



DOC19/424566

Ms Lynette Gurr  
Associate Director  
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Angel Place  
Level 8  
123 Pitt Street  
SYDNEY NSW 2000

Dear Ms Gurr

## **PLANNING PROPOSAL – 1-11 OXFORD STREET, PADDINGTON**

Thank you for your email of 15 May 2019 about pre-lodgement advice on a planning proposal to allow a hotel and medical facility in the former West's Olympia Theatre (later the Academy Twin Cinema) located at 1-11 Oxford Street, Paddington, at the request of City of Sydney Council.

We have reviewed the documents you provided, including the Planning Proposal Report, Heritage Impact Statement, Baseline Archaeological Assessment and Desktop Geotechnical Assessment and provide the following comments.

### **General Comment**

The concept design for the proposed hotel and medical centre on the subject site involves excavation for two new basement levels, these basement levels are likely to uncover archaeological remains and will also be in close proximity to the location of the State Heritage Register (SHR 00568) listed item Busby's Bore. Potential impacts to the Bore and archaeological relics on site are outlined in detail below.

### **Local Heritage Items and Heritage Conservation Areas**

Although the subject site itself is not listed as a State or Local heritage item, it is located within the Paddington Urban Heritage Conservation Area (HCA) and is considered to be a contributory item in this HCA.

The planning proposal site is adjacent to a number of items of local heritage significance, including 260–262 South Dowling Street, 2-20 Rose Terrace, the Beauchamp Hotel and 265-270 Oxford Street, Paddington all of which are listed under *Sydney Local Environmental Plan 2012* (LEP).

Based on the concept plans and visualisations provided, the proposed adaptive reuse of the building as a hotel and medical facility is likely to have a positive impact on the Paddington Urban HCA, as well as on the building itself.

## Busby's Bore

From a State heritage perspective, the most significant consideration for this planning proposal is its proximity to Busby's Bore. The subject site is located directly above the path of the Bore, which is listed both on the SHR and under Sydney LEP 2012.

Designed by John Busby and constructed between 1827 and 1837, the Bore was developed to provide clean water to the colony of Sydney, as the Tank Stream had become dangerously polluted by this time. Once completed, Busby's Bore ran between what are now Centennial and Hyde Parks.

The curtilage of Busby's Bore is three metres from all surfaces of the horizontal channel of the Bore itself and three metres from all surfaces of all the vertical shafts and offset shafts and structures associated with the Bore.

As noted in the Desktop Geotechnical Assessment undertaken by Douglas Partners the depth of the Bore below the subject site is not accurately known as the alignment of the tunnel is not always as indicated on plans. The assessment also states that:

*"knowledge of this bore from nearby investigations and from research, indicates that the bore lies at an approximate level of RL 35 (AHD). This equates to approximately 12m below the surrounding footpath level, which is approximately 4m below the lowest basement floor level. If an additional allowance of 1m of excavation is made for footing and slab constructions, then it is possible that detailed excavations on this site may be in the order of 3m from the bore."*

Furthermore, the Baseline Archaeological Assessment undertaken by Archaeological Management & Consulting Group aligns with the above findings. Available historical diagrams reviewed for this assessment, based on a survey from 1868, a reproduction in 1961 and a reproduction for SHR listing in 1988, indicated that the depth of the tunnel ranged between 10.60m (1961) and 10.38m (1988). The assessment notes that the SHR listing has been used to "calculate estimated depths for the bore and its curtilage relative to the proposed development." As such, the assessment takes the estimated depth of the bore to be 10.38m, and the estimated curtilage to be 7.38m below ground.

Based on these desktop studies, it appears that potential impacts to Busby's Bore can be minimised or avoided. However, if the planning proposal is supported, further archaeological and geotechnical work must be undertaken to gain an accurate indication of both the alignment and the depth of the Bore beneath the subject site. Once ground-truthed data is collected about the alignment and depth of Busby's Bore, modifications should be made to any development application proposed to be lodged if required to avoid damage to this SHR listed item.

The Baseline Archaeological Assessment recommends that if required, any encroachments on the Busby's Bore SHR curtilage may require either a section 57 exemption notification or a section 60 application under the *Heritage Act 1977*. Therefore, it is recommended that any proposed development be designed to avoid impacts to the Busby's Bore.

