



# HARTS BUILDINGS

10-14 Essex Street, The Rocks

# CONSERVATION MANAGEMENT PLAN

Prepared by the Sydney Harbour Foreshore Authority

Perumal Murphy Alessi

June, 2015

Objective ID A812004





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## Executive Summary

This Conservation Management Plan for Harts Buildings, at Nos. 10-14 Essex Street, The Rocks, The Rocks has been prepared for the Sydney Harbour Foreshore Authority (the Foreshore Authority) who owns the property. The property is currently leased to the Shangri-La Hotel through who in turn has a sub-lease arrangement.

This plan provides an analysis of the site and building based on documentary and physical evidence and includes a historical summary, a description of the key phases of development and 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 site. A schedule of conservation works and ongoing maintenance are also included.

Harts Buildings are three, two storey terraces constructed in c. 1892 as a speculative residential development. Constructed to maximise the site they feature rendered facades with restrained decorative detailing, continuous party walls, typical two room configuration on the ground and first floors and rear wing which flanked small, utilitarian yards. The buildings continued to be used as dwellings well into the 20<sup>th</sup> century with only small scale commercial use between 1910 and 1915.

In 1970 the Sydney Cove Redevelopment Authority (SCRA) became responsible for the buildings. During the 1980s the SCRA developed strategies for the redevelopment of certain areas in The Rocks and identified the area bounded by Cumberland and Essex Streets for redevelopment as an international hotel. The works carried out in the 1990s resulted in the adaptation of the buildings for use as a “pub” in association with the adjacent Hotel development. This use continues successfully today and the courtyard now operates as an integral part of the site and pedestrian thoroughfare in the precinct.

Harts Buildings are of State and local heritage significance for their historic, aesthetic, social and scientific associations and cultural values. They make an important contribution to the immediate area and The Rocks in general which is highly significant in its own right.

Harts Buildings must be retained in light of their cultural values and contribution to the area. The commercial use of the buildings is appropriate and should also continue to ensure that the fabric of the building is maintained with minimal intervention and so that the buildings remains a viable asset in The Rocks.

It is anticipated that the buildings will continue to be used as a pub in the immediate future. It is generally recommended that the commercial use and tenancy of the buildings be maintained and regular maintenance and inspections continue.

Harts Buildings, are currently in fair condition. Given that major conservation and adaptive reuse works were undertaken in the 1990s, it is now over 20 years since these works and the buildings are in need of attention to the building fabric and internal fitout.

An inspection undertaken in July 2015, revealed that the buildings internally and externally are in need of review and there appears to be a range of maintenance works required to the buildings in the short term. There is extensive water ingress and water damage to the plasterwork, skirtings and cornice and evidence of damp to the floor bearers and joists along the western wall. Water may be entering via the roof and also from water runoff from the abutting staircase from the courtyard to Essex Street.

In the short term, a thorough inspection and condition report should be prepared for the Harts Buildings to recommend priorities and prepared a schedule of works. The ongoing maintenance Schedule included in section 8.3 should be used as a guide for the inspection and regular maintenance works that will be required.



# Preface & Frequently Asked Questions (FAQs)

## Background

The information contained in this preface relates only to **Harts Buildings, Nos. 10-14 Essex Street, The Rocks**, and is intended to provide direct, up-front guidelines relating to what must and what must not occur at this property. The guidelines are intended to quickly inform existing and potential tenants of the constraints and/or opportunities in light of the heritage significance of the property.

The issues addressed have been developed following discussion with the Sydney Harbour Foreshore Authority. All changes outlined in this preface, however, are subject to the approval of authorities. What is included is an opinion of the author that consent authorities may take into consideration when considering any application.

The relevant information regarding the significance of place and what sort of changes are considered appropriate or acceptable have been provided in the form of questions and answers based on frequently asked questions raised by existing and potential users and tenants of buildings in The Rocks.

These opinions are a summary only of the conservation policies contained in this CMP which must be referred to in the first instance to obtain a more detailed understanding of the issues addressed in this preface.

## Significance of Harts Buildings, Nos. 10-14 Essex Street, The Rocks

Harts Buildings, Nos. 10-14 Essex Street, are of State and local heritage significance for their historic, aesthetic, social and scientific cultural values. The buildings provide evidence of the building practices of the 1890s and remain as good examples of speculative housing constructed in c. 1892. The buildings retain classical, late Victorian external details and their solid construction and decoration of the parapet also indicate the prosperity and confidence of the time leading up to the construction of the buildings.

The buildings occupy a prominent corner site and are significant in the way that the building form and massing respond to the site conditions and indicate the earlier topography and character of The Rocks.

The buildings are amongst a few 19<sup>th</sup> century developments remaining in the area south of the Cahill Expressway and contribute to the diversity of the Essex and Gloucester streetscapes. The buildings are prominent elements in the Essex Street streetscape primarily due to their corner location and modest scale, which is in contrast to the surrounding development.

Harts Buildings are also significant as an integral component of a group of nineteenth century buildings about the intersections of Essex, Gloucester and Cumberland Streets, which collectively illustrate the range, diversity and urban scale of development in The Rocks between 1840 and the First World War.

The adaptation of the buildings represents the evolution of the area and shift away from residential use. The buildings make an active contribution to the history and current character of The Rocks and immediate area. Their use as part of the Hotel complex, commercial and leisure activities provides opportunity for interpretation and appreciation of the buildings.

# Frequently Asked Questions

## Changes to Harts Buildings, Nos. 10-14 Essex Street, The Rocks

### Use

Harts Buildings were constructed in c. 1892 as a group of three speculative dwellings. The residential use continued until the 1970s and possibly 1980s. They also may have had some small scale industrial use and use as a boarding house, however, in the 1980s were roughly converted for use as a site office and then later for commercial use as part of the adjacent Hotel development.

In the 1990s the buildings were adapted for use as a pub, a use which has continued to the present. Works at this time included the refurbishment, repair and reinstatement of all walls, floors, windows and doors and construction of a new stair connecting the ground and first floor levels. Openings were made in the internal walls to connect the rooms with stairs and floor levels added and altered to suit. The small open rear yards were infilled and rear section altered to accommodate male and female WCs on the ground and kitchen and service areas on the first floor. One original stair (in No. 14) was retained to maintain access to the roof, although the enclosures for the removed stairs remain on the roof of the other two buildings.

The buildings have access to large store and loading dock facilities in the basement of the neighbouring Hotel.

In light of the development of the area, it is appropriate that continued commercial use continue.

### Exterior change

***Can this property have additions to the buildings at basement, ground or upper levels, eg for additional rooms or semi-enclosed outdoor living areas?***

New additions at ground and first floor levels and on the roof are not appropriate.

There may be some scope to alter and improve the use of the modern basement area associated with the buildings, however, some negotiation with Hotel management will be required.

***Can changes to the exterior be introduced (eg. new windows and external doors) and if so where?***

No changes to the exterior, particularly addition of new openings, windows and doors and roof dormers are permissible.

It is important that the original external appearance, scale, form, architectural detailing including the roof, parapets, chimneys, rendered mouldings on the street facing facades and existing pattern of openings is retained.

***Can the side or rear courtyards be enclosed?***

The open access and courtyards around the sides and rear of the buildings should be retained and remain open and free of permanent roofs and awnings. Removable umbrellas and furniture may be used to provide weather and sun protection.

***Can new balconies, verandahs, decks or roof decks be introduced and if so, where?***

No new balconies, verandahs or decks can be introduced, particularly on the roof.

***Can new dormer windows and/or skylights be introduced? Where can these be located? How big can they be?***

No new dormer windows and/ or skylights can be introduced.

***What opportunities exist for alterations to achieve flat/ equitable access from the front of this property?***

There currently is level and wide access to part of the first floor of the buildings from the rear courtyard and walkway extending from Cumberland Street. A small lift or wheelchair lift could possibly be provided in the area occupied by the rear office/ ladies' WCs or main stair which was reconstructed and adapted as part of the 1990s works to the buildings. An accessible WC could be provided in the same area on the ground floor, close to the existing ladies' WCs which could also be altered and adapted.

***Can this property have off-street parking? If so, where?***

No car parking spaces are available on the site, however, arrangements may be able to be made with Shangri-La Hotel.

Service vehicles can use the loading dock and basement access to the buildings which is accessible from Gloucester Street.

***Can external aerials, satellite dish or solar panels be added? If so, where?***

The buildings are viewed from all sides due to the publically accessible courtyards and spaces around the buildings. Some service elements have already been added to the roof and parapet. The addition of additional external aerials and satellite dishes should generally be avoided. The addition of solar panels on the northern roof slope may be considered, provided that they are not visible from the street elevations.

***What sort of security grilles can be attached to windows and doors?***

The addition to security grilles to the windows and doors is not appropriate.

***How can new external lighting, security cameras, doorbell or intercom systems be introduced?***

New services for security, communication and the like can be installed provided their installation is planned to minimise damage to the building fabric, are largely concealed from view and be located in areas of lower significance. Specialist advice must be sought.

***What sort of fences can be built?***

No new fencing should be provided to the open footpaths, courtyards and walkways around the buildings. The existing iron fencing along the Essex Street frontage and modern steel fencing, steps and walls around the buildings may be replaced; however, these elements should continue to be low and allow views to and from the buildings.

***Does re-landscaping work need approved and what guidelines apply? (eg. impacts of planting trees on the building fabric, archaeology, and views to and from the property or in relation to the public domain).***

The landscaping and paving around the buildings dates from the 1980s and 1990s works to the buildings and surrounding site. Changes to the paving, steps and walls, planter boxes and planting to the west of the buildings will require liaison the Foreshore Authority.

Any material changes or excavation will require approval from the City of Sydney Council and Heritage Council of NSW. Depending on the nature and location of the works, an archaeologist may need to be involved.

***Does this property have an important relationship with the adjacent buildings?***

Yes, the buildings are part of a group of historic buildings generally located about the intersection of Essex Streets, Gloucester and Cumberland Streets. In particular the visual relationship between the Butchery Buildings (at Nos. 178-180 Cumberland Street) and Lilyvale (at No. 176 Cumberland Street) must be retained.

***Are there any external features of this property that need to be retained and conserved?***

The overall scale, form and character of the buildings must be retained and conserved. The following external fabric must also be retained and conserved:

- the painted stone and rendered base and rendered walls, the stepped parapets and mouldings, party walls and chimneys;
- the roof forms particularly the roof access enclosures;
- the existing pattern of openings, particularly the three separate entries on the Essex Street façade and associated steps and timber framed windows and doors; and
- the sense of the rear wings.

***Are there any internal features of this property that need to be retained and conserved?***

The internal layout of the three terraces and existing central party walls, nibs and bulkheads indicating the former layout with rooms located about the entry hall on the ground floor and sense of the rear wing must be retained. The original timber stair, enclosure and associated finishes accessing the roof of No. 14 must also be retained.

The following features that evoke the original residential character and finish must also be retained:

- timber floors;
- rendered main walls;
- timber framed windows and doors and associated timber joinery;
- fireplace breasts, fireplace surrounds and grates;
- timber skirtings; and
- timber stairs and associated balustrades.

***What are possible locations for new bathrooms and services?***

The former rear wings and existing location of WCs on the ground floor should continue to be used for bathrooms.

There may be some scope to re-use the existing kitchen space, bar areas and possibly the existing rear office in the case of change of use. These are also connected by a service lift and also access to the basement loading dock and store area. A plant room also existing in the north eastern corner of the upper floor and may be adapted or re-used as a service area.

**Can significant walls and floors be removed and opened up?**

No further openings are to be made in the internal walls, and floors must also remain intact.

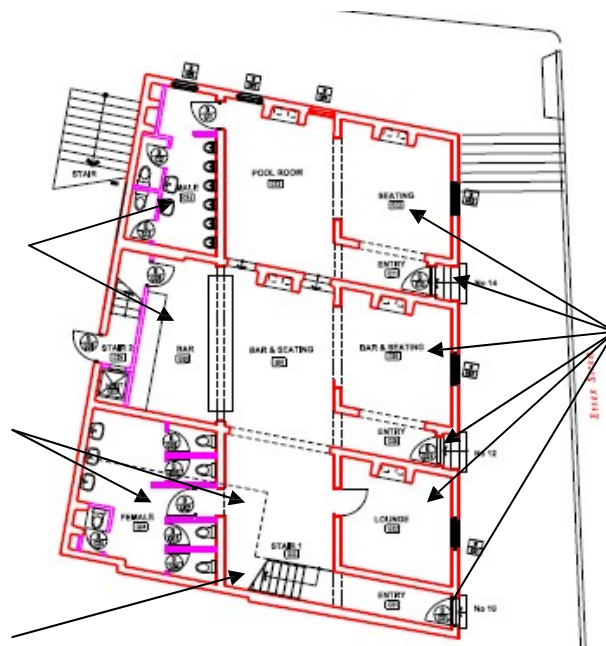
**Can any existing flooring or floor finishes be removed and replaced?**

The buildings must retain timber floors. Timber boards may be repaired and selectively replaced to match as required.

The carpet and vinyl floor finishes may be removed or replaced with care to significant building fabric.

**Can light fittings be changed?**

The existing light fittings may be replaced or upgraded with care to the building fabric, however, existing locations must preferably be re-used to minimize fabric damage.



**Figure P.1** Ground floor plan

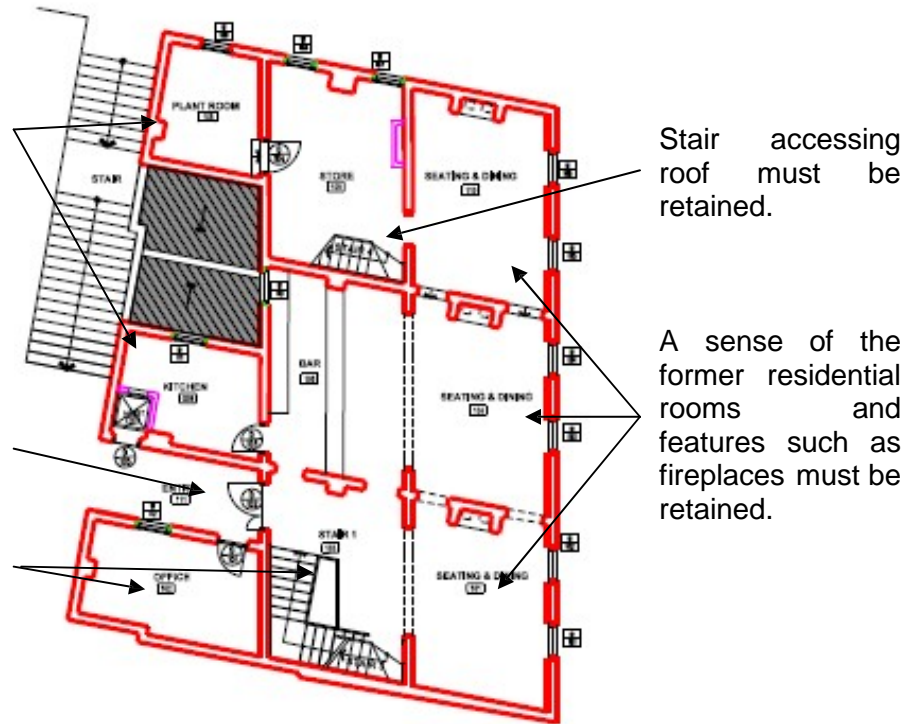


Figure P.2 First floor plan

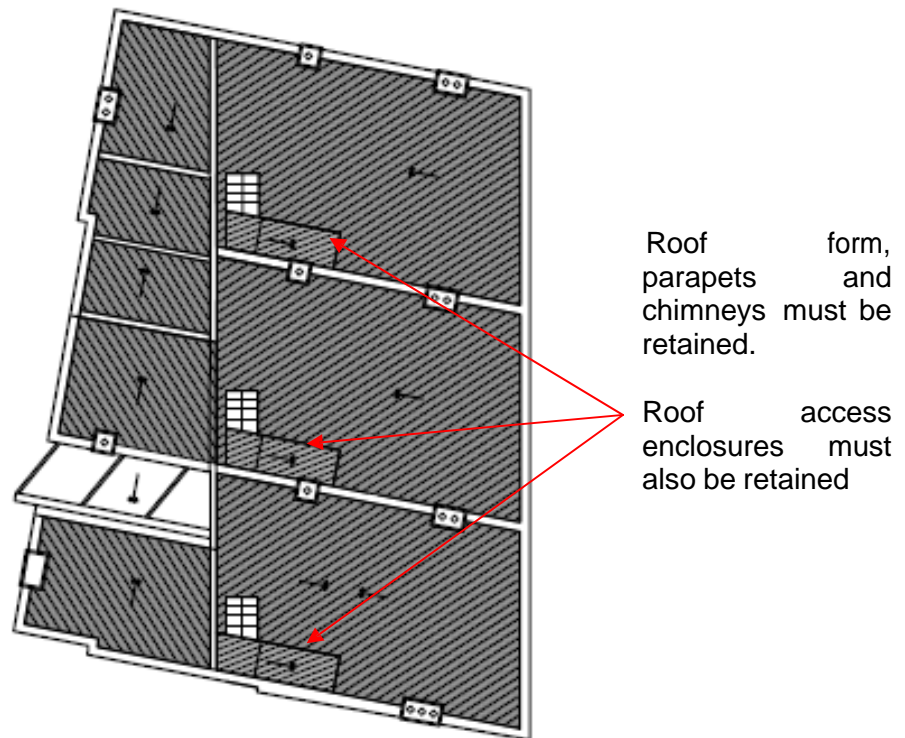


Figure P.3 Roof plan

# 1. Introduction

## 1.1 Context of the Report

This Conservation Management Plan (CMP) for **Harts Buildings, Nos. 10-14 Essex Street, The Rocks**, has been updated by Perumal Murphy Alessi, Heritage Consultants and is based on the CMP prepared by same for the Sydney Harbour Foreshore Authority (the Foreshore Authority) dated December 2007.

The Conservation Management Plan (CMP) for Harts Buildings, Nos. 10-14 Essex Street, The Rocks, has been structured to fit within the framework of The Rocks Heritage Management Plan (adopted February, 2002). It conforms to the current guidelines of the New South Wales Heritage Council and has been prepared to a standard suitable for adoption by the Foreshore Authority and endorsement by the Heritage Council.

## 1.2 Objectives

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

## 1.3 Site Identification

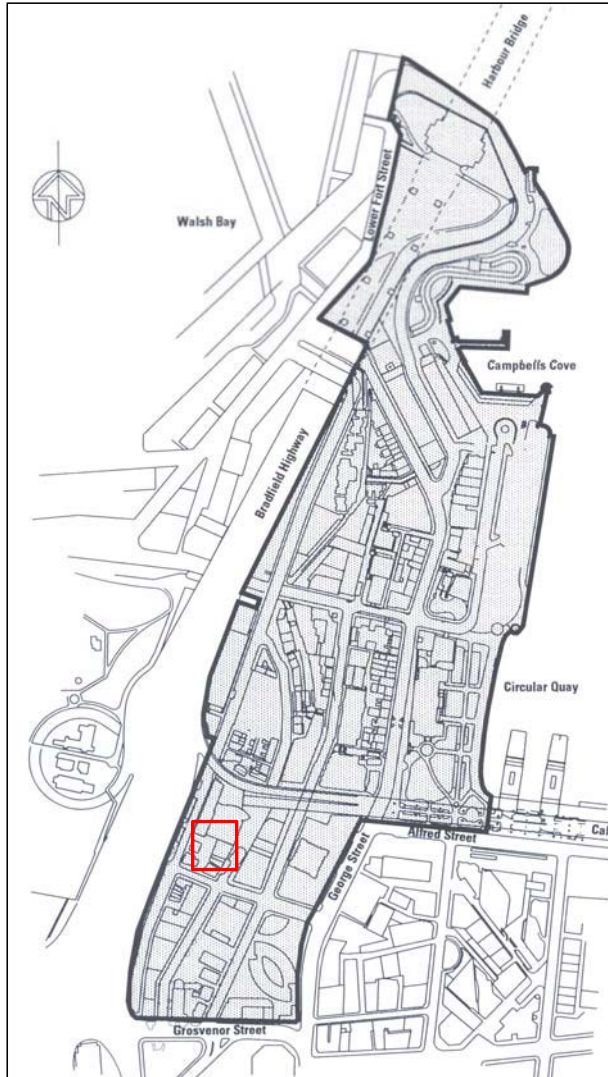
Harts Buildings are located on the northern side of Essex Street and north western corner of Essex and Gloucester Streets. The buildings are also bounded by pedestrian stairs which connect to an internal courtyard shared by "Lilyvale", No. 176 Cumberland Street, "The Butchery Buildings" at Nos. 178-180 Cumberland Street and the Shangri-La Hotel development (former ANA Hotel).

Essex Street falls from Cumberland Street to George Street to the east. The buildings generally step down the slope of the street and site and are now bounded to both the north and west by sandstone stairs added as part of the hotel development of the late 1980s early 1990s.

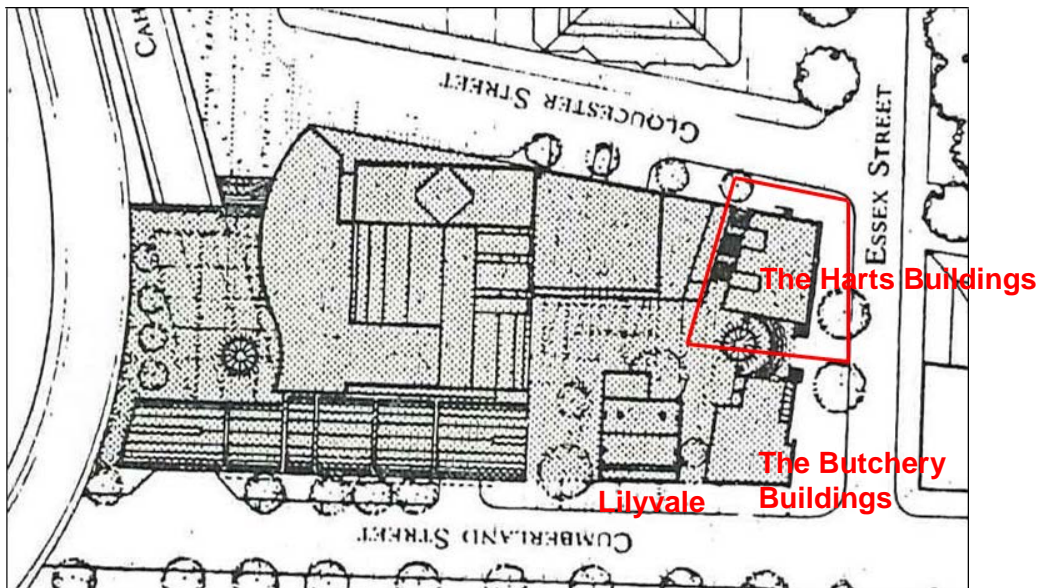
The site is part of Lot 3 DP 778140.



**Figure 1.1** Harts Buildings,  
Nos. 10-14 Essex Street.

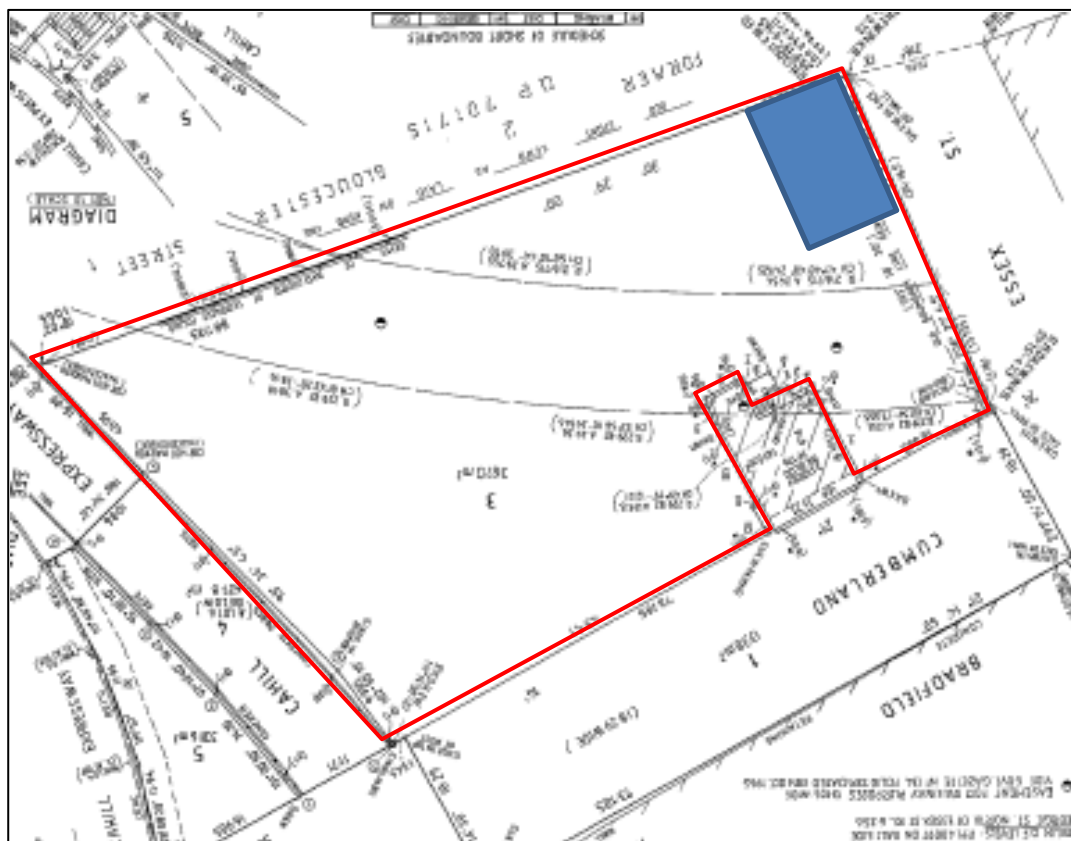


**Figure 1.2** Location of Harts Buildings, Nos. 10-14 Essex Street within the context of The Rocks.<sup>1</sup>



**Figure 1.3** The Harts Buildings (outlined in red) located on the corner of Essex and Gloucester Street, The Rocks, part of the Shangri-La Hotel complex.

<sup>1</sup> Godden Mackay Logan Pty Ltd, *The Rocks Heritage Management Plan* (2010), p.7. *The Rocks Heritage Management Plan*, adopted April, 2010, it may be accessed at [www.shfa.nsw.gov.au](http://www.shfa.nsw.gov.au)



**Figure 1.4** Lot 3 DP 778140, outlined in red, forms the boundary of the Shangri-La Hotel complex and includes a number of buildings. The Harts Buildings are shown in blue, located on the corner of Essex and Gloucester Streets. The property description is Part of Lot 3 DP778140.

## 1.4 Listings

### 1.4.1 Statutory Listings

Harts Buildings is listed on the State Heritage Register, Listing No. 01550, gazetted in May 2002. The current SHR listing boundary Plan 2749 for the Harts Buildings is included in Figure 1.5 and the property description is Part Lot 3 DP 778140. The recommended SHR listing boundary for the Harts Buildings shown in fig 4.10 matches that shown in Figure 1.5.

The buildings are also listed in the Sydney Harbour Foreshore Authority (SHFA) S170 Register.

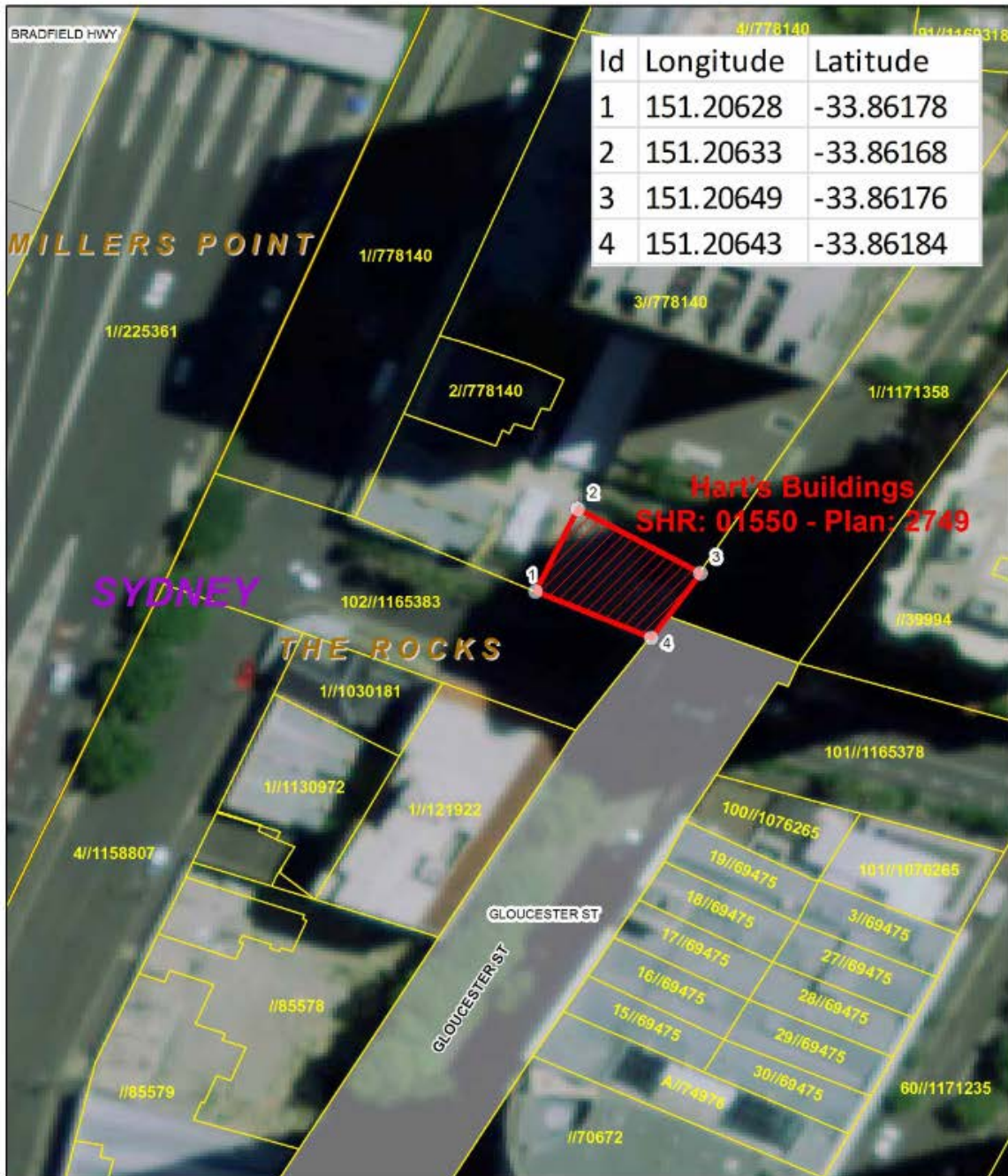
The buildings are also located within The Rocks Conservation Area which is also listed in the S170 Heritage and Conservation register as a local item.

### 1.4.2 Non Statutory Listings

Harts Buildings are not individually or as part of a group, included on the Register of the National Estate and have not been classified by the National Trust of Australia (NSW).

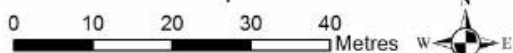
The buildings are, however, located in The Rocks Urban Conservation Area, classified by the National Trust of Australia (NSW).

Heritage Council of New South Wales



State Heritage Register - SHR 01550, Plan 2749  
 Hart's Buildings

Gazettal Date: 10 April 1999



Scale: 1:750  
 Datum/Projection: GCS GDA 1994



Legend

- SHR Curtilage
- Land Parcels
- Railways
- Roads
- LGAs
- Suburbs

Figure 1.5 The current SHR listing boundary Plan 2749 for the Harts Buildings.

## 1.5 Building Description

Harts Buildings are a group of three, two storey terraces constructed in the Federation period with restrained decorative details. Constructed to the street frontages and Essex and Gloucester Streets corner the buildings feature relatively plain and unadorned rendered brick walls with profiled cornice, string course and piers parapet which generally conceals the roof from view from the street. The rear of the buildings has been altered and is viewed from a public stair and thoroughfare and central courtyard enclosed by the buildings and its neighbours facing Cumberland Street.



**Figure 1.6** Nos. 10-14 Essex Street which is constructed to the Essex and Gloucester Street frontages and are characterised by relatively unadorned rendered facades surmounted by a distinctive parapet.

## 1.6 Methodology and Structure

This Conservation Management Plan has been prepared in accordance with guidelines outlined in *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 1999*, known as *The Burra Charter*; the Heritage Division, former NSW Heritage Office's Guidelines on *Conservation Management Documents*, and James Semple Kerr's, *The Conservation Plan* (sixth edition) 2004.

*The Burra Charter* proposes processes and principles for the conservation of an item. The *NSW Heritage Manual* explains and promotes the standardisation of heritage investigation, assessment and management practices in NSW. The key methodology of both documents is to identify the nature of any heritage significance as a basis for making decisions which will affect the future of the place.

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 Harts Buildings.

The following sections address various management issues, and the role and objectives of the relevant heritage authorities. They provide the framework for the formulation of the conservation policies and implementation guidelines.

## 1.7 Documentary and Photographic Sources

Architectural plans of the buildings and site have been supplied by the Foreshore Authority. All additional research has been undertaken at the Mitchell Library, City Archives, the NSW Land and Property Information Office, Sydney Water Plan Room and Sydney Harbour Foreshore Authority Library and Archives.

Historical photographs, unless otherwise stated, were sourced from the Foreshore Authority Archives and collections. Contemporary photographs included in this report, unless otherwise stated, were taken by Luisa Alessi of Perumal Murphy Alessi, Heritage Consultants, in October and November 2014, specifically for the preparation of this report.

## 1.8 Terminology

The terminology used in this report, where referring to conservation processes and practices, follows the definitions as presented in *The Burra Charter*. Article 1 of the Burra Charter gives the following definitions<sup>3</sup> -

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

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

Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects.

Places may have a range of values for different individuals or groups.

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

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

**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.

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

**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.

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

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

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

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

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

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

<sup>2</sup> Schwager Brooks and Partners Pty Ltd, *ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan*, May 1989.

<sup>3</sup> *Australia ICOMOS Burra Charter 1999*, p. 2.

## **1.9 Authorship**

This 2015 Conservation Management Plan has been updated by Luisa Alessi, Architect of Perumal Murphy Alessi, Heritage Consultants.

The updated CMP is based on a Conservation Plan prepared by Schwager Brooks and Partners Pty Ltd, Architects and Planners in 1989 on the Historic Buildings on the D1 site in The Rock with contributions from Wendy Thorp and Associates, historian and historical archaeologist. This CMP has been reviewed and provided information on the historical development of the site and buildings at that time. Reference has also been made to Foreshore Authority and City Archives building files.

The CMP draws the Report on Archaeological investigation for Lilyvale Cottage prepared in March 1992. This investigation undertook historical research and historical archaeological site works for the Sydney Cove Redevelopment Authority. Wendy Thorp was the Principal Consultant and Excavation Director, with a range of historical archaeologists including Wayne Johnson and Graeme Wilson and input from Val Attenborough on the Aboriginal archaeological investigations for this project.

## **1.10 Acknowledgements**

The 2007 Conservation Management Plan prepared for The Harts Buildings at Nos. 10-14 Essex Street, The Rocks, to which this current 2015 CMP makes reference, was prepared by Perumal Murphy Alessi.

The author also wishes to acknowledge the assistance of Ms Miriam Stacy, Mr Niall Macken and Mr Justin Hewitt from the Foreshore Authority and Mr Milan Drager from the Shangri-La Hotel.

## **1.11 Report Limitations**

Apart from archaeological investigations undertaken in 1994, this CMP update does not address pre-contact Aboriginal history or Aboriginal historical associations. In preparation of this CMP update, no consultation was undertaken with stakeholders or key knowledge holders or the Local Aboriginal Land Council.



## 2. Documentary Evidence

### 2.1 Approaches to History

In order to understand how Harts Buildings at Nos. 10-14 Essex Street, The Rocks developed, this history has been approached thematically, as such a framework offers multiple storylines for the place to assist in understanding all of its cultural values. This method of approach can provide 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.

The Heritage Division, former NSW Heritage Office has developed a thematic framework for use in heritage assessment and management. The Thematic Framework identifies thirty-eight principal themes.<sup>4</sup> The organising principle for the thematic framework is the dynamism of human activity.

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.<sup>5</sup>

The State historical themes of Convict, Industry, Towns, Accommodation, Labour, Government, Law & Order, Domestic Life, leisure and Persons are used in this history to guide research questions, interpret the history, and structure the narrative of the development of Harts Buildings within the context of the development of The Rocks.

### 2.2 Development of The Rocks

#### 2.2.1 Indigenous Sydney - The Cadigal

The Aboriginal people who lived along the coastal area of Sydney were called (erroneously by the Europeans) the *Eora*, or coastal *Darug*. The Sydney area, including The Rocks, Darling Harbour and Pyrmont/ Ultimo formed the territory of a “clan” (subgroup) known as the *Cadigal*. Their word for The Rocks- or more specifically the shore where the hospital stood on George Street between Globe Street and Argyle Street was “*Tallawolodah*”. The peninsula of land which we now call Dawes Point, was “*Tarra*”, and Sydney Cove itself was “*Warrang*” or “*Warrane*”.

Due to the rugged outcrops of rock which later gave the “The Rocks” its name, it is unlikely there was any “permanent” occupation of the upper ridges. Flat stones by the water at Dawes Point were said to have been used by the Cadigal cooking fish.

From archaeological evidence, a campfire was excavated in 1989 on the site of the ANA Hotel, indicating that a small group of Cadigal had, some 500 years ago, stopped on the site and cooked a meal of rock oysters, bream, snappers and other shell fish, no doubt taking in the views over the harbour. In the 1870s it was recorded that a carving of a whale could be seen on the rock at Dawes Point, although this appears to have been buried in c. 1880 when the seawall was constructed.

<sup>4</sup> Both the Australian Heritage Commission (national) and the Heritage Division, former NSW Heritage Office (state) have identified themes for research relating to places of heritage significance. [www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au)

<sup>5</sup> Heritage Division, former NSW Heritage Office, Heritage Information Series, *Historical Research for Heritage*, Baskerville, Bruce, (2000) p. 2.

### **2.2.2 The Convict Settlement (1788-1820)**

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 market place, and at the northern end of the Rocks an observatory, and, in 1791, a fort (Dawes Point Battery) were 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 also a few mansions. From the archaeological excavations that have been carried out over the past 10 years it has become evident that the lives of the convicts was far different than the general view many people have. These convicts were often trades people from Britain's cities, not to mention 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.

### **2.2.3 The Port Town (1800-1900)**

Following the opening up 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 after the assisted immigration and then the gold rushes between 1839 and the 1850s, many old-time occupants subdivided their lands, either selling off portions or else retaining them as landlords.

From c. 1810 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 the area up. Of the 103 deaths attributed to the plague, only 3 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.

### **2.2.4 Redevelopment (1900-current)**

The newly formed State Government Housing Board designed and built "workers" housing in 1911-13 in a move to keep tighter control on the area. 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 sub-urban 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 & Glenmore), and some NSW Government offices (Housing Board, Dept of Labour & Industry, State Clothing Factory). Some private factories were also built in The Rocks at this period (Playfair's butchers, Bushell's, Cadbury's). 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.

With the exception of the MSB, almost no development occurred in The Rocks in the period from c. 1932-1970. Further demolition of houses for the Cahill Expressway occurred in 1956-7, along with the removal of Little Essex Street (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. The local residents, planners, historians and sociologists, with the support of the Builders Labourers Federation, opposed 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 buildings, whilst at the same time being economically viable. Local 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 precinct

In 1788 one of Governor Phillip's most pressing concerns was where to jail convicts that committed crimes in Sydney. Early offenders were initially shipped off to Pinchgut Island (now Fort Denison). The name was derived by marooned convicts whose ration of bread and water was rowed to them once a week. The first George Street jail was built of logs and burnt down in 1799 and it became clear that a more substantial building and area for flogging was required.<sup>6</sup>

By the end of 1800 a stone jail was completed on the corner of George Street and Middlesex Lane. The building, which was surrounded by a high stone wall, was funded by customs levies imposed by naval officer, Surgeon William Balmain.<sup>7</sup> Middlesex Lane had been named by Macquarie in 1810,<sup>8</sup> and was originally an alleyway by the jail, but when it was widened it received the name of Essex Street. After 1820 it was the site for town gallows and was known as "Gallows Hill" from the gibbet which hung there. To avoid potential riot, the gallows were relocated to inside the jail walls, however, this did not prevent the gathering of crowds on the ridges above the jail. The gaol continued on the site until 1841, when inmates were relocated to Darlinghurst. It is now the site of the Four Seasons' Hotel (former Regent Hotel and Kable's Restaurant which recalls the name of the first gaoler).<sup>9</sup>

Meehan's map of the town of Sydney dated 1807 (**Figure 2.1**) shows the general arrangement of the area at this time. The map combines leaseholders (numbered on the

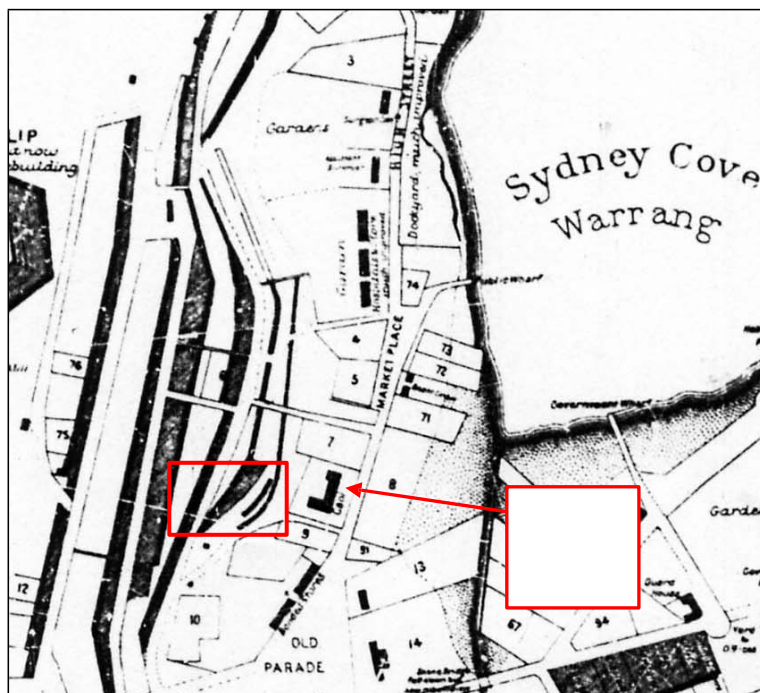
<sup>6</sup> De Vries, S., *Historic Sydney The Founding of Australia*, (1983), p.42.

<sup>7</sup> De Vries, S., *Historic Sydney The Founding of Australia*, (1983), p.42.

<sup>8</sup> Fitzgerald, S., *A Guide to Sydney City Street Names* (1995), p. 75.

<sup>9</sup> De Vries, S., *Historic Sydney The Founding of Australia*, (1983), p.42.

plan) with permissive occupants indicated by the thick black edging along the streets and in vicinity of the subject site, which is located behind the Gaol fronting High Street.



**Figure 2.1** Meehan's Plan of the Town of Sydney, 1807, showing the general arrangement of the area.

(Source: Mitchell Library, Z M2 811.17/1807/1)

Governor Macquarie provided a sense of order when he officially named streets and lanes in 1810. The main, or High Street, was renamed George Street (after the then reigning monarch),<sup>10</sup> however, the streets were not all continuous or well-marked out and a mix-up later occurred between Cambridge and Gloucester Streets when they became intertwined and difficult to separate at the southern end. The confusion was finally solved in the 1830s with the granting of freehold titles and by reversing the street names to their current configuration.<sup>11</sup>

By the 1840s, the land behind the gaol had been subdivided and granted as freehold titles. Intensive freestanding development took place along Gloucester and adjacent streets from this time. Lilyvale Cottage (No. 176 Cumberland Street) was constructed in the 1840s on Cumberland Street as a freestanding residence. However, as the decade progressed, the need for more housing resulted in the construction of town houses and smaller scale terraces. By 1850 the character of Cumberland and Gloucester Streets had been transformed by the construction of multiple unit terrace houses and tenements.<sup>12</sup> The relocation of the gaol and widening of Essex Street also resulted in development of the street, with a number of dwellings also constructed here from the late 1840s.

## 2.4 Historic Themes

In the early years of European settlement in New South Wales houses were generally free standing. It was not until the 1830s that terrace housing was established as a common form, particularly in the inner city areas. An influx of poor migrants and realisation of the potential financial returns gave land speculators incentive to try and meet the demand for cheap accommodation. Terrace housing was ideal as savings could be made on land, two

<sup>10</sup> Karskens, G., *The Rocks Life in Early Sydney*, (1997) p. 21.

