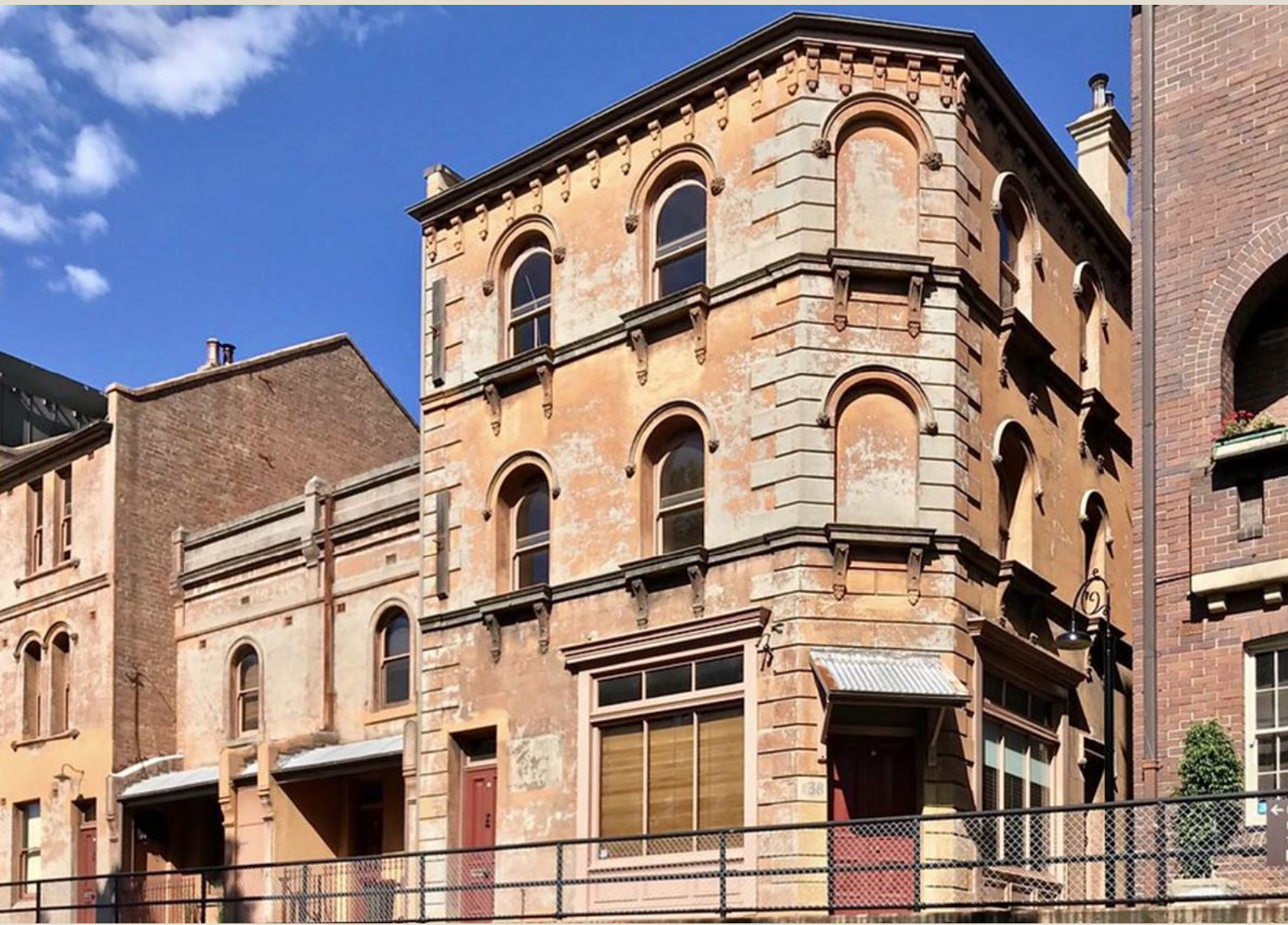


136-138 Cumberland Street, The Rocks, Conservation Management Plan

October 2024



Acknowledgement of Country

As Tallawoladah (The Rocks), Barangaroo and Tumbalong (Darling Harbour) precincts’ custodians, Placemaking NSW recognises that it stands on Aboriginal land, the area we know as Sydney.

We acknowledge Gadigal Country, her lands, sea and sky, we acknowledge her custodians, the people of Grass tree, their kin the Wangal, Bidjigal, Cabrogal and Cammeraygal who often visited this Country to connect and share.

We advise this resource may contain images, or names of deceased persons in photographs or historical content.

It should be noted that the precinct names selected and applied for this document are known as from The Sydney Language, named so for the purposes of Placemaking NSW’s Reconciliation Action Plan. We acknowledge that there are numerous Aboriginal language place names, including Gadigal, Wangal, Cammeraygal and Dharawal, connected with these precincts.

Revision and version details

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1	July 2024	Final draft	Tiffany Gardoll, Heritage Officer, Placemaking NSW Anna Simanowski, , Heritage Advisor	Nina Pollock, Senior Manager, Heritage, Placemaking NSW Dr Wayne Johnson, Senior Manager, Archaeology, Placemaking NSW Katarina Simunic, Director Leasing & Commercial, Placemaking NSW Annie Tennant, Director, Design & Place, Placemaking NSW
2	September 2024	Peer Review	Curio Projects	Kate Wine Principal Built Heritage Curio Projects
3	January 2025	Final for Adoption	Nina Pollock, Senior Manager, Heritage, Placemaking NSW	Susan Lee, Chief Operating Officer, Place Management NSW

Acknowledgments

This CMP reviews the earlier CMP prepared by Robertson Hindmarsh in 2015. The 2007 Conservation Management Plan for 136-138 Cumberland Street, to which the 2015 CMP refers, was prepared by the NSW Government Architects Office, Heritage Group. PMNSW also acknowledges the work of knowledge holder Dharawal/Gumbaynggirr woman Rowena Welsh-Jarrett who has multiple links to coastal Sydney clan groups.

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Executive Summary

136-138 Cumberland Street and its site is of State heritage significance as a rare and representative surviving example of a commercial three-storey 'shop and dwelling' building, once scattered throughout the dense nineteenth century city environs and 'high streets' of the inner Sydney suburbs.

It is of State significance as a relatively intact component of The Rocks area in general, and the Long's Lane Precinct in particular, with its intact scale of buildings and intact original layout of lanes. The relationship between No. 136-138 Cumberland Street and its neighbours in the Long's Lane Precinct is clear and still within the historic street pattern even though many of its nineteenth century neighbours did not survive either the City Improvement Board or the Government's twentieth century resumption and improvements.

It is also historically significant at a State level for its role as a rooming house for much of its existence, accommodating workers who had arrived in Sydney from abroad and from country NSW. Built in 1881-2, the building still clearly demonstrates its historic planning, particularly the shop with two shop windows and a splay corner onto Long's Lane as well as the rear service area. Within the building the original hierarchy is still clearly expressed with the ground floor commercial rooms, first floor living areas, second floor bedrooms and rear service rooms. The building retains a reasonable amount of original fabric, such as its structure, walls, and decorative joinery. The conserved decorative façade and restored internal features based on the remnant physical evidence and documented photographic and drawn records, which date from the 1978 recording and the 1997 conservation work, enhance the presentation of the building.

136-138 Cumberland Street is of State heritage significance for its contribution to the aesthetic significance of the Cumberland Street streetscape, the Long's Lane Precinct, and The Rocks. The use of the Victorian Italianate style for the building was representative of the use of that style for commercial buildings in the 1880s as an expression of solidity, reliability and permanence in the city centre and in suburban 'high streets'.

136-138 Cumberland Street is of State heritage significance for its research potential as an archaeological resource for the untapped archaeology under the building as well as the untapped archaeological resource of the Long's Lane Precinct that contains artefacts from the first quarter of the nineteenth century and early 20th century development. The building within the precinct has educational value for both specialists and the general public for its ensemble of buildings and laneways as well as the hand-hewn cellar underneath the shop.

The key recommendations of this CMP are:

- Reintroduce the terrace's historical use as a residence, or a corner shop with a residence above. If this is not possible, introduce a new use that is compatible with the heritage significance of the place.
- Maintain the streetscape presentation of the terrace, together with the neighbouring terraces at 130, 132 -134 and 140 Cumberland Street.
- Retain and conserve the important contribution of the terrace at 136-138 Cumberland Street as a critical part of the Long's Lane precinct.
- Retain, conserve, and maintain the original and reconstructed fabric, spaces and character of 136-138 Cumberland Street.

- Ensure that future occupants and managers are aware of the heritage values of the building and the need to apply for and gain approvals for all physical works to the buildings, both externally and internally.
- Seek early and appropriately qualified and experienced heritage design, building and maintenance advice on how to manage the building and its heritage values and building fabric.
- Continue a program of regular maintenance and repairs, and inspection of the building to ensure its long-term conservation.



1

Introduction

1.1 Context of the Report

The CMP for 136-138 Cumberland Street has been structured to fit within the framework of The Rocks Heritage Management Plan (adopted February 2010). It conforms to the current guidelines of the New South Wales Heritage Council and has been prepared to a standard suitable for adoption by PMNSW and endorsement by the Heritage Council of NSW.

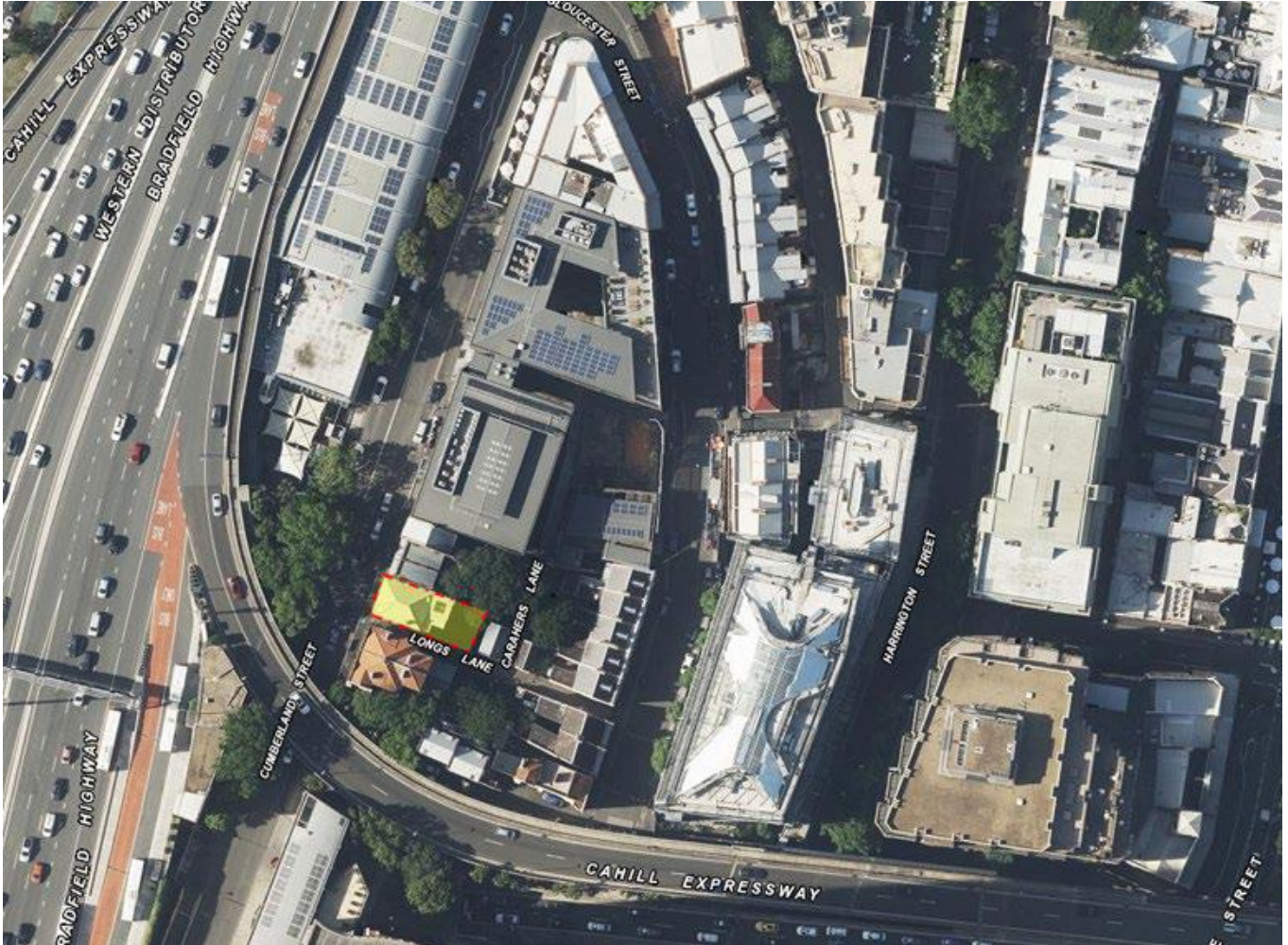


Figure 1: 136-138 Cumberland Street within the context of The Rocks. The study site is outlined in red. Source: SixMaps 2024

1.2 Objectives

The objective of this Conservation Management Plan is to provide guidelines for the conservation, re-use, interpretation, and management of 136-138 Cumberland Street to ensure that the heritage values of the place are maintained and, where appropriate, enhanced.

This CMP is a practical document to guide decisions that may affect the heritage value of the place. It is to be used to guide temporary and permanent works and development proposals. It forms the basis for future planning decisions and the assessment of heritage impacts for works and development proposals for the building, site, and its setting.

1.3 Site Ownership

136-138 Cumberland Street is owned by the Crown and vested in PMNSW. The property is currently on a 99-year leasehold until 2122. Upon expiry of this lease, the properties will revert to PMNSW.



Figure 2: Aerial photo of Long Lane Precinct outlined in red, 136-138 Cumberland Street shown in yellow. Source: SixMaps

1.4 Site Identification

The site consists of a former butcher's shop and residence at 136-138 Cumberland Street and its curtilage. The terrace contributes to the grouping of State significant buildings that make up the Longs Lane Precinct. The subject site is surrounded by Carahers Lane to the east, to the north by terrace building at 134 Cumberland Street, to the south by the building a pedestrian Laneway, Longs Lane, and to the west by Cumberland Street (See Figure 2 and Figure 3). The site is owned by the crown and vested in PMNSW. The study area is the recommended management curtilage boundary of the property that aligns with the property footprint and courtyard areas.

The site comprises Lot 12 of DP1169304 located within the County of Cumberland, Parish of St. Phillip. The site is part of the 2024 subdivision of the Longs Lane Precinct (Figure 3).

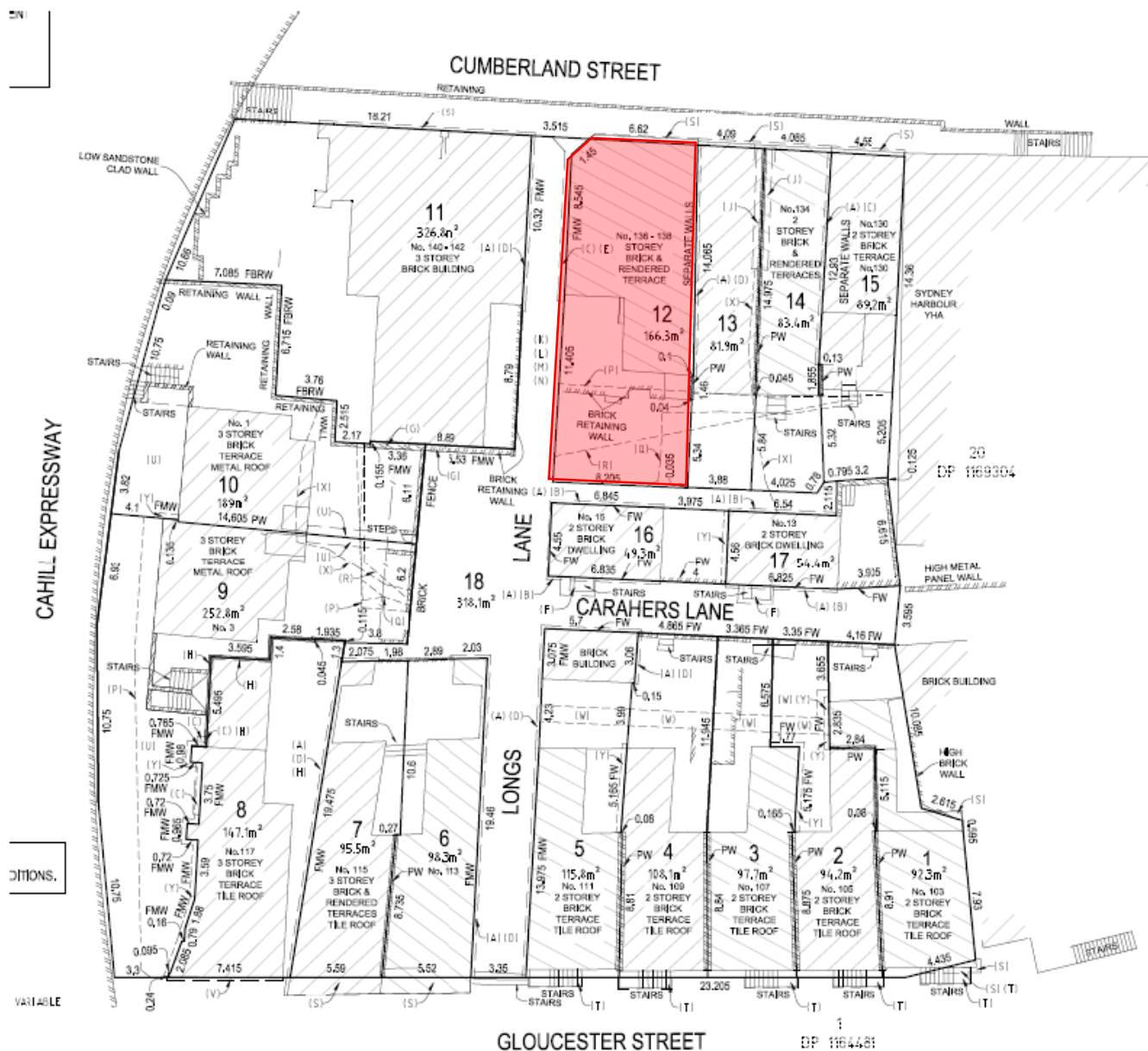


Figure 3: Cadastral Plan of the Longs Lane Precinct, showing the subdivided lot at 136-138 Cumberland Street (shown outlined in red) is Lot 12, DP1169304. Source: PMNSW

1.5 Building Description

The three-storey building was erected on the corner of Cumberland Street and Long's Lane in 1881-1882 as a butcher's shop and residence. Following the demolition of the previous buildings on the site, the property had been sold to speculative builder, John Johnson, who constructed the current building and then on-sold it upon completion (with vendor finance) to Kellas Watson. It appears that ownership of the property by the builder was a common practice to ensure payment for the works.

The immediate setting of the building is within a precinct of similarly scaled buildings. To the north of the building are two two-storey terrace houses at 132-134 Cumberland Street constructed after 136-138 Cumberland Street and, to the north of these terrace houses at 130 Cumberland Street is another three-storey building that was constructed at approximately the same time as 136-138 Cumberland Street. Whilst the row of four buildings is almost contemporary in terms of construction date, 136-138 Cumberland Street is the most elaborate of the four in terms of its architectural details.

On the adjacent site to the south of the building, across Long's Lane at 140-142 Cumberland Street, there is a post-Plague residential building constructed by the Sydney Harbour Trust as a part of the resumption and rebuilding of The Rocks and Millers Point. It is a dark face brick Edwardian building that reflects the period of its construction in terms of architectural style and detailing but respects the precinct in terms of scale.

Views of the building from the south are obscured by the Cahill Expressway overpass over Cumberland Street, the pedestrian pathway to the Sydney Harbour Bridge and the Cahill Expressway.

The tall rear of the building is visible along the length of Long's Lane and views across Circular Quay are available from the rear verandas of 136-138 Cumberland Street.

Oblique views of the building can be seen from the north along Cumberland Street and more directly from the Cahill Expressway pedestrian overpass. The 1997 conservation works on the building encountered two wells and a cesspit, the contents of which were not disturbed or investigated. These are now known archaeological resources. The underfloor areas of the ground floor rooms, with the exception of the cellar under the shop, were not disturbed during the 1997 works and remain as potential archaeological resources.



Figure 4 and Figure 5: 136-138 Cumberland Street, front and rear elevation, showing the subject property. Source: PMNSW

1.6 Heritage Listings

1.6.1 Statutory Listings

Statutory Listings for the site have been presented in the following table. These listings carry legal obligation that must be met in accordance with the proper management of the place. These obligations are further outlined in the report. While 136-138 Cumberland Street is State listed individually, the building also contributes to the State listing for the Long Lane Precinct.

REGISTER/LISTING	ITEM NAME	ITEM NO.	DATE
Heritage Act State Heritage Register	136-138 Cumberland Street	01592	10 May 2002
Placemaking NSW Heritage Act Section 170 Heritage and Conservation Register	136-138 Cumberland Street		
Placemaking NSW Heritage Act Section 170 Heritage and Conservation Register	Longs Lane Precinct		
Placemaking NSW Heritage Act Section 170 Heritage and Conservation Register	The Rocks Conservation Area		

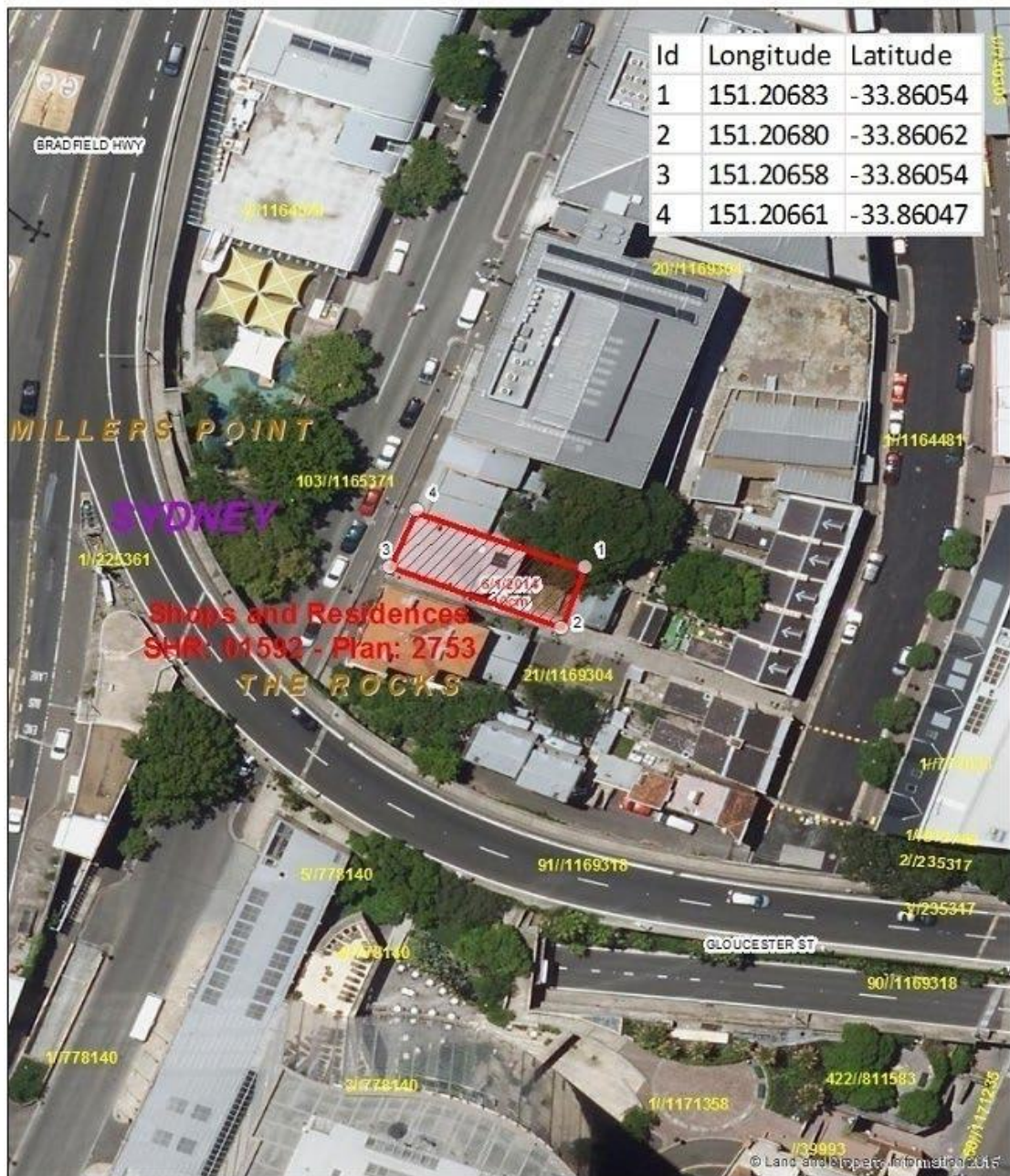
Note: The Longs Lane Precinct is located near, but not within the Buffer Zone for the World Heritage Listing for the Sydney Opera House.

1.6.2 Non-Statutory Listings

Non-statutory listings for the site have been presented in the following table. While these listings do not carry any legal obligations towards the management of a place, they are indicative of its importance to advocacy groups or its significance under former heritage protections. Groups associated with these listings may be considered for consultation.

REGISTER/LISTING	ITEM NAME	ITEM NO.	DATE
National Trust of Australia (NSW) heritage register	Longs Lane Precinct		1973
National Trust of Australia (NSW) heritage register	The Rocks Urban Conservation Area		1973
Register of The National Estate	"Terraces" 136-138 Cumberland Street		21st October 1980
Register of The National Estate	Long's Lane Precinct		1990
Register of The National Estate	The Rocks Urban Conservation Area	1/12/036/0423	1990

*i *The Register of the National estate is now closed. However, inclusion on this Register, which carries no statutory implications for items not in Commonwealth Government ownership, is indicative of the high cultural value of the place and community regard.*



State Heritage Register - SHR 01592, Plan 2753

Shops and Residences

Gazettal Date: 10 May 2002

0 10 20 30 40 Metres

Scale: 1:750

Datum/Projection: GCS GDA 1994



Legend

- SHR Curtilage
- Land Parcels
- Railways
- Road
- LGS
- Railway

Figure 6: The State Heritage Register listing boundary plan no: for SHR item no: 01592. The SHR boundary is shown in red and includes the current lot boundary (Lot 12 of DP1169304). Source: Heritage NSW, State Heritage Inventory, 'Shop and Residence, 136-138 Cumberland Street'

1.7 Methodology and Structure

This CMP has been prepared in accordance with:

- *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 1999* (The Burra Charter),
- Heritage NSW's suite of guidelines for Conservation Management Plans:
 - Statement of Best Practice for Conservation Management Plans,
 - Guidance on Developing a Conservation Management Plan,
 - Conservation Management Plan Checklist,
- James Semple Kerr's, *The Conservation Plan (seventh edition), 2013*.

The Burra Charter provides definitions for terms used in heritage conservation in Australia and conservation principles and processes for the conservation of an item.

Heritage NSW's, suite of guidelines provides best practice guidance for the development of CMPs for State Heritage Register listed items in NSW.

JS Kerr's *The Conservation Plan* provides guidance on substance, structure and methodology for writing effective, site-specific CMPs.

- The initial sections of the CMP provide an analysis of the site and buildings, based on documentary and physical evidence. This analysis includes a historical summary, developing an understanding of the history of the site and place, together with a descriptive analysis of building components and elements.
- A grading of significant elements and spaces has been provided to identify their differing levels of contribution to the significance of the place.
- The constraints and opportunities and policy sections address relevant management issues, and the role and objectives of the relevant heritage authorities. The policies and guidelines draw upon the work and input of all consultants and their investigations – documentary and physical.

1.8 Limitations

The inspection of the building relied on non-intrusive observation to assess condition and did not involve any physical intervention or removal of fabric.

This CMP does not address the site's pre-contact Aboriginal history, Aboriginal cultural associations or Aboriginal significance in detail. In preparation of this CMP, consultation was not undertaken with the Local Aboriginal Land Council. However, Sections 2.2.1, 2.2.2 and 2.2.3 were developed and researched by knowledge holder Dharawal/Gumbaynggirr woman Rowena Welsh-Jarrett who has multiple links to coastal Sydney clan groups.

1.9 Terminology

The Terminology used in this CMP, where referring to conservation processes and practices, follows definitions presented in Article 1 of *The Burra Charter*. For terms relating to historic architectural styles and building elements, refer to terminology as defined in *The Pictorial Guide to Identifying Australian Architecture* (various editions) prepared by Irving, Apperly and Reynolds.

In order to achieve a consistency in approach and understanding of the meaning of conservation, a standardised terminology for conservation processes and related actions should be adopted. The

terminology in the Burra Charter is a suitable basis for this. Article 1 of The Burra Charter gives the following definitions:¹

Adaptation: means modifying a place to suit the existing use or a proposed use.

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

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

Cultural significance: is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places, and related objects. Places may have a range of values for different individuals or groups.

Cultural significance: means aesthetic, historic, scientific, social, or spiritual value for past, present or future generations.

Curtilage: means the area of land surrounding an item or area of heritage significance which is essential for retaining and interpreting its heritage significance. The four types of curtilages are lot boundary, reduced, expanded and composite (Heritage Curtilages, Heritage NSW, 1996).

Fabric: means all the physical material of the place including components, fixtures, contents, and objects.

Longs Lane Precinct: The grouping of buildings bounded by Cumberland Street to the west, The Cahill Expressway to the south, Gloucester Street to the east and the current site of the Youth Hostels Australia (YHA) building and the Big Dig Archaeological Education Centre to the north.

Maintenance: means the continuous protective care of the fabric and setting of a place and is to be distinguished from repair. Repair involves restoration or reconstruction.

Place: means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces, and views.

Preservation: means maintaining the fabric of a place in its existing State and retarding deterioration.

Reconstruction: means returning the place to a known earlier State and is distinguished from restoration by the introduction of new material into the fabric.

Replacement detail: means elements of joinery, masonry, or other material, internal or external, that replaces in a similar style missing parts of fabric, and which is materially compatible and in scale with the missing fabric, but which is not consistent with Burra Charter definitions of restoration or reconstruction.

Restoration: means returning the existing fabric of a place to a known earlier State by removing accretions or by reassembling existing components without the introduction of new material.

Setting: means the area around a place, which may include the visual catchment.

Use: means the functions of a place, as well as the activities and practices that may occur at the place.

1.10 Documentary and Photographic Sources

A list of reports and studies referenced during the preparation of this CMP is contained in 9.0 Bibliography.

¹ Australia ICOMOS Burra Charter 1999, p. 2.

The historical information in this CMP was drawn from sources provided by PMNSW including previous reports, historical maps, plan drawings and photographs. No additional primary research was undertaken.

Historical photographs, unless otherwise Stated, were sourced from the PMNSW Archives and collections.

1.11 Authorship

The 2024 CMP review has been prepared by the heritage team of Design and Place, Placemaking NSW, the trading name of Place Management NSW (PMNSW). The Statement of Significance and conservation policies are a revised version of the 2015 CMP prepared by Robertson & Hindmarsh Pty Ltd with the assistance of Sydney Harbour Foreshore Authority (SHFA), now PMNSW.

2

Documentary Evidence

2.1 Thematic History

To better understand how 136-138 Cumberland Street, developed, the history has been approached thematically. A thematic history provides contextual patterns and associations, especially in relation to human activities in the environment, which would not be immediately obvious were a strictly descriptive or chronological approach taken.

This thematic history of 136-138 Cumberland Street uses the Heritage NSW's thematic framework that identifies thirty-eight principal themes.² The organising principle for the thematic framework is presented through the dynamics of human activity, i.e. the intentional and social nature of human actions, and how human actions have driven events.

The historical development of an area or item can be understood as occurring in a thematic way. A physical illustration of this can be seen when we think about a landscape or building or arrangement of artefacts as a series of layers, each one representing a progressively earlier or later theme, or historical influence. Thinking about a place in terms of themes can help us understand its significance.³

The New South Wales State historical themes can be used to guide research questions, interpret the history, and structure the narrative of the development of 136-139 Cumberland Street not just within the context of the Longs Lane Precinct, but also within the context of the development of The Rocks.

2.2 Early Developments in The Rocks

2.2.1 Indigenous Coastal Sydney – Gadi & Neighbouring Gadhungal (Saltwater Clans/People)

Country, now known as Sydney Harbour, was home to multiple coastal Sydney people, known as 'Gadhungal'; the saltwater clans/people. Their relationship and connection to saltwater country is continuous - they occupied this cultural area for thousands of generations, and still live on country, within the same cultural area, today. Drawing on cultural knowledge and cultural data passed down through cultural systems of knowledge transfer, the Gadhungal maintained cultural identity and connections to country; and lived sustainably within the area⁴.

Cultural practices such as collectively gathering shellfish, fishing, diving, sourcing medicines and other resources fulfilled their cultural responsibility of caring for coastal country. These practices, which are continued in culture on country, have a strong layer of cultural identity, and are representative of coastal country connections. Oral history and practice are steeped in traditional knowledges, and are reflective adaptations of the elders, families and communities', made in response to the rapidly changing landscapes⁵.

Traditional knowledge holder Dharawal/Gumbaynggirr woman Rowena Welsh-Jarrett has multiple links to coastal Sydney clan groups, she explains,

² Both the Australian Heritage Commission (National) and the Heritage NSW (State) identified themes for research relating to places of heritage significance.

³ Heritage NSW, Heritage Information Series, Historical Research for Heritage, Baskerville, Bruce (2002).

⁴ Welsh-Jarret, Rowena, History Content, RWJ Pty Ltd, as supplied to PMNSW, October 2024.

⁵ *ibid*.

Coastal Sydney Aboriginal families didn't marry within our clans traditionally, and most coastal Sydney people today are descendants of multiple coastal Sydney clan groups. This traditional marital system ensured interactions between the broader coastal Sydney area, extending to the Illawarra. Connections, responsibilities, and custodial rights to multiple clan countries (areas) are evidence of this. For example, our people still use terms such as "Mother's country" and "Grandfather's country" to articulate our cultural connections and rights to country⁶.

The Coastal Sydney people fished and hunted collectively, in accordance with their cultural rights to areas. This is documented in early historical accounts but most importantly, is prevalent in genealogy and family histories linking to Apical ancestors, each other, and country. Observations of coastal Sydney people later expanded, recorded in European observations of movements within cultural areas extending to the Illawarra. This expansion of cultural observations coincided with the expansion of the colony, and as relationships formed between some members of the colony and the local coastal Sydney people. Some colonists also relied on cultural knowledges to support their wayfinding on both land and sea⁷.

Accounts of connectivity through marital, kinship and ceremonial practices were sometimes depicted in portraits and reports. Rowena explains,

We still speak about places such as The Rocks, Sydney and the Harbour as our country, just as our old people did the impacts of colonisation did require us to adjust and adapt but we are still here⁸.

2.2.2 Post Colonial – Continued Connections with Country

The Plan of Sydney Cove, Port Jackson as surveyed by Captain John Hunter (Figure 7) depicts Sydney Cove in 1788. A key feature of this map is a path believed to be based on an Aboriginal track used by coastal Sydney people from Sydney Cove to Botany Bay (Kamay Bay). This supports local Aboriginal oral history in relation to connectivity of Coastal Sydney Clans, and Aboriginal wayfinding mythologies and knowledges utilised by early colonists⁹.

6 *ibid*

7 *ibid*

8 *ibid*

9 *ibid*



Figure 7: Plan of Sydney Cove, Port Jackson: Survey'd in 1788 by Capn. John Hunter. Source: SLNSW, Maps/1131

Archaeologist Dr Wayne Johnson states that the Survey of the Settlement of New South Wales, New Holland, originally prepared by Surveyors in 1792 under the instruction of Captain Arthur Phillip (Figure 8), shows a diagonal track to Sydney Cove, later becoming Bethel Street in the 1860s, and later built over by the construction of the Coroners Court building in 1907. What was once a sandy beach is where it is believed the First Fleet unloaded and was probably the place named Meeliawul, now known as Campbell's Cove, and an area differing from the rocky shoreline that formed most of Sydney Cove and the boggy mud flats at the mouth of the Tank Stream. Phillip's 1792 map does not yet show the regularized George Street, known by 1800 as High Street. The map does however show a different line of the track that aligns more with what we now know as George Street¹⁰.

¹⁰ Johnson, Dr Wayne



Figure 8: Survey of the Settlement of New South Wales, New Holland, originally prepared by Surveyors in 1792 under the instruction of Captain Arthur Phillip

Many of the physical traces of occupation by the Gadigal in The Rocks, Dawes Point and Millers Point have been removed during the quarrying of sandstone, buried by terracing and otherwise obscured by the building of houses, shops, bond stores and warehouses. For this site, and within the Long's Lane precinct, the archaeological reports do not indicate a noticeable aboriginal presence, since the archaeological investigations were only undertaken in areas impacted upon by building works and not over the entire site. Archaeological investigations of this site, carried out during the 1996-97 conservation works, found evidence of modifications to the landform as a result of quarrying for sandstone: an extension of the quarries to the north.

At the Lilyvale site (currently the Shangri-la Hotel), further south in Cumberland Street, remnants of an Aboriginal campfire were located. From archaeological evidence excavated in 1989, the campfire, indicating that a small group of people had, some 500 years ago, stopped on the site and cooked a meal of rock oysters, bream, schnapper and other shellfish, no doubt taking in the views over the harbour¹¹.

Aboriginal people continued to interact with The Rocks area after colonisation and there are numerous reports and evidence of Local Aboriginal people's relationships with Estate and Business owners. A notable example is the well documented relationship between Alexander Berry and Aboriginal people such as Billygong. There are records of Aboriginal people who

¹¹ Johnson, W., Identification and Management of Archaeological Issues for the Long's Lane precinct, Conservation Works, Sydney, 1991-1998

worked and stayed on both of Berry's estates, "Wollstonecraft" and the "Berry Estate" in the Shoalhaven area. More examples exist and are emerging with comprehensive focused research and oral history recordings¹².

The history of Aboriginal wharf workers has not been comprehensively researched, however Aboriginal people (particularly men), were known to have been involved in maritime industries such as whaling and sealing from the earliest years of the colony¹³. Aboriginal people also worked for rural employers, travelled on boats in and out of Sydney. Prior to the late 19th century, ships were unloaded by crews rather than wharf workers, however by the early 20th century the wharves along Millers Point and Walsh Bay were centres of work for wharf labourers¹⁴.

The 1900's established a shift in Aboriginal peoples' movements as a direct response to the mistreatment of Aboriginal peoples under "protection" laws. Employment of Aboriginal people on the wharves and in marine based activities in The Rocks and Millers Point area created a central hub where Aboriginal Activism, affirmative action and self-determination emerged and established a legacy of sociopolitical movements¹⁵.

Among the men employed on the wharves and involved in this sociopolitical activism were Aboriginal men such as Fred Maynard, Tom Lacey, Dick Johnson and Sid Ridgeway, who came to Sydney looking for work in the 1910s and 1920s, possibly earlier in Maynard's case¹⁶.

While carrying out the backbreaking and dangerous manual loading and unloading work on the wharves, they were introduced to the emerging global civil rights movements, and the power of union solidarity in fighting for workers' rights via black sailors from the USA and elsewhere. Influenced by this, Fred Maynard formed the Australian Aboriginal Progressive Association (AAPA) in the 1920s, the first Aboriginal civil rights organisation. Fellow dockworkers Tom Lacey, Sid Ridgeway and Dick Johnson were also members¹⁷.

Aboriginal wharf workers who may have worked around The Rocks also includes:

- Fred Maynard (1910s-1940s,
- William Pittman (1930s-1950s),
- Herbert Charles Grant (1940s)
- Patrick Freeman (1940s),
- Percy Natty (1950s) and
- Leslie Brindle (1970s).

¹² *op cit*, Welsh-Jarret

¹³ See for example Russell. L., 2012. *Roving Mariners: Australian aboriginal whalers and sealers in the southern oceans, 1790-1870* (Albany: State University of New York Press); Smith, K.V. 2008. *Mari Nawi. Aboriginal Odysseys 1790 - 1850* (Sydney: State Library NSW).

¹⁴ *op cit*, Welsh-Jarret

¹⁵ *ibid*

¹⁶ Maynard, J. 'In the interests of our people': the influence of Garveyism on the rise of Australian Aboriginal political activism', *Aboriginal History* 29, 2005, p.7, 10-11, 14; Maynard, J. *Fight for Liberty and Freedom. The origins of Australian Aboriginal activism* (Canberra: Aborigines Studies Press, 2007), p. 17, 39, 68, 137-9

¹⁷ *op cit*, Welsh-Jarret



Figure 9: Fred Maynard and his sister Emma at the Rocks in Sydney, 1927. Source: Maynard Family collection.

By the early twentieth century most coastal Sydney Aboriginal people were living at the La Perouse Aboriginal mission or a handful of other places around Gamay and elsewhere to the south of the city. In the 1920s and 1930s increasing numbers of Aboriginal people from outside of Sydney were moving to the city for work and to flee the increasingly close control of the Aboriginal Protection Board (APB) leading to the formation of inner-city Aboriginal communities at Redfern, Balmain, Woolloomooloo and elsewhere¹⁸.

After WWII, Aboriginal people moved to the city from Rural areas of New South Wales in large numbers, with some taking up work on the wharves alongside others with deeper coastal Sydney roots¹⁹. Aboriginal men continued to work the wharves in the following decades, however more is known of workers from the 1960s thanks to first-hand accounts of their experiences, or from their prominence as public figures in the struggle for Aboriginal civil rights²⁰. Chicka Dixon played a prominent role in campaigning for Aboriginal civil rights in the 1960s and harnessed the support of the Waterside Workers Union and Communist Party through his work connections at the wharves²¹.

18 *op cit*, Welsh-Jarret.

19 See for example Dixon, Chicka & Foley, Gary (Interviewer) 1995, Chicka Dixon interviewed by Gary Foley, National Library of Australia, transcript, Peckham, Ray. & Willis, Rob. 2012, Ray Peckham interviewed by Rob Willis in the Activists for Indigenous rights in the mid-20th century oral history project [sound recording], National Library of Australia.

20 Morgan, G. 2006. *Unsettled Places*. Aboriginal people and urbanisation in New South Wales (Kent Town: Wakefield Press).

21 *op cit*, Welsh-Jarret

The experiences of Chicka, Fred Maynard and many others are remembered proudly by their families today, and intimately link Millers Point into the much broader story of Aboriginal civil rights and the end of government protectionism²².

2.2.3 Aboriginal Sites and Historic Places

Historical Aboriginal Places within proximity to The Rocks included Lavender Bay Camp, Dawes Point Observatory, Kirribilli Camp, The Government Boatshed, Bennelong Point Camp, Queens Wharf & the First Government House.



Figure 10: Aboriginal Sites and Historic Places. Source: The Aboriginal Heritage Information Management System

²² *ibid*

2.2.4 The Convict Settlement (1788-1810)

After the arrival of the Europeans in 1788, the upper ridges of The Rocks were quickly occupied by convicts who built rough huts to live in. Along George Street, the Government built a hospital, dockyard, and marketplace, and at the northern end of The Rocks an observatory, and, in 1791 a fort (Dawes Point Battery) was constructed. In 1810 the streets of The Rocks were formalized and generally given the names they bear today.

As the colony grew the rough convict huts were replaced by modest houses, and a few mansions. From the archaeological excavations that have been carried out over the past 40 years, it has become evident that the lives of the convicts were far different than the general view of many people. The convicts were often tradespeople from Britain's cities, and large numbers of political prisoners exiled after the Irish rebellion in the 1790s. They appear to have had a far better lifestyle in Sydney than they would have expected in Europe. They ate well off fine China and expensive oriental porcelain and furnished their houses with fine figurines and exotic curios. Many made substantial fortunes from investing in ships trading with Asia and the Pacific.

As Sydney expanded in the 1790s, the initial concentration of the colony's occupants in The Rocks thinned out, with those remaining consolidating larger areas around them. In 1809 the Government instituted a system of town leases, and new arrivals to the area were forced to register the land they occupied and pay a fee to the colonial secretary.



Figure 11: Extract from Edward Dayes' view of Sydney Cove showing the small buildings erected on the ridge above the hospital c.1802. Source: ML V1/1802/1

2.2.5 The Port Town (1810-1900)

Prior to the official naming of the streets in 1810, cottages built on the slope above the hospital gardens were simply referred to as being 'on the rocks.'²³

These cottages were erected in rows that followed the naturally occurring rock ledges. One such sandstone ledge passes through the study site. The remnants of the rows of cottages built following the sandstone ledges can be seen on surveys prepared by Harper and Stewart dating from c. 1822-25 (Figure 12). These rock outcrops were often quarried to provide stone blocks for building, as was found on the Big Dig site immediately to the north of 130 Cumberland Street.



Figure 12: Excerpt from the Stewart 1880 tracing of Barkers 1823 Map showing the Longs Lane Precinct in 1823, the location of the subject site is outlined in red. Source: SLNSW

The access paths to the houses eventually became streets. Each north-south street ran along the top of a rock shelf, in front of a row of houses. Evidence of this early phase of development remains at the rear of Susannah Place in the excavated Cumberland Street site running beneath the Australian Hotel, and in the current alignment of Gloucester Street. The pattern of rows was to dominate the development of the area until the mid-1820s²⁴.

Following the opening of Sydney to free settlement after 1822, the government surveyors surveyed and issued titles to the land in The Rocks and other parts of Sydney. Long-term occupants were granted title of ownership to their land. As Sydney underwent a population boom between 1839 and the 1850s, many old-time occupants subdivided their lands, either selling off portions or else retaining them as landlords due to assisted immigration and then the gold rushes.

²³ Numerous entries in the Sydney Gazette from 1803 until the 1820s. Refer to the discussion in Boyd, Noni, 1998, Gloucester Street, The Rocks, A Study of its Development and Construction, University of Sydney Thesis

²⁴ Gloucester Street, The Rocks: A study of its development and conservation. Dr. Noni Boyd, Thesis submitted for Master of Science (Architecture, Conservation) University of Sydney, 1998, p. 233.

Formal titles to the land were not granted until the mid-1830s however long-term leases were made prior to 1810²⁵. The rapid, ad-hoc development of the area indicates that the convicts were allowed a high level of freedom of action; particularly once they had obtained their ticket of leave. Both women and men were able to transfer property. Evidence of the processes of subdivision and land transfer survives in the Colonial Secretary's Papers and the Registers of Deeds and Grants held by the Land Titles Office.

The gazettal of the street names, by Governor Macquarie in 1810, began a long tradition of the imposition of names relating to the Kings, Queens, Dukes or political figures, in The Rocks and in Sydney generally. In contrast the back lanes were named after local personalities, usually the landlords or property owners²⁶.

From c1810 the waterfront was extensively developed with wharves and warehouses, attracting merchants who built their houses, stores and shops along George and Argyle Streets. By the late 19th century, The Rocks had become run down and overcrowded, the dozens of pubs being seen as meeting places for criminal gangs, and the back streets the haunts of prostitutes. In short, it was considered a typical waterfront slum.

In 1900 an outbreak of bubonic plague in Sydney was used by the NSW Government as an excuse to clean up the area. Of the 103 deaths attributed to the plague, only three occurred in The Rocks. The entire area was bought up (resumed) by the Government's Sydney Harbour Trust (after 1937 the Maritime Services Board) which then demolished hundreds of houses considered to be uninhabitable.

2.2.6 Redevelopment (1900-current)

In a move to keep a tighter control on the area, between 1911 and 1913, the newly formed State Government Housing Board designed and built "workers" housing. Rows of new terrace-style houses were occupied by waterside workers and their families. Shops, pubs, and other commercial buildings were simultaneously constructed following the resumption. In 1913 Sydney Council opposed the construction of "terrace" housing as being unhealthy; this being the period of suburban expansion and the development of the "Garden Suburb" ideal. The First World War halted much of the Government's redevelopment plans for the area and effectively stopped further demolition.

In the inter-war period (1918-1939) little construction occurred in The Rocks; with notable exceptions of a few pubs (Fortune of War and the Glenmore), and some NSW Government offices (Housing Board, Dept. of Labour and Industry, State Clothing Factory). Some private factories were also built in The Rocks at this period (Playfair's butchers, Bushell's, Cadbury's) and all relied on locally based labour. One of the last buildings to be designed, and commenced, was the new offices for the Maritime Services Board (MSB) which, interrupted by the World War II, was not completed until 1953, and now serves as the Museum of Contemporary Art.

The construction of the Sydney Harbour Bridge between 1923 and 1932 saw the demolition of some 400 houses in Princes Street, Upper Fort Street, and the western side of Cumberland Street. Princes Street itself disappeared from the map beneath the Bradfield Highway and the Cahill Expressway, with the alignment of the street following the approach to the Harbour Bridge only. This development can be seen in the overlay of Map 21 of Dove's Plan of Sydney 1880 over modern day Sydney (Figure 13).

25 Godden Mackay, The Cumberland Street/Gloucester Street Site, Archaeological Investigation. Archaeological Assessment and Research Design. Unpublished report, April 1994. p. 11,

26 Gloucester Street, The Rocks: A study of its development and conservation. Dr. Noni Boyd, Thesis submitted for Master of Science (Architecture, Conservation) University of Sydney, 1998. p. 233,



Figure 13: Dove's Plans of Sydney, 1880 Map 21 - Blocks 50, 51, 52, overlayed on modern map, showing the previous alignment of Princes Street and its now demolished housing stock, now completely covered by the Cahill Expressway and Bradfield Highway. The Longs Lane Precinct is outlined in red. Source: PMNSW, ESRI Basemap.

Apart from the MSB, almost no development occurred in The Rocks in the period from c1932-1970. Further demolition of houses for the Cahill Expressway occurred in 1956-7, along with the removal of Little Essex St (Brown Bear Lane). The other significant construction at this time was the Overseas Passenger Terminal at Circular Quay between 1959 and 1962, serving as the post-war immigration gateway to Sydney.

In the 1960s it was planned to demolish all the buildings in The Rocks and build high-rise towers. There was widespread opposition with The Rocks residents and Sydney wide planners, historians, and sociologists, with the support of the Builders Labourers Federation working together to stop the re-development. Between 1971 and 1973 the Government gave in to their demands and it was decided that The Rocks would be re-developed in a means sympathetic to the historic nature of the precinct and the buildings, whilst at the same time ensuring economic viability. Residents were re-housed in the area, and the former Victorian residential terraces of George, Playfair, Gloucester and Harrington Streets were converted to commercial uses. The area south of the Cahill Expressway, known as the "sacrificial zone" was redeveloped with high-rise commensurate with the rest of the city from 1979 onwards.

2.3 Development of The Longs Lane Precinct

Early plans and images, such as Watling's (attrib.) c. 1800 painting *Sydney - Capital New South Wales* (Figure 14) and Meehan's 1807 *Plan of Sydney Town* (Figure 15) show that present-day Gloucester Street between Essex and Argyle Streets was closely settled along a defined building alignment. These dwellings are likely to have been flimsy timber houses, built by the occupants (convicts and free settlers)²⁷.



Figure 14: Sydney - Capital New South Wales - founded by Governor Phillip - names after Lord Sydney Secretary for the Colonies 1788, ca.1800, Attributed to Thomas Watling. Source: SLNSW

The earliest reference to Long's Lane is made in Meehan's 1807 map, where the present-day lines of Cumberland and Gloucester Streets are shown to have been formed with an interconnection along the alignment of Long's Lane. Development within the precinct occurred predominantly in the 1880s and in the first decades of the 20th century.

The "Big Dig" is a heritage listed archaeological site, directly to the north of the Longs Lane Precinct, at 106-128 Cumberland Street. It was excavated in 1994 to reveal an extraordinary material record of urban life in this area and Sydney. Below the fill, which was raised and levelled in the early the 20th century, layers of deposits were revealed from earlier phases of occupation. Foundations and walls of corner shops, pubs and terraces from the 1840s, overlay the houses and yards of the convicts and emancipists who appropriated land and settled here.²⁸

In 1810, the rugged footpaths and crooked rows were given a sense of order when Governor Macquarie officially named them, replacing the localised (more descriptive) names with regal or viceregal titles. The main, or High Street, was renamed George Street (after the then reigning monarch) and from the highest ridge in descending order, he proclaimed Princes Street (Windmill Row), Cumberland Street (Church Row), Cambridge Street, Gloucester Street and Harrington Street.²⁹

27 Lydon, 1993, p. 7.

28 Karskens, G., *Inside The Rocks the Archaeology of a Neighbourhood*, (1999) p. 13

29 Karskens, G., *The Rocks Life in Early Sydney*, (1997) p. 21.

The streets, however, were not all continuous or well-marked out. The rocky ledges of Gloucester, Cambridge and Harrington Streets were discernible at the less inhabited northern end, near Argyle Street, but converged in a muddle in the area further south. Successive surveyors, including Meehan, tactfully left spaces and streets unnamed on the surveys (see Meehan's Map Figure 15, with streets left unnamed). A mix-up also occurred between Cambridge and Gloucester Streets. Cambridge Street was originally the one below Gloucester Street, however, in the early 1830s Cambridge and Gloucester Streets became intertwined and difficult to separate at the southern end. New surveys and the granting of freehold titles in the 1830s finally solved the confusion by reversing the street names to their present configuration, with Gloucester Street becoming the higher and Cumberland Street the lower³⁰

By 1823 some substantial buildings had been constructed close to the subject site along Cumberland Street and a number of smaller buildings on narrower lots faced Gloucester Street.

³⁰ *ibid*) p. 28.



Figure 15: James Meehan's 'Plan of the town of Sydney in New South Wales 1807' and excerpt showing the early arrangement of the Long Lane Precinct and location of subject site outlined. (Source: SLNSW and PMNSW GIS Overlay)

The 1865 Trigonometrical Survey of Sydney (Figure 16) shows the dense development occurring along the Cumberland and Gloucester Street alignment at this time. The subject site was on the location of previous terraces numbered 134 & 136, with 138 Cumberland Street located on the opposite side of Longs Lane, (the current day 140 Cumberland Street).



Figure 16: 1865 Trigonometrical Survey showing the intensity of development in the area at this time, the excerpt identifies the subject site highlighted in red showing six terraced buildings previously occupying the site. Source: SLNSW

Susannah Place, at. 58-64 Gloucester Street, completed in 1844, is the only surviving example of early housing constructed in this area during this period. It was a well-built, brick structure with fire insulation between each residence, drainage, and adequate ventilation. Each house is believed to have been connected to sewer (and water) in the late 1850s, and unlike other buildings in the area, was “owner-occupied” which may also explain the connection to services.

By the mid-1840s, the Argyle Cut was being constructed and Gloucester Street was formally extended northwards to George Street. Town houses and smaller scale terrace houses were replacing the earlier single storey cottages. By 1845, when the first Rate Assessment was made for the new City Council the area now occupied by the Australian Hotel had far more two storey dwellings. On Cumberland Street, most of the houses were still single storey and built of a mix of stone, brick and timber. Both sides of Gloucester Street were being developed and due to the topography of the area, were two storeys with basements and retaining walls, particularly on the eastern side.

During the early 1830s, a number of cottages were built fronting Cumberland Street south of Argyle Street, including ‘Nicholas Rents’ at 120-126 Cumberland Street, the single cottage at 128 Cumberland Street (undated) and the row of cottages on the subject site. When advertised for sale in 1834 Nicholas Rents consisted of:

...four small cottages built of brick, each with a frontage of 13 feet 8 inches, and each having the benefit of an entrance from Junction Lane. It is proposed to sell each of these separate, to afford the Dealers an opportunity of evading the present high rents demanded for houses in his vicinity.³¹



Figure 17: Extract from William Andrews 1856 view of Cumberland Street showing the street frontages from Cribb's Lane to Essex Street. Source: ML SV1/St/Cumb1

³¹ Sydney Monitor, 17 Jan 1834. The results of the sale published in February 1834 records that James Stiles [Styles] purchased a shop and two rooms in Cumberland Street and Kempton purchased a two- roomed cottage, as did Mr. John Winch, Mr. Isaac Moore, Mr. Thomas Baxter and Mr. Thomas Share.

The row of single storey cottages fronting Cumberland Street between Cribb's and Long's Lanes can be seen in William Andrew's 1856 watercolour of Cumberland Street (Figure 17). Andrews depicts two rows of cottages however the 1855 and 1880 block plans show that a single cottage separated the row cottages known as Nicholas Rents to the north from the row to the south. No detailed views of the cottages that comprised Nos.130-138 have been located.

Some of these cottages survived until the resumption including the pair at No. 124-126 (originally part of Nicholas Rents) and the slightly larger single cottage at No. 128. The single storey cottage at No 128 survived until at least 1915 when it was sketched by Sydney Ure Smith in May 1915 (Figure 18).

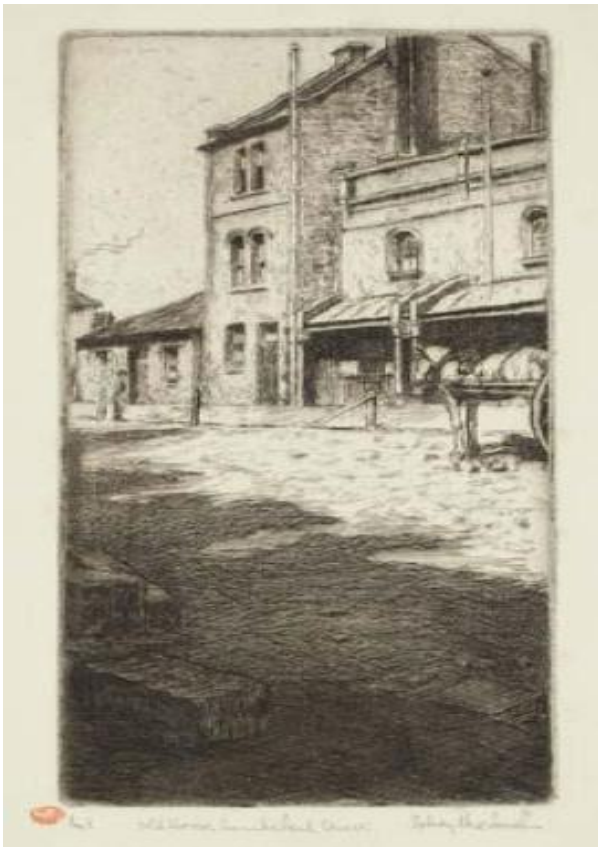


Figure 18: 1914-15, Cumberland Street by Sydney Ure Smith. Source: ML DL Pd 411.

Real change, however, started to occur in the 1880s and 1890s. The more affluent residents began to relocate to the suburbs. The professionals and middle class then began to leave, followed by tradesmen. As shipbuilding declined and yards closed, the population began to consist of dock workers, storemen, carters and general labourers along with trades which served them such as butchers, bakers and publicans³². Sponsored immigration meant an increase in arrivals from famine ravaged Ireland as friends and relative of existing resident settled in The Rocks, creating a particularly Irish demographic by the later 19th Century.

