Terrace



Figure 23 Agar Steps Terrace.

Statement of significance

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

3.2.12 Terrace Group, Carlson Terrace



Figure 24 Carlson Terrace.

Statement of significance

Carlson Terrace has significance as an example of the Italian Villa style of architecture in a terrace form, which contributes to an architecturally diverse and historically important residential streetscape of Kent Street. The terrace contributes to the historical and aesthetic development of late 19th century housing in Millers Point forming part of the Observatory Hill

Precinct, which has national significance as one of the earliest surviving residential neighbourhoods in Australia. The Terrace's relationship to the Agar steps demonstrates 19th century pedestrian networks and urban principles associated with the Millers Point precinct.

3.2.13 Terrace Group, 3-9 High Street



Figure 25 3-9 High Street.

Statement of significance

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

4 DESCRIPTION OF THE PROPOSAL

As stated in Section 1.2 the proposed development is the outcome of negotiations between Lend Lease and the NSW Government, including the Barangaroo Delivery Authority, to relocate the approved landmark hotel building, which was situated on a pier extending into Sydney Harbour, to a to the north western corner of Barangaroo South site.

Detailed planning applications have been prepared and approved for the three major towers on the Barangaroo South site, known as the International Towers, Sydney, as well as the first two residential buildings, located on the foreshore of the site. The proposed development that forms the subject of this report incorporates both the physical relocation of the hotel, and several consequent and related modifications to the previously approved proposal that are required to maintain an appropriate built form and public domain outcome for the Barangaroo South site.

The following has been extracted from the Design Statement in the Barangaroo South Master Plan associated with Modification 8:

The hotel's relocation has an impact on both the pattern and grain of the Barangaroo South precinct, and the distribution of public realm and open spaces. In order to be able to create an on-land site for the hotel without creating an overly dense centre to Barangaroo South, a number of additional modifications need to be made to the overall masterplan:

1. Residential Towers

Conceptually, the residential towers belong to the dense urban nature of Barangaroo South. By considering them collectively with the hotel, they are integrated in to the body of the masterplan. The hotel becomes the dominant landmark form, with building heights spiralling down towards Hickson Road. The spaces between each tower are given equal priority to potential vistas, ensuring adequate space around each building.

2. Hickson Park

The public open space which had previously faced the north of Globe Harbour has been redistributed to the north of the residential towers as the Hickson Park. The Hickson Park forms a seamless extension into Barangaroo Central and vice versa.

3. Globe Harbour

The scale of Globe Harbour has been reduced, giving it a more urban character, and making it appropriate in size to the activities clustered around it. The waterline has been reconfigured to respond to existing site features and constraints and ensured that the hotel is integrated into the built form of Barangaroo South. A stepped landscape brings activity to the water's edge whilst also maintaining necessary flood defence levels for building thresholds.

4. Community Centre

On the waterfront promenade the hotel has been removed but a pier retained in its place. At the threshold to Globe Square it is vital and public in nature, with a lower scale pavilion building which functions as a cultural and information centre. This building form defines and contains the southern edge of Globe Harbour.

Key features of the proposed development:

- The hotel has been relocated to the east of the approved location. The hotel that formed part of the Concept Plan (as modified) was located to the west of the Barangaroo site, within Darling Harbour.
- Three residential towers, which are taller but more slender than the towers proposed in the Concept Plan (as modified). The towers have been relocated south of their location in previous Concept Plans, allowing extensive open space bounded by Hickson Road and the boundary between Barangaroo Central and Barangaroo South.
- The public open space which had previously faced the north of Globe Harbour has been redistributed to the north of the residential towers as the Hickson Park.
- Globe Harbour has been reduced, giving it a more urban character, and making it appropriate in size to the activities clustered around it. The waterline has been reconfigured to respond to existing site features and constraints and ensured that the hotel is integrated into the built form of Barangaroo South. A stepped landscape brings activity to the water's edge whilst also maintaining necessary flood defence levels for building thresholds.
- Community Centre is a lower scale pavilion building which functions as a cultural and information centre.