<sup>11</sup> Karskens, G., *The Rocks Life in Early Sydney*, (1997) p. 28.

<sup>12</sup> Boyd, N., *Gloucester Street, The Rocks A Study of its Development and Construction* (1997), p. 89.

or more houses could be constructed on lots that previously accommodated one dwelling, and savings could also be made on construction costs with the use of party walls, common chimneys and repetitive detailing.<sup>13</sup>

During the late 1830s a number of changes emerged. In 1837, concern about the structural stability and fire safety of buildings led to the development of a Building Act which also required that party walls were to be of brick and extend beyond the roof surface. Combustible materials were to be excluded externally. As a result, no timber verandahs were allowed, shingle roofs were banned and timber windows and doors had to be recessed behind the external face of the brickwork. A slightly higher standard of terrace housing emerged, however, this was short lived with a decline following the recession of the early 1840s. Public reaction to the Building Act and rising building costs resulted in amendments to the Act in 1839 and relaxing of some of the regulations.<sup>14</sup>

The increased density resulted in rapid disappearance of gardens in front and rear of the buildings and smaller, utilitarian yards. Previously cottage gardens were utilised to grow fruit and vegetables, however, by the 1840s it seems that the residents of The Rocks relied on purchased goods from the numerous local corner shops. Susannah Place, Nos. 58-64 Gloucester Street, indicates the way housing was developing in the 1840s with the lack of front yard and garden (No. 64, retains the original rear yard), and built form maximising the site.<sup>15</sup>

The terraces constructed in areas such as The Rocks, Surry Hills and Darlinghurst, during this period were generally designed with minimal accommodation and little if any architectural embellishment. The better quality terraces were constructed of brick with lime-wash finish, and later a plain stucco finish was used. Early roofs were clad in timber shingles and later in corrugated iron. The gable roof form was used where no parapet was used. Windows and doors just followed the fashions of the day. Internally the walls were generally either whitewashed, plastered or laths with square set cornices. Beaded board ceilings were commonly used in the first floor level with simple joinery throughout.<sup>16</sup>

In plan, the two storey row terraces usually comprised two rooms on both levels with narrower service wing at the rear. The main entrance typically led directly into the front room. An entrance hall was only used in the larger examples. Fireplaces were usually provided in the two main rooms on the ground floor and possibly in one of the upstairs rooms. A kitchen hearth was sometimes provided in the rear wing.<sup>17</sup> Buildings were generally constructed exactly to the property boundary to maximise floor space and unlike the earlier, single storey cottages, faced the street address and not Sydney Cove.<sup>18</sup>

Improvements were made in the 1880s when a higher quality of building was generally being constructed due to the general confidence and affluence of the time, however, the recession of the 1890s resulted in a return to more modest styles of housing. It is in this context that the subject buildings were constructed in c. 1892.

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, floor boards

<sup>13</sup> Green, A., Anglin, L., *Argyle Terrace & Foundation Park 17-31 Playfair Street, The Rocks, Statement of Significance and Conservation Guidelines*, (1988) p. 7.

<sup>14</sup> Tropman & Tropman Architects, *Argyle Terrace Conservation Plan*, (August 1993) p. 17.

<sup>15</sup> Boyd, N., *Gloucester Street, The Rocks A Study of Its Development and Construction*, (1997) Thesis, p. 99-100.

<sup>16</sup> Green, A., Anglin, L., *Argyle Terrace & Foundation Park 17-31 Playfair Street, The Rocks, Statement of Significance and Conservation Guidelines*, (1988) p. 11.

<sup>17</sup> Green, A., Anglin, L., *Argyle Terrace & Foundation Park 17-31 Playfair Street, The Rocks, Statement of Significance and Conservation Guidelines*, (1988) p. 11.

<sup>18</sup> Boyd, N., *Gloucester Street, The Rocks A Study of Its Development and Construction*, (1997) Thesis, p. 98.

and floorcloths 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.<sup>19</sup>

A number of buildings in Gloucester Street, some relatively close to the site, were demolished.<sup>20</sup> It is assumed that the subject buildings were retained, due to their recent construction, building materials and form. The buildings were constructed of solid materials and were separated by masonry party walls which continued up the height of the buildings, past the roof space. Substantial brick buildings such as Susannah Place, which was also constructed with party walls and a few earlier buildings, such as Reynolds Cottages in Harrington Street, also may have survived due to their stone and brick construction materials.<sup>21</sup>

Throughout this period of change and into the mid-twentieth century The Rocks continued to develop as a working class community which revolved around the activities of the wharves and during the 1920s, the construction of the Sydney Harbour Bridge. The Sydney Harbour Trust and later Maritime Service Board (MSB) were responsible for shipping, wharves and maritime activities. They also assumed responsibility for a number of residential properties including the subject buildings. The maritime activities diminished during the 1960s and 1970s and led to a decline in the traditional population and reputation of the area as a slum.<sup>22</sup>

In 1970 the newly formed Sydney Cove Redevelopment Authority started to consider 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' Labourers Federation who imposed a "Green Ban" on all demolitions in the area.

In 1973 The Rocks Resident Groups with a group of interested professionals and academics produced "The People's Plan" which advocated alternative developments for the area and sought to conserve the historic character and nature of The Rocks.<sup>23</sup> The primary aim was to protect the rights of the residents but also promotion of the area as a historic precinct.

In 1988 SCRA changed its name to the Sydney Cove Authority, signifying its change of attitude and philosophy.<sup>24</sup> The main aim now was to adapt buildings worthy of retention, generally for commercial use, so that they would remain as viable components of the area. Development sites were identified for associated commercial and leisure uses, such as hotels, bars and restaurants. The subject buildings were located in such an area deemed appropriate for development as a hotel. The buildings were combined by the opening up of internal party walls and adapted to a pub, taking advantage of its prime corner site. Since that time The Rocks has experienced a mix of conservation and re-development with a range of uses with emphasis on promoting the area as a tourist destination. The buildings have continued to contribute to the historic character and leisure in the precinct as a pub (since 1992) and through its association and use with the adjacent hotel complex.

See Section 2.9 for a summary of the themes relevant to the site, and how they are expressed in the fabric of the place.

<sup>19</sup> Boyd, N., *Gloucester Street, The Rocks A Study of Its Development and Construction*, (1997) Thesis, p. 133.

<sup>20</sup> Boyd, N., *Gloucester Street, The Rocks A Study of Its Development and Construction*, (1997) Thesis, p. 133.

<sup>21</sup> Boyd, N., *Gloucester Street, The Rocks A Study of Its Development and Construction*, (1997) Thesis, p. 152.

<sup>22</sup> Tropman & Tropman Architects, *Argyle Terrace Conservation Plan*, (August 1993) p. 22.

<sup>23</sup> Historic Houses Trust, *Susannah Place 1844 A Museum in the Making*, (1993).

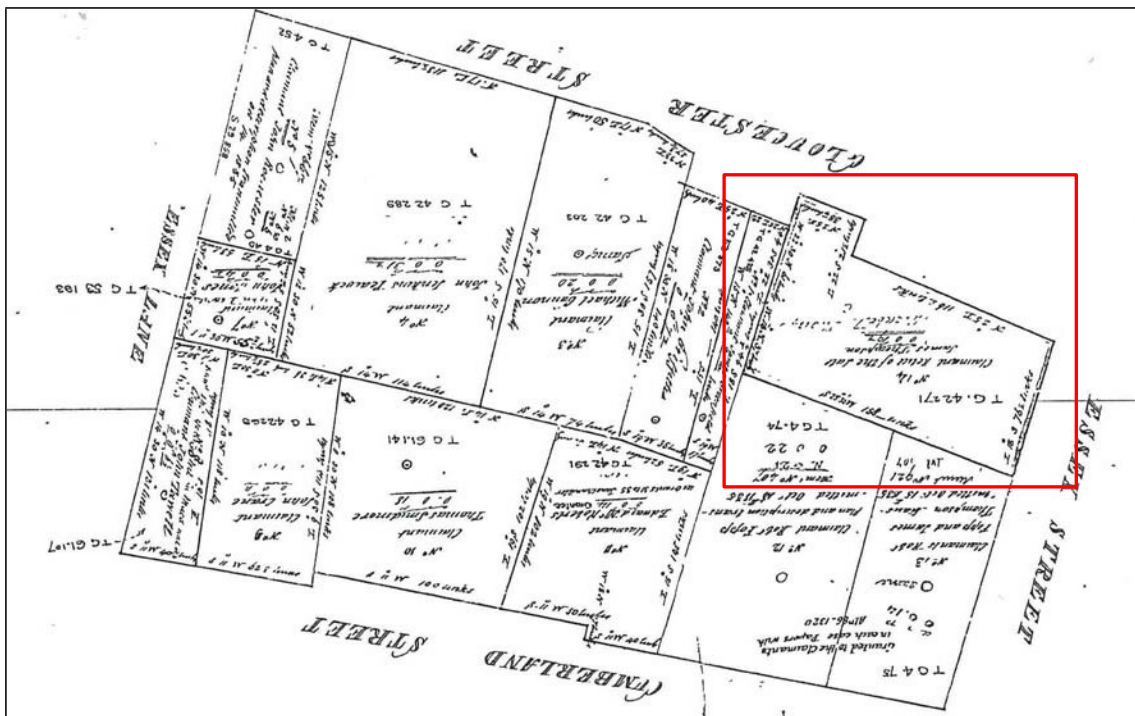
<sup>24</sup> Robert Moore Pty Ltd in association with the Historic Houses Trust, *Conservation Analysis & Guidelines*, (1989), p. 14.

## 2.5 Initial Development of the Site

The site is part of Allotment 14 of City Section 70 originally granted to Elizabeth Thompson on the 19 April 1839.<sup>25</sup> The 1838 Robert Russell<sup>26</sup> plan (**Figure 2.2**) shows Allotment 14 with narrow frontage to Essex Street, extending along Gloucester Street. The claimant is noted as the late James Thompson.

It would appear that Elizabeth subsequently subdivided the site. A plan of Section 70<sup>27</sup> (**Figure 2.3**) shows Allotment 14 divided into two parcels, with the subject site located in the south eastern corner of the section which is generally bounded by Cumberland, Little Essex (formerly Essex Lane), Gloucester and Essex Streets. It is not clear if the Thompsons developed the site in any way, however, in October 1843 the land was conveyed to Mr N Bray. Bray may have developed the site from this time, in 1849 he took out a mortgage to Mr John Minton Hart.<sup>28</sup>

The 1865 Trig Survey plan (**Figure 2.4**) shows that the site was occupied by a regular shaped structure constructed to the Gloucester Street alignment by this time. Two detached structures are also shown constructed to the rear, western site boundary.



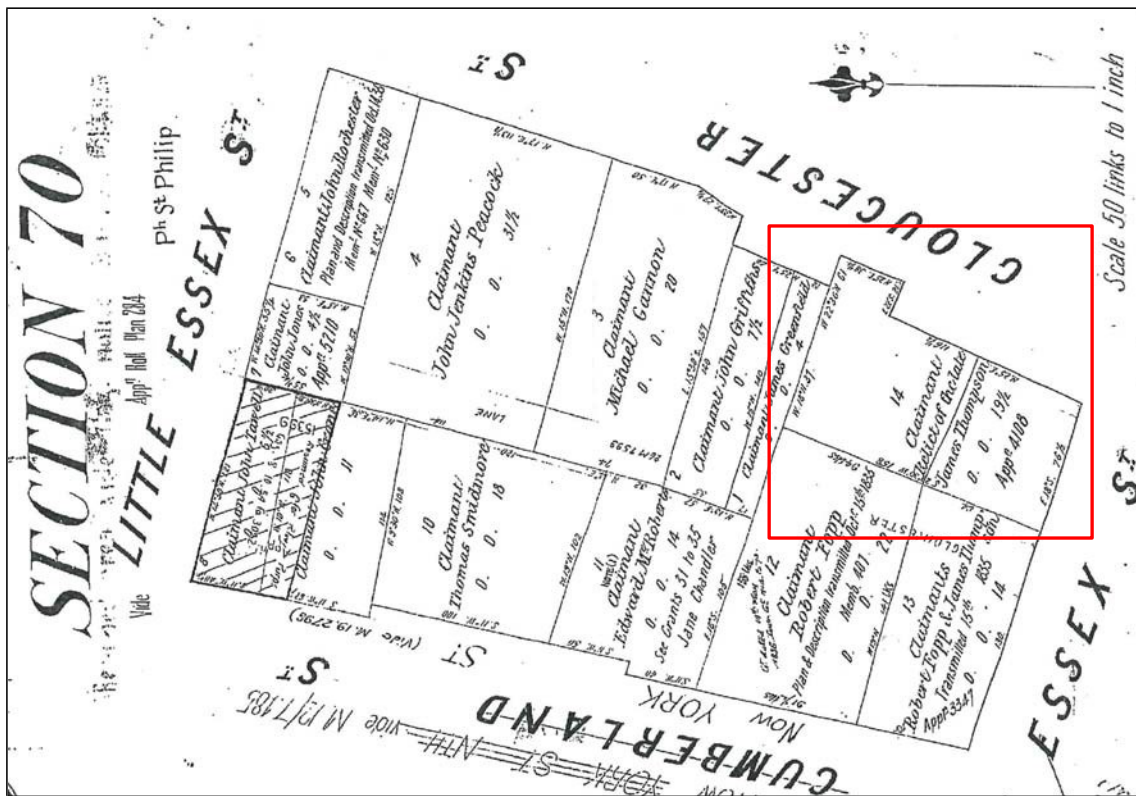
**Figure 2.2** 1838 Robert Russell Plan showing the land claimed by James Thompson. (Source: Foreshore Authority Archives)

<sup>25</sup> Land and Property Information, Primary Application No. 4108.

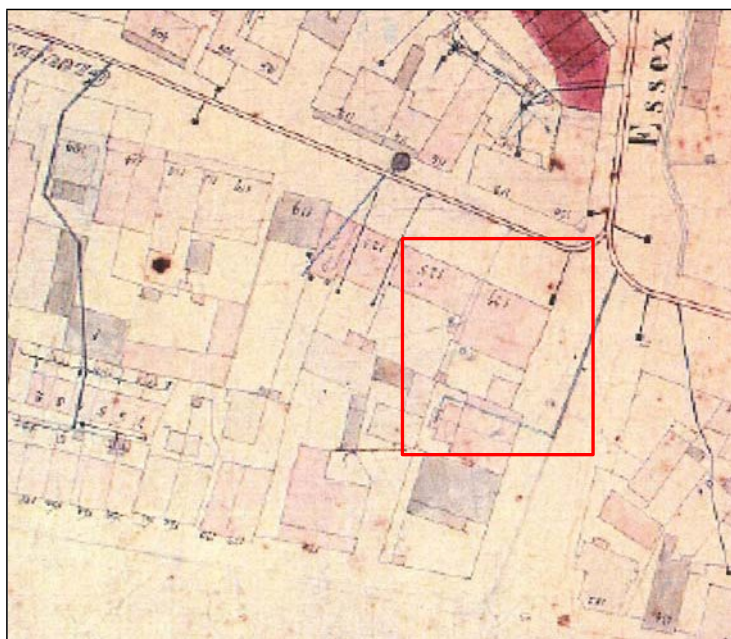
<sup>26</sup> Foreshore Authority Archives.

<sup>27</sup> Land and Property Information, DP 984150.

<sup>28</sup> Land and Property Information, Primary Application No. 4108.



**Figure 2.3** City Section 70, the subject site, part of Allotment 14, occupied the south eastern corner of the block, generally bounded by Cumberland, Little Essex, Gloucester and Essex Streets. It is not clear when “Essex Lane” became Little Essex Street, it is now Globe Street. The re-levelling and changes in the area c. 1900 affected a number of the streets in The Rocks. Cumberland Street was named York Street North in 1912, however, in 1919 it was reverted back to Cumberland Street, although this was not gazetted until 1974.<sup>29</sup> (Source: Land and Property Information, DP 984150)



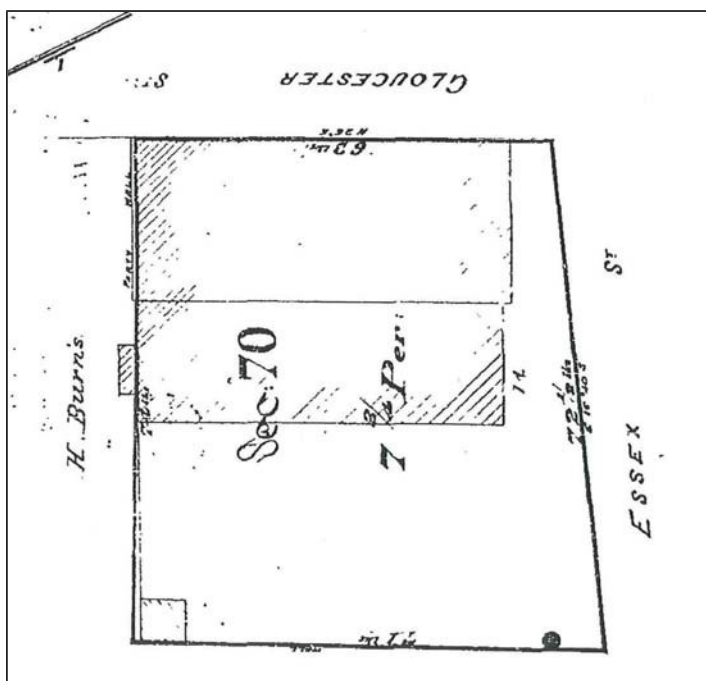
**Figure 2.4** 1865 Trig Survey showing that by this time a building, with frontage to Gloucester Street, had been constructed on the site.

(Source: Sydney Water Plan Room)

<sup>29</sup> Fitzgerald, S., *A Guide to Sydney Street Names*, (1995), p. 69, 74 & 78.

In 1875 the land was purchased by William Daley.<sup>30</sup> The plan on the Land Title dated November 1877 (**Figure 2.5**) also shows the building on the site, with frontage to Gloucester Street. A party wall is clearly indicated on the plan, along the north eastern site boundary. A small detached structure occupies the north western corner of the site. The site was subsequently transferred three times in 1879<sup>31</sup> and in early 1880 was part of a parcel of land extending along Essex Street transferred to Peter Francis Hart, a builder.<sup>32</sup> The plan on this land title (**Figure 2.6**) indicates the same building footprint seen on the earlier plans. In the same year the land was transferred to Elizabeth Hart.<sup>33</sup>

The Percy Dove plan of 1880 (**Figure 2.7**) shows the two, one storey dwellings facing Gloucester Street, Nos. 153 and 155. A small structure is attached to the rear of No. 153. Another single storey structure is also shown on the Essex Street frontage, at the south western corner of the site. This building is numbered No. 10 and is surrounded by open yard. It would appear that it was slightly setback from its neighbour to the west, No. 8 Essex Street, another single storey structure noted as being occupied by a bootmaker. The adjoining building at No. 6, also noted as being a single storey building, was occupied by a grocer.



**Figure 2.5** Plan on the 1877 land title showing the footprint of the earlier buildings on the site.

(Source: LPI Certificate of Title Volume 312 Folio 148)

<sup>30</sup> Land and Property Information, Primary Application No. 4108.

<sup>31</sup> Land and Property Information, Certificate of Title Volume 312 Folio 148.

<sup>32</sup> Land and Property Information, Certificate of Titles, Volume 312 Folio 148, Volume 481 Folio 180, Volume 485 Folio 104.

<sup>33</sup> Land and Property Information, Certificate of Titles, Volume 490 Folio 246.



A Field Survey dated July 1887 (Figure 2.8) confirms the form and setback of the buildings occupying the site. The detail survey shows one set of stairs on Gloucester Street to the front of the buildings, Nos. 153 and 155. An annotation on the plan identifies the buildings with their neighbours to the north along Gloucester Street, as “old cottages”. The buildings appear to be constructed on a rock ledge, which is outlined on the sketch plan. A detached WC is located in the north western corner of the site and another detached larger brick building is located at the rear of No. 155.

These details were transferred to a detail sheet dated December 1887. This plan was subsequently revised in September 1895 (**Figure 2.9**), by which time new buildings are shown occupying the site. The buildings, shown hatched, are constructed to the Gloucester and Essex Street boundaries, with three open yards along the northern site boundary which also featured small timber, attached structures. The main building was constructed in brick. The structures that formerly occupied the site and stair from Gloucester Street are also indicated, however, are crossed out on the plan. It would also appear that the rock face was also cut back to the Gloucester Street building line.



**Figure 2.8** 1887 survey showing the buildings that formerly occupied the site.

(Source: Sydney Water Plan Room, FB 1234 Fol. 3)

### 2.5.1 Construction of the Buildings

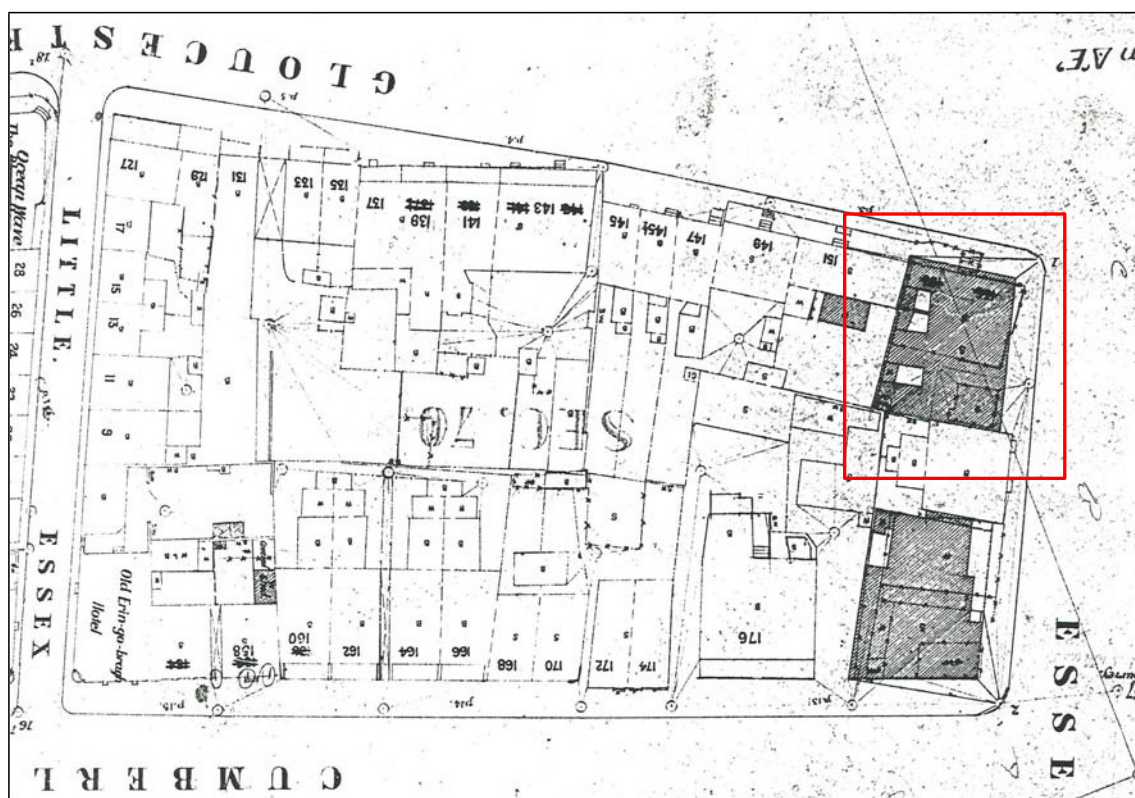
Based on these plans, it would appear that the buildings were constructed sometime between 1887 and 1895. It is assumed that they were constructed in 1892. Nos. 153 and 155 Gloucester Street are listed in the *Sands Directory* until 1892. Nos. 12 and 14 Essex Street are also listed in the *Sands* at this time, however, are listed to the east of Gloucester Street. Nos. 10, 12a and 14a, however, on the western side of Gloucester Street, are first listed in 1893. The *Sands* indicates that the street number subsequently changed and the subject buildings became Nos. 10, 12 and 14 by 1898.

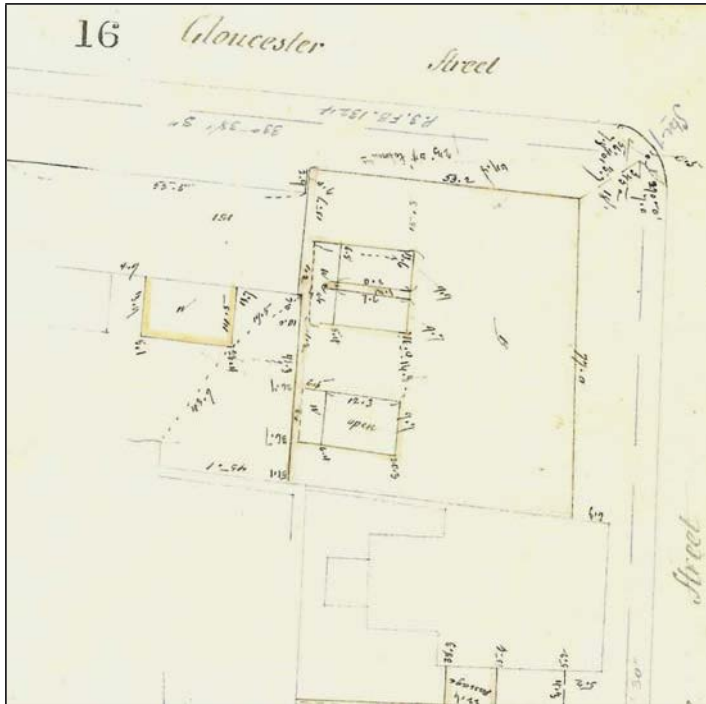
The buildings generally responded to the irregular shape of the site and were constructed on the original rock ledges that characterise the area. Unlike the previous building that occupied the site, the buildings were constructed with frontage to Essex Street and stepped down the grade of the street, which falls to the east, toward George Street. It is not clear why the Essex Street address was preferred, possibly to allow northern aspect to the rear of the buildings. However, housing constructed in The Rocks by this time was not orientated towards the harbour and Essex Street may have lost its association with the gallows and old Gaol by this time.

The buildings were also constructed to the northern and western site boundaries, abutting the existing neighbouring buildings along Gloucester and Essex Streets streetscapes, with only small open yards provided along the northern boundary. It is assumed that the north eastern party wall from the earlier development on the site was retained and new buildings constructed to it and the single storey building to its north, No. 151 Gloucester Street. The wall is exposed today and the shadow line of the gable roof, the height of a single storey structure constructed on a rock ledge is evident. This building was subsequently replaced by two storey terraces constructed by the NSW Housing Board in c. 1912-13.

The 1895 field survey notes<sup>34</sup> (**Figure 2.10**) show the form of the building with attached WCs in the rear yard. The plan indicates a typical type of housing for this period, with rear tunnel back form. Terraces had long been an accepted form in The Rocks with land speculators looking to maximise inner city sites, with no front gardens or setback from the street and restricted open spaces. The buildings also show reference to building codes introduced decades earlier with the incorporation of party walls which extended beyond the roof planes of the buildings.

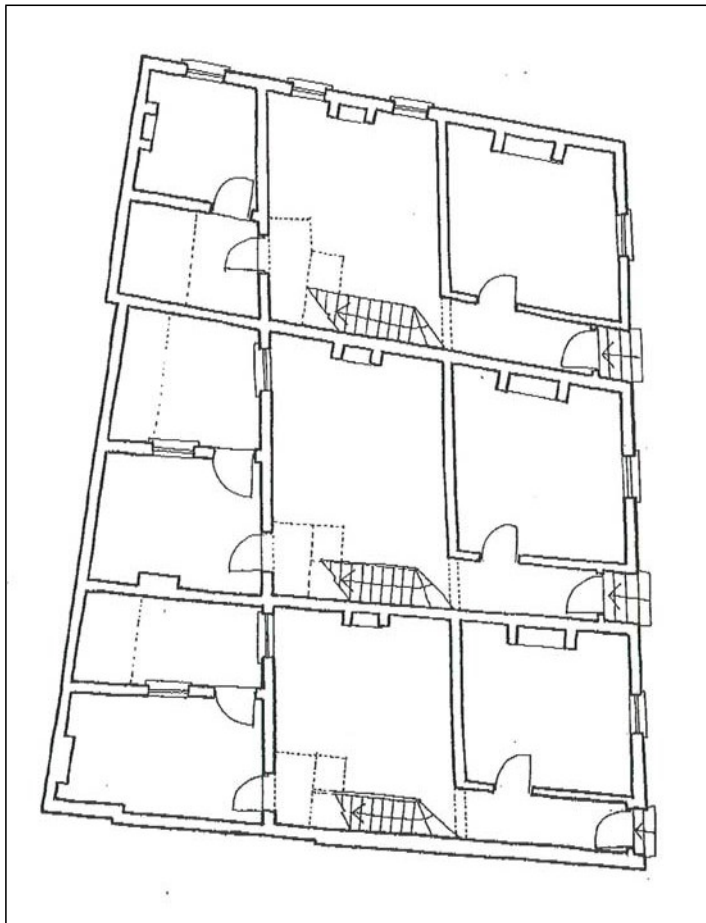
The external form illustrated and inspection of the buildings today suggest that internally the buildings also featured typical internal layout with two main rooms on the ground and first floor with smaller room on both levels in the rear tunnel back (**Figure 2.11**). It is assumed that the three upper rooms were accessed via a stair extending up the party walls and returning into the building. The first floor level was typically split to allow access to each of the three first floor rooms. Another narrow stair extended from the first floor to the roof in each of the terraces. Only one of these stairs remains (in No. 14) today.





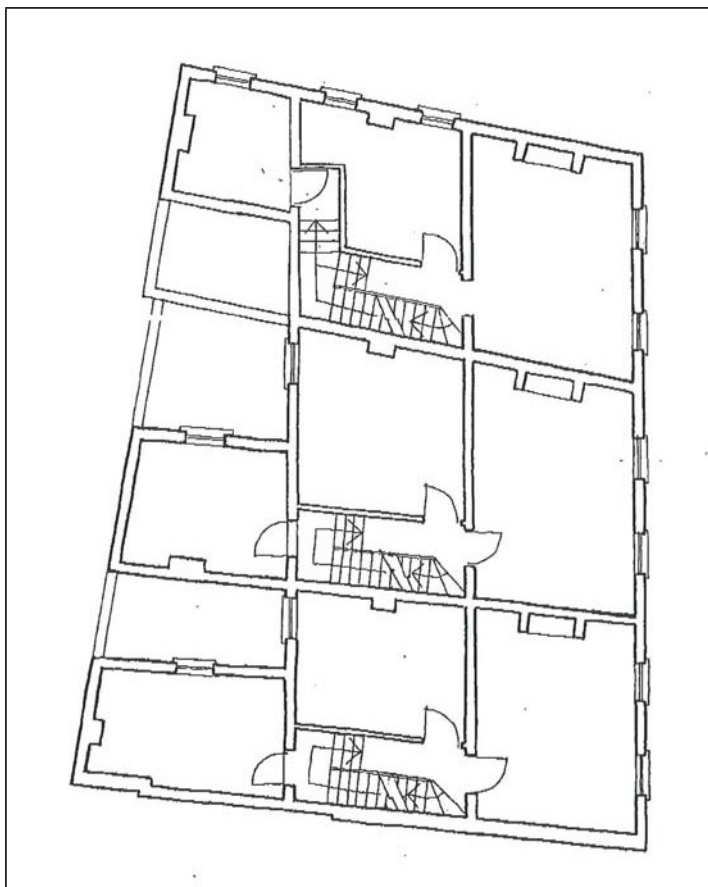
**Figure 2.10** 1895 field sketch plan indicating the original form of the buildings. The three open yards to the northern site boundary (at left) are clear.

(Source: Sydney Water Plan Room, FB 1234 Fol. 3)



**Figure 2.11** c. 1892 assumed original ground floor plan. The form of the buildings responds to the shape of the site to maximise floor area, however, features typical two room configuration with rear “tunnel back” wing and small open yard.

(Source: Schwager Brooks & Partners Conservation Plan for D1 Heritage Buildings)



**Figure 2.12** Assumed original first floor plan, c. 1892.

(Source: Schwager Brooks & Partners Conservation Plan for D1 Heritage Buildings)

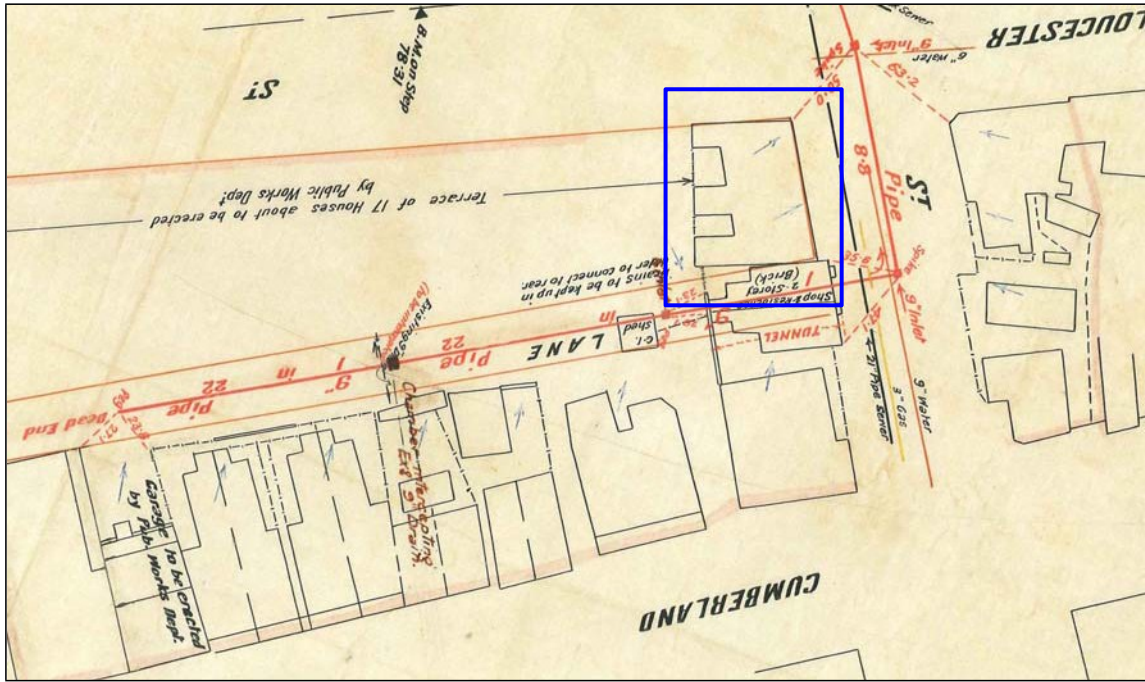
In 1900 the buildings were resumed under the Darling Harbour Resumption Act and came under the responsibility of the Sydney Harbour Trust. Despite resumption and change of ownership, the buildings appear to have retained their original form into the early decades of the twentieth century. A Sydney Water plan dated 1911 (**Figure 2.13**) also shows the original form and suggests that no external change had been undertaken to the buildings with the open areas across the northern site boundary clearly evident. It also indicates that the buildings to the north of the site, along the Gloucester Street frontage, were demolished about this time to make way for the proposed terrace of 17 houses about to be erected by the Public Works Department at Nos. 127-152a Gloucester Street.

The plan also shows a lane extending across the western site boundary and rear of the terrace sites and buildings facing Cumberland Street.<sup>35</sup> This is consistent with a number of housing schemes following the cleansing operations of the early 1900s and preparations for the construction of the Sydney Harbour Bridge which displaced a considerable percentage of the local population. The Housing Board notified City Council in October 1912 that before work commenced on the premises at Nos. 127-152a Gloucester Street, the premises at Nos. 6 and 8 Essex Street (**Figure 2.14**) would be demolished once the tenant was vacated.<sup>36</sup> It is assumed that Nos. 6 and 8 were demolished in 1912. The Gloucester Street terraces were demolished in 1987,<sup>37</sup> and site was used as a car park prior to its redevelopment in the early 1990s.

<sup>35</sup> Sydney Water Plan Room, Board's Contact 996, WAE 1<sup>st</sup> August 1911.

<sup>36</sup> City Archives, Investigator, 1912/4703.

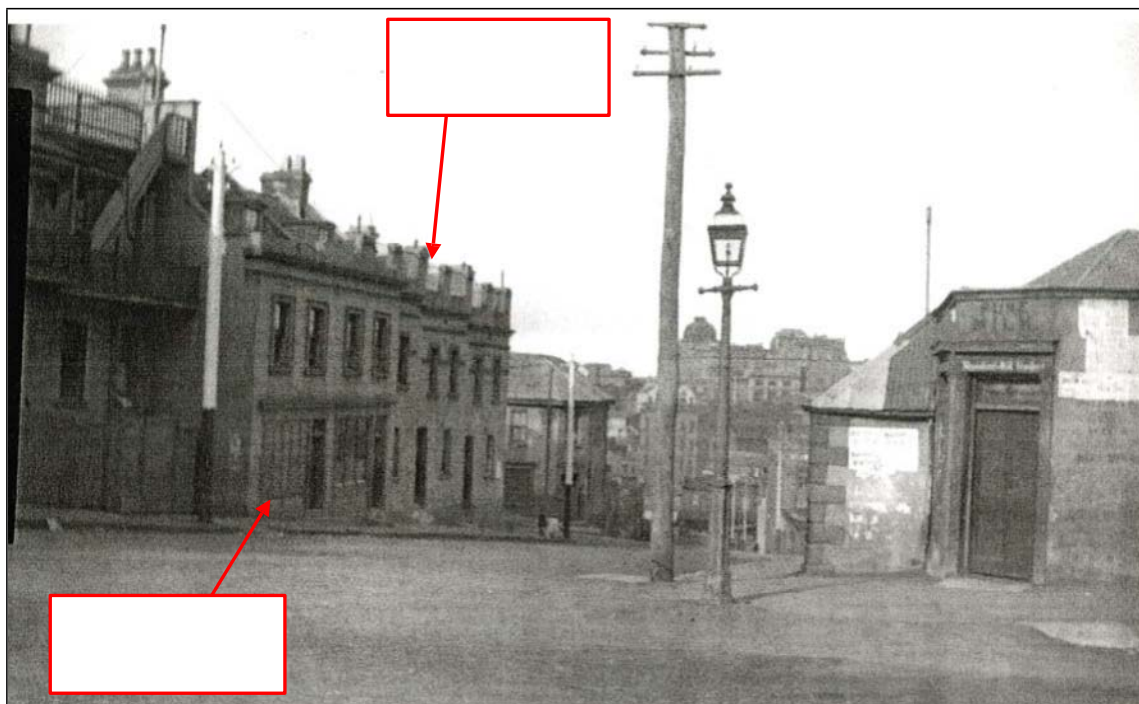
<sup>37</sup> Planning Workshop, *EIS*, (1988), p. 2.



**Figure 2.13** Sydney Water plan confirming no changes to the footprint of the buildings in 1911. (Source: Sydney Water Plan Room, Board's Contact 996, WAE 1911)



**Figure 2.14** Photograph dating from around the turn of the century, looking east along Essex Street from Cumberland Street. Harts Buildings are not visible, however, the building demolished to make way for Gloucester Lane, Nos. 6-8 Essex Street is evident. (Source: Foreshore Authority Archives, 32688 CD 110)



**Figure 2.15** Undated photograph of Essex Street showing the buildings and context prior to 1912, when Nos. 6-8 Essex Street were demolished. (Source: Foreshore Authority Archives)

## 2.6 History of the Occupation of the Site

From archaeological evidence, a campfire was excavated in 1989 on the site of the ANA Hotel, indicating that a small group of Cadigal had, some 500 years ago, stopped on the site and cooked a meal of rock oysters, bream, snappers and other shell fish, no doubt taking in the views over the harbour. In the 1870s it was recorded that a carving of a whale could be seen on the rock at Dawes Point, although this appears to have been buried in c. 1880 when the seawall was constructed.

Throughout the 19<sup>th</sup> and 20<sup>th</sup> century the land generally bounded by Cumberland Street, Cahill Expressway, Gloucester Street and Essex Street, including the subject site, was occupied by a number of dwellings and shops that housed a largely working-class community. Little is known about the people who lived here prior to the 1830s, however, from 1839 when all formal claims for land and grants were made, the population increased. Research in the area centred on those who owned land who were often absentee landlords such as Robert Sibley and Robert Fopp, who owned the land to the west of the site, with frontage to Cumberland Street.<sup>38</sup>

It would appear that the block was sparsely populated in the early period, with many houses surrounded by gardens, yards and outbuildings.<sup>39</sup> However, from the 1840s this changed, with houses, shops, factories and hotels replacing the open spaces and outbuildings. By the 1880s terraces had been constructed along the Cumberland and Gloucester Street frontages of the block, slowly replacing the older houses and single storey tenements. The subject buildings were constructed in the last decade of the 19<sup>th</sup> century and replaced two smaller residential tenements. The buildings were virtually constructed to the site boundaries and were re-orientated to address Essex Street.

Crook, P., Ellmoos, L., Murray, T., *Assessment of Historical and Archaeological Resources of the Lilyvale Site, The Rocks, Sydney*, Volume 7 of the Archaeology of the Modern City Series, Historic Houses Trust, (2003), p. 10.

<sup>38</sup> Crook, P., Ellmoos, L., Murray, T., *Assessment of Historical and Archaeological Resources of the Lilyvale Site, The Rocks, Sydney*, Volume 7 of the Archaeology of the Modern City Series, Historic Houses Trust, (2003), p. 10.

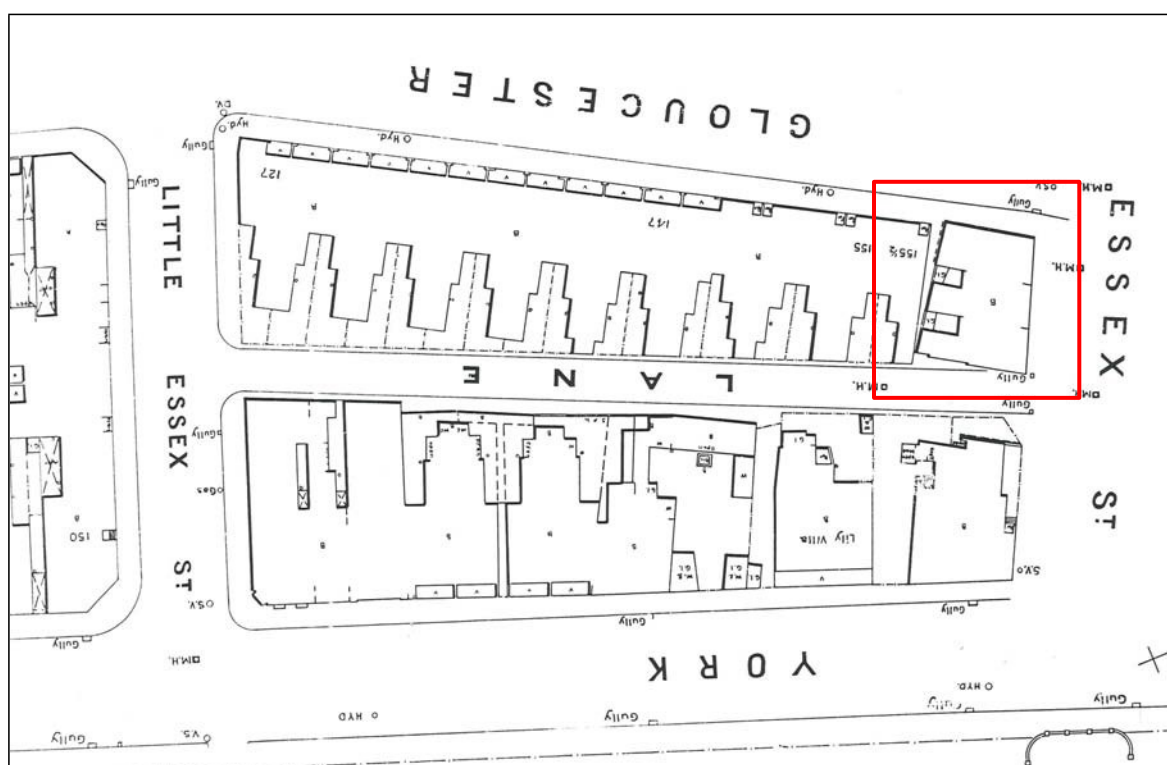
The Sands Directory indicates that the buildings served mainly as residential accommodation, although in 1910 it was being used by Chinese manufacturers as an underclothing factory. This use ceased in 1915 and they continued to be used for residential purposes.

A plaque in the buildings today notes that the buildings were occupied by Margaret Fulton, a celebrated cookery author, and her family between the years of 1954 and 1968. The buildings were unoccupied for several years before their use as a temporary site office for the adjoining development of the D2 site (north eastern corner of Essex and Gloucester Streets) in the 1980s.<sup>40</sup>

## 2.7 Development of Building Components

The first external changes to the buildings appears to have been undertaken between 1911 and 1932, when a Sydney Water plan (Figure 2.16) indicates infill of the eastern open yard (of No. 14). The galvanised iron roof of the two remaining yards is evident. The laneway dividing the block and row of terraces along the Gloucester Street alignment are also shown, as are other surrounding buildings including "Lily Villa".

