

22 June 2020

At the conclusion of the Cultural and Community Committee



## Transport, Heritage and Planning Committee

**Agenda**

- 1. Disclosures of Interest**
- 2. Public Exhibition - Amendment to Community Participation Plan - Newspaper Advertisements**
- 3. Public Exhibition - Planning Proposal - Open and Creative Planning Reforms and Draft Sydney Development Control Plan - Open and Creative Planning Reforms**
- 4. Public Exhibition - Planning Proposal - 600-660 Elizabeth Street, Redfern - Sydney Local Environmental Plan 2012 Amendment and Draft Design Guide**
- 5. Post Exhibition - Planning Proposal – Heritage Listing - 46 Chisholm Street, Darlinghurst - Sydney Local Environmental Plan 2012**
- 6. Post Exhibition - Planning Proposal - Modern Movement Heritage Items - Sydney Local Environmental Plan 2012 Amendment**
- 7. Fire Safety Reports**

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In accordance with the *City of Sydney Code of Meeting Practice*, Committee meetings are audio visually recorded and webcast live on the City of Sydney website at [www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au).

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### Guidelines

To enable the Committee to hear a wide range of views and concerns within the limited time available, we encourage people interested in speaking at Committee to:

1. Register to speak by calling Secretariat on 9265 9310 or emailing [secretariat@cityofsydney.nsw.gov.au](mailto:secretariat@cityofsydney.nsw.gov.au) before 10.00am on the day of the meeting.
2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

Committee meetings can continue until very late, particularly when there is a long agenda and a large number of speakers. This impacts on speakers who have to wait until very late, as well as City staff and Councillors who are required to remain focused and alert until very late. At the start of each Committee meeting, the Committee Chair may reorder agenda items so that those items with speakers can be dealt with first.

Committee reports are available at [www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au) with printed copies available at Sydney Town Hall immediately prior to the meeting. City staff are also available prior to the meeting to assist.

## Item 1.

### Disclosures of Interest

Pursuant to the provisions of the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose pecuniary interests in any matter on the agenda for this meeting.

Councillors are also required to disclose any non-pecuniary interests in any matter on the agenda for this meeting.

This will include receipt of reportable political donations over the previous four years.

In both cases, the nature of the interest must be disclosed.

### Local Government and Planning Legislation Amendment (Political Donations) Act 2008

The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 ("the Act") requires the disclosure of relevant political donations or gifts when planning applications are made to minimise any perception of undue influence. The amendments to the Act require disclosure to the Electoral Funding Authority of:

- a **reportable political donation** as defined in the Election Funding and Disclosures Act 1981 (a donation of \$1000 or more made to or for the benefit of the party, elected member, group or candidate or made by a major political donor to or for the benefit of a party, elected member, group or candidate, or made to the major political donor), or
- a **gift** (as defined in the Election Funding and Disclosures Act 1981) to any local councillor or council employee (and includes a disposition of property or a gift of money or the provision of other valuable or service for no consideration or for inadequate consideration) when a relevant planning application is made to a council.

A donation of less than \$1000 can be a reportable political donation if the aggregated total of such donations was made by an entity or person to the same party, elected member, group or candidate or person.

## Item 2.

### Public Exhibition - Amendment to Community Participation Plan - Newspaper Advertisements

File No: X036682

#### Summary

The City of Sydney's Community Participation Plan came into force in November 2019, following approval of the draft plan by Council on 18 November 2019. The Community Participation Plan was prepared following an amendment to the Environmental Planning and Assessment Act 1979 (the Act) requiring all planning authorities, including the City of Sydney, to prepare and adopt a Community Participation Plan by December 2019.

The Community Participation Plan is a single document that sets out all the City's community participation requirements under planning legislation, including the minimum exhibition periods and notification requirements specified in the Environmental Planning and Assessment Regulation 2000 (the Regulations).

The Community Participation Plan only deals with planning matters under the Act, and applies to all planning proposals, contributions plans, draft development control plans, planning agreements and development applications.

On 17 April 2020, the NSW Government amended the Regulations, removing the requirement for councils to notify certain planning matters in newspapers. The Regulations now require these to be notified on a council's website, or the NSW Government's Planning Portal.

The changes to the Regulations also responded to the reduced circulation of many local newspapers, with an increasing number of local newspapers moving online with paywalls, or ceasing printing temporarily or permanently. While this has been especially evident during the Covid-19 pandemic, it has been a growing trend over the last few years.

It is proposed to update the Community Participation Plan in response to the changes to the Regulations and the reduced circulation of local newspapers. The proposed changes will remove the requirement to advertise planning matters in newspapers. The plan continues the opportunity for the community to meaningfully participate and contribute to the planning process through notification on the City's website and notices mailed to neighbours.

## **Recommendation**

It is resolved that:

- (A) Council note the changes to planning legislation by the NSW Government in March 2020;
- (B) Council approve the draft amendments to the Community Participation Plan, as shown at Attachment A to the subject report, for public exhibition for a period of at least 28 days; and
- (C) authority be delegated to the Chief Executive Officer to make minor changes to the draft amendments to the Community Participation Plan to correct any errors or omissions prior to exhibition.

## **Attachments**

**Attachment A.** Draft Amendments to the Community Participation Plan

## Background

1. The Environmental Planning and Assessment Act 1979 (the Act) and the Environmental Planning and Assessment Regulations 2000 (the Regulations) set out how the City must engage with the community on planning matters such as plan making, planning proposals, draft development control plans, voluntary planning agreements and development applications.
2. These legislative requirements require each council in NSW to prepare a Community Participation Plan, and to meet the minimum timeframes specified in the legislation relating to public exhibition periods, and the methods that must be used to notify the community of these proposals.

## The City's Current Community Participation Plan

3. The draft Community Participation Plan was exhibited for 28 days from 13 September to 11 October 2019.
4. The Plan was finalised in November 2019, following approval of the draft Community Participation Plan by the Council at its meeting of 18 November 2019.
5. The Community Participation Plan applies to the City of Sydney local government area and the carrying out of the Council's planning functions under the Act and Regulations.

## Recent changes to NSW Legislation and Newspaper Distributions

### Changes to NSW Legislation

6. At the time that the Community Participation Plan was made, the Regulations required the City to give notice in a local newspaper of the places, dates, and times for inspection for planning matters. The Plan also required notices to be placed in local newspapers for certain development applications received and determined.
7. On 17 April 2020, amendments to the Regulations were made by the NSW Government. The amendments require planning notices and documents covered by the Act and Regulations to be published on a council's website, where the council is the consent authority, instead of a local paper.
8. Where the consent authority is the Minister for Planning and Public Spaces, the Independent Planning Commissions or public authority, the relevant notices and documents will be published on the NSW Planning Portal.
9. Specifically, the amendments relate to the following notices and documents:
  - (a) Draft and approved development control plans, and amendment or repeal of development control plans
  - (b) Draft and approved contributions plans, and amendment or repeal of contributions plans
  - (c) Development applications and applications for modifications of development consents for designated development, State significant development, integrated development and threatened species development

- (d) Notice of the granting of a development consent
- (e) Environmental impact statements and related environmental assessment requirements
- (f) Draft and adopted development plans and the amendment of development plans (in relation to paper subdivision)

### **Changes to Distribution of Newspapers**

10. From the week commencing 13 April 2020, News Corp Australia announced it was suspending the print editions of their community newspaper networks in New South Wales (News Local), Victoria (Leader), Queensland (Quest) and South Australia (The Messenger). For the City this meant the suspension of the local publications that were used for some public notice and development application advertisements. These are the Inner West Courier, Wentworth Courier and Southern Courier.
11. No return date has been announced for the printed editions of these mastheads, including whether these will ever return to a print on paper format. An announcement in The Australian newspaper on Monday 18 May 2020 stated that the company is realigning itself as a “digital publisher of high-quality journalism”, suggesting the printed product at News Corp may be winding down.
12. There is evidence of local papers struggling for some time, for example with the closure of Central Sydney approximately one year ago. The three existing local papers across the City of Sydney local government area have not had audited readerships for many years due to dwindling readers and distribution points.
13. The Sydney Morning Herald is often used for notices and no publishing changes have been announced to date. The Sydney Morning Herald has a wide readership across the Sydney Metropolitan area and has been used to publish most notices given the availability of local papers in the council area. It retains a dedicated Local Government section on a Tuesday which has been used for the City's notices. Unlike local newspapers however it has a cover price, and a partial paywall, and therefore has limited reach.
14. The City has previously negotiated a favourable rate for planning notices for the Sydney Morning Herald, however these prices are still expensive given it is a metropolitan-wide paper. For example, in the 2018/19 financial year, the City's Planning Assessment unit spent \$701,734 on advertising development applications in newspapers.
15. Ceasing the requirement for notification in newspapers, in line with the recent amendments to the Regulations, will result in reduced costs associated with notifying applications for both applicants and the City, contributing to the City's long-term financial sustainability and our ongoing capacity to prioritise and deliver high quality services, facilities, infrastructure and innovative programs for the community.

### **Draft amendments to the Community Participation Plan**

16. The proposed changes to the Community Participation Plan will respond to the changes to the Regulations and availability of local newspapers by removing the requirement to notify planning matters in newspapers. No other changes are proposed.



17. The draft amendments to the Community Participation Plan are in Attachment A of this report. The City can still employ newspaper notification and advertising on occasion for particular matters if needed. These changes mean this will not be a requirement as is currently the case.
18. The proposed changes will address a shift towards digital processes and ensure alignment with the City's Community Engagement Strategy adopted in June 2019.
19. Online services to support community participation in planning matters include:
  - (a) The Sydney Your Say page which features all plans, policies and development applications on public exhibition.
  - (b) Options to subscribe to a weekly newsletter providing details on all development applications that are on exhibition and open for public comment.
  - (c) Options to subscribe to the City's RSS (Really Simple Syndication) feed for updates on Council and committee meetings, and development application and footway usage applications on public exhibition.

### **Comparison with other councils Community Participation Plans**

20. Neighbouring councils such as Randwick, Waverley, Woollahra and North Sydney identify local newspapers as a method of notification for certain development applications, planning proposals and other planning matters in their Community Participation Plans. Some of these plans allow for the notification to be altered at the discretion of a planning officer. Parramatta and Ryde Councils also use similar methods for their community engagement strategies.
21. Inner West Council has adopted communication consultation methods that don't include newspaper notifications. Instead, their notification requirements include publishing the details of planning matters on the Council's website.

## **Key Implications**

### **Strategic Alignment - Sustainable Sydney 2030**

22. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This proposed Community Participation plan is aligned with Direction 10 - Implementation through Effective Governance and Partnerships, as the plan:
  - (a) Ensures members of the community have the opportunity to participate in shaping their city:
  - (b) Ensures the community has the information, knowledge, skills and access to contribute to decision making; and
  - (c) Assists in maintaining the City's long-term financial sustainability and our ongoing capacity to prioritise and deliver high quality services, facilities, infrastructure and innovative programs for the community

**Social / Cultural / Community**

23. The proposed amendments to the Community Participation Plan address recent changes by the NSW Government regarding the public exhibition and notification requirements relating to planning matters, while also recognising the changes to local newspaper circulation. The proposed amendments to the Community Participation Plan will continue to provide effective and practical engagement opportunities.

**Economic**

24. The proposed amendments to the Community Participation Plan will reduce costs by reducing expenditure on newspaper notifications, especially in the metropolitan-wide Sydney Morning Herald.

**Budget Implications**

25. The proposed public exhibition and notification processes will simplify the current procedures for planning matters, ensuring notification is effective and efficient, requiring few staffing resources and budgeting for dedicated notifications in newspapers.

**Relevant Legislation**

26. Environmental Planning and Assessment Act 1979.
27. Environmental Planning and Assessment Regulation 2000.

**Critical Dates / Time Frames**

28. The Environmental Planning and Assessment Regulation 2000 was amended on 17 April 2020, and therefore the amendment to the Community Participation Plan should be amended to be consistent with the requirements of the Regulations.

**Public Consultation**

29. Should Council approve the proposal to amend the Community Participation Plan for exhibition and consultation, it is proposed to publicly exhibit the draft amendments to the Community Participation Plan for a period of 28 days with notification on the City of Sydney website and newspapers.
30. Following public exhibition and consultation, issues raised in submissions will be reported back to Council.

**GRAHAM JAHN AM**

Director City Planning, Development and Transport

Michelle Cramsie, Specialist Planner

# **Attachment A**

**Draft Amendments  
to the Community Participation Plan**



Sydney2030/Green/Global/Connected



# Community Participation Plan

Draft June 2020

*city of villages*



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# 1. Introduction

## Where this plan applies

The Community Participation Plan (the Plan) applies to the City of Sydney local government area and the carrying out of the Council's planning functions under the *Environmental Planning and Assessment Act 1979* (the Act).

## What is included

It describes mandatory requirements for the City of Sydney's (the City) public exhibition and notification processes for land use planning matters. These requirements ensure the community can participate in planning matters that affect them.

The Plan covers planning matters including policy and plan-making, planning agreements and public benefit offers, and development assessment.

## Exhibition requirements

There are mandatory statutory timeframes for the public exhibition of planning related documents, planning proposals, planning agreements and development applications. These are set out in the Act and the *Environmental Planning and Assessment Regulation 2000* (the Regulation).

Mandatory public exhibition timeframes for relevant planning matters and the associated notification processes are described in this Plan.

## How this plan will be used

This Plan sets out the opportunities for the community to participate in planning matters in a single document. It will guide the City's processes and procedures for planning functions that involve the community.

The Plan is consistent with the City's *Community Engagement Strategy 2019*, which details how and why the City carries out community consultation and engagement.

## Sign up to the City's e-newsletter

You can sign up to the City of Sydney's weekly e-newsletter which provides subscribers with a list of development applications that are currently on exhibition and open for public comment.

You can subscribe at [www.cityofsydney.nsw.gov.au/development/development-applications](http://www.cityofsydney.nsw.gov.au/development/development-applications).

## 2. Strategic planning

### Policy and plan-making

Strategic planning involves long-term policy and plan-making for urban planning matters. The City's strategic planning direction is informed by regional and district policies, plans and guidelines, as well as strategic objectives that are based on Council's community strategic plan, Sustainable Sydney 2030.

#### Local Strategic Planning Statement

The City's Planning Statement links the NSW Government's strategic plans and the City's community strategic plan, Sustainable Sydney 2030, and the planning controls that guide development in our city.

#### Community Participation Plan

The City's Community Participation Plan (this document) describes how and when Council engages with the community on land use planning matters.

### Contributions Plans

Contributions plans are prepared by councils to levy new development to fund additional or improved local, public infrastructure needed by the development and used by the whole community.

#### Local Environmental Plans (Planning Proposals)

Local Environmental Plans are the local planning laws prepared by councils but approved by the NSW Government. They set out what development can take place where, the maximum height and density of development, and what places need to be protected for their heritage value. They are amended by preparing a Planning Proposal.

#### Development Control Plans

Development Control Plans are guidelines prepared by councils that describe the preferred way to undertake development that is enabled by a Local Environmental Plan to get good planning and design outcomes and manage impacts.



## Exhibition requirements

### Mandatory timeframes

The Act sets minimum public exhibition periods for plans and planning proposals as provided in Table 1 below.

**Table 1 – Plan-making**

Draft Document	Mandatory timeframe
Local Strategic Planning Statement	28 days
Community Participation Plan	28 days
Local Environmental Plans and amendments (Planning Proposals)	28 days – unless a greater or lesser period is specified in gateway determination
Development Control Plans	28 days
Contribution Plans	28 days

### Exhibition and notification

The Regulation requires the City to undertake the following consultation regarding draft Development Control Plans and draft Contributions Plans:

- ~~give public notice in a local newspaper of the places, dates and times for inspection of the draft plan, and~~
- publicly exhibit a copy of the draft plan and a copy of any supporting documents on the dates and during the times set out in the notice.

Draft Local Strategic Planning Statements, draft Community Participation Plans and Planning Proposals are exhibited and notified in the same fashion.

The City exhibits all draft plans on its website. All written notices will:

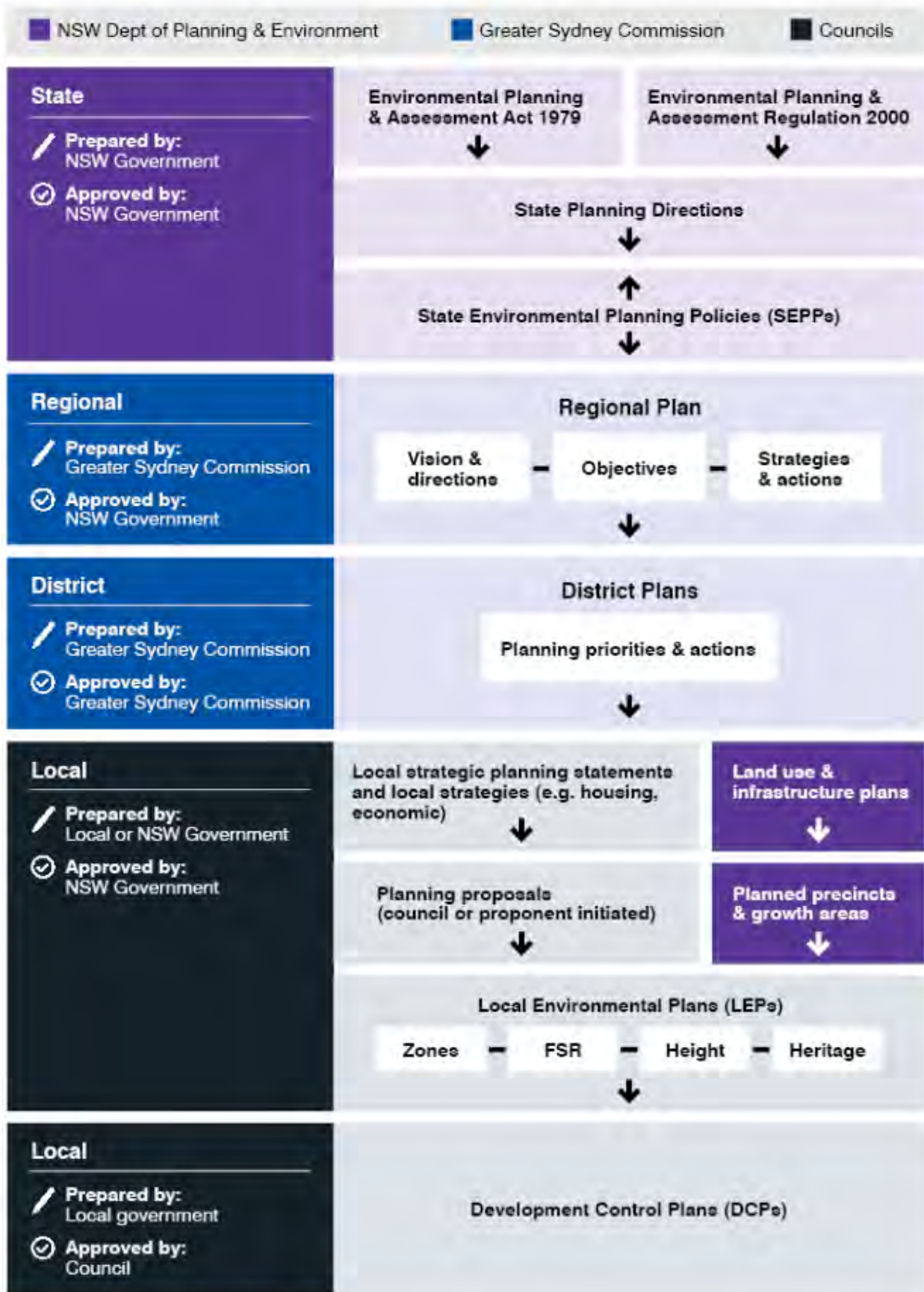
- give a brief description of the draft plan or its objectives and intended outcomes
- indicate the land affected by the draft plan
- state where and when the draft plan can be inspected
- provide contact details for the receipt of submissions
- indicate the last date for submissions, and
- in relation to Local Environmental Plan amendments, confirm whether delegation for making the plan has been issued to Council.

The City may also write to affected and adjoining land owners and occupants, depending on the nature, scale, potential environmental impact of the proposal and practicality of carrying out the notification. For example, the City may not issue written notifications where a city-wide administrative amendment has no material impact on the community.

The City generally adopts development assessment procedures in regards to making, considering and responding to draft plan submissions, including:

- Anyone may make a submission regardless of whether they received a notification letter.
- Anonymous submissions will not be considered.
- Submissions are not confidential and are open to public access under Freedom for Information laws.
- All submissions received within the notification period will be considered, addressed and summarised in reports to Council, and
- Submissions received will be acknowledged as soon as practicable.

Figure 1: NSW planning system & processes



# 3. Development assessment

## Development assessment

Development assessment, or 'statutory planning', involves the assessment of a proposal (development application) to use land or undertake building works against planning controls.

Development applications can be determined by Council staff under delegation, the Local Planning Panel, or the Central Sydney Planning Committee where the cost of works exceeds \$50 million. For more information on how development applications are considered and determined at the City please visit the City's website ([www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au)).

At the City of Sydney, the majority of development and footway applications are assessed against:

- the Sydney Local Environmental Plan 2012
- the Sydney Development Control Plan 2012
- relevant State Environmental Planning Policies
- other relevant legislation, such as the *Local Government Act 1993*, the *Roads Act 1993* and the *City of Sydney Act 1988*.

These instruments, policies and guidelines, as well as the types of applications Council receives and assesses are detailed below.

There are some limited circumstances where historical local environmental plans and development control plans may apply.

## Development applications

Development applications are required for development which is identified in an environmental planning instrument as development requiring consent, which is not identified that is not 'exempt' or 'complying' development. They can range from small scale proposals to renovate and extend a house, to new multi-storey commercial towers.

## Footway applications

Outdoor dining within the local government area requires approval to use public land. Footway applications are assessed against various pieces of legislation, including but not limited to the *Roads Act 1993* and *Outdoor Dining Guidelines*. Footway approvals set out how much of the public footpath outside a premises can be taken up by outdoor dining.

## Section 4.55 modification applications

Under Section 4.55 of the Act, development consents are able to be modified. Applications to modify a development consent are split into three categories, based on the extent of environmental impact:

- Section 4.55(1) – modifications involving minor error, misdescription or miscalculation;
- Section 4.55(1A) – modifications involving minimal environmental impact; and
- Section 4.55(2) – other modifications.

## Section 4.56 modification applications

Section 4.56 modification applications are applications made to Council to modify a consent granted by the Land and Environment Court.

**Division 8.2 application reviews**

An applicant for development consent may request Council review a determination or decision within 6 months of the determination.

**Environmental impact statements**

Under Part 5 of the Act, some types of development do not require consent. In these instances, the public authority proposing the development or issuing an approval under other legislation, needs to carry out self-assessment via an environmental impact statement. This statement is required to be notified. Development that doesn't require consent under Part 5 generally consists of projects undertaken by public authorities.

**Mandatory public exhibition timeframes**

The Act sets out mandatory timeframes for the notification of certain types of development applications as shown in Table 2.

Under the Act, Council can specify the types of development applications that require exhibition and notification, how long these applications are required to be publicly exhibited for, and how far notification should extend from the property proposed to be developed. Council's exhibition periods must comply with minimum mandatory timeframes in the Act.

**Table 2 – Development assessment**

Application type	Mandatory timeframe
Designated development	28 days <del>and advertising</del>
Integrated development	28 days <del>and advertising</del>
State significant development	28 days <del>and advertising</del>
Environmental impact statement	28 days

## Advertising and notification

### Objectives

- (a) Provide procedures for the notification ~~and advertisement~~ of development applications, applications to modify development consents and the review of development consents;
- (b) Provide an opportunity for public participation and comment in the development application;
- (c) Establish a communication process in relation to the assessment of development applications and related matters;
- (d) Increase public awareness of the development application process;
- (e) Specify circumstances when notification of development applications is not required;
- (f) Identify development applications that will be notified ~~or advertised~~ and who will be notified;
- (g) Ensure that there is consistency in the notification of similar applications; and
- (h) Facilitate the efficient processing of applications without compromising the opportunity for public participation

### Application of this plan

Table 3 below applies to all development applications and related procedures, other than for development categorised in the Act as either:

- Advertised Development;
- Designated Development;
- State Significant Development; or
- Integrated Development.

The Act and the *Environmental Planning and Assessment Regulation 2000* (Regulation) include separate procedures for public participation in the assessment of the above categories of development.

The Act and Regulation also include separate procedures for the public notification of any intended adoption or amendment of a Voluntary Planning Agreement.

This plan does not apply to permits for works to trees. Schedule 8 of the Sydney DCP 2012 establishes procedures for notification of neighbours when a tree is to be removed.

### Development applications

Except as provided below, the Council will adopt the procedures outlined in Table 3 to notify residents and relevant stakeholders that a development application has been lodged.

Where a development is not listed in Table 3, the Council will determine the most appropriate notification/~~advertising~~ procedure using Table 3 as a guide.

Development categorised in the Act as either:

- Advertised Development;
- Designated Development;
- State Significant Development; or
- Integrated Development,

Will be notified in accordance with the timeframes specified in Table 2 above.

Table 3 – DA exhibition periods

	No notification <del>or advertising</del>	Notified for 14 days	Notified & <del>advertised</del> for 21 days	Notified & <del>advertised</del> for 28 days
Accommodation for aged and disabled persons provided under the Seniors Living SEPP			X	
Boarding houses (new)			X	
Change of use				
from a dwelling to another use			X	
to a non-residential use in a residential zone			X	
convenience stores; sex industry premises; places of public entertainment; pubs; night clubs; bars; amusement arcades and the like			X	
of a whole multi-storey building			X	
Child care centres			X	
Commercial/retail and other non-residential buildings:				
new buildings & additions less than 3 storeys		X		
new buildings & additions 3 or more storeys			X	
Community centres / facilities			X	
Community events		X		
Development where value of work exceeds \$50 million				X
Educational establishments (e.g. schools, higher education institutions)			X	
Food and drink premises (e.g. cafés, restaurants):				
not in residential zones		X		
in residential zones			X	

	No notification <del>or advertising</del>	Notified for 14 days	Notified & <del>advertised</del> for 21 days	Notified & <del>advertised</del> for 28 days
Heritage:				
applications for award of Heritage Floor Space				X
minor external alterations or additions to a Heritage Item		X		
minor external alterations or additions to a building within a Heritage Conservation Area		X		
significant alterations or additions to a Heritage Item				X
Significant alterations or additions, or new buildings, or full demolition of a contributory building within a Heritage Conservation Area				X
Home industry		X		
Industrial development:				
less than 500sqm new floor area		X		
500sqm to 1000sqm new floor area			X	
over 1000sqm new floor area				X
Minor work, with minimal impact, to residential or ancillary structures		X		
Modifications to consent which will not impact upon surrounding land uses or increase impacts in comparison with the previous approval(s)	X			
Place of Public Worship			X	
Professional consulting rooms		X		
Outdoor café seating and/or coffee carts on footways				
Residential flat buildings:				
new buildings and additions less than 3 storeys		X		
new buildings and additions 3 or more storeys			X	

	No notification <del>or advertising</del>	Notified for 14 days	Notified & <del>advertising</del> for 21 days	Notified & <del>advertising</del> for 28 days
Significant development or use of the public domain				X
Signs over 10sqm in area		X		
Single dwellings, including ancillary structures, involving construction; demolition; additions and/or alterations		X		
Subdivision – creation of new lots			X	
Telecommunications facilities (non-low impact facilities)				X
Visitor and tourist accommodation (including bed & breakfast premises that are not complying development, backpacker accommodation, motels and hotels)			X	
Trading hours:				
after 10 pm or 24 hour trading			X	
extension of trial periods		X		

Modifications to consent which will not impact upon surrounding land uses or increase impacts in comparison with the previous approval(s) do not require exhibition.

Council has the discretion to alter the procedure in Table 3 for a particular application if the nature of the development, its location or the history of site development warrants a different form of consultation.

In such circumstances the notification/~~advertising~~ period may be increased up to 40 days.

Should the timing of the application fall over the traditional holiday period of Christmas and New Years Day, the period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition.

If a notification/~~advertising~~ period finishes on a weekend or a public holiday, it will be extended to the next business day.



**Amendment of an application prior to determination (under Clause 55 of the Regulation)**

If an application is amended prior to determination, it will be re-notified ~~(and re-advertised, if it is designated, integrated or State significant development)~~, only if the amendments are considered to result in significant additional environmental impacts.

**Applications to modify an existing consent (under Section 4.55 of the Act)**

Section 4.55 applications will not be notified/~~advertised~~ if the original development application was not notified/advertised.

Section 4.55 applications will be notified/~~advertised~~ as follows:

**Applications for a review of a determination of an application**

Applications made under Division 8.2 of the Act to review the determination of a development application or Section 4.55 application will be notified ~~or advertised~~ in the same manner as the original application. Anyone who made a submission to the original application will be notified.

**Table 4 – Modification applications**

Type of modification or review application	Notification
Section 4.55(1) application (i.e. correction of minor error)	No <del>advertising or</del> notification
Section 4.55(1A) application (i.e. involving minimal environmental impacts)	No <del>advertising or</del> notification
Section 4.56 application (i.e. in relation to consents granted by the Land and Environment Court)	Notified <del>and/or advertised</del> in the same manner as the original DA, unless the amendment is minor. Anyone who made a submission to the original application will be notified or reasonable attempts will be made by sending written notice to the last address known to the City of the submitter
Section 4.55(2) application (i.e. other modifications)	<ul style="list-style-type: none"> <li>i. Notified <del>or advertised</del> for 14 days; and</li> <li>ii. Notified to anyone who made submissions to the original application or reasonable attempts will be made by sending written notice to the last address known to the City of the submitter</li> </ul>

### Deficient applications

The Council may not notify ~~or advertise~~ a development application which is considered incomplete or inadequate.

### How is an application notified?

In addition to placing applications on its website, the Council notifies an application **by sending a letter to surrounding property owners and occupiers.** ~~in two ways:~~

**Notification** ~~Sending a letter to surrounding property owners and occupiers~~

**Notification and advertising** ~~In addition to the above notification, a notice is placed in a daily metropolitan newspaper and a relevant local newspaper.~~

### Public notification

- (1) Where a surrounding property is in single ownership, including properties owned by a single company, the letter will be addressed to that owner.
- (2) Where a surrounding property has multiple owners but is not under strata or community title (i.e. more than one individual owner or more than one company owner), letters will be addressed to all owners.
- (3) Where a surrounding property is in strata or community title, letters will be addressed to the Owners Corporation and to individual owners of strata units.
- (4) The notification letters will specify (as applicable):
  - a. the general nature and purpose of the development proposal;
  - b. the address of the proposed development;
  - c. the name of the applicant;
  - d. the application reference number;
  - e. where and when the development application can be inspected;
  - f. the invitation to make a written submission;
  - g. the period during which submissions can be made;
  - h. Council's contact details including address, telephone and e-mail;
  - i. a statement outlining the privacy rights of any person making a submission to Council;
  - j. a statement outlining the requirement for a submitter to a development application to make a public disclosure of any donation to a Councillor and/ or gift to a Councillor or Council employee in the previous two (2) years.  
 Failure to disclose relevant information is an offence under the *Environmental Planning and Assessment Act 1979*. It is also an offence to make a false disclosure statement. Further information, including a "*Political Donation and Gifts Disclosure Statement*" form and a glossary of terms, is available online or in person at any of Council's office locations; and
  - k. the date of the notification letter.
- (5) The notification period commences one day after the date of the notification letter.
- (6) The notification area, as shown in Figures 2 to 13, is measured from the boundary of the site that is subject to the application and comprises all properties within a radius of:
  - a. 25m for development notified for 14 days;
  - b. 50m for development notified for 21 days; and
  - c. 75m for development notified for 28 days.

- (7) The notification area may be increased (but not reduced) based on the nature and the likely impact of the development proposal.
- (8) Properties in adjoining local government areas within the minimum radius detailed above will be notified in accordance with these provisions if the adjoining local government authority provides the City of Sydney with the relevant property details within 48 hours of making a request.
- (9) The site notice will be placed on the main frontage(s) (not service lanes, except where significant development is proposed on that service lane) of the site(s) in a position where it will be able to be read from a public place.
- (10) The notice will specify:
- the general nature and purpose of the development proposal;
  - the address of the proposed development;
  - the name of the applicant;
  - the application reference number;
  - where and when the development application can be inspected;
  - the invitation to make a written submission;
  - the period during which submissions can be made;
  - Council's contact details including address, telephone and e-mail;
  - a statement outlining the privacy rights of any person making a submission to Council; and
  - a statement outlining the requirement for a submitter to a development application to make a public disclosure of any donation to a Councillor and/ or gift to a Councillor or Council employee in the previous two (2) years.
- Failure to disclose relevant information is an offence under the *Environmental Planning and Assessment Act 1979*. It is also an offence to make a false disclosure statement. Further information, including a "Political Donation and Gifts Disclosure Statement" form and a glossary of terms, is available online or in person at any of Council's office locations.

### **Advertising**

- (1) ~~For development advertised for 28 days, one notice is to be placed in a daily metropolitan newspaper (e.g. the Sydney Morning Herald) and one in a relevant local newspaper (e.g. the Inner West Courier).~~
- (2) ~~For development advertised for 21 days, one notice is to be placed in a relevant local newspaper (e.g. the Inner West Courier).~~
- (3) ~~The notice will specify:~~
- ~~the general nature and purpose of the development proposal;~~
  - ~~the address of the proposed development;~~
  - ~~the name of the applicant;~~
  - ~~the application reference number;~~
  - ~~where and when the development application can be inspected;~~
  - ~~the invitation to make a written submission;~~
  - ~~the period during which submissions can be made;~~
  - ~~Council's contact details including address, telephone and e-mail;~~
  - ~~a statement outlining the privacy rights of any person making a submission to Council;~~
  - ~~a statement outlining the requirement for a submitter to a development application to make a public disclosure of any donation to a Councillor and/ or gift to a Councillor or Council employee in the previous two (2) years.~~
- ~~Failure to disclose relevant information is an offence under the *Environmental Planning and Assessment Act 1979*. It is also an offence to make a false disclosure statement. Further information, including a "Political Donation and Gifts Disclosure Statement" form and a glossary of terms, is available online or in person at any of Council's office locations.~~

### **Making a submission**

Anyone may make a submission, regardless of whether they received a notification letter.

Submissions should be made in writing, should include the development address or application number and should be delivered to the Council either personally, by post, facsimile or electronic mail.

Submissions must include contact details including a return address (postal or email address). This will allow acknowledgement letters to be sent.

Anonymous submissions will not be considered.

### **Administration of submissions**

- (1) Submissions received will be acknowledged as soon as practicable.
- (2) Anonymous or illegible submissions will not be acknowledged.
- (3) Where the submission comprises a petition, the acknowledgement and all future contact will be sent to the head petitioner or, where not nominated, the first petitioner supplying contact details.
- (4) Acknowledgement letters will include advice that if the person making the submission wishes to be notified of the Local Planning Panel or Central Sydney Planning Committee meeting where the development application is to be considered, they must provide day-time contact details.
- (5) Best endeavour will be made to contact people prior to the applicable meeting of the Council or the Central City Planning Committee. However the onus remains on the person to seek information about meeting dates from the officer dealing with the application or the City website.
- (6) Following determination of an application, anyone who made a submission will be notified in writing of the decision.
- (7) Submissions are not confidential and are open to public access via Council's Freedom of Information Officer.
- (8) If a person making a submission does not wish to have the content of the submission or their identity revealed, the submission should include a clear request to that effect and reasons given. Issues raised within the submission may still be made available on a paraphrased or summarised basis.

### **Consideration of submissions**

All submissions received within the notification period will be considered in the assessment of the application and summarised in the assessment report.

Figure 2 – Development notified for 14 days to properties within Central Sydney

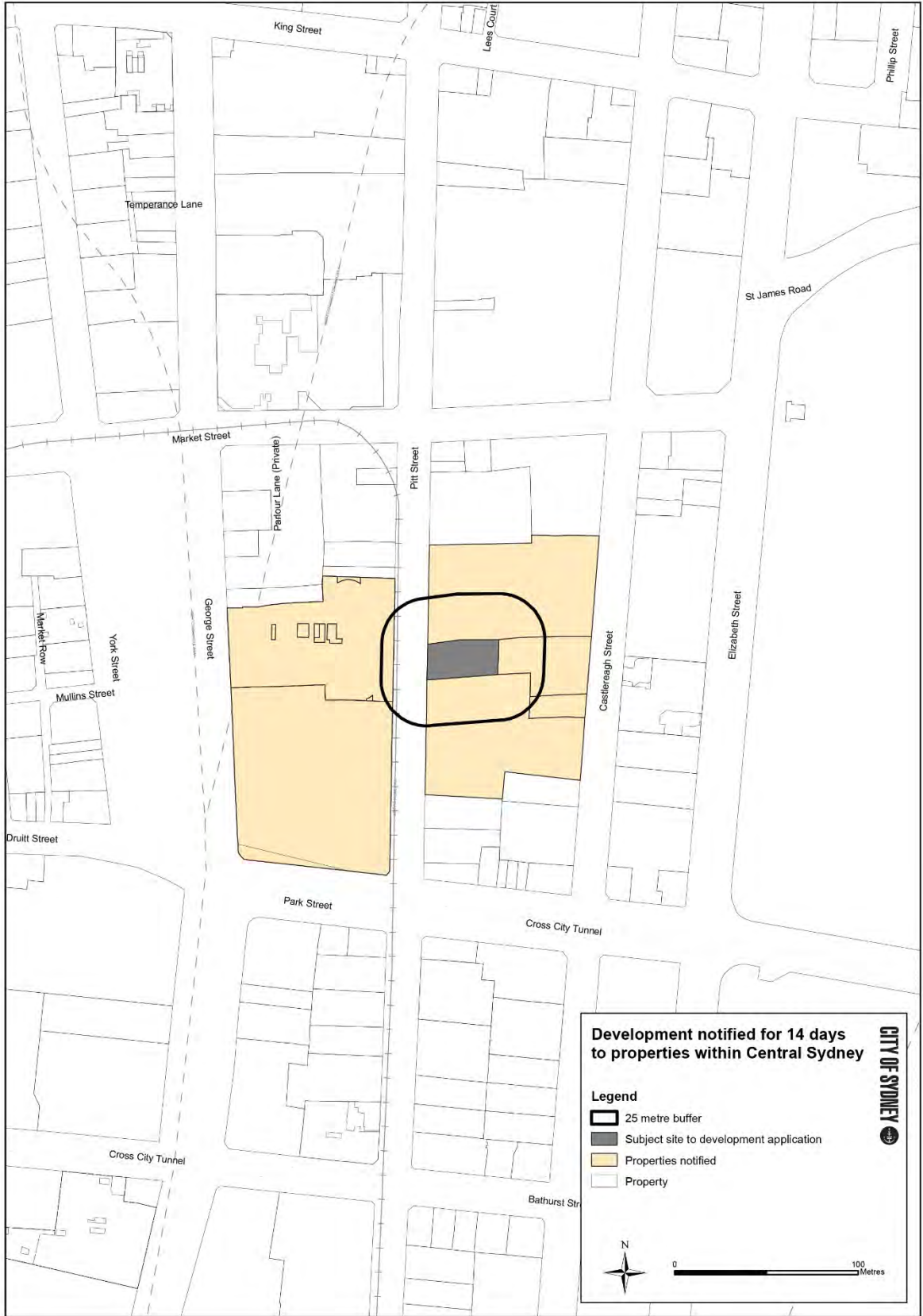


Figure 3 – Development notified for 14 days to properties within Inner City of Sydney

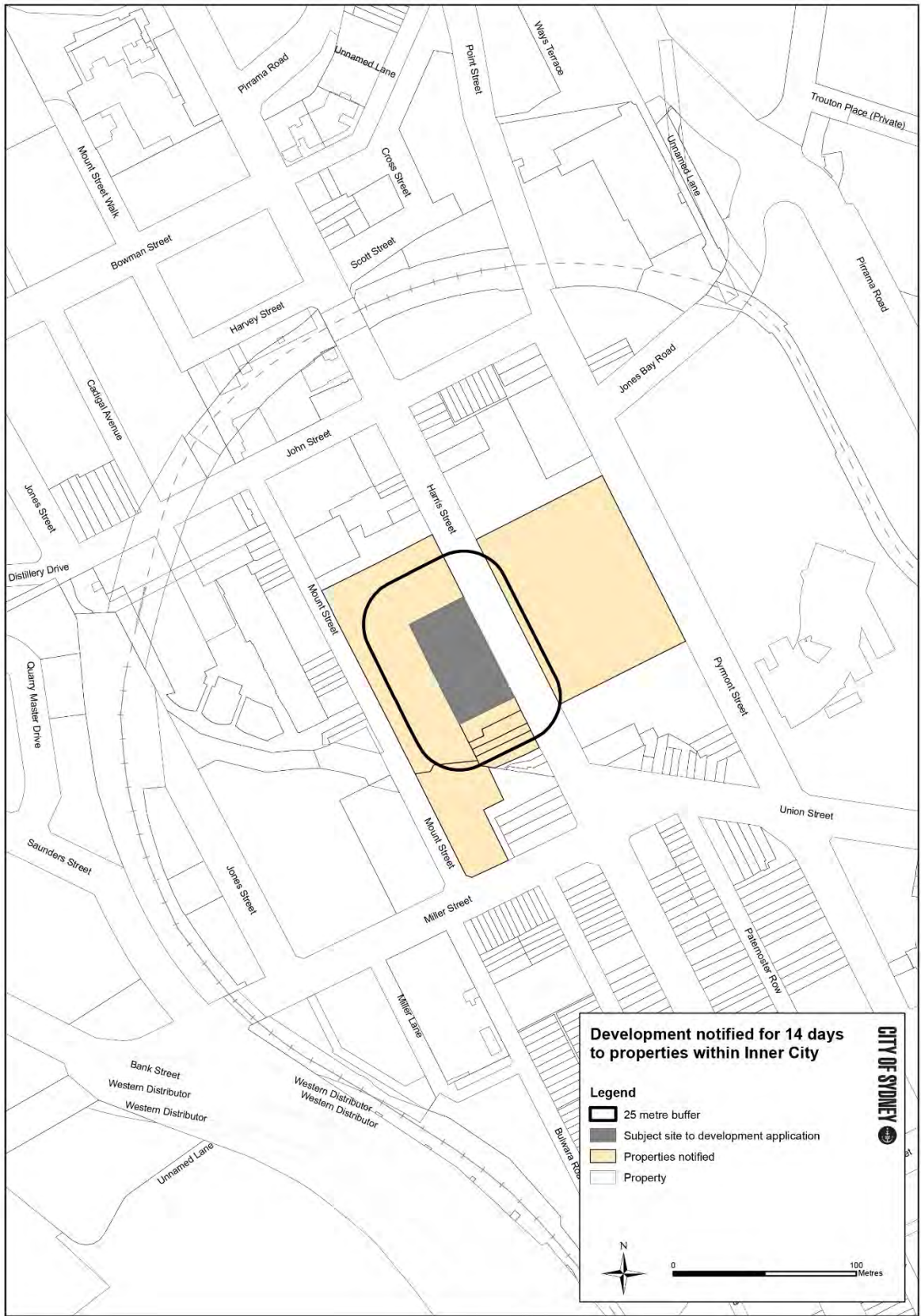


Figure 4 – Development notified for 14 days to properties within Terrace Area

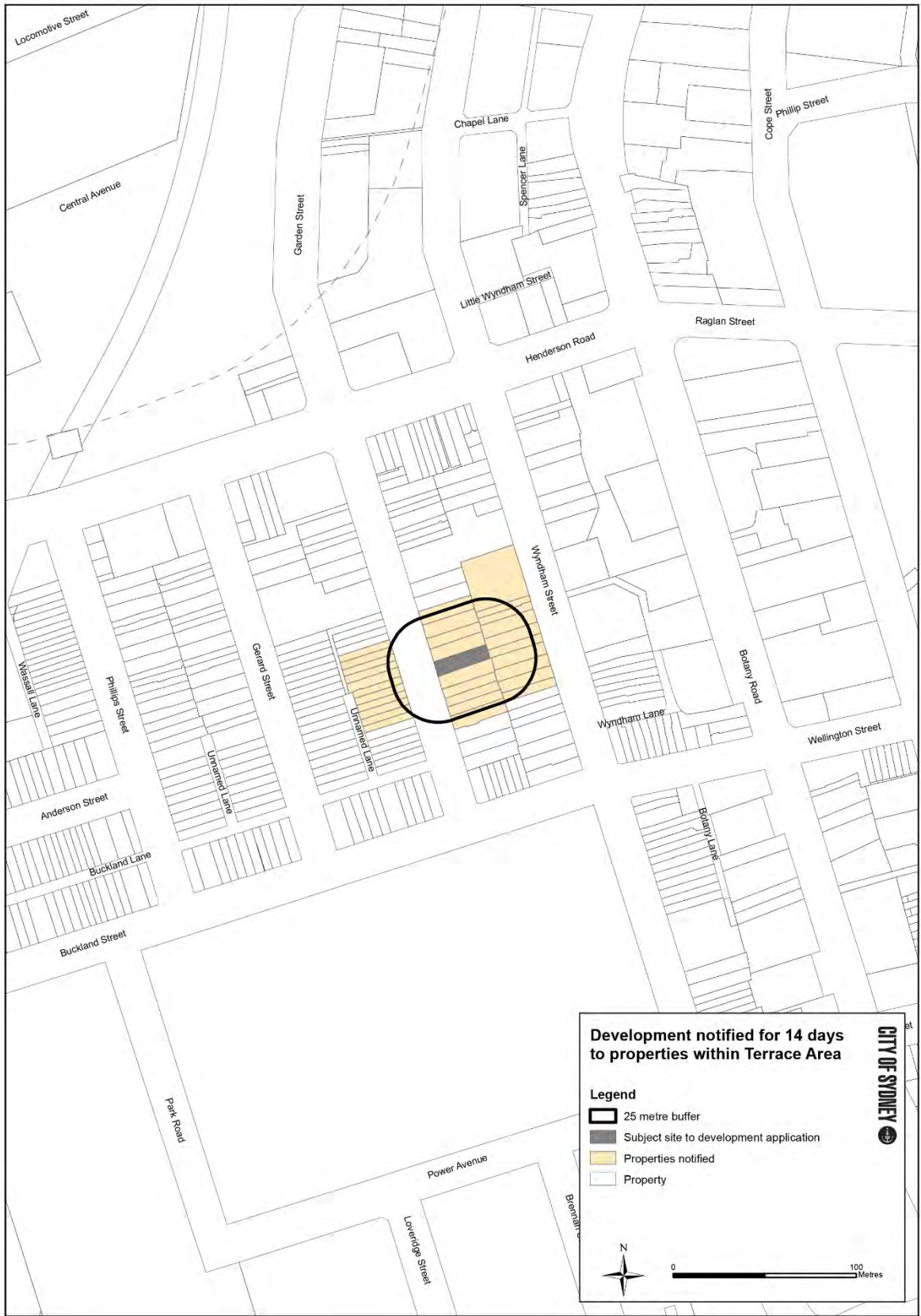


Figure 5 – Development notified for 14 days to properties within Industrial Area

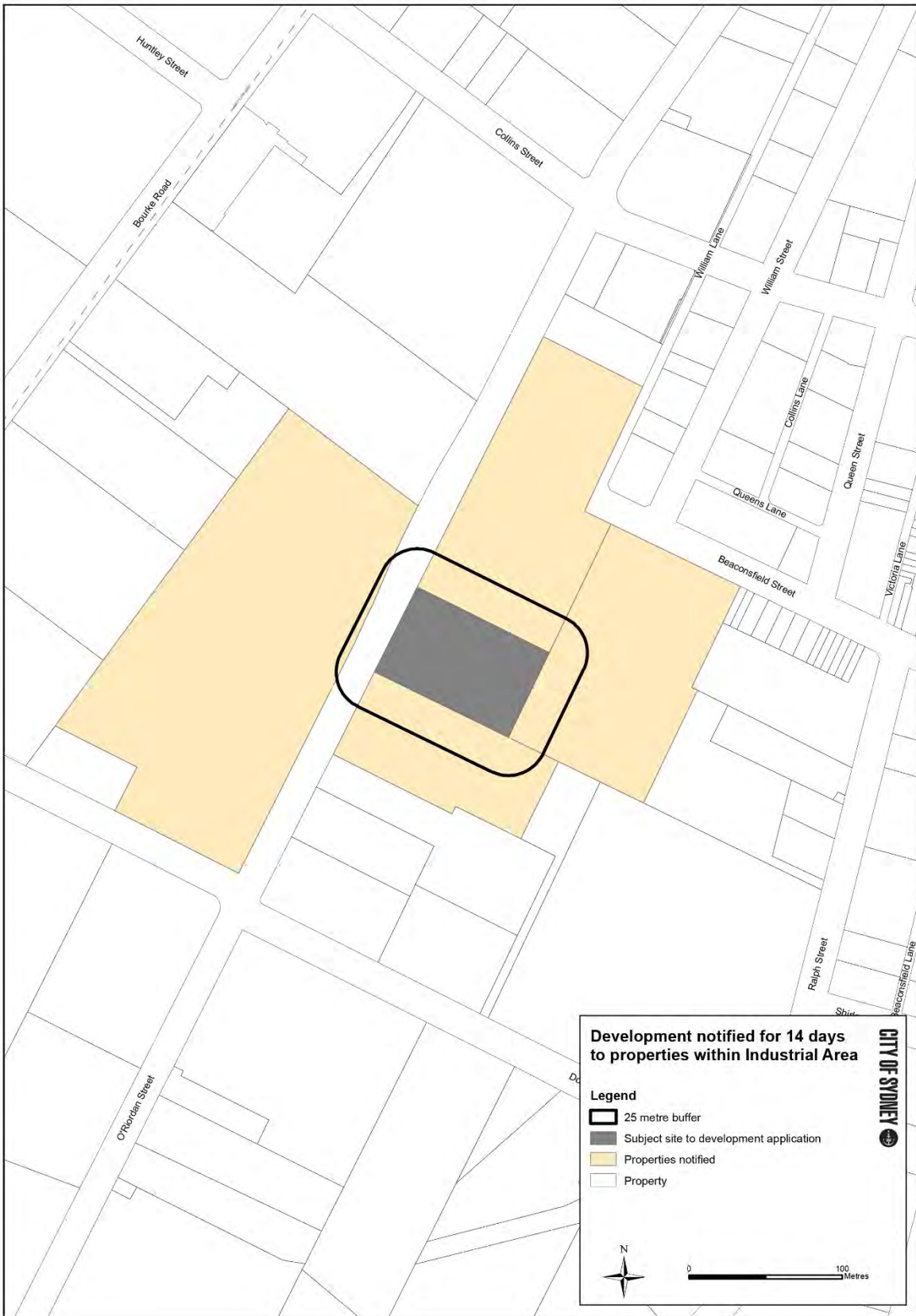




Figure 6 – Development notified for 21 days to properties within Central Sydney

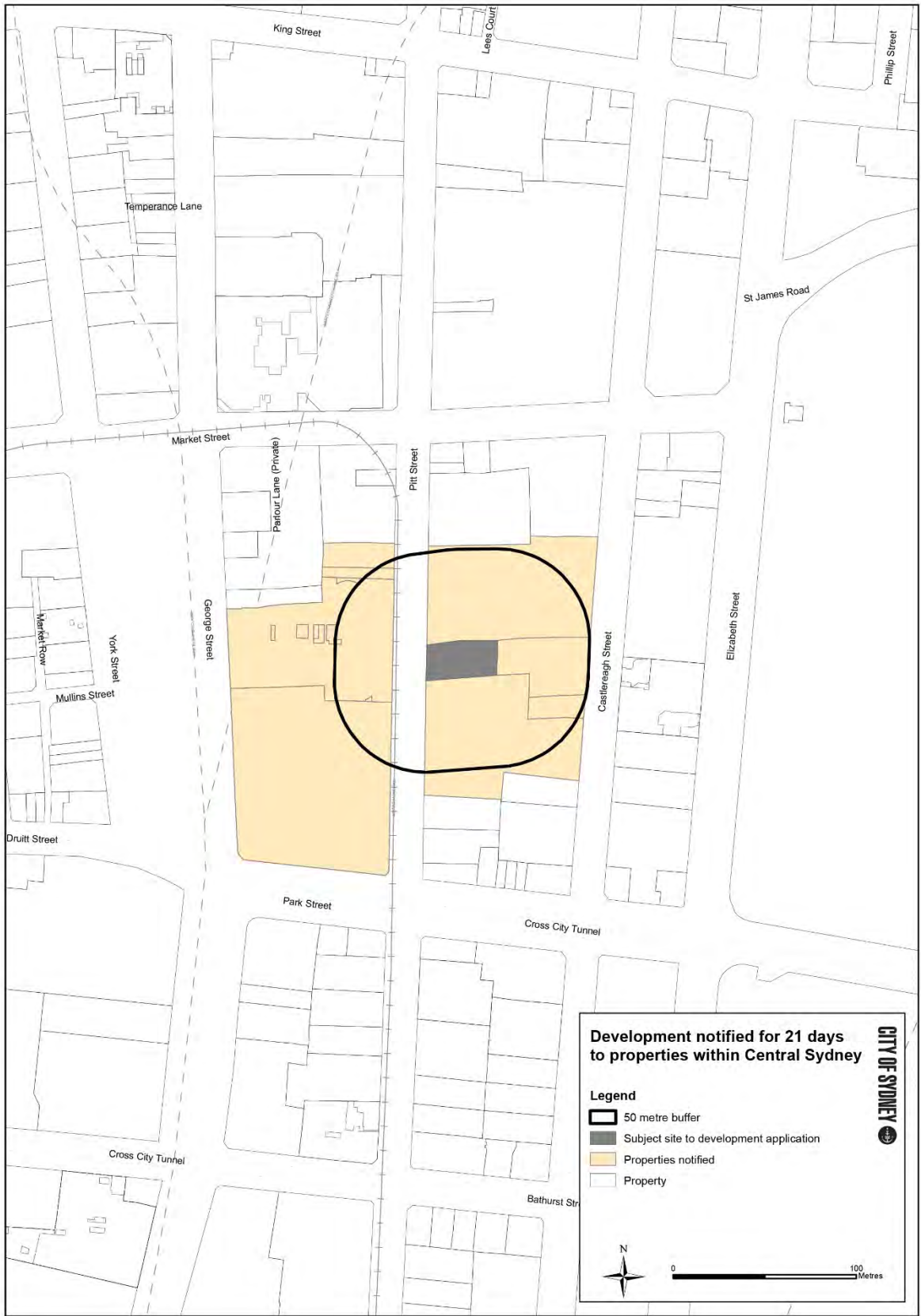


Figure 7 – Development notified for 21 days to properties within Inner City of Sydney

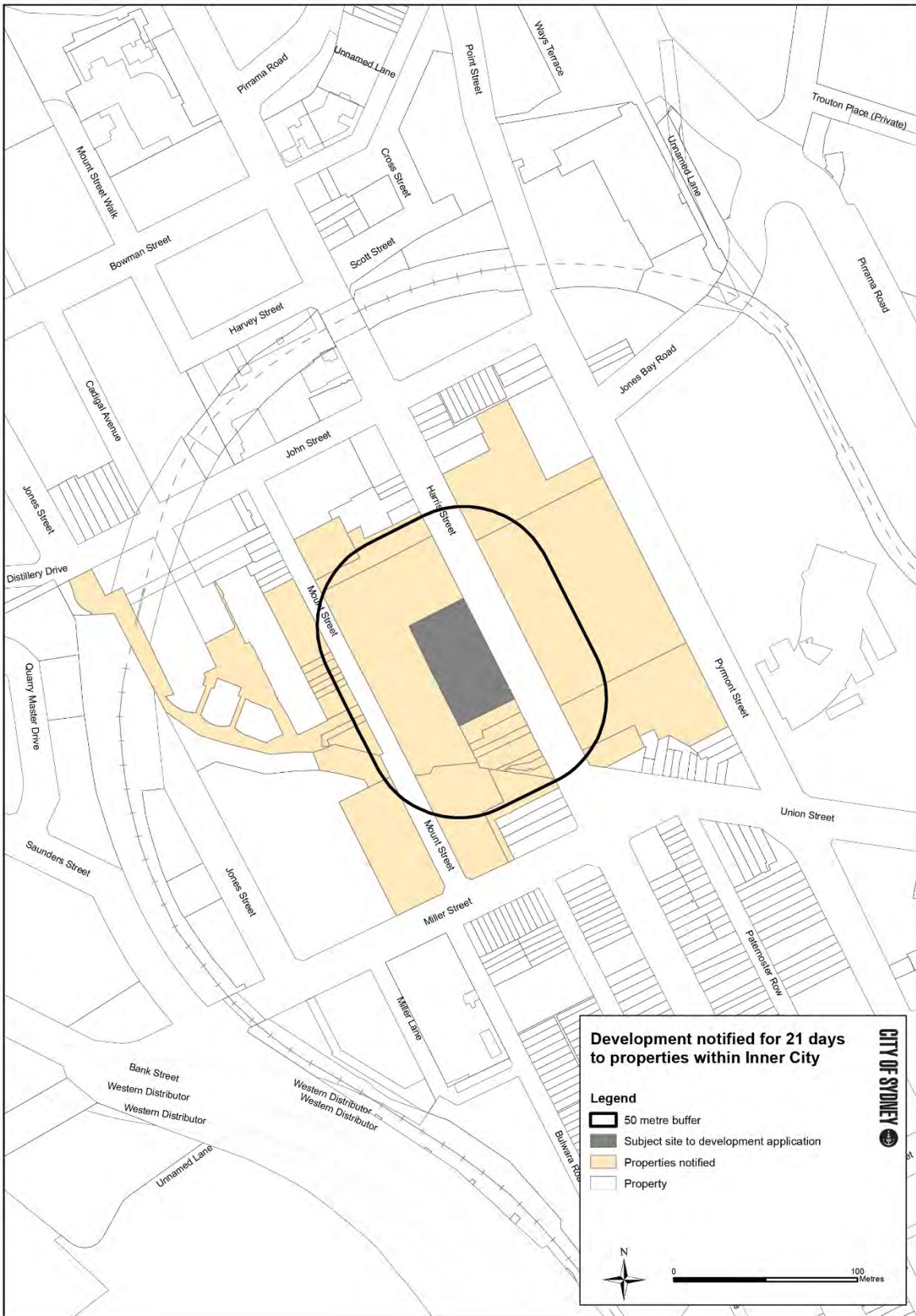


Figure 8 – Development notified for 21 days to properties within Terrace Area

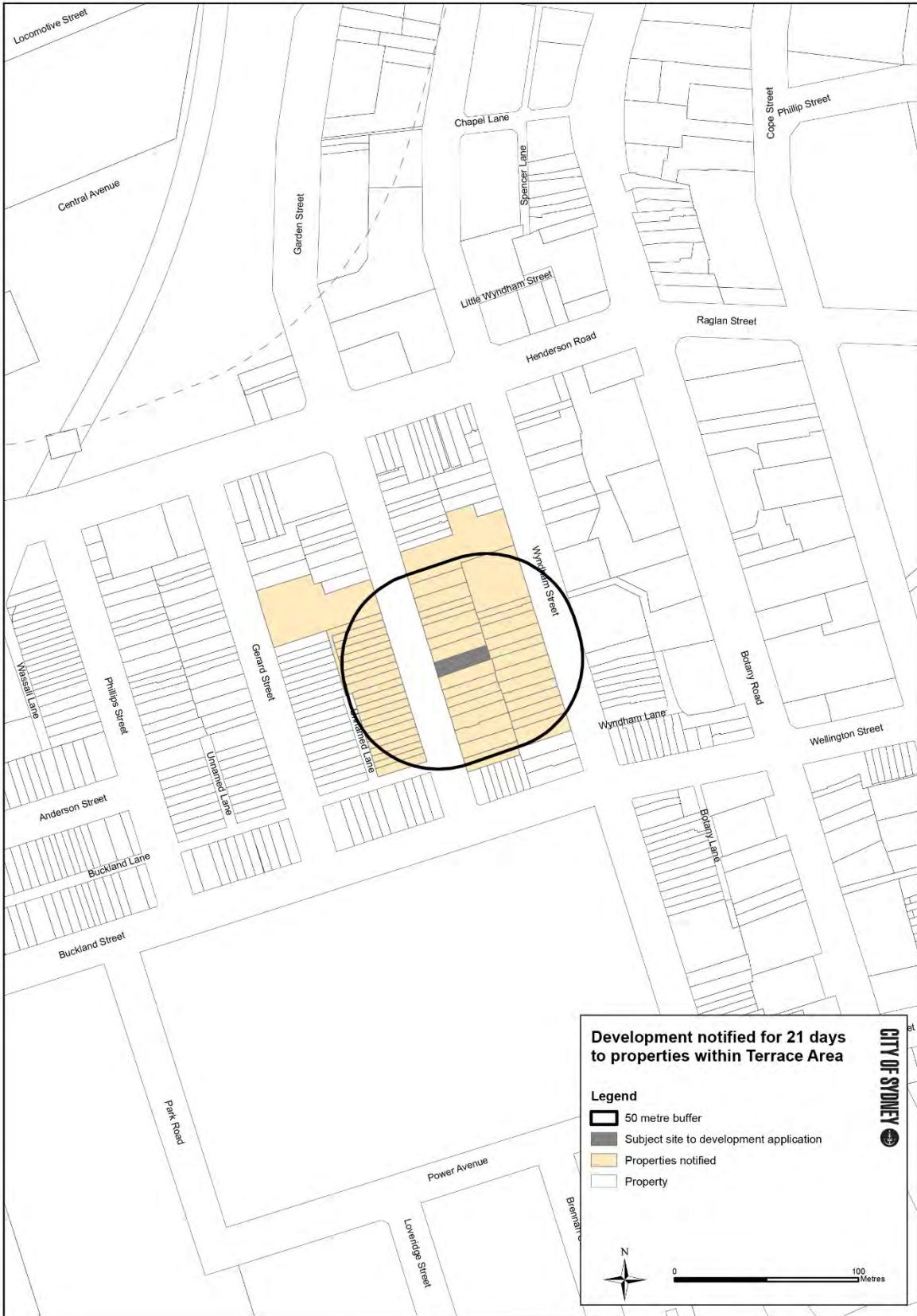


Figure 9 – Development notified for 21 days to properties within Industrial Area

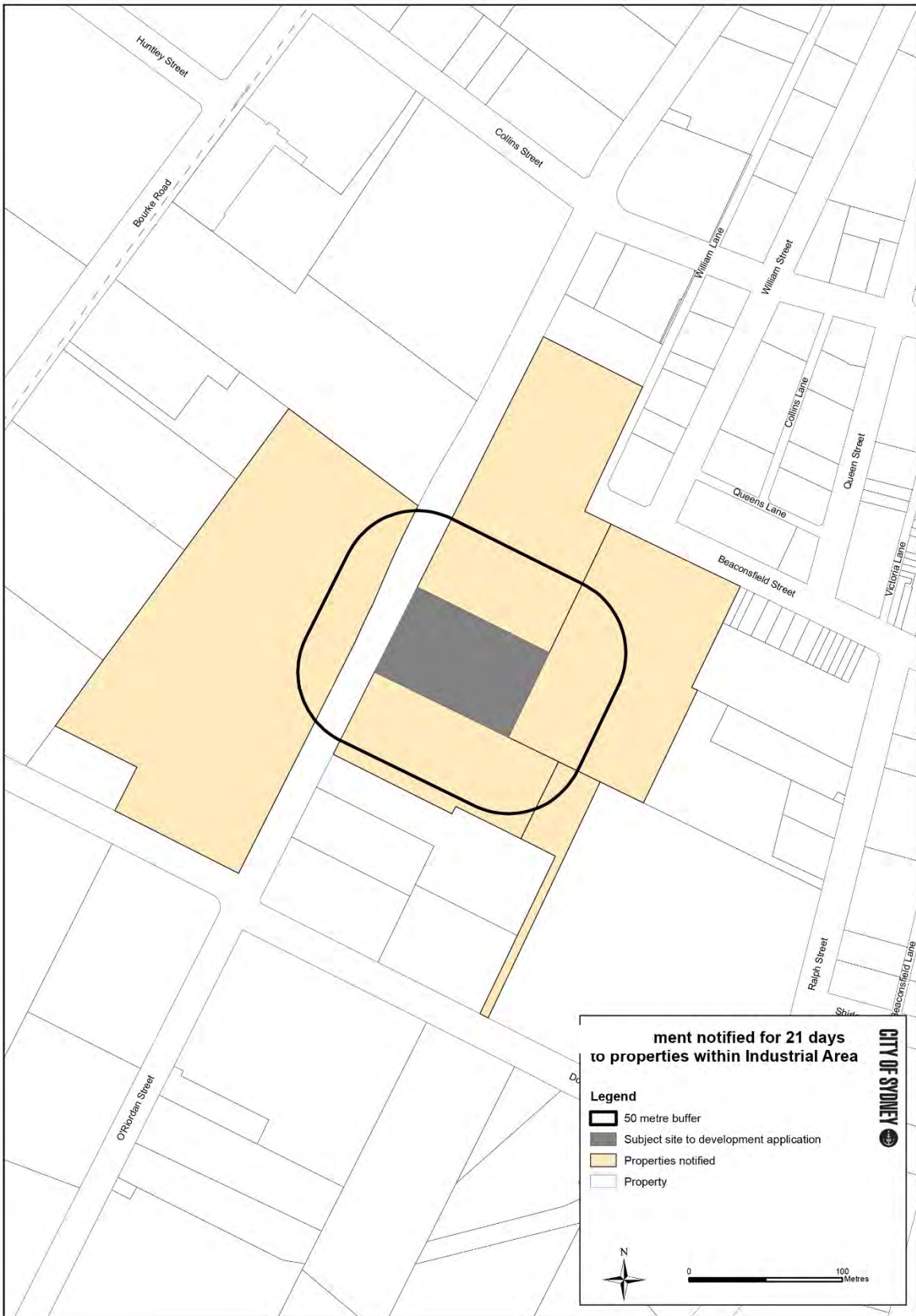


Figure 10 – Development notified for 28 days to properties within Central Sydney

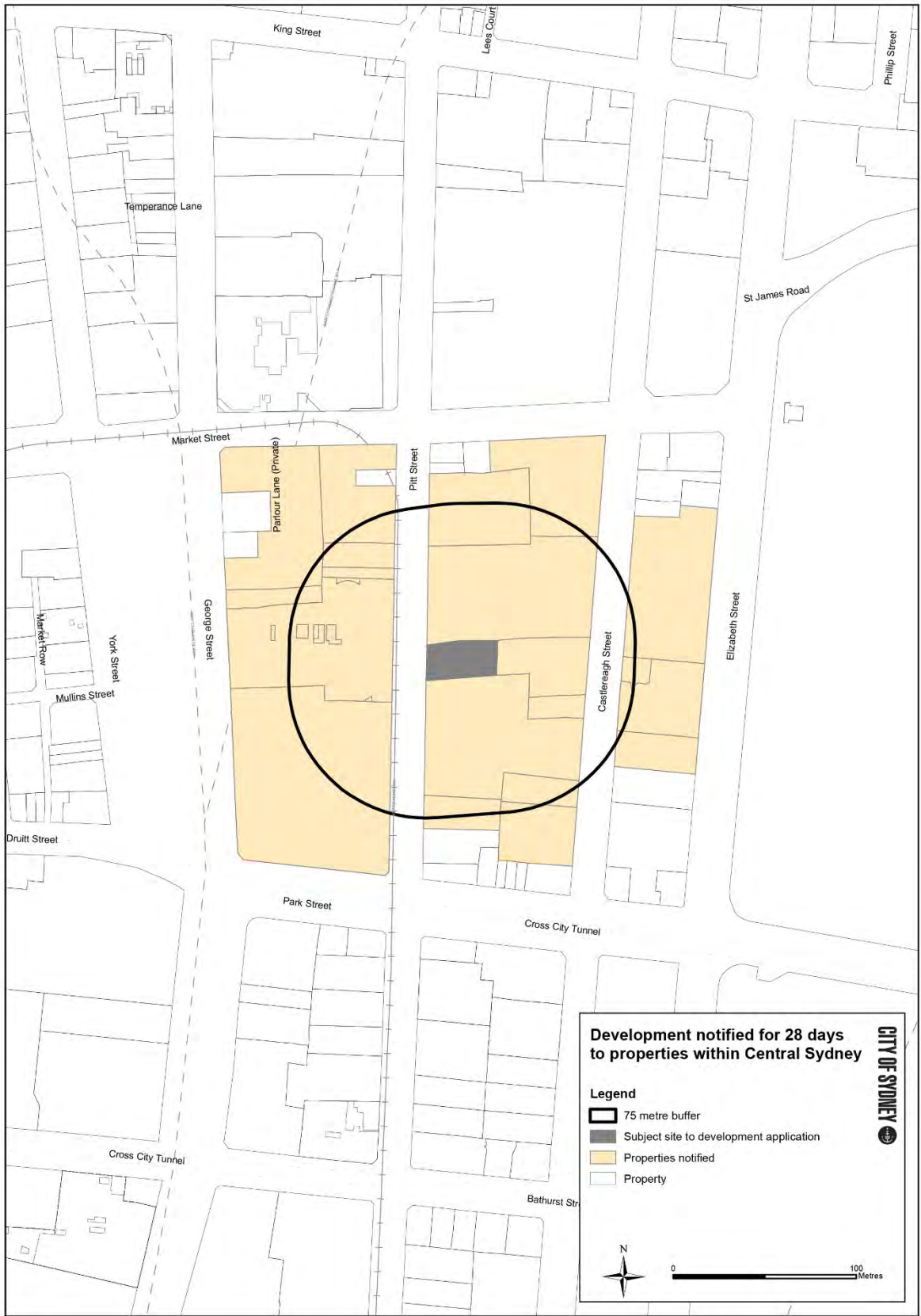


Figure 11 – Development notified 28 days to properties within Inner City

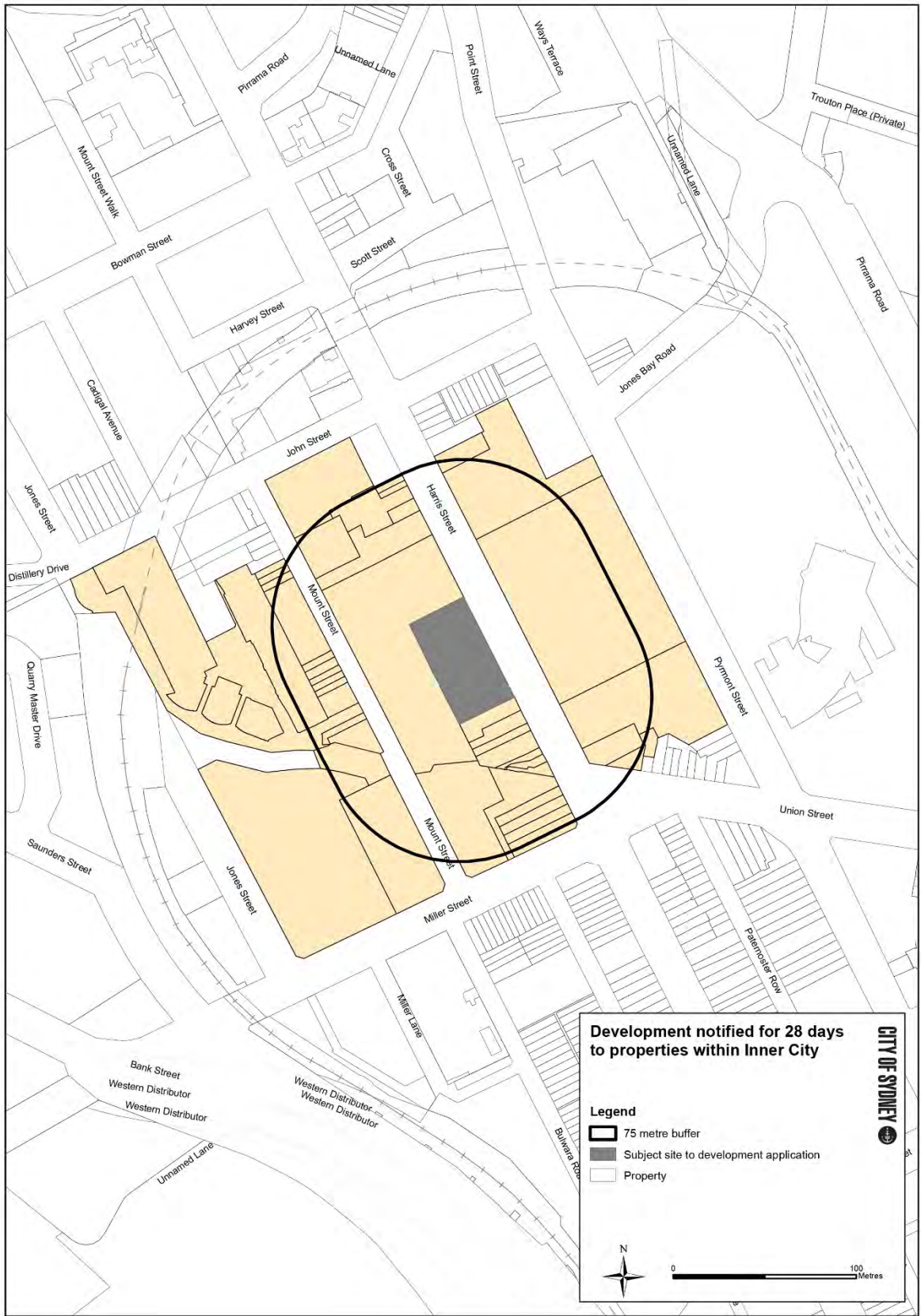


Figure 12 – Development notified for 28 days to properties within Terrace Area

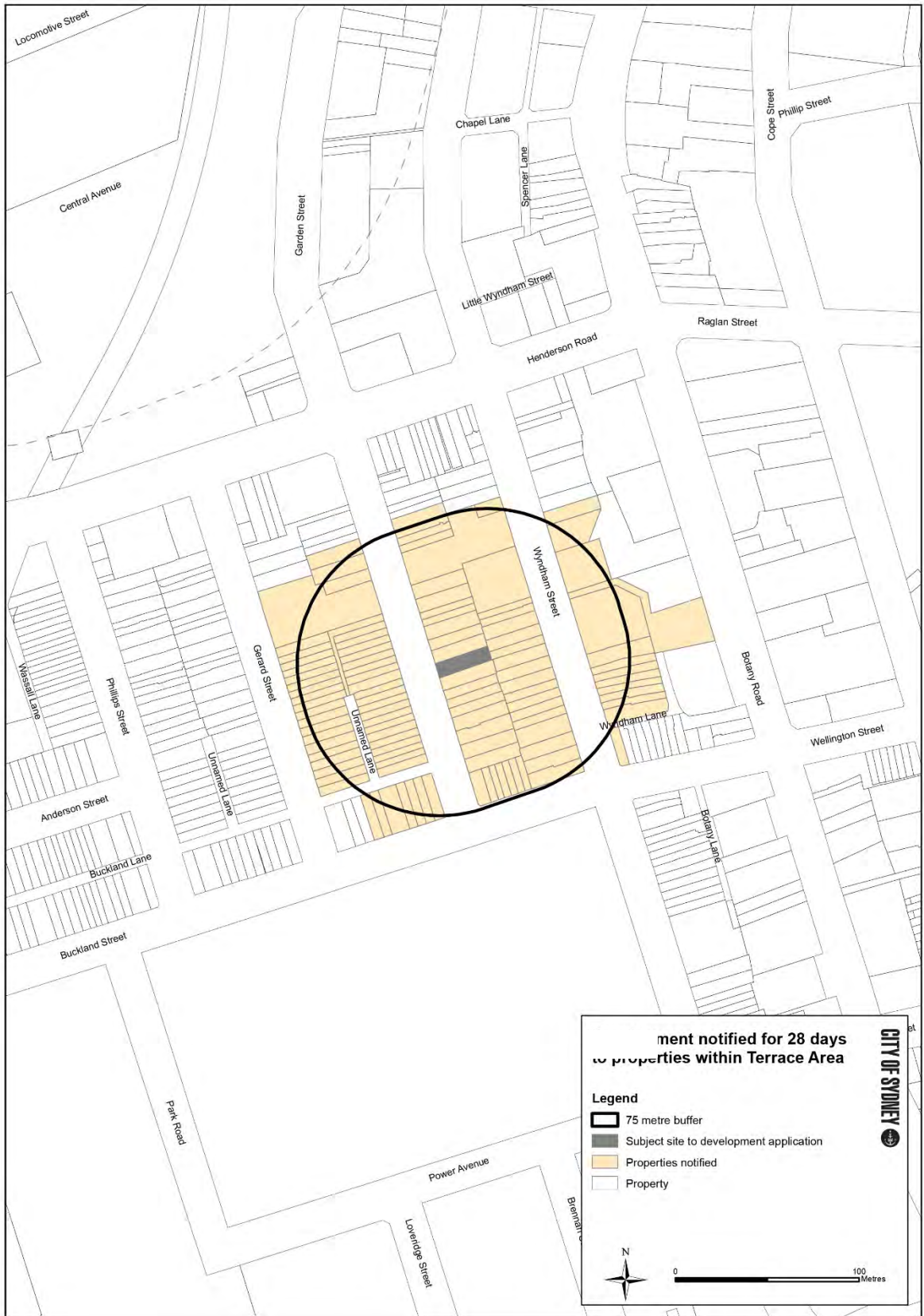
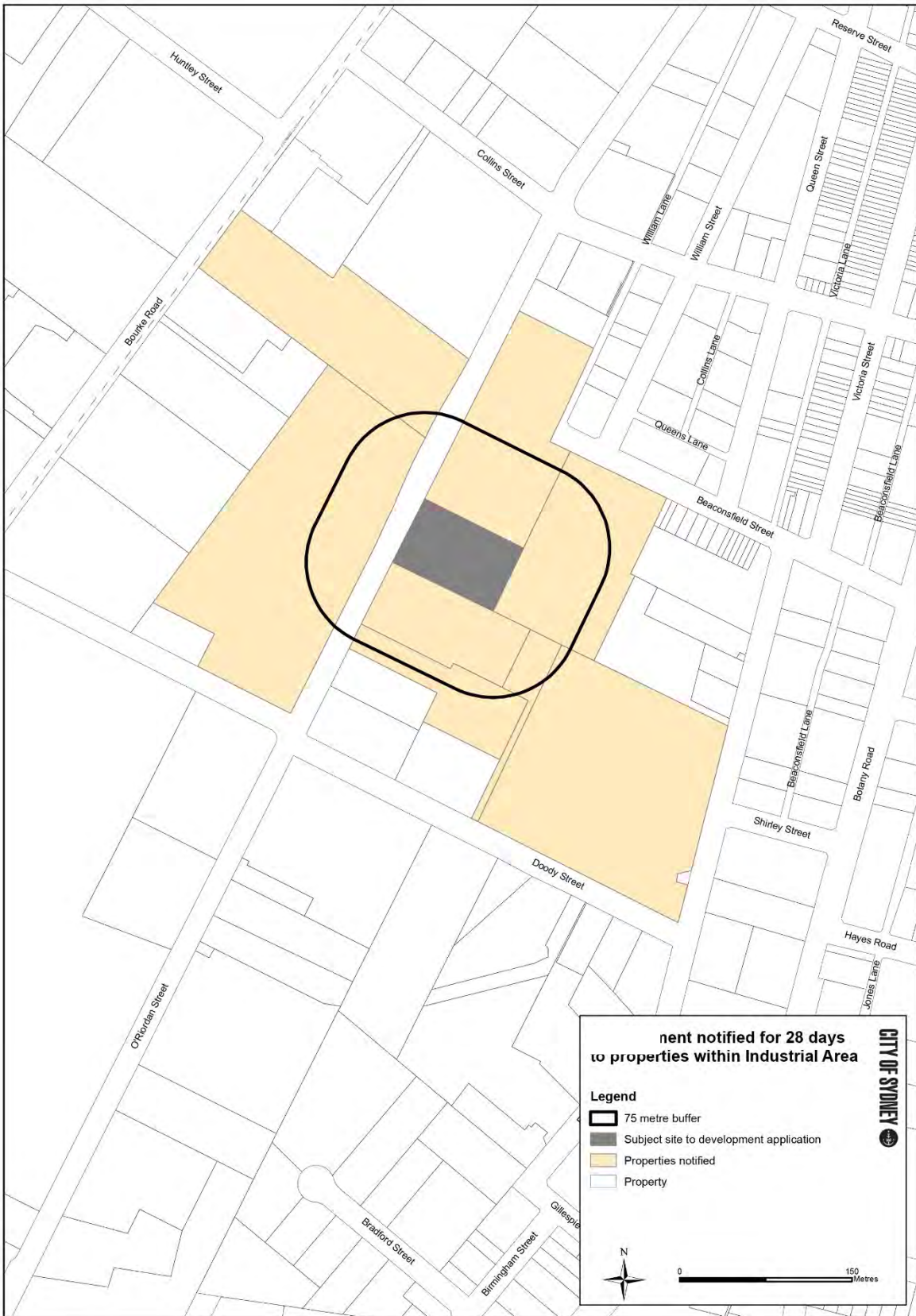


Figure 13 – Development notified for 28 days to properties within Industrial Area





# 4. Planning agreements

## Planning agreements

Planning agreements are voluntary agreements entered into by the City and a person, usually a developer, to deliver public benefits.

Public benefits may include the dedication of land to Council, monetary contributions, public infrastructure, community facilities, affordable housing, any other material public benefit or any combination of these.

Planning agreements are prepared under the Act in relation to either a planning proposal or a development application.

## Public notification

A planning agreement cannot be entered into, amended or revoked unless public notice is given and the planning agreement is first made publicly available for inspection for a minimum period of 28 days.

If the planning agreement is in connection with a development application, the public notice will be given as soon as possible after a draft agreement has been prepared and agreed by the parties, in the same manner as any public notice of the relevant development application that is required under this plan and the Act.

If the planning agreement is in connection with a planning proposal, the public notice will be given, if practicable, as part of and concurrently with, and in the same manner as, any public notice of the relevant planning proposal that is required under this plan.

Where it is not practicable to give public notice at such times, the Regulation requires that it be given as soon as possible after as determined by Council.

Amendments may be required as a result of public submissions or for other reasons. Where amendments are required to a draft planning agreement, the amended draft planning agreement and explanatory note will be re-exhibited.

Table 5 – Planning agreements

Document	Notification
Draft, amended or revoked planning agreements	Notified <del>and advertised</del> for 28 days

**Item 3.**

**Public Exhibition - Planning Proposal - Open and Creative Planning Reforms  
and Draft Sydney Development Control Plan - Open and Creative Planning  
Reforms**

Document to Follow

**Item 4.**

**Public Exhibition - Planning Proposal - 600-660 Elizabeth Street, Redfern -  
Sydney Local Environmental Plan 2012 Amendment and Draft Design Guide**

Document to Follow

## Item 5.

### Post Exhibition - Planning Proposal – Heritage Listing - 46 Chisholm Street, Darlinghurst - Sydney Local Environmental Plan 2012

File No: X020345

#### Summary

Heritage plays an important role in adding to the city's sense of liveability by conserving and enhancing historical places that contribute to the character and attractiveness of the city as a great place to live, work and visit. The property at 46 Chisholm Street, Darlinghurst is recommended for listing as an item of environmental heritage to recognise its local heritage significance. The dwelling is an example of a mid-late Victorian weatherboard cottage that retains its early form and its detail to the front. The property contains the only remaining, timber weatherboard cottage from the earliest development of the Chisholm Estate.

An independent heritage assessment by John Oultram Heritage + Design concluded that the cottage at 46 Chisholm Street, Darlinghurst meets the threshold for inclusion as a heritage item on Sydney Local Environmental Plan 2012 (the LEP) for its historic values, rarity and representativeness.

The property at 46 Chisholm Street is a single storey, late Victorian cottage built c1880 for James Parker who had purchased Lot 7 in Section 2 of the Chisholm Estate. The Chisholm Estate (Roll Plan 619) appears to have been subdivided in 1875 and occupied an area bordered by South Dowling Street, Taylor Street, Flinders Street and Hannan Street. The property was formerly part of Edward Riley's vast landholdings in the area that he purchased directly or later acquired, from John Palmer. The cottage is emblematic of the early development of the area for small-scale housing.

The single storey, weatherboard cottage type is uncommon in the area that largely comprises two storey masonry terraces. In the plan of 1888, only five, single-storey timber cottages are shown in the area and the subject cottage is now the only weatherboard house in the former Chisholm Estate subdivision and dates from the earliest building period for the area.

The house is considered a good example of a mid-Victorian weatherboard cottage that retains its early form and its detail to the front. The house retains a two-room arrangement to the front and though it has been altered internally with the loss of much of its original, internal features it remains a representative example of the type.

In May 2019, Council and the Central Sydney Planning Committee resolved to seek a gateway determination and exhibit the planning proposal to include 46 Chisholm Street as a heritage item on the LEP. The Department of Planning, Industry and Environment approved commencing public consultation for the planning proposal in its gateway determination issued on 17 October 2019. The planning proposal was exhibited from 25 November to 23 December 2019. 15 submissions were received in response to the initial public exhibition including one petition.

Due to a miscalculation of days of the exhibition time period in late 2019, the City was required to re-exhibit the planning proposal. This new exhibition period occurred from 5 May 2020 until 3 June 2020. Submissions on this proposed heritage listing received during the 2019 exhibition were included and considered. A further four submissions were received in response to the second public exhibition.

Of the 19 submissions received, those in support were mostly local residents, generally interested in the heritage listing as a means of retaining the area's built heritage for future generations. Heritage NSW supported the City with the listing of new heritage items the LEP, as long as the necessary assessments, notifications and due diligence had been completed.

Most of the submissions opposing the heritage listing focused on the condition of the existing building and the extent of previous changes, arguing that significance had been diminished. Several discussed the proposed heritage listing in the context of the refused development application for this site, citing concerns regarding process. Others referred to the current amenity of the existing dwelling, ongoing maintenance requirements, long period of family ownership and personal requirements/desires and the fact that no previous Council study had identified the site as having individual heritage significance.

This report recommends Council approve the planning proposal at Attachment A, for subsequent forwarding to the Department for making as a local environmental plan.

Progressing a local heritage listing will ensure the local heritage significance of this building is appropriately considered and maintained as part of any future development.

## Recommendation

It is resolved that:

- (A) Council note the submissions received during the two public exhibitions and public authority consultation of the Planning Proposal - Heritage Listing - 46 Chisholm Street, Darlington, shown at Attachment C to the subject report;
- (B) Council approve the Planning Proposal - Heritage Listing - 46 Chisholm Street, Darlington, shown at Attachment A to the subject report to be made as a local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979; and
- (C) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal - Heritage Listing - 46 Chisholm Street, Darlington to correct drafting errors prior to finalisation of the local environmental plan.

## Attachments

- Attachment A.** Planning Proposal - Heritage Listing - 46 Chisholm Street, Darlington
- Attachment B.** Heritage Assessment
- Attachment C.** Summary of Submissions
- Attachment D.** Heritage Inventory

## Background

### Site Identification

1. The property at 46 Chisholm Street, Darlinghurst is legally described as Lot 71 DP 602585 and has a total site area of approximately 106 square metres, as shown in Figure 1. The site is privately owned.
2. The site contains a single-storey timber cottage dating from circa 1880. External photographs are included at Figure 2.



Figure 1: Site of 46 Chisholm Street, Darlinghurst



Figure 2: Front façade, 46 Chisholm Street, Darlinghurst

3. Chisholm Street, Darlinghurst is a narrow street, part of a tight knit pattern of streets and lanes bounded by Oxford Street, Flinders Street and South Dowling Street. Chisholm Street is lined to the east with two-storey, Victorian houses, mostly terraces. The western side of the street has the rear wings and garages of the properties fronting Flinders Street with some later infill development to the north.
4. The timber weatherboard cottage at 46 Chisholm Street, is located within the Paddington Conservation Area and identified as a contributory building.

### **Planning Background**

5. Weatherboard buildings are an important element to the City of Sydney's character as they are amongst the oldest buildings in the City. These buildings contribute a unique character to their streets and a diversity to city life. However, they are becoming increasingly rare and have been under threat of demolition.
6. Following concerns about the number of applications for demolition or redevelopment of weatherboard buildings in its area, South Sydney City Council commissioned a study of this type of building in 2002. After the amalgamation with the City of Sydney in 2004, the City endorsed a number of heritage listings of weatherboard cottages, and soon after incorporated guidelines for weatherboard buildings into the development control plan. They provide guidance for development within conservation areas and specifically of weatherboard buildings older than 50 years.
7. In December 2017, a pre-DA meeting and site inspection was held about the proposed demolition of the weatherboard cottage, subdivision of the site and erection of two semi-detached dwellings at 46 Chisholm Street, Darlinghurst. The proponent was advised that the proposed development was not supported, noting its contributory status within the Conservation Area.
8. In mid-2018, the City of Sydney received a development application (D/2018/591) for a proposed development at 46 Chisholm Street involving the demolition of the existing single-storey weatherboard cottage and construction of a pair of two-storey semi-detached terraces.
9. In September 2018, the proponent was requested to withdraw the development application as Council was likely to refuse the application. Subsequently, the development application was refused by the City under delegated authority.
10. In December 2018, a section 8.2(1)(a) review of determination application was lodged (RD/2018/591/A) and additional information supporting this was forwarded by the applicant in February 2019, including a revised Structural Engineer's Report, and cost estimates to make good existing dwelling and to construct two proposed terraces.
11. In February 2019, the review panel met and deferred consideration until an independent heritage assessment was reviewed and site inspected. Following this, the RD/2018/591/A application was refused in March 2019.



12. As the potential heritage significance of the site was being considered during the assessment process, the City of Sydney commissioned a heritage assessment to determine if the site should be included as a heritage item within Schedule 5 of Sydney Local Environmental Plan 2012 (LEP). This independent heritage assessment by John Oultram Heritage + Design concluded that the cottage at 46 Chisholm Street, Darlinghurst meets the threshold for inclusion as a heritage item on the LEP for its historic values, rarity and representativeness. The assessment notes that the cottage is an example of mid-late Victorian weatherboard cottage that retains its early form and its detail to the front. The property contains the only remaining, timber weatherboard cottage from the earliest development of the Chisholm Estate.
13. In March 2019, the property owner lodged a Class 1 appeal with the Land and Environment Court in respect of the refusal of their development application (D/2018/591). This matter is expected to go to a hearing later this year.

### **Planning Proposal**

14. The purpose of the planning proposal, provided at Attachment A, is to recognise and protect the heritage significance of the dwelling at 46 Chisholm Street, Darlinghurst by proposing to include the site as a heritage item in the LEP.
15. No other changes to the planning controls are proposed.
16. On 13 and 5 May 2019, respectively, Council and the Central Sydney Planning Committee resolved to seek a gateway determination and exhibit the planning proposal to include 46 Chisholm Street as a heritage item in Schedule 5 of the LEP.
17. The planning proposal was submitted to the Department of Planning, Industry and Environment (the Department), with a request for a gateway determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979. The City also requested authority to exercise the delegation of the Minister of all his functions under section 3.36 of the Act to make the local environmental plan.
18. The gateway determination, issued on 17 October 2019, by the Department enabled the City to proceed with the public exhibition of the planning proposal.
19. Conditions of the gateway determination required consultation with Heritage NSW. Conditions also required some minor amendments to the planning proposal to update the mapping and further describe the surrounding area and the planning controls applicable to the site.
20. The Department did not authorise the City to exercise its delegation from the Minister for Planning and Public Spaces to make the LEP.

### **Public Exhibition**

21. The City of Sydney consulted the owner, members of the public and the Heritage Council and its department through the exhibition of this planning proposal in accordance with the requirements of the Department's gateway determination.
22. The public exhibition period ran from 25 November to 23 December 2019, with the public invited to make comments on the proposal. Notification letters were sent to the owner, surrounding properties and Heritage NSW. A notice was placed in the Sydney Morning Herald, inviting comments. All information for the proposal was made available on the City's website, Sydney Your Say, and at the One Stop Shop, Town Hall House and the Kings Cross Customer Service Centre.

23. Due to a miscalculation of days for the exhibition time period, the City was required to re-exhibit the planning proposal. This new exhibition period occurred from 5 May 2020 until 3 June 2020, with the public invited to make comments on the proposal. Notification letters were sent to the owner, surrounding properties and Heritage NSW. A notice was placed in the Sydney Morning Herald, inviting comments. All information for the proposal was made available on the City's website, Sydney Your Say. Previous submissions from the 2019 exhibition were still considered, and submissions were not required to be resubmitted.

### Submissions

24. The City initially received 15 submissions from the property owner, their consultant, community members and Heritage NSW. A further four submissions were received in response to the second public exhibition, making a total of 19 submissions. The submissions ranged from support to objecting to the proposed heritage listing. These submissions are summarised and responded to in the table at Attachment C.
25. Of the 19 submissions received, those in support were mostly local residents, interested in the heritage listing as a means of retaining the area's built heritage for future generations.
26. Heritage NSW supported the City with the listing of new heritage items on the LEP generally, as long as the necessary assessments, notifications and due diligence had been completed.
27. There were a number of consistent themes in the objections to the proposed heritage listing. These are summarised below, followed by the city's response.

### Condition of the building and past building works

28. Most of the submissions opposing the heritage listing focused on the condition of the existing building and the extent of previous changes, indicating that (in their opinion) this diminished the potential heritage significance of the site.
29. A submission to the second exhibition period included a detailed Fabric Analysis Report, which concluded that some of the original structure is extant (boundary and front walls, and some internal walls) and that there is limited other original fabric remaining. The floor structure, front verandah, most external materials and all internal materials have been replaced, mostly since the early 1990s. The report notes that there are some original weatherboards on the front façade and some original (or early) shingles under the metal roof.
30. The information submitted on behalf of the landowner has been reviewed. The integrity of the building and loss of fabric is understood and was known (to reasonable extent) when the independent assessment was carried out. As a result of the increased detail in this fabric analysis the draft inventory sheet has been updated.
31. The information submitted has been considered and despite the loss of fabric the building still meets the criteria for listing. Historic timber buildings in Sydney, especially those approximately 140 years old, are likely to have undergone substantial loss of original organic fabric. As noted in the heritage assessment, the cottage retains its original form and detail to the front, even if it has lost much of its original fabric. Nonetheless, for its historic significance, representativeness and rarity value, it has been assessed as having heritage significance.

Ongoing maintenance required

32. Many of the objections referred to the ongoing maintenance required at the site. The City contends that all historic properties require regular maintenance, especially Victorian timber structures and that this does not preclude heritage listing.

Process and the refused development application

33. Several submissions discussed the proposed heritage listing in the context of the refused Development Application for this site, citing concerns regarding process. These concerns include not consulting with the landowner when developing the listing and access to the property.
34. Since pre-development application discussions in late 2017, the City has clearly advised it does not support the proposed demolition of the cottage for a number of reasons, including the existing contributory status of the building within the conservation area as the planning controls require conservation of contributory buildings.
35. The assessment of heritage significance was carried out independently before being considered by staff and reported to Council and CSPC with a recommendation to consult on a proposed listing.
36. The period for consulting with all interested parties is during public exhibition after Council and the CSPC have resolved to proceed with consultation. Relevant information is then made public and the public and relevant parties notified to enable an equitable consultation process. During this period any additional evidence or views may be submitted which are then considered by staff before Council and CSPC determine whether to proceed with a listing.
37. During the preparation of the heritage assessment, the City requested and was provided access from the landowner's representative for staff and the consultant to inspect the property.

Current amenity provided by the existing building

38. Other objections referred to the current amenity of the existing dwelling. The City notes that heritage listing of a property does not preclude change to increase amenity, such as the introduction of insulation within walls and ceilings to minimise discomfort during the extremes of summer or winter.

Previous studies

39. Several objections referred to the fact that no previous Council study had identified the site as having individual heritage significance.
40. Heritage items are generally identified through placed based or thematic studies or individual assessments as the potential significance of a site becomes known. Assessing and identifying heritage items on an individual basis as their potential significance is revealed, often in the context of development proposals, is a common process and one supported through heritage legislation.

41. The site was not identified in the South Sydney City Council Weatherboard Buildings Study commenced in 2002, however, this study was not comprehensive. Though the Study led to the current weatherboard provisions in the DCP. While there were no specific recommendations made for this site as part of the 2002 study, this does not negate the recommendation of the 2019 independent heritage assessment.
42. The City commissioned an independent heritage assessment of the property at the time of the development application process to determine if the site met the threshold for inclusion as a heritage item. This assessment was carried out separately to, but concurrently with, the development application assessment process. A comparative analysis was prepared which indicated that the subject site has all of the characteristics of heritage listed weatherboard cottages in the City with a comparable degree of significance and intactness.

### **Heritage Significance**

43. The NSW Heritage Office guideline "Assessing Heritage Significance" outlines the Heritage Council criteria of local heritage significance to determine whether a place warrants local heritage listing. Only one of these seven criteria needs to be satisfied at the local level for local heritage listing.
44. An independent heritage assessment of the building by John Oultram Heritage + Design was completed in February 2019.
45. This assessment concluded that the cottage at 46 Chisholm Street, Darlinghurst meets the threshold for inclusion as a heritage item on the LEP for its historic values, rarity and representativeness. The assessment notes that the cottage is an example of a mid-late Victorian weatherboard cottage that retains its early form and its detail to the front. The property contains the only remaining, timber weatherboard cottage from the earliest development of the Chisholm Estate.
46. Based on this, progressing local heritage listing for the subject site will ensure the local heritage significance of this property is appropriately considered and maintained as part of any future development.

### **Next steps**

47. As Council has not been authorised to exercise its delegation to make the plan following completion of the gateway process, it is recommended that the planning proposal at Attachment A be approved by Council and Central Planning Committee, and to be subsequently forwarded to the Department to make the local environmental plan.
48. Progressing a local heritage listing will ensure the local heritage significance of the site is appropriately considered and maintained as part of future plans or redevelopment.

## Key Implications

### Strategic Alignment - Eastern City District Plan

49. The Eastern City District Plan completed by the Greater Sydney Commission in March 2018 is a 20 year plan to manage growth in the context of economic, social and environmental matters. The district plan identifies 22 planning priorities and associated actions that support a liveable, productive and sustainable future for the district. This planning proposal gives effect to planning priority "E6 – Creating and renewing great places and local centres and respecting the District's heritage" and Action 20 to identify, conserve and enhance environmental heritage.
50. This priority seeks to enhance the district's liveability and foster great places by identifying, conserving and enhancing historical place-makers. The district plan notes that heritage buildings contribute to an area's sense of place, its distinctive character, and diversity of built form and uses, and bring people together. Conserved heritage buildings are some of the attributes of liveable great places acknowledged in this plan, which attract residents, workers, visitors, enterprise and investment into local centres.
51. This planning proposal will address the district plan by respecting the City's heritage and fostering great places to bring people together. The retention of the weatherboard cottage at 46 Chisholm Street has potential to enhance the character and distinct sense of place of Darlinghurst.

### Strategic Alignment - Sustainable Sydney 2030

52. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
  - (a) Direction 7 - A Cultural and Creative City - The planning proposal identifies 46 Chisholm Street, Darlinghurst as a local heritage item. The local heritage listing for this proposed heritage item will ensure that the local heritage significance of this site is appropriately considered and maintained as part of future plans or redevelopment.

### Strategic Alignment - Local Strategic Planning Statement

53. Listing and retention of 46 Chisholm Street is consistent with the City's Local Strategic Planning Statement, in particular the liveability priority to "create great places" (priority L2). The proposal to list a place of assessed heritage significance delivers on the great place objectives to conserve and maintain heritage and protect and celebrate the character of unique neighbourhoods. Identifying places of local heritage significance on the Local Environmental Plan is an action of the planning statement (L2.9.b).

## Relevant Legislation

54. Environmental Planning and Assessment Act 1979.
55. Environmental Planning and Assessment Regulation 2000.
56. Heritage Act 1977.

### **Critical Dates / Time Frames**

57. The gateway determination issued by the Department of Planning Industry and Environment requires the amendment to the local environmental plan to be completed within 12 months, being 17 October 2020.

### **Public Consultation**

58. The Heritage Council and supporting department, affected landowner, neighbours and community were consulted as outlined above with submissions summarised at Attachment C.

### **GRAHAM JAHN, AM**

Director City Planning, Development and Transport

Matt Devine, Senior Specialist Planner (Heritage)

# **Attachment A**

<h2><b>Planning Proposal</b></h2>
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# Planning Proposal

## – Proposed heritage item, 46 Chisholm Street, Darlinghurst

November 2019





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# Introduction

This planning proposal explains the intent of, and justification for, the proposed amendment to Sydney Local Environmental Plan 2012 (SLEP 2012). The amendment will identify one heritage item for inclusion in Schedule 5 located at 46 Chisholm Street, Darlinghurst.

The proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (the Act) and the relevant Department of Planning guidelines, including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.

## Background

### Site identification

This planning proposal relates to the following place within Darlinghurst, as described in Part 3 and mapped in Part 5:

- 46 Chisholm Street, Darlinghurst - Lot 71 DP 602585

The property at 46 Chisholm Street, Darlinghurst is a single-storey timber weatherboard cottage, dating from circa 1876, and is privately owned.

### Planning background

Weatherboard buildings are an important element to the City of Sydney's make up as they are amongst the oldest buildings in the City. These buildings contribute a unique character to their streets and a diversity to city life. However, they are becoming increasingly rare and have been under threat of demolition.

Following concerns about the number of applications for demolition or redevelopment of weatherboard buildings in its area, South Sydney City Council commissioned a study of this type of building in 2002. After the amalgamation with the City of Sydney in 2004, the City endorsed a number of heritage listings of weatherboard cottages, and soon after incorporated guidelines based on this study into the heritage provisions. These provisions remain in the City's current Development Control Plan 2012. These guide development, not only within Conservation Areas, but also specifically call out weatherboard buildings older than 50 years. Despite this there are fewer weatherboard buildings extant every year within the local government area as a result of development.

In mid-2018 the City of Sydney received a development application for a proposed development at 46 Chisholm Street, Darlinghurst involving the demolition of the existing single-storey weatherboard cottage and construction of a pair of two-storey semi-detached terraces. The timber weatherboard cottage at 46 Chisholm Street, is located within the Paddington Conservation Area and identified as a contributory building.

Chisholm Street, Darlinghurst is a narrow street, part of a tight knit pattern of streets and lanes bounded by Oxford Street, Flinders Street and South Dowling Street. Chisholm Street is lined to the east with two storey, Victorian houses, mostly terraces. The western side of the street has the rear wings and garages of the properties fronting Flinders Street with some later infill development to the north.

The City of Sydney commissioned a heritage assessment to determine if the site should be included as a heritage item within Schedule 5 of the Sydney Local Environmental Plan 2012 (SLEP2012). This independent heritage assessment by John Oultram Heritage + Design concluded that the cottage at 46 Chisholm Street, Darlinghurst meets the threshold for inclusion as a heritage item on the SLEP 2012 for its historic values, rarity and representativeness. The assessment notes that the cottage is an example of mid-late Victorian weatherboard cottage that retains its early form and its detail to the front. The property contains the only remaining, timber weatherboard cottage from the earliest development of the Chisholm Estate.

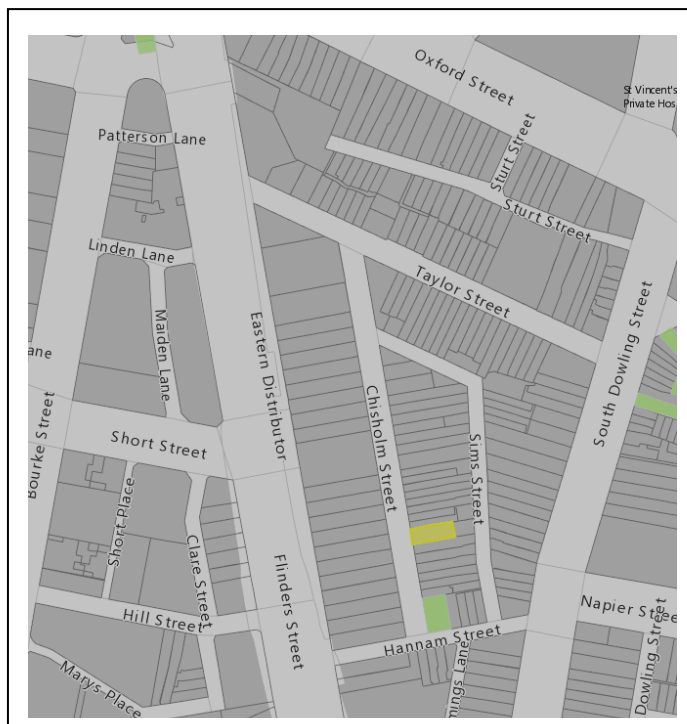
The heritage assessment prepared by John Oultram Heritage + Design is included at Appendix 1. A draft inventory sheet for this item is attached at Appendix 2.

This planning proposal is to include this item into Schedule 5 of Sydney Local Environmental Plan 2012.

### Study area and scope

The heritage study investigates the heritage significance of the property at 46 Chisholm Street, Darlinghurst Road. This is shown in Figure 1.

**Figure 1: Study area shaded yellow**



### Study findings

The heritage study report is included at **Appendix 1**. This study concludes that the site meets the threshold of heritage significance that warrants its potential listing as heritage items on Sydney Local Environmental Plan 2012.

### Assessment of significance for listing

The Heritage Council of NSW guideline outlines seven criteria of local heritage significance to determine whether an item warrants local listing. Only one of these seven criteria needs to be satisfied at the local level for local heritage listing.

Criteria (a) – An item is important in the course, or pattern, of NSW’s cultural or natural history (or the cultural or natural history of the local area).

Criteria (f) – An item possesses uncommon, rare or endangered aspects of NSW’s cultural or natural history (or the cultural or natural history of the local area).

Criterion (g) – An item is important in demonstrating the principal characteristics of a class of NSW’s:

Cultural or natural places; or

Cultural or natural environments

(Or a class of the local area’s:

Cultural or natural places; or

Cultural or natural environments)

The proposed site satisfies these three Heritage Council criteria of local heritage significance for local listing.

Based on the above, progressing local heritage listing for the proposed heritage item will ensure the local heritage significance of this property is appropriately considered and maintained as part of future plans or redevelopment.

### **Current planning controls**

The subject site is zoned R1, General Residential. It has a floor space ratio of 1.5:1 and 9 metre maximum building height under the principal development standards of Sydney Local Environmental Plan 2012. The property is located within the Paddington Conservation Area.

## **Part 1 – Objectives or intended outcomes**

The objective of the planning proposal is to recognise and protect the heritage significance of this building, as identified in Part 2.

The intended outcomes to achieve these objectives are to:

- List the building at 46 Chisholm Street Darlinghurst as a heritage item in Schedule 5 of Sydney Local Environmental Plan 2012 (SLEP2012).

## **Part 2 – Explanation of the provisions**

### **Heritage schedule amendments**

The planning proposal seeks to amend the SLEP 2012 Schedule 5 Environmental Heritage by inserting the following item as shown below in **Table 1**. Text to insert is shown as **bold underline**. Text to omit is shown as **~~bold strikethrough~~**.

**Table 1 – Proposed amendments to Schedule 5, Environmental heritage, Part 1, heritage items**

Locality	Item name	Address	Property description	Significance	Item no.
<u>Darlinghurst</u>	<u>Weatherboard cottage</u>	<u>46 Chisholm Street, Darlinghurst</u>	<u>Lot 71 DP 602585</u>	<u>Local</u>	<u>I2292</u>

The heritage item naming convention conform to existing listings in Schedule 5. This is in accordance with the directions contained in the Standard Instrument (Local Environmental Plans) Order 2006, which require the item name to briefly describe significant features.

The features noted in the above item names are described further in the supporting information contained in the heritage inventory included at **Appendix 2**. The non-statutory heritage inventory sheet can continue to be updated as new information becomes available, such as through completion of a conservation management plan.

## Part 3 – Justification

### Section A – Need for the planning proposal

#### Q1. Is the planning proposal a result of any strategic study or report?

Yes. The planning proposal is a result of a heritage assessment of the subject site, prepared by John Oultram Heritage + Design completed in January 2019.

The item identified in this planning proposal is recommended for investigation for listing in this study, with a supporting draft heritage inventory sheet. This establishes that this recommended heritage item meets at least one of the Heritage Council criteria for local listing for its local heritage significance.

Criteria (a) – An item is important in the course, or pattern, of NSW’s cultural or natural history (or the cultural or natural history of the local area).

The independent heritage assessment prepared for the City notes:

*46 Chisholm Street is a single storey, late Victorian cottage built c1876 for James Parker who had purchased Lot 7 in Section 2 of the Chisholm Estate. The Chisholm Estate (Roll Plan 619) appear to have been subdivided in 1875 and occupied an area bordered by South Dowling Street, Taylor Street, Flinders Street and Hannan Street...*

*The property was formerly part of Edward Riley’s vast landholdings in the area that he purchased directly or later acquired, from John Palmer...*

*The cottage is emblematic of the early development of the area for small-scale housing.’*

**The building is of local significance.**

Criteria (f) – An item possesses uncommon, rare or endangered aspects of NSW’s cultural or natural history (or the cultural or natural history of the local area).

The heritage assessment notes:

*‘The single storey, weatherboard cottage type is uncommon in the area that largely comprised two storey masonry terraces. In the plan of 1888... only*

*five, one storey timber cottages are shown in the area and the subject cottage is now the only weatherboard house in the former Chisholm Estate subdivision and dates from the earliest building period for the area.*

**The subject building is rare locally, and therefore of local significance.**

Criterion (g) – An item is important in demonstrating the principal characteristics of a class of NSW's:

Cultural or natural places; or

Cultural or natural environments

(Or a class of the local area's:

Cultural or natural places; or

Cultural or natural environments)

The heritage assessment notes:

*'The house is an example of a mid Victorian weatherboard cottage that retains its early form and its detail to the front. The house retains a two room arrangement to the front and though it has been altered internally with the loss of much of its original, internal features it remains a representative example of the type.'*

**The building is a representative example of a mid-Victorian weatherboard cottage locally, and therefore of local significance.**

The heritage assessment report is included in **Appendix 1**.

The draft heritage inventory sheet is included at **Appendix 2**.

**Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. Appropriate heritage protection for this sites is best achieved through identification as a local heritage item in an environmental planning instrument.

City of Sydney has authorisation to make interim heritage orders for unlisted buildings under the *Heritage Act 1977*, however this item is included within an existing Conservation Area, preventing the City's ability to make an interim heritage order. A more strategic approach is preferred as recommended in this planning proposal.

Progressing local heritage listing for this proposed heritage item will ensure that the local heritage significance of this site is appropriately considered and maintained as part of future plans or redevelopment. It will also ensure prior formal consultation with the land owners and broader community. These outcomes are only achieved in the longer term through the proposed listing.

## **Section B – Relationship to strategic planning framework**

**Q3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?**

Yes. See comments below.

### **Greater Sydney Region Plan: A Metropolis of Three Cities**

The Greater Sydney Region Plan, completed in March 2018, is the Greater Sydney Commission's vision for a Greater Sydney of three cities where most residents live

within 30 minutes of their jobs and services. City of Sydney is situated within the Eastern Harbour City.

This plan sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters. This sets out how the State Government's 10 directions for a Greater Sydney are to be implemented through integrated planning. These 10 directions, with 40 supporting objectives, address infrastructure, liveability, productivity and sustainability. This planning proposal is consistent with these high level directions and objectives. In particular it addresses the liveability great places direction objective:

*Objective 13: Environmental heritage is identified conserved and enhanced*

By proposing to consult the community for listing this new heritage item, this planning proposal will fulfil this object.

### **Eastern City District Plan**

The Eastern City District Plan completed by the Greater Sydney Commission in March 2018 is a 20-year plan to manage growth in the context of economic, social and environmental matters. The district plan identifies 22 planning priorities and associated actions that support a liveable, productive and sustainable future for the district. This planning proposal gives effect to the following key planning priority and actions:

*Liveability Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District's heritage*

*Action 26 - Identify, conserve and enhance environmental heritage by:*

- (a) engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place*
- (b) applying adaptive re-use and interpreting heritage to foster distinctive local places*
- (c) managing and monitoring the cumulative impact of development on the heritage values and character of places.*

This priority seeks to enhance the district's liveability by identifying, conserving and enhancing the heritage place-makers in local centres and neighbourhoods. It notes that heritage buildings contribute to an area's sense of place, its distinctive character, and diversity of built form and uses, and bring people together. Conserved heritage buildings are some of the attributes of liveable great places acknowledged in this plan, which attracts residents, workers, visitors, enterprise and investment into centres.

In proposing to consult the community to identify this site of assessed local heritage significance, this planning proposal will address the district plan by encouraging the retention and continued use of these place-makers, as part of the distinctive identity of the City of Sydney.

### **Q4. Is the planning proposal consistent with council's local strategy or other local strategic plan?**

Yes.

## Sustainable Sydney 2030 Strategic Plan

The City's Sustainable Sydney 2030 Strategic Plan is the vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This planning proposal is consistent with the key directions of Sustainable Sydney 2030, particular Direction 7 for 'A Cultural and Creative City.

The planning proposal identifies 46 Chisholm Street as a heritage item, thereby providing for its conservation, a diversity of building stock in this vicinity and allowing future generations to understand the historic development of Darlinghurst. The listing will ensure future development considers and maintains the heritage significance of this site.

### Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

Yes. The planning proposal is consistent with and does not contradict or hinder application of the following applicable State Environmental Planning Policies (SEPPs):

- SEPP No 1—Development Standards
- SEPP No 33—Hazardous and Offensive Development
- SEPP No 64—Advertising and Signage
- SEPP No 65—Design Quality of Residential Flat Development
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SEPP (Infrastructure) 2007
- SEPP (Miscellaneous Consent Provisions) 2007
- SEPP (State and Regional Development) 2011

The planning proposal is consistent with and does not contradict or hinder application of the following applicable with former Regional Environmental Plan (REP) for the Sydney and Greater Metropolitan Regions, which is deemed to have the weight of SEPPs:

- Sydney REP (Sydney Harbour Catchment) 2005

### Q6. Is the planning proposal consistent with applicable ministerial directions (s.117 directions)?

The planning proposal has been assessed against each Section 117 direction. The consistency of the planning proposal with these directions is shown in the table below.

**Table 2 – Consistency of the planning proposal with ministerial directions**

No	Ministerial direction	Comment
1.1	Business and Industrial Zones	Not applicable
1.2	Rural Zones	Not applicable



No	Ministerial direction	Comment
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural Lands	Not applicable
2.1	Environment Protection Zones	Not applicable
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Consistent. This planning proposal provides for the conservation of a heritage item.
2.4	Recreation Vehicle Areas	Not applicable
3.1	Residential Zones	Not applicable
3.2	Caravan Parks and Manufactured Home Estates	Not applicable
3.3	Home Occupations	Not applicable
3.4	Integrating Land Use and Transport	Consistent.
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
4.1	Acid Sulphate Soils	Consistent. This planning proposal does not contradict or hinder application of acid sulphate soils provisions in Sydney LEP 2012.
4.2	Mine Subsidence and Unstable Land	Not applicable
4.3	Flood Prone Land	Not applicable
4.4	Planning for Bushfire Protection	Not applicable
5.1	Implementation of Regional Strategies	Consistent. This planning proposal is consistent with key strategic goals and directions within the Greater Sydney Region Plan and the District as outlined above.
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable

No	Ministerial direction	Comment
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8	Second Sydney Airport, Badgerys Creek	Not applicable
5.9	North West Rail Link Corridor Strategy	Not applicable
5.10	Implementation of Regional Plans	Consistent. As addressed above.
6.1	Approval and Referral Requirements	Consistent. This planning proposal does not include any concurrence, consultation or referral provisions nor does it identify any development as designated development.
6.2	Reserving Land for Public Purposes	Consistent. This planning proposal will not affect any land reserved for public purposes.
6.3	Site Specific Provisions	Consistent. This planning proposal does not introduce unnecessarily restrictive site specific controls.
7.1	Implementation of A Plan for Growing Sydney	Consistent. This planning proposal is consistent with this direction and does not hinder implementation of A Plan for Growing Sydney or the Greater Sydney Region Plan
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable

## Section C – Environmental, social and economic impact

### **Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. The planning proposal is unlikely to adversely affect any critical habitat or threatened species, populations or ecological communities or their habitats.

**Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

No. It is unlikely that the proposed amendment to the heritage schedule of SLEP 2012 will result in development creating any environmental effects that cannot readily be controlled.

**Q9. How has the planning proposal adequately addressed any social and economic effects?**

Identification of this heritage item will facilitate retention of the building that may have significance to community. No changes to the zoning are proposed. The merit-based heritage provisions provide capacity for Council and any proponent to take into account these matters when development is proposed. Listing may activate further conservation incentives for listed buildings.

## **Section D: State and Commonwealth interests**

**Q10. Is there adequate public infrastructure for the planning proposal?**

Yes. The proposed property to be identified as a heritage item is well located in relation to existing public transport infrastructure, utility services, roads and essential services.

**Q11. What are the views of State and Commonwealth public authorities consulted in the gateway determination?**

The Heritage Council of NSW will be consulted during the public exhibition. The identification of this heritage item, based on a comprehensive heritage assessment, is consistent with Heritage Council standards.

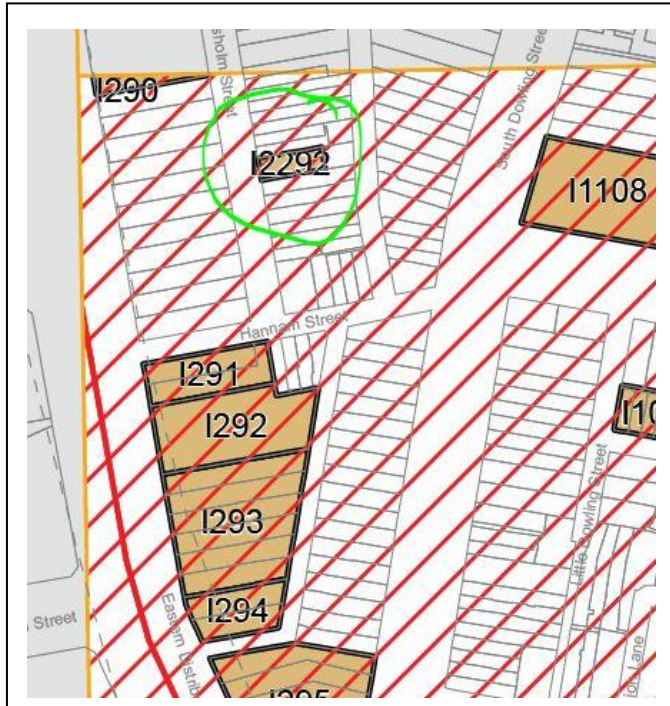
It is not considered necessary to consult with other public authorities as the planning proposal relates to the listing of a local heritage item that is privately owned.

Local heritage listing will identify heritage impacts as a consideration if public works are proposed for the identified sites, however will not constrain Crown development.

## **Part 4 – Mapping**

The heritage map tiles HER\_023 will be updated to shade in brown the location of the new heritage item. The heritage map extract at **Figure 2** shows the new heritage item.

**Figure 2: 46 Chisholm Street, Darlinghurst, item 2292**



## Part 5 – Community consultation

### Public Exhibition

The public authority consultation and exhibition process for the planning proposal will be subject to the conditions on the gateway determination issued by the Department of Planning and Industry. The consultation will take place in accordance with the gateway determination under section 3.34 of the Environmental Planning and Assessment Act 1979 and the relevant provisions of the Environmental Planning and Assessment Regulation 2000.

A 28-day public exhibition is recommended with notification:

- on the City of Sydney website;
- in newspapers that circulate widely in the City of Sydney Local Government Area; and
- in writing to the owner, the adjoining landowners, and the surrounding community in the immediate vicinity of the site.

## Part 6 – Project timeline

The anticipated timeframe for the completion of the planning proposal is as follows:

**Table 3 – Anticipated timeframe for planning proposal**

Action	Anticipated date
Commencement / gateway determination	October 2019
Public exhibition & government agency consultation	November – December 2019
Consideration of submissions	January – February 2020
Post exhibition consideration of proposal	March 2020
Proposal forwarded to DPIE to draft & finalise LEP	April 2020
LEP made	June 2020

## Appendices

1. Heritage Assessment
2. Draft Heritage Inventory Sheet

# **Attachment B**

## **Heritage Assessment**

# 46 CHISHOLM STREET, DARLINGHURST, NSW

## HERITAGE ASSESSMENT



Prepared by:

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Prepared for:

City of Sydney

March 2019

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## 1.0 INTRODUCTION

### 1.1 THE BRIEF

The following report has been prepared to provide a heritage assessment of the existing property at 46 Chisholm Street, Darlinghurst NSW. The report has been prepared on behalf of the City of Sydney.

### 1.2 BACKGROUND

The property has been the subject of a development application (D/2018/591) to the City of Sydney that includes the demolition of the existing timber cottage on the site and its replacement with a two storey duplex.

The City of Sydney has requested a heritage assessment to consider if the property should be included as a heritage item in Schedule 5 Part 1 of the Sydney Local Environmental Plan 2012.

A draft heritage assessment was issued in January 2019 and, since, access to the interior has been made available. The assessment has been updated to include a more detailed description of the cottage (see Section 3.0).

### 1.3 THE STUDY AREA

The study area is Lot 71 in DP 602585 at Darlinghurst, Parish of Alexandria and County of Cumberland (Figure 1.1).

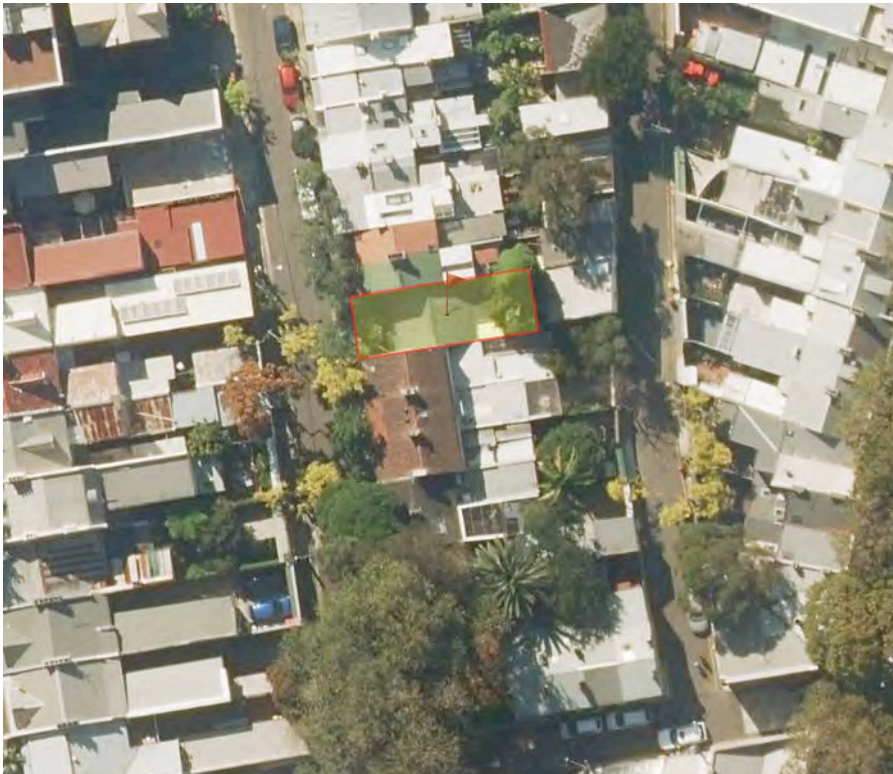


Figure 1.1 The Study Area shaded

Source: Six Maps

#### 1.4 LIMITATIONS AND TERMS

The report only addresses the European significance of the place. The terms *fabric, conservation, maintenance, preservation, restoration, reconstruction, adaptation, compatible use and cultural significance* used in this report are as defined in the Australia ICOMOS Burra Charter.

#### 1.5 SUPPORTING INFORMATION

The development application was supported by a heritage impact statement:

Zoltan Kovacs Architect, *Heritage Impact Assessment, Proposed Development, 46 Chisholm Street, Darlinghurst*, date April 2018 (HIA)

#### 1.6 METHODOLOGY

This report was prepared in accordance with the *NSW Heritage Manual "Assessing Heritage Significance Guidelines"* and the City of Sydney Council guidelines for the preparation of heritage impact statements. The philosophy adopted is that guided by the Australia ICOMOS Burra Charter 2013.

#### 1.7 AUTHORS AND ACKNOWLEDGMENTS

This report, including all diagrams and photographs, was prepared by John Oultram of John Oultram Heritage & Design, unless otherwise noted. Oultram Heritage & Design was established in 1998 and is on the NSW Heritage Office list of heritage consultants.

## 2.0 HISTORICAL DEVELOPMENT

### 2.1 SUMMARY

The HIA contained a detailed history of the site that is summarised below.

Date	Event
	The area was part of the land of the Cadigal people
1794	70 acres of land granted to John Palmer and later subdivided
1803	South Head Road (later Oxford Street) built
1811	Governor Macquarie sets aside 1000 acres of land east of the city as a water catchment to improve water supply
1816	First land grant to James Riley issued by Governor Macquarie
1855	Block of 8 acres purchased by James Chisholm
1880?	Lot 7 of Section 2 of the Chisholm Estate purchased by James Parker and subdivided
1881	Cottage constructed on the subject site and occupied by James Parker
1896	Property sold to James Brindle
	Later owners and occupiers are listed in the HIA

The site is part of the Chisholm Estate that appears to have been subdivided by Mary Chisholm c 1875<sup>1</sup>.

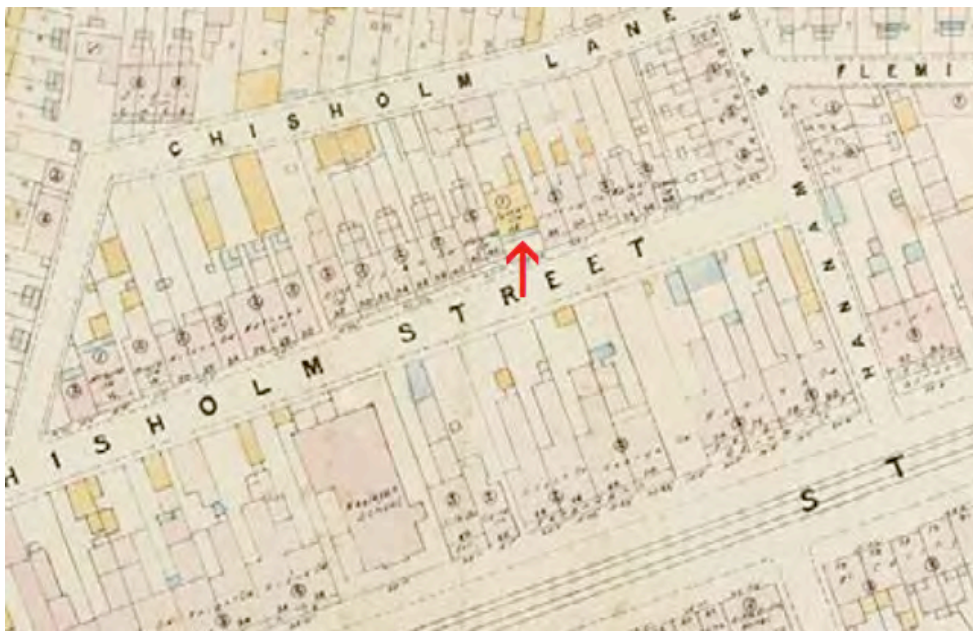


Figure 2.1 Detail of Rygate and West's plan of Sydney c. 1888 Sheet 30

Source: City of Sydney Archives

<sup>1</sup> The Primary Application for 48 Chisholm Street (PA22494) notes Mary Chisholm as the owner in 1875

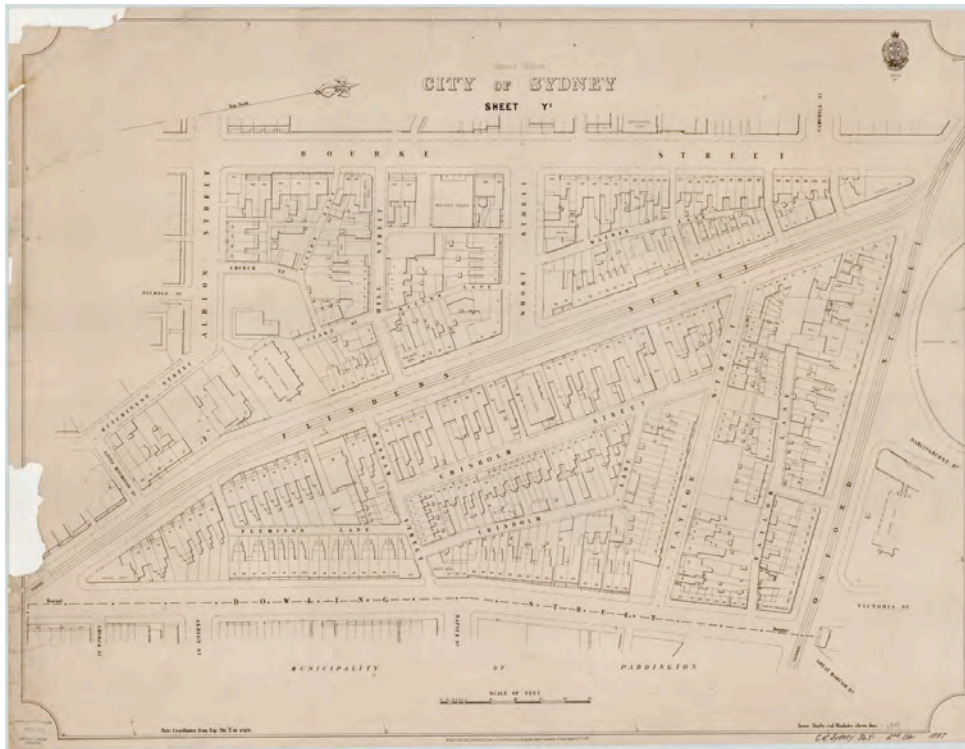


Figure 2.2 Metropolitan Detail Sheet Y1, dated 1897 showing the area largely developed

Source: State Library of NSW (Z/ M Ser. 4 811.17/1)

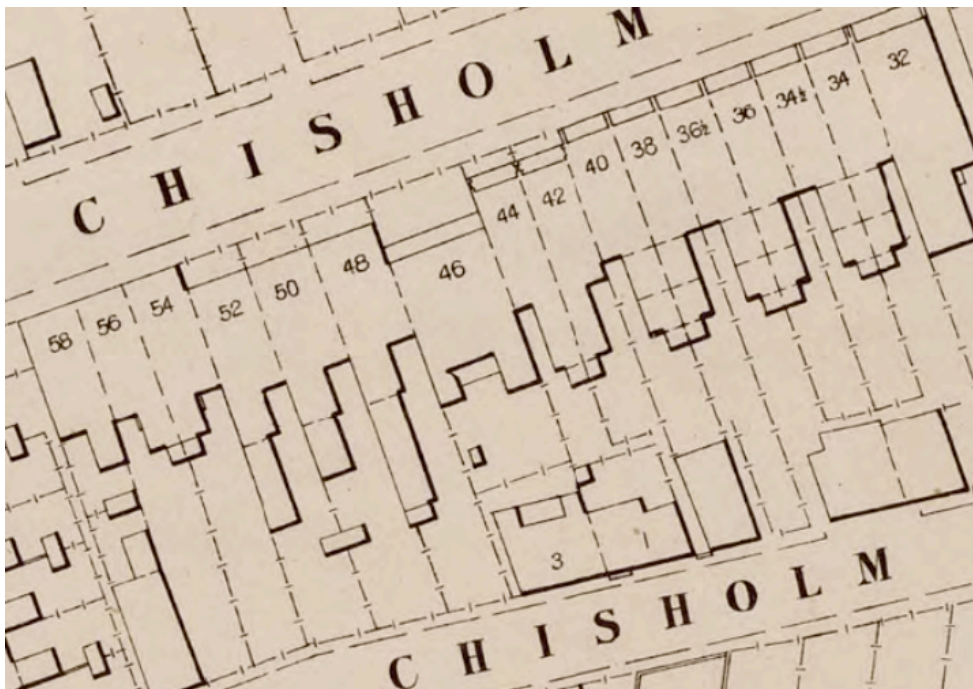


Figure 2.3 Extract from same showing the cottage at 46 Chisholm Street

## 2.2 46 CHISHOLM STREET

Development in Chisholm Street is not listed in the Sands Directory till 1877 when ten houses appear.

Chisholm Street	
Taylor street to Dowling street	
1	Peak, Clement, pawnbroker
	Vacant land
21	Vacant
	Vacant land
2	Ford, Mrs., Sophia
4	Vacant
6	Craddock, Humphrey, carter
8	Dowling, Mrs., Sarah
10	Weeden, Thomas, carpenter
12	Paul, William
14	Vacant
18	Makinson, John
20	Jenkins, Edward, stonemason
22	Parker, James, turner
30	Thompson, William, carrier
32	Whomsley, Oliver

Figure 2.4 Sand Directory of 1877

Included in the street is 22 Chisholm Street with James Parker as occupier then noted as a *turner*. It is clear from later editions of the Sands that the street numbers altered as in 1880 Parker's address is noted as 30 Chisholm Street. By 1882 the address was altered to its current number of 46 Chisholm Street.

Chisholm street--East side	
2	Sullivan, Michael
4	Fallon, John
6	Shea, Mrs. Ann
8	Steel, William, bootmaker
10	Mulligan, John, grocer
12	McKeon, F., boatbuilder
14	Paul, Wm.
16	Silks, John, blacksmith
18	McNab, —, com. traveller
20	Taylor, George, butcher
22	Skyrme, Edw., coachpainter
24	Bethel, Edw., printer
26	Martinson, Martin, storeman
28	Bourne, Henry
30	Parker, James
32	Western, John
34	Miller, John W.,
36	Ewington, Geo., upholsterer
38	Thomson, Wm., stonemason
40	Wholmsley, Oliver, painter
42	Darcy, J.