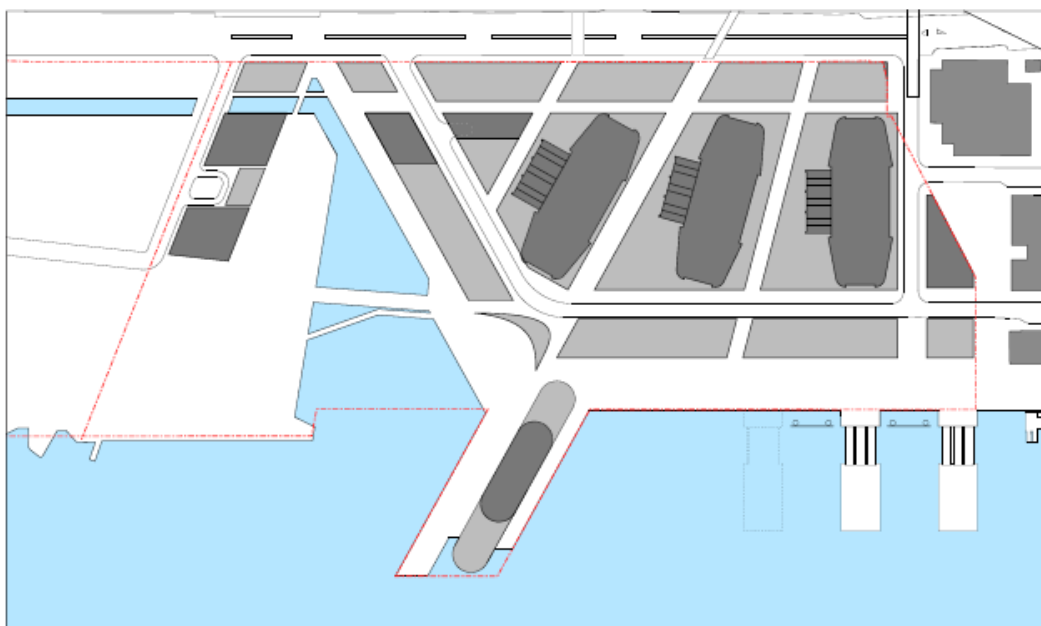


Figure 26 Built form principles included in Concept Plan (as modified).
Source: Roger Stirk Harbour + Partners Barangaroo South Masterplan.

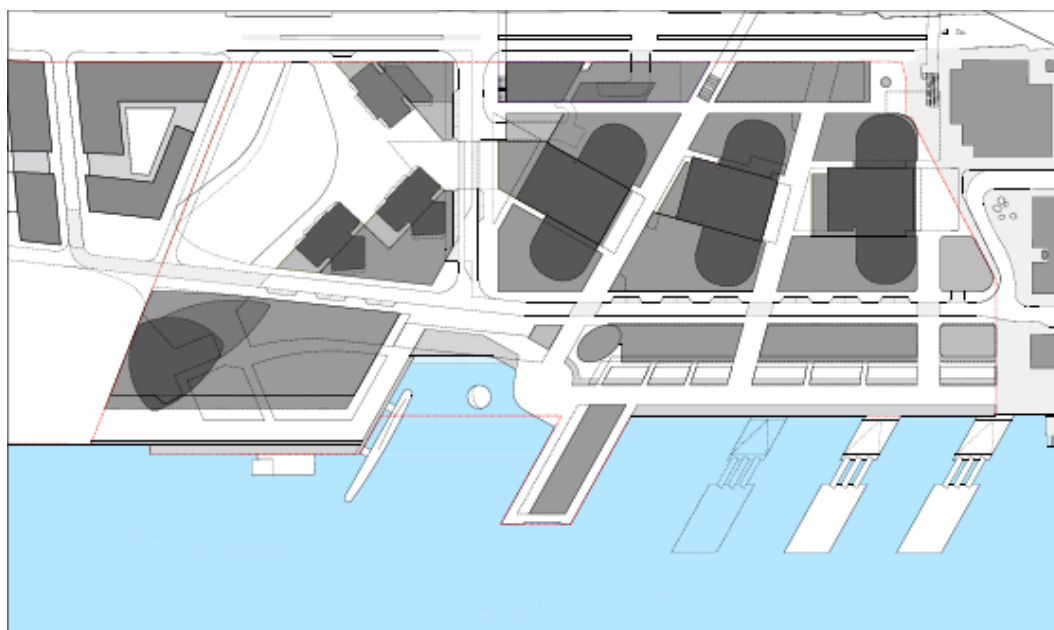


Figure 27 Built form principles included in Concept Plan Modification 8
Source: Roger Stirk Harbour + Partners Barangaroo South Masterplan.

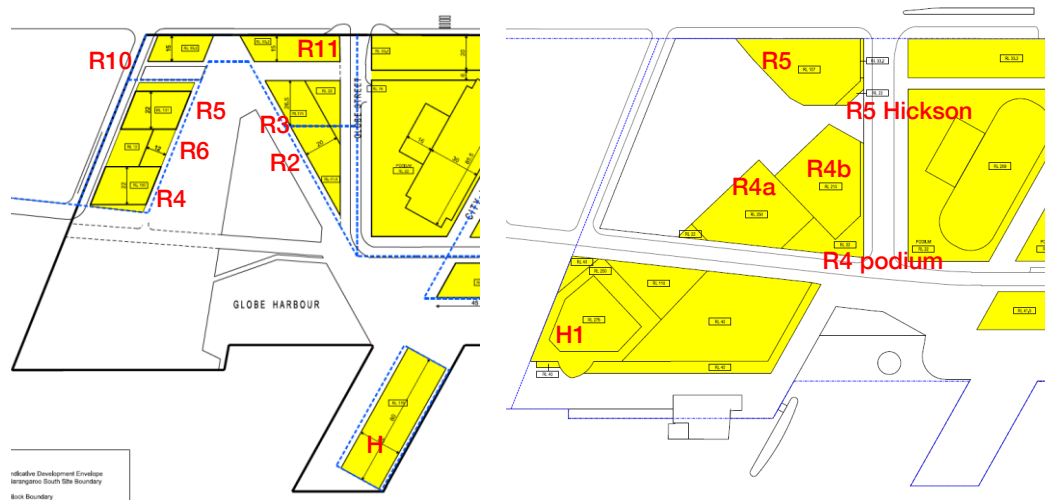


Figure 28 Concept Plan (as modified) and Modification 8 comparative heights.
Source: Rogers Stirk Harbour + Partners.