In 1936 the Maritime Service Board (MSB) assumed control of the buildings. It is not clear if any changes were undertaken during the MSB administration of the buildings, however, it would appear that after a brief commercial use (c. 1910-1915) they continued to be used for residential use and it is assumed, as rental properties, had the minimum maintenance and upgrade works carried out. A City plan dated c. 1950s (Figure 2.17), however, shows the three open yards indicating that the infill was lightweight or removed by this time. The plan also shows Gloucester Lane which was formed after the demolition of the adjacent building to the west, Nos. 6 and 8 Essex Street.



**Figure 2.16** 1932 Sydney Water plan indicating infill of the eastern open yard. (Source: Sydney Water Plan Room, Sewer Detail Sheet (Blackwattle 3770))

<sup>40</sup> Thorp, W., *Lilyvale EIS Historical Development of Proposed Development* (1988), p.9 & Planning Workshop, EIS, (1988) p.1.



**Figure 2.17** c. 1950s plan (Source: City Archives)

In the late 1970s the Sydney Cove Redevelopment Authority (SCRA) became responsible for the buildings and began to reconsider the on-going use of the area and site. A photograph dating from this time (**Figure 2.14**) shows the Essex Street façade and western wall of the buildings, exposed by the demolition of Nos. 6-8 Essex Street. The bald face nature of the façade, decorated simply with string line and cornices and stepped parapet is clear. The only additions appear to be electrical boxes to the front façade of No. 10.



**Figure 2.18** Photograph dating from the 1970s showing Harts Buildings (at right) and adjacent historic development. All that remains of the former neighbour, Nos. 6-8 Essex Street is the party wall and chimney bounding the rear of the Butchery Buildings (at left) No. 178-180 Cumberland Street. (Source: Foreshore Authority Archives, 40102 A742-147)

During the 1980s the SCRA developed strategies for the redevelopment of certain areas in The Rocks and identified the area bounded by Cumberland and Essex Streets for redevelopment as an international hotel. A tendering process in response to carefully defined urban and development guidelines was initiated by SCRA in 1988 and CRI Limited was identified as the successful tenderer from a shortlist of five derived from a total of 17 submissions for the site.<sup>41</sup>

The proposal comprised of a high rise, international hotel on the northern end of the site located between Gloucester and Cumberland Streets. SCRA identified three remaining buildings, "Lilyvale" Cottage at No. 176 Cumberland Street, the "Butchery Buildings" at Nos. 178-180 Cumberland Street and Harts Buildings, located at the southern end of the site to be worthy of retention and conservation and required that they be incorporated into the overall hotel development. The area to the immediate north and east of the historic buildings to be developed as the low rise portion of the hotel, with food, open courtyard and support operations in the three buildings. It was envisaged to activate the precinct around the hotel and provide linkages with the surrounding urban area.<sup>42</sup>

The development site for the Lilyvale Hotel was registered as DP 778140 (**Figure 2.15**). The Foreshore Authority provided prospective tenders with four conditions with respect to the historic buildings on the site. These conditions were to ensure:<sup>43</sup>

- the integrity of the historic buildings remains;
- a compatible relationship between the historic precinct and the hotel tower is created;
- continuity of the streetscape; and
- ease of pedestrian movement.

An advertisement placed by CRI included a site plan (**Figure 2.19**) of the "Lilyvale" project located at the "cornerstone" of Sydney adjacent to the Harbour Bridge. The plan shows the buildings including the proposed hotel complex about a shared courtyard accessed directly from Cumberland Street or via stairs flanking Harts Buildings, extending from Essex and Gloucester Streets.

The Development Application dated 17 October 1988, to carry out the development on the site D1, Lilyvale site, for hotel accommodation with associated restaurant, bar convention and retail facilities as illustrated on drawings prepared by Mitchell Giurgola Thorp Architects dated 22<sup>nd</sup> October 1988 was approved by SCRA subject to 37 conditions.<sup>44</sup> In relation to the proposed restoration and refurbishment of the historic buildings and their surrounding spaces all works were to be reviewed in consultation with the National Trust. An approved conservation architect was also to be engaged to design and document this work.<sup>45</sup> The Environmental Impact Statement prepared as part of the Development Application noted that at this time (1988) the rear of each house had been planned with a typical two storey tunnel back arrangement, however, the remaining space at the ground floor had also been infilled. This is reflected in the survey plan (**Figure 2.17**) and confirmed by a photograph taken of the D2 construction site (**Figures 2.21 & 2.22**).

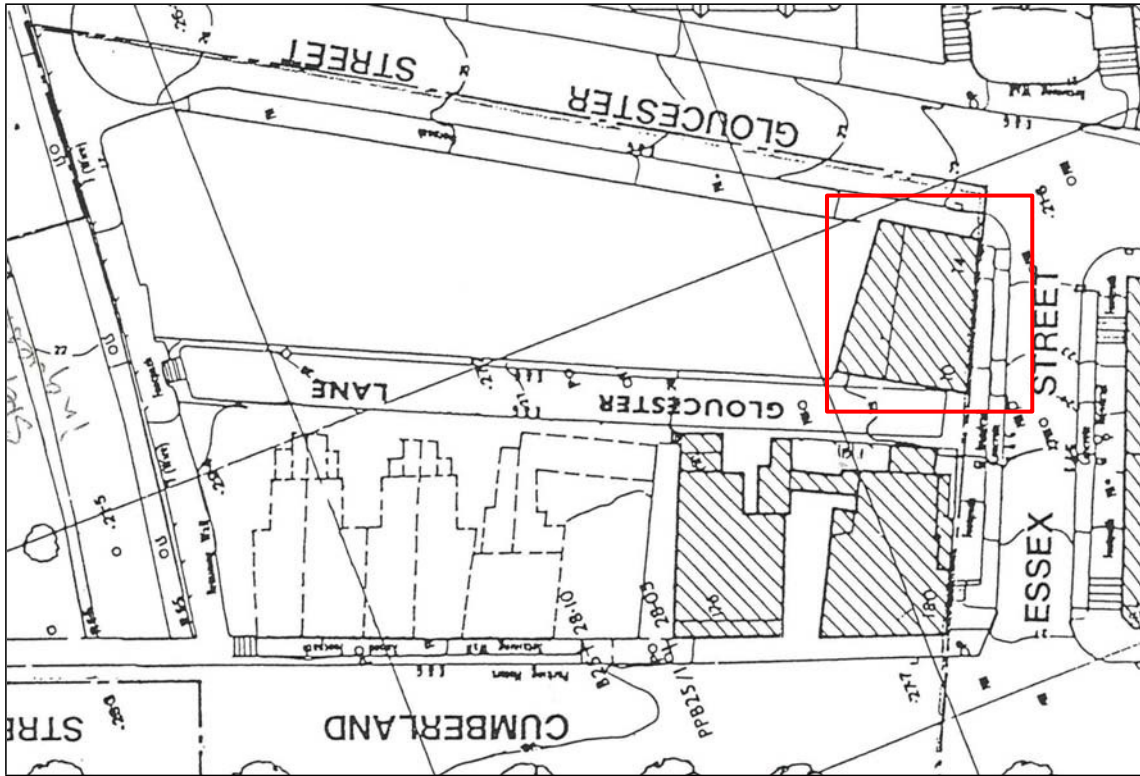
<sup>41</sup> Schwager Brooks and Partners Pty Ltd, *ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan*, (1989), p.73.

<sup>42</sup> Schwager Brooks and Partners Pty Ltd, *ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan*, (1989), p.73.

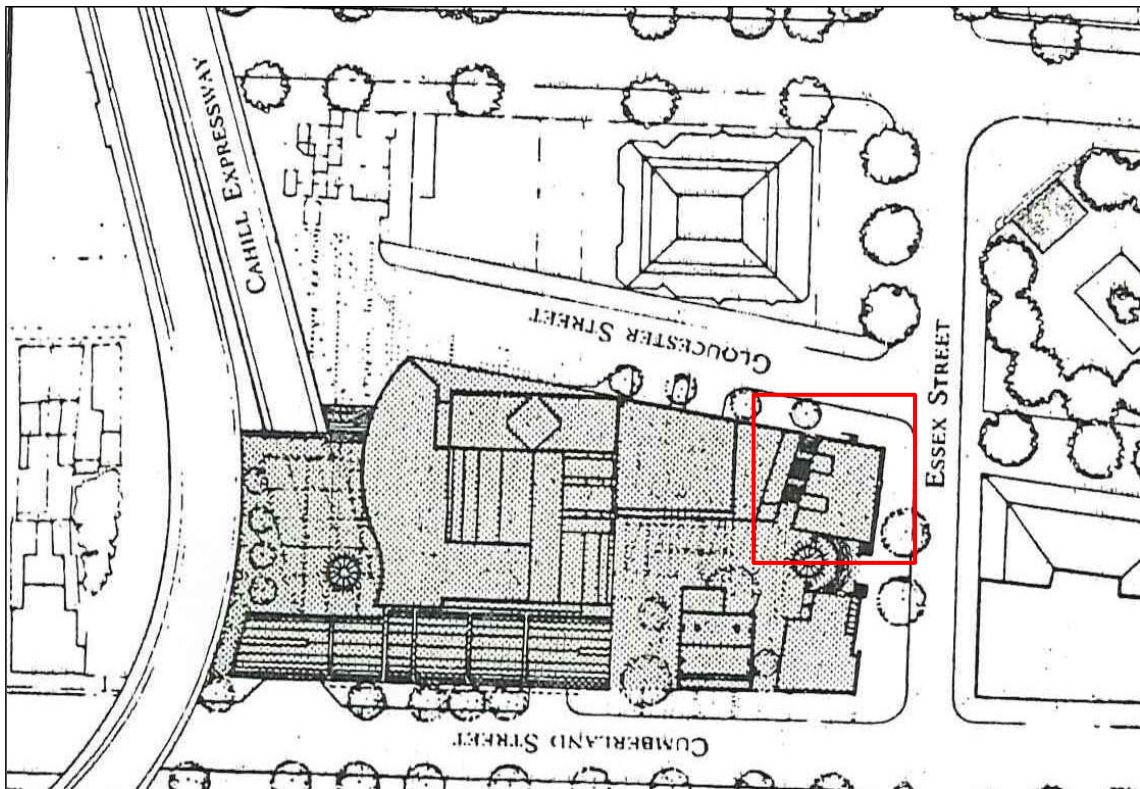
<sup>43</sup> Schwager Brooks and Partners Pty Ltd, *ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan*, (1989), p.77.

<sup>44</sup> City Archives, BA for Lilyvale site.

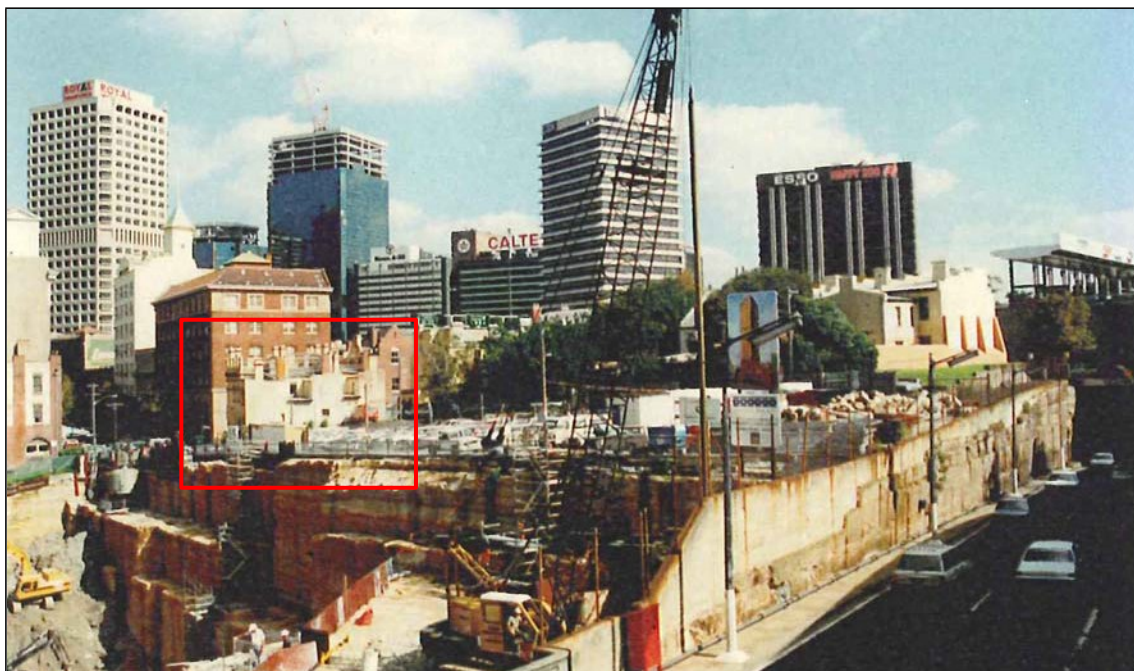
<sup>45</sup> City Archives, BA for Lilyvale site.



**Figure 2.19** The Lilyvale development site included the three “historic” buildings at the southern end. (Source: Foreshore Authority Building Files, RE0529.01.06)



**Figure 2.20** The Lilyvale site plan showing the three “historic” buildings and proposed hotel complex about a courtyard space. (Source: Foreshore Authority Building Files, RE0529.01.05)



**Figure 2.21** The D2 construction site looking south west from the Cahill Expressway. The rear of the buildings are just visible with the open spaces infilled at ground floor level. (Source: Foreshore Authority Building Files, RE0529.01.02)



**Figure 2.22** Detail showing the rear of the buildings in the 1980s. The neighbouring heritage buildings appear to be obscured by trees. (Source: Foreshore Authority Building Files, RE0529.01.02)

A Conservation Plan was subsequently commissioned by CRI Project Management Pty Ltd to guide the conservation of the three historic buildings located on the southern portion of the site generally bounded by Cumberland, Essex and Gloucester Streets and the Cahill Expressway.<sup>46</sup>

The Conservation Plan, completed in 1989, on the historic buildings on the D1 site noted that of the three buildings, the Harts buildings had undergone the greatest level of change, with most the change happening in “*recent years*”. The houses were noted as being conventional terraces, however, unusual in the way that they responded to the trapezoidal nature of their site.<sup>47</sup> The Conservation Plan noted that whilst the exterior of the buildings retained its “*lively skyline of parapets, chimneys and iron railings*” the buildings had been subject to considerable alteration and destruction of fittings and joinery.<sup>48</sup>

Prepared by Schwager Brooks and Partners Pty Ltd, the Conservation Plan described the building finishes at this time as follows:

#### Externally

- Roofing Unpainted corrugated iron;
- Walls Painted render on brickwork;
- Windows Painted timber;
- Doors Painted timber;

#### Internally – Level 1 (Ground floor)

Entry Passages	Timber board floors, painted plaster brick walls, and painted lath and plaster ceilings with boarding;
Front rooms	Timber board floors, painted plaster brick walls, and painted lath and plaster ceilings with boarding;
Middle Rooms	Timber board floors, painted plaster brick walls, and painted lath and plaster ceilings with boarding;
Rear Rooms	Concrete floors, painted plaster brick walls, and painted lath and plaster ceilings with boarding;

#### Internally - Level 2 (First floor)

Front Rooms	Timber board floors, painted plaster brick walls, and painted lath and plaster ceilings with boarding;
Middle Rooms	Timber board floors, painted plaster brick walls, and painted lath and plaster ceilings with boarding; and
Rear Rooms	Timber board floors, painted plaster brick walls, and painted lath and plaster ceilings with boarding.

The buildings were taken over on a temporary basis and used as site office for the construction teams working on the adjacent development in 1988. The Conservation Plan notes that they were “roughly and extensively” converted in mid 1988 as follows:<sup>49</sup>

- all of the main staircases were removed, the stairwells floored over and new cross stair was installed;
- openings were cut in the party walls at both levels to give internal access between the three buildings;
- many of the surviving fireplaces and surrounds were removed;
- most of the timber double hung window sashes were removed and replaced with aluminium framed glass louvres;

<sup>46</sup> Schwager Brooks and Partners Pty Ltd, *ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan*, (1989), p.1.

<sup>47</sup> *Ibid.*, p.25.

<sup>48</sup> *Ibid.*, p.25.

<sup>49</sup> *Ibid.*, p.25.

- the rear rooms were roughly converted to washrooms and toilet facilities;
- several internal walls were removed;
- two open areas at the rear were roughly roofed;
- extensive new services, such as telephone and power were installed;
- a new door opening was cut in the eastern elevation and external timber framed stair added to provide access directly from the main site area;
- much of the surviving joinery and plaster detailing was removed; and
- white paint was applied to most interior walls and ceilings.

Until the recent conversion it was noted that the houses remained relatively intact. A row of houses, facing Gloucester Street were erected hard against the northern wall of these buildings. These were demolished in 1987.<sup>50</sup>

The windows were double hung sash configurations with traditional box frames and sash cord. During the conversion, the majority of these were either completely or the sashes were removed and replaced with aluminium framed glass louvres. Some of the frames were dislodged or extensively damaged and the only surviving windows were on the rear façade facing the former yard areas.<sup>51</sup>

All original internal doors had been removed by this time and in many cases it was noted, frames and remnant architraves were severely damaged. Extensive termite damage to floors of both levels was evident and it was assumed that the damage may have extended to secondary joinery. The recent conversion resulted in the widespread use of secondary flooring, usually compressed particle board which was laid over most of the floors and where staircases had been removed. Several areas of flooring were also removed to enable archaeological investigations<sup>52</sup> (although it is not clear what this investigation revealed).

The majority of ceilings were lath and plaster with secondary timber battens, but were in poor condition by this time. Some "humble" ceiling roses survived, however, most were damaged.<sup>53</sup>

The only surviving internal walls were constructed of brick and finished in traditional lime plaster with some remaining wallpaper which had been over painted. The recent repairs were completed in cement render. Features such as the original firebacks and surrounds had all been removed and some of the breasts in the original inner rooms had been extensively altered by this time.<sup>54</sup>

All of the original staircases, with the exception of one roof access stair from the first floor level, were removed to allow for the installation of toilets and wash areas. Each of the roof areas features the small enclosure over the stair, although only one stair remains. Some of the roof cladding had been replaced at this time, however the roof areas was noted as being in deteriorated condition.<sup>55</sup>

The walls were noted as generally being in good condition with only a crack on a small portion of the parapet on the rear elevation of the central rear addition. Some deterioration where new openings had been made and the opening cut through for the archaeologists were clear. There was no apparent evidence of rising damp noted.<sup>56</sup>

<sup>50</sup> Schwager Brooks and Partners Pty Ltd, *ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan*, (1989), p.27.

<sup>51</sup> *Ibid.*, p.57.

<sup>52</sup> *Ibid.*, p.57.

<sup>53</sup> *Ibid.*, p.58.

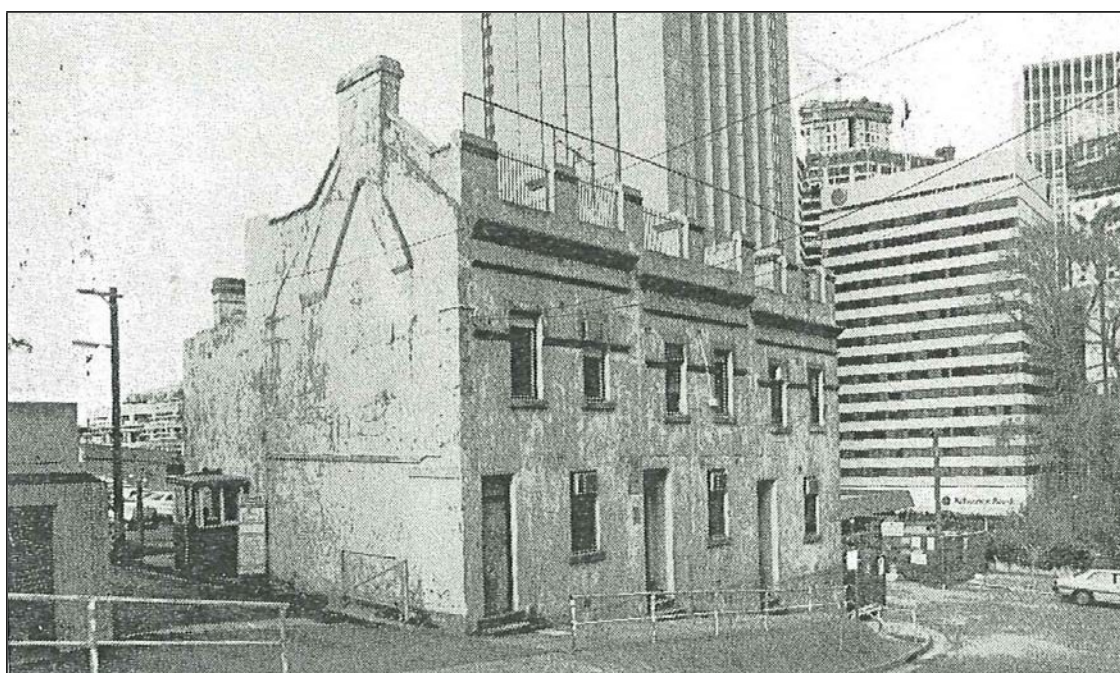
<sup>54</sup> *Ibid.*, p.57.

<sup>55</sup> Schwager Brooks and Partners Pty Ltd, *ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan*, (1989), p.58.

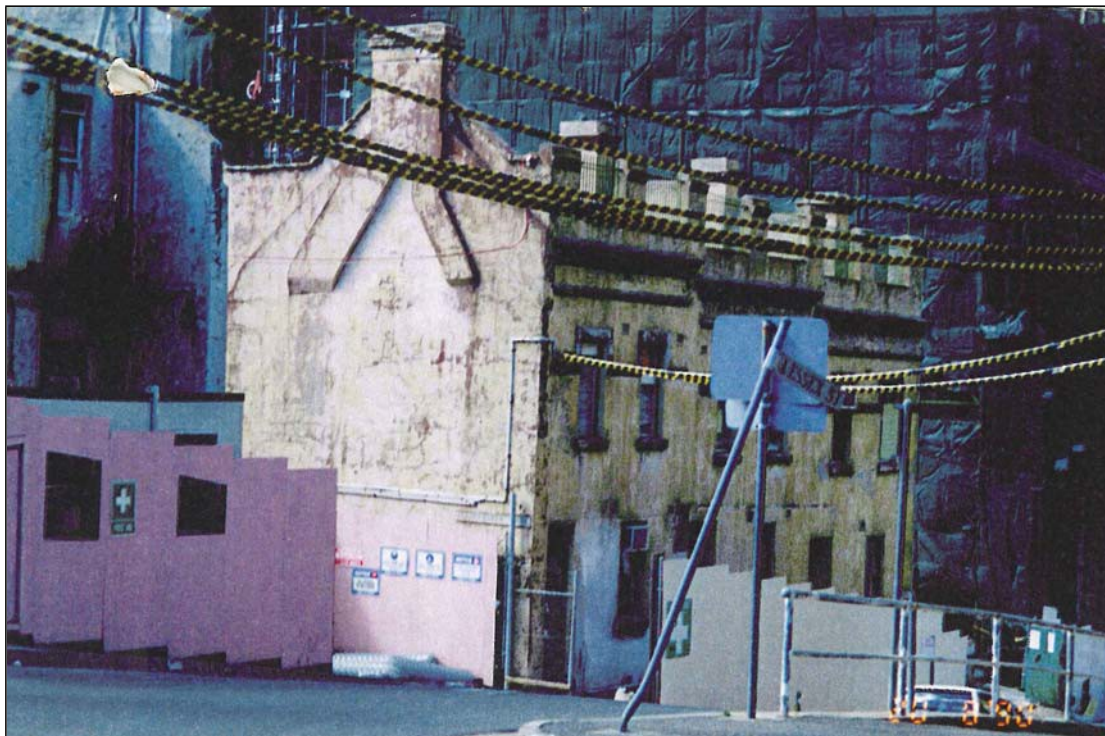
<sup>56</sup> Schwager Brooks and Partners Pty Ltd, *ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan*, (1989), p.59.

A structural assessment of the buildings undertaken in early 1989 also found the walls to be in good condition with only some minor repairs required to fully restore them. It was noted that excavation works of the adjacent site may result in some movement, but again, would only likely result in minor repairs to the render.

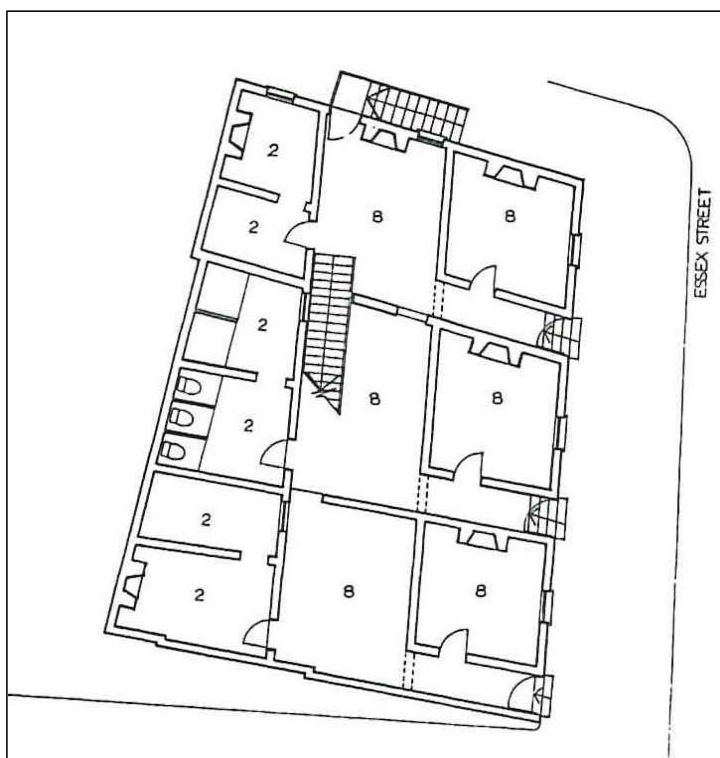
Photographs of the buildings (**Figures 2.23 & 2.22**) dating from c. 1988 indicate the condition of the exterior of the buildings at this time. Alteration of the openings to the Essex Street façade and addition of air conditioning units to windows is evident. The 1989 drawings contained in the Conservation Plan (**Figures 2.25-2.29**) show the configuration of the buildings and the central stair added to access the first floor, which also retained the “tunnel” back form with one room to the north of the two main front rooms. The building elevations also show the door opening and stair located on the Gloucester Street façade of the building. This is assumed was added to give easy access to the development site on the opposite side of Gloucester Street (D2 site).



**Figure 2.23** The buildings c. 1988. The Gloucester Lane alignment along the western façade of the buildings (at left) is clear. (Source: Planning Workshop, EIS, 1988)



**Figure 2.24** The buildings during construction works on the adjacent D2 site. (Source: Foreshore Foreshore Authority Building Files, RE1109.01.01)



**Figure 2.25 c.** 1989 Ground Floor Plan. The buildings were converted to site offices in 1988, when openings were made in the internal party walls, the original stairs were removed and replaced with a single stair and rear yard was covered over and wings converted to staff amenities. Windows to the Essex Street façade were also replaced and a new door opening formed in the Gloucester Street façade to enable access to the construction site opposite the buildings, on the north eastern corner of Essex and Gloucester Street.

(Source: Schwager Brooks & Partners Conservation Plan for D1 Heritage Buildings)

It was proposed to convert the Harts Buildings to a pub with bar facilities on both the ground and first floor levels. The proposed use of the buildings was considered an acceptable re-use of the buildings. The buildings were extensively gutted out in 1988 for the temporary use of the construction site office and this use would allow adaptation of the buildings without compromising the remaining integrity and form of the buildings.

The interiors could afford a series of interlinked spaces and it was recommended that new stairs should be located in the positions of the early stairs, but be reconstructed to meet current code requirements.<sup>57</sup>

Early proposals to excavate additional space at basement level had been abandoned by the time of the preparation of the Conservation Plan. The buildings were, however, seen as a crucial link between the hotel and the city, due to their location on the corner of Gloucester and Essex Streets. All of the existing doors on Essex Street were therefore to be maintained with new connections at the rear of the buildings proposed to work with the proposed plaza and open courtyard between all the buildings on the site.<sup>58</sup>

Several key functional requirements of the hotel impacted on the planning and future use of all three historic buildings and the open space between them. These included:

- clearance requirements of the loading bay off Gloucester Street which set the minimum floor level of the associated plaza/ open courtyard;
- access from Essex Street and emergency egress from lower levels of the buildings;
- excavation and construction of the basement car park and access ramps below Cumberland Street (which impacted on the western façade of the Butchery Buildings and front verandah of Lilyvale);
- location of exhaust ventilation for the basement car park;
- location of basement levels and impact on Cumberland Street levels; and
- the ground floor level of the main hotel, set to equate to the Cumberland Street entry point.

The courtyard design was also dependant on the following factors:

- the ground levels around Lilyvale and minimum 3 metre curtilage suggested by SCRA;
- the garden area to the north of Lilyvale;
- extensive excavation required around the historic buildings to provide back of house hotel facilities; and
- pedestrian links around the buildings.

The works generally sought to enliven the area by creating pedestrian links around the buildings and with the hotel to create a unified, lively area, however this was a total reversal and change from the traditional, isolated and private nature of the “backyards” of these buildings.<sup>59</sup>

The works were to be carried out in consultation with the SCRA, with particular attention to the retention of the significance and conversion proposals of the buildings with respect to the sequences and scale of internal spaces, and retention of existing building fabric as much as possible. A policy of conservative repair was preferred to extensive renewal. Conservation of the street elevations of the buildings, reconstructed to match earlier forms, and retention of the internal spaces was recommended. Of particular note was the desire to retain the integrity of the space leading from Essex Street on the alignment of the former Gloucester Lane. It was also recommended that any new stairways in this area be set back from the building alignment and broken down in scale to avoid the impression of a grand staircase.<sup>60</sup>

<sup>57</sup> Schwager Brooks and Partners Pty Ltd, *ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan*, (1989), p.80.

<sup>58</sup> Schwager Brooks and Partners Pty Ltd, *ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan*, (1989), p.74.

<sup>59</sup> Schwager Brooks and Partners Pty Ltd, *ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan*, (1989), p.75-76.

<sup>60</sup> Schwager Brooks and Partners Pty Ltd, *ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan*, (1989), p.78.

The proposed conservation works outlined in the Conservation Plan for the Harts Buildings for use as a two level bar facility associated with the hotel were as follows<sup>61</sup>:

- *extensive repair and reconstruction of early joinery and finishes due to the damage done in recent temporary conversion work;*

#### *Windows*

- *the majority of the windows should be completely replaced with matching timber box frames, sash chords and double hung sash windows;*
- *internal architraves and sills, most of which are extensively damaged or missing, should also be replaced with material of matching moulded profiles;*
- *where window frames or joinery services in reasonable condition, it should be repaired;*

#### *Doors*

- *all missing internal and external doors and frames should be replaced with multi panelled patterns, typical of the period;*
- *architraves should be replaced with matching moulded profiles, surviving doors should be repaired if possible;*
- *door furniture should be replaced with furniture of traditional pattern but suitable for contemporary security and access requirements;*

#### *Floors*

- *all flooring and timber floor structures should carefully checked for damage, termite attack and structural adequacy, where necessary they should be replaced;*
- *moulded timber skirtings should be replaced as necessary with sections of matching profile;*

#### *Ceilings*

- *general deterioration combined with the widespread evidence of termite attack and the proposed reworking of floor structure indicates that all plaster ceilings should be removed and replaced;*
- *complete replacement with contemporary plasterboard sheeting is acceptable in preference to reconstruction of former lath and plaster. Relatively simple pattern plaster cornices and ceiling roses should be reinstated;*

#### *Wall finishes*

- *wall finishes should generally be replaced in accordance with the proposed conversion;*
- *new wall finishes should be of cement render with a set plaster finish to public areas and tiles in service areas;*
- *paint or wall paper are acceptable finishes;*
- *existing moulded plaster figures related to entry hall archways should be carefully removed and reinstated when wall finishes are replaced;*

#### *Stairs*

- *new stairs will be required and should be located in similar locations to the original and to a loosely re-constructed form with detailing similar to traditional patterns;*
- *re-use may require compliance with modern codes regarding width and handrail heights;*
- *not all of the original stairs need to be rebuilt if not required by the re-use;*
- *the roof access stair should be retained in its current location and form;*

<sup>61</sup> Schwager Brooks and Partners Pty Ltd, ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan, (1989), p.91-94.

### Fireplaces

- *those fireplaces which are to be retained should be re-constructed using patterns typical of the period, in this case surrounds of timber Arts and Crafts style and Federation style firebacks are appropriate;*

### Roof Structures & Roofing

- *with the construction of a number of tall buildings in the vicinity over the next few years, lively roofscape will be an important component of these small structures;*
- *given the extent of termite attack elsewhere in the buildings and the general poor condition of the ceilings, the roofs should be carefully inspected and repaired/replaced as necessary;*
- *it is essential that the parapets and chimneys be retained. The small roof access enclosures should also be retained or rebuilt even if only one remains operational;*

### Services

- *should be replaced in-toto (in total) during conversion work;*
- *new services should be concealed in voids or chased into walls;*
- *contemporary fittings and fixtures area acceptable with installation meeting current codes;*
- *air-conditioning should be achieved using either distributed small scale plant or a centralised ducted system, however, integration with least adverse impact on structures and spatial composition is recommended;*

### Brick Structural Walls

- *conversion of these small buildings will require a certain degree of opening out to create a unified or interlinked series of volumes. This process is acceptable provided the separately identifiable character of each terrace house is retained;*
- *sections of wall should be removed in preference to whole walls;*
- *the parapets and party walls at roof levels should be retained;*
- *excavation of basement areas may be considered but should be carefully planned and undertaken to avoid disruption to external and party walls;*
- *where damaged brickwork is located, the approach of conservative repair should be adopted in preference to total rebuilding of large sections;*
- *cracks should be retained by “stitching” new brickwork across the line of the cracking, using mortar of matching strength and composition;*
- *brickwork affected by rising damp at basement level should be repaired using traditional mortar mixes and the insertion of new damp proof courses;*
- *the profile images or earlier buildings that remain on the northern and western external walls should be retained;*
- *external render detailing should only be repaired or realigned where it is in danger of collapse or of accelerated deterioration. The general approach should be to clearly illustrate the age of the buildings by an expression of a patina of wear and use;*
- *external colour schemes may be altered;*
- *redundant services should be removed from the façade and the introduction of new surface mounted services be severely limited;*

### External Verandah

- *new verandahs should not be added to either the Essex or Gloucester Street facades, particularly at first level;*
- *small awnings, signage or lighting may be added over each of the Essex Street doorways to give the buildings a new identification. These should be restrained in scope and character but need not attempt to replicate a traditional form.*
- *continuous awnings over the footpath should be avoided;*

- a new entry canopy will be required on the rear of the buildings to identify and provide shelter to the first floor level entry from the hotel courtyard. This should be of a distinctive design which reads as a new element. Construction may be of either timber or metal framing with glazed infill. Design motifs should express the contemporary nature of the canopy;

#### External Works

- new external works should be designed to retain some references to traditional urban patterns in The Rocks;
- the Gloucester Street frontage to the hotel should be held back from the northern wall of the houses to create a “stairway slot” that rises towards a new plaza level. Similarly a series of steps may rise from the gap in Essex Street between the two groups of historic buildings. The scale and design of both stairways will be critical if they are to draw the traditional Rocks urban images into the new development;
- it is acceptable to bring the new staircase from Gloucester Street up across the ground floor northern elevation to a limited extent if this assists in general circulation and access from the new plaza into the converted buildings at first floor level.

Plans prepared by Ken Maher Schwager Brooks + Partners for CRI Project Management Pty Ltd and the ANA Hotel Sydney dated April 1990 and subsequently revised in August and October of the same year for the Building Application detail the works to be undertaken including opening up the ground and first floor spaces and insertion of bars and amenities, whilst retaining a sense of the original layout and spatial configuration of the terraces (**Figure 2.26**). The dividing party walls are shown and clearly delineate the three former terraces. One stair to the roof was retained with one main stair constructed to connect the amalgamated ground and first floor levels. Various options for an entry canopy and open area to the rear were assessed and a simple “shingle” sign was to be provided over the central front doorway to provide identity and entry point without compromising the character of the buildings. This was also seen to promote its new “pub” identity, with such a sign evoking colonial pubs such as the Hero of Waterloo and Lord Nelson hotels.

The drawings indicate the following works:

#### Externally

- new palisade handrail to roof to match the existing;
- careful removal of all existing windows and door steel lintels and replacement with new hot dip galvanised steel lintels to match, render as necessary;
- retain and protect all existing render walls, clean down and paint;
- brick up window openings on the lower level of the rear façade (facing the new steps);
- new steel entry canopy to engineers detail to the rear of the buildings;
- new steel awning to future detail to the central ground floor opening on the Essex Street façade;
- retain existing Council steps and footpath along the Essex Street frontage;

#### Roof

- retention of the existing roof structure, removal of all existing roof sheeting, flashing and gutters and provide new roof sheeting, flashings and gutters;
- provide new steel framed fresh air intake grate to plant room below (north eastern room on the first floor);
- retention of the existing (eastern) roof access structure and renew with corrugated iron sheeting;
- remove timber platforms from the roof;
- form new timber platform (to the south western roof) to engineers detail;

- provision of new timber stairs to replace existing to match existing detail (to access western roof);
- new steel framed and clad entry canopy discharging to 100mm diameter downpipe post, horizontal glazed viewing panel set in steel frames;

#### Ground floor

- remove timber stairs and door and brick up door opening and from new window opening on the eastern façade (facing Gloucester Street);
- retain timber floor structure with new tongue and groove flooring to all areas unless noted otherwise, excavate natural ground where necessary for minimum 250mm clearance;
- protect boundary (south eastern corner);
- make large openings in the walls of the southern front room in the eastern terrace;
- infill a door opening and make a new opening to access male WCs to be located in the rear of No. 14 and former open yard. Remove the brick walls and added a steel beam to the engineers details. Addition of new lightweight partitions to conceal the fireplace which was to be retained and form the airlock and addition of new bathroom fixtures and fittings to be added;
- remove the central timber stair (added as part of the use as a site office);
- remove existing brick walls and brick fireplace at the rear of the centre terrace (No. 12) and addition of new reinforced concrete slab, concrete stair (to the basement service areas), service lift and provision of new stud rear wall and new bar;
- opening up of the wall in the front room of the central terrace;
- removal of existing brick wall and addition of new steel beam to engineers detail, alteration of rear openings at the rear of the western terrace (No. 10) and provision of new female WCs. Addition of new "square" internal lightweight wall (to conceal retained fireplace and breast) and air lock, ceilings new fixtures and fittings;
- removal of the central party wall between the western and middle terrace; and
- provision of new steel framed stair structure with timber treads to future detail along the mid-section of the western end wall;

#### First floor

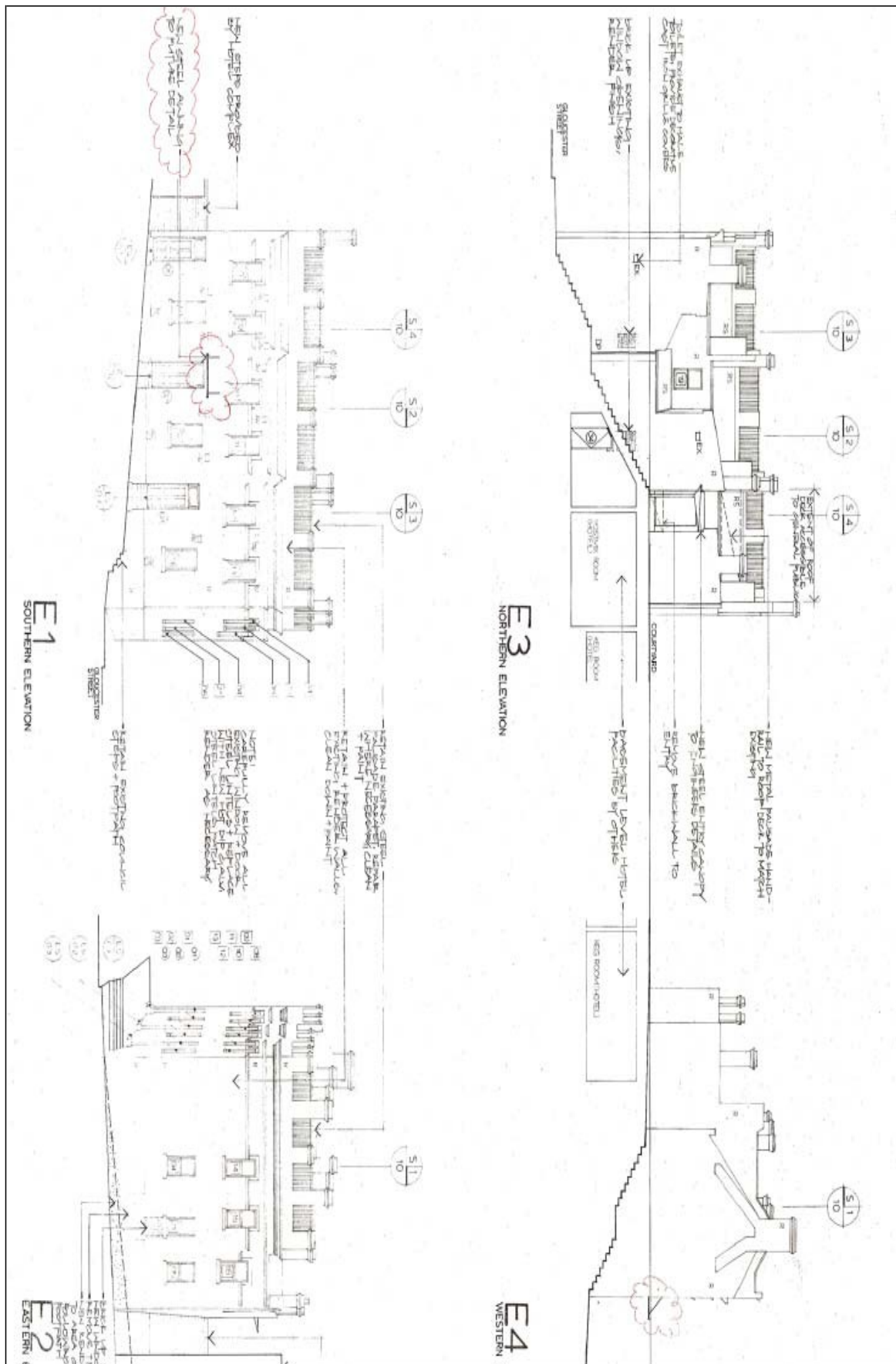
- retain timber floor structure and replace as necessary new timber flooring to all rooms unless noted otherwise;
- removal of the existing floor to the two front rooms of the western terrace with new timber 150 x 150 floor joists and timber floor at reduced floor level (to allow for the construction of the new stair and level connection to the adjacent bar area);
- form new new openings either side of the existing fireplace in the front room of the central terrace (No. 12) and removal of the central wall between the two main rooms of the central terrace to form open bar and lounge area;
- addition of a bar with bar service room and service lift behind.

Notes on the drawing also refer to the removal of the existing floor in the central room of the western terrace (No. 12, HB03) and addition of new timber 150 x 150 floor joists and timber flooring at a reduced floor level, it is assumed to connect to the adjacent space. All new openings were to have steel lintel bars and beams added to the engineer's detail. Also all flues and fireplaces were to be inspected for use as wood burning fireplaces and the male and female toilet were to be mechanically ventilated and exhausted from the retained fireplaces breast in each.