Chisholm street--East side	
Vacant land	
Chisholm lane	
14	Yates, John T., storeman
16	Fallon, John, warder
18	Shea, Mrs. Ann
20	Hill, Charles C., bootmaker
22	Cleary, Mrs. Melinda
24	Parson, James, slater
26	Paul, William, cab proprietor
28	Wright, Elias, J.
30	Steel, William, bootmaker
32	Williams, Thomas, tailor
34	Weller, George, tobacconist
36	Poole, Jesse T., stonemason
38	Hoe, John, draper
40	Bethel, Edward, printer
42	Martinsen, Martin, storeman
44	Bronne, Henry, cook
46	Parker, James, clerk
48	Western, John
50	Maller, John W., clerk
52	Tombs, Robert, reader of gas meters
54	Thompson, William, stonemason
56	Wholmsley, Oliver, painter
58	Maroney, Patrick
Hannam street	

Figure 2.4 Sand Directories of 1880 (left) and 1882 (right). Note the neighbours to Parker's residence remain as Henry Bourne and John Western. Parker is noted in the 1879 Sands as *collector*.

It would appear from the above that the cottage was built c. 1876. By 1882 the majority of the sites to the east of Chisholm Street had been developed.

### 3.0 PHYSICAL DESCRIPTION

An inspection of the property was carried out by John Oultram in January. The interior of the cottage was inspected in March 2019 to ascertain its layout, condition and intactness from original construction. The description has been updated below and the current plan is shown in Figure 3.1.

46 Chisholm Street is a single storey, late Victorian cottage in the Georgian vernacular style set on a wide lot to the east side of the street. The house retains its original form and detail but has been modernised internally.

The house is in timber weatherboards (O) with a gabled, corrugated metal roof in short sheets (L). The original timber shingles (O) are extant under the later cladding. There is a verandah to the front with a skillion, corrugated metal roof supported on timber posts on metal stirrups (rebuilt). The verandah has no soffit lining. The cottage has a symmetrical front elevation with two pane, double hung, timber sashes (L) each side of a four panel, timber door and fanlight (Door L). Part of the original, timber internal lining is evident to the northern side of the front elevation where original boards have fallen away. There is a narrow skillion wing to the rear in chamfered timber weatherboards with a corrugated metal roof (L).

The cottage has a two room arrangement off a central hall that opens to a full width dining/living room and kitchen with a narrow hall to the bathroom in the rear skillion. The hall has a timber fretwork screen (L).

Floors are in polished timber (M) and tile (M). To the front walls are in masonite and battens (L) with moulded timber skirtings. To the hall and living room, walls are in plasterboard with moulded timber skirtings (M). Ceilings are in plasterboard with coved cornices (O). Doors are four panel timber with moulded timber architraves (M). There are multi-paned, glazed doors and sidelights to the living room (M). The front windows are two pane, double hung, timber sashes (L). There is a narrow, double hung sash to the bathroom (M). Fireplaces have been removed.

The cottage has a small garden to the front with concrete pavers and gravel and two, concrete planter boxes (all M). The garden is bounded by timber picket fence to the street (M).

The house has a paved garden to the rear with perimeter planter boxes and plantings and a small metal shed (all M). To the rear there is a two storey, late Victorian house at the rear fronting Sims Street.

Chisholm Street is a narrow street lined to the east with two storey, Victorian houses some in a terrace form. The western side of the street has the rear wings and garages to the properties fronting Flinders Street with some later infill development to the north. The street is part of a tightly knit pattern of streets and lanes bounded by Oxford Street, Flinders Street and South Dowling Street.

Figures 3.2 – 3.17

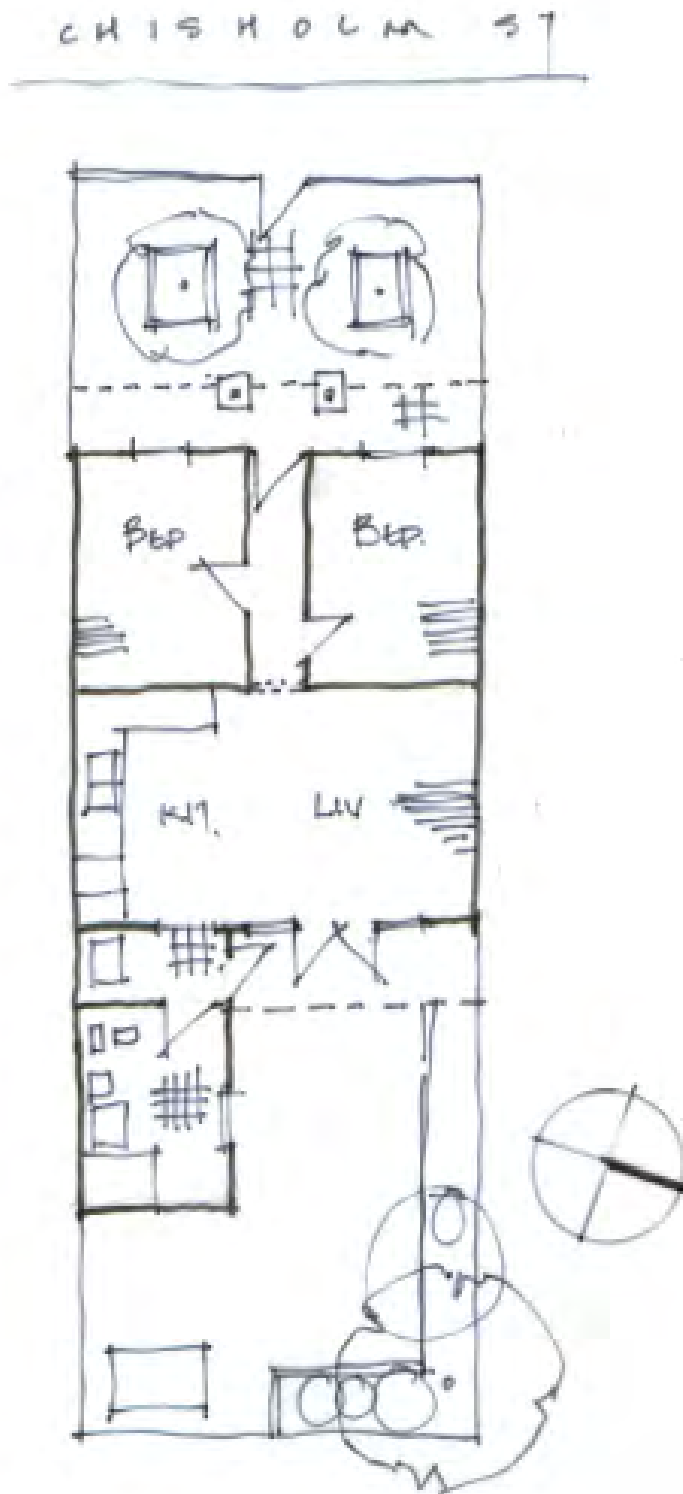


Figure 3.1 46 Chisholm Street, Darlinghurst

Plan as existing

March 2019



Figure 3.2 46 Chisholm Street, Darlinghurst  
Front elevation



Figure 3.3 46 Chisholm Street, Darlinghurst  
Front elevation detail



Figure 3.4 46 Chisholm Street, Darlinghurst  
View to interior linings where external board removed



Figure 3.5 46 Chisholm Street, Darlinghurst  
Verandah soffit





Figure 3.6 46 Chisholm Street, Darlinghurst  
Rear skillion



Figure 3.7 46 Chisholm Street, Darlinghurst  
Hall



Figure 3.8 46 Chisholm Street, Darlinghurst  
Front bedroom south showing typical wall and ceiling cladding



Figure 3.9 46 Chisholm Street, Darlinghurst  
Kitchen



Figure 3.10 46 Chisholm Street, Darlinghurst  
Living room



Figure 3.11 46 Chisholm Street, Darlinghurst  
Living room doors



Figure 3.12 46 Chisholm Street, Darlinghurst  
Bathroom



Figure 3.13 46 Chisholm Street, Darlinghurst  
Roof – note the timber weatherboards to the north wall (right) and extant shingles



Figure 3.14 46 Chisholm Street, Darlinghurst  
Roof – note the extant shingles



Figure 3.15 46 Chisholm Street, Darlinghurst  
View to the cottage from Sims Street



Figure 3.16 46 Chisholm Street, Darlinghurst  
Houses to the north



Figure 3.17 46 Chisholm Street, Darlinghurst  
Terrace to the south

## 4.0 HERITAGE LISTINGS & CONTROLS

### 4.1 NATIONAL TRUST

The property is not classified on the Register of the National Trust of Australia (NSW).

### 4.2 HERITAGE DIVISION OF THE NSW OFFICE OF ENVIRONMENT & HERITAGE

#### 4.2.1 State Heritage Register

Under the Heritage Act 1977 (as amended), the NSW Heritage Council, administered by the Heritage Division of the NSW Office of Environment and Heritage, maintains the State Heritage Register (SHR), a register of items and places that are considered to have heritage significance at a state level. The subject property is not listed on the Register.

#### 4.2.2 State Heritage Inventory

The Heritage Division also compiles the State Heritage Inventory (SHI), a collated database of all places listed on statutory heritage lists, including Local Environmental Plans. The subject property is not listed on the Inventory.

### 4.3 LOCAL AUTHORITY

The local authority for the area is the City of Sydney. The property is not listed as a heritage item in Schedule 5 Part 1 of the *Sydney Local Environmental Plan 2012* (as amended) (LEP) but is within the Paddington/Darlinghurst Heritage Conservation Area (C50).

The property is in the vicinity of a heritage item at:

REF	ADDRESS	ITEM	RANKING
I290	58A Flinders Street	Former Wesleyan School including interior	Local

The heritage provisions in the LEP relating to the development in a conservation area and in the vicinity of a heritage item would apply.

Development at the site would also be the subject of the *Sydney Development Control Plan 2012* (as amended) (DCP) that contains detailed heritage objectives and controls for the development in conservation areas.

The property is identified as a Contributory Item on the Buildings Contributions Map for the area.

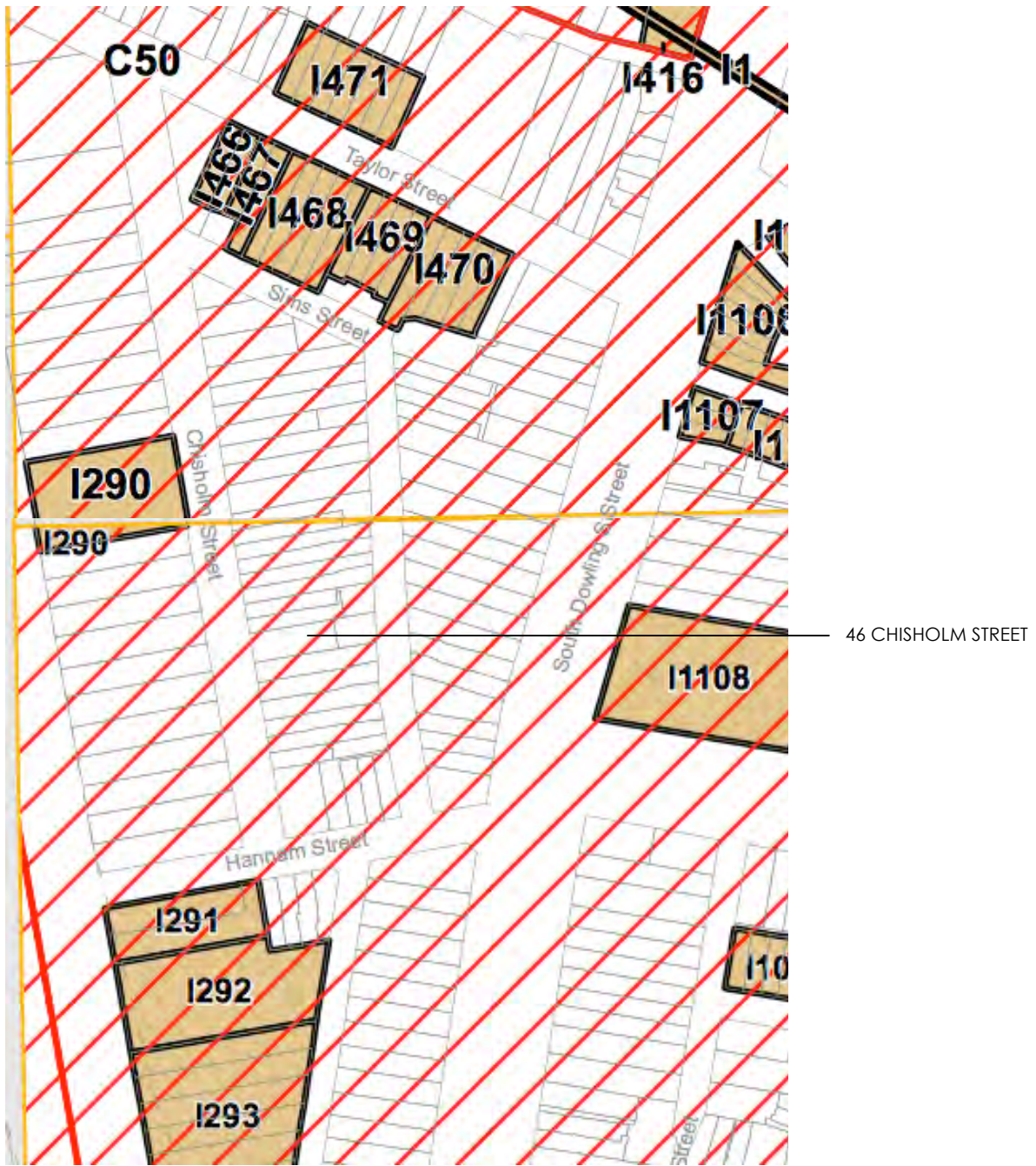


Figure 4.1 Sydney Local Environmental Plan 2012 – Heritage Maps HER\_022 and HER\_023

Heritage items are coloured brown

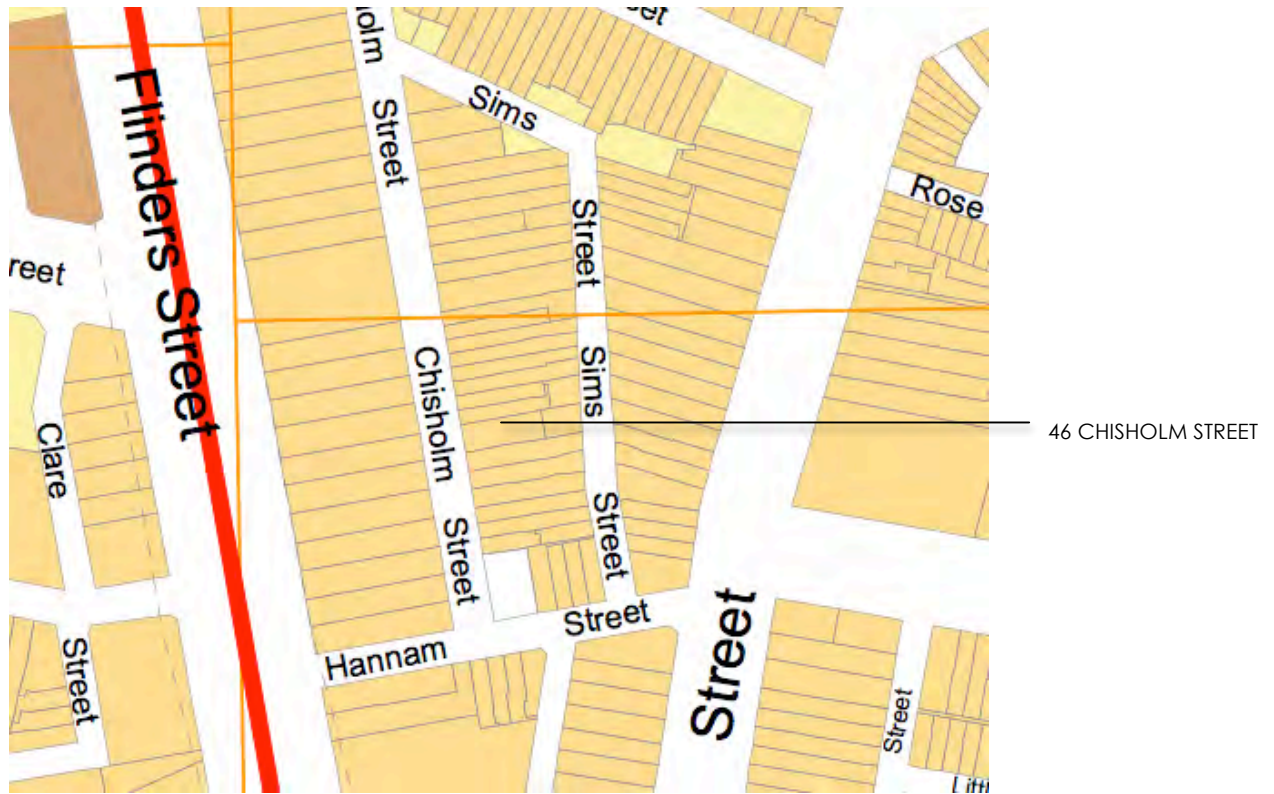


Figure 4.2 Sydney Development Control Plan 2012 – Building Contributions Map 023

Source: City of Sydney

### 5.0 ASSESSMENT OF SIGNIFICANCE

The Heritage Office of New South Wales has issued guidelines as part of the NSW Heritage Manual regarding the assessment of heritage significance. The Manual is a well-regarded methodology for the assessment of cultural significance and is appropriate for application to the subject property.

#### 5.1 HISTORIC SIGNIFICANCE

Criterion (a)	An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)
---------------	---

46 Chisholm Street is a single storey, late Victorian cottage built c.1876 for James Parker who had purchased Lot 7 in Section 2 of the Chisholm Estate. The Chisholm Estate (Roll Plan 619) appear to have been subdivided in 1875 and occupied an area bordered by South Dowling Street, Taylor Street, Flinders Street and Hannam Street. The early plan (undated) shows the subject site to its current configuration.

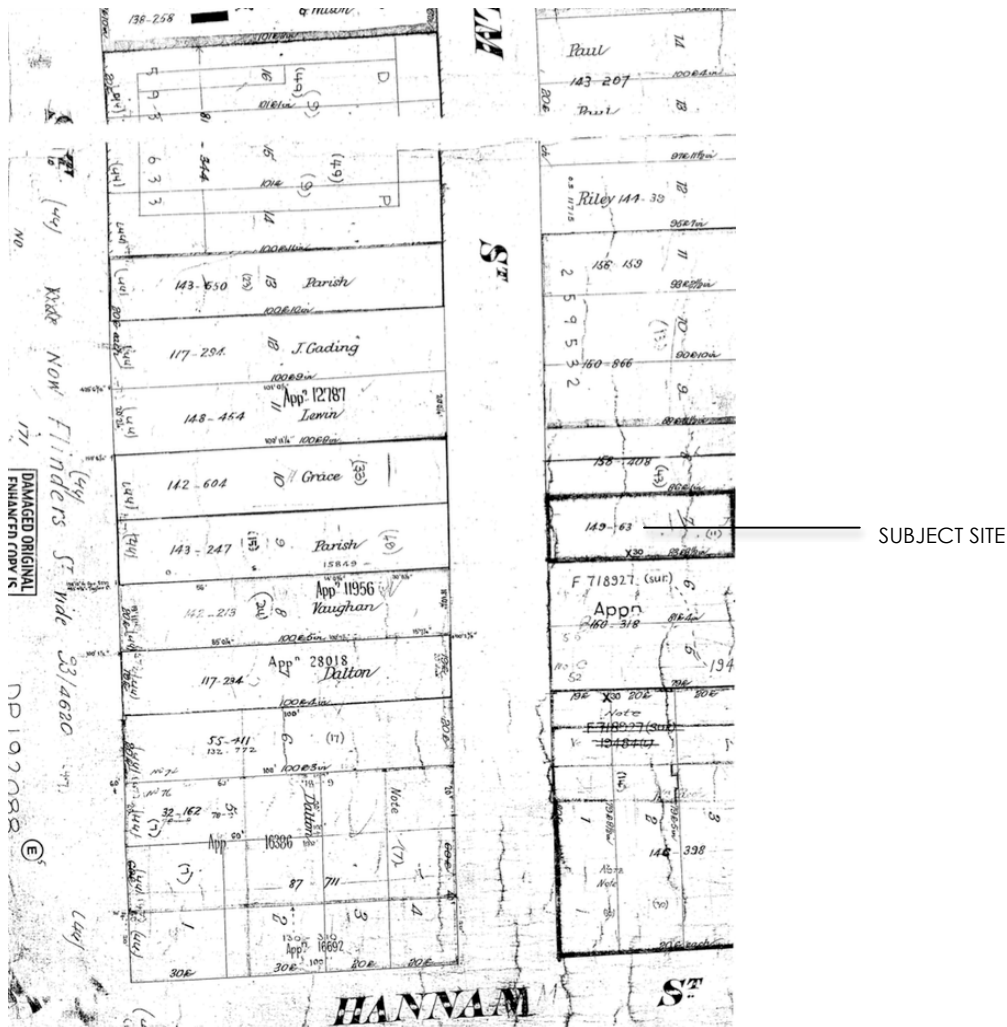


Figure 5.1 Extract from the subdivision of the Chisholm Estate. The subject site is lot 7 in Section 2

Source: NSW Land Registry Services DP192088



The property was formerly part of Edward Riley's vast landholdings in the area that he purchased directly, or later acquired, from John Palmer.

The cottage was sold to James Brindle c. 1895 and tenanted.

The cottage is emblematic of the early development of the area for small-scale housing.

Local Significance.

### 5.1.1 Historical Associations

Criterion (b)	<i>An item has strong or special associations with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)</i>
---------------	--

The place is most closely associated with James Parker, variously a clerk, turner and collector. No biographical details were available.

The place is also associated with James Chisholm who carried out the early subdivision of one of the lots of the Riley Estate. The association would cover a large portion of the local area and is incidental.

Does not meet the criterion.

### 5.2 AESTHETIC SIGNIFICANCE

Criterion (c)	<i>An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)</i>
---------------	---

The house is a modest example of a single storey, late Victorian cottage in the Georgian vernacular style. The house retains its original form and detail to the front but has lost much of its original internal fabric with nearly all original finishes and detail replaced. The cottage may retain its original wall and roof framing and the current floors are in timber.

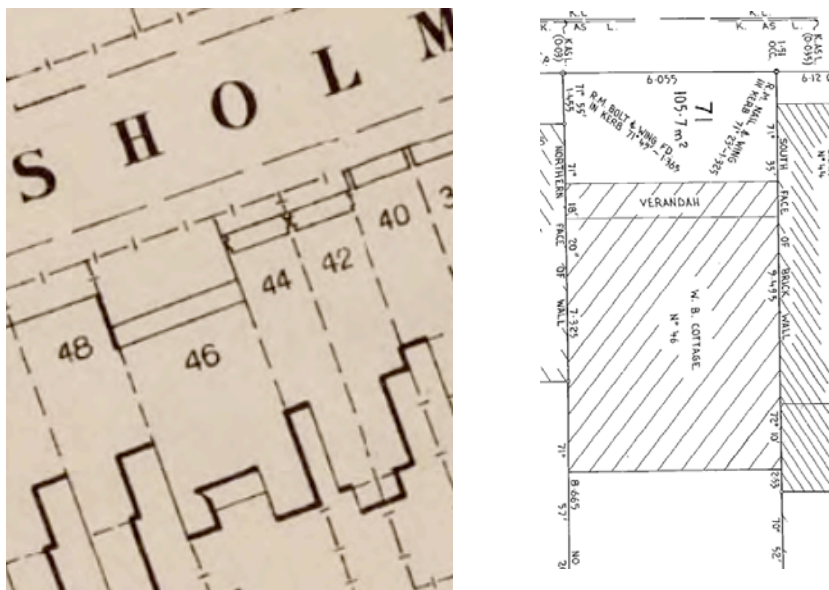


Figure 5.2 Footprint of the cottage c 1897 (left) and in 1978 (right). The northern rear wing has been demolished and the southern wing extended or rebuilt

The cottage is a little unusual being built on the original lot width (many other sites have been subdivided) and has a greater front setback as most house in the area are built to the street frontage.

The cottage is also unusual in the area for its weatherboard construction being the only such cottage in the triangular area bounded by Oxford Street, Flinders Street and South Dowling Street.

The house was built by James Parker as his own residence and this may account for both the lot layout and building material.

Does not meet the criteria.

### 5.3 SOCIAL SIGNIFICANCE

Criterion (d)	<i>The item has strong or special association with a particular community or cultural group in NSW (or the local area) for social or spiritual reasons</i>
---------------	--

The house has no special associations with any particular group.

Does not meet the criterion.

### 5.4 TECHNICAL/SCIENTIFIC SIGNIFICANCE

Criterion (e)	<i>An item has the potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)</i>
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There do not appear to have been any previous buildings on the site and the place has no archaeological potential.

The cottage demonstrates the timber weatherboard style of construction of the era but is of no technical significance.

Does not meet the criterion.

### 5.5 RARITY

Criterion (f)	<i>An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)</i>
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The single storey, weatherboard cottage type is uncommon in the area that largely comprised two storey, masonry terraces. In the plan of 1888 (Figure 2.1) only five, one storey timber cottages are shown in the area and the subject cottage is now the only weatherboard house in the former Chisholm Estate subdivision and dates from the earliest building period for the area.

Rare locally.

## 5.6 REPRESENTATIVENESS

Criterion (g)	<i>An item is important in demonstrating the principal characteristics of a class of NSW's Cultural or natural places; or Cultural or natural environments</i>
	<i>(or a class of the local area's; Cultural or natural places; or Cultural or natural environments)</i>

The house is an example of a mid Victorian weatherboard cottage that retains its early form and its detail to the front. The house retains a two room arrangement to the front and though it has been altered internally with the loss of much of its original, internal features it remains a representative example of the type.

Local Significance.

## 5.7 INTACTNESS

The cottage retains its primary form to the front and rear and its detail to the front but has been altered internally and much of the original fabric and detail removed. The southern rear wing has been rebuilt or extended and the northern rear wing demolished.

Intactness is not a measure of significance but the cottage retains part of its original layout to the front along with its external cladding, wall framing, possibly its internal cladding (under later coverings), the weatherboards to its gables (that clearly indicate the house was built prior to the adjoining houses), the timber roof structure and timber shingles (under the corrugated metal). The extant details clearly indicate its form of construction.

## 5.8 STATEMENT OF SIGNIFICANCE

46 Chisholm Street, Darlinghurst has heritage significance at a local level for its historic value, its rarity and representation of the earliest development period of the Chisholm Estate.

The cottage is a single storey, late Victorian, weatherboard cottage in the Georgian vernacular style built c.1876 for James Parker who had purchased Lot 7 in Section 2 of the Chisholm Estate.

The property was part of the Chisholm Estate (Roll Plan 619) appear to have been subdivided in 1875 and occupied an area bordered by South Dowling Street, Taylor Street, Flinders Street and Hannan Street.

The cottage retains its primary form and some of its exterior detail. The cottage was only one of five, weatherboard cottages that were built in the area and is the last remaining weatherboard cottage on the Chisholm Estate subdivision.

## 5.9 CONTRIBUTION TO THE PADDINGTON HERITAGE CONSERVATION AREA

The cottage is unusual for this section of the Paddington HCA due to its scale and detail as most of the remaining, early houses on the Chisholm Estate are two storey and in masonry though there are some are single storey, masonry cottages. The cottage makes a very distinctive contribution to the conservation area and signals the earliest development of the area more clearly than other development that was built in the same period.

## 6.0 SUMMARY AND RECOMMENDATIONS

### 6.1 SUMMARY

Based on the above we consider that the cottage at 46 Chisholm Street would meet three of the Heritage Manual criteria for identification as a place of local significance being:

Criterion (a)	<i>An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)</i>
Criterion (f)	<i>An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)</i>
Criterion (g)	<i>An item is important in demonstrating the principal characteristics of a class of NSW's Cultural or natural places; or Cultural or natural environments (or a class of the local area's: Cultural or natural places; or Cultural or natural environments)</i>

The property is a surviving timber cottage that dates from the earliest development of the Chisholm Estate and that retains its primary form and detail to the front and that remains readable as an early development in the area. The cottage retains some of its early detail and fabric including external weatherboards, internal linings, wall structure, roof structure and timber shingles. The property contains the only remaining, timber weatherboard cottage from the earliest development of the Chisholm Estate.

### 6.2 RECOMMENDATIONS

#### 6.2.1 Heritage Listing

This Heritage Assessment for the dwelling at 46 Chisholm Street, Darlinghurst was prepared by John Oultram Heritage & Design on behalf of the City of Sydney. The objective of the assessment was to determine if inclusion of the building as a heritage item on the Sydney Local Environmental Plan 2012 (SLEP 2012) is warranted.

The assessment has determined that the item meets the threshold for inclusion for its historic values, rarity and representativeness. The following recommendations are made for consideration by the City of Sydney Council:

- The property at dwelling at 46 Chisholm Street, Darlinghurst should be considered for nomination for inclusion as a heritage item on the Sydney Local Environmental Plan 2012 (SLEP 2012)
- Consideration should be given to development principles that will ensure conservation of the building, as well as the retention of its contribution to the Paddington Heritage Conservation Area

### 6.2.2 Conservation Area

Council should investigate the possibility of creating a new Conservation Area focusing on the Chisholm Estate, as:

- The area has well defined boundaries
- The character of this area is quite distinct
- The narrow street pattern is also distinct due to the irregular major road pattern
- The area has a well-defined history and subdivision pattern
- The buildings pattern is more fine grained and tight knit than the pattern seen in other parts of the Paddington Heritage Conservation area to the east across South Dowling Street where the building stock is larger scale and includes two and three storey houses on larger sites and rows of terrace houses with verandahs



JOHN OULTRAM

## 7.0 APPENDIX A – WEATHERBOARD COTTAGES COMPARATIVE STUDY

### 7.1 PREAMBLE

Weatherboard buildings are an important element of the city as they are amongst the oldest residential buildings in the City. They contribute a unique character to their streets and bring diversity to city life. They also often signal the early development of Sydney's inner suburbs as areas were subdivided for residential development and also the common building methods of the time. However, they are becoming increasingly rare and have been under threat of demolition.

A heritage study of weatherboard cottages in the South Sydney LGA was prepared in 2004:

Musecape Pty Limited (in association), *Draft South Sydney Weatherboard Buildings Survey Report*, dated February 2004

The report was prepared in response to a perceived threat to weatherboard buildings in the south Sydney LGA. Over 300 weatherboard buildings were identified and of these, 270 were surveyed with many recommended for addition to the South Sydney LEP Schedule. Following amalgamation, the cottages are now within the City of Sydney LGA,

The report gives a good overview of the development of weatherboard and timber buildings in Sydney and the pattern of development in Sydney as larger landholdings and estates were subdivided for residential development including small-scale subdivision for workers' cottages. Timber was favoured by working class owners and builders as it was cheaper and easier to build.

Unfortunately, the use of timber has often led to substantial changes to, or demolition of, weatherboard cottages as the material was prone to white ant damage and rot and the houses were seen as less substantial than masonry buildings. They were also easier to alter.

### 7.2 COMPARATIVE ANALYSIS

The following schedule is a comparative study of selected weatherboard cottages in the Sydney Local Government Area (LGA) that are listed as heritage items or that are regarded as Contributory elements in a conservation area.

The cottages were chosen on the basis that they are listed items in the LEP or Contributory items in a conservation area and are comparable in scale (single storey), form, materials and detail. The schedule also provides the statements of significance for the properties to see what level of significance and intactness was the threshold for listing.

Common characteristic identified in the study below are

- Construction in the late Victorian period
- Modest scale and detail
- Double fronted form with hipped and gabled roofs
- Retention of the primary form and posted verandahs
- Some level of change and refurbishment internally
- Rear additions

The statements of significance often refer to the cottages as being **rare** and signalling the early development of the area.

### 7.3 46 CHISHOLM STREET

The cottage at 46 Chisholm Street has all of the characteristics noted in Section 7.2 above and remains readable as an early cottage in the conservation area.



It is rare being the only weatherboard cottage in the Chisholm Estate subdivision of the conservation area and is of a comparable standard and level of intactness to the properties noted in the Schedule.

7.4 934 ELIZABETH STREET, ZETLAND


Address	934 Elizabeth Street, Zetland
Date	Late Victorian
Description	A simple symmetrical single storey double fronted weatherboard cottage which has been vinyl clad. The building features timber double hung windows, posted verandah, cast iron lacework, 3 brick chimneys with corbelled collars and original chimney pots and an original 4 panelled front door.
History	Not known
Photos	
	
Plan	
SHI	2420710
Significance	A good example of a late Victorian modest cottage and a rare example of an intact weatherboard cottage in the Zetland Estate which has retained its original form and detail.
Notes	The cottage has been altered and modernised internally and extended to the rear but retains its original form and detail to its elevation (weatherboards overclad) and its posted verandah



7.5 117 HEREFORD STREET, FOREST LODGE

Address	117 Hereford Street, Forest Lodge
Date	c. 1876
Description	Double fronted weatherboard cottage with gabled, corrugated metal roof with posed verandah to the front
History	Built in 1876 and refurbished in 2008
Photos	
	
Plan	
SHI	2427730
Significance	A rare surviving weatherboard workers' cottage within the Glebe/Forest Lodge area
Notes	The cottage has been altered and modernised internally but retains its original form and detail to its front elevation and its posted verandah



## 7.6 72 HORDERN STREET, NEWTOWN

Address	72 Hordern Street, Newtown (Rhoda Cottage)
Date	c.1876
Description	Double fronted weatherboard cottage with gabled, corrugated metal roof with posted verandah to the front
History	Part of O'Connell Town Village that was a subdivision of the land grant to William Bligh in 1803. First occupant recorded in 1879 was Joseph Collins
Photos	
Plan	
SHI	2431153
Significance	72 Hordern Street is of aesthetic and historical significance as a fine example of a single storey, simple, wide weatherboard cottage representing a class of dwellings now rare in Sydney generally. It is of aesthetic significance as part of a weatherboard group of buildings which contribute to the streetscape, with Nos. 74-76 Hordern Street adjacent
Notes	The cottage has been altered and modernised (2004) but retains its original form and detail to its front elevation and its posted verandah


## 7.7 54 JENNINGS STREET, ALEXANDRIA

Address	54 Jennings Street, Alexandria
Date	c. 1900
Description	Double fronted weatherboard cottage with gabled, corrugated metal roof with verandah to front
History	Part of the Waterloo Estate of William Hutchinson's 1823 land Grant
Photos	
Plan	
SHI	2431156
Significance	Of aesthetic and historical significance as a good example of a Federation detached working class cottage associated with the adjacent early local industries and the Eveleigh Railway Workshops. It has high integrity as part of a unique small group of weatherboard buildings in the area and for its own intact form and detailing
Notes	The cottage retains its original form and detail to its front elevation and its posted verandah

## 7.8 46 LITTLE CLEVELAND STREET, REDFERN

Address	46 Little Cleveland Street, Redfern
Date	c. early 1880s
Description	Double fronted weatherboard cottage with hipped, corrugated metal roof with posted verandah to the front
History	Part of the Edward's Smith Hall's grant of 1822 subdivided by Frederick Unwin in 1829. The house appears in the Sands Directory in 1884 occupied by Elizabeth Patterson
Photos	
Plan	
SHI	2431155
Significance	Of historical and aesthetic significance as an early working class cottage, rare due to its weatherboard construction and illustrating the variety of working class housing in the 19th century in this area. Due to its construction materials it appears to be one of the earliest houses in Little Cleveland Street
Notes	The cottage has been altered and modernised internally and appears to have a two storey extension to the rear but retains its original form and detail to its front elevation and its posted verandah

## 7.9 21 QUEEN STREET, BEACONSFIELD

Address	21 Queen Street, Beaconsfield (Beaufort)
Date	Post 1895
Description	Narrow, double fronted weatherboard cottage with gabled, corrugated metal roof with posted verandah to the front
History	Part of the Beaconsfield Estate
Photos	
Plan	
SHI	2431157
Significance	Of aesthetic and historical significance as a relatively intact Federation weatherboard cottage which illustrates the variety of working class housing in this area, and demonstrates association between the provision of working class housing in the late 19th and early 20th century in this area and the proximity to industrial area operating at that time
Notes	The cottage has been altered and modernised internally and has a two storey extension to the rear but retains its original form and detail to its front elevation and its posted verandah


## 7.10 43 UNION STREET, NEWTOWN

Address	43 Union Street, Newtown (Wonga)
Date	c. 1880s
Description	Double fronted weatherboard cottage with hipped, corrugated metal roof with later, posted verandah to the front
History	First recorded in the Sands Directory in 1882 occupied by sawyer, Alexander Storer
Photos	
Plan	
SHI	2431148
Significance	Wonga is of aesthetic significance as a late 19th century weatherboard cottage with elaborate details and finishes including a central tower section, a feature that rises from the edge of the front verandah about a metre with its own hipped end roof like a blind dormer. It has a well landscaped front garden and makes a positive contribution to the streetscape
Notes	The cottage has been altered and modernised internally and has a single storey extension to the rear but retains its original form and later detail to its front elevation including its posted verandah

7.11 38 VICTORIA STREET, POTTS POINT


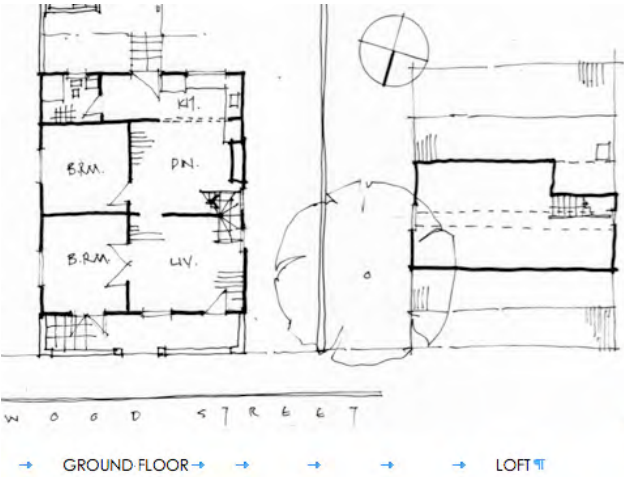
Address	38 Victoria Street, Potts Point (Overcliff)
Date	c. 1868
Description	Double fronted weatherboard cottage with hipped, corrugated metal roof with posted verandah to the front
History	Built by builder William Shoultis and sold in 1869 to Master Mariner William Dawson Mills
Photos	
Plan	
SHI	2421379
Significance	Overcliff Cottage is a rare surviving example of a single storey weatherboard cottage with a pyramidal roof or double hipped roof and is the only known remaining timber cottage in Potts Point. It is unusual in having height ceilings, quality cedar joinery, an elegant and finely detailed timber staircase leading to a room in the roof with excellent view of the harbour and Woolloomooloo Bay in particular. The cottage is enhanced by its setting on the edge of an escarpment overlooking the harbour and aesthetically makes a very important contribution to the streetscape
Notes	The cottage has been altered and modernised internally and has a two storey extension to the rear but retains its original form and detail to its front elevation and its posted verandah

## 7.12 39 MOREHEAD STREET, REDFERN

Address	39 Moorehead Street, Redfern
Date	c. early 1870s
Description	Double fronted weatherboard cottage with hipped, corrugated metal roof with posted verandah to the front
History	Built on part of the 1822 land grant to Edward Hall Smith that became part of the Cooper Estate part of which was later subdivided by James Ewart. In 1873 the house was occupied by painter Henry Joseph Merer
Photos	
Plan	
SHI	2421009
Significance	39 Morehead Street is the last remaining timber house of a former group that was rare and significant at the State level as the only identified, surviving group of late 19th century timber, ridge line, working class rental houses built on small lots within a subdivision pattern that reflects the land management practises of the late 19th century 'urban manor' in a colonial environment. This significance is enhanced by the mid 20th century destruction of other comparable combinations of topographically responsive, urban vernacular built forms using predominantly timber fabric; 19th century Australian adaptations of English methods for providing cheap working class housing; clear links to the spread of industrialisation beyond the city boundaries in the 1870s and 1880s; and links to the pre-urban and pre-industrial rural land use of dairying. The Morehead Street timber houses group illustrated in its layers of fabric a continuum from rural to industrial to post-industrial cultural environments in the form of domestic housing unequalled elsewhere in the State. This building is also historically important as it forms part of the Cooper Street Conservation Area, an area which developed in the c1880s as a working class subdivision, as evidenced by the traditional grid patterns, small blocks and night soil lanes. The area is associated with Solomon Levey and Daniel Cooper, both emancipated convicts who became prominent businessmen forming the successful company Cooper and Levey. This timber dwelling is historically significant as it demonstrates the working class nature of the area through its construction and detail. The building is aesthetically important as a rare surviving example of a timber dwelling Victorian Georgian style. The building is typical of this style of architecture being small in scale and unassuming in detail. It has a steep pitched roof and close eaves on all sides, characteristic of this period. The building has some landmark qualities being constructed on the property boundary and located on the prominent corner position of Morehead and Cooper Streets.
Notes	The cottage appears very intact and retains its gabled form and rear skillion and detail to its front elevation and its posted verandah



## 7.13 2 WOOD STREET, FOREST LODGE

Address	2 Wood Street, Forest Lodge (Alpha)
Date	c. 1880
Description	Double fronted weatherboard cottage on a sandstone base with gabled, corrugated metal roof with verandah to the front on later brick piers
History	Originally forming part of land purchased by John Wood in 1831, the property is Lot 28 in the subdivision of Wood's land undertaken in 1876. The cottage appears to have been erected around 1880 (the first in the street) for George Tumeth and stables were erected around 1885 for Johannes Theodore Joseph Brunning. Brunning named the cottage <i>Alpha</i> .
Photos	
Plan	
SHI	Not listed – Contributory item in conservation area
Significance	2 Wood Street is a modest example of a single storey, late Victorian cottage in the Georgian vernacular style erected c. 1880 probably by the then owner of the property, George Tumeth and a brick stable built c. 1885 possibly by Johannes Brunning. The place has associations with John Wood (1811-1875) who erected the villa <i>Glenwood</i> on the early subdivision of the area and the Glebe that was set aside for the support of the Anglican Church in 1789. The house was the first built in the street is partly intact in form but has been altered internally and externally. The remnant brick stables are a rare, surviving example that demonstrates the early semi-commercial development of the area. The property is of high significance at a local level.
Source	JOHD HIS May 2015
Notes	The cottage has been altered and modernised internally and has a two storey extension to the rear yard but retains its original form and detail to its front elevation where the posted verandah has been reinstated (2015)

# **Attachment C**

<b>Summary of Submissions</b>
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## Introduction

This submissions table provides a summary of the 19 submissions received during the public exhibition period of the Planning Proposal to include 46 Chisholm Street as a heritage item within Schedule 5 of the Sydney Local Environmental Plan (LEP) 2012.

The planning proposal was exhibited from 25 November to 23 December 2019. 15 submissions were received in response to the public exhibition, including one petition.

Due to a miscalculation of the exhibition time period in late 2019, the City was required to re-exhibit the planning proposal. This new exhibition period occurred from 5 May 2020 until 3 June 2020. Previously submissions on this proposed heritage listing from the 2019 exhibition were still considered valid. A further four submissions were received in response to the second public exhibition.

The 19 submissions and the City's response are included in the table below.

Summary of Submissions – 46 Chisholm Street, Darlinghurst

No.	Submitter	Submission summary	Response
1	Community member	<b>Support.</b> Support the proposal to heritage list as a means of retaining our built heritage.	Support noted.
2	Potts Point and Kings Cross Heritage and Residents' Society,	<b>Support.</b> Support the proposal to heritage list, as a rare item of historical, social and architectural significance within the City of Sydney local government area.	Support noted.
3	Community member	<b>Support.</b> Support the proposal to heritage list. Notes that they would also support any proposal to develop 46 Chisholm Street behind but not above the ridge line.	Support noted.
4	Community member	<b>Support.</b> Support the proposal to heritage list to ensure that the full fabric of our area is conserved for future generations.	Support noted.
5	Heritage NSW	<b>Support.</b> Heritage NSW encourages the listing of new heritage items on Council's Local Environmental Plan. Council should satisfy itself that the necessary assessments, notifications and due diligence have been completed.	Support noted.
6	Community member	<b>Support.</b> Support the proposal to heritage list as a local resident who takes an active interest in development and heritage protection in their local area. Concerned about the scale of development on the periphery of their vicinity (Oxford and Flinders Streets) and degree of change within the conservation area.	Support noted.
7	Community member	<b>Support.</b> Support the proposal to heritage list as a local resident who lives in the area for its distinctive historic character. Notes that 46 Chisholm St represents the earliest history of the street, is unique and adds significant character to the area. Concerned that not heritage listing would	Support noted.

Summary of Submissions – 46 Chisholm Street, Darlinghurst

No.	Submitter	Submission summary	Response
		allow demolition which would be an unfortunate precedent for the rest of the street and the area as a whole.	
8	Community member,	<b>Support.</b> Support the proposal to heritage list as a local resident.	Support noted.
9	Dickson Rothschild (on behalf of the property owner)	<b>Oppose.</b> Oppose the proposal to heritage list, on behalf of the property owner	Opposition noted. Comments are addressed below.
		<p>Application process</p> <p>Issues raised include concerns about the listing process and procedural fairness.</p>	<p>The City has been clear it has not supported demolition of the cottage.</p> <p>Council first stated this position in preliminary discussions in December 2017, and in subsequent development application correspondence in October 2018 and February 2019.</p> <p>One of the reasons for not supporting demolition is the property is identified as a contributory building within the Paddington Conservation Area. Separate to the advice provided on the development application, the City carried out a heritage assessment which has established the heritage significance of the place.</p> <p>The City has followed due process. During the preparation of the heritage assessment, the City requested and was provided access from the landowner's representative for staff and the consultant to inspect the property.</p>
		<p>Heritage significance</p> <p>The correspondence questioned the degree of heritage significance of the property and that it had not been identified in any previous studies of the area or building type, including the South Sydney Weatherboard Buildings Survey in 2004.</p>	<p>The independent heritage assessment by John Oultram Heritage + Design concluded the cottage at 46 Chisholm Street, Darlinghurst meets the threshold for inclusion as a heritage item on Sydney Local Environmental Plan 2012 (LEP) for its historic values, rarity and representativeness. The assessment notes the house as an example of a mid-late Victorian weatherboard cottage that retains its early form and its detail to the front. The property contains the only remaining, timber weatherboard cottage from the earliest development of the Chisholm Estate. The independent</p>

No.	Submitter	Submission summary	Response
			<p>assessment concluded the cottage meets three of the seven criteria for listing, noting only one is required to meet the threshold for inclusion as a heritage item.</p> <p>A comparative analysis was prepared in 2019 as an appendix to the initial heritage assessment. This study concluded that the subject site has all of the characteristics of heritage listed weatherboard cottages in the City with a comparable degree of significance and intactness. It remains readable as an early cottage in the conservation area and is the only weatherboard cottage in the Chisholm Estate subdivision.</p> <p>Following concerns about the demolition or redevelopment of weatherboard buildings, South Sydney City Council commissioned a study in 2002. After the amalgamation with the City of Sydney in 2004, the City endorsed a number of heritage listings of weatherboard cottages, as recommended by this study. Soon after, the City incorporated guidelines related to this study into the Heritage Development Control Plan 2006, which has evolved into the current Sydney Development Control Plan 2012. This guides development of weatherboard cottages within Conservation areas, but also any weatherboard buildings older than 50 years. The subject site was not identified in the 2002 study, however, the weatherboard study was not comprehensive. While there were no specific recommendations made for this site as part of the 2002 study, this does not negate the recommendation of the 2019 independent heritage assessment.</p>
		<p>Contrary views The submission noted previous heritage assessments had not determined that the site had any heritage significance. The submission contained a copy of the Heritage Impact Assessment prepared for the DA by Zoltan Kovacs Architect, dated April 2018</p>	<p>The City commissioned an independent heritage assessment of the property to determine if the site met the threshold for inclusion as a heritage item.</p> <p>This assessment was carried out separately to but concurrently with the development application assessment process and concluded the cottage meets the threshold for inclusion as a heritage item on the LEP for its historic values, rarity and</p>

No.	Submitter	Submission summary	Response
		and a review of Kovacs report by Weir Phillips Heritage, dated 25 August 2009 (sic).	representativeness. A comparative analysis supports heritage listing of the site.
		Savings provisions The submission suggested that a savings provision should be incorporated into the Planning Proposal.	As there was no application approved to demolish the property prior to the City’s heritage assessment, savings provisions are not applicable.
		Ad-hoc approach, lacking merit The correspondence considers that “this is an ad-hoc, spot-rezoning and lacks planning and heritage merit.”	The City commissioned an independent heritage assessment of the property to determine if the site met the threshold for inclusion as a heritage item. While thematic or place based heritage studies can be used to identify heritage items it is also common for individual sites to be assessed as their potential significance is revealed. Heritage and planning legislation enables the assessment and identification of heritage items on an individual basis.  The merit of the listing has been addressed in the heritage assessment and comparative analysis. No further evidence has been raised to discount the conclusions of the assessment.
10	Property owner	<b>Oppose.</b> Oppose the proposal to heritage list.	Opposition noted. Comments are addressed below:
		Application process A major issue raised by this correspondence is the difficult application process that has happened since the DA submission.	The City has been clear it has not supported demolition of the cottage. Council first stated this position in preliminary discussions in December 2017 as it is a contributory building in a conservation area. Subsequent assessments of the development application in October 2018 and February 2019, identified heritage as a key consideration. One of the reasons for not supporting demolition is the property is identified as a contributory building within the Paddington Conservation Area.
		Lack of previous Council reports on the heritage significance of the site. Comments include lack of previous Council	The property is classified as a contributory building within the Paddington Conservation Area. Until recently this site has not

No.	Submitter	Submission summary	Response
		<p>studies regarding this property between 1994 and 2005, none of which determined that the site should be a heritage item.</p>	<p>previously had a detailed heritage assessment, other than an assessment of its contributory status.</p> <p>The independent heritage assessment by John Oultram Heritage + Design concluded the cottage at 46 Chisholm Street, Darlinghurst meets the threshold for inclusion as a heritage item on the LEP for its historic values, rarity and representativeness. The assessment notes the house as an example of a mid-late Victorian weatherboard cottage that retains its early form and its detail to the front. The property contains the only remaining, timber weatherboard cottage from the earliest development of the Chisholm Estate. The independent assessment concluded the cottage meets three of the seven criteria for listing, noting only one is required to meet the threshold for inclusion as a heritage item.</p> <p>Following concerns about the demolition or redevelopment of weatherboard buildings, South Sydney City Council commissioned a study in 2002. After the amalgamation with the City of Sydney in 2004, the City endorsed a number of heritage listings of weatherboard cottages, as recommended by this study. Soon after, the City incorporated guidelines related to this study into the Heritage Development Control Plan 2006, which has evolved into the current Sydney Development Control Plan 2012. This guides development of weatherboard cottages within Conservation areas, but also any weatherboard buildings older than 50 years. The subject site was not identified in the 2002 study, however, the weatherboard study was not comprehensive. While there were no specific recommendations made for this site as part of the 2002 study, this does not negate the recommendation of the 2019 independent heritage assessment.</p>
		<p>Long association with the property The submission referred to the long period of property ownership (almost 30 years and with a family connection to the place prior to</p>	<p>Noted. The nature of the ownership does not reduce the identified significance of the place.</p>



No.	Submitter	Submission summary	Response
		this) and the tenancy by family members for 10 years until recently.	
		<p>Past works and ongoing maintenance</p> <p>The submission noted major changes to the dwelling involving significant amounts of fabric replacement, resulting in a lack of original fabric and the ongoing maintenance required.</p>	<p>The submission noted major changes to the dwelling involving significant amounts of fabric replacement and ongoing maintenance required. These issues do not preclude heritage listing.</p> <p>Historic timber buildings in Sydney, especially those approximately 140 years old, are likely to have undergone replacement of original fabric.</p> <p>As noted in the heritage assessment, 46 Chisholm Street retains its original form and detail to the front, even if it has lost much of its original internal fabric with nearly all original finishes and detail replaced. Nonetheless, for its historic significance, representativeness and rarity value, it has been assessed as having heritage significance that warrants listing.</p>
		<p>Property location</p> <p>Another concern was the location of the dwelling in a small street overlooking garages.</p>	<p>The location of the site facing the rear of properties fronting Flinders Street is immaterial to the heritage significance of the property.</p>
		<p>Property owners current personal requirements</p> <p>Furthermore the objection reiterates the property owners current personal requirements and how Council has not addressed their personal desires.</p>	<p>Any potential development of a site is linked to current planning controls and can usually be confirmed during the development application process. In this case, the City has been consistent in its advice that it would not support the proposed demolition of the cottage.</p> <p>The current planning controls may indicate a greater development potential than currently exists, however, other considerations such as the location of the subject site within a conservation area and the contributory status of the building need to be addressed in any development proposal.</p>

No.	Submitter	Submission summary	Response
		<p>Contrary views in other reports The submission noted previous heritage assessments had determined that the site had no heritage significance. Furthermore the objection reiterates how Council has not addressed their consultants reports.</p>	<p>The City commissioned an independent heritage assessment of the property during the development application process to determine if the site met the threshold for inclusion as a heritage item. This assessment was carried out separately to but concurrently with the development application assessment process and concluded the cottage meets the threshold for inclusion as a heritage item on the LEP for its historic values, rarity and representativeness. A comparative analysis supported heritage listing of the site.</p>
11	Self identified family member of the landowner	<p><b>Oppose.</b> Oppose the proposal to heritage list, as a family member with significant knowledge of the property and former tenant.</p>	<p>Opposition noted. Comments addressed below:</p>
		<p>Past works and maintenance The submission noted past renovations of the property with major amounts of replacement of building fabric, as well as ongoing maintenance.</p>	<p>Historic timber buildings in Sydney, especially those approximately 140 years old are likely to have undergone replacement of original fabric. The heritage assessment by John Oultram Heritage + Design, 46 Chisholm Street retains its original form and detail to the front, even if it has lost much of its original internal fabric with nearly all original finishes and detail replaced. Nonetheless, for its historic significance, representativeness and rarity value, it has been assessed as having heritage significance that warrants listing. Any historic property requires regular maintenance, especially Victorian timber structures. These issues do not preclude heritage listing.</p>
		<p>Lack of previous Council reports on the heritage significance of the site. Comments include lack of previous Council studies regarding this property , none of which determined that the site should be a heritage item.</p>	<p>The property is classified as a contributory building within the Paddington Conservation Area. Until recently this site has not previously had a detailed heritage assessment, other than an assessment of its contributory status.</p>
		<p>Current planning controls The correspondent identifies the</p>	<p>The current planning controls may indicate a greater development</p>

Summary of Submissions – 46 Chisholm Street, Darlinghurst

No.	Submitter	Submission summary	Response
		development potential of the site based on the current LEP/DCP controls compared to the current development on the site.	potential than currently exists, however, other considerations such as the location of the subject site within a conservation area and the contributory status of the building need to be addressed in any development proposal.
		Long family connection to property and its development potential The objection noted the long family ownership/connection the property and that heritage listing will be detrimental to the sites development potential.	The proposed heritage listing does not change the planning controls for the site. The current planning controls may indicate a greater development potential than currently exists, however, other considerations such as the location of the subject site within a conservation area and the contributory status of the building need to be addressed in any development proposal.
		A series of newspaper articles regarding residential development were provided, including: Rob Stokes “a keen supporter of medium density housing code as a means to increase the diversity of housing” SMH June 13, 2019. Gladys Berejekljan “a good city gives people choice” and “including to live and buy a house in Sydney”, The Guardian January 23, 2017 “Clover Moore criticises lack of public housing investment in the city”, Daily Telegraph August 8, 2019 Unreferenced article, re Clover Moore “Warns Waterloo redevelopment will create “ghettos of the future” & is a “planning disaster”. An excerpt from the Daily Telegraph dated 27/11/19 was also included, with the headline: “Yes, in your backyard: Gladys declares war on NIMBYs in bid to kick-start failing system”	The majority of the newspaper articles cited are not pertinent in this context as they relate to public housing and the major development associated with the new Waterloo metro station. The article relating to the medium density housing code is not relevant as the Code does not apply to heritage conservation areas.

No.	Submitter	Submission summary	Response
12	Self identified family member of the land owner	<b>Oppose.</b> Oppose the proposal to heritage list, as a family member with significant knowledge of the property.	Opposition noted. Comments addressed below:
		<p>Past works</p> <p>The correspondence raised issues relating to past renovations of the property with major amounts of replacement of building fabric (including a list of various building works). Submission included a copy of a receipt for plumbing repairs in August 2019.</p>	<p>Any historic property requires regular maintenance, especially Victorian timber structures. These issues do not preclude heritage listing.</p> <p>Historic timber buildings in Sydney, especially those approximately 140 years old are likely to have undergone replacement of original fabric. As noted in our heritage assessment, 46 Chisholm Street retains its original form and detail to the front, even if it has lost much of its original internal fabric with nearly all original finishes and detail replaced. Nonetheless, for its historic significance, representativeness and rarity value, it has been assessed as having heritage significance that warrants listing.</p>
		<p>Council approach</p> <p>The correspondent also comments that this is a “targeted and political tactic by the City”.</p>	<p>The City has not supported demolition of the cottage at any time consistent with Council’s adopted planning controls.</p>
13	Community member	<b>Oppose.</b> Oppose the proposal to heritage list	Opposition noted. Comments addressed below:
		<p>Proposed development</p> <p>The submission notes the streetscape contribution of the proposed development as well as provision of affordable accommodation in an increasingly unaffordable vicinity.</p>	<p>The public exhibition for the proposed heritage listing of 46 Chisholm Street is a separate though parallel process to the refused development application.</p>
		<p>Lack of significant or heritage fabric</p> <p>The correspondent flagged an apparent lack of significant or heritage fabric at the property.</p>	<p>Historic timber buildings in Sydney, especially those approximately 140 years old are likely to have undergone replacement of original fabric. As noted in our heritage assessment, 46 Chisholm Street retains its original form and detail to the front, even if it has lost much of its original internal fabric with nearly all original finishes and detail replaced. Nonetheless, for its historic significance,</p>

No.	Submitter	Submission summary	Response
			representativeness and rarity value, it has been assessed as having heritage significance that warrants listing.
		Council approach The correspondent noted their dismay at the “underhanded and unethical tactics” employed by Council.	The City has not supported demolition of the cottage at any time consistent with Council’s adopted planning controls and advised the proponent on a number of occasions. The City has followed due process, keeping the land-owner informed during this process and answering questions.
		Lack of previous Council reports on the heritage significance of the site. Comments include lack of previous Council studies regarding this property , none of which determined that the site should be a heritage item	The property is classified as a contributory building within the Paddington Conservation Area. Until recently this site has not previously had a detailed heritage assessment, other than an assessment of its contributory status. The independent heritage assessment by John Oultram Heritage + Design concluded the cottage at 46 Chisholm Street, Darlinghurst meets the threshold for inclusion as a heritage item on the LEP for its historic values, rarity and representativeness.
14	Self identified former tenant	<b>Oppose.</b> Oppose the proposal to heritage list, based on having been a tenant for 2 years.	Opposition noted. Comments addressed below:
		Poor environmental conditions Issues raised include poor environmental conditions in house eg cold in winter, hot in summer.	The proposed heritage listing of a property does not preclude change. For example, insulating walls and ceilings to minimise discomfort during the extremes of summer and winter would be acceptable if the property was a heritage item.
		Degree of maintenance required The comments regarding maintenance included leaking ceilings, lack of ventilation, issues with the front gate, replacement of the living room floor, damp causing mould in wardrobes.	Any historic property requires regular maintenance, especially Victorian timber structures. These issues do not preclude heritage listing.

No.	Submitter	Submission summary	Response
		<p>Lack of acoustic amenity As a former resident, the correspondent identified issues with poor acoustic amenity at the subject site.</p>	<p>The proposed heritage listing of a property does not preclude change such as measures to improve acoustic amenity.</p>
		<p>Humble nature of dwelling One of the reasons cited for not supporting the heritage listing is noted as relating to the humble nature of the dwelling.</p>	<p>Heritage is often described as the things we want to keep for future generations and can include a wide range of places. Heritage sites do not need to be grand places, but can also include simple humble dwellings such as 46 Chisholm Street.</p>
15	various names (petition), undated	<p><b>Oppose.</b> Oppose the proposal to heritage list. Text of petition is as follows: “To whom it may concern, regarding the proposed heritage listing of 46 Chisholm St, Darlinghurst NSW 2010, by City of Sydney Council. The subject property has a pending hearing with the Land and Environment (sic) Court for the DA Approval of 2 x terrace homes. I support the proposed DA which is currently pending via the L&amp;E and don’t support COSC heritage listing the property, which is clearly a blocking tactic. We need more housing in areas with infrastructure and convenience.”</p>	<p>Opposition noted. The 49 signatories include the property owner and others who also submitted individual responses to the public exhibition.</p> <p>The hearing with the Land &amp; Environment Court relates to the Development Application refused by the City, a decision which was confirmed on its subsequent review. Both applications were refused on issues in addition to the potential heritage significance of the site. Additional issues include lack of solar access, minimum area and internal dimensions within the proposed rear private open spaces and the lack of functionality of the proposed internal dimensions and sizes of the proposed dwellings indicating an overdevelopment of the site. The City has not supported demolition of the cottage at any time consistent with Council’s adopted planning controls and advised the proponent throughout the process.</p> <p>The public exhibition for the proposed heritage listing of 46 Chisholm Street is a separate though parallel process to the refused development application.</p>
16	Dickson Rothschild (on behalf of the property owner)	<p><b>Oppose.</b> Oppose the proposal to heritage list, on behalf of the property owner</p>	<p>Opposition noted. This is the same letter as the previous submission (dated 4 December 2019), without the previous attachments, but including one additional attachment:</p>

No.	Submitter	Submission summary	Response
			Kovacs Architect, Fabric Analysis – 46 Chisholm Street, Darlinghurst, 17 April 2020
		<p>Lack of significant or heritage fabric                      The report provides a construction history of the building plus a detailed analysis of all building fabric, identifying it as either presumed original fabric, modified original fabric or building component (where original and introduced fabric are inseparably mixed) or fabric introduced since 1992. This report notes that there has been substantial replacement of original fabric, with most evident fabric dating from 1992. It also notes that on the front elevation some original fabric is extant and the front elevation reflects its original configuration. The report highlights that several of the rooms retain their spatial integrity despite modern fabric and that it is likely that the majority of the existing building structure is original, with the exception of the floor.</p>	<p>The integrity of the building and loss of fabric was understood (to some extent) when the independent assessment was carried out. Nonetheless, as a result of the increased detail in this fabric analysis the draft inventory sheet has been updated. Historic timber buildings in Sydney, especially those approximately 140 years old are likely to have undergone major replacement of original fabric. As noted in our heritage assessment, 46 Chisholm Street retains its original form and detail to the front, even if it has lost much of its original fabric with nearly all original finishes and detail replaced. Nonetheless, for its historic significance, representativeness and rarity value, it has been assessed as having local heritage significance that still warrants local listing.</p>
17	Self identified family member and former tenant	<b>Oppose.</b> Oppose the proposal to heritage list	Opposition noted.
		This was an emailed response to the re-exhibition email, requesting an explanation of the administrative error that caused re-exhibition and noting an error in the Draft-Heritage-Inventory.	The miscalculation of required days for notification that triggering re-exhibition was explained and the error in Draft Heritage Inventory revised.
18	Community member	<b>Support.</b> Support the proposal to heritage list as a local resident, noting that “there is so little of this charming type of old cottage left.”	Support noted.

Summary of Submissions – 46 Chisholm Street, Darlinghurst

No.	Submitter	Submission summary	Response
19	Community member	<b>Support.</b> Support the proposal to heritage list as a local resident, noting that the property “should thus be protected, as a precious asset to this special enclave in which it is situated.”	Support noted.



# **Attachment D**

## **Heritage Inventory**

**Item name:** Weatherboard Cottage**Location:** 46 Chisholm Street Darlinghurst 2010

Sydney

**Address:** 46 Chisholm Street**Planning:** Sydney South**Suburb/nearest town:** Darlinghurst 2010**Local govt area:** Sydney**Parish:****State:** NSW**County:****Other/former names:****Area/group/complex:****Group ID:****Aboriginal area:****Curtilage/boundary:****Item type:** Built**Group:****Category:** House**Owner:** Private - Individual**Admin codes:****Code 2:****Code 3:****Current use:** Dwelling house**Former uses:** Dwelling house**Assessed significance:** Local**Endorsed significance:** Local**Statement of significance:** 46 Chisholm Street, Darlinghurst has heritage significance at a local level for its historic value, its rarity and representation of the earliest development period of the Chisholm Estate.

The cottage is a single storey, late Victorian, weatherboard cottage in the Georgian vernacular style built c.1876 for James Parker who had purchased Lot 7 in Section 2 of the Chisholm Estate.

The property was part of the Chisholm Estate (Roll Plan 619) appear to have been subdivided in 1875 and occupied an area bordered by South Dowling Street, Taylor Street, Flinders Street and Hannan Street.

The cottage retains its primary form and some of its exterior detail. The cottage was only one of five, weatherboard cottages that were built in the area and is the last remaining weatherboard cottage on the Chisholm Estate subdivision.

**Item name:** Weatherboard Cottage

**Location:** 46 Chisholm Street Darlinghurst 2010

Sydney

**Historical notes of provenance:** The "Eora people" was the name given to the coastal Aborigines around Sydney. Central Sydney is therefore often referred to as "Eora Country". Within the City of Sydney local government area, the traditional owners are the Cadigal and Wangal bands of the Eora. There is no written record of the name of the language spoken and currently there are debates as whether the coastal peoples spoke a separate language "Eora" or whether this was actually a dialect of the Dharug language. Remnant bushland in places like Blackwattle Bay retain elements of traditional plant, bird and animal life, including fish and rock oysters.

With the invasion of the Sydney region, the Cadigal and Wangal people were decimated but there are descendants still living in Sydney today. All cities include many immigrants in their population. Aboriginal people from across the state have been attracted to suburbs such as Pyrmont, Balmain, Rozelle, Glebe and Redfern since the 1930s. Changes in government legislation in the 1960s provided freedom of movement enabling more Aboriginal people to choose to live in Sydney.

(Information sourced from Anita Heiss, "Aboriginal People and Place", Barani: Indigenous History of Sydney City <http://www.cityofsydney.nsw.gov.au/barani>)

The Chisholm Estate was originally part of 70 acres granted in 1794 to John Palmer, the Commissary of New South Wales which became known as 'George Farm'. Palmer sold his Surry Hills holdings in 1814. The block was subsequently subdivided into 15 large allotments.

Early development occurred north of Taylor Street by 1850. At this time Rushcutters Creek ran through the area and the rest of the block was divided into 5 large blocks. The block of some 8 acres bound by Taylor, Flinders, Hannam Streets on South Dowling Street was purchased by James Chisholm and remained intact till the 1830s. Being located next to the Sydney Common, set aside by Governor Macquarie, there was little incentive to develop the land. In 1836, the situation changed following Governor Bourke setting aside 29 acres of the public land for the establishment of military barracks to improve Sydney's defences.

Little research is available on the Chisholm Estate. It is connected to the prominent Chisholm family, major landholders in NSW descended from the early settler, James Chisholm (1772-1837). James Chisholm built Calder House, in the decade following 1827 on Wilson Street, Redfern, then described as "overlooking the Chisholm Estate". This Calder House land is now part of Eveleigh, resumed by the government for construction of the rail line.

In 1855 a Block of 8 acres of the subdivision of the Riley Estate was purchased by James Chisholm and the land subdivided c1875-1880 as the Chisholm Estate by Mary Chisholm. In c.1876-1881, the late Victorian weatherboard cottage at 46 Chisholm Street was built for James Parker on Lot 7 in Section 2 of the Chisholm Estate. The 1888 Rygate & West survey shows the one storey timber building owned by Parker, shaded yellow for timber and blue for the iron verandah. Land titles records continue to refer to this land as the Chisholm's or Chisholm Estate (roll plan 619) until 1979. In 1896 the property was sold to James Brindle.

Following the sale of the site multiple times, the present owner came in possession of the home in 1991 and carried out renovations in 1992-1993.

**Themes:** National theme

4. Settlement

4. Settlement

**State theme**

Accommodation

Towns, suburbs and villages

**Local theme**

**Designer:**

**Builder:**

**Year started:** 1876

**Year completed:**

**Circa:** No

**Item name:** Weatherboard Cottage

**Location:** 46 Chisholm Street Darlinghurst 2010

Sydney

**Physical description:** 46 Chisholm Street is a single storey, late Victorian cottage in the Georgian vernacular style set on a wide lot to the east side of the street. The house retains its original form and detail but has been modernised internally.

The house is in timber weatherboards (some O) with a gabled, corrugated metal roof in short sheets (L). The original timber shingles (O) are extant under the later cladding. There is a verandah to the front with a skillion, corrugated metal roof supported on timber posts on metal stirrups (rebuilt). The verandah has no soffit lining. The cottage has a symmetrical front elevation with two pane, double hung, timber sashes (L) each side of a four panel, timber door and fanlight (Door L). Part of the original, timber internal lining is evident to the northern side of the front elevation where original boards have fallen away. There is a narrow skillion wing to the rear in chamfered timber weatherboards with a corrugated metal roof (L).

The cottage has a two room arrangement off a central hall that opens to a full width dining/living room and kitchen with a narrow hall to the bathroom in the rear skillion. The hall has a timber fretwork screen (L).

Floors are in polished timber (M) and tile (M). To the front walls are in masonite and battens (L) with moulded timber skirtings. To the hall and living room, walls are in plasterboard with moulded timber skirtings (M). Ceilings are in plasterboard with coved cornices (M). Doors are four panel timber with moulded timber architraves (M). There are multi-paned, glazed doors and sidelights to the living room (M). The front windows are two pane, double hung, timber sashes (L). There is a narrow, double hung sash to the bathroom (M). Fireplaces have been removed.

The cottage has a small garden to the front with concrete pavers and gravel and two, concrete planter boxes (all M). The garden is bounded by timber picket fence to the street (M).

The house has a paved garden to the rear with perimeter planter boxes and plantings and a small metal shed (all M). To the rear there is a two storey, late Victorian house at the rear fronting Sims Street.

Chisholm Street is a narrow street lined to the east with two storey, Victorian houses some in a terrace form. The western side of the street has the rear wings and garages to the properties fronting Flinders Street with some later infill development to the north. The street is part of a tightly knit pattern of streets and lanes bounded by Oxford Street, Flinders Street and South Dowling Street.

O ORIGINAL  
L LATER  
M MODERN

**Physical condition level:** Good

**Physical condition:** Later alterations, some fabric removed or overload with later materials

**Archaeological potential level:** Little

**Archaeological potential Detail:**

**Modification dates:**

**Recommended management:** The building should be retained and conserved. A Heritage Assessment and Heritage Impact Statement, or a Conservation Management Plan, should be prepared for the building prior to any major works being undertaken. There shall be no vertical additions to the building and no alterations to the façade of the building other than to reinstate original features. The principal room layout and planning configuration as well as significant internal original features including ceilings, cornices, joinery, flooring and fireplaces should be retained and conserved. Any additions and alterations should be confined to the rear in areas of less significance, should not be visibly prominent and shall be in accordance with the relevant planning controls

**Management:** **Management category** **Management name**

**Item name:** Weatherboard Cottage

**Location:** 46 Chisholm Street Darlinghurst 2010

Sydney

**Further comments:**

**Criteria a):** 46 Chisholm Street is a single storey, late Victorian cottage built c.1876 for James Parker who had purchased Lot 7 in Section 2 of the Chisholm Estate. The Chisholm Estate (Roll Plan 619) appear to have been subdivided in 1875 and occupied an area bordered by South Dowling Street, Taylor Street, Flinders Street and Hannan Street. The property was formerly part of Edward Riley's vast landholdings in the area that he purchased directly, or later acquired, from John Palmer. The cottage is emblematic of the early development of the area for small-scale housing.

**Criteria b):**  
[Historical association significance]

**Criteria c):**  
[Aesthetic/ Technical significance]

**Criteria d):**  
[Social/Cultural significance]

**Criteria e):**  
[Research significance]

**Criteria f):** The single storey, weatherboard cottage type is uncommon in the area that largely comprised two storey, masonry terraces. In the plan of 1888 (Figure 2.1) only five, one storey timber cottage are shown in the area and the subject cottage is now the only weatherboard house in the former Chisholm Estate subdivision and dates from the earliest building period for the area.

Rare locally.

**Criteria g):** The house is an example of a mid Victorian weatherboard cottage that retains its early form and its detail to the front. The house retains a two room arrangement to the front and though it has been altered internally with the loss of much of its original, internal features it remains a representative example of the type.

**Intactness/Integrity:** The cottage retains its primary form to the front and rear and its detail to the front but has been altered internally and much of the original fabric and detail removed. The southern rear wing has been rebuilt or extended and the northern rear wing demolished. Intactness is not a measure of significance but the cottage retains part of its original layout to the front along with its external cladding, wall framing, possibly its internal cladding (under later coverings), the weatherboards to its gables (that clearly indicate the house was built prior to the adjoining houses), the timber roof structure and timber shingles (under the corrugated metal). The extant details clearly indicate its form of construction.

<b>References:</b>	<b>Author</b>	<b>Title</b>	<b>Year</b>
	John Oultram Heritage & Design	46 Chisholm Street, Darlinghurst, NSW, Heritage Assessment	2019
	Zoltan Kovacs	Heritage Impact Assessment, Proposed Development, 46 Chish	2018

<b>Studies:</b>	<b>Author</b>	<b>Title</b>	<b>Number</b>	<b>Year</b>

<b>Parcels:</b>	<b>Parcel code</b>	<b>Lot number</b>	<b>Section number</b>	<b>Plan code</b>	<b>Plan number</b>
	LOT	71		DP	602585

**Item name:** Weatherboard Cottage

**Location:** 46 Chisholm Street Darlinghurst 2010

Sydney

**Latitude:**

**Longitude:**

**Location validity:**

**Spatial accuracy:**

**Map name:**

**Map scale:**

**AMG zone:**

**Easting:**

**Northing:**

**Listing: Name**

**Title**

**Number**

**ListingDate**

**Data entry:** Data first entered: 05/04/2019

Data updated: 21/05/2020

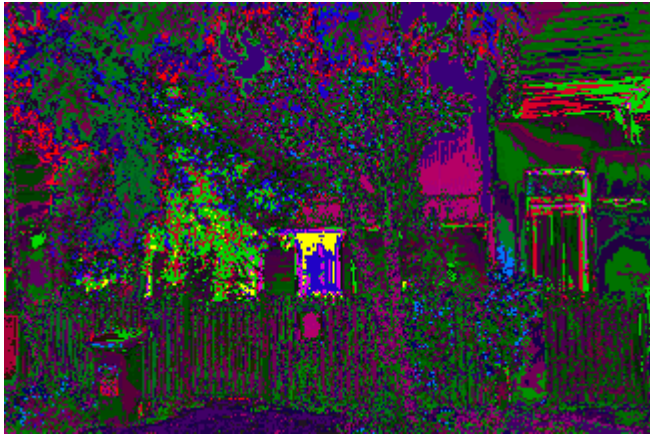
Status: Completed

**Item name:** Weatherboard Cottage

**Location:** 46 Chisholm Street Darlinghurst 2010

Sydney

**Image:**



**Caption:** 46 Chisholm Street Front Elevation

**Copy right:**

**Image by:** John Oultram Heritage & Design

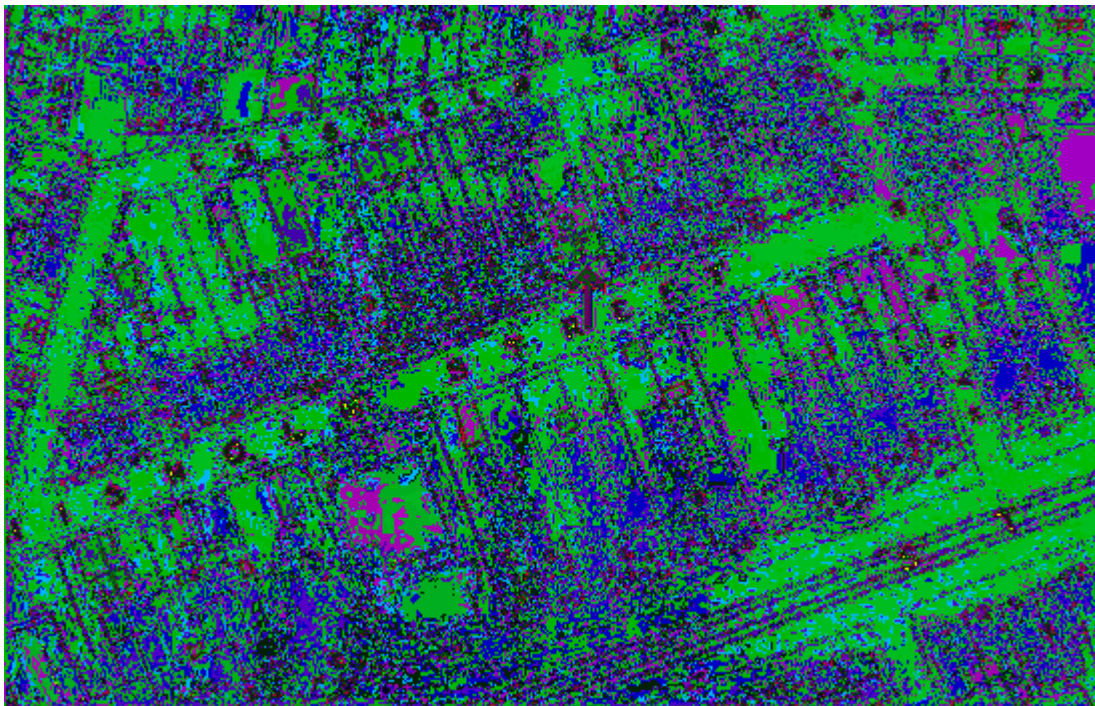
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**Image:**



**Caption:** Detail of Rygate and West's plan of Sydney c. 1888 Sheet 30

**Copy right:**

**Item name:** Weatherboard Cottage

**Location:** 46 Chisholm Street Darlinghurst 2010

Sydney

**Image by:** Rygate and West

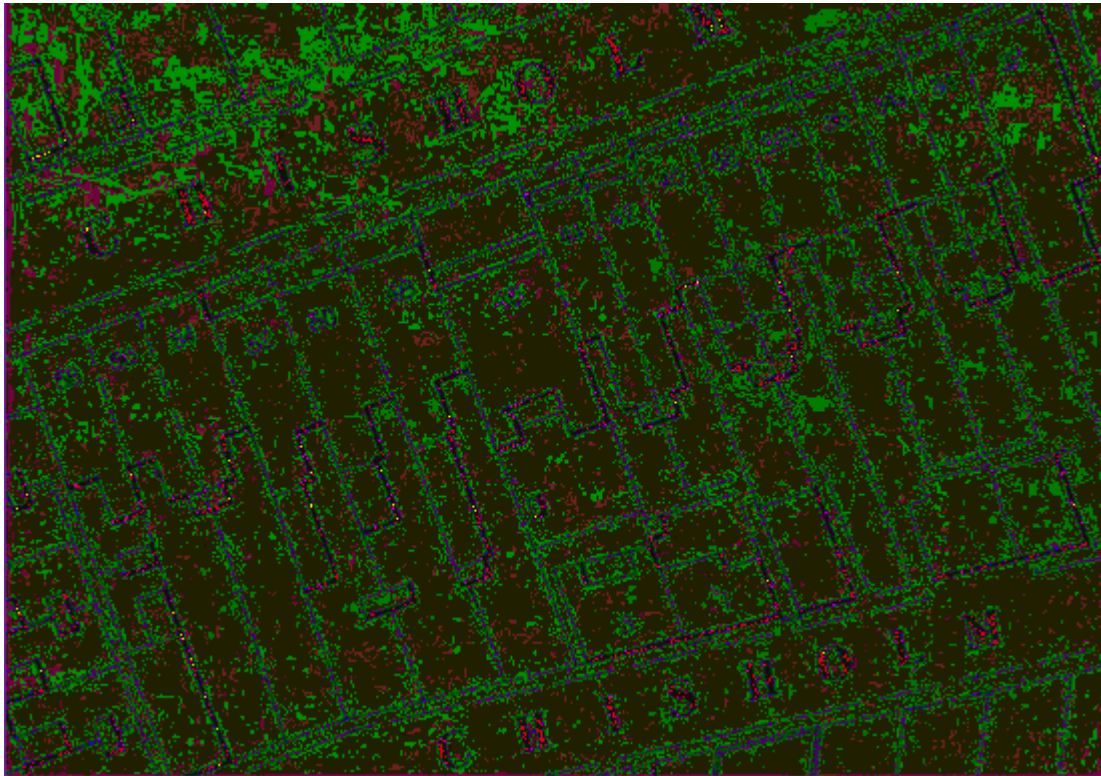
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**Image:**



**Caption:** Metropolitan Detail Sheet Y1, dated 1897

**Copy right:**

**Image by:**

**Image date:**

**Image number:**

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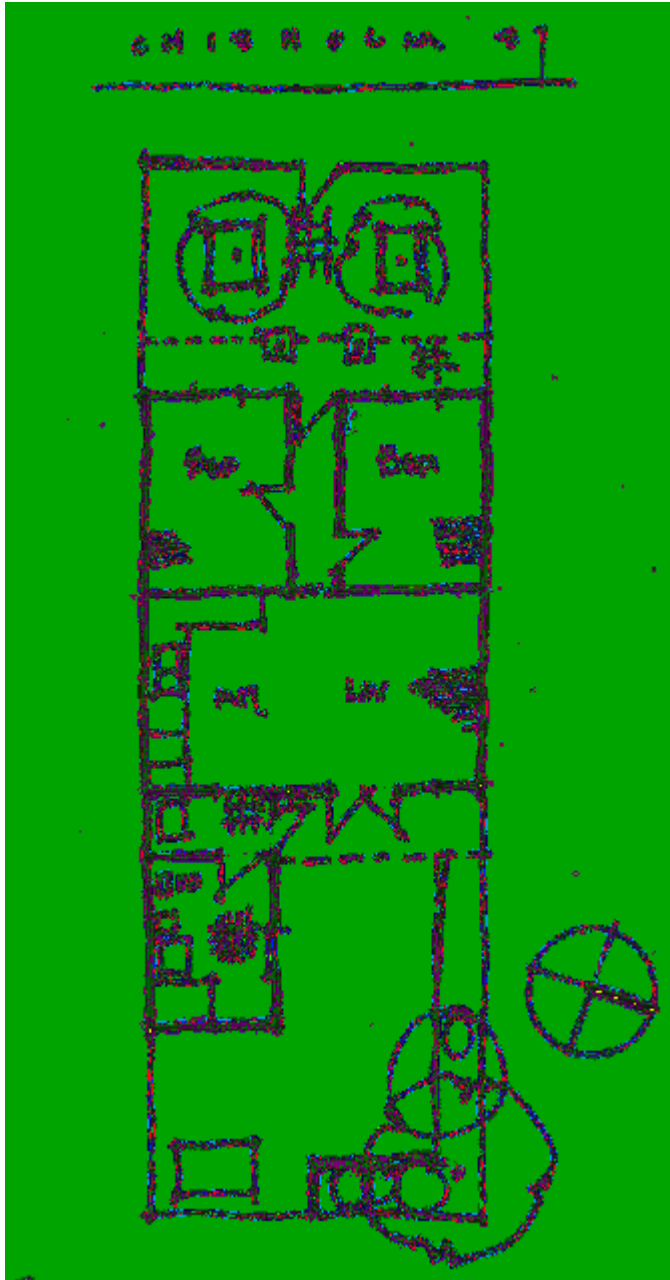
**Image:**



**Item name:** Weatherboard Cottage

**Location:** 46 Chisholm Street Darlinghurst 2010

Sydney



**Caption:** Plan as existing

**Copy right:**

**Image by:** John Oultram Heritage & Design

**Image date:** 01/03/2019

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345ea6282c272ba4642a1de1f544acdee7f.jpg>

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## Item 6.

### Post Exhibition - Planning Proposal - Modern Movement Heritage Items - Sydney Local Environmental Plan 2012 Amendment

File No: X017182

#### Summary

The City's Modern Movement buildings and public artwork provide a unique opportunity to enhance the character of central Sydney for current and future generations. Central Sydney contains one of the greatest concentrations of post-war Modern Movement buildings in New South Wales. The Modern Movement represents one of the most significant and far-reaching twentieth century design aesthetics. For Sydney, 1945 to 1975 was an exciting and challenging architectural period that determined much of the present physical form of the city centre. The dominance of modern office buildings from this period records the changing role of Australia in an international context and Sydney's new-found role as a major world financial centre during the 'Long Boom'. Despite the importance of this movement and period in Sydney's history, only 10 stand-alone Modern Movement buildings designed between 1945 and 1975 are currently listed in the city centre as heritage items.

Following approval by Council and the Central Sydney Planning Committee in 2018, the City has exhibited a planning proposal to heritage list eight buildings and one sculpture from the Modern Movement on Sydney Local Environmental Plan 2012 (SLEP 2012). The listings are based on a comprehensive heritage study of post-war architecture in central Sydney, completed in early 2018. The proposed heritage items include:

- Sydney Masonic Centre, 279-283 Castlereagh Street, Sydney
- Former Sydney County Council building, 552A-570 George Street, Sydney
- St Peter Julian's Catholic Church and Monastery, 637-645 George Street, Haymarket
- Town Hall House, 456 Kent Street, Sydney
- William Bland Centre, 229-231 Macquarie Street, Sydney
- MLC Centre, 19-35 Martin Place, Sydney
- Former Liverpool and London and Globe building, 62 Pitt Street, Sydney
- Former Horwitz House, 398-402 Sussex Street, Haymarket
- 'Earth Mother' play sculpture, Yurong Parkway, Cook and Phillip Park, Sydney

These represent the diversity of the Modern Movement in central Sydney from concrete artworks and expressionist or Modernist buildings to glass curtain wall International style offices and post-war churches. Designed by respected or less recognised architects, engineers and artists for important private and public functions, all have distinct historical, aesthetic or technical features, highlighting a generation of human endeavour in the city centre.

The planning proposal, and supporting documents, were exhibited from 19 August to 14 October 2019. Affected owners, occupants and neighbours were notified by letter and the proposal advertised in the Sydney Morning Herald. Fifty-eight submissions were received in response to the exhibition.

The submissions express a wide range of views about the heritage significance of proposed buildings, the process for listing and their development. The submissions include objections to listings, expressions of support and requests to reduce the listing extent. Organisations including the Property Council of Australia, Docomomo Australia, The National Trust of Australia and Heritage Council of NSW support the proposal or provide advice. City staff also met with objectors or inspected sites as requested. The submissions are summarised and considered in this report and the submissions table at Attachment B.

In response to submissions, the proposed listings have been reviewed and amended. Each of the proposed items have been found to satisfy the Heritage Council criteria of local heritage significance for local listing, as assessed in the heritage inventories at Attachment C. The significance of these buildings and the artwork can still be reasonably appreciated as they have sufficient integrity and comparative value within the local area.

Nine key changes are included in the revised planning proposal as a result of the public exhibition. These relate to the extent of the listing for the eight proposed buildings and the addition of a complying development clause to streamline internal fit-outs of unlisted building components. The changes seek to appropriately recognise and manage the local heritage significance of these Modern Movement buildings through listing significant building components and streamlining commercial development with no heritage impacts. These changes represent new customised approaches to local heritage listing and development of heritage items, which take into account the complexity and importance of these major inner city buildings.

The extent of listing for the eight identified buildings has been reduced or specified in the item name so that only significant components are listed, in line with state directions for naming items and assessing significance. Reducing the extent of the listings to specified significant components provides greater guidance and certainty for future development by ensuring heritage impacts are only considered where necessary.

To streamline development and support the ongoing use and upgrade of these important buildings, a further key change to the planning proposal as a result of exhibition is to enable complying development for internal fit-outs to non-significant unlisted building components. This is achieved through the proposed addition of a new type of complying development in Schedule 3 of SLEP 2012 that will apply to the seven commercial buildings proposed for partial listing. The City is also expanding the use of 'heritage works without consent' notifications to minimise the need for development applications for minor works to heritage items with no adverse heritage impacts, requiring no change to SLEP 2012. All inventories for the items have also been updated to reflect the City's post-exhibition review to assist landowners with managing the significance of the buildings and the artwork.

The recommended local heritage listings will protect the heritage significance of an under-recognised period of Sydney's twentieth-century architecture. Listing the recommended items as a result of a strategic heritage study, public consultation and considered City review provides greater certainty and transparency for owners, the development industry and community. It will ensure the local heritage significance of these buildings and art is appropriately considered and maintained as part of future plans or redevelopment. Through a combination of the proposed reduced listings and a new type of complying development, this heritage consideration will be limited to significant building components, and otherwise the development process remains unchanged for most commercial fit-outs.

Listing also provides the building owners with access to heritage floor space incentives to assist with conserving the buildings, which in turn supports further development in the city through transferred heritage floor space. As the city centre rapidly redevelops, these listings will promote retention and re-use of its significant post-war buildings and artwork. This will support the growth of central Sydney by retaining some of its post-war modern character, diversity of built form and place-makers, and their continued contribution to the vibrant commercial and cultural life of the city centre.

The eight buildings and one sculpture, as amended, are recommended for listing to recognise their local heritage significance. The report seeks approval for the revised planning proposal at Attachment A.

## Recommendation

It is resolved that:

- (A) Council note the submissions received to the public exhibition of the planning proposal, shown at Attachment B to the subject report;
- (B) Council approve the revised planning proposal, shown at Attachment A to the subject report, for finalisation and making as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979; and
- (C) authority be delegated to the Chief Executive Officer to make any minor amendments to the planning proposal, to correct any minor drafting errors prior to finalisation and making of the Local Environmental Plan.

## Attachments

- Attachment A.** Planning Proposal – Central Sydney Modern Movement Heritage Items
- Attachment B.** Summary of Submissions
- Attachment C.** Heritage Inventories

## Background

### Site identification

1. This proposal relates to the following places within central Sydney, as described and mapped in the planning proposal at Attachment A:
  - (a) Sydney Masonic Centre, 279-283 Castlereagh, Sydney;
  - (b) Former Sydney County Council building, 552A-570 George Street, Sydney
  - (c) St Peter Julian's Catholic Church and Monastery, 637-645 George Street, Haymarket;
  - (d) Town Hall House, 456 Kent Street, Sydney;
  - (e) William Bland Centre, 229-231 Macquarie Street, Sydney;
  - (f) MLC Centre, 19-35 Martin Place, Sydney;
  - (g) Former Liverpool and London and Globe building, 62 Pitt Street, Sydney;
  - (h) Former Horwitz House, 398-402 Sussex Street, Haymarket; and
  - (i) 'Earth Mother' play sculpture, Yurong Parkway, Cook and Phillip Park, Sydney.

### Planning background


2. Few modern buildings are legally listed as part of our recognised heritage. Today, a total of 10 stand-alone buildings from 1945-1975 are heritage listed, of 300 heritage items in central Sydney. Five are listed as state or world heritage on the State Heritage Register or World Heritage List. These include Sydney Opera House, Liner House, Qantas House and Circular Quay and Martin Place railway stations. The five other buildings listed on Sydney's local plan include the AMP Building, Australia Square, Wentworth Hotel, Market Street Commonwealth Bank and Reserve Bank, including two nominated as state significant.
3. On 14 May 2012, Council resolved to commence a heritage study of central Sydney modern buildings built after World War Two. This responded to increasing development pressure on central Sydney's post-war architecture of potential heritage significance, and sought to provide certainty in the development process. The primary purpose of this heritage study is to identify a representation of central Sydney's significant post-war architecture that is worthy of listing.
4. In early 2018, TKD Architects completed the study of "Modern Movement Architecture in Central Sydney." This study found central Sydney contains one of the greatest concentrations of post-war Modern Movement buildings in New South Wales, designed to a high standard between 1945 and 1975. The Modern Movement represents one of the most significant and far-reaching twentieth century design aesthetics. For Sydney, 1945-1975 was an exciting and challenging architectural period that determined much of the present physical form of the city centre. The dominance of modern office buildings from this period records the changing role of Australia in an international context and Sydney's new-found role as a major world financial centre during the 'Long Boom'. A large number of buildings from this period in central Sydney, including many innovative buildings of exceptional architectural quality, have been demolished.





5. The study overviews the diverse Modern Movement in central Sydney. This reveals that while Modern Movement architecture differs in style and construction from aluminium and glass curtain walls to expressive concrete buildings and art, of different forms and scales, they have underlying philosophies in common. These philosophies were influenced by innovative European and American architects of the early twentieth century, such as Le Corbusier and Frank Lloyd Wright. Modern Movement designers endeavoured to rethink how architecture should respond to, and reflect, rapidly changing social conditions and advancing industrialisation. These reject traditional historical styles and assert that architecture must be contemporary in character. They also represent reformist ideals that industrial technology, applied rationally to architecture and urbanism, would produce a better world. Modern Movement buildings celebrate and exploit the potential of new building materials of the time, such as reinforced concrete, glass and steel. They value the honest expression of construction and materials. Modern Movement styles capture brutalism, Modernism, Sydney School and different periods of the International style, amongst others.
6. From a survey of more than 110 Modern Movement buildings in central Sydney and further research, the study recommends listing the identified eight buildings and one sculpture. This listing recommendation was supported by further City staff investigation for inclusion in the planning proposal. It is now more than 60 years since the earliest buildings noted in this study were conceived.
7. The study and planning proposal was reported to Council and Central Sydney Planning Committee in August and October 2018.

**Key implications**

**Planning proposal**

8. The planning proposal seeks to heritage list eight buildings and one sculpture to recognise their local heritage significance. These are summarised in the table below and described in the planning proposal in Attachment A.

	<b>Name/address</b>	<b>Overview</b>	
1	<b>Sydney Masonic Centre</b> 279-283 Castlereagh Street, Sydney	Brutalist-style Masonic hall podium & Mona Hessing artwork, built 1978, designed by Joseland & Gilling architects. The Civic Tower office building was constructed in 2005.	

	Name/address	Overview	
2	<p><b>Former Sydney County Council building</b></p> <p>552A-570 George Street, Sydney</p>	<p>Late Twentieth Century International style office building, built 1968, designed by Fowell, Mansfield &amp; Maclurcan architects.</p>	
3	<p><b>St Peter Julian's Catholic Church and Monastery</b></p> <p>637-645 George Street, Haymarket</p>	<p>Post-world war II ecclesiastical architecture, built 1964, designed by architect, Terence Daly (c1921-c1999).</p>	
4	<p><b>Town Hall House</b></p> <p>456 Kent Street, Sydney</p>	<p>Brutalist-style civic office building, built 1977, designed by architect, Ken Woolley (1933-2015).</p>	
5	<p><b>William Bland Centre</b></p> <p>229-231 Macquarie Street, Sydney</p>	<p>Post-war International-style office building, built 1960, designed by Hans Peter Oser &amp; Associates architects.</p>	



	Name/address	Overview	
6	<p><b>MLC Centre</b> 19-35 Martin Place, Sydney</p>	<p>Modernist-style multi-use complex with office tower, theatre, other buildings, plazas and artworks, built 1977, designed by architect Harry Seidler (1923-2006), and engineer Pier Luigi Nervi (1891-1979).</p>	
7	<p><b>Former Liverpool &amp; London &amp; Globe building</b> 62 Pitt Street, Sydney</p>	<p>Late twentieth-century International style office building, built 1962, designed by Spain, Cosh &amp; Stewart architects.</p>	
8	<p><b>Former Horwitz House</b> 398-402 Sussex Street, Haymarket</p>	<p>Modern Movement office building built 1956, designed by architect, Harry Seidler (1923-2006).</p>	
9	<p><b>'Earth Mother' play sculpture</b> Yurong Parkway, Cook &amp; Phillip Park, Sydney</p>	<p>Organic concrete playground sculpture, completed 1952, by artist, Anita Aarons (1912-2000).</p>	

9. On 18 and 29 October 2018, the Central Sydney Planning Committee and Council, respectively, resolved to approve and exhibit a planning proposal to amend Sydney Local Environmental Plan 2012 to heritage list the eight buildings and one sculpture.

10. In November 2019, the planning proposal was submitted to the Department of Planning Industry and Environment with a request for a gateway determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.
11. Before issuing the gateway determination, Departmental staff sought minor updates to the study report and inventories for clarity. These were completed by the study author, TKD Architects in March 2019. The minor updates do not alter the proposed listings or add substantive new information. The updates specify the Heritage Council criteria satisfied based on the previous TKD assessment of significance contained in the inventories first reported to Council on 6 August 2018 and approved by Council and Central Sydney Planning Committee in October 2018.
12. The gateway determination was issued on 10 July 2019, enabling the City to proceed with the public exhibition of the planning proposal, including the updated study report and inventories. Conditions of the determination required inclusion of the landowners' heritage assessments in the public exhibition, Council's consideration of these assessments and completion of the local plan amendment within 12 months. Consultation was also required with the Heritage Council of NSW and NSW Office of Environment and Heritage, now known as Heritage NSW, before and with the public exhibition.
13. No changes to the development standards are proposed for the sites recommended for listing. Council can approve alterations and additions to heritage items through the normal development application process. This development assessment process reviews the heritage impacts and other planning outcomes when specific building changes are proposed.
14. A minor heritage map update is also included in the planning proposal because it relates to a building adjoining the proposed heritage item of Town Hall House. This update removes the brown shading for the footprint of St Andrews House. The building of St Andrews House is not currently listed or proposed for listing in Schedule 5 of SLEP 2012 as a heritage item. The land of St Andrews House is shaded brown in the heritage map because it is part of the land of the listed Sydney Square. This map update does not alter the listing status of St Andrew's House or Sydney Square.
15. The planning proposal at Attachment A is revised to include the recommended changes in response to submissions, outlined below.

#### **Public exhibition and agency consultation**

16. Council consulted the agencies of the Heritage Council of NSW and Heritage NSW before and during the public exhibition, as required by the gateway determination.
17. Council consulted affected owners, members of the public and government agencies through the exhibition of this planning proposal from 19 August to 14 October 2019. Affected owners, occupants and neighbours were notified by letter and the proposal advertised in the Sydney Morning Herald. The exhibition was extended beyond the required 28 days to two months to ensure owners had the opportunity to review and comment on the proposal. Submissions were accepted after the exhibition. This exhibition satisfies and exceeds the consultation requirements outlined in the Department's gateway determination.

18. All information for the proposal, including the planning proposal, updated study report and inventories for the proposed items, were made available on the City's consultation website, Sydney Your Say, and at the customer service at Town Hall House.
19. Four heritage assessments prepared for the landowners were also included in the exhibition, as required by the gateway determination. These assessments were for the William Bland Centre, former County Council building, Sydney Masonic Centre and St Peter Julian's Church and Monastery. Other landowners did not provide a heritage assessment for inclusion in the public exhibition.

### **Submissions overview**

20. A total of 58 submissions were received. This includes the four landowner heritage assessments included in the public exhibition and considered by Council as submissions. All submissions are summarised and responded to in the table at Attachment B. Of the 58 submissions:
  - (a) 27 support or do not object to the proposed listings; and
  - (b) 31 oppose primarily one of the proposed listings.
21. More than half the submissions are from landowners or their consultants and relate to their specific property of interest. The remainder are from government, community and industry organisations and individuals.
22. Landowners' responses to the proposed heritage items include:
  - (a) Four items supported, seeking reductions to listing: MLC Centre, Town Hall House, St Peter Julian's Catholic Church and Monastery, Former Liverpool and London and Globe building;
  - (b) Two items opposed: Sydney Masonic Centre, Former Sydney County Council building;
  - (c) One item both opposed and supported: William Bland Centre.
23. No submissions were received in relation to Former Horwitz House and the Earth Mother play sculpture.
24. William Bland Centre has the largest number of owners, as a commercial strata, and attracted the most submissions. Of more than 70 strata lot owners: 19 lot owners oppose listing, three consultants on behalf of the strata committee oppose listing or building retention, and two lot owners support listing.
25. Some landowners responded to Council's notifications with enquiries, but made no submission. Other landowners have not responded to Council's notifications about the planning proposal since mid-2018, including one owner for the MLC Centre and multiple lot owners for the William Bland Centre. It should be noted that ownership changed for the two buildings of Liverpool and London and Globe and the MLC Centre since the planning proposal commenced in mid-2018. The current owners were notified and consulted for the public exhibition.

26. The responses from government, community and industry organisations all support or provide advice on all items in the proposal. This includes the Property Council of Australia, Docomomo Australia (an advising organisation to UNESCO regarding modern architectural heritage), The National Trust of Australia and the Heritage Council of NSW.
27. Key issues raised in the 58 submissions include the heritage significance of proposed buildings, the process for listing, and development or upgrades. The overall response to these submissions and key issues is outlined below. Submissions are responded to individually in the table at Attachment B.

#### **Planning proposal review: listing merit**

28. City staff considered all submissions, met with objectors or inspected sites as requested, in order to review the listings. These submissions and the City response are included in the table at Attachment B. The four heritage assessments for landowners were included in the public exhibition and considered in detail.
29. The Heritage Council of NSW outlines seven criteria of local heritage significance to determine whether an item warrants local listing. Only one of these seven criteria needs to be satisfied at the local level for local heritage listing. The post-exhibition City review found the nine Modern Movement examples of buildings and art satisfy at least one of the Heritage Council criteria of local heritage significance for local listing, as assessed in the heritage inventories at Attachment C. The significance of these buildings and artwork, as identified through the heritage study process, can still be reasonably appreciated. Accordingly, the eight exhibited buildings and one artwork are recommended for listing as local heritage items to recognise their local heritage significance. The significance of the buildings and artwork is summarised below.
30. *Sydney Masonic Centre (1978)* is assessed as state significant as a powerful and outstanding example of brutalist architecture, expressive concrete construction and a local landmark, with monumental interiors that rank amongst the finest in Sydney from this period. It is also assessed as significant as an innovative work of Joseland & Gilling and for its strong association with the United Grand Lodge. This satisfies five Heritage Council criteria of local significance for its historic, associations, aesthetic/ technical, rarity and representative value.
31. *Former Sydney County Council building (1968)* is assessed as locally significant as a fine example of the Late Twentieth Century International Style office, distinguished by its building form and dark toned exterior that are unusual for central Sydney. It is significant for its positive streetscape contribution and demonstrating the work of prominent architects Fowell Mansfield & Maclurcan. It represents potentially the only commercial post-war building in central Sydney resulting from an architectural competition, and the purpose-built headquarters of Sydney's electricity supplier. This satisfies five Heritage Council criteria of local significance for its historic, associations, aesthetic/ technical, rarity and representative value.

32. *St Peter Julian's Catholic Church and Monastery* (1964) is assessed as locally significant as an accomplished example of post-World War II ecclesiastical architecture, the finest work of architect Terence Daly. It is also significant for its contribution to Haymarket's character, quality of materials and spaces, and works from notable migrant artists. It represents a rare post-war church and monastery in central Sydney, the largest church built of its period and only one including a monastery. It demonstrates twentieth-century religious practice in central Sydney, with strong associations to the Blessed Sacrament Congregation. This satisfies five Heritage Council criteria of local significance for its historic, associations, aesthetic/ technical, rarity and representative value, with potential for social significance.
33. *Town Hall House* (1977) is assessed as state significant as a fine example of the commercial work of the influential architect Ken Woolley (1933-2015), demonstrating the influence of the brutalist style. It also represents a sophisticated and early example of load-bearing precast concrete wall system and a local landmark. The building is significant for its conscious relationship with surrounding nineteenth century buildings and the public domain, the double-height entrance foyer that is rare for surviving government office buildings of the period and other original interiors. This satisfies all seven Heritage Council criteria of local significance for its historic, associations, aesthetic/ technical, social, research, rarity and representative value.
34. *William Bland Centre* (1960) is assessed as locally significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern. It demonstrates the work of respected emigre architect Hans Peter Oser and the oldest known surviving example of lift slab construction in central Sydney. It also has significant associations with the medical profession. This satisfies six Heritage Council criteria of local significance for its historic, associations, aesthetic/ technical, research, rarity and representative value.
35. *MLC Centre* (1977) is assessed as state significant as an outstanding award-winning example of Modernist architecture and urban design by prominent Australian architect Harry Seidler. It represents the first private development in central Sydney to provide a range of public amenity and cultural assets and includes Australia's tallest building and the tallest reinforced concrete building in the world of its time. The complex is also significant as a successful direct expression of structural systems, for its open spaces and inclusion of works by prominent artists Albers, Perry and Owen. It has significant associations with the former Hotel Australia and Theatre Royal buildings once located on this site, and the prominent engineer Pier Luigi Nervi and property developer Gerardus Dusseldorp. This satisfies five Heritage Council criteria of local significance for its historic, associations, aesthetic/ technical, rarity and representative value.
36. *Former Liverpool and London and Globe building* (1962) is assessed as locally significant as a distinctive example of the Late Twentieth Century International style, the work of prominent architects Spain Cosh & Stewart, and one of few surviving post-war curtain wall buildings that once proliferated at the northern end of central Sydney. A prominent townscape element, the building demonstrates a skilful response to its acute corner site, as well as a distinctive curtain wall design of rare pigmented structural glass spandrels and design for thermal expansion. The building provides evidence of the prevalence of insurance companies in this precinct and the boom of international finance and insurance in post-war Sydney, with significant associations with Liverpool & London & Globe Insurance. This satisfies five Heritage Council criteria of local significance for its historic, associations, aesthetic/ technical, rarity and representative value.

37. *Former Horwitz House* (1956) is assessed as state significant as the first larger project and office design of prominent architect Harry Seidler, an early work of prominent structural engineer Peter Owen Miller and an early Modern Movement office for central Sydney. It is significant as the first office building in Sydney to convincingly integrate passive sun control devices into its design, the integration of its structural system and sun control louvres, and for its association with prominent publishing house Horwitz Company. This satisfies six Heritage Council criteria of local significance for its historic, associations, aesthetic/ technical, research, rarity and representative value.
38. *'Earth Mother' play sculpture* (1952) is assessed as state significant as the first sculpture intended for educating and extending the aesthetic sensibilities of children in the City of Sydney, the first public artwork initiated by City of Sydney and possibly the first of its kind in Australia. It represents an abstract figurative work from highly regarded artist Anita Aarons, demonstrating mid-twentieth century theories of environmental determinism or influencing personality and behaviour through the arts and architecture. This satisfies five Heritage Council criteria of local significance for its historic, associations, aesthetic/ technical, rarity and representative value.
39. This planning proposal relates to the local heritage significance of the buildings and art to meet the criteria for listing on the local plan. State significance is determined by the Heritage Council of NSW for listing on the State Heritage Register under the Heritage Act 1977. The Heritage Council submission advises the MLC Centre is the only item with a current nomination for the State Heritage Register. For these four buildings and one artwork assessed as state significant, Council nominations for the State Heritage Register are not proposed at this stage. The landowners may wish to consider this option to access heritage grants for repair or adaptive reuse of the buildings and art in the future.

#### **Planning proposal changes: listing extent**

40. Nine key changes are recommended to the planning proposal as a result of the consideration of submissions and the post-exhibition review, as set out in the planning proposal at Attachment A. These changes relate to the extent of the eight buildings proposed for listing as heritage items plus the addition of a new complying development clause to streamline fit-outs to non-listed building components. The changes seek to appropriately recognise and manage the local heritage significance of these Modern Movement buildings through listing significant building components and streamlining commercial development with no heritage impacts. These represent new customised approaches to local heritage listing and development of heritage items to take into account the complexity and importance of these major inner city buildings.
41. The first eight changes are to reduce or specify the extent of listing to significant components for each of the eight buildings. The listing extent is described in the item names in the heritage schedule 5 of SLEP 2012. The item name for the Earth Mother play sculpture is unchanged. The exhibited listing for seven buildings was for the items as a whole including "significant interiors", except for Horwitz House which only included structural interiors. The revised proposal replaces "significant interiors" or a general building description in the item name with a more precise description of significant building components, omitting non-significant components, as follows:
  - (a) Sydney Masonic Centre building:
    - includes podium exteriors and interiors and Mona Hessing artwork
    - excludes the 24-storey Civic Tower above the podium, by omission

- (b) Former Sydney County Council building:
- includes façade walls and fixtures, internal structure, ground floor loggia, theatrette and foyer marble cladding
  - excludes non-structural office floors and basement carpark, by omission
- (c) St Peter Julian's Catholic Church and Monastery:
- includes façade walls and fixtures, interiors of the church, ground floor, first floor, and artworks
  - excludes monastery interiors of levels 2-5, by omission
- (d) Town Hall House:
- includes facade walls and fixtures, structural interiors, level 1 paving and foundation stone, curved stair to level 2, interiors of level 2 southern foyer, levels 4 and 6 links to Sydney Town Hall, level 4 function rooms, foyers, bathrooms and terraces, levels 5-23 bulkheads, levels 5, 9 and 11 lobby drinking fountains, and Marconi sculpture
  - excludes non-structural office floors, parts of other floors and basement carpark, by omission
- (e) William Bland Centre:
- includes façade wall and fixtures, foyers, lightwells and internal structure.
  - excludes the non-structural tenancy interiors, by omission
- (f) MLC Centre complex:
- includes tower exterior, internal structure and level 8 vestibule, Theatre Royal exterior and interiors, CTA building exterior and interior, King Street cylindrical structure, lower and upper plazas (levels 7-8), plaza building exteriors, plaza oculus to level 6, levels 6 and 7 Rowe Street through link, and artworks by Albers, Perry and Owen
  - excludes the non-structural office interiors above the vestibule, carpark levels 1-5 and level 5-10 retail and hospitality tenancy interiors outside of original cylindrical 'mushroom' buildings, by omission
- (g) Former Liverpool and London and Globe:
- includes façade walls and fixtures and internal structure
  - excludes non-structural interiors, by omission
- (h) Former Horwitz House:
- includes façade and internal structure
  - excludes non-structural interiors, by omission

42. The exhibition period has been beneficial. The listings, which have been reduced and become more specific, provide greater clarity about listed significant components and interiors. These also provide greater certainty for future development by ensuring heritage impacts are only considered where necessary. Exteriors are listed by default through reference to the building or complex as with existing heritage items. Listing significant interiors or other specific components does not prevent approval of internal and other alterations, change of use or new works, but ensures impacts on significance are considered when major works are proposed.
43. The listings have been reduced where supported by substantive new information gained through the public exhibition process and confirmed by City review. The revised item names are drafted in line with the directions in the Standard Instrument (Local Environmental Plans) Order 2006. This requires item names to briefly describe significant features including interiors. Components are included in the item name where they meet the Heritage Office guide for listing as elements of moderate, high or exceptional significance. According to the Heritage Office definitions, these include altered original elements that demonstrate a key element of the item's significance, or alternatively have little individual value but contribute to the overall significance of the item. Components are included where their significance can still be appreciated or are capable of conservation through reversal of additions, repair, reconstruction or interpretation. Attachment B includes the submissions about contested buildings and features and the City conclusions regarding the revised listings.
44. As the Standard Instrument Order requires item names to specify inclusions, rather than exclusions or exemptions, non-significant components are instead excluded by omission from the revised item names. Major components are omitted where confirmed by City review as not significant or incapable of retaining significance, with no effect on other significant components. Components are incapable of retaining significance for reasons including approved demolition or because their significance is incapable of conservation through reversal of additions, repair, reconstruction or interpretation. Other than features incapable of retaining significance, omitted components could be demolished or replaced without affecting the item's significance, either negatively or positively. These omitted components therefore do not warrant heritage impact consideration. These are most commonly non-original contemporary office fit-outs. Excluded features are noted in the updated inventories at Attachment C.
45. Fine grain details are not generally identified in the item name, but rather the floor or major building component where some significant fabric, spaces or functions are located. This is for brevity for the item name length, and for clarity in interpreting the listing extent. It is also to ensure impacts on significant features are assessed and the significance of the item is maintained as a cohesive whole, not fragmented. Listed features are described further in the updated inventories at Attachment C. For listed components, the intactness or significance of these building features is assessed in more detail at the development assessment stage, when a statement of heritage impact or conservation management plan is prepared.

#### **Planning proposal changes: development**

46. To streamline development and support the ongoing use and upgrade of these important buildings, a further key change to the planning proposal as a result of exhibition is to enable complying development to be carried out for commercial fit-outs to non-significant unlisted building components. This is achieved through the proposed addition of a new type of complying development in schedule 3 of SLEP 2012 included in the revised planning proposal at Attachment A. This applies to the seven commercial buildings proposed for partial listing.



47. City staff consulted the Department of Planning Industry and Environment about including this proposed change for complying development at the post-exhibition stage. The Department supports the intent to conserve heritage significance, whilst allowing landowners of the commercial buildings to undertake routine fit-outs to non-significant interiors in a streamlined manner. The complying development change is proposed to address issues raised by some landowners in submissions about streamlining or impacts on commercial development and operations. Other submission makers that support listing and the significance of these buildings are not adversely impacted because the changes do not affect significant building features capable of conservation. The Department notes the precise mechanism will be considered further in consultation with the City through the drafting stage.
48. To streamline minor works to all proposed and existing heritage items, including listed building components, the City is also reviewing the 'heritage works without consent' notification form. The revision is to ensure this quick low-cost notification process is available for all minor works with no adverse heritage impacts, to remove the need for unnecessary development applications as a result of listing. The intent is to expand the types of minor works for which this notification process can be used, where consistent with the existing heritage provisions of SLEP 2012. No change to the planning proposal is required to implement this change.
49. All inventories for the items have also been updated to reflect the City's post-exhibition review and to assist landowners with managing the significance of the buildings and the artwork. The inventories are at Attachment C for noting only, as they do not form part of the planning proposal. Inventories provide a summary of information about places, including guidance on their history and significance. The non-statutory heritage inventories can continue to be updated, before or after listing, as new information becomes available, such as through completion of a conservation management plan.

#### **Issues raised in submissions: significance**

50. A number of submissions from landowners and their consultants disagree with the heritage significance of identified buildings or components primarily because the buildings, in whole or in part, are not good enough examples of the Modern Movement. The reasons given in these submissions, including the landowners' heritage assessments, are outlined and responded to below and in the table at Attachment B. The listing of the Sydney Masonic Centre, the William Bland Centre and former Sydney County Council building is contested on these grounds. The Modern Movement merit or significance is also contested for components of the MLC Centre, Town Hall House, St Peter Julian's Catholic Church and Monastery and Former Liverpool and London and Globe building. Some landowners, as well as individual architects, heritage professionals and organisations also support the significance and listing of these buildings as Modern Movement examples.

51. Some submissions seek further justification or review to establish the significance of these buildings as Modern Movement examples. The justification for this listing proposal is the independent heritage study and supporting inventories. This heritage study of the Modern Movement in central Sydney, commissioned by Council from the heritage architects, TKD Architects, identifies the eight buildings and one public artwork as worthy of listing as local Modern Movement examples. This local study was informed by the earlier state-wide thematic history of the Modern Movement for the NSW Heritage Council. The central Sydney study was completed by a co-author of the Heritage Council thematic history. The study and individual heritage assessments for identified buildings and art have been prepared in accordance with the industry standards of the Heritage Council listing criteria and Heritage Office guide for assessing local heritage significance. The study assessment has been reviewed by City staff, before and after exhibition of the planning proposal, consistent with these state standards.
52. Submissions also dispute listing because the buildings or components are not exceptional, outstanding or exemplars of the Modern Movement. Some submissions form this conclusion through reference to general Modern Movement characteristics, building types or features, drawn from parts of the study report or other references. In some submissions, these characteristics are interpreted as essential listing criteria. This is not the criteria or threshold for local heritage listing.
53. The study recognises the diversity of the Modern Movement in central Sydney, as represented by the surviving examples recommended for listing. The study and planning proposal do not identify set building features or characteristics as essential criteria or more important than others for listing. Instead, the study and planning proposal use the listing threshold of local heritage significance, as defined by the NSW Heritage Council criteria and supporting Heritage Office guide for all listings in NSW. The study investigates the local significance of identified buildings, individually and in the context of the Modern Movement in central Sydney, through a survey of buildings in the locality, a thematic history and overview of the movement, as well as individual research and assessment of identified buildings. The significant characteristics of these buildings are individually assessed in the inventories. The only limitations for identified buildings set by the study scope include the design period from 1945 to 1975 and location of central Sydney.
54. The Heritage Office guideline for assessing significance establishes that a building does not need to conform to all characteristics of a style, be an exemplar, exceptional or the only example to satisfy the Heritage Council criteria for local significance. A building can also be listed as a fine example of a style, for aesthetic distinctiveness, variations to a style or as part of group that collectively illustrates a type, in the local context. Buildings can also be listed for more than just Modern Movement features or aesthetic value under other Heritage Council criteria, such as for their historic association with important people or groups, technical accomplishment or as evidence of a significant historic activity for the locality. These are some of the inclusion guidelines in the Heritage Office guideline for listing under the seven Heritage Council criteria. The identified buildings and art demonstrate these qualities.

55. Some submissions refer to the exclusion guidelines of the Heritage Office guide as reasons to dismiss listing. These submissions do not also consider the inclusion guidelines for listing noted above. The Heritage Office guide states that the exclusion guidelines do not cancel out inclusion guidelines and should not be applied in isolation. The study and City review take into account both inclusion and exclusion guidelines for each of the Heritage Council criteria. The study and supporting inventories demonstrate the identified buildings and art satisfy at least one Heritage Council criterion of local significance for local listing, for their aesthetic or technical value, as well as other heritage values, for the City of Sydney.
56. Comparisons are also referred to in submissions as reasons to dispute the significance of these Modern Movement buildings. Outstanding or exceptional City of Sydney examples of the Modern Movement, in comparison to others in a wider NSW, Australian or international context, would meet the criteria for higher levels of listing than proposed as state, national or world significant heritage. The Sydney Opera House, for instance, is outstanding compared to global examples, recognised as world heritage. Qantas House and Liner House are outstanding compared to other examples in NSW, recognised as state significant through state listing. As local heritage, the relevant or like comparisons for the subject buildings are surviving Modern Movement buildings in central Sydney of equivalent significance. Modern Movement buildings located outside of the City of Sydney in other Australian cities or internationally, noted in submissions, do not lessen the local significance of these Sydney examples or contribute to the significance and history of Sydney.
57. To establish their comparative value, the study surveyed more than 110 comparable Modern Movement buildings in central Sydney to identify the eight proposed for listing. The eight identified buildings of assessed local or state significance are comparable to existing Modern Movement items in central Sydney of an equivalent level of significance. Some buildings have comparative value as surviving examples of their kind, beyond their architectural style, such as for examples of design competitions and construction types in post-war central Sydney. While the study and City review acknowledge other examples, the Heritage Office guide states that an item is not to be excluded on the grounds that others with similar characteristics have already been listed.
58. Building alterations are another reason given in submissions for contesting the significance of buildings as Modern Movement examples, such as the partial glazing of Sydney Masonic Centre and over-cladding of the former Sydney County Council building. The study assessment acknowledges the building alterations noted in submissions. Further City review and consideration of these submissions found the alterations do not diminish the assessed significance of these buildings. The assessed significance of the buildings, as part of Sydney's local heritage, can still be appreciated. The significance of the buildings and their significant features are capable of conservation through reversal of additions, repair, restoration or interpretation. City staff considered these alterations when revising the extent of listing. Where major contemporary alterations are not significant and are separate to significant features, these are omitted from the revised listing, as outlined above.

59. The relative significance of building components is disputed for the above reasons in submissions for the MLC Centre, Town Hall House, St Peter Julian's Catholic Church and Monastery and Former Liverpool and London and Globe building. Based on the state directions described further above, an item name does not specify a hierarchy of significance or exclusions; only what is listed as significant. Components are included in the item name where they meet the Heritage Office guide for listing as elements of moderate, high or exceptional significance. By the Heritage Office definitions, these include altered original elements that demonstrate a key element of the item's significance, or alternatively have little individual value but contribute to the overall significance of the item. Components are included where their significance can still be appreciated or are capable of conservation through reversal of additions, repair, reconstruction or interpretation.
60. The importance of the architects or organisations associated with these buildings is disputed in submissions for the William Bland Centre, Sydney Masonic Centre, former Sydney County Council building and St Peter Julian's. These include the importance of building architects of Hans Peter Oser, Joseland & Gilling, Fowell Mansfield & Maclurcan and Terence Daly. The importance of associated organisations of Sydney's early electricity supplier, Sydney County Council, and the freemasons for the Sydney Masonic Centre are also disputed. It is acknowledged that the importance of Terence Daly, the architect for St Peter Julian's, is yet to be determined. The other disputed organisations and architects are considered significant, supported by submissions from heritage organisations, other architects and community members. As purpose-built headquarters for these organisations, with continued occupation for their significant functions, or recognisable designs from the original architects, the buildings continue to provide evidence of these important associations. This satisfies the Heritage Council listing criteria for at least one historic association for each disputed building. The Heritage Office guide indicates a building can be significant for historic associations regardless of intactness. The design merit or rarity of these examples is assessed under the separate criteria of aesthetic significance and rarity.
61. Some submissions also express an aversion to the building aesthetics or construction materials, their amenity or state of repair, such as the aluminium-framed curtain wall façade of the William Bland Centre. The study assessment acknowledges the building materials and design. The original construction and design contribute to the assessed significance of these buildings. Operational issues, such as necessary repairs or environmental performance, can be addressed through the separate development process, outlined below. The views about the identified buildings expressed in submissions are acknowledged as a current community view. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture.

### **Process issues**

62. A number of submissions question the process for listing, including the preparation and review of the heritage study and planning proposal, information access, consultation with landowners and consideration of landowners' heritage assessments. These relate to justification and transparency, primarily for landowners. The listing of the William Bland Centre, Sydney Masonic Centre and former Sydney County Council are contested for some or all of these procedural reasons. Some landowners, other community members, heritage and development organisations also support the listing process and disagree with the landowner heritage assessments for these contested items.

63. Some submissions indicate the listings are unjust. Planning controls, including heritage listings, are updated over time to respond to emerging information, community expectations to conserve heritage and for orderly development. This considers both public and private interests for current and future generations. The proposed listings have been assessed, exhibited and rigorously reviewed over a number of years. The buildings are identified for listing based on an independent heritage study and individual heritage assessments, in accordance with the Heritage Council criteria and Heritage Office guide. The study was undertaken as a result of a Council resolution by heritage architects commissioned by Council. City staff reviewed this study assessment for all items before their inclusion in the planning proposal in 2018, as well as after the public exhibition of 2019. Council's consultation with landowners and contested aspects of this process are described below. All submissions have been considered, outlined in this report and the attachments.
64. Submissions question the exclusion of buildings from the planning proposal. This selection process was described in the pre-exhibition reports. For inclusion in the planning proposal for exhibition, the City reviewed all 14 study recommended items against three additional criteria to establish that their assessed significance could still be reasonably appreciated. The additional criteria included buildings having sufficient integrity, comparative value within the local area, and a significance that is maintained in approved or advanced plans. The City pre-exhibition review found the nine recommended items met these additional criteria, while five other excluded buildings did not. The excluded buildings have not been reviewed further at this stage, as they are not part of the subject planning proposal. These or other Modern Movement buildings can be considered for future listing, if or when included in a planning proposal for public exhibition. The included buildings have been reviewed further following the public exhibition, as outlined in this report.
65. The heritage study report update and owner notifications about this update are also questioned. In March 2019, updates to the study report and inventories were requested by the Department before issuing its gateway determination. The minor updates are for greater clarity and do not alter the proposed listings or add substantive new information, as described further above. The Department then issued its gateway determination in July 2019 approving the final final study report and supporting inventories for exhibition. These final versions were then exhibited in August to October 2019 in accordance with the gateway determination. City staff notified interested landowners about the updates four weeks before exhibition and responded to requests and enquiries about these updates. The landowners provided submissions during the exhibition in response to the updated study and inventories. These submissions have been considered in this report.
66. Access to records about the preparation of this proposal is also questioned. These submissions suggest the study draft versions, excluded building inventories and Department's gateway determination report should have been exhibited. The heritage study and planning proposal was reported to Council and made public in August 2018 as soon as possible after the study was completed in early 2018. All information relating to Council's planning proposal was exhibited for public review and comment in 2019, as approved by Council, Central Sydney Planning Committee and the Department of Planning Industry and Environment's gateway determination. This did not include draft or superseded versions, the Department's report or inventories for excluded buildings, as these did not form part of Council's proposal. City staff provided landowners with these Council records and links to the Department's report separate to the public exhibition, on request.

67. Landowner consultation and consideration of the landowner's heritage assessments is also questioned. Council's consultation for this planning proposal complies with and in some cases exceeds the statutory and Departmental requirements. In addition to the required notifications for public exhibition and submission consideration from August 2019, City staff have notified and updated landowners throughout the planning proposal stages since late July 2018 and responded to landowner enquiries and requests since this time. Landowners were also invited to attend and speak at Committee meetings of August and October 2018 before Council and Central Sydney Planning Committee resolved to proceed with exhibition. Landowner representatives with procedural concerns addressed these meetings.
68. Council delayed the exhibition decision in August 2018 for two months for City staff to explain the process and effects to landowners. Letters were sent to all landowners at this time, inviting enquires. Since mid-2018, City staff met with landowner representatives for all items with objections or queries to hear their views, respond and assist where possible.
69. Council's formal consultation with landowners and the public and consideration of submissions is through the public exhibition which began in August 2019. The planning proposal was exhibited for an extended period of two months to October 2019 to ensure owners had the opportunity to comment. The landowners' heritage assessments were included in the public exhibition and considered. City staff considered all landowner and other submissions, met with landowners and inspected the building as requested. Council also received submissions in support of the proposed listings. The detailed consideration of these heritage assessments and other submissions is included in Attachment B. As a result of this consultation and consideration of submissions, the listings have been revised and inventories updated.

#### **Development and upgrade issues**

70. Development or property management issues are raised in a number of submissions. Listing the William Bland Centre, Sydney Masonic Centre and former Sydney County Council are contested on these grounds. Landowners support partial listing for the MLC Centre, Town Hall House, St Peter Julian's Catholic Church and Monastery and Former Liverpool and London and Globe building, while seeking to streamline future commercial development. Some landowners, other community members, heritage and development organisations also support conservation or restoration of these buildings.
71. Listings are contested because of restrictions or costs for commercial operations, development, necessary upgrades and repairs, or aspirations for major new development. In relation to development aspirations for these sites, this planning proposal makes no changes to the permissible uses, development standards or controls contained in the local environmental plan and development control plan.
72. Listed buildings can still be developed, repaired and upgraded to meet fire, safety and other current building standards. Listing as a heritage item recognises the heritage significance of a building and ensures this is considered in future development. Listing does not prescribe the form of future development or conservation.
73. It is most appropriate to identify and resolve development issues when a detailed development proposal is prepared through the development application or other approval process. The development assessment process for heritage items enables the form of development or conservation to be determined in response to the individual building features and circumstances, while also retaining significance. The views and issues of owners, their consultants and public submissions are considered through this process.

74. For repairs or upgrades affecting original building fabric, Council's development assessment seeks to retain significant fabric where capable of repair and compliance, or otherwise replaced with sympathetic alternatives. For instance, Council approved additional internal sashes to improve thermal and acoustic performance for the listed Transport House, whilst retaining the original façade.
75. The planning proposal has been revised to minimise impacts on commercial operations, while conserving the assessed significance of the buildings. Through a combination of the proposed reduced listings, excluding most office or tenancy interiors, and a new type of complying development, the required heritage consideration for the identified buildings will be limited to significant building components. As a result, the development process will be unchanged for most commercial fit-outs. Common tenancy fit-outs or minor repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent', without the need for a development application. These measures will streamline development for these buildings, support their ongoing use and protect significant components.
76. Landowner submissions for the William Bland Centre also raise concerns the listing will affect the current fire safety upgrade, underway in response to Council's fire safety order from 2016. City staff reviewed this matter and inspected the building. This review finds no conflict between the current fire safety order and listing. The fire safety upgrade works will have minimal or no effect on significant building features and can continue uninterrupted, before and after listing, to improve the building's fire safety. Alternatives to demolition or major heritage impacts can be found through the fire order and development application process.
77. Costs of development, repairs and upgrades are also raised in submissions, primarily for the William Bland Centre. The development process and associated costs are unchanged for most unlisted interiors, and a streamlined notification option is available for minor works to listed building features, as noted above. For costs associated with development applications, the required documents are unchanged for the William Bland Centre and other buildings older than 50 years as a heritage impact statement is already required because of the building age. By providing advance notice of heritage issues before an application is lodged, listing can reduce the cost and assessment time for an application.
78. All buildings need ongoing maintenance and repair for their continued occupation and use. It is recognised that the William Bland Centre currently requires maintenance and repair to the original glass and aluminium curtain wall façade. The strata committee has submitted their consultant's advice to improve the facade performance, indicating this can be achieved through repairs and improved sealing, or other options including complete replacement. The safety issue of glass fall is noted as a low risk in the consultant's report and capable of mitigation. The development assessment process described above can consider and address these issues, as for existing heritage items with glass facades of this period. Other proposed items of the MLC Centre tower, Horwitz House and the former Sydney County Council building have also recently proposed or completed façade works.
79. Listing assists building owners with maintenance, repair and upgrades by providing the option to recoup costs or generate revenue for future works through a heritage floor space award. Other potential savings from listing include reduced land taxes through a heritage valuation from the NSW Valuer General and waving the usual development contributions levy for adaptive re-use.

80. Some submissions indicate a replacement development will make a better contribution to the city or Council's strategic plans. This is particularly raised for the former Sydney County Council building. As assessed local heritage, the existing buildings contribute to the identity, streetscapes, history and culture of Sydney. Listing the identified buildings is consistent with the vision of the Central Sydney Planning Strategy to facilitate growth in a way that maintains central Sydney's identity, including its heritage items and sunlight access to public open spaces, as outlined further below.
81. City staff will continue to encourage owners to have pre-development application meetings with the planning assessments team to gain greater certainty about future development and the most streamlined development assessment process.
82. Progressing local heritage listing for the nine proposed heritage items will ensure the local heritage significance of this Modern Movement buildings and art is appropriately considered and maintained as part of future plans or redevelopment. The inventories included in Attachment C provide guidance to assist landowners with future development and management of these sites and structures.

## Strategic Alignment

### Eastern City District Plan

83. The Eastern City District Plan completed by the Greater Sydney Commission in March 2018 is a 20 year plan to manage growth in the context of economic, social and environmental matters. The district plan identifies 22 planning priorities and associated actions that support a liveable, productive and sustainable future for the district. This planning proposal gives effect to the following key planning priority and actions:

*Liveability Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District's heritage*

*Action 26 - Identify, conserve and enhance environmental heritage by:*

- (a) *engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place*
  - (b) *applying adaptive re-use and interpreting heritage to foster distinctive local places*
  - (c) *managing and monitoring the cumulative impact of development on the heritage values and character of places.*
84. This priority seeks to enhance the district's liveability by identifying, conserving and enhancing the heritage place-makers in local centres and neighbourhoods. The district plan notes that heritage buildings contribute to an area's sense of place, its distinctive character, and diversity of built form and uses, and bring people together. Conserved heritage buildings are some of the attributes of liveable great places acknowledged in this plan, which attract residents, workers, visitors, enterprise and investment into centres.
  85. By listing the eight buildings and one artwork for their local heritage significance, this planning proposal will address the district plan by encouraging the retention and continued use of these place-makers, as part of the distinctive identity of central Sydney.



**Sustainable Sydney 2030**

86. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. The planning proposal is aligned with the following SS2030 strategic directions and objectives:
- (a) Direction 7 – A Cultural and Creative City. The planning proposal identifies nine buildings and artworks as a local heritage item, allowing the buildings or art to be retained and allowing present and future generations to understand the breadth of Australia's architectural heritage into the late twentieth century. The identification will ensure any future development of the buildings or art considers the heritage value and significance of the site and encourages its sympathetic adaptive re-use.

**Local Strategic Planning Statement**

87. Listing and retention of the eight Modern Movement buildings and one artwork is consistent with the City's Local Strategic Planning Statement, in particular the liveability priority to "create great places" (priority L2). The proposal to list buildings and an artwork of assessed heritage significance delivers on the great place objectives to conserve and maintain heritage and to celebrate the character of unique neighbourhoods; in this case central Sydney. Identifying places of local heritage significance on the Local Environmental Plan is an action of the planning statement (L2.9.b).
88. The City's Modern Movement buildings and art provide a unique opportunity to enhance the character of central Sydney for current and future generations. As the city centre rapidly redevelops, these listings will promote retention and re-use of its significant post-war buildings and art. This will support the growth of central Sydney by retaining some of its post-war modern character, diversity of built form and place-makers, and their continued contribution to the vibrant commercial and cultural life of the city centre.

**Draft Central Sydney Planning Strategy**

89. Listing and retention of the eight buildings is compatible with the objects of Council's draft Central Sydney Planning Strategy which seeks to facilitate growth in a way that maintains central Sydney's identity, including its heritage items and sunlight access to public places.
90. The retention of the eight buildings will not impede delivery of the 2.9 million square metres of additional employment floor space unlocked under the draft Central Sydney Planning Strategy.
91. Opportunities under the Central Sydney Planning Proposal and other planning documents, for the identified sites will be considered against the criteria and guidelines established in the Central Sydney planning documents. Amalgamated site developments, as encouraged through the strategy for smaller sites, could redistribute the potential additional floor space of heritage items and identify suitable uses for the listed buildings.

**Budget Implications**

92. Town Hall House and the 'Earth Mother' sculpture are owned and managed by the City of Sydney. These are actively maintained assets with existing budgets. The City already takes into account the assessed heritage value of Town Hall House in its management, including previous consultation with the architect, the late Ken Woolley, about building conservation and alterations, and completion of a conservation management plan. The sculpture is located on land that is already listed as part of the Cook and Phillip Park heritage item.
93. Listing these features will have minor budget implications for preparation of development applications when Council's consent is required for building alterations. The development application process ensures building alterations continue to be reviewed and guided by appropriate specialists. Balanced with these costs are the potential benefits due to the applicable conservation incentives, including potential to access heritage floor space awards.

**Relevant legislation**

94. Environmental Planning and Assessment Act 1979.
95. Environmental Planning and Assessment Regulation 2000.
96. Heritage Act 1977.

**Critical dates/ timeframes**

97. The Gateway notice issued by the Department of Planning Industry and Environment set a 12 month timeframe from 10 July 2019 for the completion of the Local Environmental Plan amendment process.