The row of five single storey houses in Cumberland Street (Nos. 120-128) survived until 1880 when it appears on Percy Dove's plan however part of Long's tenements fronting the lane had already been demolished. The numbering was as it remains today, 130-138 Cumberland Street for the group of buildings still remaining in Cumberland Street. In January 1881 a number of buildings in the area were condemned with the Sydney Morning Herald reporting,

³² GAO, Australian Hotel Cumberland Street, The Rocks CMP (2006), p. 13

His Worship the Mayor, accompanied by the Health officer, the City Building Surveyor and the Inspector of Nuisances, made a visit of inspection to a number of rookeries in Phillip-street, Maori Lane and Little Essex street, yesterday, and, acting upon the advice of his officers as well as his own observations, Mr. Harris summarily decided that most of the buildings inspected were unfit for human habitation, and should be demolished. Notice of his decision will be forwarded at once to the owners or agents of the premises.³³

All of the properties of William Long on the southern side of Long's Lane were condemned including three houses fronting Gloucester Street, a row of eight in the lane and Murphy's hotel on the corner. The row of five cottages on the opposite corner were not mentioned, however the entire group was redeveloped around the same time indicating that this set of buildings had probably also been condemned. Further research into the activities of the City Improvement Board reveals that 800 buildings were dealt with by the Board from 1879- 1881, however, the detailed records for each building have not been found.³⁴

Shortly after the buildings were condemned there was an outbreak of smallpox in Cumberland Street that resulted in further public concern about the standard of the building stock. The City Council had long been aware of the condition of tenements owned by the descendants of William Long in Long's Lane. The houses were then owned by a wealthy landlord and politician James Martin, Martin had inherited the properties through his marriage to Long's daughter, Isabella. The houses were reportedly to have been kept in a fit state. Of more concern to the Health Officer was the 'sickness' that could be found there. Freeman's Journal reporting in 1865,

The attention of the City Corporation has more than once been called to the disgraceful State of some tenements, by courtesy called dwelling-houses, in many portions of the city. They are filthy in the extreme, without ventilation or drainage, and actually destitute of those conveniences even necessary for the purposes of decency. In the case of any epidemic visiting the colony, which is: not at all unlikely, these places would act, as, hotbeds for the diffusion of the malaria and their unfortunate occupants would at once be swept off from the face of the earth. The latest instance of this class of buildings was brought before the Council on Monday when the Health Officer Stated there was a row of houses situated in Long's Lane on "the Rocks," They are eight in number, consisting of two rooms each. Like many other places in the city, he observes, they belong to a wealthy landlord who employs, an agent to collect the rents. No repairs are effected by him and the closets are left to flow into the yards and houses, thereby causing, much sickness. The condition of some of them is too disgusting to repeat. Considering this condition of affairs the Health Officer imploringly urges that he should be allowed to proceed against the owner, and compel him to cleanse, whitewash and repair these unwholesome hovels. No reply seems to have been made to this reasonable appeal, the Council, we presume, being unwilling to displease or incur the anger of, the 'wealthy owner,' whoever he may be.³⁵

The issue was then raised in Parliament, again with Long's Lane being the case in point.

The City Health Officer, in a report presented to the Municipal Council on Monday last, gives a graphic description of the filthy and disgusting State of eight dwellings situated in Long's Lane on the far-famed "Rocks." Throughout the City there are plenty of similar hot-beds of disease and death, the owners of which (if there be a law to reach them), should be rigorously prosecuted, for, their infliction on society of an evil so pregnant with danger to the health and lives of the citizens.³⁶

33 SMH 7 Jan 1881

34 Report of the City Architect to the Lord Mayor, August 1881, SCC Archives

35 Freeman's Journal 21 October 1865

36 Bells Life in Sydney 21 October 1865

An engraving of the environs of Cumberland Street in The Rocks appeared in the Illustrated Sydney News following the outbreak of smallpox in Cumberland Street in June 1881 depicted Long's Lane looking west (Figure 19).

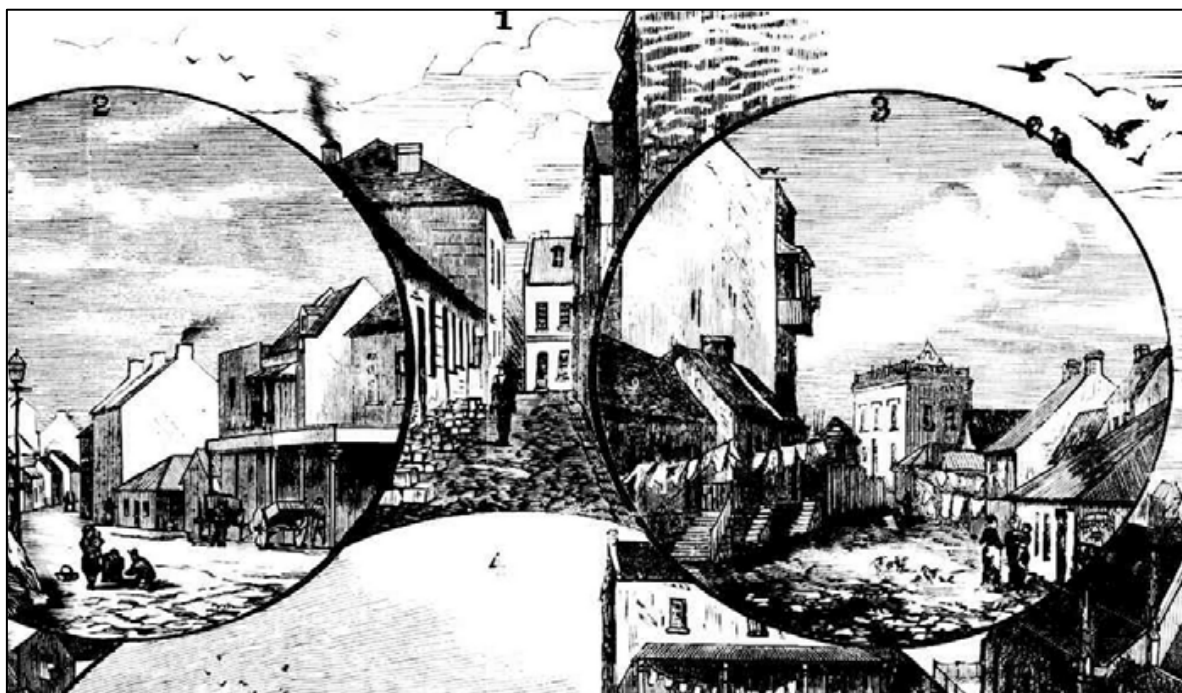


Figure 19: Extract from the engraving of Fever Haunts in the Illustrated Sydney News that included a view of Long's Lane (in the centre of the image) Source: SLVIC

The outbreak was initially blamed on the Chinese, as there were also cases in 'Little Canton' in George Street, however subsequent investigations found the contributing factor to have been unsanitary conditions in a number of adjacent houses.

The threat of disease was one of the reasons listed for condemning substandard buildings. In his report of 1881 to the Mayor, the City Architect, Thomas Sapsford, described the progress,

To return to unwholesome buildings, which have been a disgrace to the city, I have to report that some 500 have been visited by your worship in conjunction with your officers, out of which some 450 have been ordered by notice to be vacated as required by the present law, in consequence of which some 350 have been pulled down by their respective owners. About 50 tenements have been deemed capable of repair.

Without dwelling on the sanitary good derived by the demolition of unwholesome habitations, it must be remarked that a great change has been effected in many of our streets by the erection (on the sites of late rotten tenements) of handsome edifices whose architectural features constitute an ornament to the City and impart a sense of refinement to the public.

The following streets have been materially enhanced in appearance by these structures referred to:

- Cumberland Street
- Cambridge Street
- Gloucester Street
- George Street
- Harrington Street³⁷.

³⁷ Report of the City Architect to the Lord Mayor, August 1881, SCC Archives

The City Architect also advised that in addition to being sanitary and architecturally successful, the resulting buildings, which were invariably larger, resulted in increased revenue for the City Corporation. Many of those who had inherited property in The Rocks erected by their fathers or grandfathers chose to rebuild. As a result of the condemnations, buildings of a higher density were erected, the majority of which were standard terrace house forms being utilised by speculative builders throughout Sydney. Corner sites, where a hotel or shop was traditionally located, retained this use.

In addition to the housing fronting Long's Lane, the row of five houses in Cumberland Street may also have been condemned, as all three owners choose to rebuild around the same time. As the lots were in separate ownership individual buildings were erected over the decade. William Long likewise rebuilt, erecting a pair of typical terrace houses on his lot fronting Gloucester Street to replace his cottages that had been condemned. Benjamin Ford had moved back into the attached cottage he owned, and he remained in occupation of No 130 Cumberland Street until at least 1882, the property of the previous tenant having been sold to obtain rental moneys owed in January 1880. By 1882 the two houses on the corner of Long's Lane had been pulled down and a new three-storey shop erected for Kellas Watson.

By the turn of the century the area had become a deteriorated inner-city area. While the Improvements to the sanitary conditions and the construction of a higher standard of housing that had occurred in the 1880s has assisted to raise living conditions of residents, some pockets of low standard accommodation survived³⁸. Much has been written about the squalor in The Rocks and even though there had been some concern during the 19th century, it was the bubonic plague, which struck Sydney in January 1900 that was the catalyst for urgent attention to the living and sanitary conditions in Sydney's wharf-side areas³⁹. Professional town planners were favouring detached suburban dwellings in gardenesque settings, and hence terrace house density with small yards were fast being perceived as "slums". Photographs by the NSW Government from 1901 of conditions such as at the rear of the Cumberland Street and Gloucester Street (close to Longs Lane) promoted the ills of traditional 19th century cramped residences. (Figure 20).

38 Boyd, N., Gloucester Street, The Rocks A Study of Its Development and Construction", (1997) Thesis, p. 129.

39 Robert A Moore Pty Ltd in association with the Historic Houses Trust, Susannah Place 58-64 Gloucester Street The Rocks Conservation Analysis & Guidelines, p. 8.



Figure 20: Rear yards between Cumberland and Gloucester Street showing the crowded living conditions by 1901.
Source: PMNSW

The Government resumed large areas of land at The Rocks and Millers Point on 29 December 1900. They fell within the "Observatory Hill Resumed Area" under the provisions of the Public Works Act, 1900, in conjunction with the Darling Harbour Wharves Resumption Act, 1900.

Redevelopment of the area, the wholesale demolition of older buildings and wharfs, the construction of rat-proof wharf barriers and the erection of new buildings, was part of the scheme and overseen by the Government Architect's Office. Large scale demolition of houses and the wholesale removal of the people who lived there was part of the scheme. Much of the land was redeveloped, some for commercial use. Other areas were subsequently rebuilt as housing once the Government realised that wharf and dock workers needed to be available at short notice⁴⁰.

The Whaler's Arms Hotel located to the northeast of the site was demolished along with other buildings on the western side of Gloucester Street. Although the entire area bounded by Cumberland, Gloucester Street, and Essex Street were assigned for redevelopment and

40 GAO, *Australian Hotel Cumberland Street, The Rocks CMP* (2006), p. 14 & Boyd, N., *Gloucester Street, The Rocks A Study of Its Development and Construction*, (1997) Thesis, p. 142.

proposed as the sites for waterside workers dwellings, only the houses located along Caraher's and Cribbs Lane were demolished (Figure 22 & Figure 21).

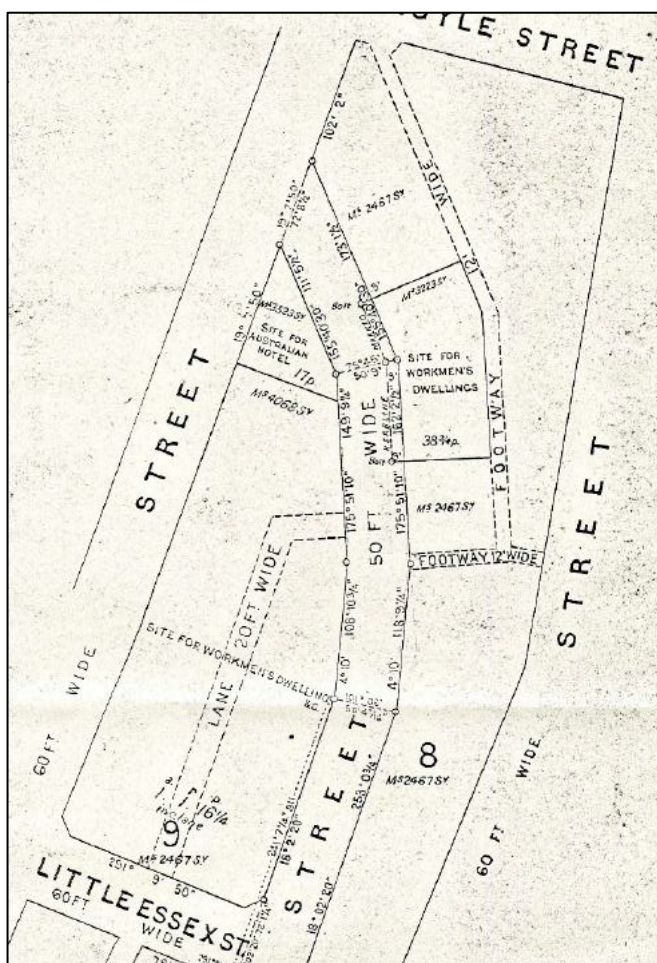


Figure 22: The 1913 Detail from 'Map shewing Design for Subdivision of the Observatory Hill Lands', 1913 (traced from 1908 Plan). Source: PMNSW

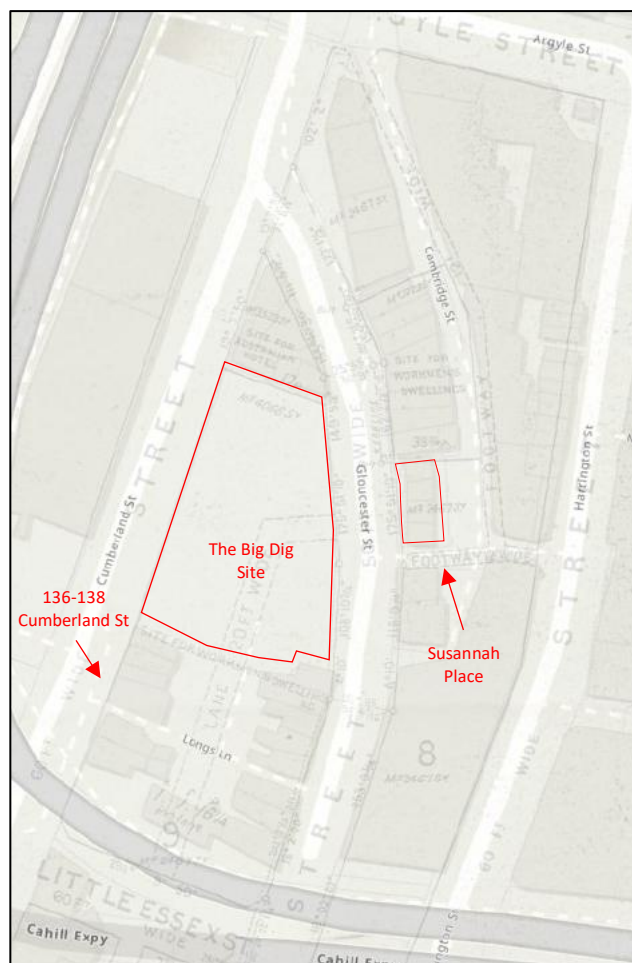


Figure 21: GIS Overlay showing the retained sites of the Longs Lane Precinct and Susannah Place and the demolished Big Dig Site. Source: PMNSW

The Sydney Harbour Act of 1900 allowed for the formation of the Sydney Harbour Trust which was to maintain and manage the resumed areas. The City Improvement Advisory Board was also established in March 1901 to assist in overseeing the resumed area⁴¹.

Private landowners were compensated for their properties, a process which took some time to finalise. The City Improvement Advisory Board also considered the question of rehousing the population displaced by the demolitions. It was recognised that a large proportion of those occupying the area worked in the area and that workmen and their families should continue to be provided with residences in the locality. The Board determined that the only practical way of dealing with the issue was to build large residential blocks on suitable sites⁴².

A study of tenement housing in England and Europe followed and the Government Architect's Branch prepared a number of schemes for model workers housing, based on the overseas prototypes.

41 Boyd, N., Gloucester Street, The Rocks A Study of Its Development and Construction", (1997) Thesis, p. 137.

42 Boyd, N., Gloucester Street, The Rocks A Study of Its Development and Construction", (1997) Thesis, p. 136-137, p. 142-143.

The first model houses were constructed in Windmill Street, Millers Point. These reflected a change in philosophy with the emphasis on providing a good living environment for the occupants, in contrast to the earlier planning schemes, that maximised floor space.⁴³

To facilitate this, a process of redesigning of the individual blocks occurred throughout the Rocks. Plans dated c. 1908⁴⁴ indicate how the re-alignment of Gloucester Street was achieved and the proposed workers housing projects around the site. Projecting front gardens were removed and the buildings in the northwestern side of the street demolished to allow the alterations.⁴⁵

The Housing Board formed to facilitate worker's housing and was careful to retain the previous mix of corner shops, public houses and residences. The traditional relationship with the corner "public house" was retained, with an unusually shaped corner site created in the realignment of Gloucester Street used for the re-building of the Australian Hotel. Other such sites were identified for the Glenmore and Mercantile Hotels. Each of these had previously occupied nearby sites and were able to occupy the corner sites that were otherwise not suitable for residential buildings.⁴⁶

The Government Architects Branch under the Government Architect Walter Liberty Vernon designed new commercial, institutional, and residential buildings in The Rocks and Millers Point area until 1912. In 1909/1910 eight contracts for new buildings were underway in The Rocks, including 120 Gloucester Street and 117-117a Gloucester Street. The Board managed the residential properties resumed in 1900 and 1901, while the waterfront properties were under the control of the Sydney Harbour Trust.

The Housing Board undertook a considerable range of building projects and despite interruptions caused by the First World War, completed the realignment of streets, the construction of new bridges over the Argyle Cut as well as the erection of workers housing. The relationship between the design office of the Housing Board and the Government Architects office is not clear, however, the Government Architects Branch completed the buildings already underway, with much of the building works being completed by 1914. The Housing Board's Architect, W Foggit, was responsible for the majority of the workers houses in The Rocks and Millers Point from 1912 onwards.

Major demolitions took place on nearby Princes Street for the Harbour Bridge approach from 1924 (Figure 23), and Princes Street itself vanished from the map. Construction of the Bridge split the peninsula along its spine and the area west of the Bridge became known as Millers Point. Despite these changes, The Rocks maintained a residential community associated with the traditional maritime industries. In the mid-1950s, extensive demolition for construction of the Cahill Expressway across Circular Quay included the buildings, houses and tenements south of 140-142 Cumberland Street. The residences at 130 and 132-134 Cumberland Street, along with the rest of the buildings in the Longs Lane Precinct, are survivors of these dramatic changes to The Rocks in the twentieth century.

43 Boyd, N., Gloucester Street, The Rocks A Study of Its Development and Construction", (1997) Thesis, p. 144.

44 *ibid*, p. 144.

45 *ibid*, p. 144 & 148.

46 *ibid*, p. 153.



Figure 23: 1855 view of construction works for the Cahill Expressway south along Cumberland St to the Surviving Longs Lane Terraces in the upper left. Source: City of Sydney Archives

Although more tenements were planned, only two multi-storey unit blocks were constructed in The Rocks north of Little Essex Street. Nos. 46-56 Gloucester Street remains largely intact and is now leased to Department of Housing. Only the northern units remain of the other, larger scale development of some 30 units constructed in Gloucester Street (No. 117), Little Essex Street and Cumberland Street (Nos. 140-142). These units have been conserved by continuous government bodies and now PMNSW for use as residences. The remainder of the buildings were demolished by the construction of the Cahill Expressway in the 1950s (Figure 24).⁴⁷

Buildings immediately north of Susannah Place were also demolished. Susannah Place was not demolished as it did not fit into the popular description of an “infested hovel”.

During the 1950s the concrete slab over the big dig site was used as The Department of Government Transport Omnibus Park. In the 1990s a major archaeological investigation (Cumberland/ Gloucester Streets Archaeological site) was undertaken on the site. While the site has been developed by Youth Hostels Australia, it remains exposed as an interpretive site.

The remaining 19th century and post 1900 public housing and hotels in The Rocks and Millers Point areas were then administered by the Sydney Harbour Trust and later by the Maritime Services Board until the late 1960s.⁴⁸

⁴⁷ *ibid*, p. 148.

⁴⁸ Boyd, N., Gloucester Street, The Rocks A Study of Its Development and Construction”, (1997) Thesis, p. 144-146.

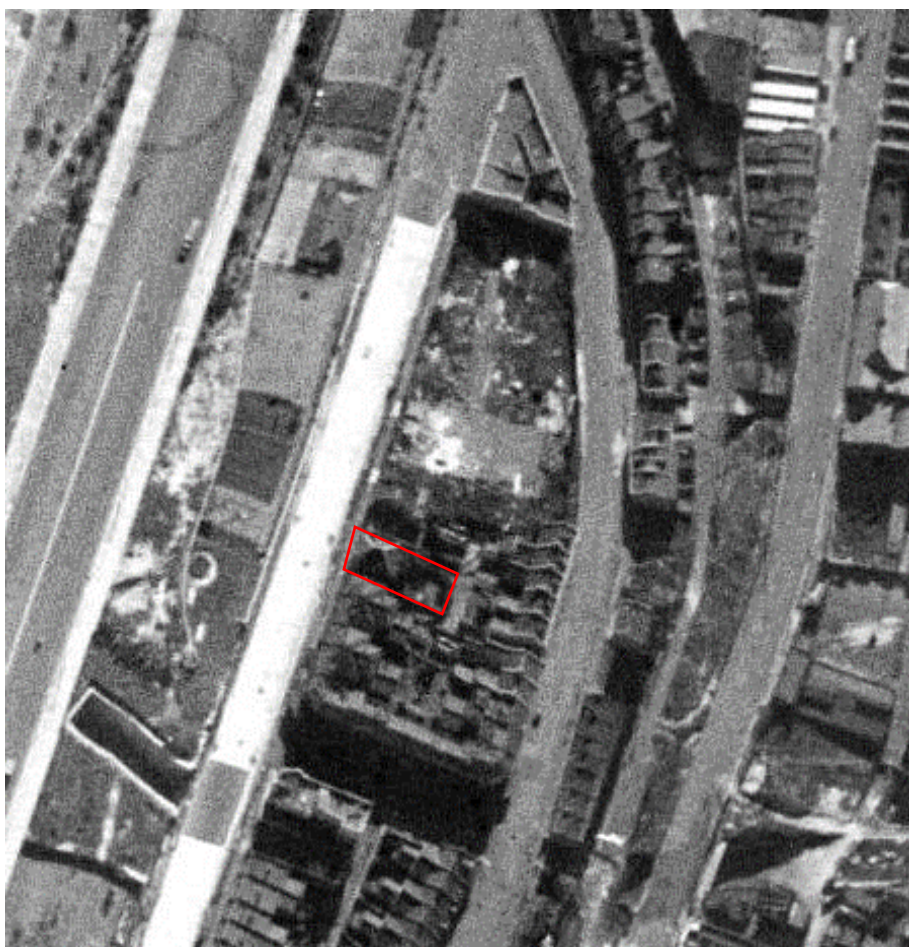


Figure 24: 1943 Aerial Images showing the vacant area north of the Long Lane Precinct (now the Big Dig Site) and the redevelopment on the King George V Memorial Park on Cumberland St. The subject site is outlined in red. Source: Six Maps

Since that time the immediate area has continued to develop. The construction of the Sydney Harbour Bridge and its approaches in the 1920s and 1930s had a marked effect on the area and particularly the western side of Cumberland Street. The 1943 aerial (Figure 25) shows the cleared area next to The Australian Hotel. A small, hipped roof structure, garden beds and games courts and some plantings are visible on the site initially developed as the King George V Memorial Park and now occupied by open sports courts and the modern steel and glass. King George V Recreation Centre which was opened in 1998. Susannah Place (c. 1844, Nos. 58-64 Gloucester Street) remains to the southeast of the site with the early 20th public housing (Nos. 46-56 Gloucester Street) to the east of the site. Opposite the hotel, at the north-eastern end of Gloucester Street also retains a mix of the earlier terraced housing and modern infill mixed use buildings.



Figure 25: Aerial view showing the Sydney Harbour Bridge after the completion of the Cahill Expressway. NSW Government Transport Omnibus Park can be seen on the current Big Dig/YHA site. The Sydney Opera House is under construction at far R. The subject site is outlined in red. Photographer Allan A. Hedges. Source: City of Sydney Archives

With the planned demolition of The Rocks throughout the 1960s and prior to The Green Bans of the 1970s, The Rocks fell into disrepair. Between 1971 and 1973 the Government gave in to the demands of the Labourers Builders Federation and the plight of the Green Bans and it was decided that The Rocks would be conserved.

The terraces along Cumberland Street were vacated by the early 1970s, were boarded up to deter vandalism and became home to squatters. They continued to fall into a dilapidated state throughout the 1980s (Figure 26) until their conservation in the 1990s.



Figure 26: View east from Sydney Harbour Bridge of terrace houses, 130-138 and 140-142 Cumberland Street, The Rocks, with Longs Lane between them, 1983. All are derelict, with corrugated iron on ground floor windows, and wire mesh fence with barbed wire around them. Source: City of Sydney Archives

2.4 History of the Occupation of the Site

Cumberland Street was officially named in 1810 and was to extend from Charlotte Square, in a northerly direction towards Dawes Point, next to and running parallel to Prince Street to the east.⁴⁹ The name came into use immediately. George Cribb had erected a 'row of four tenements along Cumberland Street to Longs Lane' around 1823.

Harper's survey of 1823 shows a long narrow building on the corner of Long's Lane and Cumberland Street. There was a stable building on this lot, which was of a similar scale, located to the south of Cribb's Lane, for which archaeological remains can be seen in the "Big Dig" site (shown Figure 27). The building erected on the corner of Cumberland Street and Long's Lane is likely to have been a row of attached cottages, one room deep. The building erected on the corner of Cumberland Street and Long's Lane was a row of attached cottages, one room deep. The houses were built in the early 1820s by George Cribb, and among the tenants in 1822 were John and Mary Seabrook, Thomas Kinnaird, Catherine Murphy and Mary Massagora and their respective children⁵⁰.

Had the building simply been extended, the roof form is likely to have reflected this, creating an M-shaped roof rather than the double hipped roof shown in later photographs. The existing cellar cut into the bedrock under the floor of the shop at 136-138 Cumberland Street appears to date from this initial phase of construction (i.e. 1831). The curved south-west corner of the cellar is probably related to the chamfered corner of the building shown in Figure 29.



Figure 27: Extract from Stewart's 1823 survey showing the Longs Lane precinct (outlined in red dash line). Source CMP for 140-142 Cumberland Street by CLSP, using SRNSW SZ 469 as a base.

49 See 1831 quotation from SG & NSW of 28 June 1831 on following pages.

50 Karskens, G. (1994): Cumberland Gloucester Street Site: Historical Discourse. (3.1 George Cribb and Sophia Blundell, Section 74). Report prepared for SCRA prior to the excavation of the Big Dig site.

The row was replaced by larger cottages after 1825, and are potentially the properties advertised for sale 1831⁵¹).

*SIX comfortable COTTAGES; five of them situate in Cumberland-street, and the other one in Long Lane, Sydney; the whole of them in good tenantable repair, with separate yards at the back. Four of them have the advantage of a good well of water, and one (at present occupied by Mr. Jones, general dealer) has two frontages. The total rentals are £2 5s. per week. For the conveniency of all persons, they will be put up in six lots, agreeably to a plan which is lying ready for inspection at the office of the auctioneer.*⁵²

The title to the property, originally Allotment 12 of Section 74, was granted to Thomas Garrard by Governor Gipps by the early 1830s, and the laneway running alongside his grant had become known as Longs Lane by this time. Between 1831 and 1839, a number of annotated plans had been prepared showing the claimants of Section 74 (Figure 28). The original lot had been subdivided into a series of lots that fronted Cumberland Street and an additional grouping that fronted either Long's Lane or the lane that connected Long's and Cribb's Lanes which was frequently referred to as Junction Lane, and later as Caraher's Lane), this subdivision occurred following the bankruptcy of George Cribb in 1828.

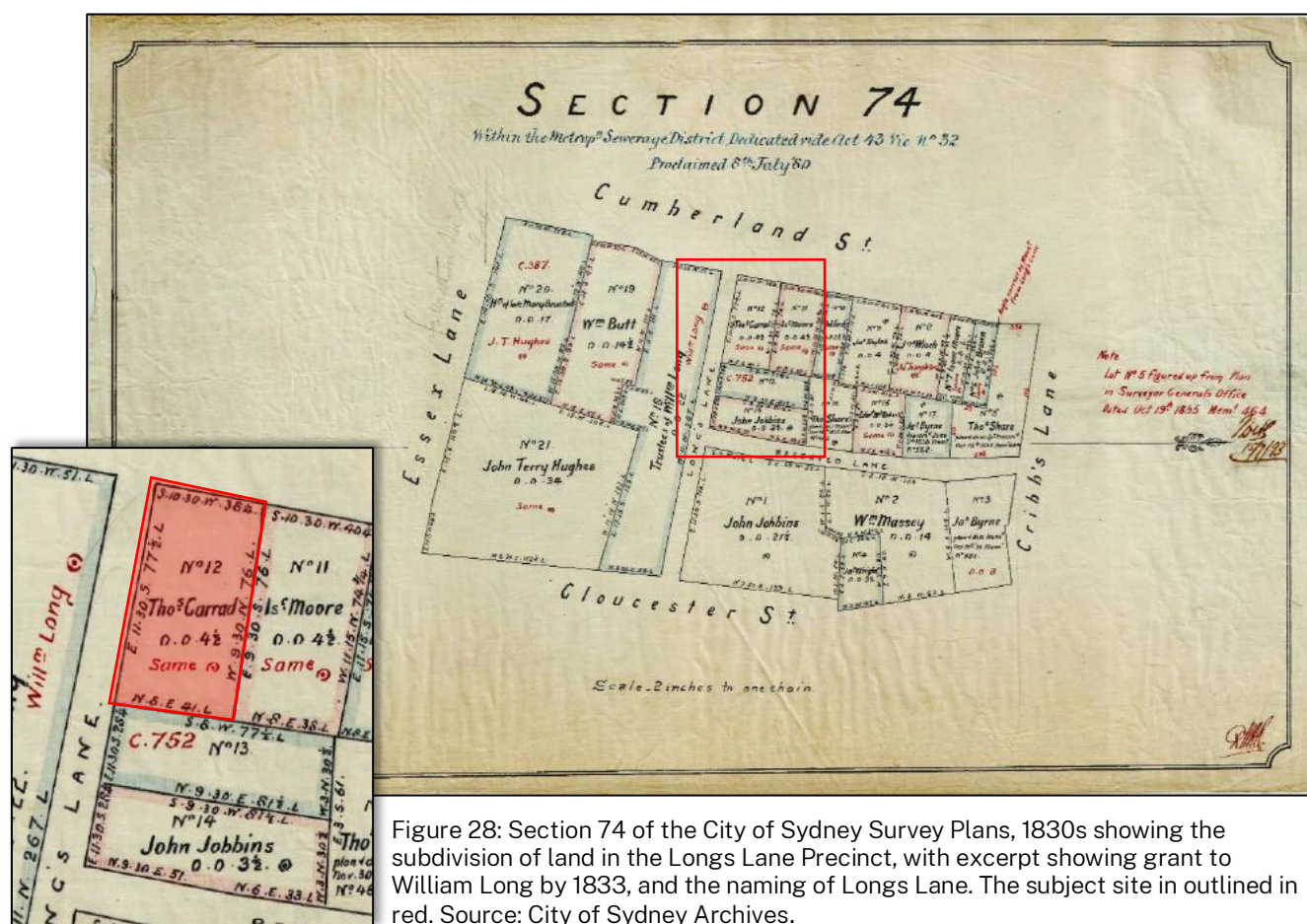


Figure 28: Section 74 of the City of Sydney Survey Plans, 1830s showing the subdivision of land in the Longs Lane Precinct, with excerpt showing grant to William Long by 1833, and the naming of Longs Lane. The subject site is outlined in red. Source: City of Sydney Archives.

The property could be purchased as a whole or subdivided, and each dwelling sold separately. The series of transactions recorded by the Land Titles Office show that the row was divided into three, comprising two pairs of houses and one single cottage, located at the northern end of the

51 See 1831 quotation from SG & NSW of 28 June 1831 on following pages.

52 SG&NSWA 28 June 1831

site, however no detailed descriptions of the buildings, views or plans have been located. The series of transactions for the adjacent lot, lot 11, shows that John Jones conveyed a lot with 'two messuages'⁵³ on the property in 1833 to Isaac Moore and Moore was eventually granted the property in 1839.

The row of five dwellings were numbered 128-134 on the 1855 block plan but subsequently renumbered to 130-138 (by 1880). The photograph taken by the American and Australasian Photographic Company in the early 1870s shows three different shades to the shingle roof, corresponding with three owners (Figure 29). The pair of houses at the southern end was located on Garrard's lot, the pair in the centre was on Isaac Moore's lot and the house on the northern end was on the lot claimed by Benjamin Ford.

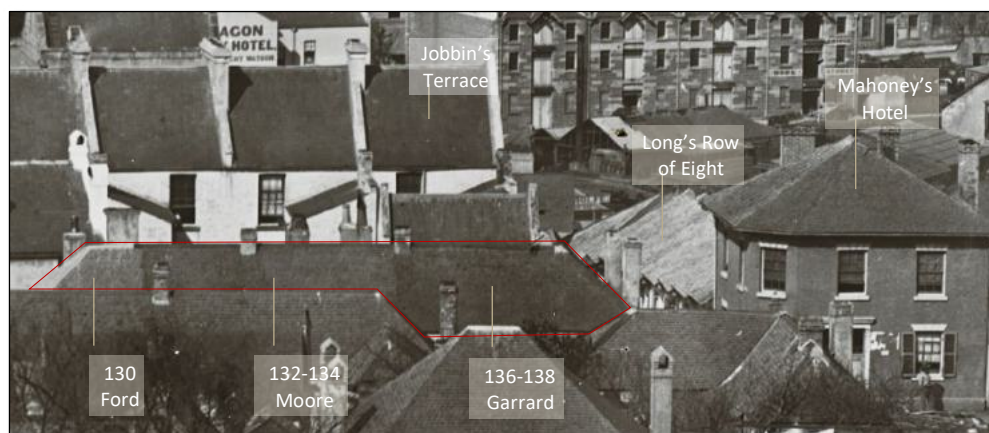


Figure 29: (left) Extract from the below view looking east toward Cumberland Street from Princes Street taken by the American & Australasian Photographic Company circa 1870-75. Note the chamfered corner on the building labelled "Garrard", located immediately to the right of the number "138". Source: State Library ON4 Box 73 No 2



Traditionally, small cottages in Sydney were either double-fronted, with a window on either side of the door or asymmetrical, with a single door and window.⁵⁴ The row of houses in Figure 29, appear to have been of the smaller, asymmetrical form, with a door and window to the street, as can be seen in the later photographs of the nearby Nicholas Rents property, built in 1834 directly to the north of Cumberland Street⁵⁵. Buildings of this scale and character survive in the Sydney CBD today, and those that do survive are later examples built in the 1840s and 1850s, however

⁵³ The term 'messuages' refers to a dwelling house with adjacent buildings and curtilages that are used in connection with the household. i.e.- a dwelling house with outbuildings and land assigned to its use.

⁵⁴ Refer to the study of the Terrace House form in The Rocks prepared by Jean Rice Architect 2014

⁵⁵ See Karskens, G., *The Rocks Life in Early Sydney*, (1997)

there are examples of this style continued into the 1900s that can be seen in the inner Sydney suburbs of Surry Hills and Paddington. The chamfered corner that can be seen in the above figure appears to have been continued into the cellar, as can be seen in the cellar wall splay that survives today. This splay indicates that the building is likely to have been a shop (with two windows) or a public house.

Russell was selective in the buildings he showed on his section plans. In some cases, buildings are shown, and buildings known to have been under constructed, are shown. Sometimes, only lot outlines are shown, and other times buildings known to be completed are not shown.

An indication of the character of the now-demolished row of cottages north of Long's Lane can be gained from images of the adjacent cottages (Nos 122-128 Cumberland Street) that survived until the resumption (See Figure 39).

2.4.1 Thomas Garrard

Thomas Garrard was a convict who had been sentenced to transportation for seven years at the Lancaster Quarter Sessions. He departed England aboard the *Asia* along with 189 other English and Scottish convicts on 3 September 1820 and arrived in Sydney in May 1821. That same year he was employed in the Government Lumber Yard in George Street. When Garrard obtained his Certificate of Freedom on 19 April 1827 he was living in Sydney.

When Robert Russell prepared his survey of the claimants of the lots in the town of Sydney, Thomas Garrad [sic] had claimed the lot on the northern corner of Long's Lane and Cumberland Street. In addition to the lot in Section 74, 'Garrad' was granted other portions of town land including 4½ perches in 1839 and 12 perches in December 1840,

Thomas Garrad, [...] Four and a half perches, bounded on the west by Cumberland-street, bearing south 10 degrees 30 minutes west 38 1/4 links; on the south by Long's-lane, on the east by allotment No13, bearing north 8 degrees east 41 links; and on the north by allotment No. 11 bearing west 9 degrees 30 minutes north 76 links. Quit-rent 2s. 3d. per annum, commencing 1st July, 1823⁵⁶.

By 1882 the two houses on the corner of Long's Lane had been pulled down and a new three-storey shop erected for Kellas Watson. By 1886, No.130 had been rebuilt. Although granted the lot in 1839 he did not seem to have developed the site, continuing to live in at his Kent Street property that he had also first claimed in the early 1830s. Thomas Garrard's first wife died in 1840 with newspapers reporting:

On Saturday, an inquest was held on the body of Mary Garrad, of Kent street who was found by her husband on the preceding evening in a state of intoxication, laying at the bottom of a ladder from which she had fallen, as she was attempting to get at her husband's tea and sugar which from her dissipated habits, he was obliged to secure in the loft in order to prevent her from converting it into grog. She was alive when found, but expired that night from the injuries received. The deceased has left four children, and by her drunken habits had done her utmost for years, to ruin her husband who is a sober industrious man and is possessed of considerable property⁵⁷.

Their four children were John (who would eventually inherit the property), born 1836, James and Francis [or Frances], d.1849, and Mary Anne, born 1831. After the death of his first wife, Garrard married Mary Anne Pinkerstone in 1842. The Garrards continued to live in Kent Street, and

⁵⁶ In subsequent newspaper entries and rate books the spelling of Garrard's surname varies between Garrad, Garrett and Garrard. By the mid-1860s the spelling had been standardised to Garrard and this spelling has been used in this report, except for quotes where the spelling has been transcribed as found.

⁵⁷ Sydney Herald 12 August 1840

Marianne [sic] Garrard is listed in the 1845 rate books as owning three properties in Kent Street, between King Street and Erskine Street.

Thomas Garrard died in mid-1844. Mary Anne Garrard remarried in 1846, marrying David Howell, another Kent Street resident. The Howells owned a property in the same block as Garrard, between Erskine Street and King Street. This part of Kent Street is where the Garrards had lived and where Mary Ann continued to live after she remarried.

In his will Garrard named carpenters James Sullivan and Michael Cannon [Gannon], Gentleman of Cook's River as trustees for his surviving children: John, James and Mary Anne. Prior to moving to the Cook's River, the Irish-born joiner Michael Gannon had spent many years living and working in The Rocks. He owned numerous properties, including his house and adjacent shop which still stood in Argyle Street, but experienced financial difficulties in the depression of the 1840s.

The 1845 rate book entry notes that Mrs Garrett [sic] owned the property in Cumberland Street. The Rocks publican Issac Moore owned the adjacent two cottages and the last was still owned by Benjamin Ford. Ford was the only one of the owners who actually lived in the cottage tenement he owned. The cottages were described as being stone, with a shingle roof, however later rate books state brick. Once Mary Anne Garrard remarried, Garrard's nominee James Sullivan took over the management of the properties in Cumberland Street. This arrangement was not entirely satisfactory for the former Mrs Garrard, as a court case in 1846 reveals:

A young man named James Sullivan, was sentenced on Thursday, to pay a fine of Twenty shillings, for assaulting Mary Anne Howell, the wife of David Howell, clerk, residing in Kent-street. Mrs. Howell, stated that the defendant came to her house on Monday, and threatened to put bailiffs into it for a balance of rent due. Not being at all partial to those kind of officials, she told Sullivan that he must do no such thing, that she would not allow bailiff to be put in her house. This roused Mr. Sullivan's ire to such a pitch, that he struck her two blows with his closed fist on the mouth.⁵⁸

David Howell was declared insolvent in 1848 but remained in Kent Street until 1852. Sullivan continued to manage the property in Cumberland Street throughout the 1850s. The pair of cottages appears to have only ever been an investment. It is not recorded where, or with whom, Mary Howell's stepchildren were living. John Garrett [sic] is listed as being the owner in 1861, by which time he was 23 years of age. The remainder of the row was owned by Edward Brady (a relative of the Moore family) and Benjamin Ford, although Benjamin Ford was no longer in residence. Each of the single storey houses was described as containing two rooms each, one of which would have faced the street and the other the rear.

In 1861 Lot 12 was divided between the surviving Garrard children. In August 1861 the land was then returned to Mary Anne Garrard's husband George Brown and her brother James. George Brown managed the properties, with the two cottages under his ownership in better repair than the rest, owned by Edward Brady and William Ford, and during this time the land was still a single lot.

⁵⁸ Morning Chronicle 27 June 1846

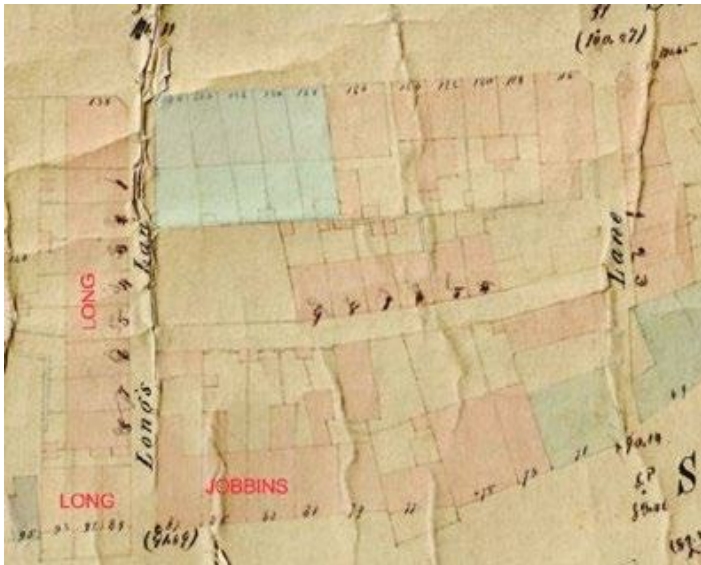


Figure 31: Extract from the 1855 block plan. The row of five cottages has been highlighted in pale blue. The Jobbins buildings and the row owned by Long are also shown. Source: SCC Historic Atlas

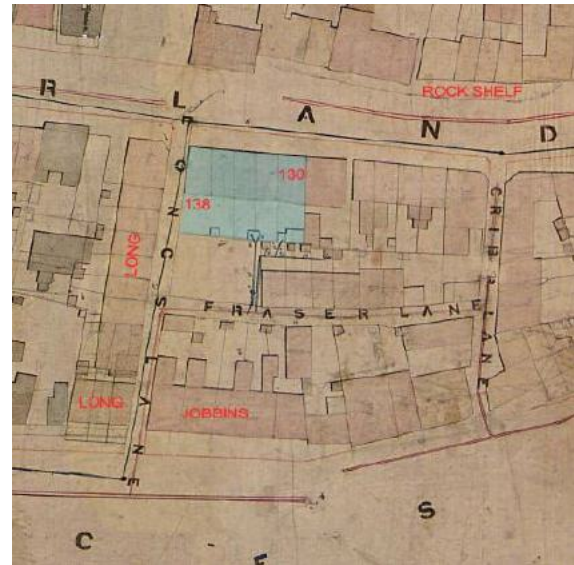


Figure 30: Extract from the 1865 Trigonometrical Survey. The row of five cottages has been highlighted. The Jobbins buildings and the row owned by Long are also shown. Source: SCC Historic Atlas

The 1855 block plan (Figure 31) and the 1858 and 1865 trigonometrical surveys (Figure 30) show that the two houses owned by Garrard shared a yard and a single outbuilding. Unlike the adjacent houses, the Garrard's outbuilding had no sewer connection with access to the rear yard via Long's Lane. The row of eight tenements erected on the southern side of the lane by William Long can also be seen.

Former trustee James Sullivan, listed as a dealer, was living in one of the two cottages in 1858 (No. 134 later 136) and the cottage on the corner was empty. At the time of his death in 1862 Sullivan was living in one of the cottages to the north owned by the Moore family.¹⁴ In 1866 the properties were re-conveyed, this time giving the pair of cottages on lot 12 to John Garrard. The Sands Directory indicates the series of tenants. John Garrard never lived in either of the houses.

By 1863 the house on the corner (No. 136 later 138) was occupied by a widow, Mrs Anne Sullivan who operated a greengrocer. It has not been confirmed if she was related to James Sullivan. Alice Sullivan was listed as the occupant of this corner building until 1871, followed by Catherine Strong who, likewise, ran a grocery business. A widow, Mrs Sarah Marlow, occupied the northern cottage in the pair (No. 134 later 136) from 1870 until 1876. She may have remained in the house until her death in May 1877. Michael O'Brien was the last tenant of No. 136, occupying the building from 1879-1880.

2.4.2 John Garrard & Ellen Maria Egan

John Garrard, the eldest son of Thomas Garrard inherited the property at No. 136-138 Cumberland Street in 1866 and retained it as an investment. By 1871 the house on the corner of Long's Lane had been converted into a shop. The adjacent houses were now listed as being owned / managed by William Moore and James Cooper. Following his marriage to Ellen Maria Egan in 1865, the Garrards resided in a more substantial house in Princes Street and then at 72 Upper Fort Street, by 1871 (Figure 32). This single storey house, owned by the wealthy Dibbs family, was larger than the houses owned by Garrard in Cumberland Street as it contained three rooms. Upper Fort Street was a more prestigious address.



Figure 32: View of the houses in Upper Fort Street c.1875. The Garrard's cottage at No 72 is indicated. Source: NLA nla.pci-vn4698177

In 1876 when Garrard conveyed the property in Cumberland Street to his father-in-law, Richard Egan, he was listed as being of Sussex Street and no improvements to the property in Cumberland Street had been completed. John Garrard died of paralysis in 1883 leaving a widow and five children. The transfer of the property to his wife's family may have been made because of his illness. His wife, formerly Ellen Maria Egan, died at her residence in Kent Street in 1911.

In addition to the housing fronting Long's Lane, the row of five houses in Cumberland Street may have been condemned, as all three owners choose to rebuild around the same time. The lots were in separate ownership and individual buildings were erected over the decade. William Long likewise rebuilt, erecting a pair of typical terrace houses on his lot fronting Gloucester Street to replace his cottages that had been condemned. Benjamin Ford had moved back into the attached cottage he had owned, and he remained in occupation of No 130 until at least 1882, the property of his previous tenant having been seized and sold to pay back rent⁵⁹..

⁵⁹ SMH 27 Jan 1880

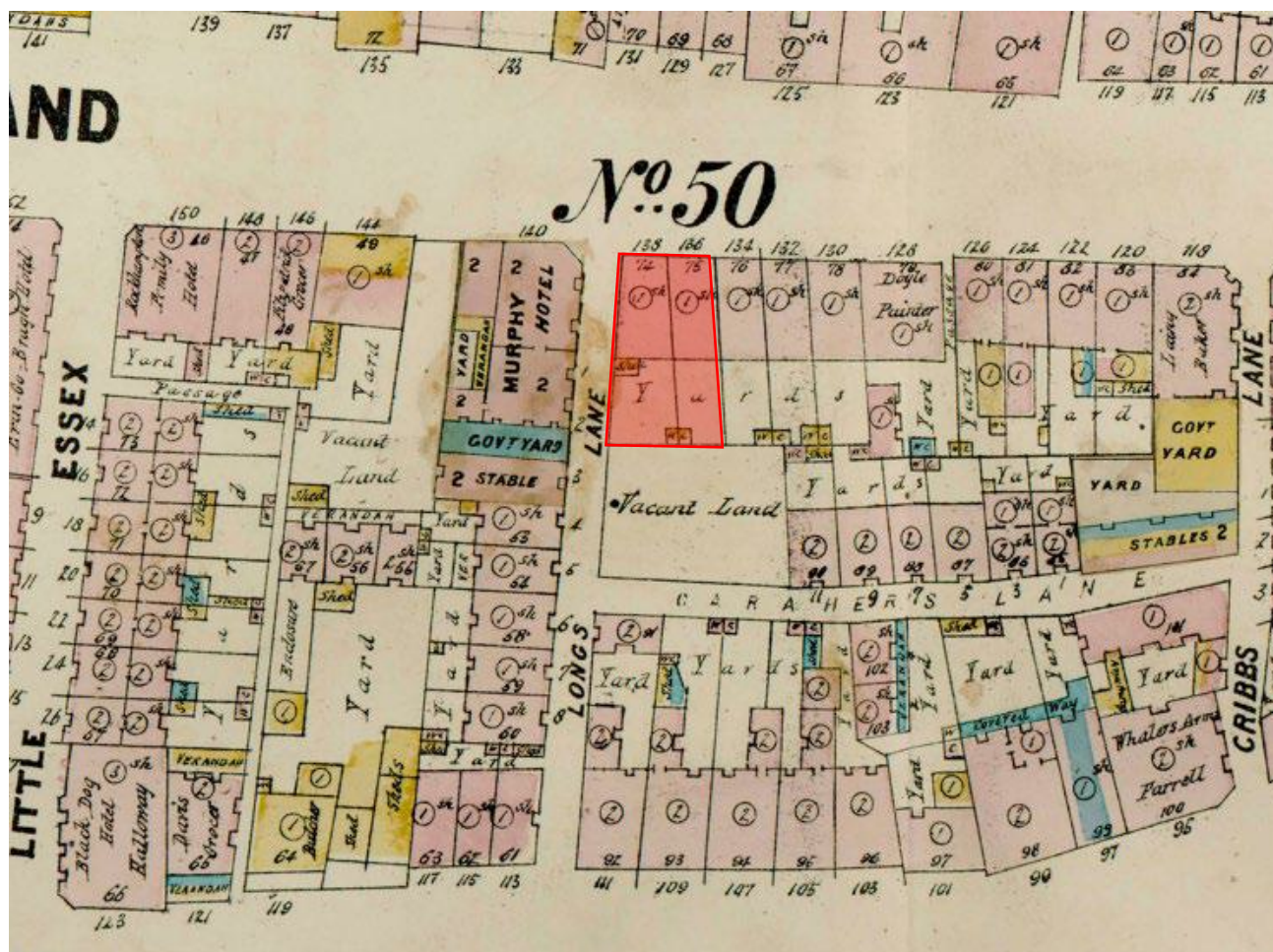


Figure 33: Percy Dove's 1880 Map of Sydney showing the development occurring in the area and the subject site outlined in red. Source: City of Sydney Archives.

By 1882 the two houses on the corner of Long's Lane had been pulled down and a new three-storey shop erected for Kellas Watson. By 1886, No.130 had been rebuilt and was in operation as a boarding house. Nos 132-134 were the last buildings to be rebuilt as they do not appear on the 1889 metropolitan detail series plan (Figure 34) but can be seen on the plan dating from 1890 (Figure 35).

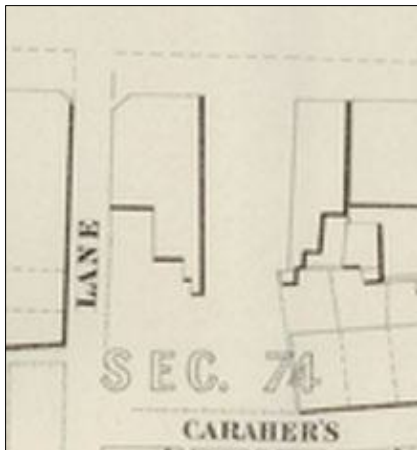


Figure 34: City of Sydney - Metropolitan Detail Series Section 70 to 75, 1889, showing the newly constructed shop and residence at 136-138 Cumberland Street. Source: SLNSW

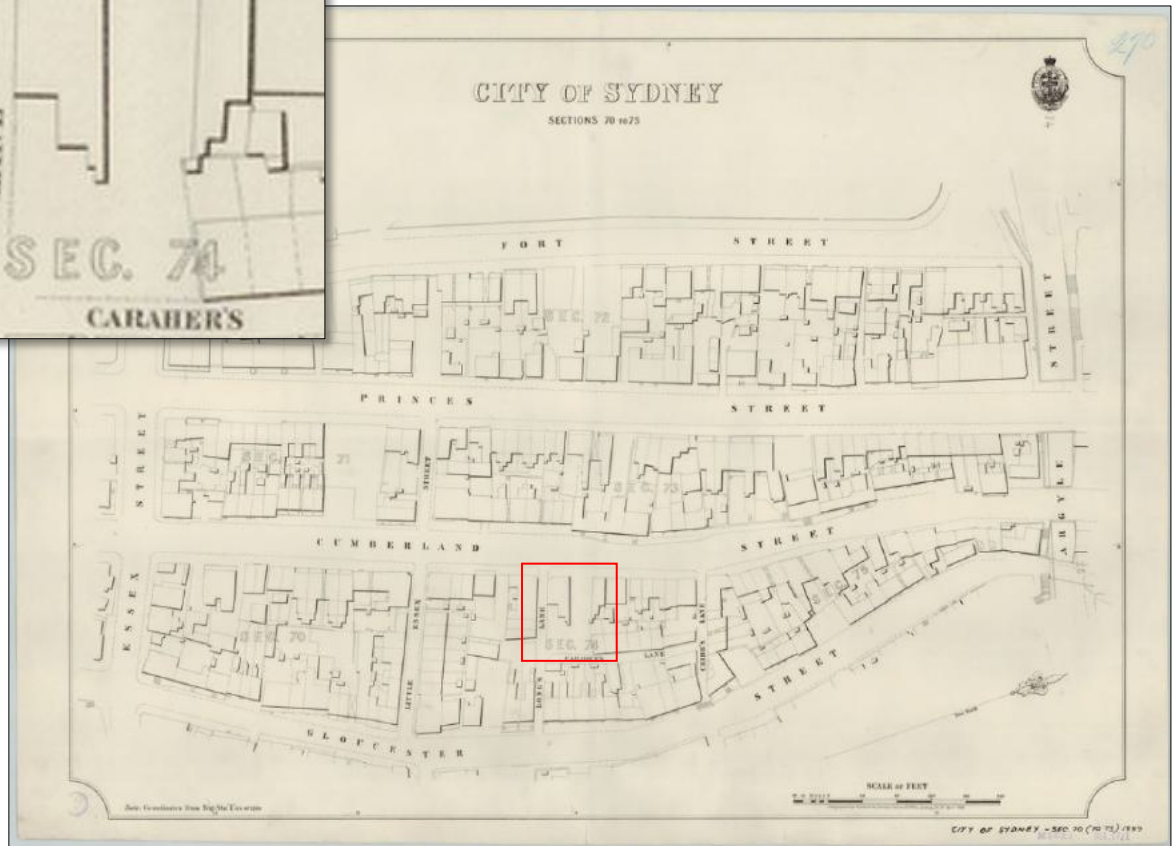


Figure 35: Extract from the 1890 Metropolitan Detail Series block plan of Section 74 showing the three buildings erected during the 1880s and early 1890s, No. 130 (pink), 132-134 (yellow) and No. 138 (blue).

2.4.3 Kellas Watson's Butcher's Shop

Garrard's descendants, the Egan family, sold the property to a speculative builder in 1881. This appears to have been a common practice in The Rocks. The shop and residence at No. 136-138 Cumberland Street was built in 1881-82 by John Johnson of Camperdown and then on-sold to German-born Kellas Watson, a Sydney wood and coal merchant. Watson obtained a mortgage from Johnson to fund the purchase. From the outset, 'comfortable apartments' were being rented out above the butcher's shop⁶⁰. The shop and residence had been completed by the time the rate books for the Gipps Ward were compiled in 1882. The three-storey building was described as having 10 rooms. This room number tallies with the 1884 sale description and does not include the stair hall or outbuildings. No architect has been identified for the building and there may not have been one engaged. A builder may have prepared the design himself or simply copied another building he had previously erected.

Kellas Watson did not remain in occupation for long, and his butcher's shop was sold in March 1884, as Watson claimed he was returning to Europe⁶¹. John Johnson, from whom Watson had borrowed money, was bankrupted in February 1884. The Butcher shop was advertised for sale and was eventually sold to Henry Edward Castle in December 1884. Kellas did not pay off his mortgage to Johnson, rather equity in the property was conveyed in April 1884 by which time the proposed sale had already been advertised. Watson presumably could not raise sufficient funds to buy the property outright and pay off his loan.

The Butcher's shop, when advertised for sale in March 1884, was described as being,

*[a] brick-built butcher's shop with dwelling over, being No 138 Cumberland Street, and containing on the top floor four good bedrooms. On the first floor, three large rooms. On the ground floor, spacious shop, fitted complete with all of the requisites for carrying on a butcher's business. A parlour and kitchen in the rear.*⁶²

Henry Castle retained the property at Nos. 136-138 Cumberland Street and leased it out. He took out a series of mortgages but retained the property until the resumption. The butcher's shop business was then taken over by Frederick Smith either as a lease or on a rental basis. The Smiths continued to run the butcher's shop and also rented out rooms either to married couples or single young men. They were wealthy enough to also keep a servant, who probably had one of the smaller rooms in the rear wing. By 1887 the butcher's shop was advertised to let and the Sands Directory lists the occupier as King Hing & Co in 1888-1890. The Chinese importers had initially occupied premises on George Street North near the former Commissariat Stores, but by the 1880s were leasing commercial premises and residences in the streets above.

⁶⁰ Evening News, 6 December 1882

⁶¹ Kellas Watson had returned to Sydney by the end of 1887 (if he went to Europe at all) and was still having financial difficulties. In 1888 he was tried for shooting his landlord, Thomas Parker, the publican of the Blue Anchor. Watson received the death penalty however this was commuted. Parker had sent the bailiffs to Watson's house in an attempt to collect rent some months previously, an act that had enraged him. Watson claimed to have been drunk when he confronted Parker and that the gun had gone off by accident. He served his sentence at Bathurst Gaol, where he got into further trouble as he had been tormenting other prisoners.

⁶² SMH 15 March 1884

2.4.4 The Nelsons' Boarding House

By February 1890 No 138 Cumberland Street was operating as a boarding house, a use that was to continue until the premises were vacated in 1975. The lodgings that were available were described as being for respectable working men and that the rooms were good and airy. In March 1890 apartments for married couples were advertised with bath, piano and board if required. Having a piano was a sign of a particular standard of establishment. In the 1891 Sands Directory the property is listed as a Boarding House run by R. A. Nelson. Peter August Nelson, the proprietor, was of Swedish origin, and was listed as coming from the Port town of Kalmar, which is where the proprietor of the nearby shop in Susannah Place also originated⁶³. The surnames had been anglicised.

At the time of his death in December 1907, Augustus Nilsson was living at 120 Cumberland Street, a small stone cottage beside the shop on the corner of Cribb's Lane (by then renamed Cumberland Place).

2.4.5 Resumption

Following an outbreak of Bubonic Plague in Millers Point, large sections of the waterfront and the adjacent housing were resumed. The resumption extended from Market Street in Darling Harbour to Circular Quay. When resumed after 1900 the property was still in the hands of Henry Castle and occupied by the Nelsons (Figure 36). Two hundred and fifty pounds was spent photographing the resumed area in detail (taken by John Degotardi Junior of the Department of Public Works for the City Improvement Advisory Board).