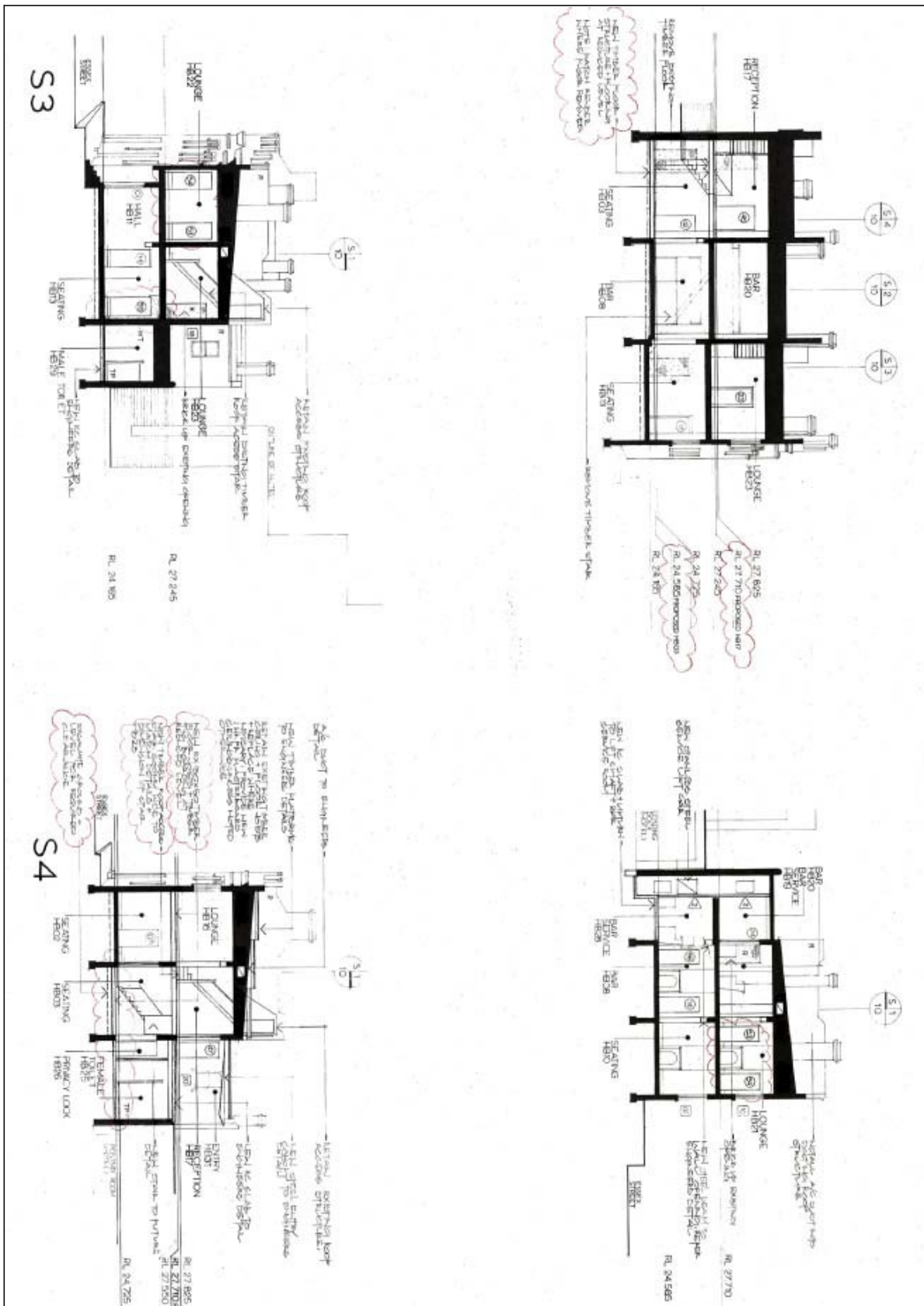
The drawing also shows part of the new basement connection (service tunnel) to the Hotel service areas and basement of the Butchery Buildings and Lilyvale.

A new timber roof access stair to match the existing was also shown along the western wall (above the new main stair). It would appear that it was intended to provide a roof deck for the general public over the south western corner of the buildings, however, does





**Figure 2.27a** Architectural drawings dated April 1990 and revised in August and October the same year. (Source: Foreshore Authority Archives ROX/258/DA/0007/DR & /0008/DR)



**Figure 2.27b** Architectural drawings dated April 1990 and revised in August and October the same year. (Source: Foreshore Authority Archives ROX/258/DA/0007/DR & /0008/DR)

Inspection of the buildings today confirms that the revised layout was essentially adopted, with minor changes to the plan. The door opening on the Gloucester Street facade was infilled, with access into the buildings from Essex Street and the rear from the shared courtyard provided at the upper level of No. 10. In addition to the conservation works recommended by the Conservation Plan, the overall and fitout works also appear to have included:

- the reinstatement of chimney pots;
- addition of a suspended sign over the central Essex Street door entry (No. 12);
- addition of a painted sign bearing “Harts Pub” on the eastern, Gloucester Street facade;
- the addition of timber chair rail with wallpapered dado to the internal walls; and
- the addition of banquet seating along some of the internal; walls on the ground and first floors.

The buildings were handed over to the hotel operator in 1992, from which time they have continued to be used and maintained in association with the hotel complex, which is now run by the Shangri-La group. A box sign has also been fixed to the Gloucester Street facade, below the painted sign and an illuminated “Taxi” sign has also been suspended above the parapet over the south eastern corner of the buildings at some stage.

The Shangri-La Hotel continues to lease the buildings which have continued to be used as a “pub”. A Conservation Management Plan was prepared on the buildings for the Foreshore Authority in 2007. Since that time only general maintenance and minor works appear to have been undertaken with works including the replacement of the vinyl floor covering in the bar areas and upgrade of some bar and audio equipment.

### **Movable heritage**

There is no known moveable heritage associated with the site or buildings.

## **2.8 Contextual Chronology**

Harts Buildings were originally constructed as residential terraces and replaced earlier tenement housing that faced the harbour and Gloucester Street frontage of the site. Constructed in the 1890s the buildings are representative of that era. The buildings were constructed to maximise the site area, and as speculative buildings with little consideration of open areas or adornment of the building facades. The buildings were constructed solidly which reflects the prosperity of the 1870s and 1880s, when the terrace house form was well established in areas such as The Rocks.

The buildings generally continued to be used as residences (with some small scale commercial for a short period between 1910 and 1915) until the late 1970s, possibly 1980s. The buildings were vacant for “some years” prior to their conversion to a site office for the adjacent development in 1988. By this time the ground floor, rear yard had been infilled and roofed over, however, the tunnel back form of the first floor remained and continues to be visible at the rear of the buildings today.

Despite that adaptation of the buildings in the early 1990s for use as a pub, they continue to represent the historic themes of accommodation as they retain their original scale, form and building character. Internally most of the internal dividing party walls and sense of some of the original rooms also remain as a reminder of their former use. As a group, with the Butchery Buildings and Lilyvale cottage, their immediate neighbours to the west, the buildings represent the earlier residential and small scale commercial development in the precinct.

The following chronology provides a summary of major events and modifications:

- |      |   |
|------|---|
| 1839 | Part of Allotment 14, of City Section 70 was granted to Elizabeth Thompson, who subsequently divided the allotment in two, creating the site. |
|------|---|

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1843	The site is purchased by Mr N Bray, who in 1849 took out a mortgage to Mr John Minton Hart, it is assumed to develop the site.
By 1865	The site was occupied by a regular shaped structure constructed to the Gloucester Street alignment with two detached structures located at the rear.
1870s	The site, occupied by Nos. 153 and 155 Gloucester Street were transferred a number of times, before they were purchased, with the adjacent land to the west, by Peter Francis Hart, a builder, in 1880.
c. 1892	The subject buildings were constructed as speculative residential terraces, it is assumed by Hart and continued to be occupied by a number of tenants from this time.
1900	The buildings were resumed under the Darling Harbour Resumption Act and came under the responsibility of the Sydney Harbour Trust who continued to lease the buildings to a number of residential tenants.
c. 1912	Nos. 6 and 8 Essex Street were demolished. The buildings continued to be used for residential (and some small scale commercial) use from this time with minimal changes to the fabric, despite ownership and managerial changes in the following decades (Maritime Services Board in 1936 and Sydney Cove Redevelopment Authority in 1970).
1980s	The SCRA developed strategies for the redevelopment of certain areas in The Rocks and identified the area bounded by Cumberland and Essex Streets for redevelopment as an international hotel.
1988	The houses had been “roughly and extensively” converted into a site office for the construction team working on the adjacent development, on the north eastern corner of Gloucester and Essex Streets. At this time the rear, open yards had been built over and enclosed, internal stairs between the ground and first floors had been removed and a number of openings made in the internal party walls on both levels and on the Gloucester Street façade. SCRA approved the proposed ANA Hotel (now Shangri-La) complex on the northern section of the site.
1989	A CMP was prepared on the buildings on behalf of the Sydney Cove Development Authority.
1990	Design options for the conversion of the buildings into a “pub” associated with the adjacent Hotel and restaurant development commenced. It would appear that works were subsequently carried out.
1992	The buildings were handed over to the ANA Hotel from which time they have continued to be used as a “pub” and maintained in association with the Hotel complex.
1992-2007	The Shangri-La Hotel group took over the management and use of the buildings and only minor works and additions were undertaken such as the addition of illuminated box and “Taxi” signs to the building façades and parapets.
2007	A CMP was prepared on the buildings on behalf of the Foreshore Authority.
2007-2014	The Shangri-La Hotel has continued to lease the buildings for use as a “pub”. No major works have been carried out. Minor works include general maintenance and replacement of floor coverings in the bar areas, replacement of bar and audio equipment appear to have been undertaken.

## 2.9 Ability to represent historic themes

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

Australian Historic Theme	NSW Historic Theme	Representation of historic themes at 178–180 Cumberland Street
2 Peopling Australia	Convict	<p>The County Jail and gallows (1800-1841) were an important place during the convict era, and situated just below the site. Residents could obtain views into the Jail gallows from ridges such as this site.</p> <p>The site is, more generally, part of the ridge initially occupied by convict dwellings and known as The Rocks, indicated by the site location.</p> <p>Associations between the site and convict-era infrastructure are discernable in the documentary record.</p>
3 Developing local, regional and national economies	Industry	<p>The three dwellings were occupied by Chinese underwear manufacturers between 1910 and 1915 (Hop Kee &amp; Co, and Wong Hall). This probably involved little change in the fabric of the building, and surviving evidence of this industrial use is confined to historical documentation.</p> <p>No physical evidence of the use has been uncovered <i>in situ</i>.</p> <p>Early development of the site faced eastwards to the harbor and its associated maritime industries, but by the time the present building was constructed, housing was oriented to the street rather than the major industries in the area.</p> <p>This is reflected in the Essex Street address of the place.</p>
4 Building settlements, towns and cities	Towns, suburbs and villages	<p>The urban layout around the site was initially organic, following the topography and local routes to port facilities. This layout was gradually organized during the 19<sup>th</sup> century as cadastral boundaries were formalized, but the major changes came during the early 20<sup>th</sup> century following the resumptions, then in the 1920s when the construction of the Harbour Bridge removed whole streets and blocks of buildings opposite the site, in the late 1950s for construction of the Cahill Expressway, and in the 1990s when neighbouring colonial-era terraces were removed for hotel construction. A notable outcome of these planning changes was the construction of a lane on the west side of the building in about 1912 (Gloucester Lane) to provide access to back yard toilets and service lines. The lane was incorporated into a car park in 1987, and then completely removed for the landscaping around the new hotel development in 1992.</p> <p>The lane site is now marked by a flight of steps connecting the hotel grounds with Essex Street.</p>

4 Building settlements, towns and cities	Accommodation	<p>The building was used for residential accommodation from its construction until the 1980s. Its terrace form, with relatively narrow interior spaces connected to exterior WCs through a narrow courtyard, and no setback from the street frontage, is representative of such rental accommodation built in The Rocks in the late 19<sup>th</sup> century. As houses, each contained about five rooms, including a kitchen, and also access to the flat roof, presumably as a clothes drying area. Locating such domestic functions on rooftops was not uncommon in The Rocks (e.g. View Terrace in Gloucester Street had a similar function). The accommodation functions can still be read in the general arrangement of interior spaces, and the survival of metal balustrading on the top of the street facades.</p>
5 Working	Labour	<p>The buildings were used for manufacturing underwear between 1910 and 1915. No known evidence of the laboring conditions survives in situ. Between 1988 and 1992, the buildings were used as a site office for the construction of the ANA, now Shangri-la, hotel development. No evidence of the office layout survives, but a number of new openings were made through walls for this purpose, which were later enlarged for the hotel use. Evidence of the conditions for office workers may survive in photographic records, although none have been uncovered to date.</p>
7 Governing	Government and Administration	<p>The site associated with successive waves of government intervention from the housing of convicts to various urban renewal programs and the construction of major public infrastructure such as the Harbour Bridge and Cahill Expressway. The resumptions of 1900 provided for single ownership by the State and the implementation of its strategic development priorities. The planned redevelopments of the 1970s were met with determined resistance by residents of The Rocks, supported by the Green Bans movement, which resulted in substantial revisions to broadscale demolition programs and the retention and conservation of some historic buildings. This remains evident on the site by the planned survival of the building and some neighbouring buildings as part of the planned development of the ANA Hotel project in the early 1990s, all authorized by a government agency, the Sydney Cove Redevelopment Authority. The current exterior relationships between the building and the hotel, and the 1990s alterations to the interior, continue as evidence of the theme.</p>
7 Governing	Law and Order	<p>Resistance by residents of The Rocks, supported by the Green Bans movement, to planned demolitions in the area in the 1970s lead to some tense standoffs and open conflict between residents and police. Although this building was not itself a site of conflict between protestors and police, its planned survival within the larger re-development of the site in the 1990s remains as evidence of the long-term influence of resident action groups in the retention and ongoing conservation of such historic buildings.</p>

8 Developing Australia's cultural life	Domestic Life	The residents of the buildings for most of the 20 <sup>th</sup> century were a mix of Chinese and Europeans, mostly for short term tenancies, sometimes working from home. Evidence of domestic living, such as kitchen, bathroom and WC areas, have all been removed in the 1990s works, and the back courtyard spaces have been obscured within later enclosures and works. The most obvious surviving evidence is the metal balustrade on the street facades that formerly enclosed clothes drying areas.
8 Developing Australia's cultural life	Leisure	The current use of the place as a pub dates from 1992, and is connected with the large hotel development to the north. The opening up of the ground floor level by removing internal walls between the former dwellings is the most obvious evidence of this use, along with the current fit-out (bars, furnishings, etc).
9 Marking the phases of life	Persons	The place is associated with notable cookery author Margaret Fulton OAM. Fulton lived here between 1954 and 1968, covering her early career when she began giving public cookery demonstrations and appearing in magazines and advertisements, especially the <i>Womens' Weekly</i> . Her first cookbook was published in 1968, when she left the building. Fulton is credited with popularizing Italian and Chinese cooking styles in the 1950s/60s, and has been recognized with an OAM (1986), a 'diploma of honour' from Comité Interprofessionnel du vin de Champagne (1989), classification as a National Trust Living Treasure (1998), and by the <i>Bulletin</i> as 'one of the 100 most influential Australians' (2006). A plaque in the building commemorates her associations with the place during an important phase in the development of her career.

### 3. Physical Evidence

The aim of this chapter is to describe Harts Buildings, Nos. 10-14 Essex Street, The Rocks, in detail in order to facilitate the understanding of the existing place. The place itself is a good source of information on the number of changes that have been carried out during its lifetime. This chapter builds on the evidence outlined in the previous section to note the physical changes that have taken place over time in order to understand why, when and how these alterations were made.

#### 3.1 The Rocks Heritage Conservation Area

The site is located within the The Rocks Heritage 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 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 enhances the area.

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

Today the built context is characterised by a mix of residential and commercial buildings ranging from important buildings by significant architects to more humble shops, cottages and terraces mostly dating from the 19<sup>th</sup> and 20<sup>th</sup> centuries. The area has a strong maritime character with warehouses and bond stores remaining in addition to philanthropic buildings and accommodation for seamen. The area also retains a large amount of public open space including Dawes Point Park, with its early fortifications and archaeological remains, 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 area to the south of the Cahill Expressway, in which the subject buildings are located illustrates the diversity of the area with pockets of heritage items and streetscapes intermingled with high rise buildings dating from the late 20<sup>th</sup> and even early 21<sup>st</sup> centuries. It is the overall character and diversity which contributes to the significance of the area.

#### 3.2 Street and Streetscape Description

The site is located on the north western corner of Gloucester and Essex Streets. Essex Street runs in an east/ west direction between Cumberland Street to the west and George Street to the east and features a relatively steep grade falling to George Street.

Essex Street is characterised by varied built environment which steps down the slope of the street. This section of Gloucester Street also features mixed built development dominated by the Shangri-La (former ANA) hotel development located to the immediate north of the site, multi-storey development on the north eastern corner and Science House located on the south western corner of Essex and Gloucester Streets, opposite the subject site.

The buildings occupy a prominent corner site and are highly visible when looking east and west along Essex Street. The slope of the street and location of the buildings, directly on the street alignment, contributes to the visibility of the buildings, despite the surrounding multi-storey development. Part of the buildings are also visible when looking west along Essex Street from George Street. A painted sign on the eastern façade of the buildings has been strategically placed and identifies the buildings when viewed from George and Harrington Streets.

The buildings are part of a prominent historic group which are generally located about the western end of Essex Street. The buildings and neighbouring Butchery Buildings and Lilyvale at Nos. 178-180 and No. 176 Cumberland Street are an identifiable group and whilst physically dominated by the adjacent Hotel complex are highlighted by the open spaces, steps and courtyards that are located about the group. The buildings also have a presence on Gloucester Street and is highly visible when looking along the streetscape.



**Figure 3.1** View looking of the western end of Essex Street which features a number of historic buildings constructed in the late 19<sup>th</sup> to early 20<sup>th</sup> century.



**Figure 3.2** View looking east along Essex Street which extends between Cumberland Street to the west to George Street to the east.



**Figure 3.3** Opposite the site, on the southern side of this section of Essex Street is Science House and two storey face brick former corner shop and residence, No. 182 Cumberland Street. No. 182 Cumberland Street was constructed c. 1911-12 was designed by the Government Architects Office under the supervision of WL Vernon. Like the other buildings in this part of Essex Street, the building steps down the slope of the street.



**Figure 3.4** View looking south east along Essex Street from the Hotel.



**Figure 3.5** The buildings located diagonally opposite the site, on the south eastern corner of Gloucester and Essex Streets, include a three storey face brick and rendered Federation commercial building, No. 120 Gloucester Street, and the multi-storey Bushells' Building (Nos. 121-127 Harrington Street). These buildings have been recognised as being of State heritage significance and for their contribution to the precinct.



**Figure 3.6** View looking south along Gloucester Street.



**Figure 3.7** Science House, located opposite the subject buildings, is constructed in the Inter-war Commercial Palazzo style and features stone base and details and textured face brick façade with terracotta tile clad roof.



**Figure 3.8** This section of Gloucester Street to the immediate north of the site (at left) is characterised by several modern multi-storey developments. The street has been cut by the Cahill Expressway just north of the site.



**Figure 3.9** The Shangri-la Hotel complex is located to the immediate north of the site. The building has a three and four storey podium with loading dock and service entry facing Gloucester Street. The service access connects to the basement levels of Harts Buildings, also the neighbouring Butchery Buildings and Lilyvale.



**Figure 3.10** Harts Buildings and the Hotel are separate by public thoroughfare, steps and courtyard spaces which were constructed when the Hotel was constructed in the early 1990s. The addition of the steps necessitated the infill of two, lower level windows at the rear of Harts.



**Figure 3.11** Another sandstone stair separates the buildings from the Butchery Buildings and Lilyvale Cottage, which were also retained and conserved as part of the Hotel development.

The stair and adjacent infill are located on the site that was occupied by two terraces, Nos. 6 and 8 Essex Street which were demolished c. 1912 to form Gloucester Lane. The lane provided rear access to public housing which was constructed on Gloucester Street to the immediate north of Harts Buildings from this time. These terraces were demolished prior to 1987. The sandstone piers, garden bed and associated walling now located on the kerb were added sometime after 1988 as part of the development of the precinct.



**Figure 3.12** The Butchery Buildings, Nos. 178-180 Gloucester Street form part of the historic precinct visible along both Essex and Cumberland Streets.



**Figure 3.13** The Butchery Buildings also feature rendered wall planes with rendered string courses and moulded cornices to the front of the buildings which is constructed to the Cumberland and Essex Street alignment. An open public walkway separated the buildings from Lilyvale, No. 176 Cumberland Street.



**Figure 3.14** View of the historic buildings about the junction of Essex and Cumberland Streets. The buildings represent the development of the area from the 1840s to the early 20<sup>th</sup> century and are in contrast to the surrounding modern development.



**Figure 3.15** Lilyvale Cottage, No. 176 Cumberland Street, is a painted brick detached former residence dating from c. 1846/7. The building was also conserved as part of the adjacent Hotel development and with the Butchery Buildings shares a rear courtyard with Harts Buildings and the Hotel.

### 3.3 Building Description

Harts Buildings are three, two storey Federation period rendered brick buildings with distinctive piers parapet and rendered mouldings on the street facing facades.

The buildings, which have been adapted into a “pub” generally retain their original external scale and form including a sense of the original rear wing on the first floor. The ground floor former yards were infilled and roofed over in c. 1988 and as part of the early 1990s adaptation. Internally, openings were made in the dividing party walls at the same time and buildings combined for use as a construction site office and later adaption for use as a pub which remains today. The buildings are bounded to the north and west by sandstone flights of stairs, which access the shared courtyard to the north west of the buildings. The upper storey of the buildings were also adapted to allow direct access to the public courtyard which was created as part of the hotel development in the early 1990s.

Harts Buildings also have access to a basement service area that was constructed adjacent to the buildings as part of the 1990s hotel development. The basement is accessed via a staircase and lift at the rear of bar area at 12 Essex Street.

### 3.4 Identification of Fabric Development – External

Harts Buildings generally retain their original external character and scale and restrained decorative details such as rendered sills, string course and label moulds over the upper storey window openings and profiled cornice.

The slope of Essex Street is reflected on the front façade of the buildings. The rendered details are stepped and are not continuous across the front, southern façade. The original floor level of the rear wing or tunnel back is also reflected by the location of the northern window on the Gloucester Street façade.

The slope of Essex Street and remains of the rock ledges that once dominated The Rocks are visible on the Gloucester Street and Essex Street façade of No. 14 which sits on a rendered and painted rock face base. The buildings are elevated above street level. Sandstone steps and elevated pedestrian path, bounded by an ashlar sandstone block retaining wall, extends across the front of the buildings.

The western facade of No. 10 features a chimney stack that indicates that it was once a party wall. The neighbouring terraces (Nos. 6 and 8 Essex Street) were demolished in c. 1912. The other chimneys are also visible from the street frontages and together with the extended piers form a distinctive profile with the piers parapet which rises above the Essex and Gloucester Street facades.

The timber framed, double hung windows were reinstated between 1990 and 1992 and pitched roof (generally concealed by the parapet) and corrugated steel roofing were also renewed as part of the early 1990s works.



**Figure 3.16** Harts Buildings, Nos. 10-14 Essex Street, The Rocks. The buildings are a two storey bald face rendered terraces on a rendered and natural stone painted plinth/base. The façade also has a distinctive piered parapet with rendered mouldings on the main street facing facades.



**Figure 3.17** The Essex Street façade. Each of the terraces has a separate profiled cornice which steps down the continuous flat façade also rendered label moulds over the first floor windows, double hung timber framed windows on both the ground and first floors and each also have a single door opening with glazed toplight over. The early timber windows were removed in c. 1988 with timber windows to suit the style of the buildings reinstated as part of the adaptive works undertaken between 1990 and 1992. The handrails also appear to have been added as part of the adaptive works.



**Figure 3.18** The buildings step down the slope of Essex Street. The number of steps to each of the entries increases from one doorway to the next.



**Figure 3.19** The two eastern entries are recessed with painted stone steps extending up from the street frontage to the timber panelled doors which each have an original or early glass toplight over.

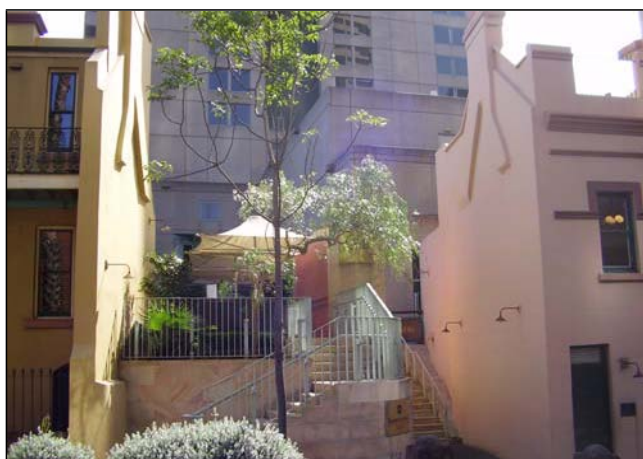




**Figure 3.20** View looking along the front façade. A bracketed sign has been suspended over the central door. Lamps and other signs, also a brass plaque, have also been fixed to the façade.



**Figure 3.21** The buildings stand alone on the corner of Essex and Gloucester Street.



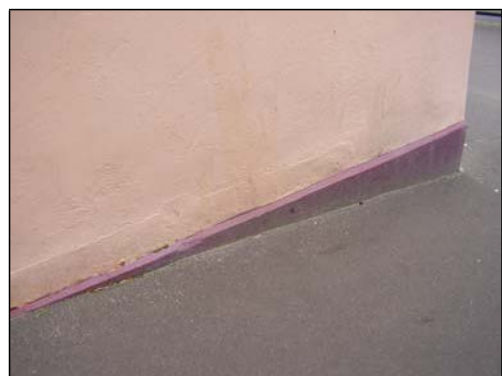
**Figure 3.22** Modern stone steps and access to the Hotel and courtyard spaces between the buildings and Butchery Buildings located on the corner of Essex and Cumberland Streets.



**Figure 3.23** A modern stone stair and connection to the internal courtyards and Hotel complex extends along the western façade of the buildings.



**Figure 3.24** The western façade retains a plinth and evidence of the adjoining terraces (Nos. 6 and 8 Essex Street) that were demolished in c. 1912.





**Figure 3.25** The western façade and roofline from the central open courtyard between the buildings and its immediate neighbours. The roof retains evidence of the former access to the roof of each of the buildings, however, only one (eastern end) stair and access actually remains intact.



**Figure 3.26** The courtyard space between Harts and The Butchery Buildings which was created as part of the early 1990s works.



**Figure 3.27** Looking west (and east below) through the courtyard and walkway between Lilyvale and the Shangri-La Hotel the Butchery Buildings and Harts.





**Figure 3.28** The rear facades of the buildings. A painted sign as been fixed to the western end wall. Lamps and services have also generally been added to the facades. It is assumed as part of the early 1990s works.



**Figure 3.29** The access to the courtyard and pub now has a modern steel awning added as part of the 1990s works. The former rear yard (below) was covered over in c. 1988, however, the slab was added to create the access to the shared courtyard between 1990 and 1992. The rear upper room (at right) is only externally accessed and is used as an office.

Note the evidence of the roof access.



**Figure 3.30** The access between the pub and courtyard. The doorways were created as part of the 1990s works. The former rear wing has an office (door at right) which is simply finished with skylight over.



**Figure 3.31** View of the rear of the buildings and roof from Lilyvale.





**Figure 3.32** The rear of Nos. 12 and 14. The former open rear yards (bottom right) were covered over with corrugated steel clad roof in c. 1988 when the buildings were converted for use as site offices for the adjacent development.



**Figure 3.33** Stone steps and walkway added as part of the 1990s works separate the buildings from the Hotel complex. A tap was also provided at the north eastern corner of the buildings.





**Figure 3.34** The north eastern and eastern facades of the buildings. The eastern end wall is constructed on natural stone base which has been painted.



**Figure 3.35** The neighbouring Hotel was designed with a low scale podium. The Hotel loading dock and basement service areas are accessed from Gloucester Street. The basement level and docks are connected to provide service access to Harts and neighbouring Butchery Buildings and Lilyvale.



**Figure 3.36** The eastern end wall is constructed directly to the Gloucester Street frontage.



**Figure 3.37** The distinctive parapet returns along most of the eastern façade which also has the profiled cornice, string line and label moulds over the first floor windows. Various chimneys also remain. A painted and several fixed signs have also been added to the façade.



**Figure 3.38** The base of the buildings on the corner of Essex and Gloucester Street has been constructed directly onto the rock ledges that gave the area its name.



**Figure 3.39** A sandstone stair is located in front of No. 14 Essex Street, near the corner of Gloucester Street. The street level and pedestrian footpath in front of the buildings were altered prior to 1988 and were formalised as part of the overall redevelopment of the precinct in the late 1980s, early 1990s. It is assumed that the stone treads date from the early 1990s works to the area.



**Figure 3.40** The sandstone stair and elevated footpath extends in front of the buildings.



**Figure 3.41** The street level and pedestrian footpath in front of the buildings were altered prior to 1988 and were formalised as part of the overall redevelopment of the precinct in the late 1980s, early 1990s.

### 3.5 Identification of Fabric Development- Internal

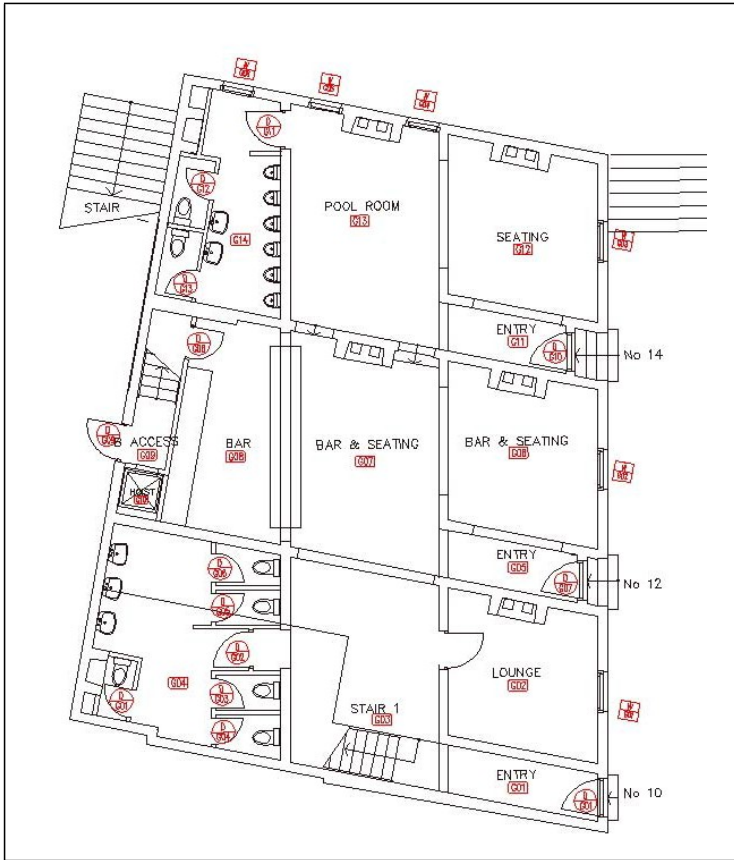
The interior of the buildings retain a sense of their original layout and form with dividing party walls now clearly defining the bar, dining and general areas in the pub. A number of openings were made in 1988 when the buildings were stripped and used as a construction site office. The openings were enlarged and additional openings were made as part of the 1990-1992 adaptation works to open up the small spaces and allow connection through the buildings and access to the male and female toilets on the ground floor and to the open courtyard and adjacent facilities at first floor level. Fireplaces and breasts were mostly retained with mantles and details reinstated to suit the style and age of the buildings (the original or early surrounds and details had previously been removed, probably in 1988).

A basement service area constructed in the 1990s as part of the hotel development is located adjacent to the Harts Buildings and accessed via a new internal staircase and lift at the rear of 12 Essex Street.

The original internal stairs of all three buildings were removed in 1988. One stair between the ground and first floor was reinstated (in No. 10) as part of the early 1990s works. This stair, whilst in the similar position, is larger and wider than the original with open void around. One of the original, narrow timber stairways from the first floor to the roof has, however, been retained and remains in the back upper room of No. 14.

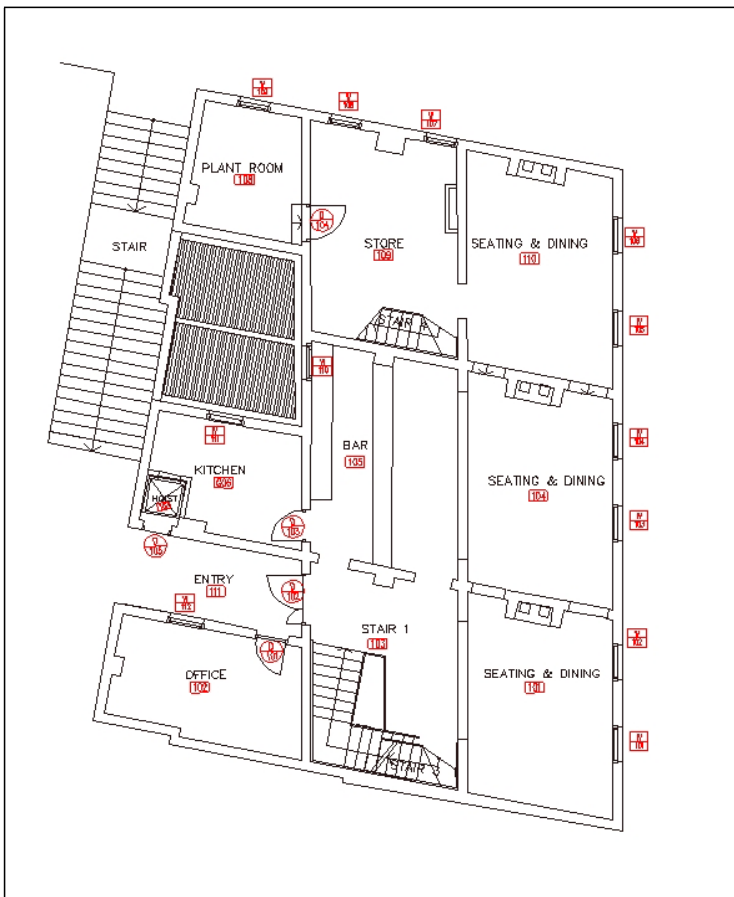
The interior generally features timber floor, rendered and set walls and plasterboard ceilings with profiled cornices and central roses. Most of the early finishes were removed or damaged in 1988. The interior finishes, including timber floor boards and joinery, ceilings also elements such as fireplace surrounds were all repaired or reinstated to match

the remaining elements and to suit the style of the buildings as part of the early 1990s works. A timber chair rail/ dado, timber wall paneling, also bars and fixed furniture have also been added as part of the pub fitout undertaken in the early 1990s.



**Figure 3.42** Ground floor plan (as built in 1990).

(Source: Foreshore Authority)



**Figure 3.43** First floor plan (as built in 1990).

(Source: Foreshore Authority)

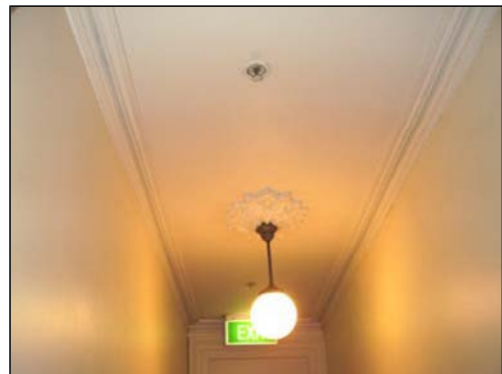
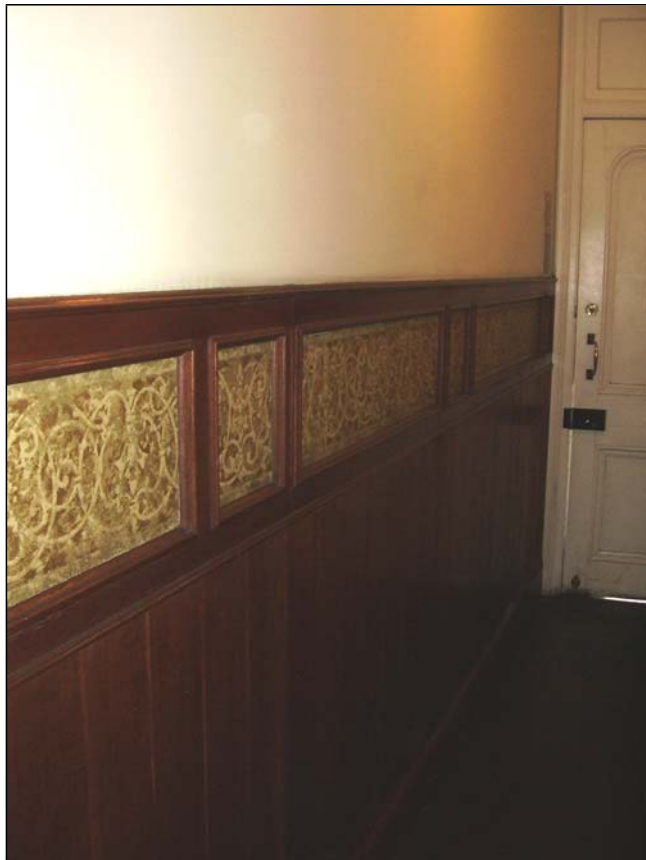
### 3.5.1 Ground Floor



**Figure 3.44** The entry hallway to the western terrace (No. 10) which retains a hall arch and mouldings.



**Figure 3.45** The entry retains an original or early timber paneled door with glass toplight. The wall dado and detail and other finishes including ceilings, profiled cornices and roses, however, generally date from the 1990s works.





**Figure 3.46** View looking east, across the central rooms and bar area on the ground floor. Some openings were made in the party and cross walls in 1988 and then enlarged and opened up as part of the 1990-1992 adaptation of the buildings.



**Figure 3.47** The front room of No. 10 has been retained and is used as an intimate lounge room. Fireplaces, stone hearths and timber surrounds have also been reinstated throughout.





**Figure 3.48** A stair has been reinstated in the western end terrace (No. 10). Access to the ladies WC is located below the stair.



**Figure 3.49** The stair soffit has been lined with timber boards and the alcove also accommodates an ATM. The rear yard of No. 10 was infilled and space amalgamated with the rear ground floor room to create service areas in the late 1980s and converted to the ladies' WC as part of the early 1990s works. Some patching is evident above the door.



**Figure 3.50** The ladies' WC has modern reproduction tiles, finishes, fixtures and fittings. Drawings indicate that a fireplace and breast remains behind lightweight wall along the northern side of the space.



**Figure 3.51** A timber bar with modern fixtures and fittings and bulkhead have been added to the central ground floor room (No. 12) as part of the 1990s works.





**Figure 3.52** The bar area also has a concrete slab floor vinyl floor finish. An early door provides access to the infilled rear yard and shared basement and loading dock areas.



**Figure 3.53** The doorway opens onto a small concrete landing and concrete stair leading down to the Hotel service area. A small service lift/ dumb waiter is located at the base of the stair. The lift also extends up to the kitchen on the first floor.





**Figure 3.54** The shared basement service area and store under the hotel that is accessed by the Harts Buildings via the staircase at the rear of 12 Essex Street.



**Figure 3.55** The shared loading dock off Gloucester Street accessed by the Harts Buildings via the staircase at the rear of 12 Essex Street.



**Figure 3.56** Openings have been made in the party walls to connect the rooms and spaces.



**Figure 3.57** The front room and bar area of the central terrace, No. 12.



**Figure 3.58** The entry of No. 12 which also retains the hall arch and a strong sense of the earlier layout of the buildings.



**Figure 3.59** View across the bar area to the entry of No. 12. The large openings were formed in 1990-1992 as part of the adaptive works.



**Figure 3.60** The connection between No. 12 and 14.



**Figure 3.61** The floor level between Nos. 10 and 12 was levelled with step created near the western end wall and stair. The change of levels, however, is discernible between the two eastern terraces, Nos. 12 and 14.



**Figure 3.62** View across the two front rooms and entry of No. 14. The hall arch and mouldings remain. Large openings have also been formed to connect the spaces.



**Figure 3.63** The dado and timber paneling on the walls and fixed furniture have been added as part of the 1990s pub fitout.



**Figure 3.64** The male WCs also have reproduction tiles and modern finishes, fixtures and fittings. The building plans indicate that a lightweight partition wall and services conceal a fireplace located along the northern wall.



**Figure 3.65** View across the bar area on the ground floor.



**Figure 3.66** The stair located on the western end wall (No. 10) connecting the ground and first floor levels. Note the step and change of floor level at the base of the stair.

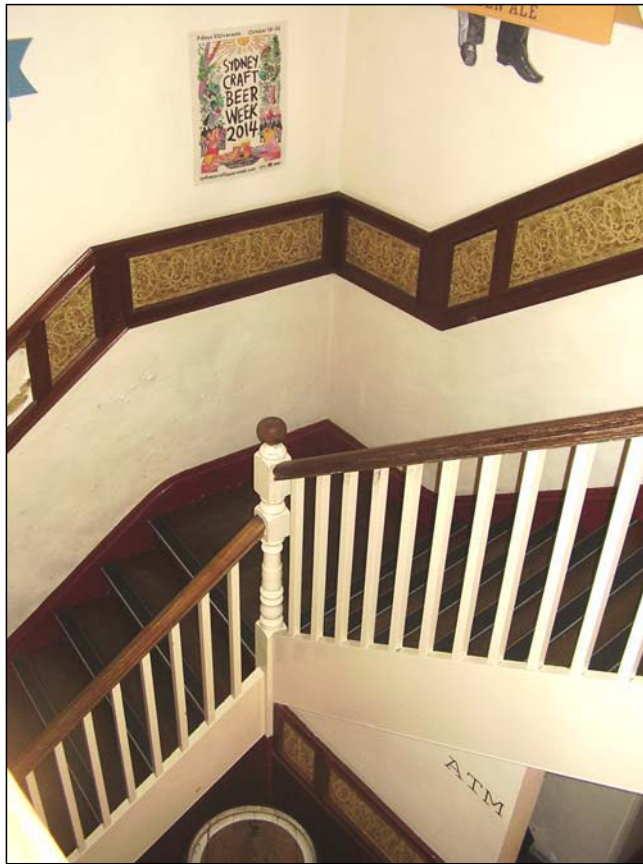


**Figure 3.67** The stair was constructed as part of the 1990s works and has timber treads and risers and balustrade.

The buildings are generally in a fair good condition, however, some damp ingress and plaster damage is evident on the western end wall at the base of the stair.



### 3.5.2 First Floor



**Figure 3.68** The current stair is wider and larger than the original stair which was located along the western wall.



**Figure 3.69** The timber balustrade which was added as part of the 1990s works. The stair balustrade has been detailed to match the remaining roof access stair in the north eastern corner of the first floor.



**Figure 3.70** Openings have been made on the upper landing to access the external office and courtyard space and kitchen located in the upper rear room of the adjacent terrace (No. 12).



**Figure 3.71** Various openings have been made in the internal walls to provide open plan and connect the spaces.



**Figure 3.72** The finishes and details generally date from the 1990s works, however, elements such as windows and timber skirtings and architraves appear to have been reinstated to match the remaining early fabric.



**Figure 3.73** The bar area on the first floor. New light fixtures and services including audio visual equipment have also been added to the spaces.



**Figure 3.74** The central cross wall has been opened up to create the upper bar area.





**Figure 3.75** The first floor bar also features timber bar with lightweight bulkhead over with modern fixtures and fittings and vinyl floor finish.



**Figure 3.76** A small commercial kitchen with service lift in the north western corner, is located in the upper rear room of the central terrace (No. 12).





**Figure 3.77** Openings have also been formed in the central party wall to connect the upper rooms



**Figure 3.78** The stepping of the terraces down Essex Street and change of floor level is also evident on the first floor.



**Figure 3.79** The fixed furniture, banquette seating and shelves have been added as part of the pub fitout.



**Figure 3.80** A store and plant room are accessible from the front upper room of No. 14.



**Figure 3.81** The store and plant room (doorway at left) similarly feature finishes and linings added and reinstated as part of the early 1990s works.





**Figure 3.82** The room retains the one remaining stair to the roof.



**Figure 3.83** The stair is narrow with simple painted timber treads and risers and balustrade. The ceiling and soffit are lined with timber boards. A ledged and sheeted door is located on the upper landing.





**Figure 3.84** View of the south eastern roof and parapet.



**Figure 3.85** Detail of the eastern chimney and parapet. Note the conduits and wires and taxi indicator added to the parapet.



**Figure 3.86** The roof over the north eastern section of the buildings (former rear wing and infilled yard of No. 14).





**Figure 3.87** The roof access and structure over the stair accessing the roof. The same structures remain over Nos. 10 and 12 although the stairs have been removed.



**Figure 3.88** The roof over No. 10 and 12.



## 3.6 Building Condition

The buildings are currently in a fair condition. An inspection undertaken in July 2015, revealed that the buildings internally and externally are in need of review and there appears to be a range of maintenance works required to the buildings. There is extensive water ingress and water damage to the plasterwork, skirtings and cornice and evidence of damp to the floor bearers and joists along the western wall. Water may be entering via the roof and also from water runoff from the abutting staircase from the courtyard to Essex Street. A thorough inspection and condition report should be prepared to recommend and prioritise maintenance and repair works required.