**Public consultation**

98. The public authority consultation and exhibition process for the planning proposal was undertaken in accordance with the gateway determination issued by the Department of Planning Industry and Environment, section 3.34 of the Environmental Planning and Assessment Act 1979 and the relevant provisions of the Environmental Planning and Assessment Regulation 2000.
99. Council consulted the public agencies of the Heritage Council of NSW and Heritage NSW before and with the public exhibition, as required by the gateway determination. These agencies support the proposal.
100. The public exhibition period commenced on 19 August and, following extensions, concluded on 14 October 2019. Council consulted affected owners, members of the public and government agencies. Affected owners, occupants and neighbours were notified by letter and the proposal advertised in the Sydney Morning Herald. The exhibition was extended beyond the required 28 days to two months to ensure owners had the opportunity to review and comment on the proposal. Submissions were accepted after the exhibition.

101. All information for the proposal, including the planning proposal, updated study report and inventories, were made available on the City's consultation website, Sydney Your Say, and at the customer service at Town Hall House. Four heritage assessments prepared for the landowners were also included in the exhibition, for William Bland Centre, the former County Council building, Sydney Masonic Centre and St Peter Julian's Church and Monastery, as required by the Department's gateway determination.
102. The submissions from landowners, other members of the public, organisations and public authorities are considered in Attachment B.

**GRAHAM JAHN AM**

Director City Planning, Development and Transport

Claudine Loffi, Senior Specialist Planner (Heritage)

# Attachment A

**Planning Proposal – Central Sydney  
Modern Movement Heritage Items**

# Planning Proposal – Central Sydney Modern Movement heritage items

City of Sydney  
Town Hall House  
456 Kent Street  
Sydney NSW 2000

June 2020



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# Introduction

This planning proposal explains the intent of, and justification for, the proposed amendment to Sydney Local Environmental Plan 2012 (SLEP 2012). The amendment will identify nine heritage items for inclusion in Schedule 5 located in central Sydney.

The proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (the Act) and the relevant Department of Planning guidelines, including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.

# Background

## Planning background

### Site identification

This planning proposal relates to the following places within central Sydney, as described in Part 3 and mapped in Part 5:

- Sydney Masonic Centre, 279-283 Castlereagh Street, Sydney
- Former Sydney County Council Building, 552A-570 George Street, Sydney
- St Peter Julian's Catholic Church & Monastery, 637-645 George Street, Haymarket
- Town Hall House, 456 Kent Street, Sydney
- William Bland Centre, 229-231 Macquarie Street, Sydney
- MLC Centre, 19-35 Martin Place, Sydney
- Former Liverpool & London & Globe building, 62 Pitt Street, Sydney
- Former Horwitz House, 398-402 Sussex Street, Haymarket
- 'Earth Mother' play sculpture, Yurong Parkway, Cook & Phillip Park, Sydney

## Value for modern architecture

In 2013, the Heritage Council of NSW completed a thematic history of the 'Modern Movement' in NSW; believed to be the first state-wide heritage study of contemporary architecture in the state. The NSW thematic study investigates Modern Movement architecture and landscape design to better understand its extent, importance and historical and global context.

The NSW study found that the Modern Movement produced some of the twentieth century's most significant architecture. It described the Modern Movement as based on progressive European and American architectural ideals from the period from 1900 to 1940. Avant-garde art and architecture movements of this period included Futurism in Italy, Constructivism in Russia, Expressionism and the Bauhaus school of design in Germany, and De Stijl in Holland. Advanced American thought was represented by the architecture of Frank Lloyd Wright. Architects of this movement saw themselves as reformers, reacting to social, political and economic upheaval during the late nineteenth and early twentieth centuries resulting from causes such as industrialisation and the shattering impact of World War I. The influence of this movement and its philosophy spread around the world.

The NSW study describes the Modern Movement as including geometric architectural styles that matured in Australia predominantly between 1910 and 1970, including the styles known as modern, International, brutalist, Sydney School, amongst others; linked by their progressive philosophies or ideals derived from Europe and America.

The NSW study did not recommend buildings for listing or other means of protection at the state or other level. Few modern buildings are legally listed as part of our recognised heritage. Today, within central Sydney, only five (5) stand-alone buildings from 1945-1975 are listed on the State Heritage Register, National Heritage List or World Heritage List. These include Liner House, Qantas House, Sydney Opera House Circular Quay and Martin Place railway stations.

## City of Sydney planning background

On 14 May 2012, the Council requested the City to commence a heritage study review of central Sydney modern buildings built after World War II. Council resolved to prepare this study in response to increasing development pressure on central Sydney's post-war architecture of potential heritage significance, and to provide certainty in the development process. The primary purpose of this heritage study is to identify a representation of central Sydney's significant post-war architecture that is worthy of listing.

In 2013, the City commissioned TKD Architects to complete the City of Sydney's study. Completed in stages by 2018, the City of Sydney's heritage study report is included at **Appendix 1**. This report attaches 14 buildings and artworks as potential heritage items located in central Sydney and designed in the period of 1945-1975, to investigate for listing. This listing investigation is described further below. This planning proposal is to include 7 into Schedule 5 of Sydney Local Environmental Plan 2012.

As of 2018, City of Sydney has listed a total of nine (9) Modern Movement buildings from 1945-1975 as heritage items in central Sydney, out of 300 listed buildings in central Sydney on Sydney Local Environmental Plan 2012. As noted above, five (5) of these 9 listed modern buildings have a higher level of state or world significance through their listing on state or world lists.



## Study area and scope

The heritage study investigates the significance of Modern Movement architecture within the geographic limits of central Sydney and the design period of 1945 to 1975. The study area comprises the central business district and parkland within City of Sydney's planning jurisdiction, zoned as B8-Metropolitan Centre or RE1-Public Recreation in Sydney Local Environmental Plan 2012, as shown in the map at **Figure 1**. For the purpose of this study, the design completion year is based on date the development was approved.

**Figure 1: Study area shaded yellow**



As a focussed thematic study, this study does not seek to assess all examples of Modern Movement architecture or to identify a complete list of buildings worthy of listing. Modern Movement architecture is currently found before and after the study period of 1945-1975 and beyond the study area of central Sydney. Public understanding of and value for more recent architecture can also evolve over time, as further information is uncovered, buildings gain historical layers and connections, or become rarer still. Therefore, further Modern Movement architecture and artworks, in addition to the nine that are the subject of this planning proposal, may be identified within the council area as worthy for listing in the future.

## Study findings

The heritage study report is included at **Appendix 1**. This study identifies the Modern Movement as one of the most significant and far-reaching twentieth century design aesthetics. For Sydney, the Modern Movement from 1945-1975 was an exciting and challenging architectural period that determined much of the present physical form of central Sydney. The dominance of modern office buildings from this period records

the changing role of Australia in an international context and Sydney's new-found role as a major world financial centre during the 'Long Boom'.

Central Sydney contains one of the greatest concentrations of Modern Movement buildings in the state, designed and built to a very high standard. This includes outstanding architecture and civic accomplishments in office buildings, churches, community, education and cultural buildings, public spaces, fountains and artworks. Architecturally, surviving examples of the Modern Movement in central Sydney also demonstrate the adaptation of the Modern Movement to local conditions, distinguishing them from Modern Movement buildings in other parts of the world.

It is now more than 60 years since the earliest buildings noted in this study were conceived. A large number of buildings from this period in central Sydney, including many innovative buildings of exceptional architectural quality, have been demolished. Others have been modified to an unrecognisable extent. This underscores the need for their identification and, where appropriate, protection.

From more than 110 modern post-war buildings within central Sydney noted in the heritage study, the study recommends investigating 14 buildings and artworks for potential listing as heritage items on Sydney Local Environmental Plan 2012.

### **Assessment of significance for listing**

The Heritage Council of NSW guideline outlines seven criteria of local heritage significance to determine whether an item warrants local listing. Only one of these seven criteria needs to be satisfied at the local level for local heritage listing. The above architecture and artworks satisfy one or more of these Heritage Council criteria of local heritage significance for local listing. It is noted some may also be state significant, however this comparative level of importance is determined by the Heritage Council of NSW, and is not required for local listing.

The City investigation considered further criteria to identify the buildings and artworks which warrant consideration for listing in this planning proposal. These criteria are used to establish the buildings and art which have a local heritage significance that can still be reasonably appreciated. The identified nine buildings and artworks meet these criteria, in terms of having: sufficient integrity, comparative value within the local area, and a significance that is maintained in approved or advanced plans.

Previously approved developments for the buildings and artworks enable the significance of these places to still be appreciated. Retention of these will align with the Draft Central Sydney Planning Strategy as discussed further below.

If listed, the additional eight buildings or complexes will also potentially be eligible for heritage floor space awards, thereby incentivising their conservation. It will also increase the potential heritage floor space supply available for use in other central Sydney developments.

The other five buildings within the study included at **Appendix 1** do not satisfy all the above criteria at this time and therefore are not included in the planning proposal. This does not preclude their future listing consideration. The study recommendations, not included in the subject planning proposal, are for

- Berger House at 82-88 Elizabeth Street
- Christie Centre at 3 Spring Street
- Domain Parking Station at Sir John Young Crescent
- Standard Chartered House at 1-7 Castlereagh Street
- Supreme Court Hospital Road Court Complex at 10 Macquarie Street.

While the Domain Parking Station does not meet the above criteria on the basis of existing information, more detail is required to assess the car park's comparative value within the context of other City Architects projects. The public works of City Architects is a gap in existing research. Further research of surviving examples of City Architects' works and their significance may establish the building is worthy of listing consideration.

Progressing local heritage listing for the nine proposed heritage items will ensure the local heritage significance of this Modern Movement architecture and art is appropriately considered and maintained as part of future plans or redevelopment.

### Fit-outs for unlisted parts of proposed commercial heritage items

Following public exhibition, Council reviewed the extent of the proposed heritage items to specify the significant interiors or building components included in the item name. This is in accordance with the directions contained in the Standard Instrument (Local Environmental Plans) Order 2006, which require the item name to briefly describe significant features, including interiors. The standard instrument does not provide an option for exemptions or exclusions from the heritage item listing.

This partial listing approach is more common in the City of Sydney for large or complex heritage items, where substantial distinct components have no heritage significance. Non-significant elements omitted from the item name commonly include standard contemporary tenancy interiors for the 1950s-1970s office buildings proposed for listing.

Even where a building is partially listed, the full land parcels are shaded brown as the land containing a heritage item. It can be impractical to exclude the land of unlisted features on the heritage map due to the small scale or for different building levels. The map is not referenced in the definition for a heritage item and therefore does not define the legal extent of the listing.

In these circumstances, the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 prevents complying development for unlisted, but mapped, parts of heritage items because of clause 1.17A(4), with our emphasis in bold:

*“(4) If an item not listed on the State Heritage Register but identified as an item of environmental heritage in an environmental planning instrument does not comprise, or is not located on, the whole of the relevant land, subclause (1)(d) applies only to the part of the land that is **described and mapped** on that instrument.”*

The code does not make provision to enable complying development where omitted from the item name or exempt from consent requirements under the heritage provisions of clause 5.10(3) of Sydney Local Environmental Plan 2012.

As a result of the public exhibition, a number of submissions from affected landowners support listing while seeking to maintain continued access to complying development for commercial fit-outs.

Council's intent with the reduced listings is to enable routine minor fit-outs to unlisted parts of the heritage items with no potential heritage impacts through complying development, despite the item being mapped. This seeks to prevent the need for development applications for unlisted building parts, triggered by the heritage item mapping, where heritage impact assessment is unnecessary. This will enable recognition of the heritage significance of these buildings through listing, while also facilitating their continued use and economic management for large volumes of tenants and turnover in a major Australian business centre.

# Part 1 – Objectives or intended outcomes

The objective of the planning proposal is to recognise and protect the heritage significance of nine buildings, complexes or artworks from the Modern Movement in central Sydney, as identified in Part 2.

The intended outcomes to achieve these objectives are to:

- List nine buildings, complexes or artworks from the Modern Movement in central Sydney, as heritage items in Schedule 5 of Sydney Local Environmental Plan 2012 (SLEP2012);
- Enable the land owners of the listed buildings within central Sydney to be eligible for the conservation incentive of heritage floor space awards within SLEP2012;
- Update the heritage map for land adjoining a proposed heritage item to remove the brown shading for the building footprint of St Andrews House, which is not listed or proposed for listing as a heritage item; and
- For the proposed new commercial heritage items where only part of the building is identified in the item name, enable complying development for internal alterations to omitted building components, such as fit-outs, where minor changes will have no adverse impact on listed significant features.

# Part 2 – Explanation of the provisions

The final clauses in Sydney Local Environmental Plan 2012 would be subject to drafting and agreement by Parliamentary Counsel's Office but may be written as follows to achieve the intended outcomes

## Heritage schedule amendments

The planning proposal seeks to amend the SLEP 2012 Schedule 5 heritage schedule by inserting or altering the following items as shown below in **Table 1**. Text to insert is shown as **bold underline**. Text to omit is shown as **~~bold strikethrough~~**.

**Table 1 – Proposed amendments to Schedule 5, Environmental heritage, Part 1, heritage items**

<b>Locality</b>	<b>Item name</b>	<b>Address</b>	<b>Property description</b>	<b>Significance</b>	<b>Item no.</b>
<u>Haymarket</u>	<u>St Peter Julian's Catholic Church &amp; Monastery buildings including façade walls and fixtures, interiors of the church, ground floor, first floor, and artworks</u>	<u>637-645 George Street</u>	<u>Lot 1, DP 84699; Lot B, DP 108370; Lots 1-2, DP 1138453</u>	<u>Local</u>	<u>I2281</u> * -
<u>Haymarket</u>	<u>Former Horwitz House building including façade and internal structure</u>	<u>398-402 Sussex Street</u>	<u>Lot 1, DP 55229</u>	<u>Local</u>	<u>I2282</u> * -
<u>Sydney</u>	<u>Sydney Masonic Centre building podium including interiors and Mona Hessing artwork</u>	<u>279-283 Castlereagh Street</u>	<u>Lot 1, DP 1067328</u>	<u>Local</u>	<u>I2283</u> * -
<u>Sydney</u>	<u>Former Sydney County Council building including façade walls and fixtures, internal structure, ground floor loggia, theatrette and foyer marble cladding</u>	<u>552A-570 George Street, Sydney</u>	<u>Lot 1 DP 231095</u>	<u>Local</u>	<u>I2284</u> * -

<b>Locality</b>	<b>Item name</b>	<b>Address</b>	<b>Property description</b>	<b>Significance</b>	<b>Item no.</b>
<u>Sydney</u>	<u>Town Hall House building including facade walls and fixtures, structural interiors, level 1 paving and foundation stone, curved stair to level 2, interiors of level 2 southern foyer, levels 4 and 6 links to Sydney Town Hall, level 4 function rooms, foyers, bathrooms and terraces, levels 5-23 bulkheads, levels 5, 9 and 11 lobby drinking fountains, and Marconi sculpture</u>	<u>456 Kent Street</u>	<u>Part Lot 100, DP 1048011</u>	<u>Local</u>	<u>12285</u> * -
<u>Sydney</u>	<u>William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure</u>	<u>229-231 Macquarie Street</u>	<u>Lot 1, DP 66747; Lot 1, DP 80727; Lots 1-3, SP 10041; Lots 6-40, SP 10041; Lots 42-66 SP 10041; Lots 68-90 SP 10041; Lots 91-92 SP 14123; Lots 93 SP 70358; Lots 94-95 SP 86600</u>	<u>Local</u>	<u>12286</u> * -

Locality	Item name	Address	Property description	Significance	Item no.
<u>Sydney</u>	<u>MLC Centre complex, including tower exterior, internal structure and level 8 vestibule, Theatre Royal exterior and interiors, CTA building exterior and interior, King Street cylindrical structure, lower and upper plazas (levels 7-8), plaza building exteriors, plaza oculus to level 6, levels 6 and 7 Rowe Street through link, and artworks by Albers, Perry and Owen</u>	<u>19-35 Martin Place</u>	<u>Lot 1, DP 598704; Lot 5, DP 588399; Lots 1-2, SP 12322; Lot 3, DP 565938; Lots 1, SP 7985; Lots 3-4, SP 10727</u>	<u>Local</u>	<u>12287</u> * -
<u>Sydney</u>	<u>Former Liverpool &amp; London &amp; Globe building including façade walls and fixtures and internal structure</u>	<u>62 Pitt Street</u>	<u>Lot 1, DP 129926</u>	<u>Local</u>	<u>12288</u> * -
Sydney	Cook & Phillip Park <u>including 'Earth Mother' play sculpture</u>		Lots 4–8, DP 873273; Lots 31–33, DP 1007439; Lot 1, DP 1000281	Local	11655

The heritage item naming convention conforms with existing listings in Schedule 5, which include building interiors. This is in accordance with the directions contained in the Standard Instrument (Local Environmental Plans) Order 2006, which require the item name to briefly describe significant features, including significant interiors.

Following Council's post-exhibition review of submissions and the proposed heritage items, significant interiors have been specified in the amended item names.

The features noted in the above item names are described further in the supporting information contained in the heritage inventories included at **Appendix 2**. The non-statutory heritage inventories can continue to be updated as new information becomes available, such as through completion of a conservation management plan.

The 'Earth Mother' sculpture is proposed to be added to an existing heritage item listing for Cook & Phillip Park.

The asterix beside the item numbers identifies the buildings that will be eligible for heritage floor space awards, if listed, under Sydney Local Environmental Plan 2012.

## Complying development schedule amendments

As a result of the post-exhibition review of submissions and the proposed listings, the planning proposal seeks to amend the SLEP 2012 Schedule 3 complying development to insert the following additional types of development.

### Part 1 Types of development

#### 3.1 Internal alterations to commercial heritage items

1. The works are proposed at the sites below: :
  - 279-283 Castlereagh Street, Sydney
  - 552A-570 George Street, Sydney
  - 456 Kent Street, Sydney
  - 229-231 Macquarie Street, Sydney
  - 19-35 Martin Place, Sydney
  - 62 Pitt Street, Sydney
  - 398-402 Sussex Street, Haymarket
2. The proposed works would be complying development in accordance with the Commercial and Industrial Alterations Code Subdivision 1 Building Alterations (internal) of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 but for the land being described in Schedule 5 and identified on the Heritage Map.
3. Where the item name for the item of environmental heritage identifies building components, the alterations apply only to building or internal components omitted from the item name.
4. Alterations must not change the building exterior.
5. Alterations must not be visible from a public place.
6. Alterations must not change or impact on structural components.
7. Alterations must not change or affect building components identified in the item name.
8. Alterations must not obstruct or alter external window or door openings or other external features.



# Part 3 – Justification

## Section A – Need for the planning proposal

### Q1. Is the planning proposal a result of any strategic study or report?

Yes. The planning proposal is a result of a Modern Movement heritage study prepared by TKD architects in January 2018. City of Sydney commissioned this strategic study in response to a Council resolution in order to identify a representation of post-war Modern Movement architecture in central Sydney that is worthy of listing. The report was prepared by one of the heritage consultants who prepared the Heritage Council of NSW thematic study of Modern Movement architecture in NSW.

The nine buildings, complexes or artworks identified in this planning proposal are recommended for investigation for listing in this study, with supporting draft heritage inventories. These establish that the nine recommended heritage items meet at least one of the Heritage Council criteria for local listing for their local heritage significance.

The heritage study is included in **Appendix 1**. The heritage inventories are included at **Appendix 2**.

### Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. Appropriate heritage protection for these nine buildings, complexes and artworks is best achieved through identification as a local heritage item in an environmental planning instrument. They are not currently heritage listed in any way.

City of Sydney has authorisation to make interim heritage orders for unlisted buildings under the Heritage Act 1977, however a more strategic approach is preferred as recommended in this planning proposal. No immediate threat to these buildings is known to warrant this emergency form of heritage protection.

Progressing local heritage listing for these proposed heritage items will ensure the local heritage significance of these modern achievements are appropriately considered and maintained as part of future plans or redevelopment. It will also ensure prior formal consultation with the affected land owners and broader community. If these nine items are listed within central Sydney, the eight buildings will also be potentially eligible for heritage floor space awards, incentivising their conservation. These outcomes are only achieved in the longer term through the proposed listing.

## Section B – Relationship to strategic planning framework

### Q3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

Yes. See comments below.

#### **Greater Sydney Region Plan: A Metropolis of Three Cities**

The Greater Sydney Region Plan, completed in March 2018, is the Greater Sydney Commission's vision for a Greater Sydney of three cities where most residents live

within 30 minutes of their jobs and services. City of Sydney is situated within the “Eastern Harbour City”.

This plan sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters. This sets out how the State Government’s 10 directions for a Greater Sydney are to be implemented through integrated planning. These 10 directions, with 40 supporting objectives, address infrastructure, liveability, productivity and sustainability. This planning proposal is consistent with these high level directions and objectives. In particular it addresses the liveability great places direction objective:

*Objective 13: Environmental heritage is identified conserved and enhanced*

By proposing to consult the community for listing 7 new heritage items, and incentivising their conservation by enabling access to heritage floor space awards, this planning proposal will fulfil this object. Listing these buildings will also active the conservation incentive for flexible uses.

### **Eastern City District Plan**

The Eastern City District Plan completed by the Greater Sydney Commission in March 2018 is a 20-year plan to manage growth in the context of economic, social and environmental matters. The district plan identifies 22 planning priorities and associated actions that support a liveable, productive and sustainable future for the district. This planning proposal gives effect to the following key planning priority and actions:

*Liveability Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District’s heritage*

*Action 26 - Identify, conserve and enhance environmental heritage by:*

- (a) engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place*
- (b) applying adaptive re-use and interpreting heritage to foster distinctive local places*
- (c) managing and monitoring the cumulative impact of development on the heritage values and character of places.*

This priority seeks to enhance the district’s liveability by identifying, conserving and enhancing the heritage place-makers in local centres and neighbourhoods. It notes that heritage buildings contribute to an area’s sense of place, its distinctive character, and diversity of built form and uses, and bring people together. Conserved heritage buildings are some of the attributes of liveable great places acknowledged in this plan, which attract residents, workers, visitors, enterprise and investment into centres.

In proposing to consult the community to identify nine buildings, complexes and artworks of assessed local heritage significance, this planning proposal will address the district plan by encouraging the retention and continued use of these place-makers, as part of the distinctive identity of central Sydney.

### **Q4. Is the planning proposal consistent with council’s local strategy or other local strategic plan?**

Yes. See comments below.

## **Sustainable Sydney 2030 Strategic Plan**

The City's Sustainable Sydney 2030 Strategic Plan is the vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This planning proposal is consistent with the key directions of Sustainable Sydney 2030, particular Direction 7 for 'A Cultural and Creative City.

The planning proposal identifies nine buildings, complexes and artworks as heritage items, thereby providing for their conservation, a diversity of building stock in central Sydney and allowing future generations to understand the breadth of Australia's architectural heritage to the late 20th century. The listing and conservation incentives will ensure future development considers and maintains the heritage significance of these buildings, complexes and artworks.

## **Draft Central Sydney Planning Strategy**

Listing and retention of the eight buildings is compatible with the City's Draft Central Sydney Planning Strategy which seeks to facilitate growth in a way that maintains central Sydney's identity, including its heritage items and sunlight access to public places.

The retention of eight buildings will not impede delivery of the 2.9 million square metres of additional employment floor space unlocked under the draft Central Sydney Planning Strategy.

Opportunities under the Strategy for the identified sites will be considered against the criteria and guidelines established in the Strategy. Amalgamated site developments, as encouraged through the strategy for smaller sites, could redistribute the potential additional floor space of heritage items and identify suitable uses for the retained building/s.

## **Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?**

Yes. The planning proposal is consistent with and does not contradict or hinder application of the following applicable State Environmental Planning Policies (SEPPs):

- SEPP No 1—Development Standards
- SEPP No 33—Hazardous and Offensive Development
- SEPP No 64—Advertising and Signage
- SEPP No 65—Design Quality of Residential Flat Development
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SEPP (Infrastructure) 2007
- SEPP (Miscellaneous Consent Provisions) 2007
- SEPP (State and Regional Development) 2011

The planning proposal is consistent with and does not contradict or hinder application of the following applicable with former Regional Environmental Plan (REP) for the Sydney and Greater Metropolitan Regions, which is deemed to have the weight of SEPPs:

- Sydney REP (Sydney Harbour Catchment) 2005

**Q6. Is the planning proposal consistent with applicable ministerial directions (s.117 directions)?**

The planning proposal has been assessed against each Section 117 direction. The consistency of the planning proposal with these directions is shown in the table below.

**Table 2 – Consistency of the planning proposal with ministerial directions**

No	Ministerial direction	Comment
1.1	Business and Industrial Zones	Consistent. The planning proposal will not reduce the total potential floor space area for employment uses and related public services in business zones. Listing of these central Sydney heritage items will also activate the conservation incentive for heritage floor space.
1.2	Rural Zones	Not applicable
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural Lands	Not applicable
2.1	Environment Protection Zones	Not applicable
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Consistent. This planning proposal provides for the conservation of heritage items.
2.4	Recreation Vehicle Areas	Not applicable
3.1	Residential Zones	Not applicable
3.2	Caravan Parks and Manufactured Home Estates	Not applicable
3.3	Home Occupations	Not applicable
3.4	Integrating Land Use and Transport	Consistent.
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
4.1	Acid Sulfate Soils	Consistent. This planning proposal does not contradict or hinder application of acid sulphate soils provisions in Sydney LEP 2012.
4.2	Mine Subsidence and Unstable Land	Not applicable

No	Ministerial direction	Comment
4.3	Flood Prone Land	Consistent. This planning proposal does not contradict or hinder application of flood prone land provisions in Sydney LEP 2012.
4.4	Planning for Bushfire Protection	Not applicable
5.1	Implementation of Regional Strategies	Consistent. This planning proposal is consistent with key strategic goals and directions within the Greater Sydney Region Plan and the District as outlined above.
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8	Second Sydney Airport, Badgerys Creek	Not applicable
5.9	North West Rail Link Corridor Strategy	Not applicable
5.10	Implementation of Regional Plans	Consistent. As addressed above.
6.1	Approval and Referral Requirements	Consistent. This planning proposal does not include any concurrence, consultation or referral provisions nor does it identify any development as designated development.
6.2	Reserving Land for Public Purposes	Consistent. This planning proposal will not affect any land reserved for public purposes.
6.3	Site Specific Provisions	Consistent. This planning proposal does not introduce unnecessarily restrictive site specific controls.
7.1	Implementation of A Plan for Growing Sydney	Consistent. This planning proposal is consistent with this direction and does not hinder implementation of A Plan for Growing Sydney or the Greater Sydney Region Plan
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable

No	Ministerial direction	Comment
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable

## Section C – Environmental, social and economic impact

### **Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. The planning proposal is unlikely to adversely affect any critical habitat or threatened species, populations or ecological communities or their habitats.

### **Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

No. It is unlikely that the proposed amendment to the heritage schedule of SLEP 2012 will result in development creating any environmental effects that cannot readily be controlled.

### **Q9. How has the planning proposal adequately addressed any social and economic effects?**

Identification of the nine central Sydney heritage items will facilitate retention of buildings and artwork that may have significance to community. No changes to the zoning or permissible uses are proposed. The merit-based heritage provisions provide capacity for Council and the proponent to take into account these matters when development is proposed. Listing will activate conservation incentives for listed buildings, including flexible uses and the ability for landowners to be awarded heritage floor space.

## Section D: State and Commonwealth interests

### **Q10. Is there adequate public infrastructure for the planning proposal?**

Yes. No changes to the permissible uses are proposed. The central Sydney land to be identified as heritage items is well located in relation to existing public transport infrastructure, utility services, roads and essential services.

### **Q11. What are the views of State and Commonwealth public authorities consulted in the gateway determination?**

The Heritage Council of NSW will be consulted during the public exhibition. The identification of these modern heritage items, based on a local heritage study, is consistent with Heritage Council standards and builds on the state-wide thematic history of Modern Movement architecture completed by the Heritage Council in 2013.

It is not considered necessary to consult with other public authorities as the planning proposal relates to the listing of local heritage items that are privately owned or

owned by City of Sydney Council. Local heritage listing will identify heritage impacts as a consideration if public works are proposed for the identified sites, however will not constrain Crown development.

## Part 4 – Mapping

The heritage map tiles HER\_014 and HER\_15 will be updated to shade in brown the location of the new heritage items. The heritage map extracts at **Figure 2** to **Figure 10** show the new heritage items.

A minor map update also removes the brown shading for the building footprint of St Andrews House, as shown in **Figure 6**. This update is included because of the site's proximity to the proposed heritage item, Town Hall House. The building of St Andrews House is not currently or proposed for listing in Schedule 5 of SLEP 2012 as a heritage item. The land occupied by the building of St Andrews House is shaded brown in the heritage map because it is part of the land of Sydney Square, which is listed as a heritage item. This map update does not alter the listing status of St Andrew's House or Sydney Square as determined by the Schedule 5 entry.

The 'Earth Mother' sculpture listing requires no change to the heritage maps as this sculpture is located within a listed park, in the approximate location marked with a star in the heritage map extract at **Figure 10**.

**Figure 2: St Peter Julian's Catholic Church & Monastery, item I2281**

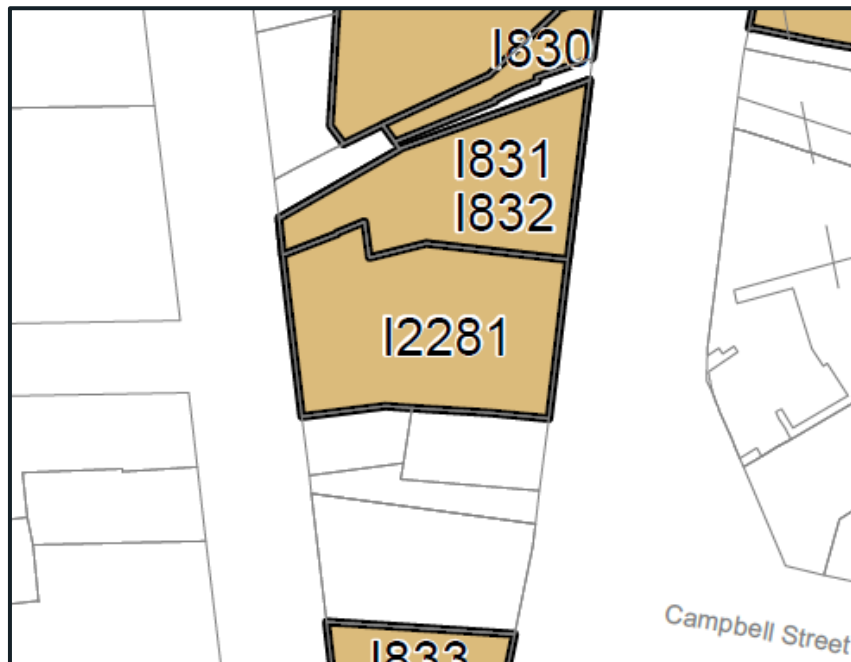


Figure 3: Former Horwitz House, item I2282

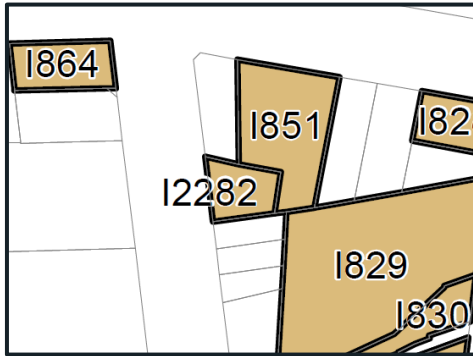


Figure 4: Sydney Masonic Centre, item I2283

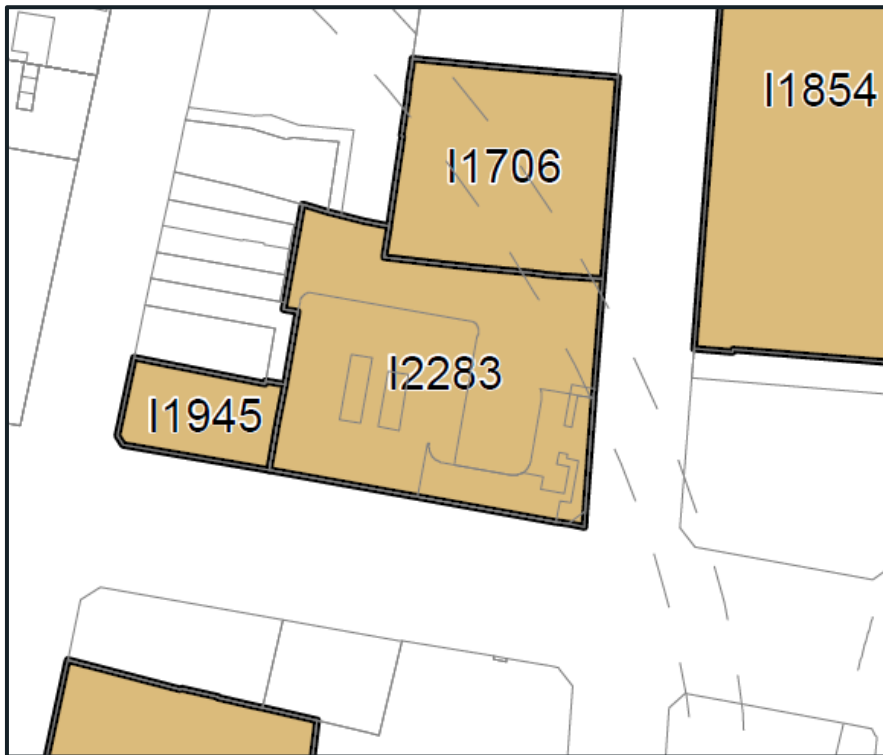




Figure 5: Former Sydney County Council building, item I2284

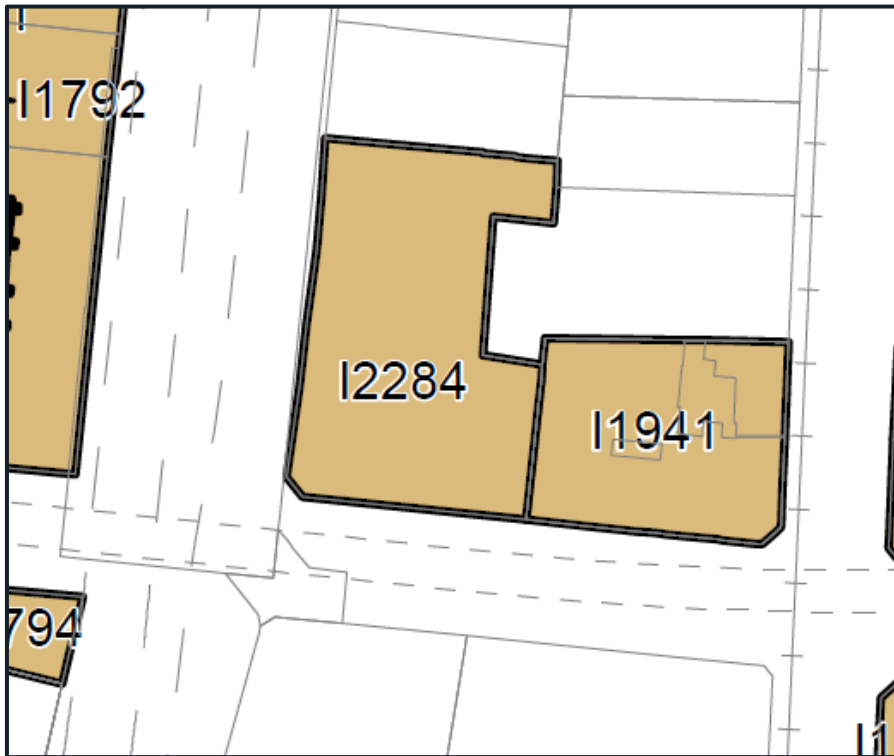


Figure 6: Town Hall House, item I2285, and removed brown shading for St Andrews House building footprint

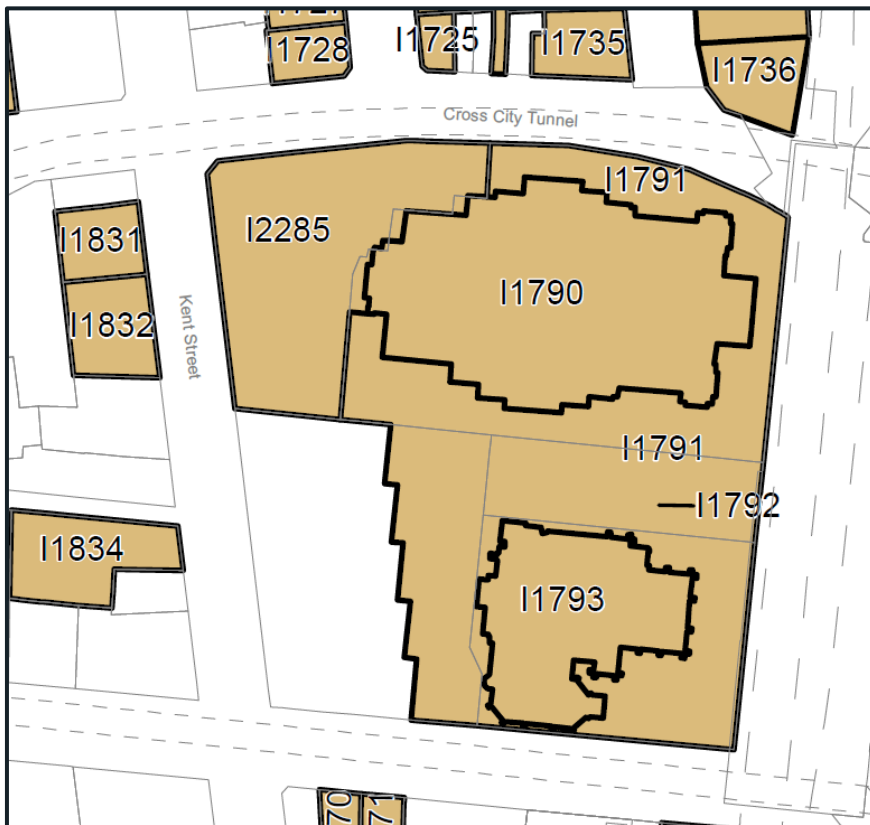


Figure 7: William Bland Centre, item I2286

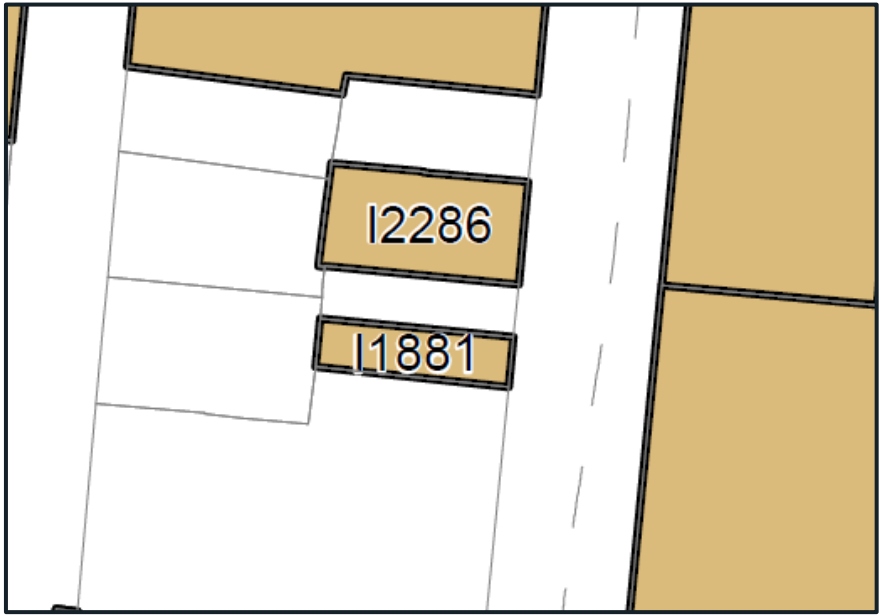


Figure 8: MLC Centre, item I2287

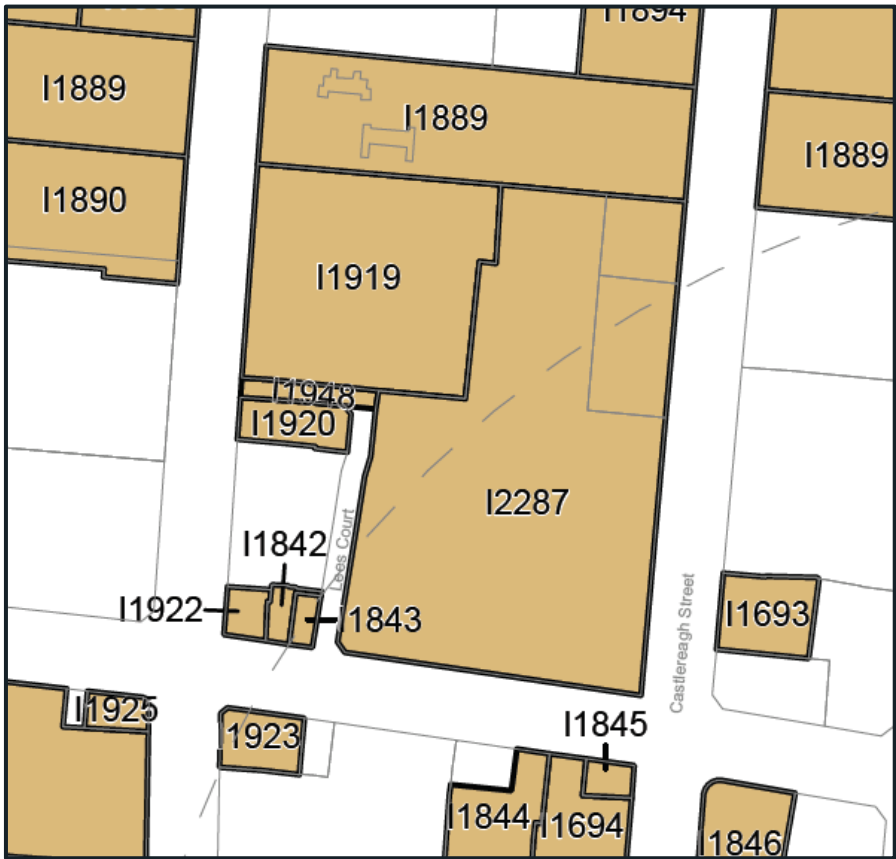


Figure 9: Former Liverpool & London & Globe building, item I2288

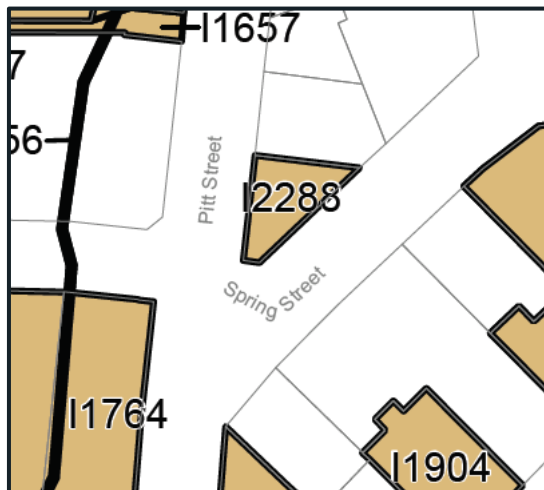
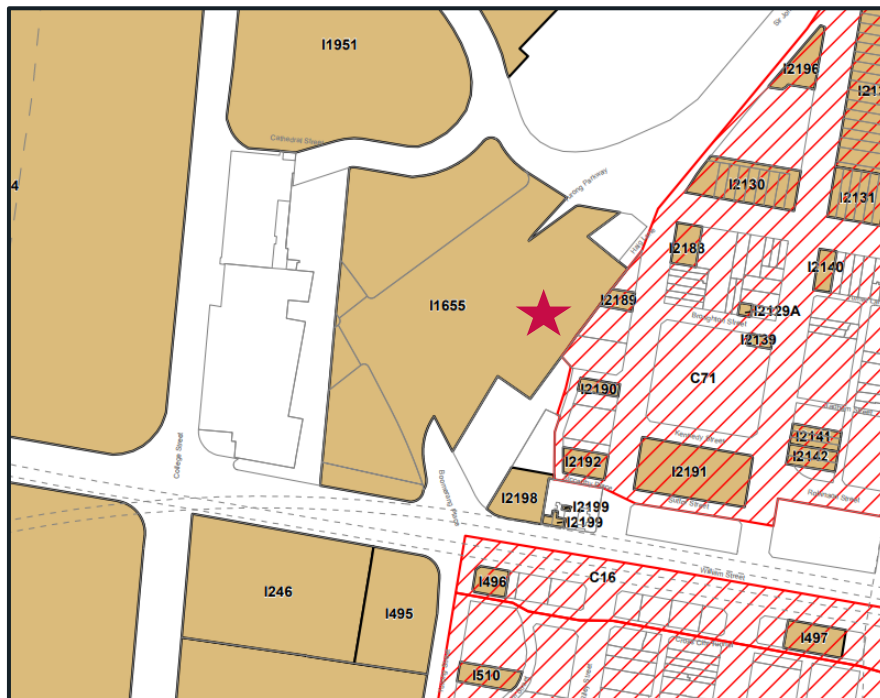


Figure 10: 'Earth Mother' play sculpture location within item I1655



## Part 5 – Community consultation

### Public Exhibition

The public authority consultation and exhibition process for the planning proposal will be subject to the conditions on the gateway determination issued by the Greater Sydney Commission. The consultation will take place in accordance with the gateway determination under section 3.34 of the Environmental Planning and Assessment Act 1979 and the relevant provisions of the Environmental Planning and Assessment Regulation 2000.

A 28-day public exhibition is recommended with notification:

- on the City of Sydney website;
- in newspapers that circulate widely in the City of Sydney Local Government Area; and
- in writing to the owners, the adjoining landowners, relevant community groups, and the surrounding community in the immediate vicinity of the sites.

## Part 6 – Project timeline

The anticipated timeframe for the completion of the planning proposal is as follows:

**Table 3 – Anticipated timeframe for planning proposal**

Action	Anticipated date
Commencement / gateway determination	July 2019
Public exhibition & government agency consultation	August-October 2019
Consideration of submissions	October-April 2020
Post exhibition consideration of proposal	June 2020
Draft and finalise LEP	June-August 2020
LEP made (if delegated)	N/A
Plan forwarded to DoPI for notification	N/A

## Appendices

### 1. Heritage study, Modern Movement Architecture in Central Sydney

## 2. Heritage inventories for 9 recommended heritage items

# **Attachment B1**

**Summary of Submissions –  
All or Multiple Items**

# Summary of submissions

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
<b>A</b> All or multiple items			
A1	Heritage Council of NSW and Heritage NSW	<p><b>Support.</b> The nine proposed local heritage items represent examples of the Modern Movement in Sydney. Note five of these items are identified as potentially state significant. The MLC Centre is the only heritage item that has a current nomination for the State Heritage Register (SHR). The Heritage Council is currently reviewing the priority of all open SHR nominations. TKD Architects also completed a thematic study on the Modern Movement for the Heritage Council of NSW.</p> <p>Note the Gateway determination required heritage assessments prepared by landowners to be exhibited with the planning proposal. Heritage NSW encourages the identification and listing of new heritage items, providing the necessary due diligence, assessments and notifications have been undertaken. As such, the public exhibition of this proposal along with the heritage assessments prepared by the landowners is considered an appropriate approach.</p>	<p>Support noted. As noted by the Heritage Council, the author of the City study also completed the NSW thematic study in 2013 for the Heritage Council. The NSW thematic history has informed this study. Council included the owners' heritage assessments in the public exhibition. City staff considered all landowner and other submissions, including the exhibited heritage assessments, met with landowners and inspected the building as requested, in order to review this proposal following the public exhibition. As a result of the post-exhibition City review, the listings have been revised and inventories updated.</p> <p>For this planning proposal, Council's decision relates to the local heritage significance of the building to meet the criteria for listing on the local plan. For buildings also assessed as state significant of Sydney Masonic Centre, Town Hall House, MLC Centre, Horwitz House and Earth Mother play sculpture, nominations for the State Heritage Register are not proposed at this stage. The landowners may wish to consider this option to access heritage grants for repair or adaptive reuse of the buildings in the future.</p>
A2	Docomomo Australia Inc	<p><b>Support.</b> Docomomo Australia is an advising organisation to UNESCO regarding modern architectural heritage, charged with identifying, documenting and conserving buildings, sites and neighbourhoods of the Modern Movement. Based on examining the exhibited planning proposal, TKD and owners' consultants' reports, Docomomo supports the proposal to list 9 items of local significance on the Sydney LEP 2012. All listing inventories should list all the elements that are of significance and must be retained, such as sculptures, internal and external finishes and design details etc. Comments specific to the proposed items are included with the other submissions for each item below.</p>	<p>Support noted. As a result of the post-exhibition City review, the listings have been revised and inventories updated to identify significant features in more detail, where possible. The item names briefly identify significant features, including interiors. This is in accordance with the directions contained in the Standard Instrument (Local Environmental Plans) Order 2006 for item naming. Where detailed heritage assessments of building interiors are available and the assessment is confirmed by City staff review, significant internal features are identified in more detail in the inventory. The non-statutory heritage inventories can continue to be updated, before or after listing, as new information becomes available, such as through completion of a conservation management plan. The specific comments on each of the proposed items are responded to below with the other submissions on these items.</p>

<sup>1</sup> Submitters are named with permission from the submitter



No.	Submitter <sup>1</sup>	Submission summary	Submission response
A3	The National Trust of Australia (NSW)	<b>Support.</b> The National Trust has examined Council's planning proposal to list a number of Central Sydney Modern Movement heritage items. The National Trust supports the proposal to list all 9. With respect to the MLC Centre, the National Trust's Built Heritage Conservation Committee has recommended to the National Trust Board the listing of the Harry Seidler designed Theatre Royal within the MLC Centre for listing on the National Trust Register. It listed the National Trust listing report will be forwarded to Council.	Support noted. The listing report have been received and included below with the MLC Centre submissions.
A4	Property Council of Australia	<b>Support.</b> As Australia's peak representative of the property and construction industry, the Property Council's members include investors, owners, managers, and developers of property across all asset classes.	Support noted and comments responded to below.
A4	Property Council of Australia	<p><u>Study and significance</u></p> <p>The City's decision to undertake a heritage study into the Modern Movement (1945-1975) is supported. The study identifies a strong field of buildings and other structures, including artworks, worthy of consideration for listing. The study provides a strong argument in support of the preservation of suitable buildings from this period. These evidence the economic and social circumstances from this important 30-year period, particularly the impact of post-war austerity followed by the "Long Boom" and its eventual collapse. The architectural quality of the buildings reflects the importance of those responsible for each commission. Central Sydney was the site of one of the greatest concentrations of Modern Movement buildings in NSW. A number of comparative studies of Modern Movement architecture have been carried out both at the State level in Victoria (2008) and NSW (2013) and at the local level with Woollahra Municipality in NSW (2005) and Bayside Council in Victoria (2008). The City's interest in and decision to investigate the merit of heritage protection of buildings from this period is welcomed.</p>	<p><u>Study and significance</u></p> <p>Support noted.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
A4	Property Council of Australia	<p><u>Conservation</u></p> <p>The study also identifies several issues needing to be resolved as part of the listing process, such as conservation methods for modern buildings involving non-traditional materials, poor workmanship and obsolete building services. It is important there is clarity over these issues before the planning proposal is made.</p>	<p><u>Conservation</u></p> <p>Listed buildings can still be repaired and upgraded to meet current building standards. In response to materials conservation issues, the study notes modern listed buildings are now undertaking conservation works and careful refurbishment, including Qantas House where the facade was drained and resealed rather than replaced. Listing as a heritage item recognises the heritage significance of a building and ensures this is considered in future development. A heritage listing does not direct the form of development or conservation. It is most appropriate to consider and address these issues through the development application process when a detailed proposal is prepared. The non-prescriptive development assessment process for heritage items enables the form of development or conservation to be determined in response to the individual building features and circumstances, while also retaining significance. The views and issues of owners, their consultants and public submissions are considered through this process. Council's development assessment seeks to retain significant fabric where capable of repair and compliance, or otherwise replaced with sympathetic alternatives. For instance, Council approved additional internal sashes to improve thermal and acoustic performance for the listed Transport House, whilst retaining the original façade. Listing gives building owners the option to recoup upgrade, repair or conservation costs through a heritage floor space award.</p>
A4	Property Council of Australia	<p><u>Landowner views</u></p> <p>The Property Council notes that the City has been in contact with all landowners affected by the planning proposal to inform them individually of the proposed heritage listing of their property and that 4 landowners have obtained their own heritage advice. It is understood that several of these heritage reports have provided additional detail to the Council that will assist with the decision-making process. In the case of the former Sydney County Council office building at 552A-570 George Street, the landowner has supplied information about the competitive design process associated with the building's design and the intactness/integrity of the building interiors and external facade. The landowner of the William Bland Centre has submitted a report that questions whether the building is representative of the Modern Movement. It is appropriate that the City take into consideration the views of landowners and additional information relevant to the listing of their premises.</p>	<p><u>Landowner views</u></p> <p>The buildings are identified for listing based on an independent heritage study and individual heritage assessments, in accordance with the Heritage Council criteria and Heritage Office guide. Council's consultation and exhibition for this planning proposal complies with and in some cases exceeds the statutory and Departmental requirements, including consultation before exhibition and an extended exhibition period of 2 months to ensure owners had the opportunity to comment. Council included the owners' heritage assessments in the public exhibition. City staff considered all landowner and other submissions, including the quoted heritage assessments, met with landowners and inspected the buildings as requested, in order to review this proposal following the public exhibition. Submissions were also received in support of the proposed listings. As a result of the post-exhibition review, the listings have been revised and inventories updated. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. Listing provides certainty by recognising the assessed heritage significance of buildings, alerting owners that heritage is a consideration ahead of a development application and giving owners access to conservation incentives.</p>

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
A4	Property Council of Australia	<p><u>Heritage floor space</u>  A consequence of the planning proposal is the potential for creation of additional heritage floor space. A building owner may be eligible to seek an award of heritage floor space subject to meeting the requirements. The potential for creation of heritage floor space by the City is welcomed. They acknowledge it should not play a part in the decision to list new heritage items. Those decisions need to be made having regard to the building's heritage significance. It is unclear whether the City will be entitled to an award for Town Hall House. Given the Council has roles in both listing of heritage items and the regulation of the heritage floor space scheme, it is expected Council would be seeking advice from a probity adviser. The Property Council will raise issues with this scheme separately with Council, about the scheme's ability to service the market without obstructing major projects and meet the projected development potential. Despite recent changes, demand continues to outstrip supply, resulting heritage floor space rising in per metre square cost from \$1,000 in 2016 to over \$2,100 in 2019, an unsustainable increase of approx 30% annually.</p>	<p><u>Heritage floor space</u>  This listing proposal is based on the assessed heritage significance of the identified buildings. The heritage floor space scheme provides an incentive for the conservation and ongoing maintenance of heritage buildings within central Sydney, including both public and private buildings. If listed as a heritage item as proposed, the Council-owned property of Town Hall House will be eligible for a heritage floor space award. This building has been independently identified and assessed for listing using the same measures and process as the other 7 buildings, as disclosed in the Council reports and outlined above. The Council-owned Earth Mother sculpture will not be eligible for a heritage floor space award that only applies to buildings. Applications for heritage floor space awards for Council-owned property are assessed independently to ensure no conflict of interest.</p> <p>The City of Sydney continues to monitor the situation with Heritage Floor Space, noting recent changes have brought additional supply to market with more imminent.</p>
5 A5	AMP Capital	<p><b>No objection.</b> AMP Capital is an institutional investment house that is part of the ASX listed AMP. They are long-term asset managers and developers with over \$28.9 billions of retail, commercial and industrial property through the Asia Pacific and over 60 years' experience managing and investing in real estate. AMP Capital Real Estate manages and has interests in many significant commercial buildings in the City of Sydney, noting 13 properties including the listed 33 Alfred Street.</p>	No objection and comments noted and responded to below.
A5	AMP Capital	<p><u>Significance</u>  The study recommended nine examples of Modern Movement architecture for local heritage listing. The Heritage Council of NSW stated that "the modern movement period produced some of the 20th century's most important architecture, including styles known as modern, international, brutalist and Sydney school." The Lord Mayor said the modern movement era was an important chapter in Sydney's architectural history and should be preserved and "As Sydney experiences unprecedented development, it's important we preserve those buildings of significant heritage value."</p>	<p><u>Significance</u>  Noted.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
A5	AMP Capital	<p><u>Listing process</u> AMP Capital recommends robust, consistent and transparent processes that are designed, documented and exhibited by the City of Sydney to identify buildings which rightfully belong on the heritage register so that the market has clear and consistent signals in the way Council values and treats potential heritage items.</p>	<p><u>Listing process</u> The proposed listings have been assessed, exhibited and rigorously reviewed, using the process described in the Council reports, in accordance with heritage, statutory and NSW government requirements. The buildings are identified for listing based on an independent heritage study and individual heritage assessment, by TKD Architects, commenced at the direction of a Council resolution to identify post-war modern buildings. The listing standards used are the NSW Heritage Council criteria and supporting Heritage Office guide for assessing local heritage significance. City of Sydney reviewed the study identified buildings against three further criteria to establish their significance can still be appreciated before inclusion in the planning proposal for exhibition. The amendment to the local environmental plan and exhibition has been processed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and Department of Planning Industry and Environment's gateway determination.</p>
A5	AMP Capital	<p><u>Upkeep</u> The City must demonstrate that these more modern buildings require the same level of upkeep and restoration as those older listed buildings constructed to different standards.</p>	<p><u>Upkeep</u> The non-prescriptive effects of listing apply equally to modern as well as older buildings of different construction standards. Listing recognises the heritage significance of a building and ensures this is considered in future development. Listing does not direct the form of development or conservation. These issues are addressed through the development application process when a detailed proposal is prepared. The development assessment process for heritage items enables the form of development or conservation to be determined in response to the individual building features and circumstances, while also retaining significance. The views and issues of owners, their consultants and public submissions are considered through this process. Council's development assessment seeks to retain significant fabric where capable of repair and compliance, or otherwise replaced with sympathetic alternatives. For instance, Council approved additional internal sashes to improve thermal and acoustic performance for the listed Transport House, whilst retaining the original façade. Owners may propose some restoration, where appropriate, in support of a heritage floor space award. Listing gives building owners the option to recoup upgrade, repair or conservation costs through a heritage floor space award.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
A5	AMP Capital	<p><u>Heritage floor space</u>            The additional Heritage Floor Space (HFS) these buildings would 'release' is much needed in the City of Sydney "in a period of unprecedented development" where current demand for HFS outstrips supply. The heritage floor space system itself requires refreshment. It needs to be demonstrated that the heritage floor space system applies to the preservation of buildings that are less the 100 years old. AMP Capital understands this scheme is to allow for the upgrade of a "heritage" building which would otherwise involve an unfeasible cost for different restoration practices than is required of a modernist building. A modernist building is far from a sandstone historical monument that needs careful restoration to upkeep or maintain. For instance, the Seidler MLC tower has recently had a facade upgrade. Accordingly, what building upkeep is the award meant to help with?</p>	<p><u>Heritage floor space</u>            Sydney's heritage and recognition through heritage listing is not restricted to older buildings, although modern heritage is currently under-recognised with only 10 standalone heritage items in central Sydney designed between 1945 and 1975. The heritage floor space scheme provides an incentive for the conservation and ongoing maintenance of heritage buildings within central Sydney. Building age does not affect the operation of this scheme. If the 8 buildings are listed as proposed, these additional heritage items will be eligible for a heritage floor space award, in the same manner as older buildings. The form of conservation for a heritage floor space award would reflect the significant building features of these modern buildings. In the event all appropriate conservation works have been completed before listing, heritage floor space can be awarded retrospectively for previously completed conservation works, to assist with ongoing maintenance. The City of Sydney continues to monitor the situation with Heritage Floor Space, noting recent changes have brought additional supply to market with more imminent.</p>
A5	AMP Capital	<p><u>Council assets</u>            Conflicts of interest need to be identified and appropriately managed given that the City owns buildings that are identified for heritage status given that the City design, administers and controls the HFS system. Where the City of City is the beneficiary of heritage floor space and the administrator of the system, all stakeholders must be confident there is rigorous and independent control of the heritage floor space system and listing of property owned by the City. AMP Capital believes it is essential that the identification of Council owned assets as heritage items is assessed with rigour, independence, measured against consistent and transparent processes, which have been designed, documented and exhibited by the City of Sydney.</p>	<p><u>Council assets</u>            The heritage floor space scheme provides an incentive for the conservation and ongoing maintenance of heritage buildings within central Sydney, including both public and private buildings. If listed as a heritage item as proposed, the Council-owned property of Town Hall House will be eligible for a heritage floor space award. This building has been independently identified and assessed for listing using the same measures and process as the other 7 buildings, as disclosed in the Council reports and outlined above. The Council-owned Earth Mother sculpture will not be eligible for a heritage floor space award that only applies to buildings. Applications for heritage floor space awards for Council-owned property are assessed independently to ensure no conflict of interest.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
A6	Jessica Bokey	<b>Support and oppose.</b> What a sorry state of architecture. The only buildings worth preserving are the Masonic Centre, MLC and Earth Mother. Others, although built at a specific time in our history are pretty poor examples. Their only concern is that if they are pulled down, looking at the current standard of architecture, what will be put up in their place? They can only hope that new buildings will have architectural merits and not just built to price as is our current trend.	Support and objections noted. This submission represents a current community view about the heritage value of the identified buildings and artworks. The listings are based on the recommendation of an independent heritage study of the Modern Movement in central Sydney. From more than 110 post-war buildings surveyed in central Sydney, the study identifies the 9 buildings and artworks as worthy of local listing for their assessed heritage significance. The study recognises the diversity of the Modern Movement including both the supported brutalist concrete buildings and buildings of other construction styles. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture.
A7	Carolyn Johnstone	<b>Support.</b> Absolutely critical to Sydney's streetscape and history to protect these modernist and brutalist gems. We can't afford to see a repeat of the Sirius saga. And we can't trust the State Government to do the protecting.	Support noted.
A8	Community member	<b>Support.</b> When so much is changing around us, it makes them feel safe to know that Clover and staff at the City of Sydney are at least one group who actually cares about our heritage. Some things are worth preserving and they feel the City of Sydney really understands this and is doing the job it's put there to do.	Support noted.
A9	Community member	<b>Support.</b> They are a regular Sydney visitor. Like all great cities, Sydney's visual and architectural heritage depends on many styles representing the city's history and development. Some styles are more and less superficially attractive than others. This does not mean less popular styles do not have architectural or aesthetic merit and do not contribute meaningfully to the urban landscape. They support the heritage listing of all the structures listed. They urge inclusion of others such as the Sirius building, as a unique example of high-quality architectural design applied to social housing, and other examples of Brutalist mid-century architecture. The Opera House is a Modernist Brutalist building, exemplified by its exposed concrete and deliberate celebration of its construction. No one doubts its architectural merit or its worthiness of preservation. They hope that the buildings will receive a fair assessment based on their architectural merit and contributions to the visual history of Sydney, rather than decisions based on personal taste and opinion.	Support noted. The listings are based on the recommendation of an independent heritage study of the Modern Movement in central Sydney. From more than 110 post-war buildings surveyed in central Sydney, the study identifies the 9 buildings and artworks as worthy of local listing. The study recognises the diversity of the Modern Movement including brutalist and other building styles. Two brutalist buildings of Town Hall House and the Sydney Masonic Centre are included as proposed heritage items. The Sirius building is not assessed as part of this study and planning proposal because it is located on land not under Council's planning jurisdiction.

No.	Submitter <sup>1</sup>	Submission summary	Submission response
A10	Caroline Noonan-Edwards	<b>Support.</b> It is extremely important to recognise and maintain Sydney's cityscape. These 20th century post war and modern movement buildings and sculpture are an integral part. Their architectural and civic significance should be maintained for future citizens to enjoy and learn from. These buildings represent a time of government architecture and building development that looked to be innovative and long-lasting as well as provide spaces in which people could live and work more holistically. It would be a terrible shame if any of these 'civic' buildings were to be demolished or significantly altered to meet population or development growth needs which are nowadays far too often focused on economic or political advantage.	Support noted.
A11	Stephen Batey	<b>Support.</b> The Modern movement is a vital chapter in the history of development in Australia. Not just because of the style of the buildings but also the way designers approached the way a site was used. It is just as important that good examples of the modern movement or post-war era be conserved as those of Colonial, Victorian or Federation eras for what we can understand about the development of our cities and our societies. All of the identified examples are worthy of consideration.	Support noted.
A12	David Ellison	<b>Support.</b> All these properties deserve heritage listing. Great cities depend upon a diverse urban fabric, as well as the stimulation provided by distinctive and distinguished architecture. Sydney was in many respects a great Modernist city, although the traces of that are disappearing rapidly. Securing these buildings against the rapacity of mediocre developers is a precious gift to the present and the future.	Support noted.
A13	Flavia Scardamaglia	<b>Support.</b> They are very proud to live in the City of Sydney and to finally see this study and listings come true. They wish other local governments will follow the City's lead and more 20th century heritage will be protected. Well done for leading the way!	Support noted.
A14	Community member	<b>Support.</b> I support all of these proposed listings.	Support noted.

No.	Submitter <sup>1</sup>	Submission summary	Submission response
A15	Glenn A Harper	<p><b>Support.</b> As a heritage architect, independent researcher, PhD candidate at Sydney University, long term member of the Australian Institute of Architects Heritage Committee (NSW Chapter), member of DOCOMOMO (Australia), editor of the Brutalist Sydney Map Guide (2017) and author of the monograph Brutalist Sydney (2018), they support the proposed listings. Specific comments for individual items are outlined below. He congratulates City of Sydney for recognising these items, when so few Modern Movement buildings are currently listed in central Sydney. Importantly, these listings represent a crucial step in the recognition of culturally significant late modern heritage in the city, as each have immense heritage value. Attributing statutory protection will allow the current and future community of Sydney to share in the recognition of this important period of architectural production.</p>	Support noted. Comments on individual items are included and responded to below with other submissions for these items.
A16	Angelo Candalepas, Candalepas Associates	<p><b>Support.</b> They wish to record their interest in all of the nominated buildings being listed. It is an incredibly important initiative of Council to enable the longevity of these buildings, in a vulnerable period of their own history, as masterful architectural works yet of recent generations. It is easy for our generation to disregard their importance in the context of competitiveness of significance with more contemporary work. This would be an error. It is therefore important that Council list these particular buildings which demonstrate, for each of the examples, extraordinary architectural contributions to our city. Such contributions are becoming rarer.</p>	Support noted.



No.	Submitter <sup>1</sup>	Submission summary	Submission response
A17	Shaun Carter, Carter Williamson	<b>Support.</b> Having reviewed all the proposed listings, the City's assessment is warranted. We must protect our heritage, particularly our modern heritage, to be able to tell the stories of where we have come from and remember our past. If we lose these exemplary buildings, we begin to lose ourselves. A further important planning reason to list these buildings, not only for social, cultural and architectural value, is they provide gaps between taller buildings to provide the amenity of light and openness taller cities periodically need. Increasingly we need to be aware of the environmental impact of demolishing buildings every 50 years. These buildings hold large carbon reserves and embodied energy. To release that after only a short period of time is incredibly wasteful and adds to the effects of climate change. Strongly recommend these listings are supported.	Support noted.
A18	Anonymous	<b>Oppose.</b> Absolutely none of these buildings/pieces are worth granting heritage status. If the City of Sydney proceeds to heritage list any of these, it will make a mockery of heritage protection. Sydney has some wonderful heritage, which we should protect. None of this list fits that bill. They cannot believe this is a serious proposal. Sydney would be better off without many of these buildings. It would be common sense to drop this proposal completely.	Objection noted. It is acknowledged that this submission represents a current community view about the heritage value about the identified buildings and artworks. The listings are based on the recommendation of an independent heritage study of the Modern Movement in central Sydney, prepared in accordance with Heritage Council criteria and the supporting Heritage Office guide. From more than 110 post-war buildings surveyed in central Sydney, the study identifies the 9 buildings and artworks as worthy of local listing for their assessed heritage significance. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture.
A19	Bill Hatossy	<b>Oppose.</b> None of these buildings have the slightest architectural or artistic merit whatsoever. They were an eyesore when built and still are to this day.	Objection noted. It is acknowledged that this submission represents a current community view about the heritage value about the identified buildings and artworks. The listings are based on the recommendation of an independent heritage study of the Modern Movement in central Sydney, prepared in accordance with Heritage Council criteria and the supporting Heritage Office guide. From more than 110 post-war buildings surveyed in central Sydney, the study identifies the 9 buildings and artworks as worthy of local listing for their assessed heritage significance. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture.
A20	Andrew Woodhouse	<b>Oppose.</b> Register his objection published in City Hub on 11/9/2019 and Sydney Morning Herald on 13/9/2019.	Objection noted and responded to below.

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
A20	Andrew Woodhouse	<p><u>Excluded buildings</u> The study recommends 14 buildings and artworks. Why are 5 missing? The list omits references to the Sirius Building in The Rocks or the Surry Hills NSW Police Force building. Or are these too ugly to contemplate and well-known for their “brutalist” aesthetic?</p>	<p><u>Excluded buildings and brutalism</u> Two brutalist buildings of Town Hall House and the Sydney Masonic Centre are included as proposed heritage items. All buildings within the study scope have been impartially assessed using the criteria and process set out in the Council reports before exhibition. The study assesses the significance of these buildings and art under the Heritage Council criteria for local listing. For inclusion in the planning proposal, the City reviewed the study recommended buildings and artworks against 3 additional criteria to establish that their assessed significance could still be reasonably appreciated, in terms of having sufficient integrity, comparative value within the local area, and a significance that is maintained in approved or advanced plans. The City pre-exhibition review found the 9 included buildings and art met these additional criteria, whereas the 5 excluded buildings did not. The Surry Hills Police and Millers Point Sirius buildings are not assessed as part of this study and planning proposal because they are located outside of the study area of central Sydney or on land excluded from Council's planning jurisdiction.</p>
A20	Andrew Woodhouse	<p><u>Owner objections</u> Council has to base its decisions on the merits of each site and cannot ignore owners' views because its consultation strategy states submissions will be considered and acknowledged. The Sydney Masonic Centre, former Sydney County Council building, St Peter's Church and the William Bland Centre all disagree with Council's heritage study. The concerns align with the study, noting problems of alterations, changed uses, poorly made, deterioration, new technology, material repairs for which conservation practices have not evolved, lacking originality and intactness. Owners have been “brutalist”. They employed specialists. Differing conclusions from the owner assessments are quoted. Sydney Morning Herald article quotes Andrew Woodhouse saying council's move to list the buildings is “controversial”, should not “ignore owners' views on their own buildings”, “I object to heritage-listing items where the owners raise valid objections,” and these objections appear “convincing”, “Council should now set aside the proposals for sites objected to and undertake further analysis based on this new evidence” and “Good heritage planning requires certainty, consistency and clarity.”</p>	<p><u>Landowner objections</u> Planning controls, including heritage listings, are updated over time to respond to emerging information, community expectations to conserve heritage and for orderly development. The proposed listing has been assessed, exhibited and rigorously reviewed over a number of years. These buildings are identified for listing based on an independent heritage study and individual heritage assessments. The building construction, materials and alterations are acknowledged in the inventories for the identified buildings. City staff reviewed the study assessment before including the building in the planning proposal in 2018, as well as after the public exhibition of 2019. Council's consultation and exhibition for this planning proposal complies with and in some cases exceeds the statutory and Departmental requirements, including consultation before exhibition and an extended exhibition period of 2 months to ensure owners had the opportunity to comment. The owners' heritage assessments were included in the exhibition. City staff considered all landowner and other submissions, including the heritage assessments, met with landowners and inspected the buildings as requested, in order to review this proposal following the public exhibition. Submissions have also been received in support. Following exhibition, the listings have been revised. Listing provides certainty by recognising the assessed heritage significance of buildings, alerting owners that heritage is a consideration ahead of a development application and giving owners access to conservation incentives.</p>

## **Attachment B2**

<p><b>Summary of Submissions – Sydney Masonic Centre</b></p>
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Summary of submissions  
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No.	Submitter <sup>1</sup>	Submission summary	Submission response
B	Sydney Masonic Centre, 279-283 Castlereagh Street, Sydney		
B1	Weir Phillips for landowner	<b>Oppose.</b> For the reasons outlined below.	Objection noted and issues responded to below. This assessment prepared for the landowner was exhibited with the proposal.
B1	Weir Phillips for landowner	<p><u>Alterations</u> When completed in 1979, this building demonstrated core characteristics of brutalism, including assertive geometric forms, dominating scale and expressed structure of off-form concrete as the principal aesthetic device. This was original, powerful and well executed and confidently commanded its corner site. The criteria for listing are not satisfied because a key reason for listing as an example of Brutalist architecture is not met due to the extensive alterations to the building over time.</p> <p>Significant highly visible alterations and additions have fundamentally changed its external character. The street interface is human in scale with delicate refined materials that conceal rather than celebrate the structure and its sculptural qualities. These strip the building of its assertive overbearing scale, its uncompromising relationship to the street edge and reduce the relevance of the angular cantilever on the Civic Tower with ground level corner cantilever. The cladding of the Goulburn Street stair shafts and painting of part of the concrete facade disguise the original off-form concrete. The new tower, although executed superficially to the original design, is finished in painted concrete and lightweight cladding rather than the raw concrete originally conceived. Although much original fabric, including the interiors, is intact, these changes have applied a substantial additional layer to the most prominent public elements of the building. These changes irreparably alter the architectural character of the building so that it no longer exhibits the key characteristics of the brutalist style. The building in its present modified form does not satisfy the criteria for listing as a heritage item.</p>	<p><u>Alterations</u> City staff reviewed the landowner's submitted heritage assessment, the study assessment, other submissions and inspected the noted alterations. From more than 110 post-war buildings surveyed in central Sydney, the study identifies this building as worthy of local listing as an example of state heritage significance. The study concludes the building fulfils five Heritage Council criteria for local listing. The building is assessed as a powerful and outstanding example of brutalist architecture, off-form concrete construction and a local landmark, with monumental interiors that rank amongst the finest in Sydney from this period. It is also assessed as significant as an innovative work of Joseland &amp; Gilling and for its strong association with the United Grand Lodge. Some brutalist characteristics noted include the strong expressive shapes in reinforced concrete, bold curved elements, texture provided by building materials and large unbroken wall surfaces. The external building alterations are acknowledged in the inventory.</p> <p>The Sydney Masonic Centre podium retains its original construction, materials, overall form and fine interiors. The minor or reversible alterations and additions of a glazed enclosure, painting the off-form concrete and partial cladding of stair shafts do not permanently dominate, demolish or alter the robust building forms or materials. The new additions are distinguished from the old in line with Burra Charter principles, do not obscure the full height of the street frontage or internal features, and retain original features that can still be appreciated internally or are capable of restoration by removing additions. The form of the Civic Tower, built in 2005, realises the original design intent for this site and so does not detract from its significance. This review confirms the building has a reasonable level of integrity, with some alterations which do not compromise its assessed significance. The Docomomo Australia submission supports this conclusion. The building's significance, as assessed by the heritage study, can still be appreciated. The submission does not provide substantive new information to overturn the study assessment that this building satisfies the Heritage Council criteria for aesthetic/ technical and representative significance. The extent of listing of site components is reviewed below.</p>

<sup>1</sup> Submitters are named with permission from the submitter

No.	Submitter <sup>1</sup>	Submission summary	Submission response
B1	Weir Phillips for landowner	<p><u>Significance and exclusion guidelines</u> Disputes study assessment of significance against 7 Heritage Council criteria, using the exclusion guidelines of the Heritage Office guideline.</p>	<p><u>Significance and exclusion guidelines</u> The Heritage Office guide provides inclusion and exclusion guidelines for each of the seven Heritage Council criteria. The submission only references the exclusion guidelines. The Heritage Office guide states that the exclusion guidelines do not cancel out inclusion guidelines and should not be applied in isolation. The study assessment of this building and City review of this proposal consider both reasons for inclusion and exclusion, as required by this guideline.</p>
B1	Weir Phillips for landowner	<p><u>Historic, associations and rarity significance</u> A long historic association with freemasonry is not, in itself, of particular historical significance. Such a claim could be made for numerous other sites without warranting their listing. This satisfies the Heritage Office exclusion guidelines from historic and associations significance as: an activity or process, people or events, that are of dubious historical importance, and because of alterations can no longer provide evidence of a particular association. The building has been significantly modified, in particular on the exterior, so that it no longer retains the core architectural characteristics which arise from its connection with Joseland &amp; Gilling. The building, as a place for freemasons to assemble is not rare. That few Masonic Halls or Temples were built in the latter half of the 20th century is a very narrow category for rarity.</p>	<p><u>Historic, associations and rarity significance</u> This significant freemasonry association and historic significance is strengthened by the freemasonry use of the site since 1884 and the building's purpose-built design as the headquarters for the United Grand Lodge of NSW, as distinct from other freemason meeting places or local Masonic halls. The Sydney Masonic Centre is also assessed as a rare Masonic building in the City of Sydney for its period from the second half of the twentieth century. This is the subject period and scope for the study assessment for local listing. The building satisfies the inclusion guidelines for historic significance and associations for showing evidence of the occupation and group of the freemasons and the architectural work of Joseland &amp; Gilling. Neither are considered of dubious historical importance to satisfy the exclusion guidelines for historic significance and associations. The original building form, construction, interiors and its purpose-built design around the grand lodge room provide evidence of these two important associations, unaffected by the alterations. The Heritage Office guide states an item is not to be excluded on the grounds that others with similar characteristics have already been listed, such as other Masonic halls. The submission does not identify any other United Grand Lodges from the second half of the twentieth century in the City of Sydney, or in a larger geographic context, to dispute the study assessment that this example is rare at a local level. The submission does not provide substantive new information to overturn the study assessment that the building satisfies the Heritage Council criteria for historic, association and rarity significance.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
B1	Weir Phillips for landowner	<p><u>Aesthetic/ technical and representative significance</u>            Although the building is a recognisable landmark, this in itself does not warrant listing. The standard of off-form concrete construction, although high, does not in itself warrant listing. The original concrete has been so obscured with a new glass façade, internal fit out and paint finishes that it has lost its fundamental integrity.</p> <p>The original architectural intent has been fundamentally altered by the external modifications undertaken, in particular the painting of the off-form concrete and the construction of a glass façade at the base of the building. It has lost the original aggressive sculptural presentation to the street corner. The glazed enclosure of the façade, attending internal fit-out and cladding of the stair shafts is theoretically reversible but would reduce lettable space and consequently is likely to remain in place more than temporarily. The painting of off-form concrete façade is extremely difficult to reverse. This satisfies the Heritage Office exclusion guidelines from aesthetic/ technical and representative significance for: lost the range of characteristics of a type, lost design or technical integrity, and its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded.</p>	<p><u>Aesthetic/ technical and representative significance</u>            This building is featured as one of few Australian examples of brutalism in "A Pictorial Guide to Identifying Australian Architecture" (Apperly, Irving and Reynolds, 1989). The TKD study assessment of the building and Docomomo support this assessment. Both take into account subsequent alterations after the 1989 publication. From more than 110 post-war buildings surveyed in central Sydney, the TKD study identifies this building as worthy of local listing as an example of state heritage significance. The study concludes the building fulfils five Heritage Council criteria for its aesthetic/ technical, representative and other values. The building is assessed as state significant as a powerful and outstanding example of brutalist architecture, off-form concrete construction and a local landmark, with monumental interiors that rank amongst the finest in Sydney from this period. Some assessed brutalist characteristics include the strong expressive shapes in reinforced concrete, bold curved elements, and texture provided by building materials and large unbroken wall surfaces. This satisfies several Heritage Office inclusion guidelines for aesthetic and representative significance, such as for demonstrating creative achievement, aesthetic distinctiveness, and a fine example. The Heritage Office exclusion guidelines do not apply as the building designer is important, the building maintains reasonable design and technical integrity, and degrading additions are either minor or capable of reversal. The likelihood or difficulty of reversing alterations for commercial reasons is not part of the exclusion guidelines for assessing significance. Commercial circumstances and conservation technology change over time and are considered through the development application process. A heritage floor space award provides an incentive and option to recoup costs for restoration. For these reasons, it is considered the building's significance, as assessed by the study can still be appreciated. The submission does not provide substantive new information to overturn the study assessment that this building satisfies the Heritage Council criteria for aesthetic/ technical and representative significance. The extent of listing of site components is reviewed below.</p>
B1	Weir Phillips for landowner	<p><u>Social significance</u>            There is no evidence to suggest that the community of Freemasons applies any special significance to the building other than that associated with its amenity for Masonic activities. This satisfies the Heritage Office exclusion guideline that the building is only important to the community for amenity reasons.</p>	<p><u>Social significance</u>            The building has not been assessed in the study as meeting this criterion as one of the seven potential Heritage Council criteria for listing. The submissions in support of the heritage value and listing of this building from heritage bodies, professionals and community members may indicate it has potential social significance.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
B1	Weir Phillips for landowner	<p><u>Civic Tower and site components</u>  Variations to the original 1970s tower design were approved in 2001 for the addition of three levels and other minor changes. There was no change, however, to the general appearance of the tower or its originally conceived splayed base. This approval included the added glazing for the lobby and cafe by Peddle Thorpe and Walker. Both the glazed enclosure and the tower were completed by 2005 and represent the building in its current form. The Civic Tower, although generally consistent with the original design, altered the design with painted external finishes and cladding, rather than the off-form concrete pre-cast panels and expressed structure. The structure is 21st century engineering. The tower, while aesthetically well mannered, is unremarkable and, in itself, undeserving of listing.</p> <p>The quality of the Mona Hessing artwork is not disputed but does not rely on the building for retention or display.</p>	<p><u>Civic Tower and site components</u>  City staff considered the landowner's submitted heritage assessment, the study assessment, other submissions and the noted alterations. The study assesses the Civic Tower, built in 2005, as aesthetically significant for closely following Joseland &amp; Gilling's original intention and for its unusual method of construction, supported from the central lift core. For this reason, the tower design does not detract from the significance of the original building. While the general design of the tower dates from the 1970s within the post-war study period, its final design and construction completed 25 years later in the 2000s is not considered to have equivalent significance to the podium. It is accepted that the tower site component and its contemporary building fabric does not warrant conservation through inclusion in the heritage item name, where it extends above the original podium form. The assessed significance and integrity of the podium and its interiors are maintained, including the Hessing artwork, with minor or reversible alterations.</p> <p>Based on the City post-exhibition review of the listing, it is recommended the proposed item name is revised to specify the "podium including interiors and Mona Hessing artwork." This includes the lower 5-6 storeys of the building that form part of the original podium, with some internal spaces spanning several floors, as identified in this submission. It excludes the 24-storey Civic Tower above. The impact of external works to this tower on the Sydney Masonic Centre podium will still be assessed as in the vicinity of a heritage item. The inventory has been updated to reflect this post-exhibition review.</p>



No.	Submitter <sup>1</sup>	Submission summary	Submission response
B1	Weir Phillips for landowner	<p><u>Upgrades and reuse</u>  Listing buildings of this age and size imposes disproportionately on the owner more than for more modest sized buildings. These office buildings have an established lifecycle. As requirements for office space change, for energy efficiency and occupant facilities, economic pressure demands buildings are replaced. Many organisations require a high level of energy efficiency in buildings, which becomes more difficult to achieve with older buildings. As the building ages, its class of office space will be downgraded with lower rental incomes, unless arrested with major refurbishment. The refurbishment cost correlates with rental lift. Once listed, the building would have to be conserved, regardless of economic considerations and could be demolished only in the most exceptional circumstances. The building podium was designed specifically as a headquarters for Freemasons. Should their requirements change, there will be major issues in terms of reasonable adaptive reuse. This essentially sterilises an important central city site.</p>	<p><u>Upgrades and reuse</u>  The office spaces in the Civic Tower are excluded from the revised heritage item listing and the proposal is amended to enable complying development fit-outs of these excluded offices. As a result, the development process will be unchanged for most commercial fit-outs. The public spaces, meeting or function rooms of the Masonic Centre podium are more versatile. Through the distinctive brutalist architecture, the podium spaces provide a point of difference to attract functions, such as the 2009 Australia ICOMOS conference on (Un)loved Modern held in this building. Common tenancy fit-outs or minor repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent', without the need for a development application.</p> <p>Listed buildings can still be upgraded to meet current standards and converted to new uses. This planning proposal makes no change to the zoning or development standards for the site. Listing as a heritage item recognises the heritage significance of the building and ensures this is considered through the development application process. A heritage listing does not direct the form of development, conservation or use. The non-prescriptive development assessment process for heritage items provides the opportunity to consider and address building and development issues for the individual building circumstances in a way that respects significant building features. The views and issues of owners and their consultants are considered through this process. By providing advance notice of heritage issues before an application is lodged, listing can reduce the cost and assessment time for an application. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award. Owners are encouraged to arrange pre-application meetings with City planners to gain greater certainty about development plans.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
B1	Weir Phillips for landowner	<p><u>Conclusions</u> It is submitted that the Sydney Masonic Centre does not meet the threshold for listing under the criteria NSW Heritage Branch and thus should not be listed as a heritage item.</p>	<p><u>Conclusions</u> The submitted assessment for landowners has been considered, together with other public submissions. The study identifies this building as worthy of local listing as an example of state heritage significance. This submission disputes this assessment because of building alterations. These building alterations are acknowledged in the study assessment that recommends listing. The City review of the alterations and submissions confirms the building has a reasonable level of integrity, with some alterations which do not compromise its assessed significance. The Docomomo Australia submission supports this conclusion. The submission does not provide substantive new information to overturn the study assessment that the building satisfies at least one Heritage Council listing criteria. The submission only references the exclusion guidelines in the Heritage Office guide for assessing significance, without also considering the satisfied reasons for inclusion. The study assessment of this building and City review of this proposal are in accordance with this guideline, considering both reasons for inclusion and exclusion. The assessed local significance of the building under five criteria is supported for its historic, associations, aesthetic/ technical, rarity and representative value. The building therefore warrants listing as a local heritage item. The lesser significance of the 2005 Civic Tower above the podium is supported. As a result of the post-exhibition City review, it is recommended that the proposed item name is revised to specify the "Sydney Masonic Centre building podium including interiors and Mona Hessing artwork". This includes the lower 5-6 storeys of the building that form part of the original podium and excludes the 24-storey Civic Tower above. The inventory has been updated to reflect this post-exhibition review.</p>
B2	Paul Davidson, Sydney Masonic Holdings Ltd	<p><b>Oppose.</b> The objection is submitted for the owners, with the written authority of the Grand Secretary of Sydney Masonic Holdings, Stephen Green PDGM. The objection is for the reasons outlined below.</p>	<p>Objection noted and responded to below.</p>
B2	Paul Davidson, Sydney Masonic Holdings Ltd	<p><u>Landowner's heritage assessment</u> The Weir Phillips assessment clearly shows that the Masonic Centre does not meet the NSW Heritage assessment criteria and should not be considered for heritage listing. This includes updates to the executive summary, expanded body of the report and added guidelines for exclusion. Surely in all good conscience, these qualifiable arguments outweigh the subjective nature of the TDK report and argument to list.</p>	<p><u>Landowner's heritage assessment</u> The submitted updated assessment for landowners has been considered, together with other public submissions. The detailed response to the Weir Phillips assessment is provided above.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
B2	Paul Davidson, Sydney Masonic Holdings Ltd	<p><u>Development</u></p> <p>The Weir Phillips assessment also discusses how any listing of the Centre will adversely affect any future redevelopment of the Civic Tower which in itself should be sufficient grounds to not list the Centre. When the centre is no longer required for Masonic purposes, if it cannot be redeveloped, the ageing building will sit idle as it is not fit for any re-adaptable purpose.</p>	<p><u>Development</u></p> <p>As addressed in the above response to the Weir Phillips submission, listed buildings can still be upgraded to meet current standards and converted to new uses. The office spaces in the Civic Tower are excluded from the revised heritage item listing and the proposal is amended to enable complying development fit-outs of these excluded offices. The public spaces, meeting or function rooms of the Masonic Centre podium are more versatile. Through the distinctive brutalist architecture, these spaces provide a point of difference to attract functions, such as the 2009 Australia ICOMOS conference on (Un)loved Modern held in this building. This planning proposal makes no change to the zoning or development standards for the site. Listing as a heritage item recognises the heritage significance of the building and ensures this is considered in future development through the development application or other approval process. A heritage listing does not direct the form of development, conservation or use.</p>
A2	Docomomo Australia Inc	<p><b>Support.</b> The Sydney Masonic Centre podium epitomises the Brutalist aesthetic with its strongly modelled forms and textured, board marked concrete walls defining bold, uplifting spaces. The 2009 Australia ICOMOS conference, (Un)loved Modern, was held in this building. The venue was selected for its variety of spaces and because its architecture demonstrated the conference theme on the relevance of Brutalism to the development of architecture. While the expressed external materials of the office tower are not as originally proposed, the form closely emulates and maintains the original design intent. While the glazed enclosure of part of the space under the overhang of the podium adapts public space to private, the frameless glass permits direct vision of original concrete forms of the overhanging podium and is reversible. The partial enclosure does not diminish the strength of the original design. The painting the vertical face of the podium superficially alters the brutalist aesthetic of off-form concrete, however the texture and expression of structure remain dominant. Docomomo Australia does not support the assertion by the owner’s consultants that subsequent changes have “fundamentally changed its external character.” Building changes are overwritten by the strength of the original design intent.</p>	Support noted.

No.	Submitter <sup>1</sup>	Submission summary	Submission response
A15	Glenn A Harper	<p><b>Support.</b> Together with Town Hall House, this is an outstanding and rare brutalist period building. Each were impeccably built displaying a high degree of technical achievement. Both have a landmark quality. For the significance for the Masonic Centre, they believe recognition of the intact public foyers and the external massing (although built at a later date and with slightly different technologies) should also be carefully identified.</p>	<p>Support noted. The significant internal and external features of the podium, first built in 1978, are included in the recommended listing and the Civic Tower is removed, based on the City post-exhibition review. The 2005 Civic Tower form does not detract from the significance of the original building as it closely follows Joseland &amp; Gilling's original design intent. While the general design of the tower dates from the 1970s within the post-war study period, its final design and construction completed 25 years later in the 2000s is not considered to have equivalent significance to the podium. It is accepted that the tower site component and its contemporary building fabric does not warrant conservation, through inclusion in the heritage item name, where it extends above the original podium form. The impact of external works to the Civic Tower on the Sydney Masonic Centre podium will still be assessed as in the vicinity of a heritage item.</p>

# **Attachment B3**

**Summary of Submissions –  
Former Sydney County Council Building**

Summary of submissions  
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No.	Submitter <sup>1</sup>	Submission summary	Submission response
C	Former Sydney County Council Building, 552A-570 George Street, Sydney		
C1	Extent for landowner	<b>Oppose.</b> For the reasons outlined below.	Objection noted and issues responded to below. This assessment prepared for the landowner was exhibited with the proposal.
C1	Extent for landowner	<u>Evidence</u> The revised study (March 2019) undertaken by TKD Architects does not provide sufficient evidence to demonstrate that the building is worthy of heritage listing at a local level. Based on the research and investigation undertaken to date, the study and assertion of local significance is tenuous, the proposed listing is contested and should be rejected.	<u>Evidence</u> The listing is based on the recommendation of an independent heritage study of the Modern Movement in central Sydney and an individual heritage assessment of this building, prepared in accordance with the Heritage Council criteria and supporting Heritage Office guide. The study is informed by a state-wide thematic history of this movement. The study identifies this building as worthy of local listing as an example of local heritage significance. Further City review before exhibition supported this study recommendation. The study concludes the former Sydney County Council Building fulfils five Heritage Council criteria for local listing for historic, associations, aesthetic/ technical, rarity and representative value. The former Sydney County Council Building is assessed as significant as a fine example of the Late Twentieth Century International Style office, distinguished by its building form and dark toned exterior that are unusual for central Sydney. It is significant for its positive streetscape contribution and demonstrating the work of prominent architects Fowell Mansfield & Maclurcan. It represents potentially the only commercial post-war building in central Sydney resulting from an architectural competition, and the purpose-built headquarters of Sydney's electricity supplier.

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<sup>1</sup> Submitters are named with permission from the submitter

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C1	Extent for landowner	<p><u>Competition historic and rarity significance</u></p> <p>The use of an architectural design competition is not in itself significant, as other design competitions were held for more prominent buildings in Sydney at the time, such as the Sydney Opera House in 1955, Melbourne's Flinders Street Station in 1899 competition, the war memorials of Melbourne Sydney and Brisbane from 1922-29, Canberra plan in 1912 and other examples outside of Sydney. The first building designed by competition in Paris was Centre Pompidou in 1971. It is of little relevance to significance and narrow to state that this building "is understood to have been the only commercial office building to have been the subject of an architectural competition commissioned by the Sydney County Council during the post war period in Central Sydney" in the Statement of Significance. The use of a design competition may reflect a lack of access to the City Architect or requisite skills within the organisation for high-rise buildings. There is no definitive history or research of Australian architectural design competitions to verify this was the only such design competition.</p> <p>There is no evidence this competition established a trend for Sydney County Council or for civic buildings in the city. Competitions were not used for the following large Sydney County Council buildings, including the 1975 Roden Cutler House. Later high-rise civic buildings were designed a mix of public and private architects, such as the 1978 McKell Building and the 1977 Town Hall House. The Government Architect's Office designed most civic buildings to the end of the 20th century. It is more unusual this building was not designed by the Government Architect's Office. Design competitions are erratic and controversial in Australia, noting Barangaroo. These do not necessarily result in good design or construction of the design.</p>	<p><u>Competition historic and rarity significance</u></p> <p>The study assesses this building as historically significant and rare as a competition-designed commercial building from the post-war period in central Sydney; understood to be the only such example. The assessment of significance in this inventory does not restrict the building's assessed historical and rarity value to Sydney County Council commissions. The Sydney County Council association is another aspect of its assessed significance under the separate associations criterion. The Statement of Significance has been revised to separate these points for greater clarity, consistent with the assessment in the inventory.</p> <p>The submission, and its noted other examples, does not provide substantive new information to overturn the building's assessed historic significance and rarity at a local level, as evidence of the competitive design process in central Sydney during the post-war period. Of the many noted competitions, this submission does not identify any competition-designed offices in Sydney to dispute the assessed rarity of this building locally. The Opera House and Anzac Memorial are the only Sydney examples noted. Neither are commercial post-war buildings. These are also recognised as world or state significant; a higher level of significance than required for local listing. While noting other examples, the Heritage Office guide states that an item is not to be excluded on the grounds that others with similar characteristics have already been listed, such as other competition-designed buildings.</p> <p>The significance of the subject competition was reported at the time as "one of the most important to be held in Aust for some time". The few competitions in the post-war period adds to the rarity of this example. The constructed building reflects the winning design. As such, this building provides evidence of an early model of the competitive design process, which since 2001, has become an integral part of City of Sydney planning for design excellence, shaping the City of Sydney's skyline and architectural achievements of the 21st century. The merit of the subject design does not affect the building's assessed historic significance or rarity under the Heritage Council criteria and is reviewed separately under aesthetic and representative criteria.</p>



No.	Submitter <sup>1</sup>	Submission summary	Submission response
C1	Extent for landowner	<p><u>Sydney County Council associations significance</u>  Sydney County Council was based in several buildings prior to this one. The construction of municipal buildings is a routine exercise of a municipal authority's powers. The design brief from Sydney County Council was for a generic commercial building. There was nothing purpose designed or built for the Sydney County Council, unlike Roden Cutler House that included zone substation as well as office space. The required flexibility of the building has allowed for multiple changes to the building over the years.</p> <p>This was not the first building to house the Sydney County Council, as it first occupied premises next to the Sydney Town Hall and then leased a portion of the Queen Victoria Building. The building was one of many buildings constructed by the City of Sydney and its predecessors "for its own purposes", including its electrical undertaking.</p>	<p><u>Sydney County Council associations significance</u>  The significant association with Sydney County Council is strengthened by the building's purpose-built design for its headquarters, and its long-term occupation and use by this electricity supplier and its subsequent iterations for approximately 50 years during an important period of supplying electricity to Sydney during the second half of the twentieth century. The building design reflects the civic importance of the organisation and function, and incorporates rooms specific to this use, including the retained theatrette originally used for demonstrating new electrical appliances.</p> <p>The building is not comparable to other local council buildings because it was built for Sydney County Council; a separate organisation formed to supply electricity. This building was the first purpose-built headquarters for Sydney County Council following its formation in 1935 to take over electricity supply for Sydney from the local council's electricity department. This headquarters predates the 1970s Roden Cutler House in Haymarket. The submission does not provide any assessment of Roden Cutler House, which is not currently listed and is located outside the study area, for comparison. The submission does not provide substantive new information to overturn the buildings assessed significance for its association with Sydney County Council.</p>
C1	Extent for landowner	<p><u>Architect association significance</u>  The architectural firm of Fowell, Mansfield, Jarvis &amp; Maclurcan is not noted for its high-rise designs, but more for its churches and infrastructure designs. As a practice, the firm did not have a lasting impact upon Australian architecture. It ceased to be a major firm by the late 1970s.</p> <p>In terms of individuals of this practice, the principal architect, Joseph Fowell won the RAIA Gold Medal in 1962, known for designing church buildings, the Gladesville Bridge, UNSW buildings and schools. Neither of the other two partners at the time of the design competition for this building – Mansfield and Maclurcan – appear to have received any architectural awards. Earlier iterations of the firm received the Sulman Medal for St Anne's Church, Bondi (in 1935) and the Orient Line Building (in 1943). Osmond Jarvis joined the firm in 1962. Neither James Kell and Diana Pratt appear to have been notable architects in their own right, as there is little information available regarding their careers, and neither appears to have won any architectural awards. Discusses the design merit of this building for setting standards, trends and uniqueness.</p>	<p><u>Architect association significance</u>  Fowell, Mansfield, Jarvis &amp; Maclurcan is regarded as a prominent architectural firm of the twentieth century. Its range of work, including churches, is acknowledged in the inventory. The awards and work of this firm, noted in this submission, supports the prominence of the firm and its work during the twentieth century. It is acknowledged the Sydney County Council building demonstrates a less common high-rise commercial example of the firm's work. This contributes to and does not diminish its significance. Regarding the project architects, the Docomomo Australia submission notes the importance that these were from the younger generation as "up and coming" architects of the time. Winning this prominent design competition, judged by senior architects, against 61 other local and international architects, is an indicator of their skill. The merit of the design or its uniqueness does not affect the assessed significance of the building for its associations under the Heritage Council criteria. Design merit is assessed under the separate Heritage Council criteria for aesthetic, rarity and representative significance, reviewed separately. The submission does not provide substantive new information to overturn the buildings assessed significance for its association with Fowell, Mansfield, Jarvis &amp; Maclurcan.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C1	Extent for landowner	<p><u>Aesthetic and representative significance</u>  The building is not identified as a significant building by the Australian Institute of Architects, and the building did not win any architectural awards. The electricity agency publications in 1955, 2004 and 2015 make only passing reference to building this building as the head office as a routine matter.</p> <p>The highly prescriptive design brief led to a design lacking innovation or distinction. The form responded to the brief to accommodate public rooms “easily accessible from the street”, and entrance hall, information centre, receiving cashier’s booths, a display showroom and a thetrette for cookery demonstrations. Quotes the study report: "the competition didn't produce a design of exceptional or ground-breaking character but encapsulated mainstream corporate architecture at this point of time...The similar building forms [of the three top rated competition entries] suggest the influence of the competition brief." By TKD’s own assessment, the building was not a notable or innovative design, highly constrained by the design brief, evidenced by the similarity of the top three entries. The architectural competition did not achieve an exceptional or notable outcome, but a mannered, conservative design, in keeping with the organisation for which it was designed.</p> <p>The building is at best an ordinary example of the International style and is not exemplary. Claims it is a fine example of its style are not substantiated. The design did not establish new standards or architectural trends. The 3 principles of International style architecture are not assessed. While it demonstrates one principle of regularity with the repetitive modular form of the curtain wall, curtain wall construction is common.</p>	<p><u>Aesthetic and representative significance</u>  Where all building designs have client requirements and briefs, the difference for this building design is it won a competition against 61 other designs from Australian and international architects. The judges included the Institute of Architect’s president. This indicates design merit. Following the 1960 competition win, it is acknowledged the TKD heritage study is the first formal heritage or architectural recognition for this building. The building is identified in at least one major architectural publication including Jennifer Taylor’s "Tall Buildings, Australian Business Going Up: 1945-1970" (2001). The TKD study assesses this building as a fine example of a Late Twentieth Century International style commercial building in central Sydney, designed by Fowell, Mansfield, Jarvis &amp; Maclurcan, demonstrating characteristics of the style, with a positive streetscape contribution. The study identifies building features unusual for central Sydney at this time including the building's overall form and dark toned exterior, maintained in alterations. Further features identified include the loggia and curtain wall. This satisfies two Heritage Council listing criteria of aesthetic and representative significance at a local level.</p> <p>The study report acknowledges that the design was not ground-breaking or exceptional but reflected mainstream corporate architecture of the time and the competition brief requirements, such as for an open plan and a design imparting civic dignity. This contributes to or does not diminish the building's assessed significance. Docomomo Australia have submitted that this building is exceptional for Sydney at the time for its curtain wall aesthetic, as well as its dark finish identified as uncommon for Australia by Taylor (2001). Other heritage and architect professionals and organisations also made submissions in support of the building’s heritage value. A building does not need to conform to all characteristics of a style, be exemplary or set trends to satisfy the Heritage Council criteria for local significance. A building can also be listed as a fine local example of a style, aesthetic distinctiveness and evidence of significant historic activity; all demonstrated by this building. This submission does not provide substantive new information to overturn the building's assessed local aesthetic and representative significance.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C1	Extent for landowner	<p><u>Other stylistic examples</u>            There is no evidence the architects referenced the seminal Lever House in New York design by Skidmore, Owing and Merrill's. While this New York practice is credited with propagating the Internationalist style with their interest in developing the podium and tower typology, this is not true for this building's architects of Fowell, Mansfield, Jarvis &amp; Maclurcan, better known for churches and infrastructure. The podium with a ground level courtyard was used in Lever House in New York where the "raised ground level allowed for public access and created a plaza for people to walk through and enjoy." This building did not have a courtyard like the Lever House, limiting access to the building.</p> <p>Curtain walls most like this building with concrete spandrels and windows include the Commonwealth Savings Bank and Royal Insurance Group Building, both in Melbourne. Significant examples of curtain include the, ICI or Orica House in Melbourne and Qantas House and AMP building in Sydney.</p> <p>Other podium and tower buildings were built in Sydney in the 1960s and 1970s, noting Australia Square, the UTS tower and the Hilton hotel. Contemporary examples noted include Central Park and 500 George Street.</p>	<p><u>Other stylistic examples</u>            From more than 110 post-war buildings surveyed in central Sydney, the study identifies this building as worthy of local listing. The other noted examples do not affect the assessed significance of this building as a fine example of a Late Twentieth Century International style commercial building in central Sydney, demonstrating characteristics of the style, and unusual features for its time, with a positive streetscape contribution. The building satisfies the Heritage Council listing criteria of aesthetic and representative significance at a local level. Examples noted outside of Sydney or from a different contemporary period do not demonstrate Sydney's local post-war heritage. This building's similarities and differences to New York's Lever House, acknowledged in the study, contribute to and do not diminish its assessed significance as a local Sydney example. The similar building form demonstrates the influence of American architecture, as reflected in the style's name; international. Differences demonstrate Sydney variations, such as the loggia in place of a courtyard and more opaque facade. This building is not assessed as equal to the significance of Lever House for influencing the architectural style nationally or internationally. Outstanding or influential examples, compared to others in a wider NSW, Australian or international context, would meet the criteria for higher levels of listing than proposed as state, national or world heritage.</p> <p>The other noted local curtain wall examples of Qantas House and AMP are listed or nominated as state significant; a higher level of significance than required for local listing. Of the two Sydney examples of post-war tower and podium buildings, only one is currently listed: Australia Square. This has a distinctly different form with separate tower and plaza building. The UTS building is not currently listed or assessed for listing and is located outside of the study area of central Sydney. While noting other examples, the Heritage Office guide states that an item is not to be excluded on the grounds that others with similar characteristics have already been listed, such as other post-war curtain walls or tower and podium buildings. The other examples identified in the submission therefore do not provide substantive new information to overturn the building's assessed aesthetic and representative significance.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C1	Extent for landowner	<p><u>Alterations and facade tone</u> The building fabric externally and internally has been substantially altered and there is very little original fabric remaining. The overall form and scale of the building is the only intact element. Archival research and detailed physical inspection have revealed that there is little original fabric within the building. The external fabric and appearance were fundamentally altered in the 1990s through façade recladding. The form of the loggia/ colonnade remains with replaced stone cladding, stairs and an access ramp added, likely in the 1990s. Attaches a fabric analysis report, showing the level 22 circular chambers ceiling is removed and identifying altered and retained fabric.</p> <p>The current tone of the building façade is based on the 1990s cladding, not the original cladding or design. The dark tones analysis relies on original 1960s rendering and 1968 black and white photo. The 1986 and 1990 photos show a lighter toned exterior. The finishes do not reflect the tonal qualities of concrete and granite to match the original. It greatly altered the original appearance of heavier concrete. The concreted panels were deteriorated with delamination and waterproofing issues. In 1995, PTW noted the recladding of the spandrel was darker to decrease contrast between the mullion and the flat panels. The dark tones are a recent development and does not reflect the original design of the building. It is unknown how much if any of the original facade remains beneath the cladding.</p> <p>The corner location did give the high-rise tower prominence when built. However, it now blends in with taller high-rises around that reduce its contribution to the streetscape.</p>	<p><u>Alterations and facade tone</u> City staff inspected the building interiors with the owners and their consultant and considered the submitted reports. The City inspection confirmed the building retains its original podium and tower form, including roof terrace and open loggia, fenestration pattern and aluminium window frames, and some internal features, with minor, compatible or reversible alterations. Since this submission, it is also confirmed the original facade spandrels and mullions are retained behind the 1990s cladding. Internally, the original theatrette form and some marble wall and floor finishes in ground floor foyers are retained. The office floors retain the open plan grid with structural columns and internal face of the perimeter walls, with some original timber-panelled mullions and under-sill vent panels. The contemporary office fit-outs are not significant.</p> <p>The 1990s recladding and other alterations are acknowledged in the inventory. The inventory notes the original concrete and granite facade materials and includes 1980s colour photos, considered as well as other records. Tonal variations in the colour photos are noted, reflecting differing light conditions when taken and possible print degradation. Although the 1990s cladding is not a direct match to the original, it reflects the original design intent and dark exteriors for the building, as documented in the 1962 rendering and 1968 black and white photo. The cladding can also be replaced with sympathetic finishes, as currently proposed.</p> <p>Development surrounding this corner building does not affect its assessed significance, as the original form, prominence and streetscape contribution of this building can still be reasonably appreciated. Historic photos and other documentary evidence can assist with interpreting its significance, the original design intent and restoration of lost details.</p> <p>The City review confirms the building retains a reasonable level of integrity with some alterations that do not compromise its assessed significance. As a result of this review, it is recommended the proposed item name for the building including "significant interiors" is revised to specify inclusion of "façade walls and fixtures, internal structure, ground floor loggia, theatrette and foyer marble cladding." This excludes non-structural features of the office floors and basement carpark from the listing. The inventory has been updated to reflect this post-exhibition review.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C1	Extent for landowner	<p><u>Conclusions</u> This report concludes that the building at 552A-570 George Street Sydney does not meet the criteria for local heritage significance and should not be listed on the City of Sydney Local Environmental Plan at any level. The significance of the building under the assessed criteria is not demonstrated, and further analysis has revealed that there are many incorrect assertions about the building, its history, significance and intactness.</p>	<p><u>Conclusions</u> The submitted report and information for the landowners have been considered and the building inspected. Submitted assessments with different conclusions about significance do not make the study incorrect. It makes the study contested. The contested points have been considered against the Heritage Council criteria and supporting Heritage Office guide. The submission does not dispute the building age, style, architect, competition history, use or alterations identified in the study inventory. The submission seeks greater demonstration of the significance of these facts, or a significance comparable to buildings of state or higher significance or unrelated to Sydney's local heritage, than is required by the Heritage Office guide for assessing local heritage significance. If the significance of this example was comparable to other buildings or rare in a wider NSW, Australian or international context, it would meet the criteria for higher levels of listing as state, national or world heritage. The building is assessed as meeting the Heritage Council listing criteria of local heritage significance in accordance with the Heritage Office guide. This is based on an independent heritage study of the Modern Movement in central Sydney, a survey of more than 110 comparable post-war buildings and an individual building assessment. The submission does not present substantive new information to overturn the study assessment that the building satisfies at least one Heritage Council listing criteria of local heritage significance. The assessed local significance of the building under five criteria is supported for its historic, associations, aesthetic/ technical, rarity and representative value. The building therefore warrants listing as a local heritage item. Docomomo Australia and further heritage and architect professionals and organisations support the building's heritage value and listing. As a result of this review, it is recommended the proposed item name for the building including "significant interiors" is revised to specify inclusion of "façade walls and fixtures, internal structure, ground floor loggia, theatrette and foyer marble cladding." This excludes non-structural features of the office floors and basement carpark from the listing. The inventory has been updated to reflect this post-exhibition review.</p>
C2	Weir Phillips for landowner	<b>Oppose.</b> For the reasons outlined below.	Objection noted and responded to below.

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C2	Weir Phillips for landowner	<p><u>Significance and exclusion guidelines</u>  Disputes study assessment of significance against 7 Heritage Council criteria, using the exclusion guidelines of the Heritage Office guideline. This analysis demonstrates that the criteria for listing are not satisfied and that there are sufficient reasons for exclusion, in particular, due to the extensive alterations to the building over time. Consequently, there is inadequate justification for the heritage listing of the building.</p>	<p><u>Significance and exclusion guidelines</u>  The Heritage Office guide provides inclusion and exclusion guidelines for each of the seven Heritage Council criteria. The submission only references the exclusion guidelines. The Heritage Office guide states that the exclusion guidelines do not cancel out inclusion guidelines and should not be applied in isolation. The study assessment of this building and City review of this proposal consider both reasons for inclusion and exclusion, as required by this guide. The study concludes the former Sydney County Council Building fulfils five Heritage Council criteria for local listing for historic, associations, aesthetic/technical, rarity and representative value. The building is assessed as significant as a fine example of the Late Twentieth Century International Style office, distinguished by its building form and dark toned exterior that are unusual for central Sydney. It is significant for its positive streetscape contribution and demonstrating the work of prominent architects Fowell Mansfield &amp; Maclurcan. It represents potentially the only commercial post-war building in central Sydney resulting from an architectural competition, and the purpose-built headquarters of Sydney's electricity supplier.</p>
C2	Weir Phillips for landowner	<p><u>Competition historic significance</u>  The building being the subject of a design competition is not in itself, of particular historical significance if the design produced is not exceptional or ground-breaking, as noted in the study report. This fulfils the exclusion guideline for historic significance of "provides evidence of activities or processes that are of dubious historical importance."</p>	<p><u>Competition historic significance</u>  The building satisfies the inclusions guidelines for historic significance and rarity at a local level as evidence of the competitive design process in central Sydney during the post-war period; understood to be the only such surviving example. This is not considered of dubious historic importance to satisfy the exclusion guidelines for historic significance. The significance of the subject competition was reported at the time as "one of the most important to be held in Aust for some time" attracting 62 entries. The constructed building reflects the winning design, thereby providing evidence of an early model of the significant competitive design process. Since 2001, these competitions have become an integral part of city planning for design excellence. The merit of the subject design does not affect the building's assessed historic significance or rarity under the Heritage Council criteria and is reviewed separately under aesthetic and representative criteria. The submission therefore does not provide substantive new information to overturn the building's assessed historic significance at a local level.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C2	Weir Phillips for landowner	<p><u>Competition rarity</u></p> <p>There were numerous other commercial buildings that were the subject of a competition, noting the Anzac Building (1948), Sydney Opera House (1956-57) and The Rocks Redevelopment (1963). This fulfils the exclusion guideline for rarity significance of "the building is not rare."</p>	<p><u>Competition rarity</u></p> <p>The building satisfies the inclusion guidelines for rarity as the only example of its type as a surviving competition-designed post-war commercial building in Sydney, and as rare evidence of a significant human activity. Its importance to the architectural and heritage community is indicated by supporting submissions from community organisations and individuals. No submission identifies other surviving examples of competition-designed commercial buildings of the post-war period to dispute this building's assessed rarity or satisfy the exclusion guidelines that these are numerous or not rare. The competitions noted in this submission are not for extant commercial post-war buildings. No record of an "Anzac Building" could be found; only an "Anzac House" competition for a building since demolished. The Rocks Redevelopment design was not constructed due to Green Bans. The one built surviving example of the Opera House is also recognised as world significant; a higher level of significance than required for local listing. While noting other examples, the Heritage Office guide states that an item is not to be excluded on the grounds that others with similar characteristics have already been listed, such as other competition-designed buildings. The submission, and its noted other examples, therefore does not provide substantive new information to overturn the building's assessed rarity at a local level.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C2	Weir Phillips for landowner	<p><u>Associations significance</u> A strong association with the Sydney County Council is not, in itself, of particular historical significance. The Sydney County Council no longer exists. Sydney County Council (SCC) in Sydney is of limited historical importance as the nature of electricity supply to Sydney has undergone substantial and numerous changes since its formation in 1935. The SCC lost most of its functions in 1952 and merged with other Councils to form Sydney Electricity in 1989. In 1996 it merged with Orion to form the Government owned, Energy Australia and in 2011 it changed its name to Ausgrid. The retail arm of Energy Australia was sold to Hong Kong in 2010.</p> <p>The building has been significantly modified, in particular on the exterior, it no longer retains the core architectural characteristics which arise from its connection with Fowell, Mansfield and Maclurcan. The interior has been significantly altered including the removal of the Council Chamber. This fulfils the exclusion guideline of "provides evidence of people or events that are of dubious historical importance" and "has been altered so that it can no longer provide evidence of a particular association."</p>	<p><u>Associations significance</u> The building satisfies the inclusion guidelines as evidence of and association with significant people and activities, including the Sydney County Council for which it was built and the architects responsible for its competition-winning design, Fowell, Mansfield, Jarvis &amp; Maclurcan. Neither are considered of dubious historical importance to satisfy the exclusion guidelines for associations. Fowell, Mansfield, Jarvis &amp; Maclurcan is regarded as a prominent architectural firm of the twentieth century, whose building designs won awards and competitions, including works now recognised as state significant heritage, such as St Anne's Church, Bondi (1964). The association with Sydney County Council is strengthened by the building's purpose-built design for its headquarters, and its long-term occupation and use by this electricity supplier and its subsequent iterations for approximately 50 years during an important period of supplying electricity to Sydney during the second half of the twentieth century. Organisational changes do not affect the significant association of this building with this important function of supplying electricity by Sydney County Council and its subsequent iterations during the twentieth century. Its latest iteration of Ausgrid occupied the building to 2019.</p> <p>The building alterations are considered below. These are minor, reversible or compatible. The original building form and loggia, the open office plans and theatre designed specifically for Sydney County Council functions and other extant original fabric provide evidence of these significant associations. These also provide evidence of the competition design brief for the building to reflect the civic importance of Sydney County Council and its function. The original design can still be appreciated in the extant building and is capable of interpretation and restoration based on the available documentary evidence. This satisfies the inclusion more than the exclusions guidelines.</p> <p>While noting the alterations, the Heritage Office guide also states a building can meet the association criteria "regardless of the intactness of the item or any structure." The submission does not provide substantive new information to overturn the buildings assessed significance for its association with Sydney County Council and Fowell, Mansfield, Jarvis &amp; Maclurcan.</p>



No.	Submitter <sup>1</sup>	Submission summary	Submission response
C2	Weir Phillips for landowner	<p><u>Aesthetic and representative significance</u>  This building is representative and demonstrates characteristics of the Late Twentieth Century International Style, including its external silhouette of a tower atop a low horizontal podium, use of modern technology and paired down geometrical repetitious facade using materials of steel, concrete and glass.</p> <p>The building is not defined in the TKD study as a fine example of Late Twentieth Century International Style. It is defined as unexceptional and not ground-breaking.</p> <p>Quotes an online Getty Institute definition for the style as "an emphasis on volume over mass, the use of lightweight, mass-produced, industrial materials, rejection of all ornament and colour, repetitive modular forms, and the use of flat surfaces, typically alternating with areas of glass." The building had limitations regarding these characteristics. It lacked the refined curtain wall cladding of its inspiration, the Lever Building in New York. Where the podium of the Lever Building was light and transparent, the tower of this building was mechanically applied to the podium, making it heavy and lacking in transparency.</p> <p>Describes local examples of Australia Square, AMP building, Sydney Water Corporation building (part demolished), State Office block (demolished).</p> <p>Notes this building is referenced in Jennifer Taylor's "Tall Buildings: Australian Business going Up, 1945-1970" (2001) and Phillip Thalys and Peter John Cantrill's "Public Sydney Drawing The City" (2013). It has been demonstrated that this building is a more modest example of its style.</p>	<p><u>Aesthetic and representative significance</u>  The accepted stylistic features are noted. The study inventory assesses this building as a fine example of a Late Twentieth Century International style commercial building in central Sydney, designed by Fowell, Mansfield, Jarvis &amp; Maclurcan, demonstrating characteristics of the style, with a positive streetscape contribution. The study identifies features unusual for central Sydney at this time including the building's overall form and dark toned exterior, maintained in alterations. Further features identified include the loggia and curtain wall. This satisfies several Heritage Office inclusion guidelines for aesthetic and representative significance, such as for demonstrating creative achievement, aesthetic distinctiveness, and a fine example.</p> <p>The Heritage Office exclusion guidelines do not apply as the building designer is important, the building maintains reasonable design and technical integrity, and degrading additions are either minor or capable of reversal. The quoted American definition for the style, while noted, does not define the style in Australia or Sydney; for which the subject heritage study is more relevant.</p> <p>The study acknowledges the design was not ground-breaking or exceptional, but reflects mainstream corporate architecture of the time, with a similar form to New York's Lever House, and other distinctive features. This contributes to and does not diminish the building's assessed significance. Similarities to Lever House demonstrate the influence of American architecture in Australia for this international style. Differences noted, including its opaqueness, demonstrate local Sydney variations. If this building's significance was equal or comparable to international examples like Lever House, it would meet the criteria for higher levels of listing as state, national or world heritage. While noting some local examples of the style, the Heritage Office guide states that an item is not to be excluded on the grounds that others with similar characteristics have already been listed.</p> <p>The original merit of this example is indicated by the competition win, judged by the Institute of Architect's president. The building is also identified in architectural publications, noted in this submission. Docomomo Australia submits that this building is exceptional for Sydney for its curtain wall aesthetic, as well as its dark finish identified as uncommon for Australia. The submission does not provide substantive new information to overturn the building's assessed aesthetic and representative significance.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C2	Weir Phillips for landowner	<p><u>Alterations</u>            Since construction, it has been subject to significant and highly visible alterations which have eroded its original architecture and fundamentally changed its external character. The façade was reclad in 1994 and the ground floor was extensively refurbished in 2000. Lists and pictures the alterations, together with historic illustrations. The cladding although superficially consistent with the original design, has been executed in a manner which deviates in critical aspects from the original design vision and has no technical integrity as an example of the international movement. The removal of the marble wall cladding and modification of the granite stair/ platform at ground level and the insertion of retail outlets has compromised the fundamental architectural character of the building and would be difficult to reverse.</p> <p>This fulfils the exclusion guideline for aesthetic and representative significance of "has lost its design of technical significance" and "positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded", "does not include or has lost the range of characteristics of a type" and "the building has lost many of the key characteristics".</p>	<p><u>Alterations</u>            City staff inspected the building interiors with the owners and their other consultant and considered the submitted reports. The 1990s recladding and other alterations are acknowledged in the inventory. The City inspection confirmed the building retains its original podium and tower form, including roof terrace and open loggia, original fenestration pattern and aluminium window frames, and some internal features, with minor, compatible or reversible alterations. The original facade spandrels and mullions are retained behind the 1990s cladding. Internally, the original theatrette form and some marble wall and floor finishes in the ground floor foyers are retained. The office floors retain the open plan grid with structural columns and internal face of the perimeter walls, with some original timber-panelled mullions and under-sill vent panels. The contemporary office fit-outs are not significant.</p> <p>While the 1990s cladding is not a direct match, it reflects the original design intent and dark exteriors, as documented in the 1962 rendering and 1968 black and white photo. It can also be replaced with sympathetic finishes, as currently proposed for fire safety compliance. Documentary evidence, together with surviving in situ fabric, such as loggia marble retained in one foyer, can assist with the restoration of original details.</p> <p>This review and inspection confirm the building has a reasonable level of integrity, with some alterations which do not compromise its assessed significance. Its significance and original design can still be appreciated in the extant building and is capable of interpretation and restoration based on the available documentary evidence. This satisfies several Heritage Office inclusion guidelines for aesthetic and representative significance as noted above. The exclusion guidelines do not apply as the building designer is important, the building has maintained reasonable design and technical integrity, and degrading additions are either minor or capable of reversal.</p> <p>As a result of this review, it is recommended the proposed item name for the building including "significant interiors" is revised to specify inclusion of "façade walls and fixtures, internal structure, ground floor loggia, theatrette and foyer marble cladding." This excludes non-structural features of the office floors and basement carpark from the listing. The inventory has been updated to reflect this post-exhibition review.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C2	Weir Phillips for landowner	<p><u>Social significance</u>            There is no evidence to suggest that there is a community or association of ex Sydney County Council employees and therefore that there is any special significance to the building other than that it was associated with the Sydney County Council place of work. There is no memorial board of the Sydney County Council in the building. It is almost thirty years since the Sydney County Council occupied the building. This fulfils the exclusion guideline of "The building is only important to the community for amenity reasons".</p>	<p><u>Social significance</u>            The building has not been assessed in the study as meeting this criterion as one of the seven potential Heritage Council criteria for listing. The significance of the building to the community of former Sydney County Council workers or visitors has not been ascertained at this stage or identified in the inventory. The submissions in support of the heritage value and listing of this building from the community organisations of the National Trust and Docomomo Australia and individual architects and heritage professionals indicate it has potential social significance to the contemporary architectural community. This would satisfy the inclusion guideline of importance to an identifiable group or to the community's sense of place. These submissions do not refer to amenity concerns as the reason for supporting the heritage value and listing of the building in order to satisfy the quoted exclusion guideline.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C2	Weir Phillips for landowner	<p><u>Development effects</u>  Listing will create impositions far greater than for more modest buildings, with a disproportionate burden on the owner. Office buildings of this type now have an established lifecycle. As requirements for office space change, along with requirement for energy efficiency and occupant facilities, economic pressure demands the building be replaced. As the building ages, its class of office space will be downgraded with resulting lower rental incomes; only arrested with major refurbishment. Listing the building means it will have to be conserved, regardless of economic considerations and could be demolished only in exceptional circumstances. This essentially sterilises an important central city site from further development. The side elevation faces the proposed Town Hall Square. A new building could be designed to take the new square into consideration.</p>	<p><u>Development effects</u>  The non-structural office floors are excluded from the recommended listing and the proposal is amended to enable complying development fit-outs of these excluded interiors. As a result, the development process will be unchanged for most commercial fit-outs. Common tenancy fit-outs or minor repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent', without the need for a development application.</p> <p>Listed buildings can still be upgraded and altered to meet current standards. Listing as a heritage item recognises the heritage significance of the building and ensures this is considered in future development through the development application or other approval process. A heritage listing does not direct the form of development or conservation. The non-prescriptive development assessment process for heritage items provides the opportunity to consider and address building and development issues for the individual building circumstances in a way that respects significant building features. The views and issues of owners and their consultants are considered through this process. By providing advance notice of heritage issues before an application is lodged, listing provides clarity and certainty. Further opportunities to enhance the side elevation interface with the future Town Hall Square and significance of this building, can be explored through this non-prescriptive development application process for heritage items. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award. The Far East submission demonstrates their experience with developing heritage items, which can assist with this building. City staff would support a continuation of the positive collaboration to streamline future works and appropriate heritage impact consideration, in the event the building is listed.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C2	Weir Phillips for landowner	<p><u>Conclusions</u> This heritage assessment does not support the proposed listing of the former Sydney County Council building because it does not meet the threshold for listing as a heritage item under the NSW Heritage criterion.</p>	<p><u>Conclusions</u> The submitted assessment for landowners has been considered, together with other public submissions. The submission does not dispute the building age, style, architect, competition history, use or alterations identified in the study inventory. The submission questions the significance of these facts and its rarity, using definitions or comparisons unrelated to Sydney's local heritage or the subject building type and referring to the building alterations or other information acknowledged in the inventory. The City review of the alterations confirms the building has a reasonable level of integrity, with some alterations which do not compromise its assessed significance. Its significance and original design can still be appreciated in the extant building and is capable of interpretation and restoration based on available documentary evidence. Docomomo Australia and further heritage and architect professionals and organisations support the building's heritage value and listing. The submission does not provide substantive new information to overturn the study assessment that the building satisfies at least one Heritage Council listing criteria. The submission only references the exclusion guidelines in the Heritage Office guide for assessing significance, without also considering the satisfied guidelines for inclusion. The study assessment of this building and City review consider both reasons for inclusion and exclusion in accordance with the Heritage Office guide. The assessed local significance of the building under five criteria is supported for its historic, associations, aesthetic/ technical, rarity and representative value. The building therefore warrants listing as a local heritage item. As a result of this review, it is recommended the proposed item name for the building including "significant interiors" is revised to specify inclusion of "façade walls and fixtures, internal structure, ground floor loggia, theatrette and foyer marble cladding." This excludes non-structural features of the office floors and basement carpark from the listing. The inventory has been updated to reflect this post-exhibition review.</p>
C3	Far East Town Hall Pty. Ltd., landowner	<b>Oppose.</b> For the reasons outlined below.	Objection noted and responded to below.