A special section was set up in the Government Architect's Branch to deal with the Resumed Properties. The architect, Alfred Thomas Brindley, who had been with the Department of Public Works since the mid-1880s, was in charge of inspecting the properties. In his report submitted to the Under Secretary for Public Works in November 1901, the Government Architect noted that,

As an indirect result of the plague visitation (upon which it was necessary to expend large sums of money, some portions of which were dealt with by this Branch), a large area of the older portion of Sydney has been resumed from private ownership, and placed under two newly constituted authorities, viz.-. — The Harbour Trust and The Rocks Resumption Advisory Board. In connection with both these very large undertakings, the services of my officers — particularly Mr. Brindley, first-class assistant — have been called much into requisition.

This latter gentleman, being an officer of great experience and judgment in the valuation of properties, has, I understand, rendered valuable services; but I must add that while he has been doing the work on which private experts would, no doubt, make large incomes, his moderate salary has not in any way been augmented for the services he has rendered. In further connection with these undertakings, a small Sub-Branch has been placed under my control, dealing with the demolition of condemned properties and the repairs to upwards of 2,500 separate properties, both business and tenement, on the resumed areas.⁶⁴

63 SMH 4 Jan 1908. Kalmar was a port town – Both Nelson (Nilsson and Youngheim were sailors registers at Kalmar, as was common practice for sailors at the time, Kalmar was not their home town.

64 Annual Report of the Department of Public Works, 1900-01 p.33

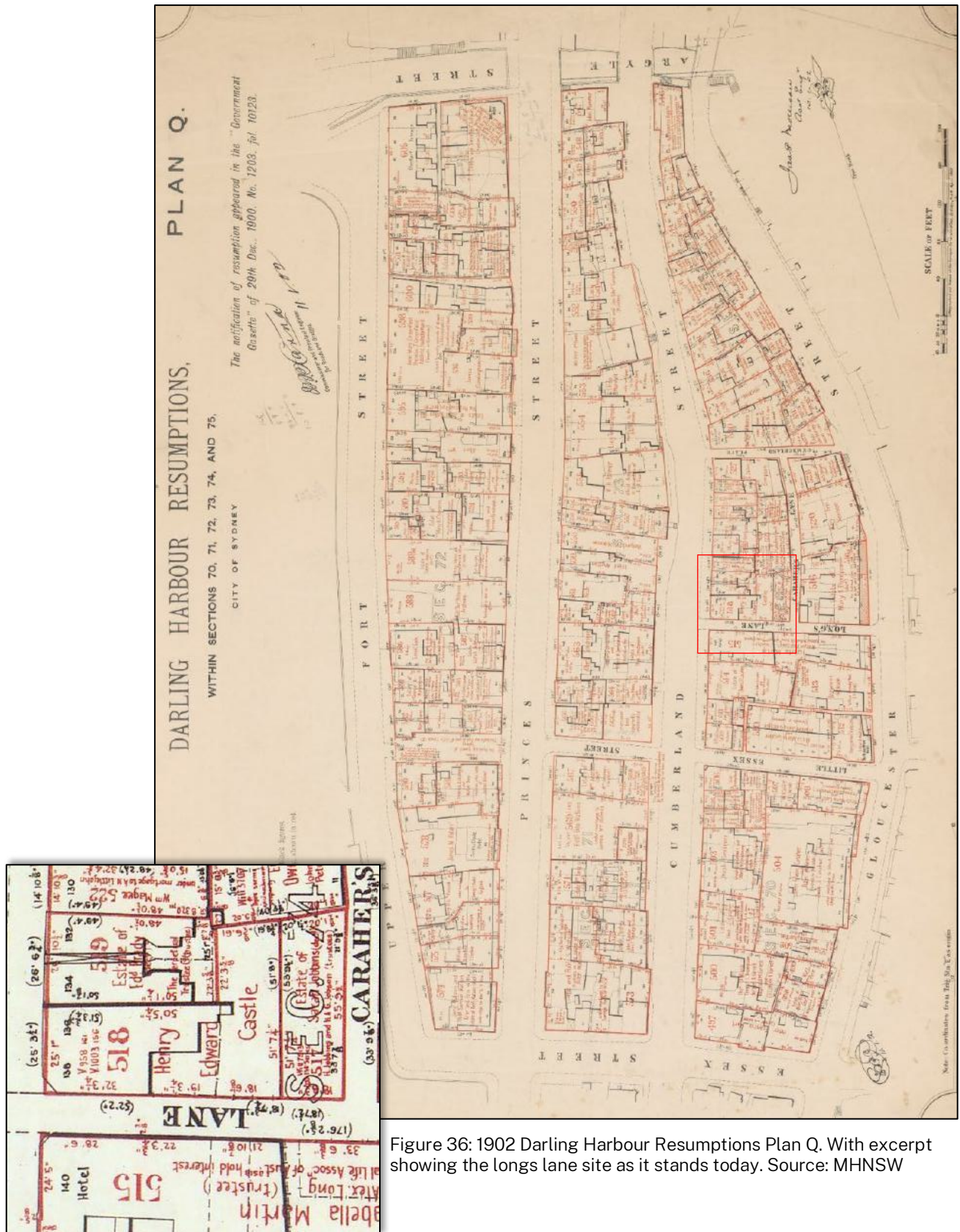


Figure 36: 1902 Darling Harbour Resumptions Plan Q. With excerpt showing the longs lane site as it stands today. Source: MHNSW

The owners of property in The Rocks were compensated for their property. Several owners contested the valuation, but Henry Castle does not appear to have done so. Many of the residents of The Rocks in the 1890s were evicted. The resumption plans show that Castle owned the three-storey shop and the lot that extended across the back of the butchery and the pair of houses to the north. He never resided in the property as the 1901 Sands directory lists Henry E. Castle, a Broker, at 29 Oxford Street. The outhouses are in the same configuration on the resumption plans as in the 1889 & 1890 Metropolitan Detail series plan. Henry Edward Castle died in 1916⁶⁵..

An Advisory Board, which included Varney Parkes and Norman Selfe, prepared redevelopment proposals which were presented to Parliament in 1901. Their proposals involved extensive remodelling of the topography and straightening of the streets that would have proved to be very expensive. The surviving plans prepared by the Advisory Board show that the proposed re-alignment of Cumberland Street would have resulted in the demolition of almost all the building stock and the removal of the lanes (Figure 37). The wholesale demolition of the area did not occur as initially intended, rather any building that was of a suitable standard and of fireproof construction was retained and repaired. The existing residents were to be housed near their places of work.

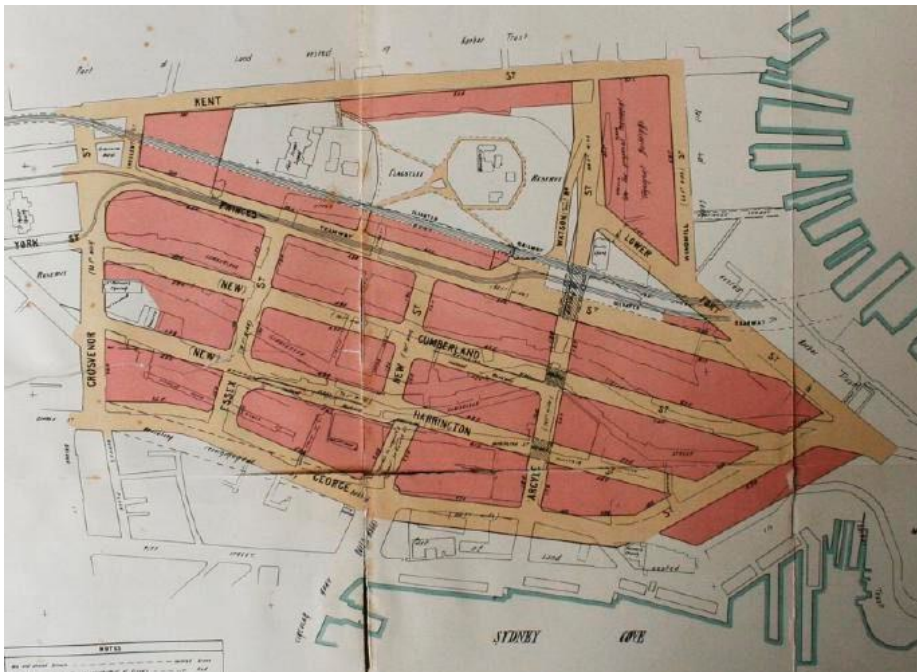


Figure 37: Norman Selfe's "Proposed Rearrangement of Area - Scheme B" from, NSW City Improvement Board, remodelling of "The Rocks" Resumed Area (Report Respecting), 1901 (plan signed 23/1/1902). Source: ML Q981.1 20A

A less ambitious and less costly scheme was then prepared by senior members of the Department of Public Works, namely Robert Hickson, John Davies and the NSW Government Architect, Walter Liberty Vernon. This plan, dated December 1903, clearly shows the division between the Sydney Harbour Trust properties and the Rocks Resumed Area, the latter to be redeveloped by the Department of Public Works (later Public Works Department or PWD). The PWD's plan showed the proposed rearrangement of the streets as well as the sites for new workmen's dwellings (Figure 38). Long's Lane was to be retained and a new 20ft (6m) cross lane created. No change to the frontage at the intersection of Cumberland Street and Long's Lane was proposed, only the frontages shaded in red were proposed for redevelopment. Cumberland

65 SMH 2 Jan 1917

Street and Gloucester Street were to be realigned so that only one new bridge would be required over the Argyle Cut.

In the early stages of the planning of redevelopment, State developed proposals were put forward, however little was achieved by these plans apart from some tenements constructed, such as 140 -142 Cumberland Street. A more detailed plan prepared in 1905 also shows the proposed new alignment of Cumberland Street. No alterations are shown to the study site; however, a fire station and a motor garage were proposed south of Little Essex Street. Repair works continued through 1904 to 1906 but the individual buildings repaired are not listed in the PWD Annual Reports. As the butcher building in Cumberland was relatively recent and was of a good standard of construction it was retained. As a result, Nos. 136-138 only appears in the distance of the photographs taken during the cleansing operations and the subsequent recording of condemned buildings. Nos. 130 and 132-134 were, likewise, relatively new so were also retained.

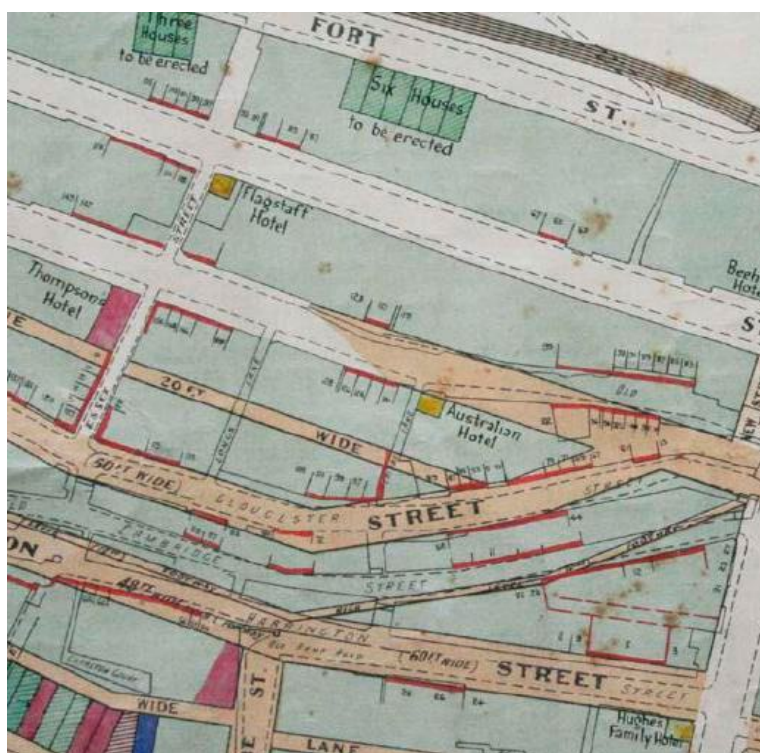


Figure 38: 1903 plan showing proposed street realignments. Source: State Records AO Map 6172

The substandard buildings to the north of Long's Lane and adjacent to Cribb's Lane were photographed, recorded, and demolished. Nos. 146-148 Cumberland Street were measured in October 1901, whereas Nos. 124-126 were not measured until February 1903. These measured drawings form part of the bound set of record drawings and photographs compiled by the Department of Public Works entitled *Rocks Resumption: Plans and Photographs of Buildings Demolished 1901-1906*.⁶⁶ The Resumed Properties Branch of the PWD managed the rental properties within The Rocks until the properties were finally transferred to the control of the Sydney Harbour Trust in 1927.

In 1912 it was decided to rename the newly straightened Cumberland Street, York Street North.

⁶⁶ State Library of NSW, ML PXD 750

City Street Renamed - A change of a rather important nature in the Rocks area has led to old Cumberland-street showing signs of developing into a commercial street. Already some fine stores are going up, some erected by the Government for the tenants, and others erected on building leases. As Cumberland-street is to all intents and purposes a continuation of York-street, one of the best business zones, it was thought wise by the Rocks Advisory Board to mark the change by a change of name. The authority of the City Council was invoked, and the change sanctioned; and henceforth the street will cease to commemorate the name of "the butcher of Culloden," and will be named York-street North, after another Royal Duke of the same family.⁶⁷



Figure 39: Extract from the series of photographs of the Rocks Resumed Area taken before December 1901, looking south from No. 124 Cumberland Street. Source: State Records series 4481 image 1148 (digital 222)

2.4.6 W.P. Fitzgerald

Some of the existing Rocks building owners or residents moved into the retained building stock whilst new premises were being constructed. As the buildings south of Long's Lane were to be demolished, the occupiers were moved into properties to the north. The Nelson family had given up running a boarding house and moved into one of the smaller cottages in the vicinity of Cribb's Lane. By 1914 William Patrick Fitzgerald was the occupant of No 136-138 York Street North. In his obituary it was noted that Fitzgerald had 'conducted a grocery business in The Rocks for more

⁶⁷ SMH 2 August 1912

than 50 years'⁶⁸. Fitzgerald was a local, born in Essex Street in 1854. Prior to the resumption, Fitzgerald's premises were located on the corner of Little Essex and Cumberland Street. This building was condemned and was to be replaced by a large block of model workmen's dwellings, designed in c.1913-14 by William Henry Foggitt of the NSW Housing Board⁶⁹.



Figure 40: View of W. P. Fitzgerald's original three-storey Cash Grocery at No 150 Cumberland Street and Nos. 146-148 (two-storey) taken in September 1901 prior to his relocation to No. 136-138 Cumberland Street. Source: State Records series 4481 image

Fitzgerald's occupation of No 136-138 was short-lived, from 1910 to 1915. Following the completion of the new Australian Hotel Fitzgerald moved into the adjoining shop at No 104 Cumberland Street erected as part of the Australian Hotel redevelopment and completed in 1914. Fitzgerald served as a city alderman for many years and was appointed Lord Mayor of Sydney in 1920.

For 25 years Alderman Fitzgerald has been a prominent worker in the Labour cause. He was originally closely associated with the Prime Minister in most of his political battles in the Lang and West Sydney Constituencies. At present Alderman Fitzgerald is a trustee for the Water and Sewerage

⁶⁸ 29 SMH 1 March 1938

⁶⁹ Clive Lucas Stapleton & Partners, Conservation Management Plan 140-142 Cumberland Street, The Rocks, 2007, p.12

Employee's association; he has been a member of the United Labourer's Union, and president of the Darling Harbour Labour League and West Sydney Labour Council.⁷⁰

By 1920 Fitzgerald had moved to the suburbs and was living in Darley Road but the business at No. 104 York Street North (Cumberland Street) was still in operation. Business owners living above the shop became increasingly rare in the inner-city areas as the twentieth century progressed. Rooms above shops continued to be operated as rental accommodation or boarding houses.

A glimpse of part of the shop front at No. 138 can be seen in the photograph of the recently completed block of workers housing at that extended south from No. 140, turning the corner into Little Essex Street, and returning into Gloucester Street (Figure 41). This block was one of the first erected by the NSW Housing Board following its formation in March 1912. The majority of this block was demolished when the Cahill Expressway was constructed. The awning to the shop front of No 136-138 Cumberland Street that had extended to the edge of the pavement, which can be seen in the resumption photographs (Figure 40), had been removed and the pavement narrowed by the time the photograph was taken. Post- supported awnings were not permitted by



Figure 41: View of the completed workmen's dwellings in Cumberland Street showing the shop front of 136-138 Cumberland Street on the left. Photo NSW Government Printer July 1914. The awning over the footpath had been removed by this time. Source: SHFA

⁷⁰ SMH 19 March 1920

Council to be constructed after 1912⁷¹. The corner shop in the new housing block to the south had a cantilevered awning supported by stays, as did the other new shops erected by the NSW Housing Board and the Government Architect in the southern half of The Rocks Resumed Area.

2.4.7 Cooney Family's Residential

The 1915 Sands Directory lists the Fitzgeralds in occupation of the shop at No 138 and Mrs Hannah Cooney occupying the residence above (No 136). Katherine George later recalled that her mother had 'bought into the house in December 1911'⁷². Correspondence from the Maritime Services Board (MSB) on the tenancy files referred to the premises as either a lodging house or residential with eight bedrooms. By 1917 Hannah Cooney was occupying the whole building, as W. P. Fitzgerald had moved to No 104 Cumberland Street. Hannah Cooney was the widow of the publican Peter Cooney. The Cooneys had run Cooney's Hotel in Bathurst Street and then the Surry Hills Hotel in Reservoir Street. In 1908, following her husband's death at the age of 47, Hannah Cooney transferred the hotel into her own name and then shortly after re-transferred the premises to another publican. It has not been determined where Mrs Cooney was residing between leaving Surry Hills and moving into the premises in The Rocks in 1911. She was not individually listed in the Sands Directory so may have been living with her daughter. Living in The Rocks may have been somewhat safer than living in Surry Hills, as the night watchman had previously fired warning shots at a burglar breaking into the Cooney's hotel.

In 1927, when the property was transferred to the management of the Sydney Harbour Trust, the Cooney family was still in occupation. A series of tenancy cards survive, which show that, for many years, the shop at No 138 was occupied by a separate tenant, Mr Pinder (sometimes listed as Pender). Pinder is listed in the 1932-33 Sands Directory as a newsagent.

Mrs Cooney made numerous requests asking for improvements to the premises. She asked that an additional bathroom be made in October 1927 but there is no indication on the tenancy card as to whether this work was carried out. An analysis of the tenancy cards could indicate how widespread the lack of response from the landlord was regarding maintenance and repairs. The only bathroom was located between the first and second floors and divided off from the small rear bedroom. In 1930 a notice was issued to by Council to upgrade the ventilation in No. 136 Cumberland Street. This may have been when the alterations to the windows were made in the form of the fixed ventilation boards at the tops of the double-hung windows. Increased ventilation of premises was a characteristic of the health and amenity movement in the early 20th century.

Mrs Cooney was having financial difficulties in 1931 and she requested that the Sydney Harbour Trust reduce her rental. In 1931 Mrs Cooney asked that the building be repaired and some months later the Council issued a notice requiring repairs, the extent of which was not specified. In 1933 Mrs Cooney's rent was still in arrears. The Council issued a notice to provide additional 'closet'. It would appear the No 136 building was being occupied as a residence during this period, rather than a boarding house or residential (as previously).

The 1932-33 Sands Directory lists the two of the Workers Dwellings (No 140-142) to the south of Long's Lane as 'residential'. Mrs Cooney continued to write to request very small improvements, such as an electric light (1933) and a power point (1937). In 1936 the Sydney Harbour Trust became the Maritime Services Board. In 1936 she refused to pay for a pane of glass to be fixed, the 'square' having been broken by a boy throwing stones. In 1941 repairs were undertaken to repair ceilings and touch up the paint. Some of the costs for this were recovered from the City Council. In 1943 Mrs Cooney was still in arrears over her rent. Some re-glazing of the front room

71 The Newsletter: An Australian Paper for Australian People (Sydney NSW: 1900-1918), Saturday 15 June 1912

72 MSB Tenancy files T628

was required in 1943. In 1946 Mrs Cooney was still asking for electric lights and power points. She died in 1946 and the tenancy was granted to her only daughter, Mrs Katherine M. George. Mrs George took over the tenancy of No 136 for a rental of 2 pounds 10 shillings per week. A gas bath heater was installed in 1948 and the following year there was a request for an additional toilet. In 1951 the large front room was to be renovated and a gas heater installed. The following year Mrs George asked that the whole premises be renovated. The following year (1953) she complained of a dangerous crack in the wall.

In 1928 the shop was let separately to Mrs L. Pinder. In 1929 the council issued a notice requiring that rubbish be removed from the right of way off Long's Lane to the rear. G. H. Pinder took over the tenancy and he too was constantly in arrears. Many of the government tenants preferred to spend their money on other activities than their rent, to the degree that this trend was officially complained about. It would appear from the tenancy cards that the tenants were seldom evicted for rental arrears, however bad behaviour towards other Board tenants could result in eviction. E. Hutchinson took over the lease in 1936. Joseph Pipa Radinger took over the premises in late 1939, following a short tenancy by Mayer and Banngarten. Radinger, an Austrian by birth, had applied for naturalisation⁷³. The reason for the short tenancies of the shop was not given however the decline in the amount of residents due to the construction of commercial buildings and the Sydney Harbour Bridge (Bradfield Highway) (Figure 42) would have had an effect on business, as would the depressed economic conditions of the 1930s.



Figure 42: Construction of the southern approach to the Sydney Harbour Bridge (Bradfield Highway) was well underway by April 1930 when a photograph was taken showing the group of buildings in Cumberland Street in the distance. Source: State Records Series 12685 Sydney Harbour Bridge photographs

73 NAA A435 1945/4/1345

In the mid-1930s, the opposite side of Cumberland Street beside the Sydney Harbour Bridge approach was turned into a park with a well-equipped children's playground and a bowling green by the Sydney City Council (Figure 43). The park was funded from a bequest from the will of the recently deceased King George V to provide similar facilities throughout the British Empire and was officially named in the King's honour, opening on 3 May 1937. A lawn and circular floral garden were located opposite Long's Lane and Little Essex Street. Events, such as spring festivals, were held in the park for local children.



Figure 43: View of King George V Memorial Playground 1958. Source: SCC Archives

130-142 Cumberland Street can be seen in the background of many of the photographs of King George V Memorial Playground in the City Council's archive. Subsequent additions to the bridge approaches resulted in the park being reduced in size and activities such as the bowling club being removed for the construction of what was to become the Cahill Expressway (in 1958).

Substantial works commenced by 1932 and continued until the mid-1950s, potentially interrupted by World War II. Works included creating a circular cutting that was planned to eventually connect Circular Quay with the Harbour Bridge. The re-grading of the section of Cumberland Street opposite 130-142 Cumberland Street was also undertaken.

In 1942 the National Emergency Services made an application to the MSB to use the premises as a Section Post. Following the attack by the Japanese on Sydney Harbour, a series of 203 sector warden posts was established across the city, one of which was located in the shop at 138 Cumberland Street. Partially excavated city railway tunnels were to be used as air raid shelters. The 1949 aerial photograph shows the extent of the King George V Park and the commencement to the circular cutting of the Bradfield Highway (Figure 44).



Figure 44: 1949 Aerial view showing the entrance to the circular cutting. Note also the intact Housing Board buildings around the southern end of the precinct (prior to demolition for the Cahill Expressway). The subject building is highlighted blue. Source: SCC Historic Atlas

Mr E. Styles took over the shop in 1945 and he intended to establish a picture framing workshop. Styles also did not remain for long but told the MSB that his brother would like to occupy the premises. Like many of the other tenants, Mr P. S. Styles was in arrears with his rent. E. M. Robbins took over in 1948. In 1960 he requested that the MSB paint the interior of the premises but there are no records confirming if this took place. The shop appears have been tenanted to the early 1970s.

In August 1945 the City Architect and Building Surveyor's Branch inspected the dwelling house at Nos 136-138 York Street North noting that the brick building with timber floors was three storeys high. There were 10 occupants however there was only one bathroom (internal on the second floor) and one brick toilet in the yard. Ventilation was by means of air bricks and windows. The use is described as "dwelling house", with a workroom to the front room on the ground floor. The building was described as being an old building in fair condition. There was no gas, only electricity. Internally there was a single timber staircase and two open verandahs to the rear and the roof was slate.

The floor plans show a laundry block in the rear yard (labelled tubs) (Figure 45). This block is in a different position to the washhouse as originally built, as both the WC and Washhouse were to the rear of the kitchen. No documentation regarding this alteration has been located, however, throughout the area these changes were undertaken prior to the transfer to the Maritime Services Board. It is also worth noting that the rear yard extended to Caraher's Lane.

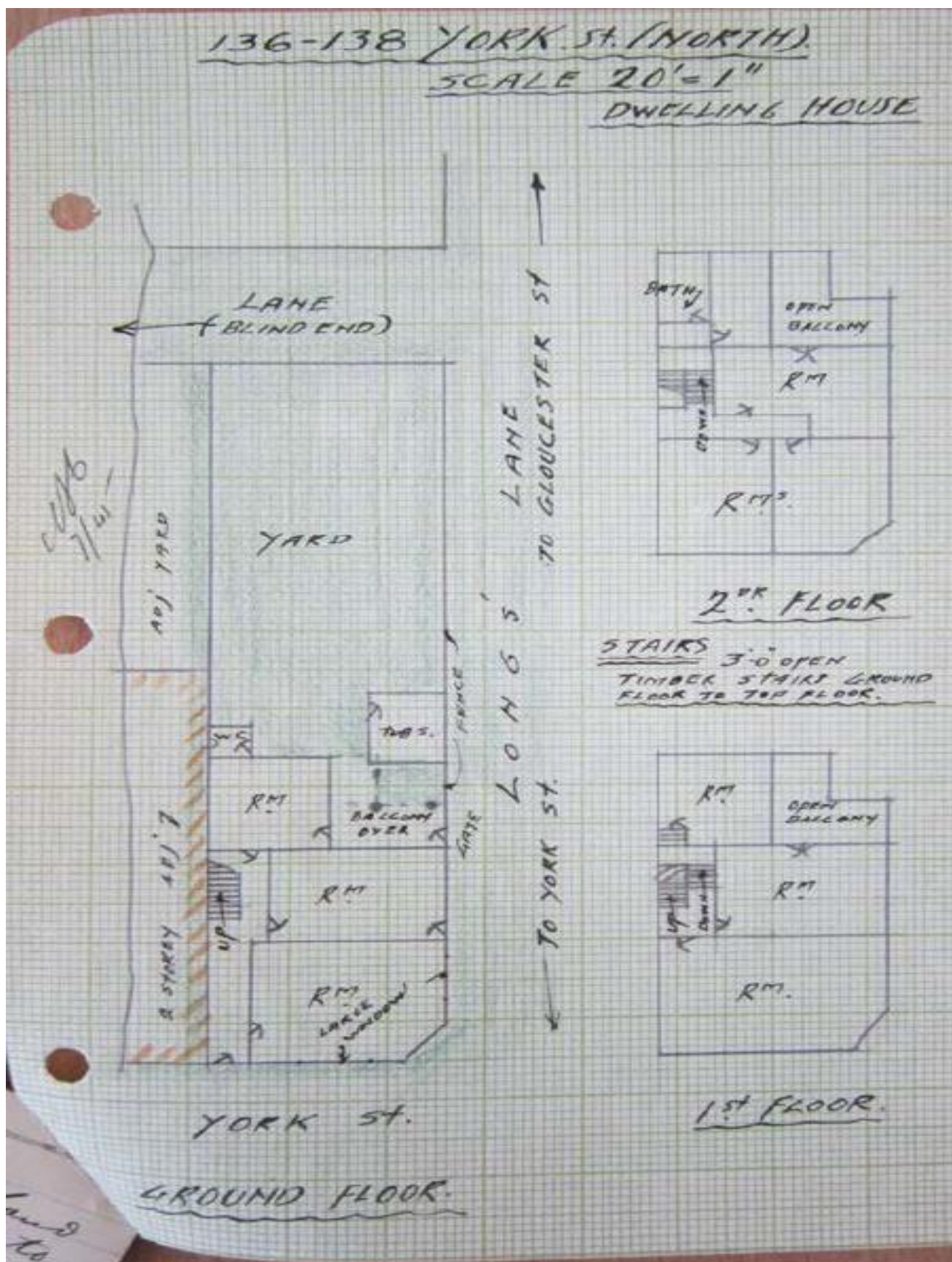


Figure 45: Floor plan prepared by the City Architect and Building Surveyors, 1945. Source: SCC Archives

In the mid-1950s the Cahill Expressway was constructed, which necessitated the removal of the southern half of the block of workmen's dwellings erected by the Housing Board. The dwellings at the end of Gloucester Street and in Cumberland Street were retained, and the street level was cut down so that traffic could pass under the expressway.



Figure 46: The lowering of Cumberland to allow the construction of the Cahill Expressway overpass over Cumberland Street, 1958. Source: SHFA

2.4.8 Transferring the 'Residential'

Katherine George (née Cooney), who had taken over the 'residential'⁷⁴ following her mother's death in 1946, indicated that she would transfer the tenancy in 1953 but this did not finally occur until 1957, when the tenancy was transferred to Mrs P. Raynor. Mr George had been ill for some time. Estimates were prepared for repainting in 1958 and some months later Mrs Raynor was still asking that the front be painted, and the gutters repaired. In 1960 she requested that the Board send a plumber to fix her leaking taps and to look into the matter of painting several ceilings and the kitchen that were in a bad state of repair. The entry for 1960 shows that Mrs Raynor was still operating the premises as a 'residential'.

In 1962 the 'residential' was transferred to Mrs Evanov and Mr Giovanni Posar, tenants in common. Mrs Evanov requested that the Board examine the broken panes of glass and requested repairs to the large leak in the ceiling. In 1968, by which time Mrs Evanov, who had become Mrs Posar, requested repairs to the guttering. The following year the City Council agreed that repairs to the gutter were needed. This is the last entry on the tenancy cards. SCRA files indicate that Mrs Maja Posar died in 1971.

⁷⁴ The term 'residential' as used in historic documentation (MSB Property files) refers to the Residential Tenancy Agreement for the properties.

2.5 Development of the Site and Building Components

2.5.1 Redevelopment Plans for the Longs Lane Precinct

Following the transfer of management of the area to the Sydney Cove Redevelopment Authority (SCRA) plans were prepared for the redevelopment of the entire area. A photographic record was prepared in 1970. Both the shop and the 'residential' tenancies were initially continued by SCRA. Correspondence on the property files transferred from the MSB to SCRA show that the rental was raised from \$18 to \$38 in September 1974. The following January Giovanni Posar vacated the premises, having decided to give up the residential rather than pay more than double the previous rent. The shop appears to have had been vacated in 1973.

The MSB tenancy files describe the 'residential' as having eight bedrooms which appears to equate to four bedrooms on the top floor, one of which was beside the bathroom in the rear wing, three on the first floor (including one in the rear wing) and one bedroom to the rear of the shop on the ground floor. The kitchen on the ground floor was probably shared by the occupants of the various rooms. It would appear that requests for additional bathrooms and toilets had not been complied with, as there was one toilet in the rear yard and one small bathroom in the rear wing between the first and second floors when the building was drawn up by Neil Maitland of SCRA in 1978 (Figure 47), just as there had been on the 1945 plan.

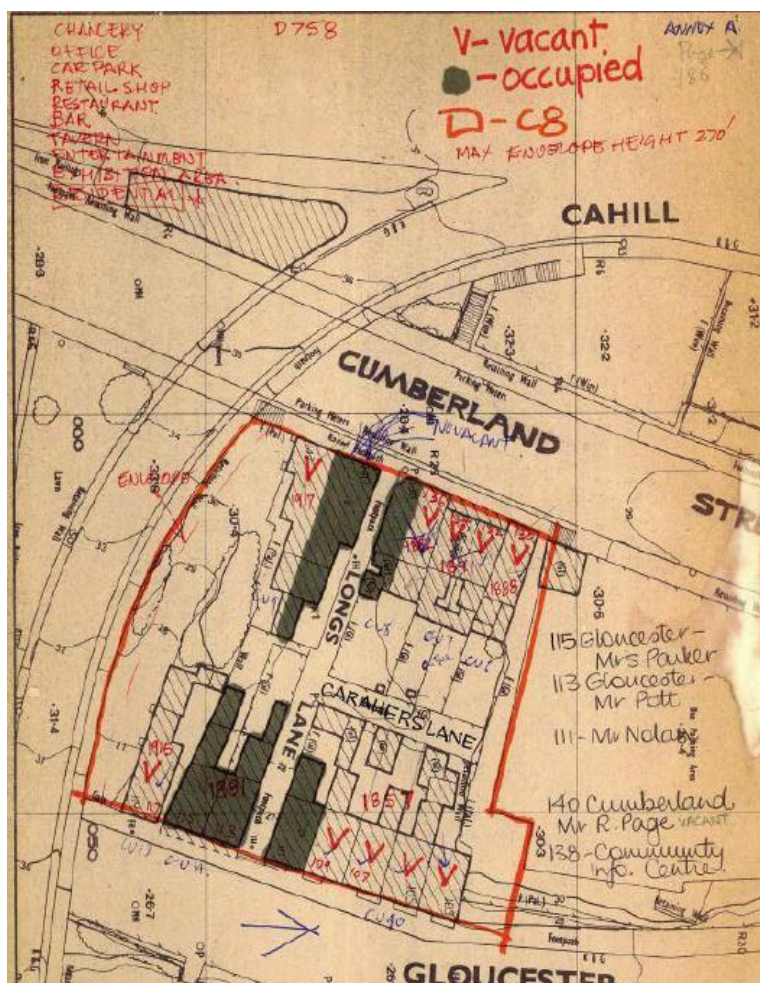


Figure 47: Extract from Neil Maitland's C8 file which shows the buildings still occupied in 1978. Source: SHFA

The sequence of archival photographs, including the decade-by-decade record photographs taken for SCRA (such as Figure 43), show that between 1945 and 1970 the upper level of the rear verandah was infilled, probably as a kitchenette for the boarding house proprietors (refer to Section 6.8, Item / Building Exterior). No records have been located that indicate how many of the rooms were rented out and how many were occupied by the proprietor.



Figure 48: 1970s record photo showing the group above Cumberland Street. Source: SHFA A742-142

The National Trust had prepared an initial listing for the buildings which was approved in November 1975. The Trust had also advised the SCRA that the entire peninsular had been deemed an Urban Conservation Area. With the construction of the Sirius housing block at the northern end of Cumberland Street. The Green Bans, which had initially been imposed in 1971, began to be lifted. SCRA attempted to proceed with their progressive redevelopment, tendering for the demolition of the subject building in 1978, however, an Interim Heritage Order was imposed by the NSW Heritage Council to prevent the demolition. The continuing program of demolitions was attracting bad publicity for the SCRA particularly as no building had yet been designed to replace the housing stock.

A transfer of control from the Minister for Local Government to the Minister for Planning, Paul Landa, resulted in the new Minister taking an interest in the area (Figure 49). Detailed discussions were held with the Minister regarding both redevelopment and renovation of the existing building stock. This transfer marks the start of a movement away from full-scale redevelopment of entire sites to retaining groups of historic buildings and infilling gaps with new buildings, largely where building stock had already been demolished. The SCRA Board then determined that:

A security fence be erected around the buildings: The roofs be made good: Rubbish be cleared out; An interim report be prepared.

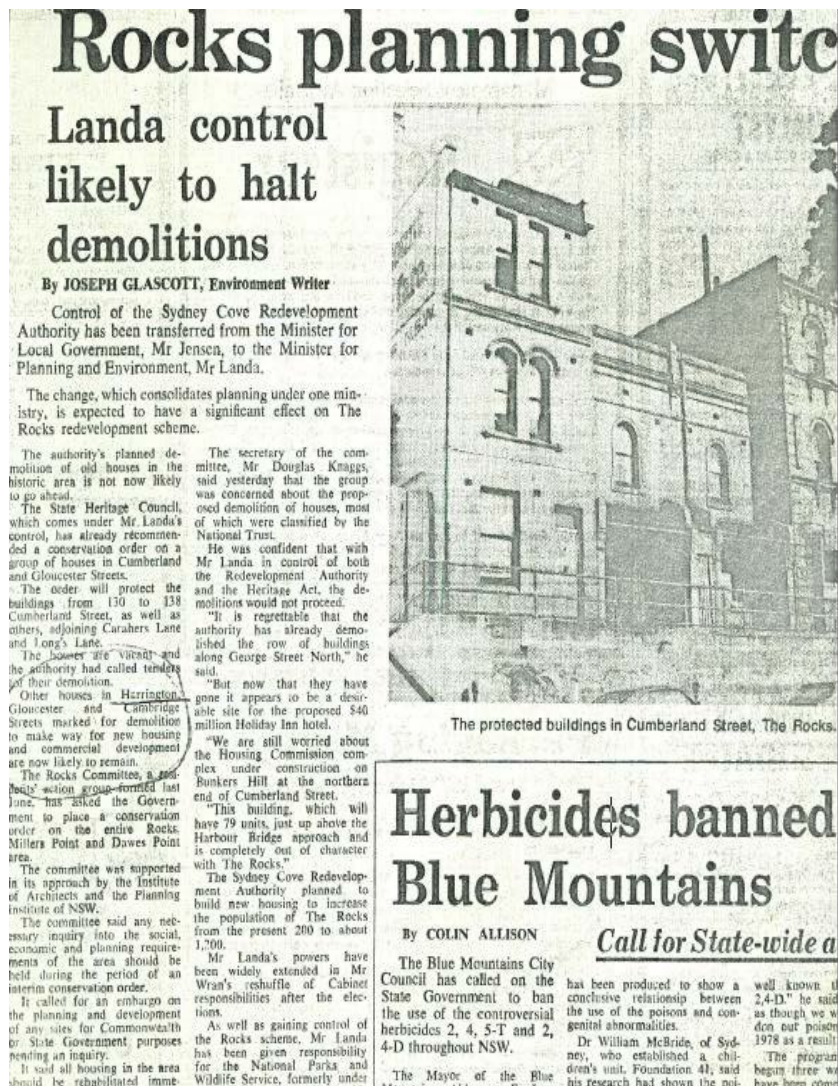


Figure 49: Clipping regarding the proposed demolition of the row in Cumberland Street. Sydney Morning Herald 11 November 1978. Source: SCRA file A1839

The in-house architect, Neil Maitland, prepared the detailed report, assisted by two casual staff (Figure 51 & Figure 50). Five of the buildings were still tenanted, including the shop at No. 138 Cumberland Street that was operating as the SCRA Community Information Centre.



Figure 51: Sketch plans prepared in 1978 by SCRA. Another version of this drawing survives with some room uses added. Architectural drawings of Cumberland Street, CU5/S7. Note, sketches with room and element measurements also survive in the SHFA files. Source: SHFA

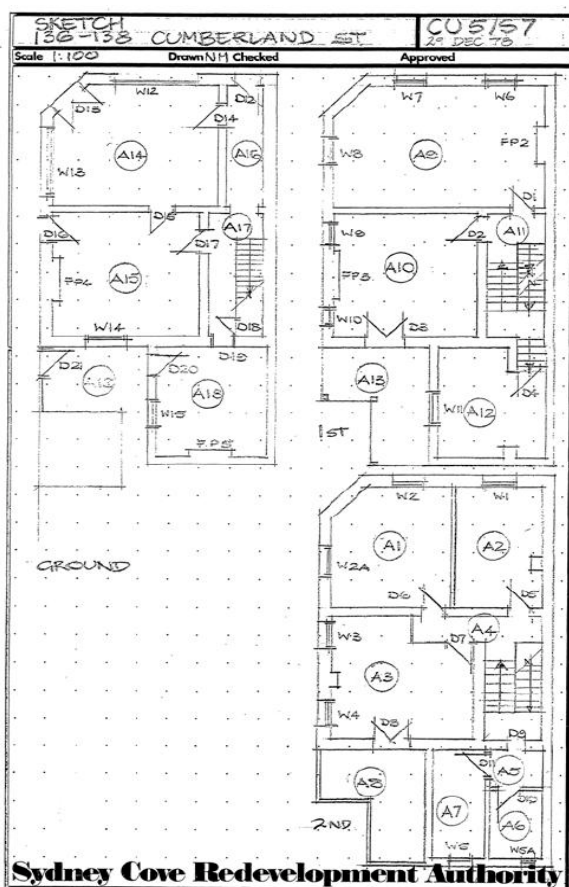


Figure 50: Elevations prepared in 1978 by SCRA, Architectural drawings of Cumberland Street, CU8/2. Source: SHFA

The terraces in the Longs Lane precinct continued to be managed by the MSB until the mid-1970s with some tenanted until 1976. By the late 1970s the terraces were left unoccupied and boarded up. 1978 SCRA files record that once the premises had been vacated, 'vandals' broke into the buildings and attempted to remove some of the internal features such as fireplace surrounds.

In 1978 the condition of the group was noted as:

Generally Most roofs leak. Most rainwater items are rusted to the extent that they do not work. This is causing water penetration and mildew is appearing on some adjacent internal walls. Paint work externally is mostly non-existent which is causing accelerated weathering of mortar and exposed timbers. Paint work internally is either filthy, vandalised or badly flaking. Most door hardware (locks, handles, latches, knobs, letter slots, numbers) and window hardware (cords, lifts, catches, bolts and glass) has been stolen or broken. All dwellings had inadequate and substandard electrical supplies which have now been vandalised and are completely inoperable. All backyards are heavily overgrown with weeds and vines. Most timber fences are rotten and timber gates inoperable The rear section of the building is in poor condition structurally and is temporarily braced both north/south and east/west with tie rods. 20% of timber has been vandalised. 10% of timber has decayed naturally. 10% of plaster especially lath and plaster walls have been vandalised.

In May-June 1979 a detailed report on the buildings on site C8 was prepared which included detailed conditions reports, measured drawings and a photographic record (Figure 52).



Figure 52: Nos. 130-136 Cumberland Street from the 1979 Condition Report. Source: SHFA

The report noted that 15 of the houses within the group were the subject of an Interim Heritage Order imposed by the Heritage Council of NSW. The area covered by the Conservation Area only included the nineteenth century houses and not the housing erected by the NSW Housing Board. This housing has subsequently come to be seen as an important phase of the development of the area and has also been listed. It was also noted that the building services were inadequate and that nearly all of the fittings in the properties had been vandalised.

In August 1979, The Rocks Committee (as the residents' action group was then known), which included Mrs [Nita] McRae, Mrs G. Duggan, Mrs Shirley Ball and Jack Munday, had waited on the Minister, Paul Landa, to ask that all of the properties listed by the National Trust be the subject of an IHO⁷⁵. The Minister sought 'private entrepreneurs on a long-term lease with a view to their being renovated.' The Director of the SCRA believed the IHO was 'bound to depress the financial return that can be achieved'. The SCRA pressed ahead with schemes for the site that did not necessarily retain all the buildings that had been identified in the IHO.

A scheme for a substantial multi-storey hotel was prepared in 1980 for sites C7 and C8 (from the Australian Hotel to the Expressway). The Premier was under pressure from Sheraton who wanted to build a 600-800 bed international hotel. Other hotel groups were also interested, the Melbourne architectural firm of Bates, Smart and McCutcheon made enquiries regarding site C7/C8 and C9/10 to the east for an unspecified English hotel chain.

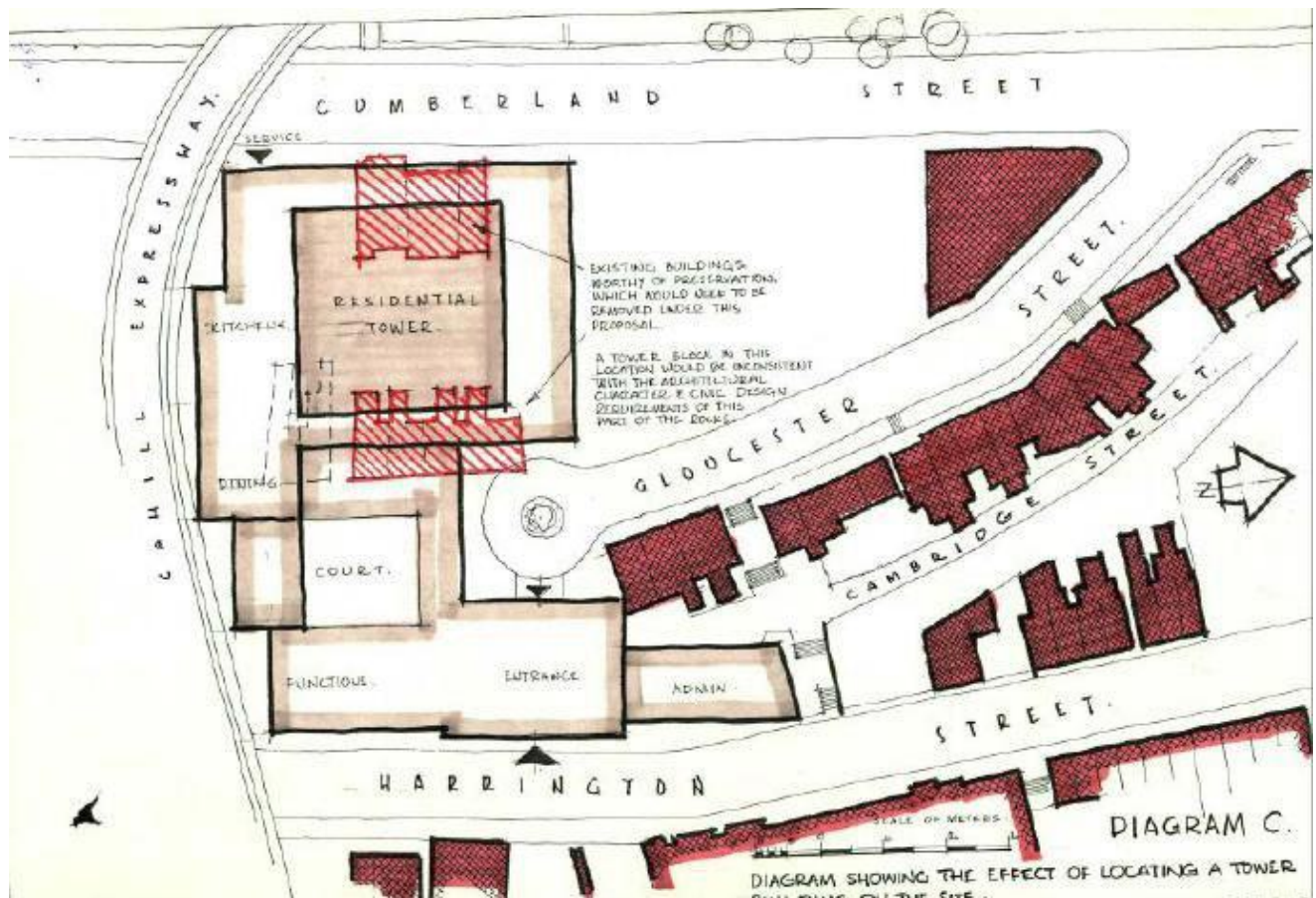


Figure 53: Diagram C, as prepared by Professor Gareth Roberts. Source: SCRA file RE 0523.01.01

Advice from Professor Gareth Roberts eventually determined that the hotel scheme was not the most appropriate use of the site and that it was more suited to residential use,

⁷⁵ Heritage Council of NSW, *Cumberland Street Terraces in The Rocks*, SCRA File A1839

To erect a tower block on the site would almost certainly involve the removal of a number of classified buildings (Diagram C) [Figure 53]. I believe the retention of these buildings and their integration into a new development which recognises the architectural and civic design requirements of the Rocks, are essential objectives.

In my opinion a building of the form suggested in diagrams A and B is therefore much to be preferred to a tower block which would - prejudice the retention of classified buildings which are important elements in the Rocks, and would be inconsistent with the scale and character of that part of the Rocks which is North of the Cahill Expressway⁷⁶.

Roberts also advised that,

...houses fronting onto Gloucester Street including a group of five terrace houses adjacent to the Expressway, together with selected houses fronting onto Cumberland Street ought to be incorporated into development proposals for the area⁷⁷.

This approach of integrating the historic buildings into a new development characterised the development within The Rocks during the 1980s and had become mandatory for the area north of the Cahill Expressway. Having initially been in favour of a hotel, Roberts changed his mind:

There is no doubt that in the total context of The Rocks, the abandonment of the hotel project, and its replacement with a residential development would result in a civic design more consistent with the environmental quality of The Rocks north of the Cahill Expressway⁷⁸.

In March 1983 the Heritage Council inspected the group of buildings that had been covered by the IHO. The Heritage Council had been asking to be informed of proposals since 1981:

Mr. Gaweda went on to say that the members had not been impressed with the condition of the buildings and some had expressed the view that the Authority should have paid more attention to ensuring that the buildings were protected from further deterioration as a result of the elements. Mr. Gaweda said that some windows and doors were seen to be open to the weather and there were holes in some of the roofs.

I explained to Mr. Gaweda that the Authority had been restricted over the past two years or so in its borrowing programme and consequently had not been able to undertake any capital works in that time. In addition, any surplus revenue had to be used to take up the shortfall in loan servicing and consequently the Authority was simply not in a position to spend any money on the vacant buildings in question. I did say, however, that a good deal of money had been spent initially in securing the buildings and since then a daily patrol had been maintained to keep squatters and vandals out of them⁷⁹.

The Heritage Council requested that SCRA undertake,

Roofing of the terraces with corrugated iron to prevent water entry into the buildings; boarding of all windows and doors to prevent vandalism; and spraying of weeds and creepers which are entering the terraces⁸⁰.

76 Gareth Roberts to SCRA, SCRA file RE 0523.01.01

77 Ibid. 52.

78 Gareth Roberts to SCRA, SCRA file RE 0523.01.01

79 Solomon, P. Secretary, Heritage Council of New South Wales, 7 February 1983, *Condition of Buildings Formerly Covered by Interim Conservation Order*, PMNSW File A1839 – Conservation Order No 36 – Heritage Act – Properties on Site C8 – Longs Lane Group.

80 Gaweda, G, *Cumberland Street Terraces in The Rocks*, PMNSW File A1839 – Conservation Order No 36 – Heritage Act – Properties on Site C8 – Longs Lane Group.

Throughout the 1980s, a number of schemes were presented to the SCRA, none of which went ahead. Residential units were proposed, as there was a market for 'home units' rather than terrace housing. The SCRA's planner was not very impressed with a scheme by Gergely and Pinter, describing it as having a 'Paddingtonesque' feeling that was not appropriate, and awarded the scheme a rating of 5 out of 10. In 1981, perspectives were prepared by the SCRA's planner Bud Dummas (Figure 54) to demonstrate the impact of home units on the Cumberland Street streetscape.



Figure 54: Perspective prepared in 1981. Source: SCRA drawings – Cumberland Street CU5/15

In the mid-1980s it was proposed to erect a theatre, and an initial scheme was prepared by Hassell Architects. The scheme did not proceed but the idea that the site would have cultural use was adopted by the Premier's Department. The NSW Government Architect prepared a scheme where only the facades of the buildings to Cumberland Street and Jobbins Building were proposed to be kept, with a large venue erected between them, obliterating the lanes (Figure 55).

SCRA had prepared outline schemes that required retention of the buildings that had been the subject of the IHO. Long's Lane was also to be retained, and a new lane established to the north, in a location to the south of where the lane had originally existed.

A 'mews' type of development was proposed fronting the mid-block lane, Caraher's Lane. In London, the term 'mews' had applied to modest staff housing above stable blocks built in rear lanes or courts behind townhouses. In the 1970s the term had also come to be used for modern infill housing erected in rear lanes. The rear wings of the buildings fronting Cumberland Street are shown as having been removed (Figure 56). This proposed removal of the rear wings was

transferred into the building site diagram and remains today and is shown on the currently used SCRA Scheme (See Section 6.4.4).

A Development Brief was prepared by SCRA in 1988. Board members were informed that:

The site is to be redeveloped as an hotel or serviced apartments and is being offered for a lease term of 99 years. A number of historic buildings are to be retained and incorporated into the redevelopment proposal. The Development Control Drawing permits only a low-rise structure on the site.

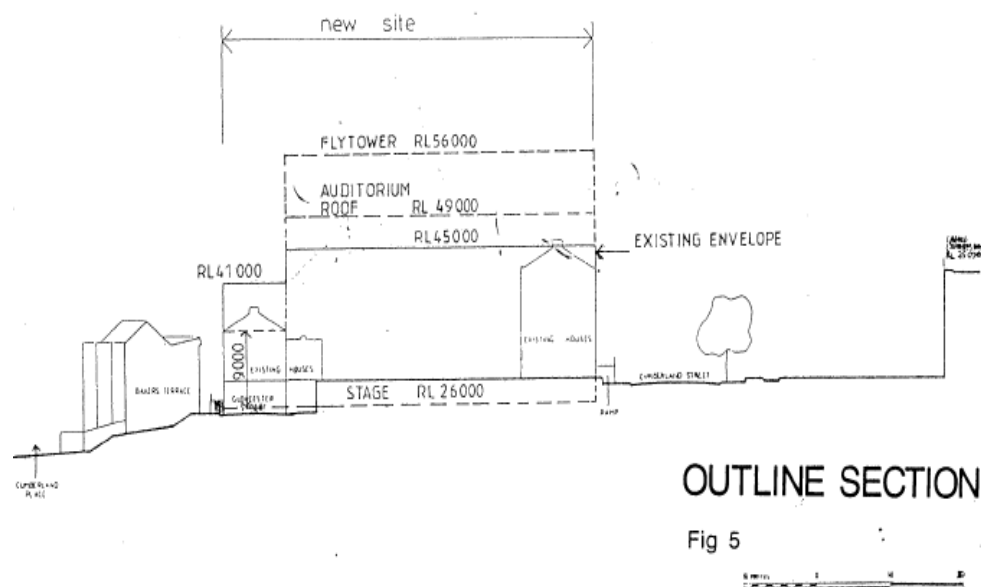


Figure 55: Outline Section of the proposed auditorium. Hassel and Tom Brown. December 1987 Source: SCRA Re.0523.01.10

As was customary, the development briefs were advertised, including in newspapers such as the *Financial Review* and *Sydney Morning Herald*. A number of architects, property consultants and developers applied for a copy including housing developers, Stockland and Mirvac. The SCRA had an established procedure by which it initially considered architectural character and the financial bids separately. Nine proposals were assessed, and this was reduced to four.

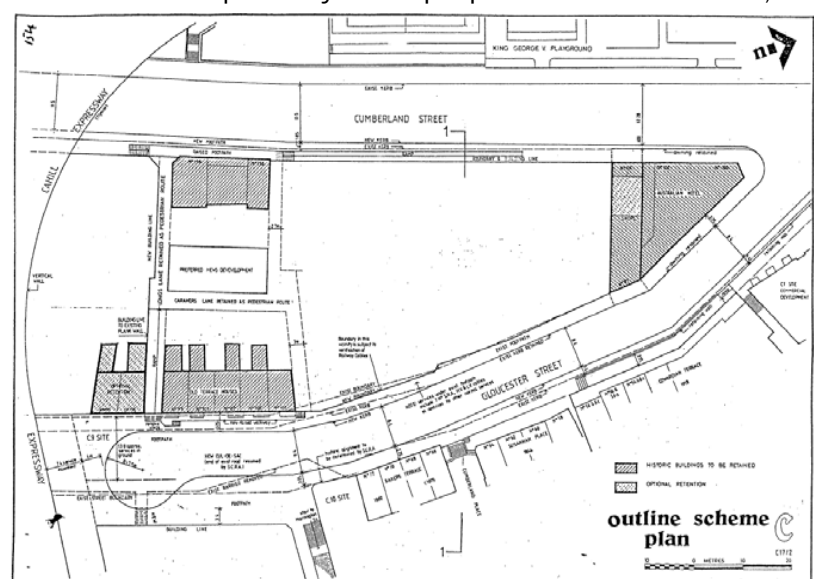


Figure 56: Outline scheme plan showing the extent of historic buildings to be retained, and the location of new laneways. Source: SCRA Re.0523.01.10

The preferred proponent was Develco and their scheme was designed by Ancher, Mortlock, Murray and Woolley. The summary noted that, *'Scale very good. Relationship to old buildings excellent. Walkways across site are clever. Internal courtyard is good.'* However, despite this assessment, the proposal did not eventually go ahead. For planning purposes, the site was then divided back into two separate sites (which the SCRA referred to as Development Sites) C7 and C8. Development of the vacant site C7 was to continue (and is now the site of the Sydney Harbour Youth Hostel).

During 1989, archaeological investigations were underway at the Lilyvale site in Cumberland Street as part of the preparation for the construction of the ANA hotel on this block. The archaeological finds at this location were extremely rich and prompted further archaeological investigations in The Rocks⁸¹.

Prompted by these recent archaeological investigations of neighbouring sites in The Rocks, test excavations in 1994 on the Cumberland Street site (now the Sydney Harbour YHA site) revealing once again rich deposits that led to the subsequent major archaeological excavation of that site known as the Cumberland Gloucester Street archaeological excavations (The Big Dig)⁸².

Following the finalisation of the Big Dig project in 1994, and subsequent follow up excavation works, the site was redeveloped to retain the uncovered archaeological site intact, as the Sydney Harbour YHA and Big Dig Educational Centre, which was completed in 2009⁸³.



Figure 57: Northern side of 132-134 Cumberland Street and The Big Dig site in 2001. Source: PMNSW

81 Information provided by pers comm Dr Wayne Johnson, Historical Archaeologist, SHFA.

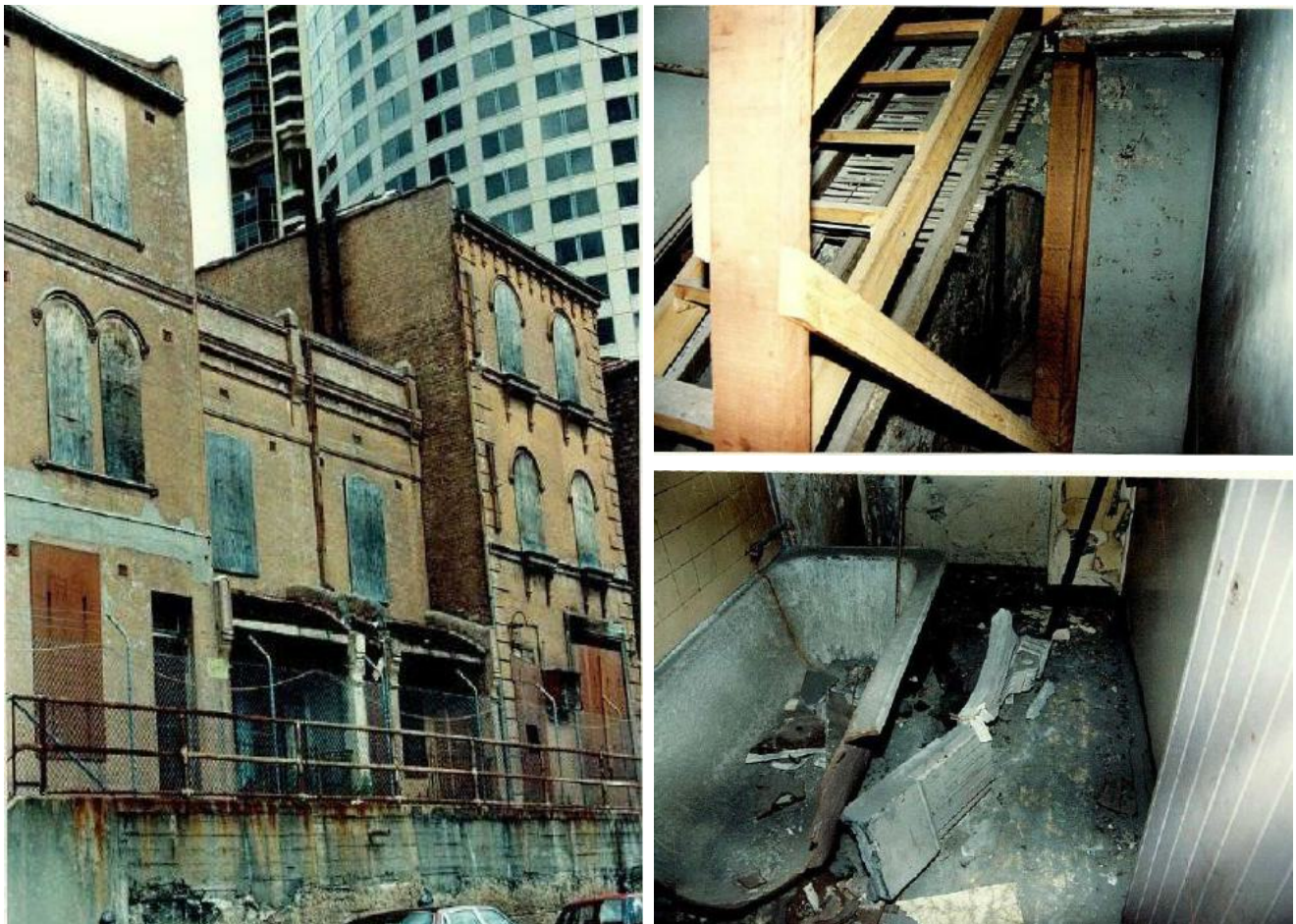
82 *ibid.*

83 *ibid.*

In 1990, the SCA began to undertake conservation works on the individual buildings that survived on site C8. An order had been issued to demolish part of the rear wings within the Long's Lane Group without the approval of the Heritage Manager. This was stopped and a Conservation Plan was commissioned for the entire group. This report, undertaken by Clive Lucas, Stapleton & Partners in May 1991, included a detailed fabric survey. The squatters were moved on and the windows and doors sheeted over to prevent re-entry ((Clockwise from left) Figure 58).