## 3.7 Assessment of Archaeological Potential

The archaeological potential of the site was assessed in *The Rocks and Millers Point Archaeological Management Plan in 1991*<sup>62</sup> (Inventory No. 102)

A Report on the Archaeological Investigation for Lilyvale was prepared in 1992. The report outlines the historical research and historical archaeological investigation for the Sydney Cove Development Authority for the neighbouring site of Lilyvale. Wendy Thorp was the Principal Consultant and Excavation Director, with input from Val Attenbrow on the Aboriginal archaeological investigation as part of this project.

The Foreshore Authority's current S170 Heritage Register listing for this site also includes archaeological management recommendations that are incorporated into this CMP.

### 3.7.1 Below Ground

The historical development of the site indicates European occupation since 1788. Specifically structures were constructed on the site in the c. 1840s and subject buildings in the 1890s. The development of the site and construction of the buildings would have disturbed any deep features such as wells and cesspits present in the former yards, as the subject buildings were constructed to the site boundaries and maximised the site area. Similarly the redevelopment of the adjacent sites and construction of the hotel complex and its basement service area adjacent to the Harts Buildings, incorporating the rear of the buildings would have disturbed any significant resources. The archaeological potential of the site is considered to be low.

The below ground archaeological remains were noted as being "partly disturbed" with any potential resources likely to be located in the area under the buildings only. The archaeological potential under the buildings is considered to be high and the remainder of the site that has been excavated is considered low.

### 3.7.2 Above Ground

Roof, and between-floor, spaces may contain archaeological relics. Disturbance of such relics should be minimised. If they do need to be removed, this should only be done by, or under the direction of, a qualified archaeologist. Locations should be recorded and items conserved, catalogued and stored in accordance with the Foreshore Authority and Heritage Division, former NSW Heritage Division Guidelines.

An archaeological assessment was conducted in the late 1980s. The 1989 Conservation Plan referred to the removal of some fabric to allow investigation, however, no record of that archaeological assessment has been located and it is not clear what this investigation revealed.

The 1991 management plan recommended that an archaeological watching brief be implemented prior to any future works to the buildings.

The archaeological potential is considered to be low.

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<sup>62</sup> Higginbotham, E., Kass, T., Walker, M., *The Rocks and Millers Point Archaeological Management Plan*, 1991.

## 4. Assessment of Cultural Significance

### 4.1 Assessment of Significance

#### 4.1.1 Comparative Analysis

Harts Buildings are rendered “bald-face” terraces with parapet and minimal ornamentation constructed in c. 1892.<sup>63</sup> The buildings feature typical details and form and as rental accommodation were relatively modest, simply finished and detailed, with small rear open yards. As noted in a comparative analysis of terraces in The Rocks, bald-faced terraces, although modest, were not necessarily substandard. The quality depended on the site and the landlord. Bald-faced terraces can be found in Kent and Argyle Street in Millers Point, Gloucester, Harrington and Atherden Streets in The Rocks. Susannah Place is the oldest reliably dated example in The Rocks. The vast majority of the surviving bald faced terraces date from the 1860s and 1870s and appear to have been erected by builders from Surry Hills or Glebe.<sup>64</sup>

Harts buildings were constructed well and later by landowner and speculative builder Peter Francis Hart. By the 1870s he had constructed a number of modest and smaller, two storey bald-faced terraces in Hart Street, Millers Point (now demolished). These had simple flat and asymmetrical façade with a single door and window on the ground floor and single window on the upper level, indicating the one-room width of the dwellings. Hart resided in Newtown where he built a more substantial terrace in 1877, indicating that he was well aware of the market he was catering to. The terraces in Newtown are larger two storey terraces with front verandahs, balconies and parapets overlooking the street. The Butchery Buildings and Harts Buildings are the only buildings constructed by Hart in The Rocks that survived the demolitions that followed the resumptions in 1900.<sup>65</sup>

The Butchery Buildings at Nos. 178-180 Cumberland Street (**Figure 4.1**) were constructed just prior to Harts Buildings by Hart in 1890-1891 and have similar stylistic characteristics.<sup>66</sup> The buildings also replaced earlier structures that occupied the site and feature rendered facades with restrained decorative mouldings constructed directly to the street frontages. The buildings, however, also featured corner shop with posted awning, which was a common feature for corner sites from the 1840s, with attached residences at the rear, which unlike the subject buildings are setback from the Essex Street alignment. Like Harts Buildings the residences at the rear also feature relatively simple rendered facades, however, they also feature balconies overlooking Essex Street.

There are no other comparable examples of residential terraces in Essex Street from the same period. Other shops and residences were constructed later, in the early decades of the 20th century such No. 182 Cumberland Street (**Figure 4.2**) on the southern corner of Essex and Cumberland Street. Whilst comparable in scale, the buildings are stylistically different, constructed of face brick and also features shop and awning to the street corner.

To the south of this building are a number of terraces that date from the same period (1890),<sup>67</sup> however, these terraces, Nos. 182.5-186 Cumberland Street (**Figure 4.3**) are typical examples of late Victorian terraces houses built as an investment. Like Harts Buildings, the buildings at Nos. 182.5-186 Cumberland Street feature rendered facades, however, are also characterised by exposed party walls and balconies on the ground and first floor levels constructed to the street frontage.

<sup>63</sup> As defined by Apperley, Irving, Reynolds, “A Pictorial Guide to Identifying Australian Architecture”, (1989).

<sup>64</sup> Rice, Jean, *Terrace Houses in The Rocks A comparative Analysis of Significance* (June 2014) p. 75.

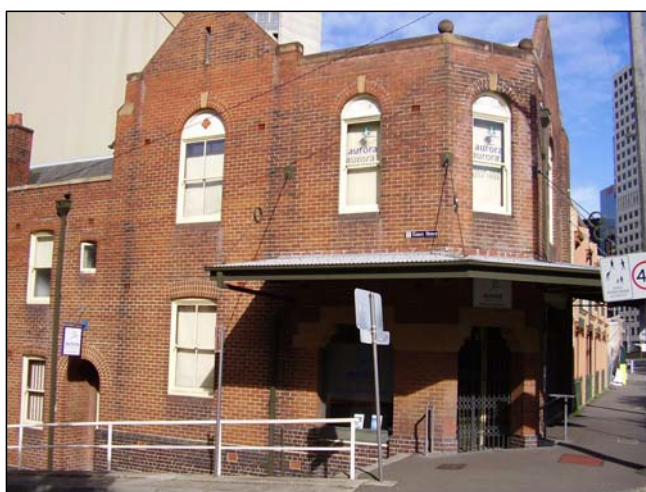
<sup>65</sup> Ibid, Case Studies, p. 47.

<sup>66</sup> Heritage Division, former NSW Heritage Office Database No. 5053209.

<sup>67</sup> Heritage Division, former NSW Heritage Office Database No. 5053224.



**Figure 4.1** The Butchery Buildings at Nos. 178-180 Cumberland Street, date from the same period and feature comparable architectural style to Harts Buildings, however, the incorporates a corner shop with residences at the rear. The place has been adapted to a restaurant and is also associated with the adjacent Hotel complex.



**Figure 4.2** No. 182 Cumberland Street, is similarly small scale, however, was constructed sometime later (c. 1911-12),<sup>68</sup> and is constructed in face brick and incorporates shop and residence.



**Figure 4.3** Nos. 182.5-186 Cumberland Street, are typical late Victorian styled terraces with balconies constructed to the street frontage. Whilst they date from the same period as the subject buildings and were also constructed as speculative residential properties, they are stylistically different.

There are also a number of terraces constructed in the same period remaining at the northern end of Gloucester Street. However, in terms of scale and details, the buildings are similar to terraces located in Playfair and Atherden Streets. The Argyle Terrace, Nos. 13-15 Playfair Street (**Figure 4.4**) is a pair of bald face rendered terraces constructed c. 1883-84. These were also constructed for the renters market and represent the typical form and subdivision pattern which occurred at this time. Like the subject buildings, the party wall is not expressed on the front façade which features restrained decorative details and parapet which conceals the roof behind. The main facade also features simple

<sup>68</sup> Heritage Division, former NSW Heritage Office Database No. 5053197.

openings, although with arched heads. The buildings have also been adapted for use as a restaurant, however, the rear wings have been removed (1970s).

Playfair's Terrace and Avery Terraces, Nos. 1-7 and Nos. 2-4 Atherden Street (**Figures 4.5** and **4.6**), are also small scale residential properties that although constructed in 1880 and 1881, are also bald face terraces with restrained decorative details. Like the subject buildings the party walls are not expressed on the front façade which features simple pattern of openings. Playfair's Terrace, Nos. 1-7 Atherden Street also features a continuous parapet with profiled cornice and which conceals the roof behind. Avery Terrace, Nos. 2-4 Atherden Street, features rendered string course between the ground and first floor levels, however, has no parapet.



**Figure 4.4** Argyle Terrace, Nos. 13-15 Playfair Street.



**Figure 4.5** Playfair's Terrace, Nos. 1-7 Atherden Street.

Harts Pub is interesting in the way that the buildings respond to the shape and topography of the site. The walls of the buildings are not square and are slightly splayed to maximise floor area and they were constructed directly onto the rock ledges and “step” down the slope of Essex Street.

Other examples of terraces which similarly respond to site conditions are located in Harrington Street. Nos. 42-52 Harrington Street (**Figure 4.7**) is a row of six terraces which steps up Harrington Street. Like the subject buildings they also feature rendered façade with simple pattern of openings. The buildings, however, date from an earlier period (1874-1880)<sup>69</sup> with pitched roofs visible to the street.

<sup>69</sup> Heritage Division, former NSW Heritage Office Database No. 5053228.



**Figure 4.6** Avery Terrace, Nos. 2-4 Atherden Street.

Other examples in Harrington Street, such as Nos. 61-65 (**Figure 4.8**) perhaps provided a model for the design of the subject buildings. These buildings dated from the 1860s and are also constructed on the rock ledges and above street level with simple pattern of openings on the street facing façade. The party walls are not expressed on the façade, however, extend beyond the pitched roof line which is visible. The introduction of parapets and in the case of the subject buildings the piers and details are elements typical of the more prosperous 1870s and 1880s.



**Figure 4.7** Nos. 42-52 Harrington Street, have similarly been constructed to follow the grade of the street.



**Figure 4.8** Nos. 61-65 Gloucester Street, although constructed in a much earlier period, it is clear that the subject buildings were constructed to a tried and tested model.

#### 4.1.2 Assessment Criteria

The following assessment of heritage significance has been prepared utilising the current evaluation criteria established by the New South Wales Heritage Council.

***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)***

The historical significance of **Harts Buildings** is demonstrated by:

- the *evidence* of the place as part of the late 19<sup>th</sup> century development of The Rocks which is significant in its own right as the earliest area of Sydney to be developed and association with the convict settlement of Australia;
- their *association* with a group of small scale commercial and former residential buildings (Lilyvale and the Butchery Buildings) that demonstrate the evolution of the area from the 1840s to the turn of the 20<sup>th</sup> century;
- their *continuous use* as residential dwellings from their construction in c. 1892 for nearly 100 years, despite changes of ownership and management; and by
- their *association* with the shift and development of the area from from a residential precinct to a commercial zone and a focus of Sydney tourism activities by the adaptation of the buildings in the early 1990s for use as pub in association with the nearby modern Hotel complex.

The buildings meet this criterion on a **STATE** level.

***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).***

The associational significance of **Harts Buildings** is demonstrated by:

- the *association* of the buildings with Peter Hart, a builder who constructed the buildings which now bear his name and also owned and developed other properties in Newtown, Millers Point and the adjacent site (the Butchery Buildings);

- the *association* with a number of local residents and occupants including Margaret Fulton, a well-known and highly regarded cookery writer who occupied part of the buildings during the late 1950s and early 1960s; and by
- the *association with significant groups* including the Sydney Harbour Trust, who became responsible for the buildings in c. 1900, Maritime Services Board, Sydney Cove Redevelopment Authority and Sydney Harbour Foreshore Authority. The buildings are also now associated with the Shangri-La (former ANA) Hotel and part of the tourist and commercial enterprise in the area.
- Their contribution as historic buildings to be *important to a community's sense of place*, in this case residents of The Rocks and Millers Point and their descendants and wider community including those 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 place.

The buildings meet this criterion on a **STATE** and **LOCAL** level.

***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 are natural history (or the cultural or natural history of the local area)***

The aesthetic significance of **Harts Buildings** is demonstrated by:

- the *style*, form and classical detailing of the buildings which represents a simple, late Victorian two storey bald-face terrace style with stripped detailing and little ornamentation and incorporation of standard building techniques and finishes which reflects the "speculative" nature of the buildings;
- the architectural configuration and layout which is representative of terrace housing of the period, however, like other buildings in The Rocks, shows some *innovation* in the way the buildings have been adapted to suit the irregular site parameters and topography of the site. The massing and form of the buildings, construction to the street frontage and lack of open space around the buildings represents the shift in the style and type of residential accommodation that became prevalent from the 1870s as the area became more developed and densely populated;
- its *landmark qualities*, occupying a prominent corner site, the buildings are highly visible elements in the Essex Street streetscape. Their modest scale is in contrast with much of the surrounding development and together with the Butchery Buildings and Lilyvale Cottage, form a grouping of late 19<sup>th</sup> century buildings which *exemplify* the 19<sup>th</sup> century development of the area. These buildings are of high significance as the only survivors from this period (1840s to 1890s) in the block bounded by the Cahill Expressway, Cumberland, Essex and Gloucester Streets.
- their contribution to an *aesthetically distinctive* townscape and part of a group of nineteenth and early 20<sup>th</sup> century buildings about the intersections of Essex, Gloucester and Cumberland Streets, which collectively illustrate the range, diversity of style and urban scale of development in The Rocks between 1840 and the First World War.

The buildings meet this criterion on a **STATE** and **LOCAL** level.

**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.**

The social values of **Harts Buildings** are demonstrated by:

- their contribution as historic buildings in The Rocks which has high social value to residents and occupants and the wider community who campaigned against full scale redevelopment of the area in the 1960s and 1970s and continue to hold The Rocks in high regard for its historical, archaeological and architectural significance and research potential;
- their contribution to the *community's sense of place* as part of a primarily residential and small scale commercial precinct that developed after the relocation of the Old Gaol from George Street in the early 1840s and association with a number of occupants and tenants who were part of a closely knit working class neighbourhood. The buildings are now part of an active commercial "community" and busy tourist precinct and popular venue for leisure activities for local workers and tourists alike.

The buildings meet this criterion on a **STATE** and **LOCAL** level.

**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)**

The research value of **Harts Buildings** is demonstrated by:

- their *potential to yield new or further information* as largely intact examples of terraces constructed during the 1890s that illustrate the domestic standards and design of terraces during this period in The Rocks;
- their *potential to yield information* about the original topography of the area and how builders responded to the site conditions and rock ledges that typified the early character of The Rocks;
- *their potential to yield information* about early life in The Rocks. The buildings significantly retain fabric from 1890s construction phase. The historical development of the site indicates European occupation since at least the 1840s with archaeological deposits potentially remaining under the footprints of the buildings and above ground between the floor and ceiling cavities. The types of archaeological items that may be found in these spaces include a range of household items such as documents, receipts, misplaced small household items, evidence of items collected in rats nests etc. and
- as a *reference site* with the neighbouring Butchery Buildings and Lilyvale Cottage, the buildings demonstrate the architecture, domestic and commercial attitudes of the period between 1840 and 1900 in NSW.

The buildings meet this criterion on a **STATE** level.

**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)**

**Harts Buildings** are rare as:

- one of a few 19<sup>th</sup> century, small scale residential buildings remaining in the area south of the Cahill Expressway with the Butchery Buildings, Lilyvale and terraces at the southern end of Cumberland Street, they form a significant grouping;
- there are no other comparable examples of residential terraces in Essex Street from the same period;

- a group of late Victorian bald-faced terraces constructed in The Rocks in the 1890s. The vast majority of the surviving bald-faced terraces in The Rocks date from earlier period, mostly from the 1860s to 1880s;
- with the Butchery Buildings are the only buildings constructed by builder, Peter Hart in The Rocks that survived the demolitions that followed the resumptions in 1900;
- the buildings differ from other bald-face terraces in the area featuring a distinctive parapet and they respond to the site and retain evidence of the earlier topography and rocky ledges of The Rocks which can be interpreted in the way the buildings step down the slope of Essex Street and by the rock base visible at the base of the Gloucester Street facade.

The buildings meet this criterion on a **STATE** level.

**Criterion (g) – An item is important in demonstrating the principal characteristics of a class of NSW’s cultural or natural places or cultural or natural environments (or a class of the local area’s cultural or natural places; or cultural or natural environments).**

The representative significance of **Harts Buildings** is demonstrated by:

- the *principle characteristics* of the buildings as late Victorian style, two storey bald-faced terraces. Despite adaptation and alterations, the buildings, retain their original external character and a sense of their original internal layout which are typical of the style and remain as good representative examples of this type of building;
- the use and retention of *attributes typical* of speculative type dwellings with restrained and simple detailing, scale and form of the buildings;
- their contribution to *a group which collectively illustrates* terraced type dwellings and shift away from detached housing in The Rocks and wider area in the period of the 1840s to 1890s.

The buildings meet this criterion on a **STATE** level.

## 4.2 Statement of Significance

Harts Buildings, Nos. 10-14 Essex Street, are of State and local heritage significance for their historic, aesthetic, social, scientific and research cultural values. Their historical values are demonstrated by their association with the late 19<sup>th</sup> century development of The Rocks which is significant in its own right as the earliest area of Sydney to be developed and association with the convict settlement of Australia. The buildings are good examples of two storey, late Victorian bald-faced terraces provide evidence of the building practices of the 1890s and remain as good examples of speculative housing constructed in The Rocks during this period. The solid construction and decoration of the parapet also indicate the prosperity and confidence of the time leading up to the construction of the buildings.

The buildings significantly continued to be used for residential purposes for nearly 100 years, despite changes of ownership and management.

The adaptation of the buildings in the early 1990s for use as a pub in association with the nearby modern Hotel complex represents the shift and development of the area from a residential precinct to a commercial zone and a focus of Sydney tourism.

The buildings are associated with builder, Peter Hart, who constructed dwellings in Millers Point and Newtown. With the Butchery Buildings, the buildings are now the only remaining buildings constructed by Hart in the area. Following government resumption in the early 1990s, the buildings are also associated with the Sydney Harbour Trust

who became responsible for the buildings from c. 1900 and its successors, the Maritime Services Board, Sydney Cove Redevelopment Authority and Sydney Harbour Foreshore Authority. The buildings are also now associated with the Shangri-La (former ANA) Hotel.

The buildings are of aesthetic value as good examples of late Victorian style, two storey bald-faced terraces that despite adaptation retain their original external character, scale and details and a sense of their original internal layout and details. The building form and massing significantly responds to the site conditions and indicates the earlier topography and character of The Rocks. The buildings occupy a prominent corner site and are prominent elements in the Essex Street streetscape primarily due to their corner location and modest scale and contribute to the diversity of the Essex and Gloucester streetscapes and area in general.

Harts Buildings are also significant as an integral component of a group of nineteenth century buildings about the intersections of Essex, Gloucester and Cumberland Streets, which collectively illustrate the range, diversity of styles and urban scale of development in The Rocks between 1840 and the First World War.

The buildings are of high social value for their contribution to the history and development of The Rocks and make an important contribution to The Rocks and its sense of place to the local community in this case residents of The Rocks and Millers Point and their descendants and wider community including those 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 place. The buildings are now part of an active commercial and tourist precinct and popular venue for leisure activities for local workers and tourists alike.

The buildings are of high scientific value as part of a reference site. The buildings illustrate the domestic standards and design of Victorian bald-faced terraces during this period in The Rocks. With Lilyvale and The Butchery Buildings, they demonstrate the architecture, domestic and commercial attitudes of the period between 1840 and 1900 in NSW. The buildings significantly retain fabric from 1890s construction phase. The historical development of the site indicates European occupation since at least the 1840s. There is a high scientific and research potential for significant archaeological deposits to remain below the footprint of the buildings and within the floor, wall and ceiling cavities.

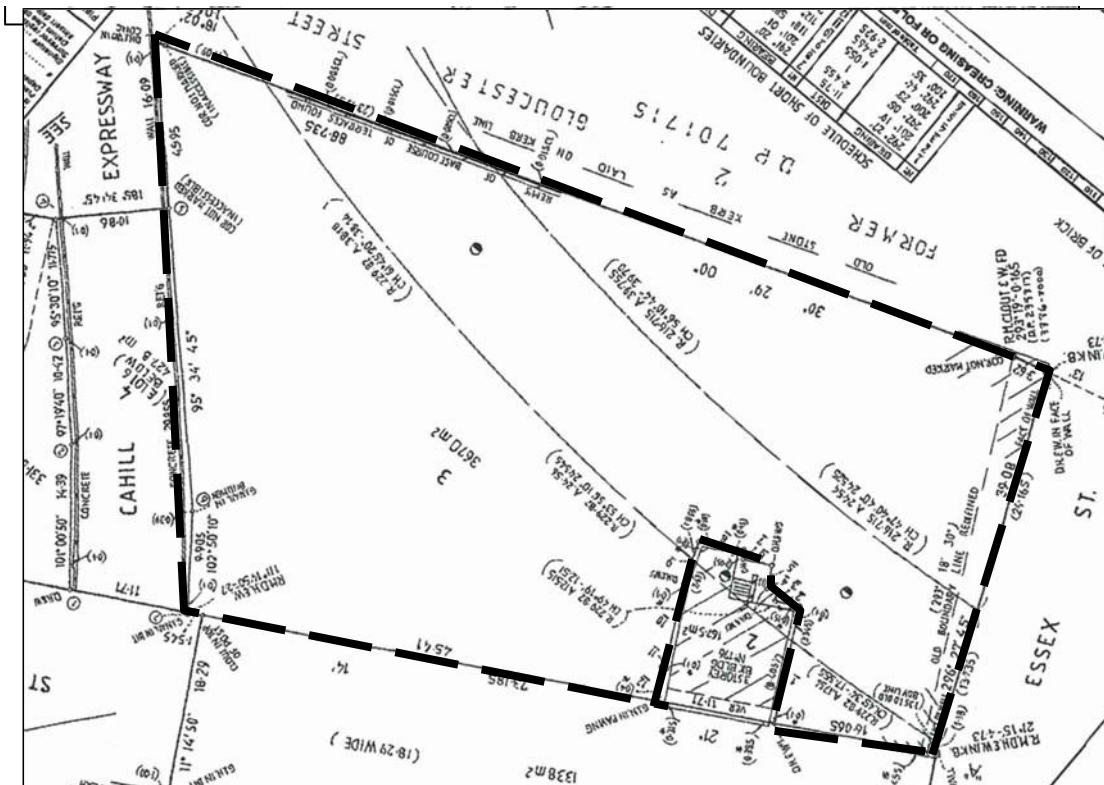
The buildings remain as good representative and rare examples of two storey, bald-faced terraces in The Rocks and rare as they contain a raised parapet with no other comparable examples of residential terraces in Essex Street from the same period. The buildings are also rare as one of a few 19<sup>th</sup> century developments remaining in the area south of the Cahill Expressway.

### 4.3 Curtilage

Harts Buildings, Nos. 10-14 Essex Street, is located on Part of Lot 3 DP 778140 (**Figure 4.9**, registered in August 1988).

Harts Buildings is listed on the State Heritage Register, Listing No. 01550, gazetted in May 2002. The current SHR listing boundary Plan 2749 for the Harts Buildings is included in Figure 1.5 and the current property description is Part Lot 3 DP 778140. The recommended SHR listing boundary for the Harts Buildings shown in fig 4.10 matches that shown in Figure 1.5.

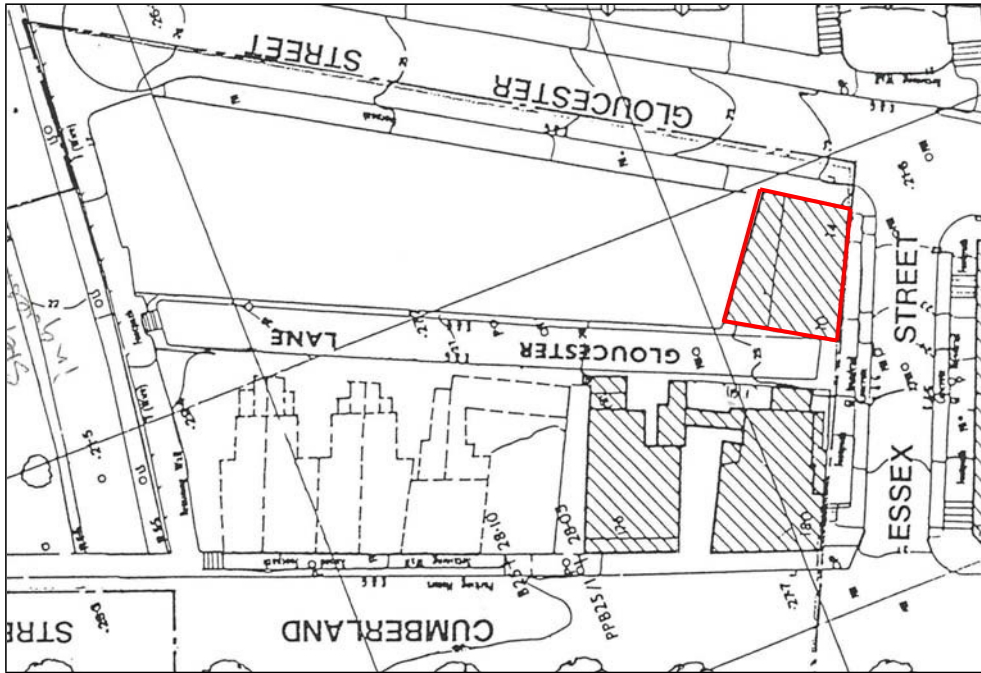
The Lot includes all of the area occupied by the subject buildings, Butchery Buildings and Shangri-La Hotel, generally bounded by the Cahill Expressway, Cumberland, Essex and Gloucester Streets.



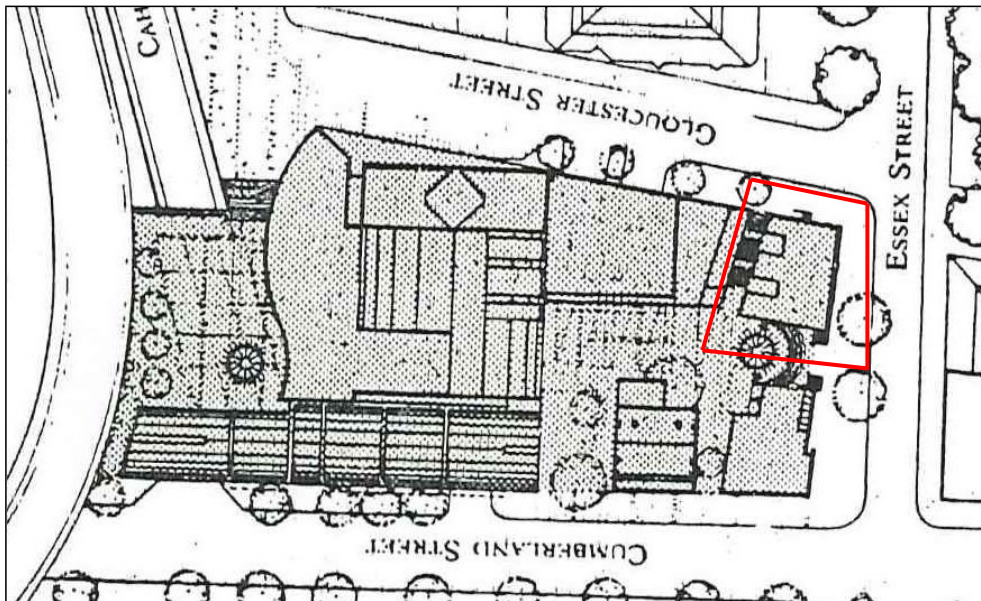
**Figure 4.9** Lot 3, DP 778140 incorporates land bounded by the Cahill Expressway, Cumberland, Essex and Gloucester Streets except for Lilyvale which is on Lot 2. The red box indicates the approximate location of the Harts Buildings recommended SHR listing boundary which is defined as Part of Lot 3 DP778140. (Source: Land and Property Information).

The recommended SHR listing boundary is essentially the footprint of the three terraces, now the Harts Buildings and is defined as Part of Lot 3 DP778140 (as shown in **Figure 4.10**) and is the same as shown in the SHR Plan 2749 in Figure 1.5.

However, the extended curtilage extends beyond the site boundaries and incorporates part of the pedestrian footpaths around the buildings, sandstone steps and retaining wall along the Essex Street kerb, and adjacent stairs flanking the north and western facades of the buildings (**Figure 4.11**). The visual curtilage is far broader with views of the buildings currently from the east as far as George Street, west from Cumberland Street and glimpses looking north from the southern end of Gloucester Street.



**Figure 4.10** The recommended SHR listing boundary for the Harts Buildings is the building footprint, as shown above outlined in red and is Part of Lot 3 DP 778140. Source: Foreshore Authority Building Files, RE0529.01.06



**Figure 4.11** The extended curtilage incorporates the pedestrian footpaths and associated features, stairs and open spaces around the buildings. (Source: Authority Building Files, RE0529.01.05)



## 5. Grading of Significance

### 5.1 Basis of Assessment

Grading reflects the contribution the element makes to overall significance of the item, and the degree to which the significance of the item would be diminished if the component were removed or altered. Harts Buildings have been assessed to determine a relative grading of significance into five levels. This process examines a number of factors, including:

- Original design quality
- Degree of intactness
- 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 applied to assess individual contribution of each element to the overall significance of the item. This system is a valuable planning tool, and assists in the development of a consistent approach to the treatment of different elements. The various grades of significance generate different requirements for retention and conservation of individual spaces and the various elements. The following grades of significance have been defined:

#### Exceptional Significance

Includes fabric that makes the greatest direct contribution to the item's significance. This particularly refers to rare or outstanding original fabric and spaces of particular historic and aesthetic value, and unaltered original elements and features.

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

Includes elements and features that make an important contribution to the recognition of the item's significance albeit the fabric may not be in good condition. This may include elements that have been altered, or elements created as part of a generally sympathetic alteration to the buildings. This category 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.

Elements identified as being of High significance must also generally be retained, restored and conserved *in situ* subject however to other relevant factors including technological feasibility of proposed works. Minor intervention into fabric including Adaptation and Alteration as defined by *The Burra Charter* is permissible, provided that level of significance of each element is retained, with an aim not to remove or obscure significant fabric, giving preference to changes which are reversible.

## **Moderate Significance**

Includes building fabric and relationships that are supportive of the overall significance of the item and have some heritage value, but do not make an important or key contribution to that significance. 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 to components of these elements and spaces is acceptable provided that it protects the overall cultural significance of the item. Such work must take place within defined work programs and must not be the product of general maintenance or sporadic alterations.

## **Little Significance**

Includes fabric which detracts from the heritage value of the item. Also includes most of the fabric associated with unsympathetic alterations and additions made to accommodate changing functional requirements. These are components generally of neutral impact on the complex's significance.

Elements assessed as being of Little significance are generally not regarded as essential to the major aspects of significance of a building or place, often fulfilling a functional role. Both retention and removal are acceptable options, depending on the element. Any major interventions to the item must be confined to areas where the fabric is of little significance.

## **Intrusive**

Includes fabric which adversely affects the significance of the complex or fabric created without respect for the intangible values of the building. Removal of elements of this category would directly increase the overall heritage value of the item.

Elements 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 item. These works must be done without damage to adjacent fabric of significance. These items need not be addressed immediately.

This grading has been established as a tool to assist in developing appropriate conservation measures for the treatment of Harts Buildings and its elements. Good conservation practice encourages the focussing on change or upgrading of historical buildings to those areas or components which make a lesser contribution to significance. The areas or components that make a greater or defining contribution to significance must generally be left intact or changed with the greatest care and respect.

## 5.2 Schedule of significant elements & spaces

<b>Schedule of Significant Elements</b>		
Harts Buildings, Nos. 10-14 Essex Street, The Rocks		
Element	Significance	Commentary
<b>EXTERIOR</b>		
<b>ATTRIBUTES &amp; ARCHITECTURAL STYLE</b>		
Visual and physical relationship with Lilyvale and the Butchery Buildings	Exceptional	Remains evident
Contribution to the group of 19 <sup>th</sup> century residential buildings along Cumberland and Essex Streets	Exceptional	Remains evident
Late Victoriae bald faced style indicators and terrace form (including raised parapet, form of main roof and pattern of openings and restrained detailing)	Exceptional	In good condition and visible.
Colour scheme	High	Based on colour scrape analysis
Lighting, lamps and services fixed to the facades	Little	Introduced fabric added in the 1990s. Appear in good condition.
Gutters and downpipes	Moderate	Renewed in early 1990s. Appear in good condition.
Suspended, fixed and painted signage	Little	1990s and later. In good condition.
<b>SITE</b>		
Potential archaeological resources	Exceptional	
Sandstone fencing elements along Essex Street	High	Original in fair to good condition
Sandstone retaining wall and steps along Essex Street kerb	Moderate	Later, successively altered, c. 1970s to 1990s.
Steel pipe handrail along the Essex Street kerb	Little	Later. Appears in sound and good condition.
Raised ground level including footpath and courtyards	Little	1990s. Good condition.
Sandstone paving to the north of the buildings	Little	1990s. Good condition.
Sandstone stairs running along north east and north western facades	Little	Introduced fabric 1990s. Good condition
<b>ESSEX &amp; GLOUCESTER STREET (SOUTH &amp; EAST) FACADES</b>		
Overall height, scale and configuration	Exceptional	Original. In good condition.
Parapet form and chimneys	Exceptional	Original. Appear in good condition.
Parapet decoration and wrought iron balustrade	Exceptional	Original. Appear in good condition
Corrugated iron roof cladding and terracotta pots to chimneys	High	Have been replaced to sympathetic detail in c. 1990s. Appear in good condition.

Rendered façades, but not painted finish or suspended signs	Exceptional	Original with some repairs. In good condition.
Rendered details, cornices, string course, label moulds and window sills	Exceptional	Original with some repairs. In good condition.
Rendered base/ plinth course	Exceptional	Mostly original. Western plinth added later. In good condition.
Painted stone base (No. 14) but not paint finish	Exceptional	Original. Appears in good condition.
Pattern of openings	Exceptional	Original. Must be maintained
Windows	High	The openings are original, however, timber windows were reconstructed to match earlier detail in early 1990s. In good condition
Entry Door, toplight and associated framing, Essex Street facade	Exceptional/ High	Toplights appear early. Doors may have been replaced to sympathetic detail. In good condition.
Steps and door thresholds, Essex Street facade	Exceptional/ High	The original steps have been repaired and threshold also altered. In good condition.
Wall vents	High/ Moderate	Various types of vents remain and generally in fair condition.
Taxi Sign fixed to the parapet	Intrusive	Post early 1990s works.

### Schedule of Significant Elements

Harts Buildings, Nos. 10-14 Essex Street, The Rocks

Element	Significance	Commentary
<b>EXTERIOR</b>		
<b>NORTH &amp; WEST FACADES</b>		
Overall height, scale and configuration	Exceptional	Original. In good condition and highly visible from the rear.
Roof form, parapets and chimneys	Exceptional	Mostly original. Former yard areas infilled in 1980s. Appear in good condition.
Roof framing	High	Repaired in 1990s.
Corrugated iron roof cladding and terracotta pots to chimneys	High	Repaired and replaced in early 1990s. Appear in good condition.
Rendered facades but not signs or painted finish	Exceptional	Original with some repairs. In good condition.
Rendered details and capping to chimneys.	Exceptional	Original with some repairs. In good condition.
Windows	High	The openings are original, however, timber windows were reconstructed to match earlier detail in early 1990s. In good condition

Doors	High	Appear in good condition. Part of the adaptation of the building early 1990s.
Wall vents	High/ Moderate	Various. Have been altered, however, appears in good condition.
Steel framed and glass awning to first floor entry at rear of No. 10	Little	Introduced fabric added in the 1990s. In good condition.
Tap fixed to the north eastern façade.	Intrusive	1990s. In fair condition.

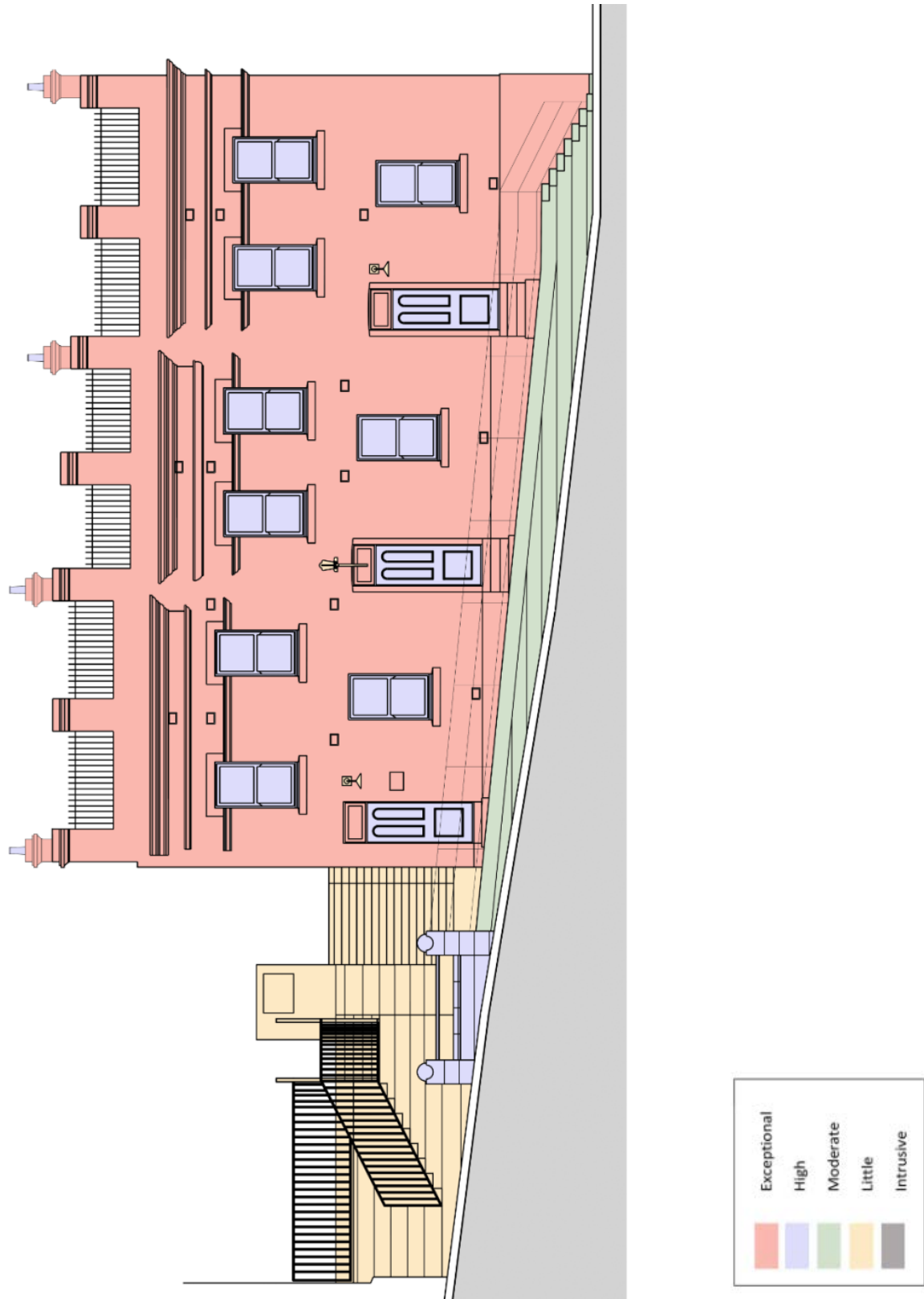
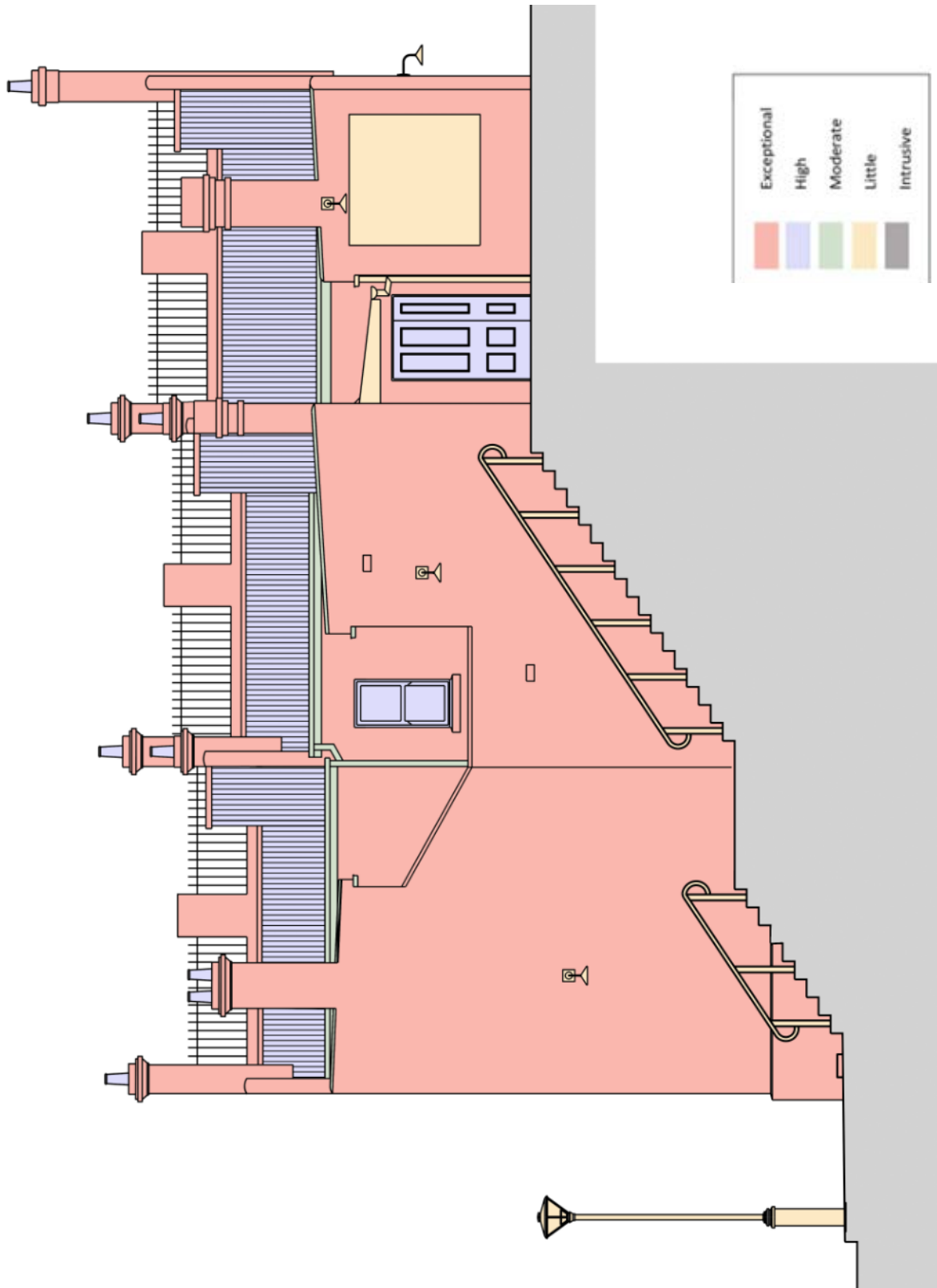
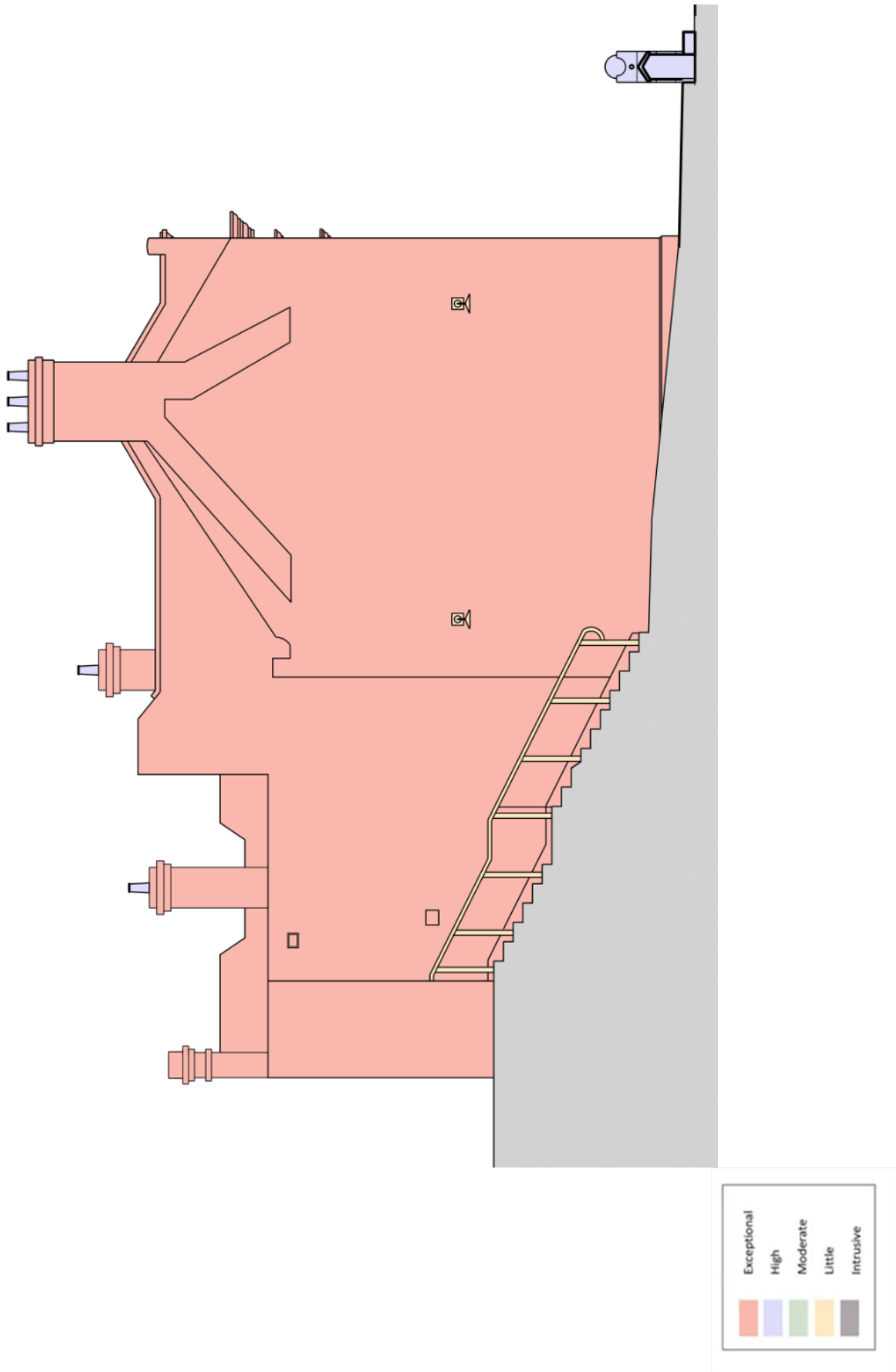


Figure 5.1 Essex Street (Southern) elevation grading of elements



**Figure 5.2** Rear (Northern) elevation grading of elements



**Figure 5.3** Side (Western) elevation grading of elements



<b>Schedule of Significant Elements</b>			
Harts Buildings, Nos. 10-14 Essex Street, The Rocks			
Element		Significance	Commentary
INTERIOR			
GROUND FLOOR			
ENTRY CORRIDOR SPACES			
1	Timber floor and framing	High	Repaired and replaced as part of the 1990s works. Appear in good and sound condition, however, the lacquered finish is wearing.
1a	Floor level in No. 10	Exceptional/ High	Original floor level in western entry hall and front room, the remainder altered in early 1990s. Floor boards c. 1990s.
2	Rendered walls	Exceptional	Original with some repairs. In good condition.
3	Timber wall panelling and rail with wallpaper infill	Moderate	Added as part of the 1990s works. In good condition.
4	Timber joinery - skirting and architraves	High	Appear in good condition.
5	Ceiling, profiled cornices and roses	High	Added and adapted for services as part of the 1990s works. In good condition.
6	Decorative bracketed archway	Exceptional	Original. In good condition.
7	Lighting	Little	Added as part of the 1990s works. In good condition.
LOUNGE ROOM IN No. 10			
1	Timber floor and framing	High	Repaired and replaced as part of the 1990s works. Assume in good condition.
1a	Floor level	Exceptional	Original floor level
1b	Carpet finish	Little	Added as part of 1990s works, in good condition.
2	Wall vents	High	Various. In good condition.
3	Walls including chimney breast	Exceptional	Original with some repairs, in good condition
4	Timber chair rail with wallpaper infill	Moderate	Added 1990s. In good condition.
5	Timber joinery – fireplace surround, skirting and architraves	Exceptional/ High	Repaired early fabric and reconstructed fabric, in good condition.
6	Ceiling and profiled cornice	Exceptional/ High	Repaired or reconstructed in early 1990s. In good condition
7	Fireplace grate and polished stone hearth	High	Reinstated in 1990s.
8	Lighting and services	Little	1990s. In good condition.
9	Furniture and moveable items	Little	1990s. In good condition.