Height of building envelopes (as modified)		Height of revised building envelopes MOD 8	
R2	RL 41.5 metres	R4 Podium	RL 22.0 metres
R3 Tower	RL 175.0 metres	R4a Tower	RL 245 metres
R4 Tower	RL 160 metres	R4b Tower	RL 210 metres
R5 Tower	RL 131 metres	R5 Tower	RL 107 metres
R6	RL 12 metres	R5 Hickson	RL 33.2 metres
R10	RL 33.2 metres		
R11	RL 33.2 metres		
H	RL 170.0 metres	H1	RL 275.0 metres

5 ASSESSMENT OF HERITAGE IMPACT

5.1 Impacts on individual heritage items

The main heritage impacts of Concept Plan Modification 8 relate to the revised planning and proposed building form generated by the relocation of the hotel onto the site. The revisions to the Concept Plan that are likely to result in heritage impacts are:

- The relocation of buildings in Block 4 to the southern section of the Block and associated increases in height; and
- The revised location and increased height of the hotel.

The assessment of the heritage impacts of previous modifications is otherwise unchanged. Likely impacts on individual heritage items are summarised in the following sections of the report.

5.1.1 Grafton Bond Store and Sandstone wall

There will be little impact resulting from Concept Plan Modification 8 because of the location of revised building footprints and envelopes relative to the Bond Store's site. The Bond Store is close to approved International Towers development under construction in Barangaroo South to its west. There will be no impacts on views to the building within the public realm including those available from the north and north west along Hickson Road. The assessment of heritage impacts in previous Modifications is unchanged.



Figure 29 The southern end of the Grafton Bond Store, at the intersection of Kent Street and Napoleon Street. The lift cores of the northern-most of the International Towers can be seen on the opposite side of Kent Street.

5.1.2 Millers Point and Dawes Point Village Precinct;

Concept Plan Modification 8 will have little or no heritage impact within the Precinct because of the distances between the Precinct and Barangaroo South. Any potential impacts on the Precinct's visual context will be ameliorated by the topography and built form of Miller's Point. Significant buildings on Kent Street will be shielded by recent development along the western side of the street. The assessment of heritage impacts in previous Modifications is unchanged.

There will be impacts on the setting of the Precinct when parts of it are viewed from vantage points on the western side of Millers Point and in views towards Millers and Dawes Point from the north and northwest. These impacts are greater than in previous Modifications because of the size of the proposed buildings and the revised location of the hotel.

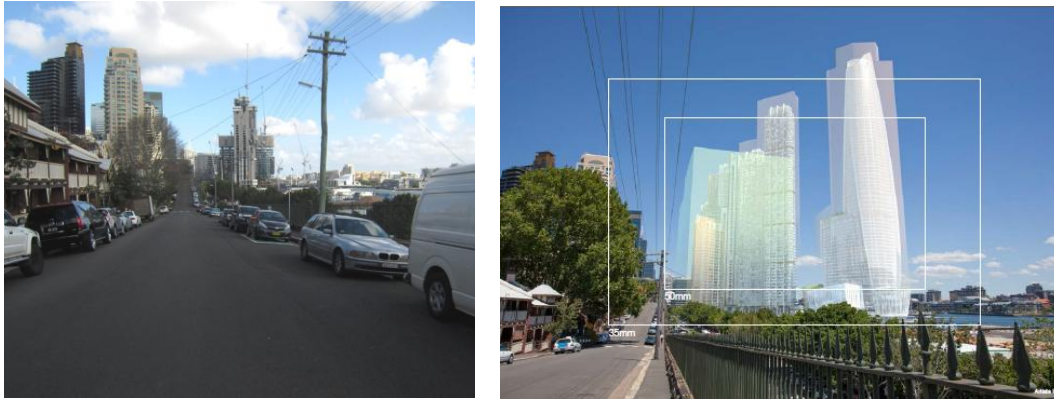


Figure 30 Looking south along High Street (left). The montage at right indicates the impact of the Concept Plan on this part of Millers Point.



Figure 31 The residential towers and the hotel will impact on the setting of some sections of the conservation area, such as the southern end of High Street. This part of Millers Point is already affected by existing residential apartment buildings in Kent Street (left). The same apartment buildings will prevent impacts on significant buildings on the eastern side of Kent Street.