The surviving buildings were progressively conserved, starting with the Jobbins buildings in Gloucester Street, with funding spread over several years. New residential buildings were designed in-house for the rear lanes. Works to the now substantially derelict Nos. 136- 138 Cumberland Street were undertaken in 1996-97. A dilapidation survey prepared by the builders R. E. Charles Constructions Pty Ltd prior to their starting work shows the extent to which the interiors survived (Figure 59). A temporary staircase had to be erected to access the upper levels, as can be seen in the surviving photographs (Figure 59)

The following photos show the condition of the buildings externally and internally in 1995 prior to conservation works that commenced in the following year.



(Clockwise from left) Figure 58: view of the dilapidated bathroom prior to conservation works, from the OHM Consultants Dilapidation Report, 1996. Source: SHFA files

Figure 59: View of the temporary staircase showing the small surviving extent of the original stair, from the OHM Consultants Dilapidation Report, 1996. Source: SHFA files

Figure 60: External View of the boarded-up houses in Cumberland Street, from the OHM Consultants Dilapidation Report, 1996 Source: SHFA files.

2.5.2 Repair and Reconstruction Works

The surviving buildings in the Longs Lane Precinct were progressively conserved - starting with the Jobbins Terrace buildings in Gloucester Street - with funding spread over several years. New residential buildings were designed by SCA in-house architects for the rear lanes. The work, which was carried out in a number of stages from 1992-97, involved the retention of as much of the significant fabric as possible from the various stages of the buildings' lives⁸⁴.

The work undertaken to conserve and restore the precinct included the construction of four sensitively sited and designed infill dwellings and a semi-detached terrace at 1-3 Longs Lane, and two free standing dwellings at 13 and 15 Carahers Lane. The conserved buildings in the Long's Lane precinct, and the new infill to the lanes, received the 1996 Lloyd Rees Award for Urban Design from the Royal Australian Institute of Architects (NSW Chapter).

The works to 136-138 Cumberland Street were part of the Stage 3 works and included repairs to original fabric and reconstruction of damaged or missing fabric of the terrace.

In 2020 the building was adapted for use as offices. Various associated works including the installation of a new freestanding deck at the rear of the site, and internal and external painting was completed. A clear permeable silicate finish was applied to the facades to preserve the patina finish of the building and remnant signage conserved in situ. The site is currently used as a commercial office space.

⁸⁴ Mountstephens, K., Project Architect, SCRA, 1997

2.6 Fabric Development

2.6.1 Development of the Longs Lane Precinct

This chronology charts the development of the buildings on the site both demolished and extant as well as the surrounding pattern of streets and laneways. It should also be noted that the street numbering and names have changed, and these changes have been included in the chronology.

DATE	EVENT	SOURCE
Pre 1788	Aboriginal occupation of Sydney Cove and Tarra	
January 1788	The First Fleet arrives at Sydney Cove	
1807	Meehan's survey shows lane in vicinity of Longs Lane	NLA Map 105B
1810	Governor Macquarie officially names the streets on The Rocks including Cumberland Street	SG&NSWA 27 October 1810
By 1831	Six comfortable Cottages (five in Cumberland Street and one in Longs Lane)	SG&NSWA 30 June 1831
1833	Robert Russell's survey of Section 74 shows Thomas Garrad [sic] as claimant of lot 12. Longs Lane shown	SCC Historic Atlas
1833	Isaac Moore buys two of the sandstone cottages in the row	LTO Book G, No 157 (Kass, 1989)
1838	Four cottage tenements of Captain Cliffe for sale in Cumberland Street	SH 11 Jan 1838
1838	Sale of estate of Wright and Long including nine small tenements in Long's Lane and house in Cumberland Street (and a further 28 tenements in The Rocks)	SH 11 January 1838
1839	Allotment 12 of Section 74 granted to Thomas Garrad [sic]	Government Gazette 19/1/1839
1855	Map shows tenements to Longs Lane & the demolished row of five cottages	SCC Historic Atlas – City Detail Sheets – Sheet 3
1856	Two houses, brick, shingled owned by [Trustee James] Sullivan who occupied the corner house [numbers 93-95]	SCC Rate Assessment Books Gipps Ward 1856

DATE	EVENT	SOURCE
1858	Eight houses in Maori Lane owned by William Long ⁸⁵	SCC Rate Assessment Books Gipps Ward 1858
1861	John Garrett [sic] owns two single storey houses in Cumberland Street, No 134-136. Tenanted	SCC Rate Assessment Books Gipps Ward 1861
1877	John Garrard owns two houses in Cumberland St, Nos 134-136. Number 138 not used. No 140 is Murphy's hotel	SCC rate books for Gipps Ward
1881	Outbreak of Small Pox in Cumberland Street on the south side of Essex Street, therefore not close to the subject site. However, Longs Lane believed to be a 'fever haunt'	Evening News 16 June 1881
1881	Long's tenements condemned. Murphy's Hotel retained. Pair of new houses to Gloucester St as replacement	
By august 1882	Part of the row of five cottages demolished and present shop with residence above constructed	
1882	Property conveyed to Kellas Watson, Wood and Coal Merchant in August 1882. Mortgage from Johnson	LTO Book 254 No 662
1882	Kellas Watson listed as owner and occupier of brick shop	Gipps Ward 1882
1884	Auction sale of Brick-built butcher's shop being No. 138 Cumberland-street	SMH 26 March 1884
1888	No. 130 Cumberland Street completed	Sands 1888
1890	Nos 130, 132-134 & 136-138 shown as being completed	Metropolitan Detail Series 1890
By 1891	Nos 132-134 completed	Sands 1891
1896	Henry Castles owns brick & stone shop. Tenant is P A Nelson	SCC Rate Assessment Books – Gipps Ward 1896

85 THE QUEEN OF MAORIE LANE - There is between Gloucester and Cumberland Streets a narrow lane or alley which rivals any of the filthy 'back slums' with which the City of Sydney is partly disfigured. Tradition relates that the lane in question was originally called Long's Lane, but having of late years become principally the abode of New Zealanders, it passes current as Maorie Lane. Among the numerous denizens of the lane is the family Debosia, the male head of which is a black man; the female head is Irish. Mary Debosia boards and lodges sailors, chiefly New Zealanders: she has taken upon herself the assumption of authority over the other dwellers in the lane, and styles herself, when under the influence of exciting liquids, 'Queen of Maorie Lane', Bells Life, 20 August 1853

2.7 Historic Themes

Between 1800 and the 1850s, the previously ad hoc nature of settlement in the area was formalised as legal tenure to allotments was established through town grants. Between the 1850s and 1880s, speculators maximised the full potential of their city holdings in a period of marked building activity. The Jobbins Building at 103-111 Gloucester Street (adjoining the subject site) is an example of this stage of speculative or investment development.

In the 1880s and 1890s, the area was intensely redeveloped as the less substantial structures from the early half of the century were demolished, making way for substantial two and three storey buildings. 136-138 Cumberland Street is an example of the development of this period.

From 1900, following the State government's resumption of the area, a general clearance of buildings and areas considered to be unhealthy was undertaken. The Housing Board undertook major redevelopment at the newly cleared sites. More than 30 brick tenement houses were constructed in Cumberland, Gloucester, and Little Essex Streets between 1912 and 1924⁸⁶. 117 Gloucester Street (adjoining the subject site) and 140-142 Cumberland Street are examples which are indicative of this phase of redevelopment.

In the 20th century, several physical changes occurred in the precinct. As part of the construction of the Sydney Harbour Bridge, Cumberland Street was straightened and graded, and Gloucester Street partially realigned. In the 1950s, construction of the Cahill expressway required the demolition of several houses in the precinct, including the Housing Board terraces facing Little Essex Street and those adjoining 140-142 Cumberland Street. Cumberland Street was also lowered at this time.

Over the course of these phases, the buildings in the Long's Lane precinct have remained essentially tenanted residential in character. 136-138 Cumberland Street continues to be occupied by tenants in much the same manner as it has been occupied since it was built c. 1857.

It was the outbreak of the plague in January 1900 that necessitated an effort to improve the sanitary conditions in affected areas such as The Rocks. A house-to-house recording was undertaken, and notices were issued to buildings that were to be "cleansed". The cleansing involved lime washing all ceilings, whitening walls previously whitened, lime washing all cellar, basement, and outhouse walls, scrubbing all timberwork, floorboards, and floor cloths with a carbolic solution. All sanitary fixtures were flushed with hot water, then carbolic solution and then dressed with solid disinfectant, lime chloride. All makeshift buildings were condemned, and garbage, ashes and stable bedding removed and destroyed.⁸⁷

The Sydney Harbour Trust and later Maritime Service Board (MSB) were responsible for shipping, wharves and maritime activities. They also assumed responsibility for several residential properties including 136-138 Cumberland Street. The maritime activities diminished during the 1960s and 1970s leading to a decline in the working population and reputation of the area as a slum.⁸⁸

In 1970 the newly formed SCRA promoted the total redevelopment of The Rocks area. Strong local opposition resulted in the formation of The Rocks Residents Group. The local residents also enlisted the support of the NSW Builder's Labourers Federation who imposed a "Green Ban" on all demolitions in the area.

⁸⁶ Blackmore, p. 127

⁸⁷ Ibid, p133

⁸⁸ Tropman & Tropman Architects, Argyle Terrace Conservation Plan, (August 1993), p22.

In 1973 The Rocks Resident Group with a group of interested professionals and academics produced “The People’s Plan” which advocated alternative developments for the area that sought to conserve the historic character and nature of The Rocks.⁸⁹ The primary aim was to protect the rights of the residents but also to promote the area as a historic precinct.

In 1988 SCRA became the Sydney Cove Authority (SCA), signifying its change of attitude and philosophy.⁹⁰ The main aim now was to adapt buildings worthy of retention, generally for commercial use, and to remain as viable components of the area. Development sites were identified for associated commercial and leisure uses, such as hotels, bars, and restaurants. The terraces were located in an area deemed appropriate for development.

Since the 1980s The Rocks has seen a mix of conservation and re-development for a range of uses with an emphasis on promoting The Rocks as a destination to appeal to local Sydneysiders and more widely for national and international tourism. The terraces have continued to contribute to the historic character and leisure in the precinct as a residence and through its association and use with the adjacent buildings.

2.8 Ability to Represent Historic Themes

The following table identifies the relevant Australian and New South Wales historic themes represented at the site.

AUSTRALIAN HISTORICAL THEMES	NSW HISTORIC THEMES	REPRESENTATION OF HISTORIC THEMES AT 136-138 CUMBERLAND STREET
2. Peopling Australia	Convict	The site is, more generally, part of the ridge initially occupied by Gadhungal, Aboriginal coastal clans of Sydney, convict dwellings and known as The Rocks, indicated by the site location. Associations with Thomas Garrad, ex-convict, and his descendants. Location of the site on ridge that was first area of convict habitation from 1788.
2. Peopling Australia	Migration	Rooming house for new migrants from overseas as well as from country NSW.
3. Economy-Developing Local, Regional and National Economies	Commerce	Local and corner shop as an important aspect of urban life in the 19th century.
3. Economy-Developing Local, Regional and National Economies	Health	Perforated ventilation boards on windows. Provision of sanitary/washing facilities within the building.
3. Economy-Developing Local, Regional and National Economies	Industry	Representative of the sequence of residential buildings developed since the 1790s to house dock workers in Circular Quay and workers in associated maritime and support industries.

⁸⁹ Historic Houses Trust, Susannah Place 1844, A Museum in the Making, (1993).

⁹⁰ Robert Moore Pty Ltd in association with the Historic Houses Trust, Conservation Analysis & Guidelines, (1989), p14

AUSTRALIAN HISTORICAL THEMES	NSW HISTORIC THEMES	REPRESENTATION OF HISTORIC THEMES AT 136-138 CUMBERLAND STREET
4. Settlement-Building Settlements, Towns and Cities	Accommodation	Residential portion of building (above & behind shop) for shopkeeper's family. Residential portion of building (above shop) later let out to unrelated individuals as a rooming house.
5. Working	Labour	Illustrative of the buildings prevented from demolition by the actions of the BLF and the Green Bans movement in the mid-1970s.
7. Governing	Government & Administration	Representative of the accumulated heritage values attributed to buildings in The Rocks under planning and heritage laws (ICO 1978, RNE 1980, s170 1998, SHR 2002). Illustrative of the change in planning approaches arising from transfer of The Rocks from Dept of Local Government to Dept of Planning in 1985. Illustrative of changes in planning and development approaches instituted as a result of the Green Bans of the mid-1970s. Representative of historic structures that have survived due to public ownership (in this case, since 1902). Representative of historic structures that have been conserved in accordance with Burra Charter processes, illustrated by first CMP for the site prepared in 1991 under public ownership.
7. Governing	Law and Order	Conflict between residents and BLF, and the Police, during the Green Bans period (mid- 1970s) did not occur on this site, but the site survives because of the outcomes of those conflicts.
8. Developing Australia's Cultural Life	Domestic Life	The sound physical condition of the building in 1902 resulted in its retention and continuing residential use, rather than demolition following the plague. Continuing residential use allowed the local Rocks community to remain resident in the area and participate in the Green Bans movement. The survival of the back yard and interior spaces such as kitchen and bedrooms illustrate the continuity of residential uses.

3

Physical Evidence

This chapter describes 136-138 Cumberland Street in detail to provide an understanding of the existing place. The place itself is a good source of information on the changes that have been carried out during its lifetime. The method used in the fabric investigation has been non-intrusive observation.

This chapter builds on the history in the previous section to present an understanding of why, when, and how alterations and changes have been made.

All photographs in this section were taken by PMNSW in April 2024 unless noted otherwise.

3.1 The Rocks Conservation Area

The site is located within The Rocks Conservation Area. The Rocks is sited on a rocky promontory extending into Sydney Harbour and generally bounded by Sydney Cove/ Circular Quay to the east and the southern approach of the Sydney Harbour Bridge to the west. It covers some 21 hectares in area and falls steeply to the east, in a series of sandstone escarpments, giving the important harbour views that enhance the area.

The rocky topography which gave the area its name and provided early building materials, influenced the developing street pattern which is overlaid and traversed by steps and pedestrian walkways and lanes. From the 1970s, conservation in The Rocks has reinforced the diversity of streetscapes, laneways and pedestrian links.

Today the built context is characterised by a mix of residential and commercial buildings ranging from iconic buildings by significant architects, to more humble shops, cottages and terraces, mostly dating from the 19th and 20th centuries. The area has a strong maritime character with warehouses and bond stores remaining from the 1850s to early 1900s, in addition to philanthropic buildings as well as accommodation for seamen. The area also retains a large amount of public open space including Dawes Point Park Tar-Ra, with its Indigenous cultural associations and early contact, colonial fortifications; and archaeological remains in Foundation Park, West Circular Quay, First Fleet Park, the public domain around the Museum of Contemporary Art, Overseas Passenger Terminal, Campbells Cove, Park Hyatt and the Hickson Road Reserve.

The Rocks also contains some late 20th and early 21st Century commercial and residential infill development.

It is the overall character and diversity which contributes to the heritage significance of the area.

3.2 Street and Streetscape Description

The property at 136-138 Cumberland Street is located within a part of The Rocks known as the Long's Lane Precinct. The precinct is distinctive for its highly intact residential terrace buildings that were built between 1857 and 1915. The precinct includes the sandstone flagged Long's and Caraher's Lanes which retain their original alignment. Caraher's Lane retains split sandstone paving slabs whereas Long's Lane is partly paved in modern stone pavers with original edge stones forming a dish drain along the north side of the lane.

Within the precinct, Cumberland Street is a two-lane local traffic street that runs adjacent to the Cahill Expressway as it approaches the Sydney Harbour Bridge. The expressway, elevated above Cumberland Street, crosses Cumberland Street via a concrete overpass just south of 140-142 Cumberland Street. The expressway and overpass are prominent in the streetscape.

The building at 136-138 Cumberland Street, together with the three adjacent Victorian terraces to the north (130 to 134 Cumberland Street), form a distinctive cluster of small late nineteenth

century buildings that is unique on Cumberland Street. By contrast other buildings in the vicinity such as the King George V Recreation Centre and YHA youth hostel, are large and contemporary in character. The face brick building at 140-142 Cumberland Street, built in the early twentieth century, is consistent in scale to the subject site and its northern neighbours but differs in character and materiality. This three-storey early twentieth century public housing residential tenement building is the only remaining portion in Cumberland Street of a larger residential tenement terrace built as a part of the resumption works in the Rocks following the Plague.

The building at 136-138 Cumberland Street, together with neighbouring buildings, is elevated above the level of the roadway on a sandstone and concrete cliff more than two metres in height — the result of the lowering of the carriageway of Cumberland Street in the 1950s. This has unintentionally recreated one of the aspects of the Rocks area that is now only also found in Gloucester and Harrington Streets; that of buildings perched up on rock outcrops above the level of the carriageway. The lowering of the Cumberland Street carriageway has given the buildings at 130 to 142 Cumberland Street a visual prominence that they did not enjoy when they formed a part of the cohesive, intact Cumberland Street streetscape in the nineteenth and early twentieth centuries. However, it has also served to fracture their relationship to Cumberland Street, making the buildings atop the cliff less readily accessible than they once were from the street.

The footpath directly in front of the building is sheeted in bitumen. Access from the footpath down to the level of the Cumberland Street carriageway is via two sets of concrete stairs, the southern set of which were constructed in 1955-57. The southern set of the stairs appears to be contemporaneous with the construction of the Youth Hostel building in c.2010.

The building's southern side is bordered by Long's Lane, a narrow pedestrian thoroughfare connecting Cumberland and Gloucester Streets. It is partly paved in modern stone pavers with original edge stones forming a dish drain along the north side of the lane. The lane is bordered by low-scale masonry buildings of various ages and timber paling yard fences. The south elevation of the building at 136-138 Cumberland Street frames the western end of the lane and views of the back (east elevation) of the building contribute to the character of the lane.

On the site behind 136-138 Cumberland Street is a two-storey infill residence, being one of two dwelling constructed in 1997 fronting onto Carahers Lane. These small dwellings are constructed in dark brown face brick.

The local streetscape of Cumberland Street and Long's Lane is illustrated in Figure 61.



Figure 61: The Local Streetscape. Cumberland Street looking north showing the prominent cliff in front of the buildings at 130-142 Cumberland Street and contemporary youth hostel building beyond (top left). Looking south towards the subject site and the concrete overpass of the Cahill Expressway (top right). Looking north along Cumberland Street from the top of the cliff outside the subject site, towards the King George V Recreation Centre (bottom left). Looking east along Long's Lane with the subject site on the left side of the image (bottom right).

3.3 Views and Vistas

The Burra Charter states that the retention of an appropriate visual setting, views and vistas for the place contribute to the heritage significance of the place.

This section analyses the setting and establishes key views and vistas to and from 136-138 Cumberland Street that are shown in Figure 62.

3.3.1 Key Views Towards and From 136-138 Cumberland Street

The building at 136-138 Cumberland Street and adjoining buildings can be seen from the Cahill Expressway overpass over Cumberland Street. This is a particularly twentieth century viewpoint where buildings can be appreciated from a height greater than street level and also greater than the height of the buildings themselves. In summer the foliage of the plane trees on Cumberland Street screens views of the subject site from the Cahill Expressway north of the overpass, but these would be revealed when the trees lose their leaves in winter.

There are good views of the main (west) elevation of the building from the opposite side of Cumberland Street, where the building is a prominent part of the streetscape (Figure 58). The building and its neighbouring terraces also occupy a prominent vista looking south along Cumberland Street by virtue of their location on top of the sandstone cutting. However, this elevated location also conceals the buildings from view when looking north along Cumberland Street from locations south of the overpass.

There are oblique views of the south elevation from Long's Lane and Cumberland Street, with the width of the lane limiting view angles. There are good views of the back (east) elevation of the building from the east along Long's Lane — the building at 136-138 Cumberland Street makes an important contribution to the streetscape of the lane.

Views over the Long's Lane Precinct and west towards Circular Quay and the city can be gained from the rear of the two upper floors of the building at 136-138 Cumberland Street, but these views are partly filtered by foliage.

Key views towards the subject site are illustrated in Figure 65 to Figure 64, numbered as follows:

1. View from the Cahill Expressway overpass.
2. View from directly opposite on Cumberland Street.
3. View looking south along Cumberland Street.
4. View looking west along Long's Lane.



Figure 62: Location of key views towards the building at 136-138 Cumberland Street (outlined in red). Source: SixMaps with PMNSW overlay 2024



Figure 65: View 1, from the Cahill Expressway overpass



Figure 66: View 2, from Cumberland Street opposite



Figure 63: View 3, looking south along Cumberland Street



Figure 64: View 4, looking west along Long's Lane towards the rear of the building

3.4 Building Description – External

3.4.1 Generally

The building at 136-138 Cumberland Street is a three-storey, Victorian period building with brickwork walls and a hipped roof clad in galvanised steel sheeting. The building is built to the Cumberland Street and Long's Lane boundaries, and has a fenced rear yard on its eastern side. The front (western) and southern facades are rendered with ashlar markings and are richly detailed with elements that are characteristic of Victorian Italianate style buildings (such as the bracketed eaves, stucco wall finish, expressed imitation quoins at the ends of each wall) and Victorian Romanesque style buildings (such as the arched windows, and the label moulds above the arched windows). The rear wing is painted brick on a sandstone foundation base. There are timber framed verandahs on each level at the rear of the building.

The exterior walls of the main building on the west and south façades are rendered solid brick except for the southern and eastern walls adjacent to the verandas, which are painted solid brick. The north wall is face brickwork. The walls do not contain a cavity or separate inside and outside skins of brickwork. The exterior walls of the main building measure 390mm in thickness, indicating a thickness of 1½ bricks plus external render and internal plaster. This thickness is constant for the ground and first floors, but the second-floor wall thickness reduces by half a brick (one 230mm brick plus stucco and plaster). The rear wing walls are also 1½ bricks thick.

The external walls appear to be in sound condition generally, but cracking is evident on the main (western) façade. This may be contributing to damp that is apparent in room 1.1. Short timber battens fixed to the north, east south and west walls form fixings for steel tie rods that extend through the building for structural stability. It's not known when these were installed, but it may have been in the 1950s when the roadway was lowered, and the building would have been subjected to vibrations.

Decorative metal sub-floor vents mounted on the south, west and east facades are intact but are rust affected.



Figure 67: Main (west) elevation



Figure 68: Long's Lane (south) elevation



Figure 69: Rear (east) elevation

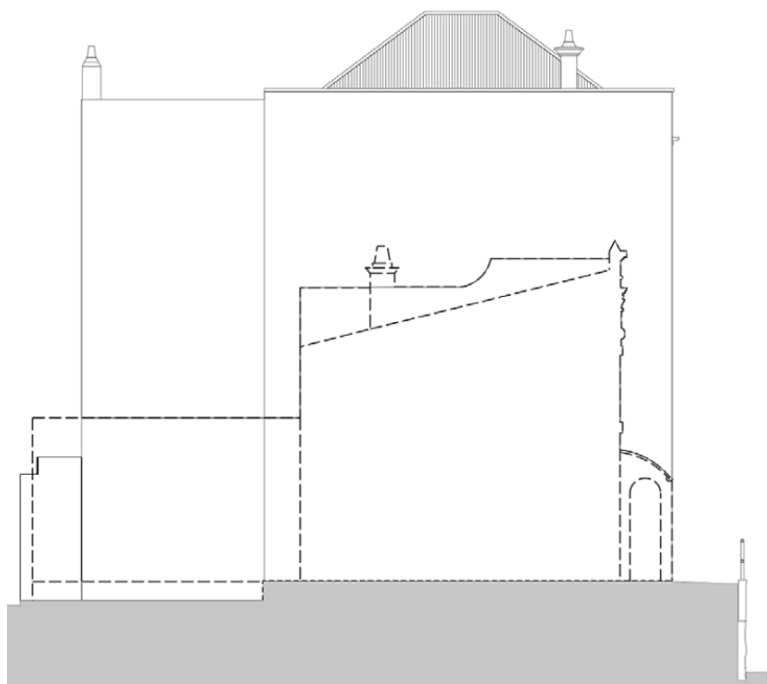


Figure 70: North elevation

Recent Works Undertaken

At the time of writing this report (April 2024) the exterior of the building was being painted (Landowners Consent issued November 2022) The patina to the external rendered walls was to be retained and coated with Murobond Mineral Silicate Matt Clear coating. Galvanised steel eaves gutters and downpipes painted with Murobond 'Bridge Paint', a micaceous oxide paint in a copper tone.

Other recent works undertaken at the site include:

- Installation of compact wireless security cameras externally at the front and back of the building (2022)
- Construction of a hardwood deck in the rear yard (2022)
- Painting of interior walls and ceilings with a modified limewash paint, and painting of 'rugs' on the floors in selected rooms (2021). Sanding and re-finishing of other timber floors was also proposed.

Other works that have recently been granted approval include:

- Subdivision to form separate allotments for properties in the Long's Lane Precinct including 136-138 Cumberland Street. The newly formed allotment for 136-138 Cumberland Street would correspond to the footprint of the building and its rear yard. (Section 60 approval dated October 2023); and
- Additional internal painting and installation of a decorative plate wall (display of historic plates fixed to the wall) in the entrance hall G.2. (Landowners Consent issued November 2022)

3.4.2 Front (Cumberland Street) and Southern (Long's Lane) Façades

The front (western) and southern facades are rendered with ashlar markings and are richly detailed with elaborate mouldings. As the building was constructed as a shop with residence above, the ground floor facades are dominated by large timber-framed shopfront windows on the Cumberland Street and Long's Lane sides (W01 and W02). It is not known exactly when the timber post-supported awning over the Cumberland Street footpath was demolished — it can be seen in a photograph from 1901, but a 1914 photograph shows that it had been removed by that time. In the 1997 conservation works the Cumberland Street shopfront joinery was rebuilt to match the extant joinery of the Long's Lane shopfront. However, examination of the building indicates that the current reconstructed top moulding of the Cumberland Street shopfront may not have been an accurate replication of the Long's Lane shopfront moulding. The footpath awning flashing was cut into the wall of the building at the level of the moulding and the timber joists of the awning would have penetrated the wall at that level. The cut in the render that indicates the location of the former flashing, returns around the splayed front of the building over the main shop doors, indicating fairly conclusively that the shopfront returned around that corner. There is no incision over the Long's Lane shopfront and so it can be assumed that the awning did not return around over that shopfront. The loss of the awning is the major change to the Cumberland Street façade.

The other change to the main façade is the erection of the small timber bracketed awning on the corner. It is not known when the awning was erected but it can be seen in photographs from the 1970s.

The two upper floors of the building have semi-circular arched window heads with moulded cement label moulds above each window on the two street frontages. The double-hung sash windows have timber panels in the upper portion with permanent ventilation holes drilled through the panels. As a consequence of the fixed ventilation panels, the upper glazed window sash does not close fully. This situation is visible in a number of historic photographs although it is not known when the ventilation panels were installed. The windows are glazed with one glass pane per sash except for on window on the top floor which has a bottom sash divided by a single mullion. The splayed corner wall of the building has blind windows with cement label moulds.

The south (Long's Lane) façade has remained relatively unchanged. The only change has been the loss of a step into the side door to the original Parlour entrance — room G.3 (D05). The door threshold is now too high above the lane to be useable, and the parlour door has been sealed shut, with the door hardware and furniture removed.

The door threshold to the Parlour door from Long's Lane (D05) is sawn slate, the threshold of the corner double door to the former shop (D03) is concrete and the threshold of the Cumberland Street door into the Hall G.2 is also concrete. However, a section of sawn slate is still embedded in the wall to the immediate south of the rendered door reveal, indicating that the threshold to the entry hall was once sawn slate.

The ochre paint finish to the external rendered walls has significantly worn away, giving the building's west and south facades a warm, soft patina of age. Remnants of painted signs remain on these walls, including 'Watson's' (almost illegible) with other lettering below, '138', and 'Pinnacle Hospitality People' (Figure 68). All timber elements — doors, window frames, veranda framing and balustrades — are recently painted. The galvanised steel gutters and downpipes are also recently painted.

Remnant fixtures from a defunct electrical connection remain intact on the main (west) façade.



Figure 73: The main (west) elevation, chamfered south-western corner and part of the Long's Lane (southern) elevation. The richly detailed mouldings and faded patina of the wall paint is evident.

Figure 74: Detail of the double doors with awning over on the south-western splayed wall. Painted signs remain on both sides of the doorway. Repairs to the render above the door are evidence that the front awning extended around the splayed wall.



Figure 71: Second floor arched windows. The perforated panels above the top sash are typical of all of the building's double-hung windows. To the left of the windows is one of the timber structural bracings that exist on all elevations.

Figure 72: Detail of the faded painted 'Watsons' sign on the main (west) elevation and part of the reconstructed shopfront joinery.



Figure 75: Detail of the Long's Lane (south) elevation showing the original shopfront and parlour door which is no longer operable.

Figure 76: Detail of the elaborate mouldings of the main façade—the northernmost windows. Cracking through the sill and window head can be seen, which may be allowing moisture to penetrate into the wall.

3.4.3 Rear (east) and North Side Facades

The east (rear) façade of the rear wing is rendered with ashlar markings, but without the elaborate mouldings of the west and south elevations. Other walls are painted brickwork—the paint to the upper floors in good condition but the ground floor paint is deteriorated. The east-facing external wall to room G.3 has deteriorated brickwork below the level of the floor and a number of bricks that have lost their face. The condition of the wall appears to be sound otherwise.

The rear façade has changed little from the original. The rear wall of the main part of the building has a double-hung window on the ground floor and French doors on the two upper floors opening out onto verandas. The glazed windows in the rear wing and the rear of the main part of the building are glazed with six panes of glass per sash, thus using cheaper, small panes of glass on the elevations that were not visible from the main street. The rear wing windows also have the timber ventilation panels but the heads of the windows are horizontal rather than arched. Timber shutters have been added to the outside of the upper floor window, likely as part of the 1990s conservation works.

The original decayed two-storey verandah was demolished and replicated in the 1990s.

The north façade above the roof of 134 Cumberland Street is a face brick wall—any paint finish that may have once existed has worn away. Two rusting metal flues are fixed to the wall. The flues once extended the tops of the chimneys from 134 Cumberland so that they would discharge above the roof of the building at 136-138 Cumberland. As the fireplaces within 134 Cumberland Street no longer operate, the flues have been cut at a lower level but the upper portions have been left as in-situ archaeological evidence. They are severely rust affected. A

narrow gap (nominally 100mm wide) separates the north wall from the building at 134 Cumberland Street.



Figure 77: Rear (east) elevation of the rear wing. The wall is rendered with ashlar markings but there are no decorative mouldings.

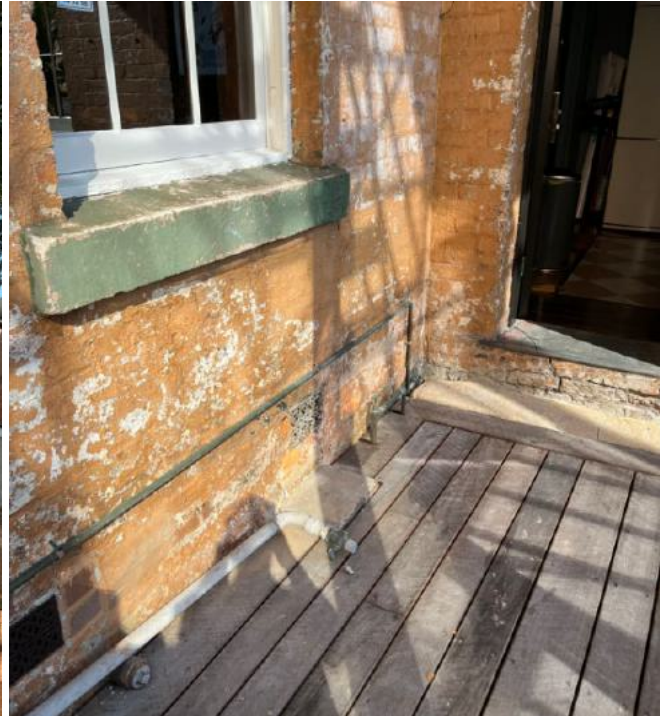


Figure 78: Detail of the ground floor east wall of the main part of the building. The paint finish and some low-level bricks are deteriorated. Decorative metal vents can be seen at the base of the wall.



Figure 79: Level 2 east wall of the main part of the building with French doors opening onto the reconstructed veranda. The wall paint is in good condition on the upper floors.

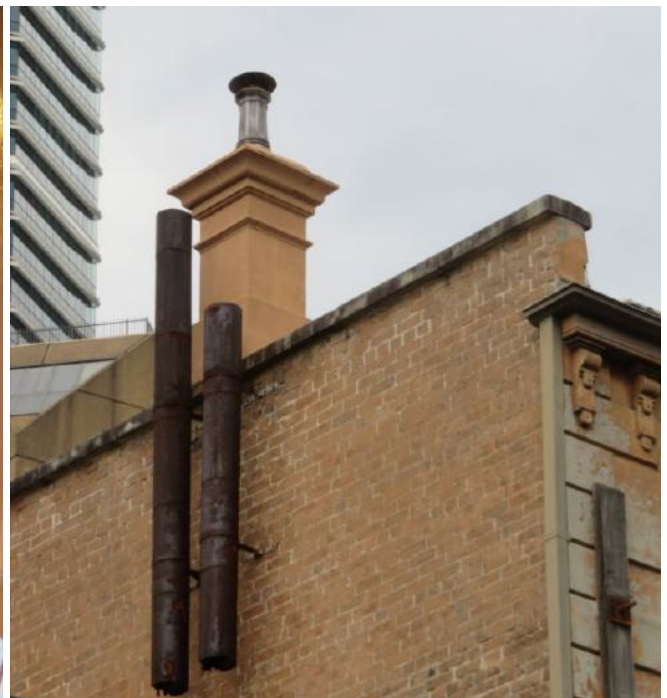


Figure 80: Detail of the north elevation. Remnants of the metal flues from the fireplace of the neighbouring property are fixed to the wall and are severely rusted.

3.4.4 Roof

The roof is clad in corrugated galvanised steel sheeting that was installed in 1997. The ridge and hip capping is rust affected — rust has been evident since at least 2015. The underside of the roof sheeting is showing preliminary signs of corrosion near the gutters. The eaves gutters and downpipes are painted galvanised steel and appear to be in sound condition. In the 1997 works, black-coloured solar hot water panels were installed on the roof of the rear wing, but they were no longer operational in 2015 and it's not known if they remain on the roof. A safety harness system has been installed on the roof and is used for maintenance.

The building has three brickwork chimneys, two of which are rendered and painted and feature decorative mouldings. The third, at the rear of the building, is face brickwork with no applied decoration. All the chimneys have glazed ceramic chimney pots.



Figure 83: Detail of the main roof, showing the rust affected galvanized steel cappings. The ropes indicate that the roof harness system is in use.



Figure 84: Underside of the galvanized steel roofing, where preliminary deterioration is evident near the eaves gutter.



Figure 81: One of the two rendered chimneys with decorative mouldings and glazed ceramic chimney pot.

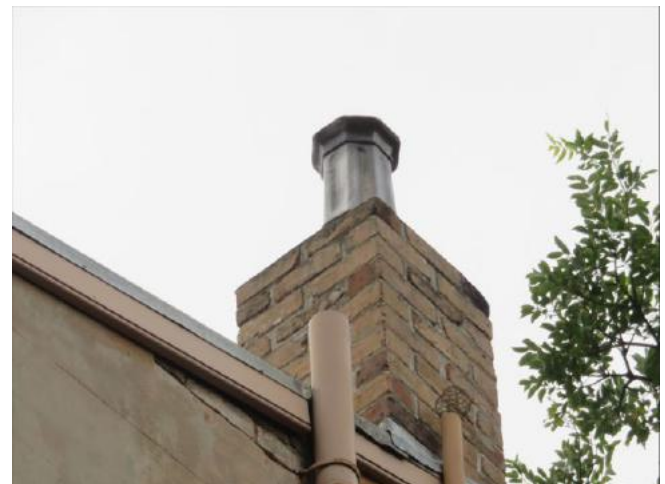


Figure 82: The face brick chimney at the rear of the building.

3.4.5 Rear Yard

The eastern extent of the rear yard has changed over time. Some historical plans show the eastern extent of the site was once close to the eastern wall of the outhouse, while a plan from the 1940s shows the yard extending up to Caraher's Lane. The current eastern boundary of the yard was established in the 1990s.

The rear yard is enclosed by timber paling fences on three sides. The fence on the western side is nominally 900mm high, and divides the yard from a narrow pedestrian path that provides access to the rear of the buildings at 130-134 Cumberland Street. This timber fence is showing signs of rot, but the fence on the Long's Lane boundary is recently built and is in good condition. Most of the yard is brick paved except for a small garden bed planted recently with a lemon tree, interpreting a common type of planting in domestic back gardens. The rear yard is shaded by a large tree in a neighbouring yard to the north.

A timber deck with steps has recently been built in the western part of the yard. It is understood that the deck was built on top of existing 1880s sandstone flagging without fixings into the stone. A small area of the flagging is exposed at the gate to Long's Lane, and a large original sandstone step is visible at the door to G.5. A timber clothesline, likely to have been erected in the 1990s, is located in the northern part of the yard.

The rear yard is illustrated in Figure 79 and Figure 80

3.4.6 Other Landscaping

A prominent landscape element related to the subject site is the Cumberland Street sandstone cutting/ cliff adjacent to the front of the property (Figure 78). The cutting indicates the lowering of the level of the Cumberland Street carriageway to enable the Cahill Expressway overpass to pass over the street. The cliff has a cut sandstone base with formed concrete above.

Adjacent to the building on the Cumberland Street footpath are the two potted plants and timber bench (Figure 79). The square concrete plant pots mark the main entrance doors and are in good condition. The pots are consistent in style with those used in front of neighbouring properties. The timber bench, which is unpainted, is in sound condition, but its condition should be monitored.



Figure 85: Aerial view over the rear yard showing the brick paving, small garden bed and part of the timber deck.

Figure 86: Looking north-east across the rear yard.



Figure 87: Stone cliff on Cumberland Street



Figure 88: Timber bench and potted plants in front of the building on the Cumberland Street footpath.

3.5 Building Description – Internal

3.5.1 Generally

The building is currently used as a commercial office. The interiors have recently been refurbished and are in good condition. Evidence of damp was noted on the inside face of three of the exterior walls—refer to individual room descriptions below for details.

Floors are timber boarded except in wet areas which are tiled. The timber boarded floors are variously clear finished, coated with black Japan, or painted to imitate a rug. All interior masonry walls are plastered and painted. The internal walls defining rooms are the equivalent of one 230mm brick plus plaster on both sides. The exception to this is the lightweight wall (timber framed with lath and plaster finish) that defines the corridor through room 2.4 to room 2.2. That wall is only 150mm thick. Ceilings are generally lath and plaster with surface mounted timber strapping.

The following floor plans (Figure 83 and Figure 84) were included in the 2015 CMP. Other than the basement plan these plans are based on SHFA plans from 1996 and 2001. The drawings reflect the current floor plan but do not represent accurate measured drawings and do not accurately reflect wall thicknesses. The basement plan was prepared by Robertson and Hindmarsh Pty Ltd in 2014. The room numbering on the floor plans has been used to identify individual rooms in this CMP.

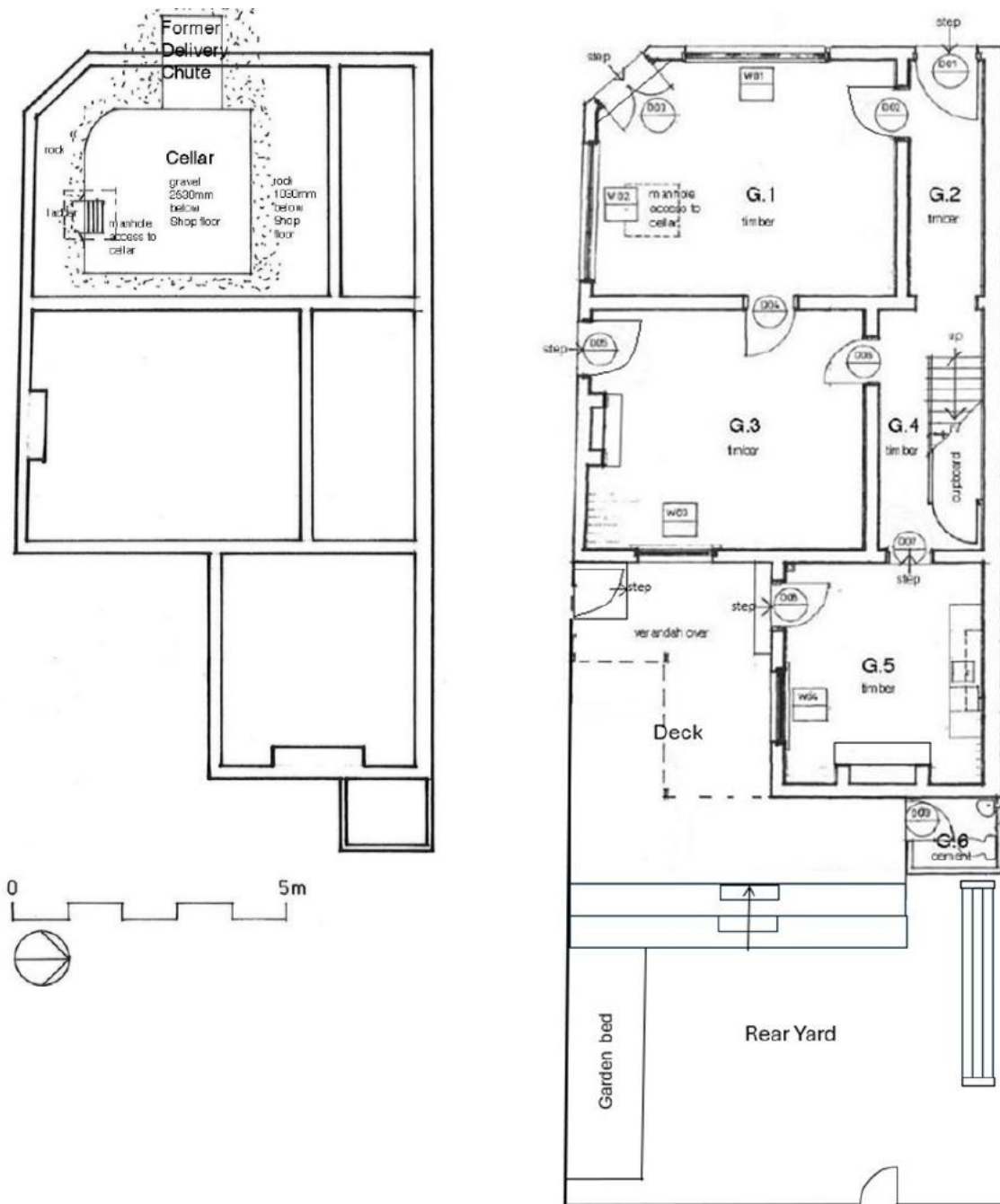


Figure 89: Basement floor plan (left) and ground floor plan (right). (Source: as reproduced in the 2015 CMP pp110-111, with PMNSW amendments 2024)

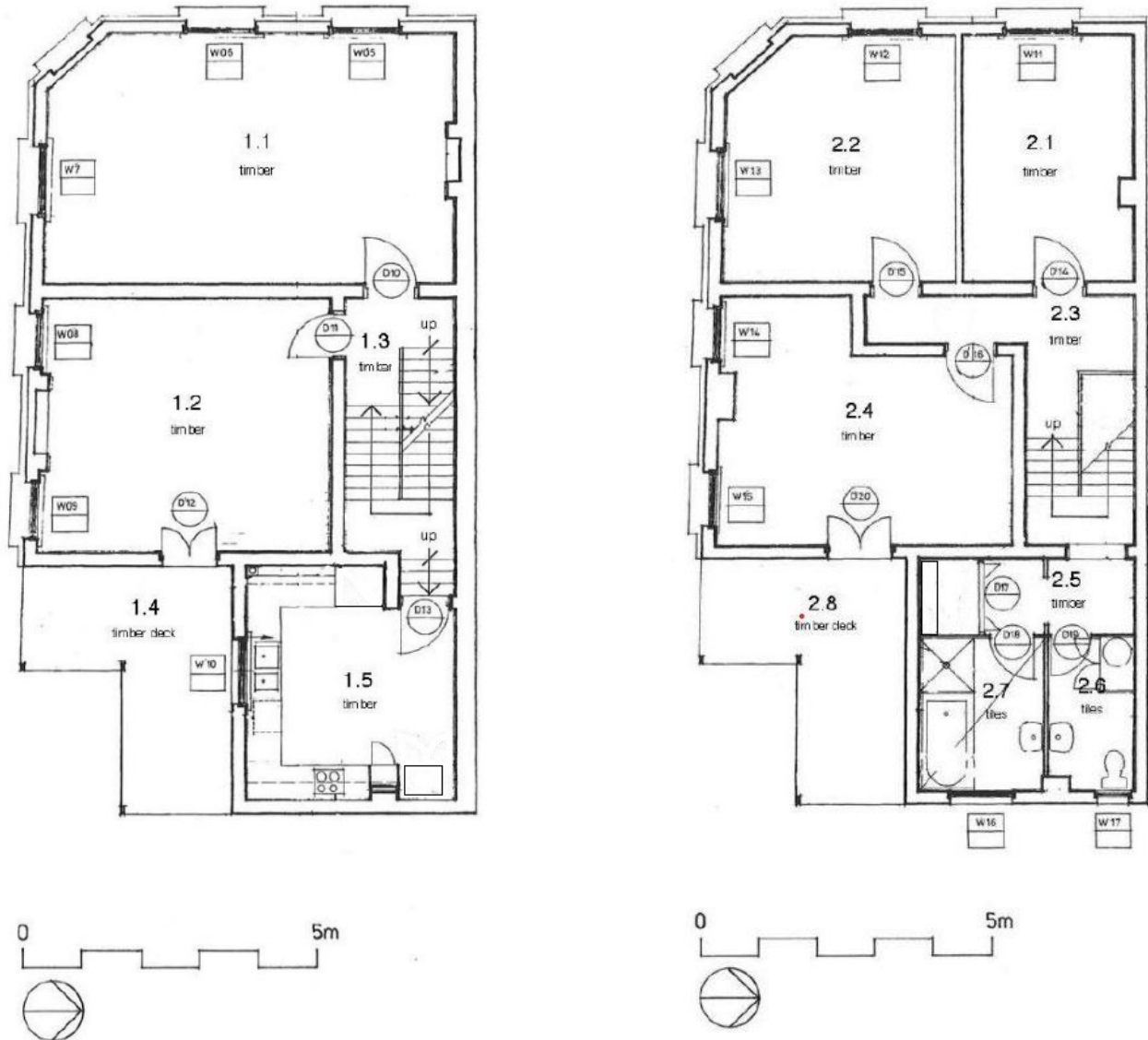


Figure 90: First floor plan (left) and second floor plan (right). (Source: as reproduced in the 2015 CMP pp110-111, with PMNSW amendments 2024)

3.5.2 Basement

It has been stated in other reports that the basement (also referred to as the cellar) is a remnant of earlier buildings on the site and is not associated with the construction of the current building. It has been excavated out of the solid bedrock with the pick marks clearly evident. The floor is covered with a layer of blue metal and lies approximately 2500mm below the floor level of the former shop (G.1) (Figure 86). A timber framed false ceiling has been constructed approximately 400mm below the G.1 floor and appears to have been constructed as a part of the 1996-97 conservation works. The reason for the false ceiling is not known, but it may have formed a work platform over the basement during the works.

On the west side of the space a recess has been cut out of the bedrock (Figure 84). This recess is similar to the recesses for keg chutes in hotels as well as the ventilation areas for house cellars. However, the depth of the recess would indicate it was constructed to allow for the delivery of

goods. It appears that the chute is contemporary with the remainder of the cellar. There is a modern (1990s) access hatch and timber ladder giving access to the cellar from G.1 (Figure 85).



Figure 91: North-eastern corner of the basement, with cut sandstone walls. The framing of the false ceiling, supported on brick piers built off the stone, can be seen.

Figure 92: Blue metal covers the floor. Timber and metal elements are scattered across the floor.



Figure 93: The delivery chute in the western wall.

Figure 94: The 1990s timber ladder stair and south-eastern corner of the basement.

3.5.3 Ground Floor

The historical record indicates that the ground floor was used as a shop, parlour and kitchen. The ceiling height of the ground floor rooms is 3.6 metres.

Room G.1

The former shop has plastered and painted walls, a painted timber boarded ceiling and timber boarded floor (approximately half of which appear to be original boards and half of which appear to have been installed in the 1997 works). The joinery – profiled timber skirtings, windows, and doors – are stained and clear finished. The floors have a painted feature ‘rug’ with perimeter boards clear finished. The room is illustrated in Figure 90 and 91.

Dilapidation photographs taken in 1995 show that much of the floor, and all the interior joinery was missing by that date (Figure 89 and 90). Very little of the shopfront to Cumberland Street existed and the opening had been partly bricked up. The timber panelling beneath the window of the Long’s Lane shopfront was either missing or sheeted over with plywood. The two door leaves of the corner entry door remained in a very decrepit state. A few floorboards are visible beneath the plywood over-sheeting. They appeared to be standard width and also appear not to have had any finish, indicating that they were originally covered with a floor sheeting (possibly linoleum).

Photographs from 1995 show that the doorway to the parlour (G.3) had had all joinery removed. The doorway now has a new timber frame, architraves, and panelled door leaf. These were installed in the 1997 conservation works. Figures 91 and 92 show the room during conservation works.



Figure 95: Looking south across room G.1 in 1995, prior to conservation works commencing. (Source: PMNSW image 35, as reproduced in the 2015 CMP, p 115)

Figure 96: Looking south-west across room G.1 in 1995, prior to conservation works commencing. (Source: PMNSW image 36, as reproduced in the 2015 CMP, p 115)



Figure 99: Looking south across room G.1 in 1997, with conservation works underway. (Source: PMNSW image 163, as reproduced in the 2015 CMP, p 115)

Figure 100: Looking south-west across room G.1 in 1997, with conservation works underway. (Source: PMNSW image 206, as reproduced in the 2015 CMP, p 115)



Figure 97: Looking south across room G.1 in 2024. The floor features a decorative painted 'rug'.

Figure 98: Looking north-west across room G.1 in 2024.

Room G.2 and G. 4

The entry hall G.2 has black japped floorboards with a contemporary carpet runner running down the centre. It has profiled timber skirtings (stained and clear finished) and painted plastered walls. Its lath and plaster ceiling has timber strapping installed to retain the ceiling and it has a decorative plaster cornice.

The ceiling of the stair hall G.4 has lath and plaster ceilings without timber strapping and no cornices — instead it has sets joint to the walls. Floors are black japped, with some boards unfinished where a carpet runner has been removed. The timber stair is stained and clear finished with a central carpet runner. The space below the stair is used as a store.

From the 1995 dilapidation photographs it would appear that the profile of the modern skirtings was obtained from the remnant skirting around the engaged pier and arch separating the entry hall from the stair wall. The photographs also show that the current staircase is a replica as only some of the central runners with some of the timber laths remained by 1995. Access to the upper floors was gained by a modern temporary stair. The report on the conservation works stated that the stair was reconstructed with mostly new material but that some of the original material was still on site and was reincorporated in the stair.

Photographs taken during the 1997 conservation works indicate that most, if not all, the stair timbers and joinery were new.

The front door, like the other doors in the building, is a modern replica joinery door. The door hardware is new, with the possible exception of the door knocker, which is older and possibly original to the building.

The condition of the spaces is good, but damp is evident on the north wall behind the front door.

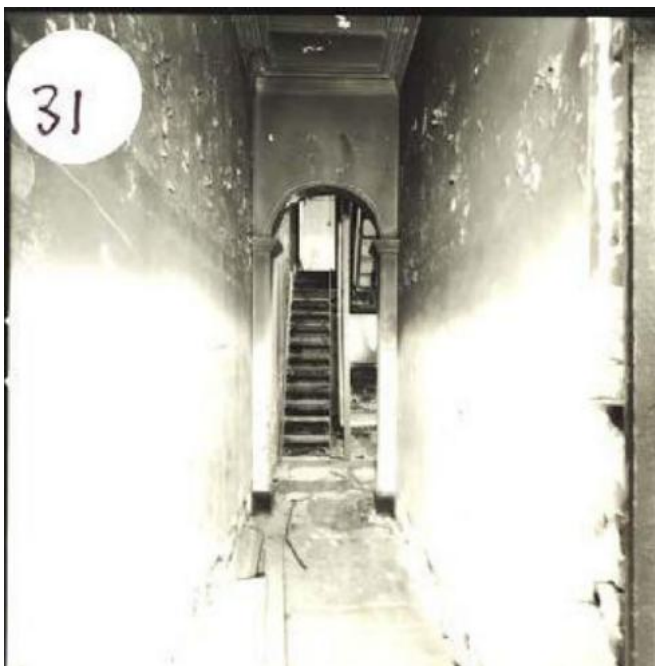


Figure 102: Looking east across room G.2 in 1995, prior to the commencement of conservation works. (Source: PMNSW image 31, as reproduced in the 2015 CMP, p 117)



Figure 101: Looking east across room G.2 in 1997, with conservation works underway. (Source: PMNSW image 189148, as reproduced in the 2015 CMP, p 117)



Figure 105: Looking east across G.2 in 2024.

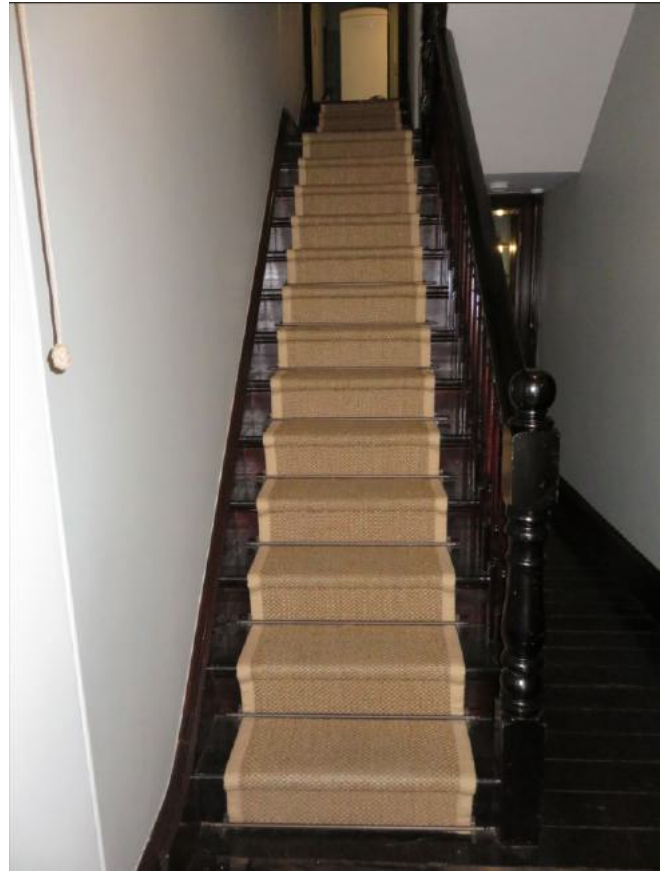


Figure 106: The stair in G.4 in 2024.



Figure 103: The cast metal knocker on the main entrance door may be an original item, although the door leaf itself is a replica.



Figure 104: Damp evident in the north wall behind the front door.

Room G.3

The former parlour has most of its original, wide timber floorboards, plastered wall and lath and plaster ceiling intact. The ceiling has timber strapwork installed over the entire surface to act as reinforcement for an obviously failing lath and plaster ceiling. This strapwork was in place before the 1995 dilapidation photographs were taken. Originally the room had a square set junction between the walls and ceiling.

The dilapidation photographs also show an exquisite, complicated ventilated plaster ceiling rose in the room which was conserved and still remains. The room has no picture rail or painted dado. The 1995 dilapidation photographs show that there was no fireplace surround or cast-iron register grate at that time. The current timber fireplace surround is a replica, and it has been clearly dated "1997". The insert is a modern gas-burning artificial log fire.

The exterior door is also a modern replica, but the frame and fanlight sash appear in the 1995 photographs and so predate the 1990s conservation works. Skirtings remained on at least part of the south wall and so the remainder of the room's skirtings are a replica of that original remnant.

The current fitout of the room has curtains extending around all the walls, hanging from contemporary rods fixed to the walls. The graphic design on the curtains interprets Watson's Butchery historical tenancy of the shop. The floor features a painted 'rug' matching other rooms. The condition of the room is excellent.



Figure 107: looking south-west in 1995. (Source: PMNSW image 32, as reproduced in the 2015 CMP, p 119)

Figure 108: The original ceiling rose was intact o 1995. (Source: PMNSW image 34, as reproduced in the 2015 CMP, p 119)



Figure 111: Looking south-west in 1998. (Source: PMNSW image 369, as reproduced in the 2015 CMP, p 119)



Figure 112: Looking south-east across room G.3 in 2024.



Figure 109: Room G.3 looking north towards the stair hall (room G.4) in 2024. The painted 'rug' can be seen on the floor.



Figure 110: The refurbished ceiling with the original ceiling rose, 2024.

Room G.4

See room G.2 for description.

Room G.5

The former kitchen has timber floorboards painted with a decorative 'rug', plastered brick walls and a lath and plaster ceiling with timber strapwork to reinforce the plasterwork. There is a simple set junction between the walls and the ceiling. In the south-east corner of the room there are five rows of white 150 x 75mm wall tiles on the east wall and six rows on the south wall. These tiles also appear in one of the 1995 dilapidation photographs on a photograph wrongly labelled "Possibly main living room with fireplace, 130-142 Cumberland Street". The 1995 dilapidation photograph also shows some sort of linoleum or vinyl floor covering, glassless window sashes that are also missing any glazing bars and a fireplace without any mantle shelf.

