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File: 12/04313
Your reference

Mr Alan Bright
Acting Director
Metropolitan and Regional Projects South
GPO 39
SYDNEY NSW 2001

ATTN: Mr Mark Brown

Dear Mr Bright,

Re: Exhibition of Environmental Assessment of a Concept Plan for a mixed use residential development at 71-79 Macquarie Street, Sydney (MP10_0237).

I refer to your letter dated 16 January 2012 received by the Heritage Branch on 30 January 2012 referring a Concept Plan for a mixed use residential development at 71-79 Macquarie Street, Sydney - Major Project 10_0237.

It is noted that the subject property is not listed on the State Heritage Register.

The preliminary heritage assessment of the structures under Macquarie Street by Godden Mackay Logan concludes that if remains of earlier sandstone warehouse were found under Macquarie Street they may have to be retained in situ due to their heritage significance. It is considered that before any approval is granted for this Concept Plan, the applicant should be asked to confirm that the proposed development would still be viable if these sandstone walls were required to be retained.

The subject development is in the vicinity of several State Heritage Register listed heritage items including the Sydney Opera House. Although, none of these items are physically impacted upon by the proposed development, the subject site is located within the Sydney Opera House Buffer Zone (SREP 2005). The proposed non-compliance with the height limit on this site has a potential to have a detrimental impact on the setting of the Sydney Opera House and is contrary to the objectives of the Buffer Zone for Sydney Opera House.

The proposed height is RL 67.23 including the plant room whereas the permissible height limit for that site is RL 46.7 – same as the Quay Grand Building to the north. The justification provided for this additional height is that a reduced height will make this development uneconomic. It is noted that the proposal includes additional footprint to the east of the existing building (with several floors above) and parking levels located below Macquarie Street. These additional benefits may be able to offset the loss of existing floors above the LEP height limit on that site.

This development is considered to be an opportunity to mitigate a long standing adverse visual impact on the setting of not only the Sydney Opera House but also the Circular Quay itself.

It is, therefore recommended that, if this Concept Plan is approved, the following conditions are imposed:



Heritage Council



of New South Wales

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1. The overall height of the proposed development be limited to the permissible height limit or the height of the adjoining Quay Grand whichever is greater;
2. A Heritage Impact Statement be submitted with detailed assessment of the visual impact of the proposed development on the setting of Sydney Opera House within its buffer zone;
3. The Applicant must undertake archaeological testing in the areas identified in the Concept Plan documentation as potentially containing archaeological remains. In the event that the testing reveals that remains of significant archaeology are located within the site, and those remains will be negatively impacted by the future works, adequate mitigation strategies, including the potential for in situ retention must be addressed and provided for comment to the Heritage Branch, Office of Environment and Heritage;
4. This approval is without prejudice to any limitations that might be placed on the subject development as a result of a requirement to retain any significant archaeological relics in situ.

If you have any query in this regard, please contact Rajeev Maini on (02) 98738592.

Yours sincerely

12/03/2012

Vincent Sicari

Manager, Conservation Team

Heritage Branch,

Office of Environment and Heritage

AS DELEGATE OF THE NSW HERITAGE COUNCIL