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C3	Far East Town Hall Pty. Ltd., landowner	<p><u>Far East record</u></p> <p>The owner company is an entity of Far East Organization, a property development company established in Singapore in 1960. With close to 60 years history, Far East and its sister company, Sino Group in Hong Kong, and other related entities have successfully restored and manage numerous historical buildings across Singapore, Hong Kong and the United Kingdom. They won the 2013 UNESCO Asia-Pacific Award in Cultural Heritage Conservation for the Tai O Heritage Hotel in Lantau Island, Hong Kong; a testament to their commitment to heritage conservation. Provided case studies of 12 other owned heritage assets, including Sydney's GPO.</p>	<p><u>Far East record</u></p> <p>The Far East record of heritage custodianship is noted. Far East's experience with other heritage assets will assist the owner with the development process for heritage buildings. During the listing process, Far East's open collaboration with City staff ahead of planned works to this building and proactive consideration of heritage issues, even where Council's consent is not required, is also recognised. City staff would support a continuation of this positive collaboration to streamline future works and appropriate heritage impact consideration, in the event the building is listed.</p>
C3	Far East Town Hall Pty. Ltd., landowner	<p><u>Heritage merit and detail</u></p> <p>Far East respect and support local conservation efforts. In Australia, they have remediated the GPO building and supporting its nomination to the National Heritage List, demonstrating they are not averse to heritage listing with merit. The two heritage assessments they engaged both conclude the building does not meet the listing threshold and should not be listed. The study lacks sufficient details to help landowners understand what is proposed to be conserved and maintained.</p>	<p><u>Heritage merit and detail</u></p> <p>The listing is based on the recommendation of an independent heritage study of the Modern Movement in central Sydney and an individual heritage assessment of this building, prepared in accordance with the Heritage Council criteria and supporting Heritage Office guide. The study identifies this building as worthy of local listing as an example of local heritage significance. The former Sydney County Council Building is assessed as significant as a fine example of the Late Twentieth Century International Style office, distinguished by its building form and dark toned exterior that are unusual for central Sydney. It is significant for its positive streetscape contribution and demonstrating the work of prominent architects Fowell Mansfield &amp; Maclurcan. It represents potentially the only commercial post-war building in central Sydney resulting from an architectural competition, and the purpose-built headquarters of Sydney's electricity supplier.</p> <p>The Extent heritage assessment was exhibited with the planning proposal. This and the second heritage submission for the landowner are considered above. These assessments do not present substantive new information to overturn the study assessment that the building satisfies at least one Heritage Council listing criteria of local heritage significance. Docomomo Australia and further heritage and architect professionals and organisations support the building's heritage value and listing. As a result of this review, it is recommended the proposed item name for the building including "significant interiors" is revised to specify inclusion of "façade walls and fixtures, internal structure, ground floor loggia, theatre and foyer marble cladding." This excludes non-structural features of the office floors and basement carpark from the listing. The inventory has been updated to reflect this post-exhibition review.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
C3	Far East Town Hall Pty. Ltd., landowner	<p><u>Central Sydney Planning Strategy development opportunities</u>  The proposed heritage-listing appears to directly contradict Council's vision for the city in its proposed Draft Central Sydney Planning Strategy and future Town Hall Square. The building is located immediately adjacent to one of the three proposed civic squares, Town Hall Square, under the draft strategy. In 2017 and early 2018 Council encouraged Far East to explore how a mixed-use development on this site could complement the proposed square and broader strategy. While discussions were exploratory, the proposed listing came as a surprise, aborting the cost of concept plans they had prepared. If the building is heritage listed, it will be at a significant cost, as a missed opportunity to develop a landmark on this site that can further anchor Sydney as a vibrant cosmopolitan city, contribute to new jobs, enhance tourism and make the city centre more attractive.</p> <p>Retaining the building in its current form will remove its potential to contribute to the square with a more sympathetic and congruent building, ongoing efforts to pedestrianize and inject greater vibrancy to George Street, and above and underground pedestrian links between key transport nodes of Town Hall Station, Sydney Light Rail and future Pitt Street Metro Station. This opportunity to contribute to the draft Central Sydney Strategy is sterilised by listing. Far East has a strong track record in developing quality assets with strong urban design outcomes, demonstrated by multiple international awards, such as for the Oasia Downtown in Singapore. Far East request Council withdraw this planning proposal in order to undertake a comprehensive review against the aims and objectives for the city's future under the Central Sydney Planning Strategy, before it is resubmitted to the Department.</p>	<p><u>Central Sydney Planning Strategy development opportunities</u>  The significance of the building and consistency with the draft Central Sydney Planning Strategy was considered in preparing this proposal for listing, and reviewed further by City staff after exhibition, including consideration of all submissions. The existing building is assessed as having local heritage significance for its aesthetic, historic and other values in the heritage study completed in early 2018. City staff reported this study to Council with a planning proposal as soon as possible after its completion to gain greater certainty about the recommended listings, then adopted for public exhibition in late 2018. It is acknowledged the listing is a new direction for this property and resulting opportunities based on the new information of the heritage study and Council resolution. As assessed local heritage, this building contributes to the identity, streetscapes, history and culture of Sydney in its current form. If listed, the owners of this building will have the opportunity to seek a heritage floor space award to fund its ongoing conservation.</p> <p>Listing and retention of this building is consistent with the vision of the Central Sydney Planning Strategy for growth and plans for a future Town Hall Square. The listing is compatible with the objects of the strategy which seeks to facilitate growth in a way that maintains central Sydney's identity, including its heritage items and sunlight access to public open spaces. The retention of this building will not impede delivery of the 2.9 million square metres of additional employment floor space unlocked under the strategy. Retention of this building will continue to contribute its existing commercial floor space and potentially facilitate further floor space in the city centre if the owners seek a heritage floor space award.</p> <p>The existing building can also contribute to future Town Hall Square. The lower podium and loggia along George Street will front the square. The taller corner tower, setback to the south, frames the open space, together with other surrounding Victorian and proposed modern heritage items, without overshadowing the square. Further opportunities to enhance the ground level interface, connectivity and significance of this building, can be explored through the development application process for alterations to heritage items. Owners are encouraged to arrange pre-applications meetings with City planners to discuss plans to integrate the building with the square.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
A2	Docomomo Australia Inc	<p><b>Support.</b> The importance of the design competition is questioned by the owner's heritage consultants. These competitions were usually restricted to government and other public buildings. The architects of this tower were a young couple, James Kell and Diana Parrott. When they won the competition, Fowell, Mansfield &amp; Maclurcan required Kell to bring the project to the firm. Kell's and Parrott's role in the design and government support for the up and coming design generation should be acknowledged. The comment the "competition didn't produce a design of exceptional or ground-breaking character" is not supported because the design was expressing a curtain wall aesthetic that broke away from the aluminium-framed curtain walls of the early Modern skyscrapers and the increasingly popular load-bearing precast panel buildings emerging in the late 1960s and early 1970s. Taylor's 2001 study of high-rise offices in Australia states the dark finish was "uncommon for Australia...with polished black granite mullion cladding and exposed aggregate black granite chips in the spandrels". The 1990s spandrel panel refurbishment in no way diminishes the importance of the design. The building retains its original design intent and aesthetic above the ground floor. Docomomo Australia supports the inventory management recommendations and encourages reinstatement of marble facing to the ground floor.</p>	<p>Support noted. The inventory has been updated to name Kell and Parrott as project architects, alongside the architectural firm, and to encourage reinstatement of marble cladding in the management recommendations.</p>
A15	Glenn A Harper	<p><b>Support.</b> This and the other two curtain wall buildings of the William Bland Centre and 62 Pitt Street have representative significance. Exhibiting the integration of curtain wall technology within the office type, these buildings still retain their original curtain wall fabric. The integrity of these facades must be recognised in the heritage listing.</p>	<p>Support noted. The inventory has been updated to note the retention of original facade fabric underneath the recladding. The revised listing includes the curtain wall.</p>



# **Attachment B4**

**Summary of Submissions –  
St Peter Julian's**

Summary of submissions  
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No.	Submitter <sup>1</sup>	Submission summary	Submission response
<b>D St Peter Julian's Catholic Church and Monastery, 637-645 George Street, Haymarket</b>			
D1	Urbis for landowner	<b>Support and seek reduced listing.</b> As outlined below. This submission was provided in two parts: a preliminary heritage assessment and a letter.	Support noted and issues responded to below.
D1	Urbis for landowner	<p><u>Significance</u>  Preliminary assessment concludes St Peter Julian's Catholic Church has historic, associative and aesthetic significance on a local level. Urbis is undertaking community engagement to determine social significance. The building is an excellent example of post-World War II Modernist ecclesiastic architecture in NSW. Designed by Terence Daly, St Peter Julian's is one of small number of churches constructed in Central Sydney during the post war period. The execution of the façade materiality, proportion and ornamentation is of a quality and style unique in the council area, contributing to local character. The church interior has high aesthetic significance for the design and interpretation of the space, and for the quality and ingenuity of materials. The building design and its art collection exemplify the impact of wider international architectural trends, with clear connections to works of European artists and architects from Daly's travels, such as the stained-glass reredos and stations of the cross connections with works by John Piper and Le Corbusier. Artworks by notable European migrants demonstrate the proliferation and influence of post-war migrants in Sydney. The building represents the post-war growth of Catholicism in NSW and expansion of the Blessed Sacrament Congregation, internationally and in Australia. As one of the earliest churches to practice perpetual adoration, and to alter religious practices following the second Vatican council, St Peter Julian's represents changes to religious practice in Australia. As the first church in the world to be named for St Peter Julian Eymard, it represents the spread of the cult of St Peter Julian. The site includes the only monastery in the council area and has been in continuous use since construction. The detailed significance assessment should be reproduced in the inventory.</p>	<p><u>Significance</u>  Support for the assessed significance of the building is noted. This assessment prepared for the landowner was exhibited with the proposal. This concurs with the study assessment that the building fulfils five Heritage Council listing criteria of local significance for its historic, associations, aesthetic/ technical, rarity and representative value, with potential for social significance. The building is assessed as significant as an accomplished example of post-World War II ecclesiastical architecture, the finest work of architect Terence Daly. It is also significant for its contribution to Haymarket's character, quality of materials and spaces, and works from notable migrant artists. It represents a rare post-war church and monastery in central Sydney, the largest church built of its period and only one including a monastery. It demonstrates twentieth-century religious practice in central Sydney, with strong associations to the Blessed Sacrament Congregation.</p> <p>The assessment compiles considerable research on the building's features and history. The additional aspects of significance from this assessment about religious practice and comparisons have been included in the inventory. The submitted assessment has also been added as a reference to the inventory as a source for further detail when this cannot all be accommodated in the inventory.</p>

<sup>1</sup> Submitters are named with permission from the submitter

No.	Submitter <sup>1</sup>	Submission summary	Submission response
D1	Urbis for landowner	<p><u>Associations significance</u> For associations significance, confirms this is the best work of Terence Daly, however disputes Daly's historical importance as a less recognised architect of his time.</p>	<p><u>Associations significance</u> These points have added to the inventory, noting the importance of Daly is yet to be determined. This does not affect the building meeting the associations significance criterion for at least its connection to the Blessed Sacrament Congregation, as expanded with further detail in the submitted assessment.</p>
D1	Urbis for landowner	<p><u>Social significance</u> Urbis is in the process of community engagement to determine the significance of the place to the community. While incomplete, a preliminary review of responses overwhelmingly indicates that the place is primarily important to the community for amenity reasons only. The responses generally place value on the place for four key qualities; its convenient location, the times of the services, the diversity of the congregation and the peaceful quality of the internal space. There are no strong responses which convey a community attachment with the building itself. The architectural style of the building does not particularly resonate with the community. The valued qualities could be retained by another building on this site. It is recommended that the heritage inventory does not make any assertions about the potential social significance until Urbis completes its assessment. The inventory can then be updated.</p>	<p><u>Social significance</u> The building has not been assessed in the study as meeting this criterion as one of the seven potential Heritage Council criteria for listing; only as potentially socially significant. The existing inventory assessment acknowledges that further investigation is required. The submissions in support of the heritage value and listing of this building from heritage bodies, professionals and community members indicate it has potential social significance. The assessment of social significance can be updated to take into account the finalised consultation review from Urbis when received.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
D1	Urbis for landowner	<p><u>Significant features and alterations</u>  Provides grading of building elements. The spaces and fabric of most significance include: George Street façade and materials, form of the east and west facades, light court space at second floor, main nave form, nave ceiling form and fabric, stained glass clerestory windows, sanctuary space, Lady Chapel space including stations of the cross, reredos (stained glass mosaic), fibreglass baldachin, bas relief St Peter Julian, bas relief of the Virgin Mary (Lady Chapel) and tabernacles.</p> <p>The interior of the ancillary spaces to the rear of the church building and the interior of the monastery building to the south of the site have been largely altered. Except for the Lady Chapel, the majority of the monastery's interior fabric was removed in the 2008 refurbishment. It has no internal fabric of assessed moderate or higher significance. Due to renovations and changes of use over time, few areas of significant fabric or design remain in ancillary spaces. The successive changes prepared by Urbis should be included in the inventory to demonstrate the level of change to the fabric.</p>	<p><u>Significant features and alterations</u>  The detailed description and fabric significance grading in this heritage assessment is noted. Original fabric or features graded as high, moderate, low or little significance may be too low for their relative significance, as noted in the Docomomo Australia submission. Council does not need to approve this detailed grading of fabric for listing. The detailed grading of fabric can assist the landowner with future development applications or preparation of a conservation management plan to seek a heritage floor space award. The detailed assessment in a conservation management plan is reviewed and endorsed by Council as part of the heritage floor space award process.</p> <p>The summary of most significant features, as identified in this Urbis submission, have been included in the supporting inventory, while noting further features may also be significant. The alterations are also acknowledged in the inventory. The submitted assessment has been added as a reference to the inventory as a source for further detail when this cannot all be accommodated in the inventory.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
D1	Urbis for landowner	<p><u>Listing extent</u> The item name does not sufficiently reflect the hierarchy of significant elements on the site. As the interiors of the monastery are not significant the following item name is proposed: “St Peter Julian’s Catholic Church, Monastery, Lady Chapel and artworks, excluding Monastery interiors.”</p>	<p><u>Listing extent</u> The detailed description, photos and grading of fabric provide sufficient information to support that altered private interiors in upper monastery levels have considerably less significance than publicly accessible or more intact spaces at the ground and first floors. The monastery still retains its original overall form and general layout. While the submission seeks exclusion of all monastery interiors, other than the ground floor Lady Chapel, the ground and first floors of the church nave, monastery and ancillary rooms retain publicly accessible, original or significant functions, form and layout, with some alterations. These two levels of church, monastery and ancillary rooms are also connected internally, encircling the church; for instance, the first floor monastery corridor is the side gallery to the church nave. As a result of the post-exhibition City review, it is recommended that the proposed item name for the building and significant interiors is revised to specify the “façade walls and fixtures, interiors of the church, ground floor, first floor, and artworks.” This excludes the monastery interiors of levels 2-5 from the listing. The revised item name is consistent with the directions contained in the Standard Instrument (Local Environmental Plans) Order 2006 for item names to briefly describe significant features including interiors. An item name does not specify exclusions or a hierarchy of significance; only what is listed. Components of moderate, high or exceptional significance all meet the Heritage Office guidelines for local or state heritage listing. This includes elements with alterations that do not detract from significance and elements with little heritage value that contribute to the overall significance of the item. Listing these interiors does not require retention or direct the form of future development, but ensures impacts on significant features are assessed and new works integrated with existing features when major changes are proposed. The inventory has been updated to reflect this post-exhibition review.</p>
D1	Urbis for landowner	<p><u>Archaeological potential</u> The site is included on the Archaeological Zoning Plan for Sydney, although not as a result of detailed archaeological investigation. The preliminary assessment undertaken by Urbis shows that there is low – moderate potential for Aboriginal objects and that the historical archaeology requires further investigation. The inventory should either include reference to an archaeological assessment report or note only that the archaeological potential of the site requires further investigation.</p>	<p><u>Archaeological potential</u> The inclusion of the site on Archaeological Zoning Plan is part of its status as a result of an earlier assessment process that is not under review with this study. It flags the need for an archaeological assessment if excavation is proposed.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
D1	Urbis for landowner	<p><u>Historic themes</u> Urbis identifies 7 historic themes, with discussion, which should be added to the inventory. These are for specific local themes within the Australian themes of: peopling, phases of life, settlement and culture.</p>	<p><u>Historic themes</u> A summary of these additional historic themes have been included in the inventory, as a result of this assessment. The local historic theme of war memorial has been added. New local historic themes have also been created and included for this item: St Peter Julian, Blessed Sacrament Congregation, monastery and Chinese Pastoral Centre.</p>
D1	Urbis for landowner	<p><u>Other assessments</u> The inventory sheet must acknowledge the Urbis CMP, currently being completed, to ensure users are guided to a current heritage management document. The inventory sheet must also acknowledge the relevant archaeological report which has informed the assessment if available.</p>	<p><u>Other assessments</u> The Urbis preliminary heritage assessment has been added to the inventory as a reference. The CMP can also be noted when finalised and received for future inventory updates.</p>
D1	Urbis for landowner	<p><u>Opportunities and constraints</u> The most significant external fabric is the principal (east) façade and to a lesser degree the west façade. The monstrance and the crucifix on the eastern façade are of high significance. Artwork visible to the street should ideally remain in situ. The form of the eastern entrance portico must be retained, with potential to replace doors. The building's presentation to the street is of high significance. Its overall envelope has the ability to be altered without a detrimental impact on this presentation. While the church ceiling is significant, the flat roof form of the church and north façade of the upper floor of the Monastery is not. The building has potential as a podium to an appropriately setback and sympathetically detailed vertical addition. A vertical addition should retain the legibility of the highly significant open screen to the east facade. Structural engineer investigations are needed to determine the impact of vertical additions on the existing building. Ceiling skylights are a later alteration. These may be artificially lit with vertical additions to retain the existing internal light quality, similar to the backlighting to the windows in the Lady Chapel, the main reredos and stained glass behind the altar. Do not remove internal fabric that makes a defining contribution to the character of the building. No internal fabric of the monastery makes a defining contribution. Existing interiors can be sympathetically adapted and refurbished as required. All significant moveable heritage should be retained on site, including artworks created by notable European migrant artists.</p>	<p><u>Opportunities and constraints</u> These comments are noted and reproduced in this submission summary, as representing a preliminary assessment for the landowner, rather than Council's listing assessment in the inventory. The inventory management recommendations are appropriate. The comments in the submission and grading of significant features in the preliminary heritage assessment can assist the landowner with future development applications or preparation of a conservation management plan to seek a heritage floor space award. The detailed assessment in a conservation management plan is reviewed and endorsed by Council as part of the heritage floor space award or development application process.</p> <p>The management recommendations in the inventory provide guidance to landowners on conserving the building's significance. Development opportunities are not included in the inventory as these are proposed and assessed through the separate development application process. Listing ensures the heritage significance of the item is considered through this development process, together with other planning issues.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
D1	Urbis for landowner	<p><u>Management recommendations</u></p> <p>The recommended management prepared by Urbis should be reproduced in the inventory as follows. The significant elements of St Peter Julian's Catholic Church and Monastery of the Blessed Sacrament Congregation should be retained and conserved. Significant exterior elements include the overall composition of the principal (east) façade and its original high-quality materials. The stained glass is also of high significance and must be retained. Sympathetic vertical extensions to the chapel may be appropriate given the flat roof form. Any vertical extensions are required to be sufficiently set back from the front façade to enable legibility of the expressed structural grid which extends vertically above the roofline. Intact original internal fabric should be retained and conserved. Original fabric includes the principal chapel space and Lady Chapel. Alterations to the interior of the monastery are appropriate given the spaces were refurbished in 2008 with no fabric making a defining contribution to significance. Surfaces never intended for painting, including stone cladding, brickwork, marble and tiles, should remain unpainted and be maintained. Retain and conserve all artworks located externally and internally on site. Retain and conserve all original furniture associated with the church, such as timber pews. The Conservation Management Plan for the site should be used to guide future use and maintenance. Any application for future development involving structural changes and/or modification of original and significant building fabric should be accompanied by a Heritage Impact Statement.</p>	<p><u>Management recommendations</u></p> <p>These comments are noted and reproduced in this submissions summary, as representing a preliminary assessment for the landowner, rather than Council's listing assessment in the inventory. The inventory management recommendations are appropriate. The management recommendations in the inventory provide guidance to landowners on conserving the building's significance.</p> <p>Development opportunities are not included in the inventory as these are proposed and assessed through the separate development application process. Listing ensures the heritage significance of the item is considered through this development process, together with other planning issues. A heritage listing and the supporting inventory do not direct the form of future development. It is most appropriate to consider and address development issues at the development application stage when a detailed proposal is prepared. The non-prescriptive development assessment process for heritage items enables the form of development to be determined in response to the individual building features and circumstances, while also retaining significance. The views and issues of owners and their consultants are considered through this process. Owners are encouraged to arrange pre-application meetings with City planners for greater certainty about development plans.</p>
D2	St. Peter Julian's Church	<p><b>Information.</b> Provides corrections for the inventory, including some references to the potter Kalmar named Stefan, not Julias, and typos. The monstrance and tabernacles noted in the description are no longer in the church.</p>	<p>These corrections have been included in the updated inventory.</p>



No.	Submitter <sup>1</sup>	Submission summary	Submission response
A2	Docomomo Australia Inc	<p><b>Support.</b> This jewel of a church has undergone a number of extensions and alterations since the first stage constructed. The comprehensive assessment by the owner's consultants confirms the building is locally significant. Docomomo Australia supports this assessment of the building's significance. However, the levels of significance for individual elements could be reassessed with original fabric as exceptional, not merely high. Whilst original fabric was removed in the 2008 renovations, the renovated building retains the overall aesthetic of the original treatment despite the replanning of the main space to reflect liturgical changes of the Catholic Church.</p>	Support noted.
A15	Glenn A Harper	<p><b>Support.</b> St Peter Julian's Catholic Church and Monastery (1964) is indeed an important late modern city church. Its restrained exterior, as expressed by a structural grid to George Street, certainly belies a rich and memorable interior.</p>	Support noted.

# **Attachment B5**

## **Summary of Submissions – Town Hall House**

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
E	Town Hall House, 456 Kent Street, Sydney		
E1	Urbis for landowner	<b>Support and seek reduced listing.</b> Urbis supports the City Projects and Property submission conclusion that the heritage listing be amended to exclude the majority of the internal fabric components, as outlined below.	Support noted and comments responded to below.
E1	Urbis for landowner	<p><u>Significance grading and conservation management plan</u>  Urbis reviewed the Conservation Management Plan of 25 August 2016 prepared by Robertson &amp; Hindmarsh Pty Ltd. Urbis questions the grading of exceptional significance attributed to elements of: ribbed vinyl wallpaper, sloped bulkhead and columns, perforated metal acoustic pan suspended ceiling, unperforated metal pan ceilings and egg crate diffuser luminaires (in WCs), egg-crate diffuser type of luminaires, in-line air conditioning ducts; original toilet facilities, recessed ceramic drinking fountains. Whilst these internal finishes and elements are original, in some cases they have been modified. It is debatable that they reach the threshold for grading as exceptional significance. Many of the internal finishes and elements do not compare with exceptional values given to a number of external building elements. Exceptional significance is defined in the CMP as “rare or outstanding element directly contributing to an item’s Local and State significance”. Very few internal elements are assessed as high significance defined as “high degree of original fabric. Demonstrates a key element of the item’s significance. Alterations do not detract from significance”. Elements of exceptional and high significance are treated the same as: “conserve significant fabric with minor alterations to permit continued use as intended. Upgrading to meet code requirements needs careful consideration to ensure that the design intention is retained.” This presents considerable restriction for change. The listing of internal finishes as exceptional will restrict future development within the building. The plan identifies that change is inevitable, but this is restricted by grading internal finishes as exceptional.</p>	<p><u>Significance grading and conservation management plan</u>  City staff considered the submitted information, the contested conservation management plan assessment and inspected the building in order to review the extent of listing in accordance with the Heritage Office guide for assessing significance and directions contained in the Standard Instrument (Local Environmental Plans) Order 2006. This order requires the item name to briefly describe significant features including interiors. An item name does not specify a hierarchy of significance; only what is listed as significant. The disputed exceptional significance of components is noted and provided assessment of significance of these features reviewed below. Components of moderate, high or exceptional significance all meet the Heritage Office guidelines for local or state heritage listing. This includes altered original elements that demonstrate a key element of or contribute to the overall significance of the item.</p> <p>Listing interior features does not require retention or direct the form of future development but ensures impacts on significant features are assessed. It is most appropriate to consider and address operational or management issues at the development application stage when a detailed proposal is prepared. The non-prescriptive development assessment process for heritage items enables the form of development to be determined in response to the individual building features and circumstances, while also retaining significance. The views and issues of owners and their consultants are considered through this process.</p> <p>The management recommendations and other information in the inventory provide guidance to landowners on conserving the building's significance. The inventory recommendations for a heritage impact statement and consideration of the 2016 conservation management plan for works affecting listed building features are appropriate. This non-statutory supporting information can continue to be updated, before or after listing, as new information becomes available, such as through review of the conservation management plan.</p>

<sup>1</sup> Submitters are named with permission from the submitter

No.	Submitter <sup>1</sup>	Submission summary	Submission response
E1	Urbis for landowner	<p><u>Ribbed vinyl wallpaper</u>  This original finish was selected by the architects as a proprietary item to conceal the uneven surfaces of the off-form concrete walls. It has been altered with painting of the original unpainted surfaces, due to deterioration. This is not recognised in the conservation management plan assessment and grading. Council does not have a supply of the original wallpaper and in the event of the degradation of the vinyl wallpaper, an alternative wallpaper replacement or finish would be required. The plan acknowledges that the building will change for functional requirements, changes in work practices and staff amenities. “It is acknowledged that change will continue to occur, but it is the way that such change is managed that is critical to retain those remaining elements of the building that made it such a special building at the time of its construction.” It is likely the raw concrete surface will remain covered to conceal the uneven surface. It seems possible the ribbed vinyl wallpaper of itself is not so exceptional in its heritage significance that a suitable replacement may need to be considered in the future.</p>	<p><u>Ribbed vinyl wallpaper</u>  It is accepted this feature may not meet the Heritage Office definition of exceptional significance as a rare or outstanding element directly contributing to the item's local or state significance, while noting that components of high or moderate significance still meet the Heritage Office threshold for listing. As an applied finish with limited technical or aesthetic merit and shorter lifespan than building materials, it is accepted that this element does not warrant individual identification in the item name, except where fixed to other listed building components. It is noted that the 2019 conservation management plan generally recommends retention of ribbed wallpaper finish to the external walls and bulkheads, as opposed to all remnants. The external walls and bulkheads components recommended for inclusion in the listing.</p> <p>Listing interior features does not require retention or direct the form of future development but ensures impacts on significant features are assessed through the development application process. Minor alterations to listed building components can be achieved through the notification process for ‘heritage works without consent’.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
E1	Urbis for landowner	<p><u>Suspended metal pan ceilings</u>            The conservation management plan notes there are no more original perforated metal ceiling panels. These survive on levels 5-10, 11-17 and 19-22. The grid pattern reflect the design of the interior of the building. However, the imperial measurements make it difficult to find replacements. The grading of “exceptional” significance is perhaps an overstatement. The perforated ceiling tiles represent both a WHS risk and an onerous cost, requiring frequent inspections to ensure that they remain in place. Tiles have sporadically fallen from the ceiling. This has potential to cause serious injury and risk. A further complication is the City cannot upgrade the interrelated lighting and air conditioning system cost effectively with the imperial ceiling system in place. The exceptional grading of metal ceilings in the bathrooms seem overstated and limits the potential for future change. Numerous egg-crate luminaires have been upgraded or replaced with higher efficiency tubes throughout the building. Urbis believe alternative luminaires could be used in remaining levels. Significant internal features include the timber suspended ceiling with timber triangular prisms on Level 4. This ceiling finish can be readily understood to be have exceptional significance and worthy of retention and conservation.</p>	<p><u>Suspended metal pan ceilings</u>            Support the exceptional significance of the level 4 timber ceilings. It is accepted the perforated metal suspended ceiling system, including integrated luminaries and air conditioning ducts, may not meet the Heritage Office definition of exceptional significance as a rare or outstanding element directly contributing to the item's local or state significance. They are more likely to be of high or moderate significance. The ceilings are an original building feature of some technical and historic value, as described in the conservation management plan.</p> <p>It is understood that it is not possible to upgrade or repair these trays to ensure their safety. Replacements trays in metric measurement would not have the same degree of historic or technical significance or reference to the original floor plan. While acknowledging the significance of this perforated metal ceiling system, it is accepted that this metal ceiling feature is not capable of conservation or substitution in a way that retains its significance. Therefore, only the timber ceilings of level 4 are included in the revised item name. It is recommended that the owner seeks advice on appropriate recording or sample retention of these metal ceilings, to document this aspect of its history. This could be informed by the existing or an update to a conservation management plan.</p>
E1	Urbis for landowner	<p><u>Bathrooms and drinking fountains</u>            Regarding the toilet facilities, the conservation plan identifies that change is possible providing it is sympathetic. The plan identifies that original toilet facilities on level 4 need to be renovated. In the event of deterioration, replacement would seem inevitable. Assessing the finish as exceptional, seems impractical and limits potential maintenance and upgrade works.</p> <p>Four original Fowler recessed ceramic drinking fountains survive in the lift lobbies of levels 5, 9, 10 and 11. These are assessed as having “exceptional” significance. Some of the drinking fountains are out of service. The conservation management plan recommends they be retained in situ, “refurbished” and retrofitted to enable a mechanism to fill water bottles. Whilst the drinking fountain is original fabric and a representative feature of a 1970s office building, the grading of “exceptional” significance seems to be overstated. Consideration should be given to the potential removal of the four drinking fountains.</p>	<p><u>Bathrooms and drinking fountains</u>            On review of the conservation management plan, only the level 4 bathrooms are identified as retaining original configuration, some fixtures and fittings. This plan also recognises their need for refurbishment. The other bathrooms have generally been substantially altered. It is accepted that apart from the more original example at level 4, the bathrooms are not as significant as other building interiors. The drinking fountains in the lobbies of three levels (none noted in the conservation management plan for level 10) are original features, with a recommendation in the conservation management plan for reconnection. It is reasonable to include these as significant internal features. The submission and City review of the contested plan has not provided substantive new information to dispute the assessed significance of the drinking fountains.</p> <p>Listing interior features does not require retention or direct the form of future development but ensures impacts on significant features are assessed through the development application process. It is most appropriate to consider proposals for removal of significant features at the development application stage when a detailed proposal is prepared.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
E1	Urbis for landowner (18/2/20, 24/4/20)	<p><u>Commercial tenants, upgrades and sustainability</u> As workplace arrangements change, future levels of this building could be leased out as office space to commercial tenants. This needs flexibility in internal spaces and finishes to allow for new fit-outs. The proposed listing of internal fabric and finishes and grading as exceptional significance would constrain the ability for upgrades and future development of the internal office spaces.</p> <p>Consideration should be given to introducing guidelines and exemptions to allow change to elements that are not performing and will otherwise result in material degradation. This includes the maintenance issues associated with leaking windows identified as having exceptional significance.</p> <p>Council has a commitment to environmental sustainability targets. These aims is to reduce our carbon emissions through green infrastructure to reduce energy, water and waste-water demands. Council has made a commitment to showcase innovative solutions to deliver outstanding environmental performance. Council has pledged to work to raise environmental standards across all sectors of the built environment. This may require retrofitting high water-using properties with water efficient fixtures and fittings. This will result in some change in office spaces, including finishes and fixtures.</p>	<p><u>Commercial tenants and upgrades</u> As a result of the post-exhibition City review, including consideration of these submissions, the listing has been revised to specify significant features in the item name, and the inventory updated. This excludes non-structural office floors, parts of other floors and the basement carpark from the listing. The proposal is amended to enable complying development fit-outs of excluded components. As a result, the development process will be unchanged for most commercial fit-outs. Common tenancy fit-outs or minor repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent', without the need for a development application.</p> <p>Listed buildings can still be repaired and upgraded to meet current standards, improve environmental performance and reduce carbon emissions. Listing interior features does not require retention or direct the form of future development but ensures impacts on significant features are assessed through the development application process.</p> <p>The 2016 conservation management plan provides guidance on upgrades and repairs. Its main recommendations are included in the inventory. This plan can be reviewed to consider changing operational requirements. As non-statutory supporting information, the conservation management plan and inventory do not limit building changes that can be proposed and assessed. Proponents are encouraged to arrange pre-application meetings with City planners to gain greater certainty about development plans.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
E1	Urbis for landowner	<p><u>Conclusions</u>            Urbis questions the grading of exceptional significance attributed to each of the internal elements of: ribbed vinyl wallpaper, sloped bulkhead and columns, perforated metal acoustic pan suspended ceiling, unperforated metal pan ceilings and egg crate diffuser luminaires (in WCs), egg-crate diffuser type of luminaires, in-line air conditioning ducts; original toilet facilities, recessed ceramic drinking fountains. Recommend listing for the above-mentioned internal elements be removed from the heritage nomination to allow for greater flexibility and the ongoing viability of the building.</p>	<p><u>Conclusions</u>            The building is assessed as state significant as a fine example of the commercial work of the influential architect, Ken Woolley (1933-2015), demonstrating the influence of the Brutalist style, sophisticated use of load-bearing precast concrete, with significant interiors. The 2016 conservation management plan identifies significant original internal fabric in the level 1 and 2 foyers, level 4 and levels 5-23 office levels, as embodying the original design intent based on detailed research and assessment, including an interview with Ken Woolley. City staff considered the submitted information, the contested plan assessment and inspected the building in order to review the extent of listing in accordance with the Heritage Office guide and state policy directions. While it is accepted the disputed internal features may not meet the Heritage Office definition of exceptional significance as directly contributing to the item's significance to the degree of external elements, a number of internal components likely meet the Heritage Office threshold for listing as of high or moderate significance. The submission and City review of the contested plan has not provided substantive new information to dispute the assessed significance of the drinking fountains. It is accepted that the wallpaper finishes to unlisted building elements, metal ceilings and non-original bathrooms are less significant or incapable of conservation. As a result of the post-exhibition review, the proposed item name for "significant interiors and artworks" has been revised to specify these as identified in the significance assessments, confirmed by City review. These are specified as " facade walls and fixtures, structural interiors, level 1 paving and foundation stone, curved stair to level 2, interiors of level 2 southern foyer, levels 4 and 6 links to Sydney Town Hall, level 4 function rooms, foyers, bathrooms and terraces, levels 5-23 bulkheads, levels 5, 9 and 11 lobby drinking fountains, and Marconi sculpture." This excludes non-structural office floors, parts of other floors and the basement carpark from the listing. The inventory has been updated to reflect this post-exhibition review. Listing interior features does not require retention or direct the form of future development but ensures impacts on significant features are assessed through the development application process.</p>
E2	City Projects and Property, City of Sydney	<b>Support and seek reduced listing.</b> As outlined below.	Support noted and comments responded to below.

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
E2	City Projects and Property, City of Sydney (19/9/19)	<p><u>Interiors listing</u> City Projects and Property acknowledges the significance and contribution that Town Hall House to the City as a representation of Modern Movement architecture. However, the current form of the proposed listing will impact the building's functionality and will need to be sensitively modified. The listing of many elements of the internal building fabric constrains the City's ability to continue to upgrade the building. By listing the internal fabric, much of which has been removed or significantly altered, it will generally make it more restrictive to undertake works, adding additional requirements for documentation and processes to obtain a development consent for minor works to heritage items. Support listing the exterior and internal elements of level 1 cast concrete foundation stone, level 2 coffered ceiling to entry, level 3 council offices view from staff lunchroom into foyer, level 4 diagonal boarded ceilings (some composed of triangular prisms), link to Town Hall and service lift.</p> <p>In order to maintain the buildings functionality, reduce operating costs, and improve environmental performance, it is recommended the listing excludes the majority of internal fabric, other than the above over levels 1 to 4. It is also requested that the listing is worded in a way so exempt and complying development for internal works can continue to be undertaken.</p>	<p><u>Interiors listing</u> As a result of the post-exhibition City review, the extent of the listing in the item name has been revised to identify significant features as identified in the significance assessments and capable of conservation, confirmed by City review. This includes parts of levels 1-4, and facade walls, fixtures, bulkheads and 3 drinking fountains of office levels 5-23. The revised item name provides greater clarity about listed significant interiors, which are identified in more detail in the supporting updated inventory. The revised item name excludes non-structural office floors, parts of other floors and the basement carpark from the listing. The proposal is further amended to enable complying development fit-outs of excluded components. As a result, the development process will be unchanged for most commercial fit-outs. Common tenancy fit-outs or minor repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent'.</p> <p>Listed buildings can still be repaired and upgraded to meet current standards, improve environmental performance and reduce carbon emissions. Listing interior features does not require retention or direct the form of future development but ensures impacts on significant features are assessed. The non-prescriptive development assessment process for heritage items provides the opportunity to consider and address building and development issues for the individual building circumstances in a way that respects significant building features. The views and issues of owners, tenants and their consultants are considered through this process.</p>
E2	City Projects and Property, City of Sydney (19/9/19)	<p><u>Ceiling tiles and light fittings</u> Listing further features may inhibit upgrades to contemporary standards, including Council's key sustainability objectives such as improving the building's NABERS rating. For example, the ceiling tiles and light fittings are in imperial measurements and are no longer manufactured. These constrain the implementation of new energy efficient lighting and air conditioning measures.</p>	<p><u>Ceiling tiles and light fittings</u> The significance of these features are outlined above in response to the Urbis submission. While acknowledging the significance of this metal ceiling system, it is accepted that this metal ceiling feature is not capable of conservation or substitution in a way that retains its significance. Therefore, only the timber ceilings of level 4 are included in the revised item name. It is recommended that Properties seek advice on appropriate recording or sample retention of these metal ceilings, to document this aspect of its history. This could be informed by the existing or an update to a conservation management plan.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
E2	City Projects and Property, City of Sydney (19/9/19)	<p><u>Altered stair, glazed walls and wallpaper</u> Some internal elements are no longer in place or have recently been rebuilt, such as the curved stairway between Levels 1 and 2. The Armour plated glazed walls and doors have been removed. Additionally, the ribbed wallpaper deteriorated quickly, and painting became the only option, over time some areas have deteriorated further.</p>	<p><u>Altered stair, glazed walls and wallpaper</u> The alterations to the curved stair are acknowledged in the conservation management plan. While altered, the conservation management plan identifies this feature as a significant element in the design of the building, "giving it an Expressionist aesthetic not found on many buildings in Australia". The original configuration and design intent can still be appreciated. The revised item name does not individually identify the Armour plated glazed walls, though does include level 4 interiors where these are located. The heritage submission for the landowner does not provide any additional assessment on the significance of the stair or glazing or recommend their exclusion.</p> <p>As noted above in the response to the Urbis submission, it is accepted the wallpaper does not warrant individual identification in the item name, except where fixed to other listed building components.</p>
E3	Anonymous	<b>Support.</b> It has character.	Support noted.
A2	Docomomo Australia Inc	<p><b>Support.</b> This significant building is by one of Sydney Modernism's most talented and productive architects. Its relationship to and referencing of the nineteenth century Town Hall is an excellent solution to designing a Modernist building in an existing context whilst respecting the earlier buildings of Town Hall and St Andrews Cathedral. The relationship to the physical context of traditional Sydney is also an important part of Ken Woolley's design. The dark grey paving around the building and along the public footpaths mask the original design concept of a sandstone-coloured precinct which expressed the traditional materials of Sydney. Declares interest that the submission author was one of the authors of the Robertson &amp; Hindmarsh 2016 Conservation Management Plan for the building.</p>	Support noted. Development beyond this building currently proposed for listing will need to consider impacts on the significance of this building and adjoining heritage items of Sydney Square and Sydney Town Hall.
A15	Glenn A Harper	<p><b>Support.</b> Together with the Sydney Masonic Centre, this is an outstanding and rare brutalist period building. Each were impeccably built displaying a high degree of technical achievement. Both have a landmark quality.</p>	Support noted.

# **Attachment B6**

**Summary of Submissions –  
William Bland Centre**

# Summary of submissions

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
F	William Bland Centre, 229-231 Macquarie Street, Sydney		
F1	GBA Heritage for landowner	<b>Oppose.</b> The building should not be listed for the reasons outlined below.	Objection noted and issues responded to below. This assessment prepared for the landowner was exhibited with the proposal.
F1	GBA Heritage for landowner (26/7/19)	<u>Listing justification</u> Listing justification is insufficient. The building is relatively undistinguished and of little relevance to the planning proposal as an exemplar of the Modern Movement.	<u>Listing justification</u> The listing is based on the recommendation of an independent heritage study of the Modern Movement in central Sydney and an individual heritage assessment of this building, prepared in accordance with the Heritage Council criteria and supporting Heritage Office guide. The study is informed by a state-wide thematic history of this movement. From a survey of more than 110 Modern Movement buildings in the central Sydney, the study identifies this building as worthy of local listing. Further City review before exhibition supported this study recommendation. The study concludes the William Bland Centre fulfils six Heritage Council criteria for local listing for its historic, associations, aesthetic/ technical, research, rarity and representative significance. A building does not need to be an 'exemplar' or ideal model for listing under the Heritage Council criteria. The Heritage Office guide instead refers to 'examples'. The William Bland Centre is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern. It demonstrates the work of respected emigre architect Hans Peter Oser and the oldest known surviving example of lift slab construction in central Sydney. It also has significant associations with the medical profession.

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
F1	GBA Heritage for landowner	<p><u>Modern Movement characteristics</u>            Apart from its facade, the building does not adequately demonstrate the defining Modern Movement characteristics identified in the TKD study. The TKD study achievement is that it identifies a series of specific criteria which distinguish Modern Movement buildings in the City of Sydney. The TKD study identifies 13 characteristics as essential to meet the heritage listing planning proposal. The building does not demonstrate 6 quoted characteristics of: geometric forms, framed systems that enable open planning and encourage transparency, flexible planning aided by framed building construction, to be seen as free-standing objects, asymmetrical in plan and mass, internal function clearly expressed on the outside. The building does demonstrate 5 quoted characteristics, some in part, of: celebrating the potential of new building materials, ornament largely abandoned, careful use of colour on wall surfaces, lightweight construction techniques using modular building components, modern building materials. Two quoted characteristics are noted as not applicable: sun shading devices and murals. This reason is given for rejecting five Heritage Council listing criteria for historic, aesthetic/ technical, research, rarity and representative significance.</p>	<p><u>Modern Movement characteristics</u>            The study recognises the diversity of the Modern Movement, as represented by this and other surviving identified examples. It does not identify set Modern Movement characteristics or building features as essential or more important than others for listing. The characteristics referred to by this submission are from the historical overview of the movement in chapter 2 of the study. These characteristics and study chapter were considered in arriving at the recommendation to list this building, together with further detailed assessment. Buildings demonstrate aspects, not every characteristic of a movement. Even the Opera House does not demonstrate all or only the 13 characteristics referenced in this submission. The movement history and characteristics do not assess City buildings for listing, set the requirements or criteria for listing, form part of or override the study conclusions. The criteria for listing are instead set by the Heritage Council. The parts of the study that assess the significance of this building are the recommended listings and inventory. These represent the outcome of the full study process, including a survey of more than 110 comparable buildings in the city and individual assessment of the building's significance under the Heritage Council criteria. This building is assessed as significant for more than Modern Movement features or the facade; also including the historical phase, associations and technical features. A building does not need to conform to all characteristics of a style to satisfy the Heritage Council listing criteria. A building can also be listed for aesthetic distinctiveness or variations, as well as other historic, association or technical values, as with the William Bland Centre.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F1	GBA Heritage for landowner	<p><u>Building type and period</u>            Designed in 1956, the building predates the 1957 Act for increased building heights that resulted in a surge of Modern Movement buildings, as noted in the study. It is one of 3 small-scale curtain wall buildings of this period for medical professional rooms in the Macquarie Street precinct. This is unlike the majority of large open-plan buildings that distinguished the Modern Movement buildings identified by TKD in the study. William Bland Centre is essentially a traditional inter-war infill building, with three major lightwells, other than the glass curtain facade. It was developed as company title and converted to strata title. The building does not pass the inclusion threshold for listing for its historic or aesthetic significance.</p>	<p><u>Building type and period</u>            The study and planning proposal do not restrict significant examples to buildings constructed after the 1957 Act, taller than 150 feet or with open floor plans. These are only some significant historic phases identified in this study from 1945. The study recognises the diversity of the Modern Movement, as represented by the identified buildings. It does not identify set Modern Movement characteristics or building features as essential or more important than others for listing. Significant characteristics of this building are individually assessed in the study inventory, based on the full study process and Heritage Council listing criteria. The building's period, scale and design for small medical suites are acknowledged in the inventory. These aspects contribute to the building's significance as one of a small extant group of distinct low-scale post-war offices in the city centre, and its association with the medical profession. Another local building of this scale, style and period is listed as state significant; the 1960 Liner House on Bridge Street. The study and planning proposal also include another low-scale curtain wall building at 62 Pitt Street. The submission does not provide substantive new information to overturn the building's assessed historic, aesthetic, association and representative significance.</p>
F1	GBA Heritage for landowner	<p><u>Facade significance</u>            The only Modern Movement attribute is the Macquarie Street facade. The curtain wall is a very simple example of the emerging fashion. The construction does not use the prefabricated curtain wall systems with integrated fire-rated spandrels like the MLC building in North Sydney. There is no evidence that this glazed facade was unique or a proprietary system, which often used double glazing or integrated venetian blinds of some post-war buildings. The spandrel panels are fixed to a single brick wall on the edge of the floor slabs for fire protection between levels. The building does not demonstrate prominent three-dimensional characteristics of Qantas House and AMP Circular Quay. The building does not pass the inclusion threshold for listing for its aesthetic or rarity significance.</p>	<p><u>Facade significance</u>            The study, planning proposal, Heritage Council listing criteria and Heritage Office guide do not restrict significant examples to particular types of curtain wall design, construction or form. The facade details are acknowledged in the inventory. The extra spandrel wall detail has been added to the inventory. The facade pattern is assessed in the study inventory as unusual and distinctive. Uniqueness is not required to meet the inclusion guidelines for rarity or other criteria. The study recognises the diversity of the Modern Movement, as represented by surviving identified examples. It does not identify set Modern Movement characteristics or building features as essential or more important than others for listing. Significant characteristics of this building are individually assessed in the study inventory, based on the full study process and Heritage Council listing criteria. The building is assessed as significant for more than Modern Movement features or its façade. Of the local examples noted, Qantas House and AMP building are not directly comparable because these are assessed as state significant; a higher level of significance than this building, and with different building forms in response to their corner sites. The state-listed Liner House has a non-three-dimensional form, in response to its similar mid-block location. Docomomo Australia rejects the relevance of a three-dimensional building form in this location and supports the building's aesthetic significance. The submission does not provide substantive new information to overturn the building's assessed aesthetic and rarity significance.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F1	GBA Heritage for landowner	<p><u>Associations significance</u>  The John Bibb association for ownership of the site before the building was constructed does not meet the listing threshold. The building was one of group purpose designed for medical and dental suites in the inter-war and post-war decades close to Sydney Hospital. HP Oser is not regarded as one of the important Modern Movement architects in post-war Sydney. The building does not pass the inclusion threshold for listing for its associations.</p>	<p><u>Associations significance</u>  Agree Bibb's association is not sufficiently significant to satisfy the Heritage Council criteria for listing. This association has been removed from the inventory. The submission does not provide substantive new information to alter the study assessment that the building satisfies at least one Heritage Council criteria for its other associations. These include the building design by respected emigre architect, Hans Peter Oser, and association with the medical profession. The study recognises the diversity of the Modern Movement, as represented by surviving identified examples. It is not limited to specific architects. The inventory highlights notable buildings designed by Oser in Sydney during this era. These and the subject building demonstrate Oser was a practicing architect of the Modern Movement. Other submissions highlight that Oser and this building are featured in an article on migrant Modern architecture by Rebecca Hawcroft and in the 2018 Museum of Sydney exhibition. Docomomo Australia rejects the GBA statement that Oser is "not regarded as one of the important Modern Movement architects in post war Sydney". The Heritage Council and Docomomo Australia submissions recognise this building by Oser as a Modern Movement example. The building's medical association is also reflected in its name after an eminent colonial surgeon. The grouping of this building with medical suite buildings of the same era in the Sydney Hospital precinct is part of its assessed significance.</p>



No.	Submitter <sup>1</sup>	Submission summary	Submission response
F1	GBA Heritage for landowner	<p><u>Lift slab construction significance</u>  Lift slab construction commenced in Australia under licence from the US in 1957. The building is one of at least 23 examples of this construction in Australia and the Pacific region using the lift slab method and therefore is not an important benchmark. Although other examples have since been demolished, evidence of the construction is now buried and inaccessible in the building structure. This construction is well documented in the original engineering drawings in City archives, the US patents and contemporary publications. Quotes two articles from 1957 and 1960 on lift slab construction. Notes that Lift Slab of Australia that constructed the first example in Lidcombe used the same consulting structural engineer of PO Miller Miston &amp; Ferris as William Bland Centre. While now a defunct process, the opportunity remains for its reintroduction. The TKD study does not identify lift slab construction as a characteristic of post-war Modern Movement buildings in Sydney. The building does not pass the inclusion threshold for listing for its research significance.</p>	<p><u>Lift slab construction significance</u>  The period of the building and the history of lift slab construction is acknowledged in the inventory. The lift slab construction contributes to the building's assessed significance under three Heritage Council criteria of technical, research and rarity significance. When the building's structure and history are inaccessible or not visible, documentary evidence helps to interpret and understand its significance. Documents are no substitute for the constructed building. The benchmark importance and rarity of this construction is as the oldest known surviving in the local Sydney context. The small number noted in Australia and the Pacific region, before excluding those demolished, suggests this building may be rare in a wider context than assessed. The study recognises the diversity of the Modern Movement, as represented by surviving identified examples. It does not identify set Modern Movement characteristics or specific building features as essential or more important than others for listing. The TKD study includes the inventory for this building which identifies lift slab construction as part of its assessed significance. The submission does not provide substantive new information to overturn the building's assessed technical, research and rarity significance.</p>
F1	GBA Heritage for landowner	<p><u>Social significance</u>  The building has some association with medical and dental professions. The connection to the community is primarily through various professional tenants and owner-occupiers. For these reasons, the building does not pass the inclusion threshold for listing for its social significance.</p>	<p><u>Social significance</u>  Noted. The building has not been assessed as meeting this criterion in the study report or inventory statement of significance as one of the seven potential Heritage Council criteria for listing. An inconsistency in the inventory for the social significance assessment has been corrected to match the report conclusion for this criterion. The submissions in support of the heritage value and listing of this building from heritage bodies, some owners, professionals and community members may indicate it has potential social significance.</p>

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
F1	GBA Heritage for landowner	<p><u>Condition, integrity and upgrades</u>            Building condition overall is reasonable. Tenancy suites have been upgraded, fitted with suspended ceilings, undetermined survival of original air conditioning ducts. The Fire Order upgrade outstanding works include engineering alternative solutions and installing fire stopping measures between floors. Facade glazing is likely to be original with 2 reported failures in the last 15 years. Concludes failure of remainder of glass facade panels is low risk with an option to mitigate danger through reinstatement of street awning.</p>	<p><u>Condition, integrity and upgrades</u>            City compliance and heritage staff inspected some building interiors and the fire safety order works at the request of owners in April 2019. The City inspection supports the conclusion of this submission about reasonable building condition. This inspection also noted some original internal finishes or features in the common areas and steel windows to the lightwells, and that the constructed fire upgrade works have no or minimal impact on significant features. Details from the submission and City inspection have been added to the inventory. The recommendation to mitigate the low risk of further facade glazing failure through reinstating a street awning is noted, and the management recommendations in the inventory updated to accommodate this advice. The detailed design of an awning to achieve both safety and compatibility with original architectural features can be resolved through the development application process.</p>
F1	GBA Heritage for landowner	<p><u>Excluded buildings</u>            The 1951 Berger House identified in the TKD study as the first lightweight metal and glass curtain wall in Sydney, recommended for listing in the study, was excluded from the planning proposal. The City's further criteria for inclusion in the planning proposal are quoted. Also refers to the Modern Movement characteristics identified in the study report.</p>	<p><u>Excluded buildings</u>            The exclusion of Berger House is acknowledged in the pre-exhibition report, as part of the City's investigation to select buildings for the current planning proposal. All buildings have been impartially assessed using the criteria and process set out in the reports before exhibition. In addition to the study assessment, the City reviewed all study recommended buildings against three additional criteria to establish that their assessed significance can still be reasonably appreciated. The criteria includes buildings having sufficient integrity, comparative value within the local area, and a significance that is maintained in approved or advanced plans. The Modern Movement characteristics from the study historic overview, referenced by this submission, are not criteria for the study assessment or City review. The City review found that the William Bland Centre, together with other accomplished examples of this type and period, met the noted criteria for inclusion in the planning proposal for further review through public exhibition. Council provided its records of the early study identification process and the City's pre-exhibition review to these owners in response to an information request. These document the consistent identification and selection of this building through the TKD study and City review process. Berger House and other excluded examples have not been reviewed further at this stage, as they are not part of the subject planning proposal.</p>

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
F1	GBA Heritage for landowner	<p><u>Study update</u> Council's substitution of the updated heritage study report and inventory is a gross failure of process and procedural fairness. The study and inventory additions state criteria are satisfied and are an attempt by Council to reinforce the validity of the analysis by TKD for the nominated buildings.</p>	<p><u>Study update</u> The March 2019 updates to the study report and inventories were requested by the Department of Planning Industry and Environment before issuing its gateway determination for the public exhibition. The minor updates are for greater clarity and do not alter the proposed listings or add substantive new information. These specify the Heritage Council criteria satisfied based on the previous TKD assessment of significance contained in the inventories first reported to Council on 6 August 2018. The public exhibition is the stage when owners and the community are formally consulted and invited to review and comment on the proposal, based on the approved information. The public exhibition began on 19 August 2019. City staff notified interested landowners about the updates 4 weeks before exhibition, on 22 July 2019, and responded to owner requests and enquiries about the updates. Copies of the updated study report and inventories were provided to owners at the public exhibition stage, as required. The public exhibition was extended beyond the required 28 days to 2 months to ensure owners had the opportunity to review and comment on the proposal, as updated. It is noted that this submission, prepared before the public exhibition, has taken the opportunity provided to highlight and review the updated study and inventory on behalf of the landowner. This submission was also exhibited with the planning proposal.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F1	GBA Heritage for landowner	<p><u>Conclusions</u> On the basis of additional research and renewed heritage assessment findings, this objection recommends the William Bland Centre is deleted from the planning proposal.</p>	<p><u>Conclusions</u> The submitted research has been considered and the building inspected. The GBA submission does not dispute the assessed originality, features or history of this building, and accepts it demonstrates some Modern Movement characteristics. The objection misinterprets the study and planning proposal as limited to specific Modern Movement characteristics from the historical overview in chapter 2 of the study report. These characteristics and study chapter were considered in arriving at the recommendation to list this building, together with further detailed assessment. The GBA threshold of 13 essential defining characteristics would prevent listing the Sydney Opera House as a Modern Movement example. The study and planning proposal recognise the diversity of the Modern Movement, as represented by this and other identified buildings. They do not identify set Modern Movement characteristics or building features as essential or more important than others for listing. Significant characteristics of this building are individually assessed in the inventory, based on the full study process and Heritage Council listing criteria, rather than the movement history or set characteristics. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. This building is assessed as significant for more than Modern Movement features. The submission does not provide substantive new information to overturn the study assessment that the building satisfies at least one Heritage Council listing criteria. The assessed local significance of the building under six criteria is supported for its historic, associations, aesthetic/ technical, research, rarity and representative value. The building therefore warrants listing as a local heritage item. As a result of the post-exhibition City review, it is recommended that the proposed item name for the building including "significant interiors" is revised to specify the "façade wall and fixtures, foyers, lightwells and internal structure." This excludes non-structural tenancy interiors from the listing. The inventory has been updated to reflect this post-exhibition review.</p>
F2	MinterEllison for landowner	<p><b>Oppose.</b> Their firm acts for the Body Corporate Services, representing the owners and residents of the William Bland Centre. Issues outlined below.</p>	<p>Objection noted and issues responded to below.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F2	MinterEllison for landowner	<p><u>Listing justification</u> Clearly and beyond question, this building does not sufficiently exhibit the Modern Movement characteristics identified in the TKD study, or the Heritage Council criteria to warrant listing. Listing is unjustified. MinterEllison engaged Graham Brooks and Associates (GBA) on behalf of the owners to provide expert heritage advice. This heritage report uses the same approach taken in the TKD study and inventory and also took into account additional information revealed during further research and site inspection. Comments and conclusions from the GBA report are quoted.</p>	<p><u>Listing justification</u> The listing is based on the recommendation of an independent heritage study of the Modern Movement in central Sydney and an individual heritage assessment of this building, in accordance with the Heritage Council criteria and supporting Heritage Office guide. The study identifies this building as worthy of local listing. The study concludes the building fulfils 6 Heritage Council criteria for local listing. The building is assessed as significant for more than Modern Movement features or its facade; also including the historical phase, associations and technical features. The GBA submission was included in the exhibition and has been considered in detail above. This accepts the building demonstrates some Modern Movement characteristics. It does not provide substantive new information to overturn the study assessment. The objection misinterprets the study and planning proposal as limited to specific Modern Movement characteristics from the movement historical overview. These characteristics and study chapter were considered in arriving at the recommendation to list this building, together with further detailed assessment. The study and planning proposal recognise the diversity of the Modern Movement, as represented by this and other identified surviving buildings. They do not identify set Modern Movement characteristics or building features as essential or more important than others for listing, as suggested by GBA. Significant characteristics of this building are individually assessed in the inventory, based on the full study process and Heritage Council listing criteria, rather than the movement history or set characteristics. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example.</p>
F2	MinterEllison for landowner	<p><u>Study update and copies</u> A copy of the updated TKD Study, including inventory data sheets, was not exhibited on Council's website, on the Department of Planning &amp; Environment's (DPE) Gateway Proposal webpage, nor was a copy provided to the owners until after the updated reports were identified in the DPE Gateway Determination report and a copy was requested from Council on 22 July.</p>	<p><u>Study update and copies</u> The public exhibition is the stage when owners and the community are formally consulted and invited to review and comment on the proposal, based on the information approved by the Department in its gateway determination, issued on 10 July 2019. The public exhibition began on 19 August 2019. City staff notified interested landowners about the updates 4 weeks before exhibition, on 22 July 2019, and responded to owner requests and enquiries about the updates. Copies of the updated study report and inventories were provided to owners at the public exhibition stage, as required. The public exhibition was extended beyond the required 28 days to 2 months to ensure owners had the opportunity to review and comment on the proposal, as updated. It is noted landowners' heritage assessment highlights and review the updated study and inventory on behalf of the landowner. This assessment was also exhibited with the planning proposal. The March 2019 updates to the study report and inventories were requested by the Department of Planning Industry and Environment before issuing its gateway determination for the public exhibition. The minor updates are for greater clarity and do not alter the proposed listings or add substantive new information.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F2	MinterEllison for landowner	<p><u>Fire order works</u> The William Bland Centre is concerned unnecessary development constraints will seriously compromise the ability to implement and undertake further assessment of works required as part of the fire order. The works for the fire order may severely diminish any potential cultural heritage significance. Also makes reference to commercial operations, noted below.</p>	<p><u>Fire order works</u> Listed buildings can still be upgraded to meet current safety, fire and other building standards. City staff met with owners to discuss these matters, inspected the building, and reviewed the 2016 fire order and landowners' condition reports from Surface Design and GBA. City heritage and fire order specialists have conferred and together inspected the building interiors and constructed fire upgrade works. This City review finds no conflict between the fire safety order and listing for the William Bland Centre. The completed and remaining fire order works have no or minimal impact on significant features, including the building facade, foyers and structure. These fire upgrade works can continue uninterrupted, before and after listing, to improve the building's fire safety. The fire order process considers the impact of works on the significance of heritage items. Alternatives to major demolition or other heritage impacts can be found through this process, using the Building Code of Australia's non-prescriptive performance measures of 'alternate solutions', such as through sprinkler systems. Owners have engaged a fire engineer to develop such a solution. The GBA heritage submission for the owners notes the fire order works, reasonable building condition, and that remaining fire upgrade works include investigating fire engineered alternate solutions and installing fine grained fire stopping measures between floors. The heritage submission does not indicate that the fire order or building condition require substantial demolition or will diminish significance. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F2	MinterEllison for landowner	<p><u>Development and commercial operations</u>            Unnecessary development constraints will seriously compromise the ability to maintain commercially viable operations for the site. Also makes reference to the fire order.</p>	<p><u>Development and commercial operations</u>            Non-structural tenancy interiors are excluded from the revised heritage item listing and the proposal is amended to enable complying development fit-outs of these excluded interiors. As a result, the development process will be unchanged for most commercial fit-outs. Common tenancy fit-outs or minor repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent', without the need for a development application.</p> <p>City staff met with owners to discuss these matters, inspected the building and considered the landowners' submitted reports. Listed buildings can still be repaired, upgraded to meet current standards and developed. Other listed modern office buildings, including Transport House on Macquarie Street and Australia Square, have maintained building standards, operations and their significance. This planning proposal makes no change to the zoning or development standards for the site.</p> <p>Listing as a heritage item recognises the heritage significance of the building and ensures this is considered in future development through the development application or other approval process. A heritage listing does not direct the form of development. The development assessment process for heritage items provides the opportunity to consider and address building and development issues for the individual building circumstances in a way that respects significant building features. The views and issues of owners and their consultants are considered through this process. By providing advance notice of heritage issues before an application is lodged, provides clarity and certainty. The application documents are unchanged because a heritage impact statement is already required for buildings of this age. The fire order issue is responded to above. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award. Owners are encouraged to arrange pre-application meetings with City planners to gain greater certainty about development plans.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F3	Surface Design Pty Ltd for landowner	<p><u>Facade design life, performance and safety</u>            They have reviewed the current performance of the building fabric. Modern buildings have a specified design life of 25 to 50 years. The resource consumption, occupant health, safety and integrity is compromised by the building age, as well as the improved materials and construction methods now used. The building fabric is a low performer when compared to modern NCC/ BCA compliance requirements. The facade glazing complies for strength and deflection BCA standards. It does not meet BCA standards for wind loads, deflection requirements, thermal transmission, solar radiation (overheating). It is unlikely to meet the BCA requirement for air infiltration based on reported noise, not confirmed through testing. Further issues include: public safety from 2 reported failed glazing falls in the last 15 years, possibly related to the fully tempered or toughened glass; and water ingress affecting amenity. The minimal intervention option is to replace facade seals and add sealing to mitigate leakage, with reduced cost and disruption to tenants, to partially addresses key minimum performance requirements, however defects may reoccur. Moderate intervention option is to replace glazing, seals, strengthen frames and add insulation to address most performance issues. Recommend high intervention option for full facade replacement for a frame design life of at least 25-years, uniform appearance, to meet energy, work health and safety requirements.</p>	<p><u>Facade design life, performance and safety</u>            Information noted. All buildings need ongoing maintenance and repair for their continued use. Listed buildings can still be upgraded to meet current building standards. Other listed modern office buildings of this period have maintained building standards, operations and their significance. Current material specifications for design life is not a measure for the lifespan or condition of these building materials from a different era. The report notes further survey is needed to understand the facade longevity.</p> <p>The main identified effect in this report from material failure associated with design life is costly repairs, managed by regular inspection, maintenance and repair. Glass fall is the only safety risk identified by Surface Design, which GBA concludes is low risk, and both recommend mitigating with an awning. The GBA submission notes the building's condition as reasonable. It is noted Surface Design provides an option to address the identified performance issues while retaining the façade, through repair and improved sealing, or alternatively added strengthening, insulation and new glazing.</p> <p>It is most appropriate to consider and address the identified performance issues at the development application stage when a detailed proposal is prepared. The development assessment process for heritage items enables the form of development to be determined in response to the individual building features and circumstances, while also retaining significance. The views and issues of owners and their consultants are considered through this process. Council's development assessment seeks to retain significant fabric where capable of repair and compliance, or otherwise replaced with sympathetic alternatives. For instance, Council approved additional internal sashes to improve thermal and acoustic performance for the listed Transport House, whilst retaining the original façade.</p> <p>Minor repairs can be achieved through the quick low-cost notification process for 'heritage works without consent.' Owners are encouraged to arrange pre-application meetings with City planners to gain greater certainty about development plans and the most streamlined assessment process.</p>
F4	Strata Plan Committee Chairman	<p><b>Oppose.</b> The building should be eliminated as an item of heritage significance in the proposal of the Modern Movement as identified by the City of Sydney Council.</p>	<p>Objection noted and responded to below.</p>



No.	Submitter <sup>1</sup>	Submission summary	Submission response
F4	Strata Plan Committee Chairman	<p><u>Facade issues</u> Refers to Surface Design report on the façade, which identifies problems. The façade has exceeded a design life expectancy according to industry specifications for materials and strength. It has structural and material integrity problems displaying significant deterioration that cannot be repaired. The facade is a safety risk to both the occupants and the public at large. It does not comply with today's minimum standard performance and building codes. The glass does not meet load requirements according to the code with continuing risk of glass failure and public risk. The aluminium framework for the existing façade does not meet minimum strength requirements which has caused buckling in certain areas, which questions the design and longevity of the existing façade. The existing façade was constructed from cheap materials of aluminium and single glazed glass system with poor thermal performance.</p>	<p><u>Facade issues</u> All buildings need ongoing maintenance and repair for their continued use. Listed buildings can still be upgraded to meet current building standards. The Surface Design and GBA reports for landowners on the façade condition and safety issues are considered and responded to in more detail above. Surface Design provides options to address the identified performance issues while retaining the façade. GBA concludes the risk of glass fall is low, and both GBA and Surface Design indicate this risk can be mitigated with an awning. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award.</p> <p>It is most appropriate to consider and address the identified issues at the development application stage when a detailed proposal is prepared. Minor repairs can be achieved through the quick low-cost notification process for 'heritage works without consent.' Owners are encouraged to arrange pre-application meetings with City planners to gain greater certainty about development plans and the most streamlined assessment process.</p>
F4	Strata Plan Committee Chairman	<p><u>Alterations</u> The façade has been altered significantly in an attempt to address water leakage, thermal performance, air infiltration and structural deficiency.</p>	<p><u>Alterations</u> City staff inspected the building and considered the landowners' submitted reports from Surface Design and GBA on the building condition and integrity. The building alterations are acknowledged in the inventory. The building retains its original construction, form, facade, internal configuration, lightwells with steel windows, marble cladding, foundation stone and plaque in the ground floor foyer and some timber joinery in upper level foyers, with minor alterations. This review and inspection confirms the building has a reasonable level of integrity, with some alterations which do not compromise its assessed significance. The building's significance, as assessed by the heritage study, can still be reasonably appreciated.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F4	Strata Plan Committee Chairman	<p><u>Fire order works and safety</u></p> <p>The fire order works are not yet complete. The fire order states this building: "the design of the spandrels at the front of the building may not be of a suitable form of construction to prevent the spread of fire from one floor to floors above, which could result in the rapid spread for fire throughout the building." Fire safety and public safety must override the subjective aesthetic considerations in the City's heritage proposal. All the issues relevant to fire safety must be resolved before any other matters. The heritage proposal is premature. The building is not fine or well-built as proposed by the listing. The owner reports identify defects and call for major remedial works to make the building safe, as supported by the observations in Council's fire order.</p>	<p><u>Fire order works and safety</u></p> <p>The fire upgrade works have progressed since the 2016 fire order. These works are considered in the above response to the MinterEllison submission for the landowners. The fire upgrade works can continue uninterrupted, before and after listing, to improve the building's fire safety.</p> <p>The Surface Design and GBA reports on the façade condition and safety issues are considered and responded to above.</p>
F5	Stephen Nikolovski, Nikolovski Investment Fund Pty Ltd, Lot owner	<p><b>Oppose.</b> As an owner, they respond to the central assertion that the William Bland Centre is significant in the modern movement when considering the other buildings in the list. Notes issues that will be raised in other owner submissions of the fire order, building condition and refurbishment, cost of maintaining the façade, impacts on the ownership group. The building differs to the true modernist, Harry Seidler's work. Seidler's works were forward thinking, high quality materials and spaces, durable, had strong modernist or Bauhaus concepts, allowed natural light, like an artwork. The MLC Centre is a strong example, unlike the William Bland Centre. The William Bland Centre uses a since unused design style by a comparatively unheard-of architect, with thrift, requiring numerous subsequent internal renovations. The design does not display principals or characteristics of the modern movement like the MLC Centre does, is relatively unremarkable, poorly lit and not particularly modernist. In fact, the only real part the building fits the Council objectives is its period, otherwise it may as well be any office tower in the Sydney basin. It is for this central reason that COS should scrap the listing of William Bland Centre Don't put further strain on the owners and remove the heritage listing on the William Bland Centre.</p>	<p>Objection noted. It is acknowledged that this submission represents a current community view about the heritage value of the William Bland Centre. City staff considered all owner and other submissions, including the exhibited GBA heritage submission, met with owners and inspected the building in order to review this proposal. The study identifies this building as worthy of local listing as a city example of the Modern Movement of local heritage significance, based on a survey of more than 110 comparable buildings in central Sydney and further detailed assessment. The William Bland Centre is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. The design, construction and materials are acknowledged in the inventory. The study recognises the diversity of the Modern Movement as represented by this and other identified buildings. Seidler and other architects and buildings of different design and construction are included. The study notes the use of artificial as well as natural lighting. The MLC Centre is assessed as state significant; a higher level of significance than required for local listing. The study does not identify set Modern Movement characteristics or building features as essential or more important than others for listing. Some public submissions also support this listing. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. City staff will continue to assist owners with advice on the development process.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F6	Lot owner	<b>Oppose.</b> Strongly oppose any listing of the William Bland Centre, as a suite and business owner in the building. Reasons outlined below.	Objection noted and responded to below.
F6	Lot owner	<u>Upgrades and development</u> As the contracted plumber of WBC, they have every reason to believe this will impose many unreasonable and costly impositions on any upgrade and development of the building that may be done to improve property values, building safety and amenity. Building concerns include exposed pipes and wires running through the common property. The façade has extensive structural and leakage problems on rainy days. The building is subject to a fire order from the Council of which the final design is yet to be settled and that design may further impact on the building requiring demolition.	<u>Upgrades and development</u> City staff met with owners to discuss these matters, inspected the building and considered the landowners' consultant reports and submissions from Surface Design, GBA and MinterEllison. The upgrade and development of this building is addressed above in the response to the Surface Design and MinterEllison submissions. Listed buildings can still be repaired, upgraded to meet current standards and developed. The reduced listing, excluding non-structural tenancy interiors, and proposed complying development mean the development process will be unchanged for most commercial fit-outs. For development applications, the documents are unchanged because a heritage impact statement is already required for buildings of this age. Minor works or repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent'. Surface Design provides options to address the identified performance issues while retaining the façade. GBA concludes the risk of glass fall is low, and both GBA and Surface Design indicate this risk can be mitigated with an awning. The fire upgrade works can continue uninterrupted, before and after listing, to improve the building's fire safety. Listing this building gives its owners an option to recoup upgrade costs through a heritage floor space award. City staff will continue to assist owners with advice on the development process.
F6	Lot owner	<u>Landowners' heritage assessment</u> Refer to the extensive GBA heritage submission, additional research and findings prepared on behalf of the building proprietors. Urge Council to remove William Bland Centre from the planning proposal.	<u>Landowners' heritage assessment</u> City staff considered all owner and other submissions, including the exhibited GBA heritage submission, met with owners and inspected the building in order to review this proposal. The additional assessment has been addressed in detail above against the submission. The GBA submission does not provide substantive new information to overturn the study assessment. As a result of the post-exhibition City review, the extent of listing has been revised and the inventory updated.
F7	Shweta Arora, Lot owner	<b>Oppose.</b> Strongly object to listing William Bland Centre for the reasons outlined below.	Objection noted and responded to below.

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F7	Shweta Arora, Lot owner	<p><u>Significance</u> It does not meet any of the criteria thresholds and therefore should not be heritage listed. It is not “most significant” for the Modern Movement in NSW, “designed and built to a very high standard”, “outstanding architectural and civic accomplishment” or “exceptional architectural quality”. The original architect used conventional building methods of brick and steel, not the new materials of reinforced concrete, aluminium, internal open design and double glaze glass windows. Therefore, it does not meet the criteria for a modern movement building.</p>	<p><u>Significance</u> The study and planning proposal recognises the diversity of the Modern Movement, as represented by this and other identified buildings. They do not identify set Modern Movement characteristics or building features as essential or more important than others for listing. The quoted comments refer to the Modern Movement period generally, which also includes buildings with greater than local significance required for local listing, such as the world-heritage listed Sydney Opera House. These do not relate to every building and do not set listing requirements. Outstanding or exceptional examples, compared to others in a wider NSW, Australian or international context, would meet the criteria for higher levels of listing than proposed as state, national or world heritage. The parts of the study that relate directly to the assessed significance of this building are the recommended listings and the inventory for this building. These represent the outcome of the full study process, including a survey of more than 110 comparable buildings in the city and further detailed assessment. The study identifies this building as worthy of local listing, fulfilling six Heritage Council criteria. The William Bland Centre is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example.</p>
F7	Shweta Arora, Lot owner	<p><u>Condition and fire order</u> The building has significant structural defects, a facade with extensive leakage problems and a fire order imposed by the same Council department. Listing would significantly delay rectification. As a new owner having completed a recent fit out, they experienced significant delays and financial costs due to the fire order. The final design of the fire order is yet to be determined and the design may require demolition of some aspects that the heritage proposal seeks to preserve. Public safety is of paramount concern for business owners and the general public and must take precedence over the cosmetic appeal of preserving an inappropriate and unworthy building.</p>	<p><u>Condition and fire order</u> City staff met with owners to discuss these matters, inspected the building, reviewed the 2016 fire order and considered the landowners’ consultant reports and submissions from Surface Design, GBA and MinterEllison. Listed buildings can still be repaired, upgraded to meet current standards and developed. The façade condition, safety, fire order and development issues are addressed above in response to the Surface Design, GBA and MinterEllison submissions. Surface Design provides options to address the identified performance issues while retaining the façade. GBA concludes the risk of glass fall is low, and both GBA and Surface Design indicate this risk can be mitigated with an awning. The fire upgrade works can continue uninterrupted, before and after listing, to improve the building's fire safety. Listing this building gives its owners an option to recoup upgrade costs through a heritage floor space award. The reduced listing, excluding non-structural tenancy interiors, and proposed complying development mean the development process will be unchanged for most commercial fit-outs. City staff will continue to assist owners with advice on the development process.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F8	Jane Pistoiese, Lot owner	<b>Oppose.</b> As a lot owner, object for the reasons outlined below.	Objection noted and responded to below.
F8	Jane Pistoiese, Lot owner (23/9/19)	<u>Landowners' heritage submission</u> Please review the GBA heritage submission prepared for the strata committee. This states that "in terms of this objection, the author continues to maintain that the William Bland Centre does not meet any of the criteria thresholds and therefore should not be listed" referencing TKD's final reports, 2018 and 2019. This greatly conflicts with Council's expert report by TKD final report.	<u>Landowners' heritage submission</u> City staff considered all owner and other submissions, including the exhibited GBA heritage submission, met with owners and inspected the building in order to review this proposal. The additional assessment has been addressed in detail above against the submission. The GBA submission does not provide substantive new information to overturn the study assessment. As a result of the post-exhibition City review, the extent of listing has been revised and the inventory updated.

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F8	Jane Pistoiese, Lot owner	<p><u>Significance</u> How can Council say that the William Bland Centre fits Council and TKD's criteria for: "20th Century's Most Significant Modern Movement Buildings", "designed and built to a very high standard", "outstanding architectural and civic accomplishments", and "exceptional architectural quality". The building has none of the defining elements quoted in Council's Reports i.e. "most significant", "designed and built to a very high standard", "outstanding architectural and civic accomplishments" and "exceptional architectural quality".</p>	<p><u>Significance</u> It is acknowledged that this submission represents a current community view about the heritage value of the William Bland Centre. City staff met with owners, inspected the building, and reviewed the study and submissions in order to review this proposal. The study recognises the diversity of the Modern Movement, as represented by this and other identified buildings. It does not identify set Modern Movement characteristics or specific building features as essential or more important than others for listing. The quoted comments refer to the Modern Movement period generally, which also includes buildings with greater than local significance required for local listing, such as the world-heritage listed Sydney Opera House. For instance, the study and Council report note "the Modern Movement produced some of the twentieth century's most significant architecture." The quoted comments do not relate to every building and do not set the requirements or criteria for local listing. The criteria for local listing are set by the Heritage Council. Outstanding or exceptional examples would meet the criteria for higher levels of listing as state, national or world heritage. The parts of the study and proposal that relate directly to the assessed significance of this building are the recommended listings and the inventory. These represent the outcome of the full study process, including a survey of more than 110 comparable buildings in the city and further detailed assessment. The study identifies this building as worthy of local listing, fulfilling six Heritage Council listing criteria. The William Bland Centre is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. The building's construction and materials are acknowledged in the inventory. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F8	Jane Pistoiese, Lot owner	<p><u>Listing assessment and excluded buildings</u>            Under TKD's final report of January 2018, the WBC would not be listed and the removal of Berger House, Christie Centre, Domain Parking Station, Standard Chartered House and the Supreme Court Hospital Road Court Complex without being subject to any of the 7 heritage assessment criteria demonstrates that it is a selective process not based on merit. It needs to be explained to the lot owners of the William Bland Centre how Council removed 5 buildings from the heritage list. These buildings were never subjected to the 7 NSW heritage assessment criteria to allow them to be removed. How could they have failed to meet any of the criteria if they were not applied to these said 5 buildings to determine whether they were suitable for listing. The William Bland Centre only needs to meet 1 criteria.</p>	<p><u>Listing assessment and excluded buildings</u>            All buildings have been impartially assessed using the criteria and process set out in the Council reports before exhibition. The study identifies this building as worthy of local listing for the criteria and qualities outlined above. Before exhibition, for inclusion in the planning proposal, the City reviewed all study recommended buildings against three additional criteria to establish that their assessed significance could still be reasonably appreciated. The criteria includes buildings having sufficient integrity, comparative value within the local area, and a significance that is maintained in approved or advanced plans. The City pre-exhibition review found that this building met these additional criteria, together with other accomplished examples of its type and period, whereas the 5 excluded buildings did not. Council provided its records of the early study identification process and the City's pre-exhibition review to these owners in response to an information request. These document the consistent identification and selection of this building through the TKD study and City review process. The proposal has been reviewed again following exhibition.</p>
F8	Jane Pistoiese, Lot owner	<p><u>Architect</u>            How can you list on the basis of the architect when there is no supporting documentation that Hans Peter Oser formed part of the history of modernist architecture in Sydney. The William Bland Centre and its architect are not associated with the Modern Movement. Council's assessment only states he is Austrian and successful, not significant. A reference by Rebecca Hawcroft from Godden Mackay Logan titled "Migrant Architects Practicing Modern Architecture in Sydney, 1930-1960" is quoted as "Despite their sustained success and continual presence in the press the firm Oser and Fombertaux are not mentioned in any history of modernist architecture in Australia."</p>	<p><u>Architect</u>            The documentation to support the listing is the heritage study and inventory. The inventory highlights notable buildings designed by Oser in Sydney during this era. These and the subject building demonstrate Oser was a practicing architect of the Modern Movement. The quoted Hawcroft article identifies Oser as a migrant architect in Sydney and continues "competent practitioners of modernist architecture, like many of the migrant architects, they have slipped from view in the reflections of the growth of modernism in Sydney in the post war period." Hawcroft concludes "This architecture is 'un-loved' in that it is largely unknown, un-listed and generally absent from histories...it is important to acknowledge that there were a great many architects with authentic European modernist architectural training active within Sydney designing, commentating and contributing to the development of modern architecture in the post war period." This listing proposal seeks to do so. The GBA heritage submission for landowners acknowledges this building demonstrates some Modern Movement characteristics. Docomomo Australia, an advising organisation to UNESCO on modern architectural heritage, rejects the GBA statement that Oser is "not regarded as one of the important Modern Movement architects in post war Sydney." The Heritage Council and Docomomo Australia submissions recognise this building by Oser as a Modern Movement example.</p>

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
F8	Jane Pistoiese, Lot owner	<p><u>Building period, height and comparisons</u>            The Development Application was lodged in 1956 before the 1957 ACT which enabled the Modern Movement and it is widely acknowledged that “it was adopted by Australian architects during the 1960s” quoted from another reference. The William Bland Centre cannot be in the same category as the MLC, Masonic Centre, Town Hall House, St Julian’s Church, nor the Former County Council with their large stand-alone concrete structures.</p>	<p><u>Building period, height and comparisons</u>            The study and planning proposal do not restrict significant examples to buildings constructed after the 1957 Act, taller than 150 feet or concrete construction. These are only some significant historic phases identified in this study from 1945. The study does not indicate that this Act enabled the Modern Movement which began before 1957. The study recognises the diversity of the Modern Movement, as represented by this and other identified buildings. It does not identify set Modern Movement characteristics or specific building features as essential or more important than others for listing. Instead, significant characteristics of this building are individually assessed in the inventory. The study identifies this building as worthy of local listing as a city example of the Modern Movement of local heritage significance. The building period, height and construction are acknowledged in the study inventory for the building. These aspects contribute to the building's significance as one of a small extant group of distinct low-scale post-war offices in the city centre. A similar building of this scale, style and period in the local area is listed as state significant; the 1960 Liner House on Bridge Street. The study and planning proposal include other low-scale curtain wall buildings of this period including Liverpool &amp; London &amp; Globe and Horwitz House.</p>
F8	Jane Pistoiese, Lot owner	<p><u>Study update notification</u>            Owners were not advised that the final report of January 2018 and Council’s Inventory dated the 10 May 2018 have both been updated as required. Is Council suggesting that it is the owner’s responsibility to know that TKD revised their final issue again in March 2019 when, I understand, that final means final. They have only been directed to the website.</p>	<p><u>Study update notification</u>            This matter is considered and responded to above in the response to the MinterEllison and GBA submissions for landowners. Copies of the study report and inventories were provided to owners at the public exhibition stage, as required, through the City website and One Stop Shop, and interested landowners notified 4 weeks prior. The exhibition was extended to 2 months to ensure owners had the opportunity to review and comment on the proposal, as updated. The GBA heritage assessment reviews the updated study and inventory on behalf of the landowner and was included in the public exhibition.</p>

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
F8	Jane Pistoiese, Lot owner	<p><u>Study and inventory update</u>            The Department's requested amendment confirms that the TKD January 2018 final report was lacking substance and was inconclusive. Council and TKD's "cut and paste" from the inventory and added generalised comments did not enhance the material to justify listing the William Bland Centre. Inserting "meets this criterion at a local level" has misled those who are approving this listing. The added comment in the study report of "Most evident in extant original external and internal fabric" is generalised with no additional assessment or research. To subsequently add to the inventory that it "meets this criterion at a local level" is unfair. Identifies a contradictory statement in the inventory for social significance. This document been manipulated to suit Council's agenda and does not rely on further research. Quotes the GBA heritage submission that "The substitution of the key reference documents...can be regarded as a gross failure of process and procedural fairness".</p>	<p><u>Study and inventory update</u>            This matter is considered and responded to above in the response to the MinterEllison and GBA submissions for landowners. The March 2019 updates were requested by the Department of Planning Industry and Environment for greater clarity and do not alter the proposed listings or add substantive new information. The study report and inventories were exhibited in August-October 2019 for public comments, based on the final versions approved in the Department's Gateway determination of July 2019.</p> <p>The updates specify the Heritage Council criteria satisfied based on the previous TKD assessment of significance contained in the inventories first reported to Council on 6 August 2018 and approved by Council and Central Sydney Planning Committee in October 2018. The research for this study assessment was completed by January 2018. The identified inconsistency in the inventory for social significance has been corrected to match the report conclusion and statement of significance in the inventory.</p>
F8	Jane Pistoiese, Lot owner	<p><u>Gateway determination report exhibition</u>            The Gateway determination report was not put online. How can Council not regard this "as the full supporting documents" which required it to be placed online as requested by the DPIE.</p>	<p><u>Gateway determination report exhibition</u>            The Department's Gateway determination letter and other information for Council's planning proposal were included in the Council's public exhibition as required. The Gateway assessment report does not form part of Council's planning proposal or supporting justification. The Department placed its Gateway assessment report on the its own website. City staff gave owners links to the Department's website to access this information on request.</p>

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
F8	Jane Pistolese, Lot owner	<p><u>Significant interiors inclusion</u>            "Significant interiors" were never included and she first detected it in the Gateway determination report. Council advised that the words "significant interiors" is in the planning proposal table and not the text. How would she have known to look in the table and not the text? There has been no formal notification to the owners that "significant interiors" are included in the proposed listing. There is no supporting documentation to support the proposition that "significant interiors" should be included in the listing. The GBA heritage submission does not reference "significant interiors" because it was not in the TKD final report of January 2018 or final report of March 2019, and only placed in the table of Council's planning proposal.</p>	<p><u>Significant interiors inclusion</u>            The inclusion of interiors is described in the pre-exhibition reports to Council and Central Sydney Planning Committee of August and October 2018, in the planning proposal and inventory. The planning proposal and inventory were exhibited for comment. The listing of interiors is described in the body of the reports, planning proposal and inventory, as well as the planning proposal table. In August 2018, Council's notification letter to landowners highlights that the planning proposal identifies significant components in the item name and that these will be reviewed through the next planning proposal stages. City staff inspected the building interiors with landowners, met with landowners to discuss the listing and answer questions and considered all submissions. As a result of the post-exhibition City review, it is recommended that the proposed item name for the building including "significant interiors" is revised to specify the "façade wall and fixtures, foyers, lightwells and internal structure." This excludes non-structural tenancy interiors from the listing. The inventory has been updated to reflect this post-exhibition review.</p>
F8	Jane Pistolese, Lot owner	<p><u>Inventory comprehensiveness</u>            The inventory states "Heritage Inventory sheets are often not comprehensive and should be regarded as a general guide only" and yet Council, TKD and the DPIE found them acceptable to enhance the TKD final report January 2018 to allow this building to meet the criterion at a local level.</p>	<p><u>Inventory comprehensiveness</u>            The inventory is non-statutory and provides the assessment of significance of buildings in accordance with the Heritage Council criteria and supporting Heritage Office guide to support the listing proposal. The heritage inventories can continue to be updated, before or after listing, as new information becomes available, such as through completion of a conservation management plan. The quoted standard comment is included in all inventories. It also states that inventory sheets continue to be updated and that further research is recommended as part of the preparation of development proposals so that the significance of heritage items can be fully assessed prior to submitting development applications.</p>
F8	Jane Pistolese, Lot owner	<p><u>Building photographs</u>            Object to the photographs of the William Bland Centre as enhanced with colour not representing the true and natural visual appearance of the building.</p>	<p><u>Building photographs</u>            Objection noted. The photographs included in the inventory and Council reports are as true and clear an illustration of the building as possible and, to City staff knowledge, have not been recoloured.</p>

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
F8	Jane Pistoiese, Lot owner	<p><u>Building condition</u>  Quotes extracts of the TKD study report on building construction difficulties for Modern Movement buildings. The deteriorating façade with 2 panes of glass falling out of the aluminium frames, difficulty in sourcing the glass for the windows, weathering and staining on the façade's surfaces and the building is not earthquake safe has put this building into TKD's assessment that "Difficulties arise in various areas" and this comment needs to be recognised by Council. The rain in Sydney during the week of the 16th to 19th of September 2019, caused significant water leakage problems with our façade.</p>	<p><u>Building condition</u>  City staff met with owners to discuss these matters, inspected the building, and considered the landowners' submitted condition reports from Surface Design and GBA. The façade condition and safety issues are considered above in response to these submissions. Listed buildings can still be repaired and upgraded to meet current building standards. Surface Design provides options to address the identified performance issues while retaining the façade. GBA concludes the risk of glass fall is low, and both GBA and Surface Design indicate this risk can be mitigated with an awning. The study notes modern listed buildings are now undertaking conservation works and careful refurbishment, including Qantas House where the facade was drained and resealed rather than replaced. It is most appropriate to consider and address the identified performance issues at the development application stage when a detailed proposal is prepared. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award. Minor repairs can be achieved through the quick low-cost notification process for 'heritage works without consent.' City staff will continue to assist owners with advice on the development process.</p>
F8	Jane Pistoiese, Lot owner	<p><u>Fire order</u>  There are 70 owners in our Strata Plan who are dealing at the same time with a fire order imposed on the building and this additional heritage listing proposal has placed an enormous strain on the strata committee and lot owners. Has Council considered the implications of a fire order and heritage listing for the owners of the William Bland Centre?</p>	<p><u>Fire order</u>  The fire upgrade works are considered and addressed in more detail in the above response to the MinterEllison submission for the landowners. The fire upgrade works can continue uninterrupted, before and after listing, to improve the building's fire safety.</p>
F9	Anthony Pistoiese, Lot owner	<p><b>Oppose.</b> As a lot owner, object for the reasons outlined below. The William Bland Centre should be rejected from heritage listing and deleted from the planning proposal.</p>	<p>Objection noted and responded to below.</p>

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
F9	Anthony Pistoiese, Lot owner	<p><u>Landowners' heritage submission</u></p> <p>There is insufficient evidence that the WBC demonstrates a fine example of the architectural style representative of the Modern Movement studied for Central Sydney.</p> <p>The TKD heritage study and landowners' heritage submission from GBA demonstrate widely opposing assessments, which cannot be ignored and requires further independent investigation. The whole premise that the WBC is worthy of heritage listing and represents a fine example of the Modern Movement should be rejected. GBA's submission is well investigated and independent, which opposes the heritage listing on all 7 criteria of significance.</p>	<p><u>Landowners' heritage submission</u></p> <p>The GBA heritage assessment for landowners was exhibited with the planning proposal and is considered in detail above. The GBA assessment does not present substantive new information to overturn the study assessment. The study identifies this building as worthy of local listing, fulfilling 6 Heritage Council listing criteria. It is acknowledged that this submission represents a current community view about the heritage value of this building. Some public submissions also support this listing. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. As a result of the post-exhibition City review, the listing has been revised and inventory updated.</p>
F9	Anthony Pistoiese, Lot owner	<p><u>Further review</u></p> <p>In the real estate article by Sue Williams on 13 September 2019, John Oultram stated that where there were conflicting heritage reports, the council might opt to have the reports peer reviewed or bring in other experts to find the balance. In the same article Andrew Woodhouse stated Council should now set aside the proposals with objections to undertake further analysis based on the new evidence. Good heritage planning requires certainty, consistency and clarity.</p>	<p><u>Further review</u></p> <p>Planning controls, including heritage listings, are updated over time to respond to emerging information, community expectations to conserve heritage and for orderly development. The proposed listing has been assessed, exhibited and rigorously reviewed. This building is identified for listing based on an independent heritage study and individual heritage assessment, in accordance with the Heritage Council criteria and Heritage Office guide. City staff reviewed this study assessment before including the building in the planning proposal in 2018, as well as after the public exhibition of 2019. Council's consultation and exhibition for this planning proposal complies with and in some cases exceeds the statutory and Departmental requirements, including consultation before exhibition and an extended exhibition period of 2 months to ensure owners had the opportunity to comment. Council included the owners' heritage submission in the public exhibition. City staff considered all owner and other submissions, including the GBA heritage submission, met with owners and inspected the building in order to review this proposal following public exhibition. Submissions have also been received in support of listing. As a result of the post-exhibition City review, the listing has been revised and inventory updated. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. Listing provides certainty by recognising the assessed heritage significance of buildings, alerting owners that heritage is a consideration ahead of a development application and giving owners access to conservation incentives.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F9	Anthony Pistoiese, Lot owner	<p><u>Study and inventory update</u>  DPIE state in the Gateway determination report that TKD “finalised the comprehensive heritage study in 2018” so there was no need for further revision. The update was needed to strengthen its argument. The updated report inserts a table for how the 9 proposed items meet the NSW Heritage assessment criteria and excludes the previous chronology appendix. Why was it necessary to alter the inventories when produced according to Government application protocol? Quotes the GBA submission that this is a “gross failure of process and procedural fairness on the part of Council” and heritage listing the WBC should be rejected. The March 2019 study report refers to the planning proposal when it is Council's responsibility to publish the planning proposal rather than TKD. It appears Council's planning proposal of August 2018 had pre-determined the 9 items it wanted before the TKD report update of March 2019.</p>	<p><u>Study and inventory update</u>  This matter is considered and responded to above in the response to the MinterEllison and GBA submissions for landowners. The final study report and supporting inventories exhibited in August-October 2019 for public comment were the final versions approved as part of the Department of Planning Industry and Environment's Gateway determination in July 2019.</p> <p>The March 2019 updates to the study report and inventories were requested by the Department, as noted in the study report, before the Department issued its Gateway determination for exhibition of the planning proposal. The minor updates are for greater clarity and do not alter the proposed listings or add substantive new information. The updates specify the Heritage Council criteria satisfied based on the previous TKD assessment of significance contained in the inventories first reported to Council on 6 August 2018.</p> <p>The study update refers to the planning proposal because the planning proposal was approved by Council and Central Sydney Planning Committee the previous year and is the reason for the update. The chronology appendix is retained in Council's records.</p>
F9	Anthony Pistoiese, Lot owner	<p><u>Updated inventory assessment</u>  The inventory states the building meets 6 criteria when previously it was assessed as having 'some' historic significance. This is a pure fabrication of evidence. This assertion of some historical significance is questionable and refuted in GBA's assessment. Upscaling the assessment of “some historical significance” to satisfying six of the Heritage Council criteria in the following version of the inventory. This is manifestly unfair and dishonest.</p>	<p><u>Updated inventory assessment</u>  The assessment finding that this building meets 6 Heritage Council criteria for local listing, including some historic significance, is unchanged in the update. The update specifies the Heritage Council criteria satisfied based on the previous TKD assessment of significance. The reason given for its historic significance is unchanged for "its intermittent and then continuous association with the medical profession and provides evidence of the importance of the locality to the profession because of its proximity to Sydney Hospital". The GBA submission for the landowner has been considered, as noted above.</p>
F9	Anthony Pistoiese, Lot owner	<p><u>Study versions</u>  A 'final' version of the report in 2014 is not publicly available to see changes made between in the final issues of January 2018 and March 2019. When a final report issue can be revised several times, it raises suspicion these are being unfairly manipulated. The reports from TKD and the Council have been revised and altered several times so that the 9 listed items could meet the heritage significance criteria that it demonstrates an unfair and unjust process. The TKD study cannot be accepted as an objective assessment of the William Bland Centre.</p>	<p><u>Study versions</u>  The study was reported to Council and made public in August 2018 as soon as possible after its completion in January 2018. Earlier drafts, described by various names, were part of the process of preparation of this study from 2013 and have no status before its completion and report to Council. Council provided its records of the early study identification process, including the 2014 draft, and the City's pre-exhibition review to these landowners in response to an information request. These document the consistent identification and selection of this building through the TKD study and City review process. The subsequent March 2019 update of the study at the request of the Department is addressed above.</p>

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
F9	Anthony Pistoiese, Lot owner	<p><u>Listing assessment and excluded buildings</u>  This selection process is totally unfair, subjective and unacceptable. The 14 study inventories were not made public. For the 5 items that were excluded, supposedly because they did not meet the threshold, their inventories of assessment should have been made available to the public to assess the basis for rejection. Council including or excluding items for heritage listing without providing a detailed explanation of their assessment for the item through heritage inventories is unfair and unacceptable. It is not good enough to state that “the other five items do not form part of the planning proposal”. This omission is a gross failure of process and procedural fairness.</p> <p>They do not know the basis for Berger House, completed in 1955 and a fine example. The Supreme Court Hospital Road Court complex was excluded even though designed in 1956 and opened by Premier Cahill. The study is intended to guide development so that these are appropriately managed and protected. TKD note 3 other similar buildings to on Macquarie Street, including Park House, with medical profession associations, which should have equal historical significance, but are not nominated.</p>	<p><u>Listing assessment and excluded buildings</u>  All buildings have been impartially assessed using the criteria and process set out in the Council reports before exhibition. The study identifies this building as worthy of local listing for the criteria and qualities outlined above, following a survey of more than 110 comparable buildings.</p> <p>Before exhibition, for inclusion in the planning proposal, the City reviewed all study recommended buildings against 3 additional criteria to establish that their assessed significance could still be reasonably appreciated. The additional criteria included buildings having sufficient integrity, comparative value within the local area, and a significance that is maintained in approved or advanced plans. The City pre-exhibition review found that the William Bland Centre met these additional criteria, together with other accomplished examples of its type and period, whereas Berger House and 4 other excluded buildings did not. The excluded buildings have not been reviewed further at this stage, as they are not part of the approved planning proposal on public exhibition. The proposal has been reviewed again following exhibition.</p> <p>The inventories for the 9 buildings and artworks proposed for listing were included in the public exhibition. The other inventories are retained in Council records. Council provided its records of the early study identification process and the City's pre-exhibition review to these landowners, including the Berger House inventory, in response to an information request.</p>

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F9	Anthony Pistoiese, Lot owner	<p><u>Information access</u></p> <p>The availability and transparency of documents to the public should be paramount. The Gateway determination from the Department required all effected landowners to be provided with a copy of the planning proposal and supporting documents. They further recommended that heritage assessments of the landowners be additionally exhibited with the planning proposal to ensure that their views are considered by public authorities, the community and council. The DPIE believed that “the proposal is expecting likely to raise concern from landowners subject to the proposed listing”. Can Council confirm it complied with consultation requirements of the Gateway determination. If supporting documents of heritage inventories for 5 excluded items are not made available, how can the effected landowners of the 9 listed items be treated fairly and have confidence in selection process carried out by Council which should be unbiased in its decision.</p>	<p><u>Information access</u></p> <p>The information for Council's planning proposal was exhibited for public review and comment in 2019, as approved by Council, Central Sydney Planning Committee and the Department of Planning Industry and Environment's gateway determination. This includes Council's final planning proposal, study report and inventories for the 9 proposed heritage items. It does not include inventories for excluded buildings because these do not form part of the planning proposal on exhibition. Council's consultation and exhibition for this planning proposal complies with and in some cases exceeds the statutory and Departmental requirements, including consultation before exhibition and an extended submission period of 2 months. The landowners' heritage assessment was included in the public exhibition. City staff considered all landowner and other submissions, including the GBA heritage submission.</p> <p>The inventories for excluded buildings are retained in Council records. Council provided its records of the early study identification process and the City's pre-exhibition review to these landowners, in response to an information access request.</p>
F9	Anthony Pistoiese, Lot owner	<p><u>Building period, height and comparisons</u></p> <p>William Bland Centre is not part of one of the most significant events in Central Sydney during the 1950's as part of the Modern Movement, the abolition of the 1912 height limit of 45.72 metres in 1957. Unilever House completed in 1958 was regarded as “Sydney's first major curtain walled office block as well as its most visually pure example”. The building does not demonstrate strong elements of the Modern Movement which predominantly occurred in the 1960s, several years after the William Bland Centre. It is not a fine example of the Modern Movement built to a very high standard. It was built at a period during the second half of the 1950's when, as TKD notes “Office buildings and retail construction priced residential buildings out of Central Sydney for many years because they offered better investment returns”. Sydney's emergence as a financial centre pushed up demand for all office space.</p>	<p><u>Building period, height and comparisons</u></p> <p>The study and planning proposal do not restrict significant examples to buildings constructed after the 1957 Act or taller than 150 feet. These are only some significant historic phases identified in this study from 1945. The Modern Movement began before the 1960s. The study recognises the diversity of the Modern Movement, as represented by this and other identified buildings. It does not identify set Modern Movement characteristics or specific building features as essential or more important than others for listing. The study identifies this building as worthy of local listing as a city example of the Modern Movement of local heritage significance. The building period and height are acknowledged in the study inventory for the building. These aspects contribute to the building's significance as one of a small extant group of distinct low-scale post-war offices in the city centre. Unilever House on Macquarie Street no longer forms part of this group as it has been demolished. A similar building of this scale, style and period in the local area is listed as state significant; the 1960 Liner House on Bridge Street. The study and planning proposal include other low-scale curtain wall buildings of this period including Liverpool &amp; London &amp; Globe and Horwitz House.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F9	Anthony Pistolese, Lot owner	<p><u>Architect</u> Evidence is lacking that the architect, Hans Peter Oser, was prominent in the Modern Movement of Central Sydney in commercial office buildings. He died in 1967 at a time when the Modern Movement was at the peak of its expression.</p>	<p><u>Architect</u> The documentation to support the listing is the heritage study and inventory. The inventory highlights notable buildings designed by Oser in Sydney during this era. These and the subject building demonstrate Oser was a practicing architect of the Modern Movement. The Modern Movement began before the 1960s. Other submissions highlight that Oser and this building are featured in an article on migrant Modern architecture by Rebecca Hawcroft and in the 2018 Museum of Sydney exhibition. The GBA heritage submission for landowners acknowledges that this building demonstrates some Modern Movement characteristics. Docomomo Australia, an advising organisation to UNESCO on modern architectural heritage, rejects the GBA statement that Oser is “not regarded as one of the important Modern Movement architects in post war Sydney.” The Heritage Council and Docomomo Australia submissions recognise this building by Oser as a Modern Movement example.</p>
F9	Anthony Pistolese, Lot owner	<p><u>Building alterations</u> The building has undergone considerable renovations to the fabric and style since its construction both internally and externally. The foyer has been renovated and modernised from its original design years ago.</p>	<p><u>Building alterations</u> City staff inspected the building and considered the landowners' submitted reports from Surface Design and GBA on building alterations and integrity. The building alterations are acknowledged in the inventory. The building retains its original construction, form, facade, internal configuration, lightwells with steel windows, marble cladding, foundation stone and plaque in the ground floor foyer and some timber joinery in upper level foyers, with minor alterations. This review and inspection confirms the building has a reasonable level of integrity, with some alterations which do not compromise its assessed significance. The building's significance, as assessed by the heritage study, can still be reasonably appreciated. The listing has been revised to exclude non-structural tenancy interiors.</p>
F9	Anthony Pistolese, Lot owner	<p><u>Fire order works</u> Works are underway for the fire order upgrade. Many conditions, in particular fire stopping, stair pressurization, electrical upgrading, lift upgrading, water tanks upgrading, air conditioning vents sealed, fire alarm monitoring, fire hydrant upgrading and façade repairing are forcing necessary structural changes, altering the building design. Works to the slabs and fire stopping structural columns are a great cost. Many works have altered the interiors. To list the façade, significant interiors and concrete slab will pose problems for compliance with the order and burden owners with high levies. Listing on top of the fire order disregards the necessary changes and the considerable economic hardships to 70 owners and occupants.</p>	<p><u>Fire order works and costs</u> City staff met with owners to discuss these matters, inspected the building, reviewed the 2016 fire order and considered the landowners' consultant reports. The fire upgrade works are considered and addressed in more detail in the above response to the MinterEllison submission for the landowners. The fire upgrade works can continue uninterrupted, before and after listing, to improve the building's fire safety. The listing for interiors has been revised to exclude non-structural tenancy interiors. There are no direct cost or works required because of listing. Listing as a heritage item recognises the heritage significance of the building and ensures this is considered in future development through the development application or other approval process. For development applications, the required documents are unchanged as a heritage impact statement is already required because of the building age. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award.</p>



No.	Submitter <sup>1</sup>	Submission summary	Submission response
F9	Anthony Pistoiese, Lot owner	<p><u>Building condition</u> The building is energy inefficient due to single glazing and the poor quality of the aluminium framing. It is also east-facing with the early morning heat problem. The façade leaks considerably on rainy days and glass panels have fallen out of their frames onto the Macquarie street pavement. This is a serious danger to the public.</p>	<p><u>Building condition</u> City staff met with owners to discuss these matters, inspected the building, and considered the landowners' submitted condition reports from Surface Design and GBA. The façade condition and safety issues are considered above in response to these submissions. Surface Design provides options to address the identified performance issues while retaining the façade. GBA concludes the risk of glass fall is low, and both GBA and Surface Design indicate this risk can be mitigated with an awning. It is most appropriate to consider and address the identified issues at the development application stage when a detailed proposal is prepared. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award. Minor repairs can be achieved through the quick low-cost notification process for 'heritage works without consent.' City staff will continue to assist owners with advice on the development process.</p>
F10	Peter Sorras, Lot owner	<p><b>Oppose.</b> This building does not meet any of the criteria thresholds, whether it's architecture, façade or initial building materials used. It is totally illogical to heritage list this building.</p>	<p>Objection noted. It is acknowledged that this submission represents a current community view about the heritage value of the William Bland Centre. City staff considered all owner and other submissions, including the exhibited GBA heritage submission, met with owners and inspected the building in order to review this proposal. The study identifies this building as worthy of local listing as a city example of the Modern Movement of local heritage significance, based on a survey of more than 110 comparable buildings in central Sydney and further detailed assessment. The study concludes the building fulfils 6 Heritage Council criteria for local listing. The William Bland Centre is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. Some public submissions also support this listing. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. As a result of the post-exhibition City review, the listing has been revised and inventory updated.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F11	Anthony Peters, Peter Superfund Co, Lot owner	<p><b>Oppose.</b> As an owner and occupier of a lot in the building and owner of two other beautiful heritage properties in Surry Hills and Ultimo, they strongly object to the proposed heritage listing. They request Council revisit the selection criteria as the building has zero character, no cultural significance other than its named after William Bland and needs to be modernised rather than preserved. I'll leave it to your professionals to make the final call however, with respect, initially thought it was some type of mistake. Thank you for the avenue for providing feedback. Best of luck with the process moving forward. Council does a lot of good work in keeping Sydney beautiful.</p>	<p>Objection noted. It is acknowledged that this submission represents a current community view about the heritage value of this building. The study identifies this building as worthy of local listing as a city example of the Modern Movement of local heritage significance, based on a survey of more than 110 comparable buildings in central Sydney and further detailed assessment. The study concludes the building fulfils 6 Heritage Council criteria for local listing. The William Bland Centre is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. The study recognises the diversity of the Modern Movement, as represented by this and other identified buildings. Some public submissions also support this listing. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. As a result of the post-exhibition City review, the listing has been revised and inventory updated.</p>
F12	Diana Vandeppeer, Lot owner	<p><b>Oppose.</b> Strongly reject this proposal for heritage listing for the reasons below.</p>	<p>Objection noted and responded to below.</p>
F12	Diana Vandeppeer, Lot owner	<p><u>Significance</u> This building exhibits no significant value of architectural importance related to this time of the Modern Movement. This was extremely well covered and explained in the report by GBA Heritage report, engaged by the William Bland Centre Strata Committee. This completely contradicts the report by the Councils consultant TKD Architects.</p>	<p><u>Significance</u> The GBA heritage assessment for landowners was exhibited with the planning proposal and is considered in detail above. The GBA assessment does not present substantive new information to overturn the study assessment. The study identifies this building as worthy of local listing, fulfilling 6 Heritage Council listing criteria. The building is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. It is acknowledged that this submission represents a current community view about the heritage value of this building. Some public submissions also support this listing. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. As a result of the post-exhibition City review, the listing has been revised and inventory updated.</p>

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
F12	Diana Vandepier, Lot owner	<u>Justice</u> If this listing proceeds it will be a complete injustice for absolutely no architectural significance relating to this period.	<u>Justice</u> Planning controls, including heritage listings, are updated over time to respond to emerging information, community expectations to conserve heritage and for orderly development. The proposed listing has been assessed, exhibited and rigorously reviewed. This building is identified for listing based on an independent heritage study and individual heritage assessment, in accordance with the Heritage Council criteria and Heritage Office guide. Council's consultation and exhibition for this planning proposal complies with and in some cases exceeds the statutory and Departmental requirements, including consultation before exhibition and an extended exhibition period of 2 months to ensure owners had the opportunity to comment. Council included the owners' heritage submission in the exhibition. City staff considered all owner and other submissions, including the GBA heritage submission, met with owners and inspected the building in order to review this proposal following public exhibition. Submissions have also been received in support of listing. As a result of the post-exhibition City review, the listing has been revised and inventory updated. Listing provides certainty by recognising the assessed heritage significance of buildings, alerting owners that heritage is a consideration ahead of a development application and giving owners access to conservation incentives.

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F12	Diana Vandeppeer, Lot owner	<p><u>Costs</u> If this listing proceeds it will be an added financial burden to all lot owners for absolutely no architectural significance relating to this period.</p>	<p><u>Costs</u> There are no direct costs or works required because of listing. All buildings need ongoing maintenance and repair for their continued use. Listing as a heritage item recognises the heritage significance of the building and ensures this is considered in future development through the development application or other approval process. A heritage listing does not direct the form of development or conservation. By providing advance notice of heritage issues before an application is lodged, listing can reduce the cost and assessment time for an application. The application documents are unchanged because a heritage impact statement is already required for buildings of this age. The reduced listing, excluding non-structural tenancy interiors, and proposed complying development mean the development process will be unchanged for most commercial fit-outs. Minor works or repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent'. The fire safety upgrade works for this building can continue uninterrupted. Retention and repair can be less disruptive and costly than demolition and replacement. For instance, the Surface Design report for landowners recommends sealing and repairs as the option of lowest cost and disruption to improve the façade performance. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award. Other potential savings from listing include reduced land taxes through a heritage valuation from the NSW Valuer General and waving the usual development contributions levy for adaptive re-use. Owners are encouraged to arrange pre-application meetings with City planners to minimise costs and for greater certainty about development plans.</p>
F13	Gregory Vandeppeer, Lot owner	<p><b>Oppose.</b> As an owner, oppose the heritage listing for the reasons below.</p>	<p>Objection noted and responded to below.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F13	Gregory Vandeppeer, Lot owner	<p><u>Significance</u> After reading the heritage report by GBA, commissioned by our Strata Committee to evaluate the heritage proposal, he completely agrees with their findings and conclusions that the building does not meet any of the criteria for defining the Modern Movement characteristics.</p>	<p><u>Significance</u> The GBA heritage assessment for landowners was exhibited with the planning proposal and is considered in detail above. The GBA assessment does not present substantive new information to overturn the study assessment. The study identifies this building as worthy of local listing, fulfilling 6 Heritage Council listing criteria. The building is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. It is acknowledged that this submission represents a current community view about the heritage value of this building. Some public submissions also support this listing. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. As a result of the post-exhibition City review, the listing has been revised and inventory updated.</p>
F13	Gregory Vandeppeer, Lot owner	<p><u>Fire order works</u> Disturbed about what impact and cost heritage listing will have on the completion of this fire order, which is yet to be settled.</p>	<p><u>Fire order works</u> City staff met with owners to discuss these matters, inspected the building, reviewed the 2016 fire order and considered the landowners' consultant reports. The fire upgrade works are considered and addressed in more detail in the above response to the MinterEllison submission for the landowners. The fire upgrade works can continue uninterrupted, before and after listing, to improve the building's fire safety. There are no direct cost or works required because of listing. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award.</p>
F13	Gregory Vandeppeer, Lot owner	<p><u>Façade condition</u> The condition of the glass façade, during rainy days, allows water to penetrate into the suites. This will have to be remedied in the future, but at what complications and extra costs if there is a heritage listing in place.</p>	<p><u>Façade condition</u> City staff met with owners to discuss these matters, inspected the building, and considered the landowners' submitted condition reports from Surface Design and GBA. The façade condition and safety issues are considered above in response to these submissions. Surface Design provides options to address the identified performance issues while retaining the façade. GBA concludes the risk of glass fall is low, and both GBA and Surface Design indicate this risk can be mitigated with an awning. It is most appropriate to consider and address the identified issues at the development application stage when a detailed proposal is prepared. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award. Minor repairs can be achieved through the quick low-cost notification process for 'heritage works without consent.' City staff will continue to assist owners with advice on the development process.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F13	Gregory Vandeppeer, Lot owner	<p><u>Interiors</u> Concerned with the potential heritage listing of the wording "significant interiors". What does this imply and what impact does this have on refurbishing suites?</p>	<p><u>Interiors</u> Non-structural tenancy interiors are excluded from the revised heritage item listing and the proposal is amended to enable complying development fit-outs of these excluded interiors. As a result, the development process will be unchanged for most commercial fit-outs. Common tenancy fit-outs or minor repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent', without the need for a development application.</p>
F14	Geoff Simpson, Lot owner	<p><b>Oppose.</b> As a lot owner in the William Bland Centre, he has seen the proposal and also the conflicting reports as to the architectural merit of this building. With due respect, the William Bland Centre has little architectural merit and should not be listed.</p>	<p>The GBA heritage assessment for landowners was exhibited with the planning proposal and is considered in detail above. The GBA assessment does not present substantive new information to overturn the study assessment. The study identifies this building as worthy of local listing, fulfilling 6 Heritage Council listing criteria. The building is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. It is acknowledged that this submission represents a current community view about the heritage value of this building. Some public submissions also support this listing. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. As a result of the post-exhibition City review, the listing has been revised and inventory updated.</p>
F15	Ren Zhou Lawyers for lot owner	<p><b>Oppose.</b> Instructed by the lot owner to strongly object to the listing for the sake of present and future occupants of the building with three reasons, noted below.</p>	<p>Objection noted and responded to below.</p>
F15	Ren Zhou Lawyers for lot owner	<p><u>Building alterations</u> It is not in the public interest to list a building which underwent significant refurbishments including the suites, foyer, façade and foyer since it was built. There is no heritage value to protect a building that has departed from its original form.</p>	<p><u>Building alterations</u> It is in the public interest to conserve buildings of assessed heritage significance, and through listing, alert owners that heritage is a consideration ahead of a development application and give owners access to conservation incentives. City staff inspected the building and considered the landowners' submitted reports from Surface Design and GBA on building alterations and integrity. The building alterations are acknowledged in the inventory. The building retains its original construction, form, facade, internal configuration, lightwells with steel windows, marble cladding, foundation stone and plaque in the ground floor foyer and some timber joinery in upper level foyers, with minor alterations. This review and inspection confirms the building has a reasonable level of integrity, with some alterations which do not compromise its assessed significance. The building's significance, as assessed by the heritage study, can still be reasonably appreciated. The listing has been revised to exclude non-structural tenancy interiors.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F15	Ren Zhou Lawyers for lot owner (24/9/19)	<u>Fire order works</u> The building is subject to a fire order from Council. The final plan of the fire order is yet to be finalised and that the final plan may further impact on the building requiring demolition of some aspects that the heritage proposal seeks to preserve.	<u>Fire order works</u> City staff met with owners to discuss these matters, inspected the building, reviewed the 2016 fire order and considered the landowners' consultant reports. The fire upgrade works are considered and addressed in more detail in the above response to the MinterEllison submission for the landowners. The fire upgrade works can continue uninterrupted, before and after listing, to improve the building's fire safety.
F15	Ren Zhou Lawyers for lot owner	<u>Future building works</u> Further costs and delays in future building works will be incurred by occupants or future occupants of the building if it is heritage listed.	<u>Future building works</u> City staff met with owners to discuss these matters, inspected the building and considered the landowners' consultant submissions from Surface Design, GBA and MinterEllison. The development of the building and its commercial operation is addressed in the above response to the MinterEllison submission. The reduced listing, excluding non-structural tenancy interiors, and proposed complying development mean the development process will be unchanged for most commercial fit-outs. For development applications, the documents are unchanged because a heritage impact statement is already required for buildings of this age. By providing advance notice of heritage issues before an application is lodged, listing can reduce the cost and assessment time for an application. Minor works or repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent'. City staff will continue to assist owners with advice on the development process.
F16	Lot owner	<b>Oppose.</b> For reasons below.	Objection noted and responded to below.
F16	Lot owner	<u>Significance</u> It is questionable that this building in a notable representation of the Modern Movement Architecture including significant interiors.	<u>Significance</u> It is acknowledged that this submission represents a current community view about the heritage value of the William Bland Centre. City staff considered all owner and other submissions, including the exhibited GBA heritage submission, met with owners and inspected the building in order to review this proposal. The study identifies this building as worthy of local listing, fulfilling 6 Heritage Council listing criteria. The William Bland Centre is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. Some public submissions also support this listing. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. As a result of the post-exhibition City review, the listing has been revised and inventory updated.

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F16	Lot owner	<p><u>Upgrades and development</u>  Listing the WBC will impose many unreasonable and costly impositions on any upgrades and further development of the building that may be required so as to meet the standards for building safety, especially fire safety, and amenity.</p>	<p><u>Upgrades and development</u>  City staff met with owners to discuss these matters, inspected the building and considered the landowners' consultant reports and submissions from Surface Design, GBA and MinterEllison. The upgrade and development of this building is addressed above in the response to the Surface Design and MinterEllison submissions. Listed buildings can still be repaired, upgraded to meet current standards and developed. The reduced listing, excluding non-structural tenancy interiors, and proposed complying development mean the development process will be unchanged for most commercial fit-outs. For development applications, the documents are unchanged because a heritage impact statement is already required for buildings of this age. Minor works or repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent'. Surface Design provides options to address the identified performance issues while retaining the façade. GBA concludes the risk of glass fall is low, and both GBA and Surface Design indicate this risk can be mitigated with an awning. The fire upgrade works can continue uninterrupted, before and after listing, to improve the building's fire safety. Listing this building gives its owners an option to recoup upgrade costs through a heritage floor space award. City staff will continue to assist owners with advice on the development process.</p>
F17	Lot owner	<p><b>Oppose.</b> On behalf of he and his wife, outlined below.</p>	<p>Objection noted and responded to below.</p>

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
F17	Lot owner	<p><u>Significance</u>            In his general dental practice he tells patients from all over Sydney about the proposed listing as a point of interest. The unanimous reply has been "why?" and unanimous expression of disbelief. The GBA heritage submission for landowners says it all. GBA states the building does not meet any of the criteria thresholds required for heritage listing. Indeed, that it is listed as 'Modern Movement' is bizarre. Modernism in architecture, using reinforced concrete, is to allow natural light, by the use of glass, to pass through the building between at least two sides, preferably four. William Bland Centre was never going to fulfil this with over 100 small strata units demanding privacy from one another and it being surrounded on three sides by other buildings. The expansive glass of the street façade is absent from the other three sides, which face closely onto other buildings. The William Bland Centre building requires electric lighting throughout daylight hours. It is a waste of the Council's time, effort and money to pursue this listing further.</p>	<p><u>Significance</u>            It is acknowledged that this submission represents a current community view about the heritage value of the William Bland Centre. City staff considered all owner and other submissions, including the exhibited GBA heritage submission, met with owners and inspected the building in order to review this proposal. The GBA submission has been addressed in detail above. The TKD study identifies this building as worthy of local listing as a city example of the Modern Movement of local heritage significance, based on a survey of more than 110 comparable buildings in central Sydney and further detailed assessment. The study concludes the building fulfils six Heritage Council criteria for local listing. The William Bland Centre is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. The building's design, construction and materials are acknowledged in the inventory. The study recognises the diversity of the Modern Movement as represented by this and other identified buildings. Buildings of different design and construction are included. The study notes the use of artificial as well as natural lighting in Modern Movement building interiors. The study does not identify set Modern Movement characteristics or building features as essential or more important than others for listing, as suggested by GBA. Significant characteristics of this building are individually assessed in the inventory, based on the full study process and Heritage Council listing criteria, rather than set movement characteristics. Some public submissions also support this listing. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F17	Lot owner	<p><u>Building condition</u> All it has is a peculiar street façade that is failing in its functionality. Before long the building will require demolition. The building has exposed pipes and wires running through common property. The mural in the foyer, a copy of Dr Bland's colonial home, is less than 10 years old and likely to fade in time. The recent cheap refurbishments merely 'prettied it up' somewhat but did not hide that the interior is basically falling apart. It simply has a cheap appearance including the front façade which is sad at best and leaks.</p>	<p><u>Building condition</u> City staff met with owners to discuss these matters, inspected the building, and considered the landowners' submitted condition and integrity reports from Surface Design and GBA. The façade condition and safety issues are considered above in response to these submissions. Surface Design provides options to address the identified performance issues while retaining the façade. GBA concludes the risk of glass fall is low, and both GBA and Surface Design indicate this risk can be mitigated with an awning. It is most appropriate to consider and address the identified issues at the development application stage when a detailed proposal is prepared. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award. Minor repairs can be achieved through the quick low-cost notification process for 'heritage works without consent.' City staff will continue to assist owners with advice on the development process.</p>
F18	Lot owner/ occupant	<p><b>Oppose.</b> They wish to voice strong objection to heritage list this site as it was an ordinary office building constructed in 1959 and does not have the qualities of other properties with a historical significance.</p>	<p>Objection noted. It is acknowledged that this submission represents a current community view about the heritage value of the William Bland Centre. City staff considered all owner and other submissions, including the exhibited GBA heritage submission, met with owners and inspected the building in order to review this proposal. The William Bland Centre is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. Some public submissions also support this listing. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. As a result of the post-exhibition City review, the listing has been revised and inventory updated.</p>
F19	Newman Psaltis & Co Lawyers for lot owner	<p><b>Oppose.</b> They act for the owner and strenuously oppose the listing for the reasons below.</p>	<p>Objection noted and responded to below.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F19	Newman Psaltis & Co Lawyers for lot owner	<p><u>Costs</u> Onerous financial and business interruption burdens will be placed on the owners' corporation and the individual proprietors.</p>	<p><u>Costs</u> There are no direct costs or works required because of listing. All buildings need ongoing maintenance and repair for their continued use. Listing as a heritage item recognises the heritage significance of the building and ensures this is considered in future development through the development application process. By providing advance notice of heritage issues before an application is lodged, listing can reduce the cost and assessment time for an application. The application documents are unchanged because a heritage impact statement is already required for buildings of this age. The reduced listing, excluding non-structural tenancy interiors, and proposed complying development mean the development process will be unchanged for most commercial fit-outs. Minor works or repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent'. Retention and repair can be less disruptive and costly than demolition and replacement. For instance, the Surface Design report for landowners recommends sealing and repairs as the option of lowest cost and disruption to improve the façade performance. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award. Other potential savings from listing include reduced land taxes through a heritage valuation from the NSW Valuer General and waving the usual development contributions levy for adaptive re-use. Owners are encouraged to arrange pre-application meetings with City planners to minimise costs and for greater certainty about development plans.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F19	Newman Psaltis & Co Lawyers for lot owner	<p><u>Justification</u> This action by council is both inappropriate and unnecessary.</p>	<p><u>Justification</u> Planning controls, including heritage listings, are updated over time to respond to emerging information, community expectations to conserve heritage and for orderly development. The proposed listing has been assessed, exhibited and rigorously reviewed over a number of years. This building is identified for listing based on an independent heritage study and individual heritage assessment, in accordance with the Heritage Council criteria and Heritage Office guide. The study was commenced at the direction of Council. Council's consultation and exhibition for this planning proposal complies with and in some cases exceeds the statutory and Departmental requirements, including consultation before exhibition and an extended exhibition period of 2 months to ensure owners had the opportunity to comment. City staff considered all owner and other submissions, including the GBA heritage submission, met with owners and inspected the building in order to review this proposal following public exhibition. Submissions have also been received in support of listing. As a result of the post-exhibition City review, the listing has been revised and inventory updated. Listing provides certainty by recognising the assessed heritage significance of buildings, alerting owners that heritage is a consideration ahead of a development application and giving owners access to conservation incentives.</p>
155 F19	Newman Psaltis & Co Lawyers for lot owner	<p><u>Significance</u> William Bland Centre does not in any reasonable interpretation of the heritage legislation meet the criteria for such a listing. We refer to and rely on the submissions contained in the GBA Report prepared on behalf of the proprietors of WBC and submitted for exhibition.</p>	<p><u>Significance</u> The building has been assessed for listing and the planning proposal processed in accordance with the Environmental Planning and Assessment Act 1979 and the Heritage Council criteria for local significance under the Heritage Act 1977. The GBA heritage assessment for landowners was exhibited with the planning proposal and is considered in detail above. The GBA assessment does not present substantive new information to overturn the study assessment. The study identifies this building as worthy of local listing, fulfilling 6 Heritage Council listing criteria. The building is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. It is acknowledged that this submission represents a current community view about the heritage value of this building. Some public submissions also support this listing. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. As a result of the post-exhibition City review, the listing has been revised and inventory updated.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F19	Newman Psaltis & Co Lawyers for lot owner	<p><u>Alterations, condition and safety</u>  Many of the suites, foyer and hallways in the building have been refurbished to new and the façade has extensive structural and leakage problems with inadequate protection from the elements in accordance with today's building standards.</p> <p>Public safety must take precedence over the cosmetic appeal of preserving an inappropriate and unworthy building. To impede the eventual replacement of the facade will over the following decade result in a threat to the safety of the pedestrians below. The facade will require replacement in the coming years as a vital safety issue involving further substantial expense to proprietors.</p>	<p><u>Alterations, condition and safety</u>  City staff inspected the building and considered the landowners' submitted reports from Surface Design and GBA on building alterations, condition and integrity. The building alterations are acknowledged in the inventory. The façade condition and safety issues are considered above in response to these submissions. Surface Design provides options to address the identified performance issues while retaining the façade. GBA concludes the risk of glass fall is low, and both GBA and Surface Design indicate this risk can be mitigated with an awning. It is most appropriate to consider and address the identified issues at the development application stage when a detailed proposal is prepared. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award. Minor repairs can be achieved through the quick low-cost notification process for 'heritage works without consent.' City staff will continue to assist owners with advice on the development process.</p> <p>The building retains its original construction, form, facade, internal configuration, lightwells with steel windows, marble cladding, foundation stone and plaque in the ground floor foyer and some timber joinery in upper level foyers, with minor alterations. This review and inspection confirms the building has a reasonable level of integrity, with some alterations which do not compromise its assessed significance. The building's significance, as assessed by the heritage study, can still be reasonably appreciated. The listing has been revised to exclude non-structural tenancy interiors.</p>
F19	Newman Psaltis & Co Lawyers for lot owner	<p><u>Fire order and costs</u>  The extent of the fire order will substantially alter the appearance of every facet of the building. The final design of the fire order is yet to be settled. That design will substantially impact on the building's appearance, requiring demolition of some aspects that the heritage proposal seeks to preserve and generally defacing the building as is evident from the work which has already been carried out. The fire order is impacting what little character the building has. The financial burden of the fire order on close to 100 proprietors over the last 3 years and continuing into at least the next 2 years is greatly burdensome both financially and in the interruption of normal business activity.</p>	<p><u>Fire order and costs</u>  City staff met with owners to discuss these matters, inspected the building, reviewed the 2016 fire order and considered the landowners' consultant reports. The fire upgrade works are considered and addressed in more detail in the above response to the MinterEllison submission for the landowners. The fire upgrade works can continue uninterrupted, before and after listing, to improve the building's fire safety. The listing for interiors has been revised to exclude non-structural tenancy interiors. There are no direct cost or works required because of listing. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F19	Newman Psaltis & Co Lawyers for lot owner	<p><u>Commercial operations</u></p> <p>The building is comprised of numerous independent small business operators and professionals. The listing will cause them great distress culminating in the possible closing of their businesses or the laying off of staff. There are many doctors, dentists, lawyers and craftsmen of various professions operating to serve the community. These businesses have already suffered immeasurable interruptions and expenses due to the fire order.</p>	<p><u>Commercial operations</u></p> <p>City staff met with owners to discuss these matters, inspected the building and considered the landowners' consultant submissions from Surface Design, GBA and MinterEllison. The development and upgrade of the building is addressed in the above response to the MinterEllison submission. The reduced listing, excluding non-structural tenancy interiors, and proposed complying development mean the development process will be unchanged for most commercial fit-outs. For development applications, the documents are unchanged because a heritage impact statement is already required for buildings of this age. By providing advance notice of heritage issues before an application is lodged, listing can reduce the cost and assessment time for an application. Minor works or repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent'. City staff will continue to assist owners with advice on the development process.</p>
F19	Newman Psaltis & Co Lawyers for lot owner	<p><u>Building type and period</u></p> <p>The architect used conventional building methods of brick and steel and not the new materials of reinforced concrete, aluminium, internal open design and double glaze glass windows. The building does not fall within the Modern Movement heritage study. The development application predates the very legislation that is being used to enable the study to take place.</p>	<p><u>Building type and period</u></p> <p>The study and planning proposal do not restrict significant examples to buildings of particular materials or construction, built after the 1957 Act or with open floor plans. These are only some significant historic phases and building types of the Modern Movement identified in this study from 1945. The study recognises the diversity of the Modern Movement, as represented by the identified buildings. It does not identify set Modern Movement characteristics or building types as essential or more important than others for listing. Significant characteristics of this building are individually assessed in the study inventory. The building's period, when heights and construction were changing, construction, materials and design for small medical suites are acknowledged in the inventory. These aspects contribute to the building's significance as one of the small extant group of distinct lower-scale glass curtain wall post-war office buildings in the city centre, associated with the medical profession. A similar building of this scale, style and period in the local area is listed as state significant; the 1960 Liner House on Bridge Street. The study and planning proposal include other low-scale curtain wall buildings of this period including Liverpool &amp; London &amp; Globe and Horwitz House.</p>
F19	Newman Psaltis & Co Lawyers for lot owner	<p><u>Images</u></p> <p>Council has seen fit to 'photo shop' the images of the William Bland Centre. The images seen online are distant from the reality of its appearance.</p>	<p><u>Images</u></p> <p>The photographs included in the inventory and Council reports are as true and clear an illustration of the building as possible. It is unclear what change is objected to through the 'photo shop' description.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F19	Newman Psaltis & Co Lawyers for lot owner	<p><u>Criteria and comparisons</u> Council's premise to list the "most significant" buildings for the Modern Movement in NSW is to preserve those commercial buildings which are "designed and built to a very high standard", have "outstanding architectural and civic accomplishments" and "exceptional architectural quality". WBC does not reasonably fall within this premise and is day by day with the carrying out of the fire order moving further and further away from it.</p> <p>The building has erroneously been placed in essentially the same category as the MLC Centre, an architectural marvel that meets all modernist principals both within and without. The building does not in any way meet the same design standards as the MLC Centre and cannot reasonably be considered a "significant" building insofar as the modern movement is concerned.</p>	<p><u>Criteria and comparisons</u> The study and planning proposal recognises the diversity of the Modern Movement, as represented by this and other identified buildings. They do not identify set Modern Movement characteristics or building features as essential or more important than others for listing. The quoted comments refer to the Modern Movement period generally, which also includes buildings with greater than local significance required for local listing, such as the world-heritage listed Sydney Opera House. These do not relate to every building and do not set listing requirements. Outstanding or exceptional examples, compared to others in a wider NSW, Australian or international context, would meet the criteria for higher levels of listing than proposed as state, national or world heritage. The parts of the study that relate directly to the assessed significance of this building are the recommended listings and the inventory for this building. These represent the outcome of the full study process, including a survey of more than 110 comparable buildings in the city and further detailed assessment. The study identifies this building as worthy of local listing, fulfilling six Heritage Council criteria. The William Bland Centre is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. The MLC Centre is assessed as state significant; a higher level of significance than required for local listing.</p>
F20	Lot owner	<p><b>Oppose.</b> As a lot owner, for the reasons below. Council should reconsider its position and remove the William Bland Centre from its proposed heritage list.</p>	<p>Objection noted and responded to below.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F20	Lot owner	<p><u>Investment, operations and development</u>            Concerned about the impact listing may have on the value of the investment, interruption to business, potential future development opportunities and upgrades. They are not comforted by the heritage floor space as compensation for listing and the impacts of listing.</p>	<p><u>Investment, operations and development</u>            City staff met with owners to discuss these matters, inspected the building and considered the landowners' consultant submissions from Surface Design, GBA and MinterEllison. The development and upgrade of the building is addressed in the above response to the MinterEllison submission. Listed buildings can still be repaired, upgraded to meet current standards and developed. This planning proposal makes no change to the zoning or development standards for the site. Listing as a heritage item recognises the heritage significance of the building and ensures this is considered in future development through the development application or other approval process. A heritage listing does not direct the form of development. The reduced listing, excluding non-structural tenancy interiors, and proposed complying development mean the development process will be unchanged for most commercial fit-outs. For development applications, the documents are unchanged because a heritage impact statement is already required for buildings of this age. By providing advance notice of heritage issues before an application is lodged, listing can reduce the cost and assessment time for an application. Minor works or repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent'. City staff will continue to assist owners with advice on the development process.</p>
159 F20	Lot owner	<p><u>Landowners' heritage submission</u>            The GBA heritage submission for landowners indicates the building does not sufficiently exhibit defining Modern Movement characteristics identified in the TKD study, not does it pass any of the thresholds for listing on Sydney LEP 2012. Based on these conclusions it would be inappropriate and unreasonable for Council to pursue listing the building as an exemplar of the Modern Movement.</p>	<p><u>Landowners' heritage submission</u>            The GBA heritage assessment for landowners was exhibited with the planning proposal and is considered in detail above. The GBA assessment does not present substantive new information to overturn the study assessment. The study identifies this building as worthy of local listing, fulfilling 6 Heritage Council listing criteria. The building is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. It is acknowledged that this submission represents a current community view about the heritage value of this building. Some public submissions also support this listing. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. As a result of the post-exhibition City review, the listing has been revised and inventory updated.</p>
F21	Lot owner	<p><b>Oppose.</b> As a lot owner, for the reasons below.</p>	<p>Objection noted and responded to below.</p>



No.	Submitter <sup>1</sup>	Submission summary	Submission response
F21	Lot owner	<p><u>Criteria</u> The William Bland Centre does not in any reasonable sense meet the criteria for a heritage listing.</p>	<p><u>Criteria</u> It is acknowledged that this submission represents a current community view about the heritage value of the William Bland Centre. City staff considered all owner and other submissions, including the exhibited GBA heritage submission, met with owners and inspected the building in order to review this proposal. The study identifies this building as worthy of local listing, fulfilling 6 Heritage Council listing criteria. The William Bland Centre is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. Some public submissions also support this listing. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. As a result of the post-exhibition City review, the listing has been revised and inventory updated.</p>
F21	Lot owner	<p><u>Fire order</u> The William Bland Centre is subject to a fire order from the council, which is substantially altering the appearance of every facet of the building. The final design of the fire order is yet to be settled. That design will substantially impact on the building's appearance, requiring demolition of some aspects that the heritage proposal seeks to preserve and generally defacing the building, as evident from the work carried out.</p>	<p><u>Fire order</u> City staff met with owners to discuss these matters, inspected the building, reviewed the 2016 fire order and considered the landowners' consultant reports. The fire upgrade works are considered and addressed in more detail in the above response to the MinterEllison submission for the landowners. The fire upgrade works can continue uninterrupted, before and after listing, to improve the building's fire safety. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F21	Lot owner	<p><u>Alterations, condition and safety</u>            Many of the suites, foyer and hallways in the building have been refurbished to new and the façade has extensive structural and leakage problems with inadequate protection from the elements in accordance with today's building standards.</p> <p>Public safety must take precedence over the cosmetic appeal of preserving an inappropriate and unworthy building. To impede the eventual replacement of the facade will over the following decade result in a threat to the safety of the pedestrians below. The facade will require replacement in the coming years as a vital safety issue involving further substantial expense to proprietors.</p>	<p><u>Alterations, condition and safety</u>            City staff inspected the building and considered the landowners' submitted reports from Surface Design and GBA on building alterations, condition and integrity. The building alterations are acknowledged in the inventory. The façade condition and safety issues are considered above in response to these submissions. Surface Design provides options to address the identified performance issues while retaining the façade. GBA concludes the risk of glass fall is low, and both GBA and Surface Design indicate this risk can be mitigated with an awning. It is most appropriate to consider and address the identified issues at the development application stage when a detailed proposal is prepared. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award. Minor repairs can be achieved through the quick low-cost notification process for 'heritage works without consent.' City staff will continue to assist owners with advice on the development process.</p> <p>The building retains its original construction, form, facade, internal configuration, lightwells with steel windows, marble cladding, foundation stone and plaque in the ground floor foyer and some timber joinery in upper level foyers, with minor alterations. This review and inspection confirms the building has a reasonable level of integrity, with some alterations which do not compromise its assessed significance. The building's significance, as assessed by the heritage study, can still be reasonably appreciated. The listing has been revised to exclude non-structural tenancy interiors.</p>
F21	Lot owner	<p><u>Building type and period</u>            The William Bland Centre's architect used conventional building methods of brick and steel and not the new materials of reinforced concrete, aluminium, internal open design and double glaze glass windows. The building does not fall within the Modern Movement heritage study. The development application for the erection of the building in fact predates the very legislation that is being used to enable the study to take place.</p>	<p><u>Building type and period</u>            The study and planning proposal do not restrict significant examples to buildings of particular materials or construction, built after the 1957 Act or with open floor plans. These are only some significant historic phases and building types of the Modern Movement identified in this study from 1945. The study recognises the diversity of the Modern Movement, as represented by the identified buildings. It does not identify set Modern Movement characteristics or building types as essential or more important than others for listing. Significant characteristics of this building are individually assessed in the study inventory. The building's period, when heights and construction were changing, construction, materials and design for small medical suites are acknowledged in the inventory. These aspects contribute to the building's significance as one of the small extant group of distinct lower-scale glass curtain wall post-war office buildings in the city centre, associated with the medical profession. A similar building of this scale, style and period in the local area is listed as state significant; the 1960 Liner House on Bridge Street. The study and planning proposal include other low-scale curtain wall buildings of this period including Liverpool &amp; London &amp; Globe and Horwitz House.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F22	Lot owner	<b>Oppose.</b> For the reasons below.	Objection noted and responded to below.
F22	Lot owner	<p><u>Landowners' heritage submission and criteria</u>  The William Bland Centre does not in any reasonable sense meet the criteria for a heritage listing. Refer to the GBA heritage submission for landowners.</p>	<p><u>Landowners' heritage submission and criteria</u>  The building has been assessed for listing and the planning proposal processed in accordance with the Environmental Planning and Assessment Act 1979 and the Heritage Council criteria for local significance under the Heritage Act 1977. The GBA heritage assessment for landowners was exhibited with the planning proposal and is considered in detail above. The GBA assessment does not present substantive new information to overturn the study assessment. The study identifies this building as worthy of local listing, fulfilling 6 Heritage Council listing criteria. The building is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. It is acknowledged that this submission represents a current community view about the heritage value of this building. Some public submissions also support this listing. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. While community views about heritage and aesthetics can be varied, it is important that local history is recognised, including City of Sydney's more recent heritage of modern post-war architecture. As a result of the post-exhibition City review, the listing has been revised and inventory updated.</p>

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F22	Lot owner	<p><u>Alterations, condition and safety</u>            Many of the suites, foyer and hallways in the building have been refurbished to new and the façade has extensive structural and leakage problems with inadequate protection from the elements in accordance with today's building standards.</p> <p>Public safety must take precedence over the cosmetic appeal of preserving an inappropriate and unworthy building. To impede the eventual replacement of the facade will over the following decade result in a threat to the safety of the pedestrians below. The facade will require replacement in the coming years as a vital safety issue involving further substantial expense to proprietors.</p>	<p><u>Alterations, condition and safety</u>            City staff inspected the building and considered the landowners' submitted reports from Surface Design and GBA on building alterations, condition and integrity. The building alterations are acknowledged in the inventory. The façade condition and safety issues are considered above in response to these submissions. Surface Design provides options to address the identified performance issues while retaining the façade. GBA concludes the risk of glass fall is low, and both GBA and Surface Design indicate this risk can be mitigated with an awning. It is most appropriate to consider and address the identified issues at the development application stage when a detailed proposal is prepared. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award. Minor repairs can be achieved through the quick low-cost notification process for 'heritage works without consent.' City staff will continue to assist owners with advice on the development process.</p> <p>The building retains its original construction, form, facade, internal configuration, lightwells with steel windows, marble cladding, foundation stone and plaque in the ground floor foyer and some timber joinery in upper level foyers, with minor alterations. This review and inspection confirms the building has a reasonable level of integrity, with some alterations which do not compromise its assessed significance. The building's significance, as assessed by the heritage study, can still be reasonably appreciated. The listing has been revised to exclude non-structural tenancy interiors.</p>
F22	Lot owner	<p><u>Fire order and costs</u>            The extent of the fire order will substantially alter the appearance of every facet of the building. The final design of the fire order is yet to be settled. That design will substantially impact on the building's appearance, requiring demolition of some aspects that the heritage proposal seeks to preserve and generally defacing the building as is evident from the work which has already been carried out. The fire order is impacting what little character the building has. The financial burden of the fire order on close to 100 proprietors over the last 3 years and continuing into at least the next 2 years is greatly burdensome both financially and in the interruption of normal business activity.</p>	<p><u>Fire order and costs</u>            City staff met with owners to discuss these matters, inspected the building, reviewed the 2016 fire order and considered the landowners' consultant reports. The fire upgrade works are considered and addressed in more detail in the above response to the MinterEllison submission for the landowners. The fire upgrade works can continue uninterrupted, before and after listing, to improve the building's fire safety. The listing for interiors has been revised to exclude non-structural tenancy interiors. There are no direct cost or works required because of listing. Listing this building gives its owners an option to recoup upgrade costs or generate revenue for works through a heritage floor space award.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F22	Lot owner	<p><u>Commercial operations</u> The building is comprised of numerous independent small business operators and professionals. The listing will cause them great distress culminating in the possible closing of their businesses or the laying off of staff.</p>	<p><u>Commercial operations</u> City staff met with owners to discuss these matters, inspected the building and considered the landowners' consultant submissions from Surface Design, GBA and MinterEllison. The development and upgrade of the building is addressed in the above response to the MinterEllison submission. The reduced listing, excluding non-structural tenancy interiors, and proposed complying development mean the development process will be unchanged for most commercial fit-outs. For development applications, the documents are unchanged because a heritage impact statement is already required for buildings of this age. By providing advance notice of heritage issues before an application is lodged, listing can reduce the cost and assessment time for an application. Minor works or repairs affecting listed building features can be achieved through the quick low-cost notification process for 'heritage works without consent'. City staff will continue to assist owners with advice on the development process.</p>
F22	Lot owner	<p><u>Building type and period</u> The William Bland Centre's architect used conventional building methods of brick and steel and not the new materials of reinforced concrete, aluminium, internal open design and double glaze glass windows. The building does not fall within the Modern Movement heritage study. The development application for the erection of the building in fact predates the very legislation that is being used to enable the study to take place.</p>	<p><u>Building type and period</u> The study and planning proposal do not restrict significant examples to buildings of particular materials or construction, built after the 1957 Act or with open floor plans. These are only some significant historic phases and building types of the Modern Movement identified in this study from 1945. The study recognises the diversity of the Modern Movement, as represented by the identified buildings. It does not identify set Modern Movement characteristics or building types as essential or more important than others for listing. Significant characteristics of this building are individually assessed in the study inventory. The building's period, when heights and construction were changing, construction, materials and design for small medical suites are acknowledged in the inventory. These aspects contribute to the building's significance as one of the small extant group of distinct lower-scale glass curtain wall post-war office buildings in the city centre, associated with the medical profession. A similar building of this scale, style and period in the local area is listed as state significant; the 1960 Liner House on Bridge Street. The study and planning proposal include other low-scale curtain wall buildings of this period including Liverpool &amp; London &amp; Globe and Horwitz House.</p>
F22	Lot owner	<p><u>Images</u> Council has seen fit to 'photo shop' the images of the William Bland Centre. The images seen online are distant from the reality of its appearance.</p>	<p><u>Images</u> The photographs included in the inventory and Council reports are as true and clear an illustration of the building as possible. It is unclear what change is objected to through the 'photo shop' description.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F22	Lot owner	<p><u>Criteria and comparisons</u> Council's premise to list the "most significant" buildings for the Modern Movement in NSW is to preserve those commercial buildings which are "designed and built to a very high standard", have "outstanding architectural and civic accomplishments" and "exceptional architectural quality". WBC does not reasonably fall within this premise and is day by day with the carrying out of the fire order moving further and further away from it.</p> <p>The building has erroneously been placed in essentially the same category as the MLC Centre, an architectural marvel that meets all modernist principals both within and without. The building does not in any way meet the same design standards as the MLC Centre and cannot reasonably be considered a "significant" building insofar as the modern movement is concerned.</p>	<p><u>Criteria and comparisons</u> The study and planning proposal recognises the diversity of the Modern Movement, as represented by this and other identified buildings. They do not identify set Modern Movement characteristics or building features as essential or more important than others for listing. The quoted comments refer to the Modern Movement period generally, which also includes buildings with greater than local significance required for local listing, such as the world-heritage listed Sydney Opera House. These do not relate to every building and do not set listing requirements. Outstanding or exceptional examples, compared to others in a wider NSW, Australian or international context, would meet the criteria for higher levels of listing than proposed as state, national or world heritage. The parts of the study that relate directly to the assessed significance of this building are the recommended listings and the inventory for this building. These represent the outcome of the full study process, including a survey of more than 110 comparable buildings in the city and further detailed assessment. The study identifies this building as worthy of local listing, fulfilling six Heritage Council criteria. The William Bland Centre is assessed as significant as a central Sydney example of the Post War International style of glass curtain wall offices, distinguished by its unusual curtain wall pattern, the work of respected emigre architect Hans Peter Oser, the oldest known surviving example of lift slab construction in central Sydney, and for its association with the medical profession. The Heritage Council and Docomomo Australia submissions recognise this building as a Modern Movement example. The MLC Centre is assessed as state significant; a higher level of significance than required for local listing.</p>
F22	Lot owner	<p><u>William Bland</u> It is unusual for a building to be named after a killer. Following an argument, William Bland killed Robert Case in a duel in 1813.</p>	<p><u>William Bland</u> Further historical information noted. William Bland was an eminent colonial surgeon. The naming of this building after this historical figure reinforces its association with the medical profession.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
F23	Lot owner	<p><b>Support.</b> As an owner of two suites in the building, they would love the unique and highly symbolic architecture of this building to be preserved. They would love to see the original facade, of which there are many photos, reinstated. The William Bland Centre was one, if not the main exhibit, from a 2018 Museum of Sydney exhibition of Sydney's Modern Architecture by World War II refugees. Designed by two refugee architects, one French, the other Austrian, the building has a classic European feel. The classic glass frontage shouts "Modernism" in its most innovative and authentic way. The entrance was ruined by ignorant renovators during the 1980s and 1990s, but the awning was destroyed by fire in 2018 and hence the building now in a position to be reinstated to its former glory. They hope Council insists on this. Thank you to Council for including this unique and classical piece of modern architecture in your heritage plans.</p>	<p>Support noted. Listing as a heritage item recognises the heritage significance of a building and ensures this is considered in future development. Landowners can consider the option to reinstate removed features or replace additions with more compatible alternatives through the development application process or in support of a heritage floor space award application. Owners are encouraged to arrange pre-application meetings with City planners to gain greater certainty about development plans.</p>
F24	Lot owner	<p><b>Support.</b> As an owner of a suite in the building, they would be very pleased to see the exterior of the building and some of the inner features, preserved. The building has serious cultural significance being designed by two refugees from the second world war. It also has, they believe, a unique place in our city's modernist expression movement.</p>	<p>Support noted. The proposal, as revised, is to list the building, structure and some internal features. This recognises the heritage significance of the building and ensures this is considered in future development through the development application or other approval process.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
A2	Docomomo Australia Inc	<p><b>Support.</b> Docomomo Australia supports the proposed listing of the William Bland Centre as an item of local heritage significance and disagrees with the owners' consultant that the building does not meet the listing criteria. It is incorrect to state that H.P. Oser was "not regarded as one of the important Modern Movement architects in post war Sydney". The consultant provides no evidence for this assertion. In terms of its aesthetic significance, the beautifully modulated geometry of the front façade places the building above most of its contemporaries in terms of design. There is no strict vertical or horizontal grid but a breaking down of the façade by the use of varying spacing of the vertical mullions and the alternation of light and dark spandrel panels. The further subdivision of the glazed sections of the façade further enlivens the façade. The owner's consultants claim that the building does not take advantage of Modernism's "prominent three-dimensional characteristics" ignores the building's location as part of an urban "wall" in what was Sydney's most prestigious street, especially for medical specialists. There was no ability or requirement to sacrifice site area by creating a "three-dimensional" building.</p>	Support noted.
A15	Glenn A Harper	<p><b>Support.</b> This and the other two curtain wall buildings at 62 Pitt Street and the Former Sydney County Council building have representative significance. Exhibiting the integration of curtain wall technology within the office type, these buildings still retain their original curtain wall fabric. The integrity of these facades, they believe, must be recognised by their heritage listing.</p>	Support noted. The curtain wall facade is included in the listing and its significance and integrity described in the inventory.