5.1.3 Millers Point Conservation Area

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

5.1.4 MSB Stores Complex and MSB Stores Complex Building 1

Concept Plan Modification 8 will have some impact on the western setting of the MSB group, which will be ameliorated to some extent by open space to the east of the proposed hotel. Existing views to the buildings along Hickson Road will not be impacted; there is large scale development to the north, south and east of the Complex. The heritage impact is considered to be acceptable because of the density of recent development that already exists around the Complex. Impacts from the approved commercial buildings associated with the Part 1A development will not change.



- Legend**
- 1. Grafton Bond
 - 2. MSB Stores Complex
 - 3. Proposed apartment towers
 - 4. Proposed hotel



Figure 32 Location of Grafton Bond and MSB Stores relative to revised building locations in the Concept Plan Modification 8.
Source: Roger Stirk Harbour + Partners Barangaroo South Masterplan with TKD Architects overlay.



Figure 33 The setting of the MSB Stores Complex includes recently completed development along Hickson Road and Jenkins Street/Kent Street.



Figure 34 Open space resulting from the courtyard in front of the MSB group extends visually to Darling Harbour. This aspect of the setting of the items will be affected by the Concept Plan (left) as will views looking west from Gas Lane to the group (right). The appreciation of the group when viewed from Gas Lane will be obscured to some extent because the building will no longer be read clearly against the sky.

5.1.5 Sydney Observatory, Upper Fort Street, Millers Point.

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

The proposed apartment towers and the hotel described in the Concept Plan will have a greater impact on the setting of the Observatory than those described in previous Modifications. The Observatory's setting is already affected to some extent by existing development in the northern section of Central Sydney, but the relative proximity of the Observatory to Barangaroo South and the scale and height of the proposed buildings will impact on views to the Observatory from the north and north east. As well, the proposed development will impact on views from the Observatory to the south and south west. Existing mature trees on Observatory Hill in the vicinity of the Observatory partially obscure views in these directions at the present time. Other aspects of the Observatory's heritage significance will not be affected. Impacts from the approved commercial buildings associated with the Part 1A development will not change.

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



Figure 35 Mature trees with dense canopies surround the southern section of the Observatory. The photographs show the trees viewed from the southern side of the Observatory looking towards Barangaroo South (left), and viewed from the south western part of Observatory Hill.



Figure 36 View to the south east from the northern grounds of the Observatory. Buildings in Central Sydney form part of its setting (left); the view to the southeast from the north western corner of the Observatory looks across the southern section of Millers Point towards Ultimo and Pyrmont. The proposed apartment towers and hotel will impact on these views.



Figure 37 Looking toward Central Sydney from the northern side of the Observatory.

5.1.6 Walsh Bay Wharfs Precinct, Hickson Road Millers Point

Any impacts on the setting of the Walsh Bay Wharfs Precinct will be ameliorated by the location of the subject site relative to the Precinct and the character of topography and development between the two locations. Impacts from the approved commercial buildings associated with the Part 1A development will not change.

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

The Bureau of Meteorology and Fort Street School are in close proximity to each other. Large scale development in the northern section of Central Sydney forms part of the setting of these items. The Concept Plan will have little additional impact on them because of this and will not affect other aspects of their heritage significance.



Figure 38 Buildings in the northern section of Central Sydney are a prominent part of the setting of the Fort Street School and Bureau of Meteorology.

5.1.8 National Trust Centre

It is unlikely that Concept Plan Modification 8 will make a significant impact on the National Trust Centre. Its eastern southern and south western settings are already characterised by large office and apartment buildings in the northern section of Central Sydney.



Figure 39 Northern section of the National Trust centre looking to the east (left) and southwest from the pedestrian bridge across the Cahill Expressway loop (right).



Figure 40 The visual curtilage of the National Trust Centre is characterised by high-rise development in Central Sydney. The image at left is the view east from the main entrance to the Centre.

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

The northern component of the Concept Plan Modification 8 will be visible from the western side of the Park. There will be greater impact on the setting of the Park and other items than previous Modifications, tempered by mature trees in the Park and existing residential towers along Kent Street. The Concept Plan will not affect interpretation of the heritage significance of the Park and individual items. Their relationships remain unaffected. Impacts from the approved commercial buildings associated with the Part 1A development will not change.



Figure 41 Views to various items across Observatory Park include trees within the Park itself and the backdrop of tall buildings to the south.



Figure 42 View to the south west from Observatory Park. Existing development on Kent Street and trees are part of its setting. The montage below indicates how proposed development associated with Concept Plan Modification 8 will appear from the Park.



Figure 43 The topography of Observatory Park and trees contribute to the important character of the place and the setting of heritage items. These aspects of the place will assist in lessening impacts of the Concept Plan on views to the south and south west (left). Views and visual relationships looking to other parts of the Park, such as to the north west, will not be affected (right).