<b>Schedule of Significant Elements</b>			
Harts Buildings, Nos. 10-14 Essex Street, The Rocks			
Element		Significance	Commentary
INTERIOR			
GROUND FLOOR			
GENERAL SEATING AND BAR AREAS (across Nos. 10, 12 and 14)			
1	Timber floor and framing	High	Repaired and replaced to match as part of the 1990s works, appear in good condition.
1a	Timber steps between Nos. 12 & 14	Moderate	Introduced fabric in early 1990s, in good condition.
2	Walls including chimney breasts	Exceptional	Original with some repairs. In good condition.
3	Wall vents	High	Have been repaired and replaced. In good condition.
4	Timber joinery – architraves, fireplace surround and skirting	Exceptional/ High	Repaired early fabric and reconstructed fabric, in good condition.
5	Timber wall panelling and chair/dado rail with wallpaper	Moderate	Introduced fabric in good condition.
6	Ceiling and profiled cornices and roses	High	Early 1990s, in good condition.
7	Fireplace grates and polished stone hearths	High	Added in early 1990s, in good condition.
8	Timber stair and balustrade in No. 10	Moderate	Early 1990s, in good condition.
9	Timber soffit to stair and lightweight partitions	Moderate	Added in early 1990s, in good condition.
10	Lighting and services	Little	Added in early 1990s, in good condition.
11	Fixed and moveable furniture and items	Little	
BAR & BASEMENT ACCESS IN NO. 12.			
1	Timber floor and concrete	High/ Little	Adapted and added in early 1990s, in good condition.
1a	Vinyl floor finish	Little	Later. In fair condition.
2	Concrete steps and landing and corridor to the Hotel basement.	Little	1990s. In good condition.
3	Walls	Exceptional	Original with some repairs.
4	Ceiling and cornices	High	1990s.
5	Timber skirting and architraves	High	1990s. In fair condition.
6	Timber panelled door to basement	High	1990s. In good condition
7	Timber panelling and detailing to the front of the bar including bulkhead over	Little	Introduced fabric in early 1990s, in good condition.
8	Bar units and associated benches and services	Little	Introduced fabric in early 1990s, in good condition.
9	Lighting and other services	Little	1990s. In good condition.
10	Dumb waiter and associated enclosure	Little	1990s. Appears in fair condition.

<b>Schedule of Significant Elements</b>			
Harts Buildings, Nos. 10-14 Essex Street, The Rocks			
Element		Significance	Commentary
<b>INTERIOR</b>			
<b>GROUND FLOOR</b>			
<b>FEMALE &amp; MALE WC/ TOILETS</b>			
1	External Walls	Exceptional	Original with some repairs.
2	Ceramic tile floor and wall finishes	Little	Early 1990s, in good condition.
3	WC, internal partitions and timber doors	Little	Early 1990s, in good condition.
4	Plasterboard ceilings	Little	1990s, in good condition.
5	Windows in Male WC	Exceptional/ High	Opening original, timber window reconstructed in early 1990s. In good condition.
6	Modern WCs, basins, fixtures and fittings	Little	1990s, in good condition.
7	Lighting and services	Little	1990s, introduced fabric.
<b>FIRST FLOOR</b>			
<b>GENERAL SEATING &amp; DINING AREAS</b>			
1	Timber framing, timber floors and steps between Nos. 12 and 14.	Exceptional /High /Moderate	Repaired, reconstructed and introduced as part of the 1990s works. Good condition
2	Walls including chimney breasts	Exceptional	Original, in good condition.
3	Wall vents	High	Replaced. In good condition.
4	Timber joinery – architraves, fireplace surround and skirting	Exceptional/ High	Some early and introduced fabric. In good condition.
5	Timber wall panelling and chair/dado rail with wallpaper	Moderate	Introduced fabric, however, in good condition.
6	Timber windows and doors	High	Reinstated to match earlier fabric as part of 1990s works. In good condition.
7	Ceiling, profiled cornices and roses	High	
8	Stair balustrade	Moderate	Added in 1990s.
9	Fixed and moveable furniture and items, signs and plaques	Little	Later, in good condition.
10	Lighting and other services	Little	1990s & later, in good condition.
<b>OFFICE AT REAR OF No. 10</b>			
1	Timber floor and framing	High	1990s.
2	Walls including chimney breasts	Exceptional	Original with some repairs.
3	Timber skirting and architraves	High	1990s.
3	Timber window	High	Reinstated to match in 1990s.
4	Timber door (and opening)	High	1990s, in good condition.
5	Ceiling and cornice	High	1990s, in good condition.
6	Lighting and services	Little	1990s, in good condition.
7	Furniture	Little	Later, in good condition.

<b>Schedule of Significant Elements</b>			
Harts Buildings, Nos. 10-14 Essex Street, The Rocks			
Element		Significance	Commentary
INTERIOR			
FIRST FLOOR			
BAR & KITCHEN AT REAR OF NO. 12			
1	Timber and concrete slab floor	High/ Little	Adapted and added as part of 1990s works to the buildings.
2	Vinyl and ceramic tiled finish to floors	Little	Introduced, in fair condition.
3	Walls	Exceptional	Original, in good condition.
4	Ceramic tiling to walls	Little	Introduced fabric, in good condition.
5	Timber skirting, architraves and doors.	High	1990s, in good condition.
6	Ceiling and cornices	High	1990s, in good condition.
7	Timber panelling and detailing to the front of the bar including bulkhead over	Little	1990s, in good condition.
8	Bar units and associated benches and services	Little	1990s, in good condition.
9	Lighting and other services	Little	1990s, in good condition.
10	Dumb waiter and associated enclosure	Little	1990s, in good condition.
STORE & PLANT ROOM AT REAR OF No. 14			
1	Timber floor and framing	Exceptional/ High	Repaired earlier and replaced fabric, in fair condition
2	Walls including chimney breast on eastern wall.	Exceptional	Original, in good condition.
3	Wall vents	High	Have been replaced, in good condition.
4	Timber chair/dado rail with wallpaper infill	Moderate	Introduced, later fabric, in good condition.
5	Timber joinery – skirting and architraves	High	Introduced, later fabric.
6	Windows on eastern wall of store room	High	Introduced, later fabric.
7	Ceiling and profiled cornices	Exceptional	Repaired to match, in good condition.
8	Timber stair and balustrade along western wall of store room (access to roof)	Exceptional	Original. In fair condition.
9	Fixed and moveable furniture and items in store room	Little	Introduced fabric, in fair condition.
10	Timber panel door to Plant Room	Exceptional	Early. In fair condition.
11	Air conditioning plant	Little	Added as part of 1990s adaptation. Appears in fair to good condition.
12	Lighting and other services	Little	

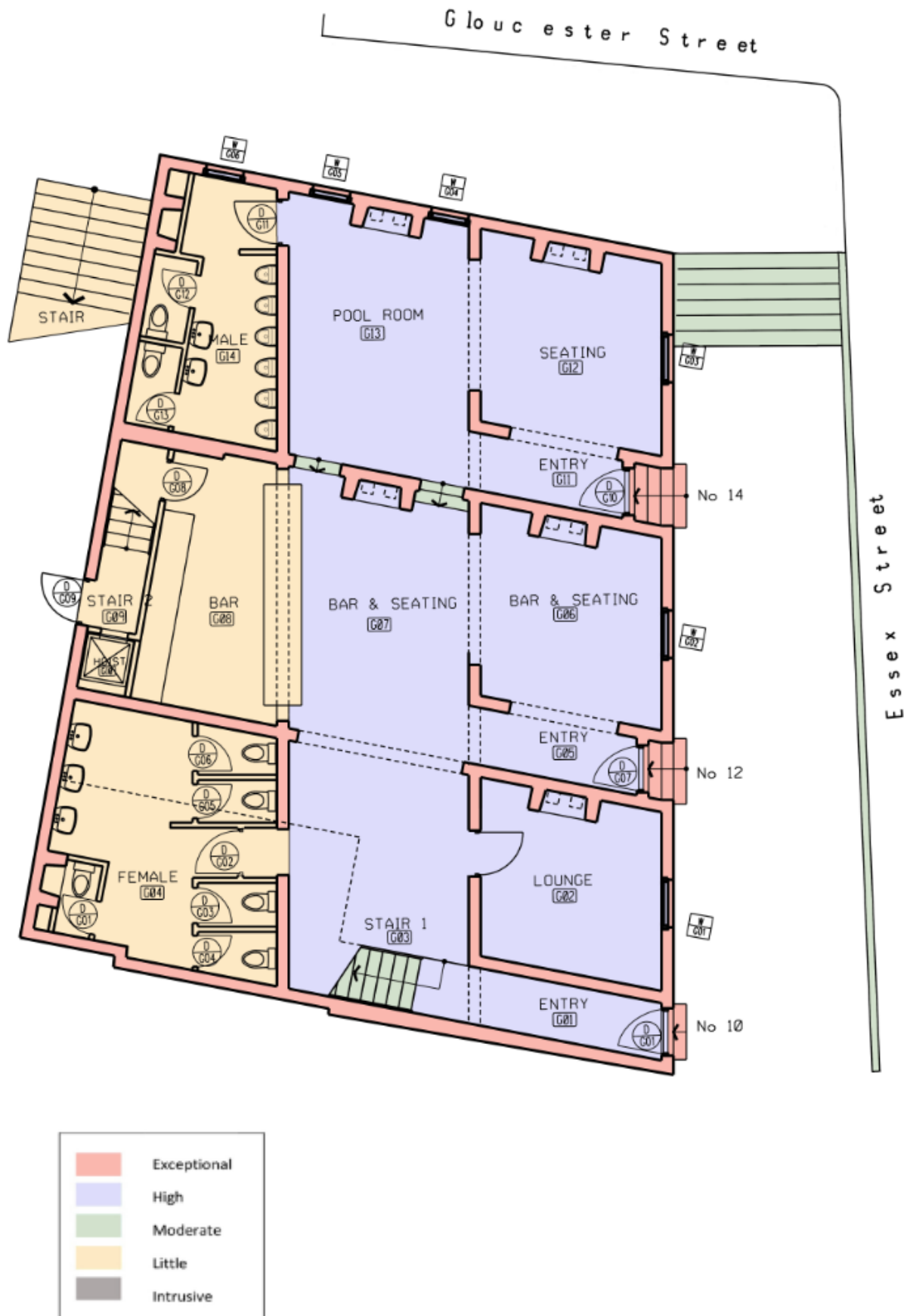


Figure 5.5 Ground floor plan grading of elements

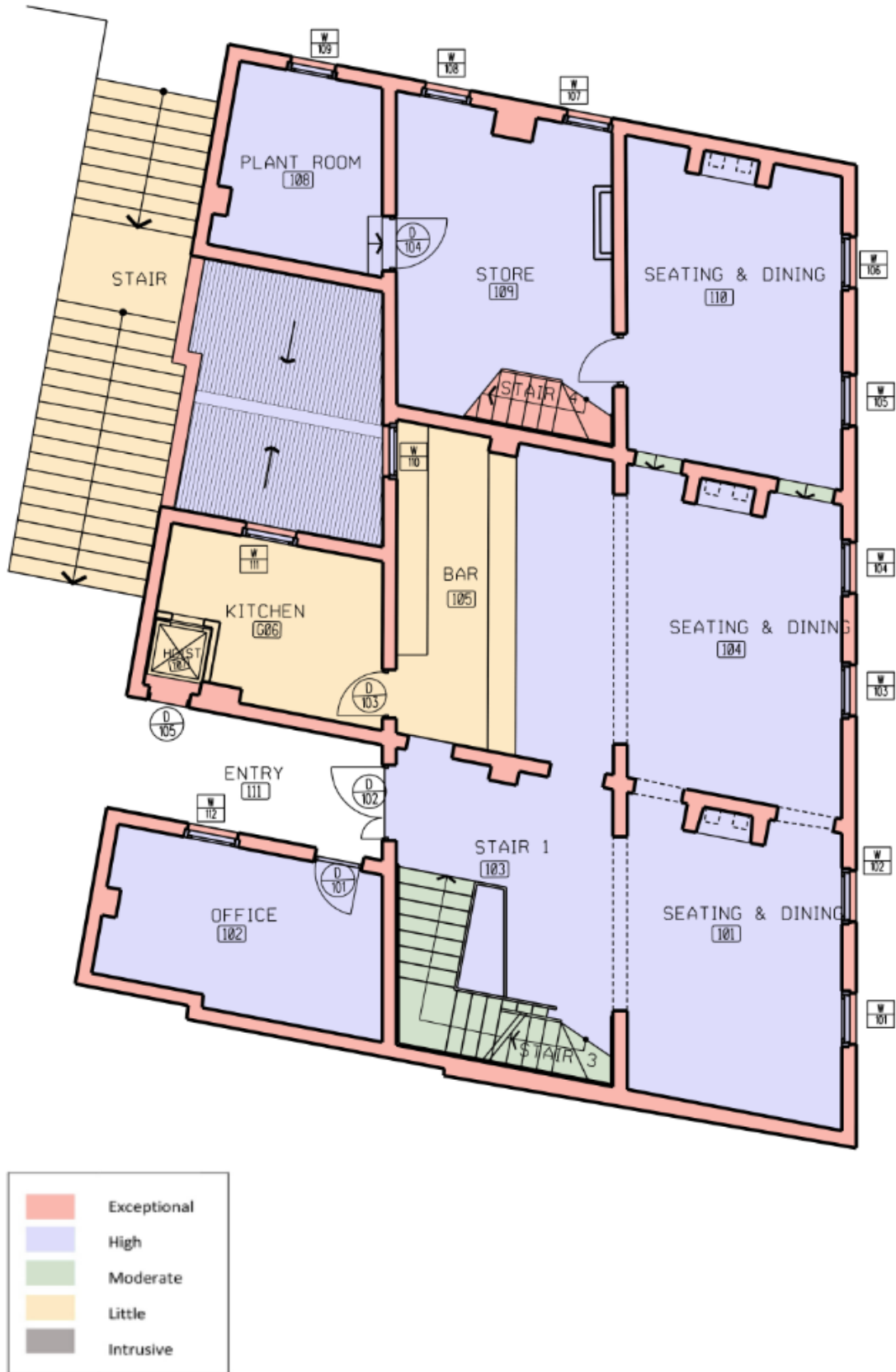


Figure 5.6 First floor plan grading of elements

### 5.3 Archaeological Significance

Based on the assessment outlined in Section 3.6 the site has some high and low areas of archaeological potential that must be monitored by a qualified archaeologist during any ground disturbance in accordance with the NSW Heritage Act 1977 archaeological provisions.

The site has potential to yield information about early life in The Rocks. The buildings significantly retain fabric from 1890s construction phase. The historical development of the site indicates European occupation since at least the 1840s.

The below ground archaeological remains were noted as being “partly disturbed” with any potential resources noted as the area under the building only”. The archaeological potential is considered to be high under the footprints of the current buildings and low for the remainder of the site that was excavated to form the basement for the adjoining hotel complex.

Roof, and between-floor cavities and spaces may contain archaeological relics, however the archaeological potential is considered to be low in these spaces. The types of archaeological items that may be found in these spaces include a range of household items such as documents, receipts, misplaced small household items, evidence of items collected in rats nests etc.

Disturbance of such relics must be minimised. If they do need to be removed, this must only be done by, or under the direction of, a qualified archaeologist.

## 6. Constraints and Opportunities

This section outlines major issues for the conservation of the site. It takes into consideration matters arising from the statement of significance and procedural constraints imposed by cultural conservation methodology, such as that of the Australia ICOMOS *Burra Charter*, and identifies all statutory and non-statutory listings that apply for the site and describes constraints and opportunities arising from these listings.

### 6.1 Constraints arising from the significance of the place

Harts Buildings, Nos. 10-14 Essex Street are of State heritage significance due to their historic, aesthetic, technical and social associations and values and archaeological potential.

Future management of the place must take into consideration these values. The following constraints arise from the assessed significance of the place:

- Harts Buildings must be retained, conserved and managed in accordance with accepted conservation principles and practice;
- the existing two storey scale and character of the buildings, particularly the features of the front façade, parapets, chimneys, party walls and associated roof and roof access, rendered mouldings, stone base, pattern of openings and sense of the rear wings must be retained and conserved;
- the buildings must continue to be highly visible along the Essex and Gloucester Street streetscapes;
- the buildings should continue to be used for commercial purposes such as the existing pub so that values of the place can continue to be appreciated and interpreted;
- any excavation works below and around the buildings will require careful assessment and monitoring by a qualified archaeologist; and
- the buildings must continue to have a visual relationship with other historic buildings along Essex Street and this section of Cumberland Street so that their group value and contribution to The Rocks and urban conservation area is retained and able to be interpreted.

### 6.2 Issues Arising from physical condition of the place

Harts Buildings, Nos. 10-14 Essex Street, are generally in good condition and well maintained. The latest works to the buildings, carried out in the early 1990s, resulted in the adaptation of the buildings and reinstatement of much of the lost and damaged fabric including ceilings and cornices and timber joinery. All windows and doors were also renewed at this time, with details based on remaining physical and documentary evidence.

Since that time minor issues associated with the general wear and tear and possibly water damage were visible on inspection, such as cracking on the internal face of western wall at the base of the main stair. It is understood that the finishes to the timber floors have been discussed and that a more "natural" finish is preferred. Some minor peeling of paint was also seen on the Essex Street façade of the buildings. The freshening up of the paint finishes both internally and particularly externally is recommended in the next three to five years.

Other minor issues relate to introduced fabric such as the tap located adjacent to the north eastern corner of the buildings. Some dark and moss staining is visible and there is

concern that the water may affect the building fabric. A decision must be made as to whether or not a tap is required in this position, if not it is preferable that it be relocated, away from the historic building fabric. Wear and tear of introduced fabric in the bar and kitchen areas were also evident.

Some wiring and conduits have been added to the roof and internal faces of the parapets for elements such as lighting, security and the taxi illuminated box sign over the south eastern corner of the buildings. The roof and associated party walls and elements are quite visible from the rear of the buildings and public walkways and courtyard, as such, these elements should be rationalised and minimised.

The buildings have no off street car parking and no potential for tenant parking. The buildings, however, shares access to a basement loading dock, service and store area with restricted vehicular access via Gloucester Street. This was provided as part of the Hotel development and intended to provide store and staff amenities.

There is level access to the first floor of the buildings from Cumberland Street via the external courtyard and upper rear entry. However, there is no level access to the ground floor and specifically the public WCs. The existing stair was constructed as part of the 1990s works and there may be opportunity to provide a wheelchair lift in the void to connect the floors and possibly provide an access lift adjacent to the ladies' WCs, however some reorganisation will be required.

### **6.3 Sydney Harbour Foreshore Authority**

The Rocks area is managed by the Sydney Harbour Foreshore Authority, constituted on 1 February 1999 under the Sydney Harbour Foreshore Act 1998.

The principal functions of the Foreshore Authority, stated in its Act, are to:

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

In recognition of the importance of heritage conservation in the area, *The Rocks Heritage Management Plan* (updated in April 2010) has been prepared to provide a basis for understanding and conserving the heritage value of The Rocks and to assist in preparing individual Conservation Management Plans for heritage buildings within The Rocks.

#### **6.3.1 Sydney Harbour Foreshore Authority's vision and charter**

*The Rocks Heritage Management Plan: Volume 1 and The Rocks Heritage Policy* (April 2010) outline the vision and philosophy of the Foreshore Authority and policies that aim to create quality environments that are enriching, diverse, accessible and sustainable by continually improving Sydney's significant waterfront precincts, balancing visitor, community and commercial expectations.

##### **Vision Statement**

The vision statement as outlined in the abovementioned documents is as follows:

- The Rocks will continue to be recognised as an authentic heritage precinct, which is symbolic of our history and the value we place on heritage conservation.
- The total heritage resource of The Rocks will be cherished and managed for the benefit of current and future generations.

- The diverse character of The Rocks, created from its dramatic setting, topography, urban form, buildings, views, use, associations and meanings, will be maintained and enhanced.
- Individual elements will be conserved and provided with vibrant uses that are compatible with their heritage value.
- The Rocks will continue to be a “living” area with more residents and a mix of uses.
- People will be encouraged to visit and experience The Rocks, through better access and imaginative interpretation.
- Visitors, residents and workers in The Rocks will enjoy and celebrate real history and community spirit in an authentic place.

A challenge for the Foreshore Authority’s achievement of heritage objectives is the objective for financial return on its assets. As noted in the *The Rocks Leasing Direction 2014* the Foreshore Authority carefully curates and manages what is a unique waterfront precinct which is visited by more than 14 million people a year. Part of the overall vision is to deliver a leasing direction that positions The Rocks as an alluring world-class retail destination for Sydneysiders, domestic travellers and overseas visitors alike.

Since the enactment of the Heritage Act in 1977, NSW Government agencies have been expected to identify and manage heritage assets in their ownership and control. Their responsibilities include keeping a heritage and conservation register (S170) listing heritage assets under its ownership, occupation or management. The Foreshore Authority wants The Rocks to be a place of today and recognises the potentially conflicting aims of balancing heritage conservation and a place where people continue to live, work and visit. In order to achieve this vision the Foreshore Authority has developed a heritage policy which attempts to balance the retention of the significance and objectives of interpretation and sustainability with attaining commercially viable uses and returns.

The Foreshore Authority also oversees the preparation of Conservation Management Plans (CMPs) on each of the items listed on the register. This CMP will be one of documents used by the Foreshore Authority, managers and tenants for the management and maintenance of Lilyvale with policies and recommendations feeding into current maintenance strategies and Total Asset Management Policy (TAM).

Total Asset Management Policy (TAM) is a NSW Government policy introduced to achieve better planning and management of the State’s assets. Total Asset Management is the strategic management of physical assets to best support the delivery of agency services. It is part of a planning framework in which the Government’s social, ecological and financial service outcomes are achieved by the most efficient means and within the resource limits of the community. It provides a structured and systematic resource allocation approach to infrastructure and physical asset management so that resources are aligned with the service objectives of State agencies.

### **6.3.2 Sydney Harbour Foreshore Authority’s requirements**

The Foreshore Authority is currently committed to a long term lease arrangement for this site with the Shangri-La Hotel who sub-leases the buildings for use as a pub use. It envisaged that this use will continue which is highly compatible with the Foreshore Authority’s requirement and objectives for retaining significance, minimal intervention and visitation and interpretation of the place.

*The Rocks Heritage Management Plan* sets out the overall management direction and expectations for The Rocks precinct. The Foreshore Authority basically 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. The Foreshore Authority also oversees the preparation of a conservation management plan (CMP) for each property which sets out the specific principles and

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policies to guide and inform potential lessees of the building's ingoing care and maintenance.

The potential for site and building development is limited, however, any works to the buildings will require the adherence to the above mentioned documents and the Foreshore Authority's, as land owner, consent on all development applications. As part of this process some consultation with the Foreshore Authority and external advice is expected and recommended.

## 6.4 Heritage Management Framework

The principal statutory controls against which potential impacts on the significance of *Harts Buildings* will be assessed include the following:

- Environmental Planning and Assessment Act, 1979 and associated planning instruments, policies, plans and guidelines;
- The Heritage Act 1977; and,
- The policies contained in this CMP, which will gain statutory status on adoption by the Foreshore Authority and endorsement by the Heritage Council.

Other controls, including the National Parks and Wildlife Act (NPW) Act 1979 and the NSW Government Total Asset Management (Tams) guidelines, are considered in this Section.

It is essential that the Foreshore Authority and the approval authority are consulted in order to determine any approvals that may be required for the execution of any works. Approvals for works may be required under both the Environmental Planning and Assessment Act (EPA) 1979 and the Heritage Act 1977. All statutory applications require the signature and consent of the landowner to enable lodgement. For the Harts Buildings the landowner is the Foreshore Authority, therefore all applications must be forwarded to the Foreshore Authority for endorsement prior to submission for development approval. Further information about the granting of landowner's consent can be sourced from the Foreshore Authority.

### 6.4.1 Environmental Planning and Assessment Act, 1979<sup>70</sup>

In November 2008, the NSW Government announced widespread reforms to the State's planning portfolio effective from 1 December 2008. As part of the reforms, all development applications (DAs) previously assessed by the Foreshore Authority are assessed by the Minister of Planning or under delegation by The City of Sydney Council (the consent authority). The Minister for Planning is the consent authority for 'deemed' development with a capital investment value of more than \$10 million dollars.

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 the Harts Buildings, which are identified and discussed further in the following sections.

### 6.4.2 New South Wales Heritage Act, 1979<sup>71</sup>

#### Architectural Works

The Harts Buildings are listed in the NSW State Heritage Register, under SHR No. 01550. This listing recognises the site as being of State significance and provides statutory protection under the NSW Heritage Act (1977).

<sup>70</sup> <http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N>

<sup>71</sup> <http://www.legislation.nsw.gov.au/maintop/view/inforce/act+136+1977+cd+0+N>

Under Section 57(1) of the *Heritage Act*, Heritage Council approval is required for a wide range of works to a SHR item. Unless an item constitutes a danger to its occupants or the public, demolition of a SHR item is *prohibited* under the Heritage Act. An element of a SHR item may only be demolished if it does not contribute to the significance of the item.

To gain approval for any of the above works, an application must be made to the Heritage Council (Section 60 application). Authority has been delegated to the Foreshore Authority to determine Section 60 applications for minor works which do not materially affect the significance of the item. Under delegation, the Foreshore Authority can determine Section 60 applications for minor works which do not materially affect the significance of the item. The Foreshore Authority can advise applicants whether applications can be assessed under delegation, or whether they need to be approved by the Heritage Council.

### **Historic (European and Aboriginal) Archaeological Management**

The Heritage Act 1977 provides statutory protection to relics, archaeological artefacts, features or deposits. Sections 139 to 146 of the Act require that excavation or disturbance of land that is likely to contain, or is believed may contain, locally significant archaeological relics is undertaken in accordance with an excavation permit issued by the Heritage Council of NSW (Heritage Council), or in accordance with a gazetted exception under Section 139(4) of the Act.

Part 4 of the Act refers to items and places listed on the SHR or which are the subject of an Interim Heritage Order (IHO). Section 60 also requires an application for an excavation permit for historical archaeological resources identified as having state significance issued by the Heritage Council, or in accordance with a gazetted Exemption under Section 57(2) of the Act.

The Heritage Act defines an archaeological relic as being any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance.

An Archaeological Assessment & Research Design (AA&RD) must be prepared in accordance with the requirements of the Heritage Council. The AA&RD for Harts Buildings would be a valuable resource for understanding and managing the archaeological resources associated with the pre-Harts Buildings history of the site.

Under Section 57(1) of the Heritage Act, Heritage Council approval is required to move, damage, or destroy a relic listed in the State Heritage Register, or to excavate or disturb land which is listed on the SHR and there is reasonable knowledge or likelihood of relics being disturbed.

A Section 60 application is required to be prepared by an historical archaeologist who meets the Heritage Division State Excavation Director Requirements to disturb relics on an SHR listed site. The Foreshore Authority has delegation to approve minor Section 60 applications that extend to archaeological works within the curtilage of the item.

### **Standard Exemptions for works to State Heritage Register listed 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 State Heritage Register items (see above). Such exemptions are intended to streamline the approvals process. There are two types of exemptions:

- Standard exemptions: apply to all State Heritage Register items and cover maintenance and repair and minor alterations.

- Site specific exemptions: apply only to an individual State Heritage Register item.

If proposed works are covered by a standard exemption, an Exemption Notification Form (not a Section 60 application) must be completed, with sufficient detail provided to determine whether the proposed works meet the standard exemption guidelines. The Foreshore Authority has delegation from the Heritage Council to approve standard exemption applications.

Applicants must confirm with the Foreshore Authority whether proposed works fall within the Standard Exemptions, and what documentation will be required.

Site specific exemptions relate to the particular requirements of an individual State Heritage Register item, and can only be for works which have no potential to materially affect the significance of the item. Site specific exemptions are only applicable if the works to which they refer are identified as exempt development in a CMP endorsed by the Heritage Council, or in a CM Strategy endorsed under delegation by the Executive Director of the Tennant and Asset Management Services of the Sydney Harbour Foreshore Authority.

CMP endorsement by the Heritage Council is normally required only for particularly complex or exceptionally significant sites. Currently, there are no site specific exemptions for Harts Buildings and none are recommended in this CMP.

Reference can be made to the NSW Department of Environment and Heritage Standard Exemptions for Works Requiring Heritage Council Approval.<sup>72</sup>

### **Minimum Standards of Maintenance and Repair**

Section 118 of the Heritage Act provides for the regulation of minimum standards for the maintenance and repair of State Heritage Register items. These standards were regulated in 1999 and apply to all State Heritage Register items. The minimum standards cover various areas, including for example, weatherproofing, fire protection, security and essential maintenance.

An inspection to ensure that the item is being managed in accordance with the minimum standards must be conducted 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.

Reference can be made to the NSW Department of Environment and Minimum Standards for Maintenance and Repair.<sup>73</sup>

### **6.4.3 NP& W Act<sup>74</sup>**

Under Section 89A of the National Parks and Wildlife Act 1979, 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 Act requires a person to take reasonable precautions and due diligence to avoid impacts on Aboriginal Objects. AHIPs may only be obtained from the Office of Environment and Heritage. It is also an offence under Section 90A of the NPW Act to disturb or excavate land for the

<sup>72</sup> <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/StandardExemptions.pdf>

<sup>73</sup> <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/infominimumstandards.pdf>

<sup>74</sup> <http://www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N>

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.

#### **6.4.4 NSW Government Total Asset Management**

The Total Asset Management (TAM) Manual prepared by NSW Government's Asset Management Committee requires that: "Sustainable management of heritage values must be treated by an agency as part of its core business". Similarly, TAM Guidelines for Government Agencies prepared by NSW Treasury require "planning use of heritage assets to maximise their service delivery while protecting their cultural values".

While protection of built heritage in The Rocks area is part of the core business of the Foreshore Authority, these TAM Guidelines can be interpreted to indicate that the retention of heritage value overrides the financial feasibility of the ongoing reuse of items. 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 Total Asset Management Manual.<sup>75</sup>

### **6.5 Environmental Planning Instruments (EPIs)**

There are three principle EPIs under the Environmental Planning and Assessment Act 1979 that are applicable to The Rocks.

#### **6.5.1 State Environmental Planning Policy (SEPP) (State and Regional Development) 2011<sup>76</sup> and State Environmental Planning Policy (Major Development) 2005<sup>77</sup>**

Under the SEPPs, Harts Buildings are an environmentally sensitive area of State significance, being on land in The Rocks and as a place and building listed on the State Heritage Register under the Heritage Act 1977.

Pursuant to the EPA Act, the SEPP (Major Development) applies to capital works over \$10 million. Development under \$10 million requires approval under Part 4 of the Environmental Planning and Assessment Act.

The NSW Planning Minister is the consent authority for state significant development and major development, as described in the State Environmental Planning Policy (State and Regional Development) 2011 and the State Environmental Planning Policy (Major Development) 2005.

#### **6.5.2 Sydney Regional Environmental Plan (SREP) (Sydney Harbour Catchment) 2005<sup>78</sup>**

The Rocks is included in the "Foreshores and Waterways Area" defined in the SREP. Accordingly any development must be considered in terms of the criteria set out in Division 2 of SREP. The SREP has limited application to Harts Buildings, as The Heritage Provisions in Part 5 of the SREP are not applicable to sites that are not listed as a heritage item. Particular provisions of the plan apply to the Foreshores and Waterways areas, which encompass the subject site.

<sup>75</sup> [Total Asset Management Index - NSW Treasury](#)

<sup>76</sup> <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+511+2011+cd+0+N>

<sup>77</sup> <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+194+2005+cd+0+N>

<sup>78</sup> <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+590+2005+cd+0+N>

The SREP also requires the consideration of potential to impact on archaeological or potential archaeological relics.

The Rocks is also included as a “Strategic Foreshore site” on Sheet 1 of the SREP, for which a Master Plan (deemed DCP) is required. However this only applies to the City Foreshores area if the Minister directs, and as yet there has been no such direction.

The NSW Planning Minister is the consent authority for the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The City of Sydney or the Central Sydney Planning Committee is the consent authority for development not covered by the Planning Minister.

### **6.5.3 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 EPA 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 drawing plan XLI (1) (**Figure 6.1**) shows the buildings with the neighbouring heritage buildings (the Butchery Buildings on the corner of Cumberland and Essex Streets and Lilyvale at No. 176 Cumberland Street) and envelope for the adjacent Hotel complex. The drawing, is entitled the “Building Site Control Drawing”, however, does not include any additional development envelope over the three heritage buildings or associated site areas. The drawing does show a building envelope to RL 36 abutting the rear of the Harts Buildings at Nos. 10-14 Essex Street which borders the recommended curtilage of this building and RL 40 to the north of Lilyvale. The RL for the roof ridge line of Lilyvale is RL 36.9. No RL has been noted for Harts, the highest noted RL for the Butchery Buildings is RL 35.4.

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.

## **6.6 Development Control Plans and Guidelines**

### **6.6.1 Sydney Harbour Foreshore and Waterways Area DCP 2005<sup>79</sup>**

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).

The heritage provisions of DCP are not relevant to Harts Buildings as the site is not listed as a heritage item under the SREP 2005.

<sup>79</sup> <http://www.planning.nsw.gov.au/sydney-harbour-foreshores-area-development-control>

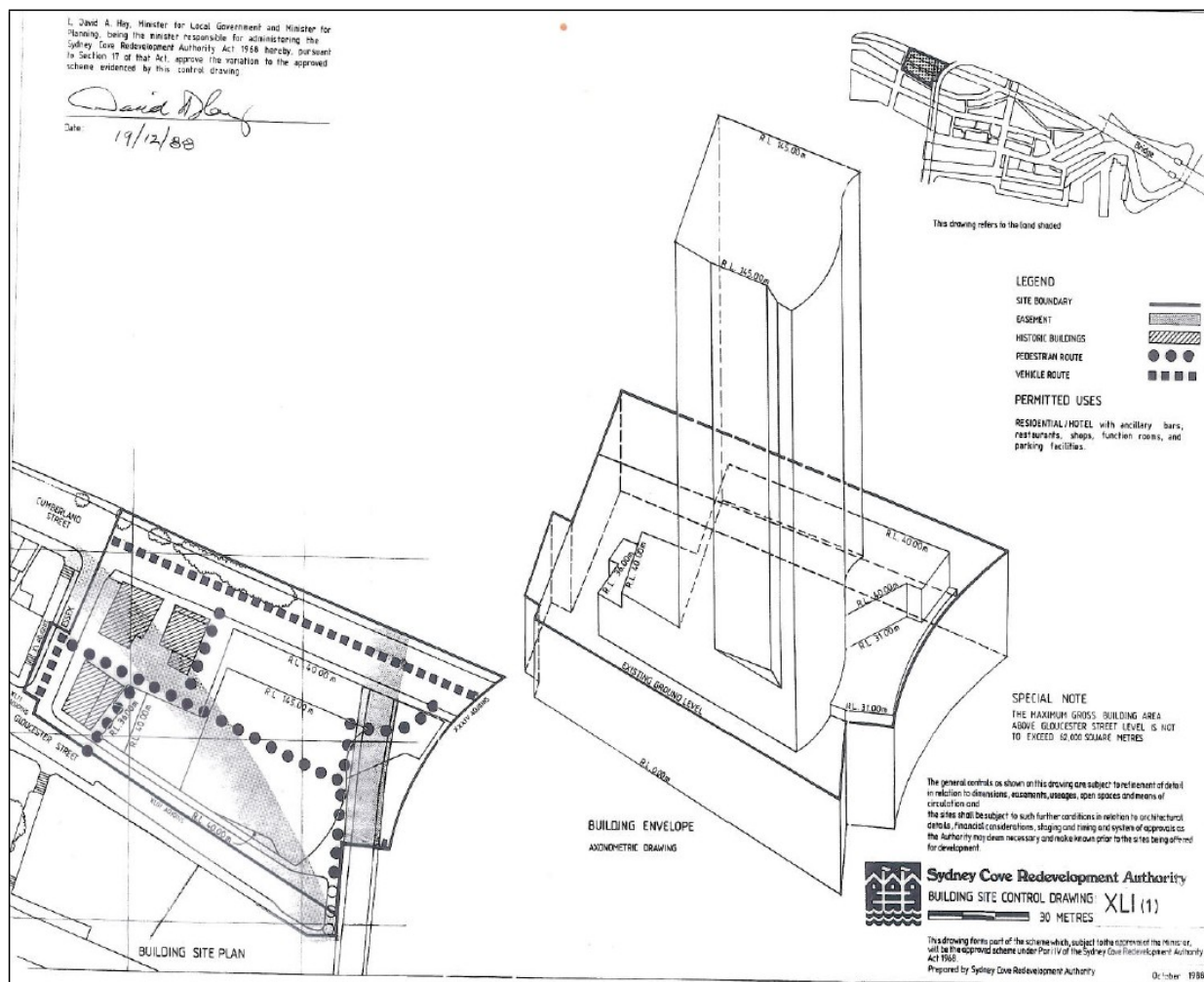


Figure 6.1 SCRA Building Site Control Drawing XLI (1) showing the neighbouring building envelope and permitted uses. (Source: SHFA)

### 6.6.2 The Rocks Heritage Management Plan (RHMP)<sup>80</sup> and Heritage Policy<sup>81</sup>

In recognition of the importance of heritage conservation in the area, The Rocks Heritage Management Plan (adopted in February 2002, updated 2010) has been prepared to provide a basis for understanding and conserving the heritage value of The Rocks and to assist in preparing individual CMPs for heritage buildings within The Rocks.

The Rocks Heritage Policy articulates the Foreshore Authority's vision for The Rocks.

### 6.6.3 The City of Sydney Development Control Plan (DCP) 2012<sup>82</sup>

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 the DCP. However the General Provisions, including Heritage, Development Types and certain Schedules apply.

<sup>80</sup> <http://www.shfa.nsw.gov.au/content/library/documents/0B9628D6-B745-73FA-E1F20F992872ED23.pdf>

<sup>81</sup> <http://www.shfa.nsw.gov.au/conhttp://www.shfa.nsw.gov.au/content/library/documents/0B97AE99-BE6D-D5A2-2DB9A05719183F85.pdf>

<sup>82</sup> <http://www.cityofsydney.nsw.gov.au/development/planning-controls/development-control-plans>

#### **6.6.4 NSW Heritage Council – Design in Context<sup>83</sup>**

The guideline is published by the NSW Heritage Council of NSW and the RAI. The guideline establishes six criteria for assessing new development in a heritage conservation area or adjacent to a heritage item; character; scale; form; siting; materials; and, detailing. The guideline is mainly directed to vacant infill sites, hence its applicability to Harts Buildings is limited, as major redevelopment or change to the exterior is not possible. However the criteria and guidelines are relevant to minor works, such as any potential change to the balcony on the western side. They are also relevant to redevelopment of the surrounding sites, which must be designed to respect the significance and setting of the adjacent heritage items.

#### **6.6.5 NSW Heritage Council – New Uses for Heritage Places<sup>84</sup>**

The guideline is published by the NSW Heritage Council of NSW and the RAI. It contains principles that encourage careful and sympathetic designs and interpretation in the adaptation of historic places and sites. They identify principles that are relevant to Harts Buildings, which include the need to: understand significance; find a use and level of change appropriate to significance; ensure that change is reversible; conserve relationships between settings and views; provide for long term management and viability; and, reveal and interpret the place.

### **6.7 Non-statutory listings and Community Groups**

#### **6.7.1 National Trust of Australia (NSW)**

Harts Buildings at Nos. 10-14 Essex Street, have not been individually classified by the National Trust of Australia (NSW), however, are located within The Rocks Urban Conservation Area.

The Rocks Urban 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.

Listing on the Register of the National Trust carries no statutory implications. The Trust's opinions however, are usually sought when major proposals are being formulated in heritage precincts or in relation to heritage buildings.

#### **6.7.2 Australian Heritage Commission –Register of the National Estate**

Harts Buildings are not listed in the Register of the National Estate. However, the adjacent buildings, Nos. 178-180 Cumberland Street (The Butchery Buildings) and Lilyvale (No. 176 Cumberland Street) are included.

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.

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<sup>83</sup> <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/DesignInContext.pdf>

<sup>84</sup> <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/NewUsesforHeritagePlaces.pdf>

## 6.8 Building Regulations

### 6.8.1 Building Code of Australia (BCA)

The Building Code of Australia (BCA) is Volumes One and Two of the National Construction Code (NCC). The BCA is produced and maintained by the Australian Building Codes Board (ABCB) on behalf of the Australian Government and State and Territory Governments. The BCA has been given the status of building regulation by all States and Territories.