# **Attachment B7**

**Summary of Submissions –  
MLC Centre**

Summary of submissions  
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<b>GLENN A HARPER</b>	<b>11</b>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
G	MLC Centre, 19-35 Martin Place, Sydney		
G1	Urbis for landowner	<b>Support and seek reduced listing.</b> As outlined below.	Support noted and comments responded to below.
G1	Urbis for landowner	<p><u>Significance</u> The significance of the item is acknowledged, and its listing is supported in principle. To ensure that the significance of the site is not only protected, but the ongoing use of the site is ensured and that the approvals pathway is streamlined, Urbis recommend changes to the name of the item inventory. The listing and inventory must appropriately record the significant values of the site. As important, the inventory must present a clear outline of both the modifications over time, the approved modifications underway and the effect of these modifications on the significance of the place. Establishing this information is necessary to inform an item name for the heritage item which accurately reflects significance.</p>	<p><u>Significance</u> Support for the significance of the complex is noted. The MLC Centre complex is assessed as state significant as an outstanding award-winning example of Modernist architecture and urban design by prominent Australian architect Harry Seidler. It represents the first private development in central Sydney to provide a range of public amenity and cultural assets, and includes Australia's tallest building and the tallest reinforced concrete building in the world of its time. The complex is also significant as a successful direct expression of structural systems, for its open spaces and inclusion of works by prominent artists Albers, Perry and Owen. It has significant associations with the former Hotel Australia and Theatre Royal buildings once located on this site, and the prominent engineer Pier Luigi Nervi and property developer Gerardus Dusseldorp.</p> <p>City staff have considered the submitted information, the assessment in the study inventory and approved alterations in order to review the extent of listing in accordance with the Heritage Office guide for assessing significance and directions contained in the Standard Instrument (Local Environmental Plans) Order 2006. The item name has been reviewed to identify significant components and the supporting inventory updated to outline the significance of the existing complex in line with these requirements. The revised item name takes into account the approved works. The inventory acknowledges and summarises the 2015 approved works. The inventory does not detail alterations, new or proposed development, as these are not core to the item's significance. More detailed assessment, such as for a full description of modifications, can be prepared in a conservation management plan or other assessment to support a future development application or heritage floor space award. The non-statutory inventory can continue to be updated as new information becomes available, such as through completion of a conservation management plan.</p>

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<sup>1</sup> Submitters are named with permission from the submitter

No.	Submitter <sup>1</sup>	Submission summary	Submission response
G1	Urbis for landowner	<p><u>Principal architectural characteristics</u>  Urbis has consulted Harry Seidler &amp; Associates who outlined significant design principles and informed comments on the proposed item name below. The principal architectural characteristics of the site include: tower façade including materials, columns, beams and glazing units; tower lobby including granite floor, glazing, core wall, ceiling and the lobby lighting which retains key principles of the original design, the podium and plaza including upper plaza (courtyards, and quadrant), the lower plaza (including void), open space, and the Nervi structure including the King Street 'mushroom', Theatre Royal including the entrance lobby (alterations noted), auditorium and Rowe Street.</p> <p>For typical office tower floors, the building finishes and fabric are generally not original and do not contribute to the significant heritage values of the MLC Centre. Urbis inspected the interiors with the facility manager and Harry Seidler &amp; Associates and confirm there are no remnant interiors designed by Seidler that make a defining contribution to the significance of the place.</p>	<p><u>Principal architectural characteristics</u>  These characteristics have been reviewed and considered in the recommended revised item name. The summary of principal architectural characteristics, as identified in this Urbis submission, have been included in the supporting inventory, while noting further features may also be significant.</p>

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No.	Submitter <sup>1</sup>	Submission summary	Submission response
G1	Urbis for landowner	<p><u>Listing extent</u> Council's proposed item name is for: "MLC Centre complex including Theatre Royal, commercial and retail buildings, significant interiors, plazas, and artworks." The item name does not sufficiently outline the hierarchy of significant elements. Based on the above outline of significant principals and fabric, the approved demolition works and intent to streamline future approvals pathways, the following item name is recommended: "MLC Centre complex including Theatre Royal and its interiors, significant elements including commercial lobby, plazas and artworks (excluding all other commercial interiors and retail fit-outs and shopfronts for non-street fronting retail premises)." The majority of the interiors of the MLC Centre including the office, retail and food and beverage tenancies are of no significance.</p> <p>Reason for inclusion or exclusion are provided below. Detailed significance gradings or mapping are not provided. This should be comprehensively investigated as part of a future heritage management document. Components outside of Dexus ownership of the CTA Building and Wrestling artwork are not addressed in this submission. Components of significance are generally of moderate-exceptional significance as defined by the Heritage Office guide, appropriate for listing. Components of no significance, meaning those excluded from the proposed listing name, are generally of intrusive-little significance, not appropriate for listing. Submission seeks to expressly exclude these from listing, noting advice that the item name needs to be drafted in the positive. Protection of these components is unnecessary as they are highly altered.</p>	<p><u>Listing extent</u> City staff considered the submitted information, approved works, assessment of building forms in the study inventory and City staff photographs. A heritage assessment has not been received with this submission for more detail on the requested inclusions and exclusions. Due to the approved demolition for existing plaza buildings (levels 7-8), it is accepted these will have little original internal or external fabric remaining, apart from the cylindrical 'mushrooms' on Martin Place and King Street. The new plaza buildings (levels 7-10) will have some significance for its design by the original firm, reflecting original building forms and concept for an integrated complex. These contribute to the form of the significant plazas within the site and the external presentation of the complex. These are integrated with levels 6-7 arcades underneath the tower and plaza, which retain significant elements: the oculus and Rowe Street through link. Therefore, the plaza buildings exterior and significant arcade elements are retained in the revised item name. The tower's internal structure is included as an original element of technical significance and supporting its significant form. The demolition and submission do not affect the CTA 'mushroom' and its interiors, retained in the item name. As a result of the post-exhibition City review, it is recommended that the proposed item name specifies significant components of the MLC complex as the "tower exterior, internal structure and level 8 vestibule, Theatre Royal exterior and interiors, CTA building exterior and interior, King Street cylindrical structure, lower and upper plazas (levels 7-8), plaza building exteriors, plaza oculus to level 6, levels 6 and 7 Rowe Street through link, and artworks by Albers, Perry and Owen." This excludes the non-structural office interiors above the vestibule, carpark levels 1-5 and levels 5-10 retail and hospitality tenancy interiors outside of original cylindrical buildings from the listing. The revised item name is consistent with the directions of the Standard Instrument (Local Environmental Plans) Order 2006 for item names to briefly describe significant features including interiors. An item name does not specify exclusions; only what is listed. As functions change, the item name refers to building features, not functions. Listing features does not require retention or direct the form of future development, but ensures impacts on significant features are assessed and new works integrated with existing features when major changes are proposed.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
G1	Urbis for landowner	<p><u>Components of significance</u></p> <p>(1) Overall arrangement of forms is significant as evidence of first private central Sydney site to provide public amenity and cultural assets, and rare integration of built forms, plazas and artworks.</p> <p>(2) Retail commercial building at levels 7 &amp; 8 at northern section and beneath tower is significant for general external form, contribution to arrangement of site elements and integration with public plazas/ streets. Only the retail frontages which address the street contribute to its significance because they exemplify integration with the public domain. Fit-outs and remaining non-street facing retail premises have no identified significance.</p> <p>(3) Tower lobby retains original elements including: travertine clad walls, Glass Alignment glazing and framing and artwork.</p> <p>(4) Plazas at levels 7 &amp; 8 are significant as with point 1 and for their scale and orientation. Much composite fabric is replaced (planters, finishes, oculus umbrella), however it retains the forms and express the original design intent. Contributory elements include plaza voids, Martin Place stairs, radial design of paving.</p> <p>(5) Rowe Street through link at levels 6 and 7 is significant as it exemplifies the early planning and development of the site.</p> <p>(6) Theatre Royal is significant because, despite alterations, it retains key features of original design intent: curved stairs with cylindrical volume, radial cut travertine floor with red carpet, Nervi designed ceiling.</p> <p>(7) Artworks: Robert Owen's "Interlude – Double Weave" and "New Constellation" at level 8 tower vestibule, Charles O. Perry's sculpture "Mercator" at central stair void in Theatre Royal, and "S" at upper plaza to north-east of the tower.</p>	<p><u>Components of significance</u></p> <p>The listing captures these elements in the revised item name, using the language of the inventory assessment and levels from recent architectural drawings, where verified by Council as significant or not significant, as noted above. The arrangement of forms is captured in the item name by inclusion of all plazas, building exteriors and artworks. Retail commercial buildings, both existing and the approved new buildings, are included as plaza buildings exteriors. This includes plaza building exteriors facing into the site because they contribute to the form of the significant plazas and overall complex arrangement, are integrated with the plaza and other buildings, and the new buildings maintain some significance. Underground elements of the plaza buildings and plazas are included as the Rowe Street through link and oculus; likely an element described as a void in the submission. The tower lobby interiors are included in the item name as the vestibule (level 8). The Theatre Royal interiors are included as recommended by Urbis. The artists for these works are included in the item name and the artworks named and described in the inventory.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
G1	Urbis for landowner	<p><u>Approved alterations</u>            In 2015 development consent was granted for significant additions and refurbishments to the MLC Centre (D/2015/66), since modified. Approved demolition works include: opening up Theatre Royal lobby for public access into the retail podium; existing fabric in retail zones on Level 6 and 7 and the entry from the footpath; all retail fronting Castlereagh Street; 'Moonshadow' restaurant; all existing retail structures in the plaza.</p> <p>Retail is located at levels 6-10 (10 is the roof). Levels 1-5 are car park. The tower lobby starts on level 8. The food court and the IGA is the only existing retail that is not part of the current development. All other retail is being demolished and rebuilt. The food court and IGA were renovated in circa 2015 under another DA consent.</p>	<p><u>Approved alterations</u>            The revised item name takes into account the approved works. The inventory acknowledges and summarises the 2015 approved works. The inventory has been updated to note construction has commenced, yet to be complete, and to note the approved demolition works. The inventory can be updated when works are complete to reflect the existing building form.</p>



No.	Submitter <sup>1</sup>	Submission summary	Submission response
G1	Urbis for landowner	<p><u>Complying development</u>  As discussed with Council, Dexus has an overarching business requirement for use of Complying Development Certificates (CDC) for internal fit-outs within the office tower, retail levels and food and beverage spaces. Note from discussions with Council that exclusions could not be included in item name and that CDCs would be available for unlisted elements. The business imperative for CDC internal fit-outs cannot be underestimated. Small retail and food and beverage tenants are facing greater uncertainty than ever before due to COVID-19. Any mechanism for swift uncomplicated internal fit-outs supports businesses and the economy. Dexus requires absolute certainty for its ability to utilise CDC for interior fit-outs for the noted interior spaces. Currently Dexus is unaware of any mechanism to allow the use of CDC within heritage items. Dexus proposes options of: site specific clauses in Part 7 of SLEP 2012 for CDC or adding a clause to Schedule 3. The third option is for stated exclusions as sought by Dexus, so the exception under Clause 1.17A(4) of the Codes SEPP would be available for proposed works on heritage items that do not comprise the whole of the building. It is their view, an item name without tailored and specific drafting will likely be interpreted in an inclusive manner encompassing anything inside the heritage item. There is no legal reason to prevent stating exclusions in the item name, noting three existing items have exclusions for the Beresford Hotel (excluding late extension), the site of the Empire Hotel (excluding buildings and other structures) and warehouse at 56 Rainford Street (excluding front terrace house). Dexus is committed to the ongoing conservation of the MLC Centre, acknowledges its role for one of Sydney's most iconic buildings and reiterates its requirement for certainty when utilising CDC.</p>	<p><u>Complying development</u>  City staff consulted the Department of Planning Industry and Environment about stating exclusions in the item name, who advised against this approach because of the Standard Instrument directions, noted above. The three existing examples of exclusions are a minority and relate to excluding major or all building components rather than functions or parts of interiors as sought by Dexus. This approach is not recommended based on the Departmental advice and the complexity of the site and elements Dexus is seeking to exclude as not significant. The item name in schedule 5 of SLEP 2012 identifies what is listed, rather than what is not, based on significance. Other sections of the SLEP 2012 establish the development assessment process for heritage items. There is no option for site specific exemptions for development as part of local heritage listings, unlike for State Heritage Register listings under different legislation.</p> <p>The City therefore drafted the item name in schedule 5 to identify significant components, omit non-significant components, and provide certainty that complying development can proceed for internal fit-outs to omitted building components through the proposed additional type of complying development included in schedule 3 of SLEP 2012.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
G1	Urbis for landowner	<p><u>Inventory changes - description, images, ownership</u>            In general, the inventory sheet should refer to the treatment of adjoining buildings within the same ownership as the MLC Centre. The inventory should clearly categorise the existing approvals and works currently underway. Instead of numerous references to modifications over time, include a general statement about intactness and only key alterations. Include full description of modifications provided in direct edits in the inventory. Urbis consulted Seidler &amp; Associates to provide a list of key changes.</p> <p>In physical description: remove reference to the restaurant, approved for demolition now underway, and shallow stepped ramp from Martin Place, approved for regrading.</p> <p>In physical condition: note that the repair and maintenance of the tower cladding is complete, not underway. In modification dates: remove reference to the King St pedestrian bridge because it is not under the same ownership as the MLC Centre, note the approved 2015 works are under construction. In photos: remove photos of fabric approved for demolition. Urbis has proposed a small selection of existing and historic photos for inclusion. In history: remove sections indicated in direct edits, including the reference to Seidler's other works until a detailed comparative analysis is undertaken.</p> <p>In further comments: remove reference to generic significant interiors, which has potential to obfuscate elements and values to be conserved and unduly introduce heritage constraints in areas with no significant fabric. Remove 'further comment' about updating inventory information.</p>	<p><u>Inventory changes - description, images, ownership</u>            These requested changes to the inventory, including direct edits provided, have been reviewed and included, where substantiated in the submitted information, appropriate for an inventory, and confirmed by Council. The inventory has been updated to reflect the post-exhibition review of the listing extent, including removal of the 'further comment' about significant interiors because this is now specified in the item name.</p> <p>To support listing, the inventory briefly describes the existing complex and history, its significance and recommendations for conserving the significance of the item. Images and other information are retained in the inventory where relating to these matters. This includes the King Street pedestrian bridge as it connects to the building and affects its significance, dated photos and description of the complex, including features approved for demolition, because these are either existing or part of its history. Also retained are features in different ownership as the item and its significance is not limited to ownership boundaries, and historical research from TKD Architects including reference to other Seidler works. Requested deletions to the history are not included as no further research has been submitted.</p> <p>The inventory acknowledges and summarises past alterations and the 2015 approved works and can be updated when works are complete. The inventory has been updated to note the changed status of works underway or complete, references to integrity and to briefly note key works underway. The inventory does not detail alterations, new or future development, as these are not core to the item's significance. The further comment about inventory information and updates is retained unchanged because this is included in all City inventories. More detailed assessment, such as for comparative analysis or full modifications description, can be prepared in a conservation management plan to support a future development application or heritage floor space award. Inventories continue to be updated as new information becomes available, such as through completion of a conservation management plan.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
G1	Urbis for landowner	<p><u>Inventory changes - management guidelines</u>            In management recommendations, replace the listing recommendation with the item name recommended by Urbis. Insert a requirement for this section to be read in conjunction with the Architectural Guidelines for Managing the Future of the MLC Centre prepared by Harry Seidler &amp; Associates.</p> <p>Remove management recommendations about not painting surfaces, retaining original features and removing detracting features of the King Street Pedestrian Bridge. Replace with management recommendation to conserve "elements that make a defining contribution to significance". Insert recommendation to retain the "architectural design character" and "principal external elements" of the tower facades as set out in the Architectural Guidelines. Add recommendation for undertaking conservation works when required to make good damaged or deteriorated elements. Remove recommendation to "retain restaurant interior (subject to integrity)."</p> <p>Remove reference to the place as an Opportunity Site as this is transient terminology and not directly related to heritage conservation.</p> <p>Add management recommendations and description to enable complying development for fit outs, refurbishments and fit outs for operational and market viability.</p> <p>Add management recommendation for the inventory to be updated upon the completion of the currently approved works with current images of the site.</p>	<p><u>Inventory changes - management guidelines</u>            Requested changes to the inventory, including direct edits provided, have been reviewed and included, where substantiated in the submitted information, appropriate for an inventory, and confirmed by Council. The management recommendations have been updated to refer to the components included in the revised listing. The requested references to Architectural Guidelines are not included because these guidelines have not been provided to and reviewed by Council.</p> <p>Management recommendations are retained or added where relating to conserving the significance of the item. This includes recommendations to retain and conserve original fabric, spaces and finishes (where listed), and remove detracting features such as the pedestrian bridge. Requested limitations to retain features of "defining contribution", "principal external elements" or "design character" are not included because these are undefined by industry guidelines or detailed heritage assessment. The reference to retaining the restaurant is removed, as it is approved for demolition. The conservation works recommendation is added. The reference to the Opportunity Site is removed as it is unrelated to conserving significance. The requested recommendations for complying development, refurbishment, fit outs and market viability are not included because these do not relate to conserving significance. These matters are considered through the development approval process, not the inventory. Amendments are proposed to the planning proposal to address these fit-out issues.</p> <p>Landowners can develop more detailed management recommendations as part of a conservation management plan, submitted to Council for review with a development or heritage floor space application. The inventory includes a recommendation to prepare a plan. The management recommendations relate to the item, not the inventory itself. The standard 'further comment' notes that inventories are updated as new information becomes available, such as through completion of a conservation management plan.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
G2	The National Trust of Australia (NSW)	<p><b>Support.</b> As indicated in the above National Trust submission, the National Trust provided its listing card for the Third Theatre Royal, listed on 25 September 2019. The statement of significance concludes this Third Theatre Royal, which opened in 1976, has architectural significance as a theatre design of the noted Australian architect Harry Seidler which also features a foyer ceiling by Italian architect Professor Pier Luigi Nervi and a foyer bronze sculpture by Charles Owen Perry, an American sculptor particularly known for his large-scale public sculptures. It has historic significance as Australia's oldest theatrical institution, commencing in 1827 in George Street, with a theatre on the present site since 1855. The theatre also historic significance for the action taken by Sydney's leading actors, politicians, and trade unions to ensure that a new theatre was built on the site to replace the demolished 1875 Theatre Royal. The theatre has aesthetic significance as a rare modernist style theatre, the only Sydney City theatre constructed during the 1970s/1980s. It also has social significance to audiences over its forty year life with major musical theatrical productions such as "Les Miserables", "Phantom of the Opera", "Cats" and "Chicago." A history, description and images of the theatre and information about Seidler, Luigi and Perry are also included.</p>	<p>Support noted. The Theatre Royal is retained in the revised listing for the complex. The National Trust listing and information from the listing card has been added to the inventory for the MLC Centre.</p>
G3	Polly Seidler	<p><b>Information.</b> Paolo Stracchi, a Nervi scholar and lecturer at University of Sydney, identifies that the overall MLC project contains 5 Nervi/Seidler ceilings. This includes the MLC Centre office tower, CTA club mushroom (separate title but part of MLC Centre whole design), Theatre Royal lobby; half mushroom on King St, plaza restaurant (demolished in February 2020). All 5 formed a single exceptional arrangement. Four of the 5 Nervi/ Seidler ceilings arrangement remain.</p>	<p>Information noted. The four remaining Nervi structural ceilings are included in the recommended listing, and a note added about these ceilings included in the inventory. The restaurant was approved for demolition in 2015.</p>
A2	Docomomo Australia Inc	<p><b>Support.</b> Docomomo Australia supports the proposed listing of the MLC Centre and agrees with the proposed management recommendations in the inventory.</p>	<p>Support noted.</p>

No.	Submitter <sup>1</sup>	Submission summary	Submission response
A15	Glenn A Harper	<b>Support.</b> With the Former Horwitz House (1956) being Seidler's first Sydney city commercial office building, the MLC Centre (1977) being his largest, these projects, historically important for their association with Seidler, are both outstanding examples to show how international modernism evolved in Sydney.	Support noted.

## **Attachment B8**

**Summary of Submissions –  
Liverpool London Globe, Horwitz House,  
Earth Mother**

Summary of submissions  
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No.	Submitter <sup>1</sup>	Submission summary	Submission response
<b>H</b> Former Liverpool & London & Globe building, 62 Pitt Street, Sydney			
H1	City Plan Heritage for landowner	<p><b>Support and seek reduced listing.</b> On behalf of the owners, congratulate the City for undertaking the study to better understand post-war heritage in central Sydney. It will be a useful as comparative resource. Notes and concurs with the assessed significance of this building as uncommon evidence of the prevalence of insurance companies in Central Sydney during the post-World War II period, for its association with the prominent and long-established Liverpool &amp; London &amp; Globe insurance company, and an individual and distinctive example of the Late Twentieth Century International style by the prominent architectural firm, Spain Cosh &amp; Stewart. Acknowledging limitations in resources and access during study surveys, notes some information does not reflect the existing fabric and condition, particularly internally. Apart from the structural framework, their inspection did not identify significant internal fabric, details or finishes. Although the main circular column still remains through all levels, no "circular steel stair" remains as defined in the quoted SMH 1962 article. Supporting images and development history research provided. Request consideration of the information provided, and the City amend the relevant sections of inventory to reflect the current modified interiors of the building, which has no original fabric remaining. This will allow some flexibility to the owners in future internal fit-out works, reducing the amount of documentation and application process when dealing with fabric that holds no heritage value.</p>	<p>Support noted. City staff also inspected the building at the request of the previous owners. The submission and inspection confirm that the original circular stair no longer remains, and the contemporary internal fit outs are not significant. The original circular column near the apex of the triangular floor plate is retained.</p> <p>As a result of this post-exhibition City review, it is recommended that the proposed item name specifies "facade walls and fixtures" for clarity. It is further recommended that the item name for "significant interiors" is revised to specify these as the "internal structure." This excludes non-structural interiors from the listing. The inventory has been updated to reflect this post-exhibition review and information provided with the submission.</p>

<sup>1</sup> Submitters are named with permission from the submitter



No.	Submitter <sup>1</sup>	Submission summary	Submission response
A2	Docomomo Australia Inc	<p><b>Support.</b> Docomomo Australia supports the proposed listing of the Former Liverpool and London and Globe building and agrees with the inventory management recommendations with the following additional proviso. Whilst the ground floor has been altered, the early 2003 photographs in the inventory sheet show a more restrained presentation of the retail space (with black and white complementing the black and white curtain wall of the building above). More recent photographs showing the introduction of colours other than white or black demonstrate the jarring effect of such colours.</p>	<p>Support noted. The inventory management recommendations have been updated to encourage alterations to ground floor shopfronts to be compatible with original architectural features, finishes and colours.</p>
A15	Glenn A Harper	<p><b>Support.</b> This and the other two curtain wall buildings of the William Bland Centre and the Former Sydney County Council building have representative significance. Exhibiting the integration of curtain wall technology within the office type, these buildings still retain their original curtain wall fabric. The integrity of these facades, they believe, must be recognised by their heritage listing.</p>	<p>Support noted. The curtain wall facades are included in the listing and their significance and integrity described in the inventory.</p>

No.	Submitter <sup>2</sup>	Submission summary	Submission response
I	<b>Former Horwitz House, 398-402 Sussex Street, Haymarket</b>		
	11	Polly Seidler	<p><b>Support.</b> This is a very important Seidler building. The Seidler architectural integrity which especially includes the sun louvres must be honoured. This is the only remaining example of this form of Seidler architectural design.</p> <p>A number of historical details or corrections are provided for the inventory. Includes historical information on the formation of Harry Seidler &amp; Associates, the associates, other works, and use of "&amp;" rather than "and" in the firm name. Identifies the original drawings available in the Mitchell Library. Notes curtain glass walls were not common by 1955 when the only other Sydney example was Unilever House on 1 Macquarie Street by Stephenson and Turner, since demolished. The design of vertical sun louvres was modelled on the first example by Seidler's mentor, Oscar Niemeyer in Brazil of the 1937 "Obra De Becco" (day nursery). Seidler designed these vertical louvre buildings in the 1950s without and before the general use of air conditioning; of which Horwitz House is the only remaining example. Quotes an early reference discussing the design and provides extracts of reference material.</p> <p>Harry Seidler &amp; Associates or Penelope Seidler were not consulted or notified as the moral right holder under copyright laws for the recently constructed works by either the owner, private certifier or Council. The inventory is incorrect is stating they were consulted for these works.</p>

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<sup>2</sup> Submitters are named with permission from the submitter

No.	Submitter <sup>2</sup>	Submission summary	Submission response
A2	Docomomo Australia Inc	<b>Support.</b> With the loss of the Lend Lease office building at Circular Quay, the Former Horwitz House remains Harry Seidler's most intact building defined by the façade of aluminium moveable vertical louvre blades. Docomomo Australia supports the proposed listing of the Former Horwitz House and agrees with the inventory management recommendations.	Support noted.
A15	Glenn A Harper	<b>Support.</b> With the Former Horwitz House (1956) being Seidler's first Sydney city commercial office building, the MLC Centre (1977) being his largest, these projects, historically important for their association with Seidler, are both outstanding examples to show how international modernism evolved in Sydney.	Support noted.

J	'Earth Mother' play sculpture, Yurong Parkway, Cook & Phillip Park, Sydney		
A2	Docomomo Australia Inc	<b>Support.</b> Docomomo Australia supports the proposed listing of the Earth Mother play sculpture and agrees with most of the proposed inventory management recommendations. The existing location is inappropriate, as the sculpture is overpowered visually by the adjacent tree and is inappropriately next to fencing. This exceptional sculpture's original location in an open grassed area is a more appropriate location.	Support noted. The sculpture is movable. The inventory management recommendation for its relocation to its original position have been expanded to note the alternative of an open grassed park location.

# **Attachment C1**

<b>Sydney Masonic Centre Inventory</b>
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**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney

**Address:** 279-283 Castlereagh Street

**Planning:** Sydney South

**Suburb/nearest town:** Sydney

**Local govt area:** Sydney

**State:** NSW

**Parish:**

**County:**

**Other/former names:** Memorial Masonic Centre

**Area/group/complex:**

**Group ID:**

**Aboriginal area:**

**Curtilage/boundary:**

**Item type:** Built

**Group:** Recreation and Entertainment **Category:**

**Owner:**

**Admin codes:**

**Code 2:**

**Code 3:**

**Current use:** Conference and function centre, museum

**Former uses:** Masonic centre

**Assessed significance:** State

**Endorsed significance:** Local

**Statement of significance:** The Sydney Masonic Centre has strong associations with the United Grand Lodge, which was formed in the 1870s. The northern section of its site has been associated with the United Grand Lodge since 1884, following the completion of the New Masonic Hall in Castlereagh Street.

The Sydney Masonic Centre is an outstanding and powerful example of the Brutalist architectural style, with a monumental interior that ranks amongst the finest interiors in Sydney from the second half of the 20th century. It is associated with the prominent architectural firm of Joseland & Gilling and is one of several innovative buildings designed by the firm during the late 1960s and the first half of the 1970s. The Sydney Masonic Centre demonstrates a very high standard of off-form concrete construction. The building is an important landmark and streetscape element in this section of Sydney. The Civic Tower addition, built in 2005, closely follows Joseland & Gilling's original intention for the development of the site.

The Mona Hessing artwork, which was commissioned for the building and is located in the main foyer, is regarded as one her finest works.

The Sydney Masonic Centre is at least of local heritage significance in terms of its historical, associations, aesthetic/technical, rarity and representative value. This satisfies five of the Heritage Council criteria of local heritage significance for local listing.

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney

**Historical notes of provenance:** This site forms part of the land of the Gadigal people, the traditional custodians of land within the City of Sydney council boundaries. For information about the Aboriginal history of the local area see the City's Barani website: <http://www.sydneybarani.com.au/>

Freemasonry was brought to the colony of New South Wales by soldiers in British Army regiments shortly after the arrival of the First Fleet in 1788. In September 1839, members of the various Masonic groups purchased the York Hotel in York Street to house their meetings. It became known as the Freemason's Hall. The first Grand Lodge opened in Sydney in 1845. The Grand Lodge of New South Wales was established by 13 Masonic lodges in December 1877.

In January 1884, a New Masonic Hall at 279-281 Castlereagh Street, designed by Backhouse & Lough, was consecrated. On 16 August 1888 the Masters and Wardens of 183 lodges assembled for the purpose of constituting and establishing the United Grand Lodge of New South Wales. The first Grand Master was Lord Carrington, Governor of NSW. The New Masonic Hall served for many years. However, by 1935 it was perceived to have numerous inadequacies so during that year the United Grand Lodge passed a resolution to purchase property "suitable for the erection of a Temple worthy of this jurisdiction." (Cramp 1948, p.71)

The history of the land acquired for the future building has associations with the site of the New Masonic Hall. By 1876, properties extending north along Castlereagh Street from Goulburn Street were in the possession of Herbert Gibson. He sold them to accountant Thomas Hall in October 1876. During July and August 1881 the title of the southern section was transferred back to Herbert Gibson and that of the northern section to licensed victualler James Hunt, cordial manufacturer John Starkey, builder and contractor Unni William Carpenter, and druggist and future mayor of Manly, Nicholas Weekes. All four were associated with the Grand Lodge – Hunt was one of its officers, Starkey its Grand Treasurer, Carpenter a Grand Junior Warden and Weekes its Grand Secretary. The northern section became the site of the New Masonic Hall; its title was transferred to Starkey on 1 August 1882, who subsequently transferred it to the Grand Lodge of New South Wales Masonic Hall Company on 1 April 1886. The title was eventually transferred to trustees of the United Grand Lodge in October 1913.

The property "suitable for the erection of a Temple worthy of this jurisdiction" happened to be the southern section of land that Thomas Hall transferred back to Herbert Gibson in July 1881. At that time part of it was vacant. The Pompey's Pillar Hotel occupied the corner of Goulburn and Castlereagh Streets along with an adjoining pair of houses on Goulburn Street, all of which had been built by the second half of the 1860s. They were purchased by H Patrick in 1869 and then offered for sale in April 1873 before being acquired by Gibson a couple of years later. The buildings were sold to prominent retailer Samuel Hordern in July 1901. By 1903 he had acquired all of the properties along Goulburn Street and several along Pitt Street to the north. After Hordern's death his estate came under the control of trustees, who began to sell sections of it at the end of 1937. The United Grand Lodge purchased several of them.

The final purchase by the United Grand Lodge was the 1919 building, which occupied the site of Pompey's Pillar Hotel, and an adjoining building in Castlereagh Street known as the Bapaume Building. In the first half of 1918, Samuel Hordern's trustees sold the buildings to James Chester Foy, a director of the major retailing company Mark Foy's Ltd. Dorothy, Lurline and John Millar acquired both buildings, which they had tenanted since 1920, and the Bapaume Building, in May 1925. They had occupied the 1919 building, known as Millar House, since 1920, and mortgaged the entire property to the City Mutual Life Assurance Society in February 1930. For whatever reason the company exercising its power of sale sold it to the United Grand Lodge at the beginning of May 1945.

It took some time for the United Grand Lodge to rebuild. In September 1943 the Grand Master, Lord Gowrie, had revived a proposal for an ambitious scheme put forward in 1936 and suggested it might take the form of a Peace Memorial Temple to commemorate freemasons who had served and died in the two world wars. In December 1954 a motion to establish a building fund to finance construction of a Memorial Masonic Temple in honour of those who died in the two World Wars was carried. There was not unanimous support, however, and the initial fund, launched in 1957, foundered. It was relaunched in 1959.

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney

In June 1967, a building committee was finally set up and began gathering information locally and from overseas. It included the United Grand Lodge's Grand Architect, T W Hodgson, and architect Ronald Gilling, a partner in the respected firm of Joseland & Gilling. Although development consent was sought for new Lodge headquarters in 1970, in March 1972 a model and sketch drawings were exhibited to the client. The United Grand Lodge submitted a revised development application in 1973 for a lodge, shops and office block. Joseland & Gilling lodged the building application in July 1974.

The firm of Joseland & Gilling was formed in 1919 when Richard George Howard Joseland entered into partnership with Frederick Glynn Gilling (1877-1955). The practice designed a series of substantial and notable houses during the interwar period. Joseland retired in the late 1920s. Gilling's son, Ronald Andrew, became a partner in 1948 and continued the firm after his father retired. The firm's orientation became increasingly commercial, and designed several notable buildings in Central Sydney during the 1960s and 1970s. Apart from the Masonic Centre, these included the ANZ Bank Building in Hunter Street (designed circa 1960), the South British United Insurance Building in Hunter Street (designed circa 1969), the Qantas Centre near Lang Park (designed circa 1968), and the Colonial Mutual Building in Pitt Street near Martin Place (designed circa 1973). The use of reinforced concrete and advanced structural design played a key role in the South British United Building, the Qantas Centre and the Colonial Mutual development.

Tenders were called to construct the building on 14 April 1975. The building's foundation stone was laid on 15 May 1976. Occupancy commenced during December 1978 and the building was officially opened and dedicated on 10 March 1979. An International Masonic Festival was staged at this time to accompany the opening.

The entire project consisted of a podium to serve as the headquarters of the United Grand Lodge of New South Wales – "to the Grand Lodge of New South Wales as a cathedral is to the Church" (Constructional Review) – above which a 24-storey office tower was to rise. The office tower was not to eventuate for some 25 years. The forceful podium, an outstanding example of the Brutalist idiom that was popular with architects from the second half of the 1960s through the 1970s, contained parking and supper rooms at basement and street levels, and the Grand Temple, Banquet Hall, Lodge and committee rooms and office space on upper levels. It also contained some of Central Sydney's most dramatic interiors as the main foyer extended over three storeys, each level linked by a pair of centrally located free-standing circular lift shafts, surrounded by a winding stair. Acclaimed artist Mona Hessing was commissioned to undertake a woven sculpture for the building that was located within the main foyer. It is considered to be one of her major commissions.

In 1989, Apperly, Irving and Reynolds featured the Sydney Masonic Centre in their reference book "Identifying Australian Architecture" as one of the select illustrated examples of the brutalist style in Australia.

The office tower, an integral component of the original design, was finally completed in 2005 under the jurisdiction of the architectural firm PTW, closely following Joseland & Gilling's original concept. The building is unique in that it is supported off its central lift core. Variations to the original 1970s tower design were approved in 2001. These include the addition of three levels and other minor changes. There was no change, however, to the general appearance of the tower or its originally conceived splayed base. This 2001 approval included the added glazing for the lobby and cafe by Peddle Thorpe and Walker. Both the glazed enclosure and the tower were completed by 2005.

According to architecture writer and critic Joe Rollo, "the Sydney Masonic Centre expresses all the plasticity and brute force of concrete as a material in architecture perhaps better than any other building in Australia. It is bare-boned, direct and strong. For fans of the art it is an architectural experience of great sophistication and delight, boldly conceived and carried through without compromise." (Concrete Poetry 2004, p.130)

<b>Themes:</b>	<b>National theme</b>	<b>State theme</b>	<b>Local theme</b>
	8. Culture	Creative endeavour	Modern architecture & art
	4. Settlement	Towns, suburbs and villages	Creating landmark structures ar
	8. Culture	Social institutions	Masonic halls & freemasons
	9. Phases of Life	Persons	Joseland & Gilling, architects

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney

**Designer:** Joseland & Gilling, T W Hodgson & Sons

**Builder:**

**Year started:** 1975

**Year completed:** 1978

**Circa:** No

**Physical description:** The Sydney Masonic Centre is an outstanding example of the Brutalist architectural style and demonstrates many of its characteristics – strong and expressive shapes in reinforced concrete, bold curved elements, texture provided by building materials and large unbroken wall surfaces. The original program of spaces is expressed externally through the massing of different components and the dramatic upper level structure that is supported off large splayed bracing elements.

Its original character has been obscured to some extent by later modifications, including coatings applied to off-form concrete surfaces and the glazed enclosure of forecourts at street level.

The external form of the building was generated by internal spatial requirements. It originally contained parking and supper rooms in basement and street levels, and the Grand Temple, Banquet Hall, Lodge and committee rooms and office space on upper levels. The podium includes 5-6 storeys with some internal spaces spanning several floors, and 2 levels of basement parking. The internal spaces are organised around one of Sydney's most dramatic interiors – the main foyer extended over 3 storeys, each level linked by a pair of centrally located free-standing circular lift shafts surrounded by a winding stair. A fabric artwork by Mona Hessing was hung above a reception desk near the stair. The central large grand lodge room is augmented by several smaller lodge rooms, a large banquet hall, offices, meeting rooms, function rooms.

The building layout is arranged around a diagonal axis running through the corner of the site. Set on this axis is the central grand lodge room; the form of which is expressed externally on the corner of the building. Symmetrically arranged around the main axis on either side of the lodge room are two pairs of vertical concrete stair shafts which frame, respectively, the entrance to the masonic centre itself and the entry to the office tower above. Subsidiary spaces are arranged around these principal compositional elements. The building is stepped outwards from a narrow base towards a dominant overhanging upper level which contains offices and meeting rooms behind a windowless external face. (Weir Phillips, Heritage Analysis, 2019)

The principal construction material, both internally and externally, is unfinished off-form concrete (the face of the upper level is painted), with frameless glass infill and travertine stone flooring along with some sections of vertical timber panelling internally. (Weir Phillips, Heritage Analysis, 2019)

The Sydney Masonic Centre forms the podium of the 24-storey office building known as Civic Tower, which closely follows Joseland & Gilling's 1970s concept for an office tower. It is linked to the Masonic Centre by a splayed base. The tower is constructed of concrete, with a strong vertical emphasis provided by narrow window bays separated by slender projecting mullions. The corners of the building are curved. While completing Joseland & Gilling's original scheme for the site, the tower was constructed approximately 25 years after the hall complex. A separate public foyer off Goulburn Street provides access to the lift lobby of this tower.

The heritage item listing, as specified in the item name, includes the Sydney Masonic Centre building podium exteriors and interiors and Mona Hessing artwork. It excludes the 24-storey Civic Tower where it extends above the podium.

**Physical condition level:** Good

**Physical condition:** The building is in good condition and has been well maintained.

**Archaeological potential level:** Not assessed

**Archaeological potential Detail:**



**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney

**Modification dates:** 2005 - works approved in 2001 were complete including the glazed enclosure of undercroft spaces adjacent to Goulburn and Castlereagh Street for a lobby and cafe to the design of Peddle Thorp and Walker, and construction of the 24-storey Civic Tower office building. The 2001 approval included modifications to the 1970s original tower design for an additional three levels and other minor changes, without changing the general appearance of the tower or its originally conceived splayed base.

The Goulburn Street stair shafts have been clad in aluminium sandwich panels. The original radial pattern tiling between the front walls of the site and the street boundary have been removed. Bathrooms and utility areas have been refitted.

**Recommended management:** The Sydney Masonic Centre building podium, including exteriors and interiors, should be retained and conserved. The podium includes the lower 5-6 storeys of the building that form part of the original podium, with some internal spaces spanning several floors. It excludes the 24-storey Civic Tower extending above the original podium.

All original external fabric should be retained. Surfaces never intended for painting should remain unpainted and be appropriately maintained. Where off-form concrete surfaces, which were a significant part of the building's architectural character, have been obscured through the application of a coating, investigation should be undertaken to determine an appropriate method for removal that will not damage concrete surfaces. If it is necessary to apply a coating to the surface, then investigation should be undertaken to source a material that will obscure the surface as little as possible.

Remaining intact original internal fabric should be retained and conserved. The textile artwork by Mona Hessing should be retained in situ and conserved.

A conservation management plan should be prepared to guide future use and maintenance of the podium. Any application for future development affecting listed building features should be accompanied by a heritage impact statement.

The impact of external works to the Civic Tower on the significance of the Sydney Masonic Centre podium will be assessed as works in the vicinity of a heritage item.

<b>Management:</b>	<b>Management category</b> Statutory Instrument	<b>Management name</b> List on a Local Environmental Plan (LEP)
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**Further comments:** Heritage inventory sheets are often not comprehensive, and should be regarded as a general guide only. Inventory sheets are based on information available, and often do not include the social history of sites and buildings. Inventory sheets are constantly updated by the City as further information becomes available. An inventory sheet with little information may simply indicate that there has been no building work done to the item recently: it does not mean that items are not significant. Further research is always recommended as part of preparation of development proposals for heritage items, and is necessary in preparation of Heritage Impact Assessments and Conservation Management Plans, so that the significance of heritage items can be fully assessed prior to submitting development applications.

**Criteria a):** The site of the Sydney Masonic Centre has long associations with freemasonry in Sydney, in particular the United Grand Lodge, which has occupied its northern section after the completion of the so-called New Masonic Hall in Castlereagh Street in January 1884.

Meets this criterion at a Local level.

**Criteria b):** The Sydney Masonic Centre has strong associations with the United Grand Lodge, which was formed in the 1870s.

**[Historical association significance]** The building is associated with the prominent architectural firm of Joseland & Gilling. It is one of several innovative buildings designed by the firm during the late 1960s and the first half of the 1970s.

Meets this criterion at a Local level.

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney

**Criteria c):** The Sydney Masonic Centre is an outstanding and powerful example of the Brutalist style, with a monumental interior that ranks amongst the finest interiors in Sydney from the second half of the 20th century. It is an important landmark and streetscape element in this section of Sydney.

[Aesthetic/ Technical significance]

The Civic Tower, completed in 2005, does not detract from this significance because it closely follows Joseland & Gilling's original intention for the development of the site in the 1970s.

The Sydney Masonic Centre demonstrates a very high standard of off-form concrete construction.

The Mona Hessing artwork, which was commissioned for the building, is regarded as one her finest works.

Meets this criterion at a Local and State level.

**Criteria d):** The building's social significance has not been ascertained. It has potential social significance for the mason community and architectural community.

[Social/Cultural significance]

The 2019 submissions in support of the heritage value and listing of this building from heritage bodies, professionals and community members may indicate potential social significance.

May meet this criterion at a Local level.

**Criteria e):** The building's research potential has not been ascertained.

[Research significance]

May meet this criterion at a Local level.

**Criteria f):** The Sydney Masonic Centre is a rare example of a Masonic building from the second half of the 20th century in the City of Sydney.

[Rarity]

Meets the criterion at a Local level.

**Criteria g):** The design of the Sydney Masonic Centre is representative of the Brutalist style of architecture.

[Representative]

Meets the criterion at a Local level.

**Intactness/Integrity:** The Sydney Masonic Centre has retained a large amount of original building fabric. The Mona Hessing artwork remains in situ.

References:	Author	Title	Year
		"Masonic Centre", February 1980	1980
	K R Cramp	From Jubilee to Diamond Jubilee: history of ten years of the Ur	1948
	M H Kellerman	From Diamond Jubilee to Centenary: history of forty years of tl	1988
	Philip Goad and Julie Willis	Encyclopedia of Australian Architecture	2012
	Joe Rollo	Concrete Poetry: concrete architecture in Australia	2004
		Freemasonry: History	2014
	Weir Phillips Heritage and Planning	Heritage analysis - Sydney Masonic Centre	2019

Studies:	Author	Title	Number	Year
	Tanner Kibble Denton Ar	Modern Movement Architecture in Central Sydney - Heritag		2018

Parcels:	Parcel code	Lot number	Section number	Plan code	Plan number
	LOT	1		DP	1067328

**Latitude:**

**Longitude:**

**Location validity:**

**Spatial accuracy:**

**Map name:**

**Map scale:**

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney

**AMG zone:**

**Easting:**

**Northing:**

**Listing: Name**

**Title**

**Number**

**ListingDate**

Modern Movement Architecture in Heritage study

01/01/2018

**Data entry:** Data first entered: 10/04/2018

Data updated: 20/05/2020

Status:

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney

**Image:**



**Caption:** Sydney Masonic Centre in 2013 viewed from the south eastern corner of Castlereagh and Goulburn Street

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 10/07/2018

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345cb85326d52354234b722366994242e11.JPG>

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**Image:**

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney



**Caption:** Sydney Masonic Centre viewed from the top level of the Goulburn Street Car Park

**Copy right:** City of Sydney

**Image by:** Tanner Kibble Denton Architects

**Image date:** 01/01/2013

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345cfa70978a5ab4dd19946a96c2d2a76f2.jpg>

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**Image:**

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney



**Caption:** Sydney Masonic Centre Goulburn Street elevation

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 10/07/2018

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3456dbdda3b7e3b4ced8521e2b025457854.JPG>

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**Image:**

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney



**Caption:** Sydney Masonic Centre Castlereagh Street elevation

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 10/07/2018

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345e8b37731dad74902b6008be01cbe2ac5.JPG>

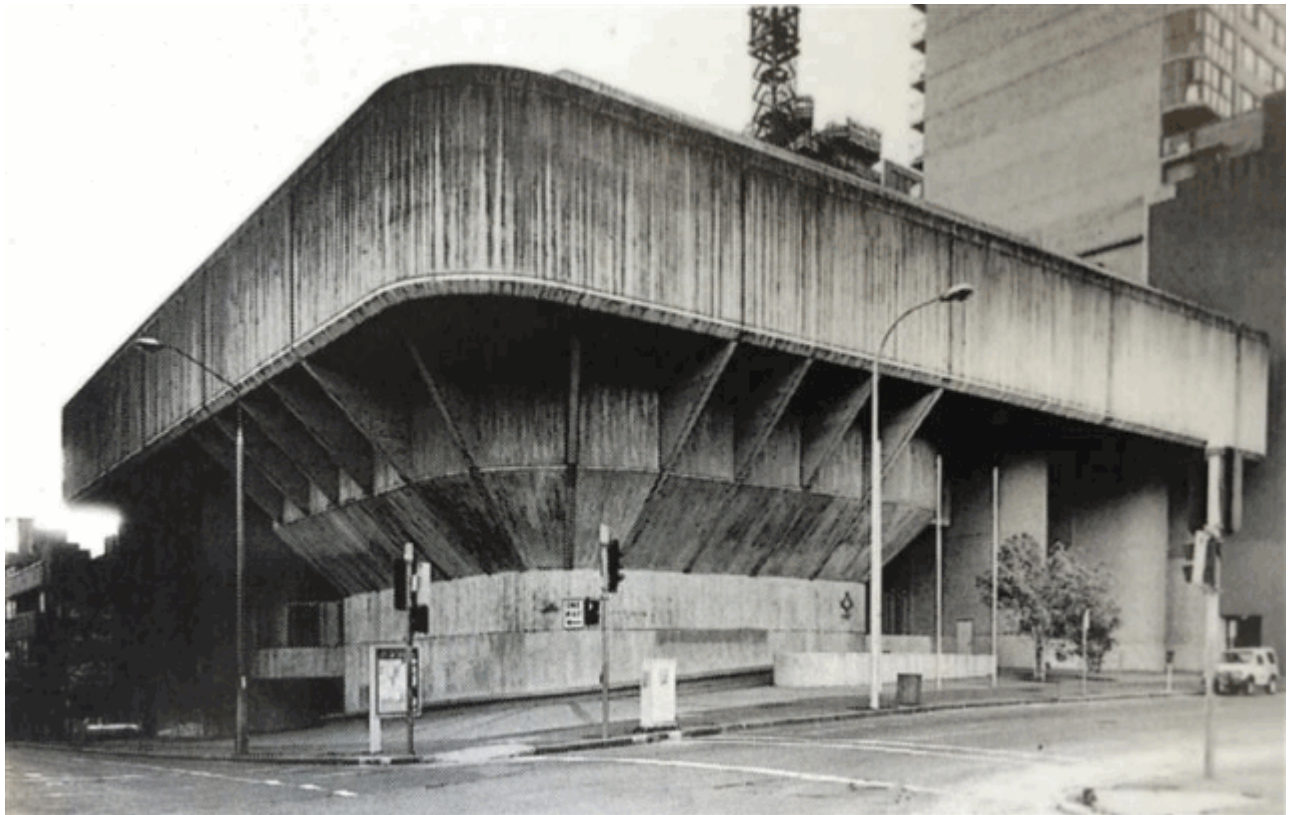
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**Image:**

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney



**Caption:** The building in c.1989, before the tower, as published in "Identifying Australian Architecture"

**Copy right:** Richard Apperly, Robert Irving and Peter Reynolds

**Image by:** Apperly, Irving & Reynolds

**Image date:** 01/01/1989

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345cb76de33cda64ad1a69421aa3362759c.jpg>

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**Image:**



**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney



**Caption:** Civic Tower under construction in 2003

**Copy right:** City of Sydney

**Image by:** John Prescott

**Image date:** 01/01/2003

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345d5f54eee9e524e41aaf446ed690d07ad.jpg>

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**Image:**

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney



**Caption:** Building exteriors in 1997 before alterations, viewed at corner of Castlereagh and Goulburn Streets

**Copy right:** City of Sydney

**Image by:**

**Image date:** 15/01/1996

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/3459c45e4a170ec4903abae51af1356522a.png>

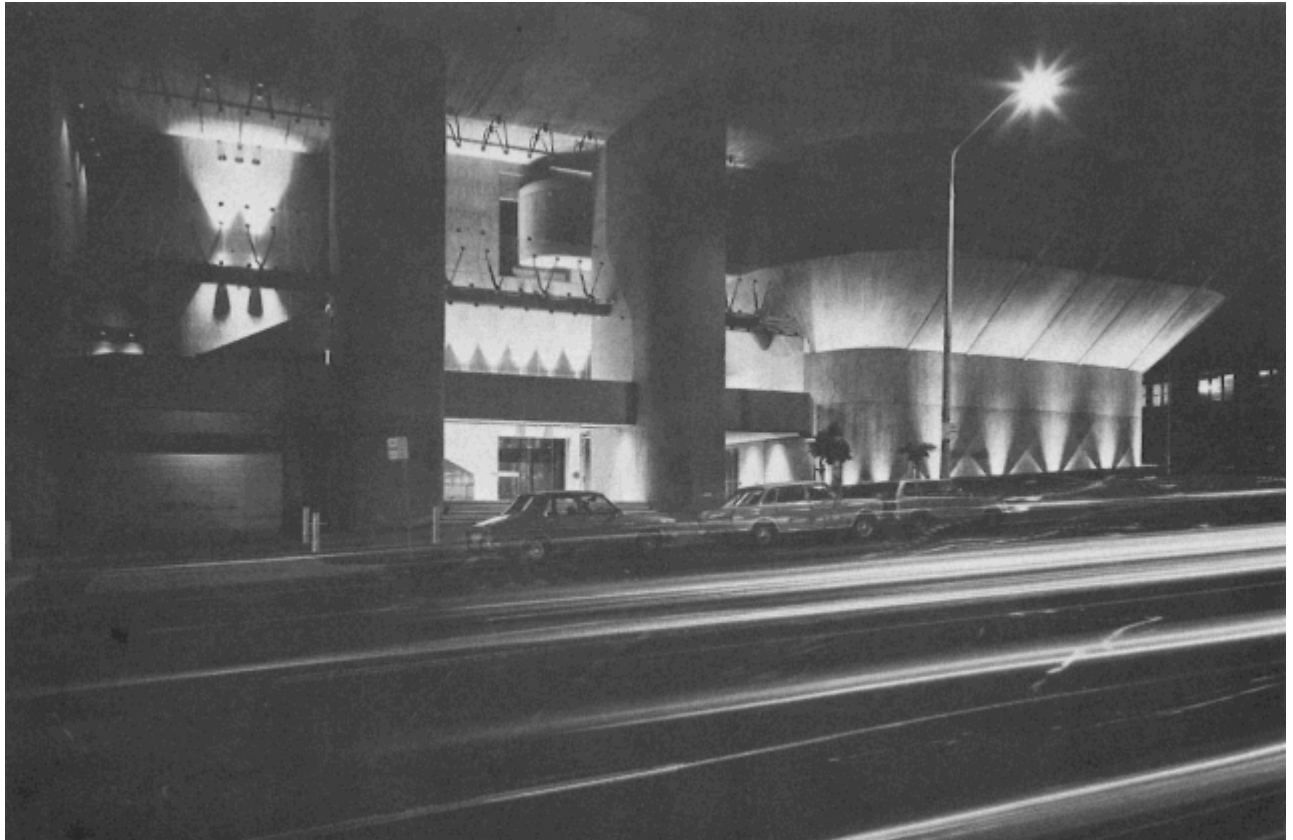
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**Image:**

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney



**Caption:** The building shortly after completion, as published in Constructional Review, Feb 1980

**Copy right:** Constructional Review

**Image by:** Constructional Review

**Image date:** 01/02/1980

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/3459bb1f805302b413a96405762bdb54c1f.jpg>

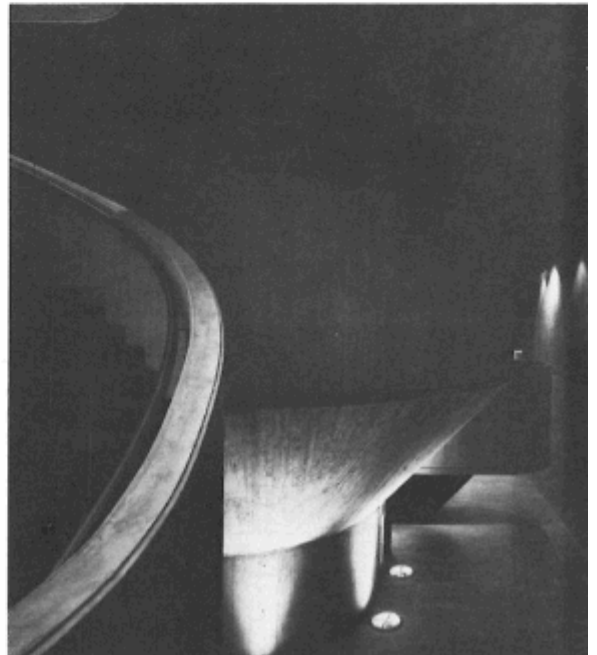
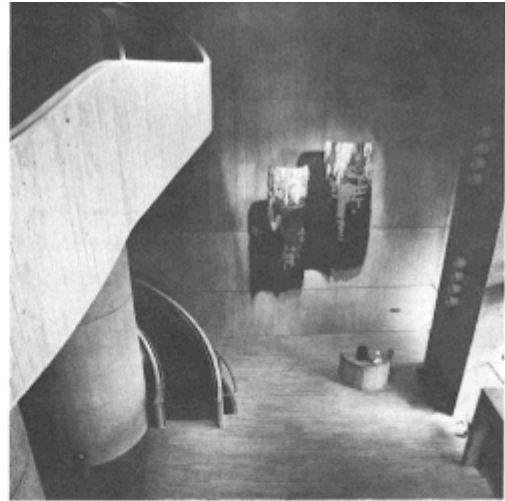
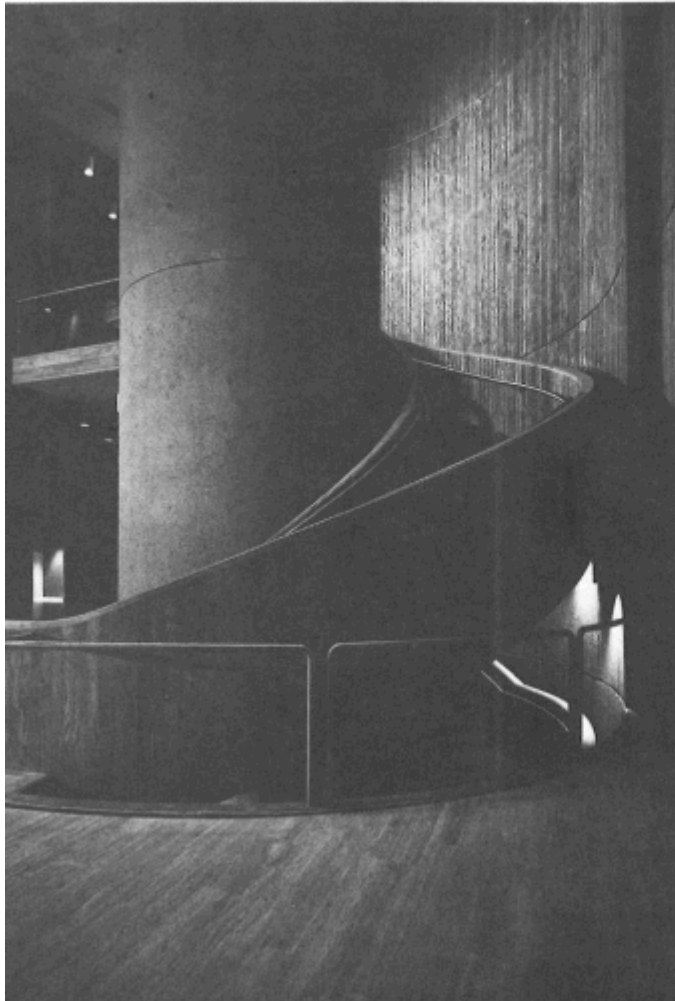
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**Image:**

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney



**Caption:** The foyer shortly after completion, as published in Constructional Review, Feb 1980

**Copy right:** Constructional Review

**Image by:** Constructional Review

**Image date:** 01/02/1980

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3459bf69ca4ebc04f2193b941363fd04411.jpg>

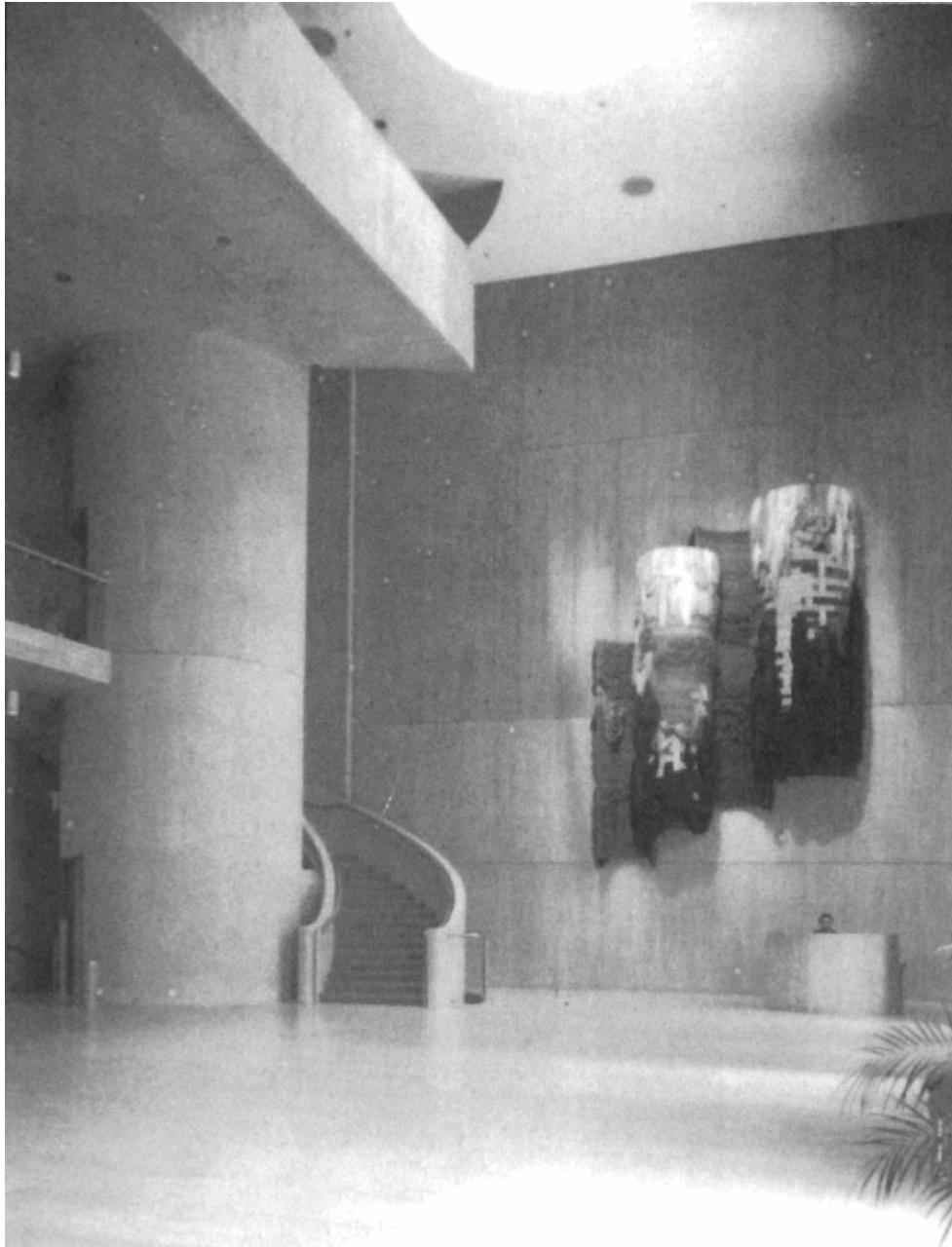
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**Image:**

**Item name:** Sydney Masonic Centre building podium including interiors and Mona Hessing artwork

**Location:** 279-283 Castlereagh Street Sydney

Sydney



**Caption:** Mona Hessing's artwork in the main foyer, as published in "From Diamond Jubilee to Centenary..."

**Copy right:**

**Image by:**

**Image date:** 01/01/1980

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3453a15011f03d54bad91f3befc453c6efd.jpg>

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# **Attachment C2**

**Former Sydney County Council Inventory**

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney

**Address:** 552A-570 George Street

**Planning:** Sydney South

**Suburb/nearest town:** Sydney 2000

**Local govt area:** Sydney

**Parish:**

**State:** NSW

**County:**

**Other/former names:** Ausgrid, Energy Australia, Sydney Electricity

**Area/group/complex:**

**Group ID:**

**Aboriginal area:**

**Curtilage/boundary:**

**Item type:** Built

**Group:** Commercial

**Category:** Commercial Office/Building

**Owner:** Private - Corporate

**Admin codes:**

**Code 2:**

**Code 3:**

**Current use:** Commercial office building

**Former uses:** Commercial office building - corporate headquarters

**Assessed significance:** Local

**Endorsed significance:** Local

**Statement of significance:** The former Sydney County Council building is a fine and representative example of a Late Twentieth Century International style commercial building that demonstrates many of the characteristics of the style. Its overall form, a tall rectilinear office tower rising at one end of a low horizontal podium, is unusual in Central Sydney, as is the dark and restrained tonal value of its exterior cladding, which although modified retains the tonal value of the original finishes.

It is associated with the prominent architectural firm of Fowell, Mansfield & Maclurcan (later Fowell, Mansfield, Jarvis & Maclurcan). It is understood to have been the only commercial office building to have been the subject of an architectural competition during the post war period in Central Sydney. The building also has significant associations with Sydney's first electricity supplier, Sydney County Council, as the purpose-built headquarters for this organisation which continued to occupy the building for many years. The building is well related to its prominent corner site and makes a positive contribution to the streetscape in an important Central Sydney precinct.

The former Sydney County Council building is of local heritage significance in terms of its historical, associations, aesthetic/technical, rarity and representative value. This satisfies five of the Heritage Council criteria of local heritage significance for local listing.

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney

**Historical notes of provenance:** This site forms part of the land of the Gadigal people, the traditional custodians of land within the City of Sydney council boundaries. For information about the Aboriginal history of the local area see the City's Barani website: <http://www.sydneybarani.com.au/>

Sydney's first demonstration of the potential of electric lighting took place on 11 June 1863 when the city was illuminated to celebrate the marriage of the Prince of Wales. Electricity was used more pragmatically for the first time when imported generators provided lighting for night work in 1878 associated with the construction of the Garden Palace erected for Sydney's 1879 International Exhibition. Tamworth became the first town in the Southern Hemisphere to provide electric street lighting in 1888 and although the Municipal Council of Sydney endeavoured to supply electricity to the City of Sydney in 1891, the enabling legislation was not passed by the Colonial government until 1896.

The City Council switched on its newly completed supply system, based at Pyrmont, on the evening of 8 July 1904. It quickly grew from street lighting to the supply of electricity to individual customers. By 1914 the Council was supplying 23 municipalities. Demand for electricity after World War I was such that it became necessary to construct a new power station and the Council's power station at Bunnerong commenced operation in January 1929.

On 6 March 1935 a bill was introduced into State parliament that included removal of electricity supply from the Municipal Council of Sydney. The Act that established the Sydney County Council was assented to by the Governor on 11 April 1935 and it formally took over the role of generating and reticulating electricity in the area that had been supplied by the Municipal Council of Sydney on 1 January 1936. It supplied to consumers in the city and 32 other municipalities directly, in bulk to 10 other municipalities, four shires and a private company.

From 1 January 1952, the two generating stations and bulk transmission lines operated by the Sydney County Council were transferred to the control of the Electricity Commission of New South Wales. From that date the County Council purchased electricity in bulk from the Commission and continued to distribute electricity to consumers in its area.

In 1957 the Sydney County Council began acquiring sites for new headquarters. The site of the former Sydney County Council Building consists of an amalgamation of Lots 14 to 17 (or parts thereof) of Section 18 of the City of Sydney.

- Lot 14 was granted to James Simmons on 8 April 1840. Further research is required to determine much of the allotment was incorporated into the site of the former Sydney Council Building. By the first half of the 1900s, the property, identified as 546-552 George Street, was owned by magistrate James Nathan Hart and his brother John. They leased the building to furniture retailers Morley Johnson in 1905, which occupied it for many years. James Nathan Hart died in February 1920 and some years later the property was acquired by Gainsborough Limited, which applied to bring it under the provisions of the Real Property Act in December 1931. The site was redeveloped towards the end of the 1930s. At the end of 1964 it was purchased by the Commonwealth Savings Bank of Australia and a section if not the whole property was acquired by the Sydney County Council in September 1966.

- Lot 15 was granted to Samuel Perry Jones on 17 May 1838. By the end of the 1880s it was in the possession of David Marks, who in December that year transferred the title to his wife Miriam. The Marks' eventually moved to England, where Mrs Marks died in February 1908. The property, by that time identified as 552A-554 George Street, passed back to David Marks, who sold it in May 1909 to Peter Murphy MLC. At the beginning of 1921 Murphy sold the building to a consortium made up of Mary Ellen Stevenson, Elsie Bird Bramble, Clivvad Smith, Stirling Stevenson, and Benjamin William Stevenson. They were involved with Fisher & Co, homeopathic and dispensing chemists established around 1892, which subsequently occupied the building. By the second half of 1964 only Elsie Bramble, Clivvad Smith and Stirling Stevenson, were left. Fisher & Co was still occupying the building in the early 1960s. It was a three storey Victorian structure built after 1880. On 2 February 1965 the title to 552A-554 George Street was transferred to the Sydney County Council.



**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

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- Lot 16, destined to be the site of 556-558 George Street and 560-562 George Street, was granted to Thomas and George Sewell on 30 March 1840. The chain of title for this part of the site requires further investigation. By the mid 1860s, 556-558 George Street, the site of a small building at the south west corner of Lot 16, was owned by draper Anthony Hordern, who was co-founder of the major retailing firm of the same name and a real estate speculator. After his death in 1876 the property passed to his sons Anthony H and Samuel, and commission agent John Booth, Commission Agent, all of Sydney as proprietors of the estate. After Anthony Hordern died, it passed to Samuel Hordern and John Booth. In June 1918 they transferred the title to the building to importer William Henry Kensit of Sydney. He subsequently transferred the title to his wife Ada in July 1947. In 1951 she sold the building to merchant Mark Margolin and his wife Felicia, who subsequently transferred her share to her husband about three years later. The Sydney County Council acquired the property from Mark Margolin in the middle of 1959.
- The rear of 556-558 George Street is understood to have had some associations with the building at 315-321 Pitt Street, which it partially abutted. The Pitt Street building was built around 1913 for the Australian Workers' Union. 556-558 George Street was purchased by Labor Papers Limited in November 1961. It was acquired by the Sydney County Council several days later.
- The chain of title for 560-562 George Street has not been ascertained.
- Lot 17, the site of 564-570 George Street, was granted to Robert Cooper on 30 January 1835. At some time after 1880 an impressive four storey building was erected over the site. It was known as Commercial Chambers. By the first half of the 1940s the building was owned by the Commonwealth Savings Bank, which sold it to Warner Bros First National Pictures in the first half of 1947. The company intended to erect a theatre on the site but this was refused by the Film Commission. In March 1957 the building entered into the possession of the Sydney County Council.

In 1959-1960, the Sydney County Council staged a competition for the design of its new headquarters, which was approved by the Royal Australian Institute of Architects. The conditions were made available on 23 November 1959 and it closed on 2 May 1960. The required characteristics of the building included an efficient flexible plan, large areas of open space with a minimum of solid or high partitions, minimum maintenance and operational costs, and a high architectural standard imparting civic dignity consistent with the importance of the site. The competition attracted 62 entrants from Australia, New Zealand, America and Canada. In July 1960, the architectural journal, *Cross-Section*, reported this competition as "one of the most important to be held in Aust for some time".

The judging panel was made up of Max Collard, then president of the NSW Chapter of the Royal Australian Institute of Architects, George Molnar, senior lecturer in architecture at Sydney University, and Walter (Osborn) McCutcheon, a principal of the Melbourne architectural firm Bates Smart & McCutcheon. Assessing was completed by the beginning of June 1960. The first prize of £5,000 was awarded to Fowell, Mansfield & Maclurcan. The second prize was awarded to Stephenson & Turner and the third prize went to M V E Woodforde. Evidently the judges found some difficulty in choosing between the first and second place-getters, but in the end Fowell Mansfield & Maclurcan's design won because of its competence and efficiency. The building was credited to two architects working for Fowell Mansfield & Maclurcan, James Kell and Diana Parrott, although the concept seems to have been the inspiration of partner Osmond Jarvis. It took the form of a tall slab block rising above the southern end of a low podium, maximising the building's exposure to the sun and therefore to natural light. Its form recalled the design of Skidmore Owing & Merrill's seminal Lever House in New York, completed in 1952.

Fowell Mansfield & Maclurcan was formed after World War II when Joseph Fowell (1891-1970) and J L Stephen Mansfield (1906-1965) went into partnership. Before the war they were partners in the successful firm of Fowell McConnel & Mansfield, whose work included notable buildings for the Catholic Church. The partnership was joined by Donald Maclurcan (1918-1999) in 1946. The firm designed numerous churches of high quality, houses and schools during the 1950s and 1960s. The firm was joined by Osmond Jarvis in 1962 and by this time was large and influential. Apart from the former Sydney County Council Building, other City of Sydney projects

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

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included the P & O Building in Hunter Street (1964; since altered) and viaducts and stations associated with the Eastern Suburbs railway line (1979).

The building's construction commenced in February 1965. The completed building was officially opened by the Governor of NSW, Sir Roden Cutler, on 5 April 1968. The building, which was 318 feet (96.9 metres) high, housed 1,550 of the SCC's 7,000 staff, customer services and a showroom with demonstration kitchen and theatrette at ground floor level. The staff amenities and cafeteria opened onto the roof of the three storey podium. The lifts were located at the rear of the tower, close to a projecting section housing stairs and building services. The exterior of the building was given an uncommon dark tone achieved by polished black granite mullion cladding and exposed aggregate black granite chips in spandrels. Wall linings at ground floor level, which was recessed to form a loggia, were lined with marble.

The restructuring of electricity distribution areas in New South Wales to reduce the number of county councils was implemented on 1 January 1980. Sydney County Council was amalgamated with Brisbane Water, St George and Mackellar County Councils. The Sydney Electricity Act 1990 dissolved the Sydney County Council and established Sydney Electricity, which commenced operations in January 1991. It subsequently became Energy Australia and changed its name to Ausgrid in March 2011 after selling its retailing arm. The NSW Government announced its decision to sell 570 George Street in September 2013. Ausgrid invited expressions of interest for the acquisition of the building, which closed on 24 October 2013.

From 2001, architectural design competitions became an integral part of city planning for design excellence, shaping the City of Sydney's skyline and architectural achievements of the 21st century. University of NSW research from 2019 credits these City competitive processes with improving building quality, innovation and the public domain, noting more than half the 26 completed buildings by early 2018 won major industry or architectural awards. (Freestone, Davison & Hu, 2019)

<b>Themes:</b>	<b>National theme</b>	<b>State theme</b>	<b>Local theme</b>
	4. Settlement	Utilities	Electricity
	8. Culture	Creative endeavour	Modern architecture & art
	3. Economy	Technology	Headquarters

**Designer:** Fowell Mansfield & Maclurcan: James Kell & Diana Parrott (project arch), Osmond Jarvis (director)

**Builder:** E A Watts Pty Ltd

**Year started:** 1965

**Year completed:** 1968

**Circa:** No

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

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**Physical description:** The former Sydney County Council Building is a 24-storey building situated on a prominent corner site. It consists of a low podium covering the entire site, with a rectilinear tower rising above the southern end of the site and aligned with Bathurst Street. A projecting windowless shaft on the north eastern corner of the building contains services and a stair. The ground floor is recessed to form a loggia accessed from the footpath by shallow steps. The building has a steel frame with reinforced concrete floors and is clad with a curtain wall system that consisted of double glazed aluminium windows, precast concrete spandrels with an exposed black granite aggregate finish, and polished granite mullions. The spandrels and projecting shaft have been lined with a smooth dark-toned proprietary panels system, which retains an equivalent tonal value to the original finishes. The original fenestration pattern is retained with the pivot aluminium window frames fixed closed. The original facade spandrels of concrete with exposed granite aggregate and mullions clad in polished granite are retained behind the 1990s cladding. Metal framed shopfronts have been installed along George and Bathurst Street.

Internally, the form of the original theatrette and some marble wall and floor finishes in the two ground floor foyers are retained. The theatrette seating has been replaced. The office floors retain the open plan grid with structural columns and internal face of the perimeter walls, with some original timber-panelled window mullions and under-sill vent panels. The contemporary office fit-outs are not significant. The circular council chambers room at level 22 has been removed, including the ceiling beams.

The heritage item listing, as specified in the item name, includes the building exterior, façade walls and fixtures, internal structure, ground floor loggia, theatrette and foyer marble cladding. It excludes the non-structural office floors and basement carpark from the listing.

**Physical condition level:** Good

**Physical condition:** Good  
**Archaeological potential level:**

**Archaeological potential Detail:** The building is not included in the Central Sydney Archaeological Zoning Plan.

**Modification dates:** The building has been modified internally over the years to accommodate changing user needs.  
1983-84: Ground and first floor alterations.  
1991: Part of the ground floor, including a shop front, modified to incorporate a police station.  
1994: Façade refurbished to design by architects Peddle Thorp; Level 4 pergola, canopy and ramp installed; original aggregate finish lining the facades and service tower replaced; original marble linings on the ground floor exterior possibly removed as part of these works (if not previously).  
c.2000: Automatic telling machines were installed.  
c.2011: Illuminated sign installed at parapet level.

**Recommended management:** The former Sydney County Council Building should be retained and conserved. All original fabric on the building exterior should be retained. Remaining original surfaces never intended for painting should remain unpainted and be appropriately maintained. Remaining intact original internal fabric should be retained and conserved.

Owners are encouraged to undertake repairs to the exposed aggregate finish on the building exterior, using tradespeople with appropriate expertise. Any future works to external cladding and finishes should retain the colouring and tonal values of the original building and should reconstruct or interpret the textures of original cladding and finishes. Where possible, encourage reinstatement of removed marble cladding for the ground floor loggia.

A conservation management strategy should be prepared to guide future use and maintenance. Any application for future development affecting listed building features should be accompanied by a heritage impact statement. Listed building features include the building exterior, façade walls and fixtures, internal structure, ground floor loggia, theatrette and foyer marble cladding. The non-structural office floors and basement carpark are excluded from the listing.

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

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**Management:** **Management category**  
Statutory Instrument

**Management name**  
List on a Local Environmental Plan (LEP)

**Further comments:** Heritage inventory sheets are often not comprehensive, and should be regarded as a general guide only. Inventory sheets are based on information available, and often do not include the social history of sites and buildings. Inventory sheets are constantly updated by the City as further information becomes available. An inventory sheet with little information may simply indicate that there has been no building work done to the item recently: it does not mean that items are not significant. Further research is always recommended as part of preparation of development proposals for heritage items, and is necessary in preparation of Heritage Impact Assessments and Conservation Management Plans, so that the significance of heritage items can be fully assessed prior to submitting development applications.

**Criteria a):** The former Sydney County Council is understood to have been the only commercial office building to have been the subject of an architectural competition during the post war period in Central Sydney. The significance of this competition was reported in the 1960 architectural journal, Cross-Section, as “one of the most important to be held in Aust for some time”, noting it attracted 62 Australian and international entries. The constructed building reflects the winning design. This building provides evidence of an early model of the competitive design process, which since 2001, has become an integral part of City of Sydney planning for design excellence, shaping the City of Sydney’s skyline and architectural achievements of the 21st century.

Meets this criterion at a Local level.

**Criteria b):** The building has significant associations with Sydney's electricity supplier, Sydney County Council, as the purpose-built headquarters for this organisation, which continued to occupy the building for many years.

**[Historical association significance]** The building is associated with the prominent architectural firm of Fowell, Mansfield & Maclurcan (later Fowell, Mansfield, Jarvis & Maclurcan).

Meets this criterion at a Local level.

**Criteria c):** The former Sydney County Council is a fine example of a Late Twentieth Century International style commercial building that demonstrates many of the characteristics of the style. Its overall form, a tall rectilinear office tower rising at one end of a low horizontal podium, is unusual in Central Sydney, as is the dark and restrained tonal value of its exterior.

**[Aesthetic/Technical significance]**

The building is well related to its prominent corner site and makes a positive contribution to the streetscape in an important Central Sydney precinct.

Meets this criterion at a Local level

**Criteria d):** The building’s social significance has not been ascertained. The significance of the building to the community of former Sydney County Council workers or visitors has not been ascertained at this stage. The submissions in support of the heritage value and listing of this building from the community organisations of the National Trust and Docomomo Australia and individual architects and heritage professionals indicate it has potential social significance to the contemporary architectural community.

**[Social/Cultural significance]**

May meet this criterion at a Local Level.

**Criteria e):** Does not meet this criterion.

**[Research significance]**

**Criteria f):** The former Sydney County Council is understood to have been the only commercial office building to have been the subject of an architectural competition during the post war period in Central Sydney.

**[Rarity]**

Meets this criterion at a Local level.

**Criteria g):** The former Sydney County Council Building is a representative example of a Late Twentieth Century International style commercial building that is distinguished by the dark tone of its external cladding.

**[Representative]**

Meets this criterion at a Local level.

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**Intactness/Integrity:** The overall form and appearance of the building is intact. The modified external cladding retains the tonal value of the original finishes and the original curtain wall fabric beneath..

<b>References:</b>	<b>Author</b>	<b>Title</b>	<b>Year</b>
	Fowell Mansfield Jarvis & Maclurcan	Plans BA 1892/65	1965
	Land and Property Information	Land titles	
		"New Cinema Project", Sydney Morning Herald, 3 June 1947	1947
	Sydney County Council	Competition for the design of a new head office for the Sydney	1959
		"All prizemoney goes to Sydney architects" in Australian Arch	1960
		"Winning design for Sydney County County headquarters", Cr	1960
		"Protection to repel grime", Canberra Times, 6 February 1968	1968
	Sydney County Council	The Sydney County Council: building opening, 5th April 1968.	1968
	Jennifer Taylor and others	Australian Business Going Up: tall buildings 1945-1970	2001
	Phillip Goad and Julie Wills (editors)	Encyclopedia of Australian Architecture	2012
		"State gets ball rolling on Ausgrid site sale", The Australian, Se	2013
	State Records	Sydney County Council: administrative history note	
	Australian Energy Regulator	A brief history of the electrical utilities in New South Wales	2007
	Robert Freestone, Gethan Davison & F	"Reshaping Sydney by design...", The Conversation, 16 April 2	2019

<b>Studies:</b>	<b>Author</b>	<b>Title</b>	<b>Number</b>	<b>Year</b>
	Tanner Kibble Denton Ar	Modern Movement Architecture in Central Sydney - Heritag		2018

<b>Parcels:</b>	<b>Parcel code</b>	<b>Lot number</b>	<b>Section number</b>	<b>Plan code</b>	<b>Plan number</b>
	LOT	1		DP	231095

**Latitude:**

**Longitude:**

**Location validity:**

**Spatial accuracy:**

**Map name:**

**Map scale:**

**AMG zone:**

**Easting:**

**Northing:**

<b>Listing:</b>	<b>Name</b>	<b>Title</b>	<b>Number</b>	<b>ListingDate</b>
	Modern Movement Architecture in	Heritage study		01/01/2018

**Data entry:** Data first entered: 24/07/2006                      Data updated: 20/05/2020                      Status: Completed

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney

**Image:**



**Caption:** Former Sydney County Council Building view from George and Bathurst Street intersection in 2018

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 10/07/2018

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3456d92baac22184630b67c55e1fddc5c2f.JPG>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test3456d92baac22184630b67c55e1fddc5c2f.JPG](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test3456d92baac22184630b67c55e1fddc5c2f.JPG)

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney

**Image:**



**Caption:** George Street podium and tower base

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 10/07/2018

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34500b14d94dbc2465fb464934eed92fecc.JPG>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test34500b14d94dbc2465fb464934eed92fecc.JPG](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test34500b14d94dbc2465fb464934eed92fecc.JPG)

**Image:**

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney



**Caption:** Podium viewed from the south-west along George Street

**Copy right:** City of Sydney

**Image by:** Tanner Kibble Denton Architects

**Image date:** 01/01/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345239b2476d8c147d1878dc1a0fc675363.jpg>

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**Image:**



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**Location:** 552A-570 George Street Sydney 2000

Sydney



**Caption:** Ground floor loggia and shopfronts view from the south-east corner of George and Bathurst Streets

**Copy right:** City of Sydney

**Image by:** Tanner Kibble Denton Architects

**Image date:** 01/01/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34577e94e12b18a4812ae8df07492d2c517.JPG>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test34577e94e12b18a4812ae8df07492d2c517.JPG](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test34577e94e12b18a4812ae8df07492d2c517.JPG)

**Image:**

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**Location:** 552A-570 George Street Sydney 2000

Sydney



**Caption:** George Street loggia

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 02/12/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345aed9c1c5bdbb4590a7950501b892eb91.JPG>

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**Image:**

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**Caption:** Perspective of the prize-winning scheme published in Cross-section, No 93, July 1, 1960

**Copy right:** Faculty of Architecture, Building & Planning, University of Melbourne

**Image by:**

**Image date:** 01/07/1960

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34563d095aea9d54d21bc6f43cc807d8311.jpg>

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**Caption:** Rendering of the final scheme for the former Sydney County Council Building

**Copy right:**

**Image by:** Fowell Mansfield & Maclurcan

**Image date:** 01/01/1962

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/345a8d8e06967a049468184b53e7989cc33.gif>

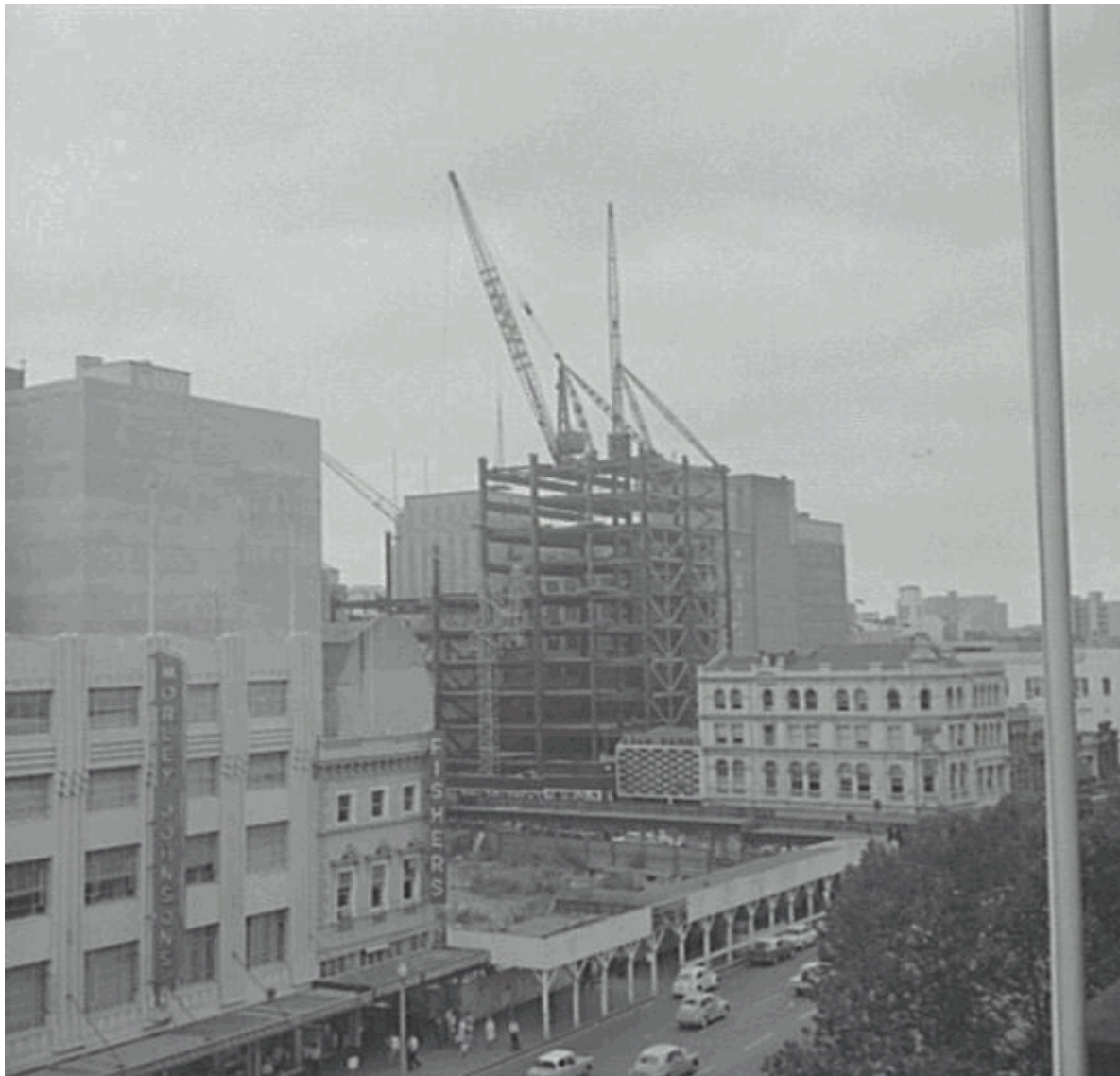
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**Location:** 552A-570 George Street Sydney 2000

Sydney



**Caption:** Site prepared for construction and before demolition of 552A-554 George Street

**Copy right:** City of Sydney

**Image by:**

**Image date:** 17/02/1964

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/345091e06ab2b92452aafa36b7f46ded5e1.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb\\_test345091e06ab2b92452aafa36b7f46ded5e1.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb_test345091e06ab2b92452aafa36b7f46ded5e1.jpg)

**Image:**

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney



**Caption:** Former Sydney County Council Building nearing completion in circa 1968

**Copy right:** City of Sydney

**Image by:**

**Image date:**

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345a8afa13e724f4880a773e9747b220283.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345a8afa13e724f4880a773e9747b220283.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345a8afa13e724f4880a773e9747b220283.jpg)

**Image:**

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney



**Caption:** George Street view from north-west in 1999

**Copy right:** City of Sydney

**Image by:** INHERITage

**Image date:** 30/12/1999

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/242/2431100a.jpg>

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**Image:**

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney



**Caption:** George Street view from north-west in 2018

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 10/07/2018

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3457b50d41a4462488e9c22b8a6782d3baa.JPG>

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**Image:**



**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney



**Caption:** Former Sydney Country Council Building viewed within its context from the north in 1985

**Copy right:** City of Sydney

**Image by:**

**Image date:**

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345a8b8e39d9d204b3e8c86be26ac51e97c.jpg>

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**Image:**

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney



**Caption:** Podium corner in 1986, showing original marble cladding and ground floor opening configuration

**Copy right:** City of Sydney

**Image by:**

**Image date:**

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3451bb836d9e99845828303fe394aa21f7c.jpg>

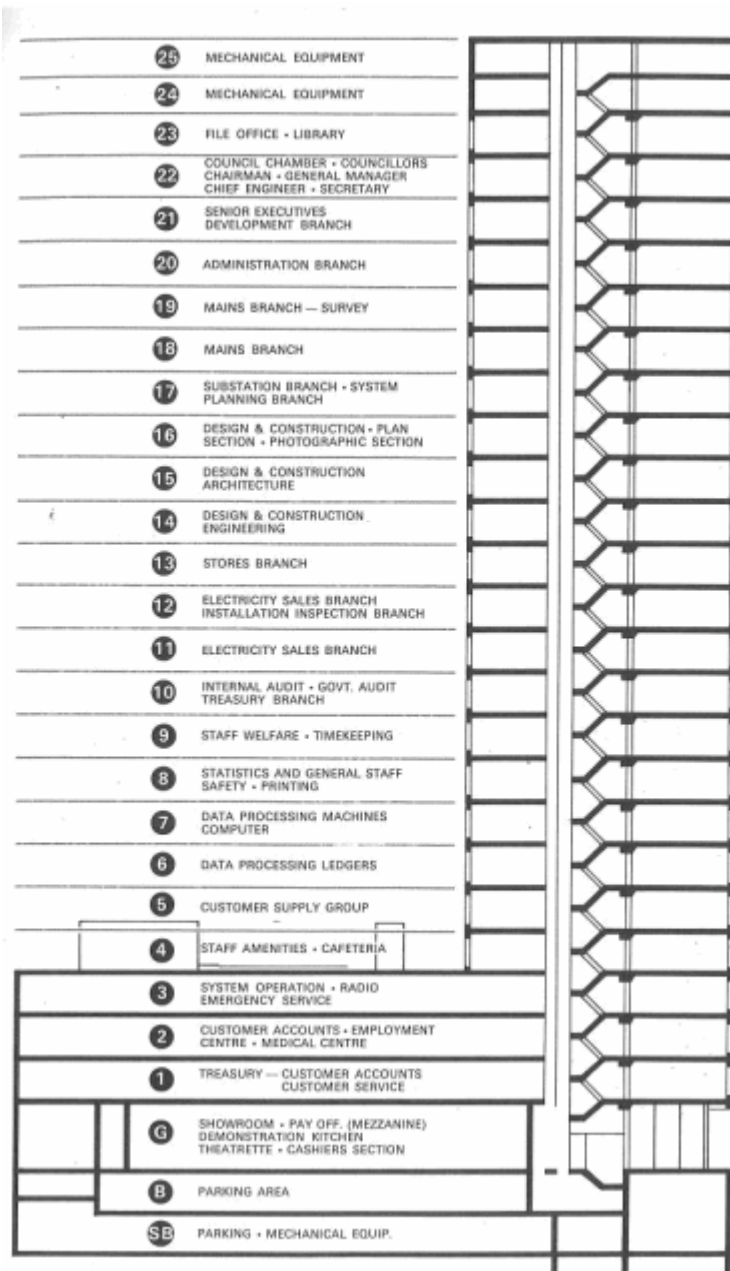
**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test3451bb836d9e99845828303fe394aa21f7c.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test3451bb836d9e99845828303fe394aa21f7c.jpg)

**Image:**

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney



**Caption:** Sectional drawing through the building indicating allocation of functions on each level

**Copy right:** State Library of NSW

**Image by:** Reproduced in The Sydney County Council: building opening, 5th April 1968

**Image date:** 05/04/1968

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345f5fb27d255ec4d0da64bf2f66bfcc4c9.jpg>

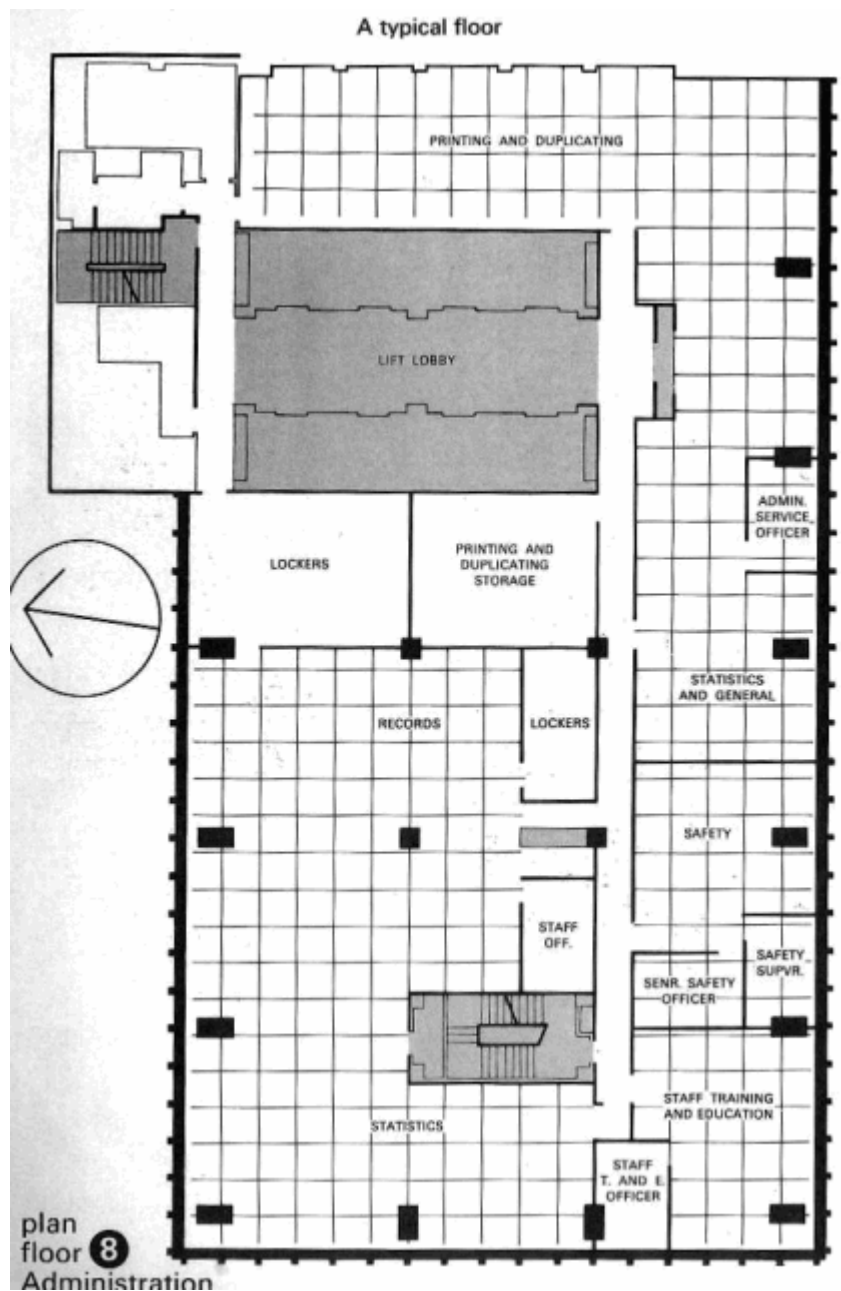
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**Image:**

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney



**Caption:** Typical office tower floor plan

**Copy right:**

**Image by:** Reproduced in The Sydney County Council: building opening, 5th April 1968

**Image date:** 05/04/1968

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345ea0ad51955474237a6dc0404a1684ff5.jpg>

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**Image:**

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney



**Caption:** Office reception in 1968, reproduced in "Tall Buildings..." (Taylor 2001)

**Copy right:**

**Image by:** Diane Graham, John Garth

**Image date:** 01/01/1968

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/34524b332bfee4b4937b543751470976b5a.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb\\_test34524b332bfee4b4937b543751470976b5a.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb_test34524b332bfee4b4937b543751470976b5a.jpg)

**Image:**

**Item name:** Former Sydney County Council building incl. façade walls & fixtures, internal structure, ground loggia, theatrette & foyer marble cladding

**Location:** 552A-570 George Street Sydney 2000

Sydney



**Caption:** Corridor in 1968, reproduced in "Tall Buildings..." (Taylor 2001)

**Copy right:**

**Image by:** Diane Graham, John Garth

**Image date:** 01/01/1968

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345068d7cfef9bd44cb9576d65e7ed22154.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345068d7cfef9bd44cb9576d65e7ed22154.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345068d7cfef9bd44cb9576d65e7ed22154.jpg)

# **Attachment C3**

**St Peter Julian's Inventory**

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney

**Address:** 637-645 George Street

**Planning:** Sydney South

**Suburb/nearest town:** Haymarket 2000

**Local govt area:** Sydney

**Parish:**

**State:** NSW

**County:**

**Address:** 426-432 Sussex Street

**Planning:** Sydney South

**Suburb/nearest town:** Haymarket 2000

**Local govt area:** Sydney

**Parish:**

**State:** NSW

**County:**

**Other/former names:** Church of the Blessed Sacrament

**Area/group/complex:**

**Group ID:**

**Aboriginal area:**

**Curtilage/boundary:**

**Item type:** Built

**Group:** Religion

**Category:**

**Owner:** Religious Organisation

**Admin codes:**

**Code 2:**

**Code 3:**

**Current use:** Church and monastery

**Former uses:** Church and monastery

**Assessed significance:** Local

**Endorsed significance:** Local

**Statement of significance:** St Peter Julian's Catholic Church and Monastery of the Blessed Sacrament Congregation is an accomplished example of post-World War II ecclesiastical architecture. It was designed by architect Terence Daly, who has undertaken a large body of work for the Catholic Church in NSW. This is believed to be his finest work. The exterior of the building has a restraint achieved through proportions and high quality materials that provides an important contribution to this part of Haymarket. The interior of St Peter Julian's Church has a high level of aesthetic significance because of the quality of its spaces and the assured use of materials such as timber, ceramic tile and glass. Both exterior and interior are enhanced by the contribution of the work of several notable migrant artists and artisans, including leadlight artist Stephen Moor, potters Irene and Stefan Kalmar and sculptor Andor Mészáros.

The church and monastery is one of only four new churches and the largest constructed in Central Sydney during the post-World War II period. As such, it provides evidence of 20th century post-war religious buildings and practice in Central Sydney. The other churches are not known to have included a monastery. This gives St Peter Julian's rarity value. It is the principal site for the Blessed Sacrament Congregation in NSW, who occupied the site for all but six years of its presence in NSW. The place is likely to have a high level of social significance for members of its congregation and for members of the monastic order.

St Peter Julian's Catholic Church and Monastery is of local heritage significance in terms of its historical, associations, aesthetic/technical, rarity and representative value. This satisfies five of the Heritage Council criteria of local heritage significance for local listing.

The Urbis preliminary heritage assessment (2019) for the building identifies specific spaces and fabric as most significant including: the quality of the George Street façade and materials, form of the eastern and western facades, light court space at second floor, main nave form, nave ceiling form and fabric, stained glass clerestory windows, sanctuary space, Lady Chapel space including stations of the cross, reredos (stained glass mosaic), fibreglass baldachin, bas relief St Peter Julian, bas relief of the Virgin Mary (Lady Chapel) and tabernacles. Further features will also contribute to the significance of the building and site.



**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

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**Historical notes of provenance:** This site forms part of the land of the Gadigal people, the traditional custodians of land within the City of Sydney council boundaries. For information about the Aboriginal history of the local area see the City's Barani website: <http://www.sydneybarani.com.au/>

The site of St Peter Julian is part of the grant of land made to historically significant miller, John Dickson, and part of the grant made to ironmonger, James Blanch, granted on 8 March 1831. The land grant is made up of several titles. Between 1942 and 1950, the properties were acquired by a company called Cash Orders (Amalgamated). It transferred the title to Amalgamated Securities Limited in September 1950. In April 1952, the site was sold to Father Thomas McNevin, who belonged to the Blessed Sacrament Congregation. The Amalgamated Furniture Co.'s store and warehouse occupied part of the site.

The Blessed Sacrament Congregation was founded in Paris by Father Peter Julian Eymard (1811-1868) in May 1856. The first Australian foundation was established in Melbourne in 1929. In 1947, the Congregation opened a Novitiate in Bowral. It was the bridgehead for the foundation at Haymarket, which it had been endeavouring to establish for some years.

In June 1947, the City Council's Finance Committee refused to sell the block at Haymarket bound by George, Hay, Parker and Campbell Street to the Fathers of the Blessed Sacrament Congregation. The Committee may have been influenced by objections received from several tenants occupying space in the block and from the staunchly protestant Loyal Orange Institution. The Fathers were not deterred by this setback. Their attention was drawn to a site comprised of 637-645 George Street and 426-432 Sussex Street in December 1951. After Father McNevin acquired them, he transferred the property title to the Trustees of the Blessed Sacrament Fathers the following May. Their intention was to establish a monastery and chapel.

In December 1952, the architectural firm of D T Morrow & Gordon lodged a building application for alterations and additions to buildings on the site, consisting of a new chapel and monastery. It would seem that much of the credit for the chapel and monastery was due to architect Terence Daly, who was an assistant to Percy Gordon. He impressed key parties with his ideas and ability to deal with what was considered a difficult brief. Little has been published about Terence Daly, who commenced studying architecture at the University of Sydney in 1940 and registered as an architect around 1948. During the next four decades his work included houses, buildings for Catholic schools and Catholic churches.

The showroom of the former furniture store was converted to a chapel while the warehouse became a monastery housing ten brothers and four priests. The Church of the Blessed Sacrament was blessed by Cardinal Gilroy on 30 August 1953.

By 1959, preliminary plans for the redevelopment of the site were under discussion by the provincial council. It was envisaged that the project would be undertaken in two stages, beginning with a monastery and small chapel, followed by a new church. Terence Daly was instructed to proceed with documentation in October 1961 and a building application was lodged in February 1962.

Father Peter Julian Eymard was canonised by Pope John XXIII on 9 December 1962.

On 29 April 1963, the monastery was ready for occupation and a mass was celebrated in the Lady Chapel the following day. Apart from the chapel, it contained a ground floor meeting hall and interview parlours, individual living quarters, superior's office, library, refectory, recreation room, music room and chapter room distributed across the four upper levels. Demolition of the earlier monastery and church followed.

The second stage of the project included a new church and sacristies, kitchen, stores and a workroom above, and a paved garden on the roof. The new church was dedicated to Father Peter Julian Eymard on 17 March 1964.

Few churches were constructed in Central Sydney between the 1950s and 1970s. Apart from St Peter Julian, new churches included: the insertion of the United Evangelical Lutheran Church into the existing building at 17 Valentine Street, possibly designed by Evans Bruer & Partners and designed circa 1958; St Paul's Lutheran

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney

Church at 3 Stanley Street, designed in 1958 by architect Kevin Curtin, a prominent designer of churches during the second half of the 20th century; and the Liberal Catholic Church of St Albans at 9 Stanley Street, designed around 1975 by architects Brewster Murray.

In 1989, Australia Post approached the congregation of St Peter Julian about redeveloping the site in conjunction with the adjoining post office at 633-635 George Street. The congregation refused because it feared a loss of independence, but by the early 1990s the future of the church was not clear, as the monastery's residents were ageing and it was suffering from personnel shortages. Another approach associated with redevelopment was made some years later.

In July 2008, the church was closed for refurbishment and conservation works so that it could accommodate updated liturgical practices and provide improved accommodation for the resident clergy. The project was designed and documented with the architectural firm, PMDL, in association with architect, Randall Lindstrom. The church re-opened on 28 March 2009 and was dedicated the following May.

Terence Daly ecclesiastic work:

Terence Daly worked extensively with the Catholic church in New South Wales, although many of his projects involved smaller local churches and school buildings. Many of these projects were based in suburban and regional areas and were executed in a scale and materiality appropriate for the location. St Peter Julian's is thus both the largest of Daly's ecclesiastic works, and the only one based in the Sydney Metropolitan area. To this end, the site is the grandest of Daly's work and is representative of his wider design intent, and demonstrative of his collaboration with Fowell, Mansfield and Maclurcan, and various artists.

The form of the church is unlike many of his other church buildings, which show a creative use of form and asymmetry, although this was likely a response to the location, it makes St Peter Julian's unique in Daly's oeuvre. Similarly, the use of materials such as marble, bronze and granite is largely unseen in many of his other works. St Peter Julian's is thus the most significant of Daly's ecclesiastic works, impressive in terms both of scale and execution, although it is stylistically unique from the rest of his portfolio. St Peter Julian's also appears to include the only monastery designed by Terence Daly. (Urbis 2019)

Post-war modern churches:

The post-war period saw ecclesiastic design experiment with the traditional form of church buildings, utilizing elements such as triangular and vertical motifs. While many churches simplified their design by using massings of rectangular forms, the most instantly recognisable design style is the A-frame church, popularised by Kevin Curtin seen at St Bartholomew's and St Kevin's, although triangular motifs can be seen in many other churches such as St Monica's, with an extreme version seen at Our Lady of Czestockhova. The majority of Post War Modern churches are also free-standing.

By contrast, St Peter Julian's is a rare example of a church in a city location with a simple exterior form where the cruciform structural is internal, although this has been influenced by its location. The primary façade of St Peter Julian's expresses traditional motifs of other Post-War Modern churches, such as the vertical motifs seen in the marble pilasters and slate panels, as well as the simplified fenestration. Although the façade lacks prominent glazed elements seen in other churches of the typology. The exterior design is thus a rarity having aesthetic significance for its representation of the Modern design style in the façade, and its interpretation of a church form in the space.

The interior of the church building is comparatively ornate to other churches of the post-war modern style. The use of timber finishes is common throughout the typology and can also be seen at the Wentworth Memorial and St Thomas More Church. The interior ornamentation, including the stained glass is of a better quality of many church buildings. Similarly, while many churches such as St Augustine's include artistic collections, the collection of St Peter Julian's is of a higher level of significance through the association of their designers as well as the quality of their execution. The collection of artworks has also impacted the design of the built form. While

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney

the interior of the monastery building has been almost entirely removed, the interior of the church building retains a high level of intactness and provides an understanding of the original design intent.

St Peter Julian's is a rare example of a post-war modern ecclesiastic building in a city area and is one of few that takes a simplified exterior form. The façade is a unique interpretation of the style incorporating common stylistic elements, but distinct in the typology. The internal interpretation of the cruciform layout is relatively unseen in New South Wales and the quality of the interior finishes of the church building is of a higher quality and level of intactness. (Urbis 2019)

<b>Themes:</b>	<b>National theme</b>	<b>State theme</b>	<b>Local theme</b>
	8. Culture	Creative endeavour	Modern architecture & art
	8. Culture	Religion	Place of worship or religious pr
	9. Phases of Life	Persons	Terence Daly, architect
	2. Peopling	Migration	Resettlement
	9. Phases of Life	Birth and Death	War Memorial
	4. Settlement	Accommodation	Monastery
	8. Culture	Religion	Fathers of the Blessed Sacrame
	8. Culture	Social institutions	Chinese Pastoral Centre
	8. Culture	Religion	St Peter Julian

**Designer:** Terence Daly, architect

**Builder:**

**Year started:** 1962

**Year completed:** 1964

**Circa:** No

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney

**Physical description:** St Peter Julian's Catholic Church and Monastery of the Blessed Sacrament is an outstanding example of post-war ecclesiastical architecture. Its rectangular principal facade is informed by the architecture of the Modern Movement.

The George Street facade is divided into five equal bays. The southern-most bay is associated with the Monastery, contains an entrance to the Monastery, and regularly spaced small windows above. The remaining bays form a facade for the Church, the entrance to which is placed within the two middle bays. The base of the facade is clad with roughly-textured German marble that rises to the height of the door openings to the Church, while the areas above are clad with green English slate. Projecting piers and decorative vertical strips are of white marble. The upper part of the facade to the Church is treated as an open screen that makes reference to Gothic architecture. A red granite crucifix bearing a bronze figure of Christ is mounted on the screen above the Church entry. The Sussex Street facade is constructed in brick. Its fenestration reflects functions within the building. The facade is modulated by slightly cantilevered wall planes and piers between window bays.

The Monastery occupies a tower block on the southern side of the site, oriented to take advantage of natural light.

The Church is accessed via a wide vestibule. The nave is square in plan while the sanctuary is semi-circular in plan. A gallery is located at the rear of the nave, forming a transitional space below as one enters the nave from the vestibule. There are also narrow galleries on either side of the nave. The Church has retained a substantial amount of original fabric that includes a fibreglass baldachin, undulating timber ceiling, leadlight windows on either side of the nave and around the sanctuary, ceramic tiling on walls and sanctuary columns, and timber pews. A Lady Chapel is located on the southern side of the nave.

The building contains an impressive collection of artworks by several notable individuals. The crucifix on the George Street facade has been attributed to Irene and Stefan Kalmar, who are also credited with ceramic tiling and a bas-relief of St Peter Julian. However, it may be that they are the work of Irene and Stefan Kalmar, who migrated from Hungary after World War II and established a pottery that operated from the early 1950s to the mid 1960s before the couple moved to Queensland. Irene Kalmar was the modeller and decorator.

The baldachin was made by the Kalmars to the design of Stephen Moor (1915-2003), who was born in Hungary and arrived in Australia in 1950. He became a dominant figure in the stained glass scene in Sydney, and reinvigorated liturgical and residential stained glass. His work can be found throughout Eastern Australia. Moor has been described as "a prodigious talent with an enormous output" (<http://www.artrecord.com/index.cfm/artist/11384-moor-stephen/>). His other work at St Peter Julian included Stations of the Cross, a mosaic depicting Our Lady of Perpetual Succour, a monstrance (since removed), reredos, tabernacles (since removed), and stained glass windows in the nave.

A plaque of St Joseph was the work of Andor Mészáros (1900-1972), who also made a Marian monstrance for the 1953 Church of the Blessed Sacrament. Mészáros arrived in Melbourne in June 1939. Amongst his early works here were a series of three carved stone figures for Royal Prince Alfred Hospital, completed between 1944 and 1946. In 1949 he went to England but returned to Australia after a few months. His religious and secular sculpture can be found across Australia. He also gained renown for designing medallions.

The heritage item listing, as specified in the item name, includes the buildings' exterior, façade walls and fixtures, interiors of the church, ground floor, first floor and artworks. Monastery interiors of levels 2-5 are excluded from the listing.

**Physical condition level:** Good

**Physical condition:** Good condition, recently refurbished

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney

**Archaeological potential level:** Moderate

**Archaeological potential Detail:** The site of St Peter Julian's Catholic Church and Monastery of the Blessed Sacrament is listed as an area of archaeological potential in the Central Sydney Archaeological Zoning Plan.

**Modification dates:** The building was refurbished during 2007-2008. Internal changes were undertaken in response to changed liturgical requirements and lighting in the Church was upgraded. The Monastery's accommodation was also upgraded. A new accessible entry and new skylights were added and existing windows to church and accommodation enlarged. Further detail of these alterations is noted in the Urbis Preliminary Heritage Assessment (2019).

**Recommended management:** St Peter Julian's Catholic Church and Monastery of the Blessed Sacrament Congregation should be retained and conserved. All original fabric on the building exterior should be retained. Surfaces never intended for painting, including stone cladding and brickwork, should remain unpainted and be appropriately maintained. Intact original internal fabric should be retained and conserved. Retain and conserve all artworks located externally and internally in situ. Retain and conserve original furniture associated with the Church, such as timber pews.

A conservation management plan should be prepared to guide future use and maintenance. Any application for future development affecting listed building features should be accompanied by a heritage impact statement. Listed building features include buildings' exterior, façade walls and fixtures, interiors of the church, ground floor, first floor and artworks. Monastery interiors of levels 2-5 are excluded from the listing.

**Management:** **Management category**  
Statutory Instrument

**Management name**  
List on a Local Environmental Plan (LEP)

**Further comments:** Heritage inventory sheets are often not comprehensive, and should be regarded as a general guide only. Inventory sheets are based on information available, and often do not include the social history of sites and buildings. Inventory sheets are constantly updated by the City as further information becomes available. An inventory sheet with little information may simply indicate that there has been no building work done to the item recently: it does not mean that items are not significant. Further research is always recommended as part of preparation of development proposals for heritage items, and is necessary in preparation of Heritage Impact Assessments and Conservation Management Plans, so that the significance of heritage items can be fully assessed prior to submitting development applications.

**Criteria a): [Historical significance]** St Peter Julian's Catholic Church and Monastery of the Blessed Sacrament Congregation is one of only four new churches and the largest constructed in Central Sydney during the post-World War II period. As such, it provides evidence of 20th century post-war religious buildings and practice in Central Sydney. The other churches are not known to have included a monastery. It is the principal site for the Blessed Sacrament Congregation in NSW and has been occupied by it for all but six years of its presence in NSW.

St Peter Julian's is representative of the growth of Catholicism in NSW in the post-war period, and the expansion of the Blessed Sacrament Congregation, both internationally and within Australia. As one of the earliest churches to practice perpetual adoration, and to have altered religious practices following the second Vatican council, St Peter Julian's is further representative of changes to religious practice in Australia. As the first church in the world to be named for St Peter Julian Eymard, the church also represents the spread of the cult of St Peter Julian.

The collection of artworks by notable European migrant artists include leadlight artist Stephen Moor, sculptors and ceramic artists Irene and Stefan Kalmar and bronze sculptor Andor Meszaros. These demonstrate the proliferation of post-war migrants and their influence on Sydney and the Australian culture.

Meets this criterion at a Local level.

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

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Sydney

**Criteria b):** St Peter Julian's Catholic Church and Monastery of the Blessed Sacrament Congregation has strong associations with the Blessed Sacrament Congregation. St Peter Julian's is the primary representation of the Blessed Sacrament Congregation in Sydney and is one of only two major churches run by the order in Australia. The church provides evidence of the growth and development of the Blessed Sacrament Congregation order, and their expansion around the world in the twentieth century. The design was also influenced by the international branch of the order and is emblematic of the ongoing relationship between the order and their international compatriots. The Church holds special significance for its association with the devotion to St Peter Julian Eymard, being the first in the world dedicated to the Saint following his canonization in 1962.

**[Historical association significance]**

The place has associations with architect Terence Daly. Terence Daly had a long-standing working relationship with the Catholic Church and has undertaken a large body of work for the church in NSW. St Peter Julian's is not only his largest project, but the best example of his work. Compared to other prominent architects of the period, such as Kevin Curtin, Daly's oeuvre is less known and recognised. His historical importance is yet to be determined.

The building includes artworks by several notable migrant artists and artisans, including leadlight artist Stephen Moor, potters Irene and Stefan Kalmar and sculptor Andor Mészáros.

As a practicing church St Peter Julian's has also hosted services and ceremonies for figures of local social importance including Cardinal Norman Gilroy (the first Australian born cardinal), visiting and local cardinals, former premier Bob Carr.

Meets this criterion at a Local level.

**Criteria c):** St Peter Julian's Catholic Church and Monastery of the Blessed Sacrament Congregation is an accomplished example of post-World War II ecclesiastical architecture. The exterior of the building has a restraint achieved through proportions and high quality materials that provides an important contribution to this part of Haymarket. The interior of St Peter Julian's Church has a high level of aesthetic significance because of the quality of its spaces and the assured use of materials such as timber, ceramic tile and glass. Both exterior and interior are enhanced by the contribution of the work of several respected artists and artisans.

**[Aesthetic/Technical significance]**

The building design and creative use of high quality materials demonstrate connections to the works of English and European artists and architects from Daly's travels. These include connections of the stained-glass reredos and stations of the cross with the work of John Piper and Le Corbusier.

Meets this criterion at a Local level.

**Criteria d):** Although further investigation needs to be undertaken, St Peter Julian's Catholic Church and Monastery of the Blessed Sacrament Congregation is likely to have a high level of social significance for members of its congregation, the monastic order and the Catholic community through its continuous use as a church and monastery. Its use by community groups for religious and social purposes may contribute to its significance.

**[Social/Cultural significance]**

May meet this criterion at a Local level.

**Criteria e):** The building's research potential has not been ascertained. As an example of a post war church in Sydney, the design of St Peter Julian's has potential to contribute to a greater understanding of the technical and aesthetic development of ecclesiastic architecture in New South Wales. Although this information may be available elsewhere.

**[Research significance]**

The site is listed as an area of archaeological potential in the Central Sydney Archaeological Zoning Plan.

May meet this criterion at a Local level.

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney

**Criteria f): [Rarity]** St Peter Julian's Catholic Church and Monastery of the Blessed Sacrament Congregation is a rare example of a church and monastery in Central Sydney dating from the 20th century post-war period. It is the largest of the four known examples of churches from this period in Central Sydney. It is the only church to contain a monastery in the Sydney city area. As an institution for religious accommodation, it is unique in the Sydney context and marks the significant development and expansion of the Catholic faith in central Sydney in the 20th century. The church is also one of few venues in Sydney that has facilitated the practice of perpetual adoration. The monastery has also been continually used as accommodation since its construction.

Meets this criterion at a Local level.

**Criteria g): [Representative]** St Peter Julian's Catholic Church and Monastery of the Blessed Sacrament Congregation represents an accomplished example of post-World War II ecclesiastical architecture. The facades particularly represent a shift away from traditional Christian architecture. The interior design is also representative of the spread of European architectural trends to Australia, seen in the stations of the cross and the layout of the sanctuary.

The building represents a fine example of the architecture of Terence Daly designed for the Catholic Church; believed to be his most significant work.

The collection of significant artworks represent the influx of European migrant artists to Sydney in the post-war years and their influence on the development of religious artworks. Stephen Moor's works in the reredos and the stations of the cross are particularly exemplary of this trend.

St Peter Julian's represents the growth of Catholicism in NSW in the post-war period, and the expansion of the Blessed Sacrament Congregation, both internationally and within Australia. As one of the earliest churches to practice perpetual adoration, and to have altered religious practices following the second Vatican council, St Peter Julian's further represents changes to religious practice in Australia. As the first church in the world to be named for St Peter Julian Eymard, the church also represents the spread of the cult of St Peter Julian.

Meets this criterion at a Local level.

**Intactness/Integrity:** High integrity. The Church has retained a substantial amount of original fabric and original artworks.

References:	Author	Title	Year
		"Religious Order's Land Offer", 26 June 1947	1947
	Kelman Semmens	Mészáros, Andor (1900–1972), Australian Dictionary of Biography	2000
		St Peter Julian, Haymarket	2013
		Blessed Sacrament Congregation: History	2013
		Biographical information on Stephen Moor	2014
		"Religious Order's Land Offer", 26 June 1947	1947
	Congregation of the Blessed Sacrament	A Guide to St Peter Julian's Catholic Church	2003
		"New Roman Catholic Chapel In Haymarket", 18 January 1952	1952
	Damien Cash	The Road to Emmaus: a history of the Blessed Sacrament Congregation	2007
	Urbis	Preliminary Heritage Assessment, St Peter Julian's Church, Haymarket	2019

Studies:	Author	Title	Number	Year
	Tanner Kibble Denton Architects	Modern Movement Architecture in Central Sydney - Heritage Study	1	2018

Parcels:	Parcel code	Lot number	Section number	Plan code	Plan number
		1		DP	1138453

**Latitude:**

**Longitude:**

**Location validity:**

**Spatial accuracy:**

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney

**Map name:**

**Map scale:**

**AMG zone:**

**Easting:**

**Northing:**

**Listing: Name**

**Title**

**Number**

**ListingDate**

Modern Movement Architecture in Heritage study

01/01/2018

**Data entry:** Data first entered: 10/04/2018

Data updated: 01/05/2020

Status: Completed



**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney

**Image:**



**Caption:** George Street facade of the Catholic Church and Monastery shortly after construction

**Copy right:** Australian Photographic Agency

**Image by:** Jack Hickson

**Image date:** 01/01/1964

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3451f633419c11d418796e586c52d07341f.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test3451f633419c11d418796e586c52d07341f.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test3451f633419c11d418796e586c52d07341f.jpg)

**Image:**

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney



**Caption:** Nave of St Peter Julian's Catholic Church

**Copy right:** Australian Photographic Agency

**Image by:** Jack Hickson

**Image date:** 01/01/1964

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345bbbc051960ff4ebcb115076fa266a206.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345bbbc051960ff4ebcb115076fa266a206.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345bbbc051960ff4ebcb115076fa266a206.jpg)

**Image:**

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney



**Caption:** St Peter Julian's Church, looking to the sanctuary from the nave

**Copy right:** Australian Photographic Agency

**Image by:** Jack Hickson

**Image date:** 01/01/1964

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3452e9a81760f0a41ed967e73ae31d317ec.jpg>

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**Image:**

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney



**Caption:** St Peter Julian's Church – southern side of nave, with Lady Chapel visible to the right

**Copy right:** Australian Photographic Agency

**Image by:** Jack Hickson

**Image date:** 01/01/1964

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3459acc3c054f374914baf9134643cf3fd9.jpg>

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**Image:**

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney



**Caption:** Stations of the Cross by Stephen Moor

**Copy right:** Australian Photographic Agency

**Image by:** Jack Hickson

**Image date:** 01/01/1964

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/34560c6a53d7ce847199a7bd19f72bd3404.jpg>

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**Image:**

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney



**Caption:** St Peter Julian's Catholic Church viewed from the south west along George Street in c.1967

**Copy right:** City of Sydney

**Image by:**

**Image date:** 01/01/1967

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345b3525039437e4920b867cc3064788c8c.jpg>

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**Image:**

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney



**Caption:** Peter Julian's Catholic Church viewed from the south west along George Street

**Copy right:** City of Sydney

**Image by:** Tanner Kibble Denton Architects

**Image date:** 01/01/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3458a6387ff26ee4c00a6410fe613aae0aa.jpg>

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**Image:**

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney



**Caption:** St Peter Julian's George Street facade

**Copy right:** City of Sydney

**Image by:** Tanner Kibble Denton Architects

**Image date:** 01/01/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345361b8c3bd47f4dd784ead78605eef396.jpg>

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**Image:**



**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney



**Caption:** Detail of crucifix mounted on the George Street facade

**Copy right:** City of Sydney

**Image by:** Tanner Kibble Denton Architects

**Image date:** 01/01/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345ac434e577d464742a80a117e5da0b46e.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345ac434e577d464742a80a117e5da0b46e.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345ac434e577d464742a80a117e5da0b46e.jpg)

**Image:**

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney



**Caption:** Stylised monstrance and decorative panel depicting St Peter Julian at Monastery entrance

**Copy right:** City of Sydney

**Image by:** Tanner Kibble Denton Architects

**Image date:** 01/01/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34598cb4e2c61384fbeb70681e807af732.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test34598cb4e2c61384fbeb70681e807af732.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test34598cb4e2c61384fbeb70681e807af732.jpg)

**Image:**

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney



**Caption:** Sussex Street facade - the monastery is the multi-storey section, with roof garden beside

**Copy right:** City of Sydney

**Image by:** Tanner Kibble Denton Architects

**Image date:** 02/01/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3450b8e2f9b63dd4a01a0436419813034ca.jpg>

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**Image:**

**Item name:** St Peter Julian's Catholic Church & Monastery including facade walls & fixtures, interiors of church, ground floor, first floor & artworks

**Location:** 637-645 George Street Haymarket 2000

Sydney



**Caption:** Interior of St Peter Julian's Church, looking from the nave to the sanctuary

**Copy right:** City of Sydney

**Image by:** Tanner Kibble Denton Architects

**Image date:** 01/01/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3453400582fe9e445b6803a4d0c020da20c.jpg>

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# **Attachment C4**

<b>Town Hall House Inventory</b>
----------------------------------

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of  
Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney

**Address:** 456 Kent Street

**Planning:** Sydney South

**Suburb/nearest town:** Sydney 2000

**Local govt area:** Sydney

**Parish:**

**State:** NSW

**County:**

**Other/former names:**

**Area/group/complex:** Government and Administration

**Group ID:**

**Aboriginal area:** Eora

**Curtilage/boundary:**

**Item type:** Built

**Group:**

**Category:** Office building

**Owner:** Local Government

**Admin codes:**

**Code 2:**

**Code 3:**

**Current use:** Office building

**Former uses:** Office building

**Assessed significance:** Local

**Endorsed significance:** Local

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney

**Statement of significance:** Dating from 1977, Town Hall House represents a fine example of the commercial work of influential architect, Ken Woolley (1933-2015) of Ancher Mortlock Murray & Woolley, and Sydney's civic development during the second half of the twentieth century. When City of Sydney consulted Ken Woolley about proposed building alterations late in his career, Ken Woolley indicated he considered Town Hall House to represent one of his finest works, which he considered worthy of conservation.

Town Hall House has aesthetic significance because it was designed to consciously relate to its important nineteenth century neighbours and is aesthetically significant in its own right, demonstrating the influence of the Brutalist style and sophisticated use of pre-cast concrete. The building forms an important vertical complement to the pronounced horizontal forms of St Andrews House. The building's landmark qualities contribute to the civic centre of Town Hall Square and surrounding streetscapes through its sculptural building forms of cubes and curves, projecting both vertically and horizontally, to modulate its bulk and relate to the surrounding public domain and buildings.

As an early example of a tall office building constructed with a load-bearing precast concrete wall system, the building also has some technical significance. The design of the wall system's fenestration is an important component of its aesthetic significance and reflects an intelligent response to controlling the impacts of the sun on the building's interior.

Internally, Town Hall House is significant for the remaining 1970s and 1980s design elements that remain in the public foyers on Levels 1 and 2 and on the commercial floors in the tower. The double-height entrance foyer at Level 2 is rare amongst surviving government/civic office buildings of the period.

Town Hall House is representative of the post-World War II trend to substantial expansion of local government authority functions.

The heritage item listing for Town Hall House building includes the building exterior, plus significant interiors identified in the item name of:

- Facade walls and fixtures
- Structural interiors
- Level 1 paving and foundation stone, curved stair to level 2
- Level 2 southern foyer
- Levels 4 and 6 links to Sydney Town Hall
- Level 4 function rooms, foyers, bathrooms and terraces
- Levels 5-23 bulkheads
- Levels 5, 9 and 11 lobby drinking fountains
- Marconi sculpture

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

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Detailed significant elements of exteriors include:

- Form of building
- Precast concrete panels & sun blades
- Poured in-situ concrete columns with precast face panels
- Aluminium framed double glazed windows with integrated venetian blinds
- Sydney Square entry concrete canopy with integral acrylic skylights, and staggered concrete panels
- Tube-shaped precast concrete panels for air conditioning service risers
- Level 4 & 6 cast in-situ concrete bridges with precast concrete panels and fixed, frameless glazed openings
- Lord Mayor's office terrace with precast concrete panels
- Marconi sculpture currently on Level 4 Marconi terrace (podium roof)

Detailed significant elements of interiors include:

- Structural interiors: columns, post-tensioned floor slab (holding up brackets) for mid-level plant room
- Level 1: granite paving and exposed aggregate foundation stone, curved stair to level 2
- Level 2 south foyer: double height volume, staggered blade walls to triple entry, exposed wall & arcade to Centennial Hall, exposed aggregate panels to core & entry walls, coffered ceiling, oculus over stair & stair to Level 1, curved stair balustrade, opening to level 3 council offices
- Level 4 function rooms, foyers, bathrooms and terraces: diagonal boarded ceilings (some composed of triangular prisms), remnant armour plated glazed walls and doors, exposed aggregate walls in lift lobbies, early City of Sydney glass engraved and stencilled logos, link to Town Hall and service lift
- Levels 5-23 offices & facilities: internal face of facade walls and fixtures, sloping bulkheads, wide shadow lines at window head, white ribbed vinyl wallpaper finish to columns/external walls/bulkheads, perforated metal acoustic pan suspended ceilings, light fittings with egg-crate diffuser luminaires, recessed ceramic water fountain in corridor in core (levels 5, 9 & 11).

Town Hall House is at least of local heritage significance in terms of its historical, associations, aesthetic/technical, social, research, rarity and representative value. This satisfies all seven of the Heritage Council criteria of local heritage significance for local listing.



**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

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**Historical notes of provenance:** This site forms part of the land of the Gadigal people, the traditional custodians of land within the City of Sydney council boundaries. For information about the Aboriginal history of the local area see the City's Barani website: <http://www.sydneybarani.com.au/>

Town Hall House is an integral component of Town Hall Square, which was undertaken jointly by the City Council and the Glebe Administration of the Anglican Church.

The concept of open space around Sydney's Anglican cathedral dates to the time of Governor Macquarie, but the realisation of the existing precinct began when the Church started to investigate a commercial development to finance a new school and diocesan accommodation in 1961.