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

The apartment buildings and hotel described in Concept Plan Modification 8 will have a greater impact on these heritage items than previous Modifications. They will impact on their setting because of their proximity to the items, particularly when viewed from Kent and High Streets. However, existing residential buildings to the south already make some impact on these items' setting. Impacts from the approved commercial buildings associated with the Part 1A development will not change.

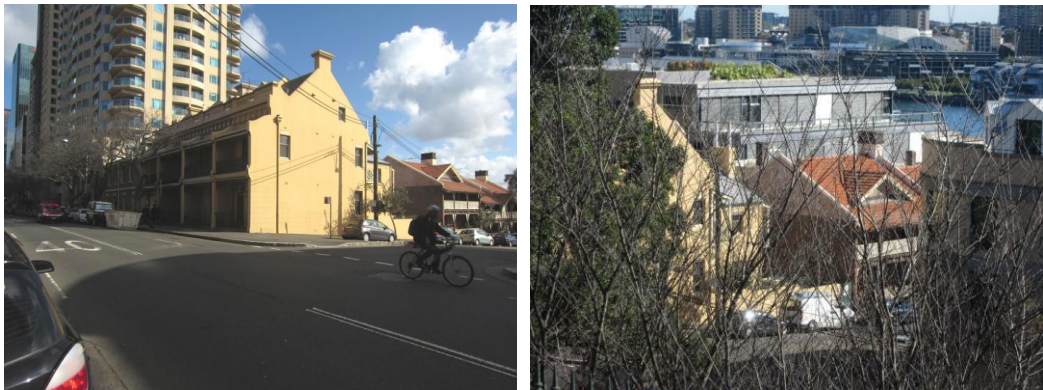


Figure 44 The apartment towers and hotel described in the Concept Plan will impact on the setting of 3-9 High Street and 115-125 Kent Street. There is already some impact on their setting from recent residential development to the south.

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

It is unlikely that the apartment towers and hotel described in Concept Plan Modification 8 will impact on the setting of these items because of their location relative to the development, the intervention of tall buildings on Kent Street and the mature trees in their vicinity. Impacts from the approved commercial buildings associated with the Part 1A development will not change.

5.2 NSW Heritage Branch Model Questions

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

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

New development adjacent to a heritage item

Whilst the proposed development is not immediately adjacent to some heritage items or the conservation area embracing Millers and Dawes Points, it does lie within their visual curtilage. The principal heritage impacts relate to views to and from these items. When compared to the approved Concept Plan (as modified) impacts will be greater because of the increased heights of several buildings and the revised planning layout described in Concept Plan Modification 8.

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

Response:

Impacts are lessened on most affected items, which include the Millers Point and Dawes Point Precinct, Sydney Observatory, and the Walsh Bay Precinct because Barangaroo South is located at some distance from them. The three apartment towers and the hotel, which are the subject of modified envelopes, revised locations and increased heights, will generate the most impact.

Harbour and city views are recognised as part of the heritage significance of the Sydney Observatory. There will be loss of views to the south west across Darling Harbour towards Ultimo. Other views from the Observatory will not be affected. Existing trees in Observatory Park will reduce the impact of the buildings to some extent and assist in minimising impacts on views to the Observatory from northerly vantage points. It should be noted that large scale development in Central Sydney already forms part of the setting of Observatory Hill and other heritage items in its vicinity such as the National Trust centre, Bureau of Meteorology and Fort Street School.

There will be some impact on views looking south across the western side of the Millers Point and Dawes Conservation Area towards Darling Harbour. The impact on these views will be ameliorated by the distance of development described in the Concept Plan from large parts of the Conservation Area.

Impacts from the approved commercial buildings associated with the Part 1A development will not change.

The Concept Plan should have relatively little impact on the Walsh Bay Precinct because of the location of the two sites relative to each other, intervening topography and existing development. There will be minor impact on distance views to Walsh Bay.

Impacts on other items are evaluated in the preceding section.

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

Response:

The Concept Plan is of a comprehensive redevelopment of a major precinct largely consisting of disused container wharves and associated structures on the eastern side of Darling Harbour. Heritage items associated with the overall site and its environs are an integral component of the locality.

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

Response:

The existing curtilage around heritage items and conservation areas is largely unaffected, allowing ongoing appreciation of heritage significance and interpretations of the place and individual items. The modifications described in the Concept Plan will impact on the setting of several items but will not affect their visual integrity and heritage significance will be unaffected.

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

Response:

There will be some impact on views to and from the heritage items and the Millers Point and Dawes Point Precinct. These have been addressed in other sections of the report.

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

Response:

Archaeological impacts are addressed in the Non-Indigenous Archaeological Assessment and Impact Statement prepared by Casey & Lowe.

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

Response:

Although there is a great difference between the scale of the development described in the Concept Plan and heritage items in its vicinity, its location to the south of Millers Point to some extent lessens potential impacts. The impact of development will be ameliorated by its distance from large parts of the Conservation Area. Impacts from the approved commercial buildings associated with the Part 1A development will not change.

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

Response:

Yes. Although there will be impacts on the settings of some items, this will not affect appreciation of their heritage significance.