The floorboards in the room currently appear to be a mixture of new and recycled boards. The fireplace retains its original stone hearth, and a new timber mantle shelf has been installed above the recess. The fireplace recess does not contain any cooking stove — an old stove can be seen in a 1997 photograph, but it has been removed. A modern kitchen cupboard unit with stainless steel sink has been installed along part of the north wall. The current fitout includes cabinetry, sink and fridge but does not include cooking equipment.

The exterior door is a modern framed ledged and braced door but the 1995 photograph does not show any door in the opening other than a plywood security door. The door leaf has been removed from the doorway to G.4.

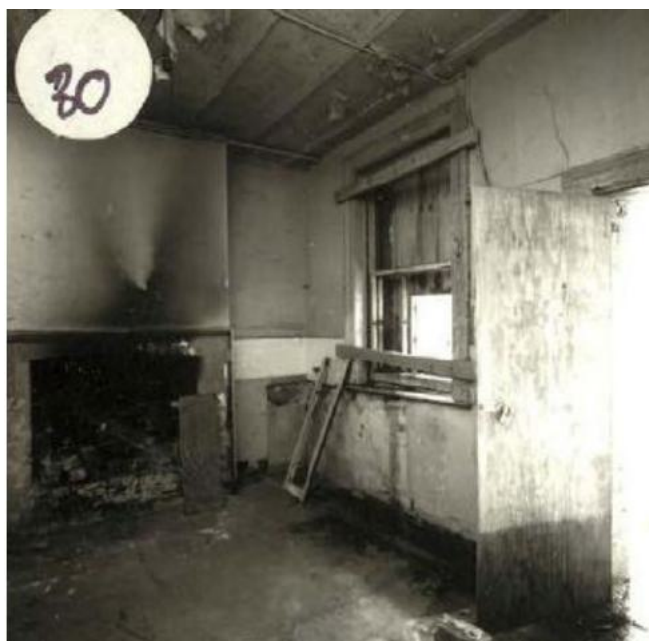


Figure 113: Room G.5 looking east, 1995. (Source: PMNSW image 30, as reproduced in the 2015 CMP, p 120)



Figure 114: Room G.5 looking west, 1997. (Source: PMNSW image 207, as reproduced in the 2015 CMP, p 120)



Figure 115: Room G.5 looking north-east in 2024.



Figure 116: Room G.5 looking south-west in 2024.

Room G.6

The outhouse G.6 contains a modern WC pan, elevated cistern with pull chain and modern hand basin. The floor is painted concrete, and the walls are unpainted patched common bricks. The timber boarded door is a contemporary replica.

The outhouse appears to date from sometime after 1901 as the resumption plans show that a washhouse and then an outhouse were standing in the area behind the kitchen at that date. A 1995 dilapidation photograph shows the outhouse was in a state of advanced decay at the time.

3.5.4 First Floor

The historical documents indicate that the rooms on the first floor may have been let to “respectable gentlemen” rather than being used by the shopkeeper’s family. The ceiling height of the first-floor rooms is 3 metres.

Room 1.1

Room 1.1 is the largest room in the building. It has two windows facing Cumberland Street and one window facing Long’s Lane, and a splayed corner at the intersection of the two street walls. There is a fireplace on the north wall which has a modern replica timber fireplace surround with the date “1997” carved into the front face. There is a gas-burning steel fire in the fireplace opening.

The timber floorboards are a mixture of new and recycled boards. A rug covers most of the floor leaving only the perimeter of the floorboards exposed. The boards are clear finished except along the eastern side of the room where they have a black Japan finish.

Walls are plastered and painted. The ceiling is a lath and plaster ceiling with timber strap-work to hold the plaster in place. The ceiling has a decorative plaster cornice and ornate plaster ceiling rose. The ceiling rose is not visible in the 1990s photographs.

The windows cannot be closed fully because of the perforated timber ventilation boards installed above the top sash. All the joinery in the room is painted a gloss dark brown and the 1995 dilapidation photographs show that much of the architraves remained in this room, but skirtings were missing. There is a metal tie rod running from east to west along the north wall of

the room at about eye height that passes through the chimney breast and continues through the stair and kitchen. This tie rod is visible in the 1990s photographs.

The room is in good condition but there is evidence of damp in the wall under the northern-most window. The location of the damp corresponds with cracking in the external wall and the two are likely to be related.

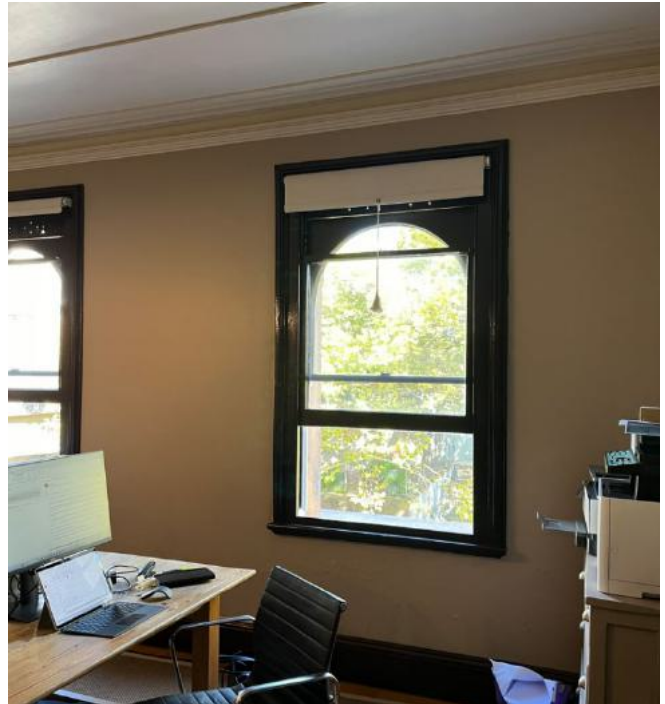


Figure 117: Room 1.1 looking north, 1995. (Source: PMNSW image 42, as reproduced in the 2015 CMP, p 121)

Figure 118: Room 1.1 looking north, 1997. (Source: PMNSW image 213, as reproduced in the 2015 CMP, p 121)



Figure 119: Room 1.1, north wall and fireplace, 2024.

Figure 120: Room 1.1, Detail of windows in the western wall, 2024. The top sash cannot be fully closed because of the perforated panel fixed into the top of the window frame.



Figure 121: Evidence of damp below the northern-most window in room 1.1, 2024.

Figure 122: Room 1.1 lath and plaster ceiling with decorative plaster ceiling rose, 2024.

Room 1.2

Room 1.2 has new polished pine floorboards with a rug covering all but the perimeter of the timber floor. The ceiling is lath and plaster without any decorative detailing and with set joints to the walls. Walls are plastered and painted. There is a window on each side of the fireplace on the south wall and a pair of French doors leading out to the rear verandah. Most of the painted joinery is new although some original skirting appears in the 1997 photograph of the fireplace surround.

The fireplace surround is an original plaster surround that presumably was found on site in pieces. The 1997 conservation report photos show the surround re-adhered to the wall and labelled “jigsaw fireplace”. The fireplace surround has been painted although the 1997 photograph shows the surround being unpainted and resembling stone in colour and texture.



Figure 123: Room 1.2 looking south, 1996. (Source: PMNSW image 288534, as reproduced in the 2015 CMP, p 122)

Figure 124: Room 1.2 looking south-west showing the repaired plaster fire surround, 1997. (Source: PMNSW image 208, as reproduced in the 2015 CMP, p 122)



Figure 125: Room 1.2 looking south-east, 2024.

Figure 126: Room 1.2 looking south-west, 2024.

Room 1.3

The stair is a contemporary reconstruction of the original stair which was mostly destroyed prior to 1995. A 1997 photograph show the stair newel post as being laminated pine. There is a carpet runner up the centre of the stairs, and timberwork is dark stained and clear finished. Ceilings are lath and plaster without decoration or cornices, and walls are plastered and painted. The metal tie rod from the front room continues through the stair well along the north wall of room 1.3.



Figure 127: Room 1.3 looking north-east, 1995. (Source: PMNSW image 40b, as reproduced in the 2015 CMP, p 123)

Figure 128: The newly built stairs, 1997. (Source: PMNSW image 243, as reproduced in the 2015 CMP, p 123)

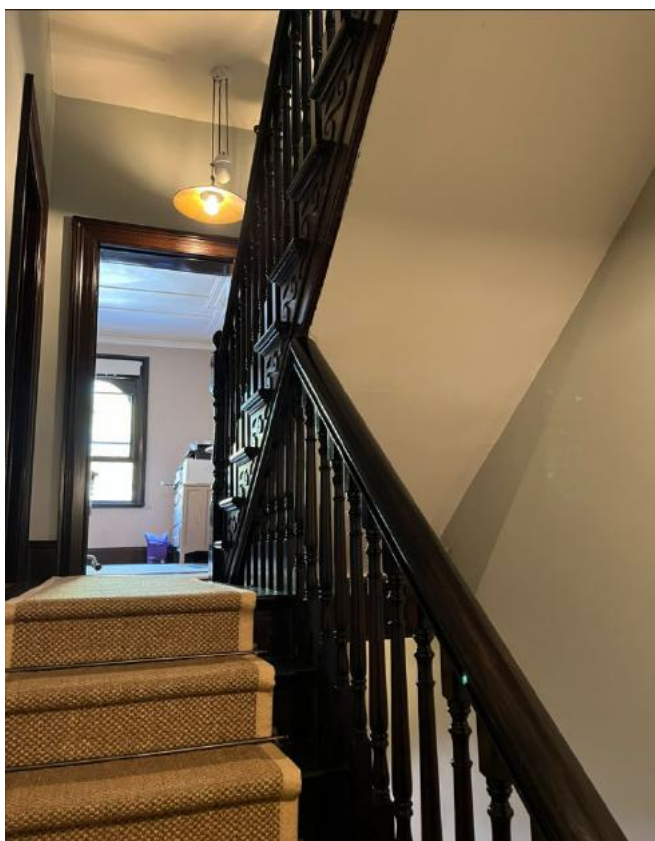


Figure 129: Room 1.3 looking west towards level 1, 2024.

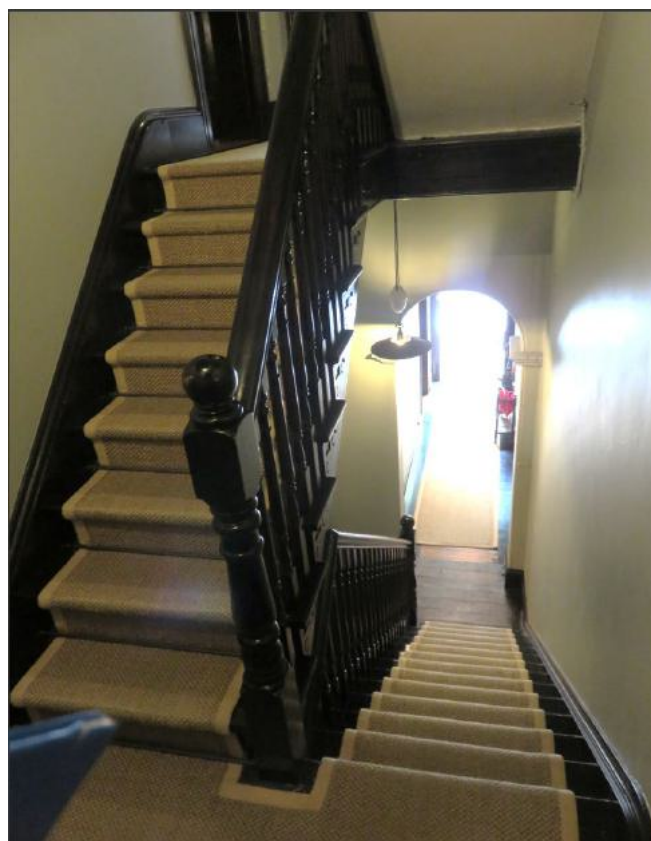


Figure 130: Room 1., looking east, showing the stairs ground-floor to level 1, 2024.

Room 1.4

The two-storey verandah was constructed in 1997 based on the extant original verandah which was demolished in 1996. The verandah is timber framed with timber balustrades, 1010mm in height. Floorboards are square edged and are clear finished. The boards and framing of the level 2 verandah are exposed above.

The verandah has recently been painted and most floorboards have been replaced. An older section of older board has been left intact near door D20.



Figure 131: Remnants of rear verandah being demolished, 1996. (Source: PMNSW image 188808_CU_19-11, as reproduced in the 2015 CMP, p 124)

Figure 132: The level 1 verandah (room 1.4) in 2024.

Room 1.5

Room 1.5, the level 1 kitchen, is accessed off the stair's mid-landing of the between ground and first floors. The room was fitted out as a kitchen in the 1997 conservation works but it was originally probably a bedroom. The pine floorboards are a mixture of new and recycled boards. The floor has a painted 'rug, with floorboards around the perimeter clear finished. Walls are plastered and painted and were repaired during the 1990s conservation works.

The ceiling is lath and plaster (as clearly shown in the 1995 dilapidation photograph) with timber strapwork to support the ceiling. There is no decorative cornice but a simple square set junction between the ceiling and walls. There are exposed high level tie rods, one each running across the east and north walls of the room.

There is a window in the south wall whose sill is close to the floor level of the verandah adjacent (room 1.4). The window cannot be closed fully because of the perforated timber ventilation board installed above the top sash. The contemporary kitchen counter has been carefully detailed to avoid impacting on the windowsill.

All joinery and kitchen fittings are contemporary.



Figure 135: Room 1.5 looking west, 1995. (Source: PMNSW image 39, as reproduced in the 2015 CMP, p 125)



Figure 136: Replastering lath and plaster wall in Room 1.5, 1997. (Source: PMNSW image 178, as reproduced in the 2015 CMP, p 125)



Figure 133: Room 1.5 looking south-west, 2024.



Figure 134: Detail of the careful detailing of the splashback of the contemporary bench unit and the windowsill.

3.5.5 Second Floor

Room 2.1

Room 2.1 was most likely a bedroom originally. The clear-finished timber floorboards are a mixture of new and recycled boards with the edge of one side of the room painted to indicate the original black Japan finish that outlined the floor rug. The ceiling is a lath and plaster ceiling with timber strapwork to hold the plaster in place. There is no decorative cornice but a simple set joint at the junction of the ceiling and walls.

The window cannot be closed fully because of the perforated timber ventilation board installed above the top sash. All the joinery in the room is painted a gloss dark brown. The 1995 dilapidation photograph shows that none of the skirting remained in this room. However, the window sashes, perforated board and architraves survived. The photograph also shows that the wall between Room 2.1 and Room 2.2 is a framed lath and plaster wall.

Walls are plastered and painted. There is a tie rod running from east to west along the north wall of the room at about eye height that passes through the chimney flue. The tie rod continues along the north wall of the stair well.



Figure 139: Room 2.1 looking west, 1995. (Source: PMNSW image 46, as reproduced in the 2015 CMP, p 126)

Figure 140: Room 2.1 looking west, 1995. (Source: PMNSW image 46, as reproduced in the 2015 CMP, p 126)

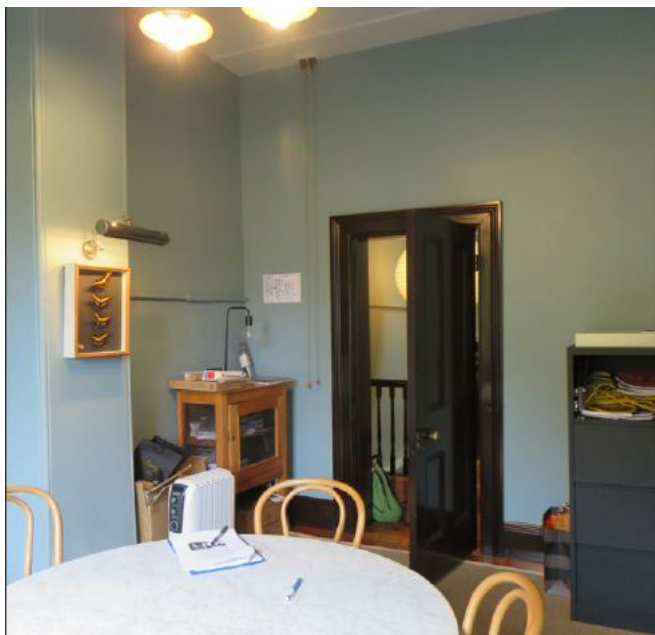


Figure 137: Room 2.1 looking west, 2024.

Figure 138: Room 2.1 looking north-east, 2024

Room 2.2

Room 2.2 has painted plastered walls and lath and plaster ceilings with timber strapping (Figure 132 and Figure 134). There are no cornices or other decorative ceilings detailing. There is a window in each of the two exterior walls that cannot be closed fully because of the perforated timber ventilation boards installed above the top sashes. The clear-finished pine floorboards are new as is most of the gloss dark brown painted joinery. A contemporary rug covers most of the floor.



Figure 141: Room 2.2 looking south-west, 1995. (Source: PMNSW image 48, as reproduced in the 2015 CMP, p 127)

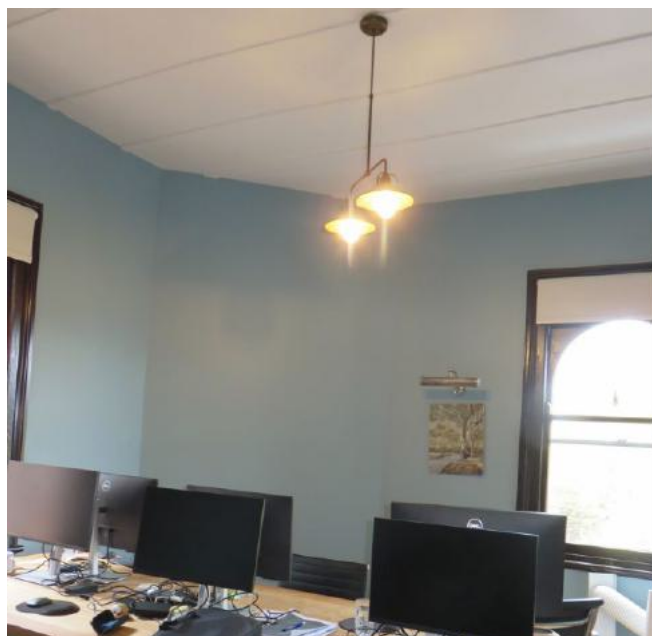


Figure 142: Room 2.2 looking south-west, 2024.



Figure 143: The east wall and door to room 2.2, 2024.



Figure 144: Room 2.2 ceiling detail, 2024.

Room 2.3

Room 2.3 comprises the stair mid-landing and uppermost flight, level 2 stair landing and adjacent corridor. The stair is a new reconstruction of the original stair (Figure 136). There is a carpet runner up the centre of the stair, but it is not continued on the level 2 landing, where original timber boards are clear finished and exposed. The 1995 dilapidation photographs confirm that the current stair is a 1997 reconstruction as only the carriage pieces and some laths from the stair soffit lining remained in 1995.

Walls are plastered and painted. The metal tie rod from the front room continues through the stair well along the north wall. The west wall of the hall to Room 2.2 is a framed wall and the 1995 dilapidation photograph and the 1997 conservation works photograph confirm it was a lath and plaster wall.

The ceiling is lath and plaster with timber strapping but no cornices. There is a skylight over the mid-landing.



Figure 145: Room 2.3 looking west, 1995. (Source: PMNSW image 45, as reproduced in the 2015 CMP, p 128)

Figure 146: The corridor extending from the level 2 stair landing.



Figure 147: The uppermost flight of stairs and level 2 landing, 2024.

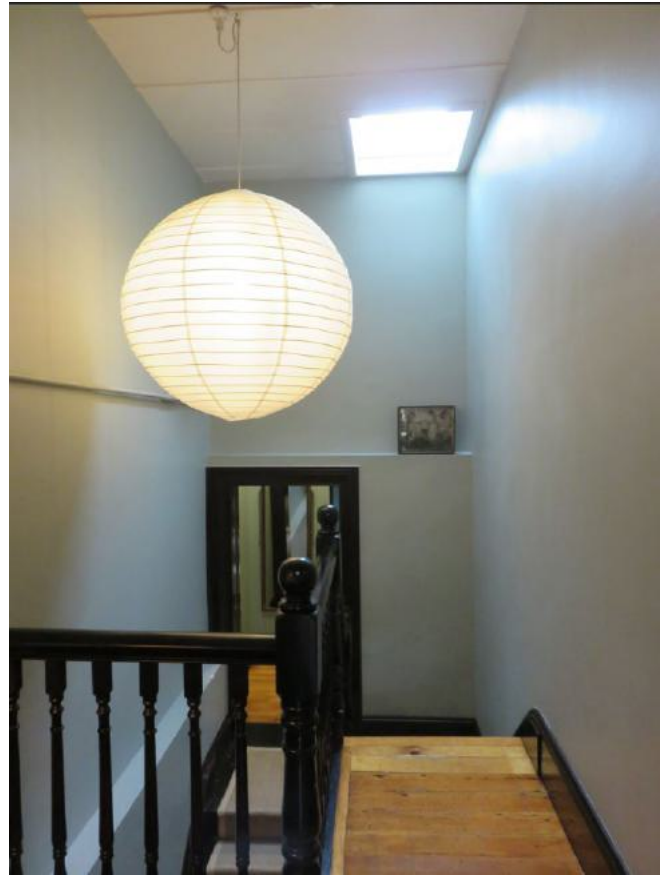


Figure 148: Room 2.3 looking east. The junction of the timber boards of the new stair and the original boards is evident at the top of the stair. The skylight is contemporary.

Room 2.4

Room 2.4 was likely to have been a bedroom. It would be almost square if the hall to room 2.2 did not cut through one corner of the room. There are two windows in the south wall of the room: one on each side of the chimney flue. The windows cannot be closed fully because of the perforated timber ventilation boards installed above the top sashes. There is a timber wall shelf adjacent to the chimney flue which appears to pre-date the 1990s conservation works. A pair of French doors leading to the rear verandah (room 2.8).

The clear-finished timber floorboards are a mixture of new and old boards and most of the gloss dark brown painted joinery appears to be new. The plaster walls are painted. The ceiling is lath and plaster as clearly shown in the 1995 dilapidation photograph Figure 140) with timber strapwork to support the ceiling. There is no decorative cornice but a simple square set junction between the ceiling and walls.



Figure 151: Room 2.4 looking south-west, 1995. (Source: PMNSW image 47, as reproduced in the 2015 CMP, p 128)

Figure 152: Room 2.4 looking south-west in 2014. The difference in the new and old floor boards is evident. (Source: Roberts and Hindmarch Pty Ltd, as reproduced in the 2015 CMP p128).



Figure 149: Room 2.4 looking south-east.

Figure 150: The timber wall shelf on the south wall of room 2.4 appears to exist in the 1995 photographs.

Rooms 2.5, 2.6 and 2.7

These rooms may have originally been a single space — a rear bedroom. The joinery detail of the framed dividing wall between rooms 2.6 and 2.7 suggests that the bedroom had been divided into at least two spaces in the early to mid-twentieth century. The current configuration of the rooms dates from 1997.

Room 2.5 comprises a lobby bisected by a framed wall (Figure 149), and a locker room. The locker room was built as a laundry as part of the 1997 conservation works but was later converted to its current use. The 1991 fabric survey plans by Clive Lucas Stapleton & Partners show the rear wing divided into a small lobby, Room 2.6 and a larger room combining Room 2.7 and the laundry and the southern part of Room 2.5. This confirms that the locker cupboard is a post-1991 construction, as is the west wall of room 2.7. The locker room retains its 1997 tiled floor and bi-fold doors.

Room 2.6 has a matching tiled floor (1997). The small window is an inward opening casement with fixed glass louvres in the top quarter. The window appears to have been cut into the existing exterior wall and could have been installed by the Public Works Department sometime after the resumption. This was probably at the same time that the space was divided into two rooms in the early to mid-twentieth century.

Room 2.6 contains a WC suite and pedestal hand wash basin. It also contains a cupboard concealing the electric storage hot water unit is evidence of damp in the east wall adjacent to the toilet. The 1995 dilapidation photograph of this room shows a bath located in this room (Figure 144). The room is in good condition but there is evidence of damp on the eastern wall.

There is no 1995 dilapidation photograph of room 2.7 and so it is not possible to discern the use of the room at that time. It now contains a built-in bath, a shower recess, and a pedestal hand wash basin. The floor tiles date from 1997 as do the wall tiles around the shower recess and all the fittings themselves. The wall dividing this room from Room 2.6 is a timber stud wall with vertical timber boards on one side, and most likely dates from the early to mid-20th century, although it was dismantled and rebuilt in the 1990s.



Figure 153: Room 2.6 looking east, 1995. (Source: PMNSW image 44, as reproduced in the 2015 CMP, p 130)

Figure 154: Rooms 2.6 & 2.7 during conservation works, 1996. The framed wall between the rooms has been removed but appears to have been reinstalled after the floor was rebuilt. (Source: SHFA image 46, as reproduced in the 2015 CMP, p 130)



Figure 155: Room 2.6, looking east in 2024. The room retains its finishes and fittings from 1997 but has been repainted since.



Figure 156: Room 2.7 looking east in 2024. The room retains its finishes and fittings from 1997 but has been repainted since.

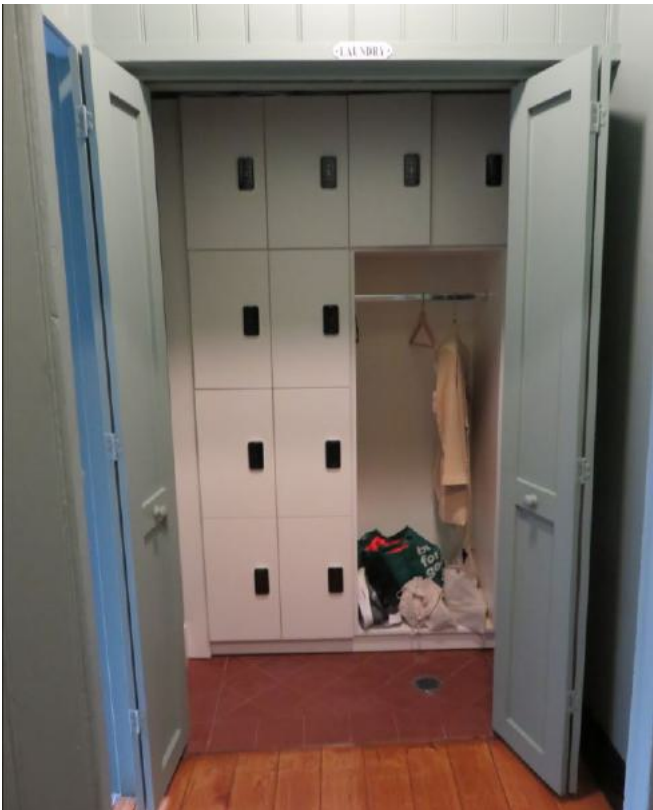


Figure 157: The locker room, built in 1997 as a laundry.



Figure 158: Detail of the wall that divides room 2.5 and extends to separate rooms 2.6 and 2.7. The fabric of this wall suggests it dates from the early to mid-20th century.

Room 2.8

Room 2.8 forms level 2 of the two-storey verandah which was constructed in 1997. The verandah is based on the extant original verandah which was demolished in 1996. The verandah is timber framed with timber balustrades, 1010mm in height. Floorboards are square edged and are clear finished. The underside of the roof sheeting and the roof framing are exposed above. The verandah has recently been painted.



Figure 159: Second floor rear verandah (Room 2.8) reconstruction, 1997. (Source: PMNSW image 180, as reproduced in the 2015 CMP, p 131)



Figure 160: Room 2.8, 2024

3.6 Assessment of Archaeological Potential

The site of 136-138 Cumberland Street is identified in the Map of Archaeological Resources in The Rocks (in Appendix C of *The Rocks Heritage Management Plan*, 2010) as an area of archaeological sensitivity and *The Rocks and Millers Point Archaeological Management Plan in 1991* discusses the archaeological significance of the area.

Archaeological potential on the site was assessed by the SCAs archaeologist in September 1998 (Wayne Johnson, Identification and Management of Archaeological Issues for the Longs Lane Precinct Conservation Works, The Rocks, Sydney, 1991-1998, SCA September 1998), following conservation of the buildings in the Long's Lane precinct and major excavation works around the buildings to both underpin the buildings and to install modern infrastructure on the site and in the laneways.

The precinct plan included in the report (Figure 161) identifies two wells and one cesspit as “identified archaeological resources” and identifies the underfloor spaces of the Ground Floor rooms (with the exception of the shop) as “potential archaeological resources”. The original rear yard of 136-138 Cumberland Street (i.e. the portion of the yard at the upper level) represents the total yard area of the original allotment. The lower level of the garden is not identified as having any archaeological resource or potential.

According to the report (on pages 19-21), the Ground Floor underfloor spaces were not disturbed in the 1996/97 conservation works, with the exception of the cellar under the shop which was cleaned out and examined. The items in the cellar refuse were identified with the period of squatter occupation and vandalism of the building in the 1980s. Items salvaged from the conservation works (such as ironmongery) were stored in the cellar in a waterproof box but, by 2014, the box and its contents had been stolen. Because the ceilings under the roof and under the two top floors had deteriorated and partially collapsed, there was no identified archaeological resource or potential in those cavities.

The report states that during the conservation works it was recognised that many of the timbers in the building (especially the floor timbers over the cellar) were early pit-sawn timbers and had probably been reused from the c. 1834 buildings that had stood on the site prior to the current building's construction. These timbers and other archaeology were left within the building. The other in-built archaeological items included the gas lighting pipes embedded in the walls. These were left in-situ and used as conduits for low voltage lighting wiring.

The rear of the buildings (130-136) had settled with large vertical cracks. The cracks represented the line of a c. 1823 quarry that ran parallel to the alignment of Cumberland Street but which had been back filled to create the building sites for the buildings. No documentation has been found that illustrates the alignment of the quarry face on the subject site. However, “sub-floor work on Nos 130-138, including evidence from basement of 138, in 1996-7 suggests the bedrock is worked similarly to the adjacent quarry site [which is now occupied by the Youth Hostel]. The bedrock terraces to the east of the rear wall of Nos 132-134 Cumberland St, roughly in line with the known quarry face to the north. The rear kitchen wings of 130 and 136-8 were constructed on fill & had to be underpinned to bedrock. A circa 1820 well was discovered under the rear wall of Nos 136-8, commencing at bedrock (i.e. cut from the ‘quarry’) and was bridged over without being excavated⁹¹.

The report notes that, where buildings were underpinned, the trenches dug for the underpinning contained only earth used as historical fill and did not contain any cultural material buried in the fill. Because of the lack of cultural material in the fill the report surmises that the fill must have

⁹¹ Personal communication from SHFA archaeologist, Wayne Johnson, 12 December 2014

been placed behind the retaining wall at an early date and probably the retaining wall and the fill dated from the construction of the c. 1823 building. However, this wall was built over the well and so the well must have become disused by this early date.

3.6.1 Archaeological Management Recommendations

There is potential for archaeological evidence to be located on the site. These are summarised on the Archaeological Zoning Plan below (Figure 161):

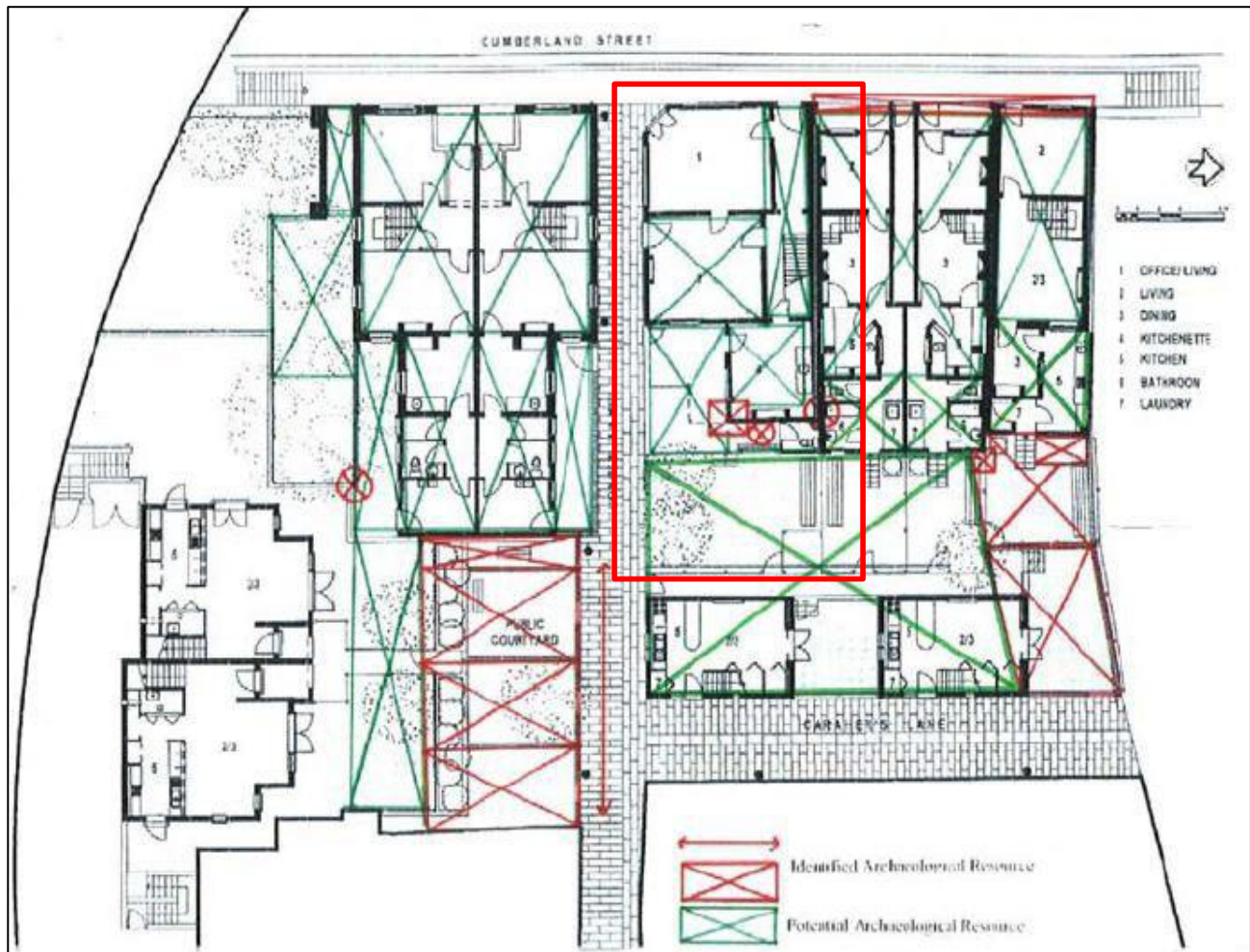


Figure 161: Plan indicating archaeological potential in the Long's Lane Precinct, with 136-138 Cumberland Street shown outlined in yellow. Red indicates identified archaeological resources and green indicates potential archaeological resources. Source: Johnson, W., Identification and Management of Archaeological Issues for the Long's Lane Precinct Conservation Works, The Rocks, Sydney, 1991-1998, SCA September 1998), p.17 Modified by W. Johnson 10 December 2014 to include additional areas of Archaeological Potential.

136-138 Cumberland Street and its site are identified as an area of archaeological sensitivity. The s170 Heritage and Conservation Register listing for the terraces sets out recommendations for managing archaeological resources on site.

- The majority of the site is considered to have high archaeological potential for deposits of State significance.
- The site should be subject to further testing and is to be monitored by a qualified archaeologist who meets the Heritage NSW Excavation Director Requirements to disturb

relics on a State Heritage Register listed site during any ground disturbance in accordance with the NSW Heritage Act 1977 archaeological provisions.

- Due to the manipulation of the landscape, it is not known if subsurface deposits exist that relate to pre-European Aboriginal occupation of the area, or subsurface deposits from the period prior to the construction of the property.

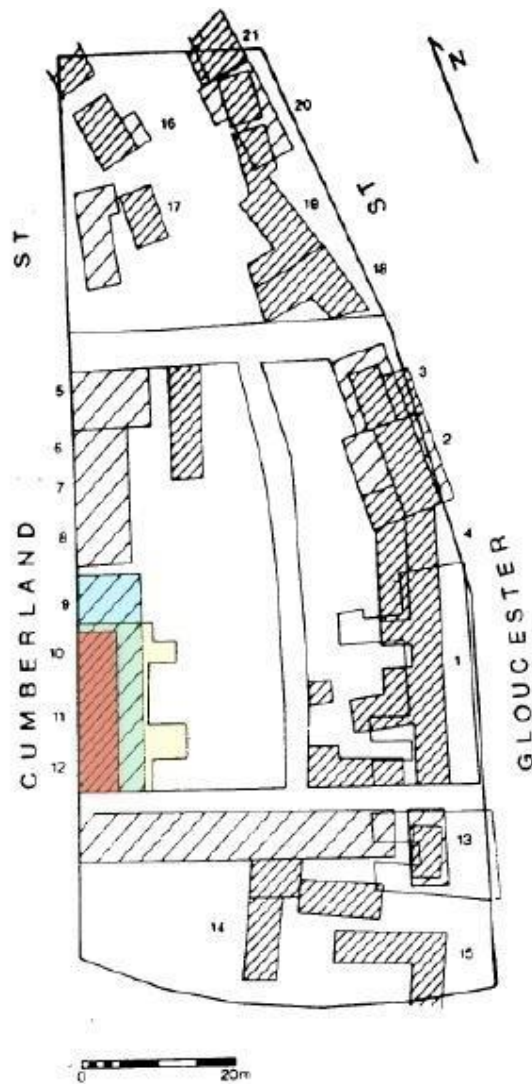


Figure 162: Archaeological Zoning Plan showing the location of the first building (by 1822) (red) the larger row (by 1831) (red+green+blue) and the late nineteenth century redevelopment (red+green+yellow) that survives today. Source: 1989 EIS appendix A, coloured by Robertson & Hindmarsh Pty Ltd, October 2014

3.7 Movable Heritage

There are no movable heritage items associated with 136-138 Cumberland Street.

4

Assessment of Cultural Significance

4.1 Comparative Analysis

The shop and residence, and the adjacent three buildings to the north in Cumberland Street, are part of the third phase of development on this site, which commenced in the early 1880s and coincided with Mayoral initiatives that required replacement of substandard building stock throughout the city under the provisions of the 1879 Improvement Act. Many of the replacement buildings were erected using a form already typical of Sydney: the two-storey terrace house with a verandah and balcony. Other examples were more particular solutions, designed for the site in question. These new buildings were of a much larger scale than the row of single storey cottages they replaced, however the existing pattern of use was retained, as corner shop replaced corner shop and residences were replaced with terraces of houses.

No. 136-138 Cumberland Street was designed as a shop with a substantial two-storey residence above. This building type was generally known as ‘shop and dwelling’. The surviving physical and documentary evidence indicates that the building was not necessarily intended as a butchery; as there is no indication of the tile work or external decoration that is usually associated with a purpose-built, late nineteenth century butcher’s shop. Rather it could have been used as any form of shop common in the late nineteenth century. The upper floors seem to have been intended as residential rather than workrooms, as no additional light was provided.



Figure 163: Extract from a view of Bridge Street showing Victorian Italianate and Georgian style shop dwellings, none of which survive. Source: State Library NSW SPF

Splayed corners were employed during the Georgian and Victorian eras for both public houses and shops. Corner sites were favoured as two shopfronts or, in the case of a public house, bar room windows, could be provided. The majority of surviving examples of buildings with a splayed corner entrance within The Rocks and Millers Point were built as public houses (e.g. the Orient Hotel and the former hotel opposite (at the intersection of Argyle and George Street)) and the Lord Nelson Hotel at the intersection of Argyle Place and Kent Street North. As was common, the corner was splayed to accommodate the shop or public house entry.

George Street North, from what is now Playfair Street, heading south towards Wynyard, was once lined with shops with residences above. Likewise, Elizabeth Street, William Street and Oxford Street all once contained numerous examples of shops with generous two-storey residences above. Early substantial examples include the Colonnade in Bridge Street designed by John Verge and erected for J. E. Manning. The form could be built as a single shop and residence (as in this case) or as was common, in a level or stepped row. J. W. Pender's architectural drawings label shops with a residence above as 'Shop and Dwelling'.



Figure 164: Pair of shops at 191-195 William Street Source: SCC Demolition Books

The demolition photographs taken by the Sydney City Council provide some indication of the evolution of the form and its internal planning. An example once located at 191-195 William Street in Darlinghurst shows a row that contains two shops (each with a separate entrance to the residential portion of the house), and a townhouse with a verandah with a balcony over (or two-storey verandah) to the right-hand side. The windows to the upper floors are identical. The planning of the first and second floors is also likely to have been identical. The ground floor was a shop, that may have been used as an office in a mid-nineteenth century merchant's townhouse, with a parlour and dining room over and bedrooms on the upper floors (Figure 164).

4.1.1 Living Above the Shop

In the mid-nineteenth century it was customary to live above the shop, however, by the 1880s this custom had changed. Building stock in the city was now either purely commercial or, in limited areas such as fronting Wynyard and Hyde Parks, purely residential. Commercial buildings known as chambers began to be erected with a shop at ground floor with rooms let as offices above. This change coincided with the move of merchants out of the city, similarly with the wealthier shopkeepers, who preferred to live in cottages or villas in the suburbs.

In inner Sydney very few examples of 'shop and dwelling' building type survive in 2014, having been replaced by purely commercial buildings or larger scale retail or shops. In contrast, Hobart and Launceston retain substantial building groups of this scale, as do parts of Melbourne, including St Kilda, Williamstown and Fitzroy.

Surviving examples in Inner Sydney include:

- 17 Macquarie Place (now the Customs House Bar) (only remnant of the shop dwellings in the vicinity of Bridge Street)
- 319-321 George Street (façade only)

Smaller scale examples can be found in Erskine Street, which have a single storey above the shop. Examples also survive in the Haymarket.

Examples of 'shop and dwelling' in The Rocks include:

- 105 George Street North (erected by Ian Stansfield, 1851 – substantially reconstructed 1985)
- 103 George Street North (erected by James O'Neill, 1855-56)
- 107-109 George Street North (erected by Patrick Freehill, 1860-61)
- 75 & 75½ George Street (erected by Alexander Cormack in 1883)

Other buildings erected during the 1880s may have been erected as chambers without a residential component. None of these buildings remain in combined retail and residential use, although they still were in residential use during the 1980s. The pair of shops at No. 107-109 George Street North been used as a restaurant since the 1980s. Following the resumption in 1901, a series of shops with residences above were built south of Globe Street designed by the NSW Government Architect. The majority of these also do not survive.

Very few examples of shops with a two-storey dwelling over survive in inner Sydney. No 319-321 George, erected around 1858, but now only a façade, is the one of very few examples of a shop with a two-storey residence over. The survival rate of larger buildings, former banks, commercial chambers and warehouses is much higher. The amalgamation of sites to build large office towers has contributed to the disappearance of the 'shop and dwelling' type in inner Sydney.



Figure 165: 319-321 George Street, Source: SCC



Figure 166: Now demolished jeweller's shop in Bondi.

In the suburbs, proprietors continued to live above the shop and the upper floors of many of the shops in King Street, Newtown which remain residential (although tenanted rather than occupied by the proprietor). The survival rate is also higher in smaller commercial strips in suburban Sydney; however, street widening has removed numerous examples in Eastern Sydney and Camperdown. One surviving group is:

- Cathedral Court, 84-104 Cathedral Street, Woolloomooloo (a row of shops built by Ebenezer Vickery in 1892)

Photographs in the Sydney City Council's demolition books show the examples demolished for the widening of William and Oxford Streets post-1910 (Figure 165 & Figure 166).

This form was not confined to NSW and could also be found in Victoria and South Australia. Other examples with a splayed corner and two-storeys above the shop include:

- F. & W. Stewart, 100 Charles Street, Launceston 21-27 Market Street, Fremantle

Victoria retains some very substantial examples, such as 166-168 Bellair Street, Kensington that dates from 1891. This building had shops at ground floor, a kitchen and dining room to the rear and what was probably originally the work room over the shop all at the mezzanine level and four bedrooms and a bathroom on the top floor. The shop and residence at No. 58 Hesse Street, Queenscliff (Victoria) had a separate recessed entrance (with iron lace) to the residential section

of the complex. In NSW, separate entrances to the residential part of the building were usually less ornate and were not set back from the street.



Figure 167: The now demolished Needham Carton Repair building, Oxford Street, Source: SCC ArchivePix



Figure 168: Nos. 23-27 Oxford Street photographed prior to demolition so the street could be widened. Source: SCC ArchivePix

4.1.2 Italianate Commercial Buildings

In the mid-nineteenth century Italianate detailing became standard for commercial buildings in Great Britain and throughout the British colonies. Queen Victoria's summer retreat of Osborne House built in the 1840s had made this style fashionable for villas. The style also became a popular choice for merchants as it carried with it associations of the wealth of the Italian merchant families. Published examples in architectural periodicals (Figure 159) show that examples were directly imported, although a verandah was often added to shade the goods on display (Figure 158).

In The Rocks there is a range of commercial buildings designed in the Italianate manner during the Victorian era. This range once existed throughout inner Sydney but has almost entirely vanished in the commercial heart of the city. By 1880 the Italianate style was no longer popular in England, having been replaced with the Queen Anne style (Figure 169). This trend soon reached NSW, with the series of London-trained architects who arrived in the 1880s.

One of the earliest examples that demonstrate this transition from Italianate to Queen Anne, is the now-demolished Butcher's Shop at Edgecliff designed by John Horbury Hunt in 1884, and his *Boooloominbah* at the University of New England, Armidale, erected in 1888 (Figure 170). Buildings designed by the City Architect in the 1880s also employed Queen Anne motifs. Speculative builders remained attached to the Italianate style for terraces and commercial buildings, however, as can be seen in shop and residence buildings in Erskine Street, Sydney (Figure 171). The Italianate remained popular well into the 1890s for shop and dwellings built as investments in Sydney.



Figure 169: Design for an unbuilt commercial building in Capel Dublin, 1867 by William Fogerty. This building is very similar in character to mid nineteenth century commercial architecture in Australia's capital cities. Source: Archiseek – Unbuilt Ireland

Figure 170: Booloominbah, erected 1888 in Armidale and one of the earliest transitions to Queen Anne Style Architecture in Australia. Source: Flickr



Figure 171: Erskine Street, Sydney in 1989 showing Italianate style shop and residence buildings of the 1880s. Source: City of Sydney Archives

Photographs of Erskine Street show another variation, with attic bedrooms and elaborate dormers. Some of the examples in the Haymarket may also once have had a two-storey residence over the shop. In both these cases these areas had long been developed, so the shop/residences replaced earlier smaller scale Colonial Georgian buildings. As occurred in The Rocks, buildings in Erskine Street had been condemned by the City Improvement Board. The largest surviving concentration is in the Haymarket. As the dates of the buildings are relatively

consistent, mostly post-dating the Improvement Act, a similar phase of rebuilding may have occurred. Detailed research into the City Improvement Board would confirm the areas where building stock was demolished, however this is beyond the scope of this report.

Comparative analysis for the earlier surviving examples in George Street has found the building stock to be typical in style, and that 'more original examples of this style of building exist throughout Sydney'⁹². For the larger three-storey shop residences, this does not appear to be the case. The lack of change to buildings under the successive management agencies in The Rocks has resulted in a high degree of survival of internal configurations of the surviving examples in The Rocks. Without a detailed study, it is not possible to compare the survival rate of interior layouts or the survival of features such as staircases, chimney pieces and kitchen fireplaces.

Other examples may survive as contributory items in conservation areas, but many of these were erected as public houses rather than 'shops'.

The listed examples are in three locations: The Rocks, Erskine Street and forming the corners of a substantial terrace in Marrickville. Other examples in the Haymarket have simply been listed as commercial buildings but, even then, the geographic spread of listed examples of the larger examples is not large. Comparative assessment should take into account age, style, form, scale and use of the building, not simply architectural style. Plan type should also be taken into consideration, as these shops often had a generous residence over.



Figure 172: 1970 view of George Street North including the shop/dwelling erected by Thomas Playfair at No. 103 George Street North. This view shows the buildings before they were repainted, conserved and altered and show the details extant at that time. Source: SHFA

⁹² Shop and Residence at 105 George Street. S170 Register form

4.1.3 Butcheries

Butcher shops have been located in The Rocks, with examples dating back to 1812, however, the building stock no longer survives. Much of the meat was supplied to shipping, and some firms were dedicated to supplying provisions for voyages. Shops in George Street North had been rented by shipping butchers (Figure 172), such as Thomas Playfair, prior to erecting their own premises.

Most of the butcheries occupied shops not specifically erected as butcheries and there is very little within the area today to indicate this long-standing use by butchers, including Thomas Playfair, other than the naming of Playfair Street and his premises at 103 George Street (Figure 172). The purpose-built premises erected by Playfair after 1910 have been demolished and replaced by the Clocktower development.

Traditional butcher shops survive in suburban areas, some of which were long-standing uses (Figure 161). Artisan butcher shops, with a display counter are now popular however, this would not have been the form of a nineteenth century butcher shop, as there was no refrigeration or cool room. Most shops did have a cellar that could be used for the cool storage of goods but specific cool rooms for butcher shops do not appear in the literature before the early 1880s. An article on the *Sydney Mail*, 26 March 1881, described a purpose-built butcher's shop with cool room using a refrigeration plant designed by Thomas Mort.



Figure 173: Corner shop at 271 Bridge Road, Glebe, W. E. Turneth Butcher, established 1880, photographed in 1953. Source: SCC Archivespix

The use of the shop on the corner of Long's Lane as a butchery was short-lived. Other later uses such as newsagents can still be found in the area. In contrast, Duggan's Butchery and Grubb's butchery survived for a lot longer, until each property was resumed. Grubb's butchery was rebuilt whereas Duggan moved to a shop in Argyle Place. Duggan's shop on the corner of Cumberland Street survives (Figure 174). Other shop dwellings around the corner in Essex Street have had their shopfronts removed and they appear as terrace houses (Hart's building).

4.1.4 Streetscapes

The shop with a two-storey residence above is a building type that was once very common in inner Sydney, but has largely been replaced by large-scale commercial buildings, most of which have been constructed since 1960. The form is not limited to Australia but could be found in London and Edinburgh as well as in other colonies.

As is the case in Cumberland Street, these buildings have frequently been listed as part of a group, and there was often an associated lane or cartway for access. Erskine Street and the Haymarket still retain examples of three-storey Italianate commercial buildings that are more ornamented than the Cumberland Street examples.



Figure 174: J. Duggan Butchery, 178 Cumberland Street, October 1901. Source: SRNSW

The group in Erskine Street is now largely surrounded by development of a much larger scale in comparison to the Long's Lane precinct and the Haymarket. King Street in Newtown has a large number of nineteenth century commercial buildings, many of which are not individually listed. Victorian Italianate style buildings include C. Whaley's built in 1887. A group survives between the former Post Office on Erskineville Road and Wilson Street.

Other inner suburbs such as Balmain, Paddington and Surry Hills still retain corner shops dating from the Victorian era, however, many of these are two-storey.

The scale of building including a shop and two storeys of residence above was also erected in country towns. The Webb Stores in George Street, Bathurst, a row of four shops, appears as a three-storey Italianate commercial building in the 1870s photograph, but began as a single storey building. Some of the first and second floors appear to have been used as residences by the shopkeepers, as can be seen in Figure 175⁹³.

⁹³ Two 1870s photographs of Webb's Stores are held in the Caroline Simpson Collection at Sydney Living Museums.



Figure 175: Welch photo of Webb's building, George Street, Bathurst, 1870s. Source: Sydney Living Museums

Other examples include:

- Nelson Place, Williamstown (three two-storey buildings, two shops and one which may be a bank) and smaller scale shops, c. 1870s/1880s.
- Macquarie Street, Hobart (and turning the corner) – a whole group of the same scale (possibly with a bank on the corner)

The shop and dwelling is a form that survives in country towns where there has been less pressure for redevelopment. Towns such as Maitland in NSW, Castlemaine and Bendigo in Victoria, that boomed during the nineteenth century gold rushes but did not prosper to the same degree in the twentieth century, retain more examples than Australia's capital cities (Figure 176).

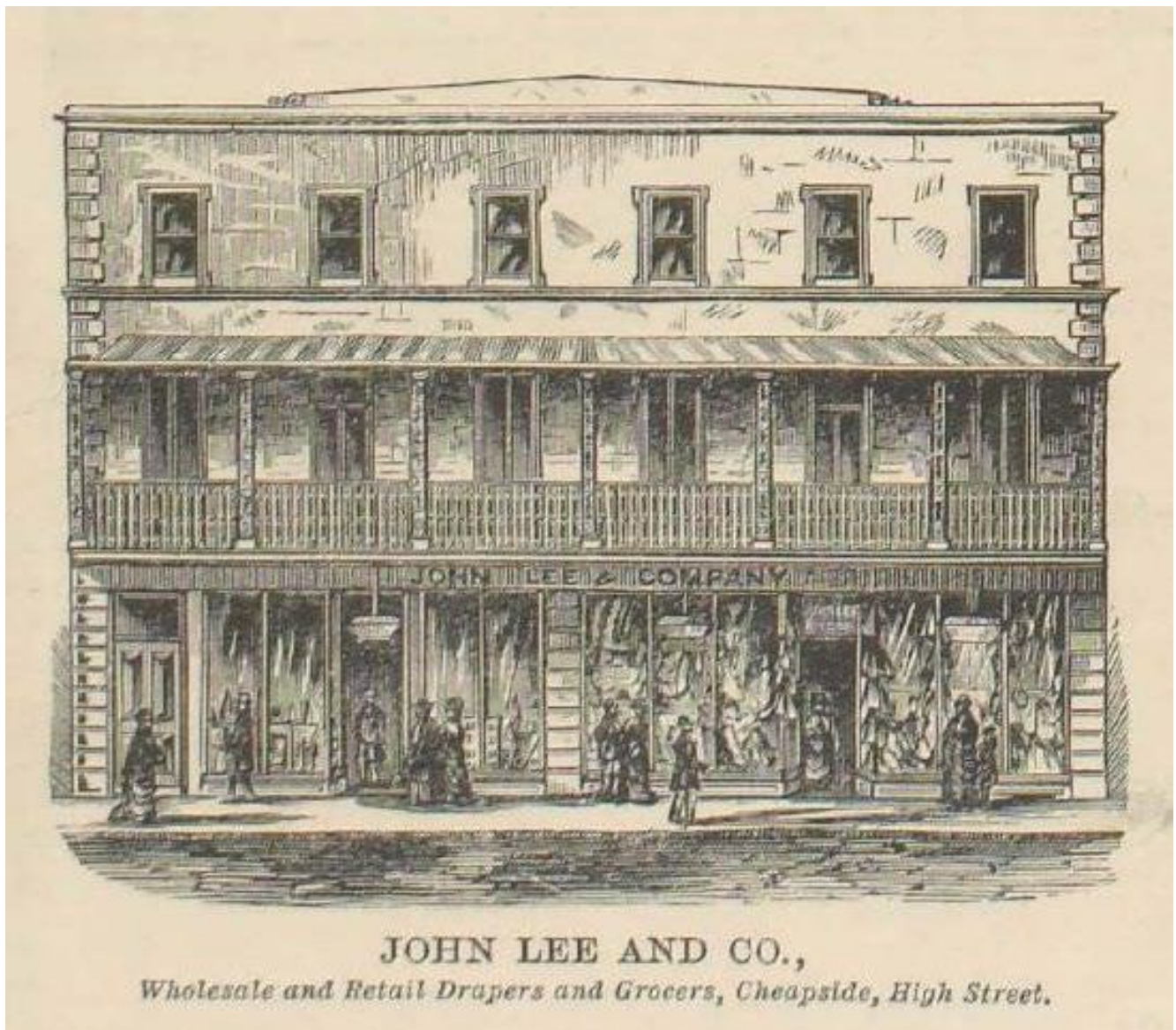


Figure 176: Elevation of John Lee & Co, West Maitland, from West Maitland NSW and its leading Commercial Buildings.

4.1.5 Internal Planning

The internal planning of the shop/residences appears to have changed little between the 1860s and the 1880s. Surviving plans of a two-storey example at Singleton by J. W. Pender, designed in 1877, show a shop, office and dining room on the ground floor and two bedrooms and a drawing room to the first floor. The plan does not show the outbuildings⁹⁴.

Pender's only three-storey example was of a slightly larger scale than the Cumberland Street example, as it had a separate stair for the servants' quarters above the kitchen (as could be found in some terrace houses of the same era). Pender's plans for four two-storey shops for John Sawyer Esq of West Maitland show a clear separation between the kitchen and washhouse to the rear, the dining room and stair (also to the rear), and the shop. This separation can still be seen in the Cumberland Street example; however the washhouse has been demolished.

⁹⁴ <http://www.flickr.com/photos/uon/6422040087/in/photostream/>

The first floor contained bedrooms and the drawing room, and the second floor also contained bedrooms. No bathroom or WC is shown, merely a copper in the washhouse. No elevations were with the set of plans. This building is believed to not have been constructed.

The architectural drawings for two shops and dwellings to be erected for A. Campi at Queens Parade, Clifton Hill in Victoria (Figure 177) show the construction of a shop and dwelling in detail. Although only two-storey, these shops are of a similar architectural character to the shop and dwelling at No. 136-138 Cumberland Street. The plans were prepared by the firm of Twentymen & Askew for Abbondio Campi.



Figure 177: Campi Buildings, Clifton Hill, Melbourne. Source: SLVIC

At ground level are the shops, which would most likely have been fitted out by the tenants, as no counter is shown. There is no separate entrance to the residential portion, the stair hall is beyond the shop and is located in the rear wing, as is the living room, kitchen and scullery with sinks and copper. The privy is located in the rear yard. The drawing room is the large room extending across the front at first floor level. The 'best bedroom' is behind this room. Beyond the staircase in the rear wing are the bathroom (which only contains a bath), a small bedroom with no fireplace and a larger bedroom to the rear. The building is a pair of shops, and the plan is mirror reversed.

The shops were not intended to accommodate the proprietor, who lived nearby. Campi's building survives and contained seven shops built progressively. Today each of the seven shops has a different façade treatment and some of the shopfronts have been altered. Many of the more modest shops also did not have a separate entrance (as can still be seen in the examples in George Street North).

By looking at the room uses on the plans by Blacket, Pender, and Twentyman and Askew the original room uses of Nos. 136-138 Cumberland Street can be determined. The room behind the shop is likely to have been the living room (as at Susannah Place Museum in Gloucester Street, The Rocks). The kitchen was located at a slightly lower level, presumably due to the sloping site. This is not typical, but not uncommon, and would have been cheaper to construct. This level change also enabled the upper floor rooms in the rear wing to be at landing height. The room off the landing between ground and first floors was probably a bedroom. On the first floor the room across the front would have been the parlour, with the best bedroom to the rear. At the next landing was the bathroom and a small bedroom (or box room). On the top floor were three bedrooms. There is unlikely to have been a rear verandah to this level originally.

The Cumberland Street example is larger than any of the surviving Shop and Dwelling plans by J. W. Pender. The rooms have higher ceilings. Pender skewed his plans to fit as many as possible on the lot. No comparable listed examples have identified.

The 2007 CMP for 136-138 Cumberland Street claims that,

Surviving semi-commercial building stock constructed from the late 1880s to the early 1890s is prolific at the main commercial centres and strips (eg George/Argyle Street and Kent/Argyle Street) but there are relatively few remaining in quieter streets.