The notion of public space in the vicinity of St Andrew's Cathedral and Sydney Town Hall was integral to the cathedral conceived by Governor Macquarie in 1812, the foundation stone of which was laid in 1819. The intended cathedral was subsequently relocated to its present site along with its foundation stone, which was laid in May 1837. It was located within the block bounded by George, Bathurst, Kent and Druiitt Streets, the eastern section of which was a government reserve. The section along Kent Street was granted to various individuals, with the south western corner dedicated to the "Scotch" (Presbyterian) Church.

St Andrew's Cathedral was consecrated in 1868. The western front of the Cathedral was served by a kind of continuation of Clarence Street, a cul de sac known as St Andrew's Place from 1914 which in the 1850s was a proposed projection of Clarence Street. By the mid 1860s it extended north from Bathurst Street as far as the Old Burial Ground.

The Old Burial Ground was Sydney's first permanent cemetery, set out in September 1782 by Governor Phillip and the Reverend Richard Johnson. The cemetery was closed in 1820 when the Sandhills or Brickfield cemetery (now the site of part of Central Railway Station) was opened. During the 1850s the land was described as the Old Church Yard. The newly formed City Council unsuccessfully requested the site for a town hall in 1843; it was not vested to it until 1869. The Town Hall was completed in 1889.

By 1910 the subject land had been earmarked for Municipal Offices. A single-storey "electric light" substation was constructed on one allotment during the first decade of the twentieth century, enlarged by several levels that were completed by 1916. An eight-storey addition to the Town Hall was completed in 1925. By the mid-1950s, the western side of the block contained St Andrew's School, workshops, Council substation, a garage and several buildings occupied by Council.

To the immediate north of St Andrew's Cathedral was the Deanery, a "domestic Gothic" building originally constructed in 1871. It eventually became the diocesan offices and registry. In 1916-1917, it was enlarged to serve various functions associated with the Cathedral as well as residential accommodation.

In 1961, the firm of Hely Bell & Horne was engaged to prepare a study for the enlargement of the Cathedral's choir school. This led to studies investigating the commercial potential of redeveloping the entire church site to finance a new school and other diocesan facilities. A development application was lodged in February 1962 for a proposed square and parking station between the Town Hall and the Cathedral. A subsequent proposal included a 45-storey tower, which led to a 27-metre height restriction being imposed over George Street and an alignment separating potential buildings from the west face of the cathedral. In the interim, a new choir school was constructed during the first half of the 1960s to the design of Hely, Bell & Horne, anticipating the construction of a commercial tower. The outcome of the entire process was height and setback restrictions on new development behind the Cathedral imposed by the State government.

In 1970, the Council engaged Ancher Mortlock Murray & Woolley to investigate the potential of office space at the rear of the Town Hall. It was convincingly demonstrated that a positive outcome could be provided by constructing a tower rising above a podium to the rear of the Town Hall, which would provide amenity for the Town Hall and allow views to its western facade. It also provided the possibility of a lower square that, by means of an arcade, linked Kent Street to Town Hall Station and an open square between the Town Hall and the

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**Location:** 456 Kent Street Sydney 2000

Sydney

cathedral. The entire scheme, which included a pedestrian plaza, Town Hall House and St Andrew's House, was designed by Ancher Mortlock Murray & Woolley, working in association with the architects for the Anglican Church, Noel Bell Ridley Smith.

Ancher Mortlock Murray & Woolley had its genesis when pioneering and influential Modernist architect, Sydney Ancher (1904-1979), went into partnership with Bryce Mortlock (1921-2004) and Stuart Murray (b.1926). Initially noted for its hotel and residential work, by the 1960s the firm was undertaking commissions for the University of Sydney and Australian National University. The firm was joined by Ken Woolley (1933-2015) in 1964. Woolley previously worked for the Government Architect's Branch and was responsible for some of the Branch's finest buildings during the late 1950s and early 1960s, such as the Fisher Library at the University of Sydney and the State Office Block in Macquarie Street (demolished). In the second half of the 1960s, the firm designed a number of significant buildings, including several at the University of Newcastle, the RAI headquarter's in Canberra and a series of townhouses including the influential Penthouses at Darling Point. The 1972 Christie Centre at 3 Spring Street, designed by Ancher Mortlock Murray & Woolley in association with McConnel Smith & Johnson, presaged the use of load-bearing precast concrete facade system at Town Hall House. After Ancher retired in 1968 and Murray resigned in 1976, Woolley was left to manage the practice, as Mortlock was involved with other commitments, and retired in 1982. The practice continued to design outstanding buildings, which in the City of Sydney included the Glass House in the Botanic Gardens (1988), ABC Headquarters in Ultimo (1990) and Hyatt Hotel, Campbell's Cove (1990). Woolley, who retired from active involvement in 2002, was also involved with the refurbishment of the Queen Victoria Building. The firm has won numerous awards over the years.

Construction of Town Hall House commenced in 1971 and was officially opened on 28 June 1977. The end result was an integrated development that included Town Hall House, St Andrews House, and conservation works to the Town Hall and St Andrew's Cathedral – the public space was a major initiative, which incorporated a shopping arcade underneath linking pedestrian movement between Kent Street and Town Hall Station. Pedestrian movement across the square moved diagonally to Kent Street and the entry to Town Hall House to assist in lively movements and use of the square.

A contemporary analysis explains the philosophy and influences behind the building, and the outcomes:

“The tower's approaches and external form obviously make the desirable effort to be something more than just another office block; also to provide an affinity for the Town Hall yet an independence from it. Those aims are largely and admirably fulfilled in almost every respect. Links, bridges, materials and shared spaces are genuinely neighbourly, and 23 storeys have risen behind the Hall with very little sense of intrusion, especially when viewed from the Square.

The tower has a three-part form. First, a broad podium with public-contact offices and terraces; its height is similar to the lower floors of the classical neighbour. Second, five storeys of council offices rising to the top of the Hall. Third, 12 more storeys of offices, sharply distinguished by a broadening of the tower. That wider upper tower is seated upon massive cantilever stubs, which protrude two ways and form a double hammerhead, but there are very few vantage points which see both extensions.

That jetting at the 11th level certainly contributes a break from the sheer-tower impression, and along with externalised and curvilinear shafts for lift ducts and stairs constitutes a memorable sculpture...

It is not an unpleasant coincidence that the nature of the cantilevering of those floors reminds architects and travellers of the modern Boston City Hall (Kallmann, McKinnell and Knowles; 1964-69). The impact of the American example was formidable; not just one building was transformed from a plain structure into a bold sculpture, but a significant break from the rule of the rectilinear frame ... a rule which pioneer moderns had called a beautiful discipline, but which citizens of the 60s saw as a boring tyranny.

Another aspect of the same changing of direction is apparent in the fact that Sydney's Town Hall House has load-bearing wall panels within a nominal structural frame, and that within those wall panels the windows are of

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

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a size much reduced from the thermally impractical glass areas of buildings 10 years older. Incidentally, the external columns are stepped gently inwards to form a taper over the building's height." (Saunders and Burke)

In 1976, a large stainless steel and glass sculpture by prominent sculptor and artist Mike Kitching was installed on the Marconi Terrace, which connects the rear of Sydney Town Hall to Town Hall House. The sculpture commemorated the centenary of the birth of radio pioneer Guglielmo Marconi who successfully illuminated Sydney Town Hall by radio signal from his yacht moored in Genoa Harbour. Kitching's work includes major commissions for the Commonwealth and State Law Courts in Macquarie Street, Sydney Olympic Park and Kingsford Smith Airport, Sydney. His work is represented in many public and private collections.

Town Hall Square was designed and constructed against a background of increasing concern over pedestrian amenity in Central Sydney in the wake of unprecedented commercial development during the 1950s and 1960s. Council's 1958 planning scheme, which was finally exhibited in 1965, was accompanied by a draft ordinance that included a maximum FSR of 10:1 for the central business district to the east of Kent Street. This allowed bonuses such as provisions of open space and pedestrian access to take the maximum FSR up to 12:1.

A spate of buildings set back from street alignments followed. The 1971 City of Sydney Strategic Plan contained 16 major policies that dealt with the economic, social and physical environment of the city. Its long-term objective for Central Sydney included "an equitable balance between the pedestrian and road user." The plan aimed to make Sydney a more humane and civilised place, in some ways mirroring post-war European planning practice, which embraced car-free spaces and pedestrianisation of shopping and civic places. Apart from Town Hall Square, other Council initiatives included small street closures such as Richard Johnson Square (1971) and the progressive closure of Martin Place (1971-1982).

The private sector was also responding to congestion in the city. Harry Seidler's Australia Square (1961-1967) constructed by Civil & Civic, was a nationally significant and innovative scheme that involved the transformation of an entire block interwoven by narrow lanes into an ideal Modernist townscape of a sunny pedestrian plaza graced by a fountain and elegant seating areas, sheltered by towers on either side of the site. Other private developments followed this precedent, such as the Qantas International Centre near Lang Park, the MLC Centre extending between Martin Place and King Street, and the T & G development on Elizabeth Street, between Bathurst and Park Streets.

The excellence of the scheme was recognised by several awards made by the NSW Chapter of the RAIA between 1978 and 1983 – Merit Award 1979 (Town Hall Complex), Merit Award for Work of Outstanding Design 1978 and Civic Design Award 1983 (Sydney Square), Merit Award 1979 (St Andrew's House) and Merit Award 1981 for Civic Design (Wall of Water Fountain).

When City of Sydney consulted Ken Woolley in 2015 about proposed building alterations, Ken Woolley indicated he considered Town Hall House to represent one of his finest works, which he considered worthy of conservation. Town Hall House was one of Ken Woolley's select works featured from his body of work in the 1999 publication, "Ken Woolley and Ancher Mortlock and Woolley: Selected and Current Works". By comparison, Woolley's other high rise building, Farmers and Graziers, undertaken with McConnell Smith and Johnson as architects in association, was not included in the book.

<b>Themes:</b>	<b>National theme</b>	<b>State theme</b>	<b>Local theme</b>
	4. Settlement	Towns, suburbs and villages	Creating landmark structures ar
	8. Culture	Creative endeavour	Modern architecture & art
	7. Governing	Government and Administration	Local governance
	9. Phases of Life	Persons	Ken Woolley, architect

**Designer:** Ancher Mortlock & Woolley - Ken Woolley

**Builder:** Mainline Constructions

**Year started:** 1972

**Year completed:** 1977

**Circa:** No

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney

**Physical description:** Town Hall House was designed to close off the western end of Town Hall Square. It is a 24-storey tower rising above the three-storey podium base. Its precast load-bearing concrete panels were designed with the intent of harmonising with the Town Hall and St Andrew's Cathedral. They were also designed with relatively small window openings to control solar ingress to the building's interior. The lift tower at the south eastern corner of the building is strongly expressed as a tower element. The building facades have been described as being "deeply grooved" and are strongly modelled to exploit the effects of sunlight and shade. The upper sections of the building cantilever over Druitt Street and are supported off deep cantilevered beams.

More detailed description of the building features is contained in the 2016 conservation management plan by Robertson & Hindmarsh.

The heritage item listing, as specified in the item name, includes the building exterior, facade walls and fixtures, structural interiors, level 1 paving and foundation stone, curved stair to level 2, interiors of level 2 southern foyer, levels 4 and 6 links to Sydney Town Hall, level 4 function rooms, foyers, bathrooms and terraces, levels 5-23 bulkheads, levels 5, 9 and 11 lobby drinking fountains, and Marconi sculpture. It excludes non-structural office floors, parts of other floors and the basement carpark from the listing.

**Physical condition level:** Good

**Physical condition:**

**Archaeological potential level:** Moderate

**Archaeological potential Detail:** Town Hall House is not included in the Central Sydney Archaeological Zoning Plan.

**Modification dates:** Modifications have mostly related to internal and base building works.

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney

**Recommended management:** Town Hall House should be retained and conserved. Listed building features include the building exterior, facade walls and fixtures, structural interiors, level 1 paving and foundation stone, curved stair to level 2, interiors of level 2 southern foyer, levels 4 and 6 links to Sydney Town Hall, level 4 function rooms, foyers, bathrooms and terraces, levels 5-23 bulkheads, levels 5, 9 and 11 lobby drinking fountains, and Marconi sculpture. The non-structural office floors, parts of other floors and basement carpark are excluded from the listing.

All original fabric on the building exterior should be retained. Surfaces never intended for painting, including precast concrete elements, should remain unpainted and be appropriately maintained.

Remaining intact original internal fabric should be retained and conserved.

Retain the visual relationships between the Square, St Andrew's cathedral, Sydney Town Hall, Town Hall House and St Andrew's House. The setting for Town Hall Square that was consciously designed in the exteriors of Town Hall House and St Andrew's House should be retained and conserved.

Any application for future development affecting listed building features should be accompanied by a heritage impact statement. This should consider the assessment and recommendations of the 2016 conservation management plan completed by Robertson & Hindmarsh. The main recommendations of this plan include:

Retain the original design intent of the exterior of the building that was deliberately related to the Victorian architecture of Sydney Town Hall and St Andrew's Cathedral. This is expressed by the strong vertical service core on the south-west corner of Town Hall House which rises up above the roof of the building to express its tower form and to relate to the Town Hall clock tower, as well as the breaking up of the mass of the tower by cantilevering the top half of the tower over the bottom half and by breaking up the massing of each of these two halves into three more sections (or lobes) attached to the expressed external vertical core.

Retain the original fabric that embodies the original design intent of the buildings such as the deeply moulded and modelled precast concrete wall and window units, including the stepped columns between the window panels, the curved hoods over the windows, the additional vertical sunshades on the east and west facades, and the double-glazed aluminium window units.

Retain important internal spaces such as the Level 4 Marconi Room and its relationship to the Marconi Terrace as well as the double height volume of the Level 2 entry foyer. In any refurbish of the Marconi Room and other Level 4 spaces retain as much original fabric as possible (especially the timber ceiling). Any new additions to the interior design of the Level 4 spaces is to acknowledge the 1970s aesthetic origin of these spaces. Regain, whenever possible, the original aesthetic intent of the internal public spaces on Levels 1 and 2.

Retain the Marconi sculpture on the Level 4 Marconi Terrace.

In the use of the Marconi Terrace as an additional functions area, avoid the use of intrusive marquee structures and commission the design of a permanent structure that relates to the sandstone aesthetic of the Town Hall and to the strong Brutalist, sandstone-coloured aesthetic of Town Hall House. The added covered "pergola" structure on the Western Forecourt of the Sydney Opera House is a model for such additions.

See further detailed conservation policies in the conservation management plan.

**Management:** Management category  
Statutory Instrument

Management name  
List on a Local Environmental Plan (LEP)

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

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Sydney

**Further comments:** Sydney Town Hall and Town Hall Square ("Sydney Square") are listed as separate heritage items, numbers I1790 and I1791.

Heritage inventory sheets are often not comprehensive, and should be regarded as a general guide only. Inventory sheets are based on information available, and often do not include the social history of sites and buildings. Inventory sheets are constantly updated by the City as further information becomes available. An inventory sheet with little information may simply indicate that there has been no building work done to the item recently: it does not mean that items are not significant. Further research is always recommended as part of preparation of development proposals for heritage items, and is necessary in preparation of Heritage Impact Assessments and Conservation Management Plans, so that the significance of heritage items can be fully assessed prior to submitting development applications.

**Criteria a):** Dating from 1977, Town Hall House represents a fine example of the commercial work of influential architect Ken Woolley of Ancher Mortlock Murray & Woolley.  
**[Historical significance]**

The building provides important evidence of Sydney's civic development during the second half of the twentieth century. It forms an integral component of Town Hall Square, which was one of a series of civic squares and public spaces established during the 1960s and 1970s in the City of Sydney. The Square was a unique joint endeavour by the City of Sydney and the Anglican Church to provide public and pedestrian space between two of the city's most significant nineteenth century buildings, Sydney Town Hall and St Andrew's Cathedral and realised a concept first proposed in 1810.

Meets this criterion at a Local level.

**Criteria b):** Town Hall House is associated with influential architect Ken Woolley and the firm of Ancher Mortlock Murray & Woolley, who occupy an important place in the history of architectural design in NSW during the second half of the twentieth century. Woolley indicated that Town Hall House was one of his finest works and worthy of conservation.  
**[Historical association significance]**

The sculpture on the Marconi Terrace is by Mike Kitchin, a prominent sculptor represented in many public and private collections in Australia and overseas.

Meets this criterion at a Local and State level.

**Criteria c):** Town Hall House has aesthetic significance because it was designed to consciously relate to, and not detract from its important 19th century neighbours and is aesthetically significant in its own right, demonstrating sophisticated use of reinforced and precast concrete. It also shows the influence of the Brutalist style.  
**[Aesthetic/ Technical significance]**

The building forms an important vertical complement to the horizontal forms of St Andrew's House. Its landmark qualities contribute to the civic precinct of Town Hall Square because of its sculptural forms and modulation. Town Hall House makes a notable contribution to the streetscape on Drutt Street.

The building has some technical significance as an early example of a tall office building constructed using a load bearing pre-cast concrete wall system. The design of its fenestration is an important component of its aesthetic significance and reflects an intelligent response to sun control.

Internally the building has significance for remaining 1970s and 1980s design elements remaining in public foyers on Levels 1 and 2 and on commercial floors.

Meets this criterion at a Local and State level.

**Criteria d):** The awards received by Town Hall House as part of Town Hall Square indicates the esteem in which it is held by the architectural profession.  
**[Social/Cultural significance]**

Meets this criterion at a Local level.

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

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**Criteria e):** The building offers research potential into the designs of Ken Woolley and the early use of a load-bearing precast concrete wall system for construction of a tall office building.  
[Research significance]

Meets this criterion at a Local level.

**Criteria f):** Town Hall House is rare as part of an ensemble of buildings and spaces that redefined and united an entire city block as one development.  
[Rarity]

It is a rare high-rise office block employing a structural pre-cast concrete external façade rather than a removable nonstructural precast façade. It is rare because of its design quality, which combines civic and commercial functions and was related architecturally to Sydney Town Hall and St Andrew's Cathedral.

The building's double height entrance foyer at Level 2 is rare among surviving government/civic office buildings of the period.

Meets this criterion at a Local and State level.

**Criteria g):** Town Hall House is representative of the post-World War II trend to substantial expansion of local government authority functions.  
[Representative]

Town Hall House is representative of Brutalist-inspired commercial architecture, constructed of precast concrete external walls rather than the lightweight glass curtain walls. It demonstrates shared concerns with controlling solar ingress and the comfort of occupants through the resolution of its precast concrete wall panels.

Meets this criterion at a Local level.

**Intactness/Integrity:** High integrity externally

References:	Author	Title	Year
		Buildings and Works	1916
		Australian Architects: Ken Woolley	1985
	David Saunders and Catherine Burke	Ancher Mortlock Murray Woolley: Sydney architects 1946-197	1976
	Ken Woolley	"Sydney Square: a civic place for the city" in Peter Webber (ed	1988
	Phillip Goad and Julie Willis (editors)	Encyclopedia of Australian Architecture	2012
	Jennifer Taylor	Australian Architecture Since 1960 (2nd edition).	1990
		Sydney Town Hall Discover & Learn: Town Hall House	2014
	Robertson & Hindmarsh (Scott Robert	Town Hall House conservation management plan	2016
	Ancher Mortlock and Woolley	Ken Woolley and Ancher Mortlock & Woolley: selected and c	1999

Studies:	Author	Title	Number	Year
	Tanner Kibble Denton Ar	Modern Movement Architecture in Central Sydney - Heritag		2018

Parcels:	Parcel code	Lot number	Section number	Plan code	Plan number
	LOT	100		DP	1048011

**Latitude:**

**Longitude:**

**Location validity:**

**Spatial accuracy:**

**Map name:**

**Map scale:**

**AMG zone:**

**Easting:**

**Northing:**

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of  
Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney

<b>Listing:</b>	<b>Name</b>	<b>Title</b>	<b>Number</b>	<b>ListingDate</b>
	Modern Movement Architecture in	Heritage study		01/01/2018

**Data entry:** Data first entered: 20/08/2014

Data updated: 20/05/2020

Status: Completed



**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney

**Image:**



**Caption:** Street view at corner of Druiett and Kent Streets

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 23/09/2016

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3450d43a45e47764756bf7abff1dc70c540.jpg>

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**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney

**Image:**



**Caption:** East and south facades viewed from plaza

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 02/12/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34513a5feead7a94d8089f85b5bf7a417d4.jpg>

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**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney

**Image:**



**Caption:** Town Hall and Town Hall House viewed from Druiett Street

**Copy right:** City of Sydney

**Image by:** Tanner Kibble Denton Architects

**Image date:** 01/01/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345527a61ffbe0843328132f9215e0e3a4a.jpg>

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**Image:**

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney



**Caption:** Lower plaza and steps leading to Kent Street near Town Hall House

**Copy right:** City of Sydney

**Image by:** Tanner Kibble Denton Architects

**Image date:** 01/01/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/3458a8262ae739b4c198a18e211ca1316c8.jpg>

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**Image:**

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney



**Caption:** Connection of Town Hall House to Town Hall, at plaza entrance

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 02/12/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/3456e8e0935d3da4090b3003d49c5742872.jpg>

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**Image:**

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney



**Caption:** Reinstated Marconi sculpture on Level 4 Marconi terrace

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 05/07/2018

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3457cb9111c2b754b8e8158568da3daafd5.JPG>

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**Image:**

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney



**Caption:** Panorama looking south-west to Town Hall & Town Hall House (SRC21006)

**Copy right:** City of Sydney

**Image by:** City of Sydney Archives

**Image date:** 12/04/2011

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345ef3730cf02914fcabb58454ebbf3fb9.jpg>

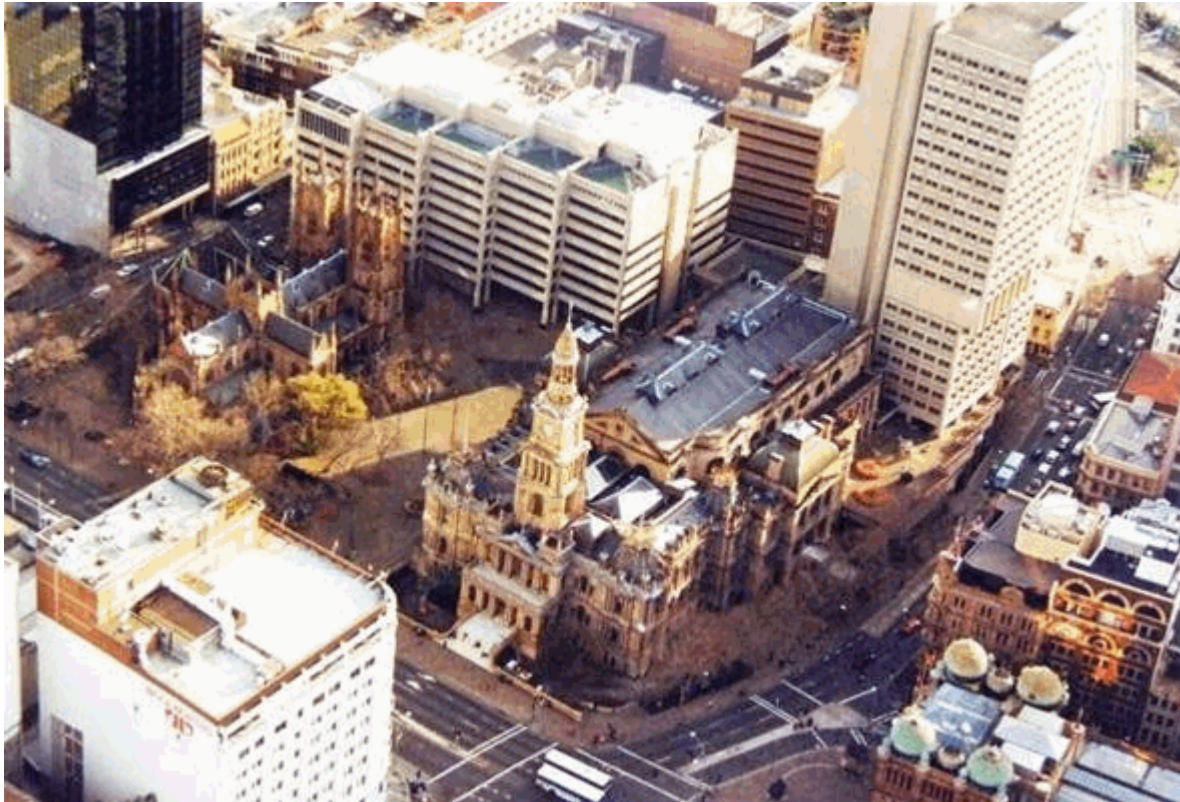
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**Image:**

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney



**Caption:** Aerial photograph of Town Hall Square taken from the north east

**Copy right:** City of Sydney

**Image by:**

**Image date:** 01/01/1994

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34519e4abdcea4044cab5301853323fb53e.jpg>

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**Image:**



**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney



**Caption:** Town Hall House (left) and St Andrew's House looking south along Kent St shortly after construction

**Copy right:**

**Image by:**

**Image date:** 01/01/1977

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345eeaa9d7db5fe48afb552f5e2a1525bbc.jpg>

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**Image:**

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney



**Caption:** Relationship of Town Hall House to setting of Town Hall

**Copy right:** City of Sydney

**Image by:** City of Sydney Archives (SRC12320)

**Image date:** 01/01/2000

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34511877a09a8da4e6c8ae123309ae22108.jpg>

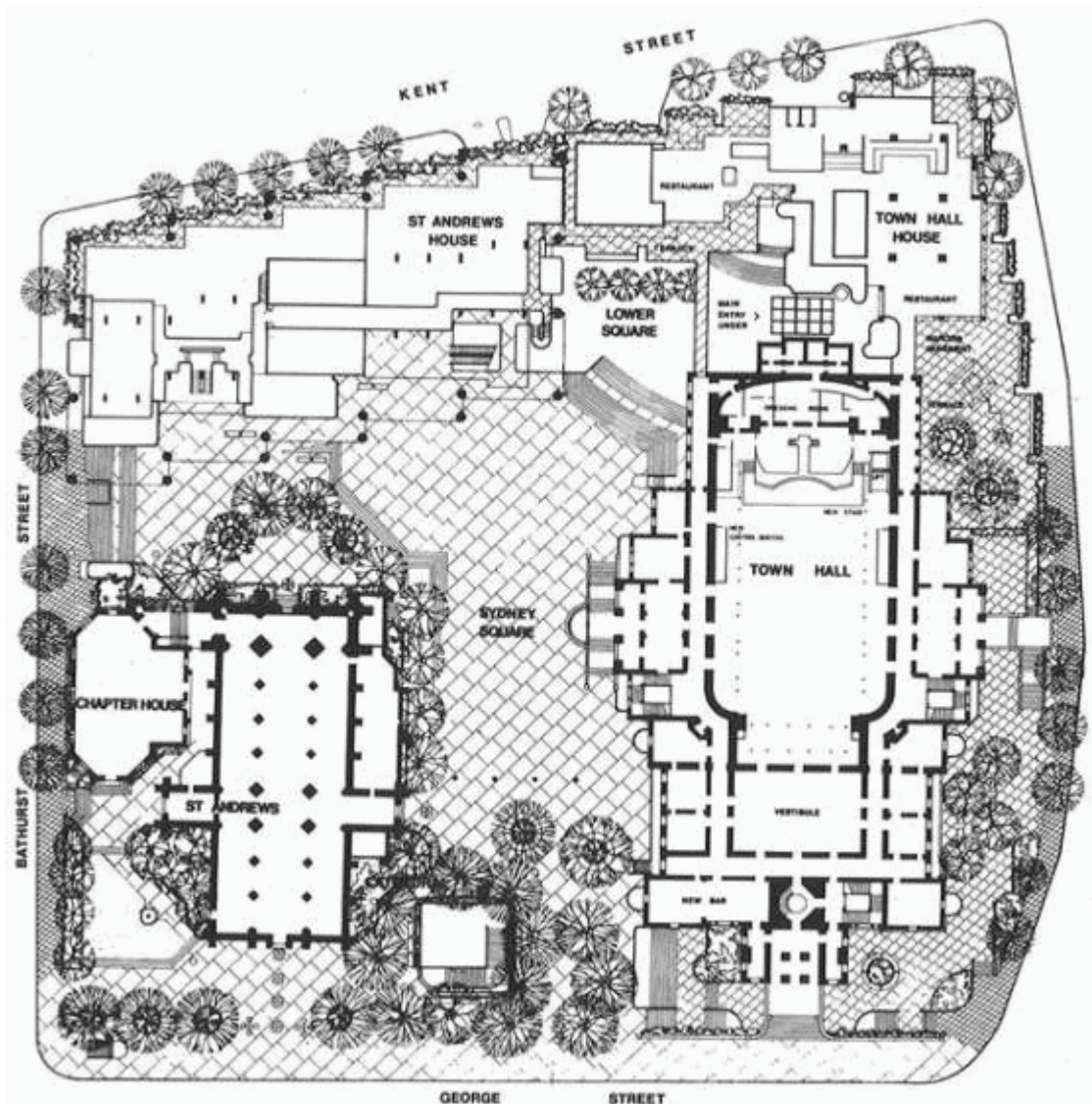
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**Image:**

**Item name:** Town Hall House building including interiors identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 456 Kent Street Sydney 2000

Sydney



**Caption:** Original plan of Town Hall Square (reproduced in Australian Architects: Ken Woolley)

**Copy right:**

**Image by:** Ken Woolley

**Image date:** 01/01/1971

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3456352a04deba3469d9ad30887c31b9946.jpg>

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# **Attachment C5**

**William Bland Centre Inventory**

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

**Location:** 229-231 Macquarie Street Sydney 2000

Sydney

**Address:** 229-231 Macquarie Street

**Planning:** Sydney South

**Suburb/nearest town:** Sydney 2000

**Local govt area:** Sydney

**Parish:**

**State:** NSW

**County:**

**Other/former names:**

**Area/group/complex:**

**Group ID:**

**Aboriginal area:**

**Curtilage/boundary:**

**Item type:** Built

**Group:** Health Services

**Category:** Other - Health Services

**Owner:** Multiple Owners

**Admin codes:**

**Code 2:**

**Code 3:**

**Current use:** Medical consulting and professional offices

**Former uses:** Medical consulting offices

**Assessed significance:** Local

**Endorsed significance:** Local

**Statement of significance:** The William Bland Centre at 229-231 Macquarie is a representative example of the of Modernist-influenced office and professional buildings constructed in the City of Sydney in the first decade and a half after the end of World War II. Designed in the office of Hans Peter Oser, a respected Austrian born and trained Modernist architect who migrated to Australia before World War II, the William Bland Centre is a significant example of the Post War International style that clearly demonstrates key elements of the style and is distinguished by unusual patterning across its curtain wall façade. The William Bland Centre is a rare example of a building that was constructed using the lift slab method in Central Sydney and is understood to be the oldest surviving office building in Central Sydney constructed with this system.

The site has some historical significance because of its intermittent and then continuous associations with the medical profession and provides evidence of the importance of the locality to the profession because of its proximity to Sydney Hospital.

The William Bland Centre is of local heritage significance in terms of its historical, associations, aesthetic/technical, research, rarity and representative value. This satisfies six of the Heritage Council criteria of local heritage significance for local listing.

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

**Location:** 229-231 Macquarie Street Sydney 2000

Sydney

**Historical notes of provenance:** This site forms part of the land of the Gadigal people, the traditional custodians of land within the City of Sydney council boundaries. For information about the Aboriginal history of the local area see the City's Barani website: <http://www.sydneybarani.com.au/>

The site of the William Bland Centre is part of Allotment 3 of Section 41 of the City of Sydney, granted to Benjamin Carosso, Walter Lawry and Ralph Mansfield on 9 January 1821. Carosso, Lawry and Mansfield were Methodist clergymen and the land was in effect granted to the Conference of the Methodist Church for the erection of a chapel that was subsequently built on part of it. At the beginning of 1842 the land remained vested in three Methodist ministers plus several other trustees.

However, in April 1843 the property was advertised for sale. It included the chapel, a school house, several other buildings and the extensive grounds on which they all stood. The following September part of the property, the future site of the William Bland Centre, was conveyed to English born architect John Bibb (1810-1862). Bibb and his family arrived in Sydney in 1832. He became assistant to John Vege, then Sydney's leading architect. After Verge retired from practice in 1837 Bibb became a successful architect in his own right. Although most of his work has been demolished he was an important designer whose use of classical architecture superseded the simple Georgian idioms of the colonial era. It is possible Bibb developed his newly acquired property on Macquarie Street. He is known to have had a Macquarie Street address so may have occupied part if not all of the site.

In August 1866, 231 Macquarie Street was settled on Bibb's son William and his wife Ellen, who he had recently married. About two years later 229 Macquarie Street was settled on Bibb's daughter Sarah and her husband, John Lusby, who she had recently married. Both properties were occupied by tenants over the coming years and were eventually sold, but at different times.

231 Macquarie Street was the first to be sold, with the transfer of title to government medical officer Dr Louis Foucart taking place in January 1883. He subsequently settled the property on his daughter Alice in October 1893. The house experienced a diverse array of occupants – at the end of the 1880s it was occupied by a surgeon, in the middle of the 1890s by the Forest Department and at the turn of the century by a boarding house. By 1902 the building had been adapted as professional chambers, occupied by dentists, surgeons and other medical practitioners. Amongst them was Dr Thomas Speirs Kirkland, who ultimately purchased the property during February 1920 and in 1931 converted it to Torrens Title. Kirkland continued to occupy part of the building, which he named Kirkland Chambers, and let the rest.

Jurisdiction over 229 Macquarie Street was transferred to trustees in in September 1875. The building served as a boarding house for some years, but from the beginning of the twentieth century it was occupied by medical practitioners. On 7 December 1909 the title to the property was conveyed to Dr Herbert Russell Nolan, who had been leasing space in the building since December 1905. He subsequently transferred the property's title to a Company called Richmond Limited, which in turn transferred it to Eleanore Susannah Dickson in May 1922. She was married to Thomas Charles Dickson, described on title documents as a grazier. He died in November 1927 and she died a few years later, in September 1930. 229 Macquarie Street then came under the control of the Permanent Trustee Company of New South Wales as trustees of Mrs Dickson's estate.

229-231 Macquarie Street was purchased by Queens Club in September 1937, the transfer of title taking place in August 1938. The buildings were acquired in readiness for relocation of the Club after the anticipated resumption of their existing premises by the Government for works associated with proposed new law courts on Macquarie Street. The law courts did not eventuate in this location. At some period the building became known as Lachlan House. During the 1950s there were several proposals for redevelopment of the site. A development application was lodged in January 1952 for a private hotel with shops on the ground floor, followed by a development application for a building devoted to the use of doctors' surgeries in April 1956. Queens Club Pty Limited transferred the property title to Medical Dental Building Pty Limited the following month.

The development application for the building that was to finally rise on the site was lodged by its architect, H P Oser & Associates, at the end of July 1958. A building application was lodged the next month for a building to

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

**Location:** 229-231 Macquarie Street Sydney 2000

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cost £400,000. It was intended to contain 140 standardised suites for medical practitioners and allied professionals. There were also two commercial floors for medical supplies and a café. At the top of the building it was intended to have three apartments. The Macquarie Street façade of the building was to be clad with an aluminium-framed curtain wall finished with vitreous enamel spandrel panels and glare-proof glazing. The property title was transferred to Lachlan Macquarie Building Limited in June 1959.

The building was constructed by the lift slab method, an American system developed in the early 1950s and introduced into Australia during 1956. In this form of construction structural columns were erected first. Floor slabs were cast on the ground floor level then raised into place and fixed to the columns. The first example in Australia was a three storey office building at Lidcombe, constructed in the first half of 1957. Lift Slab of Australia, which constructed the first example in Lidcombe, notably used the same consulting structural engineer of PO Miller Miston & Ferris as William Bland Centre. In the City of Sydney the earliest example is understood to have been another building designed in the office of H P Oser & Associates. This was Gibb & Beeman House at 383-385 George Street (since demolished), for which applications were lodged with the City Council in May 1957. The system was also used in the building erected for Royal Exchange Assurance in O'Connell Street, designed by the architectural firm of McConnel Smith & Johnson and known as Kindersley House (since demolished). Construction commenced in the first half of 1959. Kindersley House was said to have been the tallest lift slab building in the world at this time.

The foundation stone of 229-231 Macquarie Street was laid by Sir Charles Bickerton Blackburn, Chancellor of the University of Sydney. He was followed by L F McInness, the chairman of Lachlan Macquarie Building Ltd, who pressed the button to set the machinery in motion to raise the first floor slab.

As originally designed the basement level was intended to house medical suites and x-ray therapy rooms but in 1960 it was replanned to suit the needs of the New Zealand Club. The ground floor level included three shops and upper levels were devoted to professional suites.

The building was named after William Bland (1789-1868), a naval surgeon who was sentenced to transportation after mortally wounding a naval officer in a duel. He reached Sydney in July 1814 and was sent as a convict surgeon to the mental asylum at Castle Hill but was pardoned in 1815 and established a private medical practice. He was jailed in 1818 for criticising Governor Macquarie and after release resumed his successful practice. In 1835 he became Secretary of the Australian Patriotic Association. Bland helped draft Bills for the Constitution and, in June 1843, he was elected to the new representative government. He later served in the Legislative Council and was associated for many years with the Benevolent Society. In 1859 he became the first president of the Australian Medical Association, which was later superseded by the NSW branch of the British Medical Association.

The building was converted to strata title in 1975.

H P Oser & Associates:

H P Oser & Associates was formed in March 1956 when architect Hans Peter Oser formed an associateship with Robert Francis Louis Mugdan and Jean Georges Henri Fombertaux

Hans Peter Oser (1913-1967) was born in Vienna. He studied architecture at the University of Vienna, graduating in 1936. During university holidays he worked in a number of different architects' offices, amongst them that of significant and influential architect Peter Behrens. After university he worked in the office of Joseph Hoffmann and Oswald Haerdtl, supervising projects in Budapest and Paris. With the rise of Nazism Oser migrated to Australia, arriving in December 1938. He worked for a number of different firms and companies before registering as an architect in February 1945. Oser established his own practice in 1946, initially designing Modernist houses, flats and industrial buildings.

Hans Peter Oser appears to have been a charismatic man who used the network of support provided by the migrant community to move rapidly up the Sydney social ladder. Oser clearly established important networks

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

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early as his 1945 application for registration contained an impressive list of referees including J.D. Moore, Walter Bunning and Sydney University's Professor Alfred Hook. Similarly, later in his career, Oser was known for taking on young Jewish architects who were having difficulty finding work. (Hawcroft, "Migrant Architects Practicing Modern Architecture in Sydney, 1930-1960", undated)

The associateship underwent some change after Mugdan left the practice in 1957. In 1960 the firm became H P Oser Fombertaux & Associates after the two principals entered into a partnership. Jean Fombertaux (1920-1975) was born in Nice, France, and spent many years of his childhood and youth in Japan and Southeast Asia. He migrated with his family to Australia in 1937 and studied architecture at Sydney Technical College. He also worked for the established architectural firm of Lipson & Kaad and registered as an architect in 1948. Fombertaux first met Oser in 1952.

The partnership was highly successful. At its peak Oser & Fombertaux employed twelve draftsmen. (Hawcroft, "Migrant Architects Practicing Modern Architecture in Sydney, 1930-1960", undated)

Buildings that H P Oser & Associates are known to have complied in the City of Sydney include Gibb & Beeman at 383-385 George Street, Sydney (1957; demolished), flats at 10 Wylde Street, Potts Point (1958; demolished), a small office building for Toohey's Brewery at 72 Mary Street, Surry Hills (1960-1961) and blocks of flats at 40 Bayswater Road, Rushcutters Bay (1960) and 51-57 Bayswater Road, Rushcutters Bay (1959). Buildings in Central Sydney known to have been designed by Oser Fombertaux & Associates include the major refurbishment of 64-68 Castlereagh Street, which included a stylish Modernist ground floor travel centre of the British Overseas Airways Corporation (1961-1963; since extensively altered), Citisite House at 155-159 Castlereagh street (1961-1963) and Mena House, 225-227 Macquarie Street, in association with Peter Smith (1960; altered). The William Bland Centre is considered in several publications to be a notable example of Oser's work.

After Oser died in 1967 the firm continued to operate but was re-formed as Fombertaux Rice & Hanly. Fombertaux died in 1975.

<b>Themes:</b>	<b>National theme</b>	<b>State theme</b>	<b>Local theme</b>
	8. Culture	Creative endeavour	Modern architecture & art
	3. Economy	Health	(none)
	9. Phases of Life	Persons	Hans Peter Oser & Associates,

**Designer:** H P Oser & Associates (architect); P O Miller, Milston & Ferris (structural engineer)

**Builder:** James Wallace & Co Pty Ltd

**Year started:** 1958

**Year completed:** 1960

**Circa:** No



**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

**Location:** 229-231 Macquarie Street Sydney 2000

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**Physical description:** The William Bland Centre is an eleven-storey building with a basement level located on the western side of Macquarie Street in the block between Martin Place and Queen's Square. The exterior of the building demonstrates characteristics of the Post War International style. It is distinguished externally by an apparently intact proprietary aluminium-framed curtain wall system, where a repetitive pattern is established by alternating pairs of window bays and single window bays, and alternating light and dark spandrel panels across the façade. Window bays are subdivided into a series of panels. Two panels in the pairs of window bays are operable, with top hinged sashes. The spandrel panels are fixed to a single brick wall on the edge of the floor slabs for fire protection between levels.

The building's structure consists of steel columns encased in concrete, reinforced concrete floor slabs that were positioned using the lift slab method, and brick external walls. Walls around stairs, lifts and service ducts are also of brick. Light wells with steel windows are located in the centre of the building on its north and south sides and at its rear.

Retail shops are located on either side of the main entrance to the building. A non-original fabric awning once extended over the shopfronts and entrance, destroyed by fire in 2019. The building entrance and the northern retail space are protected by roller shutters when not in use. The ground floor common area, accessing lifts and stairs to other levels, has retained original marble wall linings and a stainless steel panel at the fire hydrant. A foundation stone and plaque commemorating the architect and builder are integrated into the wall linings at the north-western end of the common area. A photographic mural (not thought to be original building fabric) is mounted on the northern wall of the common area. A kiosk on the southern side of the space, which is shown on original plans, has been retained.

The building has a reasonable level of integrity overall. The building retains its original construction, form, facade, internal configuration, lightwells with steel windows, marble cladding, foundation stone and plaque in the ground floor foyer and some timber joinery in upper level foyers, with some minor alterations, such as for the 2016-2020 fire services upgrade. The tenancy suites and common areas have been progressively upgraded. The suites on some floors are now fitted with suspended ceilings for flush mounted lighting. The survival of original air-conditioning duct layouts documented in the original mechanical engineering drawings has not been verified.

The heritage item listing, as specified in the item name, includes the building exterior, façade wall and fixtures, foyers, lightwells and internal structure. It excludes non-structural tenancy interiors from the listing.

**Physical condition level:** Good

**Physical condition:** Reasonable building condition overall. Facade glazing is likely to be original, with 2 reported failures in 15 years pre-2019. Failure of remainder of glass facade panels is low risk. An option to mitigate danger is through reinstatement of street awning.

**Archaeological potential level:** Little

**Archaeological potential Detail:**

**Modification dates:** The City of Sydney's development and building application records indicate that there has been continuous refitting of upper level interiors since the early 1960s.

c.1982: An awning was installed at ground floor level, destroyed by fire in c.2018.

c.1992: Alterations to ground floor pharmacy shopfront and reconfiguration of the entrance to the building.

2016-2020: Upgrade of fire services in response to Council's fire order issued in 2016. Outstanding works, as of late 2019, include engineering alternative solutions and installing fire stopping measures between floors.

The dropped panel extended over the ground floor common area and external lobby and timber board ceiling linings have been removed, and a false ceiling installed.

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

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**Recommended management:** The William Bland Centre should be retained and conserved. Listed building features include the building exterior, façade wall and fixtures, foyers, lightwells and internal structure. The non-structural tenancy interiors are excluded from the listing.

All original fabric on the building exterior should be retained. Surfaces never intended to be painted should remain unpainted and be appropriately maintained. Remaining intact original internal fabric should be retained and conserved.

Encourage reconstruction or interpretation of original elements that have been removed in the entrance lobby and ground floor common area. The design of future shopfronts should interpret original shopfronts and be sympathetically detailed. External additions or alterations should complement the architectural style of the building.

A conservation management plan should be prepared to guide future use and management of significant fabric. Any application for future development affecting listed building features should be accompanied by a heritage impact statement.

**Management:** **Management category**  
Statutory Instrument

**Management name**  
List on a Local Environmental Plan (LEP)

**Further comments:** Heritage inventory sheets are often not comprehensive, and should be regarded as a general guide only. Inventory sheets are based on information available, and often do not include the social history of sites and buildings. Inventory sheets are constantly updated by the City as further information becomes available. An inventory sheet with little information may simply indicate that there has been no building work done to the item recently: it does not mean that items are not significant. Further research is always recommended as part of preparation of development proposals for heritage items, and is necessary in preparation of Heritage Impact Assessments and Conservation Management Plans, so that the significance of heritage items can be fully assessed prior to submitting development applications.

**Criteria a):** The site has some historical significance because of its intermittent and then continuous associations with the medical profession and provides evidence of the importance of the locality to the profession because of its proximity to Sydney Hospital.  
**[Historical significance]**

Meets this criterion at a Local level.

**Criteria b):** The William Bland Centre was designed in the office of Hans Peter Oser, an Austrian architect who migrated to Australia in 1938 and established a successful architectural practice in 1945. He was one of a number of migrant architects who helped to popularise Modernist architecture in NSW and his office was responsible for a number of notable buildings in Sydney.  
**[Historical association significance]**

Meets this criterion at a Local level.

**Criteria c):** The William Bland Centre is a significant example of the Post War International style that clearly demonstrates key elements of the style as applied to commercial architecture. These include the aluminium framed and glazed curtain wall, planar façade surface, extensive areas of glazing, and colour (and pattern) achieved through spandrel panels. The patterning across the façade is unusual and distinctive.  
**[Aesthetic/Technical significance]**

The building has technical significance because of its early use of lift slab technology in its structural system.

It is one of four similarly scaled contemporary International style buildings along Macquarie Street (the others are Mena House at 225-227 Macquarie Street, Agriculture House at 195 Macquarie Street and Park House at 187-189 Macquarie Street), two of which have been modified externally (225-227 and 195 Macquarie Street).

Meets this criterion at a Local level.

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

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**Criteria d):** The building's social significance has not been ascertained and requires further assessment.

**[Social/Cultural significance]**

The 2019 submissions in support of the heritage value and listing of this building from heritage bodies, some owners, professionals and community members may indicate it has potential social significance.

May meet this criterion at a Local level.

**Criteria e):** The William Bland Centre is understood to be the oldest surviving office building in Central Sydney constructed using the lift slab method.

**[Research significance]**

Meets this criterion at a Local level.

**Criteria f):** The William Bland Centre is a rare example of a building that was constructed using the lift slab method in Central Sydney. It is also an uncommon example of a building with a proprietary aluminium framed curtain wall facade that was constructed in the 1950s in Central Sydney.

**[Rarity]**

Meets this criterion at a Local level.

**Criteria g):** The William Bland Centre is representative of Modernist-influenced office and professional buildings constructed in the City of Sydney in the first decade and a half after the end of World War II.

**[Representative]**

Meets this criterion at a Local level.

**Intactness/Integrity:** High integrity externally. Reasonable integrity overall. The building retains its original construction, form, facade, internal configuration, lightwells with steel windows, marble cladding, foundation stone and plaque in the ground floor foyer and some timber joinery in upper level foyers, with some minor alterations that do not compromise its assessed significance.

References:	Author	Title	Year
		Building, Lighting and Engineering, April 1958	1958
		Construction and Real Estate Journal September 1937	1937
		Building, Lighting and Engineering, January 1960	1960
	Miles Lewis	Australian Building: a cultural investigation Section 7.08 Form	
	Philip Goad and Julie Willis editors	Encyclopedia of Australian Architecture	2012
		Old Systems Title Book 897 Number 584	1909
		Primary Application No 30727	1929
		Certificate of Title Volume 2213 Folio 250	1911
		Certificate of Title Volume 12887 Folio 41	1975
	Rebecca Hawcroft	Migration and Modernism: Migrant Architects Practising Mode	2009
		Constructional Review, December 1960	1960
		Old Systems Title Book 109 Number 321	1868
		Primary Application No 16747	1910
	H P Oser	Building Application 1621/58	1958
	Rebecca Hawcroft, Godden Mackay L	Migrant Architects Practicing Modern Architecture in Sydney,	

Studies:	Author	Title	Number	Year
	Tanner Kibble Denton Ar	Modern Movement Architecture in Central Sydney - Heritag		2018

Parcels:	Parcel code	Lot number	Section number	Plan code	Plan number
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**Latitude:**

**Longitude:**

**Location validity:**

**Spatial accuracy:**

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

**Location:** 229-231 Macquarie Street Sydney 2000

Sydney

**Map name:**

**Map scale:**

**AMG zone:**

**Easting:**

**Northing:**

**Listing: Name**

**Title**

**Number**

**ListingDate**

Modern Movement Architecture in Heritage study

01/01/2018

**Data entry:** Data first entered: 02/02/2018

Data updated: 20/05/2020

Status: Completed

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

**Location:** 229-231 Macquarie Street Sydney 2000

Sydney

**Image:**



**Caption:** William Bland Centre street facade

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 23/03/2016

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345892de4056c9e4b3599797b28b89c1512.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345892de4056c9e4b3599797b28b89c1512.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345892de4056c9e4b3599797b28b89c1512.jpg)

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

**Location:** 229-231 Macquarie Street Sydney 2000

Sydney

**Image:**



**Caption:** Streetscape view of William Bland Centre

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 23/03/2016

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345d2320a939a244c9686a2797e29a58ba8.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345d2320a939a244c9686a2797e29a58ba8.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345d2320a939a244c9686a2797e29a58ba8.jpg)

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

**Location:** 229-231 Macquarie Street Sydney 2000

Sydney

**Image:**



**Caption:** William Bland Centre upper levels viewed from Sydney Hospital

**Copy right:** Roy Lumby

**Image by:** Roy Lumby

**Image date:** 24/02/2013

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345a0d5d73771af44fc9153e754f1c34916.JPG>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345a0d5d73771af44fc9153e754f1c34916.JPG](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345a0d5d73771af44fc9153e754f1c34916.JPG)

**Image:**

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

**Location:** 229-231 Macquarie Street Sydney 2000

Sydney



**Caption:** Ground floor detail

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 23/03/2016

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345f717acd8ff2a42ef8cf0dbdf3cd0f311.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345f717acd8ff2a42ef8cf0dbdf3cd0f311.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345f717acd8ff2a42ef8cf0dbdf3cd0f311.jpg)

**Image:**



**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

**Location:** 229-231 Macquarie Street Sydney 2000

Sydney



**Caption:** William Bland Centre entrance

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 23/03/2016

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3455a38d50be2024935bd77c803ddb1b4d2.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test3455a38d50be2024935bd77c803ddb1b4d2.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test3455a38d50be2024935bd77c803ddb1b4d2.jpg)

**Image:**

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

**Location:** 229-231 Macquarie Street Sydney 2000

Sydney



**Caption:** Curtain wall detail

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 23/03/2016

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/345b9099cc7f2bd4a2bbe72f0ae7321a687.jpg>

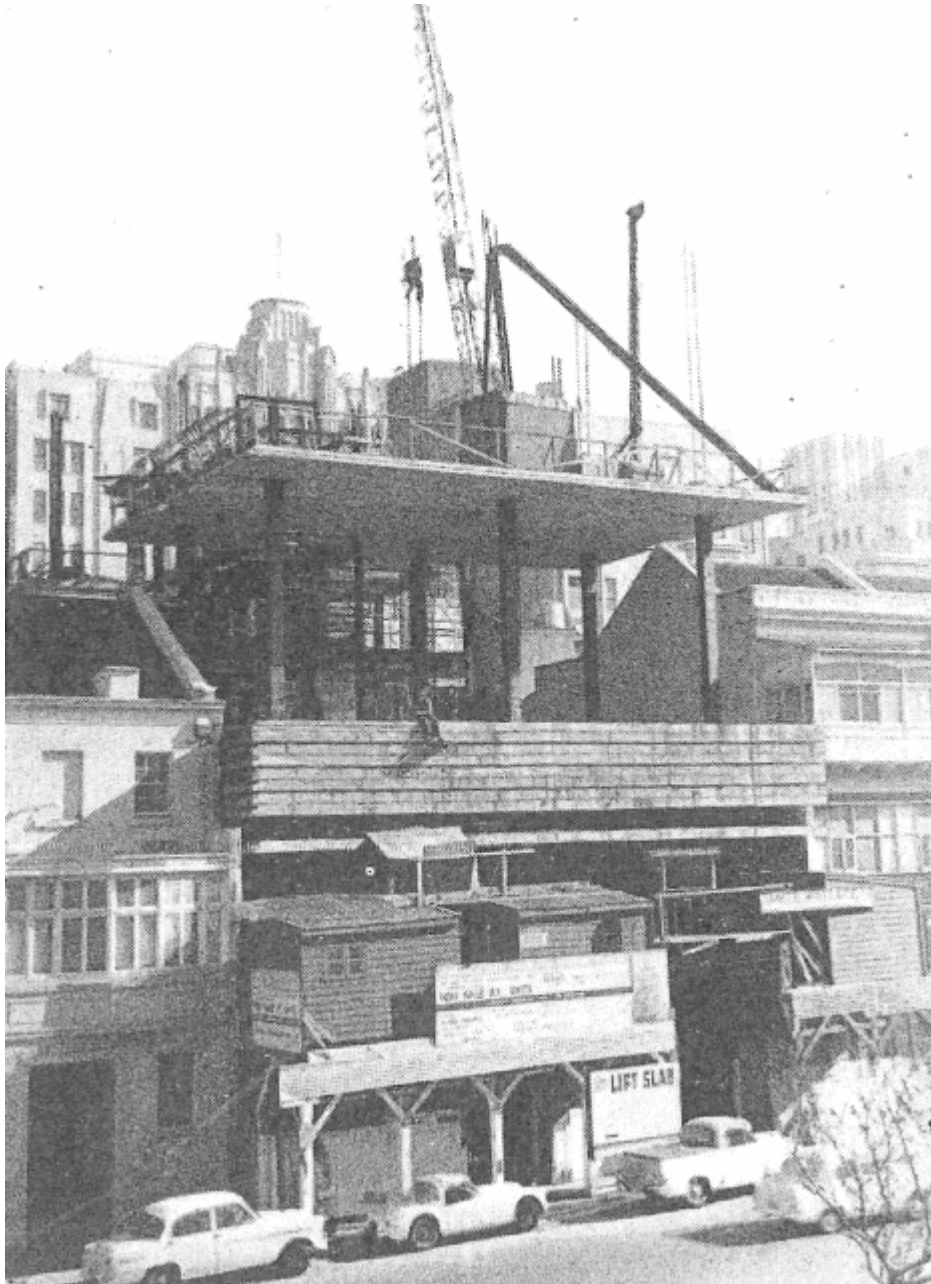
**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb\\_test345b9099cc7f2bd4a2bbe72f0ae7321a687.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb_test345b9099cc7f2bd4a2bbe72f0ae7321a687.jpg)

**Image:**

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

**Location:** 229-231 Macquarie Street Sydney 2000

Sydney



**Caption:** Photograph published in Constructional Review in 1960 showing the building under construction

**Copy right:** Constructional Review

**Image by:** Constructional Review

**Image date:** 01/12/1960

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345e85a0e04ed2048aabe5930fce50b427b.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345e85a0e04ed2048aabe5930fce50b427b.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345e85a0e04ed2048aabe5930fce50b427b.jpg)

**Image:**

**Item name:** William Bland Centre building including façade wall and fixtures, foyers, lightwells and internal structure

**Location:** 229-231 Macquarie Street Sydney 2000

Sydney



**Caption:** Photograph held at National Archives of Australia showing the building under construction

**Copy right:** National Archives of Australia

**Image by:**

**Image date:**

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3453d71600a4c4544a09afef44dd9451c1e.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test3453d71600a4c4544a09afef44dd9451c1e.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test3453d71600a4c4544a09afef44dd9451c1e.jpg)

# **Attachment C6**

**MLC Centre Inventory**

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 19-35 Martin Place Sydney 2000

Sydney

**Address:** 19-35 Martin Place

**Planning:** Sydney South

**Suburb/nearest town:** Sydney 2000

**Local govt area:** Sydney

**Parish:**

**State:** NSW

**County:**

**Other/former names:** Theatre Royal, CTA building, Commercial Travellers Association Club

**Area/group/complex:**

**Group ID:**

**Aboriginal area:**

**Curtilage/boundary:**

**Item type:** Built

**Group:** Commercial

**Category:** Commercial Office/Building

**Owner:** Private - Corporate

**Admin codes:** 2214

**Code 2:**

**Code 3:**

**Current use:** Offices, Mixed Uses

**Former uses:** Mixed use – commercial, retailing, cultural and entertainment

**Assessed significance:** State

**Endorsed significance:** Local

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 19-35 Martin Place Sydney 2000

Sydney

**Statement of significance:** The MLC Centre complex is an important project associated with architect Harry Seidler, an outstanding Modern Movement practitioner who designed an impressive number of buildings in the City of Sydney and other parts of the state and Australia. It is an important milestone in his oeuvre that consolidated and extended the innovations and achievements of his seminal Australia Square.

The MLC Centre is historically significant and rare as the first private development in Central Sydney to provide a wide range of useful amenity and cultural assets to the general public. It is an outstanding example of Modernist architecture and urban design, which is acknowledged by the architectural and civic design awards it received.

The exceptional tower and other structures within the MLC Centre derive their aesthetic impact from the successful and direct expression of their structural systems, which demonstrate a high level of technical significance. The aesthetic significance is further vested in the quality of the materials, detailing and the arrangement of components within the site of buildings and open space, public and private spaces. The tower, when completed, was notable for its record-breaking height. It was the tallest building in Australia and Sydney, and the tallest reinforced concrete building in the world when completed. The MLC Centre is significant for its open spaces and the inclusion of works by prominent artists including Josef Albers, Charles Perry and Robert Owen. The architectural and civic significance of the MLC Centre has been recognised by members of the architectural profession as an outstanding development of its period. It makes a significant contribution to the city's urban fabric, in particular to Martin Place. The visual and physical integration of building structures, public and private spaces and artworks is rare. The development was awarded the the Royal Australian Institute of Architects' Merit Award (Civic Design) for 1979 and the Sulman Award for 1983.

In addition to its association with Harry Seidler, the MLC Centre has significant associations with prominent and influential individuals – engineer Pier Luigi Nervi who was responsible for the design of one of the most notable structures, and the prominent and influential property developer, Gerardus (Dick) Dusseldorp. Both enjoyed a fruitful professional relationship with Harry Seidler for several decades. This single development contains 4 surviving Nervi/Seidler ceilings for the tower, and the cylindrical or 'mushroom' building forms of the CTA club, Theatre Royal lobby and King Street 'half-mushroom.'

The MLC Centre site has significant historical associations with the Hotel Australia, former Theatre Royal building and Rowe Street, which once occupied parts of the site, and the continued use of the site for the Theatre Royal. The name and use of the Theatre Royal has been maintained on this site since the nineteenth century. Rowe Street, a historic destination for speciality shops, was also incorporated into the site.

The heritage item listing for the MLC complex, as specified in the item name, includes the:

- Tower exterior, internal structure and level 8 vestibule
- Theatre Royal exterior and interiors
- CTA building exterior and interior

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- King Street cylindrical structure
- Lower and upper plazas (levels 7-8)
- Plaza building exteriors
- Plaza oculus to level 6
- Rowe Street through link at levels 6 & 7
- Artworks by Albers, Perry and Owen

Urbis (2019) identify the principal architectural characteristics of the site as including: tower façade including materials, columns, beams and glazing units; tower vestibule (or lobby) including granite floor, glazing, core wall, ceiling and the vestibule lighting which retains key principles of the original design, the plaza buildings (also described as a podium), the plaza including upper plaza (courtyards, and quadrant), lower plaza (including void), open space, and Nervi King Street 'mushroom' structure, Theatre Royal including the entrance lobby, auditorium and Rowe Street. Further features may also be significant.

The MLC Centre is at least of local heritage significance in terms of its historical, associations, aesthetic/technical, rarity and representative value. This satisfies five of the Heritage Council criteria of local heritage significance for local listing.



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**Historical notes of provenance:** Site history:

This site forms part of the land of the Gadigal people, the traditional custodians of land within the City of Sydney council boundaries. For information about the Aboriginal history of the local area see the City's Barani website: <http://www.sydneymarani.com.au/>

The site of the MLC Centre, which has an area of approximately 0.9 hectares, is an amalgamation of 23 individual properties along with the absorption of the eastern section of Rowe Street and the consolidation of Lees Court between King and Rowe Streets. The site incorporates Allotments (or parts of Allotments) 10 to 20 of Section 38 in the City of Sydney, which were formally granted to various individuals between February 1835 and January 1842. It includes a series of individual sites that were celebrated historical, social and aesthetic institutions - the Theatre Royal, the Hotel Australia and the Commercial Travellers Association.

Initially part of a block bounded by Castlereagh, Hunter, King and Pitt Streets, Section 38 was in time traversed by several laneways and streets. By 1836, Brougham Place, lined with freshly completed houses, formed a link between Pitt and Castlereagh Streets. It was renamed Rowe Street in August 1875 in honour of prominent architect Thomas Rowe, who was an alderman of the Municipal Council of Sydney between 1872 and 1876. The short lane known as Lees Court (also known as Terry's Lane in its early days), which was extant by the mid-1860s, extended north a short distance from King Street. It did not originally connect to Rowe Street. Similarly, the narrow thoroughfare originally known as Foxlow Place extended west from Castlereagh Street for some distance but initially did not reach Pitt Street. Houses along its northern side were occupied by the second half of the 1850s. The street was widened and improved around 1878 and renamed Moore Street in honour of alderman Charles Moore. It is understood to have been extended to Pitt Street at this time.

In 1889, an Act was passed to allow resumption of properties to the north of the General Post Office so that a wide thoroughfare could be constructed. On 2 October 1890, fire broke out in premises on Hosking Place and spread south as far as Moore Street, causing extensive damage to buildings in the block. An opportunity was now available to widen the street in front of the General Post Office and integrate it with Moore Street to form an avenue between George and Castlereagh Streets. The Sydney City Council was given additional power to resume land and resumption commenced during 1891. It was decided to name the section between George and Pitt Streets Martin Place.

The property extending along Moore Street at the northern end of the MLC Centre's site was owned at this time by soft drink manufacturer, John Thomas Starkey. It had been in his family's possession for several decades and remained so for a few years after his death in 1892. Properties to the immediate south, with frontages to Castlereagh and Rowe Streets, were acquired by the Anglo-Australian Investment Company, which in 1887 was considering the erection of a new international-standard hotel. Mansfield Brothers, perhaps Sydney's foremost commercial architects at this period, were engaged to design the building. Its foundation stone was laid by Sir Henry Parkes in June 1889 and he returned to officially open the establishment in July 1891. The first of the illustrious guests to stay at the hotel was the great French actress, Sarah Bernhardt, whose name had pride of place in the new hotel's register, subsequently displayed in a glass showcase in the main foyer. The Hotel Australia was Sydney's tallest building when completed and offered an incomparable standard of accommodation. It was not, however, the only landmark in this part of Sydney. A few doors down Castlereagh Street was the well-established Theatre Royal, which had been drawing crowds since the middle of the 1850s.

The first Theatre Royal opened in 1827 on George Street, at the rear of Barnet Levey's Royal Hotel. In April 1835, businessman and nascent theatrical entrepreneur, Joseph Wyatt (1788-1860) became one of six lessees of the Theatre Royal and became sole lessee in 1836. He subsequently opened the Prince of Wales Theatre in Castlereagh Street, to the north of King Street, in March 1855. In October 1860, the theatre was destroyed by fire and was rebuilt to the design of prominent architect, John Hilly, reopening in May 1863. It was known for a short time as the Prince of Wales Opera House, before its destruction by fire in 1872. Architect Francis Hilly was engaged for the rebuilding of the theatre, which reopened in December 1875 with the name Theatre Royal. In 1882 the American, James Cassius Williamson, destined to become Australia's foremost theatrical manager and the founder of an important theatrical organisation, took out the lease on the theatre. It was ultimately acquired in

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1911 by Gustave Ramaciotti (1861-1927), a partner of J C Williamson Ltd. Ramaciotti came to Australia from Italy as a child with his family. He practised law until joining J C Williamson Ltd. He sold his partnership and then purchased the theatre along with a neighbouring hotel and adjoining land at the rear of these properties. His military pursuits culminated in the honorary rank of major general in March 1920. The theatre and adjoining properties were inherited by Ramaciotti's two children, Vera and Clive, after he died in December 1927. J C Williamson Ltd occupied part of the building to the north of the theatre, on the corner of Rowe and Castlereagh Streets, which also housed other tenants.

About ten years later the theatre was effectively rebuilt under the direction of architect Henry Eli White, a prolific designer of theatres and cinemas, whose office produced some of the finest of these building types during the 1920s. It reopened in July 1921. The Theatre Royal remained for a time the Sydney venue for the JC Williamson organisation, which retained the lease after his death in 1913. During the 1920s, it was a vaudeville house and, in the depression years of the 1930s, served as a venue for cinema and for variety and musical theatre.

The Hotel Australia also underwent change during the 1920s. It was expanded in the early 1920s by the acquisition of Australian Chambers on Rowe Street, which was demolished and an 11 storey annex built on its site. It was to expand onto Martin Place the following decade.

In 1899, the Starkey family sold the property along Moore Street to the Citizens Life Assurance, which sold a portion at its western end in 1902 and subsequently sold a portion on the corner of Moore and Castlereagh Streets to the Commercial Travellers' Association (CTA) in 1907. The Association staged a competition for new premises, which was won by the prominent architectural firm Robertson & Marks. The building's foundation stone was laid by the Governor of NSW Sir Harry Rawson on 24 May 1908 and the completed building was opened by Rawson's successor, Lord Chelmsford, on 5 June 1909. Its exterior was constructed out of heavily rusticated sandstone with string courses at each level and impressive arched openings at ground floor level. It contained two basement levels and nine upper levels. The ground floor included shops along Castlereagh Street and offices of the CTA. There was a dining room on the first floor, social room on the second floor, billiards room and board room on the third floor and bedrooms for club members on the levels above.

Citizens Life Assurance erected a large building designed by architects, Wardell & Denning, on the residual section of land. It was largely built for, and leased to, the Government Savings Bank of NSW and completed in 1905. In the first quarter of 1908, Citizen's Life sold the building to prominent colliery manager and businessman, Frederick George Waley, who subsequently sold it to the Government Savings Bank around the beginning of 1915. After the Government Savings Bank moved into its sumptuous new head office at 48 Martin Place at the end of 1928, the building was sold to the Australia Hotel Company. A major addition to the hotel was planned during 1929. Although the 1905 building was demolished, the site remained vacant for some years as then-current building regulations prevented full development of the site. Construction of a stylish Art Deco style wing, which contained some of Sydney's finest interiors of the period, commenced towards the end of 1934. Designed by prominent architect Emil Sodersten, in association with the equally prominent firm of Robertson & Marks, the hotel extensions were completed in early 1936. The Hotel Australia was an important component of Sydney's social life during the 1930s, favoured by wealthy rural visitors to the city. It was also favoured by American servicemen during World War II. The hotel prospered during the 1950s, but its fortunes began to falter during the 1960s with the construction of international standard establishments such as the Chevron, Menzies and Wentworth Hotels.

The CTA also endeavoured to move with the times. In 1935 remodelling was undertaken that included an arcade and retailing at ground floor level and refurbishment of members' accommodation. More changes in the 1950s allowed the Club to accommodate the prevalent fashion for dinner-dances.

The Hotel Australia was operating at a loss during the 1960s.

MLC Centre development history:

Property developers Lend Lease and the Mutual Life and Citizens Assurance Company (MLC) acquired a

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majority shareholding in the hotel in 1968. The two companies had shared an association for some years. This was initiated when in 1958 Gerardus (Dick) Dusseldorp, founder of property developers Civil & Civic, realised the advantages of integrating finance, design and construction. A financing arm of Civil & Civic, Lend Lease Corporation, was founded later that year. Although financial institutions were generally not interested, a senior manager of MLC, Milton Allen, became a director at Lend Lease in 1959 and held the position for 22 years. Lend Lease was able to successfully organise financing for Australia Square, architect Harry Seidler's seminal scheme that amalgamated a number of smaller properties into a highly successful development that integrated open space with a tall tower occupying a relatively small part of the site.

An application for a 36 storey building on the Hotel Australia site, set back from Castlereagh Street and Martin Place, was lodged with the City Council on behalf of the Australia Hotel Company and Commercial Travellers Association in November 1968. It was approved in March 1969. In the meantime Lend Lease purchased the Boulevard Arcade, running between King and Pitt Streets. This had little impact in the short term. 1969 turned out to be fairly eventful – the CTA rejected an offer of purchase in July and withdrew its support for the scheme, leading to the submission of a new application with Council on the Hotel Australia site during September 1969. It consisted of an office tower with a shopping arcade below ground level and setbacks from Martin Place and Castlereagh Street, and was designed by architects Jon Mitchell & Associates. The Theatre Royal was offered for sale by auction in September 1969 after the various leases on the properties owned by the Ramaciotti family expired and was purchased by Lend Lease.

In the wake of the CTA's withdrawal the Hotel Australia was offered for sale and purchased by MLC in February 1970. Milton Allen was promoted to the position general manager of MLC three months later. Then, in September 1970 Lend Lease announced its intentions to proceed with a 305-metre high tower designed by Harry Seidler & Associates that tapered as it rose then flared outwards, reflecting hotel accommodation in the lower sections and office space above. It anticipated a relatively high level of site acquisition. However, in March 1971 Civil and Civic submitted a revision to the 1969 development application for a 31-storey tower on the Hotel Australia site that was also designed by Harry Seidler & Associates. About two months later it was updated by a scheme that included the Hotel Australia tower and a much larger crescent-shaped tower on the southern side of Rowe Street. The MLC Centre was still to achieve its final form. In all, some 14 schemes were produced as the site area changed.

The Hotel Australia finally closed at the end of June 1971 and was demolished. The final performance at the Theatre Royal took place on 29 April 1972. Last-minute action to save the venue resulted in a Builders' Labourers Federation (BLF) ban on demolition. At a meeting in the middle of May, Dick Dusseldorp offered to include a new theatre in the redevelopment scheme, which led to the lifting of the BLF ban and to demolition of the old theatre. A formal building application for redevelopment of the entire site was lodged in September 1972. Construction across the site was completed in a succession of stages. It was a condition of the Council of the City of Sydney's development consent that a subway be built under Castlereagh Street to connect the building to the Martin Place railway concourse. A proposal to develop additional naturally-lit underground shopping was never realised.

In March 1973, members of the CTA voted to continue negotiations with Lend Lease regarding the exchange of its building for freehold title to a new building occupying the same site and paid for by Lend Lease. Agreement was reached, and the last official function in the old building took place on 25 April 1975. At around the same time a deed of agreement was signed with the City of Sydney for the partial closure of Rowe Street and the exchange of privately owned land for the consolidation of Lees Court.

The podium levels and retailing sections were completed during the first half of 1975, while construction of the tower was underway above.

The Australian Institute of Architects describes the development as: The design of the tower combined innovations used in the firm's design of Australia Square, 1967, & the contemporaneous Trade Group Offices (Edmund Barton Offices), Canberra, 1974, developed with the advice of Italian structural engineer Pier Luigi Nervi. The tower is supported by eight massive, heavily loaded perimeter columns, each turned out at the base to

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spread and transfer the loads. The columns taper in section until they are flush with the façade at the top of the tower expressing the decreasing loading and creating an optical illusion of the tower's height. The white quartz finished columns & spandrels were constructed in precast forms as the finish with concrete poured into the assembled precast formwork units on site in a progressive sequence of columns, spandrels & ribbed floors, achieving a cycle of one floor every four days. The form of the 'I' beam spandrels expressed the structural change from the mid-span, with the greatest moment loading, to a full depth section at the column support with the greater shear loading. The glazing was set back from the spandrel face so that the depth of the 'I' beam form provided sun shading. The innovative 'progressive strength' system of floor construction by the use of reinforcing welded to form self-supporting trusses required no conventional formwork or props. Plastic coffers were clipped onto the trusses which were progressively concreted to complete the primary beams and slab. The designs of the curved rib floor slab expressed as the entry lobby ceiling, the single-curved tapered mushroom-shaped column of the Commercial Travellers Club, the interlocking rib ceiling of the Theatre Royal entrance and the restaurant ceiling were developed by eminent Italian engineer, Pier Luigi Nervi. The public spaces featured artworks by Charles Perry, Alexander Calder and Josef Albers.

The Dendy Cinema, located off Martin Place, opened in May 1975. The single screen venue also included a café, bar and pool room. The new Theatre Royal, accessed from King Street, opened on 23 January 1976. It was followed by the CTA's new headquarters on the corner of Martin Place and Castlereagh Street, which incorporated social rooms on three levels below ground level, and 28 single and double bedroom units in the two upper levels. The new building was officially opened in July 1977 by the Governor of NSW, Sir Roden Cutler.

From the second half of the 1960s, Harry Seidler incorporated significant artworks into his major projects. The MLC Centre was no exception. Here they included one of Josef Albers' works entitled "Homage to the Square" and a tapestry by Alexander Calder called "My Onions", which were hung in the tower vestibule and have since been replaced by other works. Albers' "Wrestling" was placed on the eastern wall of the building bounding the western side of the plaza and Charles Perry's "S" was placed on the plaza court on the north eastern side of the tower. Perry's "Mercator" was suspended in the Theatre Royal foyer.

The completed MLC Centre was officially opened by the Governor-General, Sir Zelman Cowen, in September 1978. All of the property was brought onto one title in the name of the Mutual Life & Citizens Assurance Company in December 1978. As well, Lend Lease took over the Theatre Royal in 1978 following the initial lease to J C Williamson's. The theatre became financially around the early 1980s when the first of a succession of popular musicals were staged. The MLC Centre received several important architectural awards, including the Royal Australian Institute of Architects' Merit Award (1979), Civic Design Award (1981) and the Sulman Medal 1983. This was Seidler's fourth Sulman Medal; awarded jointly with John Andrews' American Express Tower in King Street.

The MLC Centre tower was the tallest building in Australia for nine years and the tallest in Sydney from 1977 until 1992. It was the tallest reinforced concrete building in the world when completed.

The Dendy Cinema closed on 9 September 2003. Its heyday extended between the mid-1980s and the early 1990s, but the venue became uneconomical because of its single screen format.

In 2007, Sydney-born sculptor and artist Robert Owen undertook commissioned works for the MLC Centre, including the recently installed painted panel "Interlude - Double Weave" and sculpture "New Constellation", which replaced the Albers and Calder works in the vestibule.

The MLC Centre has recently been the subject of several applications for alterations and additions. An application lodged in 2011 sought consent for façade repairs and remediation works. An application lodged in 2013 proposed to refurbish the podium levels and upgrade the food court level. Consent was subsequently granted for substantial alterations and additions to the basement and podium levels.

Harry Seidler:

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Harry Seidler was born in Vienna in 1923. He left there in 1938 when his family moved to England to escape the Nazi occupation of Austria, but was interned in 1940 and eventually shipped to Canada, where he was permitted to study architecture and structural engineering at the University of Manitoba. He graduated with first-class honours in 1944. The following year, he won a scholarship allowing him to attend the Harvard Graduate School of Design where he studied under architect Walter Gropius, formerly Director of the famed Bauhaus in Germany between 1919 and 1928.

Seidler then studied at the experimental and short-lived Black Mountain College summer school in 1946 under another former Bauhaus teacher, Josef Albers. Here his academic and technical skills were enhanced by a strong aesthetic influence. Between September 1946 and March 1948, Seidler worked as architect, Marcel Breuer's, chief assistant. Breuer, who had been educated at the Bauhaus and then became master of its carpentry shop, had been Gropius' professional partner for some years. Seidler left America to travel to Australia, spending some time in Rio de Janeiro and working with the prominent architect, Oscar Niemeyer. He finally arrived in Sydney during July of 1948. The celebrated Rose Seidler house (named after his mother) was the very first that he built in Australia, completed in 1950. The house won the Sulman Medal in 1951 and received a great deal of publicity. Seidler was adept at promoting his architecture, and a large number of residential commissions followed over the next decade or so.

At the end of the 1950s, Seidler approached Gerard J Dusseldorp, who established Civil & Civic and the Lend Lease Corporation, with plans for an apartment development called Ithaca Gardens at Elizabeth Bay; a revised version of which was ultimately constructed. The firm name Harry Seidler & Associates was first used on plans in June 1963 and incorporated as a legal entity in 1975. Seidler's associates were Colin Griffiths, Fred Heilpern and Frank D'Arcy. The relationship forged between Seidler and Dusseldorp endured for about three decades. Over the years, Seidler's office designed a wealth of different building types in NSW, other parts of Australia and other parts of the world, including individual houses, apartment blocks, hotels, monuments, office buildings, cultural facilities, municipal projects and industrial structures. These remained true to Harry Seidler's deeply-held Modernist convictions about what architecture should be. He was also involved in town planning schemes and developments integrating a range of building types into urban contexts in various parts of the world. Seidler's rigorous and uncompromising approach, though not always understood or appreciated by the general public, resulted in an impressive record of masterful and often innovative works; the quality of which was frequently recognised by awards for architectural and urban design excellence.

Seidler won the Royal Australian Institute of Architects' Gold Medal in 1976 and a Special Jury Award for International Practice in 2000. He was made an Honorary Fellow of the American Institute of Architects while the Royal Institute of British Architects awarded him the Royal Gold Medal in 1996. He was elected a member of the Academie D'Architecture de France in 1982, awarded the Gold Medal of the City of Vienna in 1989 and then Austria's highest honour, the Cross of Honour for Arts and Sciences First Class, in 1995. Harry Seidler died in March 2006.

Apart from the MLC Centre, buildings in the City of Sydney by Harry Seidler include:

- Horwitz House, 398-402 Sussex Street (1954-1956)
- Commercial building for Howard Silvers, 616-620 Harris Street, Ultimo (1959-1961)
- Lend Lease House, 47-53 Macquarie Street (1959-1961; demolished)
- Cliff Noble Community Centre, 24 Suttor Street, Alexandria (1960-1964)
- Ercildoune, 85 Elizabeth Bay Road, Elizabeth Bay (1960-c.1965)
- Australian Consolidated Press additions to existing building at 189-193 Elizabeth Street and new building adjacent to it fronting Elizabeth, Park and Castlereagh Streets (from 1960)
- Australia Square, 264-278 George Street (1960-1967) – awarded the Sulman Medal and the Institute of Architect's Civic Design Award for 1967 and the Enduring Architecture Award, 2012
- Gemini Apartments, 40-44 Victoria Street, Potts Point (1961-c.1970)
- Aquarius, 50-58 Roslyn Gardens, Rushcutters Bay (1963-1965)
- Government Stores (Q Stores), 47-49 Bourke Road, Alexandria (1965-1970)
- International Lodge 100 Elizabeth Bay Road, Elizabeth Bay (1968-1970)

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- Mid-City Centre, 197-201 Pitt Street (1980-1983; demolished)
- Grosvenor Place (1982 -1988) - awarded the RAIA Lustig & Moar National Prize, 1989 and Sulman Medal for 1991
- Capita Centre, 9 Castlereagh Street (1984-1989)- received a RAIA Merit Award in 1991
- Darling Park Masterplan for Darling Park and the first of three towers, initially occupied by IBM at 201 Sussex Street (c.1989-1993)
- Horizon Apartments, 184 Forbes Street, Darlinghurst (1990-1998)
- 372 Elizabeth Street, Surry Hills (1996-1998)
- Meriton Apartments, 528 Kent Street (2001-2006)
- Ian Thorpe Aquatic Centre 458 Harris Street, Ultimo (2001- 2007) - received the International Architecture Award, Chicago Athenaeum in 2009 and the AIA (NSW) Public Architecture, 2008
- North Apartments, 91 Goulburn Street (2003-2004)
- Cove Apartments, 129 Harrington Street, The Rocks (2003-2004)
- Alliance Française, 257 Clarence Street (2005-2009)

The City of Sydney commissioned Harry Seidler to design a block of flats at 40 Stephen Street, Paddington (now part of the Woollahra LGA), which was built in 1963. He also designed another block of flats for the Council at 33 Station Street Newtown, approved in August 1963).

<b>Themes:</b>	<b>National theme</b>	<b>State theme</b>	<b>Local theme</b>
	8. Culture	Creative endeavour	Modern architecture & art
	4. Settlement	Towns, suburbs and villages	Creating landmark structures ar
	3. Economy	Commerce	Insurance
	9. Phases of Life	Persons	Harry Seidler, architect

**Designer:** Harry Seidler architects; Pier Luigi Nervi; artists, Josef Albers, Charles O. Perry & Robert Owen

**Builder:** Civil and Civic

**Year started:** 1972

**Year completed:** 1978

**Circa:** No

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**Physical description:** The MLC Centre is an integrated complex of buildings and open space on a prominent corner L-shaped site that is bounded by Martin Place, King Street, Castlereagh Street and Lees Court. It consists of the following main elements:

Tower:

- A free-standing polygonal 67-storey office tower occupies about 20% of the site. Its plan form consists of a square with chamfered corners. The tower is located at the southern end of the site. Its position was determined by railway lines running diagonally beneath the site and enabled the formation of an open plaza between the tower and Martin Place. The building's structure consists of a rigid load-bearing reinforced concrete core allied to external columns and spandrel panels resulting in clear-span office space. The exterior is constructed of poured in-situ concrete and precast concrete with a white quartz finish. Eight massive external columns at the tower's corners carry its weight. The columns thicken and turn outwards at the lower levels in response to increased vertical and lateral loads, then become more slender and finish flush with façade sections as the building rises. Structural spandrels extend across each plane of the exterior. Their shape is a refinement of a concept that first emerged in Harry Seidler & Associates' Trade Group offices in Canberra (1969-1974), where the different structural loads on the spandrel are clearly expressed in its design. Bands of windows are recessed to provide protection from the sun. On King Street, two attached cylindrical forms of the Theatre Royal and Nervi-designed 'mushroom' structure (supporting a plaza court) form a podium to the tower. External alterations to the tower designed by Harry Seidler & Associates approved in 2015, under construction in 2020, include removal of the non-original corner awning and escalators at the junction of King and Castlereagh Streets, construction of a new entrance on Castlereagh Street, and cylindrical extension in place of the previous corner entrance.

Tower vestibule and art:

- The ground-floor vestibule of the tower (level 8 of the complex) is a high space that encircles the service and lift core. The corners of the service core curve gently outwards. The ceiling of the space is formed by the soffit of the floor above, the curved ribs of which reflects the advice of famous Italian structural engineer, Pier Luigi Nervi.
- Sculptural artworks by sculptor and artist Robert Owen named "Interlude – Double Weave" and "New Constellation" are mounted on travertine lined walls above the openings to the various lift shafts. Josef Albers' work entitled "Homage to the Square" and a tapestry by Alexander Calder called "My Onions" were hung in the tower vestibule from the second half of the 1960s and have since been replaced by other works.

Plaza and plaza buildings:

- A two-level retail arcade is integrated with the plazas on the northern section of the site and extends beneath the tower to King and Castlereagh Streets. Some shops also have frontages to Castlereagh Street. In 2015, these buildings above the plaza (levels 7 and 8) were approved for demolition and replacement with an additional level. A shallow stepped ramp leads from Martin Place and is aligned with the tower axis. Alterations to this ramp were approved in 2015. A large circular well, known as an oculus, lights the shopping and restaurant concourse below. From Martin Place, access can be gained to the lower retailing level or via a stepped ramp to the lower plaza. A flight of stairs, aligned on axis with the tower, provides access to and from the plaza that serves as a forecourt to the main tower lobby two levels above Martin Place. Radial lines in the paving accentuate the planning, based on circular and square geometry, governing the design of the MLC Centre. The tower is flanked by semi-circular courts on the rooftops of cylindrical building forms that address the streets. These plaza courts are defined by curved walls. Vehicular ramps running parallel to Castlereagh and King Streets with footpaths diverting around them were the result of planning restrictions.

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- A single-storey building, intended for restaurant uses, that has a quadrant-shaped footprint and a raked and curved monopitch roof in the south western section of the site on the upper plaza level. The roof structure reflects the input of Pier Luigi Nervi. This building was approved for demolition in 2015, under construction in 2020.
- The cylindrical Commercial Travellers Association (CTA) building and club, commonly described as a 'mushroom', comprises two levels supported on a single curved tapered column at the north-eastern corner of the site. The ribbed structure of the column also reflects the input of Pier Luigi Nervi. Several of the Club's spaces are beneath ground level. An underground pedestrian link to the network of walkways to Martin Place Station emerges at the base of the column.
- New plaza buildings across levels 7-10 (rooftop at level 10), also described as the podium, designed by Harry Seidler & Associates were approved in 2015 and are under construction in 2020.

Plaza artworks:

- Sculptor Charles O. Perry's "S" is located on the upper (tower vestibule) plaza on the north eastern side of the tower.
- Josef Albers' relief sculpture "Wrestling" is mounted on the eastern elevation of 5 Martin Place, which overlooks the plazas.

Theatre Royal:

- A below-ground proscenium-type theatre seating around 1,100 patrons, accessed from King Street. The vestibule of the theatre is expressed as a cylindrical mass with a discrete entry. The vestibule takes the form of a three-storey high lobby at the intermediate level between stalls and dress circle. A wide central stair spirals up and down from this level to give access to seats. Charles O. Perry's sculpture "Mercator" is suspended above the central stair void. The ceiling of the theatre is formed out of "waves" of curvilinear timber ribs that conceal services.

The heritage item listing for the MLC complex, as specified in the item name, includes the tower exterior, internal structure and level 8 vestibule, Theatre Royal exterior and interiors, CTA building exterior and interior, King Street cylindrical structure, lower and upper plazas (levels 7-8), plaza building exteriors, plaza oculus to level 6, levels 6 and 7 Rowe Street through link, and artworks by Albers, Perry and Owen. It excludes the non-structural office interiors above the vestibule, carpark levels 1-5 and levels 5-10 retail and hospitality tenancy interiors outside of original cylindrical buildings.

**Physical condition level:** Excellent

**Physical condition:** The MLC Centre is generally in good condition. The external cladding of the tower has been repaired.

**Archaeological potential level:** Not assessed

**Archaeological potential Detail:** The site is not included in the Sydney Archaeological Zoning Plan.



**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

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**Modification dates:** The fabric and spaces of parts of the MLC Centre have been modified over the years, although major changes have been undertaken with the involvement of Harry Seidler & Associates. Modifications include:

- the addition of a glazed canopy and escalators providing access to the tower entrance at the corner of King and Castlereagh Streets corner
- modifications to street level Castlereagh and King Street façades and shop fronts
- remove original cascade mounted on the fascia of the circular plaza well and installation of umbrella-like glazed canopy in the centre
- modifications to the entrance and canopy of the former Dendy Theatre, along with internal spaces.
- refurbished food court and retail levels, with original floor and ceiling finishes and the elaborate digital clock removed
- upper level plaza extensively modified
- lift cars, core and typical floors refurbished
- fire services and car park levels refurbished
- roof area modified to incorporate microwave towers
- construction of pedestrian bridge over King Street to 131-135 King Street, circa 1989 (Crone & Associates architects)
- original paving setts to some sections of the plaza replaced
- stepped ramp to the upper plaza (tower vestibule) replaced with a wide flight of stairs
- background material of Josef Albers' "Wrestling" changed and position modified following redevelopment of 5 Martin Place
- original artworks in the ground floor tower vestibule replaced

2015: Approved retail development of above plaza buildings and arcades (construction underway 2020) including demolition, additional floors to replacement retail plaza buildings (levels 7-10 including roof level), new retail tenancies along King, Castlereagh and Rowe Streets, removal of vehicular ramps from Castlereagh and King Streets, landscaping and public domain works. Approved demolition include: opening up Theatre Royal lobby for public access into the retail podium, existing fabric in retail levels 6 and 7 and the entry from the footpath, all retail fronting Castlereagh Street, 'Moonshadow' restaurant on upper plaza (level 8), and all existing retail buildings in the plaza. The works are designed by Harry Seidler & Associates, reviewed by City's Design Advisory Panel for appropriateness of additions to the original 1970s Seidler architectural concept and the heritage context (D/2015/66).

**Recommended management:** List the MLC Centre complex in Schedule 5 of Sydney LEP 2012. The listing, as specified in the item name, includes the tower exterior, internal structure and level 8 vestibule, Theatre Royal exterior and interiors, CTA building exterior and interior, King Street cylindrical structure, lower and upper plazas (levels 7-8), plaza building exteriors, plaza oculus to level 6, levels 6 and 7 Rowe Street through link, and artworks by Albers, Perry and Owen. The non-structural office interiors above the vestibule, carpark levels 1-5 and levels 5-10 retail and hospitality tenancy interiors outside of original cylindrical buildings are excluded from the listing.

The MLC Centre should be retained and conserved. Remaining original external and internal fabric and intact spaces of the tower exterior, tower vestibule, Theatre Royal and CTA building should be retained. Surfaces never intended to be painted should remain unpainted and be appropriately maintained. Undertake conservation works when required to make good damaged or deteriorated elements. Retain the plazas, open spaces and the open relationship of the MLC Centre to Martin Place and King Street. Retain or reinstate artworks in their original position, where possible.

New works should respect the original architectural features and design intent for the complex. Investigate opportunities to remove detracting additions that obscure original architectural features, including the King Street pedestrian bridge that obscures western views to the MLC Centre along King Street.

A conservation management plan should be prepared to guide future use and management of significant fabric.

Any application for future works to listed features should be accompanied by a heritage impact statement.

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

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Management:	Management category	Management name
	Statutory Instrument	List on a Local Environmental Plan (LEP)

**Further comments:** Heritage inventory sheets are often not comprehensive, and should be regarded as a general guide only. Inventory sheets are based on information available, and often do not include the social history of sites and buildings. Inventory sheets are constantly updated by the City as further information becomes available. An inventory sheet with little information may simply indicate that there has been no building work done to the item recently: it does not mean that items are not significant. Further research is always recommended as part of preparation of development proposals for heritage items, and is necessary in preparation of Heritage Impact Assessments and Conservation Management Plans, so that the significance of heritage items can be fully assessed prior to submitting development applications.

Images copyright note: Josef and Anni Albers Foundation has granted copyright approval for reproduction of Albers' artworks appearing amid photos of Seidler architecture for the purpose of discussion of Seidler architecture.

**Criteria a):** The site of the MLC Centre has associations with the historically significant Hotel Australia, which occupied part of the site from the beginning of the 1890s until the early 1970s, and the historically significant Theatre Royal, which opened on part of the site during the 1850s and which, in a new building, was incorporated into the development of the site. The name and use of the Theatre Royal has been maintained on this site since the nineteenth century. Rowe Street, a historic destination for speciality shops, was also incorporated into the site.

**[Historical significance]**

The MLC Centre is historically significant because it was the first time that a private development in Central Sydney provided a range of useful assets to the general public, including sheltered open space, retailing and dining opportunities, a high quality theatre and for a number of years a cinema and tavern in a high quality urban environment. It consolidated and built on the benefits of public open space and retailing first presented by Harry Seidler's seminal Australia Square, completed a decade earlier. The Rowe Street shops were partially amalgamated into the site in a manner that retained its original alignment and cross site connections. It also demonstrates the rise of prestige commercial and retail buildings in Sydney during the 1970s.

The tower of the MLC Centre has some historical significance because it was the tallest reinforced concrete in the world when completed in 1977, Australia's tallest building from 1977 until 1985 and Sydney's tallest building until 1992.

Meets this criterion at Local and State level.

**Criteria b):** The MLC Centre is associated with architect Harry Seidler, an outstanding practitioner who espoused the principles of the Modern Movement and designed an impressive number of different types of buildings in that idiom in the City of Sydney and other parts of NSW and Australia. It represents an important stage in the evolution of his work on large inner city buildings and their immediate environs and setting, consolidating and extending the innovative and outstanding achievements of his Australia Square (1967).

**[Historical association significance]**

The MLC Centre has associations with the innovative and influential Italian structural engineer, Pier Luigi Nervi, who was responsible for the design of one of the most notable structures, and the prominent and influential property developer, Gerardus (Dick) Dusseldorp. Both enjoyed a fruitful professional relationship with Harry Seidler for several decades.

Meets the criterion at a Local and State level.

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

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**Criteria c):** The MLC Centre is an outstanding example of Modernist architecture and urban design. The tower is an elegant and innovative building. Its structural system has been successfully and skilfully expressed and integrated into the external form and appearance of the building. The aesthetic significance is further vested in the quality of the materials, detailing and the arrangement of components within the site of buildings and open space, public and private spaces. The centre is notable for the inclusion of works by prominent artists, including Josef Albers, Charles Perry and Robert Owen. It makes a significant contribution to the city's urban fabric, in particular to Martin Place.

[Aesthetic/  
Technical  
significance]

The architectural and civic significance of the MLC Centre has been recognised by members of the architectural profession as an outstanding development of its period. This is demonstrated by receipt of the Royal Australian Institute of Architects' Merit Award (Civic Design) for 1979 and the Sulman Award for 1983.

The MLC Centre is technically significant for the advanced and innovative method of precast concrete construction demonstrated in the tower and the various smaller structures in the Centre, including the Commercial Travellers' Association, the theatre Royal and the restaurant. The use of permanent, precast concrete form elements, an important technique of Pier Luigi Nervi, was innovative in Australia.

Meets this criterion at a Local and State level.

**Criteria d):** Although further investigation is required to establish the social significance of the MLC Centre, it is suggested that the place may be valued by the wider community for its landmark architectural features, open space extending from Martin Place, and the Theatre Royal with its popular theatrical productions held over many years.

[Social/Cultural  
significance]

May meet the criterion at a Local level.

**Criteria e):** The building's research potential has not been ascertained.

[Research  
significance]

May meet the criterion at a Local and State level.

**Criteria f):** The MLC Centre is a rare example of a major inner city development combining several different functions (office, retail, restaurants and theatre) and a high level of civic amenity to Central Sydney. The visual and physical integration of building structures, public and private spaces and artworks is rare.

[Rarity]

Meets the criterion at a Local level.

**Criteria g):** The MLC Centre is representative of Harry Seidler's architecture, firmly founded in the Modernist tradition. The tower and other structures are representative of Seidler's buildings in that convincing and resolved design outcomes of high aesthetic quality were generated by rational analysis of structure and the opportunities and constraints offered by its site. The concept of the free-standing tower surrounded by open space is a fundamental of Modern Movement architecture and an important tenet of Harry Seidler's work – the MLC Centre is one of a sequence of projects that includes Australia Square and Grosvenor Place embodying this concept.

[Representative]

Meets the criterion at a Local and State level.

**Intactness/Integrity:** Relatively high integrity. Proposed building modifications are designed by Harry Seidler & Associates, providing continuity of the architectural concept and consistency in building fabric.

References:	Author	Title	Year
	Webber, G P (editor)	The Design of Sydney	1988
	Harry Seidler and David Sequiera	Harry Seidler's illustrated lecture "Josef Albers – Teaching of"	2002
	Mary Murphy	Challenges of Change: the Lend Lease story	1984
	Kenneth Frampton, Philip Drew	Harry Seidler: four decades of architecture	1992
	Judith O'Callaghan, Paul Hogben and I	Sydney's Martin Place: a cultural and design history	2016
	Harry Seidler & Associates	MLC Centre	2011
	C Neumann	Ramaciotti, Gustave Mario (1861-1927)	1988
	Ailsa McPherson	Theatre Royal	2010

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 19-35 Martin Place Sydney 2000

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<b>Studies:</b>	<b>Author</b>	<b>Title</b>	<b>Number</b>	<b>Year</b>
	Tanner Kibble Denton Architects	Modern Movement Architecture in Central Sydney - Heritage Study		2018

<b>Parcels:</b>	<b>Parcel code</b>	<b>Lot number</b>	<b>Section number</b>	<b>Plan code</b>	<b>Plan number</b>
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**Latitude:**

**Longitude:**

**Location validity:**

**Spatial accuracy:**

**Map name:**

**Map scale:**

**AMG zone:**

**Easting:**

**Northing:**

<b>Listing:</b>	<b>Name</b>	<b>Title</b>	<b>Number</b>	<b>ListingDate</b>
	Modern Movement Architecture in Sydney	Heritage study		01/01/2018
	The Third Theatre Royal	National Trust of Australia register		25/09/2019

**Data entry:** Data first entered: 04/09/2001

Data updated: 20/05/2020

Status: Completed

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 19-35 Martin Place Sydney 2000

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**Image:**



**Caption:** MLC Centre viewed from Martin Place with CTA building in the foreground

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 30/03/2016

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3453570bde0062c4f8f920ebee8301e92e2.JPG>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test3453570bde0062c4f8f920ebee8301e92e2.JPG](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test3453570bde0062c4f8f920ebee8301e92e2.JPG)

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**Location:** 19-35 Martin Place Sydney 2000

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**Image:**



**Caption:** MLC Centre tower viewed from the courtyard in front of Hyde Park Barracks in Macquarie Street

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345c5be4817218d4725b9d033269968d3af.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345c5be4817218d4725b9d033269968d3af.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345c5be4817218d4725b9d033269968d3af.jpg)

**Image:**

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**Location:** 19-35 Martin Place Sydney 2000

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**Caption:** The MLC Centre viewed from the north east

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/345d7bc3bc63a4541928fd3b41f8576c69a.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/P/Thumb\\_test345d7bc3bc63a4541928fd3b41f8576c69a.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/P/Thumb_test345d7bc3bc63a4541928fd3b41f8576c69a.jpg)

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**Caption:** Building constructed for the Commercial Travellers' Association

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34524d84380e4374bbb995311154cda4a3e.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test34524d84380e4374bbb995311154cda4a3e.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test34524d84380e4374bbb995311154cda4a3e.jpg)

**Image:**



**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

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**Caption:** Pedestrian plazas looking to the north east

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/3451eb504ea75d0486e960ea29d8ab9c71c.jpg>

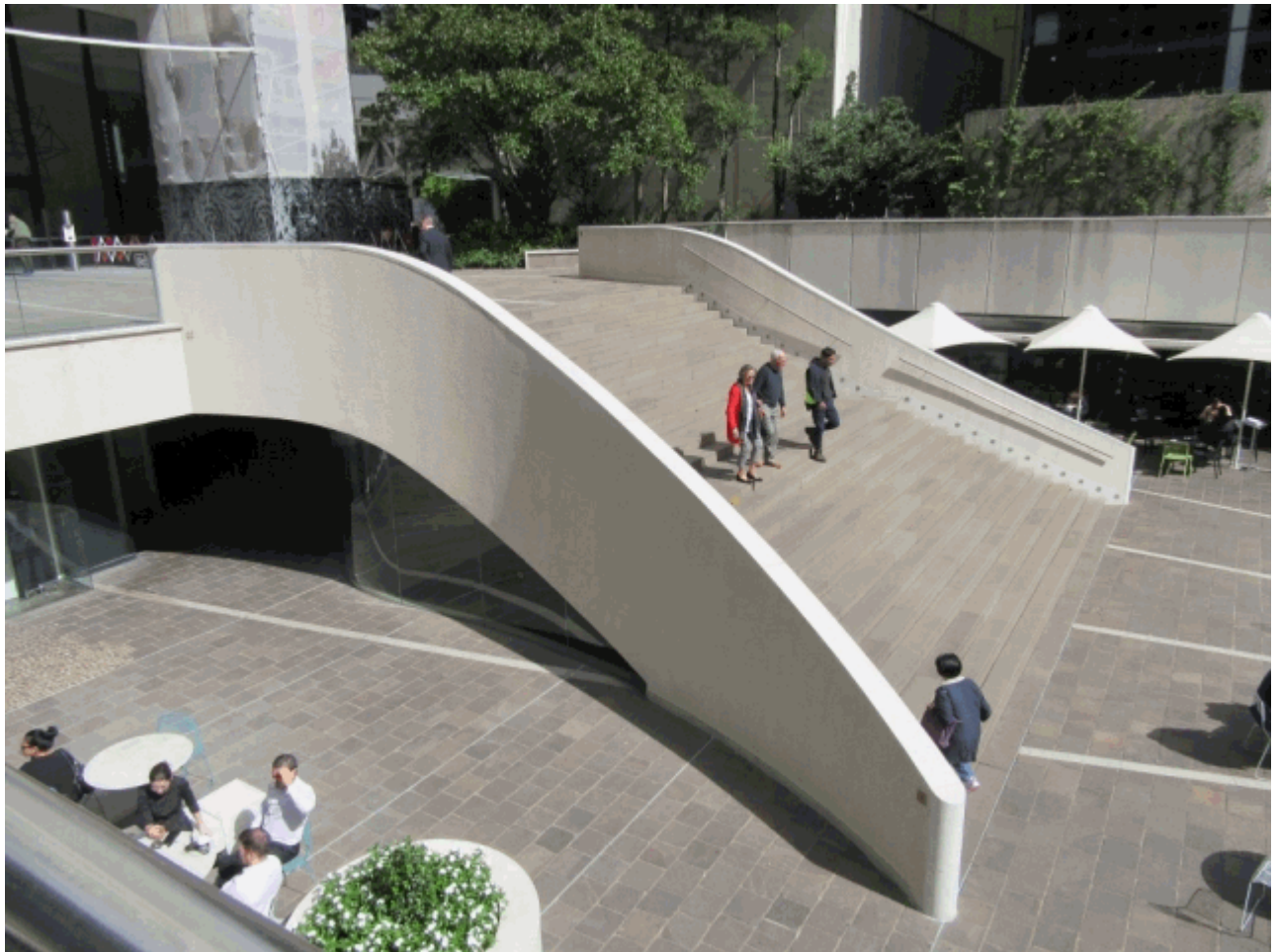
**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/P/Thumb\\_test3451eb504ea75d0486e960ea29d8ab9c71c.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/P/Thumb_test3451eb504ea75d0486e960ea29d8ab9c71c.jpg)

**Image:**

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**Caption:** Stair linking the upper and lower plazas

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/345ded830360bcc45a0911da5e1e15fed9b.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/P/Thumb\\_test345ded830360bcc45a0911da5e1e15fed9b.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/P/Thumb_test345ded830360bcc45a0911da5e1e15fed9b.jpg)

**Image:**

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**Caption:** Ramped steps connecting the plaza to Martin Place, with non-original white blocks on steps

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3453cc14888c56f42d49f1304188ada3d93.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test3453cc14888c56f42d49f1304188ada3d93.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test3453cc14888c56f42d49f1304188ada3d93.jpg)

**Image:**

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**Location:** 19-35 Martin Place Sydney 2000

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**Caption:** Upper plaza court on the southern side of the tower vestibule

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34543d083e3e5e44f1fbc9ae0a9843811c8.jpg>

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**Caption:** Undercroft of Nervi-designed structure on King Street, looking towards the Theatre Royal

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34570ba069b7e414a6b9dc230da29707bd7.jpg>

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**Caption:** Entry and foyer to the Theatre Royal in King Street with Lees Court at left

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:**

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345a81efa34175a4b448e2d0161f7f0f5d7.jpg>

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**Caption:** Detail of profile and configuration of tower spandrels

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34591e6f014d29a4a9db092f78e49ff8781.jpg>

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**Caption:** Restaurant on upper plaza above the Theatre Royal in 2017

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345e8e914f1320144dfa3aec0021d66df51.jpg>

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**Image:**



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**Caption:** Part of the Rowe St through link to Castlereagh St with early steps

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34502e6da4f648d44a4906f3986de99cdf.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test34502e6da4f648d44a4906f3986de99cdf.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test34502e6da4f648d44a4906f3986de99cdf.jpg)

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**Caption:** Charles O. Perry's "S", located in the court on the north eastern side of the tower.

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345dbaa2729a0e0430bb006fdd325561712.jpg>

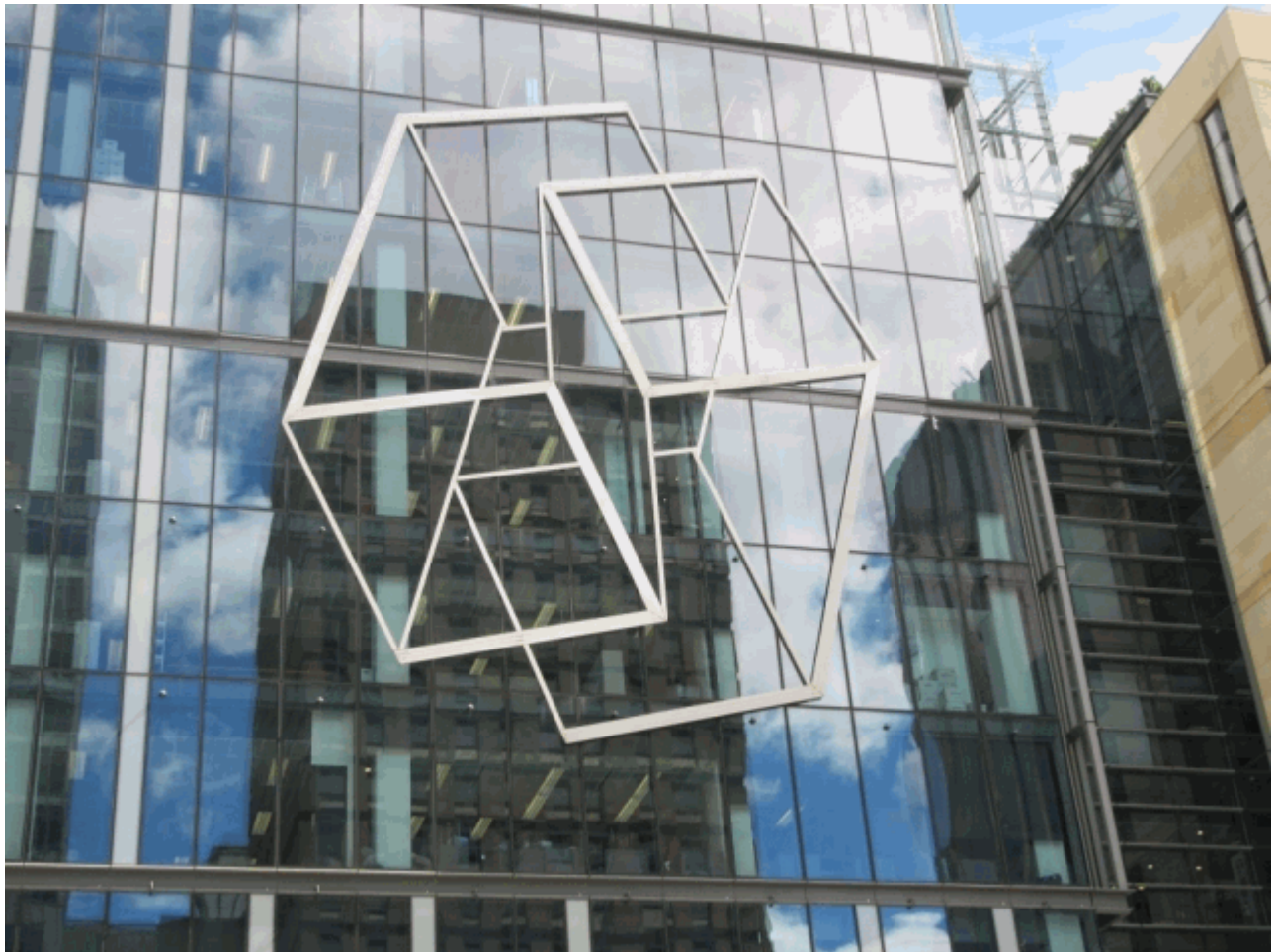
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**Image:**

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**Caption:** Josef Albers' "Wrestling", mounted above the western side of the plaza

**Copy right:** Tanner Kibble Denton (photo), Josef and Anni Albers Foundation (artwork)

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3451578e1f87ab8423397305c31e25678fa.jpg>

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**Caption:** Robert Owen's "New Constellation", mounted on the northern side of the tower vestibule

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 17/05/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/345e705d5dcf980486ea5d5d5f6b33da0ec.jpg>

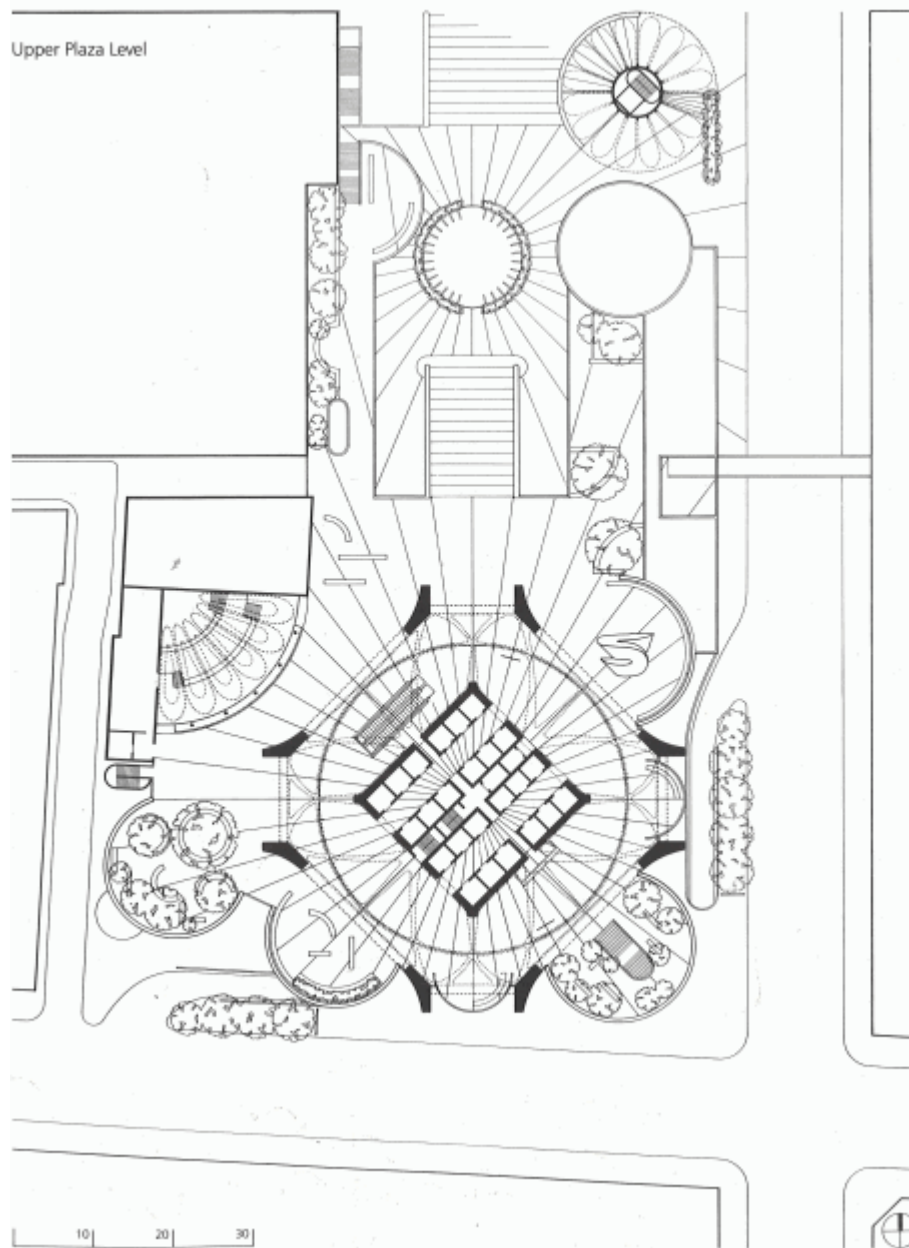
**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/P/Thumb\\_test345e705d5dcf980486ea5d5d5f6b33da0ec.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/P/Thumb_test345e705d5dcf980486ea5d5d5f6b33da0ec.jpg)

**Image:**

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 19-35 Martin Place Sydney 2000

Sydney



**Caption:** Plan of lower plaza area as originally designed

**Copy right:** Penelope Seidler

**Image by:**

**Image date:**

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345976e75dff2a7486ab3c475144d0c8ea0.jpg>

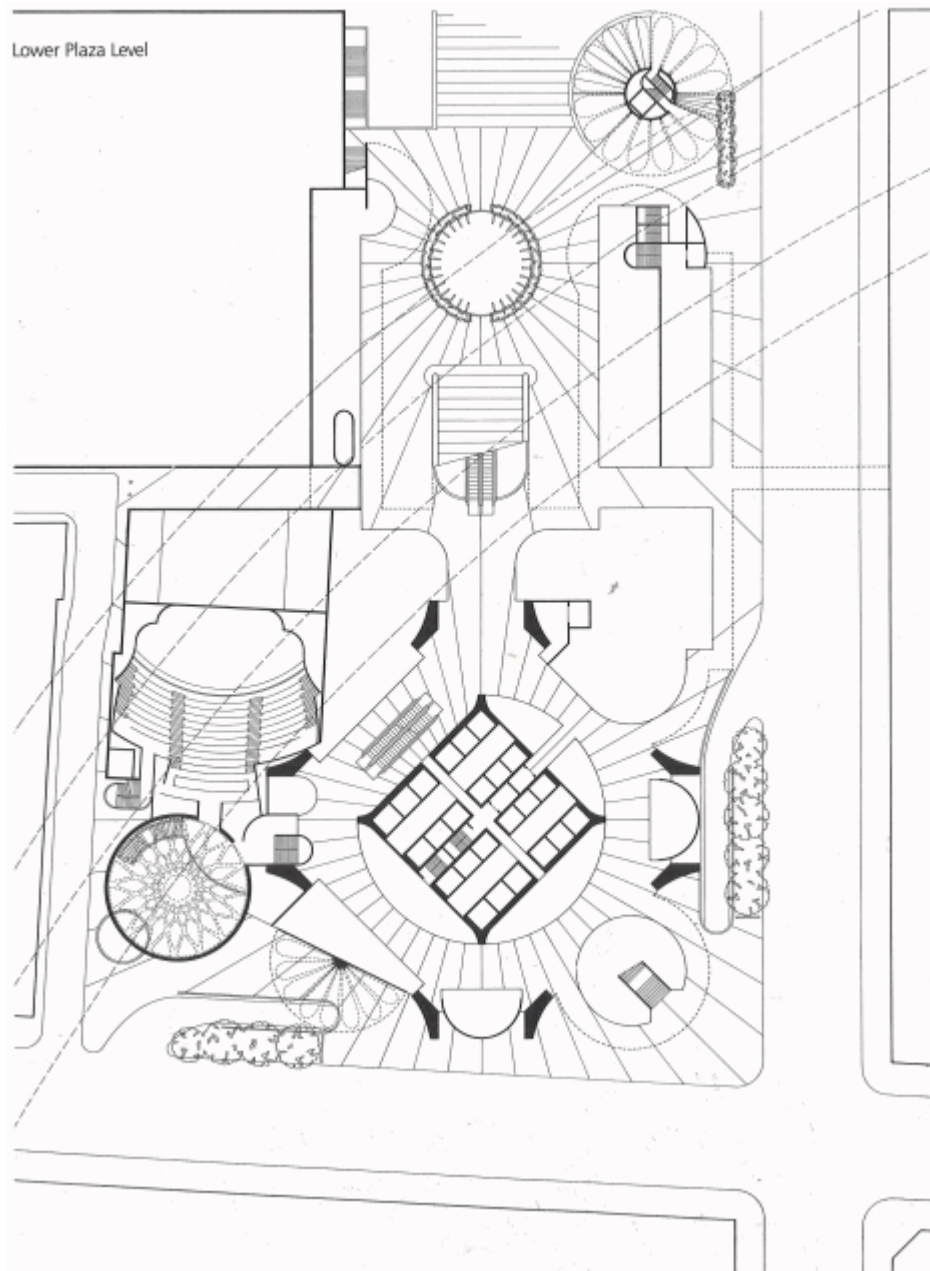
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**Image:**

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 19-35 Martin Place Sydney 2000

Sydney



**Caption:** Upper plaza plan as originally designed

**Copy right:** Penelope Seidler

**Image by:**

**Image date:**

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345f6d36b7f3d664cbe8d448b9150515aba.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345f6d36b7f3d664cbe8d448b9150515aba.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345f6d36b7f3d664cbe8d448b9150515aba.jpg)

**Image:**

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 19-35 Martin Place Sydney 2000

Sydney



**Caption:** Aerial photo of MLC Centre in 1979

**Copy right:** Penelope Seidler

**Image by:** Max Dupain (Max Dupain & Associates job 11722 image 11722-46)

**Image date:** 01/02/1979

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345061b27b1461948d5bec26550c889bd1e.jpg>

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**Image:**

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 19-35 Martin Place Sydney 2000

Sydney



**Caption:** King Street level view of MLC Centre in 1979

**Copy right:** Penelope Seidler

**Image by:** Max Dupain (Max Dupain & Associates job 11722 image 11722-40)

**Image date:** 01/02/1979

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3455c92e5fb6a1c4ba591cd530c675fe55a.jpg>

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**Image:**



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**Location:** 19-35 Martin Place Sydney 2000

Sydney



**Caption:** Pedestrian plazas on the northern side of the MLC Centre in 1979

**Copy right:** Penelope Seidler

**Image by:** Max Dupain (Max Dupain & Associates job 11722 image 11722-45)

**Image date:** 01/02/1979

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3454c5059c8828246c6b6f11e3d9d8daad7.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test3454c5059c8828246c6b6f11e3d9d8daad7.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test3454c5059c8828246c6b6f11e3d9d8daad7.jpg)

**Image:**

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 19-35 Martin Place Sydney 2000

Sydney



**Caption:** The MLC Centre tower photographed shortly after completion

**Copy right:** Penelope Seidler

**Image by:** Max Dupain (Max Dupain & Associates job 11591 image 11591-1c)

**Image date:** 01/03/1978

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/34525281b20c2db42969a5cccef73ddab5f.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/P/Thumb\\_test34525281b20c2db42969a5cccef73ddab5f.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/P/Thumb_test34525281b20c2db42969a5cccef73ddab5f.jpg)

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**Location:** 19-35 Martin Place Sydney 2000

Sydney



**Caption:** Nervi-designed ceiling in Theatre Royal with suspended Charles O. Perry's "Mercator"

**Copy right:** Penelope Seidler

**Image by:** Max Dupain (Max Dupain & Associates job 11285 image 11285-8)

**Image date:** 01/02/1979

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/3457e254f58693041f1ba8b455ffc8662d1.jpg>

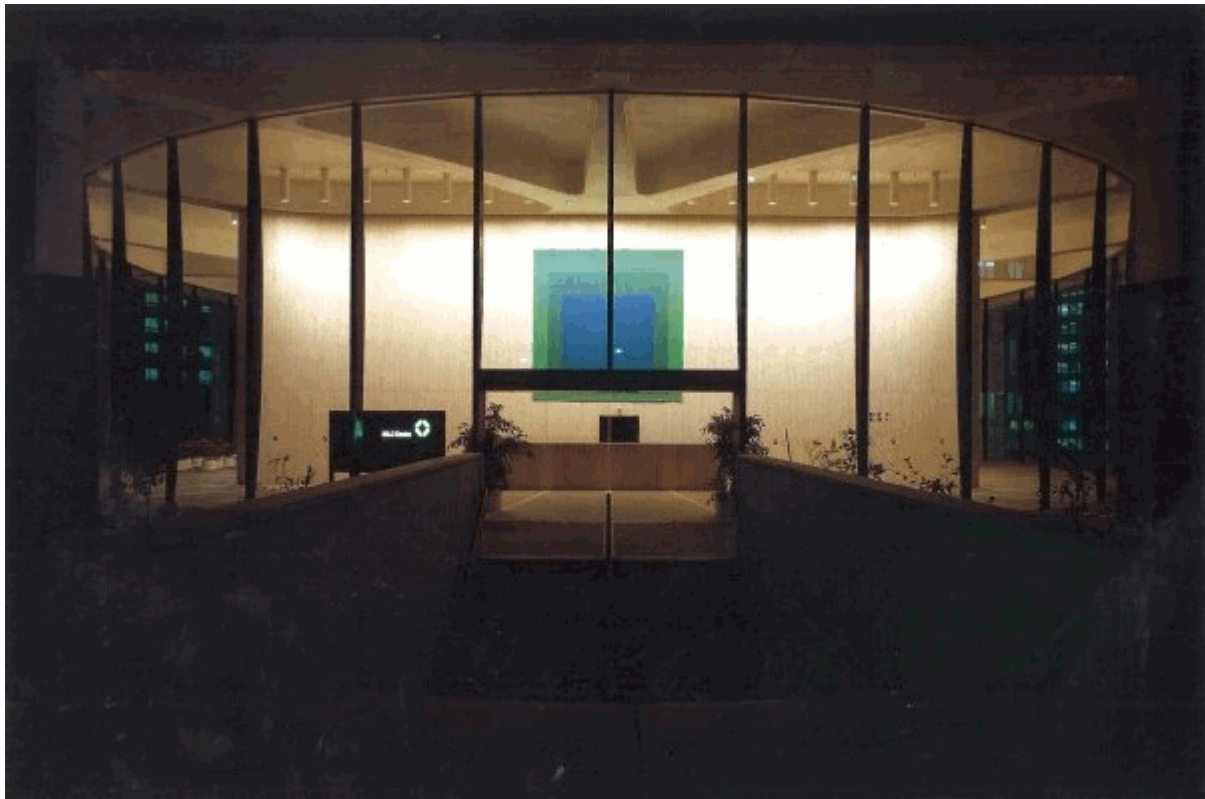
**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb\\_test3457e254f58693041f1ba8b455ffc8662d1.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb_test3457e254f58693041f1ba8b455ffc8662d1.jpg)

**Image:**

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Sydney



**Caption:** Vestibule photographed at night with Josef Albers' "Homage to the Square"

**Copy right:** Penelope Seidler (photo), Josef and Anni Albers Foundation (tapestry)

**Image by:** Max Dupain (Max Dupain & Associates job no 11624. image no 11624-17c)

**Image date:** 01/08/1978

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3455c6324d678c74ef7a104f03171fbb76b.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test3455c6324d678c74ef7a104f03171fbb76b.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test3455c6324d678c74ef7a104f03171fbb76b.jpg)

**Image:**

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 19-35 Martin Place Sydney 2000

Sydney



**Caption:** View of MLC Centre from Martin Place railway station in the 1980s

**Copy right:** City of Sydney Archives (CRS 422/1/598)

**Image by:** Stan Johnston

**Image date:** 18/10/1983

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34504d351b4bc6340e88bd2f19b4e4a8444.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test34504d351b4bc6340e88bd2f19b4e4a8444.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test34504d351b4bc6340e88bd2f19b4e4a8444.jpg)

**Image:**

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 19-35 Martin Place Sydney 2000

Sydney



**Caption:** MLC Centre aspect viewed from Martin Place in 1980s

**Copy right:** City of Sydney Archives (SRC21626)

**Image by:** City of Sydney Archives

**Image date:**

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34565850188383749849807a39fde4331b7.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test34565850188383749849807a39fde4331b7.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test34565850188383749849807a39fde4331b7.jpg)

**Image:**

**Item name:** MLC Centre complex including buildings, plazas and art identified in the item name in schedule 5 of Sydney Local Environmental Plan

**Location:** 19-35 Martin Place Sydney 2000

Sydney



**Caption:** Contribution of MLC Centre to Martin Place streetscape in the 1990s

**Copy right:** City of Sydney Archives (SRC1260)

**Image by:** City of Sydney Archives

**Image date:**

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/34517b4cc3120fb471bb6257bcb8e702ec3.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb\\_test34517b4cc3120fb471bb6257bcb8e702ec3.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb_test34517b4cc3120fb471bb6257bcb8e702ec3.jpg)

# **Attachment C7**

**Former Liverpool and London  
and Globe Inventory**



**Item name:** Former Liverpool & London & Globe building including facade walls and fixtures and internal structure

**Location:** 62 Pitt Street Sydney 2000

Sydney

**Address:** 62 Pitt Street

**Planning:** Sydney South

**Suburb/nearest town:** Sydney 2000

**Local govt area:** Sydney

**Parish:**

**State:** NSW

**County:**

**Other/former names:**

**Area/group/complex:**

**Group ID:**

**Aboriginal area:**

**Curtilage/boundary:**

**Item type:** Built

**Group:** Commercial

**Category:** Insurance company/building

**Owner:** Private - Corporate

**Admin codes:**

**Code 2:**

**Code 3:**

**Current use:** Offices, ground floor retail

**Former uses:** Insurance offices

**Assessed significance:** Local

**Endorsed significance:** Local

**Statement of significance:** The former Liverpool & London & Globe building provides uncommon evidence of the prevalence of insurance companies in Central Sydney during the post-World War II period, which were concentrated in the northern section of Central Sydney known as the "golden mile". It represents Sydney's post-World War II boom of international finance and insurance. The site and building is associated with the prominent and long established company, Liverpool & London & Globe Insurance, which occupied the site from 1874 for over 100 years and for whom this building was purpose-built.

The building demonstrates an individual and distinctive example of the Late Twentieth Century International style by the prominent architectural firm, Spain Cosh & Stewart. The design of the building, both in plan, with its rare triangular form, and external expression, skilfully responds to the acute-angled and visually prominent corner site. Its facades are a distinctive example of curtain wall design in terms of its construction, unusual colour scheme, and the rare and late use of pigmented structural glass as spandrel panels. The building's curtain wall cladding is technically significant because of the way it was designed to overcome thermal expansion problems, demonstrating the ways that facade technology evolved in response to local conditions. The building appears to have retained a substantial amount of original external fabric.

The building is an important townscape element in Central Sydney, occupying a visually prominent corner site. The architectural resolution of the building's exterior skilfully responds to the site constraints.

The building demonstrates one of the few surviving post-World War II curtain wall buildings that once proliferated at the northern end of Central Sydney.

The former Liverpool & London & Globe building is of local heritage significance in terms of its historical, associations, aesthetic/technical, rarity and representative value. This satisfies five of the Heritage Council criteria of local heritage significance for local listing.

**Item name:** Former Liverpool & London & Globe building including facade walls and fixtures and internal structure

**Location:** 62 Pitt Street Sydney 2000

Sydney

**Historical notes of provenance:** This site forms part of the land of the Gadigal people, the traditional custodians of land within the City of Sydney council boundaries. For information about the Aboriginal history of the local area see the City's Barani website: <http://www.sydneybarani.com.au/>

The site of 62 Pitt Street is a part of land granted to the Right Reverend Frederick Barker, Lord Bishop of Sydney, on 27 October 1857.

In 1874, Liverpool & London & Globe Insurance Company purchased and relocated to this site.

The genesis of the Liverpool & London & Globe Insurance Company took place in 1836 with the foundation of the Liverpool Fire & Life Assurance Company, which became the Liverpool & London Assurance Co in 1847 after the purchase of another insurance company. It achieved its final form after the acquisition of the Globe Insurance Company in 1863. The first Sydney office was established in Bridge Street in 1853, after the Australasian Colonial and General Life Assurance and Annuity Company transferred its agents and liabilities to the Liverpool & London. The office was relocated to Margaret Street the following year.

Sydney's local insurance industry rose from small beginnings in 1831 with the establishment of the Australian Marine Assurance Company by several Sydney merchants for the express purpose of effecting marine insurance. This was followed in 1835 by the arrival of an agency of the London-based Alliance British and Foreign Life Assurance Company. The first local fire and life assurance office to be established in the colony was the Australian Fire and Life Assurance Co, in 1836. However, conditions were not propitious for home grown insurance, and of the seven colonial companies set up between 1831 and 1843, six were dissolved or otherwise in trouble. There were also two British insurance companies represented at this time. By the time the Australian Mutual Provident Society was founded in 1849 there were seven other insurance companies represented in Sydney. The insurance industry expanded rapidly and, by the second half of the 1860s, there were well over twenty companies with Sydney offices. Liverpool & London was part of this era of consolidation.

In 1874, when Liverpool & London & Globe Insurance Company purchased and relocated to the subject site at the intersection of Pitt and Spring Streets, it was originally occupied by the 1861 building known as Bible Hall. Bible Hall was designed by prominent architect, George Allen Mansfield, for the British and Foreign Bible Society. The building was extensively upgraded in 1905 to the design of Spain & Cosh. Articles of the time reported "The remodelling of the new offices at the corner of Pitt and Spring Streets for the Liverpool, London and Globe Insurance Company, under the supervision of Messrs Spain and Cosh, is being pushed along. The outline of what is practically a new building has been completed" (Sydney Morning Herald, 13 June 1905).

For many years the land title for the subject site appears to have been in the name of company directors, but in March 1908 the title was transferred to the company following the death of two of the three directors on the title. It was subsequently amended in 1911 when Liverpool, London & Globe became a limited company. Liverpool & London & Globe was acquired by Royal Insurance in 1919 but continued to trade as a discrete entity.

At the end of the 1950s, Spain, Cosh & Stewart were commissioned to design a new building for the company; the subject building. The development application for the project was lodged on 13 May 1959 (DA 278/59), followed by the building application on 11 September (BA 2106/59). Tenders for the building's construction were invited in January 1960.

The firm of Spain & Cosh, formed in 1904 when Alfred Spain (1868-1954) and Thomas Frame Cosh (1868-1946) went into partnership, was well regarded as designers of commercial buildings. The firm incorporated the latest technologies and building materials into its works and from the 1910s to the outbreak of World War II. The firm designed a relatively large number of prominent buildings in Central Sydney that included Culwulla Chambers in Castlereagh Street (1911), the Evening News Building, Elizabeth Street (1925), the Lincoln Building in Pitt Street (1924), Marcus Clark's store at Railway Square (1928), Scottish House, Bridge Street (1925), and the former Shell House in Carrington Street (1938). The firm was also responsible for flats, hotels and fire stations. Reginald Arthur Stewart (1911-2006) became a partner in the firm after Alfred Spain retired at the end of the 1930s.

**Item name:** Former Liverpool & London & Globe building including facade walls and fixtures and internal structure

**Location:** 62 Pitt Street Sydney 2000

Sydney

On 15 March 1962, the completed building was officially opened by Eric Dodds, assistant manager of Liverpool and London. The next day, on 16 March 1962, the Registrar General published in the Government Gazette that the firm's registered office had changed to 62 Pitt Street.

Newspapers of the time reported the newly constructed building in some detail. Articles reported that the building was designed to accommodate four additional levels, although these were never constructed. A 1962 Sydney Morning Herald article reported that the restricted nature of the site led to unusual features, including internally, that only one structural column interrupted the working space on each floor. This article further described the building's construction: "The remaining support for the building is by means of perimeter columns between each bay of windows. These are laid out to a module suitable for subdivision into offices as required. The columns, as well as the solid portion of the flanking walls to each street, are faced wholly with polished Swedish green granite above ground floor level. Externally the ground floor walls and columns are faced with white Sicilian marble, with a base course and shaped corner treatment in green filled travertine." At the ground floor, the company identification was described as "On the shaped travertine corner, externally at ground level, is a fabricated brass and bronze modelled globe, reproducing the design of the company's crest with title lettering above in bronze letters, pinned and shaped off white baked enamel concave bands. These in turn are pinned off the travertine walling and spot-lighted from above." The article also noted further internal features including "One of the original features of the building is a circular steel stair linking ground and first floors. This winds around a circular structural column, the only column in the internal office space."

This development formed part of central Sydney's intense post-war commercial activity and development during the 1950s and early 1960s, which concentrated in the precinct near Circular Quay. This part of central Sydney became known as the "golden mile" or "golden square mile", extending from Circular Quay to Martin Place and from Macquarie Street to George Street (Building, Lighting and Engineering, January 1967, p.38). The insurance industry was at the forefront of Sydney's intense post-war commercial activity and development.

From the mid-1960s, central Sydney became the focus of the country's most frantic construction boom, as a consequence of major economic changes. Sydney became an important link in the chain of cities controlling many of the world's financial and corporate affairs and was closely linked to London. British companies, particularly insurance companies, found Australian cities a source of great investment potential. In Sydney, insurance companies accounted for more new office buildings constructed in Sydney between 1957 and 1966 than were built by local developers or other concerns. The numbers were impressive. Between 1958 and 1976, 210 buildings were constructed in central Sydney, of which 84 were built from 1971 onwards (Daly). This included a cluster of curtain wall buildings constructed in the "golden square mile" for insurance and shipping companies. These typically responded to particular sites, notably on street corners. The subject building at 62 Pitt Street is one of the few surviving examples of these curtain wall buildings from the period of the second half of the 1950s and early 1960s.

In 1978, the property title for the subject land was transferred to Royal Insurance Australia. It was sold to Peter Hutley Investments Pty Limited in 1980, and then acquired by NOI Properties Pty Limited in 1992.

<b>Themes:</b>	<b>National theme</b>	<b>State theme</b>	<b>Local theme</b>
	3. Economy	Commerce	Insurance
	8. Culture	Creative endeavour	Modern architecture & art
	9. Phases of Life	Persons	Spain Cosh & Stewart, architect

**Designer:** Spain Cosh & Stewart – architect; Stanley Llewellyn & Whitten – structural engineer

**Builder:** F.T. Eastment & Sons

**Year started:** 1960

**Year completed:** 1962

**Circa:** No

**Item name:** Former Liverpool & London & Globe building including facade walls and fixtures and internal structure

**Location:** 62 Pitt Street Sydney 2000

Sydney

**Physical description:** The building is 9 storeys in height and constructed of reinforced concrete with aluminium curtain walls. The building is located on a prominent corner site, addressing both Pitt and Spring Streets, and has a distinctive wedge-shaped footprint resulting from the configuration of its site. It provides a well-resolved response to an awkward, acute-angled site. The perimeter dark granite framing each facade is pulled back from the corner, allowing the curved end of the building to project.

The exterior of the building is clad with an unusual and distinctive curtain wall system. Each bay between the regularly spaced structural columns around the perimeter of the building is contained by a separate aluminium-framed unit, to overcome expansion problems associated with curtain walls. Spandrel panels are a proprietary pigmented structural glass product known as Carrara glass, which is rare for this period, and are coloured white. Some shading is provided by aluminium hoods over windows, integrated into the unit framing. Each of the facades is terminated at its northern end by a bay faced with what was described in contemporary reviews as polished dark green Swedish granite. The end bay on the Spring Street facade contains small aluminium framed windows, indicating the location of service areas. The same granite is also used to line the face of perimeter columns while a horizontal granite course separates the ground floor from upper sections of the facades. A pergola-like structure at roof level, which was a popular device when the building was constructed, terminates the building against the sky. Other examples include Bunning & Madden's Liner House in Bridge Street and Terence Daly's St Peter Julian's Church in George Street, Haymarket.