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

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

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

5.4 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Clause 15 of the SREP contains heritage provisions, as follows:

15 Heritage conservation

The planning principles for heritage conservation are as follows:

- (a) Sydney Harbour and its islands and foreshores should be recognised and protected as places of exceptional heritage significance,
- (b) the heritage significance of particular heritage items in and around Sydney Harbour should be recognised and conserved,
- (c) an appreciation of the role of Sydney Harbour in the history of Aboriginal and European settlement should be encouraged,
- (d) the natural, scenic, environmental and cultural qualities of the Foreshores and Waterways Area should be protected,
- (e) significant fabric, settings, relics and views associated with the heritage significance of heritage items should be conserved,
- (f) archaeological sites and places of Aboriginal heritage significance should be conserved.

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

There are no additional impacts arising from the Concept Plan for principles 15(a), 15(b) and 15(c).

In reference to subclause 15(d), there will be some positive impact on the scenic qualities of the Foreshores and Waterways Area within Barangaroo, which is bounded at Barangaroo by the western sides of Hickson Road and Sussex Street. The Concept Plan includes development on what were formerly large open areas devoted to container and other shipping, which had no aesthetic merits and did not contribute to the environs of Darling Harbour.

In reference to subclause 15(e) Concept Plan Modification 8 will have impacts on settings and views associated with heritage items in the vicinity of the Foreshores and Waterways Area. Significant views were identified in Section 2.3 of the East Darling Harbour Concept Plan Heritage Impact Statement

(City Plan Heritage, 23 March 2007). The specific identified views that are affected are the panorama from Observatory Hill to the west and over the Barangaroo site and the view along Hickson Road from Munn Street. The Concept Plan will affect the visual context of the southern section of the Millers Point Conservation Area and heritage items near the northern boundary of the Barangaroo South site.

Archaeological impacts are assessed in the separate Casey & Lowe report.

5.5 Sydney Local Environmental Plan 2012

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

Provisions	Response
5.10(1) Objectives	
(a) to conserve the environmental heritage of the City of Sydney	<p>The proposed development described in Concept Plan Modification 8 will not result in any physical change to heritage items or conservation areas in its vicinity.</p> <p>The height of buildings on the northern part of Barangaroo South will impact on views to and from some heritage items and the Millers Point Conservation Area.</p>
(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views	The heritage significance of the Millers Point and Dawes Point Conservation Area is not affected by the proposal. There will be some impact on the setting of the Conservation, which is greater than previous Modifications..
(c) to conserve archaeological sites	Compliance with this objective is addressed in a separate report.
(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.	Compliance with this objective is addressed in a separate report.
5.10(2) Requirement for consent	
Development consent is required for any of the following:	
(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):	
(i) a heritage item,	This provision is not applicable.
(ii) an Aboriginal object,	This provision is addressed in the Aboriginal and Non-Aboriginal Archaeological Assessment by Casey & Lowe
(iii) a building, work, relic or tree within a heritage conservation area,	This provision is not applicable.

Provisions	Response
(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item	This provision is not applicable.
(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed	This provision is addressed in the Aboriginal and Non-Aboriginal Archaeological assessment by Casey & Lowe.
(d) disturbing or excavating an Aboriginal place of heritage significance	This provision is addressed in the Aboriginal and Non-Aboriginal Archaeological assessment by Casey & Lowe
(e) erecting a building on land: <ul style="list-style-type: none"> (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance 	<p>Impacts on built heritage items are addressed elsewhere in this report, as part of the formal application for development consent.</p> <p>Archaeological assessment is the subject of a separate report undertaken by Casey & Lowe.</p>
(f) subdividing land: <ul style="list-style-type: none"> (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance. 	This provision is not applicable. Subdivision is not proposed.
5.10 (3) When consent not required However, development consent under this clause is not required if:	These provisions are not applicable to the proposed Modifications.
(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development: <ul style="list-style-type: none"> (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and (ii) would not adversely affect the heritage significance of the heritage item, 	

Provisions	Response
<p>Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or</p> <p>(b) the development is in a cemetery or burial ground and the proposed development:</p> <p>(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and</p> <p>(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or</p> <p>(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or</p> <p>(d) the development is exempt development.</p> <p>5.10(4) Effect of proposed development on heritage significance</p> <p>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p> <p>5.10(5) Heritage assessment</p> <p>The consent authority may, before granting consent to any development:</p> <p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p> <p>(d)</p>	<p>This report has been undertaken to evaluate the effects of Concept Plan Modification 8 on listed heritage items within the development site and listed heritage items in the surrounding locality.</p> <p>Refer to the preceding response.</p>