The above statement is not correct as no other examples of 'shop dwellings' constructed in the 1880s have been identified in George, Argyle or Kent Streets. In the period cited (1880s to 1890s) terrace houses were erected "prolifically" and not 'shop dwellings'.

The 2007 CMP does note, however, that the building appears to be one of the best surviving examples of a corner residential/commercial building. The comparative analysis undertaken as part of the 2014 CMP upgrade, supported this finding. Examples that have been in private ownership have undergone numerous changes in configuration whereas in the subject building the original layout remains largely intact and clearly evident.

4.1.6 Boarding Houses

Photographs in the Sydney City Council Demolition books also provide an indication of the scale and character of buildings used as boarding houses. The now-demolished Guerin's building at 286-292 Elizabeth Street was a row of substantial townhouses and shops (Figure 178). Erected in the early 1880s⁴⁷ by the saddle maker, P Guerin, the row of residences was described as being first class (i.e. the highest standard of town house according to the London – and Sydney – system of rating housing types) and of rare architectural beauty.

Yet by 1914, when Guerin's building was photographed just prior to demolition, the occupancy had changed, 'single and furnished rooms' were being offered to let.

As it was no longer fashionable to live in town, substantial townhouses had become boarding houses, many of which were operated by widows who needed to make ends meet. Large nineteenth century houses subdivided into smaller units or occupied as boarding houses can still be seen in pockets of Sydney in 2014, such as on Flinders Street, Surry Hills, City Road, Newtown, and in Millers Point but these are rapidly disappearing as houses close to the city are being gentrified and once again being used as family residences.

Boarding houses are now controlled under the 2012 Boarding House Act and come into two categories, general and assisted living. Licensed examples can be found in Ashfield, Enmore, Glebe, Lewisham, Marrickville, Petersham, Randwick, Redfern, Stanmore and in Sydney (East Sydney), some of which are men only and others are run by the church. The buildings used range from converted hotels (Museum Lodge in Yurong Street), terrace houses (Enmore, Marrickville, Redfern), single houses in Ashfield and a former two-storey corner shop (or small pub) (Brighton Street, Petersham).



Figure 178: Guerin's Building, 286-292 Elizabeth Street part of which was occupied as a boarding house. Source: SCC Demolition books

4.1.7 Summary of Comparative Analysis

The Long's Lane Precinct dating from the mid-nineteenth to early twentieth century, together with its open areas, yards, lanes and footpaths dating from the early nineteenth century is rare in the Sydney Region. Importantly, the relationship between 136-138 Cumberland Street and its neighbours in the Long's Lane Precinct is still clear and unobstructed and still within the historic street pattern.

136-138 Cumberland Street is one of only a few listed Italianate shop / residences in inner Sydney and is, therefore, now very rare. In the mid nineteenth century Sydney's commercial streets were lined with shops with residences over, of a type imported from England. Most of the few surviving examples are in long-established commercial strips e.g. George Street north and Erskine Street. Of shop and dwellings on the higher streets of The Rocks, this is the only surviving substantial nineteenth century example, the other surviving examples are two-storey.

136-138 Cumberland Street is an excellent example of a three-storey shop and residence, a type once representative of dense, late nineteenth century commercial or 'high streets' in Sydney but is now a rare survivor in Sydney. Moreover, the value of Nos 136-138 Cumberland Street, as part of the Long's Lane Precinct, is considered to be rare in New South Wales.

136-138 Cumberland Street is representative example of the continued popularity of the Victorian Italianate style, when compared with other building stock in The Rocks, such as the British Seamen's Hotel and the Russell Hotel, designed in the more fashionable Queen Anne revival style.

4.2 Assessment of Significance

This assessment of heritage significance has been prepared using the current evaluation criteria established by the NSW Heritage Council.

4.2.1 Historical 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).

136-138 Cumberland Street meets this criterion at a State level.

The Historical Significance of 136-138 Cumberland Street is demonstrated by:

- 136-138 Cumberland Street is indicative of late-nineteenth century residential development of The Rocks.
- 136-138 Cumberland Street remains as evidence of the density and character of the early nineteenth century subdivisions in The Rocks. The site commenced in its initial form as part of a row of two single-storey, two-roomed houses, with three separate owners. These were replaced by the current 1880s three-storey commercial residential building, undertaken during a phase of city improvement in the vicinity of Long's Lane that followed a smallpox outbreak.
- 136-138 Cumberland Street is a good and mostly intact example of late nineteenth century inner city commercial / residential corner 'shop and dwelling' which makes an important contribution to the understanding of the historical development of The Rocks and Millers Point.
- The size of the original lot shows the character of the first phase of residential development of The Rocks, which consisted of small cottages or pairs of cottages, often erected by local builders or publicans as an investment. Tenants were attracted to live in the area because of the proximity to employment within the wharves and related industries.
- The building operated as a boarding house for decades, providing accommodation for workers and people who had come to the city in search of work. This use continued from the 1890s and until the 1970s when SCRA took over the tenancies.
- The shop has had two uses associated with the wider management of the area, as a warden post during World War II, and as the SCRA Community Information Centre during the 1970s.
- The proposed demolition of 130-138 Cumberland Street and the resulting Interim Heritage Order eventually resulted in the adoption of an approach that retained the historic buildings and infilled new buildings in the rear yard, an approach which received the RAIA (NSW Chapter) Lloyd Rees Civic Design Award in 1998. SCRA files document the change in thinking from razing the entire block to sensitive infill, a change influenced by Professor Gareth Roberts of the University of NSW.
- The work undertaken by the then SCA (now the PMNSW) to sensitively conserve and adapt the precinct and the building and rear yards and retain as much of the significant fabric as possible from the various stages of the buildings' lives added a new contemporary layer reflecting the conservation ethos at the time.

4.2.2 Historical Association

Criterion (b) - An item has strong or special association 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).

136-138 Cumberland Street does not meet this criterion at a Local or State level.

The Associational Significance of 136-138 Cumberland Street is demonstrated by:

- Three families have associations with the Long's Lane Precinct as owners/developers: Long, Jobbins and Caraher, each provides an interesting contrast in their approach to the way the different allotments were developed⁹⁵.

136-138 Cumberland Street does not have a strong or special association with significant people who are important in NSW's or The Rocks' cultural or natural history. Although the Long's Lane Precinct group meets this criterion on a Local level, Nos. 136-138 Cumberland Street does not meet this criterion.

4.2.3 Aesthetic Values

Criterion (c) - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area natural history (or the cultural or natural history of the local area)).

136-138 Cumberland Street meets this criterion at a State level.

The Long's Lane Precinct contributes significantly, in particular, to the townscape of The Rocks, and, in general, Sydney. This significance rests on the ensemble of buildings dating from the mid-nineteenth to early twentieth centuries, together with associated laneways and rear yards. In Cumberland Street the 1880s buildings by their geographic isolation present a varied collection enhanced by the conjunction with Long's Lane which is complemented by the Edwardian style building at 140-142 Cumberland Street.

"The design of [Nos 136-138 Cumberland Street] consciously relates to the junction between Long's Lane and Cumberland Street, demarcating the public passageway". The building has "relatively elaborate architectural detailing, almost equal to those [sic] on the Jobbin's Buildings, which is [sic] in the Italianate style", (Clive Lucas Stapleton 1991: 56).

4.2.4 Social Values

Criterion (d) - An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

136-138 Cumberland Street meets this criterion at a State level.

As part of The Rocks, the shop and residence at 136-138 Cumberland Street is likely to be held in some esteem by individuals and groups who are interested in Sydney's history and heritage and The Rocks past and more recent history in particular. In conjunction with other historic buildings in The Rocks, it is representative of the Green Bans and the successful community action to preserve the areas' residential community.

⁹⁵ Clive Lucas Stapleton 1991: pp 52-53

The Rocks as a whole is highly valued throughout Australia as a precinct with strong connections to important Australian historical themes and Long's Lane provides an important public access way known to have existed from the first decade of the nineteenth century.

It has potential to be important to a community's sense of place, in this case residents of The Rocks and Millers Point and their descendants who participated in the resident action and social movements of the 1970s known as the Green Bans, and their supporters in the Builders Labourers Federation. They were able to influence urban renewal proposals of the day in ways that lead to the development of tourism as a local industry that could support conservation of historic buildings and provide employment opportunities for local people, and which transformed community perceptions of The Rocks as a place from a paradigm of degrading slums to that of the 'birthplace of the nation'. Other tourism developments of the period in The Rocks, such as the revival of Australia Day celebrations in The Rocks in 1975, also contributed to this changing sense of place⁹⁶.

4.2.5 Research Values

Criterion (e) - An item has 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).

136-138 Cumberland Street meets this criterion at a State level.

The Long's Lane Precinct is of prime archaeological significance with its continued European occupation from at least the first quarter of the nineteenth century in a relatively undisturbed state. The Long's Lane Precinct is of educational value to specialists and the general public with its ensemble of nineteenth buildings, laneways and rear yards, and its significance is enhanced by the tangible relationship of the buildings and laneways to the documentary and oral historical information⁹⁷.

The archaeological potential of the site of No. 136-138 Cumberland Street is high and relates to early development of The Rocks as well as late nineteenth and early twentieth century development. Any subfloor archaeological deposits are a significant resource as is the hand-hewn cellar and delivery chute under the shop

4.2.6 Rarity

Criterion (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).

136-138 Cumberland Street meets this criterion at a State level.

The Long's Lane Precinct dating from the mid-nineteenth to early twentieth century, together with its open areas, yards, lanes and footpaths dating from the early nineteenth century is rare in the Sydney Region.

Importantly, the relationship between 136-138 Cumberland Street and its neighbours in the Long's Lane Precinct is still clear and unobstructed and still within the historic street pattern.

136-138 Cumberland Street is one of only a few listed Italianate shop / residences in inner Sydney and is, therefore, now very rare. In the mid nineteenth century Sydney's commercial streets were lined with shops with residences over, of a type imported from England. Most of the few surviving examples are in long-established commercial strips e.g., George Street north and

⁹⁶ The project did not include formal community consultation or a separate assessment of the site's social values.

⁹⁷ Clive Lucas Stapleton 1991: 55- 58

Erskine Street. Of shop and dwellings on the higher streets of The Rocks, this is the only surviving substantial nineteenth century example, the other surviving examples are two-storey.

136-138 Cumberland Street meets this criterion at a State level.

4.2.7 Representativeness

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).

136-138 Cumberland Street meets this criterion at a State level.

Nos 136-138 Cumberland Street is an excellent example of a three-storey shop and residence, a type once representative of dense, late nineteenth century commercial or 'high streets' in Sydney but is now a rare survivor in Sydney. Moreover, the value of Nos 136-138 Cumberland Street, as part of the Long's Lane Precinct, is considered to be rare in New South Wales, and is, therefore, discussed under Criterion F.

4.3 Statement of Significance

136-138 Cumberland Street and its site is of State heritage significance as a rare surviving example of a commercial three-storey 'shop and dwelling' building, previously scattered throughout dense nineteenth century city environs and 'high streets' of Sydney and its inner Sydney suburbs.

It is of State significance as a relatively intact component of The Rocks area in general, and the Long's Lane Precinct in particular with its intact scale of buildings and intact original layout of lanes. The relationship between 136-138 Cumberland Street and its neighbours in the Long's Lane Precinct is clear and still within the historic street pattern even though many of its nineteenth century neighbours did not survive either the City Improvement Board or the Government's twentieth century resumption and improvements.

It is also historically significant at a State level for its role as a rooming house for much of its existence, accommodating workers who had arrived in Sydney from abroad and from country NSW. The building at Nos 136-138 Cumberland Street still clearly demonstrates its historic planning particularly with the shop with two shop windows and a splay corner onto Long's Lane as well as the rear service area. Within the building the original hierarchy is still clearly expressed with the ground floor commercial rooms, first floor living areas, second floor bedrooms and rear service rooms. The building retains a reasonable amount of original major fabric and fittings such as its structure, walls and decorative joinery. The fittings and decoration based on the remnant physical evidence and documented photographic and drawn records, which date from the 1978 recording and the 1997 conservation work, enhance the presentation of the building.

136-138 Cumberland Street is of State heritage significance for its contribution to the aesthetic significance of the Cumberland Street streetscape, the Long's Lane Precinct, and The Rocks. The use of the Victorian Italianate style for the building was representative of the use of that style for commercial buildings in the 1880s as an expression of solidity, reliability and permanence in the city centre and in suburban 'high streets'.

136-138 Cumberland Street is of State heritage significance for its research potential as an archaeological resource for the untapped archaeology under the building as well as the untapped archaeological resource of the Long's Lane Precinct that contains artefacts from the first quarter of the nineteenth century and early 20th century development. The building within the precinct has educational value for both specialists and the general public for its ensemble of buildings and laneways as well as the hand-hewn cellar under the shop.

As part of The Rocks, the former shop and residence at 136-138 Cumberland Street is of State heritage significance for its social values and is likely to be held in some esteem by individuals and groups who are interested in Sydney's history and heritage and The Rocks past and more recent history in particular. In conjunction with other historic buildings in The Rocks, it is representative of the Green Bans and the successful community action to preserve the areas' residential community.

4.4 Heritage Curtilage, Views and Setting

4.4.1 The Concept of Curtilage

In establishing the heritage curtilage of a place, relevant factors should be taken into consideration including historical land subdivision patterns; archaeological features; visual, physical, historical and functional links with important features in the area; setting, views and landmark qualities. 'Setting' is the area around a place, which may include visual catchment. In defining the heritage curtilage of a place, a number of questions need to be addressed. These questions are outlined in *Heritage Curtilages*, prepared by the Department of Urban Affairs and Planning and the NSW Heritage Office (now Heritage NSW), as follows:

- Has the significance of the original relationship of the heritage item to its site and locality been conserved?
- Has an adequate setting for the heritage item been provided, enabling its heritage significance to be maintained?
- Have adequate visual catchments or corridors been provided to the heritage item from major viewing points and from the item to outside elements with which it has important visual or functional relationship?
- Are buffer areas required to screen the heritage item from visually unsympathetic development or to provide protection from vibration, traffic noise, pollution or vandalism?

Although The Burra Charter does not use the term 'curtilage', Article 8, Setting, states that:

Conservation requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of the place. New construction, demolition, intrusions or other changes which would adversely affect the setting or relationship are not appropriate.

4.4.2 136-138 Cumberland Street Curtilage

Currently, 136-138 Cumberland Street is part of Lot 21 DP1169304 which covers the whole of the Longs Lane precinct, bounded by Cumberland and Gloucester Streets and the Cahill Expressway. The current SHR heritage listing boundary Plan 2753 is included in Figure 1.5.

The recommended SHR heritage listing boundary for the 136-138 Cumberland Street is the current property boundary. The SHR property description is Part of Lot 21 DP 1169304, as indicated by the rear yards and fence lines as shown in Figure 6 and is the same as that shown in Figure 179.

The visual curtilage or setting for 136-138 Cumberland Street should cover the views onto the Cumberland Street frontage and the surrounding site areas of 130-138 Cumberland Street bounded by the Longs Lane and Carahers Lane, as shown in blue on Figure 179.

4.4.3 Retention of Views and Setting

The setting of the place defines views and vistas through which the significance of the place may be appreciated. The analysis of views and vistas in Section 3.3 has identified a number of significant views and they should be maintained.

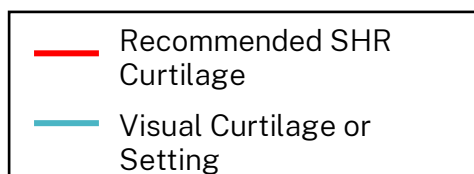
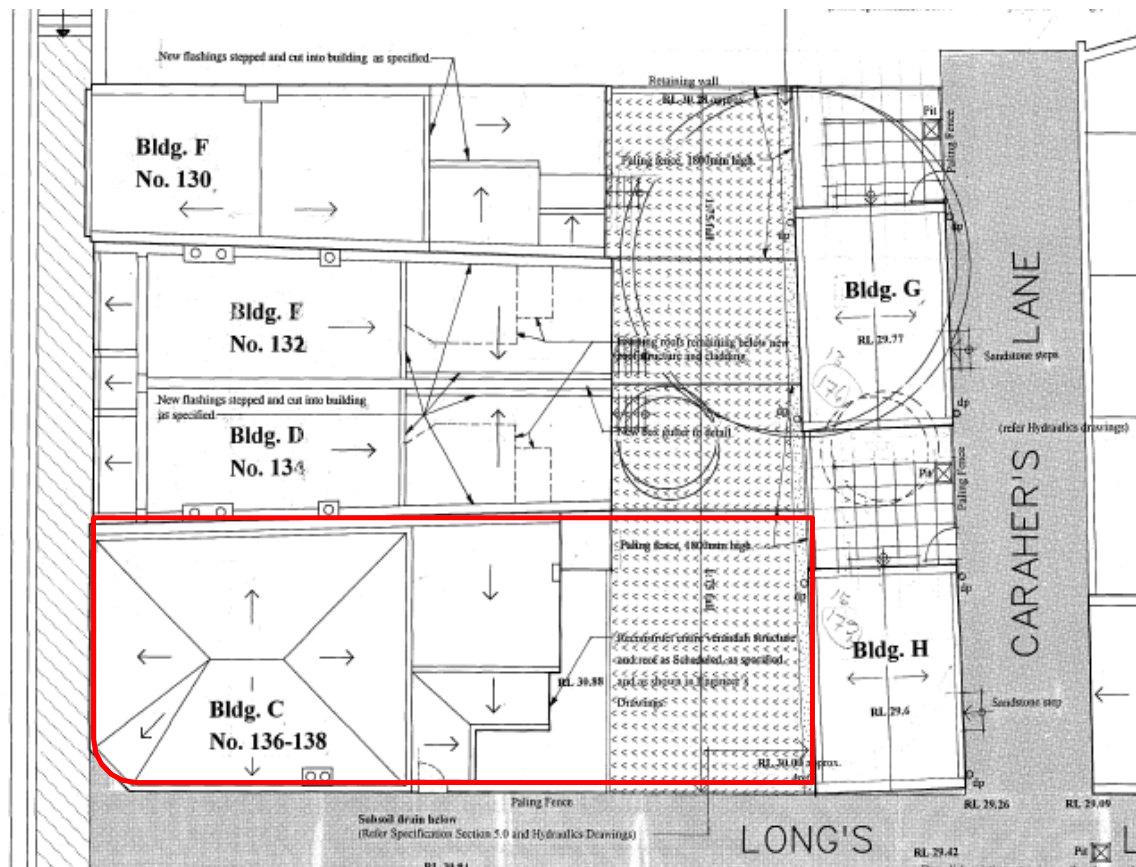


Figure 179: 136-138 Cumberland Street, with recommended SHR listing boundary shown by red outline along the property boundary. Source: PMNSW

5

Grading of Significance

5.1 Basis of Assessment

Grading of the building elements, fabric and spaces provides the basis for their assessment and understanding of their contribution of the overall significance of the place; and also the degree to which the significance of the element would be diminished if removed or altered.

The basis of assessment considers a number of factors, including:

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

The standard five-grade system has been used to assess individual building elements, fabric, and spaces for 132-134 Cumberland Street.

This is a valuable planning tool as it provides a consistent approach to managing different elements. The various grades of significance (exceptional, high, moderate, little, intrusive) generate differing requirements for their retention and conservation.

Good conservation practice encourages that:

- Building elements, fabric and spaces that retain integrity and make a greater or defining contribution to significance should generally be left intact, or only changed with the greatest care and respect. Change and upgrading should be focussed on those areas or components which make a lesser contribution to significance.

Exceptional Significance

Building elements, fabric and spaces of exceptional significance make the greatest direct contribution to the place's significance. Exceptionally significant fabric refers to rare or outstanding original elements, fabric and spaces of particular historic and aesthetic value, and unaltered original elements and features.

Fabric and elements identified as being of Exceptional significance should be retained and conserved in situ. Any work, which affects the fabric or external appearance of these elements, should be confined to *Preservation*, *Restoration* and *Reconstruction* as defined by The Burra Charter.

High Significance

Building elements fabric and spaces of high significance make an important contribution to the place's significance and is likely to include much of the extant fabric from the early phases of construction, and many reconstructed early or original elements wherever these make an important contribution to the significance of the item. Some of these elements and fabric may not be in good condition and may include elements and fabric that have been altered or created as part of a generally sympathetic alteration to the building.

Fabric and elements identified as being of High significance should also generally be retained, restored and conserved in situ, subject to other relevant factors including technological feasibility of proposed works.

Minor intervention, including *Adaptation* and *Alteration* as defined by The Burra Charter is permissible, provided that the level of significance of each element and fabric is retained; with the aim being to retain original fabric and not obscure it, giving preference to changes which are reversible and removeable.

Moderate Significance

Building elements, fabric and spaces of moderate significance are supportive of the overall significance of the place and have some heritage value, but do not make a key contribution to that significance. This also includes elements and features which were originally of higher significance, but have been compromised by later, less significant modifications, or elements that have deteriorated beyond repair and cannot be reconstructed in a technologically feasible manner.

Where the fabric is of moderate significance, a greater level of intervention is permissible. Adaptation and relocation of components of these elements and spaces is acceptable provided that the overall cultural significance of the place is protected. Such work should only take place within defined work programs and should not be the product of general maintenance or sporadic alterations.

Little Significance

Building elements, fabric or spaces assessed as being of Little significance are generally not regarded as essential to the significance of a place, often fulfilling a functional role. Both retention and removal are acceptable options, depending on the element. Any major interventions to the place should be confined to areas of little significance.

Intrusive

Building elements, fabric and spaces that are intrusive adversely affect or impact on the significance of the place or have been created without respect for the intangible values of the place. Removal of elements and fabric in this category would positively impact the overall heritage value of the place.

Elements, fabric or spaces identified as Intrusive can reduce or obscure the overall significance of the place, despite their role as illustrators of the site's progressive development. The preferred option is for their removal, conversion to a more compatible form, or replacement in a way which helps to retain the overall significance of the place. These works should avoid damaging adjacent fabric of significance. These items need not be addressed immediately.

5.1.1 Building Elements, Fabric and Spaces Condition Assessment

In assessing building elements, fabric and spaces the fabric condition also needs to be considered. This CMP uses the following condition ratings:

CONDITION RATING	DESCRIPTION
Excellent	Building element or fabric has no defects. Condition and appearance are as new.
Good	Building element or fabric exhibits superficial wear and tear, minor defects, minor signs of deterioration to surface finishes, but does not require major maintenance. No major defects exist.
Fair	Building element or fabric is in average condition. Deteriorated surfaces require attention. Services are functional but require attention. Deferred maintenance work exists.
Poor	Building element or fabric has deteriorated badly. Serious structural problems exist. General appearance is poor with eroded protective coatings. Elements are defective, services are frequently failing, and a significant number of major defects exist.
Very Poor	Building element or fabric has failed. It is not operational and is unfit for occupancy or normal use.

5.2 Grading of Significant Elements

This section should be read in conjunction with Section 5.1 – Basis for Assessment. The coloured diagrams in Section 5.2 should be read in conjunction with the tables of significant elements in Section 5.3, as the tables provide greater detail. Should there be any question as to the significance of an element, Section 5.3 should be consulted.

This grading of significant elements draws on the grading included in the 2015 CMP that was based on a detailed analysis of historic photographs, reports and visual analysis. In particular, a visual analysis of floors was difficult to undertake in 2024 due to furnishings, carpets and painted ‘rugs’ on the floors.

Roofs were inspected from ground floor level. No subfloor areas were inspected other than the basement.



Figure 180: West elevation (left) and south elevation (right) showing grading of significant elements. (Source: 2015 CMP pp163-164, with PMNSW overlay 2024)



Figure 181: East elevation (left) and north elevation (right) showing grading of significant elements. (Source: 2015 CMP pp163-164, with PMNSW overlay 2024)



Figure 182: Basement plan showing grading of significant elements. (Source: 2015 CMP p159, with PMNSW overlay 2024)

Figure 183: Ground floor plan showing grading of significant elements. (Source: 2015 CMP p160, with PMNSW overlay 2024)



Figure 184: First floor plan showing grading of significant elements. (Source: 2015 CMP p161, with PMNSW overlay 2024)



Figure 185: Second floor plan showing grading of significant elements. (Source: 2015 CMP p162, with PMNSW overlay 2024)

5.3 Schedules - Grading of Significant Elements, Fabric and Spaces

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET		
ELEMENT	SIGNIFICANCE	COMMENTARY
Exterior		
Attributes & Architectural Style		
Overall building form including three storey main building part with hipped roof, rear wing with skillion roof and two-story timber rear verandah	Exceptional	The overall form of the building is original and highly intact
Victorian Italianate style of the main building. Attributes include the rendered façade with ashlar markings, and rich façade detailing including quoining, arched window heads, label moulds and deep moulded windowsills and bracketed eaves.	Exceptional	The original architectural style of the building and attributes remain highly intact and include a high degree of original fabric.
Simple Victorian detailing of the rear elevation and rear wing (relative to the main part).	Exceptional	Detailing is highly intact. The contrast in detailing between the main part and rear of the building demonstrates the original approach to simpler detailing used on the less publicly visible parts of the building.
Site		
Visual relationship to the buildings at 130 and 132-134 Cumberland Street	Exceptional	These abutting buildings form a visual group in the streetscape that is unified though building age, scale and materiality.
Stone cutting/cliff adjacent on Cumberland Street	Little	The cutting indicates the 1950s lowering of the level of the Cumberland Street carriageway to enable the Cahill Expressway overpass to pass over the street. The cutting is prominent and contributes to the setting of the building but contributes little to the significance of the subject site.
Rear yard — spatially	Moderate	The eastern extent of the rear yard has changed over time. The current configuration was established in the 1990s. It provides outdoor space for the property and allows for views of the rear of the building from Long's Lane.

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	COMMENTARY
Site		
Rear yard — brick paving, dish drain, and remnant bitumen or concrete paving (below timber deck)	Little	Contemporary sympathetic elements
Rear yard — garden bed and planting	Little	Planting is contemporary and sympathetic.
Rear yard — timber perimeter fences	Little	The timber post and paling fences around the rear yard are modern fences along non-historical alignments insofar as the subject property never had a rear yard of such an extent towards the east. The fence follows Long's Lane to a point which was historically on the allotment to the rear of the lot for 136-138. The 1995 dilapidation photographs show rear yard fences sheeted in corrugated iron rather than hardwood palings.
Rear yard — timber clothesline	Moderate	Modern replica that interprets an original domestic clothesline.
Rear yard — timber deck	Little	New sympathetic structure that provides improved access to the rear yard.
Rear yard—sandstone flagging (mostly below timber deck) and sandstone steps	Exceptional	Original 1880s sandstone flagging. Sandstone is likely to have been sourced locally.
Pot plants on Cumberland Street footpath	Little	Sympathetic contemporary elements
Timber bench on Cumberland Street footpath	Little	Sympathetic element.
Main (west) Elevation and South Elevation (main part of building)		
Overall composition and form including window and door openings	Exceptional	Original building form and composition are highly intact.
Rendered façade finish and detailing including ashlar markings, quoining, window heads and sills, string courses, bracketed eaves and blind windows.	Exceptional	Prominent original features.
Ground floor shopfront window west (Cumberland Street) elevation—W01	High	New window built in the 1990s to reinstate original damaged/altered shopfront. Detailed

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	COMMENTARY
		to match the shopfront window on the south elevation (W02).
Ground floor shopfront window south (long's lane) elevation-W02	Exceptional	Original window repaired in the 1990s. Retains original timberwork.
D01-main entrance door from Cumberland Street to G.2	Door frame, fanlight, and architraves-Exceptional Door leaf-High	New (1990s) door leaf with original frame and fanlight. The cast metal knocker needs further research to determine its origin. Other hardware is contemporary.
D03-double doors at long's lane corner.	High	Doors refurbished with new components.
D05-external door to room G.3 from long's lane	Door frame, fanlight and architraves-Exceptional Door leaf-High	Existing door frame etc refurbished and new door leaf added in the 1990s.
Levels 1 and 2 arched head timber windows with ventilation panels at the top-W05, W06, W07, W08, W09, W11, W12, W13, W14	Exceptional	Original windows repaired in the 1990s. Perforated ventilation panel is not original but is an early modification.
Window in room 2.4-W15	Exceptional	2015 CMP notes that a new window built was in the 1990s to original/ detail including ventilation panel. However 1997 photographs show that the frame and possibly sashes may have been intact and were repaired. Some components may have required replacement.
Timber battens connecting structural tie rods to the external walls	Little	Non-original element introduced for structural integrity.
Timber framed awning over the corner doors	Intrusive	Prominent non-original element that detracts from the main facade. Is not clearly legible as a later addition.
Patina of worn painted finish to the rendered walls	High	High aesthetic value. The layers of paint are visible, contributing to the building's historical character.
Painted sign 'Watson's' and lettering below (possibly spelling 'dripping').	Exceptional	Original/early signage linked to the original use tenant of the shop.
Painted sign '138'	Exceptional	Original/early signage.

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	COMMENTARY
Painted sign 'pinnacle hospitality people'	Little	Signage reflecting a recent tenant.
Remnant of former electrical connection	Moderate	Fixture reflecting former utilities connection (not original)
North, East and Rear Wing Elevations		
Overall composition and form including verandahs and outhouse	Exceptional	Original building form and early finishes are intact
Cement render finish with ashlar markings to east elevation of rear wing	Exceptional	Render is original.
Brickwork walls to verandahs (painted)	Brickwork-Exceptional Paint-High	Brickwork is original. Historic paint layers are visible.
Brickwork wall north elevation with parapet (unpainted)	Exceptional	Brickwork including parapet are original
Timber framed two storey roofed verandah with timber balustrades and timber boarded floor.	High	Verandah rebuilt to previous form and detail.
Stone windowsills	Exceptional	Original fabric
Expressed splayed brickwork window heads	Exceptional	Original detailing
Multi-pane double-hung timber windows W03 (room G.3), W04 (room G.5), W10 (room 1.5).	Timber window-High Window opening and configuration-Exceptional	Windows were repaired and/or rebuilt in the 1990s to the original configuration. W03, W10-new window W04-repaired and rebuilt.
Double-hung window with shutters, W16 (room 2.7)	Timber window and shutters-High Window opening and configuration-Exceptional	The window frame is likely to be original. Window sashes and shutters added in the 1990s.
Small casement window (room 2.6)	Exceptional	Original/early window.

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	COMMENTARY
French doors D12 (room 1.2) and D20 (room 2.4)	Frame– Exceptional Door leafs– High	Original door frames (repaired) with new door leafs.
Ledged and braced timber doors, D08 (room G.5) and D09 (outhouse G.6)	Door leaf–High Door opening and frame– Exceptional	New door leafs built in the 1990s, installed in frames that are likely original/early fabric.
Timber battens connecting structural tie rods to the external walls	Little	Non-original elements introduced for structural integrity.
Metal flues fixed to north wall	Moderate	Some significance.
Roofs-Main Building, Rear Wing and Outhouse		
Main Building Roof		
Main roof hipped form	Exceptional	Original roof form
Main roof–galvanised steel roof sheeting	Moderate	The roof cladding is unpainted corrugated galvanised steel with the same material used for the ridge and hip cappings installed in 1997. The main roof was likely to have originally been clad in slate. By the 1970s galvanised iron sheeting was in place.
Rear wing roof, verandah roof, outhouse roof–galvanised steel roof sheeting	High	The roof cladding is unpainted corrugated galvanised steel with the same material used for the ridge and hip cappings installed in 1997. The original roofing to these parts of the building was likely to have been the same.
Eaves gutters and downpipes	Moderate	The gutters and downpipes are painted galvanised steel installed in 1997.
Chimneys — rendered masonry	Exceptional	Original form and fabric, repaired and repainted.
Chimney pots	High	Replaced in the 1990s
Roof safety access system	Little	Recent addition required for maintenance

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	COMMENTARY
Rear Wing and Outhouse Roofs		
Skillion roof forms to rear wing and outhouse	Exceptional	Original roof forms
Galvanised steel roof sheeting	High	The roof cladding is unpainted corrugated galvanised steel as per the original roofs, The current roof sheeting was installed in 1997.
Eaves gutters and downpipes	Moderate	The gutters and downpipes are painted galvanised steel installed in 1997.
Chimneys— brickwork	Exceptional	Original form and fabric
Chimney pot	High	Replaced in the 1990s
Interior – Generally		
Plan layout	Exceptional, except rooms 2.5, 2.6, 2.7– Little	The original/early plan remains intact except for rooms 2.5, 2.6 and 2.7 where alterations were made in the 1990s.
Timber boarded floors	Exceptional and Moderate	Floors are a mix of original and new boards. Original boards are of exceptional significance. The degree of original boards varies between rooms— refer to individual rooms below.
Painted ‘rugs’ to floors	Little	Contemporary feature.
Black Japan finish to floors	Moderate	Interprets an original detail used as a border for floor rugs.
Brickwork walls with plaster finish	Exceptional	Original layout of brickwork walls remains. Plaster has been repaired and/or re-applied.
Lath and plaster farned walls	Exceptional	Original walls repaired 1990s
Tie rods	Little	Functional later addition.
Interior – Basement		
The cellar plan	Exceptional	The basement, including the former delivery chute, retains its original footprint.

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	COMMENTARY
Walls (cut sandstone) including former delivery chute	Exceptional	Stone was cut by hand for previous building on the site.
Blue metal gravel to floor	Little	Added in the 1990s for functionality
Framed false ceiling and supporting brick piers	Little	Built in the 1990s
Access ladder and hatch	Little	Added in the 1990s for functionality
Interior – Ground Floor		
Room G.1		
Door D02 (between G.1 and G.2)	High	New frame, fanlight, door and architraves installed in the 1990s.
Door D04 (between G.1 and G.3)	High	New frame, fanlight, door and architraves installed in the 1990s.
Floor–timber boards (tongue and groove)	High	New and recycled boards (some original wide boards). About half of the boards were replaced in the 1990s.
Skirting	High	New skirting (1990s)
Timber boarded ceiling	Exceptional	Original ceiling repaired in 1990s
Timber moulded cornice	Exceptional	Original cornice repaired in 1990s
Floor hatch to basement including pull-lifts and chain	Little	New timber hatch in the location of the original.
Room G.2		
Arched opening to G.4 with ornate plasterwork	Exceptional	Original feature
Floor–timber boards (pine, tongue and groove)	High	New and recycled boards.
Skirting	High	New skirting installed 1990s
Ceiling — lath and plaster with timber strapwork	Lath and Plaster– Exceptional Timber strapwork– Moderate	Original lath and plaster. Strapwork likely added 1920s. All repaired 1990s

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	COMMENTARY
Cornice (moulded plaster)	Exceptional	Original cornice, repaired 1990s
Room G.3		
Door D06 (between G.3 and G.4)	Frame– Exceptional Door leaf–High	New door installed 1990s. Frame and architraves refurbished.
Floor–timber boards (tongue and groove)	Exceptional	New and recycled boards. Most of the boards are original.
Skirting	High	New skirtings 1990s. Some skirting on the south wall may be original.
Ceiling (lath and plaster with timber strapwork)	Lath and plaster– Exceptional Timber strapwork– Moderate	Original lath and plaster ceiling. Strapwork is not likely to be original (likely 1920s). All repaired in 1990s.
Plaster ceiling rose	Exceptional	Original feature repaired in 1990s
Fireplace	Hearthstone– Exceptional Timber mantelpiece and surround– Moderate Gas fireplace fitting – Little	The timber mantelpiece and surround (1997) interprets the original marble or plaster mantelpiece and surround. The hearthstone is original.
Curtains and curtain rails	Little	Contemporary, curtains design interprets the history of the site.
Room G.4		
Door D07	High	New frame, architraves and door leaf installed in 1997. (Door leaf now removed)
Floor–timber boards (pine tongue and groove)	High	New and recycled boards
Skirting	High	New skirting installed 1990s.
Ceiling (lath and plaster)	High	Original repaired in 1990s and missing parts replaced (approx. 60%)

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	COMMENTARY
Timber staircase	High	Stair reconstructed 1990s. Lowest flight had been completely lost.
Room G.5		
Wall tiles in south-east corner	Exceptional	Original/early fabric
Floor-timber boards (hardwood tongue and groove)	Exceptional	New and recycled boards. A large number of wide boards.
Skirting	Moderate	New skirting 1990s, painted.
Ceiling (lath and plaster with timber strapwork)	Lath and plaster- Exceptional Timber strapwork- Moderate	Original lath and plaster ceiling. Strapwork is not likely to be original (likely 1920s). All repaired in 1990s.
Fireplace recess and hearthstone	Exceptional	Original
Shelf over fireplace	Little	1990s fabric
Cupboards and kitchen fixtures	Little	contemporary
Room G.6		
Floor (concrete, painted)	Concrete floor- Exceptional Paint finish- Little	Floor is early fabric. Paint finish is contemporary.
Sanitary fixtures (WC, basin)	Little	1990s fittings.
Interior – First Floor		
Room 1.1		
Door D10	High	New frame, door and architraves installed in the 1990s.
Floor-timber boards (tongue and groove)	High	New and recycled boards.
Skirting	High	New skirting 1990s

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	COMMENTARY
Ceiling (lath and plaster with timber strapwork)	Lath and plaster– Exceptional Timber strapwork– Moderate	Original lath and plaster ceiling. Strapwork is not likely to be original (likely 1920s). All repaired in 1990s.
Cornice (moulded plaster)	Exceptional	Original cornice repaired 1990s.
Plaster ceiling rose	High	Reproduction to replace the likely original fitting.
Fireplace	Hearthstone– Exceptional Timber mantelpiece and surround– Moderate Gas fireplace fitting – Little	The timber mantelpiece and surround (1997) interprets the original marble mantelpiece and surrounds (original material not known). The hearthstone is original.
Room 1.2		
Door D11	High	New frame, door and architraves installed in the 1990s.
Floor–timber boards (tongue and groove)	High	Mostly new (1990s) floor boards.
Skirting	High	New skirting 1990s
Ceiling (lath and plaster with timber strapwork)	Lath and plaster– Exceptional Timber strapwork– Moderate	Original lath and plaster ceiling. Strapwork is not likely to be original (likely 1920s). All repaired in 1990s.
Fireplace	Mantelpiece and surround, hearthstone– Exceptional Cast iron insert–High	Plaster surround and mantelshelf rebuilt from salvaged pieces. Original hearthstone. New cast iron register grate

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	COMMENTARY
Room 1.3		
Floor-timber boards (pine, tongue and groove)	High	New and recycled boards.
Skirting	High	New skirting 1990s.
Ceiling (lath and plaster)	High	Repair and replacement of the original ceiling 1990s.
Staircase	High	Stair reconstructed 1990s
Arched opening to room 1.5	Exceptional	Original feature
Room 1.4 – External Deck		
Timber framed verandah including structure, balustrades and decking boards	High	Verandah reconstructed in the 1990s using new materials.
Room 1.5		
Door D13	Frame and architraves – Exceptional Door leaf–High	Frame and architraves are original. Door leaf replaced in the 1990s.
Floor-timber boards (tongue and groove)	Exceptional	Mostly original wide boards with some new boards.
Skirting	High	New skirting where missing.
Cupboards, benchtops and kitchen fixtures	Little	Contemporary
Interior – Second Floor		
Room 2.1		
Door D14	High	New frame, door and architraves installed in the 1990s.
Floor-timber boards (tongue and groove)	High	New and recycled boards.
Skirting	High	New skirting 1990s

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	COMMENTARY
Ceiling (lath and plaster with timber strapwork)	Lath and plaster– Exceptional Timber strapwork– Moderate	Original lath and plaster ceiling. Strapwork is not likely to be original (likely 1920s). All repaired in 1990s.
Room 2.2		
Door D15	High	New frame, door and architraves installed in the 1990s.
Floor–timber boards (tongue and groove)	High	Mostly new floorboards.
Skirting	High	New skirting 1990s
Ceiling (lath and plaster with timber strapwork)	Lath and plaster– Exceptional Timber strapwork– Moderate	Original lath and plaster ceiling. Strapwork is not likely to be original (likely 1920s). All repaired in 1990s.
Room 2.3		
Floor–timber boards (tongue and groove)	High	New and recycled wide boards.
Skirting	High	New skirting 1990s
Ceiling (lath and plaster. Timber strapwork over stair)	Lath and plaster–High Timber strapwork– Moderate	Original lath and plaster ceiling substantially replaced in 1990s. Strapwork is not likely to be original (likely 1920s).
Skylight	Lining and framing– Exceptional Glazing–Little	Lining and framing are original. New glass.
Staircase	High	Stair reconstructed 1990s

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	COMMENTARY
Room 2.4		
Door D16	High	New frame, door and architraves installed in the 1990s.
Floor-timber boards (tongue and groove)	Exceptional	New and recycled boards.
Skirting	High	New skirting 1990s
Ceiling (lath and plaster with timber strapwork)	Lath and plaster- Exceptional Timber strapwork- Moderate	Original lath and plaster ceiling substantially replaced in 1990s. Strapwork is not likely to be original (likely 1920s).
Room 2.5 (including locker cupboard)		
Doorway to room 2.3 (un-numbered)	High	New frame, reveal linings and architraves installed in the 1990s. (Note: no door leaf)
Floor-timber boards (tongue and groove)	High	Newnpins boards installed 1990s.
Floor tiles to locker cupboard	Little	Installed 1990s
Timber boarded wall with doorway in centre of room (no door leaf)	High	Wall likely dates from the 1920s and was taken apart and rebuilt in the 1990s.
Skirting	High	New skirting 1990s
Ceiling (lath and plaster with timber strapwork)	Lath and plaster- Exceptional Timber strapwork- Moderate	
Southern wall and door to locker cupboard	Little	Installed 1990s
Eastern timber boarded wall to 2.6 and 2.7	Little	Built in the 1990s using new fabric.
Room 2.6		
Door D19	High	New door and frame 1990s

GRADING OF SIGNIFICANT ELEMENTS - 136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	COMMENTARY
Floor tiles	Little	1990s fabric
South wall (between rooms 2.6 and 2.7)-timber framed with timber boarding	High	Wall likely dates from the 1920s and was taken apart and rebuilt in the 1990s.
Framed wall enclosing hot water unit and wall between 2.5 and 2.6	Little	1990s fabric
Ceiling (lath and plaster with timber strapwork)	Lath and plaster- Exceptional Timber strapwork- Moderate	Original lath and plaster ceiling substantially replaced in 1990s. Strapwork is not likely to be original (likely 1920s).
Sanitary fittings	Little	Installed 1990s
Room 2.7		
Door D18	Little	New door installed 1990s
Floor and wall tiles	Little	1990s fabric
Ceiling (lath and plaster with timber strapwork)	Lath and plaster- Exceptional Timber strapwork- Moderate	Original lath and plaster ceiling substantially replaced in 1990s. Strapwork is not likely to be original (likely 1920s).
Sanitary fittings	Little	Installed 1990s
Room 2.8		
Timber framed verandah including structure, balustrades and decking boards	High	Verandah reconstructed in the 1990s using new materials.

6

Constraints and Opportunities

This section outlines the management framework and major considerations to inform the preparation of the conservation policies and guidelines for the place. It considers matters arising from the Statement of Significance, the condition of the place, procedural constraints and conservation methodology set out in The Burra Charter. It also identifies all statutory and non-statutory listings and other planning and building statutory requirements applying to the place as well as the PMNSW management requirements for the future use of the place.

6.1 Issues Arising from the Statement of Significance

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

- Maintain and celebrate the streetscape presentation and important contribution of the terrace at 136-138 Cumberland Street as a critical part of the Long's Lane precinct.
- Retain and conserve the significant fabric and elements of the place.

The conservation policies should inform:

- Decisions about future use and adaptation of spaces that maintain the character, ambience, and intent of the original design.
 - Retention of views and streetscape presentation, and its contribution to the visual character of The Rocks.
 - Management of all aspects of its significance, including its potential historical archaeological resources, in accordance with statutory processes.
-

6.2 Issues Arising from Physical Condition of the Place

The key findings and issues arising from the condition and integrity of the place for the conservation of the place's significance to be addressed in the conservation policy and guidelines are:

- Overall, the condition of the building appears to be sound and is unlikely to impose any major constraints for continued use and for further works in accordance with the conservation policies.

A detailed account of the fabric of 136 - 138 Cumberland Street is provided in Section 3. Only a few minor examples of defective or damaged fabric were identified during the current survey (2024). They do not warrant urgent attention and can be addressed within the scope of a properly managed maintenance program as described in Section 8.

6.2.1 Placemaking NSW (for Place Management NSW)

The Rocks precinct is managed by Placemaking NSW, Crown Lands and Public Spaces, NSW Department of Planning, Housing and Infrastructure, under the *Place Management NSW Act 1998*. http://www.austlii.edu.au/au/legis/nsw/consol_act/shfaa1998411/

Placemaking NSW is the trading name of Place Management NSW (PMNSW).

The principal functions of PMNSW, as stated in its Act, are to:

- Protect and enhance the natural and cultural heritage of the foreshore area.
- Promote, co-ordinate, manage, undertake, and secure the orderly and economic development and use of the foreshore area, including the provision of infrastructure.
- Promote, co-ordinate, organise, manage, undertake, secure, provide and conduct cultural, educational, commercial, tourist, recreational, entertainment and transport activities and facilities.

6.2.2 The Rocks Retail Leasing Direction

The Rocks Retail Leasing Direction has the core objective to make it one of the most envied heritage precincts in the world – an alluring precinct and a leader in retail experience internationally. The Rocks Leasing Plan has been designed to secure the tenants to deliver this vision. The leasing plan forms part of an overall precinct plan, which also includes investment in buildings and public spaces and activating and marketing The Rocks

The strategy outlines the overall precinct approach, preferred retail categories and identifies five distinct retail zones and approaches, with individual topography, buildings, natural travel pathways and public spaces. The strategy will guide leasing decisions to fit within one or multiple zones and to complement adjacent with existing retail and hospitality offers. 132-134 Cumberland Street is located in the Top of The Rocks Zone.

Zoning definition – Top of the Rocks

‘Hidden Gems’

- Offers spectacular views of the harbour from a network of streets, laneways and public spaces.
- It is the gateway to Sydney Harbour Bridge for pedestrians.

Retail Categories in Top of The Rocks:

- Dining Experiences

Other Businesses in Top of The Rocks:

- Accommodation

Strategic choices for the Top of The Rocks are:

- Customer – Sydneysider and CBD worker, Domestic and International Tourists.
- Dining Experiences
- With the majority of the premises in The Rocks being within heritage listed buildings, great care must be taken to achieve results that inspire best in class experiences and honour the heritage of the building.

The preferred use/s for this property are:

- Vibrant Business, Distinctive product, not replicated elsewhere.
- Adds to the overall success of The Rocks.
- To create extraordinary places to attract more customers.

6.2.3 The Rocks Heritage Management Plan 2010

The Rocks Heritage Management Plan sets out the overall management direction and expectations for The Rocks precinct. PMNSW seeks to retain the “authenticity” of the largely intact building fabric of the buildings, both internally and externally as well as the underground archaeological resources that makes this property special. PMNSW also oversees the preparation of a CMP for each property which sets out the specific principles and policies to guide and inform potential lessees of the building’s ongoing care and maintenance.

While the potential for site and building development is limited, any works to the buildings must adhere to the above-mentioned documents and obtain PMNSW’s consent, as landowner, on all development applications. Consultation with PMNSW and external advice is expected as part of this process.

6.2.4 The Rocks Landowner Management Policies and Technical Design Guidelines

PMNSW has a range of landowner management policies and technical design guidelines that are updated from time to time and can be accessed its website, including lighting, signage and outdoor dining.

In addition, the following strategies have been prepared to assist with the heritage management of The Rocks, more information and policies are included in Section 7.

- *The Rocks Heritage Disaster Risk Management Strategy, 2021*
- *Place Management NSW Seismic Strategy for Heritage Assets, 2021*
- *The Rocks Draft Heritage Access and Inclusion Strategy, Stages 1 and 2, 2024*

6.3 Heritage Management Framework

The following principal statutory controls are used to manage development and assess potential impacts on the heritage significance of 136-138 Cumberland Street:

- *NSW Environmental Planning and Assessment Act, 1979* (EP&A Act) and associated environmental planning instruments, policies, plans, and guidelines.
- *NSW Heritage Act, 1977* (The Heritage Act); and,
- The policies contained in this CMP, which will gain statutory status on endorsement by the PMNSW.

Other controls, including the National Parks and Wildlife Act (NPW) Act 1979 and the NSW Treasury Capital Planning Process (CPP) which are considered in this Section.

The approval authorities are to be consulted to determine the planning approval pathway required for the execution of proposed works.

Approvals for works may be required under both the EP&A Act and the Heritage Act. All statutory applications require the signature and consent of the landowner to enable lodgement. For 136-138 Cumberland Street, the landowner is PMNSW; therefore, all applications are to be forwarded to PMNSW for review and signoff prior to submission for development approval. Further information about the granting of landowner's consent can be sourced from PMNSW.

6.3.1 The Burra Charter

The Burra Charter is widely accepted in Australia as the best practice heritage and conservation principles and management. It is a key reference by which all works to heritage places are undertaken.

While compliance with The Burra Charter is not a statutory requirement, PMNSW manages its heritage assets in accordance with the recognised conservation methodology of The Burra Charter. Further information can be found at <http://australia.icomos.org/publications/charters/>

6.3.2 Environmental Planning and Assessment Act

All development applications (DAs) for The Rocks are assessed by the Minister of Planning or under delegation by The City of Sydney Council as the planning consent authority. The Minister for Planning is the consent authority for 'deemed' development with a capital investment value of more than \$10 M.

Under the EP&A Act, there are a number of Environmental Planning Instruments (EPIs), including the Sydney Cove Redevelopment Authority (SCRA) Scheme, as well as State and Regional Plans and Policies, Development Control Plans and Guidelines that require reference for 136-138 Cumberland Street, that are identified and discussed in the following sections.

6.3.3 New South Wales Heritage Act, 1977

Building Works

136 - 138 Cumberland Street is listed on the NSW State Heritage Register (SHR) as item no.01601. This listing provides statutory protection under the Heritage Act.

Under Section 57(1) of the Heritage Act, approval from the Heritage Council is required for a wide range of works to a SHR item. Demolition of a SHR item is prohibited under the Heritage Act, unless an item constitutes a danger to its occupants or the public.

To undertake works, an application must be made to the Heritage Council (Section 60 application or Section 57 exemption from approval), and landowner's consent from PMNSW must be sought in order to lodge the application.

PMNSW is one of the few agencies that has delegation under the Heritage Act to endorse Section 57 exemption applications and determine Section 60 applications for works which do not 'materially affect' the significance of the item. Where the item is likely to 'materially affect' significance, approval from the Heritage Council is required. The PMNSW Design and Place (heritage) team can advise applicants whether applications can be assessed under delegation, or whether they need to be approved by the Heritage Council⁹⁸.

Historic Archaeological Management

The Heritage Act provides statutory protection to relics, archaeological artefacts, features or deposits.

Part 4 of the Heritage Act refers to items and places listed on the SHR, or subject of an Interim Heritage Order (IHO). In addition, an excavation permit issued by the Heritage Council, for historical archaeological resources identified as having State significance is required to accompany a Section 140 application, or in accordance with a gazetted exception under Section 139(2) of the Act.

The Heritage Act defines an archaeological relic as being any deposit, artefact, object or material evidence that:

- relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- is of State or Local heritage significance.

An Archaeological Assessment and Research Design (AA&RD) prepared in accordance with the requirements of the Heritage Council, is a valuable resource for understanding and managing the archaeological resources associated with the history of the site.

Under Section 139(2) and Section 57(2) of the Heritage Act, Heritage Council approval is required to move, damage, or destroy a relic listed in the SHR, or to excavate or disturb land which is listed on the SHR and there is reasonable knowledge or likelihood of relics being disturbed.

A historical archaeologist who meets the Heritage Council Excavation Directors Criteria for works on State significant sites must be present to disturb relics on an SHR listed site. PMNSW has delegation to approve Section 140 applications that extend to archaeological works within the curtilage of the item for works that affect archaeological relics.

Standard Exemptions from Heritage Act Approval for Works to SHR Items

Under Section 57(2) of the Heritage Act, the Minister may make exemptions from approval otherwise required under Section 57(1) for works to SHR items (see above). Such exemptions are intended to streamline the approvals process. There are various types of exemptions:

- Standard exemptions that apply to all SHR items,
- Site specific exemptions: apply only to an individual SHR item, and,

⁹⁸ Heritage NSW Material Threshold Policy:
<https://www.environment.nsw.gov.au/resources/heritagebranch/heritage/material-threshold-policy.pdf>

- Agency Specific Exemptions that apply to SHR items owned and managed by PMNSW

If the proposed works are likely to be covered by an exemption from approval, a *Section 57 Exemption Record of Use Form* should be completed and submitted to PMNSW prior to the works being undertaken, with enough detail provided to determine whether the proposed works meet an exemption from approval. Landowner's Consent must be sought from and approved by PMNSW before the commencement of any works.

Applicants must first consult with PMNSW's Design and Place (heritage) team, or their Heritage Consultant, to advise on documentation requirements and whether the proposed works would likely fall under an exemption from approval.

Site Specific Exemptions

It is possible to develop Site specific exemptions to address the particular requirements of an individual SHR item. However, they only apply to works that have little to no impact on heritage significance and must be endorsed by the Heritage Council.

There are no site-specific exemptions recommended for the management of 132-134 Cumberland Street.

PMNSW Agency Specific Exemptions

Under Section 57(2) of the Heritage Act, PMNSW has access to Agency Specific Exemptions for use on all SHR items under their delegation from the Heritage Council.

These exemptions enable the streamlined delivery of low impact maintenance and repair to significant fabric.

Minimum Standards of Maintenance and Repair

Section 118 of the Heritage Act, and Part 3, Division 1 of the *NSW Heritage Regulations, 2012* sets out minimum standards for the maintenance and repair for SHR items and covers various areas, including weatherproofing, fire protection, security and essential maintenance.

Regular inspections are needed to monitor items at least once every year (or at least once every 3 years for essential maintenance and repair standards).

Failure to meet the minimum standards may result in an order from the Heritage Council to do, or refrain from doing, any works necessary to ensure the standards are met. Failure to comply with an order can result in the resumption of land, a prohibition on development, or fines and imprisonment.

Refer to the *Minimum Standards for Maintenance and Repair*⁹⁹ and as set out in the Maintenance Schedules provided in Section 8.0 of this CMP.

6.3.4 National Parks and Wildlife Act¹⁰⁰

Under Section 89A of the National Parks and Wildlife Act 1974 (NPW Act), it is an offence for a person to destroy, deface, damage, or desecrate an Aboriginal Object or Aboriginal Place without the prior issue of an Aboriginal Heritage Impact Permit (AHIP).

The NPW Act requires a person to take reasonable precautions and due diligence to avoid impacts on Aboriginal Objects. AHIPs may only be obtained from the Department of Environment

⁹⁹ <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/info/minimumstandards.pdf>

¹⁰⁰ <http://www.legislation.nsw.gov.au/inforcepdf/1974-80.pdf?id=cb5ba894-2a75-4a36-f576-df69950c59f8>

and Heritage It is also an offence under Section 90A of the NPW Act to disturb or excavate land for the purpose of discovering an Aboriginal Object, or to disturb or move an Aboriginal Object on any land, without first obtaining a permit under Section 90A of the NPW Act.

132-134 Cumberland Street does not have any known Aboriginal Objects within the SHR listing boundary.

6.3.5 Capital Planning Process (CPP) and Asset Management

The NSW Treasury Capital Planning Process (CPP) is an annual cyclical process that takes place alongside the annual State Budget process. Capital Planning (formerly known as Total Asset Management) sets out a strategic approach to physical asset planning requirements for NSW State government agencies.

This approach involves PMNSW aligning its 10-year asset planning with its service delivery priorities and strategies, all in the limits of available resources and the NSW Treasury's Asset Management Policy. This approach enables better planning and management of physical assets, and the preparation of an overall Strategic Asset Management Plan framework with individual Asset Management Plans prepared in line with NSW Treasury Policy and Guidelines Paper TPP 19-07 *Asset Management Policy for the NSW Public Sector* and the PMNSW.

The NSW Government's Asset Management Committee requires that: "Sustainable management of heritage values should be treated by an agency as part of its core business". Similarly, CPP Guidelines for Government Agencies prepared by NSW Treasury require "planning use of heritage assets to maximise their service delivery while protecting their cultural values".

Protection and management of built heritage and heritage and cultural collections under the care and management of PMNSW including The Rocks precinct, is part of the core business of PMNSW, the CPP supports the retention of heritage value over maximising financial feasibility. The cultural importance of The Rocks is widely recognised as paramount, and in an event where retention of heritage significance could collide with the financial feasibility of the project, the importance of retention of the heritage significance shall be given priority.

Refer to the NSW Government's Asset Management Policy.¹⁰¹

The key findings and policies of this CMP should inform the Asset Management for 132-134 Cumberland Street.

¹⁰¹ https://www.treasury.nsw.gov.au/sites/default/files/2019-11/TTIP19-07%20NSW%20Asset%20Management%20Policy%20-%20Master%20Approved_31%20October%202019.pdf

6.4 Environmental Planning Instruments (EPIs)

There are four principal EPIs under the EP&A Act that are applicable to The Rocks.

6.4.1 State Environmental Planning Policy (Planning Systems) ¹⁰²

State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP) applies to development within The Rocks.

In accordance with clause 6 of Schedule 2 of the Planning Systems SEPP, development within The Rocks is deemed State Significant Development if the estimated development cost is more than \$10 million and/or the proposal does not comply with the building envelope contained within the SCRA Scheme.

The NSW Minister administering the EP&A Act is the consent authority for State Significant Development. The City of Sydney is generally the consent authority for all other development that requires consent under Part 4 of the EP&A Act.

6.4.2 State Environmental Planning Policy (Biodiversity and Conservation)

State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity & Conservation SEPP) applies to development within The Rocks.

The Biodiversity and Conservation SEPP contains the previous *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* (SREP) which covers Sydney Harbour and its waterways, foreshores and catchment.

In accordance with Chapter 6 of the Biodiversity and Conservation SEPP, development in The Rocks must consider a variety of matters as the precinct is located within the following designated areas:

- Foreshores and Waterways Area (Chapter 6, Division 3) – meaning development must demonstrate consistency with certain principles and provisions such as maintaining public and equitable use of the foreshore area or potential impact to archaeological or potential archaeological relics.
- City Strategic Foreshores Area (Chapter 6, Division 5) – meaning a Master Plan may be required if directed by the Minister. As yet, there has been no such direction.

The Minister administering the EP&A Act is the consent authority for certain development within The Rocks that is below the mean high-water mark.

6.4.3 State Environmental Planning Policy (Precincts – Eastern Harbour City)

State Environmental Planning Policy (Eastern Harbour City) 2021 (Eastern City SEPP) applies to development within The Rocks.

Clause 2.12 of Chapter 2 of the Eastern City SEPP establishes the City of Sydney as the consent authority for development within The Rocks precinct that is not State Significant Development.

¹⁰² <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+194+2005+cd+0+N>

The Rocks heritage precinct sits within the UNESCO World Heritage Listed buffer zone established for the Sydney Opera House under Appendix 1 of the Eastern City SEPP. The intent of this buffer zone is to preserve the visual catchment, views and vistas to the Sydney Opera House.

6.4.4 Sydney Cove Redevelopment Authority (SCRA Scheme)

The Rocks is covered by the SCRA Scheme which has the status of an EPI under Schedule 6 of the EP&A Act. The SCRA Scheme comprises a series of Building Site Control Drawings which provide for the maximum height of buildings on any particular site, and which also specify permissible uses for a particular site or precinct.

The SCRA Building Site Control Drawing XXXIV-A (Figure 176) applies to the whole block that contains the Long's Lane precinct. This drawing establishes a building envelope for 136-138 Cumberland Street, with appropriate regard to the adjacent sites and the physical and visual relationships between the buildings. The building envelope for 136-138 Cumberland Street is essentially the current building envelope.