Internally, the original circular concrete column at the apex of the triangular floor plate is retained at all upper levels. The perimeter walls and windows, building structure and fire safety stair are also original. Otherwise the interiors have non-original finishes and fit-outs.

The ground floor is divided into two retail tenancies. The main lobby to the upper levels and basement is accessed from Pitt Street. The lobby features painted plaster walls with a built-in fire extinguisher cupboard, utility closet beside the elevator and flooring of marble. The basement level comprises a tiled, floor-lit hallway which provides access to restroom facilities, storage and building operation rooms. The seven upper office levels differ in layout and style of partitioning. Each upper office floor includes restrooms, kitchenette and central concrete column. The content of each office level has been altered since is original construction. Currently each level features suspended ceiling fixtures with varying finishes. Original concrete beams and the Carrara glass spandrel panels can be seen in areas where the suspended ceiling panels have been removed. Casement window frames intermittently line the band windows of each office level, separated by concrete columns, with the exception of those that comprise the south-western corner. The roof terrace is not intended for foot traffic. It is open to air with a series of high balcony railings and a pergola like structure at the street parameters. The roof terrace includes engineer's offices, plant rooms, lift motor room and air-conditioning systems.

The heritage item listing, as specified in the item name, includes the building exterior, facade walls and fixtures and internal structure. It excludes non-structural interiors.

**Physical condition level:** Good

**Physical condition:** The building is in good condition with a high degree of original fabric externally and high structural integrity.

**Archaeological potential level:**

**Archaeological potential Detail:**

**Modification dates:** Apart from the internal modifications to common areas and office areas that all older office buildings in Central Sydney have been subjected to since completion, modifications have included closure of the Spring Street entry (Spain Stewart & Lind, BA 1548/82). Alterations to the ground floor have resulted in changes to glazing and opening up of the corner to provide access into the building.

**Item name:** Former Liverpool & London & Globe building including facade walls and fixtures and internal structure

**Location:** 62 Pitt Street Sydney 2000

Sydney

**Recommended management:** The building should be retained and conserved. Listed building features include the building exterior, facade walls and fixtures and internal structure. The non-structural interiors are excluded from the listing.

Retain original fabric on the building exterior. Surfaces never intended for painting, including the aluminium and pigmented structural glass curtain walls and the Swedish granite cladding, should remain unpainted and be appropriately maintained.

Alterations and additions should be undertaken in a sympathetic manner that do not obscure original architectural features. Alterations to ground floor shopfronts are to be compatible with original architectural features, finishes and colours. Remaining intact original internal structural fabric should be retained and conserved.

A conservation management plan should be prepared to guide future use and maintenance. Any application for future development affecting listed building features should be accompanied by a heritage impact statement.

<b>Management:</b>	<b>Management category</b>	<b>Management name</b>
	Statutory Instrument	List on a Local Environmental Plan (LEP)

**Further comments:** Heritage inventory sheets are often not comprehensive, and should be regarded as a general guide only. Inventory sheets are based on information available, and often do not include the social history of sites and buildings. Inventory sheets are constantly updated by the City as further information becomes available. An inventory sheet with little information may simply indicate that there has been no building work done to the item recently: it does not mean that items are not significant. Further research is always recommended as part of preparation of development proposals for heritage items, and is necessary in preparation of Heritage Impact Assessments and Conservation Management Plans, so that the significance of heritage items can be fully assessed prior to submitting development applications.

**Criteria a):** The former Liverpool & London & Glove building provides uncommon evidence of the prevalence of insurance companies financing the construction of commercial buildings during the post-World War II construction boom in Central Sydney, particularly that part known as the “golden mile”. It represents Sydney’s post World War II boom of international finance and insurance. The site is notable for having been occupied by one company, Liverpool & London & Globe Insurance, for over 100 years, for whom the subject building was purpose-built.

Meets this criterion at a Local level.

**Criteria b):** The building has associations with the Liverpool & London & Globe Insurance Company, which was amongst the earlier British insurance companies to establish an office in Sydney and occupied the site for about 100 years, from 1874 until the second half of the 1970s. The company effectively rebuilt twice on the site, in 1905 and the early 1960s.

The building is associated with the long-established and prominent architectural firm of Spain & Cosh, which became Spain Cosh & Stewart at the end of the 1930s.

Meets this criterion at a Local level.

**Criteria c):** The facades of 62 Pitt street are a distinctive example of curtain wall design in terms of construction, unusual colour scheme and use of uncommon materials. They demonstrate a rare and late use of pigmented structural glass in spandrel panels. The building’s curtain wall cladding is also significant because of the way it was designed to overcome thermal expansion problems, demonstrating the ways that facade technology evolved in response to local conditions. The facades are an individual expression of the so-called Late Twentieth Century International style.

The building is an important townscape element in Central Sydney, occupying a visually prominent corner site. The architectural resolution of the building’s exterior skilfully responds to the site constraints.

Meets this criterion at a Local level.

**Item name:** Former Liverpool & London & Globe building including facade walls and fixtures and internal structure

**Location:** 62 Pitt Street Sydney 2000

Sydney

**Criteria d):** The building's social significance has not been ascertained.

**[Social/Cultural significance]** May meet this criterion at a Local level.

**Criteria e):** Does not meet this criterion.

**[Research significance]**

**Criteria f):** The building is rare because of its triangular plan form. The use of pigmented structural glass in the external curtain wall cladding is rare.

**[Rarity]**

62 Pitt Street is one of the few surviving post-World War II curtain wall buildings that proliferated at the northern end of Central Sydney, and is a well-resolved response to its awkward corner site.

Meets this criterion at a Local level.

**Criteria g):** The building is representative of Late Twentieth Century International style office buildings found in Central Sydney.

**[Representative]**

Meets this criterion at a Local level.

**Intactness/Integrity:** High - exteriors and structure with altered interiors.

<b>References:</b>	<b>Author</b>	<b>Title</b>	<b>Year</b>
	Ian Kirk	Review of Potential CBD Heritage Items	2006
		"Triangular Office Block Cost 360,000 pounds", 13 March 196	1962
		"Insurance Building On Former Site" article, 7 July 1959	1959
		The Cyclopedia of New South Wales	1907
		Building, Lighting & Engineering journal, January 1960	1960
		"The Liverpool & London & Globe Insurance Company Limite	1962
	Maurice T Daly	Sydney Boom, Sydney Bust: the city and its property market, 1	1982
	Kerime Danis, City Plan Heritage	Planning proposal submission, supporting images and descripti	2019

<b>Studies:</b>	<b>Author</b>	<b>Title</b>	<b>Number</b>	<b>Year</b>
	Tanner Kibble Denton Ar	Modern Movement Architecture in Central Sydney - Heritag		2018

<b>Parcels:</b>	<b>Parcel code</b>	<b>Lot number</b>	<b>Section number</b>	<b>Plan code</b>	<b>Plan number</b>
	LOT	1		DP	129926

**Latitude:** **Longitude:**

**Location validity:** **Spatial accuracy:**

**Map name:** **Map scale:**

**AMG zone:** **Eastings:** **Northing:**

<b>Listing:</b>	<b>Name</b>	<b>Title</b>	<b>Number</b>	<b>ListingDate</b>
	Modern Movement Architecture in	Heritage study		01/01/2018

**Data entry:** Data first entered: 23/11/2005 Data updated: 20/05/2020 Status: Completed

**Item name:** Former Liverpool & London & Globe building including facade walls and fixtures and internal structure

**Location:** 62 Pitt Street Sydney 2000

Sydney

**Image:**



**Caption:** Pitt Street elevation viewed from Australia Square, to the west

**Copy right:** City of Sydney

**Image by:** Roy Lumby

**Image date:** 01/01/2013

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34501baae9401be43a6a5cf782f9898a266.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test34501baae9401be43a6a5cf782f9898a266.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test34501baae9401be43a6a5cf782f9898a266.jpg)

**Item name:** Former Liverpool & London & Globe building including facade walls and fixtures and internal structure

**Location:** 62 Pitt Street Sydney 2000

Sydney

**Image:**



**Caption:** Spring Street elevation

**Copy right:** City of Sydney

**Image by:**

**Image date:** 01/01/2005

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3453959fa92e28447e99615eaddc975f2c8.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test3453959fa92e28447e99615eaddc975f2c8.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test3453959fa92e28447e99615eaddc975f2c8.jpg)

**Image:**



**Item name:** Former Liverpool & London & Globe building including facade walls and fixtures and internal structure

**Location:** 62 Pitt Street Sydney 2000

Sydney



**Caption:** Corner presentation

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 02/12/2014

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34561882807052441a99234a1fa09a00e79.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test34561882807052441a99234a1fa09a00e79.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test34561882807052441a99234a1fa09a00e79.jpg)

**Image:**

**Item name:** Former Liverpool & London & Globe building including facade walls and fixtures and internal structure

**Location:** 62 Pitt Street Sydney 2000

Sydney



**Caption:** Detail of curtain wall cladding on west elevation and turning the corner

**Copy right:** City of Sydney

**Image by:** Roy Lumby

**Image date:** 01/01/2013

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3450848ecce8960438ea2e729c8e3cee0d0.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test3450848ecce8960438ea2e729c8e3cee0d0.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test3450848ecce8960438ea2e729c8e3cee0d0.jpg)

**Image:**

**Item name:** Former Liverpool & London & Globe building including facade walls and fixtures and internal structure

**Location:** 62 Pitt Street Sydney 2000

Sydney



**Caption:** Site preparation in 1960 for building construction

**Copy right:** City of Sydney

**Image by:**

**Image date:** 01/01/1960

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345670b5e1ae8ca41bcac6544f559e85d6a.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345670b5e1ae8ca41bcac6544f559e85d6a.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345670b5e1ae8ca41bcac6544f559e85d6a.jpg)

**Image:**

**Item name:** Former Liverpool & London & Globe building including facade walls and fixtures and internal structure

**Location:** 62 Pitt Street Sydney 2000

Sydney



**Caption:** Shortly after construction, with low-level surrounding skyline, viewed from the south on Pitt Street

**Copy right:** State Library of NSW

**Image by:**

**Image date:** 01/01/1962

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3457708e54baf734ea396be02ba3af06d32.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test3457708e54baf734ea396be02ba3af06d32.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test3457708e54baf734ea396be02ba3af06d32.jpg)

# **Attachment C8**

<b>Horwitz House Inventory</b>
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**Item name:** Former Horwitz House building including facade and internal structure**Location:** 398-402 Sussex Street Haymarket 2000

Sydney

**Address:** 398-402 Sussex Street**Planning:** Sydney South**Suburb/nearest town:** Haymarket 2000**Local govt area:** Sydney**Parish:****State:** NSW**County:****Other/former names:****Area/group/complex:****Group ID:****Aboriginal area:****Curtilage/boundary:****Item type:** Built**Group:** Commercial**Category:** Commercial Office/Building**Owner:** Private - Corporate**Admin codes:****Code 2:****Code 3:****Current use:** Commercial**Former uses:** Commercial**Assessed significance:** State**Endorsed significance:** Local

**Statement of significance:** Former Horwitz House is associated with the Horwitz Company, a well known and prominent publishing house that was particularly noted for its wide range of popular fiction during the second half of the 20th century. It is historically significant because of the innovative manner in which its design incorporated a direct and uncompromising response to controlling the impacts of the sun on building occupants.

Its aesthetic importance is derived from the integration of its structural system and sun control louvres. The building is the first example of an office building in Sydney that convincingly integrated passive sun control devices into its design. It is a significant early example of Modern Movement design in Central Sydney and as the first large project and office design of Harry Seidler, regarded as one of Australia's most outstanding exponents of the Modern Movement. It was the first of a series of significant commercial projects in Sydney designed in Seidler's office. The building is understood to be an early example of the work of prominent structural engineer Peter Owen Miller, AM, and may have technical significance because of its unusual structural design.

Former Horwitz House is at least of local heritage significance in terms of its historical, associational, aesthetic/technical, research, rarity and representative value. This satisfies six of the Heritage Council criteria of local heritage significance for local listing.

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**Location:** 398-402 Sussex Street Haymarket 2000

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**Historical notes of provenance:** This site forms part of the land of the Gadigal people, the traditional custodians of land within the City of Sydney council boundaries. For information about the Aboriginal history of the local area see the City's Barani website: <http://www.sydneybarani.com.au/>

The building is situated on part of 6.07 hectares of land granted to John Dickson, historically significant miller and entrepreneur, on 8 March 1831.

The site of 398-402 Sussex Street was undeveloped during the mid 1840s. By the mid 1860s it was occupied by a pair of single-storey buildings. By 1882 the property was owned by wool broker John Hinchcliff. He sold it to the Commercial Building and Investment Company that year, which then sold it to Anthony and Samuel Hordern in the first half of 1883. Samuel and Anthony Hordern were members of the Anthony Hordern and Sons mercantile empire. It was one of Sydney's foremost retailing concerns, manufacturing many of the articles available for sale in its department store or by mail order. It had the largest number of factories of any of the great retailing establishments. The Horderns acquired several properties in Sussex Street between the 1860s and the 1900s. They are understood to have redeveloped 398-402 Sussex Street by the construction of a three-storey building with three separate tenancies. The date this took place has not been ascertained.

Samuel Hordern died on 13 August 1909 and his estate passed into the jurisdiction of trustees the following year. They progressively sold off his properties. 398-402 Sussex Street was purchased by tea merchant William John Stewart in May 1918. Stewart died about three years later and the property was inherited by his widow Lily. She eventually sold it to Goodman's Tents Pty Limited in July 1946, which in turn sold it to Israel and Stanley Horwitz in 1954. The transfer of title took place on 7 July 1954.

Israel Horwitz migrated from England to Australia during the second decade of the 20th century. He and his wife Ruth founded the Horwitz Company (Horwitz Publications) in 1921, which initially published trade journals. By the middle of the 1940s the Company began to develop an identity as a book publisher. It flourished during the 1950s and 1960s through the publication of cheap paperback novels, employing a stable of house writers, and comic books. Horwitz also published a large number of school and academic books. When Israel Horwitz died in 1956, the company was run by his son Stanley. The company Horwitz Corporation Pty Ltd was incorporated in June 1957. In 1960 the company owned the Graham Book Company bookshops and became Horwitz Graham. During the mid to late 1980s, Horwitz began to scale down its publication of books and by the early 2000s was primarily focussed on its magazines. By 2007 most of the company had left the Horwitz family's control.

Around the time that Horwitz Company purchased 398-402 Sussex Street, it engaged architect Harry Seidler to design a new building. A development application was lodged with Council on 28 April 1954, followed by a building application on 7 July 1954.

Harry Seidler (1923-2006) is one of the most important Australian architects to have practised during the second half of the 20th century and a leading proponent of modernist architecture. Born in Vienna, he escaped to England in 1938 but was interned and deported to Canada, where he studied architecture at the University of Manitoba, graduating in 1944. Seidler became a registered Canadian architect aged 21 in February 1945. Seidler then studied at Harvard University under ex-Bauhaus architects Walter Gropius and Marcel Breuer, followed by further study under another ex-Bauhaus master, Josef Albers. Seidler worked with Marcel Breuer in New York from September 1946 to March 1948, and with Oscar Niemeyer in Brazil from April to June 1948. Seidler's family settled in Sydney and he arrived in 1948. Seidler's first commission, a house for his parents, was also one of the most significant post war houses in NSW, led to a great deal of publicity, a Sulman medal and numerous residential commissions.

Horwitz House was Seidler's first large project and office design to be constructed. The firm name Harry Seidler & Associates was first used on plans in June 1963 and incorporated as a legal entity in 1975. Seidler's associates were Colin Griffiths, Fred Heilpern and Frank D'Arcy. Buildings designed by Seidler and Harry Seidler & Associates in or near Central Sydney include:

- Printers' Union building, Regent Street (completed 1958; demolished)
- Howard Silvers Office Building, Ultimo (completed 1959; modified);

**Item name:** Former Horwitz House building including facade and internal structure

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- Associated Press, Elizabeth, Park and Castlereagh Streets (completed 1961);
- Lend Lease House, Macquarie Street (completed 1961; demolished);
- Australia Square (completed 1967);
- MLC Centre, King Street and Martin Place (completed 1975);
- Mid City Centre, George and Pitt Streets (1980-1983; demolished);
- Grosvenor Place, George Street (completed 1988);
- Capita Centre, 9 Castlereagh Street (completed 1989);
- IBM Centre tower (Darling Park Tower 1), Sussex Street (completed 1993);
- Elizabeth Street Offices, Surry Hills (completed 1998);
- Cove Apartments (completed 2004);
- North Apartments, Goulburn Street (completed 2004);
- Meriton Tower, George Street (completed 2006);
- Ian Thorp Aquatic Centre, Pyrmont (completed 2007);
- Alliance Française, Clarence Street (completed 2009).

Several of these works received awards and commendations for their outstanding architectural achievement.

In addition, the practice designed numerous apartment blocks located in suburbs close to Central Sydney and a Welfare Centre at Alexandria (1965) for the City of Sydney.

The Horwitz Company and its predecessor, Associated General Publications, published several books about Seidler's work: *Houses, Interiors, Projects: Harry Seidler* (1954, republished 1959), in which Stanley Horwitz wrote the foreword; *Harry Seidler 1955/63* (1963) and *Architecture for the New World: the work of Harry Seidler* (1973). The 1954 book included the Horwitz House perspective by Colin Griffiths, also published in the *Sydney Morning Herald* in July 1954. Horwitz also published later books on other Seidler buildings: *Australia Square* (1969); *Harry Seidler, Australian Embassy, Paris* (1979); *Two Towers Harry Seidler: Australia Square & MLC Centre* (1980); *Riverside Centre* (1988).

Seidler also designed another building for the Horwitz Company at Pyrmont.

Prominent structural engineer Peter Miller (died 2013), who worked with Seidler on a number of significant projects, designed high-compression concrete floor slabs cantilevered off internal columns to create beam-free spaces. The floor slabs at the front of the building cantilevered from structural columns set back 2.9 metres from the front of the building. The high level of Miller's contribution to engineering is reflected by the award of the Order of Australia and an honorary Doctor of Engineering degree from the University of Sydney in 1983.

Seidler's original drawings for the building design are held in the Mitchell Library, State Library of NSW, including:

1. Working drawing - site and drainage - 2nd June 1954
2. Working drawing details - June 1954
3. Floors 3-7 - 19 July 1954

Interior drawings completed later include:

4. Amended plans and elevation to East wall - 10 November 1954
5. Kitchen, shower.. - 2nd February 1955
6. Typical toilets - 20 April 1955
7. Stair finish and rail details - 12 May 1955
8. Electric lift and car... - 28 May 1955
9. Entrance front - 16 June 1955
10. Ground floor Sussex St
11. Lobby door, Ground floor - 12 July 1955
12. Interior details - 5th floor - 8 August 1955
13. Ground floor, 3rd and 4th - 9 August 1955
14. Details of furniture units - 7 September 1955



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15. Details of furniture units - details and metal parts - 9 September 1955
16. Entrance lobby details - 9 September 1955.

Horwitz House was considered quite unusual when constructed on account of its system of sun control and its structure. The building was designed at a time when aluminium and glass curtain wall systems were being introduced to Sydney, following the early example of Unilever House at 1 Macquarie Street East Circular Quay by Stevenson & Turner (now demolished). For these early curtain wall buildings, architects relied on venetian blinds and air conditioning, some with double glazing, to make buildings comfortable. By contrast, Horowitz House, predating the more general use of air conditioning, used 3.6 metre high movable vertical aluminium louvres, which pivoted on ball bearings, to filter the strong westerly sun. The building was designed without air conditioning. In 2015, Harry Seidler & Associates commented that this design "created striking light effects with infinite control of sunlight and shade as shown in many Max Dupain photographs...(which) remains a legitimate architectural device and treatment for the facade." The design of vertical sun louvres was modelled on the first example in Brazil by Seidler's mentor, Oscar Niemeyer, of the 1937 "Obra De Becco" (day nursery) in Rio De Janeiro.

The Sydney Morning Herald reported the building's noteworthy construction:

"The building, which faces west, will have a complete glass front protected from the sun's rays by adjustable vertical aluminium louvres...the use of vertical aluminium louvres placed outside the windows provided a real answer to the problem of sun protection...the vertical louvres also allowed ample diffuse sunlight to penetrate into the offices. The louvre blades are 12 inches wide and nine feet high and pivot on grease-packed ball bearings permanently sealed against weather. An operating bar will connect four groups of louvres across the building which can be operated through the standard aluminium windows.

The frame structure of the building, designed by consulting engineer P O Miller, is interesting...It is completely free of beams, the 7½ inch thick special high-compression concrete slab floors are cantilevered from six internal columns. The columns are in two banks of three, the first bank being 9ft 6in from the facade of the facade of the building. The internal columns will have bearing plates welded to them and the concrete floors will be pouted in situ." (Sydney Morning Herald, 6 July 1954)

In 2015, Harry Seidler & Associates commented that this design "created striking light effects with infinite control of sunlight and shade as shown in many Max Dupain photographs...(which) remains a legitimate architectural device and treatment for the facade...The original louvred facade form was expressed as a hovering block over a recessed street facade. Glass blocks enclosed the ground floor reception and office space and glass floor bricks illuminated the basement with daylight."

The building was a precursor to several of Seidler's Sydney buildings that were designed with direct and integral sun control devices such as Lend Lease House in Macquarie Street (1961; demolished) and the Plaza Building on the eastern side of Australia Square (1964). It was built by contractor Peter Cussel, who constructed a relatively large number of Seidler's buildings and also those of other prominent post war architects. Originally intended to rise to eight storeys, the completed structure was only six storeys high. Horwitz occupied several of them and leased the remainder. The original building design had a shoot down into basement for book deliveries.

The Horwitz Company owned the property for almost sixteen years, before selling it to Precision Plastics (Sales) Pty Limited. Not long after the new owner sold it to Rabin Investments Pty Limited. The building is understood to have been occupied by the Totalisator Agency Board during the mid 1970s.

The Australian Postal and Telecommunications Union purchased it from Rabin Investments in 1978, eventually selling it to Wilshe Pty Limited around 1990.

In 2018, the adaptive reuse of the building to hotel/serviced apartments was approved, together with a three-storey rooftop addition. The design maintained and restored significant design features, with the input and support of Harry Seidler & Associates. The deteriorated aluminium windows and like-for-like movable louvres

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were approved for reinstatement. The Harry Seidler & Associates architectural statement of 2015 noted the replacement louvres would "reinstatement the lustre, sharpness and flexibility they originally exhibited". In terms of the proposed facade changes, Harry Seidler & Associates also noted that "With the original design expressing a connection with similar designs by early collaborator Oscar Niemeyer, a floor shifting pattern was considered, leaving an opening open at either end without louvres." For the street facade at the ground level, it was noted "Existing ground floor retail, which is currently flush to the street facade, is to be maintained in such a way to re-establish these original features by careful articulation of the shopfront...A delicate glass and steel awning is proposed to replace the clumsy solid awning that has been introduced to the building and detailed to support the recessive nature...The awning structure is proposed to float under the first floor slab to again emphasise the floating block." The statement concludes the proposed adaptive use will "respectfully express the original Seidler design without constraining the new development's distinctive character. The refurbishment of the aging building should be a positive outcome for significant Seidler building and the city precinct".

This approved 2018 design with input from Harry Seidler & Associates was not constructed. The vertical louvres were reconstructed to a similar design without consultation with Harry Seidler & Associates, approved by private certification. The replaced sun control louvres are similar in appearance to the original. There is sufficient documentary evidence to reconstruct the louvres.

<b>Themes:</b>	<b>National theme</b>	<b>State theme</b>	<b>Local theme</b>
	3. Economy	Commerce	Publishing
	8. Culture	Creative endeavour	Modern architecture & art
	9. Phases of Life	Persons	Harry Seidler, architect
	9. Phases of Life	Persons	Peter Miller (P O Miller), engr

**Designer:** Harry Seidler, architect; Peter O Miller, structural engineer

**Builder:** Peter Cussel

**Year started:** 1954

**Year completed:** 1956

**Circa:** No

**Physical description:** Former Horwitz House is a six-storey building with a simple west-facing facade that is determined by the method used to control the ingress of sun into office levels. Aluminium windows are recessed behind the edges of floor slabs, which provide strongly defined horizontal elements that are balanced by the full-height aluminium louvres mounted between the slabs at each level. The louvres pivot to provide controlled solar access to the building's interior. The facade is "contained by thin vertical concrete walls at either end of the building".

A relatively recent roof addition is set back from the facade. It does not extend the full width of the building.

The ground floor section is separated from the upper levels by a cantilevered awning. It consists of a wide shopfront, with the main entrance to the building, reached by a flight of stairs, located at the southern end of the building.

The heritage item listing, as specified in the item name, includes the building exterior, facade and internal structure. It excludes non-structural interiors.

**Physical condition level:** Fair

**Physical condition:** Fair condition overall. Deteriorated aluminium louvres and windows approved for like-for-like reinstatement in 2018.

**Archaeological potential level:**

**Archaeological potential Detail:** The site has been identified as an area of archaeological potential, for deeper sub-surface features only, in the Central Sydney Archaeological Zoning Plan.

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**Location:** 398-402 Sussex Street Haymarket 2000

Sydney

**Modification dates:** The building has undergone internal modification to suit changing occupant needs. External changes include:

c.1972: Storeroom added to the roof.

c.1980: Street-level awning added circa 1990.

c.1991: Shopfront altered.

Date to be determined: Ancillary plant structures and telecommunications towers have installed at roof level.

2018: Adaptive reuse approved with setback rooftop addition of three storeys, conversion to hotel/serviced apartments with ground floor retail (D/2017/1137), and like-for-like reinstatement of facade windows and louvres, to a design supported by Harry Seidler and Associates. This development application was not constructed. The constructed replaced louvres was approved by private certification in the same year (P/2018/1513) without consultation with Harry Seidler & Associates. The replaced vertical sun control louvres do not match the original, but are similar in appearance. Sufficient documentary evidence is available for their reconstruction.

**Recommended management:** The former Horwitz House should be retained and conserved, including its original design intent of vertical aluminium louvres and glass curtain wall. Where facade fabric is not original or deteriorated beyond repair, alterations, replacements and additions should respect the original design intent and reconstruct original features based on documentary evidence where possible. Remaining intact original internal structure or other fabric should be retained and conserved. Surfaces never intended for painting, including the aluminium sun control louvres, should remain unpainted.

Additions should be undertaken in a sympathetic manner that do not obscure the aesthetic significance of the building. The awning should either be removed or replaced with an awning that is sympathetic to the building. Future shopfront designs should be sympathetic to the building.

A conservation management plan should be prepared to guide future use and maintenance. Any application for future development affecting listed building features should be accompanied by a heritage impact statement. Listed building features include the building exterior, facade and internal structure. The non-structural interiors are excluded from the listing.

**Management:** **Management category**  
Statutory Instrument

**Management name**  
List on a Local Environmental Plan (LEP)

**Further comments:** Heritage inventory sheets are often not comprehensive, and should be regarded as a general guide only. Inventory sheets are based on information available, and often do not include the social history of sites and buildings. Inventory sheets are constantly updated by the City as further information becomes available. An inventory sheet with little information may simply indicate that there has been no building work done to the item recently: it does not mean that items are not significant. Further research is always recommended as part of preparation of development proposals for heritage items, and is necessary in preparation of Heritage Impact Assessments and Conservation Management Plans, so that the significance of heritage items can be fully assessed prior to submitting development applications.

**Criteria a):** The former Horwitz House is historically significant because of the manner in which its design incorporated a direct and uncompromising response to controlling the impacts of the sun on building occupants. It was an innovative response to architectural design at a time when many designers were relying on technological solutions to environmental control in commercial buildings.

**[Historical significance]**

Meets this criterion at a Local and State level.

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**Criteria b):** The former Horwitz House was designed by Harry Seidler, one of the most important architects to practice in Australia during the second half of the 20th century and one of the country's outstanding exponents of the Modern Movement. It was his first major commercial building in Sydney, and over the following four decades Seidler's office designed a large number of significant commercial Sydney projects.

[Historical association significance]

The building is associated with Horwitz Company, a well-known and prominent publishing house that was particularly noted for its wide range of popular fiction during the second half of the 20th century.

The building is understood to be an early example of the work of prominent structural engineer Peter Miller.

Meets this criterion at a Local and State level.

**Criteria c):** The former Horwitz House is a significant early example of Modern Movement design in central Sydney. Its aesthetic importance is derived from the combination of its structural system and an innovative method of sun control, which are fully integrated into the external design of the building. Although the sun control louvres are not original, they are similar in appearance. There is sufficient documentary evidence to reconstruct the louvres.

[Aesthetic/Technical significance]

Meets this criterion at a Local and State level.

**Criteria d):** The building's social significance has not been ascertained.

[Social/Cultural significance]

May meet this criterion at a Local Level.

**Criteria e):** The building has technical significance because of its unusual structural design.

[Research significance]

Meets this criterion at a Local level.

**Criteria f):** The building is rare because it is the first example of an office building in Sydney that convincingly integrated passive sun control devices into its design.

[Rarity]

Meets this criterion at a Local level.

**Criteria g):** The former Horwitz House is representative of post-war office buildings.

[Representative]

Meets this criterion at a Local level.

**Intactness/Integrity:** The building structure is retained. The replaced vertical sun control louvres do not match the original, but are similar in appearance. There is sufficient documentary evidence to reconstruct the louvres.

References:	Author	Title	Year
	Harry Seidler & Associates	Architectural Statement, September 2015	2015
		Land titles	
	Jennifer Taylor	Australian Business Going Up: tall buildings 1945-1970	2001
		"Louvres to Guard Office Block Against Sun", 6 July 1954	1954
		Cross-section, Issue 40, February 1 1956	1956
	Helen O'Neill	A Singular Vision: Harry Seidler	2013
	Austlit	Overview, Horwitz Company	2014
	Polly Seidler, daughter of Harry Seidler	Polly Seidler, personal communication, corrections on heritage	2019

Studies:	Author	Title	Number	Year
	Tanner Kibble Denton Architects	Modern Movement Architecture in Central Sydney - Heritage		2018

Parcels:	Parcel code	Lot number	Section number	Plan code	Plan number
	LOT	1		DP	55229

**Item name:** Former Horwitz House building including facade and internal structure

**Location:** 398-402 Sussex Street Haymarket 2000

Sydney

**Latitude:**

**Longitude:**

**Location validity:**

**Spatial accuracy:**

**Map name:**

**Map scale:**

**AMG zone:**

**Easting:**

**Northing:**

**Listing: Name**

**Title**

**Number**

**ListingDate**

Modern Movement Architecture in Heritage study

01/01/2008

**Data entry:** Data first entered: 11/07/2018

Data updated: 20/05/2020

Status: Completed

**Item name:** Former Horwitz House building including facade and internal structure

**Location:** 398-402 Sussex Street Haymarket 2000

Sydney

**Image:**



**Caption:** The building shortly after construction, photographed by Max Dupain

**Copy right:** Penelope Seidler

**Image by:** Max Dupain (Dupain job 618 image 618-2)

**Image date:** 01/11/1955

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345c697ef6e8784462fadea02e434405e0d.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345c697ef6e8784462fadea02e434405e0d.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345c697ef6e8784462fadea02e434405e0d.jpg)

**Item name:** Former Horwitz House building including facade and internal structure

**Location:** 398-402 Sussex Street Haymarket 2000

Sydney

**Image:**



**Caption:** The building in 1976, viewed from the south-west, before awning and shopfront alterations

**Copy right:** State Library of NSW

**Image by:** Jack Hickson

**Image date:** 01/01/1976

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3455aa9f02427e74bd4b00dfff1e649113d.jpg>

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**Image:**

**Item name:** Former Horwitz House building including facade and internal structure

**Location:** 398-402 Sussex Street Haymarket 2000

Sydney



**Caption:** Former Horwitz House in 2013, viewed from the south-west

**Copy right:** City of Sydney

**Image by:** Tanner Kibble Denton Architects

**Image date:** 01/01/2013

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/3453a652aca8c0c47fa88b97b48fdd667df.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test3453a652aca8c0c47fa88b97b48fdd667df.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test3453a652aca8c0c47fa88b97b48fdd667df.jpg)

**Image:**



**Item name:** Former Horwitz House building including facade and internal structure

**Location:** 398-402 Sussex Street Haymarket 2000

Sydney



**Caption:** Former Horwitz House in 2013, viewed from the north-west

**Copy right:** City of Sydney

**Image by:** Tanner Kibble Denton Architects

**Image date:** 08/01/2013

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345ea0fcb9ebbea4f239971e8b7cc5544a4.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345ea0fcb9ebbea4f239971e8b7cc5544a4.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345ea0fcb9ebbea4f239971e8b7cc5544a4.jpg)

**Image:**

**Item name:** Former Horwitz House building including facade and internal structure

**Location:** 398-402 Sussex Street Haymarket 2000

Sydney



**Caption:** Shopfront and facade louvers in 2018

**Copy right:** City of Sydney

**Image by:** Claudine Loffi

**Image date:** 10/07/2018

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/345da8acc203b494a36ad9c746024b2cea8.JPG>

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**Image:**

**Item name:** Former Horwitz House building including facade and internal structure

**Location:** 398-402 Sussex Street Haymarket 2000

Sydney



**Caption:** Original interiors as photographed by Max Dupain

**Copy right:** Penelope Seidler

**Image by:** Max Dupain (Dupain job 618 image 618-3)

**Image date:** 01/11/1955

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345472533f6be68454e98f5fb7cd47648e9.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345472533f6be68454e98f5fb7cd47648e9.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345472533f6be68454e98f5fb7cd47648e9.jpg)

**Image:**

**Item name:** Former Horwitz House building including facade and internal structure

**Location:** 398-402 Sussex Street Haymarket 2000

Sydney



**Caption:** Internal detail of original aluminium louvres and fenestration

**Copy right:** City of Sydney

**Image by:** Hui Wang

**Image date:** 12/01/2016

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345d10b1a74c38f4049b78ce5f0fb435272.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345d10b1a74c38f4049b78ce5f0fb435272.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345d10b1a74c38f4049b78ce5f0fb435272.jpg)

**Image:**

**Item name:** Former Horwitz House building including facade and internal structure

**Location:** 398-402 Sussex Street Haymarket 2000

Sydney



**Caption:** Internal detail of original aluminium louvre mechanism

**Copy right:** City of Sydney

**Image by:** Hui Wang

**Image date:** 12/01/2016

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/34549f144027fb64915a09615772556dba9.jpg>

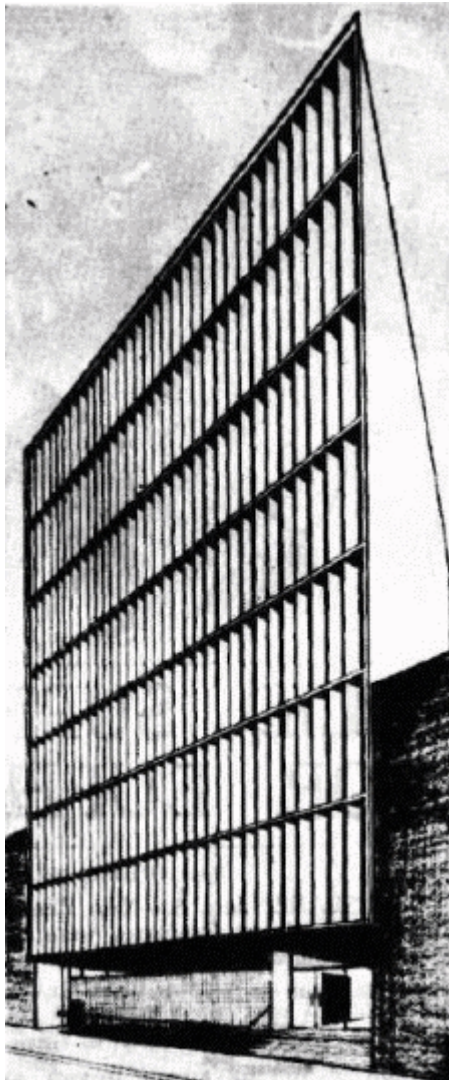
**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb\\_test34549f144027fb64915a09615772556dba9.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb_test34549f144027fb64915a09615772556dba9.jpg)

**Image:**

**Item name:** Former Horwitz House building including facade and internal structure

**Location:** 398-402 Sussex Street Haymarket 2000

Sydney



**Caption:** Perspective study by Colin Griffiths, architect of Seidler's office, as published in SMH

**Copy right:** Penelope Seidler

**Image by:** Colin Griffiths

**Image date:** 06/07/1954

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34517064614c411492bb016bfb67fcf0edc.gif>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test34517064614c411492bb016bfb67fcf0edc.gif](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test34517064614c411492bb016bfb67fcf0edc.gif)

# **Attachment C9**

## **Earth Mother Play Sculpture Inventory**

**Item name:** Cook and Phillip Park "Earth Mother" play sculpture

**Location:** Yurong Parkway Sydney 2000

Sydney

**Address:** Yurong Parkway

**Planning:** Sydney South

**Suburb/nearest town:** Sydney 2000

**Local govt area:** Sydney

**Parish:**

**State:** NSW

**County:**

**Other/former names:** Mother and Child

**Area/group/complex:**

**Group ID:**

**Aboriginal area:**

**Curtilage/boundary:**

**Item type:** Movable / Collection

**Group:** Education

**Category:** Other - Education

**Owner:** Local Government

**Admin codes:**

**Code 2:**

**Code 3:**

**Current use:** Play sculpture

**Former uses:** Play sculpture

**Assessed significance:** State

**Endorsed significance:** Local

**Statement of significance:** The Cook and Phillip Park play sculpture, also known as "Earth Mother", was the first sculpture specifically intended for the pleasure and education of children to be fabricated and installed in the City of Sydney, and is possibly the first of its kind in Australia. It is understood to be the first public artwork initiated by the City of Sydney. The play sculpture is the work of respected and significant sculptor, Anita Aarons, and a rare public example of her work in Sydney, as well as a rare work of art designed for specific educational purposes.

The play sculpture has aesthetic significance as a mid-twentieth century sculpture and as a work of art specifically intended to encourage and expand the aesthetic sensibilities of children. The use of concrete incorporating granite and marble dust to enhance the sculpture's tactile qualities has some technical significance. It is representative of the abstract figurative sculptural work produced by many sculptors during the post-World War II era.

The "Earth Mother" play sculpture is at least of local heritage significance in terms of its historical, associations, aesthetic/technical, rarity and representative value. This satisfies five of the Heritage Council criteria of local heritage significance for local listing.



**Item name:** Cook and Phillip Park "Earth Mother" play sculpture

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**Historical notes of provenance:** This site forms part of the land of the Gadigal people, the traditional custodians of land within the City of Sydney council boundaries. For information about the Aboriginal history of the local area see the City's Barani website: <http://www.sydneybarani.com.au/>

The City of Sydney has a relatively long history of socially responsible projects. One enduring example has been the provision of playgrounds and kindergartens for children. The Phillip Park Play Sculpture ("Earth Mother") is part of this history and has been a unique feature of the park since April 1952.

The land that comprises Cook and Phillip Parks was, after initial European settlement, part of the Government Domain. After completion of Hyde Park Barracks in 1819, it was cleared to form a garden in which the convicts assigned to the Barracks would work. The poor quality of the soil led to the abandonment of the garden by 1831. From then it appears to have fallen into disuse. In 1832, the construction of College Street separated the former convict garden from Hyde Park. Boomerang Street was constructed during the early 1850s. By the mid decade, a network of paths traversed the open land, which was eventually dedicated as parkland in 1878. Cook Park lay on the south-west side of Boomerang Street and Phillip Park on its north-east side.

There were incursions into the parkland. In 1880, one of Sydney's first bowling clubs was built in Cook Park, and a police station was completed on the periphery of Phillip Park at the corner of Cathedral and Riley Streets (since replaced by the Police Citizen's Youth Club in the early 1960s). A further incursion took place between 1912 and 1915 with the construction of Haig Avenue to provide tramway access to Woolloomooloo. Cook, Phillip and Hyde Parks were vested in Council in 1904.

In 1907, a playground was constructed in Phillip Park, followed by a Council plant nursery in 1910. In September 1925, Council approved a new playground site in Phillip Park between Haig Avenue and the Industrial Blind Institute at the south eastern corner of Phillip Park, which had been established in 1878. Some years later the nursery depot was converted into a children's library and crafts centre in response to an initiative of the Children's Library and Crafts Movement, and it opened to the public in March 1937. An open air theatre associated with the library and crafts centre – Australia's first outdoor theatre for children - was opened by the Lady Mayoress, Mrs Nock, on 1 March 1938. It soon became a significant performance venue. These successful early endeavours to enhance children's recreational and cultural opportunities have all made way for later works and development.

Mary Matheson, secretary of the Children's Library and Crafts Movement wrote to Lord Mayor Ernest O'Dea in the middle of April 1951 to encourage the experimental installation of a play sculpture near its Phillip Park Centre. The following month a number of Anita Aarons' play sculptures, in the form of maquettes, were included in the Contemporary Art Society's exhibition at Farmer & Co's Blaxland Gallery. Aarons submitted two maquettes to the City Council for its consideration. A meeting was subsequently held at the Council on 25 June 1951, attended by Anita Aarons, Mary Matheson and sculptors, Gerald Lewers and Lyndon Dadswell. A number of maquettes of sculptures were presented for consideration. The Council finally decided to trial one of the sculptures on 16 July 1951. Anita Aarons provided a quote of £243/15/- for the work, which was accepted in October, and the completed sculpture was installed at the beginning of April 1952. The sculpture was regarded by Council as an experiment.

Aarons' sculpture was derived from her contribution to the Contemporary Art Society's annual exhibition for 1950, a larger than life female nude cast in reddish brown concrete. It did not sell, so ended up in her family's front yard in Castlecrag. The sculpture fascinated her two daughters as well as other children in the neighbourhood, who liked to touch its rounded forms, slide down its surfaces and crawl into the hollow formed by one of its arms. According to Aarons, "My two girls, Bertina and Tonia, aged nine and seven, have found it a satisfactory play piece and a lovable friend." Not long after this, Aarons wrote to the Children's Library and Crafts Movement. It included her Notes on Sculpture for Children: a method of education through familiarity, which outlined her views concerning play sculpture. The surfaces and shapes of the works would encourage children to explore their tactile qualities, experience them as objects fully in the round and discover the changing effects of light over surfaces, shapes and colours. The intention was to educate children to become responsive to, and positive about, good sculpture. Ideally a play sculpture would be placed in every park and playground. Anita

**Item name:** Cook and Phillip Park "Earth Mother" play sculpture

**Location:** Yurong Parkway Sydney 2000

Sydney

Aarons cited contemporary precedents in Norway and Sweden, and pioneering efforts underway in America by sculptors such as Isamu Noguchi and Edgar Miller.

In post-war Europe, Danish architect and sculptor, Egon Møller-Nielsen (1915-1959), was responsible for free-form abstract play sculptures installed in several of Stockholm's new parks, considered by contemporaries to be exemplary examples of their kind, during the late 1940s and early 1950s. Humlegården, a major park close to the centre of Stockholm, became the location for Møller-Nielsen's late 1940s "Tufsen", considered the first play sculpture installation in the world. In 1953, Frank Caplan, a founder of the American company, Creative Playthings, visited Sweden and met Møller-Nielsen, then subsequently marketed a version of Møller-Nielsen's play sculpture "Spiral Slide". At this time, it was generally believed that if children played on sculptural objects they would develop a greater appreciation of fine art.

When interviewed for the Sunday Sun towards the end of 1951, Aarons anticipated the effects of her play sculpture on children:

Of course children will play just as happily in a junk-yard but they would come out of it with a sense of disorder, she told us...They will love to play on my sculpture, too, and they should come away with a sense of order and beauty...They will feel it, touch it, climb all over it, and that way they will reach an appreciation of it. (Sunday Sun, 18 November 1951).

The Phillip Park sculpture became known as "Earth Mother". Its flowing forms, solid areas and voids suggest the sculpture of Henry Moore and evidently became quite popular with children. "Earth Mother" was apparently physically kind to children, according to artist Herbert Badham.

"The artists of the High Renaissance produced for the material requirements of their day, and Anita Aarons shows here that new avenues have been created, in addition to the old ones that remain, along which the artist and the public, if they will, may meet and confer. To permit polishing, the re-inforced [sic] concrete used in this playground sculpture is made of granite and marble dust instead of sand, thus eliminating abrasive qualities" (A Gallery of Australian Art).

A number of newspaper and journal articles about the sculpture appeared around the time it was installed in Phillip Park, while it later appeared in professional journals such as *Constructional Review* and *Architecture in Australia*.

At the Society of Sculptors and Associates' 1952 exhibition Aarons continued to explore the potential of playground sculpture – her "playground and 'shadow' sculptures" apparently combined "an abstract line with useful attributes for play and shade blending into any scene devised by Nature." (Sydney Morning Herald, 4 November 1952). She also displayed a model playground at Parramatta during its Civic Week, staged in November 1952.

In 1997, Cook and Phillip Parks saw major redevelopment involving removal of the bowling club (which had occupied the site since 1880), Boomerang Street and Haig Avenue, and construction of a modern swimming pool complex and grey-paved concourse in front of St Marys Cathedral. The sculpture was relocated during 1992 within the Park, retaining its general location when the adjacent Phillip Park Child Care Centre was constructed around 2000.

"Earth Mother" was a significant initial endeavour on the part of the City of Sydney into the realm of public art. It was followed by the King George V and King George VI memorial in Hyde Park's Sandringham Gardens. Completed in 1954, the memorial included works by sculptor Lyndon Dadswell and architect Dr Henry Epstein. It was followed some years later by the inauguration of the Sydney Fountains Committee on 3 September 1958. This was ultimately responsible for the installation of several fountains, some of which, such as Woodward & Taranto's 1961 El Alamein fountain at Kings Cross, were outstandingly successful. Fountains were installed in a succession of public spaces until the second half of the 1960s. This activity was accompanied by the installation of sculpture and other artworks in and on privately owned commercial buildings and public buildings.

**Item name:** Cook and Phillip Park "Earth Mother" play sculpture

**Location:** Yurong Parkway Sydney 2000

Sydney

Anita Aarons (1912-2000):

Anita Abbott Aarons was the only daughter of Mr and Mrs Emanuel Aarons, born on 6 November 1912 at Nurse Saunderson Brown's Private Hospital in Woolcott Street, Darlinghurst. Her father was a well-known theatre organist, composer and orchestra arranger. He spent his childhood in Melbourne. At an early age it was evident that Aarons was an exceptional pianist and he studied at controversial conductor George Marshall-Hall's Conservatorium. By 1911, Aarons had moved to Sydney and was conductor of the Tivoli Theatre's orchestra. He was later conductor of the Lyceum Theatre Orchestra. By the end of the 1920s, he was leader of the St James Theatre band and organist at the Capitol Theatre. He also composed music for films and songs. Anita was the eldest of four children.

Anita Aarons initially studied art in Wellington, New Zealand. Between 1926 and 1928, she was taught by artist Julia Lynch (1896-1975), who studied at the Slade School in London then returned to New Zealand. In 1930, Aarons commenced studying sculpture at East Sydney Technical College under influential sculptor and teacher, Rayner Hoff. In 1936, she married a Albert Date, who had a Bachelor of Economics, who subsequently became a rural economist, secretary of the Commonwealth Liquid Fuel Control Board (which was in charge of petrol rationing during World War II) and economist to the Rural Bank of NSW from 1947 to 1954.

In September 1938, Anita Aarons took part in the Society of Artists' annual exhibition, which featured works by international artists such as Jacob Epstein and Augustus John, and a number of local artists - established figures and emerging newcomers that included Sir Bertram Mackennal, Lyndon Dadswell, Tom Roberts, and Douglas Annand. Aarons' sculptural contribution, a work entitled "Burden", was considered "eloquent in form." Aarons received her diploma from East Sydney Technical College in 1939. Examples of Aarons' sculptures and reliefs, displayed at the Diploma Exhibition staged in December 1939, were reported in the Sydney Morning Herald to "have real feeling in them, and are not composed of second-hand ideas." Aarons was an early, if not foundation, member of the Contemporary Art Society, formed in July 1938. Its first Sydney exhibition was staged in 1940 and in later years Aarons served on the committee of the Society's NSW branch.

Anita Aarons was a foundation member of the Society of Sculptors and Associates, which was founded in February 1951 to promote the cause of sculpture in Australia. The main impetus for the Society seems to have come from sculptor Gerald Lewers. The Society had several objectives, which included: advancing the understanding and appreciation of sculpture and encourage use and application of sculpture and associated arts; providing the means for creative work and study by its members; establishing, maintaining and reviewing when necessary a code of professional practice and ethics; and printing, circulating and publishing bulletins, papers and books. The Society's endeavours succeeded over the next few years by means of exhibitions, workshops and direct approaches to business concerns. Gerald Lewers, Lyndon Dadswell and Anita Aarons played an important part in these achievements.

Aarons entered the international sculpture competition organised in 1952 by the Institute of Contemporary Arts in England to commemorate "The Unknown Political Prisoner". It attracted 3,500 entrants worldwide, including 31 from Australia. She was one of several Australian women sculptors who submitted an entry. Although she was not placed in local judging, the entry of Margel Hinder, along with those of Tom Bass and John Bruhn, was selected to be sent to London for final evaluation. None were finally selected, although Hinder's entry was awarded an equal third prize. Anita Aarons' unconventional and sculptural ceramic tableware received a fair amount of publicity and some awards during the first half of the 1950s.

In 1954, Aarons taught sculpture at East Sydney Technical College, but by August that year, moved to Melbourne. Here, she was involved with a whole spectrum of educational organisations. Initially she spent three years teaching at the Kindergarten Training College. Aarons' Melbourne years were significant because of her influential role as a teacher. She became a member of the Art Teachers' Association (vice-president between 1960 and 1964), wrote art curricula for the Victorian Education Department and was appointed Head of the Sculpture Department at Caulfield Technical College, training secondary school arts and crafts teachers in sculpture and design. As well, she instituted summer schools so that teachers could upgrade their skills in art

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education. Aarons lectured and wrote on art education and assumed the role of teacher-demonstrator during the 1963 UNESCO conference held in Canberra.

Aarons participated in the important Twelve Melbourne Sculptors Exhibition in 1957, then the Recent Australian Sculpture exhibition, which was staged during 1964-1965, which toured the federal and state capitals and Newcastle.

After a fall that left her injured Aarons began making jewellery and prints. In 1963, some of her jewellery was selected to represent Australia at the 1964 World Crafts Conference in New York, which she subsequently attended as a delegate. She moved to Toronto, where she taught sculpture and design at the city's Central Technical School. Between 1965 and 1971, Aarons was the Allied Arts editor for the journal Canadian Architecture. From 1966 until 1969, Aarons designed artworks for the Beth Emeth Synagogue in Toronto. Between 1969 and 1972, she consulted to the Art Gallery of Ontario and curated shows for regional galleries. She was both a founder (1976) and director of the Harborfront Art Gallery in Toronto. Aarons' significant contributions to Canada's cultural life were honoured in 1983 when she was awarded the Diplome d'Honneur by the Canadian Conference of the Arts. She married artist Merton Chambers, who had also worked on the Beth Emeth Synagogue. Aarons and Chambers returned to Australia in 1985 and settled in Queensland. Both became quite involved with Noosa Gallery. It has been suggested that Aarons was awarded the Order of Australia Medal in 1994.

Anita Aarons died in Brisbane on 3 January 2000.

<b>Themes:</b>	<b>National theme</b>	<b>State theme</b>	<b>Local theme</b>
	9. Phases of Life	Persons	Anita Aarons, artist
	8. Culture	Creative endeavour	Modern architecture & art
	8. Culture	Leisure	Playground
	4. Settlement	Towns, suburbs and villages	Community facilities

**Designer:** Anita Aarons

**Builder:** Anita Aarons

**Year started:** 1951

**Year completed:** 1952

**Circa:** No

**Physical description:** The Cook & Phillip Park Play Sculpture is an abstract figurative work, fabricated from concrete with smooth exposed surfaces, located in an open paved and fenced space. The concrete composition incorporates granite and marble dust to enhance the sculpture's tactile qualities. Its organic form recalls the formal properties of the work of prominent English sculptor Henry Moore. The sculpture is designed so that children can crawl through, climb in, over and slide across its sections.

**Physical condition level:** Good

**Physical condition:** The Phillip Park Play sculpture is in good condition.

**Archaeological potential level:** Not assessed

**Archaeological potential Detail:**

**Modification dates:** The play sculpture was moved from its original location in 1992. There have been no other apparent modifications to the work.

**Item name:** Cook and Phillip Park "Earth Mother" play sculpture

**Location:** Yurong Parkway Sydney 2000

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**Recommended management:** Retain and conserve the sculpture.

Enhance the sculpture's setting or relocate to a more sympathetic setting in Cook & Phillip Park, preferably in close proximity to its original site, once this is more precisely determined. If unavailable, an equivalent open grassed site in the park is recommended.

Continue to make the sculpture accessible to children.

Maintain the sculpture in accordance with the guidelines in Maintenance Strategy for the Sydney Open Museum (Anne Cummins, February 2000).

**Management:** **Management category**  
Statutory Instrument

**Management name**  
List on a Local Environmental Plan (LEP)

**Further comments:** Heritage inventory sheets are often not comprehensive, and should be regarded as a general guide only. Inventory sheets are based on information available, and often do not include the social history of sites and buildings. Inventory sheets are constantly updated by the City as further information becomes available. An inventory sheet with little information may simply indicate that there has been no building work done to the item recently: it does not mean that items are not significant. Further research is always recommended as part of preparation of development proposals for heritage items, and is necessary in preparation of Heritage Impact Assessments and Conservation Management Plans, so that the significance of heritage items can be fully assessed prior to submitting development applications.

**Criteria a):** The "Earth Mother" play sculpture was the first sculpture specifically intended for the pleasure and education of children to be fabricated and installed in Sydney, and is possibly the first of its kind in Australia. Documentary evidence indicates that the sculpture is the first initiative by the City of Sydney to introduce artworks into the public realm.

The sculpture is significant as an embodiment mid-twentieth century theories of environmental determinism (euthenics) and influencing personality and behaviour through the arts and architecture.

Meets the criterion at a Local and State level.

**Criteria b):** The "Earth Mother" play sculpture is the work of respected sculptor, Anita Aarons, who is highly regarded at a national and international level for her endeavours in the fine and decorative arts and as an arts educator. She was very active and prominent in groups such as the Contemporary Art Society and Society of Sculptors in Sydney during the 1940s and early 1950s and in the promotion of sculpture generally. It was noted in the prestigious national journal *Art & Australia* that "one of the few reminders that Aarons was a recognised artist in Sydney prior to her moving to Melbourne...is Play sculpture (Earth Mother)...in Cook and Phillip Park, Sydney."

Meets this criterion at a Local and State level.

**Criteria c):** The "Earth Mother" play sculpture has aesthetic significance as a mid-twentieth century sculpture and as a work of art specifically intended to enhance and extend the aesthetic sensibilities of children. Spaces and forms suitable for children's play have been integrated into the work as a whole.

The use of concrete incorporating granite and marble dust to enhance the Play Sculpture's tactile qualities has some technical significance.

Meets this criterion at a Local and State level.

**Criteria d):** This requires further investigation. Although the sculpture was popular with children in the past, its significance to present-day communities has not been ascertained.

May meet this criterion at a Local level.

**Item name:** Cook and Phillip Park "Earth Mother" play sculpture

**Location:** Yurong Parkway Sydney 2000 Sydney

**Criteria e):** Does not meet this criterion.  
[Research  
significance]

**Criteria f):** The "Earth Mother" play sculpture is a rare work of art designed for specific educational purposes rather than commemoration. It is a rare play sculpture in Sydney and possibly Australia. It is a rare public example of the work of Anita Aarons in Sydney.  
[Rarity]

Meets this criterion at a Local and State level.

**Criteria g):** The sculpture is representative of abstract figurative work produced by a number of sculptors during the post-World War II era.  
[Representative]

Meets the criterion at a Local level.

**Intactness/Integrity:** High

<b>References:</b>	<b>Author</b>	<b>Title</b>	<b>Year</b>
	Ken Scarlett	Australian Sculptors	1980
	City of Sydney	TC File 2248/51	1951
	Anita Aarons	Notes on sculpture for children: a method of education through "Promising Young Artists", 3 September 1938	1938
		"Exhibition of Sculpture in Open Air", 10 November 1951	1951
		"Exhibition of Sculpture in Open Air", 10 November 1951	1951
		"Interesting Women in the News. Sculptress Plans New Playgro	1951
		"Sculpture for New Parks", 17 June 1951	1951
		"Children to Play on Park Statue", 17 July 1951	1951

<b>Studies:</b>	<b>Author</b>	<b>Title</b>	<b>Number</b>	<b>Year</b>
	Tanner Kibble Denton Ar	Modern Movement Architecture in Central Sydney - Heritag		2018

<b>Parcels:</b>	<b>Parcel code</b>	<b>Lot number</b>	<b>Section number</b>	<b>Plan code</b>	<b>Plan number</b>
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**Latitude:** **Longitude:**

**Location validity:** **Spatial accuracy:**

**Map name:** **Map scale:**

**AMG zone:** **Easting:** **Northing:**

<b>Listing:</b>	<b>Name</b>	<b>Title</b>	<b>Number</b>	<b>ListingDate</b>
	Cook and Phillip Park	Local Environmental Plan	I1655	21/12/2012
	Modern Movement Architecture in	Heritage study		01/01/2018

**Data entry:** Data first entered: 17/09/1993 Data updated: 06/03/2020 Status: Completed

**Item name:** Cook and Phillip Park "Earth Mother" play sculpture

**Location:** Yurong Parkway Sydney 2000

Sydney

**Image:**



**Caption:** "Earth Mother"

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 10/02/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345089f036d641f46a586f279d30e2b4250.JPG>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345089f036d641f46a586f279d30e2b4250.JPG](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345089f036d641f46a586f279d30e2b4250.JPG)

**Image:**

**Item name:** Cook and Phillip Park "Earth Mother" play sculpture

**Location:** Yurong Parkway Sydney 2000

Sydney



**Caption:** "Earth Mother"

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 10/02/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345157faa1de8d24affadccd0f923cfa10b.JPG>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345157faa1de8d24affadccd0f923cfa10b.JPG](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345157faa1de8d24affadccd0f923cfa10b.JPG)

**Image:**



**Item name:** Cook and Phillip Park "Earth Mother" play sculpture

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**Caption:** "Earth Mother"

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 10/02/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345c56a4a603ef8452dbec0cf8849eb3223.JPG>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test345c56a4a603ef8452dbec0cf8849eb3223.JPG](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test345c56a4a603ef8452dbec0cf8849eb3223.JPG)

**Image:**

**Item name:** Cook and Phillip Park "Earth Mother" play sculpture

**Location:** Yurong Parkway Sydney 2000

Sydney



**Caption:** The playground containing "Earth Mother"

**Copy right:** Tanner Kibble Denton

**Image by:** Roy Lumby

**Image date:** 10/02/2017

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/34577f71cfdc9ae41268e70773131023a34.JPG>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb\\_test34577f71cfdc9ae41268e70773131023a34.JPG](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/Thumb_test34577f71cfdc9ae41268e70773131023a34.JPG)

**Image:**

**Item name:** Cook and Phillip Park "Earth Mother" play sculpture

**Location:** Yurong Parkway Sydney 2000

Sydney



**Caption:** "Earth Mother " in its original setting

**Copy right:**

**Image by:** Milton Kent

**Image date:**

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/3458bbd380313f94098838bfcefb2d5e9aa.jpg>

**Thumbnail url:** [http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb\\_test3458bbd380313f94098838bfcefb2d5e9aa.jpg](http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAPP/Thumb_test3458bbd380313f94098838bfcefb2d5e9aa.jpg)

**Image:**

**Item name:** Cook and Phillip Park "Earth Mother" play sculpture

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Sydney



**Caption:** "Earth Mother " in its original setting

**Copy right:**

**Image by:** Milton Kent

**Image date:**

**Image number:**

**Image url:** <http://www.environment.nsw.gov.au/maritimeheritageapp/resources/Heritage/shi/WebAP/P/345f46fd04a74814b9daa0340bc8bc92d96.jpg>

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## Item 7.

### Fire Safety Reports

**File No: S105001.002**

#### Summary

The City of Sydney regularly receives building reports from Fire and Rescue NSW in relation to inspections carried out by Fire and Rescue NSW Authorised Officers. These inspection reports are to be reported to Council and Council is required to determine whether to exercise its power to issue fire safety orders under Division 9.3 and Schedule 5 of the Environmental Planning and Assessment Act 1979 (the Act).

This report includes 26 Fire and Rescue NSW inspection reports, an unusually high number because Fire and Rescue NSW has been assessing the suitability of buildings being considered by the NSW Government for Covid-19 quarantine purposes. The seven Inspection reports at Attachments B through to H result from routine Fire and Rescue NSW inspection activities. The remaining 19 inspection reports at Attachments I through to AA relate to Fire and Rescue NSW Covid-19 related inspections.

All inspections were undertaken to ensure fire safety measures were in full operation and that building exits were clear and unimpeded. It was determined that these inspections were necessary as the exit strategies of these buildings may be modified to cater for the occupants being in quarantine.

Fire and Rescue NSW inspections revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

Fire and Rescue NSW has powers under the Environmental Planning and Assessment Act 1979 (the Act) to carry out inspections of buildings and it is required to forward its findings to the City.

Fire and Rescue NSW reports received by the City are required to be tabled before Council. Attached are details of the reports received by the City from Fire and Rescue NSW. The attachments deal with a specific property and include the Fire and Rescue NSW report and the findings (preliminary or final) by the City's Investigation Officer, along with other documentation relevant to that property.

A recommendation is made in the attachment setting out the most appropriate action in the circumstances.

## Recommendation

It is resolved that:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to AA of the subject report;
- (C) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 11 Smail Street, Ultimo as detailed in Attachment B;
- (D) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 767 Botany Road, Rosebery as detailed in Attachment C;
- (E) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 750 George Street, Haymarket as detailed in Attachment D;
- (F) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 730 - 742 George Street, Haymarket as detailed in Attachment E;
- (G) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 84-84B Pitt Street, Sydney as detailed in Attachment F;
- (H) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 2 Lee Street, Haymarket as detailed in Attachment G;
- (I) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 243 - 247 Cleveland Street, Redfern as detailed in Attachment H;
- (J) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 88 Broadway, Chippendale as detailed in Attachment I;

- (K) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 61-101 Phillip Street, Sydney as detailed in Attachment J;
- (L) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 150 Day Street, Sydney as detailed in Attachment K;
- (M) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 488 Kent Street, Sydney as detailed in Attachment L;
- (N) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 7-9 York Street, Sydney as detailed in Attachment M;
- (O) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 30 Pitt Street, Sydney as detailed in Attachment N;
- (P) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 117 Macquarie Street, Sydney as detailed in Attachment O;
- (Q) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 161 Elizabeth Street, Sydney as detailed in Attachment P;
- (R) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 27 Wentworth Avenue, Sydney as detailed in Attachment Q;
- (S) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 75 Wentworth Avenue, Sydney as detailed in Attachment R;
- (T) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 16 O'Riordan Street, Alexandria as detailed in Attachment S;

- (U) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 140-144 Parramatta Road Camperdown (also known as 13 Layton Street, Camperdown) as detailed in Attachment T;
- (V) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 319-325 Sussex Street, Sydney as detailed in Attachment U;
- (W) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 203-225 Victoria Street, Potts Point as detailed in Attachment V;
- (X) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 11 Hickson Road, Dawes Point as detailed in Attachment W;
- (Y) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 28-30 Regent Street, Chippendale as detailed in Attachment X;
- (Z) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 28 Albion Street, Surry Hills as detailed in Attachment Y;
- (AA) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 62-64 Pitt Street, Sydney as detailed in Attachment Z; and
- (BB) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 11-19 Jamison Street, Sydney as detailed in Attachment AA.



**Attachments**

- Attachment A.** Fire Safety Report Summary Sheet
- Attachment B.** Inspection Report - 11 Smail Street, Ultimo
- Attachment C.** Inspection Report - 767 Botany Road, Rosebery
- Attachment D.** Inspection Report - 750 George Street, Haymarket
- Attachment E.** Inspection Report - 730 - 742 George Street, Haymarket
- Attachment F.** Inspection Report - 84-84B Pitt Street, Sydney
- Attachment G.** Inspection Report - 2 Lee Street, Haymarket
- Attachment H.** Inspection Report - 243-247 Cleveland Street, Redfern
- Attachment I.** Inspection Report - 88 Broadway, Chippendale
- Attachment J.** Inspection Report - 61-101 Phillip Street, Sydney
- Attachment K.** Inspection Report - 150 Day Street, Sydney
- Attachment L.** Inspection Report - 488 Kent Street, Sydney
- Attachment M.** Inspection Report - 7-9 York Street, Sydney
- Attachment N.** Inspection Report - 30 Pitt Street, Sydney
- Attachment O.** Inspection Report - 117 Macquarie Street, Sydney
- Attachment P.** Inspection Report - 161 Elizabeth Street, Sydney
- Attachment Q.** Inspection Report - 27 Wentworth Avenue, Sydney
- Attachment R.** Inspection Report - 75 Wentworth Avenue, Sydney
- Attachment S.** Inspection Report - 16 O'Riordan Street, Alexandria
- Attachment T.** Inspection Report - 140-144 Parramatta Road Camperdown, also known as 13 Layton Street, Camperdown
- Attachment U.** Inspection Report - 319-325 Sussex Street, Sydney
- Attachment V.** Inspection Report - 203-225 Victoria Street, Potts Point
- Attachment W.** Inspection Report - 11 Hickson Road, Dawes Point
- Attachment X.** Inspection Report - 28-30 Regent Street, Chippendale
- Attachment Y.** Inspection Report - 28 Albion Street, Surry Hills
- Attachment Z.** Inspection Report - 62-64 Pitt Street, Sydney
- Attachment AA.** Inspection Report - 11-19 Jamison Street, Sydney

## Background

1. The City receives inspection reports and recommendations from Fire and Rescue NSW in relation to inspections carried out on buildings located within the City's local government area.
2. Under the Environmental Planning and Assessment Act 1979, (the Act), Fire and Rescue NSW has the power to carry out inspections of buildings to determine if the building has adequate provision for fire safety and/or is compliant with legislation.
3. On average, the City receives approximately 50 such reports each year. They can be prompted by reports from the Police or other people who have a concern relating to fire safety in a building.
4. This report includes 26 Fire and Rescue NSW inspection reports, an unusually high number because Fire and Rescue NSW has been assessing the suitability of buildings being considered by the NSW Government for Covid-19 quarantine purposes. The seven Inspection reports at Attachments B through to H result from routine Fire and Rescue NSW inspection activities. The remaining 19 inspection reports at Attachments I through to AA relate to Fire and Rescue NSW Covid-19 related inspections.
5. All inspections were undertaken to ensure fire safety measures were in full operation and that building exits were clear and unimpeded. It was determined these inspections were necessary as the exit strategies of these buildings may be modified to cater for the occupants being in quarantine.
6. When Fire and Rescue NSW carries out such an inspection, a report and any recommendations must be provided to the City.
7. Under the Act, Council is then required to table the report and make a determination as to whether it will exercise its power to issue a Fire Safety Order 1 or 2 in Schedule 5, Part 2 of the Act. Fire Safety Order 1 requires a person to do or stop doing certain specified things to improve fire safety; Fire Safety Order 2 requires a person to cease conducting an activity on premises where that activity constitutes, or is likely to constitute, a life-threatening hazard or a threat to public health or public safety.
8. Attached are the details of the reports received from Fire and Rescue NSW, including recommendations for further action. The properties have also been reviewed by a City Investigation Officer.
9. Personal information has been redacted from these reports in accordance with the Privacy and Personal Information Protection Act 1998.

### **Relevant Legislation**

8. Environmental Planning and Assessment Act 1979.

### **GRAHAM JAHN, AM**

Director City Planning, Development and Transport

Andrew Thomas, Executive Manager Development

# **Attachment A**

<b>Fire Safety Report Summary Sheet</b>
---

**Fire Safety Report Summary Sheet**  
**Cl.17, Schedule 5 of the Environmental Planning and Assessment Act 1979, reports to Council, S105001.002**

**Total number of properties tabled: 26**

**Report - June 2020**

**Summary table**

<b>Att. (B-AA)</b>	<b>Premises Specifics (<i>predominate building use</i>)</b>	<b>Actions/ Recommendation</b>
B	11 Smail Street, Ultimo Residential Apartments	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
C	767 Botany Road, Rosebery Residential Apartments	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
D 6	750 George Street, Haymarket Commercial Offices	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
E	730 - 742 George Street, Haymarket Retail, Commercial, and Hotel Accommodation	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
F	84-84B Pitt St, Sydney Retail and Commercial Offices	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
G	2 Lee Street, Haymarket Commercial Tenancies and Hotel Accommodation	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
H	243-247 Cleveland Street, Redfern Backpacker Accommodation	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
I	88 Broadway, Chippendale Hotel Accommodation, Child Care and Commercial Offices	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
J	61-101 Phillip Street, Sydney Hotel Accommodation	Premises inspected, no significant fire safety issues identified; fire safety certification current and compliant. Report to be noted. No further action required.

K	150 Day Street, Sydney Hotel Accommodation	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
L	488 Kent Street, Sydney Retail, Office Tenancies, and Serviced Apartments	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
M	7-9 York Street, Sydney Hotel Accommodation	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
N	30 Pitt Street, Sydney Hotel Accommodation	Premises inspected, no significant fire safety issues identified; fire safety certification current and compliant. Report to be noted. No further action required.
O	117 Macquarie Street, Sydney Hotel Accommodation	Premises inspected, no significant fire safety issues identified; fire safety certification current and compliant. Report to be noted. No further action required.
P	161 Elizabeth Street, Sydney Hotel Accommodation	Premises inspected, no significant fire safety issues identified; fire safety certification current and compliant. Report to be noted. No further action required.
Q	27 Wentworth Avenue, Sydney Hotel Accommodation	Premises inspected, Council officer has determined that a notice of intention to issue a fire safety order is required to be given to remedy identified fire safety deficiencies.
R	75 Wentworth Avenue, Sydney Hotel Accommodation	Premises inspected, no significant fire safety issues identified; fire safety certification current and compliant. Report to be noted. No further action required.
S	16 O'Riordan Street, Alexandria Hotel Accommodation	Premises inspected, no significant fire safety issues identified; fire safety certification current and compliant. Report to be noted. No further action required.
T	140-144 Parramatta Road Camperdown, also known as 13 Layton Street, Camperdown Serviced Apartments	Premises inspected, Council officer has determined that a notice of intention to issue a fire safety order is required to be given to remedy identified fire safety deficiencies.
U	319-325 Sussex Street, Sydney Hotel Accommodation	Premises inspected, no significant fire safety issues identified; fire safety certification current and compliant. Report to be noted. No further action required.
V	203-225 Victoria Street, Potts Point Hotel Accommodation	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.

W	11 Hickson Road, Dawes Point Hotel Accommodation	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
X	28-30 Regent Street, Chippendale Hotel Accommodation	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
Y	28 Albion Street, Surry Hills Hotel Accommodation	Premises inspected, owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
Z	64-66 Pitt Street, Sydney Hotel Accommodation	Premises inspected, no significant fire safety issues identified; fire safety certification current and compliant. Report to be noted. No further action required.
AA	11-19 Jamison Street, Sydney Hotel Accommodation	Premises inspected, no significant fire safety issues identified; fire safety certification current and compliant. Report to be noted. No further action required.

# **Attachment B**

**Council Officer Inspection Report –  
11 Smail Street, Ultimo**





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**Council investigation officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the Act)**

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**CSM: 2268855**

**Officer: Andrew Venios**

**Date: 14 May 2020**

**Premises: 11 Smail Street, ULTIMO NSW 2007**

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**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 18 March 2020 in relation to 11 Smail Street, ULTIMO NSW 2007.

The premises presents as a multi-storey residential building consisting of thirty four (34) residential units over six (6) floor levels.

An inspection of the building was undertaken on 13 May 2020 by a Council and comments made by FRNSW were investigated. At the time of inspection, all fire safety systems were operational. The fire hydrant system was assessed as being consistent with its installation standard/period. It was also noted, that existing fire system signage was vandalised or removed requiring replacement. No additional significant fire safety issues were identified.

Council investigations have revealed that whilst there remains several minor fire safety maintenance and management works to attend to in respect to reinstating fire safety signage and maintenance to the fire hydrant system, the overall fire safety systems provided are considered adequate in the circumstances.

It is considered that the above fire safety works are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor(s) through written instruction from Council.

Observation of the external features of the building did not identify composite combustible sheet cladding.

---

**Chronology**

<b>Date</b>	<b>Event</b>
18/03/2020	FRNSW correspondence received regarding premises - 11 Smail Street, Ultimo
23/03/2020	The building has a compliant fire safety statement which includes a fire engineering solution.
13/05/2020	City investigation officers inspected the premises (adhering to physical distancing requirements in response to COVID-19). At the time of the inspection, all fire safety systems were operational and no faults were listed on the fire panel. A compliance letter instructing the owner to rectify certain minor fire maintenance issues was issued.

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**FIRE AND RESCUE NSW REPORT:**

References: [BFS20/507 (10565), D20/18637]

Fire and Rescue NSW (FRNSW) conducted an inspection of the subject premises on 19 February 2020 in accordance with Section 119 T(1) of the Environmental Planning and Assessment Act 1979 (the Act).

Issues

The report from FRNSW noted the following:

1. Essential Fire Services

## 1A. Fire Hydrant System

- A. Boost pressure and test pressure signage not installed at the fire brigade booster assembly contrary to the requirements of Clause 7.10.1 of Australian Standard 2419.1-2005.
- B. The fire brigade booster assembly is installed 'in series' (relay) with the fixed on-site fire pump. In this regard:
  - i. A 150mm diameter liquid-filled pressure gauge which displays the pressure at the hydrant pump discharge/ manifold is not installed at the fire brigade booster assembly contrary to the requirements of Clause 7.6(b) of AS 2419.1-2005.
  - ii. An engraved warning sign is not affixed adjacent to the pressure gauge at the fire brigade booster assembly contrary to the requirements of Clause 7.6(c) and Figure 7.6.2 of AS 2419.1-2005.

## 1B. Automatic Fire Sprinkler System

- A. The Fire Safety Certificate, dated 27 July 2012, states the fire sprinkler system is installed to the AS2118.1-1999 yet the fire sprinkler block plan states the system is installed to AS2118.4 - 1995. Therefore, FRNSW are unable to determine if the sprinkler system is installed in accordance with the Fire Engineers Report and the Fire Safety Schedule.

## 1C. Smoke Alarm and Detection System

- A. The Fire Indicator Panel (FIP) displayed two isolations relating to the smoke detector in Unit 2 contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).
  - i. FRNSW were advised the smoke detector in Unit 2 had been replaced on the 6 March 2020 and photographic evidence was provided of the FIP without isolations.

## 2. Generally -

### 2A. Certification

- A. A copy of the current Annual Fire Safety Statement was not prominently displayed in the building contrary to the requirements of Clause 177 of the EP&A Regulation. The Fire Safety Certificate displayed at the FIP is dated 27 July 2012. It could not be determined if the essential fire safety measures are being maintained in accordance with Clause 182 of the EP&A Reg.

## FRNSW Recommendations

FRNSW recommended that Council inspect the subject premises and appropriately address any other deficiencies and require item no. 1A and item no. 2 of the FRNSW report also be addressed appropriately.

FRNSW also requested that as soon as practical after the above recommendations have been tabled and considered that notice of any determination in respect of the recommendations is forwarded to them in accordance with clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue- Order (NOI)	Issue- emergency- Order	Issue a- compliance- letter of- instruction	Cited- Matters- rectified	Continue to undertake compliance action in response to issued Council correspondence	Continue with- compliance- actions under the current Council- Order	Other- (to- specify)
-----------------------	-------------------------------	--	---------------------------------	--	---	----------------------------

As a result of the above site inspection it is recommended that the owners of the building continue to comply with the written fire safety compliance instructions as issued by Council officers to rectify the identified fire safety deficiencies noted by FRNSW.

The above correspondence has instructed the responsible site personnel to carry out corrective actions to promote compliance.

Follow-up compliance inspections are currently being undertaken and will continue to ensure all identified fire safety matters are addressed in accordance with Council’s correspondence.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council’s actions and outcomes.

**Referenced documents:**

No#	Document type	Trim reference
A1	FRNSW Letter dated 17 March 2020	2020/207245

**Trim Reference:** 2020/207282

**CSM reference No#:** 2268855



File Ref. No: BFS20/507 (10565)  
TRIM Ref. No: D20/18637  
Contact: [REDACTED]

17 March 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
11 SMAIL STREET ULTIMO (“the premises”)**

Fire & Rescue NSW (FRNSW) received correspondence on 19 February 2020, in relation to the adequacy of the provision for fire safety in connection with ‘the premises’.

The correspondence stated that:

- *Every time I enter the building there are multiple fire alarm faults which go off constantly and emit a very annoying noise that cannot be turned off and the building's fire alarm panel doesn't allow access.*
- *Over the last few months, people have moved out and left fire alarms going.*
- *People get called, and they turn it off, but hours later another issue somewhere in the building goes off and the noises and flashing lights continue. It's beyond getting repairs, as many tenants have called many times only for a temporary fix.*
- *The noise and underlying issues must be solved, there are now several faulty alarms in apartments, and this is not compliant with fire code regulations. Many of us have tried to have this fixed but either the building manager or the real estate agent simply don't care.*

Pursuant to the provisions of Section 9.32 (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of ‘the premises’ on 3 March 2020

was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

The following items were identified as concerns during the inspection:

### 1. Essential Fire Services

#### 1A. Fire Hydrant System

- A. Boost pressure and test pressure signage has not been installed at the fire brigade booster assembly contrary to the requirements of Clause 7.10.1 of Australian Standard 2419.1-2005.
- B. The fire brigade booster assembly is installed 'in series' (relay) with the fixed on-site fire pump. In this regard:
  - i. A 150mm diameter liquid-filled pressure gauge which displays the pressure at the hydrant pump discharge/manifold is not installed at the fire brigade booster assembly contrary to the requirements of Clause 7.6(b) of AS 2419.1-2005.
  - ii. An engraved warning sign is not affixed adjacent to the pressure gauge at the fire brigade booster assembly contrary to the requirements of Clause 7.6(c) and Figure 7.6.2 of AS 2419.1-2005.

#### 1B. Automatic Fire Sprinkler System

- A. The Fire Safety Certificate, dated 27 July 2012, states the fire sprinkler system is installed to the AS2118.1-1999 yet the fire sprinkler block plan states the system is installed to AS2118.4 - 1995. Therefore, FRNSW are unable to determine if the sprinkler system is installed in accordance with the Fire Engineers Report and the Fire Safety Schedule.

1C. Smoke Alarm and Detection System

- A. The Fire Indicator Panel (FIP) displayed two isolations relating to the smoke detector in Unit 2 contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).
  - i. FRNSW were advised the smoke detector in Unit 2 had been replaced on the 6 March 2020 and photographic evidence was provided of the FIP without isolations.

2 Generally

2A. Certification

- A. A copy of the current Annual Fire Safety Statement was not prominently displayed in the building contrary to the requirements of Clause 177 of the EP&A Regulation. The Fire Safety Certificate displayed at the FIP is dated 27 July 2012. It could not be determined if the essential fire safety measures are being maintained in accordance with Clause 182 of the EP&A Reg.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises' and require item no. 1A. and item no. 2 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/507 (10565) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

Fire Safety Compliance Unit

# Attachment C

**Council Officer Inspection Report -  
767 Botany Road, Rosebery**





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**Council investigation officer Inspection and Recommendation Report  
 Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act  
 1979 (the Act)**

**File:** CSM 2284246

**Officer:** Luke Jeffree

**Date:** 15 May 2020

**Premises:** 767 Botany Road, Rosebery

**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 3 April 2020 in relation to 767 Botany Road, Rosebery.

The premises is a six storey mixed use development consisting of 88 residential apartments, car parking & central landscaped areas. The site is generally rectangular in shape, with an area of approximately 4006 m<sup>2</sup>, bounded by Botany road to the west, Hayes Road to the south, and Jones Lane to the east. The site once contained a warehouse occupied by Swadling's Timber and Hardware, which was destroyed by a fire in 2008.

An inspection of the premises undertaken by a Council investigation officer in the presence of the building manager revealed that there were no significant fire safety issues within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that provide adequate safety for occupants. The annual fire safety certification is current and compliant and is on display in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Council investigations have revealed that whilst there remains several minor fire safety maintenance and management works to attend to concerning system block plans, warning signage and fire sealant work, the overall fire safety systems provided are adequate.

It is considered that the above fire safety works are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor(s) through written instruction from Council.

Observation of the external features of the building did not identify any potential combustible composite cladding on the façade of the building.

**Chronology:**

Date	Event
03/04/2020	FRNSW correspondence received regarding premises at Asper, 767 Botany Road, Rosebery [known under council records as 767 Botany Road, Rosebery]
06/04/2020	<p>Council officer carried out a desktop review which revealed that the Annual Fire Safety Statement (AFSS) dated November 2019 (13/11/2019) as mentioned in FRNSW's correspondence is not the most current &amp; compliant AFSS. Moreover the referenced AFSS was an interim AFSS. The interim AFSS was submitted by the owner's property manager to the City last year to certify other essential fire measures in the building whilst maintenance works were being carried out to the buildings automatic fire sprinkler system &amp; drencher system.</p> <p>Correspondence on file confirms that Sydney Water had reduced the water pressure in the street mains and subsequently works were carried out by the owner to ensure that the required water pressure and flow rate was provided to the automatic fire sprinkler system &amp; drencher system.</p> <p>Furthermore the Council Officer noted a compliant AFSS dated 29/11/2019 was recorded on the city's essential services annual certification register. The AFSS certifies the automatic fire sprinkler system &amp; drencher system as compliant with the applicable Australian</p>

	standards.
30/04/2020	<p>An inspection of the subject premises was undertaken by a Council officer with the building manager.</p> <p>The inspection revealed that the most current AFSS was on display and located prominently with the building foyer. Also it was noted by the officer that the interim AFSS as mentioned by FRNSW had been removed.</p> <p>The inspection verified the items of concern (regarding the fire sprinkler system block plan, fire hydrant system block plan, lack of warning sign, and inadequate fire sealing in the fire isolated stairs), were non-compliant with the applicable regulations. Furthermore the officer observed that the isolation valve for the drencher system &amp; self-closer to door (adjacent to car parking space) as mentioned in FRNSW correspondence were installed and compliant with the applicable building regulations.</p> <p>With respect FRNSW's concern raised in their correspondence regarding the operational capability of the buildings automatic fire sprinkler system, the Council officer verified that the water pressure and flow rate to the system was compliant with the requirements of the applicable Australian standard. Also the officer verified that the current AFSS confirms that the system is capable of operating to the standard of performance as prescribed in the buildings current fire safety schedule.</p> <p>Shortly after the inspection the Council officer telephoned the relevant fire officer seeking clarification regarding comments within FRNSW's correspondence about "<i>Access and Egress (item 2A. A)</i>". The officer clarified to Council officer that the aforementioned comments were included in error on page 3 of their correspondence. Furthermore the officer advised that item "2A. A" was supposed to be only included as a comment on page 1 of their correspondence and that it is not a matter that requires investigation by Council. The officer also clarified that the correspondence received by them (Refer to page 1 of FRNSW correspondence) was from an internal enquiry (within FRNSW) and not from any resident in the building.</p>

### **FIRE AND RESCUE NSW REPORT:**

References: [D20/24575; 2020/157699]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving an enquiry in relation to the adequacy of the provision of fire safety in connection with the premises;

#### Issues

The report from FRNSW detailed a number of issues, in particular noting:

1. Lack of required warning sign provided at fire hydrant booster assembly;
2. A concern regarding operational capability of the automatic fire sprinkler system;
3. Lack of fire hydrant system block plan provided at fire hydrant booster assembly;
4. A concern regarding an essential fire safety measure (drencher system) not listed on AFSS;
5. Defective fire hydrant block plan & fire sprinkler system block plan;
6. Inadequate fire sealing within fire isolated stairs;
7. Lack of self-closing device provided to required fire door in carpark;

## FRNSW Recommendations

FRNSW have recommended that Council inspect the subject premises and take action to have the listed fire safety issues appropriately addressed.

FRNSW have also requested that as soon as practical after the above report has been tabled and considered that notice of any determination in respect of the recommendations is forwarded to them in accordance with clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

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### **COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

<del>Issue- Order(NOI)</del>	<del>Issue- emergency- Order</del>	Issue a compliance letter of instruction	<del>Cited- Matters- rectified</del>	<del>Continue to undertake- compliance action in- response to issued- Council correspondence</del>	<del>Continue with- compliance actions- under the current- Council Order</del>	<del>Other (to- specify)</del>
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As a result of site inspections undertaken by Council investigation officer it is recommended that the owners of the building be issued with written instructions to rectify the identified fire safety deficiencies noted by FRNSW.

The above written instructions will direct the owners of the premises to carry out remedial actions to existing fire systems to cause compliance with required standards of performance.

Follow-up compliance inspections are currently being undertaken, and will continue to be undertaken by a Council officer to ensure all identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence and the recommendations of FRNSW occur.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

#### **Referenced documents:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2020/200163-01

**Trim Reference:** 2020/200163

**CSM reference No#:** 2284246



File Ref. No: BFS20/287 (10352)  
TRIM Ref. No: D20/24575  
Contact: [REDACTED]

3 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT  
ASPER  
767 BOTANY ROAD ROSEBERY (“the premises”)**

Fire & Rescue NSW (FRNSW) received correspondence in relation to the adequacy of the provision for fire safety in connection with ‘the premises’.

The correspondence stated in part that:

- *Incorrect locks have been fitted to the fire stairs.*

Pursuant to the provisions of Section 9.32 (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of ‘the premises’ on 9 March 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

## COMMENTS

The following items were identified as concerns during the inspection:

### 1. Essential Fire Safety Measures

#### 1A. Fire Hydrant System

- A. The fire hydrant block plan indicates that the fire hydrant pumpset is installed in series with the fire hydrant booster assembly. An engraved warning sign and a 150mm pressure gauge is not installed at the booster assembly contrary to the requirements of Clause 7.6 of AS2419.1-2005.
- B. The fire hydrant block plan is not installed behind the hydrant booster contrary to the requirements of Clause 7.11 of Australian Standard (AS) 2419.1-2005. The block plan is installed at the fire sprinkler booster assembly.

#### 1B. Automatic Fire Sprinkler System

##### A. Sprinkler System

- i. The AFSS dated November 2019 states “water pressure issues, under investigation”. FRNSW are unable to determine if the sprinkler system is capable of operating to the standard of performance as detailed in AS2118.1-1999.

##### B. Drencher System

- i. The following observations were made regarding the drencher system that is installed at the premises.
  - a. The Annual Fire Safety Statement (AFSS) does not list the drenchers system (AS2118.2-2010) as an essential fire safety measure.
  - b. Both the fire sprinkler system and fire hydrant installation block plans indicate that the drencher system is connected to each system.
  - c. An alarm valve for the drenchers is located on the northern side of the building in the sprinkler valve enclosure. The block plan adjacent to the alarm valve represents the sprinkler installation for the carpark and does not detail the drencher system and its area of coverage.
  - d. An isolation valve and isolation label were not installed contrary to the requirements of Clause 3.3.2 and Figure 3.3 of AS2118.2-2010.
- ii. FRNSW recommend a survey of the drencher system be undertaken to determine the standard of performance it

installed to and make necessary adjustments to block plans, the AFSS and the Fire Safety Schedule.

2. Generally

2A. Access and Egress

- A. FRNSW tested all final exit doors and multiple egress doors at the premises and found the doors to operate as required. Keyed locks on the doors were installed to allow occupants to gain entry to the building should lifts fail.

2B. Separation

- A. Multiple fire isolated stairs are inadequately sealed to prevent smoke or heat passing from a fire compartment or adjoining scissor stair contrary to the requirements of Clause D1.3 of the of the National Construction Code 2019 Volume One, Building Code of Australia (NCC). Air movement and light was evident between the enclosing wall and stairway stringers.
- B. The door adjacent to carparking space #16, which provides separation between the carpark and the Chiro Club does not automatically close upon opening as the self-closer has been removed contrary to the requirements of Clause C2.8 of the NCC.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

**RECOMMENDATIONS**

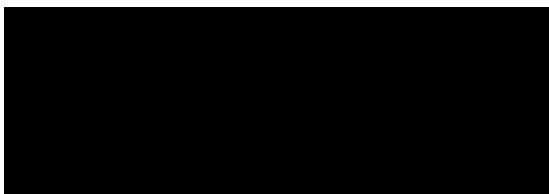
FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises' and require item no. 1 through to item no. 2 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Station Officer [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/287 (10352) for any future correspondence in relation to this matter.

Yours faithfully

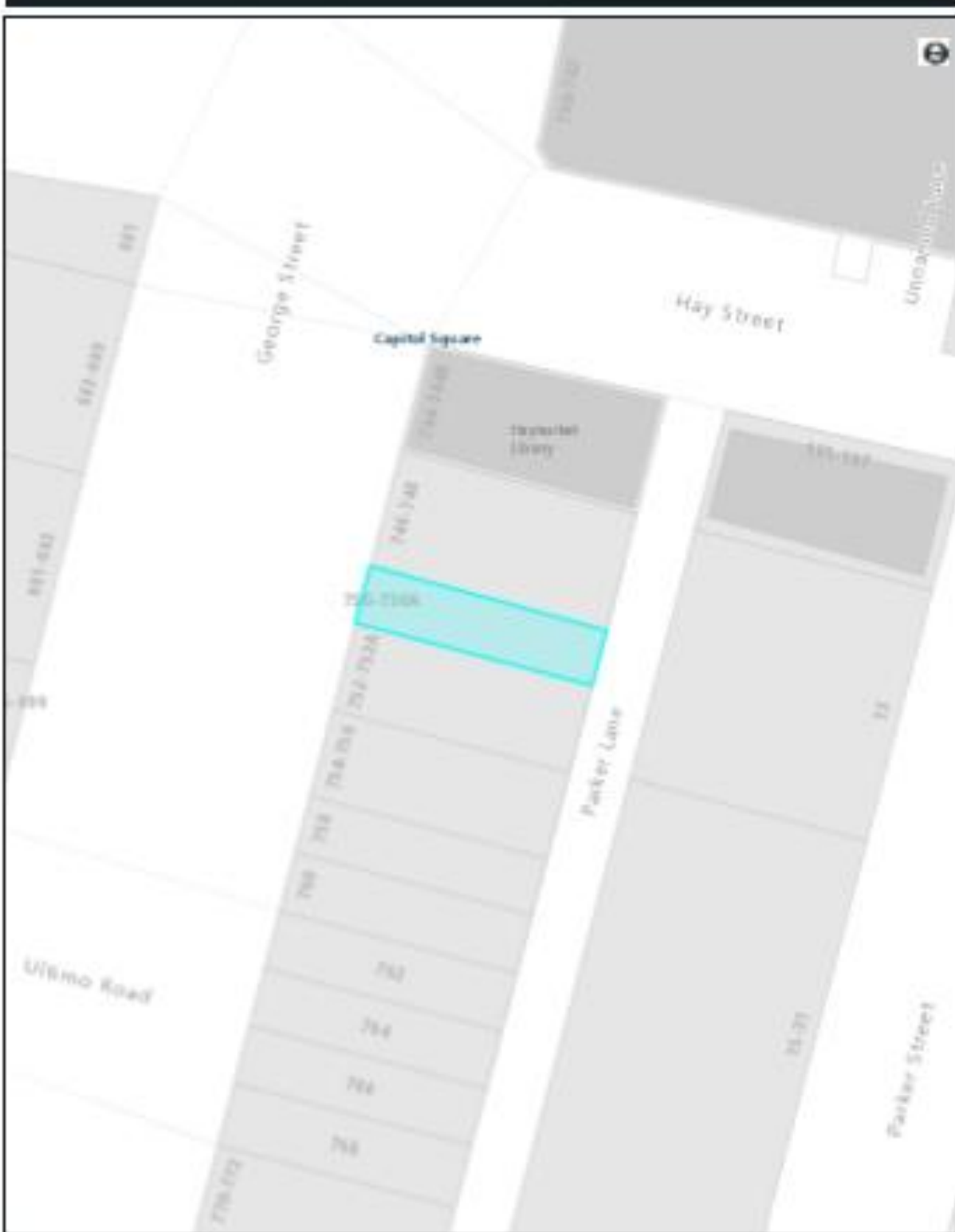


Fire Safety Compliance Unit

# **Attachment D**

## **Council Officer Inspection Report - 750 George Street, Haymarket**





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**Council investigation officer Inspection and Recommendation Report  
Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act  
1979 (the Act)**

**File:** CSM 2278498

**Officer:** Tereza Wickerson

**Date:** 8 May 2020

**Premises:** 750 George Street, HAYMARKET

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**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) on 31 March 2020 for 750 George Street, Haymarket NSW 2000 (750-750A George St Haymarket) regarding fire safety.

The premises consists of a 5 storey heritage building listed as a heritage item in Sydney Local Environmental Plan 2012. The premises contains commercial tenancies over several levels.

An inspection of the building was recently undertaken by a Council investigation officer to investigate comments made by FRNSW. At the time of inspection, all levels of the building were vacant, and fire safety systems appeared operational. The fire hydrant booster assembly was assessed as being consistent with its installation standard/period. It was also noted, that existing fire system signage was vandalised requiring maintenance. No additional significant fire safety issues were identified.

The inspection revealed that there remains several minor fire safety maintenance and management works to attend to in respect to reinstating fire safety signage and maintenance to exits, however the overall fire safety systems provided are adequate.

The above fire safety works are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor(s) through written instruction from Council.

Observation of the external features of the building did not identify composite combustible sheet cladding.

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**Chronology:**

<b>Date</b>	<b>Event</b>
31/03/2020	FRNSW correspondence received regarding premises 750 George Street, Haymarket
01/04/2020	An initial desktop review revealed premises is a Heritage Item building under Sydney's Local Environmental Plan 2012, a historical fire safety order in 2016 completed on 29 January 2017. The building has a compliant and displayed fire safety statement which includes the fire alarm warning and evacuation system.
03/04/2020	An inspection of the subject building was undertaken by a Council officer; revealed a vacant building, minor maintenance issues to fire safety signage, no personal items obstructing exits; final exit doors were fully operational.
01/05/2020	Council issued a compliance letter instructing the owner to rectify maintenance issues including updating block and floors plan(s). Council has scheduled progress inspections in relation to required works and compliance.

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**FIRE AND RESCUE NSW REPORT:**

**References:** [BFS20/10, D20/23119]

Fire and Rescue NSW (FRNSW) conducted an inspection of the subject premises on 25 December 2019 in accordance with Section 119 T(1) of the Environmental Planning and Assessment Act 1979 (the Act).

Issues

The report from FRNSW detailed a comment, in particular noting;

1. Fire Hydrant System – The Annual Fire Safety Statement (AFSS) states that standard of performance for the hydrant system is Australian Standard (AS) 2419.1. The fire hydrant block plan indicates the system is installed to Ordinance 70.
2. Certification - A current AFSS was not displayed in a prominent location contrary to the requirements of Clause 177 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg). The AFSS posted at the premises was dated 20 November 2017
3. Access and Egress – Basement, ground level and upper level exit doors having been obstructed by personal items or other. Final exit door delaminated, and restricted lift access to upper levels noted.

FRNSW Recommendations

FRNSW recommended Council inspect the subject premises and take action to have the listed fire safety issues addressed.

FRNSW have also requested that as soon as practical after the above report has been tabled and considered that notice of any determination in respect of the recommendations is forwarded to them in accordance with clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

<del>Issue- Order(NOI)</del>	<del>Issue- emergency- Order</del>	<del>Issue a compliance letter of instruction</del>	<del>Cited Matters rectified</del>	Continue to undertake compliance action in response to issued Council correspondence	<del>Continue with compliance actions under the current Council Order</del>	<del>Other (to specify)</del>

As a result of the above site inspection Council investigation officers it is recommended that the owners of the building continue to comply with the written fire safety compliance instructions as issued by Council officers to rectify the identified fire safety deficiencies noted by FRNSW. The above correspondence has instructed the responsible site personnel to carry out corrective actions to promote compliance.

Follow-up compliance inspections are currently being undertaken, and will continue to be undertaken by a Council officer to ensure all identified fire safety matters are suitably addressed and that compliance with the terms of Council’s correspondence occur.

It is recommended that Council not exercise its powers to serve a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council’s actions and outcomes.

**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/201864-01

**Trim Reference:** 2020/201864

**CSM reference No#:** 2278498



File Ref. No: BFS20/10 (10068)  
TRIM Ref. No: D20/23119  
Contact: [REDACTED]

31 March 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT  
SYDNEY MESSAGE  
750 GEORGE STREET HAYMARKET (“the premises”)**

Fire & Rescue NSW (FRNSW) responded to a fire at ‘the premises’ on 25 December 2019. As a result of their investigations, the attending fire officers submitted correspondence in relation to the adequacy of the provision for fire safety in connection with ‘the premises’.

The correspondence stated that:

- *While attending a rubbish fire at the rear of this building it was found that the fire exit door handles were not operating.*
- *Part of this building is abandoned and has had a recent fire (Lower Ground Level).*
- *Massage Parlour is the only occupant and the only egress is via a very old lift.*

Pursuant to the provisions of Section 9.32 (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of ‘the premises’ on 3 March 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.

A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

The following items were identified as concerns during the inspection:

### 1. Essential Fire Safety Measures

#### 1A. Fire Hydrant System

- A. The Annual Fire Safety Statement (AFSS) states that standard of performance for the hydrant system is Australian Standard (AS) 2419.1. The fire hydrant block plan indicates the system is installed to Ordinance 70.

FRNSW draw councils attention to FRNSW position statement Fire hydrant system in existing premises;

*When the consent authority (e.g. Council) is assessing the adequacy of an existing fire hydrant system installed in accordance with the provisions of Ordinance 70 and Ministerial Specification 10 (or earlier), FRNSW recommend that the system be upgraded to meet the requirements of the current Australian Standard AS 2419.1 to facilitate the operational needs of FRNSW.*

*It may be appropriate for a partial upgrade of the existing fire hydrant system be undertaken. A partial upgrade may be proposed to address deficiencies in the design and/or performance of the existing fire hydrant system, when assessed against the requirements of Australian Standard AS 2419.1, so that the upgraded fire hydrant system will meet the operational needs of FRNSW. Where a hybrid fire hydrant system is proposed, which incorporates the design and performance requirements from two different standards, the proponent should consult with FRNSW on the requirements for the fire hydrant system.*

FRNSW recommends as an interim measure that;

- i. The block plan be modified to detail that the attack hydrants are accessed through the doorways in Parker Lane.

- ii. Floor specific plans be installed at the doorways in the stairwell detailing the location of the attack hydrant in each occupancy.

## 2 Generally

### 2A. Certification

- A. A current AFSS was not displayed in a prominent location contrary to the requirements of Clause 177 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg). The AFSS posted at the premises was dated 20 November 2017.

### 2B. Access and Egress

- A. Egress for each occupancy above ground level is via the fire isolated stairwell which deposits occupants in Parker Lane. At the time of the inspection the final exit door for these floors was operational.
- B. The ground floor and basement occupancy were vacant at the time of the inspection, due to a previous fire at the premises. The following was observed relating to egress from the basement level:
  - i. The fire stairs contained personal items, possibly the possessions of a vagrant which prevented the door from opening fully and the stairs being traversed.
  - ii. The final exit door had been damaged as a result of fire preventing it from being opened due to veneer delaminating and swelling.
- C. Staff from Sydney Massage were using the fire stairs as a drying room. The egress door was held open with a wooden door chock. FRNSW had the towels and door chock removed whilst onsite.

- 2C. FRNSW were unable to determine if any other occupancies were present on the upper floors as the lift was restricted from accessing these floors.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS

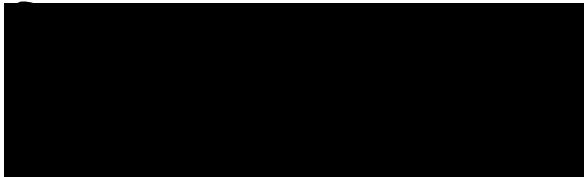
FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises' and require item no. 1 through to item no. 2 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Station Officer [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/10 (10068) for any future correspondence in relation to this matter.

Yours faithfully

A large black rectangular redaction box covering the signature of the Station Officer.

Fire Safety Compliance Unit

# **Attachment E**

**Council Officer Inspection Report -  
730-742 George Street, Haymarket**





**Council investigation officer Inspection and Recommendation Report  
Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act  
1979 (the Act)**

**File:** CSM 2278651

**Officer:** Tereza Wickerson

**Date:** 13 May 2020

**Premises:** 730-742 George Street, Haymarket

---

**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to premises referred to as 730 George Street, Haymarket NSW 2000, known as 730-742 George St Haymarket, regarding matters of fire safety.

The premises comprising of a sandstone clad building and a glazed/aluminium composite clad building, connected by an internal opening, is located corner of George Street, Campbell Street and Hay Street within Haymarket. The premises referred to as Capitol Square, contains ground level retail and restaurant tenancies, with upper level office(s) and hotel accommodation.

The premises is nominated as a Heritage Item under Central Sydney's Local Environmental Plan of 2012; building established in Circ.1875 previously known as Palace Hotel. Currently the premises is not affected by any development works.

An inspection of the building was recently undertaken by a Council investigation officer and comments made by FRNSW were investigated. At the time of inspection, several office and restaurant tenancies were vacant. Existing fire safety systems were online and operational. The fire hydrant booster assembly was found to be consistent with its installation standard/period. It was also noted, that existing fire systems required minor maintenance to signage/plans. No additional significant fire safety issues were identified.

Council investigations have revealed that whilst there remains several minor fire safety maintenance and management works to attend to in respect to reinstating fire safety signage and maintenance to exits, the overall fire safety systems provided within the subject premises are adequate in the circumstances.

It is considered that the above fire safety works are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor(s) through written instruction from Council.

Observation of the external features of the building did identify the existence of combustible composite cladding on part of the façade of the non-heritage building. The matter has been referred to the City's cladding compliance team for further detailed investigation and appropriate action.

---

**Chronology:**

<b>Date</b>	<b>Event</b>
31/03/2020	FRNSW correspondence received regarding premises 730 George Street, Haymarket
01/04/2020	An initial desktop review revealed premises is a Heritage Item building under Sydney's Local Environmental Plan 2012, a historical fire safety order in 2016 completed on 2 April 2019; with no current building works or enforcement action being conducted. The building has a compliant fire safety statement which includes the fire Sprinkler and fire alarm warning and evacuation systems. A Fire Engineered Solution is applicable to this premises pertaining to egress provisions.
03/04/2020	An inspection revealed a part vacant building. The annual fire safety statement and block plans were present, the Fire Indicator Panel was operational, no faults or isolations. Minor maintenance issues hydrant booster cabinet/ signage located on Campbell Street frontage..

01/05/2020	Council issued a compliance letter instructing the owner to rectify maintenance issues including updating signage and verifying other fire systems. Council has scheduled progress inspection in relation to required works
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**FIRE AND RESCUE NSW REPORT:**

References: [BFS18/2905, D20/23630]

Fire and Rescue NSW (FRNSW) conducted an inspection of the subject premises on 03 March 2020 in accordance with Section 119 T(1) of the Environmental Planning and Assessment Act 1979 (the Act).

Issues

The report from FRNSW detailed a comment, in particular noting;

1. Fire Hydrant System – Fire booster connection/ pressure and block plan signage not in accordance with relevant Australian Standard (AS) 2419.1.
2. Smoke detection and alarm system – Fire indicator Panel noted isolations at time of inspection.
3. Access and Egress– Restaurant tenancy & storeroom travel distance advice and an obstruction to exit noted, level one, additional directional exit sign(s) required.
4. Certification - A current Annual Fire Safety Statement was not displayed in a prominent location contrary to the requirements of Clause 177 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).

FRNSW Recommendations

FRNSW recommended that Council inspect the subject premises and take action to have the listed fire safety issues appropriately addressed.

FRNSW also requested that as soon as practical after the above report has been tabled and considered that notice of any determination in respect of the recommendations is forwarded to them in accordance with clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue- Order(NOI)	Issue- emergency- Order	Issue a compliance letter of instruction	Cited- Matters- rectified	Continue to undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other- (to- specify)

As a result of the above site inspection undertaken by Council investigation officers it is recommended that the owners of the building continue to comply with the written fire safety compliance instructions as issued by Council officers to rectify the identified fire safety deficiencies noted by FRNSW.

The above correspondence has instructed the responsible site personnel to carry out corrective actions to promote compliance.

Follow-up compliance inspections are currently being undertaken, and will continue to be undertaken by a Council officer to ensure all identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence occur.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and outcomes.

**Referenced documents:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2020/210588-01

**Trim Reference:** 2020/210588

**CSM reference No#:** 2278651



File Ref. No: BFS18/2905 (5068)  
TRIM Ref. No: D20/23630  
Contact: [REDACTED]

31 March 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
CAPITAL SQUARE  
730 GEORGE STREET HAYMARKET (“the premises”)**

Fire & Rescue NSW (FRNSW) received correspondence in relation to the adequacy of the provision for fire safety in connection with ‘the premises’.

The correspondence stated in part that:

- *I attended the building and there were 72 isolations on the board.*
- *The annual fire safety statement displayed is also dated the 13th June 2016*

Pursuant to the provisions of Section 9.32 (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of ‘the premises’ on 3 March 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02)

17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

The following items were identified as concerns during the inspection:

### 1. Essential Fire Safety Measures

#### 1A. Fire Hydrant System

- A. Notice of pressure signage has not been installed in a prominent position adjacent to the fire brigade booster connection contrary to the requirements of Clause 5.6.7 of Australian Standard (AS) 2419.1-1994.
- B. A block plan, A3 minimum size, has not been installed at the fire brigade booster connection contrary to the requirements of Clause 2.3 of AS 2419.1-1994.
- C. Two booster connections are installed in the cabinet identified as FIRE BRIGADE BOOSTER CONNECTION. FRNSW were unable to determine the operational purpose of the connections. FRNSW recommend that each connection be correctly identified for the purpose it serves.

#### 1B. Smoke Detection and Alarm System

- A. There were three (3) isolations displayed on the Fire Indicator Panel (FIP) contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).
  - i. FRNSW received confirmation from the Building Manager on 11 March 2020 that the smoke detection and alarm system had been repaired and there were no isolations on the FIP.

### 2. Generally

#### 2A. Access and Egress

- A. The glass doors forming part of the fire exit from MillioRe Korean Fusion Restaurant are obstructed by stacked dining chairs contrary to the requirements of Clause 185 of the EP&A Reg.
- B. Numerous directional exit signage throughout level one (1) of the premises do not indicate the direction of travel to the required exits contrary to the requirements of Clause E4.6 of the National

Construction Code 2019 Volume One, Building Code of Australia (NCC). In this regard, many signs have been rotated on their down-  
rods to face the wrong direction.

- C. FRNSW is of the opinion that travel distance from the basement level storage and toilet area of MillioRe Korean Fusion Restaurant exceeds 30 metres contrary to the requirements of Clause D1.4 of the NCC.

2B. Certification

- A. A copy of current annual fire safety statement (AFSS) was not prominently displayed in the building contrary to the requirements of Clause 177 of the EP&A Reg. The displayed AFSS was dated 2016.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS

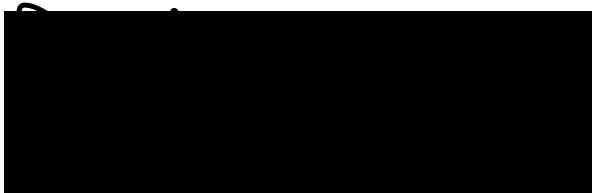
FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through and item no. 2 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/2905 (5068) for any future correspondence in relation to this matter.

Yours faithfully

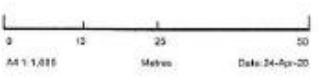


Fire Safety Compliance Unit

# **Attachment F**

## **Council Officer Inspection Report - 84-84B Pitt Street Sydney**





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**Council investigation officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the Act)**

**File:** CSM 2288272                      **Officer:** Hieu Van Luu                      **Date:** 12 May 2020

**Premises:** 84-84B Pitt Street, Sydney

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**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 14 April 2020 in relation to matters of fire safety.

The premises consists of a 17 level building with above lower ground and ground floor retail tenancies.

The building is located north of Martin Place and south of Hunter Street. Angle Place is situated west of the building on the opposite side of Pitt Street.

The building is also the subject of a City Council fire safety order (issued August 2019). This order is currently under compliance management with a due date of August 2021. The City's fire safety order encompasses the issues identified by FRNSW.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Observation of the external features of the building did not identify metal composite cladding.

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**Chronology:**

Date	Event
14/04/2020	FRNSW correspondence received regarding premises 84-84B Pitt Street, Sydney.
12/05/2020	<p>An inspection of the premises undertaken by a Council investigation officer in the presence of the building manager revealed that the issues associate with the Sound System and Intercom Systems for Emergency Purposes (SSISEP) raised by Fire Rescue NSW have partially been rectified as follows:-</p> <ol style="list-style-type: none"><li>1. Emergency tones and messaging on level six (6) has been fixed and were audible,</li><li>2. The warden intercommunication phones (WIP) were not operational on multiple levels throughout the building. The WIP board in EWIS has not been rectified due to the board being shipped from a New Zealand supplier and delay caused by New Zealand borders closed due to COVID-19 Pandemic ;</li><li>3. An audio fault on Level 2 was displayed on the SSISEP panel has been cleared.</li></ol> <p>Corrective action letter sent on 12 May 2020.</p>

**FIRE AND RESCUE NSW REPORT:**

References: [BFS20/665 (10724), D20/25418; 2020/179134]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving correspondence on 5 March 2020 in relation to fire safety.

Issues

The report from FRNSW detailed a number of issues, in particular noting:

The issues associate with the Sound System and Intercom Systems for Emergency Purposes (SSISEP) in that:-

1. Emergency tones and messaging were not audible on level six (6),
2. The Warden Intercommunication Phones (WIP) were not operational on multiple levels throughout the building, and
3. An audio fault on Level 2 was displayed on the SSISEP panel.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building

FRNSW Recommendations

The inspecting Authorised Fire Officers' of FRNSW issued an Order No. 1, dated 2 April 2020, in accordance with the provisions of Section 9.34 of the Environmental Planning and Assessment Act, 1979 (the Act) to have **item no. 1A** of this report complied with.

In accordance with the provisions of Schedule 5, Part 6, Section 12 of the Act, a copy of the Order was attached for the City's information. FRNSW will conduct further inspections of the building to assess compliance with the terms of this Order and will advise Council accordingly.

In this regard, FRNSW does not consider Council is required to take action in relation to **item no. 1A** of this report.

FRNSW have requested that their report and recommendations be tabled at a Council meeting in accordance with the provisions of Section 9.32 and Schedule 5, Part 8, Section 17(2) of the EP&A Act.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue- Order(NOI)	Issue- emergency- Order	Issue a compliance letter of instruction	Cited Matters- rectified	Continue to undertake compliance action in response to issued Council correspondence	Continue with compliance actions- under the current Council Order	Other (to- specify)

As a result of the above site inspection undertaken by Council investigation officers it is recommended that the owners of the building continue to undertake compliance action in response to Council correspondence of 12 May 2020 to rectify the identified fire safety deficiencies noted by FRNSW.

That the Commissioner of FRNSW be advised of Council's actions and determination.

**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/179134-01

**Trim Reference:** 2020/179134

**CSM reference No#:** 2288272



File Ref. No: BFS20/665 (10724)

TRIM Ref. No: D20/25418

Contact: [REDACTED]

14 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
84 PITT STREET SYDNEY (“the premises”)**

Fire and Rescue NSW (FRNSW) received correspondence on 5 March 2020, in relation to the adequacy of the provision for fire safety in or in connection with ‘the premises’.

The correspondence stated that:

- *The Fire Alarm in our building does not work*
- *We had an active fire two weeks ago and after several email and compilations we are still not any close to getting it fixed.*
- *I have been advised by other tenants that this has been an issue for over two years*

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of ‘the premises’ on 9 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for

your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section 17 (1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17 (2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

The following items were identified as concerns at the time of the inspection:

### 1. Essential Fire Safety Measures

#### 1A. Automatic Smoke Detection and Alarm System

A. FRNSW tested the Sound System and Intercom Systems for Emergency Purposes (SSISEP) and observed the following:

- i. Emergency tones and messaging were not audible on level six (6).
- ii. The WIP (warden intercommunication phones) were not operational on multiple levels throughout the building.
- iii. An audio fault on Level 2, was displayed on the SSISEP panel.

FRNSW is of the opinion that the SSISEP panel is not being maintained in accordance with Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

### FIRE SAFETY ORDER NO. 1

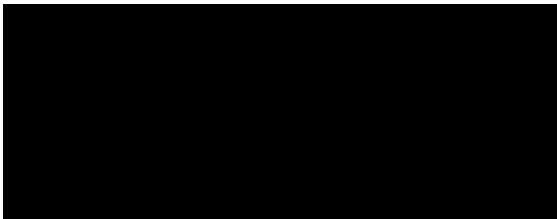
The inspecting Authorised Fire Officers' of FRNSW issued an Order No. 1, dated 2 April 2020, in accordance with the provisions of Section 9.34 of the EP&A Act, to have **item no. 1A** of this report.

In accordance with the provisions of Schedule 5, Part 6, Section 12 of the EP&A Act, a copy of the Order is attached for your information. FRNSW will conduct further inspections of the building to assess compliance with the terms of this Order and will advise Council accordingly.

In this regard, FRNSW does not consider Council is required to take action in relation to **item no. 1A** of this report.

This matter is referred to Council as the appropriate regulatory authority. Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/665 (10724) for any future correspondence in relation to this matter.

Yours faithfully



Fire Safety Compliance Unit

Attachment: Appendix 1 - Fire Safety Order No.1 - 4 pages

Appendix 1 - Fire Safety Order No.1 - 4 pages

Unclassified



File Ref. No: BFS20/665 (10724)  
TRIM Ref. No: D20/24176  
Contact: [REDACTED]

3 April 2020

The Owners of Strata Plan No. [REDACTED]  
84 Pitt Street  
Sydney NSW 2000

Dear Owners of Strata No. [REDACTED]

**Re: FIRE SAFETY ORDER – ORDER 1  
84 PITT STREET SYDNEY (“the premises”)**

Fire & Rescue NSW (FRNSW) has received your letter dated 1 April 2020 in response to the Notice of Intention to issue a Fire Safety Order, dated 18 March 2020. As a result of your representations, FRNSW has determined to issue the Fire Safety Order with consideration being given to your representations, in accordance with the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*.

Accordingly, please find attached a copy of the FRNSW Fire Safety Order (Order No. 1) dated 3 April 2020, issued in accordance with the provisions of Section 9.34 of the EP&A Act. A copy of the Order will be forwarded to Sydney City Council, in accordance with the provisions of Schedule 5, Part 6, Section 12 of the EP&A Act, where further inspections will be conducted by FRNSW to assess compliance with the terms of the Order.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Station Officer [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/665 (10724) for any future correspondence in relation to this matter.

Yours faithfully,

[REDACTED]

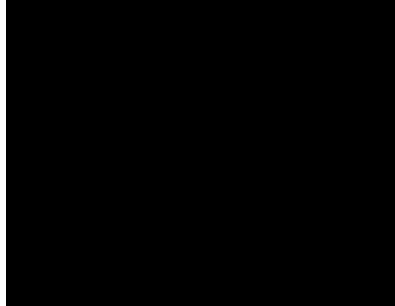
Fire Safety Compliance Unit

Fire and Rescue NSW	ABN 12 593 473 110	<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greensacre NSW 2190	F (02) 9742 7843
<a href="mailto:Firesafety@fire.nsw.gov.au">Firesafety@fire.nsw.gov.au</a>		Page 1 of 4

Unclassified

Unclassified

CC:



Unclassified



Unclassified



## Fire Safety Order ORDER No. 1

**Under the Environmental Planning and Assessment Act 1979 (EP&A Act)  
Part 9 Implementation and Enforcement – Division 9.3 Development Control  
Orders**

**Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.  
Give an Order in accordance with Section 9.34(1)(b)**

I, [redacted] **Station Officer** [redacted]  
(name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order you

**The Owners of Strata No.** [redacted] **Owner**  
(name of person whom Order is served) (position i.e. owner, building manager)

with respect to the premise

**84 PITT STREET SYDNEY ("the premises")**  
(name/address of premises to which Order is served)

**to do, or refrain from doing, the following things:**

1. Restore the Sound System and Intercom Systems for Emergency Purposes (SSISEP) to operate by:
  - a. Repairing the speakers at the premises so emergency tones and messaging are audible on each level or area of the building, and
  - b. Repair the warden intercommunication phones to permit communication between the emergency control organisation.

**The reasons for the issue of this Order are:**

- a. The building was occupied at the time of the inspection.

Fire and Rescue NSW	ABN 12 593 473 110	<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>
Community Safety Directorate	1 Amarina Ave	T (02) 9742 7434
Fire Safety Compliance Unit	Greensacre NSW 2190	F (02) 9742 7843
<a href="mailto:Firesafety@fire.nsw.gov.au">Firesafety@fire.nsw.gov.au</a>		Page 3 of 4

Unclassified

**Unclassified**

- b. A non-operational SSISEP may not alert occupants to an emergency within the building, preventing a safe and timely evacuation.
- c. Emergency tones and messaging were not audible on level six (6) at the premises.
- d. All warden intercommunication phones at the premises were not operational. Therefore, chief/floor/area wardens cannot operate communication equipment in accordance with Australian Standard (AS) 3745-2010 to stage a safe evacuation.
- e. To comply with the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000.
- f. To do, or refrain from doing such things that are specified in the Order, so as to ensure or promote adequate fire safety or fire safety awareness.

**The terms of the Order are to be complied with:**

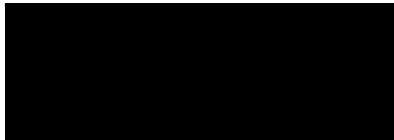
By no later than on the **18 May 2020**.

**Appeals**

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Order, other than an order that prevents a person using or entering premises.

**Non-Compliance with the Order**

Failure to comply with this Order may result in further Orders and/or fines being issued. Substantial penalties may also be imposed under Section 9.37 of the EP&A Act for failure to comply with an Order.

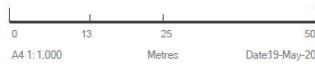
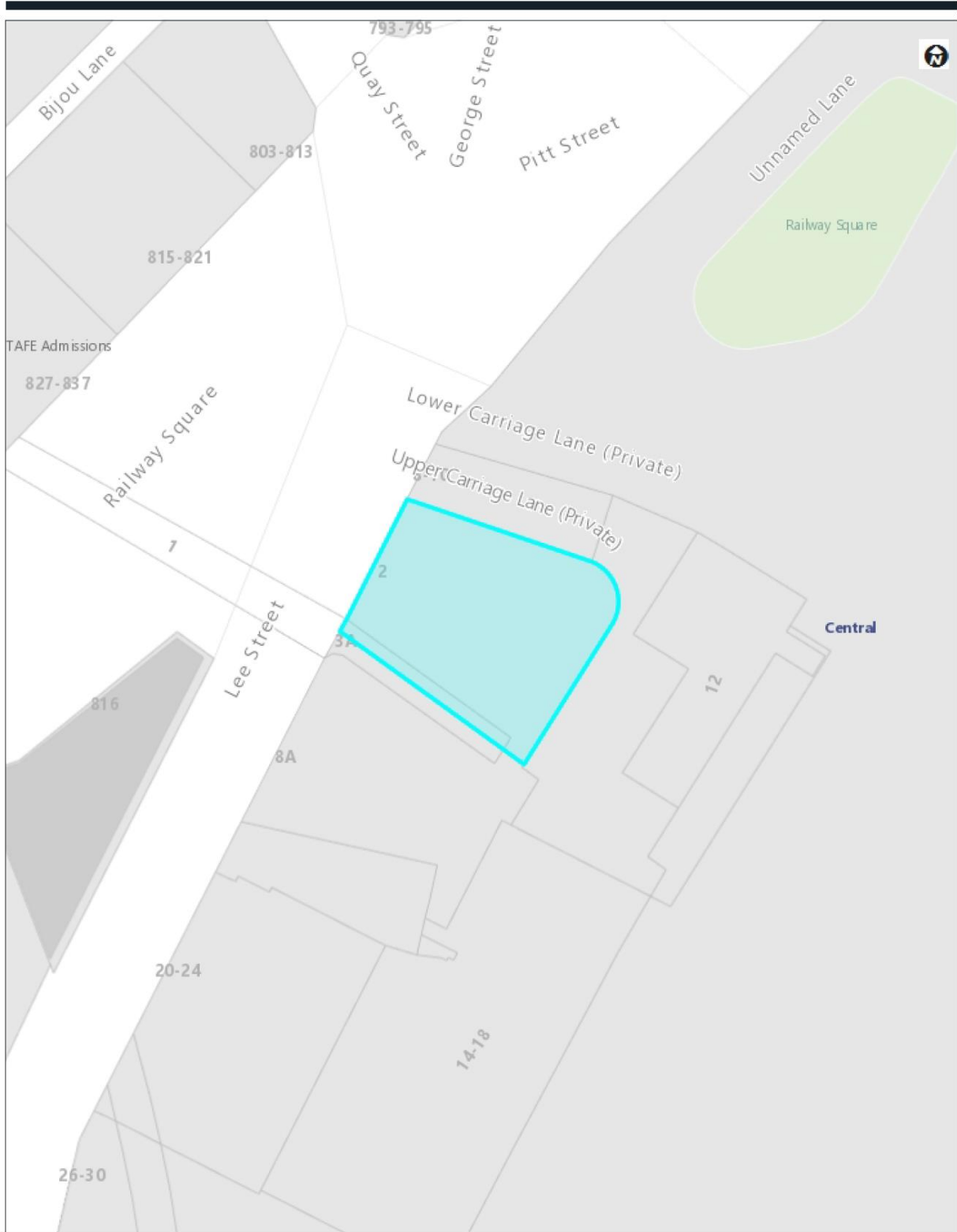


Fire Safety Compliance Unit

This Order No. 6 was sent by e-mail on **3 April 2020**.

# **Attachment G**

**Council Officer Inspection Report –  
2 Lee Street, HAYMARKET**



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**Council investigation officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the  
Act)**

**CSM: 2290869**

**Officer: Andrew Venios**

**Date: 19 May 2020**

**Premises: 2 Lee Street, HAYMARKET, NSW 2000**

---

**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises on 8 April 2020 in response to the public health orders issued by the Minister for Health & Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 17 April 2020 in relation to the subject premises with respect to matters of fire safety.

The premises is a mixed use commercial complex including Heritage Hotel building and retail shops, shop 3 being a burger restaurant which is the subject of this report.

An inspection of the building was recently undertaken by a Council investigation officer, comments made by FRNSW have been investigated. At the time of inspection, all fire safety systems were operational. No additional fire safety issues were identified.

Council investigations have revealed that whilst there remains several minor fire safety maintenance and management works to attend to in respect to installing two (2) new smoke detectors within shop 3, the overall fire safety systems provided are considered adequate.

It is considered that the above fire safety works are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor(s) through written instruction from Council.

It is considered that the items identified by FRNSW have been addressed by the issue of a compliance letter.

Observation of the external features of the building did not identify composite combustible sheet cladding.

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**Chronology**

<b>Date</b>	<b>Event</b>
11/04/2020	FRNSW correspondence received regarding premises 2 Lee Street, Haymarket
12/05/2020	An initial desktop review revealed D/2019/299/A was submitted for the "Change of use and fit out of Shop 3 of Henry Deane Plaza for the licensed restaurant 'Betty's Burgers' including the use of the outdoor dining area and installation of new signage. The application is Integrated Development requiring approval of the Heritage Council of NSW under the Heritage Act 1977." The development was completed and a Final Occupation Certificate was issued by Private Certifier, Mr Bill Romanovski of Checkpoint Building Surveyors on 11 November 2019. The building has a compliant fire safety statement which is due 14 August 2020.
13/05/2020	The complex was inspected by Councils investigations officer on 13 May 2020 and at the time of inspection all fire safety systems were operational.
19/05/2020	Council issued a compliance letter instructing the owner to rectify maintenance issues including – replace defective smoke detectors within shop 3 and update fire indicator panel of all faults. Council has scheduled progress inspection in relation to required works

---

**FIRE AND RESCUE NSW REPORT:**

**References:** [BFS20/1092 (111152), D20/27538]

Fire and Rescue NSW (FRNSW) conducted an inspection of the subject premises on 8 April 2020 in accordance with Section 119 T(1) of the Environmental Planning and Assessment Act 1979 Cl. 17 of Schedule 5 of the Environmental Planning and Assessment Act 1979/ 2 Lee Street Haymarket/ June 2020 CM Page 3 of 7

(the Act).

Issues

The report from FRNSW detailed a comment, in particular noting;

1. Essential Fire Services

1A. Smoke Detection and Alarm System

- A. The fire indicator panel displayed two (2) isolations contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).

The Hotel Manager informed FRNSW the isolations relate to defective smoke detectors in the burger restaurant located in Shop 3. The Fire Indicator Panel indicates that only two detectors are isolated, the remaining detectors in that zone are functional. Arrangements have been made for the 2 smoke detectors to be replaced. The restaurant is currently closed due.

FRNSW Recommendations

FRNSW have recommended that Council inspect the subject premises and appropriately address any other deficiencies identified and require item no. 1 be addressed appropriately.

FRNSW have also requested that as soon as practical after the above recommendations have been tabled and considered that notice of any determination in respect of the recommendations is forwarded to them in accordance with clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

<del>Issue- Order (NOI)</del>	<del>Issue- emergency- Order</del>	<del>Issue a compliance- letter of- instruction</del>	<del>Cited- Matters- rectified</del>	Continue to undertake compliance action in response to issued Council correspondence	<del>Continue with- compliance- actions under the current Council- Order</del>	<del>Other- (to- specify)</del>

As a result of the above site inspection undertaken by Council investigation officers it is recommended that the owners of the building continue to comply with the written fire safety compliance instructions as issued by Council officers to rectify the identified fire safety deficiencies noted by FRNSW.

The above correspondence has instructed the responsible site personnel to carry out corrective actions to promote compliance.

Follow-up compliance inspections are currently being undertaken, and will continue to be undertaken by a Council officer to ensure all identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence occur.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and outcomes.

**Referenced documents:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1	FRNSW Letter dated 17 March 2020	2020/215588

**Trim Reference:** 2020/215613

**CSM reference No#:** 2290869

---



File Ref. No: BFS20/1092 (11152)  
TRIM Ref. No: D20/27538  
Contact: [REDACTED]

17 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
ADINA CENTRAL APARTMENT HOTEL  
2 LEE STREET HAYMARKET (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, Fire & Rescue NSW (FRNSW) has conducted an inspection pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of ‘the premises’ on 8 April 2020 was conducted by Authorised Fire Officers of FRNSW.

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.



## COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act. In this regard, it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified as concerns at the time of the inspection:

1. Essential Fire Safety Measures

1A. Smoke Detection and Alarm System

- A. The fire indicator panel displayed two (2) isolations contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).

The Hotel Manager informed FRNSW the isolations relate to defective smoke detectors in the burger restaurant located in Shop 3. The Fire Indicator Panel indicates that only two detectors are isolated, the remaining detectors in that zone are functional. Arrangements have been made for the 2 smoke detectors to be replaced. The restaurant is currently closed due to Covid-19.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1092 (11152) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

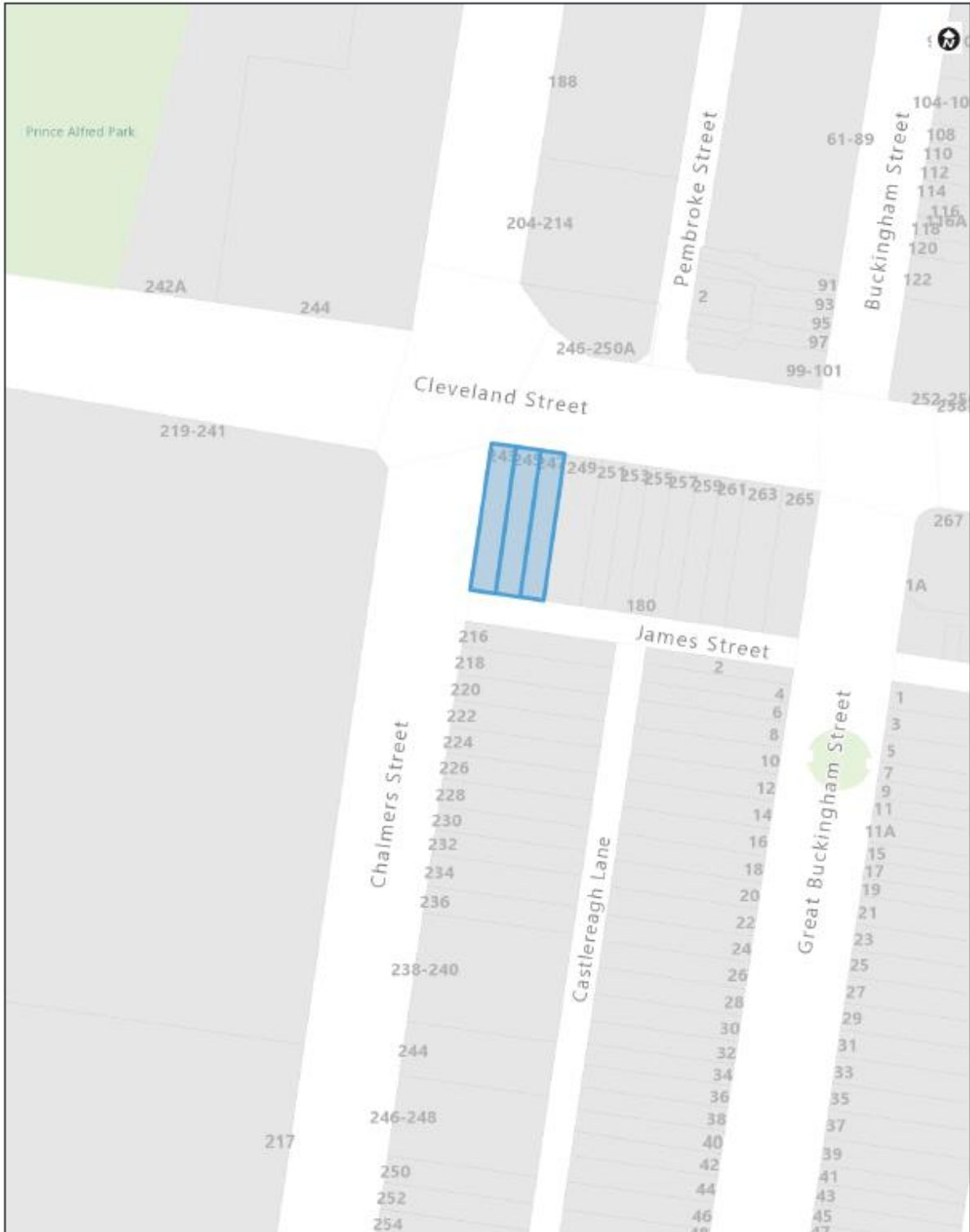
Fire Safety Compliance Unit

# Attachment H

**Council Officer Inspection Report -  
243-247 Cleveland Street, Redfern**

# 243-247 Cleveland Street Redfern

'Secret Garden Backpackers'



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**Council investigation officer Inspection and Recommendation Report  
Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act  
1979 (the Act)**

**File:** 2020/208733

**Officer:** Andrew Porter

**Date:** 14 May 2020

**Premises:** 243-247 Cleveland Street Redfern (Secret Garden Backpackers)

---

**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 6 May 2020 in relation to the subject premises with respect to matters of fire safety.

The premises consists of three united terrace houses comprising three storeys used and approved for shared accommodation.

An inspection of the premises undertaken by a Council investigation officer in the presence of the manager revealed that there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Council investigations have revealed that whilst there remains several minor fire safety maintenance and management works to attend to, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

It is considered that the above fire safety works are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor(s) through written instruction from Council.

Observation of the external features of the building did not identify the existence of any combustible composite cladding on the façade of the building.

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**Chronology:**

Date	Event
06/05/2020	FRNSW correspondence received regarding premises 243-247 Cleveland Street Redfern
13/05/2020	An inspection of the subject premises was undertaken by a Council officer and noted several minor fire safety maintenance and management works to be undertaken, namely; <ul style="list-style-type: none"><li>• Thermal detectors in areas where smoke detectors should be utilised due to the use of the building for residential accommodation;</li><li>• Holes made within linings to the underside of timber floors for maintenance which have not been patched.</li></ul>
14/05/2020	Written instructions issued to the premises owner to carry out minor fire safety maintenance and management works required within the premises.

---

**FIRE AND RESCUE NSW REPORT:**

**References:** [BFS 20/183 (10249); TRIM: 2020/198814]

Fire and Rescue NSW conducted an inspection of the subject premises after receiving correspondence suggestive that the egress and warning systems at the premises were inadequate.

Issues: The report from FRNSW detailed a number of issues, in particular noting;

- That egress paths within the premises were being used for storage;
- That several rooms within the premises were provided with what appears are thermal detectors in lieu of smoke detectors;

FRNSW Recommendations: FRNSW have not made any direct recommendations within their report to Council, however have advised it would be at Council’s discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

<del>Issue- Order(NOI)</del>	<del>Issue- emergency- Order</del>	Issue a compliance letter of instruction	<del>Cited- Matters- rectified</del>	<del>Continue to undertake compliance action in response to issued Council correspondence</del>	<del>Continue with compliance actions under the current Council Order</del>	<del>Other (to specify)</del>

As a result of site inspection undertaken by Council investigation officers it was determined to issue the owners of the building a compliance letter of instruction to rectify the identified fire safety deficiencies noted by Council and FRNSW.