Provisions	Response
<p>5.10(6) Heritage conservation management plans</p> <p>The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p>	<p>This provision is not considered applicable to Concept Plan Modification 8. Development in other parts of the Barangaroo South site has been the subject of previous applications.</p>
<p>5.10(7) Archaeological sites</p> <p>The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):</p> <ul style="list-style-type: none"> (a) notify the Heritage Council of its intention to grant consent, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent. 	<p>Archaeological assessment is the subject of a separate report undertaken by Casey & Lowe.</p>
<p>(8) Aboriginal places of heritage significance</p> <p>The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:</p> <ul style="list-style-type: none"> (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent 	<p>Archaeological assessment is the subject of a separate report undertaken by Casey & Lowe.</p>
<p>5.10(9) Demolition of nominated State heritage items</p> <p>The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:</p> <ul style="list-style-type: none"> (a) notify the Heritage Council about the application, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent. 	<p>Concept Plan Modification 8 does not require the demolition of nominated State heritage items.</p>

Provisions	Response
<p>5.10(10) Conservation incentives</p> <p>The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:</p> <ul style="list-style-type: none"> (c) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and (d) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and (e) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and (f) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and (g) the proposed development would not have any significant adverse effect on the amenity of the surrounding area. 	<p>These provisions are not applicable to Concept Plan Modification 8.</p>

5.6 Sydney Development Control Plan 2012

Clause 3.9 of the Sydney Development Control Plan contains heritage provisions. Concept Plan Modification 8 has been assessed against these provisions. The provisions do not directly apply to the site, although the development is in the vicinity of several heritage items and a conservation area included in Schedule 5 of Sydney Local Environmental Plan 2012.

Clause 3.9 Heritage - Provisions	Response
<p>Objectives</p> <ul style="list-style-type: none"> (a) Ensure that heritage significance is considered for heritage items, development within heritage conservation areas, and development affecting archaeological sites and places of Aboriginal heritage significance. 	<p>The heritage significance of items and conservation areas is largely unaffected by the development described in the Concept Plan.</p> <p>Impacts on items included in Sydney LEP 2012 will be the result of the residential towers and hotel buildings being visible behind a number of heritage items and in views to and from the Millers Point Conservation Area. These impacts will be offset to some extent because of the bulk,</p>

Clause 3.9 Heritage - Provisions	Response
<p>(b) Enhance the character and heritage significance of heritage items and heritage conservation areas and ensure that infill development is designed to respond positively to the heritage character of adjoining and nearby buildings and features of the public domain.</p>	<p>scale and height of recent development in their vicinity and the location of these buildings relative to the affected heritage items and the conservation area.</p> <p>Archaeological assessment is the subject of a separate report undertaken by Casey & Lowe.</p> <p>The proposal does not involve infill development.</p>
Provisions	
3.9.1 Heritage Impact Statements	
<p>(1) A Heritage Impact Statement is to be submitted as part of the Statement of Environmental Effects for development applications affecting:</p>	<p>This report has been undertaken to evaluate the effects of the proposed development on listed heritage items within the vicinity of the development site.</p>
<p>(a) heritage items identified in the Sydney LEP 2012; or</p> <p>(b) properties within a Heritage Conservation Area identified in Sydney LEP 2012.</p>	
<p>(2) The consent authority may not grant consent to a development application that proposes substantial demolition or major alterations to a building older than 50 years until it has considered a heritage impact statement, so as to enable it to fully consider the heritage significance of a building and the impact that the proposed development has on the building and its setting.</p>	<p>This provision is not applicable to the Concept Plan.</p>
<p>(3) A Heritage Impact Statement is to be prepared by a suitably qualified person, such as a heritage consultant.</p>	<p>Tanner Kibble Denton Architects is recognised for its heritage expertise and has won awards for heritage-related building projects.</p>
<p>(4) The Heritage Impact Statement is to address:</p> <p>(a) the heritage significance of the heritage item or the contribution which the building makes to the heritage significance of the heritage conservation area;</p> <p>(b) the options that were considered when arriving at a preferred development and the reasons for choosing the preferred option;</p>	<p>a) this provision is addressed elsewhere in the report.</p> <p>b) the proposed development is the outcome of detailed briefing and the specific requirements of the client. In terms of heritage items on the overall Barangaroo site, these have been addressed in the Aboriginal and Non-</p>

Clause 3.9 Heritage - Provisions	Response
	Aboriginal assessment by Casey & Lowe.
(c) the impact of the proposed development on the heritage significance of the heritage item, heritage items within the vicinity, or the heritage conservation area; and	c) this provision is addressed elsewhere in the report.
(d) the compatibility of the development with conservation policies contained within an applicable Heritage Conservation Management Plan or Conservation Management Strategy, or conservation policies within the Sydney Heritage Inventory Report.	d) this provision is not applicable.
(5) Where the site adjoins another local government area, the Heritage Impact Statement is to address the potential impact on adjoining or nearby heritage items or heritage conservation areas in the adjoining local government area.	This provision is not applicable to the proposed development.
(6) Where the development application proposes the full or substantial demolition of a heritage item, or a contributory building within a heritage conservation area, the Heritage Impact Statement is to:	This provision is not applicable to the development described in the Concept Plan Modification 8. The proposed development does not require demolition of a heritage item or contributory building.
(a) demonstrate why the building is not capable of retention or re-use;	
(b) include a statement from a quantity surveyor comparing the cost of demolition to the cost of retention if the demolition is recommended primarily on economic grounds;	
(c) include a report by a suitably qualified structural engineer if the demolition is proposed on the basis of poor structural condition; and	
(d) include a pest inspection report if the building is a weatherboard building.	
(7) When giving consent to the full or partial demolition of a heritage item, a building in a heritage conservation area, or a building older than 50 years, Council may require photographic recording of the building as a condition of consent.	This provision is not applicable.
3.9.3 Archaeological assessments	
(1) An archaeological assessment is to be prepared by a suitably qualified archaeologist in accordance with the guidelines prepared by the NSW Office and Environment and Heritage.	Archaeological assessment is the subject of a separate report undertaken by Casey & Lowe.