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.

An assessment of compliance of the complex with the BCA has not been carried out for this report. It is appreciated however that any DA/CC application will need to comply, or be deemed to comply with the BCA.

In general, when considering the BCA in heritage buildings, proposals must ensure that significant fabric and spatial qualities are not compromised while full BCA compliance is achieved and public safety is assured.

### 6.8.2 The Disability Discrimination Act (DDA)

The Federal *Disability Discrimination Act 1992* (DDA) provides protection for everyone (including those with mobility or sensory impairments, the elderly, parents with small children or those temporarily disabled through injury or illness) in Australia against discrimination based on disability and supports the principle that people with a disability have the same fundamental rights as the rest of the community. It encourages everyone to be involved in implementing the Act and to share in the overall benefits to the community and the economy that flow from participation by the widest range of people.

Building owners and managers have a responsibility under the DDA to provide equitable and dignified access to goods and services and to premises used by the public. A complaint can be made under the DDA if appropriate or access is not provided or direct or indirect discrimination has occurred.

Provisions apply to a wide range of life activities including: access to public transport; education; provision of goods and services; employment and access to building and premises.

The objective of the "Premises Standards" or "Access Code" was to develop a single set of design and construction requirements covering access to new buildings and upgrades to existing buildings. The Building Code of Australia (BCA) has been amended so it is consistent with the Access Code of the Premises Standards.

The Building Code of Australia/National Construction Code, in conjunction with the DDA, applies to new buildings and buildings undergoing significant refurbishment or alteration. Sections of the BCA require compliance with a range of access provisions. The BCA outlines a variety of building classifications and the requirements for access to buildings within each classification.

There currently is no level access to the buildings or provision for disabled and impaired persons particularly to the WCs and upper levels of the buildings. Management procedures, such as the provision of a removable ramp to the front door entry may be implemented. The requirement meet the provisions of the DDA will apply in the case of any future major works to the buildings.



## 7. Conservation Policies

Conservation can be regarded as the management of change. It seeks to safeguard that which is significant to an item within a process of change and development. It is essential to establish criteria, policies and recommendations of the conservation, and on-going use of the item to ensure best practice heritage management. Within this framework owners and managers of the item will be able to formulate suitable proposals, and planning authorities will be able to assess those proposals against the site specific criteria.

The conservation policies are intended to assist in the ongoing use, maintenance and conservation of the site. These policies are intended to manage change, rather than prohibit it. Each policy is supported by a series of guidelines which will ensure that future decisions are made in an informed manner, ensuring the significance of the place.

### 7.1 Best Practice Heritage Management

#### Background

One of the principle functions of the Foreshore Authority as stated in the Act is to protect and enhance the natural and cultural heritage of the area. The Foreshore Authority has adopted *The Rocks Heritage Management Plan (April 2010)* as its overall framework for managing The Rocks area. The Foreshore Authority is also obliged to manage the place in accordance with the *State-owned Heritage Management Principles* developed by the NSW Heritage Division, former NSW Heritage Office and approved by the Minister.

The Australia ICOMOS *Burra Charter* is a widely accepted standard of best practice in heritage conservation. The Foreshore Authority has also adopted the *Burra Charter* as one of its reference standards for conservation philosophy and practice.

Harts Buildings have been identified as being of State significance and are worthy of protection by the Foreshore Authority in accordance with current best practice.

#### Policy 1

*The heritage significance of Harts Buildings at Nos. 10-14 Essex Street must be adopted as the basis of the management of the place.*

#### Guidelines

- When making management decisions seek to retain and where appropriate enhance the values and associations identified in the statement of significance.
- Heritage impact statements must be prepared when proposing changes to the use or the fabric of the place.
- This CMP must be incorporated into the Total Asset Management strategy for the place;
- Include compliance with the CMP as a term of any lease over the place and consider non-compliance as a material breach.

#### Policy 2

*The heritage significance of Harts Buildings at Nos. 10-14 Essex Street must be managed in accordance with nationally and internationally accepted principles for best conservation practice.*

#### Guidelines

- Reference to the *Burra Charter* must be made as part of any works to the buildings.

- Any works must adopt a cautious approach in accordance with the key Burra Charter principle of “do as much as necessary, as little as possible”;
- Arrange for an inspection of the buildings every five years by an independent heritage architect to monitor the impacts of use and assess maintenance requirements and submit an inspection report of the entire buildings to the Foreshore Authority’s Facilities and Heritage teams.

### **Policy 3**

*All parties responsible for the management of Harts Buildings at Nos. 10-14 Essex Street must have access to this CMP and other associated documents.*

#### **Guidelines**

- A copy of this CMP must be made available to Foreshore Authority’s Property Manager, Leasing Manager, maintenance staff and tenants.
- Subject to security and privacy, this CMP must be made publically available on the Authority’s website.

### **Policy 4**

*This CMP must be read and applied in the context of broader heritage management and asset management documents, including statutory requirements for asset and heritage management.*

#### **Guidelines**

Reference should be made to the following documents:

- *The Rocks Heritage Management Plan* (April 2010) produced by the Authority;
- *State-Owned Heritage Management Principles* guidelines produced by the NSW Heritage Council;
- *Minimum Standards of Maintenance and Repair* guidelines also produced by the Heritage Council; and
- the Foreshore Authority must include the findings of this CMP into the Foreshore Authority’s asset management systems and plans, particularly TAM Plans and Maintenance Plans for Harts Buildings.

### **Policy 5**

*This CMP must be updated regularly every 5 to 10 years taking into account changes in legislation, proposed changes in use or management or proposed major works.*

#### **Guidelines**

- The CMP must be updated every five to ten years unless more frequent reviews are made necessary for proposed changes to the place. The Foreshore Authority must remain responsible for the updating of the conservation management plan.
- Use the most recently endorsed CMP as a management reference, consulting previous version for additions guidance if required.
- Reviews of the CMP must be based on *The Burra Charter* and other guidelines by the Heritage Division, former NSW Heritage Office.
- Reviews must also take into account any other relevant legislation, planning frameworks, appropriate literature and widely recognised conservation practices and procedures.
- Reviews must be undertaken by experienced conservation practitioners in conjunction with relevant ownership and management representatives.

- Irrespective of the requirement to review the document every five to ten years, the CMP must remain as a valid basis for on-going heritage management until such reviews are completed.

## 7.2 Documenting change

### Background

Evidence of changes to the buildings and the site to date have been compiled using City Archive and the Foreshore Authority building and works files. More recently, the Foreshore Authority's policy of photographic recording before and during any major changes to the place, as well as its regular archival recording of the whole of The Rocks, has provided a valuable record of evidence. However, incremental changes are often less diligently recorded and result in loss of information and dates of fabric.

### Policy 6

*Records must be kept of any changes to the building fabric and elements and all new evidence discovered about the place, before, during and after any changes.*

### Guidelines

- Documentation of future major works to the buildings should be preceded by the preparation of an accurate set of measured drawings of the existing buildings.
- As-built drawings on completion of any future work must be provided to the Foreshore Authority by those undertaking the works.
- Where fabric is proposed for removal, undertake any prior documentation with Heritage Council guidelines for Archival and Photographic Recording.
- The Foreshore Authority CAD files must be reviewed and updated and the Foreshore Authority's policy of regular photographic recording, especially before, during and after any changes must occur.
- Copies of all material must be stored in the Foreshore Authority's archives.

## 7.3 Skills & experience

### Background

*The Burra Charter* encourages the use of skilled and appropriate professional direction and supervision from a range of disciplines for conservation activities.

Old buildings were constructed using different materials and methods to those commonly used now. 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. Well-intentioned but inappropriate works can cause irreversible damage.

### Policy 7

*Appropriate conservation skills and experience must be employed for the design and documentation, implementation and supervision of any works and programs of conservation and upgrading of the building components of the buildings.*

## Guidelines

- Appropriate professional skills and experience assembled to work on the detailed conservation of the buildings could include, as appropriate, historians, researchers, archaeologists, conservation architects, structural engineers, building code compliance advisers, materials conservation specialists and cost planners.
- The multi-disciplinary teams must ensure that all areas of conservation are equally considered and represented.
- Building contractors, project managers and trades personnel who are experienced with working on historic buildings must be selected to work on the project.
- Provide site inductions for all those who work on the buildings to explain its significance, highly significant components and identify potential heritage impacts of the proposed works.

## 7.4 Approvals & participation

### Background

The place is owned by the Foreshore Authority and listed on the State Heritage Register. Under current legislation (June 2015) any development and building activity on the buildings and site may require one or more of the following consents and approvals:

- Landowners Consent from the Foreshore Authority for all works and all applications;
- Approval under the Heritage Act from the Foreshore Authority for minor works within the Foreshore Authority's delegation from the Heritage Council of NSW.
- Approval under the Heritage Act from the Heritage Council of NSW (by means of a s60 Application for other than minor works as above.
- Development consent from the City of Sydney for projects with a capital investment value of under \$10 million.
- Development consent from the Minister of Planning through an application to the Department of Planning and Infrastructure, for project with a capital investment value of more than \$10 million or which exceed the height limits in the Sydney Cove Redevelopment Authority scheme.
- Appointment of a Principal Certifying Authority (PCA) – either the City of Sydney or an accredited private certifier.
- Construction certification by the PCA.
- Occupation certification by the PCA.

Both the heritage and planning controls provide some exemptions for minor works for which development consent and s60 approval would otherwise be needed. For State listed items many such exemptions from formal approval under s57 (2) of the Heritage Act still require endorsement from the consent authority (the Foreshore Authority or Heritage Division) before the work can be carried out.

Forms for development applications, Section 60 applications and Standard Exemption applications are available from the Foreshore Authority and NSW Office of Environment and Heritage Division, the former NSW Heritage Office website.

### Policy 8

*No works must be undertaken to the place without the necessary statutory approvals and the Foreshore Authority's prior consent as landowner.*

### Guidelines

- As the Foreshore Authority is the owner of land and buildings in The Rocks, the consent of the Foreshore Authority is required prior to lodging an application for works. This part of the process is separate from approving the works, and the landowners consent to lodge an application does not present the approval to actually undertake the works.

- Prior to granting landowner's consent to a proposal, the Foreshore Authority must, in its capacity as land owner and manager, be satisfied that the application is consistent with the applicable policies, guides and technical manuals and there are no adverse heritage impacts associated with the proposal.
- Reference must be made to the *Foreshore Authority's Landowner's Consent Supplementary Guide* and *Fitout Guide* or relevant provisions.
- Reference should be made to the City of Sydney's *Guide to Preparing and Lodging a DA* and *Sydney Development Control Plan 2012* and the NSW Heritage Council's *How to Submit a S60 Application* and *Standard Exemptions for Works Requiring Heritage Council Approval*.
- Where necessary, a Heritage Impact Assessment and adequate documentation of the proposed works shall be required to assist in the assessment of owner's consent applications.
- Pre-application discussions must be undertaken with the Foreshore Authority and other consent authorities to identify any potential issues and to confirm the content and required approvals.
- Consultation with non-statutory listing organisations, such as the National Trust, for comments on proposals is good conservation and management practice.
- Assessment and adequate documentation of the proposed works must be required to assist in the assessment of owner's consent applications.
- No site specific exemptions are proposed for the Harts Buildings in this CMP.

## 7.5 Use

### Background

Harts Buildings were constructed as a group of three residential terraces. They continued this use until the c. 1980s from which time they were converted for commercial use in association with the adjacent Hotel development. Since the early 1990s they have continued to operate as a "pub" with bar, lounge and dining facilities. The location and form of the buildings is ideal for such use and it is envisaged that this and commercial uses will continue into the future.

### Policy 9

*The commercial use of Nos. 10-14 Essex Street should be maintained to ensure the ongoing viability and public access to the buildings. Any other potential uses of the buildings must retain the existing scale and spatial qualities of the buildings and their connection with the adjacent historic buildings and not obscure or impact on its historic nature and associations or building fabric.*

### Guidelines

- Future uses must be compatible with the nature and significance of the building components and must enable Harts Buildings to remain a vital and important component of The Rocks precinct.
- The adaptive re-use of all building components is acceptable, with compatible new uses selected that utilise the original character.
- Any use must be acceptable under the SCRA permissible uses for the site.
- The Foreshore Authority shall ensure that 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.
- Adaptation of a building's interior must ensure that the original fabric and significant architectural and spatial features are retained and interpreted.

- The detailed requirements of the new uses must respect and work within the existing architectural framework.
- Subdivision of internal spaces, where appropriate, must be undertaken in a secondary manner, using such items as partitions that can eventually be removed and which do not impact on the existing finishes or details.
- External alterations or additions are not appropriate. Any external changes must be of a minor nature, and subservient to the primary architectural features and composition of the existing structure.
- The introduction of new services and associated fittings as part of approved re-use programs must be carried out with the minimum of impact to the fabric and spaces.
- Uses which require an unacceptable degree of intervention for upgrading to ordinance compliance must not occur.
- A program of regular monitoring must be continued as part of the ongoing use of the buildings, covering both the physical changes to Harts Buildings and visitor experience issues, and be incorporated, where relevant, into management decisions.

## 7.6 Setting & related places

### Background

Harts Buildings were constructed as terrace building on a corner site with small yard and attached wing and outbuilding to the rear. There was no rear lane and it was subsequently neighboured by other terraces which have now been demolished. The Hotel and recent developments have retained its corner presentation and a sense of its earlier form with open area and access from the rear introduced. The walkways and courtyards now enhance the interpretation and use of the precinct.

The buildings are a highly visible and recognisable elements in Essex Street and are part of a small group of historic buildings associated with the Shangri-La Hotel and are also part of highly significant and visually prominent group of buildings representing the development of The Rocks from the 1840s to the early decades of 20<sup>th</sup> century located about the intersections of Essex Streets, Gloucester and Cumberland Streets. Its association with these buildings and location in a highly visited area contributes to the significance of the buildings and neighbouring heritage items.

### Policy 10

*The setting for the Harts Buildings and its streetscape presentation, visual and physical connections to the other heritage items in its vicinity must be maintained.*

### Guidelines

- Harts Buildings must continue to be a highly visible element along the Essex Street streetscape. Maintain views and visual connections to George Street, Cumberland Street and Gloucester Street.
- Maintain the visual and physical relationships between historic buildings group of the Harts Buildings, The Butchery Buildings and Lilyvale.
- Additions or alterations must not obscure the visual and physical associations and connections to the neighbouring buildings.
- Works to the adjacent courtyards and walkways are permissible, provided there is no material impact to the building form and structure and the building facades remain highly visible.
- The SCRA controls as illustrated on the Drawing Plan XLI(1) must be reviewed and revised to ensure that any future development does not encroach on the setting of the buildings and associated buildings and that their setting and recommended curtilages are protected.

## 7.7 Significant fabric, minor change, repair & maintenance

### 7.7.1 Retention of Significance

#### Background

Harts Buildings are significant as part of the 19<sup>th</sup> century buildings located in this precinct. The buildings significantly retain their external form, scale and character as part of the Essex and Gloucester Street streetscapes. They also make a positive visual contribution to the Essex Street streetscape. The buildings also retain a sense of their original internal layout and spatial characteristics.

#### Policy 11

*The statement of significance must be adopted as the basis for heritage management. All decisions must retain the values identified in the Statement of Significance.*

#### Guidelines

- The significant aspects of the architectural character of Harts Buildings, including the external scale and form of the buildings and features of the facade including distinctive parapet, chimneys, rendered mouldings and pattern of openings must be retained and conserved.
- Significant internal elements such as the remaining party and internal walls, timber floors, timber stairs and associated balustrades, particularly access stair to the roof in No. 14, skirtings and architraves, timber windows and chimney breasts must be retained and conserved.
- Concealed elements such as the fireplace breasts behind the partition walls in the male and female WCs must be retained and conserved.
- The conservation, adaptation and maintenance of Harts Buildings must be approached with the general principle of changing “as much as necessary but as little as possible”.
- Further structural alteration to the building components, which impact on the integrity or significance of Harts Buildings, such as the addition of new openings in the external walls, must not occur.
- Minor internal alterations and renovations may be acceptable within the context of compatible use, however, they must not impact on the significance of the internal original fabric and spatial qualities of the buildings, or the external façade. A sense of the original three terraces and original internal spaces and layout must be retained and continue to be interpreted.
- Evidence of the progressive evolution of Harts Buildings, such as the infilled sections at the rear of the buildings and new connections including the stairs to the north, west and in front of the buildings, must be respected and retained.

### 7.7.2 Conservation of Significant Fabric

#### Background

One of the key objectives of contemporary conservation practice is that significant original fabric of the buildings or place must be retained and conserved in order to preserve the essential integrity of the heritage resource for future generations.

While any conservation activity may affect the buildings in some way, the aim, consistent with responsible re-use or management aims, must be to minimise the work necessary. In this way the authenticity of the item will be retained within a process of evolutionary changes and good maintenance practice.

Article 3 of *The Burra Charter* indicates that conservation is based on a respect for the existing fabric of a place and should therefore involve the least possible physical intervention in order not to distort the evidence provided by the fabric.

The external walls and associated building fabric of Harts Buildings is intact and retains their original form and external character as they present to the street frontages. The interior of the buildings have been adapted and much fabric repaired or reconstructed or introduced in the early 1990s. As a result, the buildings retain a sense of their early residential use, original spaces, dividing party walls and two storey configuration.

## Policy 12

*Extant building fabric, both internally and externally must be retained and conserved in accordance with the levels of significance identified in Section 5.0 Grading of Significance and Section 7.7.4 Element Specific Policies.*

## Guidelines

- External and internal fabric, which has been identified as of Exceptional or High significance must be retained and conserved. This includes the parapet form and chimneys, exposed party walls and existing pattern of openings and the one remaining roof access stair in No. 14.
- Conservation or maintenance work must not alter or negatively impact on the elements of the external façades or internal fabric/space that have been identified as elements of High or Exceptional level of significance.
- The traditional building fabric and features including stone and rendered masonry walls, timber floor framing and floors, timber windows and doors, timber roof framing and corrugated iron roof cladding, must be retained.
- The carpet and vinyl floor finishes over the timber floors may be removed or replaced with care to protect the significant fabric.
- Where repairs or alterations are required, new material must closely match original or adjacent materials. However, evidence of change must be identifiable on close inspection.
- All structural elements must be retained as existing, with appropriate maintenance. Structural members must not be removed, other than to re-instate significant architectural elements.
- Where it is clear that original or significant fabric has been removed it is considered appropriate to adaptively reconstruct based on physical and documentary evidence.
- While the Foreshore Authority is liable for the execution of works identified in the *Section 8 – Schedule of Conservation Works* of this CMP, the Foreshore Authority may, as part of the tenancy contracts, require tenants to execute the required works and provide auditable trace of the completion of required works.
- Intervention into any building fabric must respect the integrity of the extant material and be limited to that required by the proposed works.
- The conservation of particular materials require due consideration and the expertise of appropriately experienced personnel. The Heritage Division, former NSW Heritage Office 'Maintenance Series' provides general advice as to the cause, treatment and remediation of various traditional building materials. These publications can be sourced from the Heritage Division, former NSW Heritage Office web page <http://www.heritage.nsw.gov.au>.

## 7.7.3 Conservation of Significant Spaces

### Background

Harts Buildings retains their original residential spaces and relationships about the dividing party walls. Despite the adaptation of the former residential buildings and addition of openings in the party walls, aspects such as the original floor level of the ground floor of No. 10, two storey configuration and sense of the rear wing tunnel back on the first floor are retained and are able to be interpreted. The original roof form and enclosures to the one remaining and former access stairs to the roof have also been retained.

## **Policy 13**

*The spatial qualities of Harts Buildings contribute to its significance and interpretation and therefore must be conserved as part of the on-going use and management and any future development strategy.*

### **Guidelines**

- The two storey character and access to the roof must be retained and conserved.
- The existing internal layout of the three terraces that form the Harts Buildings and spatial relationship of rooms between the party walls must be retained and conserved.
- The existing openings in the dividing party walls must not be enlarged and elements such as chimney breast must be retained to preserve the original scale and character of the original small, “residential” rooms.
- The existing floor level in the entry corridor of No. 10 must be retained to interpret the original floor level of the buildings.
- The existing lounge room, on the ground floor of No. 10, walls and raised floor level must be retained to interpret the original nature of the room.
- No further openings are permitted on the building facades or internal walls. The remaining wall nibs and bulkheads on the ground and first floor must be retained and conserved to interpret the original character and layout of the buildings.
- The rear wing, tunnel back form of the northern rooms on the first floor must be retained and spaces between not infilled to conserve the original character of the rear of the buildings.
- The one remaining roof access stair and associated fabric in No. 14 and associated enclosure must be retained and conserved.
- The existing roof form and nature of the roofscape including the two redundant roof access enclosures of Nos. 10 and 12, must be retained and conserved.

### **7.7.4 Element Specific Policies**

#### **Background**

In addition to general policies applicable to all areas of the site, a strategic direction for management of individual elements was considered appropriate to the level of significance of each element and the condition of fabric.

#### **Policy 14**

*The historic built fabric and other site elements must 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 of this report.*

## Guidelines

The following schedule contains conservation policy statements for specific individual elements of the Harts Buildings. The conservation actions should not attempt to recreate a particular situation from the history, but acknowledge past and recent changes and modifications as evidence of technological advancements and evolution of the use of the place.

<b>Element Specific Polices</b>		
Harts Buildings, Nos. 10-14 Essex Street, The Rocks		
Element	Significance	Policy
<b>EXTERIOR</b>		
<b>ATTRIBUTES &amp; ARCHITECTURAL STYLE</b>		
Visual and physical relationship with Lilyvale and the Butchery Buildings	Exceptional	Original. Retain and conserve.
Contribution to the group of 19 <sup>th</sup> century residential buildings along Cumberland and Essex Streets	Exceptional	Original. Retain and conserve.
Late Victorian bald faced style indicators and terrace form (including raised parapet, form of main roof and pattern of openings and restrained detailing).	Exceptional	Original. Retain and conserve.
External colour scheme	High	Retain and conserve. Based on paint scrapes.
Parapet form and chimneys	Exceptional	Original. Retain and conserve.
Lighting, lamps and services fixed to the facade	Little	Added as part of 1990s works. Retain or replace as required with care to adjacent fabric.
Parapet decoration and iron balustrade	Exceptional	Original. Retain and conserve. Replacement of balustrade permitted as last resort and must be like material and detail.
Gutters and downpipes	Moderate	Retain and conserve and update to match as required.
Suspended, fixed and painted signage	Little	Added as part of 1990s works. Retain or replace as required with care to adjacent fabric.
<b>SITE</b>		
Potential archaeological resources	Exceptional	Manage in accordance with archaeological policies
Sandstone fencing elements along Essex Street	High	Retain and conserve.
Sandstone retaining wall and steps along Essex Street kerb	Moderate	Retain and conserve. May be altered if required.
Steel pipe handrail along the Essex Street kerb	Little	May be altered if required.

Raised ground level including footpath and courtyards	Little	May be altered if required.
Sandstone paving to the north of the buildings	Little	May be altered if required.
Sandstone stairs running along north east and north western facades	Little	May be altered if required.
<b>ESSEX &amp; GLOUCESTER STREET (SOUTH &amp; EAST) FACADES</b>		
Overall height, scale and configuration	Exceptional	Original. Retain and conserve.
Parapet form and chimneys	Exceptional	Original. Retain and conserve.
Parapet decoration and wrought iron balustrade	Exceptional	Original. Retain and conserve.
Corrugated iron roof cladding and terracotta pots to chimneys	High	Have been replaced, repair or replace as required with care to adjacent fabric.
Rendered façades, but not painted finish or suspended signs	High	Original with some repairs. Retain and conserve. Repair with like material as required.
Rendered details, cornices, string course, label moulds and window sills	High	Original with some repairs. Retain and conserve. Repair and replace to match.
Rendered base/ plinth course	High	Mostly original. Retain and conserve. Repair and maintain as required.
Painted stone base (No. 14) and rendered plinth	High	Original. Retain and protect the "natural stone" form. Paint finish may be retained.
Pattern of openings	High	Original. Retain as existing. No new openings permitted.
Windows	High	Reinstated, but details to match earlier form. Repair and replace timber members and glass to match as required.
Entry Door, toplight and associated framing, Essex Street facade	High	Early. Retain and conserve. Repair and replace timber members and glass to match as required.
Steps and door thresholds, Essex Street facade	High	Have been repaired. Retain and repair as required.

<b>Element Specific Policies</b>		
Harts Buildings, Nos. 10-14 Essex Street, The Rocks		
Element	Significance	Policy
<b>EXTERIOR</b>		
<b>ESSEX &amp; GLOUCESTER STREET (SOUTH &amp; EAST) FACADES continued</b>		
Wall vents	High	Have been replaced. Retain and repair as required. Replace to match as last resort.
Suspended, fixed and painted signage	Little	Added as part of 1990s works. Retain or replace as required with care to adjacent fabric.
Lighting	Little	Added as part of 1990s works. Retain and repair or replace with care.
Sandstone stair and retaining wall along Essex Street kerb	Moderate	Early have been adapted. Repair and replace as required.
Steel pipe handrail along the Essex Street kerb	Moderate	Repair and replace to match if required.
Taxi sign fixed to the parapet	Intrusive	Later. Preferably remove.
<b>NORTH &amp; WEST FACADES</b>		
Overall height, scale and configuration including chimney flues and setbacks	Exceptional	Original. Retain existing height, character and pattern of openings. No new openings are permitted.
Roof form, parapets and chimneys	High	Mostly original. Former open yards infilled. Retain and conserve. Repair as required.
Roof framing	Moderate	Have been repaired and elements replaced. Repair and replace as required.
Corrugated iron roof cladding and terracotta pots to chimneys	Moderate	Have been replaced. Repair or replace to match as required with care to adjacent fabric.
Rendered facades but not signs or painted finish	High	Original. Retain and conserve. Repair with like material as required.
Rendered details and capping to chimneys.	High	Original. Retain and conserve. Repair to match as required.
Windows	High	Reinstated in 1990s to match earlier detail. Retain and conserve. Repair and replace timber members and glass to match as required.
Doors	Moderate	Part of 1990s adaptive works. Repair and replace timber members and glass to match as required.
Gutters and downpipes	Moderate	Have been replaced. Retain or repair to match as required.

<b>Element Specific Policies</b>		
Harts Buildings, Nos. 10-14 Essex Street, The Rocks		
Element	Significance	Policy
<b>EXTERIOR</b>		
NORTH & WEST FACADES continued		
Wall vents	Moderate	Have been replaced. Retain and repair as required. Replace to match as last resort.
Lighting and services fixed to the facades	Little	Added as part of 1990s adaptive works. Retain and repair or replace with care as required.
Steel framed and glass awning to first floor entry at rear of No. 10	Little	Added as part of 1990s adaptive works. Retain or replace as required with care to significant building fabric.
The sandstone stairs running along the north east and north western facades	Little	Added as part of 1990s adaptive works. . Retain or replace as required with care to significant building fabric.
Steel pipe handrail to the sandstone stairs running along the north east and north western facades	Little	Added as part of 1990s adaptive works. . Retain or replace as required with care to significant building fabric.
Sandstone paving to the north of the buildings	Little	Added as part of 1990s adaptive works. . Retain or replace as required with care to significant building fabric.
Tap located at north eastern façade.	Intrusive	Added as part of 1990s adaptive works. Preferably remove.

<b>Element Specific Policies</b>			
<b>Harts Buildings, Nos. 10-14 Essex Street, The Rocks</b>			
Element		Significance	Policy
<b>INTERIOR</b>			
– the interior has generally been adapted (late 1980s and early 1990s) with building elements repaired and reconstructed to match remaining fabric or to suit the style of the building.			
<b>GROUND FLOOR</b>			
<b>ENTRY CORRIDOR SPACES</b>			
1	Timber floor and framing	High	Retain and repair or replace individual boards as required.
1a	Floor level in No. 10	Exceptional/ High	Retain original floor level in wester entry hall and front room. Retain or repair floorboards and structure.
2	Rendered walls	Exceptional	Retain and conserve. Repair finish to match as required.
3	Timber wall panelling and rail with wallpaper infill	Moderate	Repair, replace or remove as required with care to adjacent wall fabric.
4	Timber joinery - skirting and architraves	High	Retain and repair or replace sympathetically as required.
5	Ceiling, profiled cornices and roses	High	Repair and repair or replace as required to match existing.
6	Decorative bracketed archway	Exceptional	Retain and repair as required.
7	Lighting	Little	Retain or replace as required.
<b>LOUNGE ROOM IN No. 10</b>			
1	Timber floor and framing	High	Retain and repair or replace individual boards as required.
1a	Floor level	Exceptional	Retain and conserve existing level.
1b	Carpet finish	Little	Retain or replace as required.
2	Walls including chimney breast	Exceptional	Retain and conserve existing walls and chimney breast.
3	Wall vents	High	Retain and conserve.
4	Timber chair rail with wallpaper infill	Moderate	Retain, replace or remove with care as required.
5	Timber joinery – fireplace surround, skirting and architraves	Exceptional/ High	Retain and conserve.
6	Ceiling and profiled cornice	Exceptional/ High	Retain and conserve.
7	Fireplace grate and polished stone hearth	High	Retain and conserve.
8	Lighting and services	Little	Repair or replace as required.
9	Furniture and moveable items	Little	Retain or replace as required.

<b>Element Specific Policies</b>			
<b>Harts Buildings, Nos. 10-14 Essex Street, The Rocks</b>			
Element		Significance	Policy
<b>INTERIOR</b>			
<b>GROUND FLOOR</b>			
<b>GENERAL SEATING AND BAR AREAS (across Nos. 10, 12 and 14)</b>			
1	Timber floor and framing	High	Retain and repair or replace individual boards as required.
1a	Timber steps between Nos. 12 & 14	Moderate	Retain and repair as required.
2	Walls including chimney breasts	Exceptional	Retain and conserve, repair to match as required.
3	Wall vents	High	Retain and conserve.
4	Timber joinery – architraves, fireplace surround and skirting	Exceptional/ High	Retain and conserve, repair to match as required.
5	Timber wall panelling and chair/dado rail with wallpaper	Moderate	Repair, replace or remove with care as required.
6	Ceiling and profiled cornices and roses	High	Retain and conserve.
7	Fireplace grates and polished stone hearths	High	Retain and conserve.
8	Timber stair and balustrade in No. 10	Moderate	Retain and repair as required.
9	Timber soffit to stair and lightweight partitions	Moderate	Repair or replace to match as required.
10	Lighting and services	Little	Retain or replace as required.
11	Fixed and moveable furniture and items	Little	Retain or replace as required.
<b>BAR &amp; BASEMENT ACCESS IN NO. 12.</b>			
1	Timber floor and concrete	High/ Little	Retain and conserve and repair - high. Repair and replace as required - little.
1a	Vinyl floor finish	Little	Repair or replace as required.
	Concrete steps and corridor to the Hotel basement.	Little	Repair or replace as required.
2	Walls	Exceptional	Retain and conserve and repair as required.
3	Ceiling and cornices	High	Retain and conserve
4	Timber skirting and architraves	High	Retain and conserve
5	Timber panelled door to basement	High	Retain and conserve
7	Concrete steps and corridor to the Hotel basement.	Little	Repair or replace as required.
8	Bar units and associated benches and services	Little	Retain or replace with care as required.
9	Lighting and other services	Little	Retain or replace as required.
10	Dumb waiter and associated enclosure	Little	Repair or replace as required.

<b>Element Specific Policies</b>			
<b>Harts Buildings, Nos. 10-14 Essex Street, The Rocks</b>			
Element		Significance	Policy
INTERIOR			
GROUND FLOOR			
FEMALE & MALE WC/ TOILETS			
1	External Walls	Exceptional	Retain and conserve, repair as required.
2	Ceramic tile floor and wall finishes	Little	Repair or replace as required.
3	WC, internal partitions and timber doors	Little	Repair or replace as required.
4	Plasterboard ceilings	Little	Repair or replace as required.
5	Windows in Male WC	Exceptional/ High	Retain and conserve and repair as required.
6	Modern WCs, basins, fixtures and fittings	Little	Retain or replace as required.
7	Lighting and services	Little	Retain or replace as required.
FIRST FLOOR			
GENERAL SEATING & DINING AREAS			
1	Timber floors and framing and steps	Exceptional/ High/ Moderate	Retain and conserve and repair. Replace steps as required.
2	Walls including chimney breasts	Exceptional	Retain and conserve. Repair to match as required.
3	Wall vents	High	Retain and conserve.
4	Timber joinery – architraves, fireplace surround and skirting	Exceptional/ High	Retain and conserve and repair.
5	Timber wall panelling and chair/dado rail with wallpaper	Moderate	Retain, replace or remove with care as required.
6	Timber windows and doors	High	Retain and conserve.
7	Ceiling, profiled cornices and roses	High	Retain and conserve
8	Stair balustrade	Moderate	Repair or replace as required.
9	Fixed and moveable furniture and items, signs and plaques	Little	Retain or replace as required.
10	Lighting and other services	Little	Retain or replace as required.
OFFICE AT REAR OF No. 10			
1	Timber floor and framing.	High	Retain and repair or replace individual boards as required.
2	Walls including chimney breasts	Exceptional	Retain and conserve, repair to match as required.
3	Timber skirting and architraves	High	Retain and repair as required.
3	Timber window	High	Retain and conserve and repair as required.
4	Timber door (and opening)	High	Retain and conserve and repair as required.

5	Ceiling and cornice	High	Retain and conserve and repair as required.
6	Lighting and services	Little	Repair or replace as required.
7	Furniture	Little	Retain or remove as required.

<b>Element Specific Policies</b>			
Harts Buildings, Nos. 10-14 Essex Street, The Rocks			
Element		Significance	Policy
<b>INTERIOR</b>			
<b>FIRST FLOOR</b>			
<b>BAR &amp; KITCHEN AT REAR OF NO. 12</b>			
1	Timber and concrete slab floor	High/ Little	Retain and repair – high repair or replace as required - little.
2	Vinyl and ceramic tiled finish to floors	Little	Retain or replace as required.
3	Walls	Exceptional	Conserve and repair to match as required.
4	Ceramic tiling to walls	Little	Retain or replace as required with care to walls.
5	Timber skirting, architraves and doors.	High	Retain and repair as required.
6	Ceiling and cornices	High	Retain and conserve and repair
7	Timber panelling and detailing to the front of the bar including bulkhead over	Little	Retain or remove or replace as required.
8	Bar units and associated benches and services	Little	Retain or replace as required.
9	Lighting and other services	Little	Retain or replace as required.
10	Dumb waiter and associated enclosure	Little	Retain or remove as required.
<b>STORE &amp; PLANT ROOM AT REAR OF No. 14</b>			
1	Timber floor and framing	Exceptional/ High	Retain and repair or replace individual boards as required.
2	Walls including chimney breast on eastern wall.	Exceptional	Retain and conserve. Repair to match as required.
3	Wall vents	High	Retain and conserve.
4	Timber chair/dado rail with wallpaper infill	Moderate	Retain, remove or replace as required.
5	Timber joinery – skirtings and architraves	High	Retain and conserve and repair to match.
6	Windows on eastern wall of store room	High	Retain and conserve and repair or replace timber members and glass to match.
7	Ceiling and profiled cornices	Exceptional	Retain and conserve and repair as required.
8	Timber stair and balustrade along western wall of store room (access to roof)	Exceptional	Retain and conserve. Repair and replace timber treads and risers and balustrade to match as required.

9	Fixed and moveable furniture and items in store room	Little	Retain or remove as required.
10	Timber panel door to Plant Room	Exceptional	Retain and conserve and repair required.
11	Air conditioning plant	Little	Repair or replace as required.
12	Lighting and other services	Little	Retain or replace as required.

### 7.7.5 On-going Maintenance and Repair

#### Background

The nature of any building is that its fabric will deteriorate due to the effects of age, maintenance, weather, vegetation incursion and use. To ensure the on-going conservation of significant building fabric, a regular maintenance schedule must be implemented, which provides for regular inspection and preventative and remedial actions to be taken where necessary.

#### Policy 15

*The significant fabric of Harts Buildings must be maintained by the implementation of the short, medium and long-term maintenance program outlined in Section 8.3 - On-going Maintenance.*

*As a necessary minimum, the ongoing maintenance must include works that will ensure that each element retains its current level of significance and not allow the loss of significance due to the deterioration of fabric.*

#### Guidelines

- The building fabric and services must be subject to continuing care and maintenance by the Foreshore Authority and tenant.
- In addition to regular maintenance activities, prompt preventative action and repair must be taken as necessary.
- Prevention of continuing deterioration must take priority over widespread repair or reconstruction.
- Inspection and maintenance works must only be conducted by those with professional knowledge and demonstrated experience with buildings and materials of this nature.
- Maintenance work or repairs must not negatively impact on significant fabric.
- While the Foreshore Authority is liable for the execution of works identified in the *Section 8.3 – Schedule of On-going Maintenance Works* of this CMP, the Foreshore Authority may, as part of the tenancy contracts, require tenants to execute the required works and provide auditable trace of the completion of required works.
- New internal floor coverings are permissible, but must have minimal impact on the floor structure.

### 7.7.6 Retention of Fixtures and Fittings

#### Background

Harts Buildings were extensively damaged when they were “roughly” converted to site offices in 1988. As such, much of the internal fabric, fixtures and fittings were reinstated as part of the conservation, adaptation and fitout works in the early 1990s. Fixtures and fittings such as fireplace surrounds and grates, must be retained and conserved as they represent the earlier fittings that would have been present in the buildings. Services such as lighting, hydraulic and mechanical services that have been introduced into the buildings and have no impact on the cultural significance of the buildings, contribute to the ongoing use and are important for the future viability of the buildings. Other fixtures

and fittings such as the bars, fixed banquette seating and benches similarly contribute and enhance the use of the buildings, but make no positive impact on their overall cultural significance.

## **Policy 16**

*Features and fixtures associated with the site's historic use such as fireplace surrounds and grates must be retained and preserved.*

### **Guidelines**

- The retention and conservation of elements such as fireplace surrounds and grates must be considered as part of the design work for future adaptive re-use programs.
- Other fixtures and fittings such as lighting, hydraulic and mechanical elements and fittings such as the bars and fixed furniture may be retained and must be maintained or replaced with care to the adjacent significant building fabric and existing spatial qualities and character of the buildings.

## **7.7.7 Painting**

### **Background**

Regular painting of certain materials such as timber is essential for their preservation. Painting can also extend the service life of material such as sheet metals. However, materials that were never painted or intended for painting can be permanently ruined by painting.

The external rendered walls and base stonework of the buildings has been painted and must continue to do so. The present colour scheme is based on paint scrapes and particularly the external paint finish contributes to the visibility and recognition of the buildings along the Essex Street streetscape.

### **Policy 17**

*Colour schemes must be consistent with the historic schemes as identified by physical and documentary evidence. Internally, contemporary colour schemes are acceptable provided that work is consistent with Policy 18.*

### **Policy 18**

*Painting is to be undertaken without disturbance to or removal of earlier paint layers. All existing paint layers must be retained except in instances where the surface is loose and flaking, blistering or chalking.*

### **Policy 19**

*The external rendered brick walls, stone and rendered base and internal walls must continue to be painted in approved colours. Surfaces intended to be stained and shellacked such as timber joinery and floors must retain this finish. Surfaces originally painted such as timber windows must continue to be painted in appropriate colours and informed by documentary and physical evidence.*

### **Guidelines**

- Research into original and subsequent colour schemes must be undertaken.
- Painting must be undertaken on a cyclic schedule or possibly change of tenant.
- While historic schemes are appropriate for the principle rooms contemporary colour schemes that do not detract from the historic schemes or features may also be appropriate.

## 7.8 New Work Policies

### 7.8.1 Adaptation, alterations and additions and integration of new work

#### Background

Due to the significance of Harts Buildings, no external alterations or additions should occur. Some minor internal alterations and additions may be considered in the context of the overall impact of any new works proposed. New work must not detract from or have a major adverse impact on significant fabric or spaces.

#### Policy 20

*New additions at ground and first floor levels and on the roof are not appropriate.*

*Any new work must demonstrate that it can be achieved without unacceptable adverse impact on the heritage fabric or reading of original/early building spaces. New work should be identifiable as such and must be capable of being removed without damage to significant fabric or spaces.*

#### Guidelines

- No major alterations or additions to the existing external building facades and roof are to occur.
- Any new development must be carried out within the existing building envelope, no new dormer windows or skylights, external windows or doors are to be introduced.
- No decks, verandahs or balconies can be introduced.
- The addition of security grilles to the windows and doors is not appropriate.
- There may be some scope to use the later basement level which may be modified as required provided that there is no impact to any highly significant fabric or spaces or potential archaeological resources has been considered.
- When a new function is being introduced, the existing spatial layout and character must be retained and utilised.
- Period detailing must 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.
- Careful consideration and detailing will ensure minimal damage to the significant fabric and must allow for reversibility.
- Where a function is being re-established, new fittings and fixtures may be added provided there is no undue impact to any highly significant fabric.
- Existing ceiling heights must be retained.
- Any new work must not obscure or interrupt window and door openings.
- New work must be identifiable but must not be visually dominant over existing elements.
- Contemporary materials should be used for any new work, but designed in a manner in which its location, form, scale, grain, colour and texture responds to the original.

## 7.8.2 New services

### Background

Adaptations of existing fabric for practical reasons such as installation of new services and equipment, and the need to meet fire safety and other statutory requirements may be required in terms of securing a viable use for the building components as a whole, and satisfying the changing needs of the general public.

### Policy 21

*The extension or alteration of existing services in Harts Buildings is acceptable in the context of re-use, but must not have a detrimental impact to the significance of the building fabric or building as a whole.*

*The former rear wings and current location of WCs on the ground floor should continue to be used for bathrooms and service areas.*

### Guidelines

- Any proposed upgrading of services must be carefully planned. The preparation of schematic layouts is not sufficient: service routes must be planned so as not to damage the significant fabric or disrupt significant spaces.
- Proposed service locations and layouts must be identified on all drawings for applications for new works.
- Existing or old service chases or conduits must be re-used in preference to new chases. Services should be rationalised, grouped and treated to minimise intrusion.
- Areas previously modified for services must be re-used, in preference to modifying intact fabric.
- Any upgrading of services is subject to the proper approval process.
- Intervention into any building fabric must respect the integrity of the extant material, be carefully controlled, and be limited to that required by the proposed works.
- The surface mounting of services is preferable to chasing services into significant fabric.
- The existing WC and kitchen areas can continue to be used. There may be some scope to re-use the existing kitchen space, bar areas and possibly the existing rear office for addition or other service areas in the case of change of use. The plant room located in the north eastern corner of the upper level may also be adapted or re-used as a service area if additional area is required.
- No externally mounted air-conditioning, ventilation equipment, water heaters or service components should be visible from the street or impact negatively on the façade or roof.
- The addition of external aerials and satellite dishes must be avoided, however, solar panels on the northern roof space may be considered, provided that they are not visible from the street elevations.
- Brackets or fixings for services must not damage significant fabric.

## 7.9 Building Code compliance

### Background

The National Construction Code (NCC, incorporating the Building Code of Australia, (BCA)) has been adopted as the technical standard for design, construction and operation of buildings. The NCC also includes the National Plumbing Code and will be progressively extended to include other similar codes.

The BCA is a performance based code, specifying only performance requirements to be met, but including “deemed-to-satisfy” provisions that are accepted as meeting the performance requirements.

Historic buildings are frequently non-compliant with the deemed-to-satisfy provisions of current building codes. Even recently upgraded building can become non-compliant as the BCA provisions may change annually.

In terms of on-going use programs, the key issues are usually compliance with fire resistance, egress provisions, and provision of disabled access and facilities. It is essential that the cultural values of the buildings and the overall complex not be degraded by inappropriate responses to meeting ordinance requirements.

## **Policy 22**

*Approaches to compliance with building ordinances for the conservation and upgrading and re-use programs of the various building components of Harts Buildings must focus on responding to the spirit and intent of the ordinances if strict compliance would adversely affect the significance. The buildings must not be used for any purpose for which the building code compliance will result in an unacceptable adverse impact to the buildings.*

## **Guidelines**

- Conservation and on-going use programs must not place undue stress on the building fabric in order to meet excessive requirements of ordinance compliance and must use alternative solutions to achieve the performance requirements of the BCA if deemed-to-satisfy provisions will have an adverse impact.
- Methods of complying with ordinance requirements which utilise fire or smoke detection and active fire suppression are preferred to the addition of fire rating material, which may obscure extant finishes.
- Future upgrades of the buildings must take into consideration any newly developed approaches for the implementation of fire safety standards that do not harm the existing significant fabric.
- Consultation with the Heritage Division, former NSW Heritage Office FASAP advisory panel may also assist in achieving appropriate compliance solution. For contact details go to <http://www.environment.nsw.gov.au/Heritage/index.htm>

## **7.9.1 Accessibility**

### **Background**

Harts Buildings currently have limited level access. There are a number of steps and narrow door entrances off the Essex Street frontage, however, there is level access from the rear courtyard (accessible from Cumberland Street) to most of the upper floor level. The WCs however, are located in the ground floor with steps down to the male WC. There currently is no accessible WC and both existing areas have relatively narrow doorways and access.