The above correspondence has requested that building management

- Carry out remedial works to the existing fire detection and alarm system to cause compliance with required standards of performance;
- Carry out remedial works to the non-combustible lining to the underside of the floor which has had access holes for maintenance works that have yet to be sealed as required;

Follow-up compliance inspections are currently being undertaken, and will continue to be undertaken by a Council investigation officer to ensure already identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence and the recommendations of FRNSW occur.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council’s actions and determination.

**Referenced documents:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2020/208733-01
A2.	Locality Plan	2020/208733-02
A3	Attachment cover sheet	2020/208733-03
A4	Compliance letter of instruction to premises owners	2020/208733-04

**Trim Reference:** 2020/208733

**CSM reference No#:** 2305245



File Ref. No: BFS20/183 (10249)  
TRIM Ref. No: D20/33117  
Contact: [REDACTED]

6 May 2020

The General Manager  
City of Sydney Council  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
'THE SECRET GARDEN BACKPACKERS'  
243-247 CLEVELAND STREET, REDFERN ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 21 January 2020, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *Three terraces set up as a youth hostel with many young non english. Evacuation is through a narrow passage and staircase. Rooms with up to 20 beds. Warning system severely inadequate. This in my opinion is an urgent issue due to the premises type and occupants.*

Pursuant to the provisions of Section 9.32 (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 21 January 2020, was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7437  
F (02) 9742 7483

- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

Please be advised that details of this inspection have been provided in accordance with Section 9.32(4) of the EP&A Act. Therefore, on behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Schedule 5, Part 8, Section 17(1)(a) of the EP&A Act.

## COMMENTS

The following items were identified as concerns at the time of inspection:

### 1. Access and Egress

- 1A. The passageway along the eastern boundary, after discharging from the exit door on the ground floor (Building 3 / No. 247) was being used as a storage area, which was obstructing egress to the street, contrary to the requirements of Clause 184 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

Discussions were held with the Manager at the time of the inspection and all items were removed prior to FRNSW departure from 'the premises'.

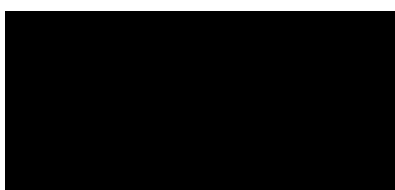
### 2. Generally

- 2A. The Automatic Fire Detection and Alarm System - It appeared that thermal detectors were provided in lieu of smoke detectors within a number of the rooms throughout 'the premises', contrary to the requirements of Specification E2.2a of the NCC. In this regard, detectors within multiple rooms in Building 1 (No. 243), resembled thermal detectors.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/183 (10249) for any future correspondence in relation to this matter.

Yours faithfully



Fire Safety Compliance Unit

# Attachment G

**Council Officer Inspection Report -  
88 Broadway Chippendale**





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**Council investigation officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the Act)**

**File: 2020/168533**

**Officer: B. Badyari**

**Date: 13 May 2020**

**Premises: 88 Broadway Chippendale**

**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises on 8 April 2020 in response to the public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 17 April 2020 in relation to the subject premises.

The premises is a high rise hotel building known as the Four Points by Sheraton.

The premises presents as a mixed use 19 storey development comprising of hotel, childcare and commercial, including a ground floor reception level and basement level parking.

Due to Covid-19 restrictions the site inspection was limited to common areas only.

The inspection was undertaken by a Council investigation officer in the presence of the building manager. The inspection revealed that there were no significant fire safety issues.

Records indicate that the premises are equipped with numerous fire safety systems, both active and passive, that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current.

Council investigations show that there are several minor fire safety maintenance and management works to attend to such as signage to indicate the location of fire safety measures, correction of some fire door and exit signage. However, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

It is considered that the above fire safety works are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor through written instruction from Council, which was issued on 4 June 2020.

Observation of the external features of the building did not identify metal composite cladding.

**Chronology:**

<b>Date</b>	<b>Event</b>
17/4/2020	FRNSW correspondence received regarding an inspection of the premises
28/4/2020	An inspection of the subject premises was undertaken by a Council officers, where it was noted that: <ol style="list-style-type: none"><li>1. An extensive array of thirty two (32) fire safety measures including sprinklers, drenchers, smoke detection, pressurisation systems, smoke control systems, fire control room, fire alarm monitoring, emergency lifts, and emergency warning systems were observed adequately maintained;</li><li>2. Level 18 fire door was not self-closing, building manager took immediate action and confirmed that fire door on level 18 is self-closing.</li><li>3. The current annual fire safety statement was not displayed in prominent area, manager of the building advised that he will have copy displayed immediately.</li></ol>

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## FIRE AND RESCUE NSW REPORT:

References: [BFS20/1094, 2020/206119-03]

Fire and Rescue NSW conducted an inspection of the subject premises in response to the public health orders issued by the Minister for Health and Medical Research.

### Issues

The report from FRNSW mentions that certain fire safety systems were compliant and that fire systems maintenance log books were up to date.

### FRNSW Recommendations

FRNSW noted subsequent advice to FRNSW of resolution of the issues, and did not make any recommendations within their report.

FRNSW have requested that the report from the Commissioner of FRNSW be tabled at a Council meeting in accordance with clause 17(2) of Schedule 5, part 8 of the Environmental Planning and Assessment Act 1979.

---

### **COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue-Order(NOI)	Issue-emergency-Order	Issue a compliance letter of instruction	Cited-Matters-rectified	Continue to undertake-compliance action in-response to issued-Council correspondence	Continue with-compliance actions-under the current-Council Order	Other (to-specify)

As a result of a site inspection and conversations undertaken by a Council investigation officer and site personnel it is recommended that the owners of the building address and comply with the issued compliance letter of instruction and rectify the identified fire safety deficiencies.

The above correspondence has instructed the responsible site personnel to carry out corrective actions to existing fire systems to cause compliance with required standards of performance.

Follow-up compliance inspections are currently being undertaken, and will continue to be undertaken by a Council officer to ensure all identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence occur.

It is recommended that Council not exercise its powers to give a fire safety order at this time and that the Commissioner of FRNSW be advised of Council's actions and determination.

### **Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/206119-03

**Trim Reference:** 2020/206119

**CSM reference No#:** 2290864



File Ref. No: BFS20/1094 (11155)

TRIM Ref. No: D20/27548

Contact: [REDACTED]

17 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
FOUR POINTS BY SHERETON  
88 BROADWAY CHIPPENDALE (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, Fire & Rescue NSW (FRNSW) has conducted an inspection pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of ‘the premises’ on 8 April 2020 was conducted by Authorised Fire Officers of FRNSW.

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances.

The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1) (b) of the EP&A Act. In this regard, it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified at the time of the inspection:

1. Essential Fire Safety Measures

1A. Smoke Detection and Alarm System

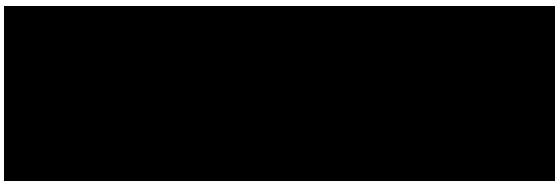
- A. The fire indicator panel was clear of faults and isolations at the time of inspection.

1B. Maintenance

- A. The maintenance logbooks/ tags indicate that scheduled maintenance had been carried in March 2020 on the fire hydrant and sprinkler pumpset, the fire attack hydrants, and the fire hose reels.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1094 (11155) for any future correspondence in relation to this matter.

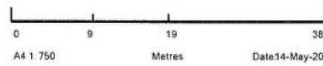
Yours faithfully



Fire Safety Compliance Unit

# **Attachment J**

**Council Officer Inspection Report -  
61-101 Phillip Street, Sydney**



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**Council investigation officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the  
Act)**

**File:** CSM 2308078

**Officer:** Hieu Van Luu

**Date:** 14 May 2020

**Premises:** 61-101 Phillip Street, SYDNEY NSW 2000

---

**Executive Summary**

Fire and Rescue NSW conducted an inspection of the subject premises on 10 April 2020 in response to the public health order issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 11 May 2020 in relation to the subject premises with respect to matters of fire safety.

The premises consists of an 18-storey hotel known as 'Sofitel Sydney Wentworth'. It contains a ballroom, restaurant and bar and smaller retail premises along the Phillip Street and Blight Street frontages. The premises has primary street frontages to Phillip Street and Bligh Street and is located directly west of Chifley Square.

An inspection of the premises undertaken by a Council investigation officer in the presence of the Duty Manager of the hotel revealed that the fire safety issues identified by FRNSW had been rectified and there were no significant fire safety issues .

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Observation of the external features of the building identified potential combustible composite cladding on the façade of the building. The City's cladding compliance team has been advised and will investigate the cladding material. This investigation will establish the risk of fire spread via the façade.

---

**Chronology:**

Date	Event
11/05/2020	FRNSW correspondence received regarding premises 61-101 Phillip Street, SYDNEY
14/05/2020	An inspection of the subject premises was undertaken by a Council officer in the presence of the Duty Manager of the hotel which revealed that the maintenance issues associate with the smoke detection and alarm system identified by FRNSW had been rectified.

**FIRE AND RESCUE NSW REPORT:**

References: [BFS20/1081 (11125), D20/34849; 2020/209334]

Fire and Rescue NSW conducted an inspection of the subject premises on 10 April 2020 in response to the public health order issued by the Minister for Health and Medical Research.

Issues

The report from FRNSW detailed the maintenance issues associate with the smoke detection and alarm system,

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification and advised that it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required.



## COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS

<del>Issue Order(NOI)</del>	<del>Issue emergency Order</del>	<del>Issue a compliance letter of instruction</del>	Cited Matters rectified	<del>Continue to undertake compliance action in response to issued Council correspondence</del>	<del>Continue with compliance actions under the current Council Order</del>	<del>Other (to specify)</del>
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Inspections undertaken by a Council investigation officer revealed that the fire safety issues identified by FRNSW had been rectified.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

### Referenced documents:

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/209334-01

**Trim Reference:** 2020/209334

**CSM reference No#:** 2308078



File Ref. No: BFS20/1081 (11125)  
TRIM Ref. No: D20/34849  
Contact: [REDACTED]

11 May 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'SOFITEL SYDNEY WENTWORTH'  
61-101 PHILLIP STREET, SYDNEY (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of ‘the premises’ was conducted by Authorised Fire Officers of Fire & Rescue NSW (FRNSW) on 10 April 2020, pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the Sofitel Sydney Wentworth (“Sofitel Hotel”), where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

## COMMENTS

The following items were identified during the inspection:

1. Essential Fire Safety Measures

1A. Smoke Detection and Alarm System

- A. The Fire Indicator Panel (FIP) was displaying 18 isolations at the time of the inspection.

The Engineer of the "Sofitel Hotel" advised FRNSW that some of the isolations related to minor renovation works which had been undertaken and were complete in the "Sofitel Hotel" and the other isolations related to lift refurbishment work which were being undertaken at the time of the inspection in the carpark area of "the premises".

The Engineer advised that the carpark area is not part of the "Sofitel Hotel" and is occupied and managed by another tenant known as 'City Free Hall – Property Management Group' where the use is solely as a carpark (*Wilson Parking – Sofitel Sydney Wentworth Car Park*).

The Engineer of the "Sofitel Hotel" removed all isolations relating to the "Sofitel Hotel" from the FIP, where nine (9) isolations remained on the FIP, all relating to the lift refurbishment work which were being carried out in the carpark areas at the time of the inspection.

Notwithstanding the comments provided, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1081 (11125) for any future correspondence in relation to this matter.

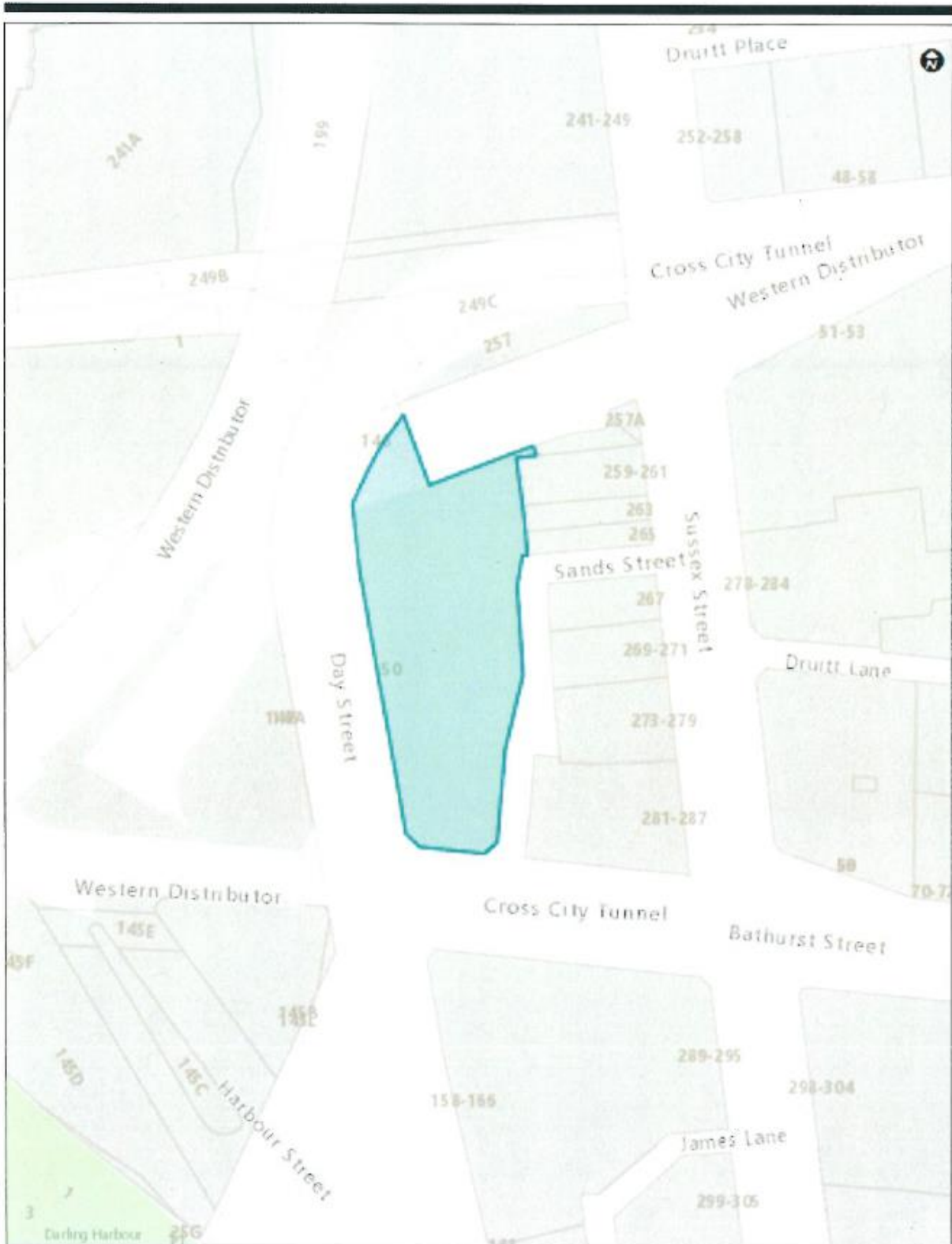
Yours faithfully

[REDACTED]

Fire Safety Compliance Unit

# Attachment K

## Council Officer Inspection Report - 150 Day Street, Sydney



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**Council investigation officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the Act)**

**File:** CSM 2294027

**Officer:** Hieu Van Luu

**Date:** 13 May 2020

**Premises:** 150 Day Street, Sydney

---

**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises on 3 April 2020 in response to public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 21 April 2020 with respect to matters of fire safety.

The premises consists of a 12 level building with the approved uses being a hotel with basement carpark. The premises is known as the Park Royal Hotel. It is located on the corner of Bathurst and Day Streets. The building also fronts Sands Street to the east and borders the Western Distributor to the north.

An inspection of the premises undertaken by a Council investigation officer in the presence of the Engineering Manager revealed that the fire indicator panel was displaying isolations and advised that these were being rectified. There were no other significant fire safety issues within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

It is considered that the above fire safety works are of a degree, which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractors through written instruction from Council.

Observation of the external features of the building did not identify the existence of metal composite cladding.

---

**Chronology:**

<b>Date</b>	<b>Event</b>
21/04/2020	FRNSW correspondence received regarding premises 150 Day Street Sydney.
06/05/2020	An inspection of the premises undertaken by a Council investigation officer in the presence of the Engineer Manager revealed that the fire indicator panel was displaying isolations to level 10 hydrant tank and level 4 beam detector. Council was advised at the time of the inspection the issues had been investigated and are currently being attended to by the maintenance contractors. Due to the current restrictions in place relating the Coronavirus (COVID-19) Pandemic and the hotel is being used as a quarantine hotel for potentially affected persons, the repairs have been delayed due to access issue.
11/05/2020	Corrective action letter was sent to the building owners and a copy of the letter was emailed to the Engineer Manager.

## FIRE AND RESCUE NSW REPORT:

References: [BFS20/1045 (11084), D20/28187; 2020/179248]

Fire and Rescue NSW conducted an inspection of the subject premises on 3 April 2020 in response to the public health order issued by the Minister for Health and Medical Research.

### Issues

The report from FRNSW detailed a maintenance issue associates with the fire hydrant system.

### FRNSW Recommendations

FRNSW have made number of recommendations within their report. In general, FRNSW have requested that Council :-

1. Inspect the subject premises and take action to have the identified fire safety issues and any other deficiencies identified on the premises appropriately addressed;
2. as soon as practical after this report is tabled and considered, that notice of any determination in relation to the report and recommendations is forwarded to them in accordance with clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

---

### **COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

<del>Issue-Order(NOI)</del>	<del>Issue-emergency-Order</del>	<del>Issue-a-compliance letter-of instruction</del>	<del>Cited-Matters-rectified</del>	Continue to undertake compliance action in response to issued Council correspondence	<del>Continue with-compliance actions-under the current-Council Order</del>	<del>Other (to-specify)</del>

As a result of the above site inspection undertaken by Council investigation officers it is recommended that the owners of the building continue to comply with the written fire safety compliance instructions as issued by Council officers to rectify the identified fire safety deficiencies noted by FRNSW.

The above correspondence has requested that building management to repair the isolations to level 10 hydrant tank and level 4, beam detectors to cause compliance with required standards of performance;

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

### **Referenced documents:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2020/179248-01

**Trim Reference:** 2020/179248

**CSM reference No#:** 2294027



File Ref. No: BFS20/1045 (11084)  
TRIM Ref. No: D20/28187  
Contact: [REDACTED]

21 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'PARK ROYAL DARLING HARBOUR'  
150 DAY STREET, SYDNEY ("the premises")**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of 'the premises' on 3 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.



## COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act. In this regard, it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified as concerns at the time of the inspection:

1. Essential Fire Safety Measures

- 1A. The Fire Indicator Panel (FIP) was displaying one (1) isolation, identified as "Zone 127 - Hyd Tank High".

The Hotel Manager advised FRNSW at the time of the inspection that the issue had been investigated and related to a fault to the floating device associated with the Level 10 hydrant tank, however due to the current restrictions in place relating to the Coronavirus (COVID-19) Pandemic and the use of the hotel as a quarantine hotel for potentially affected persons, the fire services technician would not attend site to make non-critical repairs.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1045 (11084) for any future correspondence in relation to this matter.

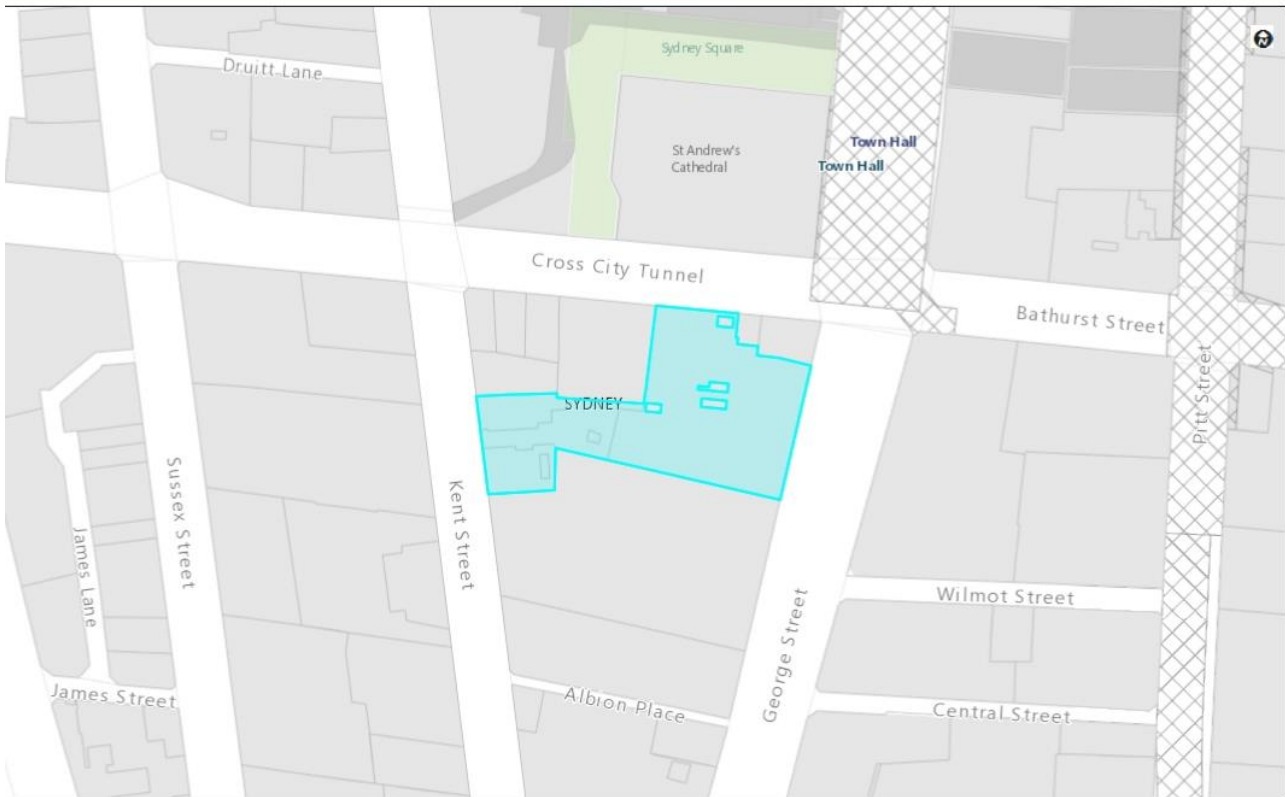
Yours faithfully

[REDACTED]

Fire Safety Compliance Unit

# Attachment L

## Council Officer Inspection Report - 488 Kent Street Sydney



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**Council Investigation Officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5 of the Environmental Planning and Assessment Act 1979 (the Act)**

**File:**CSM 2290863

**Officer:** Ashley Host

**Date:** 12 May 2020

**Premises:** Tower B, 488 Kent Street, Sydney (Fraser Suites)

---

**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the premises on 8 April 2020 in relation to the public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 17 April 2020 in relation to the subject premises with respect to matters of fire safety.

The premises consists of a 56 storey mixed use building including retail, offices and serviced apartments.

An inspection of the premises undertaken by a Council investigation officer in the presence of Fraser Suites Director of Engineering revealed that there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with legislation.

Council investigations have revealed that whilst the smoke detection and alarm system in the hotel component of the building is being isolated in unoccupied areas, the overall fire safety systems provided within the subject premises are considered adequate, and an adequate interim fire safety management plan is in place.

Observation of the external features of the building identified the existence of potential combustible composite cladding on the façade of the building.

The City's cladding compliance team is currently conducting an investigation and have issued specific formal action requiring the building owners to provide further detailed information as to the cladding risks posed by the fitted cladding material.

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**Chronology:**

Date	Event
17/04/2020	FRNSW correspondence received regarding premises 488 Kent Street, Sydney
05/05/2020	An inspection of the subject premises was undertaken by Council investigation officer Ashley Host in attendance with Fraser Suites Director of Engineering. The inspection disclosed that parts of the smoke detection and alarm system within the hotel component (Fraser Suites) of the building are being isolated to undertake maintenance and repair work whilst those parts are unoccupied.

---

**FIRE AND RESCUE NSW REPORT:**

References: BFS20/1085, D20/27578, 2020/168540

Fire and Rescue NSW conducted an inspection of the premises in relation to the public health orders issued by the Minister for Health and Medical Research.

Issues

The report from FRNSW details that parts of the smoke detection and alarm system fire indicator panel had three isolation faults in Tower B, 488 Kent Street, Sydney. The hotel maintenance manager advised FRNSW these isolations were due to current maintenance work being carried out in the hotel.

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification but have referred the matter to Council as the appropriate regulatory authority and await Council's advice regarding its determination.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

<del>Issue- Order(NOI)</del>	<del>Issue- emergency- Order</del>	<del>Issue a compliance letter of instruction</del>	<del>Cited- Matters- rectified</del>	<del>Continue to undertake compliance action in response to issued Council correspondence</del>	<del>Continue with compliance actions under the current Council- Order</del>	Letter to building management
----------------------------------	--	---	--	---	--	-------------------------------------

It is recommended that the owners of the building be issued with written instructions to bring to attention the legal responsibilities required to ensure that proper fire safety maintenance and management practices are in place at all times.

Correspondence dated 2 June instructing building management to have regard to ensuring the buildings smoke detection and alarm system is returned to full operation upon completion of any remedial work.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and outcomes.

**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/203090-01

**Trim Reference:** 2020/203090

**CSM reference No#:** 2290863



File Ref. No: BFS20/1085 (11134)  
TRIM Ref. No: D20/27578  
Contact: [REDACTED]

17 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
FRASER SUITES  
488 KENT STREET SYDNEY (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, Fire & Rescue NSW (FRNSW) has conducted an inspection pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of ‘the premises’ on 8 April 2020 was conducted by Authorised Fire Officers of FRNSW.

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety

provisions prescribed in Section 9.32(1)(b) of the EP&A Act. In this regard, it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified as concerns at the time of the inspection:

1. Essential Fire Safety Measures

1A. Smoke Detection and Alarm System

- A. The fire indicator panel displayed three (3) isolations at the premise's contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).

The Hotel Maintenance Manager advised FRNSW these isolations are due to current maintenance work being carried out in the hotel.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1085 (11134) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

Fire Safety Compliance Unit

# **Attachment M**

## **Council Officer Inspection Report - 7-9 York Street Sydney**

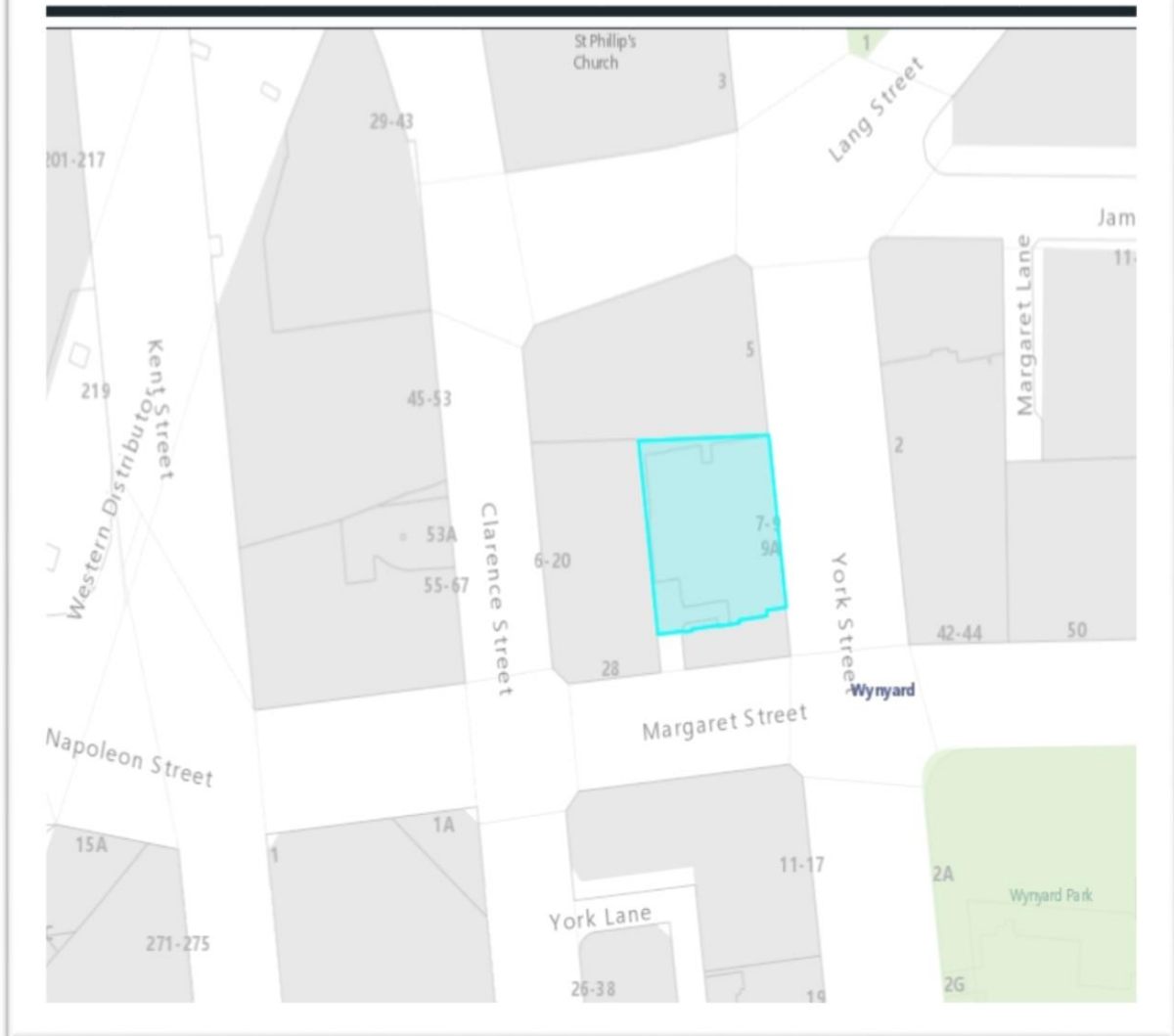


# 7-9 York Street Sydney



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## Locality Plan - 7-9 York Street SYDNEY



**Council Investigation Officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5 of the Environmental Planning and Assessment Act 1979 (the Act)**

**File:**CSM 2294035

**Officer:** Ashley Host

**Date:** 12 May 2020

**Premises:** 7-9 York Street, Sydney (Travelodge Hotel Sydney Wynyard)

---

**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises in response to public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on with respect to matters of fire safety.

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 21 April 2020 in relation to the subject premises with respect to matters of fire safety.

The premises consists of a 22 storey commercial hotel exceeding more than 25 metres in height.

An inspection of the premises undertaken by a Council investigation officer in the presence of Hotel Manager revealed that there were no significant fire safety issues.

Council investigations have revealed that a block plan of the buildings fire hydrant system was not installed at the buildings fire hydrant booster assembly as required. Hotel management have engaged a contractor to obtain a new complaint block plan and have installed a laminated copy of the plan as a temporary measure.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Observation of the external features of the building identified the existence of potential combustible composite cladding on the façade of the building. The City's cladding team is aware and taking appropriate action.

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**Chronology:**

Date	Event
21/04/2020	FRNSW correspondence received regarding premises 7-9 York Street, Sydney
07/05/2020	An inspection of the subject premises was undertaken by Council investigation officer Ashley Host with Hotel Manager

---

**FIRE AND RESCUE NSW REPORT:**

References: BFS20/1069 (11111), D20/28422, 2020/173748

Fire and Rescue NSW conducted an inspection of the premises in relation to the public health orders issued by the Minister for Health and Medical Research.

**Error! Bookmark not defined.**

The report from FRNSW details the following issues:

1. Essential Fire Safety Measures

- 1A. Fire Hydrant System – A block plan of the fire hydrant system had not been provided at the booster assembly, contrary to the requirements of Clause 7.11 of AS 2419.1-

2005. The Hotel Manager was advised of such requirement at the time of the inspection and FRNSW were assured a block plan would be provided.

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification and advised that it is at Council's discretion to inspect and address any other deficiencies identified on the premises.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue-Order(NOI)	Issue-emergency-Order	Issue a compliance letter of instruction	Cited-Matters-rectified	Continue to undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)
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As a result of a site inspection undertaken by a Council investigation officer it was determined to issue the owners of the building a compliance letter of instruction to rectify the identified fire safety deficiencies noted by Council and FRNSW.

The above correspondence, sent 2 June 2020, requests that building management install a fire hydrant block plan within the recess of the buildings fire hydrant booster assembly as required by Clause 7.11 of AS2419.1-2005.

Follow-up compliance inspections will be undertaken by a Council investigation officer to ensure already identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence and the recommendations of FRNSW occur.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/205409-01

**Trim Reference:** 2020/205409

**CSM reference No#:** 2294035



File Ref. No: BFS20/1069 (11111)  
TRIM Ref. No: D20/28422  
Contact: [REDACTED]

21 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'TRAVELODGE HOTEL SYDNEY WYNYARD'  
7-9 YORK STREET, SYDNEY (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of ‘the premises’ on 3 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

Please be advised that details of this inspection have been provided in accordance with Section 9.32(4) of the EP&A Act. Therefore, on behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Schedule 5, Part 8, Section 17(1)(a) of the EP&A Act.

## COMMENTS

At the time of the inspection the fire services technician was performing the monthly testing of the fire safety systems at 'the premises' and the building's egress and exits were clear and unobstructed.

The following items were identified during the inspection:

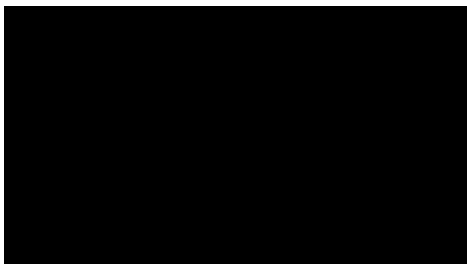
1. Essential Fire Safety Measures

- 1A. Fire Hydrant System – A block plan of the fire hydrant system had not been provided at the booster assembly, contrary to the requirements of Clause 7.11 of AS 2419.1-2005. The Hotel Manager was advised of such requirement at the time of the inspection and FRNSW were assured a block plan would be provided.

Notwithstanding this, it would be at Councils discretion as the appropriate regulatory authority to conduct its own inspection and address any other deficiencies identified on 'the premises'.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02)9742 7434. Please ensure that you refer to file reference BFS20/1069 (11111) for any future correspondence in relation to this matter.

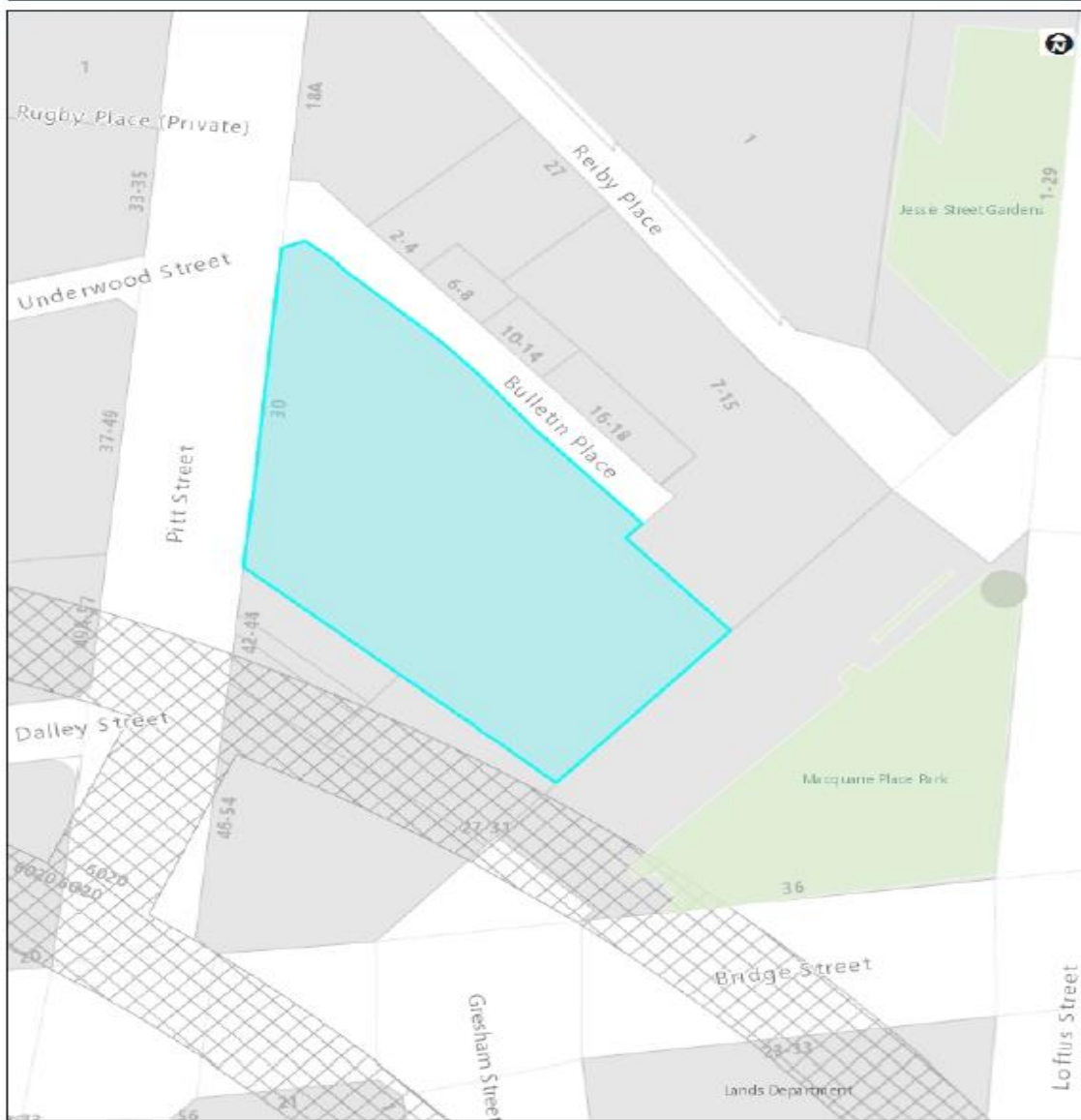
Yours faithfully



Fire Safety Compliance Unit

# Attachment N

## Council Officer Inspection Report - 30 Pitt Street, Sydney



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**Council investigation officer Inspection and Recommendation Report  
Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act  
1979 (the Act)**

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**File:** CSM 2020/194299      **Officer:** Jae Lee      **Date:** 15 May 2020

**Premises:** 30 Pitt Street Sydney – The Marriot Hotel

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**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises in response to public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on with respect to matters of fire safety.

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises dated 21 April 2020 with respect to matters of fire safety.

The building consists of thirty three (33) storeys with the approved uses being a class 3 hotel and 7a carpark in the basement levels.

The site is irregular in shape. It has a primary street frontage to Pitt Street. The site is bounded by Bulletin Place to the North, Bridge Street to the South, Macquarie Place to the East and Pitt Street to the West.

An inspection of the premises undertaken by a Council investigation officer in the presence of the the Chief Engineer revealed that there were no significant fire safety issues occurring within the building. The maintenance issues noted by Fire Rescue NSW were rectified.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Observation of the external features of the building did not identify the existence of any potential combustible composite cladding.

---

**Chronology:**

Date	Event
21/04/2020	FRNSW correspondence received regarding premises 30 Pitt Street, Sydney
29/04/2020	An inspection of the premises undertaken by a Council investigation officer in the presence of the Director of Engineering revealed that all of the issues relating to the Evacuation Control System noted by Fire Rescue NSW have been rectified.

**FIRE AND RESCUE NSW REPORT:**

References: [BFS 20/1067 (11165); D 20/28303; our Trim reference 2020/194299

Fire and Rescue NSW conducted an inspection of the subject premises on the 3 April 2020 in relation to the adequacy of the provision for fire safety in connection with the premises.

Issues

The report from FRNSW detailed a number of issues, in particular noting:-

1. Inadequate maintenance of the Evacuation Control Panel and the associated faults shown on the panel.

### FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification and advised that it is at Council's discretion to inspect and address any other deficiencies identified on the premises.

### **COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

<del>Issue- Order(NOI)</del>	<del>Issue- emergency- Order</del>	<del>Issue a- compliance letter- of instruction</del>	<del>Cited Matters rectified</del>	<del>Continue to undertake- compliance action in- response to issued- Council correspondence</del>	<del>Continue with- compliance actions- under the current- Council Order</del>	<del>Other (to- specify)</del>

Inspections undertaken by a Council investigation officer in company with the Chief Engineer revealed that the above recommendations of FRNSW have been complied with.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

### **Referenced documents:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2020/194299-01

**Trim Reference:** 2020/194299

**CSM reference No#:** 229038



File Ref. No: BFS20/1067 (11165)  
TRIM Ref. No: D20/28303  
Contact: [REDACTED]

21 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'SYDNEY HARBOUR MARRIOTT HOTEL'  
30 PITT STREET, SYDNEY (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of ‘the premises’ on 3 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

Please be advised that details of this inspection have been provided in accordance with Section 9.32(4) of the EP&A Act. Therefore, on behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Schedule 5, Part 8, Section 17(1)(a) of the EP&A Act.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

## COMMENTS

The following items were identified during the inspection:

1. Essential Fire Safety Measures

- 1A. The Evacuation System Control Panel was displaying one (1) fault and the evacuation system was switched to 'manual' mode.

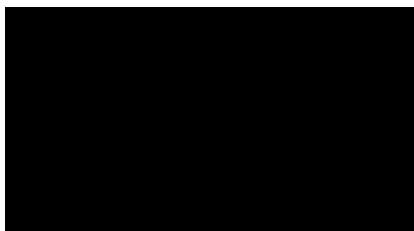
The Chief Engineer advised FRNSW at the time of the inspection that the fault related to an alarm/fault associated with a Break Glass Alarm (BGA) in the basement which kept tripping the evacuation system.

FRNSW received email correspondence on the evening of 3 April 2020 from the Director of Engineering of the hotel advising that the fire technician had attended 'the premises' and rectified the BGA alarm/fault, and the Evacuation Control Panel was now free of all faults and the system was switched to 'Automatic' mode. A photograph of the Evacuation Panel was also provided in the email to confirm the evacuation system was clear of all faults and restored to 'Automatic' mode.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1067 (11165) for any future correspondence in relation to this matter.

Yours faithfully

A large black rectangular redaction box covering the signature of the Fire Safety Compliance Unit.

Fire Safety Compliance Unit

# **Attachment O**

## **Council Officer Inspection Report - 117 Macquarie Street, Sydney**



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**Council investigation officer Inspection and Recommendation Report**  
**Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act**  
**1979 (the Act)**

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**File:** CSM 194338    **Officer:** Jae Lee    **Date:** 15 May 2020

**Premises:** 117 Macquarie Street Sydney – The Intercontinental

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**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises in response to public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on with respect to matters of fire safety.

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises dated 21 April 2020 with respect to matters of fire safety.

The building consists of twenty seven (27) storeys with the approved uses being a class 3 hotel and 7a carpark in the basement levels.

The site has a primary street frontage to Phillip Street and secondary entrances from Bridge Street to the South and Macquarie Street to the East.

An inspection of the premises undertaken by a Council investigation officer in the presence of the buildings chief engineer revealed that there were no significant fire safety issues occurring within the building. The maintenance issues noted by Fire Rescue NSW were rectified.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Observation of the external features of the building did not identify the existence of any potential combustible composite cladding on the façade of the building.

---

**Chronology:**

<b>Date</b>	<b>Event</b>
21/04/2020	FRNSW correspondence received regarding premises 117 Macquarie Street, Sydney
01/05/2020	An inspection of the premises undertaken by a Council investigation officer in the presence of the Director of Engineering revealed that all of the issues relating to the Fire Indicator Panel noted by Fire Rescue NSW have been rectified.

---

**FIRE AND RESCUE NSW REPORT:**

References: [BFS 20/1046 (11110); D 20/28259; our Trim reference 2020/194338]

Fire and Rescue NSW conducted an inspection of the subject premises on the 3 April 2020 in relation to the adequacy of the provision for fire safety in connection with the premises.

Issues

The report from FRNSW detailed a number of issues, in particular noting:-

1. Inadequate maintenance of the Fire Indicator Panel and the associated faults shown on the panel.

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification and advised that it is at Council's discretion to inspect and address any other deficiencies identified on the premises.

---

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

<del>Issue- Order(NOI)</del>	<del>Issue- emergency- Order</del>	<del>Issue a- compliance letter- of instruction</del>	<del>Cited Matters rectified</del>	<del>Continue to undertake compliance action in- response to issued- Council correspondence</del>	<del>Continue with- compliance actions- under the current Council Order</del>	<del>Other (to- specify)</del>

Inspections undertaken by a Council investigation officer in company with the Director of Engineering revealed that the above recommendations of FRNSW had been complied with.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

**Referenced documents:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2020/194338-01

**Trim Reference:** 2020/194338

**CSM reference No#:** 2294049





File Ref. No: BFS20/1046 (11110)  
TRIM Ref. No: D20/28259  
Contact: [REDACTED]

21 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'INTERCONTINENTAL SYDNEY'  
117 MACQUARIE STREET, SYDNEY (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of ‘the premises’ on 3 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

Please be advised that details of this inspection have been provided in accordance with Section 9.32(4) of the EP&A Act. Therefore, on behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Schedule 5, Part 8, Section 17(1)(a) of the EP&A Act.

## COMMENTS

The following items were identified during the inspection:

1. Essential Fire Safety Measures

- 1A. The Fire Indicator Panel (FIP) was displaying three (3) faults, associated with the automatic smoke detection and alarm system.

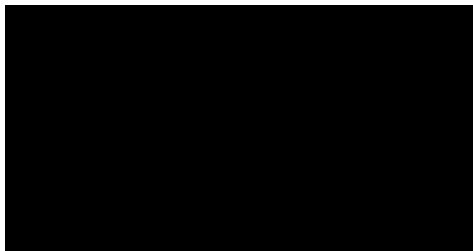
The Chief Engineer advised FRNSW at the time of the inspection that the faults displayed on the FIP had been investigated the previous day and he was unsure why the faults were still showing.

FRNSW received email correspondence on 4 April 2020 from the Director of Engineering of the hotel advising that the fire technician had attended 'the premises' on the afternoon of 3 April and rectified the faults and the FIP was now free of all faults. A photograph of the FIP was also provided in the email to confirm the FIP was clear of all faults.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1046 (11110) for any future correspondence in relation to this matter.

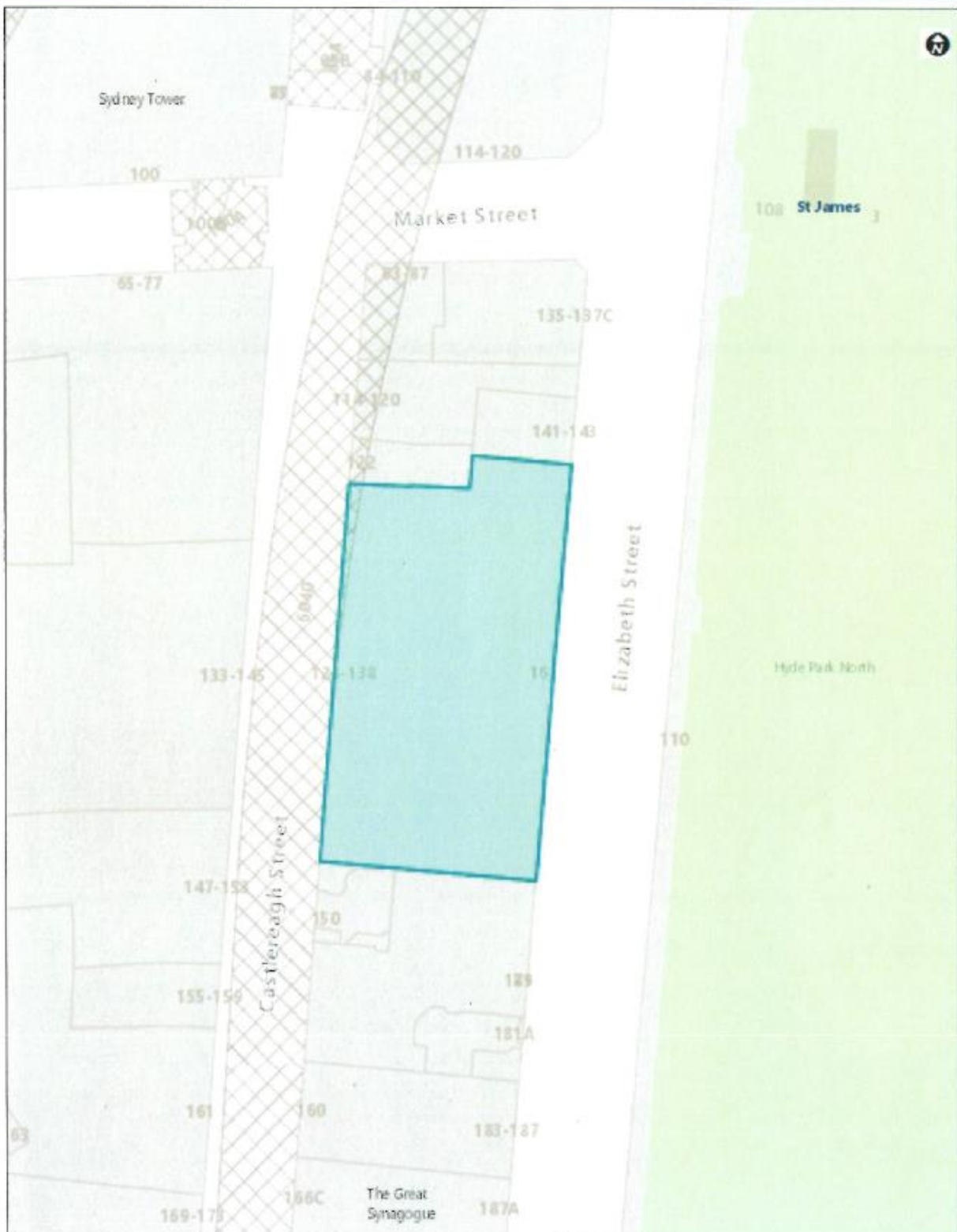
Yours faithfully



Fire Safety Compliance Unit

# Attachment P

**Council Officer Inspection Report -  
161 Elizabeth Street Sydney**



**Council investigation officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the  
Act)**

**File:** CSM 2294910      **Officer:** Hieu Van Luu      **Date:** 12 May 2020

**Premises:** 161 Elizabeth Street, SYDNEY NSW 2000

---

**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises in response to public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on with respect to matters of fire safety.

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises dated 22 April 2020 with respect to matters of fire safety.

The premises consists multi-story hotel accommodation known as ‘Sheraton at the Park’ with 24 levels and 2 levels of basement carpark. The approved uses being a hotel above ground floor and commercial retails on the ground floor.

The building has street frontages to Castlereagh Street to the west and Elizabeth Street to the east. The building is located opposite Hyde Park.

An inspection of the premises undertaken by a Council investigation officer in the presence of the Maintenance Manager revealed that the fire safety issues identified by FRNSW had been complied with and there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Observation of the external features of the building did not identify metal composite cladding.

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**Chronology:**

<b>Date</b>	<b>Event</b>
22/04/2020	FRNSW correspondence received regarding premises 161 Elizabeth Street, Sydney.
08/05/2020	An inspection of the subject premises was undertaken by a Council officer in the presence of the Maintenance Manager revealed that the fire safety issues identified by FRNSW had been complied with.

**FIRE AND RESCUE NSW REPORT:**

References: [BFS20/1070 (11112), D20/28696; 2020/179310]

Fire and Rescue NSW conducted an inspection of the subject premises on 3 April 2020 in response to the public health order issued by the Minister for Health and Medical Research.

Issues

The report from FRNSW detailed a number of issues, in particular noting:-

1. The maintenance issues associate with the smoke detection and alarm system;

2. Missing block plan, boost pressure and test pressure signages for the fire hydrant and sprinkler systems.

### FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification and advised that it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required.

### **COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS**

<del>Issue- Order(NOI)</del>	<del>Issue- emergency- Order</del>	<del>Issue a- compliance letter- of instruction</del>	Cited Matters rectified	<del>Continue to undertake- compliance action in- response to issued- Council correspondence</del>	<del>Continue with- compliance actions- under the current- Council Order</del>	<del>Other (to- specify)</del>

Inspections undertaken by a Council investigation officer in company with the Maintenance Manager of the premises revealed that the fire safety issues identified by FRNSW had been complied with.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

#### **Referenced documents:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2020/179310-01

**Trim Reference:** 2020/179310

**CSM reference No#:** 2294910



File Ref. No: BFS20/1070 (11112)  
TRIM Ref. No: D20/28696  
Contact: [REDACTED]

21 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'SHERATON GRAND MIRAGE'  
161 ELIZABETH STREET, SYDNEY (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of ‘the premises’ was conducted by Authorised Fire Officers of Fire & Rescue NSW (FRNSW) on 3 April 2020, pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

## COMMENTS

The following items were identified during the inspection:

1. Essential Fire Safety Measures

1A. Smoke Detection and Alarm System

- A. The Fire Indicator Panel (FIP) was displaying 16 isolations at the time of the inspection.

The Director of Engineering of 'the premises' advised FRNSW, at the time of the inspection, that the isolations related to lift upgrade works being carried out in the basement carparking level B4 and that the isolations would be removed on the day following the completion of the days works.

FRNSW received email correspondence, on the evening of 3 April 2020, from the Director of Engineering providing evidence that the FIP was clear of all isolations.

1B. Fire Hydrant and Sprinkler Booster Assemblies

A. Signage

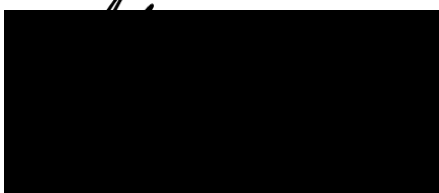
- i. A block plan of the fire hydrant system and the sprinkler system was not provided at the booster assemblies.
- ii. Boost pressure and test pressure signage was not provided in a prominent position adjacent to the fire brigade booster assemblies.

The Director of Engineering was advised at the time of the inspection of the signage required, as described in items 1B.A.i. & ii. above, and assured FRNSW that the signage would be provided.

Notwithstanding the comments provided, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1070 (11112) for any future correspondence in relation to this matter.

Yours faithfully

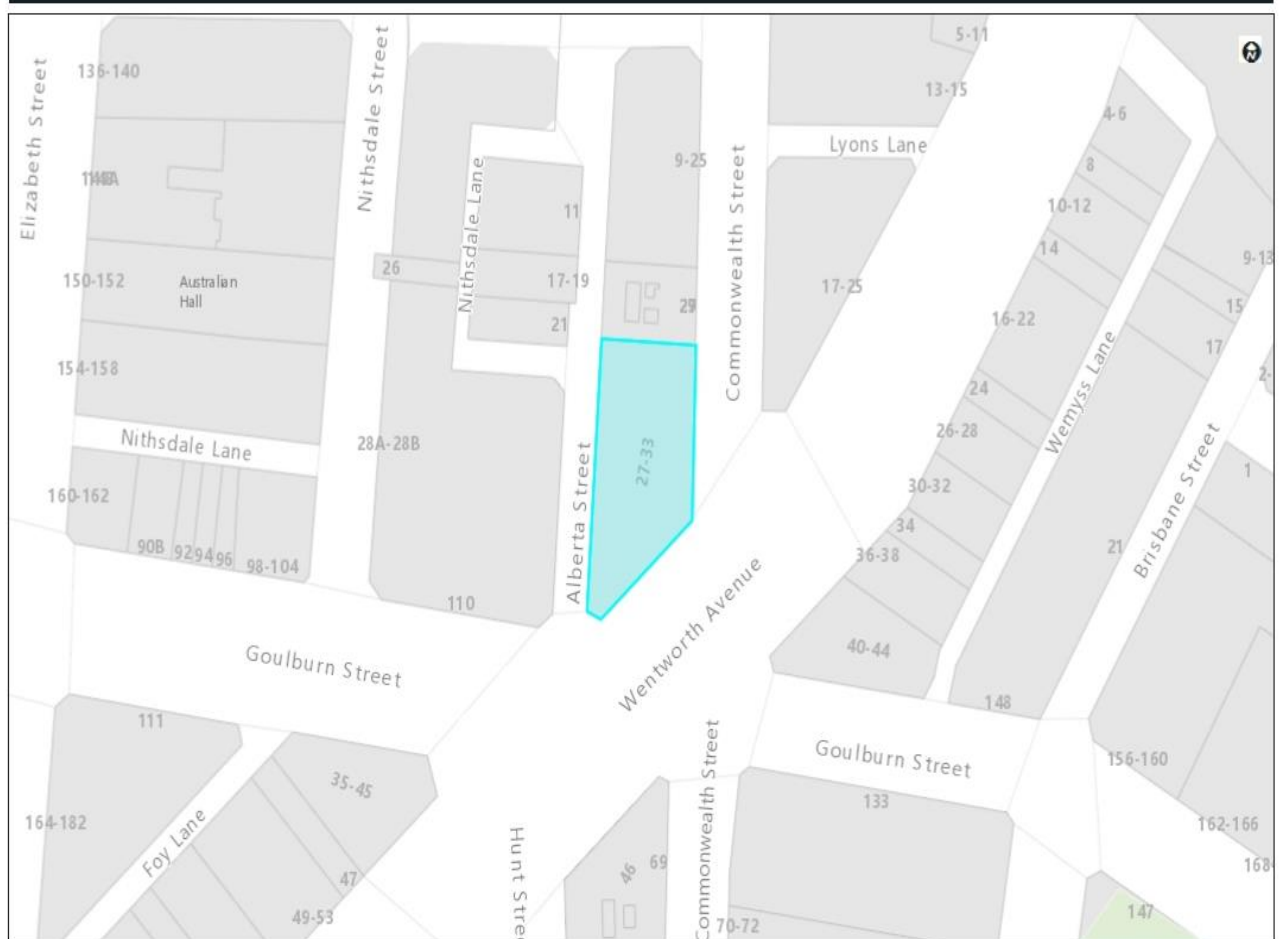


Fire Safety Compliance Unit



# **Attachment Q**

<p><b>Council Officer Inspection Report - 27-30 Wentworth Avenue Sydney</b></p>
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DelM-May-20  
AA 1:1,000

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**Council Investigation Officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5 of the Environmental Planning and Assessment Act 1979 (the  
Act)**

**File:**CSM 2299254

**Officer:** Ashley Host

**Date:** 14 May 2020

**Premises:** 27-33 Wentworth Avenue, Sydney (Travelodge Hotel Sydney)

---

**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the premises in relation to the public health orders issued by the Minister for Health and Medical Research.

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 27 April 2020 in relation to the subject premises with respect to matters of fire safety.

The premises consist of a 16 storey commercial hotel exceeding more than 25 metres in height.

Council investigations have revealed that the premises are deficient in fire safety provisions due to lack of suitable fire resisting construction to prevent the spread of fire as the building's fire dampers are not installed as required by relevant Standards.

The building lacks current and compliant annual fire safety certification contrary to the requirements of the Environmental Planning and Assessment Regulation 2000.

Council investigations have revealed that the premises are deficient in the provisions for fire safety and that a fire safety order to be issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 is required to be issued so as to ensure and promote adequate facilities for fire safety.

---

**Chronology:**

Date	Event
28/04/2020	FRNSW correspondence received regarding premises 27-33 Wentworth Avenue, Sydney
07/05/2020	An inspection of the subject premises was undertaken by Council investigation officer Ashley Host in attendance with Hotel Manager.

---

**FIRE AND RESCUE NSW REPORT:**

References: BFS20/1099 (11168), D20/30078, 2020/182606

Fire and Rescue NSW conducted an inspection of the premises in relation to the public health orders issued by the Minister for Health and Medical Research.

Issues

The report from FRNSW details the following no issue with regards to the building located at 27-33 Wentworth Avenue, Sydney:

‘There were no items of concern identified at the time of the inspection’

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue Order(NOI)	<del>Issue-emergency-Order</del>	<del>Issue-a-compliance letter-of instruction</del>	<del>Cited-Matters-rectified</del>	<del>Continue to undertake-compliance action in-response to issued-Council correspondence</del>	<del>Continue with-compliance actions-under the current-Council Order</del>	<del>Other (to-specify)</del>
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As a result of a site inspection undertaken by Council investigation officers it is recommended that Council exercise its powers to give a notice of intention (NOI) for a fire safety order to be issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 to address the fire safety deficiencies identified by FRNSW and Council's building officer.

The issue of a fire safety order will ensure that suitable fire safety systems are in position throughout the building to provide improved and adequate provisions for fire safety

That the Commissioner of FRNSW be advised of Council's actions and determination.

**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/208631-01
A2.	Locality Plan	2020/208631-02
A3	Attachment cover sheet	

**Trim Reference:** 2020/208631

**CSM reference No#:** 2299254



File Ref. No: BFS20/1099 (11168)  
TRIM Ref. No: D20/30078  
Contact: [REDACTED]

27 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'TRAVELODGE HOTEL SYDNEY'  
27 WENTWORTH AVENUE, SYDNEY (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of ‘the premises’ was conducted by Authorised Fire Officers of Fire & Rescue NSW (FRNSW) on 10 April 2020, pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

## COMMENTS

There were no items of concern identified at the time of the inspection.

Fire and Rescue NSW ABN 12 593 473 110 [www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

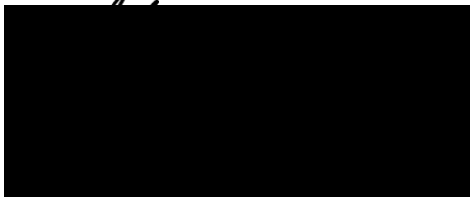
1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

This matter is referred to Council as the appropriate regulatory authority.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1099 (11168) for any future correspondence in relation to this matter.

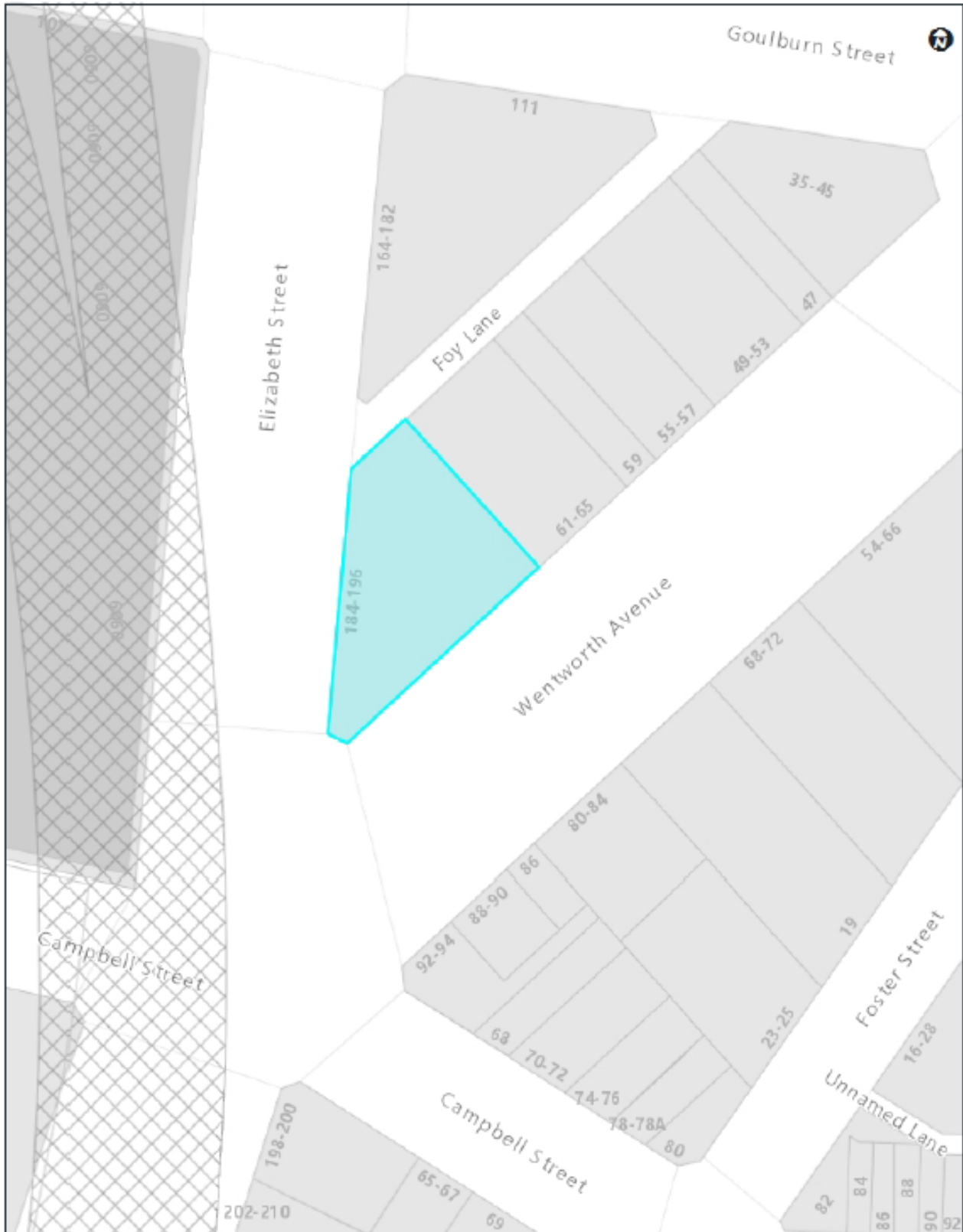
Yours faithfully

A large black rectangular redaction box covering the signature of the sender.

Fire Safety Compliance Unit

# Attachment R

**Council Officer Inspection Report -  
75 Wentworth Avenue, Sydney**



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**Council investigation officer Inspection and Recommendation Report**  
**Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act**  
**1979 (the Act)**

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**File:** CSM 2020/194594      **Officer:** Jae Lee      **Date:** 15 May 2020

**Premises:** 184-196 Elizabeth Street Sydney (AKA 75 Wentworth Ave) – Veriu Central

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**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises in response to public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on with respect to matters of fire safety.

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 28 April 2020 in relation to the subject premises on with respect to matters of fire safety.

The building consists of five (5) storeys with the approved uses being a class 3 hotel, class 6 retail on ground floor level and 7a carpark in the basement level.

The site is a corner lot, and has a primary street frontage to Wentworth Avenue to the East, and a secondary street frontage to Elizabeth Street to the West.

An inspection of the premises undertaken by a Council investigation officer in the presence of the the Development Manager revealed that there were no significant fire safety issues occurring within the building. The maintenance issues noted by Fire Rescue NSW were rectified.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Observation of the external features of the building did not identify the existence of any potential combustible composite cladding on the façade of the building.

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**Chronology:**

Date	Event
28/04/2020	FRNSW correspondence received regarding premises 75 Wentworth Avenue, Sydney
30/04/2020	An inspection of the premises undertaken by a Council investigation officer in the presence of the Development Manager revealed that all of the issues relating to the Evacuation Control System noted by Fire Rescue NSW have been rectified.

---

**FIRE AND RESCUE NSW REPORT:**

References: [BFS20/1090 (11145); D 20/27428; our Trim reference 2020/194594]

Fire and Rescue NSW conducted an inspection of the subject premises on the 8 April 2020 in relation to the adequacy of the provision for fire safety in connection with the premises.

Issues

The report from FRNSW detailed a number of issues, in particular noting:-

1. Inadequate maintenance of the fire hydrant block plan
2. Storage of construction materials in the fire isolated stairwells and corridors

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification and advised that it is at Council's discretion to inspect and address any other deficiencies identified on the premises.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue- Order(NOI)	Issue- emergency- Order	Issue a- compliance letter- of instruction	Cited Matters rectified	Continue to undertake- compliance action in- response to issued- Council correspondence	Continue with- compliance actions- under the current- Council Order	Other (to- specify)

Inspections undertaken by a Council investigation officer in company with the Development Manager revealed that the above recommendations of FRNSW have been complied with.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/194594-01

**Trim Reference:** 2020/194594

**CSM reference No#:** 2299775



File Ref. No: BFS20/1090 (11145)  
TRIM Ref. No: D20/27428  
Contact: [REDACTED]

28 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'VERIU CENTRAL'  
75 WENTWORTH AVENUE, SYDNEY (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of ‘the premises’ on 8 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

Please be advised that details of this inspection have been provided in accordance with Section 9.32(4) of the EP&A Act. Therefore, on behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Schedule 5, Part 8, Section 17(1)(a) of the EP&A Act.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

## COMMENTS

The following items were identified during the inspection:

1. Essential Fire Safety Measures

1A. Fire Hydrant System:

- A. An attack hydrant located on the ground floor at the southern stairwell had been removed and no longer reflected the fire hydrant block plan installed at the fire hydrant booster assembly, contrary to the requirements of Clause 7.11 of Australian Standard (AS) 2419.1-2005.

2. Egress

2A. Access and Egress:

- A. The fire-isolated stairwells and corridors were being used to store stock and construction material, contrary to the requirements of Clause 184 and 186 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg).

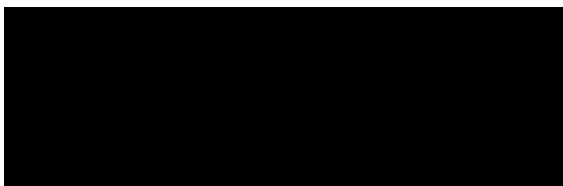
## RE-INSPECTION

FRNSW reinspected the premises on 14 April 2020 and found items 1A and 2A had been rectified.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority to conduct its own inspection and address any other deficiencies identified on 'the premises'.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1090 (11145) for any future correspondence in relation to this matter.

Yours faithfully



Fire Safety Compliance Unit

# **Attachment S**

**Council Officer Inspection Report -  
16 O’Riordan Street, Alexandria**



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**Council investigation officer Inspection and Recommendation Report**  
**Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act**  
**1979 (the Act)**

**File:** CSM 2298110

**Officer:** Luke Jeffree

**Date:** 14 May 2020

**Premises:** 16 O’Riordan Street, Alexandria

---

**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises in response to the public health orders issued by the Minister for Health & Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 10 February 2020 in relation to the subject premises with respect to matters of fire safety.

The premises consists of an eight storey building known as Value Suites used for hotel accommodation. The site fronts O’Riordan Street, Alexandria, it is slightly irregular in shape and has a total land area of 689.1 m<sup>2</sup> with no secondary street frontages.

FRNSW did observe Aluminium Composite Panel Cladding as part of the building’s external façade). FRNSW suggested that Council, as the appropriate regulatory authority, inspect the premises, review its records and consider the most appropriate action.

Council’s Cladding Team has commenced an investigation and preliminary results have established that the cladding appears to be a building code compliant material which has been the subject of an assessment by an independent industry expert. The expert concluded that the existing external wall cladding is deemed non-combustible and does not pose a risk to both the safety of persons or to the spread of fire. City officers are continuing with the investigation seeking further supportive documentation prior to making a formal determination as to its suitability.

An inspection of the premises undertaken by a Council investigation officer in the presence of the owner and his builder revealed that there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Council fire safety investigation has revealed that the premises have suitable and compliant provisions for fire safety and egress.

---

**Chronology:**

<b>Date</b>	<b>Event</b>
27/04/2020	FRNSW correspondence received regarding premises at Value Suites, 16 O’Riordan Street, Alexandria.
07/05/2020	An inspection of the common areas was undertaken by a Council officer with the owner. The inspection revealed that the most current Annual Fire Safety Statement was on display and located prominently within the building. Council’s officer observed that all of the items of concern regarding the building’s fire hydrant system as stated within FRNSW’s report had been satisfactorily rectified.

---

**FIRE AND RESCUE NSW REPORT:**

References: [D20/29235; 2020/178457]

Fire and Rescue NSW conducted an inspection of the subject premises in response to the public health orders issued by the Minister for Health & Medical Research.

Issues

The report from FRNSW detailed a number of issues, in particular noting:

1. Lack of required pressure gauge to existing fire hydrant booster assembly;
2. Incorrect lock type provided to cabinet door of fire hydrant booster assembly;
3. Lack of required hold open device to cabinet door of fire hydrant booster enclosure;
4. Door to fire hydrant pump room not secured to prevent entry of unauthorised persons;
5. A number of service penetrations within fire hydrant pump room inadequately fire sealed; and
6. Aluminium Composite Panel Cladding observed to external façade and referred to Council for investigation.

FRNSW Recommendations

FRNSW have recommended that Council inspect the subject premises and take action to have the listed fire safety issues appropriately addressed.

FRNSW have also requested that as soon as practical after the above report has been tabled and considered that notice of any determination in respect of the recommendations is forwarded to them in accordance with clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

---

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

<del>Issue- Order(NOI)</del>	<del>Issue- emergency- Order</del>	<del>Issue a- compliance letter- of instruction</del>	<del>Cited Matters rectified</del>	<del>Continue to undertake- compliance action in- response to issued- Council correspondence</del>	<del>Continue with- compliance actions- under the current- Council Order</del>	<del>Other (to- specify)</del>
----------------------------------	--	---	--	--	--	------------------------------------

Inspections undertaken by a Council investigation officer in company with the owner of the premises revealed that the recommendations of FRNSW have been complied with.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

**Referenced documents:**

<b>No#</b>	<b>Document type</b>	<b>Trim reference</b>
A1.	Fire and Rescue NSW report	2020/200178-01

**Trim Reference:** 2020/200178

**CSM reference No#:** 2298110







File Ref. No: BFS20/1078 (11122)  
TRIM Ref. No: D20/29235  
Contact: Mark Knowles

23 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'VALUE SUITES'  
16 O'RIORDAN STREET, ALEXANDRIA ("the premises")**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of 'the premises' on 8 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

Fire and Rescue NSW	ABN 12 593 473 110	<a href="http://www.fire.nsw.gov.au">www.fire.nsw.gov.au</a>
Community Safety Directorate Fire Safety Compliance Unit	1 Amarina Ave Greenacre NSW 2190	T (02) 9742 7434 F (02) 9742 7483

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Page 1 of 4

## COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act. In this regard, it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified as concerns at the time of the inspection:

### 1. Essential Fire Safety Measures

#### 1A. Fire Hydrant System – The following comments are provided having regard to AS 2419.1:2005:

##### a) The booster assembly:

- i. An engraved warning sign is provided at the booster assembly indicating the booster is connected 'in series' with the fixed on-site fire pump, however, a 150mm diameter liquid filled pressure gauge which indicates the pressure at the pump discharge pipe/manifold, has not been provided, contrary to the requirements of Clause 7.6 of AS2419.1:2005.
- ii. The hydrant booster assembly enclosure did not contain a lock compatible with FRNSW access key (003 key), contrary to the requirements of Clause 7.9 of AS2419.1:2005.
- iii. The doors to the booster enclosure were not fitted with a device capable of securing the door in not less than a 90° open position, contrary to the requirements of Clause 7.9.2 of AS 2419.1:2005.

##### b) The hydrant pumphoom:

- i. The pumphoom, which is accessed directly from the fire-isolated passageway, is not secured to prevent the entry of unauthorised persons, contrary to the requirements of Clause 6.4.1(a) of AS2419.1:2005. In this regard, the door leading to the pumphoom did not contain any locking/latching mechanism.
- ii. Multiple service penetrations through the fire rated walls in the pumphoom, did not appear to be adequately fire stopped in accordance with Clause C3.15 and Specification C3.15 of the National Construction Code Volume One Building Code of Australia (NCC).

2. Generally

2A. Aluminium Composite Panel Cladding - A visual inspection of the external façade has revealed that a combustible material may be:

- incorporated or forming part of the external wall; or
- used as a finish, lining or attachment to a building element required to have a required fire-resistance level (FRL).

The material is located on the façade of the building and is near or directly above required exits.

External walls for a building of Type A fire-resisting construction must be non-combustible, in accordance with Specification C1.1 of the NCC.

If the building material is combustible and used as a finish, lining or attachment to a building element which has the required FRL, there is a risk that it may:

- impair the FRL of the wall to which it is attached;
- compromise the safe evacuation of occupants from the building; and
- lead to the spread of fire by way of the building facade.

In this regard, the following may require council's discretion as the appropriate regulatory authority to inspect 'the premises', review its records and consider the most appropriate action by confirming:

- i. Whether the building has been approved as Type A fire-resisting construction in accordance with Clause C1.1 of the NCC.
- ii. Whether the building material is considered combustible and requires further enforcement action as an "external wall" or an "attachment", as defined by the NCC.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

**RECOMMENDATIONS**

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 2 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Unclassified

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1078 (11122) for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles  
Senior Building Surveyor  
Fire Safety Compliance Unit

Unclassified

- A conceptual overview of the part of the building referred to in the fire safety concern only, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2019 Building Code of Australia – Volume One (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

The following items were identified as concerns during the inspection:

### 1. Essential Fire Safety Measures

- 1A. Exit Doors – The southernmost doorset, proving egress to Pirrama Road, failed to fully open without applying significant force. The northernmost doorset had a broken self-closing device. The duty manager for the premises was informed of the issue and agreed to have the issues rectified.

A follow-up inspection was carried out to confirm that the abovementioned issues had been rectified, and that the exit doors operated as required.

- 1B. Maintenance - At the follow-up inspection it was noted that the door closing sequencer to one of the sets of double fire safety doors (the northernmost doorset) was not maintained and the doors failed to return to the fully closed position after opening, contrary to the requirements of Clause C3.4 of the NCC.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS


FRNSW recommends that Council:

Inspect and address any other deficiencies identified on 'the premises' and require item no. 1B of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS19/2875 (8689) for any future correspondence in relation to this matter.

Yours faithfully

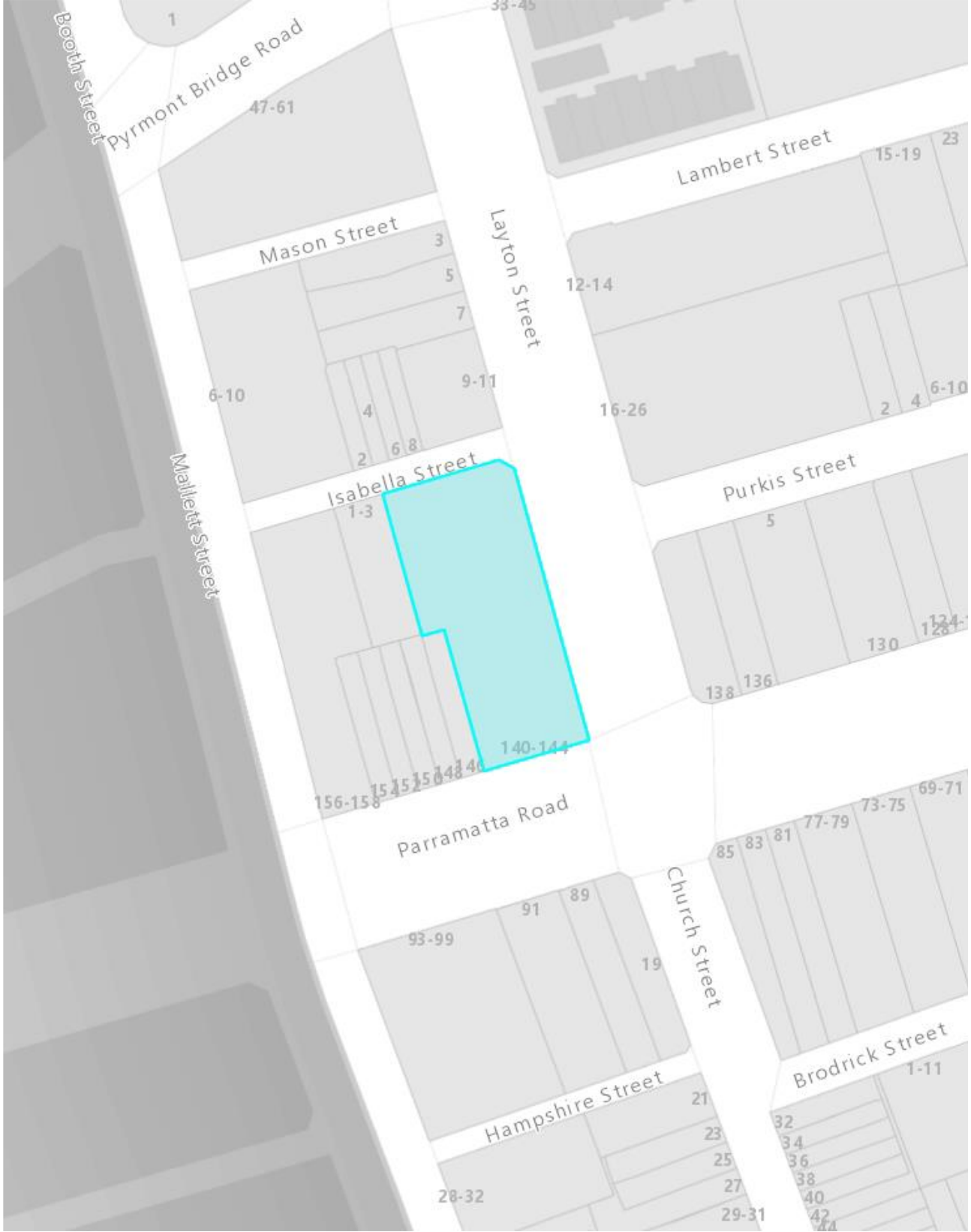
A black rectangular redaction box covering the signature of the Senior Building Surveyor.

Senior Building Surveyor  
Fire Safety Compliance Unit

# **Attachment T**

**Council Officer Inspection Report -  
140-144 Parramatta Road Camperdown (also  
known as 13 Layton Street, Camperdown).**





13 Layton Street, Camperdown [140-144 Parramatta Road, Camperdown]



**Council investigation officer Inspection and Recommendation Report**  
**Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act**  
**1979 (the Act)**

**File:** CSM 2299311

**Officer:** Tracey McCann

**Date:** 14 May 2020

**Premises:** 140-144 Parramatta Road Camperdown, also known as 13 Layton Street, Camperdown [Atlas Serviced Apartments]

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**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises in response to the public health Orders issued by the Minister for Health & Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 23 April 2020 in relation to the subject premises with respect to matters of fire safety.

The premises consist of a four storey building known as Atlas Serviced Apartments used for serviced apartment accommodation. The site is situated on the corners of Parramatta Road, Layton Street & Isabella Street in Camperdown.

Observation of the external features of the building did not identify any potential combustible composite cladding on the façade of the building.

An inspection of the premises undertaken by a Council Investigation Officer in the presence of the duty manager revealed that the premises are deficient in fire safety and egress provisions in the following areas:

- I. Inadequate fire detection and alarm systems;
- II. Suitable fire resisting construction to prevent the spread of fire;
- III. Safe and dignified emergency egress for occupants to safely evacuate the building in the event of a fire; and
- IV. Poor fire safety management systems (signs/notices/not displayed etc.).

Council investigations have revealed that the premises are deficient in the provisions for fire safety and that a fire safety order to be issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 is required to be issued so as to ensure and promote adequate facilities for fire safety/fire safety awareness.

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**Chronology:**

Date	Event
23/04/2020	FRNSW correspondence received regarding premises at Atlas Serviced Apartments, 140-144 Parramatta Road Camperdown (also known as 13 Layton Street, Camperdown).
13/05/2020	Commencement of desktop review of Councils records for the premises.
18/05/2020	An inspection of the subject premises was undertaken by a Council Officer in the presence of the duty Manager. The inspection was limited to the common areas of the premises namely the ground floor and basement levels due to the COVID-19 restrictions. The limited inspection did, however, identify a number of fire safety matters which are consistent with the information and findings provided by FRNSW and these will need to be addressed by way of a Fire Safety Order.

**FIRE AND RESCUE NSW REPORT:**

References: [BFS20/1075 (11119), D20/29141]

Fire and Rescue NSW conducted an inspection of the subject premises in response to the public

health Orders issued by the Minister for Health & Medical Research.

Issues

The report from FRNSW detailed a number of issues, in particular noting:

1. The hydrant booster assembly lacked boost and test pressure signage, additionally the pressure gauge lacked a glass window, was deteriorated and as a result could not be read;
2. The internal hydrant pump room does not have compliant access in accordance with the requirements of Clause 6.4.2(a) of AS 2419.1-2005;
3. Incorrect lock type provided to door of fire hydrant pump room;
4. Several fire hydrant landing valves lacked Storz couplings which are compatible with FRNSW firefighting hose connections;
5. Items were being stored in the required fire exits;
6. The omission of an operational fail-safe device from the central exit stair secured required exit from the basement;
7. The omission of barriers/ bollards in front of the exits within the basement carparking level;
8. The omission of a fire alarm monitoring system.

FRNSW Recommendations

FRNSW have recommended that Council inspect the subject premises and take action to have the listed fire safety issues appropriately addressed.

FRNSW have also requested that as soon as practical after the above report has been tabled and considered that notice of any determination in respect of the recommendations is forwarded to them in accordance with Clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue Order(NOI)	Issue-emergency-Order	Issue-a-compliance-letter-of-instruction	Cited-Matters-rectified	Continue to undertake compliance action in response to issued Council-correspondence	Continue with compliance-actions under the current-Council Order	Other-(to-specify)

As a result of a site inspection undertaken by Council Investigation Officers it is recommended that Council exercise its powers to give a notice of intention (NOI) for a Fire Safety Order to be issued under Schedule 5 of the Environmental Planning and Assessment Act, 1979 to address the fire safety deficiencies identified by FRNSW and Council’s Investigation Officer. A Fire Safety Order was issued by Council’s Investigation Officer dated 11 June 2020.

The issue of a Fire Safety Order will ensure that suitable fire safety systems are in position throughout the building to provide improved and adequate provisions for fire safety.

That the Commissioner of FRNSW be advised of Council’s actions and determination.

Referenced documents:

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/213626-01

Trim Reference: 2020/213636

CSM reference No#: 2299311



File Ref. No: BFS20/1075 (11119)  
TRIM Ref. No: D20/29141  
Contact: [REDACTED]

22 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'ATLAS SERVICED APARTMENTS'  
13 LAYTON STREET, CAMPERDOWN ("the premises")**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of 'the premises' on 8 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act. In this regard, it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified as concerns at the time of the inspection:

### 1. Essential Fire Safety Measures

1A. Fire Hydrant System – The following comments are provided having regard to AS 2419.1.2005:

- a) The hydrant booster assembly:
  - i. Boost pressure and test pressure signage was not provided at the booster assembly, contrary to the requirements of Clause 7.10.1 of AS 2419.1-2005.
  - ii. The pressure gauge at the boost inlet connections did not have a window made from glass, contrary to the requirements of Clause 9.3(e) of AS2419.1-2005. In this regard, the pressure gauge was deteriorated and could not be read.
- b) The hydrant pumpset:
  - i. The internal pumphouse which is located in the basement carpark level is not accessed via a door opening to a road or open space, or a door opening to a fire-isolated passageway or stair which leads to a road or open space, contrary to the requirements of Clause 6.4.2(a) of AS 2419.1-2005.
  - ii. The door hardware to the hydrant pump room, was not fitted with a 003-lock compatible with FRNSW access key, therefore the room is not readily accessible to firefighters.
- c) Storz couplings, compatible with FRNSW firefighting hose connections were not provided to all fire hydrant valves throughout the premises, contrary to the requirements of Clauses 3.1 and 8.5.11.1 of AS2419.1–2005, Clauses 1.2 and 3.4 of AS2419.2–2009 and 'FRNSW Fire safety guideline, Technical information – FRNSW compatible Storz hose connections – Document no. D15/45534 – Version 09 – Issued 10 January 2019'.

## 2. Access and Egress

2A. Storage in fire exits – The passageway on the ground floor level, after exiting from the second exit in the basement level (which discharges to the Layton Street) was being used as a garbage bin storage area, which was obstructing egress to the street, contrary to the requirements of Clause 184 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

'The premises' was in the control of the NSW Ministry of Health at the time of the inspection. A Fire Officer of NSW Ministry of Health was on site at the time of the inspection and provided an assurance that the passageway would be cleared as a matter of urgency.

2B. Operation of latch – The central exit stair from the basement level was locked from the side seeking egress and required a swipe card to open the door, however the door was not fitted with a fail-safe device which automatically unlocks the door upon the activation of the detection system in the building, contrary to the requirements of Clause D2.21 of the National Construction Code Volume One Building Code of Australia (NCC).

The Fire Officer of NSW Ministry of Health was advised at the time of the inspection and assured FRNSW that the issue would be addressed as a matter of urgency.

2C. Barriers – Suitable barriers were not provided in the carpark level to prevent vehicles from blocking the exits, contrary to the requirements of Clause D1.10(a) of the NCC. In this regard, the bollards had been removed from their installed locations in front of the exit doors.

## 3. Generally

3A. System monitoring – The smoke detection system which serves a Class 3 part of the building located more than 2 storeys above ground level in accordance with Clause 4 of Specification E2.2 of the NCC, is not connected to a fire station or fire station dispatch centre in accordance with AS1670.3, contrary to the requirements of Clause 8 of Specification E2.2 of the NCC.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS

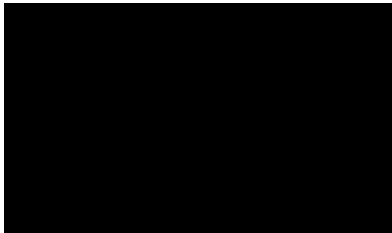
FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises' and require item no. 1 through to item no. 3 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1075 (11119) for any future correspondence in relation to this matter.

Yours faithfully

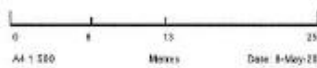


Fire Safety Compliance Unit



# Attachment U

**Council Officer Inspection Report -  
319-325 Sussex Street, Sydney**



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**Council investigation officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the Act)**

**File:** CSM 2302021

**Officer:** Hieu Van Luu

**Date:** 8 May 2020

**Premises:** 319-325 Sussex Street, SYDNEY

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**Executive Summary:**

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 30 April 2020 in relation to the subject premises on with respect to matters of fire safety. Fire and Rescue NSW conducted an inspection of the premises in relation to the public health orders issued by the Minister for Health and Medical Research.

The premises consists of sixteen-story hotel accommodation known as ‘Vibe Hotel Sydney Darling Harbour’ with ground floor hotel lobby, restaurant and bar to Sussex Street. The premises is located on the western side of Sussex Street between Bathurst and James Streets. It has a primary street frontage to Sussex Street to the east and s secondary frontage to James Lane to the west.

An inspection of the premises undertaken by a Council investigation officer in the presence of the hotel General Manager revealed that the fire safety issues identified by FRNSW had been rectified and there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Observation of the external features of the building did not identify the existence of metal composite cladding.

---

**Chronology:**

Date	Event
01/05/2020	FRNSW correspondence received regarding premises 319-325 Sussex Street, SYDNEY NSW 2000
06/05/2020	An inspection of the subject premises was undertaken by a Council officer in the presence of the General Manager of the hotel revealed that the maintenance issues associate with the smoke detection and alarm system identified by FRNSW had been rectified.

**FIRE AND RESCUE NSW REPORT:**

References: [BFS20/1086 (11137), D20/31837; 2020/201284]

Fire and Rescue NSW conducted an inspection of the subject premises on 8 April 2020 in response to the public health order issued by the Minister for Health and Medical Research.

Issues

The report from FRNSW detailed a number of issues, in particular noting:-

1. Combine Automatic Fire Sprinkler and Fire Hydrant System – The systems were operational,
2. The maintenance issues associate with the smoke detection and alarm system,
3. Access and Egress – No issues identified.

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification for Council information.

---

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS**

Issue- Order(NOI)	Issue- emergency- Order	Issue a compliance letter of instruction	Cited Matters rectified	Continue to undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)
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Inspections undertaken by a Council investigation officer in company with the General Manager of the hotel revealed that the fire safety issues identified by FRNSW had been rectified.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

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**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/201284-01

**Trim Reference:** 2020/201284

**CSM reference No#:** 2302021



File Ref. No: BFS20/1086 (11137)  
TRIM Ref. No: D20/31837  
Contact: [REDACTED]

30 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'VIBE DARLING HARBOUR'  
319-325 SUSSEX STREET SYDNEY ("the premises")**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of 'the premises' on 8 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

Please be advised that details of this inspection have been provided in accordance with Section 9.32(4) of the EP&A Act. Therefore, on behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Schedule 5, Part 8, Section 17(1)(a) of the EP&A Act.

---

Fire and Rescue NSW ABN 12 593 473 110 [www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

## COMMENTS

The following items were identified during the inspection:

1. Essential Fire Safety Measures

1A. Combine Automatic Fire Sprinkler and Fire Hydrant System:

A. The systems were operational.

1B. Smoke Detection and Alarm Systems:

A. Two faults were present on the fire indicator panel associated with Room 1309. This room was undergoing a new fit-out at the time of the inspection.

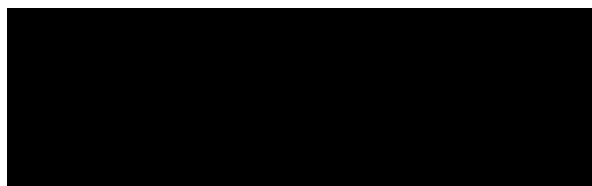
2. Egress

2A. Access and Egress:

A. No issues identified.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1086 (11137) for any future correspondence in relation to this matter.

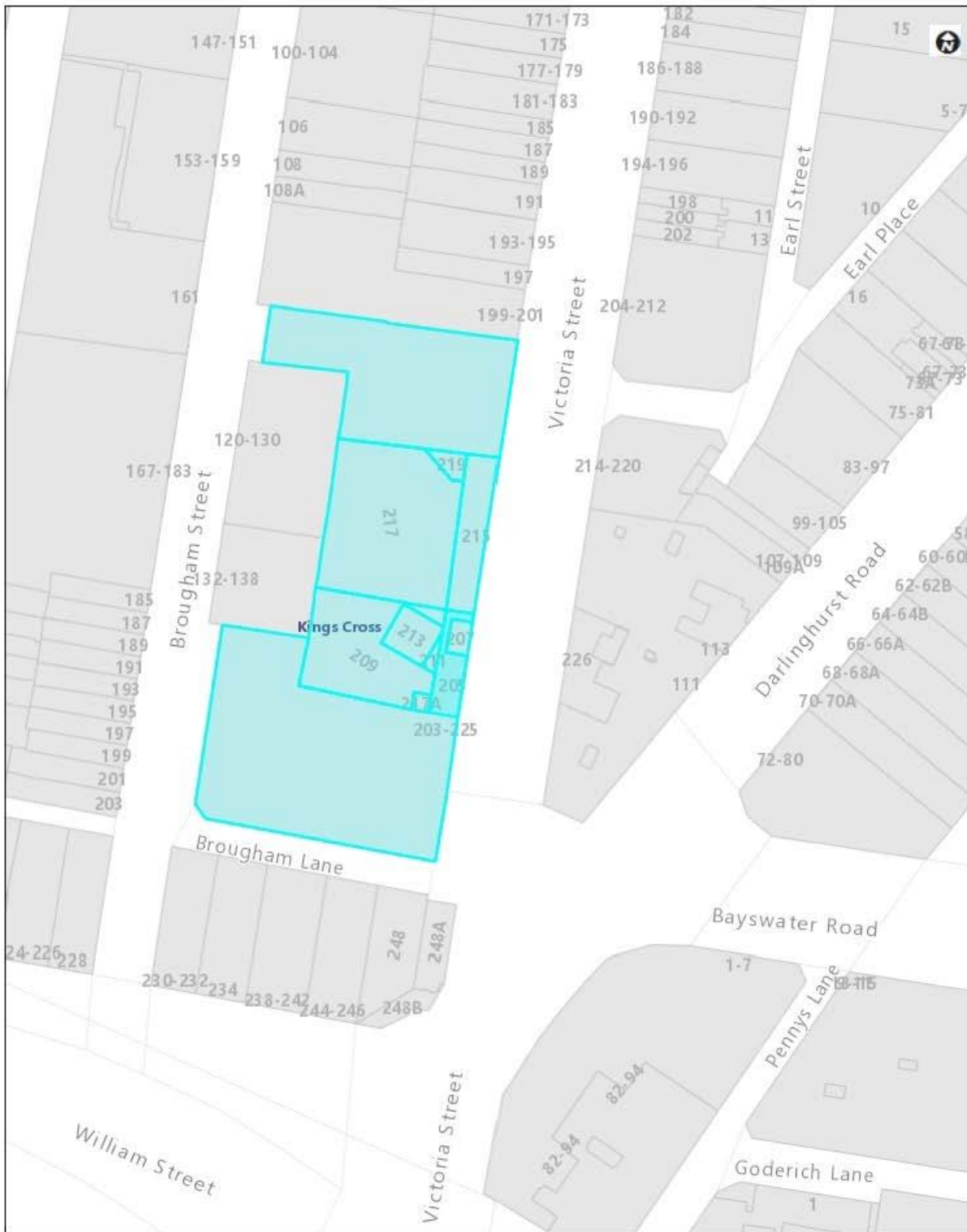
Yours faithfully



Fire Safety Compliance Unit

# **Attachment V**

**Council Officer Inspection Report -  
203-225 Victoria Street, Potts Point**



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**Council investigation officer Inspection and Recommendation Report**  
**Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act**  
**1979 (the Act)**

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**File: CSM 2304384**

**Officer: Craig Hann**

**Date: 14 May 2020**

**Premises: 203 – 225 Victoria Street Potts Point – Holiday Inn Potts Point**

---

**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises on 10 April 2020 in response to public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 5 May 2020 in relation to the subject premises on with respect to matters of fire safety.

The premises consists of an 11 level building with the approved uses being; a 2 level basement carpark, ground floor level entry foyer, restaurant / bar and conference rooms, first to eighth floors are hotel accommodation rooms.

An inspection of the premises undertaken by a Council investigation officer in the presence of the building's maintenance manager revealed that there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Council investigations have revealed that whilst there remains a minor fire safety "maintenance and management" work to attend to in order to rectify an audio fault associated with an evacuation system warning speaker, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

The maintenance manager advised the hotel is currently conducting annual inspection and testing of essential fire safety measures in preparation to submit their next annual fire safety certification. The inspection and testing had identified the audio line fault to the evacuation warning speaker. The hotel is arranging to complete repair work so compliant annual fire safety certification can be issued.

It is considered that the above fire safety works are of a degree which can be addressed by routine corrective maintenance action undertaken by the owner's fire service contractor(s) through compliance correspondence from Council and submission of compliant annual fire safety certification, as confirmed in correspondence on 14 May 2020.

Observation of the external features of the building did not identify the existence of any potential combustible composite cladding on the façade of the building.

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**Chronology:**

<b>Date</b>	<b>Event</b>
6/5/2020	FRNSW correspondence received regarding premises Holiday Inn Potts Point 203 Victoria Street Potts Point. Council knows the address as 203 – 225 Victoria Street Potts Point.
7/5/2020	The building's maintenance manager was contacted by council's investigation officer and advised of the fire safety issue raised by FRNSW. An inspection was arranged for the next week.
13/5/2020	An inspection of the subject premises was undertaken by council's investigation officer accompanied by the building's maintenance manager.

	<p>The Evacuation System Control Panel was displaying an audio line fault to an evacuation warning speaker in the common corridor to hotel rooms on level 1 of the building. This part of level 1 is currently not in use and is closed off from other areas of the hotel.</p> <p>The maintenance manager advised that annual inspection and testing of essential fire safety measures is currently being carried out in preparation to issue annual fire safety certification. The inspection and testing process had identified the audio line fault. Arrangements are being made to have the building's fire safety contractor carry out appropriate repair work. Repairs will be completed before annual fire safety certification is issued.</p> <p>Compliance correspondence from council and the owner issuing compliant annual fire safety certification are considered appropriate to ensure the required repairs are completed.</p>
--	---

**FIRE AND RESCUE NSW REPORT:**

References: [BFS20/1082, D20/33180; 2020/195571]

Fire and Rescue NSW conducted an inspection of the subject premises on 10 April 2020 in response to public health orders issued by the Minister for Health and Medical Research.

Issues The report from FRNSW detailed a comment, in particular noting:

1. The Evacuation System Control Panel was displaying a fault in an audio connection to a speaker.

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification and advised that it is at Council's discretion as the regulatory authority to determine whether further investigation is required in this instance.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue- Order(NOI)	Issue- emergency- Order	Issue compliance correspondence	Cited- Matters- rectified	Continue to undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)

As a result of site inspection undertaken by a Council investigation officer it was determined to issue the building owners representative compliance correspondence to rectify the identified fire safety deficiencies noted by Council and FRNSW.

A follow-up compliance assessment will be undertaken by a Council investigation officer to ensure the identified fire safety matter is suitably addressed and that compliance with the terms of Councils correspondence occur.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/195571

**Trim Reference:** 2020/200224

**CSM reference No#:** 2304384



File Ref. No: BFS20/1082 (11127)  
TRIM Ref. No: D20/33180  
Contact: [REDACTED]

5 May 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'HOLIDAY INN POTTS POINT'  
203 VICTORIA STREET, POTTS POINT (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of ‘the premises’ on 10 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

## COMMENTS

The following items were identified as concerns at the time of the inspection:

1. Essential Fire Safety Measures

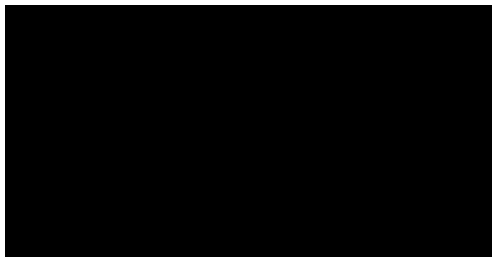
- 1A. The Evacuation System Control Panel was displaying one (1) audio line fault.

The Hotel Manager advised FRNSW at the time of the inspection that they had begun an investigation into the issue which related to a faulty speaker and the fault would be resolved as a matter of urgency.

Notwithstanding the comments provided, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1082 (11127) for any future correspondence in relation to this matter.

Yours faithfully



Fire Safety Compliance Unit

# **Attachment W**

## **Council Officer Inspection Report - 11 Hickson Road Dawes Point**



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**Council investigation officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the Act)**

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**File:** 2304451      **Officer:** Hieu Van Luu      **Date:** 12 May 2020

**Premises:** 11 Hickson Road, DAWES POINT NSW 2000

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**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises on 10 April 2020 in response to the public health order issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 5 May 2020 in relation to the subject premises on with respect to matters of fire safety.

The building is located on the eastern side of Walsh Bay. It has a primarily street frontage to Hickson Road and a frontage to the harbour along the western and northern boundaries.

The premises is a two-storey hotel accommodation known as 'Pier One". It contains hotel rooms, restaurant and function rooms.

An inspection of the premises undertaken by a Council investigation officer in the presence of the Maintenance Manager revealed that the missing block plan for the fire hydrant system identified by FRNSW was not installed, however it was being made. There were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Observation of the external features of the building did not identify the existence of metal composite cladding.

---

**Chronology:**

Date	Event
06/05/2020	FRNSW correspondence received regarding premises 11 Hickson Road, Dawes Point
12/05/2020	An inspection of the subject premises was undertaken by a Council officer in the presence of the Maintenance Manager revealed that the missing block plan for the fire hydrant system identified by FRNSW was not installed however it is being made.

**FIRE AND RESCUE NSW REPORT:**

References: [BFS20/1095 (11156), D20/33265; 2020/201377]

Fire and Rescue NSW conducted an inspection of the subject premises on 10 April 2020 in response to the public health order issued by the Minister for Health and Medical Research.

Issues

The report from FRNSW detailed a missing fire hydrant block plan from the booster assembly.

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification and advised that it would be at Council's discretion as the appropriate regulatory authority, to

determine whether further investigation is required.

---

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS**

<del>Issue Order (NOI)</del>	<del>Issue emergency Order</del>	Issue a compliance letter of instruction	<del>Cited Matters rectified</del>	<del>Continue to undertake compliance action in response to issued Council correspondence</del>	<del>Continue with compliance actions under the current Council Order</del>	<del>Other (to specify)</del>
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Inspections undertaken by a Council investigation officer in company with the Maintenance Manager of the premises revealed that the missing block plan for the fire hydrant system identified by FRNSW is being made.

It is recommended that the owners of the building continue to comply with the written fire safety compliance instructions as issued by Council officers on 12 May 2020 and rectify the identified fire safety deficiencies noted by FRNSW.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council’s actions and determination.

---

**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/201377-01

**Trim Reference:** 2020/201377

**CSM reference No#:** 2304451





File Ref. No: BFS20/1095 (11156)  
TRIM Ref. No: D20/33265  
Contact: [REDACTED]

5 May 2020

The General Manager  
City of Sydney Council  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'PIER ONE SYDNEY HARBOUR'  
11 HICKSON ROAD, WALSH BAY, SYDNEY (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of 'the premises' on 10 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

## COMMENTS

The following items were identified during the inspection:

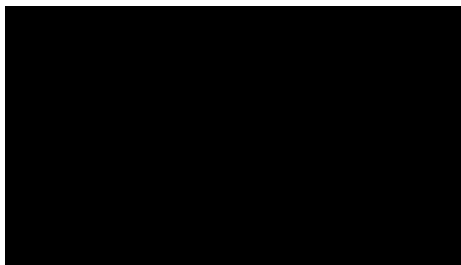
1. Essential Fire Safety Measures

- 1A. Fire Hydrant System – A block plan of the fire hydrant system had not been provided at the booster assembly, contrary to the requirements of Clause 7.11 of AS 2419.1-2005. The Hotel Manager was advised of such requirement at the time of the inspection and FRNSW were assured a block plan would be provided.

Notwithstanding the comments provided, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1095 (11156) for any future correspondence in relation to this matter.

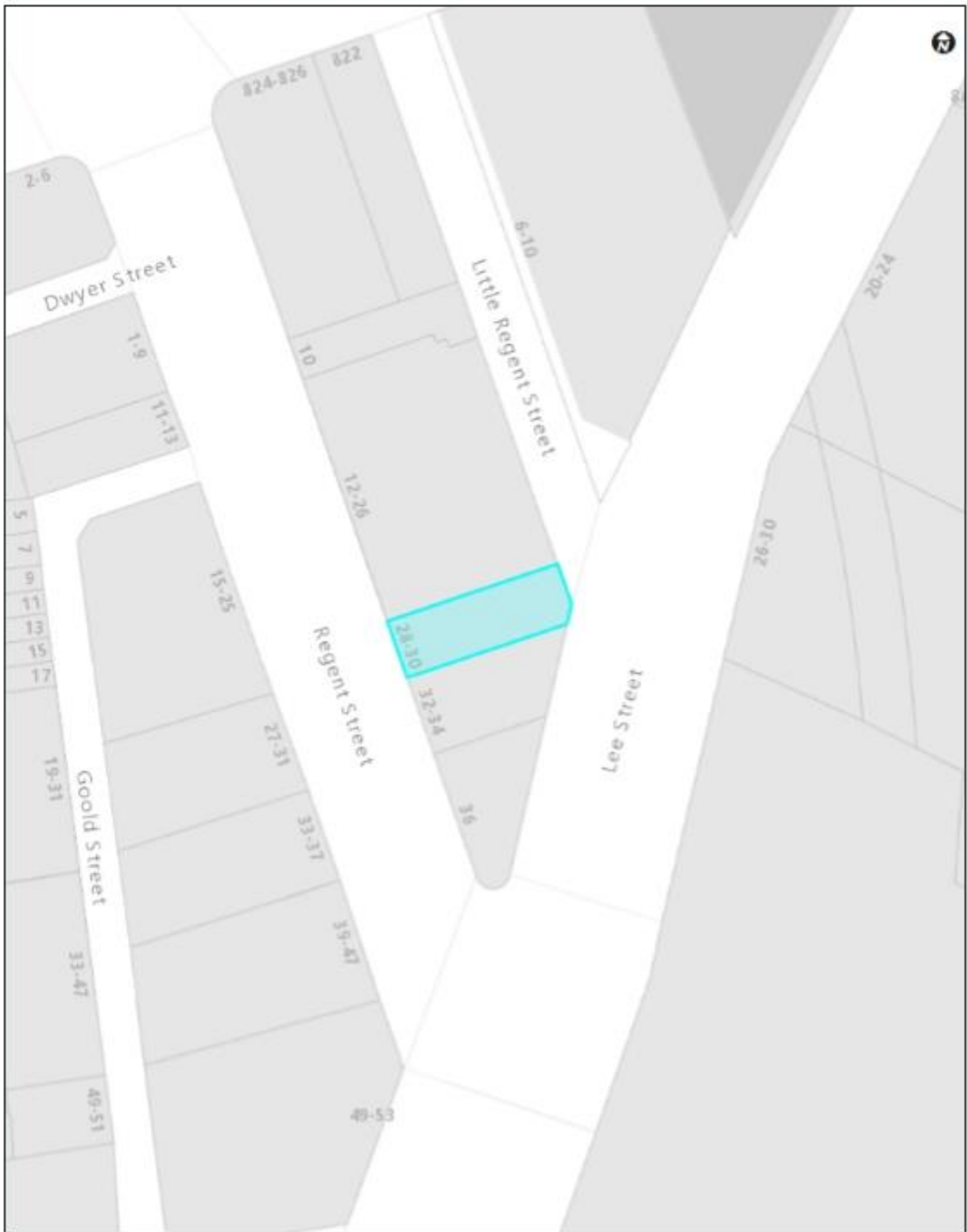
Yours faithfully



Fire Safety Compliance Unit

# **Attachment X**

**Council Officer Inspection Report -  
28-30 Regent Street Chippendale**




  
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 Meters      Date: 4-May-20

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**Council investigation officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the  
Act)**

**File: 2020/182596**

**Officer: B. Badyari**

**Date: 13 May 2020**

**Premises: 28-30 Regent Street Chippendale**

---

**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises in response to the public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 27 April 2020 in relation to the subject premises on with respect to matters of fire safety.

The premises presents as a mixed use 8 storey development comprising of residential hotel and retail, including a ground floor reception level.

The inspection of the premises was undertaken by a Council investigation officer in the presence of the Hotel manager which revealed that there were no significant fire safety issues occurring within the building.

Records indicate that the premises are equipped with numerous fire safety systems, both active and passive, that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current.

Council investigations have revealed that whilst there are several minor fire safety maintenance and management works to attend to such as signage to indicate the location of fire safety measures, correction of some fire door and exit signage, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

It is considered that the above fire safety works are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor through written instruction from Council.

Observation of the external features of the building did not identify any metal composite cladding.

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**Chronology:**

<b>Date</b>	<b>Event</b>
28/4/2020	FRNSW correspondence received regarding an inspection of the premises
05/5/2020	An inspection of the subject premises was undertaken by a Council officers, where it was noted that: <ol style="list-style-type: none"><li>1. An extensive array of sixteen (16) fire safety measures including sprinklers, drenchers, smoke detection, smoke control systems, fire alarm monitoring, emergency lifts, and emergency warning systems were observed adequately maintained;</li><li>2. Rear exit door self-closing device was disarmed, hotel manager took immediate action and confirmed that self-closing device was operational now.</li><li>3. The current annual fire safety statement was not displayed in prominent area, manager of the building advised that she will have copy displayed immediately.</li></ol>

**FIRE AND RESCUE NSW REPORT:**

**References:** [BFS20/1094, 2020/206797-03]

Fire and Rescue NSW conducted an inspection of the subject premises in response to the public health orders issued by the Minister for Health and Medical Research.

Issues

There were no items of concern identified by FRNSW.

FRNSW Recommendations

FRNSW noted subsequent advice to FRNSW of resolution of the issues, and did not make any recommendations within their report.

FRNSW have requested that the report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting in accordance with clause 17(2) of Schedule 5, part 8 of the Environmental Planning and Assessment Act 1979.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue- Order(NOI)	Issue- emergency- Order	Issue a compliance letter of instruction	Cited- Matters- rectified	Continue to undertake- compliance action in- response to issued- Council correspondence	Continue with- compliance actions- under the current- Council Order	Other (to- specify)

As a result of site inspections undertaken by Council investigation officers it is recommended that the owners of the building be issued with written instructions to rectify certain identified fire safety deficiencies noted by Council.

The above written instructions will direct the owners of the premises to carry out remedial actions to existing fire systems to cause compliance with required standards of performance.

Follow-up compliance inspections are currently being undertaken, and will continue to be undertaken by a Council officer to ensure all identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence and the recommendations of FRNSW occur.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/206797-03

**Trim Reference:** 2020/206797

**CSM reference No#:** 2299310



File Ref. No: BFS20/1074 (11118)  
TRIM Ref. No: D20/30043  
Contact: [REDACTED]

27 April 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'28 HOTEL'  
28-30 REGENT STREET, CHIPPENDALE ("the premises")**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of 'the premises' was conducted by Authorised Fire Officers of Fire & Rescue NSW (FRNSW) on 8 April 2020, pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

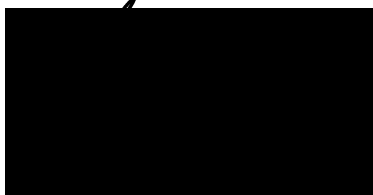
## COMMENTS

There were no items of concern identified at the time of the inspection.

This matter is referred to Council as the appropriate regulatory authority.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1074 (11118) for any future correspondence in relation to this matter.

Yours faithfully

A large black rectangular redaction box covering the signature of the Fire Safety Compliance Unit.

Fire Safety Compliance Unit



# **Attachment Y**

**Council Officer Inspection Report -  
28 Albion Street, Surry Hills**



**Council investigation officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the Act)**

**File:** 2020/189134

**Officer:** G. Scotton

**Date:** 8 May 2020

**Premises:** 28 Albion Street, Surry Hills

---

**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the subject premises in response to public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 1 May 2020 in relation to the subject premises with respect to matters of fire safety.

The premises is a high rise building known as Rydges Sydney Central, containing 11 levels, including ground floor reception level, 10 upper accommodation levels, some including various common amenities, and 3 levels of basement parking.

As a result of a Covid-19 risk assessment, the nature of the issue raised by FRNSW, and documentary evidence, an internal inspection of the building has not been carried out at this point in time.

Records indicate that the premises is equipped with numerous fire safety systems, both active and passive, that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant, and evidence has been provided that same is prominently on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Council investigations have revealed that whilst there are minor fire safety maintenance and management works to attend to relating to a block plan and stop valve, the overall fire safety systems provided within the subject premises are considered adequate in the circumstances.

It is considered that the above fire safety works are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor through written instruction from Council.

Observation of the external features of the building did not identify the existence of metal composite cladding.

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**Chronology:**

Date	Event
1/5/2020	FRNSW correspondence received regarding an inspection of the premises
8/5/2020	An review of City records was undertaken by a Council officer, when it was noted that: <ol style="list-style-type: none"><li>1. The current fire safety statement certifies maintenance of an extensive array of twenty five fire safety measures including sprinklers, drenchers, smoke detection, pressurisation systems, smoke control systems, fire control room, fire dampers, fire alarm monitoring, emergency lifts, and emergency warning systems.</li><li>2. The two issues raised by FRNSW, namely adjustment of a sprinkler block plan to show additional points on the floor, and connection of a sprinkler stop valve to the monitoring system, were raised with the hotel engineer, who advised that the matters raised by FRNSW were resolved by the fire contractor</li><li>3. The hotel engineer has been requested to provide certification of completion of the two items from the fire contractor, as documentary evidence of compliance with the standards of performance in the fire safety schedule.</li></ol>

## FIRE AND RESCUE NSW REPORT:

References: [BFS20/1088, 2020/194051-03]

Fire and Rescue NSW conducted an inspection of the subject premises in response to public health orders issued by the Minister for Health and Medical Research.

### Issues

The report from FRNSW related to two aspects of the sprinkler system:

1. The stop valve was not connected to the monitoring system, as required by an Australian Standard, and
2. The block plan in the sprinkler valve room did not accurately show the entirety of the floor covered by the sprinkler system, as required by an Australian Standard.

### FRNSW Recommendations

FRNSW noted subsequent advice to FRNSW of resolution of the issues, and did not make any recommendations within their report.

FRNSW have requested that notice of any determination in respect of the recommendations is forwarded to them in accordance with clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

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### **COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue-Order(NOI)	Issue-emergency-Order	Issue a compliance letter of instruction	Cited-Matters-rectified	Continue to undertake-compliance action in-response to issued-Council correspondence	Continue with-compliance actions-under the current-Council Order	Other (to-specify)

As a result of assessment of the issues undertaken by Council investigation officers it is recommended that the owners of the building be issued with written instructions to rectify/certify certain identified fire safety deficiencies noted by FRNSW.

The above written instructions will direct the owners of the premises to carry out/certify remedial actions to existing fire systems to cause compliance with required standards of performance.

Follow-up assessment/inspection will be undertaken by a Council officer to ensure all identified fire safety matters are suitably addressed and that compliance with the terms of Councils correspondence and the recommendations of FRNSW occur.

It is recommended that Council not exercise its powers to give a fire safety order at this time. That the Commissioner of FRNSW be advised of Council's actions and determination.

### **Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/194051-03

**Trim Reference:** 2020/194051

**CSM reference No#:** 2302055



File Ref. No: BFS20/1088 (11140)  
TRIM Ref. No: D20/31688  
Contact: [REDACTED]

1 May 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
RYDGES CENTRAL SYDNEY  
28 ALBION STREET SURRY HILLS (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, Fire & Rescue NSW (FRNSW) has conducted an inspection pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of ‘the premises’ on 8 April 2020 was conducted by Authorised Fire Officers of FRNSW.

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act. In this regard, it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified as concerns at the time of the inspection:

1. Essential Fire Safety Measures
  - 1A. Automatic Fire Sprinkler System
    - A. The main stop valve of installation No. 3 was not monitored in accordance with Clause 3.4.4 of Australian Standard (AS) 2118.1-1999.
    - B. The block plan in the sprinkler valve room had not been updated to reflect the area of coverage contrary to the requirements of Clause 8.3 of AS2118.1-1999.
      - i. FRNSW have been advised that the items above relate to a new installation at the premises and that both items have been actioned and completed

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1088 (11140) for any future correspondence in relation to this matter.

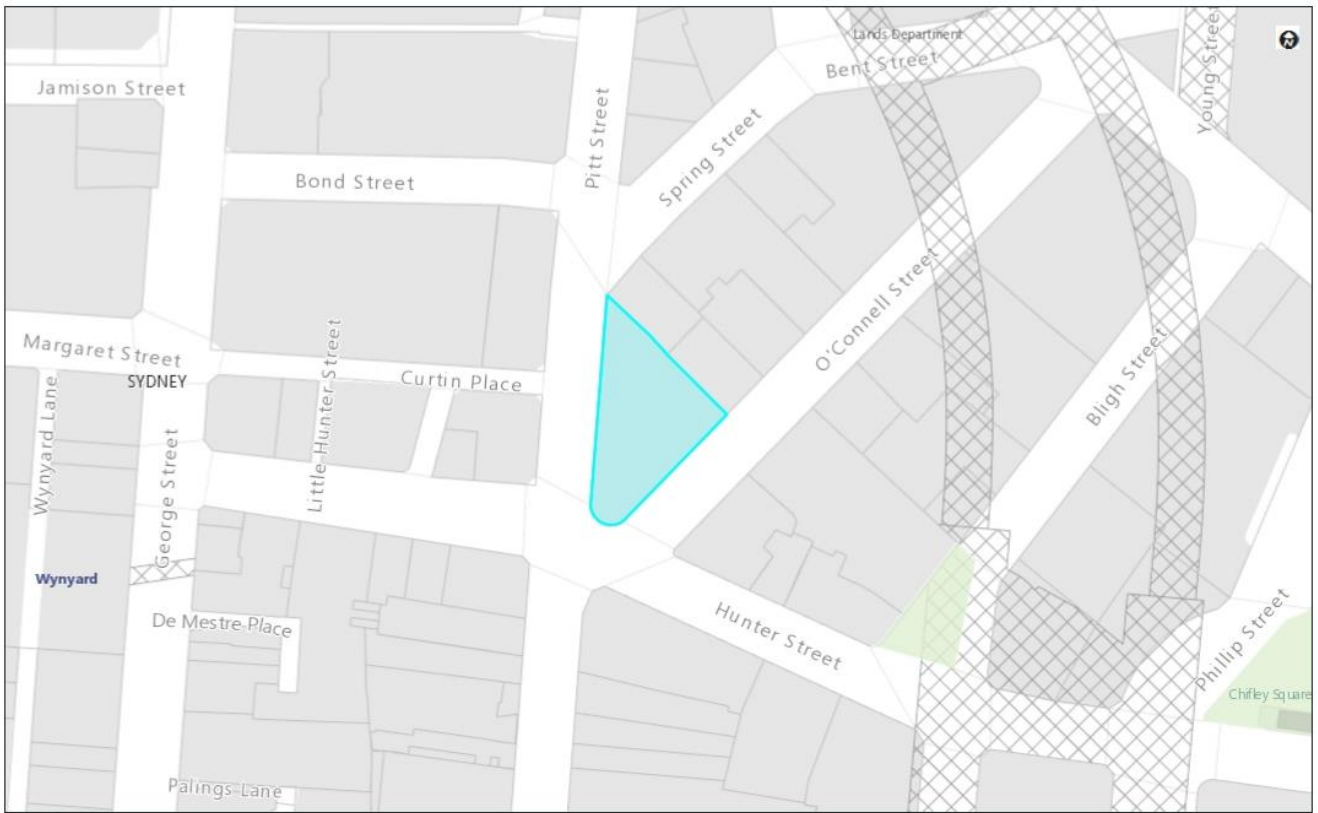
Yours faithfully

[REDACTED]

Fire Safety Compliance Unit

# **Attachment Z**

**Council Officer Inspection Report -  
64-66 Pitt Street, Sydney (27 O'Connell St,  
Sydney)**



Drawn: 08/05/2011  
A4 1:1,500

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**Council Investigation Officer Inspection and Recommendation Report  
Clause 17(2) of Schedule 5 of the Environmental Planning and Assessment Act 1979 (the Act)**

**File:**CSM 2306245

**Officer:** Ashley Host

**Date:** 15 May 2020

**Premises:** 64-66 Pitt Street, Sydney (Radisson Blu – 27 O’Connell Street)

---

**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the premises in relation to the public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 8 May 2020 in relation to the subject premises with respect to matters of fire safety.

The premises consists of a 16 storey hotel exceeding more than 25 metres in height.

An inspection of the premises undertaken by a Council investigation officer in the presence of Hotel Chief Engineer revealed that there were no significant fire safety issues occurring within the building.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Observation of the external features of the building did not identify the existence of potential combustible composite cladding on the façade of the building.

---

**Chronology:**

Date	Event
08/05/2020	FRNSW correspondence received regarding premises 64-66 Pitt Street, Sydney
13/05/2020	An inspection of the subject premises was undertaken by Council investigation officer Ashley Host in attendance with Chief Engineer.

---

**FIRE AND RESCUE NSW REPORT:**

References: BFS20/1080 (11124), D20/34018, 2020/201159

Fire and Rescue NSW conducted an inspection of the premises in relation to the public health orders issued by the Minister for Health and Medical Research.

Issues

The report from FRNSW details the following issue with regards to the building located at 64-66 Pitt Street, Sydney:

1. Essential Fire Safety Measures

- a. Automatic smoke detection and alarm system - The Fire Indicator Panel (FIP) was displaying two (2) smoke detectors in alarm & isolated, and a further nine (9) smoke detectors in faults.

The Chief Engineer advised FRNSW at the time of the inspection that they would investigate the issues as a matter of urgency.

FRNSW received email correspondence on 21 April 2020 from the Chief Engineer of the hotel advising that the fire technician had attended 'the premises' and the FIP was free of all alarms, isolations and faults and the system was fully operational. A photograph of the FIP was also provided in the email to confirm the automatic smoke detection system was clear of all alarms, isolations and faults.

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification and advised that it is at Council's discretion to inspect and address any other deficiencies identified on the premises.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

<del>Issue-Order(NOI)</del>	<del>Issue-emergency-Order</del>	<del>Issue-a-compliance-letter-of-instruction</del>	Cited matters rectified	<del>Continue to undertake compliance action in response to issued Council correspondence</del>	<del>Continue with compliance actions under the current Council Order</del>	<del>Other (to specify)</del>

Inspections undertaken by a Council investigation officer in company with the Chief Engineer of the premises revealed that the above recommendations of FRNSW have been complied with.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/210488-01
A2.	Locality Plan	2020/210488-02
A3	Attachment cover sheet	

**Trim Reference:** 2020/210488

**CSM reference No#:** 2306245



File Ref. No: BFS20/1080 (11124)  
TRIM Ref. No: D20/34018  
Contact: [REDACTED]

8 May 2020

The General Manager  
City of Sydney Council  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'RADISSON BLU'  
27 O'CONNELL STREET, SYDNEY ("the premises")**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of 'the premises' on 10 April 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

Please be advised that details of this inspection have been provided in accordance with Section 9.32(4) of the EP&A Act. Therefore, on behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Schedule 5, Part 8, Section 17(1)(a) of the EP&A Act.

The following items were identified during the inspection:

1. Essential Fire Safety Measures

- 1A. Automatic smoke detection and alarm system - The Fire Indicator Panel (FIP) was displaying two (2) smoke detectors in alarm & isolated, and a further nine (9) smoke detectors in faults.

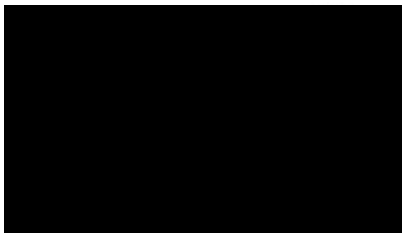
The Chief Engineer advised FRNSW at the time of the inspection that they would investigate the issues as a matter of urgency.

FRNSW received email correspondence on 21 April 2020 from the Chief Engineer of the hotel advising that the fire technician had attended 'the premises' and the FIP was free of all alarms, isolations and faults and the system was fully operational. A photograph of the FIP was also provided in the email to confirm the automatic smoke detection system was clear of all alarms, isolations and faults.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1080 (11124) for any future correspondence in relation to this matter.

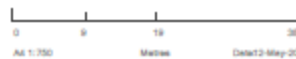
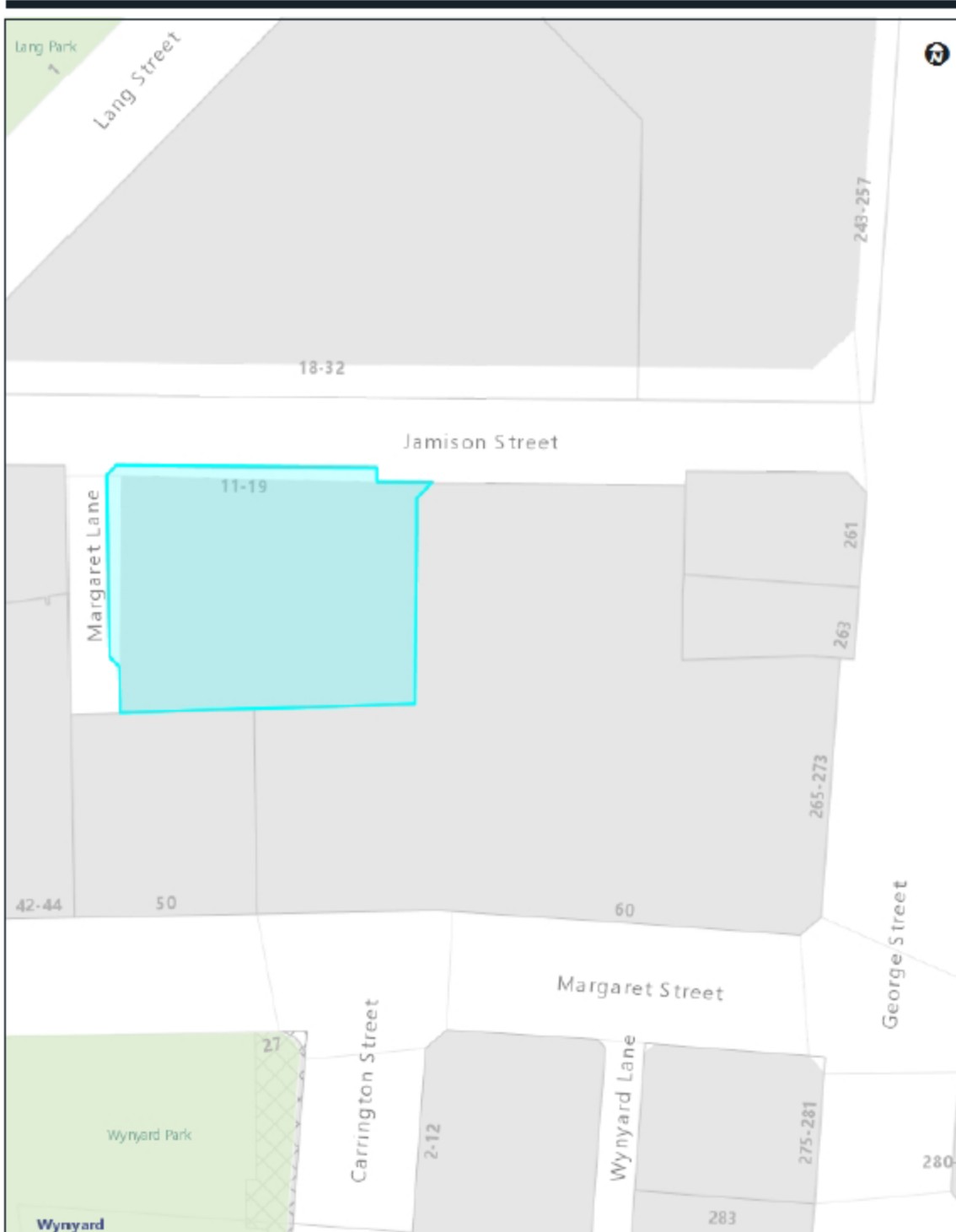
Yours faithfully



Fire Safety Compliance Unit

# Attachment AA

**Council Officer Inspection Report -  
11-19 Jamison Street, Sydney**



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**Council investigation officer Inspection and Recommendation Report**  
**Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act**  
**1979 (the Act)**

**File:** CSM 2020/205527

**Officer:** Jae Lee

**Date:** 15 May 2020

**Premises:** 11-19 Jamison Street Sydney – Amora Hotel Jamison Sydney

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**Executive Summary:**

Fire and Rescue NSW conducted an inspection of the premises in relation to the public health orders issued by the Minister for Health and Medical Research. Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) dated 8 May 2020 in relation to the subject premises on with respect to matters of fire safety.

The building consists of thirty six (36) storeys with the approved uses being a class 3 hotel and 7a carpark in the basement levels.

The site has a primary street frontage to Jamison Street and is bound by George Street to the East, Margaret Lane to the West and Margaret Street to the South.

An inspection of the premises undertaken by a Council investigation officer in the presence of the the Director of Operations revealed that there were no significant fire safety issues occurring within the building. The maintenance issues noted by Fire Rescue NSW were rectified.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

Observation of the external features of the building did not identify the existence of any potential combustible composite cladding on the façade of the building.

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**Chronology:**

Date	Event
08/05/2020	FRNSW correspondence received regarding premises 11-19 Jamison Street, Sydney
12/05/2020	An inspection of the premises undertaken by a Council investigation officer in the presence of the Director of Operations revealed that all of the issues relating to the Fire Panel and the hydrant boost/test pressure signage noted by Fire Rescue NSW have been rectified.

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**FIRE AND RESCUE NSW REPORT:**

**References:** [BFS 20/1079 (11123); D 20/33899; our Trim reference 2020/205527

Fire and Rescue NSW conducted an inspection of the subject premises in relation to the adequacy of the provision for fire safety in connection with the premises.

**Issues**

The report from FRNSW detailed a number of issues, in particular noting:-

1. Inadequate maintenance of the Fire Indicator Panel and the combined fire hydrant and sprinkler booster signage.

FRNSW Recommendations

FRNSW have made no direct recommendation within their report other than legislative notification and advised that it is at Council’s discretion to inspect and address any other deficiencies identified on the premises.

**COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:**

Issue- Order(NOI)	Issue- emergency- Order	Issue a- compliance letter- of instruction	Cited Matters rectified	Continue to undertake- compliance action in- response to issued- Council correspondence	Continue with- compliance actions- under the current- Council Order	Other (to- specify)

Inspections undertaken by a Council investigation officer in company with the Director of Operations revealed that the above recommendations of FRNSW have been complied with.

It is recommended that Council not exercise its powers to give a fire safety order at this time.

That the Commissioner of FRNSW be advised of Council’s actions and determination.

**Referenced documents:**

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2020/205527-01

**Trim Reference:** 2020/205527

**CSM reference No#:** 2306254





File Ref. No: BFS20/1079 (11123)  
TRIM Ref. No: D20/33899  
Contact: [REDACTED]

8 May 2020

General Manager  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Email: [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT – PUBLIC HEALTH QUARANTINE ORDER  
'AMORA HOTEL JAMISON SYDNEY'  
11-19 JAMISON ST, SYDNEY (“the premises”)**

In response to the public health orders issued by the Minister for Health and Medical Research, an inspection of ‘the premises’ was conducted by Authorised Fire Officers of Fire & Rescue NSW (FRNSW) on 10 April 2020, pursuant to the provisions of Section 9.16 and Section 9.32(1)(b) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

## COMMENTS

The following items were identified during the inspection:

1. Essential Fire Safety Measures

1A. Smoke Detection and Alarm System

- A. The Fire Indicator Panel (FIP) was displaying one (1) fault at the time of the inspection.

The Director of Operations of the Amora Hotel advised FRNSW that the fault related to a smoke detector in a sole occupancy unit, which was not occupied at the time of the inspection.

The Director of Engineering advised that he would contact the fire service technician to attend 'the premises' and that he would ensure the room is not occupied until issue is rectified.

1B. Combined Fire Hydrant and Sprinkler Booster Assembly


- A. Signage – Boost pressure and test pressure signage was not provided in a prominent position adjacent to the fire brigade booster assembly.

The Director of Engineering advised FRNSW that he would ensure that the signage is provided.

Notwithstanding the comments provided, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1079 (11123) for any future correspondence in relation to this matter.

Yours faithfully

A large black rectangular redaction box covering the signature of the Fire Safety Compliance Unit.

Fire Safety Compliance Unit