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3.9.5 Heritage items	
Development in the vicinity of a heritage item can have an impact upon the heritage significance of the item. The determination of the setting of a heritage item should consider the historical property boundaries, significant vegetation and landscaping, archaeological features, and significant views to and from the property.	The development described in the Concept Plan Modification 8 endeavours to meet the objective through the siting of buildings in the northern section of Barangaroo. Compared to Concept Plan Mod 4 the proposed apartment towers are located further to the south, away from the northern boundary of the Stage 1 area. However, their height has increased, thus affecting views to and from items and the Millers Point Conservation Area. The relocation of the hotel further to the east and the increase in its height will have a greater impact on views to and from a number of heritage items and the Conservation Area. Impacts will be greatest on the items closest to the development described in the Concept Plan. Refer to Section 5.1 for impacts on individual items.
Objective	
(a) Ensure that development in the vicinity of heritage items is designed and sited to protect the heritage significance of the item.	
Provisions	
(1) Development affecting a heritage item is to:	
(a) minimise the extent of change to significant fabric;	a) this provision is not applicable;
(b) use traditional techniques and materials unless contemporary techniques and materials will result in a better conservation outcome;	b) this provision is not applicable;
(c) enable the interpretation of each of the significant values of the item through the treatment of the item’s fabric, spaces and setting;	c) this provision is not applicable. The proposed development does not physically impact on heritage items and differs from items within its visual curtilage in terms of function, form and scale. The setting of a number of heritage items included in the Sydney LEP 2012 will be largely unaffected. There will be an impact on views to and from items located on Observatory Hill, although these will be ameliorated to some extent by the location of proposed buildings at Barangaroo and their location relative to Observatory Hill, and mature trees in Observatory Park.
(d) provide a use compatible with its significance;	d) this provision is not applicable;
(e) the provision of on-site interpretation, or a combination of each of these measures;	e) Interpretation has been addressed in previous development applications associated with Barangaroo;
(f) not reduce or obscure the heritage significance of the item; and	f) the heritage significance of items in the vicinity of the subject site will not be affected by the proposed works. There is no physical

Clause 3.9 Heritage - Provisions	Response
	change to them and their curtilages will be largely unaffected. Interpretation of the heritage significance of items and conservation areas will not be physically affected. The setting of a number of items and the southern section of the Millers Point Conservation Area will be affected because of the height and scale of proposed buildings in the northern section of Barangaroo South;
(g) be reversible where necessary so new work can be removed with minimal damage, or impact to significant building fabric.	g) this provision is not applicable.
(2) Development should enhance the heritage item by removing unsympathetic alterations and additions and reinstating missing details, building and landscape elements, where physical or documentary evidence is available.	This provision is not applicable.

6 CONCLUSIONS

The heritage impacts resulting from the development described in the Barangaroo Concept Plan Modification 8 are as follows:

- Concept Plan Modification 8 will have greater impact on some heritage items and sections of the Millers Point conservation area than those of development in the Concept Plan (as modified);
- There are no physical impacts on identified heritage items and conservation areas in the vicinity of the proposed development;
- A number of items and the conservation areas are already impacted by development in the northern section of Central Sydney. Impacts from the buildings in the northern section of Barangaroo South are greater than those from the Concept Plan (as modified) but ameliorated to some extent by existing tall buildings, particularly those in Kent Street;
- The impacts of the buildings in the northern section of Barangaroo South on a number of heritage items in its vicinity and the Millers Point Conservation Area are ameliorated by their distance from heritage items and conservation areas and the location of these buildings relative to them;
- The development in the northern section of Barangaroo Stage 1 as described in Concept Plan Modification 8 may impact views from the north to several heritage items and views to the south from these items. These items include the setting of Sydney Observatory, Observatory Park and items within it, and terraces at 3-9 High Street and 115-125 Kent Street. There may be limited impacts on Fort Street School, the Bureau of Meteorology and the National Trust Centre, although the setting of these items is already affected by existing large-scale development to their south and east.

Notwithstanding the impacts of Concept Plan Modification 8 on several items and sections of the Millers Point conservation area, the heritage impacts of the described development are generally considered acceptable.