The provision of equitable access and use may present some challenge, however, there may be some potential with some change and adaptation in the areas which have been modified for use as services and WCs. A small lift may be incorporated in the existing office area or adjacent to the existing stair connecting the two main levels of the buildings and an accessible WC may also be incorporated in the area at the base of the stair or female WCs which may be reconfigured. The stair was enlarged and adapted in the 1990s and may be further adapted if required.

These works may also improve access for those with mobility or sensory impairments, the elderly, parents with all children and any who is temporarily disabled as a result of the

injury or illness as outlined under the provisions of the *Disability Discrimination Act 1992* (DDA)

The Building Code of Australia/National Construction Code, in conjunction with the DDA, applies to new buildings and buildings undergoing significant refurbishment or alteration.

### **Policy 23**

*Access solutions must seek to improve accessibility to the buildings while maintaining the identified significance of the place and minimising adverse heritage impact.*

#### **Guidelines**

- Where possible access solutions must seek to supplement the existing amenity rather than to replace existing fabric. Improvements must be designed to be reversible.
- A strategy must be developed to address accessibility from a whole of building perspective to avoid piecemeal and incremental improvements.
- If required a small lift may be incorporated in the existing office area or adjacent to the existing stair connecting the two main levels of the buildings.
- If an accessible WC is required the use of the existing rear office area on the first floor or at the base of the stair with reconfiguration of the existing female WCs may be considered. The stair was enlarged and adapted in the 1990s and may be further adapted if required.
- Reference should be made to *Improving Access to Heritage Buildings* produced by the NSW Heritage Council and *Access for all to Heritage Places* produced by the Heritage Council of Victoria.

## **7.10 Sustainability**

### **7.10.1 Thermal Comfort in Heritage Buildings**

#### **Background**

In 2009 the Foreshore Authority adopted a Sustainability Policy with commitments to reduce the carbon footprint of precincts by 80% from a 2000 baseline, with a 20% reduction by 2012. The policy aims to achieve climate change targets through:

- reductions – increased energy efficiency and reduced energy consumption;
- renewable – a portion of energy from non-fossil fuel sources;
- offsets – the remainder of fossil-derived energy being sourced from green energy tariffs and/or offset through accredited providers.

In its aim for a socially inclusive and sustainable community the Foreshore Authority:

- acknowledges the responsibility to protect heritage buildings and their cultural significance on behalf of the people of NSW;
- aims to provide improved tenant amenity through improved air quality, comfort levels and natural light, in ways that support heritage considerations.

In line with this Policy the Foreshore Authority has adopted a Sustainable Development Fitout Guide which aims to reduce the environmental impact of new construction and building fitouts (refer to *Fitout Guide for Commercial and Rental Premises in The Rocks* and *Green Building User Guide produced by the Foreshore Authority*). It has been shown that the implementation of the measures outlined in the Guide reduce operational costs and improve indoor environmental quality (IEQ) and occupant satisfaction.

Air conditioning units are currently located in all main rooms and attic spaces. The units have recently been upgraded, and whilst currently are used intermittently, have impact on the visual and spatial presentation of the each of the rooms.

#### **Policy 24**

*All applications for building modifications and fitouts are to demonstrate measures which work toward the objectives of the Foreshore Authority's Sustainability Policy.*

*Elements, such as solar panels may be incorporated on the roof, provided that they are not visible or impact on the street facades.*

#### **Guidelines**

- The buildings should progressively be adapted so as to reduce its reliance on energy-intrusive climate control and mechanical plant in favour of natural heating, cooling and ventilation without adverse impact on heritage significance.
- Factors contributing to discomfort must be identified and quantified prior to developing any solutions.
- Uses that give rise to thermal discomfort that cannot be ameliorated through passive measures or other sustainable means must be avoided.
- Investigate the potential for sustainable and passive solutions and measures prior to removing or replacing the existing air conditioning systems in the buildings.
- Solar panels may be incorporated on the north facing slopes of the roof, provided that they are not visible from the street facades.
- If the mechanical systems are found to be essential, develop and utilise a system that best suits the significance of the buildings and Foreshore Authority's objectives.

### **7.10.2 Passive Design Solutions**

#### **Background**

Historically buildings were designed, constructed and sited to maximise the effectiveness of passive solutions, using the seasons to provide for thermal comfort needs. Historic buildings also have thermal properties that need little modification to maintain good thermal comfort levels for the majority of operational hours.

Harts Buildings are constructed of rendered brick with operable windows on the primary street, facing facades. The buildings are mechanically ventilated (WCs & kitchen) and air conditioned, however, there may be opportunity for a passive solution.

#### **Policy 25**

*Passive heating and cooling in the buildings is preferable. The use of the mechanical ventilation currently in the buildings may be used if passive solutions and inherent properties of the building envelope cannot provide comfortable thermal environments throughout the majority of the seasonal calendar.*

#### **Guidelines**

- Passive heating and cooling solutions for the buildings must be investigated.
- The windows must be maintained so that they are operable and allow air flow into the buildings.
- Existing systems must be monitored and regularly maintained or upgraded to ensure that they are appropriate to the use of the buildings and spaces and efficient.

### 7.10.3 Mechanical Solutions to supplement Passive Design

#### Background

The buildings have mechanical ventilation and air conditioning system with plant room in the north eastern room of No. 14. These services were installed as part of the 1990s pub fitout. It is not known if the system has been upgraded, however, they are assumed to be functional and effective.

#### Policy 26

*The need for a mechanical solution must be investigated as part any future upgrades. If the need for a mechanical system is demonstrated a system that presents the least impact to the significant fabric and spaces and energy consumption must be selected.*

#### Guidelines

- Passive heating and cooling solutions for the buildings should be investigated prior to the installation of any future mechanical systems or major upgrade of the existing system.
- The effectiveness of the existing system must also be assessed prior to considering alternatives.
- If any services are removed or replaced, wall and floor fabric and any joinery must be repaired to match.

## 7.11 Signage & external lighting

#### Background

It is recognised that commercial identification and temporary signage are an intrinsic component of the commercial use and viability of Harts Buildings as a whole. The buildings currently have a number of signs including identification and directional signs and some suspended lighting.

External lighting of buildings can add to their character. Signage and external lighting, however, must have no adverse impact on significant heritage fabric and the overall character of the place.

#### Policy 27

*External signage must be in harmony with the overall character of the place, and complement the historic character of the buildings on which it is mounted. All signage must be consistent with “The Rocks Signage Policy 2013” produced by the Foreshore Authority and adopted for implementation throughout The Rocks.*

#### Policy 28

*Additional external lighting must be kept to a minimum and carefully designed so that the fittings are unobtrusive and both the fittings and the lighting are in harmony with the overall character of the place and complement the historic character of the buildings on which it is mounted. All external lighting must be consistent with “The Rocks Lighting Policy 2009” produced by the Foreshore Authority and adopted for implementation throughout The Rocks*

#### Guidelines

- Any new signage must comply with the Foreshore Authority’s policies for commercial lighting [The Rocks Lighting Policy 2009](#) and commercial external signage [The Rocks Signage Policy 2013](#) and [Commercial Signage Technical Manual for The Rocks](#).
- Suitably located signs that provide a legible and clear message and contribute to the vitality of the Harts Buildings are encouraged.

- Signs on the individual building components must be discreet and complementary in terms of colour, material, proportion, positioning and font and must not dominate the features and elements of the facade.
- Signs must be harmoniously integrated with the architecture of the buildings and must not obscure or damage the significant features or fabric.
- It is not necessary to attempt to create or recreate an “historic” character in the signage, but modern standardised “trademark” signage is not appropriate.
- Fluorescent and iridescent paints are inappropriate. Signs should preferably be illuminated by floodlighting.
- The illumination of Harts Buildings must highlight architectural features rather than floodlighting whole façades. Care must be taken to ensure that over-illumination does not occur.

## 7.12 Interpretation

### Background

Interpretation of historic places essentially reveals long-term connections and cohesions which underpin our cultural identity. To “interpret” a historic place, in its geographic and physical setting, is to bring its history to life to increase the public’s understanding and through this extended understanding, to give them an enhanced perception of the significance of the place.

One of the primary components of the conservation management must be to make the values of its cultural significance physically, intellectually and/or emotively accessible to the public. There is currently little interpretive material on the site or buildings. A historic plaque is fixed to the Essex Street façade and has some basic information, the name of the building and date of construction, however, there is opportunity for more.

### Policy 29

*The heritage significance of Harts Buildings should be interpreted on site by appropriate methods.*

### Guidelines

- The ongoing management of Harts Buildings should include the development and implementation of an interpretation strategy, which reveals the cultural significance of the place.
- The existing interpretive plaque should be retained and maintained.
- Any additional interpretation must take into account all periods of development and occupation in the context of the history of The Rocks and be presented in an accurate and insightful manner.
- Interpretation should also take into account the relationship to the neighbouring buildings and immediate context which represents the development of The Rocks from the 1840s to the present.
- No additional interpretive signage should be fixed to the building façade or elements.
- Interpretation could be incorporated in the interior of the buildings or in the open courtyard spaces around the buildings. The stone paving around the buildings could also be used to interpret the site, the former terrace rear yards and their associations.

## 7.13 Landscaping

### Background

The buildings are part of an allotment that includes the multi-storey Hotel building and open access and courtyard areas between. The Essex Street frontage also features a number of steps, stone retaining wall and steel balustrade which contributes to the character and appearance of the buildings and streetscape.

The courtyard area used by the pub was created as part of the 1990s works and includes planter boxes. The courtyard has sandstone paving and is bounded by stone steps, modern rendered wall and fencing.

### Policy 30

*The open areas around the buildings should be retained and continue to be simply landscaped and finished. Replacement of paving and improvement of the surrounding pathways and courtyard area is permissible provided that there is no impact on the visibility of the buildings, their relationship to the neighbouring historic buildings and significant building fabric.*

### Guidelines

- The open courtyard and access around the buildings should be retained and conserved. Replacement of the stone paving and steps, also fencing and retaining walls may be considered, provided there is no adverse impact to any significant fabric.
- No trees are to be planted close to the buildings.
- Planting in vicinity of Harts Buildings must be restricted to the planter box to the west of the buildings and must be maintained to ensure views to the buildings.
- The size of the trees and growth and watering must be monitored to ensure the stability of the planter walls and stone paving and to check there is no damage to the significant building fabric.
- The stone paving around the buildings must be regularly monitored and impact of the hard surface against the base of the walls assessed frequently to ensure no damage. Consideration may be given to cutting back the stone paving and providing a permeable finish at the base of the wall if damage is evident.
- Site drainage must also be regularly monitored to ensure water is effectively conveyed away from the building fabric.
- The stone paving around the buildings may be replaced with care to the significant fabric.
- Landscaping works involving more than normal garden work including paving, changes to the garden beds and excavation of 300mm or deeper requires approval from the City of Sydney Council and Heritage Council of NSW and an archaeologist may need to be involved with the works.
- The stone steps, wall and steel railing along the Essex Street frontage must also be retained and conserved. Renewal of the asphalted finish, repair and replacement of these elements must be undertaken with care to the building fabric and steps to each of the three building entries on the Essex Street façade.
- The tap at the north eastern corner of the buildings must also be periodically monitored and checked so that no water damage is sustained to the building fabric.

## 7.14 Archaeological Resources

### 7.14.1 Aboriginal and European Archaeological Resources

#### Background

The below ground archaeological potential for the site has been noted as being “partly disturbed” and of low potential with high potential resources noted as the area under the building only.

“Archaeological investigations” (lifting of some of the floor boards) were apparently carried out in the buildings in the late 1980s (as noted in the 1989 Conservation Plan), however, it is not clear what this revealed. Detailed archaeological works were undertaken to the Lilyvale Site and two adjacent heritage buildings, Lilyvale and The Butchery Buildings, however, Harts Buildings was not included in the reporting undertaken from this time or watching brief in c. 1991, during construction of the adjacent Hotel.

#### Policy 31

*Archaeological assessment by a suitably qualified and experienced archaeologist must be carried out in the site as Nos. 10-14 Essex Street prior to the commencement of any works. The aim of this archaeological assessment is to gather information about the previous layouts and character of the site, to inform future conservation, interpretation and upgrading work, and to determine if any archaeological assessment or approvals are likely to be required.*

#### Policy 32

*An appropriate on-site investigation strategy (an archaeological methodology and Research Design) must be prepared and submitted to the NSW Heritage Council as supporting documentation for any excavation permit applications.*

#### Policy 33

*An application for an excavation permit, prepared by an historical archaeologist who meets the Heritage Division State Excavation Requirements must be made under Section 60 of the Heritage Act 1977 (NSW) for any proposed excavation works within the boundary of the place/study area.*

#### Policy 34

*All ground disturbance associated with future development of the site in areas previously not investigated through archaeological excavation must be undertaken, consistent with the proposed archaeological methodology and any conditions of the archaeological approval which may include archaeological monitoring or salvage excavation. The progress of such excavation work must be appropriately documented (in written and photographic form).*

#### Policy 35

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

#### Policy 36

*In the event that historical archaeological relics are exposed on the site, they must be appropriately documented according to the procedures outlines in the archaeological methodology accompanying the application for an Excavation Permit. 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 archaeologist must be brought in to assess the finds. Depending on the results of the assessment, additional approvals may be required before works can recommence on the site.*

### **Policy 37**

*Subsurface disturbance must be restricted where possible to reduce the impact on archaeological remains at this site.*

### **Policy 38**

*Where works are proposed to be carried out in close proximity to known or probable archaeological relics able to be retained insitu, strategies must be put in place to ensure that construction work and/or heavy machinery do not disturb or damage those relics.*

### **Guidelines**

- Any ground disturbance on the property in the future must be subject to further archaeological assessment.
- In the event archaeological material is unexpectedly discovered during works to this site, work shall immediately cease in the affected area and the Sydney Harbour Foreshore Authority contacted for advice.
- Any archaeological resources must be managed in accordance with the recommendations arising from the Archaeological Assessment and any approval issued by the Sydney Harbour Foreshore Authority, NSW Heritage Council or NSW National Parks and Wildlife Service.

## 8. Implementing the Plan

This Conservation Management Plan has been prepared to provide guidelines for the conservation, re-use, interpretation and management of Harts Buildings and to ensure that the heritage value of the place is maintained.

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 Harts Buildings with their provisions are those for Inspection, Essential Maintenance and Repair, Weather Protection, Fire Protection and Security. It is considered that the Standards for Conservation Management Plans will be satisfied with the adoption of this CMP by the Foreshore Authority.

The works are presented for relevant elements only. To assure compliance with the Minimum Standards of Maintenance and Repair on the site of Harts Buildings the following works need to be undertaken:

<b>Minimum Standards of Maintenance and Repair</b> Harts Buildings, Nos. 10-14 Essex Street, The Rocks
<b>INSPECTION</b>
<p>The buildings must be inspected annually to identify maintenance and repairs that are needed to ensure compliance with section 119 of the Heritage Act 1977 (NSW).</p> <p>The inspection is to be carried out by a person with expertise appropriate to the nature of the item concerned.</p> <p>The buildings must be regularly inspected to check for the potential presence of vermin including termites and rodents.</p> <p>The buildings must be regularly inspected for evidence of water ingress including rising and falling damp, particularly during times of heavy rain.</p>
<b>ESSENTIAL MAINTENANCE</b>
<p>Essential maintenance and repair of the buildings (being maintenance and repair necessary to prevent serious or irreparable damage or deterioration) must be carried out whenever necessary and at least once every three years.</p> <p>Essential maintenance and repair includes:</p> <ul style="list-style-type: none"><li>• taking measures (including annual inspection) to control pests such as termites, rodents, birds and other vermin; and</li><li>• taking measures to maintain a stable environment for in-situ archaeological relics.</li></ul> <p>Gutters and downpipes must be regularly cleared of leaf litter.</p> <p>Exterior and interior finishes and details, particularly maintenance of joinery exposed to the sun.</p>

### Minimum Standards of Maintenance and Repair

Harts Buildings, Nos. 10-14 Essex Street, The Rocks

#### WEATHER PROTECTION

The roof cladding and flashing and drainage systems including rainwater head, gutters and downpipes to be monitored annually and repaired as required.

Roofs, walls, doors and windows (including the glass components of doors and windows) must be maintained and repaired at least annually (including being cleaned and secured) to ensure a reasonable level of protection against damage or deterioration due to weather.

Window functioning and doors to be inspected annually and repaired as required.

Window frames and sashes to be monitored for ingress of water.

Damp-proof courses, flashings, ventilation systems and other measures intended to prevent the ingress of water or dampness or to reduce its effects must be maintained and repaired (including being cleaned and secured) to ensure a reasonable level of protection against damage or deterioration due to weather.

#### FIRE PROTECTION

Check and repair functioning of all entry door locks annually to ensure safe egress from the buildings in case of fire.

Check and insure functioning of fire detection and alarm services annually.

Rubbish and any other material that could create a fire hazard for the buildings is to be removed and not permitted to accumulate.

Stores of inflammable materials or rubbish must be maintained and repaired when and to the standard necessary to ensure a reasonable level of protection for the buildings against damage or destruction by fire.

Building services such as electricity, gas and heating systems must be maintained and repaired when, and to the standard, necessary to ensure a reasonable level of protection for the buildings against damage or destruction by fire.

#### SECURITY

Check and provide adequate and functioning locks to all entry door locks annually.

Check and provide adequate and functioning of all windows annually.

Access to the interior via the hotel basement must be secured when not in use.

## 8.2 Schedule of Conservation Works

Harts Buildings, Nos. 10-14 Essex Street, are currently in fair condition. Given that major conservation and adaptive reuse works were undertaken in the 1990s, it is now over 20 years since these works and the buildings are in need of attention to the building fabric and internal fitout.

An inspection undertaken in July 2015, revealed that the buildings internally and externally are in need of review and there appears to be a range of maintenance works required to the buildings in the short term. There is extensive water ingress and water damage to the plasterwork, skirtings and cornice and evidence of damp to the floor bearers and joists along the western wall. Water may be entering via the roof and also from water runoff from the abutting staircase from the courtyard to Essex Street.

The roof cladding and flashing must also be checked. It would appear that the existing sheeting and flashing dates from the 1990s works and some rusting is apparent and evidence of water ingress with water staining to the ceilings and walls.

In the short term, a thorough inspection and condition report should be prepared for the Harts Buildings to recommend priorities and prepared a schedule of works. There are immediate works to rectify water ingress and water damage that should be undertaken within the next 12 months and a range of internal maintenance and repair works that are needed over the shorter 1 to 3 years and longer term. The ongoing maintenance Schedule included in section 8.3 should be used as a guide for the inspection and regular maintenance works that will be required.

Some consideration of the existing and any planned exposed service elements, including conduits and wiring, on the roof must also be given in the longer term. These are not currently causing any physical damage to the building fabric, however, are highly visible and detract from the overall appearance and interpretation of the buildings.

In the long term, within five years or so, the external paint finishes for the buildings will need attention.

### **8.3 On-going Maintenance**

The on-going maintenance schedule refers to cyclical maintenance works to fabric that must be implemented as part of the process of on-going management of Harts Buildings.

Performed work and any faults discovered or repairs made, must be recorded and kept separately alongside a copy of this maintenance schedule. As well as the scheduled tasks, general housekeeping is an important part of the continuous, protective care undertaken as part of daily use of a place. Such tasks include keeping surfaces clean; keeping windows and doors in working order, monitoring safety of electrical goods; and ensuring efficient removal of rubbish from the site, especially any materials that could create a fire hazard.

<b>On-going Maintenance Schedule</b>				
<b>Harts Buildings, Nos. 10-14 Essex Street, The Rocks</b>				
Element	Every Year	Every 5 years	Every 10 years	Every 20 years
<b>EXTERIOR</b>				
<b>ESSEX AND GLOUCESTER STREET FACADES</b>				
Overall facade & configuration	Inspect. Undertake annual general cleaning and stabilisation of building fabric. Check security and general safety.			
Parapet decoration & balustrade	Inspect and stability of iron balustrade.	Clean down, patch, repair and stabilise as required. Prepare and paint in approved colours.		Replace wrought iron to match if required.
Terracotta pots	Inspect and ensure stability.			Replace to match as required.
Rendered facade	Monitor condition. Patch repair as required.	Clean down, patch, repair and stabilise as required. Prepare and paint in approved colours.		
Rendered details & window sills	Monitor condition. Patch repair as required.	Clean down, patch, repair to match profile and detail and stabilise as required. Prepare and paint in approved colours.		
Rendered base/plinth	Monitor condition. Patch repair as required.	Clean down, patch, repair and stabilise as required. Prepare and paint in approved colours.		
Painted stone base	Monitor condition.	Clean down, prepare and paint in approved colour. It is not necessary to remove the paint to expose the stone, as this may cause undue damage to the stone work. The paint finish, however, must ensure tool marks and "stone" detail is clear.		
Timber windows & framing	Check working condition. Repair and replace elements and glass as required.	Repair and replace members as required. Check functioning and sash cords and replace furniture and locks as required. Clean down, sand back and prepare and paint in approved colour.		

<b>On-going Maintenance Schedule</b>				
<b>Harts Buildings, Nos. 10-14 Essex Street, The Rocks</b>				
Element	Every Year	Every 5 years	Every 10 years	Every 20 years
<b>EXTERIOR</b>				
<b>ESSEX AND GLOUCESTER STREET FACADES</b>				
Entry doors, toplight & framing	Check working condition. Repair and replace elements and glass as required.	Repair and replace members as required. Replace furniture and locks as required. Clean down, sand back and prepare and paint in approved colour.		
Steps & door thresholds	Monitor condition and ensure sound and safe levelling.	Clean down, repair and level as required. Prepare and paint as approved.		
Wall vents	Monitor condition and stabilise as required.	Retain, clean down and stabilise as required and ensure cavity clear. Prepare and paint in approved colour. Replace to match as last resort.		
Lighting & security	Inspect and repair as required.			Repair or replace as required.
Sandstone stair & retaining wall along kerb	Monitor condition and stability and clean down any moss or organic staining.	Check stability and condition and levelling of stone treads. Repair or replace as required.		
Steel pipe handrail	Inspect condition and stability.	Check stability, clean down any moss or organic growth and staining and repair as required.		
Overall facade & configuration	Undertake annual general cleaning and stabilisation of building fabric. Check security and general safety.			
Parapet decoration & balustrade	Inspect condition and stability of iron balustrade.	Clean down, patch, repair and stabilise as required. Prepare and paint in approved colours.		Replace wrought iron to match if required.
Terracotta pots	Inspect condition and ensure stability.			Replace to match as required.

<b>On-going Maintenance Schedule</b>				
<b>Harts Buildings, Nos. 10-14 Essex Street, The Rocks</b>				
Element	Every Year	Every 5 years	Every 10 years	Every 20 years
<b>EXTERIOR</b>				
<b>NORTH &amp; WEST FACADES</b>				
Roof cladding & flashing	Inspect condition and stabilise as required.			Replace cladding and flashing to match as required.
Roof framing	Inspect condition and repair as required.			Repair and replace members as required.
Rendered facade	Patch repair as required.	Clean down, patch, repair and stabilise as required. Prepare and paint in approved colours.		
Rendered details including chimney flues	Patch repair as required.	Clean down, patch, repair to match profile and detail and stabilise as required. Prepare and paint in approved colours.		
Timber windows & framing	Check working condition. Repair and replace elements and glass as required.	Repair and replace members as required. Check functioning and sash cords and replace furniture and locks as required. Clean down, sand back and prepare and paint in approved colour.		
Timber & glazed doors	Monitor condition. Repair and replace elements and glass as required.	Repair and replace members as required. Replace furniture and locks as required. Clean down, sand back and prepare and paint in approved colour.		
Gutters & downpipes	Monitor condition, remove any rubbish or debris and repair as required.			Repair or replace to match as required.
Wall vents	Monitor condition and stabilise as required.	Retain, clean down and stabilise as required and ensure cavity clear. Prepare and paint in approved colour. Replace to match as last resort.		

<b>On-going Maintenance Schedule</b>				
Harts Buildings, Nos. 10-14 Essex Street, The Rocks				
Element	Every Year	Every 5 years	Every 10 years	Every 20 years
EXTERIOR				
NORTH & WEST FACADES				
Lighting & security	Repair as required.			Replace as required.
Steel framed and glass awning	Monitor condition and clean down. Remove debris from gutters.	Clean down, replace glass if required. Sand down steel framing, prepare and finish as approved.		Repair or replace as required.
Sandstone stairs & paving	Monitor condition, clean down, remove any stains and ensure safety, repair as required			Repair or replace as required.
Steel pipe handrail	Inspect condition and ensure stability.			Repair or replace as required.

<b>On-going Maintenance Schedule</b>				
<b>Harts Buildings, Nos. 10-14 Essex Street, The Rocks</b>				
Element	Every Year	Every 5 years	Every 10 years	Every 20 years
<b>INTERIOR</b>				
<b>GROUND FLOOR</b>				
<b>ENTRY CORRIDOR SPACES</b>				
Timber floor & framing	Repair as required.	Repair and replace framing and floor members as required. Patch, sand back and finish as approved.		
Rendered walls	Patch repairs as required.	Clean down, sand back and finish as approved.		
Timber wall panelling	Inspect condition and ensure stability.	Repair or replace as required. If removing make good walls and finish as approved.		
Timber skirting & architraves	Monitor condition and repair as required.	Patch and fill, sand back and paint as approved.		
Ceiling, cornices & roses	Repair as required.	Clean down, prepare and paint as approved.		
Bracketed archway	Ensure stability of bracket.	Repair as required. Clean down and paint as approved.		
Lighting & services	Replace & repair as required.			Repair or replace as required with care.
<b>LOUNGE ROOM IN No. 10</b>				
Timber floor & framing	Repair as required.	Repair and replace framing and floor members as required. Patch, sand back and finish as approved.		
Carpet finish	Monitor condition.	Replace as required.		
Walls including chimney breast	Patch repair as required.	Patch and repair as required. Clean down, sand back and finish as approved.		
Wall vents	Monitor condition, stabilise and repair as required.	Clean down, repair and stabilise as required. Prepare and paint as approved. Replace with matching vent as last resort.		

<b>On-going Maintenance Schedule</b>				
Harts Buildings, Nos. 10-14 Essex Street, The Rocks				
Element	Every Year	Every 5 years	Every 10 years	Every 20 years
INTERIOR				
GROUND FLOOR				
LOUNGE ROOM IN No. 10				
Timber chair rail/ panelling		Repair or replace as required. If removing make good walls and finish as approved.		
Timber fireplace surround, skirting & architrave	Repair as required.	Repair as required to match. Patch and fill, sand back and paint as approved.		
Ceiling & cornice	Repair as required.	Clean down, prepare and paint as approved.		
Fireplace grate & hearth	Clean down, ensure working order of faux fireplaces.			
Lighting & services	Monitor condition. Replace & repair as required.			Repair or replace as required with care to adjacent fabric.
Furniture & moveable items		Replace as required.		
GENERAL SEATING & BAR AREAS (across Nos. 10-14)				
Timber floor & framing	Repair as required.	Repair and replace framing and floor members as required. Patch, sand back and finish as approved.		
Timber steps between nos. 12 & 14.	Repair as required.	Repair and replace framing and floor members as required. Patch, sand back and finish as approved.		
Rendered walls	Patch repair as required.	Patch and repair as required. Clean down, sand back and finish as approved.		
Wall vents	Stabilise and repair as required.	Clean down, repair and stabilise as required. Prepare and paint as approved. Replace with matching vent as last resort.		

<b>On-going Maintenance Schedule</b>				
<b>Harts Buildings, Nos. 10-14 Essex Street, The Rocks</b>				
Element	Every Year	Every 5 years	Every 10 years	Every 20 years
<b>INTERIOR</b>				
<b>GROUND FLOOR</b>				
<b>GENERAL SEATING &amp; BAR AREAS (across Nos. 10-14)</b>				
Timber wall panelling		Repair or replace as required. If removing make good walls and finish as approved.		
Timber joinery fireplace surrounds skirting & architraves	Inspect condition and repair as required.	Patch and fill, sand back and paint as approved.		
Ceiling, cornices & roses	Repair as required.	Clean down, prepare and paint as approved.		
Fireplace grates & hearths	Clean down, ensure working order of faux fireplaces.			
Timber stair & balustrade	Monitor and ensure safety of step and stability of balustrade.	Repair and replace framing and stair members as required. Patch, sand back and finish as approved.		
Timber soffit to stair & lightweight partitions	Repair as required.	Patch and fill, sand back and prepare and finish as approved.		
Lighting & services				Repair or replace as required with care.
Fixed & moveable furniture		Replace as required. If removing, make good walls and floor surfaces as approved.		

<b>On-going Maintenance Schedule</b>				
<b>Harts Buildings, Nos. 10-14 Essex Street, The Rocks</b>				
Element	Every Year	Every 5 years	Every 10 years	Every 20 years
<b>INTERIOR</b>				
<b>GROUND FLOOR</b>				
<b>BAR &amp; BASEMENT ACCESS IN No. 12</b>				
Timber floor	Repair as required.	Repair and replace framing and floor members as required. Patch, sand back and finish as approved.		
Vinyl floor	Monitor condition.	Repair or replace as required.		
Concrete steps & landings to basement	Monitor condition.	Patch and fill and repair as required.		
Walls	Patch repairs as required.	Patch and repair as required. Clean down, sand back and finish as approved.		
Ceiling & cornice	Repair as required.	Clean down, prepare and paint as approved.		
Timber skirting & architraves	Repair as required.	Patch and fill, sand back and paint as approved.		
Timber panelled door to basement	Repair as required.	Repair as required to match. Patch and fill, sand back and paint as approved.		
Timber detailing to bar	Repair as required.	Repair as required to match. Patch and fill, sand back and paint as approved.		
Bar units & associated benches		Repair and alter as required with care to adjacent building fabric.		
Lighting & services	Replace & repair as required.			Repair or replace as required with care to adjacent fabric.
Dumb waiter & associated enclosure	Monitor, repair as required.	Replace as required.		

<b>On-going Maintenance Schedule</b>				
Harts Buildings, Nos. 10-14 Essex Street, The Rocks				
Element	Every Year	Every 5 years	Every 10 years	Every 20 years
INTERIOR				
GROUND FLOOR				
FEMALE & MALE WCS				
Ceramic tile floor & wall finishes	Repair/ replace as required.	Replace as required with care to building fabric.		
Walls	Patch repair as required.	Repair and make good as required. Clean down, prepare and paint as approved.		
WC & internal partitions	Patch repair as required.	Repair or replace as required. Clean down, prepare and paint as approved.		
Timber doors	Repair as required.	Repair or replace as required. Check furniture and ensure functioning. Clean down, prepare and paint in approved colours.		
Plasterboard ceilings	Patch repair as required.	Repair or replace as required. Clean down, prepare and paint as approved.		
Windows in male WCs	Repair and replace elements as required.	Repair and replace members and furniture as required. Patch and fill, prepare and paint as approved.		
Modern fixtures & fittings	Monitor and ensure safe and sanitary condition.	Repair and replace as required.		
Lighting & services	Replace & repair as required.			Repair or replace as required with care to adjacent fabric.

<b>On-going Maintenance Schedule</b>				
Harts Buildings, Nos. 10-14 Essex Street, The Rocks				
Element	Every Year	Every 5 years	Every 10 years	Every 20 years
INTERIOR				
FIRST FLOOR				
GENERAL SEATING & DINING AREAS (across Nos. 10-14)				
Timber floor & framing	Repair as required.	Repair and replace framing and floor members as required. Patch, sand back and finish as approved.		
Timber steps between nos. 12 & 14.	Inspect condition and ensure safety. Repair as required.	Repair and replace framing and floor members as required. Patch, sand back and finish as approved.		
Rendered walls	Patch repairs as required.	Patch and repair as required. Clean down, sand back and finish as approved.		
Wall vents	Stabilise and repair as required.	Clean down, repair and stabilise as required. Prepare and paint as approved. Replace with matching vent as last resort.		
Timber wall panelling		Repair or replace as required. If removing make good walls and finish as approved.		
Timber joinery fireplace surrounds skirting & architraves	Repair as required.	Patch and fill, sand back and paint as approved.		
Ceiling, cornices & roses	Repair as required.	Clean down, prepare and paint as approved.		
Fireplace grates & hearths	Clean down, ensure working order of faux fireplaces.			
Timber stair balustrade	Inspect and ensure safety of step and stability of balustrade.	Repair and replace framing and stair members as required. Patch, sand back and finish as approved.		
Lighting & services	Replace & repair as required.			Repair or replace as required.

<b>On-going Maintenance Schedule</b>				
Harts Buildings, Nos. 10-14 Essex Street, The Rocks				
Element	Every Year	Every 5 years	Every 10 years	Every 20 years
INTERIOR				
FIRST FLOOR				
GENERAL SEATING & DINING AREAS (across Nos. 10-14)				
Fixed & moveable furniture		Replace as required. If removing, make good walls and floor surfaces as approved.		
OFFICE AT REAR OF No. 10				
Timber floor & framing	Repair as required.	Repair and replace framing and floor members as required. Patch, sand back and finish as approved.		
Rendered walls & breasts	Patch repairs as required.	Clean down, sand back and finish as approved.		
Wall vents	Monitor, stabilise and repair as required.	Clean down, repair and stabilise as required. Prepare and paint as approved. Replace with matching vent as last resort.		
Timber skirting & architraves	Repair as required.	Patch and fill, sand back and paint as approved.		
OFFICE AT REAR OF No. 10				
Timber window	Inspect working condition, repair and replace elements as required.	Repair and replace members as required. Patch and fill, prepare and paint as approved.		
Timber door	Inspect working condition and repair as required.	Prepare and paint in approved colour.		
Ceiling & cornice	Repair as required.	Clean down, prepare and paint as approved.		
Lighting & services	Replace & repair as required.			Replace as required with care.
Furniture	Repair or replace as required.	If removing, make good walls and floor surfaces as approved.		

<b>On-going Maintenance Schedule</b>				
Harts Buildings, Nos. 10-14 Essex Street, The Rocks				
Element	Every Year	Every 5 years	Every 10 years	Every 20 years
<b>INTERIOR</b>				
<b>FIRST FLOOR</b>				
<b>BAR &amp; KITCHEN AT REAR OF No. 12</b>				
Timber floor	Repair as required.	Repair and replace framing and floor members as required. Patch, sand back and finish as approved.		
Vinyl & ceramic tile floor finish	Monitor condition.	Repair or replace as required.		
Walls	Patch repairs as required.	Clean down, sand back and finish as approved.		
Ceramic tiling to walls				
Ceiling & cornice	Repair as required.	Clean down, prepare and paint as approved.		
Timber skirting & architraves	Repair as required.	Patch and fill, sand back and paint as approved.		
Timber panelled door	Inspect condition and repair as required.	Patch and fill, sand back and paint as approved.		
Timber detailing to bar	Repair as required.	Patch and fill, sand back and paint as approved.		
Bar units & associated benches	Clean down, repair and alter as required with care to adjacent building fabric.			
Lighting & services	Repair as required.			Repair or replace as required with care to adjacent fabric.
Dumb waiter & associated enclosure	Monitor, repair as required.	Replace as required.		

<b>On-going Maintenance Schedule</b>				
Harts Buildings, Nos. 10-14 Essex Street, The Rocks				
Building or site element	Every Year	Every 5 years	Every 10 years	Every 20 years
<b>INTERIOR</b>				
<b>FIRST FLOOR</b>				
<b>STORE &amp; PLANT ROOM AT REAR OF No. 14</b>				
Timber floor & framing	Repair as required.	Repair and replace framing and floor members as required. Patch, sand back and finish as approved.		
Rendered walls	Patch repair as required.	Clean down, sand back and finish as approved.		
Wall vents	Monitor condition, stabilise and repair as required.	Clean down, repair and stabilise as required. Prepare and paint as approved. Replace with matching vent as last resort.		
Timber wall panelling		Retain and repair or replace as required. If removing make good walls and finish as approved.		
Timber skirting & architraves	Repair as required.	Retain and repair as required to match. Patch and fill, sand back and paint as approved.		
Windows	Inspect working condition and repair and replace elements as required.	Repair and replace members as required. Patch and fill, prepare and paint as approved.		
Ceiling, cornices & roses	Repair as required.	Clean down, prepare and paint as approved.		
Timber stair balustrade	Monitor and ensure safety of step and stability of balustrade.	Repair and replace framing and stair members as required. Patch, sand back and finish as approved.		
Timber panelled door to plant room	Monitor condition and repair as required.	Retain and repair as required to match. Patch and fill, sand back and paint as approved.		
Lighting & services	Replace & repair as required.			Repair or replace as required with care.

<b>On-going Maintenance Schedule</b>				
Harts Buildings, Nos. 10-14 Essex Street, The Rocks				
Building or site element	Every Year	Every 5 years	Every 10 years	Every 20 years
INTERIOR				
SERVICES				
Electrical, Hydraulic, Mechanical.	Inspect, repair as required.			Replace and upgrade as required.



## 9. Bibliography

Apperly, Richard, Irving, Robert, Reynolds, Peter, *A Pictorial Guide to Identifying Australian Architecture Style and Terms from 1788 to the Present*, 1989.

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

Crook, Penny, Ellmoos, Laila, Murray, Tim, *Assessment of Historical and Archaeological Resources of the Lilyvale Site, The Rocks, Sydney*, Volume 7 of the Archaeology of the Modern City Series, Historic Houses Trust, 2003.

De Vries, Susanna, *Historic Sydney The Founding of Australia*, Pandanus Press, 1983.

Fitzgerald, Shirley, *A Guide to Sydney City Street Names*, City of Sydney 1995.

Karskens, Grace, *The Rocks Life in Early Sydney*, Melbourne University Press, 1997.

Planning Workshop, *Environmental Impact Statement Proposed Hotel Lilyvale Site, The Rocks*, report prepared for CRI Project Management Pty Ltd, October 1988.

Rice, Jean, *Terrace Houses in The Rocks A comparative Analysis & Assessment of Significance*, June 2014.

Schwager Brooks and Partners Pty Ltd, *ANA Hotel Sydney Site D1 The Rocks, Historic Buildings Conservation Plan*, May 1989.

Schwager Brooks and Partners Architects and Planners, *Design Development Options Harts Buildings ANA Hotel Sydney Lilyvale Historic Precinct Refurbishment*, 19 October 1990.

Thorp, Wendy, *Lilyvale EIS Historical Development of Proposed Development*, September 1988.



## 10. Appendix

### 10.1 Sands Directory

Year	Number	Occupant	Building's Usage
1932-3	10	Johanson Carl O	
	12	McDougal Charles	
	14	Taylor James	
1931	10	Johanson Carl O	
	12	McDougal Charles	
	14	Taylor James	
1930	10	Johanson Carl O	
	12	McDougal Charles	
	14	Taylor James	
1929	10	Johanson Carl O	
	12	McDougal Charles	
	14	Taylor James	
1928	10	Johanson Carl O	
	12	McDougal Charles	
	14	Taylor James	
1927	10	Johanson Carl O	
	12	McDougal Charles	
	14	Taylor James	
1926	10	Cussen Mrs Louisa	
	12	McDougal Charles	
	14	Taylor James	
1925	10	Cussen Mrs Louisa	
	12	McDougal Charles	
	14	Taylor James	
1924	10	Cussen Mrs Louisa	
	12	McDougal Charles	
	14	Olsen George E	
1923	10	Cussen Mrs Louisa	
	12	McDougal Charles	
	14	Olsen George E	
1922	10	Cussen Mrs Louisa	
	12	McDougal Charles	
	14	Buttall William	

1921	10 Cussen Mrs Louisa 12 McDougal Charles 14 Buttell William	
1920	10 Cussen Mrs Louisa 12 McDougal Charles 14 Buttell William	
1919	10 McNamee William 12 McDougal Charles 14 Garel Louis	
1918	10 Fong Mrs Ada 12 McDougal Charles 14 Garel Louis	
1917	10 Fong Mrs Ada 12 McDougal Charles 14 Garel Louis	
1916	10 Fong Mrs Ada 12 McDougal Charles 14 Garel Louis	
1915	10 Fong Mrs Ada 12 Nelson Victor 14 Garel Louis	
1914	10 Fong Mrs Ada 12 Wong Hall 14 Tong G	Underclothing Factory Chinese Herbalist
1913	10 Fong James H 12 Wong Hall	Underclothing Factory
1912	10 Fong James H 12 Wong Hall 14 Kan Sum	Underclothing Factory Hawker
1911	10 Fong James H 12 Wong Hall 14 Murray Thomas	Underclothing Factory
1910	10 Fong James H 12 Wong Hall	Underclothing Factory
1909	10 Fong James H 12 Wong Hall	Underclothing Factory
1908	10 Fong James H	

1907	10 Fong James H 12 Stafford Mrs Mary 14 Miell George J. W	
1906	10 Fong James H 12 Callanan Mrs Minnie 14 Catterall Arthur	
1905	10 Lett James 12 Catterall Arthur 14 Quinn Dennis	
1904	10 Hare Williams 12 Robertson Frederick 14 Donovan W. C	
1903	12 Watriama W. J 14 Donovan W. C	Boarding House
1902	12 Hunt Christopher 14 Donovan W. C	
1901	12 Hunt Christopher 14 Donovan W. C	
1900	12 Fine Henry 14 Donovan W. C	
1899	12 Fine Henry 14 Donovan W. C	
1898	12 Webb Walter 14 Donovan WC	
1897	12 Bestos Charles 14a Donovan WC Munro Thomas Smith Donald	
1896	10 Gibbons James 12 Lorenzo Sebastian 14a Donovan WC 12 Brown Alfred	
1895	10 Gibbons James 12a Davis George 14a Engel E. A 12 Brown Alfred 14 Kerr Richard	Compositor Compositor

1894	12a	Davis George	Compositor
	14a	Silva Matthew	Master Mariner
	12	Brown Alfred	
	14	Back Alfred	
1893	10	Gibbons James	
	12a	Davis George	Compositor
	14a	Silva Matthew	Master Mariner
	12	Brown Alfred	
	14	Back Alfred	

## 10.2 Application of The Burra Charter

The *Australia ICOMOS Burra Charter 2004*,<sup>85</sup> known as *The Burra Charter*, is widely accepted in Australia as the underlying methodology by which all works to sites/buildings, which have been identified as having national, state and regional significance are undertaken.

As Harts Buildings are of demonstrated cultural significance, procedures for managing changes and activities at the complex should be in accordance with the recognised conservation methodology of the *Burra Charter*.

### Principles of the Burra Charter

In dealing with the built fabric, the conservation principles of *The Burra Charter* should be adopted. The relevant principles are established in the Articles of *The Burra Charter* as follows:

#### Cautious Approach (Article 3)

All conservation work should be based on a respect for the original fabric, should involve the minimum interference to the existing fabric and should not distort the evidence provided by the fabric

#### Location (Article 9)

A building or work should remain in its historical location.

#### Contents (Article 10)

Contents, fixtures and objects contributing to the cultural significance of a place should be retained at that place.

#### Change (Article 15)

The contribution of all periods to the place must be respected, unless what is removed is of slight cultural significance and the fabric which is to be revealed is of much greater cultural significance.

Removed significant fabric should be reinstated when circumstances permit.

#### Adaptation (Article 21)

Adaptation is acceptable where it does not substantially detract from the cultural significance of the place and involves the minimal change to significant fabric.

#### New Work (Article 22)

New work may be acceptable where it does not distort or obscure the significance of a place.

New work should be readily identifiable as such on close inspection.

#### Use and Conserving Use (Article 7 and Article 23)

Where the use of a place is of cultural significance it should be retained and a place should have a compatible use.

Modifying or reinstating a significant use may be appropriate and a preferred form of conservation.

#### Managing Change (Article 27)

Existing fabric, use, associations and meaning should be recorded before disturbance occurs.

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<sup>85</sup> *The Burra Charter: The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance 2004.*

**Disturbance of Fabric (Article 28)**

Minimal disturbance of fabric may occur in order to provide evidence needed for the making of decisions on the conservation of the place.

**Responsibility for Decisions (Article 29)**

The decision-making procedure and individuals responsible for policy decisions should be identified.

**Direction, Supervision and Implementation (Article 30)**

Appropriate direction and supervision should be maintained at all stages of the work.

**Records (Article 32)**

A record should be kept of new evidence and future decisions and made publicly available.

**Removed Fabric (Article 33)**

Removed significant fabric should be catalogued and protected in accordance with its cultural significance. Where possible it should be stored on site.