It is recommended that the SCRA Building Site Control Drawing XXXIV-A be updated to include 136-138 Cumberland Street as an historic structure and that the Building Site Control Drawing development envelope be reduced.

The City of Sydney or the Central Sydney Planning Committee is the consent authority for development, unless development that has a capital investment value of more than \$10 million, in which case The NSW Planning Minister is the consent authority.

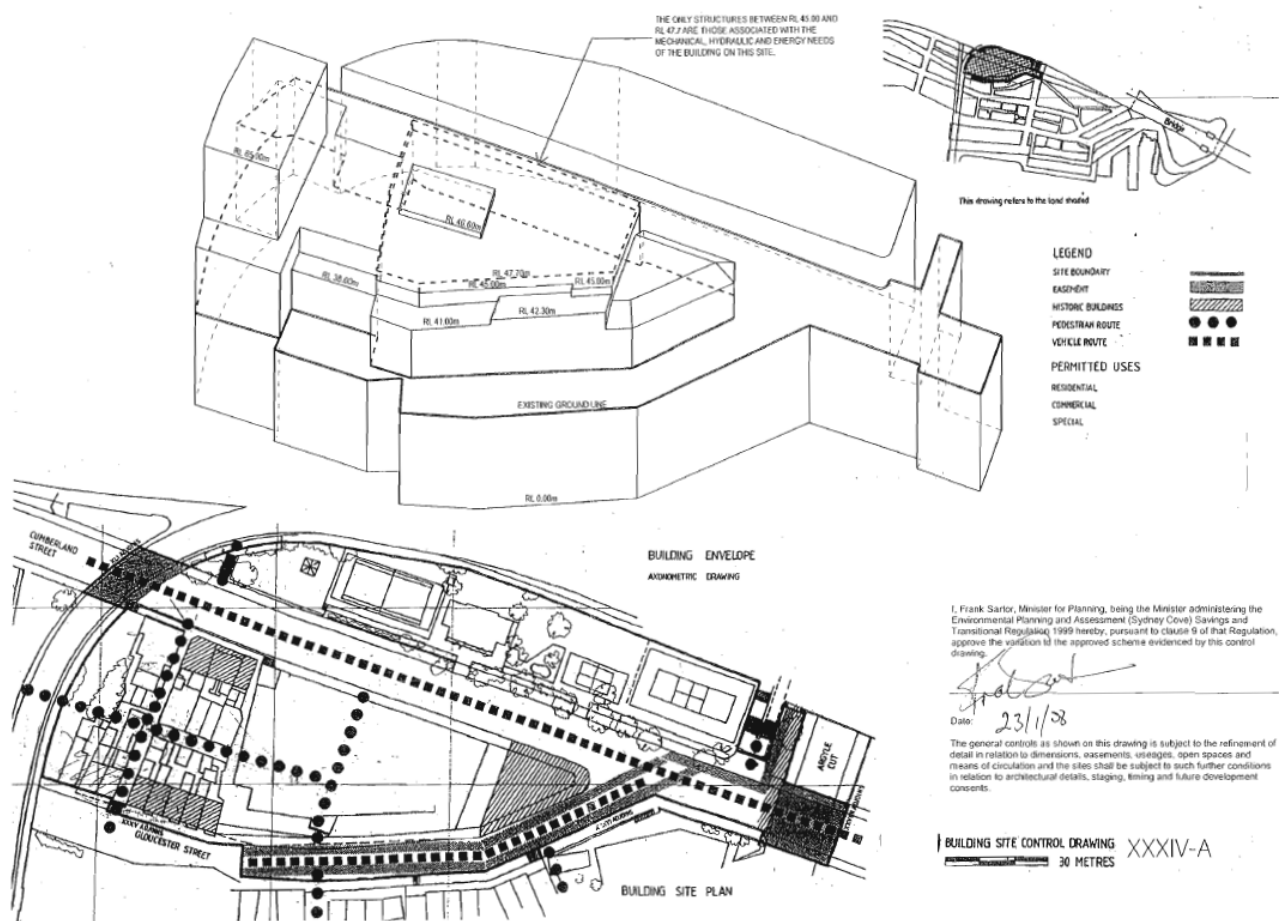


Figure 186: SCRA Building Site Control Drawing 'XXXIV-A' showing the building envelope circled in red and permitted uses. Source: Sydney Cover Redevelopment Scheme 2005

6.5 Development Control Plans and Guidelines

6.5.1 Sydney Harbour Foreshore and Waterways Area Development Control Plan (DCP)¹⁰³

Sydney Harbour Foreshores and Waterways Area DCP 2005 has been prepared to support the SREP (Sydney Harbour Catchment) 2005. The DCP provides detailed design guidelines for development and criteria for natural resource protection for the area identified as Foreshores and Waterways area. The DCP applies to all development proposals within the Foreshores and Waterways Area identified in SREP (Sydney Harbour Catchment 2005).

6.5.2 The City of Sydney DCP¹⁰⁴

The City of Sydney DCP 2012 applies to all land as designated on the DCP map, which includes The Rocks. Currently, The Rocks is not identified as a Locality, Specific site or Specific area in

¹⁰³ <http://www.planning.nsw.gov.au/harbour/pdf/dcp.pdf>

¹⁰⁴ <http://www.cityofsydney.nsw.gov.au/development/planning-controls/development-control-plans>

the DCP. However, the General Provisions, including Heritage, Development Types and certain Schedules apply.

6.5.3 Heritage Council of NSW – Design in Context¹⁰⁵

The guideline published by the Heritage Council and the Australian Institute of Architects establishes six criteria for assessing new development in a heritage conservation area, or adjacent to a heritage item. The criteria are character; scale; form; siting; materials; and detailing. The guideline is relevant to minor and major works, such as potential change to the rear wings which is to be designed to respect the significance and setting of the heritage item.

6.5.4 Heritage Council of NSW – New Uses for Heritage Places

The guideline published by the Heritage Council and the Australian Institute of Architects contains principles that encourage careful and sympathetic designs and interpretation in the adaptation of historic places and sites.

See: www.environment.nsw.gov.au/resources/heritagebranch/heritage/infocarryoutwork.pdf

www.environment.nsw.gov.au/.../heritagebranch/heritage/NewUsesforHeritagePlaces

6.5.5 NSW Government Architect – Better Placed: Design Guide for Heritage

The Better Placed: Design Guide for Heritage is a resource for good design in heritage places. It outlines principles to guide a broad range of design work for heritage places in NSW related to The Burra Charter principles to assist owners and designers on good heritage and design outcomes for heritage places. This document has been prepared by NSW Government Architect and the Heritage Council.

[Design Guide for Heritage \(nsw.gov.au\)](http://nsw.gov.au)

¹⁰⁵ <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/DesignInContext.pdf>

6.6 Approvals

6.6.1 Landowners Consent

Before any application is submitted to a consent authority, the consent of PMNSW, as landowner, must first be obtained. Obtaining consent from PMNSW is not an approval for the works, only consent to submit an application. A consent authority will not be able to consider an application unless it has the landowner's consent.

6.6.2 Consent Authority

There are a range of consent authorities for applications for activities and works. These are described in the preceding sections, and are summarised as follows:

CONSENT AUTHORITY	WORKS OR ACTIVITIES CONSENT AUTHORITY IS RESPONSIBLE
Minister, Environmental planning and assessment act 1979	Variation to SCRA scheme Work that fall under an existing SEPP, or that is deemed "state significant" with an estimated development cost above \$10 m May direct preparation of a master plan (a deemed DCP) for a strategic foreshore site (which includes most of the rocks)
PMNSW	Landowners consent (to lodge an application) Determining applications under the heritage act, for works that will not materially affect the significance of the SHR item. Additions/removals/revisions to the item's listing on the PMNSW heritage and conservation schedule (s170 register) Notifying the heritage council of the transfer or ceasing to occupy the item. Implementing CPP requirements for assets in the PMNSW portfolio Endorsing applications for standard, site-specific and agency exemptions from approval under the heritage act.
Heritage Council of NSW	Determining applications for works that are likely to have a material effect on the heritage significance of the item. Listings/de-listing/revisions to its state heritage register listing. Determining applications to disturb, move, damage or destroy relics. Regulation and enforcement of the heritage act, including the minimum standards of maintenance and repair for heritage items.
City of Sydney	Works with a capital investment below \$10 m that do not fall under a SEPP and are not deemed "state significant". Principal certifying authority for accredited private certifiers
Accredited Private Certifiers	Issue of construction certificates and/or occupation certificate

6.7 Non-Statutory Listings and Community Groups

6.7.1 National Trust of Australia (NSW)

136-138 Cumberland Street is included on the Register of the National Trust of Australia (NSW),

136-138 Cumberland Street is included in the listing for The Rocks Conservation Area on the Register of the National Trust of Australia (NSW). The Rocks Conservation Area encompasses the area generally bounded by Circular Quay to the east, all of Walsh Bay and Millers Point to Sussex Street to the north and west and extends to Grosvenor Street to the south.

The Register of the National Trust is now closed. However, inclusion on this Register, which carries no statutory implications for items not in Commonwealth Government ownership, is indicative of the high cultural value of the place and community regard.

6.7.2 Australian Heritage Commission – Register of the National Estate

136-138 Cumberland Street is included on the Register of the National Estate, (listing date 21/10/1980)

136-138 Cumberland Street is included in the listing for The Rocks Conservation Area on the Register of the National Estate, Ref No. 1/12/036/0423.

Listing on the Register of the National Estate carries no statutory implications for items not in the ownership of the Commonwealth Government however, it is indicative of the high cultural values of the place.

6.7.3 National Construction Code (NCC) and Building Code of Australia (BCA)

The National Construction Code incorporating the BCA is national set of building regulations with some state-specific variations. The main provisions of the BCA concern structural requirements, fire resistance, access and egress (including provisions for people with disabilities), services and equipment and health and amenities. Generally, minimum standards are required to be reached in building works.

The performance requirements of the BCA are mandatory, although the introductory sections of the Code make clear that not all requirements will apply to a given case. The Code also includes 'deemed-to-satisfy' requirements which are accepted as meeting the performance requirements. However, the Code also makes provision for alternative solutions to meet the performance requirements, subject to satisfactory verification.

Under the EP&A Act Regulation 2000, all new building work must be carried out in accordance with the Building Code of Australia. In the case of an existing building, there is generally no requirement to comply with the BCA unless works are being carried out. However, where works (in particular alterations or additions) are proposed to the place, the building will need to comply on completion with the relevant [performance] requirements of the Building Code of Australia (EP&A Act Regulation Clause 145). In addition, where an existing building has a change of use, the structural capacity and fire safety of the building must be appropriate for the new use, while for a building which undergoes alterations without a change of use, the structural capacity and fire safety of the building must not be reduced by the work (EP&A Act Regulation Clause 143.F)

An assessment of compliance for 136-138 Cumberland Street with the NCC has not been carried out for this report. It should be noted, however, that any DA/CC application would need to comply or be deemed to comply with the NCC. In general, when considering the NCC in heritage

buildings, proposals are to ensure that significant fabric and spatial qualities are not compromised while full NCC compliance is achieved, and public safety is assured.

6.7.4 The Disability Discrimination Act 1992 (DDA) Access to Premises

Access to premises for people with disabilities is controlled by the Commonwealth Disability Act (DDA) 1992 and the National Construction Code (NCC). Compliance with the BCA does not necessarily signify compliance with the DDA. In 2010 the Commonwealth published the Disability (Access to Premises – Buildings) Standards and compliance with these standards ensures that the requirements of the DDA are met.

The DDA makes it illegal to discriminate on the basis of a person's disability and applies to all buildings expected to be used by the general public and heritage buildings are not exempt from meeting the requirements of the DDA.

The NCC is Australia's primary set of technical design and construction provisions for buildings. As a performance-based code, it sets the minimum required level for the safety, health, amenity, accessibility and sustainability of certain buildings.

In terms of accessibility, the regulatory framework for The Rocks precinct is comprised of two (2) primary rulebooks, namely the National Construction Code (NCC); and Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards)

Both the NCC and the Disability (Access to Premises) Standards 2010 are triggered when a Development Approval or Construction Certificate, including a complying Development Certificate, is issued for a new building or the affected parts of an existing building. This applies to all buildings including heritage items. The Heritage Council of NSW provides specialist heritage advice for the adaptation of heritage buildings for accessibility through the Heritage Council of NSW's Technical Advisory Committee.

A reasonable approach to reducing discrimination needs to be demonstrated and the Australian Standard referenced by both the NCC and the Access to Premises Standards provides standards to enable reasonable upgrades to buildings to ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings, and facilities and services within buildings, is provided for people with disability.

Both the NCC and the Access to Premises Standards permit the use of both deemed-to-satisfy (prescriptive) and performance solutions as the means by which to achieve compliance with the nominated accessibility performance requirements

The preparation of an Access Action Plan assists in preventing or defending a complaint under DDA. The defence of unjustifiable hardship is also available, and the Australian Human Rights Commission has ruled that heritage significance may be considered in this regard. The NSW Building Professionals Board has also established an Access Advisory Committee to consider referred applications for exemptions to the Premises Code on the basis of unjustifiable hardship.

6.7.5 NSW Work Health & Safety Act 2011

The New South Wales Work Health and Safety Act, 2011 (WH&S Act) aims to secure the health, safety and welfare of people at work. It lays down general requirements that must be met at workplaces in New South Wales. The provisions of the Act cover every place of work in New South Wales. The Act covers self-employed people as well as employees, employers, students, contractors and other visitors.

136-138 Cumberland Street must comply with the WH&S Act or seek alternative solutions. In the event that any part of the property changes from residential accommodation to use as a

workplace (office or retail use for example), the requirements of this Act will need to be complied with.

7

Conservation Policies

Conservation can be regarded as the management of change and the safeguarding of a place's importance within a process of change and development. This section sets out policies and guidelines to support this process for ongoing conservation management to guide the occupants and managers and planning authorities with a framework for acceptable change for ongoing use and adaptive reuse.

The policies are grouped under section headings. A brief background provides the context. The policies are supported by guidelines. The policies and guidelines should be referenced and discussed in any development proposal submission.

The policies and guidelines draw upon the work and input of all consultants and their investigations – documentary and physical.

7.1 Best Practice Heritage Management

Background

136-138 Cumberland Street has been assessed as being of State heritage significance as a residential terrace that makes a strong contribution to the streetscape of Cumberland Street, Longs Lane and the wider precinct of The Rocks.

The management of 136-138 Cumberland Street is to have a principal aim to protect its heritage significance and setting. All work is to accord with statutory procedures and current best practice in the conservation and management of heritage places.

The Rocks Heritage Management Plan (2010) adopted by PMNSW, provides an overall framework for understanding and conserving the heritage values of The Rocks. This CMP sits within this management framework and is the site-specific guide for the management for this place.

The Burra Charter is widely accepted in Australia as the best practice heritage and conservation principles and management. It is a key reference by which all works to heritage places are undertaken. Heritage management resources, such as those available from Heritage NSW, Department of Environment and Heritage, will assist to achieve best practice for specific works and management issues.

Policy 1

The statement of significance is to be adopted as the basis for all future management. All decisions must seek to retain the heritage values identified in this CMP.

Policy 2

136-138 Cumberland Street must be managed to ensure best practice long term conservation outcomes, in accordance with recognised planning and heritage principles, guidelines and methodologies, and statutory requirements.

Policy 3

Any changes or alterations to the 136-138 Cumberland Street, should adopt the principle of "loose fit", where the new use or works are adjusted as necessary to fit within the available spatial and architectural configuration, rather than making wholesale changes. All new work is to be designed to be reversible (that is, it can be removed, and the original features reinstated) and is subject to approval.

Guidelines

- The long-term heritage management of 136-138 Cumberland Street is to be consistent with the overall management framework for The Rocks precinct set out in The Rocks Heritage Management Plan.
 - The principles of The Burra Charter 2013 are to guide the heritage management of 136-138 Cumberland Street.
 - Refer to the guidelines prepared by NSW Heritage and Environment, including the NSW Heritage Manual and the guidelines referred to in this CMP.
-

7.2 Asset Management

7.2.1 PMNSW Management Responsibilities

Background

136-138 Cumberland Street, as part of The Rocks is owned by the Crown vested in Placemaking NSW (PMNSW). PMNSW has overall responsibility for the management of the place. Additional responsibilities derived from the NSW Capital Planning Policy (CPP) Guidelines are also recognised.

Policy 4

PMNSW, the current leaseholder, and any future lessees, will continue to conserve and manage 136-138 Cumberland Street as a significant terrace building that contributes to the overall heritage significance of Longs Lane and The Rocks precinct.

Guidelines

- All management decisions for future use and adaptation must support and enhance the long-term conservation of the terraces.
- Conserve and manage the terraces as an integrated whole, including the site and setting, the property itself, its planning, its original features as well as its spatial and functional relationships and archaeology.
- PMNSW will continue to assess the impact of proposed modifications to significant fabric, prior to the granting of landowner's consent.
- Seek to minimise and mitigate any adverse heritage and visual impacts on the heritage significance and heritage values set out in this CMP.
- Undertake a regular program of monitoring, covering both the physical changes within the property, and issues raised by occupants of the building. Incorporate findings, where relevant, into management decisions.
- Any reports generated from the program of monitoring, or of changes made to the building should be submitted to PMNSW for record keeping.
- The intention aims and policies of this CMP shall be disseminated through and implemented by relevant key staff of PMNSW.

7.2.2 Capital Planning Process (CPP), Asset Management and CMPs

Background

This CMP will be one of the documents used by the asset owners, managers and tenants of the neighbouring buildings for management and maintenance of the 136-138 Cumberland Street and need to be fully compatible with other relevant documents addressing the same properties, including Asset Management Plans prepared to meet the NSW Treasury Capital Planning Process (CPP).

Policy 5

Use this Conservation Management Plan as a basis for the future management of the building and site. This CMP must be applied within the broader context of other heritage management and asset management documents including statutory requirements.

Policy 6

This Conservation Management Plan must be used to inform all future Management Plans for 136-138 Cumberland Street and its site.

Policy 7

The SCRA scheme Building Site Control Drawing 'XXXIV-A' that includes 136-138 Cumberland Street, should be updated to show the entire footprint for 136-138 Cumberland Street as an historic item, consistent with the CMP.

Guidelines

- PMNSW is to include findings of this CMP in all PMNSW asset management systems and plans, particularly CPP Plans, Maintenance Plans, lease/tenancy agreements and Landowners Policies for 136-138 Cumberland Street.
- Ensure that compliance with this conservation management plan is included in any lease over the place and consider non-compliance as a material breach of relevant statutory requirements.
- Refer to and manage in accordance with the following documents:
 - The Rocks Heritage Management Plan (2010)
 - Heritage Act Minimum Standards of Maintenance and Repair
<https://www.environment.nsw.gov.au/topics/heritage/manage-heritage-items/minimum-standards-maintenance-repair-for-heritage-items>
 - NSW Treasury, Capital Planning Policy
<https://www.treasury.nsw.gov.au/information-public-entities/capital-planning>
 - Heritage Asset Management Guidelines by State Government Agencies
<https://www.environment.nsw.gov.au/research-and-publications/publications-search/heritage-asset-management-guidelines>

7.2.3 Adoption and Review of Conservation Management Plans

Background

The CMP for 136-138 Cumberland Street needs to be regularly reviewed and updated to ensure its currency. PMNSW generally endorses management documents including Conservation Management Plans, and this indicate that the agency has agreement to management principles and the implementation of this document.

Policy 8

All parties responsible for the management of 136-138 Cumberland Street must have access to this conservation management plan and associated documents.

Guidelines

PMNSW is to make this CMP publicly accessible, while respecting the right to privacy for the buildings' occupants as appropriate.

Policy 9

The CMP is to be reviewed every five to ten years, taking into account changes in legislation, proposed changes in use or management, or proposed works.

Guidelines

- Reviews of the CMP are to be based on The Burra Charter and other guidelines by Heritage NSW, Department of Environment and Heritage.
 - Reviews are to also take into account any other relevant legislation, planning frameworks, appropriate literature and widely recognised conservation practices and procedures.
 - Reviews are to be undertaken by experienced conservation practitioners in conjunction with relevant ownership and management representatives.
 - Procedures for review of the CMP and for inspecting the condition of the houses are to be specifically include in future lease terms for the properties.
 - Irrespective of the recommendation to review the document every five to 10 years, the currently adopted CMP is to remain as a valid basis for on-going heritage management until such reviews are completed.

7.2.4 Tenancy

Background

PMNSW has entered into a long-term lease agreement for the property. Property managers and tenants are to be made aware of the guidelines below in order to ensure that the place is cared for and respected and not accidentally damaged. Future lessees are subject to the terms and conditions of subleases as per the condition of the leasehold, in accordance with relevant statutory and policy requirements for residential leasing.

Policy 10

All property managers and occupants of 136-138 Cumberland Street must be made aware of the heritage values of the property.

Policy 11

Tenancy agreements must clearly set out the tenant's responsibilities with regards to caring for the property, including the maintenance of any shared services.

Policy 12

Processes for reporting maintenance issues or necessary repairs for the property must be established and made clear to each tenant and the property manager.

Policy 13

Any sub-tenancy should be subject to a residential tenancy agreement similar to that for the head lease.

Guidelines

Due to the significance of 136-138 Cumberland Street, care is to be taken to ensure that all property managers and occupants of the building agree to the following guidelines:

- This CMP, as updated where required, should be incorporated into any sub-leases.
- Refer to policy 7.7.1 for itemised list of appropriate repairs, additions and alterations to the property.

7.3 Documenting Change

Background

Archival records as well as the systematic recording of work at the site are valuable resources to support and ensure the proper overall management of heritage sites. They record the environment, aesthetics, technical skills and customs associated with the creation and use of heritage items before they are altered, removed or lost either by development, incremental change or deterioration.

Well-managed records enhance the understanding of the place, its significance and the impact of change as part of the conservation and management process. The reasoning behind the selection of a particular conservation approach and the methodology, and the scope of each major conservation project are to be recorded and archived.

Policy 14

PMNSW as landowner, is to continue to acquire, collate, maintain and archive the drawings, schedule of works, photos and specifications from earlier works and any future works including the reasoning for particular works. These records must be placed in the PMNSW archival storage repository.

Guidelines

- PMNSW as landowner is to continue PMNSW's policy of regular photographic recording, before, during and after changes to the fabric.
- Substantial changes to significant fabric are to be recorded in accordance with recording guidelines issued by Heritage NSW, as updated.
- The recording of the methodology, and the scope of works, is to be undertaken by a heritage professional, and forms the basis of future documentation for repair and maintenance works. These records, including copies of all consultant reports are to be retained.

- As-built records on completion of future works is to be provided to the PMNSW by those undertaking the works.
-

7.4 Appropriate Conservation Skills and Experience

Background

The Burra Charter encourages the use of skilled and appropriate professional direction and supervision from a range of disciplines for conservation activities.

The skills and experience required, and creative approaches taken in the context of a conservation project are quite different to those applied to the design and construction of new buildings.

Policy 15

Appropriate conservation skills and experience must be employed for documentation and supervision within project teams and the undertaking of works for any programs of conservation and upgrading of the building components of 136-138 Cumberland Street.

Guidelines

- Appropriate professional skills and experience assembled to work on the detailed conservation of the building will include, as appropriate, historians, researchers, archaeologists, conservation architects, structural engineers, building code compliance advisers, materials conservation specialists and cost planners.
 - Building contractors, project managers and trades personnel who are experienced and have worked on historic buildings are to be selected to work on any building or other projects required ensuring the long-term conservation of the building.
 - Appropriate heritage advice and oversight should be sought to input into design and its development for any works that affect the heritage significance of this place.
-

7.5 Ownership, Participation and Approvals

Background

This property came under Government ownership as part of the resumptions in The Rocks and Millers Point following the plague outbreak in 1901. The site has remained in Government ownership and is now owned and managed by PMNSW.

The ongoing conservation management of this property is evidence of the benefits of its long-term government ownership and management. Under single government ownership there has been a continued and consistent holistic approach to conservation of the fabric and built form.

PMNSW has recently entered into a long-term lease agreement for the property. While PMNSW retains its statutory role as Landowner, overseeing the appropriate conservation and management of the property, the responsibility for caring for the heritage values have been passed to the new leaseholder.

Policy 16

In any future ownership or long-term lease arrangements, there must be a compliance with this CMP and its recommendations from key agencies, including PMNSW as the landowner, Department of Planning and Environment, the Heritage Council of New South Wales and the City of Sydney Council.

Policy 17

The management principles set out in this Conservation Management Plan must continue to guide ongoing conservation and management to ensure its long-term conservation.

Policy 18

All proposed work must comply with statutory requirements and conservation principles and may be subject to statutory approvals. Any proposal for change must be discussed with and agreed to by the PMNSW.

Any changes or amendments to statutory heritage listing (SHR listing) and relevant planning instruments (including the SCRA scheme) must follow statutory processes set out under the relevant legislation and may require gazettal by the relevant Minister.

Guidelines

- Effective implementation of this plan requires agreement of objectives, processes and actions by the relevant authorities including the site owners, the PMNSW, Department of Planning and Environment and the Heritage NSW, Department of Climate Change, Energy, the Environment and Water, and Heritage Council of NSW.
- Under current legislation (2024) any proposed development including alterations and additions on the site including repairs and maintenance, may require one or more of the following consents and approvals:
 - Consent from the landowner, PMNSW.
 - Section 57(2) exemption from approval under the Heritage Act from the landowner, PMNSW (under delegation of the Heritage Council).
 - Section 60 approval under the Heritage Act from the landowner, PMNSW (under delegation of the Heritage Council) for works that would not materially affect the heritage significance of the item.
 - Section 60 approval under the Heritage Act from the Heritage Council for works that would materially affect the heritage significance of the item.
 - Development approval from the City of Sydney for projects with a capital value under \$10 million.
 - Development consent from the Minister of Planning for projects with a capital value of over \$10 million, or which exceed the building envelope limits in the Sydney Cove Redevelopment Authority Scheme (SCRA)
 - Appointment of a Principal Certifying Authority (PCA).
 - Construction Certificates approval
 - Occupation Certificate approval

Consent from PMNSW as the landowner is required prior to lodging an application for works.

Landowners' consent is a separate process to approving the works, where the landowners' consent is needed so that the applicant can lodge an application under the EP&A Act and/or the Heritage Act to undertake the works.

Prior to granting landowner's consent, PMNSW in its capacity as landowner and manager, is to be satisfied that there are no adverse heritage impacts associated with the proposal. Where necessary, a Heritage Impact Assessment and documentation of the proposed works will be required to assist in the assessment of owner's consent applications.

There are a number of exemptions under the Heritage Act that enable certain works to be carried out without the requirement for approval under the Heritage Act. If proposed works are covered by an exemption from approval, an Exemption Notification Form is to be completed, with sufficient detail provided to determine whether the proposed works meet the exemption. For further information on the types of exemptions available, refer to PMNSW, or Heritage NSW, Department of Environment and Heritage.

Policy 19

Works must only be undertaken to the property with consent from the landowner and the required statutory approvals.

Policy 20

Works to the property must fully comply with all the relevant PMNSW Policies applicable to development in The Rocks.

Guidelines

- All new work must comply with current PMNSW Policies including Lighting, Signage, Access and Inclusion, Telecommunications, Commercial Outdoor Seating, and Building Ventilation Installation, as updated.
- Prior to the lodgement of applications and the commencement of works, it is recommended that the proponent liaises with:
 - PMNSW including Design & Place (Heritage), Asset Management, and the Commercial and Leasing teams as relevant.
 - Pre-application discussions with other consent authorities to determine requirements and the planning approval pathway.
 - Refer to the NSW Heritage Council's Standard Exemptions for Works Requiring Heritage Council Approval <https://www.heritage.nsw.gov.au/applications/state-heritage-items/standard-exemptions>.

7.6 Current and Future Use

Background

The future of 136-138 Cumberland Street is linked to an appropriate use or uses, for the building and site that allows it to:

- Be seen as a corner shop/terrace building within an historic setting that provides an understanding of the development of The Rocks generally, and the Longs Lane residential precinct in particular.
- Retain and conserve the significant fabric and elements of the place.

136-138 Cumberland Street has been occupied by leasehold residential tenants since its construction circa 1881, until its recent use as a commercial office (2020). The plan form of the building and the arrangement of the rear yards are largely intact to their original configuration. The conservation works in the 1990s reconstructed a great deal of fabric and introduced new elements, including modern kitchens and bathrooms, in order to make the building habitable after a long period of decay and vandalism.

It is appropriate for the previous residential use of the building to be reinstated. However, if this is not possible, new uses that involve minimum change to the significant fabric, and respect the associations and meanings embodied in the place (compatible uses) are preferable.

Policy 21

The preferred use for 136-138 Cumberland Street is as a residence, or shop with residence above.

Policy 22

Should the above uses no longer be possible, it would be appropriate to introduce new, compatible uses. Uses should be selected which have a minimum impact on the significant fabric and spatial arrangement of the building. Compatible uses may include:

- *Small scale office use*
- *House museum*
- *Two apartments*
- *Bed and breakfast.*

Compatible uses must not require extensive change to facilitate that new use – i.e. substantial modifications to the layout, or extensive services.

Guidelines

- The retention of the heritage values and significant fabric is to take precedence over the requirements of occupants and tenants. A preferred approach should look to finding occupants, tenants and accommodation uses, that are appropriate and don't require major change or impacts.
- The introduction of new services and associated fittings in order to continue the viable use of the building, or as part of an approved new compatible use, are to be carried out with the minimum of disruption to the fabric and spaces.
- Any new uses selected for the existing buildings shall adopt the principle of "loose fit", where the new use is adjusted as necessary to work within the available spatial and architectural configuration of the building, so as to avoid adversely impact on significant heritage fabric or spaces.
- Any commercial use can only be introduced where the exceptional significance of the building fabric is retained, and compliance requirements for accessible access and building codes can be met without adverse heritage impacts. Refer to following policy sections 7.9 Building Code Compliance and 7.10 Accessibility.
- Uses which require an unacceptable degree of intervention for upgrading to ordinance compliance are not permissible.
- The use of the property for a food and beverage business would be inappropriate as this would require new services (e.g. water, drainage, gas, grease arrestor) to at least part of the building, and for the fit out of a commercial kitchen. The 2015 CMP Policy 20 recommended that 'any new, high intensity serviced, and commercial uses are better located in a new, small, one-storey structure on the north side of the rear yard', in order to avoid adverse impacts on additional services on the building and its fabric. However, a preferred option is to limit the use of the building to exclude food and beverage, and to retain the rear yard in its current form.
- There should be no connection of 136-138 Cumberland Street with 134 Cumberland Street by way of new openings in the buildings side walls.

7.7 Management of Significance

7.7.1 Conservation of Significant Fabric

Background

One of the key objectives of conservation practice is to retain significant building fabric and the essential integrity of the heritage resource for future generations. While any conservation activity will affect the building in some way, the aim - consistent with responsible re-use or management aims, is to minimise or eliminate the work and change only as necessary.

Article 3 of The Burra Charter indicates that conservation is based on a respect for the existing fabric of a place and involves the least possible physical intervention in order not to distort the evidence provided by the fabric. Article 4 of The Burra Charter requires appropriate knowledge; skill and disciplines are applied to the care of the place.

Much of the building fabric of 132-134 Cumberland Street, both internally and externally, is of exceptional and high significance and should be treated with great care. Some of the fabric in 132-134 Cumberland Street was reconstructed in the 1990s on the basis of original and early fabric which was extant on the site at the time of the works, creating a record of the previous appearance of the buildings' elements and spaces. This reconstructed fabric is of value for its role in interpreting the history of the buildings to the public and is also significant.

Significant fabric should be conserved in accordance with recognised conservation principles and procedures such as those included in The Burra Charter. Such conservation includes maintenance, preservation and interpretation including restoration and reconstruction.

However, not all of the fabric is of such significance so as to warrant conservation as defined by The Burra Charter. In this case fabric introduced in 1995, although significant in allowing the place to be inhabited, is of little historic, aesthetic, social or scientific value, and could be changed or upgraded for any reasonable reason, such as the occasional upgrade of kitchen and bathroom fit outs.

Policy 23

Building elements and fabric that retain integrity and make a greater or defining contribution to significance (exceptional and high) must be left intact, or only changed with the greatest care and respect. Change and upgrading must be focussed on those areas or components which make a lesser contribution to significance (low and moderate).

Guidelines

- The significant form, fabric and spaces that comprise the architectural character of the property along with the site, setting and archaeological resources are to be retained and conserved.
- Considering the relative significance of building elements listed in Section 5, the following policies for treatment of the fabric is appropriate:
 - The conservation, adaptation and maintenance should be approached with the Burra Charter principle of changing *as much as necessary but as little as possible*.
 - Structural alteration to the building components, which impact on the integrity or significance are not to occur.
 - Adaptation of the building's interior is to ensure that the original fabric or significant architectural and spatial features are retained and interpreted.

- The detailed requirements of any ongoing or new uses should not generate unacceptable impacts or changes to the existing fabric and is to respect and work within the existing architectural framework.
- Pictures can be hung using pins fixed with timber plugs not plastic plugs. Picture hanging systems can also be considered in some rooms, subject to approval.
- Timber, stone and concrete floors must be retained. Timber floors should be displayed, or if required, loose fit carpets can be laid. Other floor coverings, including paint and tiling can be replaced or removed.
- Where repairs or alterations are required, new material should closely match original, reconstructed, or adjacent materials.
- Telecommunications services are to be surface run, in locations carefully selected to minimise visual impacts and eliminate physical impacts on the fabric of the place.
- Door leaves are to be left in situ. Tenants are not to paint or polish any surfaces without first seeking approval from PMNSW.
- To prevent water damage, the yards are to be regularly weeded and tended. Plantings should be kept away from walls and planter boxes should not be placed on windowsills.
- Drains in the yard and roof gutters are to be regularly maintained and kept clear with regular sweeping up of leaves etc to prevent water damage and water ingress.
- The rooms are to be ventilated by opening the windows on a regular basis.

7.7.2 Conservation of Significant Spaces

Background

Key objectives of conservation practice are to retain key significant spaces and the essential integrity of the heritage resource for future generations. While any conservation activity will affect the building in some way, the aim - consistent with responsible re-use or management aims, is to minimise the extent of modifications and change only as necessary.

The houses are important as a particular type of terrace house. In this regard it is the form of the houses and their spatial arrangement of rooms and verandas that is important.

Policy 24

The form and spatial qualities of the building form, floor plan and existing internal spaces of the main part of the building, kitchens and toilets – including internal walls and existing openings – contribute to the significance of the place and should be conserved as part of the ongoing use and management of the building.

Guidelines

- For rooms graded as high and exceptional significance, the volume of each room and height of the ceilings and must be retained. Subdivision of these rooms is not appropriate.
- The configuration of the staircases cannot be changed.
- The use of particular rooms may change but the plan form must be retained.
- The existing balconies must remain open and cannot be enclosed.

7.7.3 Element Specific Policies

Background

In addition to the general policies set out in 7.7.1 and 7.7.2, conservation policies for significant elements are set out in this section. Generally, the reconstructed elements were executed to a high standard and were based on extant original and early fabric which was present on the site at the time of the works. Even though the reconstructed fabric is of a relatively recent date, it has interpretive significance and should be retained or replaced to match existing.

Policy 25

Significant fabric and other site elements are to be retained and conserved in accordance with the levels of significance identified in Section 5 of this CMP and managed in accordance with the Schedule below and in Section 8.0 of this report.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

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ELEMENT	SIGNIFICANCE	POLICIES
Exterior		
Attributes & Architectural Style		
Overall building form including three storey main building part with hipped roof, rear wing with skillion roof, and attached outhouse with skillion roof.	Exceptional	The external form of the building should be retained in its current form. Additions should not be built above or beside the building.
Victorian Italianate style of the main building. Attributes include the rendered façade with ashlar markings, and rich façade detailing including quoining, arched window heads, label moulds and deep moulded windowsills and bracketed eaves.	Exceptional	The Victorian Italianate style of the main elevations should be retained and conserved. The legibility of the architectural character of the building should not be diminished by any changes to the building or its setting.
Simple Victorian detailing of the rear elevation and rear wing (relative to the main part).	Exceptional	The existing detailing of the rear elevation and rear wing should be retained and conserved in its current form. The elaborate detailing on the main building's west and south elevations should not be replicated on the rear wing and rear elevation.
Site		
Rear yard — spatially	Moderate	The eastern boundary of the rear yard could be altered if required. The rear yard should remain as an unroofed open space.
Rear yard — brick paving, dish drain, and remnant bitumen or concrete paving (below timber deck)	Little	The rear yard should remain substantially hard paved in keeping with the original character of the precinct.
Rear yard — garden bed and planting	Little	The garden bed in the rear yard should be regularly maintained to ensure that plants remain in good condition. Large trees should not be planted in the rear yard (including its garden bed) to ensure that the character of the yard and views of the rear of the building are maintained.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

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ELEMENT	SIGNIFICANCE	POLICIES
		Any new plantings should be sympathetic to the domestic scale and character of the yard and long's lane precinct.
Rear yard — timber perimeter fences	Little	The timber post and paling fences around the rear yard are in keeping with the character of the long's lane precinct and should be retained and maintained. At end-of-life fencing should be replaced with matching timber paling fencing. Any new fencing must not exceed the current height.
Rear yard — timber clothesline	Moderate	The timber clothesline is in keeping with the character of the long's lane precinct and should be retained and maintained. At end of life, it should be replaced with a matching clothesline.
Rear yard — timber deck (ground floor)	Little	The timber deck could be altered or removed if required, but should not entail any disturbance of, or fixing into, the sandstone flagging below. The condition of the timber deck should be maintained with clear coatings if required, but acrylic coatings should not be applied.
Rear yard — sandstone flagging (mostly below timber deck) and sandstone steps	Exceptional	The sandstone flagging and steps should be retained and conserved. All sandstone should remain unpainted. Any alterations or repairs to the sandstone should only be made in consultation with a heritage specialist and should only be undertaken by an experienced heritage stonemason.
Pot plants on Cumberland Street footpath	Little	The pot plants could be retained or removed. The plants should be regularly maintained to ensure they remain in good condition. Any replacement pots should be of a design and type that is consistent with those in place in the long's lane precinct.
Timber bench on Cumberland Street footpath	Little	The timber bench could be retained or removed. Its condition should be monitored, and any repairs promptly undertaken to ensure that it remains fit for purpose. The bench could be painted with a clear or opaque coating.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

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ELEMENT	SIGNIFICANCE	POLICIES
Main (west) Elevation and South Elevation (main part of building)		
Overall composition and form including window and door openings	Exceptional	No new external openings (windows or doors) should be made. There should be no alterations made to the size and location of existing door and window openings. There should be no surface mounted services installed on the external walls.
Rendered façade finish and detailing including ashlar markings, quoining, window heads and sills, string courses, bracketed eaves and blind windows.	Exceptional	The current extent of render on the external masonry walls should be retained. Unrendered walls should not be rendered. All rendered detailing including quoining, arched window heads, label moulds and deep moulded windowsills and bracketed eaves should be retained and conserved. If repair works are undertaken to the walls, ashlar markings and decorative rendered elements should be retained, or reinstated to the existing detail as applicable.
Ground floor shopfront window west (Cumberland Street) elevation-W01	High	Retain and conserve W01. Any alterations to the window to reinstate an earlier form should only be made if there is clear evidence of the previous condition. Repaint external joinery in a compatible paint type and colour approved by PMNSW.
Ground floor shopfront window south (long's lane) elevation-W02	Exceptional	Retain and conserve W01. Any alterations to the window to reinstate an earlier form should only be made if there is clear evidence of the previous condition. No original fabric should be altered or removed. External joinery should be repainted in a compatible paint type and colour approved by PMNSW.
D01-main entrance door from Cumberland Street to G.2	Door frame, fanlight and architraves-Exceptional Door leaf-high	The door frame, fanlight and door leaf should be retained and conserved. The back of the door leaf should be made good where hardware has been removed. The cast metal knocker needs further research to determine its origin. Other hardware is contemporary and could be replaced if required.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

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ELEMENT	SIGNIFICANCE	POLICIES
D03–double doors at Long’s Lane corner.	High	The door frame, fanlight and door leaf should be retained and conserved. External joinery should be repainted in a compatible paint type and colour approved by PMNSW. Any new furniture that is required to replace missing furniture is to match the existing in material and finish.
D05–external door to room G.3 from Long’s Lane	Door frame, fanlight and architraves– Exceptional Door leaf–High	The door frame, fanlight and door leaf should be retained and conserved. External joinery should be repainted in a compatible paint type and colour approved by PMNSW. Any new furniture that is required to replace missing furniture is to match the existing in material and finish. If the door is required for building access, steps of a sympathetic material should be provided in long’s lane. The steps should not obstruct stormwater drainage in the lane and should not have an adverse physical impact on the fabric of the building or lane.
Levels 1 and 2 arched head timber windows with ventilation panels at the top– W05, W06, W07, W08, W09, W11, W12, W13, W14, W15	Exceptional	The windows should be retained and conserved in their current form as operable double-hung windows. The perforated timber ventilation boards on the top of each window are not exceptional fabric, however, should be kept in place unless another suitable option for ventilation is implemented. External joinery should be repainted in a compatible paint type and colour approved by PMNSW.
Timber battens connecting structural tie rods to the external walls	Little	The timber battens (and metal tie rods) could be removed if the structural stability of the building can be ensured using another method that will not have an adverse impact on the appearance of the building or its fabric. The timber battens should be replaced with matching timber battens if required.
Timber framed awning over the corner doors	Intrusive	The awning is a later addition and should be removed when the opportunity arises.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	POLICIES
Patina of worn painted finish to the rendered walls	High	The existing worn painted patina on the main elevations should be retained and conserved. A clear mineral silicate has been recently applied and does not require further coatings.
Painted sign 'Watson's' and lettering below (possibly spelling 'dripping').	Exceptional	The remnant painted sign – 'Watson's' and lettering below – should be retained and conserved. Conservation should be guided by an expert in paint conservation using methods that will not have adverse impacts on building fabric. The sign should not be repainted unless it becomes completely illegible. Any repainting should only proceed with the agreement of PMNSW. The sign should not be overpainted.
Painted sign '138'	Exceptional	The remnant painted '138' sign should be retained and conserved. Conservation should be guided by an expert in paint conservation using methods that will not have adverse impacts on building fabric. The sign should not be repainted unless it becomes completely illegible. Any repainting should only proceed with the agreement of PMNSW. The sign should not be overpainted.
Painted sign 'Pinnacle Hospitality people'	Little	The conservation of the 'pinnacle hospitality people' painted sign is not required. It could be retained, conserved, or removed.
Remnant of former electrical connection	Moderate	Retain the fixture as interpretation of an earlier (although not original) state.
North, East and Rear Wing Elevations		
Overall composition and form including verandas and outhouse	Exceptional	The external form of the building should be retained in its current form. Additions should not be built above or beside the building. The veranda should not be enclosed. No new external openings (windows or doors) should be made. There should be no alterations made to the size and location of existing door and window openings.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

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ELEMENT	SIGNIFICANCE	POLICIES
		There should be no surface mounted services installed on the external walls in locations that are visible from the public realm. Existing external services pipes and conduits could be removed if redundant. Deteriorated pipes should be replaced like for like in materiality and form.
Cement render finish with ashlar markings to east elevation of rear wing	Exceptional	The current extent of render on the external masonry walls should be retained. Unrendered walls should not be rendered. If repair works are undertaken to the walls, ashlar markings should be retained.
Brickwork walls to verandas (painted)	Brick walls– Exceptional Paint–High	The historic painted finish to the brickwork walls should be retained and conserved. However, if deterioration of the brickwork becomes evident, removal of any non-permeable (acrylic) paint layers should be considered to preserve building fabric.
Brickwork wall north elevation with parapet (unpainted)	Exceptional	The brickwork of the north wall should remain unpainted. Stone capping to the north elevation parapet should be replaced with new matching stone when the existing capping deteriorates.
Timber framed two storey roofed veranda with timber balustrades and timber boarded floor.	High	The veranda should be retained in its current form as an external roofed structure and should not be enclosed. The fabric of the veranda should be replaced with matching timber elements as required. The veranda could be altered to meet the requirements of current buildings codes and regulations if the alterations do not have an appreciable impact on the appearance of the veranda or the building.
Stone windowsills	Exceptional	The stone windowsills should be retained and conserved in their current form and condition. The paint finish to the sills could be retained and conserved or removed to expose the stonework. The stonework should only be repaired or replaced if it becomes dangerously deteriorated.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

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ELEMENT	SIGNIFICANCE	POLICIES
Expressed splayed brickwork window heads	Exceptional	The brickwork detailing of the window heads should be retained and conserved. The existing paint finish to the window heads should be conserved as per the adjacent walls. If the paint is removed in the future, evidence of the original finish to the brick window heads should be investigated.
Multi-pane double-hung timber windows W03 (room G.3), W04 (room G.5), W10 (room 1.5).	Timber window–High Window opening and configuration–Exceptional	The windows should be retained and conserved in their current form as operable double-hung windows. External joinery should be repainted in a compatible paint type and colour approved by PMNSW.
Double-hung window with shutters, W16 (room 2.7)	Timber window and shutters–High Window opening and configuration–Exceptional	The window should be retained and conserved in its current form as operable double-hung windows. The perforated timber ventilation boards on the top of each window are not exceptional fabric, however, should be kept in place unless another suitable option for ventilation is implemented. The external shutters should be retained. External joinery should be repainted in a compatible paint type and colour approved by PMNSW.
Small casement window (room 2.6)	Exceptional	The window should be retained and conserved in its current form as operable casement window with fixed louvre fitted into the top of the sash. External joinery should be repainted in a compatible paint type and colour approved by PMNSW.
French doors D12 (room 1.2) and D20 (room 2.4)	Frame–Exceptional Door leafs–High	The door frames, fanlight and door leafs should be retained and conserved. External joinery should be repainted in a compatible paint type and colour approved by PMNSW. Any new furniture that is required to replace missing furniture is to match the existing in material and finish.

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ELEMENT	SIGNIFICANCE	POLICIES
Ledged and braced timber doors, D08 (room G.5) and D09 (outhouse G.6)	Door leaf–High Door opening and frame–Exceptional	The doors frames, and door leafs should be retained and conserved. External joinery should be repainted in a compatible paint type and colour approved by PMNSW. Any new furniture that is required to replace missing furniture is to match the existing in material and finish. Door d08 should be made good where hardware has been removed.
Timber battens connecting structural tie rods to the external walls	Little	The timber battens (and metal tie rods) could be removed if the structural stability of the building can be ensured using another method that will not have an adverse impact on the appearance of the building or its fabric. The timber battens should be replaced with matching timber battens if required.
Metal flues fixed to north wall	Moderate	The flues should be regularly inspected for condition and treated for rust as needed. Should the lues become deteriorated to the point where they are dangerous, they should be removed. A photographic recording of the flues should be made prior to their removal.
Roofs-Main Building, Rear Wing and Outhouse		
Main Building		
Main roof hipped form	Exceptional	The existing (original) hipped form of the main roof should be retained in its current form.
Main roof–galvanised steel roof sheeting	Moderate	The original slate roof cladding should be reinstated on the main roof if the opportunity arises. Otherwise, the roof should remain clad in corrugated galvanised steel sheeting with matching cappings. The condition of the roof sheeting and capping should be monitored and replaced when they are at end of life. The capping may require more frequent replacement than the sheeting.
Eaves gutters and downpipes	Moderate	The gutters and downpipes should remain galvanised steel (as existing) as long as the roof is galvanised steel. Should the roof be reclad in slates in the future, the eaves gutters and

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

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ELEMENT	SIGNIFICANCE	POLICIES
		downpipes should be manufactured from a metal that is compatible with the slates and their fixings. PVC rainwater goods should not be installed on the building. The condition of the gutters and downpipes, including the box gutter that runs along the northern parapet, should be monitored, and replaced when they are at end of life. The paint finish to the eaves gutters and downpipes should be maintained.
Chimneys — rendered masonry	Exceptional	The chimneys should be retained and conserved in their current form.
Chimney pots	High	The chimney pots should be retained. Any future replacement chimney pots should match the existing.
Roof safety access system	Little	The roof safety access system should be retained and conserved.
Rear Wing and Outhouse		
Rear wing and outhouse skillion roof forms	Exceptional	The skillion roof form of the rear wing and outhouse should be retained in their current form.
Galvanised steel roof sheeting	High	The rear wing and outhouse roofs should remain clad in corrugated galvanised steel sheeting with matching cappings (as existing). The condition of the roof sheeting and capping should be monitored and replaced when they are at end of life. The capping may require more frequent replacement than the sheeting.
Eaves gutters and downpipes	Moderate	The gutters and downpipes should remain galvanised steel. PVC rainwater goods should not be installed on the building. The condition of the gutters and downpipes should be monitored and replaced when they are at end of life. The paint finish to the eaves gutters and downpipes should be maintained.

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ELEMENT	SIGNIFICANCE	POLICIES
Chimney — brickwork	Exceptional	The chimney should be retained and conserved in its current form. The face brickwork chimney should not be rendered or painted.
Chimney pot	High	The chimney pot should be retained. Any future replacement chimney pot should match the existing.
Interior – Generally		
Internal plan layout	Exceptional, except rooms 2.5, 2.6, 2.7– Little	The existing plan layout should not be altered, and rooms should not be subdivided, except for rooms 2.5, 2.6 and 2.7 where there is scope for change. Kitchens, bathrooms, laundries and other ‘wet areas’ should continue to be located in the rear wing.
Timber boarded floors	Exceptional and High	The existing floorboards should be retained and conserved. Rooms where floors are graded as ‘exceptional’ retain a high degree of original or old boards, and as such penetrations and fixings into the floor in these rooms should be avoided in particular. New penetrations/fixings should be avoided in timber floors generally, but if required they should be made in new rather than old floorboards — most rooms have a mix of old and new floorboards.
Painted ‘rugs’ to floors	Little	Painted ‘rugs’ could be retained or removed. New painted rugs should be applied in a way that a ‘border’ of exposed floorboards remain around the perimeter of the room. They should be applied using paint that can be removed without damage to the floorboards.
Black Japan finish to floors	Moderate	Black Japan is an appropriate floor finish that could be retained or removed.
Brickwork walls with plaster finish	Exceptional	The existing plastered brickwork walls should be retained and conserved. The plaster finish should be maintained in a good condition.
Lath and plaster framed walls	Exceptional	The existing lath and plaster walls should be retained and conserved. The plaster finish

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

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ELEMENT	SIGNIFICANCE	POLICIES
		should be maintained in a good condition and laths should not be exposed.
Tie rods	Little	The tie rods could be removed if the structural stability of the building can be ensured using another method that will not have an adverse impact on the building or its fabric. The tie rods should be replaced with similar metal rods if required.
Interior – Basement		
The basement plan	Exceptional	The basement plan, including the former delivery chute, should not be altered or extended in area.
Walls (cut sandstone) including former delivery chute	Exceptional	The sandstone walls in the basement should remain exposed. They should not be painted or covered with any finish.
Blue metal gravel to floor	Little	The blue metal on the floor of the basement should be retained in place. It could be replaced like for like if needed.
Framed false ceiling and supporting brick piers	Little	The false ceiling could be removed if needed.
Access ladder and hatch	Little	The access ladder could be replaced if required. A light should be installed in the basement, with the switch located to allow for lighting of the ladder before descending or after ascending, for safety.
Interior – Ground Floor		
Room G.1		
Door D02 (between G.1 and G.2)	High	The door frame, fanlight and door leaf should be retained and conserved. The existing stain and clear finish should be maintained. Any new furniture that is required to replace missing furniture is to match the existing in material and finish.
Door D04 (between G.1 and G.3)	High	The door frame, fanlight and door leaf should be retained and conserved.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

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ELEMENT	SIGNIFICANCE	POLICIES
		The existing stain and clear finish should be maintained.
Skirting	High	Retain in situ (including colour and finish)
Timber boarded ceiling	Exceptional	Retain in situ including existing metal patches
Timber moulded cornice	Exceptional	Retain in situ
Floor hatch to basement including pull-lifts and chain	Little	The location of the floor hatch should be retained. The broken pull-lifts to operate the hatch should be replaced with heavy-duty fittings that allow for easy operation of the hatch and that are suited to its weight.
Room G.2		
Arched opening to g.4 with ornate plasterwork	Exceptional	The arched opening should be retained and conserved in its current form as an original feature.
Skirting	High	Retain in situ (including colour and finish)
Ceiling — lath and plaster with timber strapwork	Lath and plaster— Exceptional Timber strapwork— Moderate	The lath and plaster ceiling should be retained and conserved and should be maintained to be in good condition. The laths should not be exposed. The timber strapping could be removed if the opportunity arises, in order to reinstate the original ceiling detail. Retention of the strapping as existing is also acceptable.
Cornice (moulded plaster)	Exceptional	The original plaster cornice should be retained and conserved.
Room G.3		
Door D06 (between G.3 and G.4)	Frame—Exceptional Door leaf—High	The door frame, fanlight and door leaf should be retained and conserved. The existing stain and clear finish should be maintained.
Skirting	High	Retain in situ (including colour and finish)
Ceiling (lath and plaster with timber strapwork)	Lath and plaster— Exceptional	The lath and plaster ceiling should be retained and conserved and should be maintained to be

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

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ELEMENT	SIGNIFICANCE	POLICIES
	Timber strapwork– Moderate	in good condition. The laths should not be exposed. The timber strapping could be removed if the opportunity arises, in order to reinstate the original ceiling detail. Retention of the strapping as existing is also acceptable. The set joints to the walls should be retained, and no cornices should be installed.
Plaster ceiling rose	Exceptional	Retain and conserve the plaster ceiling rose as an original feature of the building.
Fireplace	Hearthstone– Exceptional Timber mantelpiece and surround– Moderate Gas fireplace fitting – Little	The timber mantelpiece and surround should be retained and conserved. Minor alterations would be possible in the future to accommodate a new fireplace fixture if needed. The gas fireplace fixture should be maintained for heating of the space. It could be replaced if needed in the future. The hearthstone should be retained and conserved.
Curtains and curtain rails	Little	The curtains and rods could be retained or removed as required.
Room G.4		
Door D07	High	The existing door frame should be retained and conserved. The location of the door leaf (now removed) should be investigated, for possible reinstallation in the future.
Skirting	High	Retain in situ (including colour and finish)
Ceiling (lath and plaster)	High	The lath and plaster ceiling should be retained and conserved and should be maintained to be in good condition. The laths should not be exposed. The set joints to the walls should be retained, and no cornices should be installed.
Timber staircase	High	Retain in situ (including colour and finish). The carpet runner could be replaced as needed.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

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ELEMENT	SIGNIFICANCE	POLICIES
Room G.5		
Wall tiles in south-east corner	Exceptional	The tiles should be retained and conserved. They should not be painted, and no fixings should be made into the tiles.
Skirting	Moderate	The skirting should be retained but could have minor alterations as needed to suit the fitout.
Ceiling (lath and plaster with timber strapwork)	Lath and plaster– Exceptional Timber strapwork– Moderate	The lath and plaster ceiling should be retained and conserved and should be maintained to be in good condition. The laths should not be exposed. The timber strapping could be removed if the opportunity arises, in order to reinstate the original ceiling detail. Retention of the strapping as existing is also acceptable. The set joints to the walls should be retained, and no cornices should be installed.
Fireplace recess and hearthstone	Exceptional	The fireplace recess and hearthstone should be retained and conserved. The hearthstone and unpainted parts of the fireplace recess should remain unpainted.
Shelf over fireplace	Little	The shelf over the old hearth could be retained, removed or altered.
Cupboards and kitchen fixtures	Little	The cupboards, benchtops, sinks and contemporary kitchen fittings could be retained, altered or removed as required. Any future new fitout should reuse existing plumbing outlets where possible to minimise impacts on the building fabric.
Room G.6		
Floor (concrete, painted)	Concrete floor– Exceptional Paint finish–Little	The concrete floor should be retained and conserved, but a new paint finish could be applied as needed.
Brick walls, unpainted	High	Existing unpainted brickwork should not be painted.