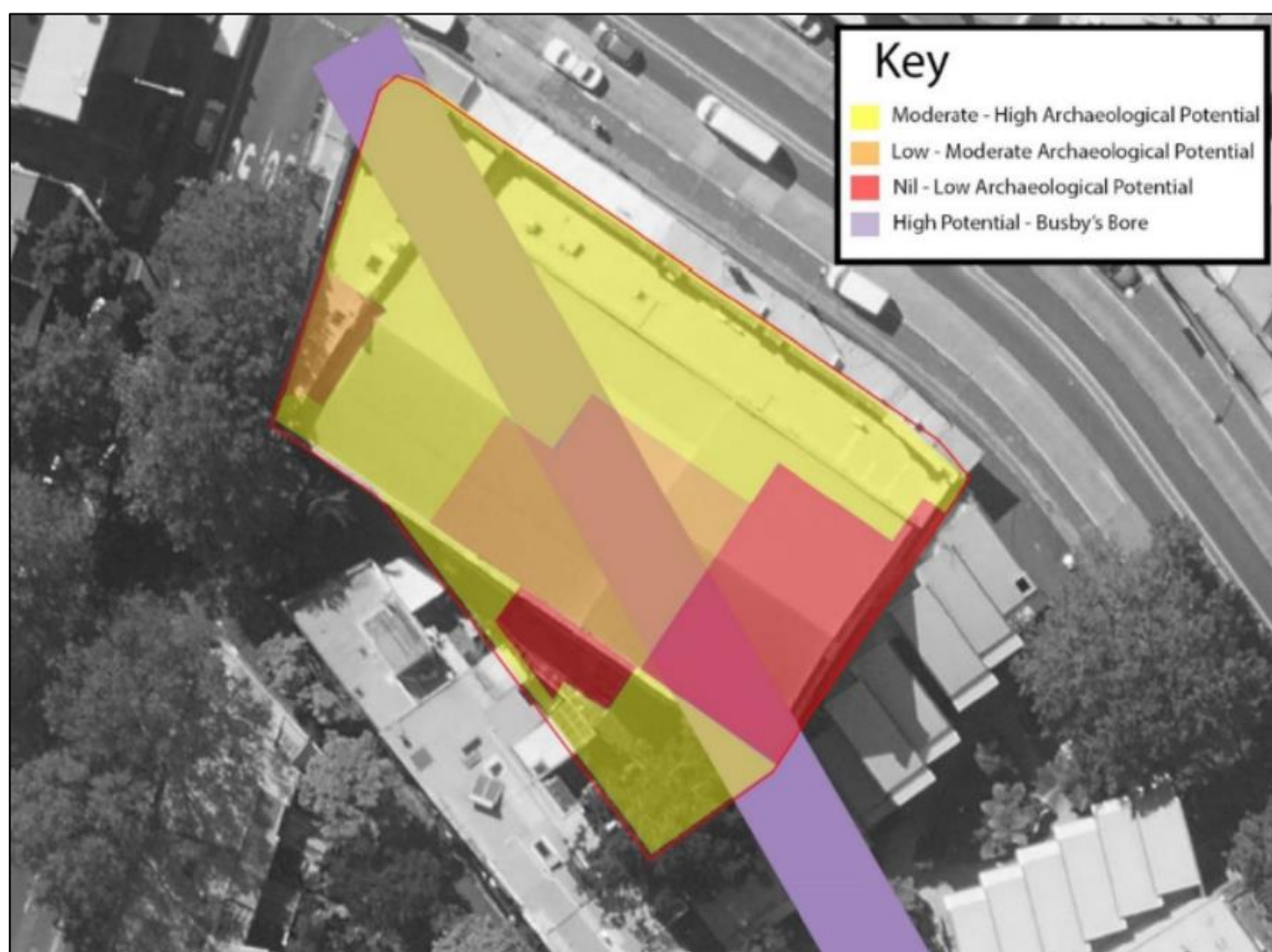
## Potential Archaeology

The Baseline Archaeological Assessment indicates that there are varying levels of archaeological potential across the site. Historical maps and aerial photographs (see example overleaf) are provided which indicate the level of potential through a colour key, yellow represents moderate to high potential; orange shows low to moderate and red shows nil to low, Busby's Bore is considered to have high potential and is shown in purple.

The subject site retains an overall moderate to high archaeological potential, and the redevelopment of the site proposes the construction of two new basement levels, as such it is likely that development will impact on potential relics on the site. These relics may be of State or local heritage significance.

The archaeological assessment proposes that a s.140 application be made outside the SHR curtilage, to guide future development works. This approach is supported however, it is noted that any application should include a Research Design and Excavation Methodology that seeks to conserve archaeological

resources of potential State heritage significance. This archaeological evidence is associated with the early to mid-19<sup>th</sup> century occupation of the area.



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If you have any questions about the above matter please contact James Sellwood, Senior Heritage Programs Officer, Statewide Programs at the Heritage Division, Office of Environment and Heritage by phone on 02 9274 6354 or via email at [james.sellwood@environment.nsw.gov.au](mailto:james.sellwood@environment.nsw.gov.au).

Yours sincerely

**ROCHELLE JOHNSTON**  
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**As delegate of the Heritage Council of NSW**

13 June 2019