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ELEMENT	SIGNIFICANCE	POLICIES
Sanitary fixtures (WC, basin)	Little	Sanitary fixtures could be replaced if needed, but new fittings should be selected to suit existing plumbing to minimise damage to the floor slab.
Interior – First Floor		
Room 1.1		
Door D10	High	The door frame door leaf and architraves should be retained and conserved.
Skirting	High	Retain in situ
Ceiling (lath and plaster with timber strapwork)	Lath and plaster– Exceptional Timber strapwork– Moderate	The lath and plaster ceiling should be retained and conserved and should be maintained to be in good condition. The laths should not be exposed. The timber strapping could be removed if the opportunity arises, in order to reinstate the original ceiling detail. Retention of the strapping as existing is also acceptable.
Cornice (moulded plaster)	Exceptional	The cornice should be retained
Plaster ceiling rose	High	The ceiling rose should be retained.
Fireplace	Hearthstone– Exceptional Timber mantelpiece and surround– Moderate Gas fireplace fitting – Little	The timber mantelpiece and surround should be retained and conserved. Minor alterations would be possible in the future to accommodate a new fireplace fixture if needed. The gas fireplace fixture should be maintained for heating of the space. It could be replaced if needed in the future. The hearthstone should be retained and conserved.
Room 1.2		
Door D11	High	The door frame, door leaf and architraves should be retained and conserved.
Skirting	High	Retain in situ
Ceiling (lath and plaster with timber strapwork)	Lath and plaster– exceptional	The lath and plaster ceiling should be retained and conserved and should be maintained to be

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

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ELEMENT	SIGNIFICANCE	POLICIES
	Timber strapwork– moderate	in good condition. The laths should not be exposed. The timber strapping could be removed if the opportunity arises, in order to reinstate the original ceiling detail. Retention of the strapping as existing is also acceptable. The set joints to the walls should be retained, and no cornices should be installed.
Fireplace	Mantlepiece and surround, hearthstone– Exceptional Cast iron insert– High	The mantlepiece and surround should be retained and conserved but should be repainted to resemble stone. The cast patterns in the plaster would tend to suggest an imitation of marble would be an appropriate finish. To be undertaken by a skilled tradesman versed in imitation painted finishes. The cast iron fireplace and hearthstone should be retained and conserved.
Room 1.3		
Skirting	High	Retain in situ
Ceiling (lath and plaster)	High	The lath and plaster ceiling should be retained and conserved and should be maintained to be in good condition. The laths should not be exposed. The timber strapping could be removed if the opportunity arises, in order to reinstate the original ceiling detail. Retention of the strapping as existing is also acceptable. The set joints to the walls should be retained, and no cornices should be installed.
Staircase	High	Retain in situ (including colour and finish). The carpet runner could be replaced as needed.
Arched opening to room 1.5	Exceptional	The arched opening to room 1.5 should be retained as an original feature.
Room 1.4 – External Deck		
Timber framed verandah including structure, balustrades and decking boards	High	No coverings should be laid over the decking so that both sides of the deck dry out. Pot plants should not be put directly onto the decking as this will cause the timbers to rot.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	POLICIES
		The verandah should remain an outdoor space and should not be enclosed. Canvas blinds could be installed. The small area of older boards remains near door d12. This boarding is evidence of previous decking that did not have gaps between boards, and it should be retained.
Room 1.5		
Door d13	Frame and architraves — Exceptional Door leaf—High	The door frame, door leaf and architraves should be retained and conserved.
Skirting	High	Retain in situ
Cupboards, benchtops, and kitchen fixtures	Little	The cupboards, benchtops, sinks and contemporary kitchen fittings could be retained, altered or removed as required. Any future new fitout should reuse existing plumbing outlets where possible to minimise impacts on the building fabric.
Interior – Second Floor		
Room 2.1		
Door D14	High	The door frame, door leaf and architraves should be retained and conserved.
Skirting	High	Retain in situ
Ceiling (lath and plaster with timber strapwork)	Lath and plaster—Exceptional Timber strapwork—Moderate	The lath and plaster ceiling should be retained and conserved and should be maintained to be in good condition. The laths should not be exposed. The timber strapping could be removed if the opportunity arises, in order to reinstate the original ceiling detail. Retention of the strapping as existing is also acceptable. The set joints to the walls should be retained, and no cornices should be installed.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	POLICIES
Room 2.2		
Door d15	High	The door frame, door leaf and architraves should be retained and conserved.
Skirting	High	Retain in situ
Ceiling (lath and plaster with timber strapwork)	Lath and plaster– Exceptional Timber strapwork– Moderate	The lath and plaster ceiling should be retained and conserved and should be maintained to be in good condition. The laths should not be exposed. The timber strapping could be removed if the opportunity arises, in order to reinstate the original ceiling detail. Retention of the strapping as existing is also acceptable. The set joints to the walls should be retained, and no cornices should be installed.
Room 2.3		
Skirting	High	Retain in situ
Ceiling (lath and plaster. Timber strapwork over stair)	Lath and plaster– High Timber strapwork– Moderate	The lath and plaster ceiling should be retained and conserved and should be maintained to be in good condition. The laths should not be exposed. The timber strapping could be removed if the opportunity arises, in order to reinstate the original ceiling detail. Retention of the strapping as existing is also acceptable. The set joints to the walls should be retained, and no cornices should be installed.
Skylight	Lining and framing– Exceptional Glazing–Little	The original lining and framing to the skylight should be retained and conserved. The glazing could be replaced if needed. The skylight should continue to operate as a skylight to provide natural daylight to the space.
Staircase	High	Retain in situ (including colour and finish). The carpet runner could be replaced as needed.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	POLICIES
Room 2.4		
Door D16	High	The door frame, door leaf and architraves should be retained and conserved.
Skirting	High	Retain in situ
Ceiling (lath and plaster with timber strapwork)	Lath and plaster– Exceptional Timber strapwork– Moderate	The lath and plaster ceiling should be retained and conserved and should be maintained to be in good condition. The laths should not be exposed. The timber strapping could be removed if the opportunity arises, in order to reinstate the original ceiling detail. Retention of the strapping as existing is also acceptable. The set joints to the walls should be retained, and no cornices should be installed.
Room 2.5 (including locker cupboard)		
Doorway to room 2.3 (un-numbered)	High	The door frame, reveal linings and architraves should be retained and conserved.
Floor tiles to locker cupboard	Little	The floor tiles could be retained or replaced.
Timber boarded wall with doorway in centre of room (no door leaf)	High	The timber boarded wall in the centre of the space should be retained and conserved.
Skirting	High	Retain in situ
Ceiling (lath and plaster with timber strapwork)	Lath and plaster– exceptional Timber strapwork– moderate	The lath and plaster ceiling should be retained and conserved and should be maintained to be in good condition. The laths should not be exposed. The timber strapping could be removed if the opportunity arises, in order to reinstate the original ceiling detail. Retention of the strapping as existing is also acceptable. The set joints to the walls should be retained, and no cornices should be installed.
Southern wall and door to locker cupboard	Little	The walls and bi-fold doors enclosing the locker room could be retained, altered or removed.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	POLICIES
Eastern (timber boarded) wall to 2.6 and 2.7	Little	The eastern (timber boarded) wall to 2.6 and 2.7 could be retained, altered or removed.
Room 2.6		
Door d19	High	The door frame and leaf should be retained and conserved.
Floor tiles	Little	The floor tiles could be retained or replaced.
South wall (between rooms 2.6 and 2.7)–timber framed with timber boarding	High	The southern wall (timber framed and boarded) should be retained and conserved. Alterations and fixings to the wall should be minimised.
Framed wall enclosing hot water unit and wall between 2.5 and 2.6	Little	The walls and door enclosing the hot water unit could be retained, altered or removed.
Ceiling (lath and plaster with timber strapwork)	Lath and plaster– Exceptional Timber strapwork– Moderate	The lath and plaster ceiling should be retained and conserved and should be maintained to be in good condition. The laths should not be exposed. The timber strapping could be removed if the opportunity arises, in order to reinstate the original ceiling detail. Retention of the strapping as existing is also acceptable. The set joints to the walls should be retained, and no cornices should be installed.
Sanitary fittings	Little	The sanitary fittings could be retained or replaced. Any new fitout should utilise existing plumbing outlets where possible to minimise impacts on the building fabric and new pipework.
Room 2.7		
Door D18	Little	The door frame and leaf should be retained and conserved.
North wall (between rooms 2.6 and 2.7)–timber framed with timber boarding	High	The northern wall (timber framed and boarded) should be retained and conserved. Alterations and fixings to the wall should be minimised.
Floor and wall tiles	Little	The floor and wall tiles could be retained or replaced.

CONSERVATION POLICIES FOR SIGNIFICANT ELEMENTS

136-138 CUMBERLAND STREET

ELEMENT	SIGNIFICANCE	POLICIES
Ceiling (lath and plaster with timber strapwork)	Lath and plaster– Exceptional Timber strapwork– Moderate	The lath and plaster ceiling should be retained and conserved and should be maintained to be in good condition. The laths should not be exposed. The timber strapping could be removed if the opportunity arises, in order to reinstate the original ceiling detail. Retention of the strapping as existing is also acceptable. The set joints to the walls should be retained, and no cornices should be installed.
Sanitary fittings	Little	The sanitary fittings could be retained or replaced. Any new fitout should utilise existing plumbing outlets where possible to minimise impacts on the building fabric and new pipework.
Room 2.8		
Timber framed verandah including structure, balustrades and decking boards	High	No coverings should be laid over the decking so that both sides of the deck dry out. Pot plants should not be put directly onto the decking as this will cause the timbers to rot. The verandah should remain an outdoor space and should not be enclosed. Canvas blinds could be installed. The small shelf on the west wall should be retained in place.

7.8 Design and Development in The Rocks Heritage Precinct

7.8.1 Design and Development in a Heritage Context

Background

Heritage items are a response to their cultural, social, historical, political, economic and physical environments. Similarly, new development affecting an established and valued setting such as a conservation area and should understand and respond to that place in a positive way that is of its own time.

The relationships between a building and its setting contribute to that place's special character. Appropriate development in sensitive places must understand the qualities of the place and generally good design understands the context of a place and respond to it.

Some designers may adopt a more traditional or vernacular approach, others may wish to explore a highly contemporary solution. Both are equally valid. It is the quality of the response that is the key.¹⁰⁶

Any new development should positively contribute to the historic context and positively contribute to the heritage site and building, its location and context.

Any Infill buildings should aim to provide continuity in the built form rather than seeking to create an iconic or individualistic building.

Policy 26

New design should respond to its historic context through an understanding and informed analysis of its character and quality. This will include elements such as its grain, existing patterns of development, important views, scale, materials and building methods. As a consequence, the resulting design should create new relationships between the building, its neighbours and its setting.

Policy 27

New development must be high quality, carefully designed using materials and detailing that responds to and enhances the heritage values of The Rocks heritage precinct and identified heritage values of 136-138 Cumberland Street.

Policy 28

New works are to be loose fit or capsule, and fully reversible and removable, and to retain existing room volumes and spaces.

Policy 29

The exterior facades should be maintained and conserved as a primary element of the building's significance with no further demolition or alterations.

¹⁰⁶ Excerpts from Heritage Council of NSW publication Design in Context, pages 3 and 4.

Guidelines

Background

- Any changes or alterations to 136-138 Cumberland Street, should adopt the principle of "loose fit", where the new use or works are designed to fit within the available spatial and architectural configuration, rather than making wholesale changes. All new work is to be designed to be reversible (that is, can be removed without damage, and significant features reinstated). Capsule fitouts are to be free standing, independent structures with no structural reliance on original fabric, and completely removable with no impact to significant features.
- The kitchen, bathroom, and laundry fitouts may be sympathetically updated as required. These functions should continue to be located in the rear wings of the terrace house.
- Where there is no evidence of the original detail, it is not necessary or appropriate to invent a period detail unless the original character of the space is to be recreated and the new element is required to blend in.
- Careful detailing will ensure minimal damage to the significant fabric and will allow for reversibility.
- The NSW Government Architect's publication *Better Placed: Heritage* and the Heritage Council's publication *Design in Context* should be consulted for guidelines designing infill and additions to heritage sites and buildings.
 - <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/DesignInContext.pdf>
 - <https://www.governmentarchitect.nsw.gov.au/resources/ga/media/files/ga/design-guides/better-placed-design-guide-for-heritage-2019-01-30.pdf>
- Contemporary materials and styles may be used for new work, and designed so that its location, form, scale, grain, colour and texture responds appropriately to significant fabric and spaces. The internal room volumes and existing ceiling heights should be retained.
- New work should be identifiable as new work and not visually dominate over existing elements.
- Development, including alterations and additions on the site including repairs and maintenance, may require one or more of consents and approvals – refer to Section 7.5 Ownership, participation and approvals - policies and guidelines.
- Any new work is to be carried out within the existing building envelope.
- Retain the existing roof roofline, no dormer windows can be added.
- The internal room volumes and existing ceiling heights should be retained except in rooms that were subdivided in the 1990s: There is scope for minor alterations to rooms 2.5 (including the locker room), 2.6 and 2.7.
- Modern interior fit-outs, such as the kitchens and bathrooms (rooms G.5, 1.5, 2.6 and 2.7) can be altered. New work should be clearly legible as a new layer, be of modern design and should not dominate the spaces.
- Period detailing is to be used to reconstruct elements for which there is clear evidence of the original detail, either remaining in the fabric or in documents. Where there is no evidence of the original detail, it is not necessary or appropriate to invent a period detail unless the original character of the space is to be recreated and the new element is required to blend in.

- No additional decks, verandas or balconies can be introduced. However, rebuilding the original awning to Cumberland Street could be investigated if it would benefit the building, protect its fabric or enhance its use. It may not be possible recreate the awning to its original width due to the lowering of Cumberland Street and narrowing of the footpath adjacent to the building.
- If the original awning is reinstated, the awning over the corner doors (D03) should be removed. The installation of an awning could also result in alterations to window W01, the shopfront window, whose window head may conflict with an awning.
- When the existing galvanised steel roof sheeting has reached the end of its life consider re-roofing the main roof of the building in slate to emulate the original roof cladding.

7.8.2 Integration of Services

Background

It is recognised that service and safety features will need to be updated in heritage buildings and that future upgrades will be necessary. Limited minor changes to existing fabric for practical reasons such as the installation of new services, sustainability upgrades, and the need to meet statutory requirements, maybe required to continue the viable use of the building.

The preferred approach to updating existing and introducing new services to reuse existing service lines where possible.

New services are to be designed to be unobtrusive, and to have no or minimum impact upon heritage fabric. Reverse cycle air conditioning, for example will be difficult to install without impacting the walls and should be avoided.

Specialist advice should be sought on the installation of new services to meet BCA upgrades and the latest performance-based solutions to minimise heritage impacts.

Policy 30

The updating, alteration or alteration of existing services or introduction of new services in the property must not have a detrimental impact on the significance of the building components, or as a whole and are subject to approval.

Policy 31

Remove redundant or intrusive service runs where possible, unless the pipes/fittings have been confirmed by a heritage profession as holding historical significance. To minimise impact and loss of original fabric, the replacement of services, such as wiring and plumbing, must use existing service routes/ducts, or replace existing surface mounted services without damaging or removing fabric. Services must not discharge liquids (such as condensate) or gases that will cause damage to significant fabric.

Policy 32

No air-conditioning, ventilation equipment, water heaters, television aerials, satellite dishes, or service components are to be externally mounted to the building, visible from the street or lane frontage, or from other buildings and structures that overlook the site.

Policy 33

New services must be installed inconspicuously without further damage to significant fabric and must be grouped together to minimise impacts, including minimising rooftop plant and the like. Any penetrations through heritage fabric for supply and waste pipes and mechanical ducts must be minimised.

Policy 34

All proposed locations of services including the upgrading of services is to be carefully planned. New or altered plant rooms and equipment, and service routes are to be planned and clearly identified and documented on service drawings so as not to damage the significant fabric or disrupt significant spaces or views to the building exterior and rooftop.

Guidelines

- Areas previously modified for services are to be re-used, in preference to modifying intact external and internal fabric.
- Limited intervention for exploratory or research purposes should generally be restricted to approved programs of re-use or upgrading of service areas and facilities.
- Services are to be surface run as a general principle, as the chasing of walls or other significant fabric for service runs is not acceptable. This includes avoiding excavation of potential archaeological deposits below floors.
- Brackets or fixings for services are not to damage significant fabric.
- Ceiling fans may be installed in the central light fittings with surface-run conduits or conduits through the ceiling spaces.
- Additional power points can be added to the skirting boards.
- Light fittings and switches can be changed using existing outlets. The introduction of false ceilings for services or lighting is generally not acceptable.
- The gas fireplaces in the building should continue to be used for heating in preference to installing a new heating system. If gas heating cannot be used, other methods of heating within the fireplace can be explored.

7.9 Building Code Compliance

Background

The preferred long-term use for 136-138 Cumberland Street is to remain as a commercial/residential property and unless there is a change in use, this will not trigger the intervention or upgrade to meet current code compliance for that use.

Should the property become a publicly accessible building, key issues of BCA compliance such as fire resistance, egress provisions, and disabled access and facilities are to be addressed in ways that do not adversely impact heritage significance.

Specialist advice to seek the latest performance-based solutions is recommended to meet BCA upgrade requirements for egress, safety and fire and minimise heritage impacts.

Policy 35

Heritage buildings within The Rocks should not be used for any purpose for which upgrading requirements for building code compliance will result in an unacceptable adverse impact on the streetscape, building, views or experience.

Guidelines

- Methods of complying with ordinance requirements which utilise fire or smoke detection and active fire suppression are preferred over the installation of fire rated material, which may obscure significant finishes.

- Future upgrades must take into consideration any newly developed approaches for the implementation of fire safety standards that do not harm the existing significant fabric (through fire engineering analysis or the judicious use of intumescent paint finishes, for example).
- The building was constructed prior to the establishment of the National Construction Code (NCC), and some elements, including stairs and balustrades, may not comply with current standards. A risk assessment should be prepared to determine if upgrades should be undertaken, taking into account the potential heritage impacts resulting from the works versus legislative requirements.
- Where BCA upgrades are determined as required, and the deemed-to-satisfy solution would have an adverse heritage impact, a BCA consultant with experience working with heritage buildings should be engaged to develop a performance solution that reduces heritage impacts to an acceptable level.

7.9.1 Accessibility

Background

The Commonwealth Disability Discrimination Act (DDA) does not require equitable access to single dwellings, although occupants may wish to provide it for their own use. If change of use is proposed, other than as a single dwelling, it is likely the DDA will apply, and heritage places are not exempt from it, although the Australian Human Rights Commission has advised that heritage significance may be taken into account when considering whether providing equitable access would result in unjustifiable hardship.

Should 136-138 Cumberland Street become a publicly accessible building, key issues for the provision of accessible access and facilities may need to be addressed.

Refer to section 6.8.4.

Policy 36

Upgrades for accessibility must recognise and respond to heritage values and must not result in an unacceptable adverse impact on the streetscape, building, views or experience.

Policy 37

Where equitable access is required, an access strategy should be developed by specialists in this field for the entire property. This will avoid piecemeal and incremental improvements and provide solutions that are appropriate to the heritage values and that are also reversible.

Policy 38

Improvement works for accessibility are to be designed and managed by skilled heritage architects and heritage trained access consultants.

Policy 39

Improvement works for accessibility are to be fully reversible and to meet legislative requirements with minimal impact to heritage values.

Guidelines

- *The Draft Rocks Heritage Access Strategy Stage 1 & 2, 2023, includes site specific recommendations for 136 – 138 Cumberland Street and audits the current site and building and makes recommendations for achievable accessible access upgrades that respects the heritage significance of the property.*

- Minor adjustments to significant fabric to improve accessibility can be investigated in consultation with a with a skilled heritage architect (such as re-swinging of doors, raising of pavement levels etc)
- A combination of deemed-to-satisfy and performance-based design solutions will be required to achieve compliance with the applicable accessibility performance requirements.
- The installation of internal lifts, subject to design, would likely to have an unacceptable adverse impact on significant spaces and fabric given the sensitivity and physical constraints of the building.

7.10 Setting, Views and Adjacent Sites

Background

The Burra Charter states that the retention of an appropriate visual setting, views and vistas for the place contribute to the heritage significance of the place.

Section 3.3 analyses the setting and establishes key views and vistas to and from 136-138 Cumberland Street that are shown in Figure 20.

136-138 Cumberland Street in The Rocks heritage precinct sits close to, however outside the UNESCO World Heritage Listed buffer zone established for the Sydney Opera House under the SREP Sydney Harbour Catchment. The intent of this buffer zone is to manage the visual catchment and views to the Sydney Opera House.

The Long's Lane precinct is a place of high significance in its own right. Features within the precinct should defer to the significance of the area as a whole as well as the significance of individual components of the precinct.

The key considerations are maintaining the view to the site from the Cahill Expressway and its overpass, Cumberland Street and Long's Lane. Views should encompass both site and the neighbouring properties at 130 and 132-134 Cumberland Street, so the buildings can be seen and understood as a group.

Policy 40

Key views to the property (identified in section 3.3) are significant to its overall setting and context and must be retained.

Policy 41

New design and uses for the place should respond to its historic context through an understanding and informed analysis of its character and quality. This will include elements such as its grain, existing patterns of development, important views, scale, materials and building methods. As a consequence, the resulting design should create new relationships between the building, its neighbours and its setting.

Policy 42

Views of the site from Cumberland Street and the Cahill Expressway and overpass should include views of the buildings at 130, 132-134 and 136-138 Cumberland Street. These buildings should be visible and legible together as a group of late nineteenth century residential properties.

Policy 43

The existing stone and off-form concrete of the face of the Cumberland Street cliff/cutting should remain exposed to view. It should be maintained to remove graffiti and vegetation as it occurs.

Guidelines

- Retain the views of the property together with the buildings at 130 and 132-134 Cumberland Street, from Cumberland Street opposite, north of the overpass, and from the Cahill Expressway and overpass.
 - Retain views of the rear and south elevations of the property from Long's Lane.
 - The building is significant because it can be viewed in the round, with the rear elevation and courtyard visible from the public domain (Long's Lane). Any proposal to replace fencing must match existing height to retain existing views.
 - Landscaping should not be introduced in front of the building that would interrupt views of the building's Cumberland Street elevation.
 - No potted plants, seating or other similar landscape elements should be located in Long's Lane.
 - Any new fence to the top of the Cumberland Street cliff/cutting, or treatment of the existing fence, should not obscure views of the property together or the buildings at 130 and 132-134 Cumberland Street.
-

7.11 Environmentally Sustainable Heritage Buildings

7.11.1 Generally

Successful improvements and retrofits to heritage buildings begin with a thorough understanding of a building's construction method, heritage significance, previous modifications to the building, the environmental context and planned future use. Decisions about retrofit should start with this understanding with heritage conservation acting as a frame through which to improve environmental performance with thoughtful intervention. A balanced approach maintains heritage significance while optimising environmental performance, reducing energy and emissions, improving resilience and providing cost savings for building owners and managers while improving liveability for occupants and users.

The *Better Placed Design Guide for Heritage*, a collaboration between the Government Architect NSW and the Heritage Council, extends the Australian ICOMOS Burra Charter principles of 'retention and adaptation as positively to contributing to Environmentally Sustainable Development (ESD). ESD also includes concepts to repair, reuse and upcycling, retrofitting for sustainability; retaining embodied energy of heritage buildings; and the durable nature of heritage buildings.

The *Sustainable Heritage Buildings Guide* (2024) is a recent collaboration between Transport for NSW and the Heritage Council that provides policy and practical guidance intended to encourage progress towards achieving more sustainable heritage buildings. It outlines a range of interventions, from simple to more complex, that can support and enhance heritage buildings while reducing their environmental footprint.

This section sets out policies and guidelines that support ESD in heritage buildings to achieving a culture of innovation and continuous improvement to support the NSW Government's commitment to the delivery of strategic policy on energy, climate change and sustainability, including the NSW Government's *Net Zero Plan Stage 1: 2020-2030*.

7.11.2 Energy efficiency for heritage buildings design and performance

PMNSW is committed to reducing greenhouse emissions and have in place an endorsed target of Net Zero by 2035. Heritage buildings play a crucial role in the journey to achieving this target by becoming energy efficient and reducing reliance on coal fired power and other fossil fuels.

The *Sustainable Heritage Buildings Guide* provides policy and practical guidance to improve performance and reduce environmental footprint. This guide should be used by lessees, occupiers, architects, specialist and anyone who maintains or operates 132-134 Cumberland Street, The Rocks.

Policy 44

The terraces should be reviewed for application of environmental sustainability, upgrading of energy performance and user comfort, with respect for maintaining the heritage values of the building.

Policy 45

Upgrades to improve the performance and operations of heritage buildings must be sensitively designed by experienced heritage architects and engineers; performance solutions should be explored as a means to improving environmental performance with minimal heritage impact.

Policy 46

Works must support the use of local and traditional resources and materials, repairing, reusing and upcycling, where appropriate, as part of the Circular economy for sustainable heritage management.

Policy 47

Responses to improve the sustainability of a building should first review the inherent climate response within the historic architecture of the building.

Guidelines

- A number of the buildings in the Rocks incorporate techniques for thermal management and air flow developed through the mid to late 19th century, including operable wall ventilators stair wells and roof cowls.
- Some modern requirements for energy efficiency and thermal management such as building sealing for air conditioning efficiency, measurable fresh air intakes etc. may work against the inherent design performance of the building.

7.11.3 ESD and Passive Design Upgrades for Heritage Building Performance

The key elements of passive design are building location and orientation on the site, building layout, window design, insulation (including window insulation, thermal mass, shading, and ventilation. Each of these elements works with others to achieve comfortable temperatures and good indoor air quality.

While the location and orientation of heritage buildings generally cannot be changed, other elements, such as windows, doors walls and ceilings, can be sensitively adapted to improve the building's environmental performance.

Policy 48

Energy performance upgrades must aim to improve sustainability outcomes for heritage buildings and can include performance upgrades for thermal comfort, acoustic and noise attenuation, lighting and water consumption and the like.

Policy 49

Sustainable and passive solutions must be investigated and implemented, and their effectiveness measured, before the need for mechanical ventilation to supplement existing passive measures, is considered.

Guidelines

- ESD principles should be adapted for use in heritage buildings to improve the building performance, energy efficiency and user comfort including the introduction of passive controls through natural ventilation, cross ventilation, roof cowls and ceiling fans for hot air dispersion where appropriate as well as compatibility designed sun shading, awnings and blinds. Additional glazing and double glazing and wall and ceiling insulation can also be introduced where appropriate.
- The introduction of environmentally friendly renewable energy infrastructure for electricity generation and storage, and water storage and harvesting including solar panels, water tanks and the like is generally supported and must be designed and installed to support and must not detract from the overall heritage values and qualities of the property, its setting and context.
- Solar panels can be introduced to buildings and are to be mounted so as not to be visible from the Street frontages or overlooking from neighbouring buildings.
- Ensure that ceiling fans do not adversely impact, visually and/or materially, on significant fabric such as ceiling roses, pressed metal, light fittings, etc.
- Seek advice to ensure that the placement of fans does not result in chaotic air movement, low ceiling pressure zones against the ceiling and undifferentiated air pressure in other parts of the building.
- The acoustic performance of all windows can be upgraded in the following ways:
 - For windows not of exceptional significance, install thicker glass and adjust the counterweight on the mechanism within the window frame to allow for the increased weight of the new glass.
 - On the inside of the window, install an inner sheet of glass set in a timber or metal frame or a sheet of plastic fixed with magnetic strips. Either option should be reversible and not be visible from the exterior.
 - Insulation of the roof space can be placed at the level of the ceiling joists. When the roof is re-sheeted, insulation could be added to the level of the rafters using a breathable product.
 - Thermal ceiling insulation should be installed above the level 2 ceilings if insulation is not already in place.

7.11.4 Mechanical Solutions to Supplement Passive Design for Heritage Building Performance

The introduction of mechanical solutions for climate control in heritage buildings should be designed to take into account the inherent thermal, acoustic and other qualities built into its design to manage and respond to its environment.

In heritage buildings mechanical solutions can be designed to improve the building's performance. They should operate efficiently aim to minimise operational energy consumption

and source energy from carbon neutral energy sources in line with the NSW Government's Net Zero Plan -2020-2030.

Policy 50

Mechanical systems should be designed to supplement existing passive measures. This will ensure that any necessary mechanical systems operate efficiently and reduce energy consumption in line with PMNSW's Net Zero Strategy and NSW Government's Net Zero Plan -2020-2030.

Policy 51

Full and mixed mode mechanical ventilation systems must only be considered if it can be demonstrated that passive solutions and the inherent properties of the building do not provide a comfortable enough environment for its ongoing viability and/or use.

Policy 52

Mechanical solutions, following the implementation and analysis of passive solutions, must be designed and selected in consideration of the heritage values of the place. The design of mechanical solutions must be supported by an options analysis demonstrating that the proposal presents the least impact to the significant fabric of the place, and accounts for ongoing energy consumption and are subject to approval.

Policy 53

Maintain internal blinds on the west elevation and if required on the east elevation. All other methods of passive sun control such as external blinds, improved ventilation, use of free-standing fans or ceiling fans and heating through free standing heaters should be investigated and trialled prior to air conditioning.

Policy 54

Ensure that ceiling fans do not adversely impact, visually and/or materially, on significant fabric such as ceiling roses, pressed metal, light fittings, etc.

Seek advice to ensure that the placement of fans does not result in chaotic air movement, low ceiling pressure zones against the ceiling and undifferentiated air pressure in other parts of the building.

Policy 55

The acoustic performance of all windows in these houses can be upgraded in the following ways:

- *For original windows or exceptional significance - on the inside of the window, install an inner sheet of glass set in a timber or metal frame or a sheet of plastic fixed with magnetic strips. Either option should be removable and not be visible from the exterior.*
- *For 1990s windows (i.e. windows not of exceptional significance) - install thicker glass and adjust the counterweight on the mechanism within the window frame to allow for the increased weight of the new glass.*

Policy 56

Insulation of the roof space can be placed at the level of the ceiling joists. Should the roofs be re-slatted, insulation could be added to the level of the rafters using a breathable product.

Guidelines

- The factors contributing to discomfort are to be identified and quantified before the development of any solutions. A mechanical engineer should be engaged to prepare site specific recommendations. This is to include an audit of the current building and

recommendations for a performance-based upgrade that respects the heritage significance of the property.

- Gas and electrical fittings can be used in individual rooms including within the fireplaces.
- Careful system selection and implementation is integral to the success of any mechanical heating, cooling, and ventilation (HVAC) system. This is even more critical with heritage buildings, where the impact of mechanical systems coupled with passive systems should be minimised for their visual and physical impact on the building.
- External reverse cycle air conditioning units for heating and cooling should generally be positioned so as to not be visible outside the property and are below 1.8m. Conduits are to be surface mounted on the wall and through grilles into the ceiling.
- The existence of roof-top solar panels (noted in the 2015 CMP as being disused) should be confirmed. Any redundant fittings should be removed. The option to reinstate and reconnect the panels could be explored but the reason that they were previously disconnected should be considered.

7.11.5 Heritage Disaster Risk Management

Background

The Rocks Heritage Disaster Risk Management Strategy 2021 has been prepared to identify human and natural hazards and set out a disaster risk mitigation strategy for the precinct.

The property is identified in this Strategy as contributory to the significant streetscape of the Longs Lane Precinct and The Rocks heritage precinct.

The Strategy sets out recommendations for the Rocks Precinct and also specific site and building pre disaster preparedness, emergency response and post disaster recovery strategies and actions.

Policy 57

The recommendations for the precinct wide disaster risk management and specific site and building strategies should be applied to 132-134 Cumberland Street. This includes all recommendations for disaster risk preparedness, emergency response and post disaster recover strategies and actions.

7.12 Archaeological Resources

Background

All archaeological relics are protected under the Heritage Act.

Areas of Archaeological sensitivity are located on the site. The archaeological sensitivity is summarised on the Archaeological Zoning Plan in Section 3.6 of this CMP. An indication of the archaeological resource of 136-138 Cumberland Street was provided by an archaeological watching brief during conservation works in 1994. Archaeological evidence for earlier structures on the site remains below the ground.

Policy 58

The retention and conservation of above and below ground archaeological relics insitu is best practice management of the archaeological resource. All decisions must seek to retain the heritage values identified in this CMP.

Policy 59

The site should be subject to further testing and is to be monitored by a qualified archaeologist who meets the Heritage NSW Excavation Director Requirements to disturb relics on a SHR listed site during any ground disturbance in accordance with the archaeological provisions of the Heritage Act.

Policy 60

Subsurface disturbance must be avoided, or restricted where possible to reduce the impact on archaeological remains at this site.

Policy 61

Where works are proposed to be carried out in close proximity to probable archaeological relics that are able to be retained in situ, strategies should be put in place to ensure that construction work and/or heavy machinery does not disturb or damage those relics. Refer to Section 3.4 of this CMP.

Policy 62

Archaeological assessment by a suitably qualified and experienced archaeologist should be carried out in the site prior to the commencement of any works to inform previous layouts and character of the site, future conservation, interpretation and upgrading work, and to determine if any approvals are likely to be required.

Policy 63

An appropriate on-site investigation strategy (an archaeological methodology and Research Design) must be prepared and submitted to the Heritage Council as supporting documentation for any excavation permit applications.

Policy 64

An application for an excavation permit must be made under Section 60 of the Heritage Act for any proposed excavation works within the boundary of the place/study area.

Policy 65

All ground disturbance associated with future development of the site in areas previously not investigated through archaeological excavation must be undertaken in accordance with a Section 60 approval, or a Section 139 exception issued by the Heritage Council and are subject to approval. Work must be consistent with the proposed archaeological methodology and any conditions of the archaeological approval which may include archaeological monitoring or salvage excavation.

Policy 66

Onsite personnel are to be made aware of their obligations and requirements in relation to the archaeological provisions of the Heritage Act and obligations under the NPW Act relating to Aboriginal "objects" or relics.

Policy 67

In the event that historical archaeological relics are exposed on the site, they should be appropriately documented according to the procedures outlined in the archaeological methodology accompanying the application for an Excavation Permit. For above and below ground archaeological remains, an archaeological watching brief, with further testing prior to any disturbance or monitoring program is recommended.

Should any unexpected archaeology be uncovered during the excavation works, the Heritage Council must be notified in accordance with Section 146 of the Heritage Act. Works must stop and a suitably qualified and experienced historical archaeologist must be brought in to assess the finds. Additional approvals may be required before works can recommence on the site.

Guidelines

- The Section 170 Heritage and Conservation Register listing for 136-138 Cumberland Street sets out recommendations for managing archaeological resources on site.
- The archaeological resource of the site is of State significance, due to the early and ongoing occupation of the site. The site is identified in the Map of Archaeological Resources in The Rocks (Appendix C of The Rocks Heritage Management Plan 2010) as an area of archaeological sensitivity.
- Based on the significance of the site and the baseline archaeological assessment (Refer to section 3.6) in this CMP, it is recommended that an archaeological assessment be undertaken prior to any ground disturbance for this property.
- For the remainder of the site, there is high potential for below ground archaeological remains in unexcavated areas; and care should be taken so as not to disturb any potential archaeological resource below ground.
- Due to the manipulation of the landscape, it is not known if subsurface deposits exist that relate to pre-European Aboriginal occupation of the area, or subsurface deposits from the period prior to the construction of the property.
- Suitably qualified and experienced historical archaeologists, for the purpose of assessing excavation works including archaeological monitoring, or salvage excavation for works on state significant sites, must meet the Excavation Director Criteria (ED Criteria) as identified in the *Heritage Council of NSW Criteria for assessing Excavation Directors*.
<https://www.heritage.nsw.gov.au/assets/Uploads/files/Excavation-Directors-Assessment-Criteria.pdf>

7.13 Painting and Finishes

Background

Colour schemes and paint types used on heritage buildings, and the use of surface finishes, i.e. lime washes, mineral paints, tung oil, waxes, stains and varnishes, form a major part of the history of the place. They are important in providing physical evidence of changes to the place over time, and form part of its historical interpretation.

Best heritage practice encourages the continued use of traditional paint types and finishes. The use of modern paints and finishes can in some instances cause inadvertent consequences to the building fabric. Where practicable, the use of traditional paint finishes such as lime washes, or acrylic finishes are supported. For timber joinery, the continued use of oil-based enamel paint is preferred. Oil-based paint soaks into and provides moisture into the timber, whereas acrylic paint does not.

Colour schemes should complement and not detract from the historical and architectural character of the terraces, as well as their broader setting and context within the Longs Lane Precinct.

The existing worn paint finish on the external facade of 136- 138 Cumberland Street has been retained and sealed with Murobond Mineral Silicate Matt Clear coating.

Policy 68

Adopt a compatible paint colour scheme based on research about the place, or based on an understanding of the building type, use, period and architectural style, sympathetic earlier paint colour scheme, or compatible contemporary paint colour scheme.

Policy 69

Existing external finishes to joinery and walls must be maintained with the same paint type and finish in the existing colour scheme. The external colour scheme must only be changed based on research of early colour schemes. Elements which are currently unpainted must not be painted.

Policy 70

The acrylic finish to the internal walls and ceilings must be retained and maintained. All joinery must continue to be painted in gloss enamel. The internal paint colour schemes may be changed as required.

Guidelines

- Regular painting forms an essential part of maintenance for a number of building materials, especially timberwork, and can extend their service life. Surfaces that were never intended to be painted are not to be painted.
- Continue the use of compatible exterior paint type and finish. Apply water-based paint or clear coatings to the external walls only when necessary. Oil paint is to be used on the external joinery. Walls and joinery are not to be stripped prior to painting.
- Existing external colour scheme which is based on historical evidence is to be retained. It can only be changed after further research into early colour schemes for this building. The proponent for the paint colour change, either the landowner or lessee, should engage specialist heritage advice to research the original and subsequent colour schemes for the exterior and interiors.
- The painted finishes to the rendered brickwork, limited decorative detailing and timber joinery all contribute to the exceptional significance of the property facade. Surfaces that have not been painted are to remain unpainted. For example, unpainted or exposed masonry and bagged brickworks should retain existing finishes and not be rendered or painted.
- On timber floors, a range of floor finishes are acceptable as long they do not require heavy re-sanding to be removed. Acceptable finishes include; natural Tung oil (not synthetic) and water-based sealants. A black Japan stain can also be used.
- The paint on the rear brickwork walls should be removed if brickwork deteriorates further or if evidence of damp develops on the inside face of the walls. A new breathable paint finish such as a limewash could be applied.
- The existing patina on the Cumberland Street and Longs Lane elevations should be retained.

7.14 Landscape Works and Gardening

Background

Generally, gardening work does not require approval. However, if landscaping works involve more than normal garden works (i.e. paving, garden beds and plantings), and excavation of 300 mm or deeper is required (e.g. for drainage works), then approval is required, and an archaeologist may need to be involved with the works. Landscaping works involving more than normal garden work including paving, introduction of the garden beds, planting or removing trees and excavation of 300mm or deeper may require approval if the work is not covered under the Heritage Act's Standard Exemption for Excavation. Landscape maintenance is covered by a Standard Exemption. Approvals may be required from the City of Sydney Council and Heritage Council of NSW and an archaeologist may need to be involved with the works. Refer to archaeological policies in section 7.13 of this CMP.

Trees should not be planted close to the property as there is the potential for damage to the foundations and drainage.

Policy 71

Landscaping must be appropriate to the setting and must not damage building fabric (e.g. the activity of tree roots).

Guidelines

- Retain the character of the rear yards as open areas, with the low fencing and brick paving retained.
- No off-street parking is permitted in the rear yard.
- Trees should not be planted close to the property as there is the potential for damage to the foundations and drainage.
- Landscape work need to be preceded by an investigation of the substrate and any paving, early footings, drains, cisterns or other water storage features and cess pits identified. Any significant surviving features, including early paving, are to be retained and incorporated into the landscaping of the rear yards.
- Temporary outdoor garden elements such as wall trellises, BBQ structures and sunshades can be installed, provided they are reversible, and do not affect the heritage significance of the building or surface of the yards.

7.15 Lighting and Signage

Background

Lighting and signage are an important part of The Rocks experience and need to be carefully considered to ensure its effectiveness and enhancement of the visitor experience while protecting the core heritage values that make The Rocks special.

While the best heritage outcome for the building is its continued residential use, if there is a change to commercial use, any required signage must be well designed, positioned and targeted to avoid impacts on heritage values.

Policy 72

All signage and lighting must respect heritage values and not obstruct or detract from the views to and from the terraces, their setting and context and be consistent with PMNSW's Signage and Lighting Policies.

Guidelines

- External lighting should enhance the unique architectural and heritage character of The Rocks at night-time to create an inviting and engaging destination that is distinctly softer and warmer than the surrounding CBD area.
- Lighting should highlight and celebrate architectural features and heritage fabric, to interpret the history of 136 – 138 Cumberland Street and the Longs Lane Precinct.
- Engage qualified lighting and signage designers, architects, and/or heritage consultants to develop considered lighting and signage solutions.

7.16 Ongoing Maintenance and Repair

Background

Despite the properties in Longs Lane being divested on a long-term lease, PMNSW will remain as statutory landowner meaning that Landowner's consent from PMNSW, including Landowner's consent for approval or exemption under the NSW Heritage Act to make changes to any of the heritage listed buildings within the Precinct.

While PMNSW will remain responsible for ongoing maintenance and repair of the public domain areas within the Longs Lane Precinct, the current leaseholder and any future lessees are responsible for undertaking regular maintenance and repair works to maintain the condition of the building in accordance with the Minimum Standards of Maintenance and Repair for Heritage Items as stipulated in Section 8.1 and the Conservation and Maintenance schedules included in Section 8.3 of this CMP.

Works are identified through the Asset Management Plan (AMP) for each property and include the requirements for regular inspections and condition reviews and a cyclical lifecycle maintenance plan. Information from this CMP will inform the AMP.

PMNSW has an obligation to manage its assets in accordance with NSW Treasury Capital Planning Process (CPP) as detailed in Section 6.4.4 and policies in Section 7.2.2. and in accordance with *Management of Heritage Assets by NSW Government Agencies*.

As this building is listed on the State Heritage Register, s118 of the Heritage Act which sets out Minimum Standards of Repair must also be adhered to.

The nature of any building is that its fabric will deteriorate due to the effects of age, maintenance, weather, vegetation incursion and use.

Policy 73

Implement an ongoing maintenance and repair schedule, including regular inspections, and remedial actions where necessary.

Ongoing maintenance must ensure the retention of significance of building elements, and not result in loss of significance due to neglect or the deterioration of fabric.

Policy 74

Ongoing maintenance and repair of 136-138 Cumberland Street by the property owner or its agent, is essential to ensure its long-term conservation and management obligations for state government under the NSW Treasury CPP and NSW Heritage Act.

Policy 75

Ongoing maintenance and repair of 136-138 Cumberland Street that is the responsibility of the lessee, will be clearly identified by PMSNW and explicitly specified in any lease agreement.

Guidelines

- In addition to regular maintenance activities, prompt preventative action and repair is to be undertaken as necessary as set out in section 8.0.
- The significant fabric of 136-138 Cumberland Street is to be repaired in accordance with the recommendations outlined in Section 8.2.
- The significant fabric of 136-138 Cumberland Street is to be maintained by the implementation of the short, medium, and long-term maintenance program outlined in Section 8.3.
- Inspection and maintenance works should only be conducted by those with professional knowledge and demonstrated experience with heritage buildings and materials.
- All maintenance work and repairs are to be undertaken in using appropriate materials and skills to ensure that there is no negative impact on significant fabric.
- In particular, new replacement finishes such as paint and roof covering must be of the same kind of material or a properly tested technology; a technologically enhanced version as the existing (oil paint, zinc galvanized steel, limewash, lime mortar, etc).
- Damp is evident below the northern-most window in room 1.1 (W05). The location of the damp corresponds to cracking in the external wall. The cracking should be investigated by a structural engineer and repaired in accordance with their recommendations and in consultation with an expert in the conservation of heritage buildings.
- Any damp on internal walls should be treated in accordance with the recommendations of an expert in the conservation of heritage buildings. The walls and their finishes should be made good when the damp has been eradicated or treated.

7.17 Interpretation

Background

The history, significance and setting of Longs Lane and its neighbouring streetscape group can be highlighted in interpretive material, such as a walking guide and made available through The Rocks Visitor Centre. Additional opportunities to interpret the place and setting may be available at other local venues which are open to the public, such as the Susannah Place Museum.

Policy 76

136-138 Cumberland Street can be interpreted by appropriate methods in a way which explains the building to the public, while respecting the privacy of the building's occupants through off-site interpretation.

Policy 77

All interpretation must be consistent with The Rocks Interpretation Strategy 2006 (as updated from time to time) and be developed by professionals experienced in this field for the property. This will support the telling of the stories about the heritage values of the place within the context of The Rocks without detracting from the heritage significance of the place.

Guidelines

- There is an opportunity to interpret 136-138 Cumberland Street off-site at The Rocks Discovery Museum, while still allowing tenants and occupants the right to privacy.
- 136-138 Cumberland Street could be included on The Rocks Self-Guided Walking Tour and on the Virtual Sydney Rocks Guidebook – it is important to update these online guides with new information.
- PMNSW should continue to explore opportunities for and continue to provide off-site interpretation for 136-138 Cumberland Street and the neighbouring precinct at nearby publicly accessible places, such as Susannah Place, or The Rocks Visitor Centre.
- Ongoing research should be carried out in order to enhance the understanding of 136-138 Cumberland Street and the Long's Lane Precinct. Such research should include actively collecting oral histories of people who lived in the buildings prior to conservation works (including individuals who squatted in the buildings).
- Interpretation at 136-138 Cumberland Street should take into account all periods of development and occupation in the context of the history of The Rocks area under the management of PMNSW and should be presented in an accurate and insightful manner.
- Some heritage items are associated with more than one cultural group, and may have a variety of meanings, some of which may appear to be conflicting. It is then desirable to interpret a variety of meanings rather than present the values of one group and exclude others.
- A collaborative approach is appropriate, with heritage interpreters providing opportunities for people to participate. The first step is to identify all the people who should be involved. This may have been done in a conservation management plan, but if not, it should be included in an Interpretation Strategy.

7.18 Movable Heritage Items

Background

The only potential movable heritage is located in the basement, where small pieces of building fabric are scattered across the floor.

The 2007 CMP described the basement as containing a waterproof box of archaeological items salvaged from the 1997 conservation works to the building. The 2015 CMP noted that the box was missing but some metal and timber items salvaged from the premises, presumably during the 1997 works remain.

Policy 78

Loose items on the floor of the cellar should be collected, assessed for significance by an archaeologist, and recommendations made for the retention, storage, conservation, or disposal of the items.

8

Implementing the Plan

This Conservation Management Plan has been prepared to provide guidelines for the conservation, re-use, interpretation and management of 136-138 Cumberland Street and to ensure that the heritage value of the place is maintained and enhanced.

This section sets out the implementation guidelines for the policies, including a list of management issues and a list of exemptions that can be endorsed by the Heritage Council which will not require further reference for approval.

8.1 Minimum Standards of Maintenance and Repair

Standards that need to be addressed to assure the compliance of 136-138 Cumberland Street with the provisions are those for *Inspection, Essential Maintenance and Repair, Weather Protection, Fire Protection and Security*.¹⁰⁷

The following works must be undertaken to ensure compliance with the Minimum Standards of Maintenance and Repair.¹⁰⁸

136-138 CUMBERLAND ST, THE ROCKS		
Priority Actions		
Work or Activity Required	When to Undertake Work	Who is Responsible
Provide access to stormwater pits and paved rear yard currently concealed under the deck. This will entail minor alterations to the decking planks to create access points at the base of the building around each pit, and possibly a larger hatch in the deck wall to form a crawlspace.	Within 1 year	Lessee
Check correct operation of windows and doors and make adjustments or repairs made as necessary. This includes identifying and repairing damage to mouldings, architraves, sills and thresholds as well as easing and adjusting window sash cords, catches and other hardware and ensuring safety locks to ground floor windows are functioning correctly.	Within 6 months	Lessee
Remove rubbish and leaves from the roof, gutters (including rear privy) and outdoor areas. Provide leaf guards to prevent clogging of gutters and downpipes.	Within 6 months	Lessee

¹⁰⁷ <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infominimumstandards.pdf>

¹⁰⁸ <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infominimumstandards.pdf>

136-138 CUMBERLAND ST, THE ROCKS

Priority Actions

Work or Activity Required	When to Undertake Work	Who is Responsible
Repair the cellar hatch in room g.1 which has broken lifters (the ring of the casting is snapped on both handles). These should be replaced with more robust versions if possible, to allow easy access to the cellar (not inspected for this survey).	Within 6 months	Lessee
Re-putty and repaint first and second floor windows on the west side.	Within 1 year	Lessee
After alteration to deck planking, ensure stormwater pits/drains and are inspected and cleared of leaves, builders' debris etc. And tested.	Within 1 year	Lessee
Provide vermin/ bird protection (e.g. a discreet mesh cover) to the cavity in brickwork behind the verandah door in space 2.8	Within 1 year	Lessee
During alteration to deck planking, ensure concealed paving is protected from damage, cleaned of debris and weeds, and examined for defects (such as ponding of stormwater) and undertake necessary corrective works.	Within 1 year	Lessee
Remove any decayed leaves, earth or debris from the narrow gap between building 136-138 and neighbouring terrace to reduce damp penetration in the hall (space g.2).	Within 1 year	Applicable lessees
Fill crack in step tread to G.5 with a flexible filler coloured to match to keep water/floor-cleaning detergent out of the brickwork.	Within 2 years	Lessee
Ensure overhanging trees are monitored periodically and checked by an arborist to prevent damage to buildings.	Within 2 years	Lessee
Provide protective coating to rusting steel redundant fixtures attached to the north wall to prevent rust staining below.	Within 2 years	Lessee

136-138 CUMBERLAND ST, THE ROCKS

Priority Actions

Work or Activity Required	When to Undertake Work	Who is Responsible
Repair broken and rotting fences, clothesline and gates to the rear yard.	Within 2 years	Applicable lessees

8.2 Condition

Date of inspection 26 March 2024.

The building at 136-138 Cumberland St is in good condition, and the following was observed:

- Roof sheeting was not fully accessible and from observation at eaves level was found to require corrective maintenance to address missing or loose screw fixings, but repairs were being undertaken at the time of inspection.
- Gutters and downpipes are in good condition, being recently installed, however storm drainage at the rear is now difficult to inspect due to the addition of timber decks and steps enclosing a significant area of the rear yard, from the kitchen door to the brick paved lower yard, with no access point to undertake periodic assessment (the paving outside room G.5 is rated exceptionally significant).
- The fence on the western boundary is in poor condition.
- Painted rendered walls and cement moulded details are in good condition although several projecting moulded sills on the second and first floors have wide vertical cracks and are drummy. These will require frequent structural inspection.
- Minor spalling of brickwork is evident at ground level on the west wall of G.3. Paint on render is generally well adhered but some areas of blistering were found near the 2nd floor west window.
- The external walls are coated with mineral silicate matt clear coating to re-adhere historic paint flakes and layers. This coating is appropriate, however further coating would reduce the porosity of the coating and could have potential adverse impacts in the long term, especially on unrendered porous brickwork.
- Doors and windows externally are good, all except the kitchen window (G.5) appear to be operating adequately (G.5 appears to be fixed shut as a security measure).
- The step tread to G.5 has a significant crack which should be filled with a flexible filler coloured to match to keep floor-cleaning detergent out of the brickwork.

- Timber windows on the 2nd floor are showing signs of paint and putty failure on the timber frames.
- The rear triple storey verandah carpentry is in good condition and has been recently repainted.
- A pocket in the brickwork behind the verandah door in space 2.8 contains a timber box channel (purpose unknown) with no bird protection and should be fitted with a discreet mesh cover.
- Internally, fabric and finishes are well maintained with only minor chips and scrapes.
- An area of blistering paint behind the front door indicates salt damp within the masonry which may be associated with debris and damp conditions in the space between the outside wall and the south wall of the neighbouring property.
- A small garden has been established in the southeast corner of the yard, with a single immature lemon tree (Citrus sp.) having been planted in the ground.

In the short-term minor repair works listed in section 8.2 are required. In the longer term, maintenance should be undertaken as set out in section 8.4.

8.3 On-Going Maintenance

The on-going maintenance schedule refers to cyclical maintenance works to fabric that should be implemented as part of the process of on-going management of 136-138 Cumberland St, The Rocks.

Prior to undertaking maintenance works, landowners' consent and exemption or approval under the Heritage Act must be granted by PMNSW, as both landowner and delegate of the Heritage Council. Performed work and any faults discovered, or repairs made, should be recorded, and kept separately alongside a copy of this maintenance schedule.

Carry out essential maintenance and repair whenever necessary in order to prevent the serious or irreparable damage or deterioration. Essential maintenance and repair may extend to (but not be limited to): foundations, footings, supporting structure; structural elements such as walls, columns, beams, floors, roofs and roof structures; exterior and interior finishes, details, fixtures and fittings; and systems and components (such as ventilators or ventilation systems) intended to reduce or prevent damage due to dampness.

136-138 CUMBERLAND ST, THE ROCKS			
On-Going Maintenance Schedule			
Area/Item	Short Term (Every 1–2 Years)	Medium Term (3-5 Years)	Long Term (10 Years)
Generally			
Overall	The property manager/tenant to identify, record and report any maintenance issues as they become apparent on an ongoing basis.	Periodic inspections to be carried out by an appropriately qualified representative of PMNSW (with experience in the maintenance of heritage items). Allow for a structural engineer’s re-inspection every 5 years.	
	Comprehensive timber pest inspection to be carried out by a qualified technician and as specified in the Australian standards.		
External walls			

136-138 CUMBERLAND ST, THE ROCKS

On-Going Maintenance Schedule

Area/Item	Short Term (Every 1–2 Years)	Medium Term (3-5 Years)	Long Term (10 Years)
Brickwork	Visually inspect all areas for deterioration and damage.	Inspect for loose, fretted, broken brickwork or missing mortar in joints. Check for crumbling brickwork or surface salts indicative of damp. Repoint as required with suitable mortar if joints are failing. Ensure walls are straight and true. Inspect surfaces for signs of cracking or subsidence. Check condition of wall vents and subfloor vents to ensure there is free air movement. Ensure redundant historic fittings and fixtures attached to walls are securely fixed and paintwork/coatings maintained.	Repoint as required with suitable mortar if joints are failing
Plasterwork/render	Visually inspect all areas for deterioration and damage.	Check over for drumminess. Seal any cracks with suitable sealant or repair compound. Wash off surface dirt, bird excretion, plant and fungal growth, etc.	
Paintwork	Check for new signs of flaking/peeling, blistering or other damage or deterioration.	Wash off surface dirt, bird excretion, plant and fungal growth, etc. Report on the impact of using sealant on the exterior walls (e.g. evidence of accelerated localised decay due to retarding of vapour transfer in areas	Repaint every 7 to 10 years

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On-Going Maintenance Schedule

Area/Item	Short Term (Every 1–2 Years)	Medium Term (3-5 Years)	Long Term (10 Years)
		subject to damp), or change of colour/gloss etc.	
External elements			
Timber	Inspect for weathering and potential decay. Check paint coatings and finishes to ensure they are adequate.	Inspect eaves and other external timber elements closely. Check for loose timber fixings and timber decay and keep out birds.	Repaint every 7 to 10 years
Windows	Inspect for loose, damaged or weathered timberwork including sashes, mouldings, architraves, stiles, sills. Check that sashes move freely to verify sash cords and weights are in order.	Check all windows for operability; ensure hardware is intact and operational. Check internal faces around windows for stains that can indicate water penetration through flashings, sills or frames. Inspect exterior surfaces for paint failure/weathering especially those on the exposed west façade. Check and repair putty	Repaint external joinery every 7 to 10 years
Doors	Check all doors for operability; ensure hardware is intact and operational. Check for signs of weathering, damage or decay.	Inspect for paint deterioration, failure or damage.	
Decorative brackets, string courses, moulded projecting sills		Inspect for damage or deterioration. Inspect and monitor structural defects	

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On-Going Maintenance Schedule

Area/Item	Short Term (Every 1–2 Years)	Medium Term (3-5 Years)	Long Term (10 Years)
Stormwater			
Cellar	Inspect annually to ensure the space is dry and well ventilated	Allow for structural engineer to inspect floors, ceilings, walls and advise on any preventive or remedial works to manage defects	
Gutters, rainwater heads & downpipes	Ensure birds are not nesting on or around downpipe offsets. Clear guttering and downpipes of any blockages. Ensure gutters are not sagging and fall to downpipes. Ensure leaf guards to outlets, rainwater heads and sumps sit correctly and are clear of debris. Check for organic growth, moss or stains around downpipes. Investigate source of damp if moss or staining detected. Inspect gutters and downpipes for cracks and loose or missing brackets. Repair or replace to match existing as necessary. Avoid hosing leaves and debris into downpipe outlets.	Ensure downpipes are not dented, damaged or restrict water flow. Ensure connection to storm water system is sound and clear of debris. Ensure connection to storm water system is sound and clear of debris. Check straps, astragals, junctions, seals and wall fixings.	
Pits, grates	Ensure any pits and grates associated with stormwater or piped water supply are clean and free of debris.		
Yard drainage	Ensure yard is kept clean and drainage channel is intact, tiles are not broken and the drain is clear of leaves etc.		

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On-Going Maintenance Schedule

Area/Item	Short Term (Every 1–2 Years)	Medium Term (3-5 Years)	Long Term (10 Years)
Sewer system			
Sewer lines		Flush and video the drainage system to ensure that the drain lines are operational to capacity and there are no blockages.	
Yards			
Paving	Ensure all paving, including areas concealed by decking, is checked annually and that deck subfloor is well ventilated and accessible.	Ensure concealed paving is periodically inspected and cleaned of weeds, builders’ debris etc and that surface water drainage is effective. Inspect stone paving for loose, fretted, broken stonework and signs of delamination that can affect the soundness of stone.	
Fences	Check all fences and gates for safety, replace any decayed timber elements. Ensure gate hinges and hardware are effective and lubricated and site security is adequate.		
Garden bed		Monitor growth of the in-ground tree, ensuring it does not come to damage any built structures.	

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On-Going Maintenance Schedule

Area/Item	Short Term (Every 1–2 Years)	Medium Term (3-5 Years)	Long Term (10 Years)
Roofing			
Chimneys	Inspect flashings, pots, flaunching's and caps annually for damage. Remove any plants growing in joints, undertake minor repairs as needed.	Undertake structural inspection of chimneys. Additional safety inspection may be needed after extreme weather events.	
Roof sheeting	Inspect all roofing annually for loose fixings, defective washers, corrosion, bird damage or failure of seals around penetrations. Repair as necessary.	Inspect roofs in detail every 3-5 years. Remove and replace corroded or otherwise terminally damaged roof sheeting. Renew sealants and coatings. Check carefully around penetrations for corrosion and ensure sealants are adequate. Ensure roof anchors are tested periodically by a certified provider.	Galvanized roofing (1997) is showing signs of weathering and may not achieve the typical 50 years in service. Roof anchors (possibly also installed 1997) have a service life of typically 20 years.
Flashing		Investigate whether chemical incompatibility between the flashings and the roof sheeting has caused damage or discolouration of the roof sheeting. Check effectiveness of damp-proof courses and flashings and replace damaged sections.	
Roof framing	Ensure roof framing is inspected during timber/pest inspection.	Inspect structure at five-year intervals by the structural engineer. Carry out any necessary minor repairs.	

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On-Going Maintenance Schedule

Area/Item	Short Term (Every 1–2 Years)	Medium Term (3-5 Years)	Long Term (10 Years)
Parapets, capping		Inspect and repair/restore when necessary. Remove any plants growing in joints.	
Interior			
Generally			
Walls: brick and lightweight walls	Inspect for damp and water penetration. Investigate source and repair where necessary. Record any new cracks in wall/ceiling finishes	Include crack monitoring in any structural survey as advised by the engineer.	
Windows & doors including sashes and frames	Check all doors and windows for scratches, dents, splits or other damage. Ensure doors swing correctly without sticking and doorstops are securely fixed and effective. Ensure door fanlights are operable and cords and catches in place. Ensure window sash lifters are secure (if provided) and that windows are used to optimize natural ventilation. Ensure all hardware is intact and operational. Check architraves and mouldings and re-secure if loose.		
Glazing	Ensure windows are washed with non-abrasive cloth, water and detergent and dried afterwards. Do not jet wash.		

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On-Going Maintenance Schedule

Area/Item	Short Term (Every 1–2 Years)	Medium Term (3-5 Years)	Long Term (10 Years)
Paintwork	Surface clean painted walls with damp soft cloth only when required. Inspect for deterioration or damage. Clean down, prepare and spot prime bare surfaces or small areas requiring touch up. Where necessary reapply, paint avoiding build-up of paint on timberwork in particular on sashes and door leaves. Clean and apply topcoat or remove paint and apply two topcoats if required.		Repaint internally every 7 to 10 years. Obtain advice on colours from a heritage specialist.
Ceilings	Inspect for damp or water penetration, bowing or warping. Repair as necessary ensuring that significant elements are conserved.		
Cornices, and other ceiling trim	Inspect for damage, clean and repair as necessary.		
Plasterwork	Inspect for damage and deterioration. Any repairs should use material compatible with the original plasterwork and applied by a tradesman with experience in restoration.		
Thresholds	Check for mechanical damage, wear and spalling.		
Timber floor and roof structure	All timber elements (including structural elements) are to be inspected individually		

136-138 CUMBERLAND ST, THE ROCKS

On-Going Maintenance Schedule

Area/Item	Short Term (Every 1–2 Years)	Medium Term (3-5 Years)	Long Term (10 Years)
Floorboards	for damage or deterioration where accessible. A heritage specialist should be consulted about the replacement or repair of any elements. Check for integrity of damp and termite barriers. Inspect floor joists from accessible locations (cellar)		
Joinery (architraves, beads, skirtings, soffits, trim etc)			
Timber staircase			
Services			
Electrical	Ensure all internal wiring is in good condition and has been installed by a qualified electrician and in compliance with Australian standards. Inspect for damage to electrical fittings and fixtures and ensure that they have been installed in compliance with Australian standards.		
Mechanical	Where provided, ensure mechanical ventilation equipment is inspected/maintained and used to minimise damp/condensation.		
Fire safety	Check and maintain smoke alarms compliant with Australian standards (as3786, as1851) should be installed and connected to the electricity supply. Legislation requires that all NSW residences have at least one working smoke alarm installed on each level of a residence. Batteries in smoke alarms that		

136-138 CUMBERLAND ST, THE ROCKS

On-Going Maintenance Schedule

Area/Item	Short Term (Every 1–2 Years)	Medium Term (3-5 Years)	Long Term (10 Years)
	are not hard-wired should be replaced yearly.		
Hydraulic services, plumbing and drainage	Inspect for deterioration and damage to pipework, fittings and fixtures. Check for any damp stains or decayed finishes around plumbing fittings. Secure loose and replace damaged or missing toilet pan seats and fittings. Charge all toilets and run taps to refill drainage traps. Check pressure and flow, valves and controls. Ensure hot water tanks are maintained and tested and not dripping or leaking.		

9

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