


Waterloo Estate (South)

Addendum Heritage Impact Statement

Report to NSW Department of
Planning Industry and Environment

November 2021



 artefact

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EXECUTIVE SUMMARY

Artefact have been engaged by the NSW Department of Planning, Industry and Environment (DPIE) to provide an addendum to the Heritage Impact Assessment for Waterloo Estate, provided by Urbis. The addendum addresses heritage impacts in relation to a proposed change of planning controls for Waterloo Estate, lodged by the DPIE against the proposal submitted by the Land and Housing Commission (LAHC).

A planning scheme was prepared by the LAHC and submitted to the CoS in 2020. In response the CoS prepared an alternative planning scheme. From here, the DPIE submitted Council's scheme for Gateway determination. Following the recent Gateway determination, DPIE has made a number of changes to the planning scheme. This report will address the comparisons between LAHC's scheme, CoS scheme and DPIE's scheme.

The CoS planning proposal was the scheme DPIE lodged for Gateway determination and is now being amended by DPIE. The DPIE scheme (i.e. amendments to the CoS scheme) is the proposal that will be assessed in this addendum report.

The change of planning controls seeks to aid in the following development outcomes for the future redevelopment of Waterloo:

- Approximately 3,012 dwellings on LAHC-owned land, including 847 social housing dwellings, 227 affordable housing dwellings and 1,938 market dwellings, plus about 127 additional market dwellings on privately owned sites.
- a large park adjoining Waterloo Metro station of more than two hectares and a small park in the South of the site;
- About 255,000 sqm of gross floor area (GFA), including no less than 12,000 sqm for commercial premises and 5,000 sqm for community facilities, childcare and health facilities;
- Four towers of about 30 storeys and most other building generally around 8 storeys (with some 4 storeys and others up to 13 storeys in some locations (Figure 25);
- Optimal tree retention, particularly through the north-east street block and along McEvoy Street;
- formalised perimeter block typology with enhanced pedestrian and cycle connectivity between McEvoy Street and Mead Street.¹²

The curtilage of the Waterloo Estate (South) is situated in the suburb of Waterloo in the Local Government Council (LGA) of the City of Sydney. The study area is bounded by McEvoy Street and Kellick Street to the South, Raglan Street and Wellington Street to the north, Cope Street to the west, and George Street, Pitt Street and Gibson Street to the east.

The aim of this report is to provide an addendum Heritage Impact Statement (HIS) to the Urbis 2020 HIS for Waterloo Estate (South), to address whether there are any additional impacts from the DPIE scheme.

¹ City of Sydney, "Waterloo Estate (South)."

² Hassell, "Waterloo South Planning Proposal Urban Design Review"

Overview of findings

The proposed changes to development footprint in the CoS Planning Proposal i.e the DPIE scheme as compared to the LAHC planning proposal request do contain some differences in the distribution of new impacts to ground surfaces and building heights. As a result of the new DPIE Planning Proposal the following conclusions are made:

- The assessment has identified there would be an **increased visual impact** to:
 - Duke of Wellington Hotel (City of Sydney LEP 2012, Item no. I2085)
 - Electricity Substation 174 (City of Sydney LEP 2012, Item no. I2086)
 - Terrace group (City of Sydney LEP 2012, Item no. I2078)
 - Former Waterloo Pre-School (City of Sydney LEP 2012, Item no. I2077)

- The assessment has identified there would be a **reduction in visual impact** to :
 - Waterloo Park and Oval (City of Sydney LEP 2012, item no. I2079)
 - Our Lady of Mt Carmel Church and School (City of Sydney LEP 2012, item no. I2088)
 - 'Gordan Terraces' (City of Sydney LEP 2012, item no. I2087)
 - Waterloo Heritage Conservation Area (City of Sydney LEP 2012, item no. C70)
 - Alexandria Park Heritage Conservation Area (City of Sydney LEP 2012, item no.C1)
 - Redfern Estate Heritage Conservation Area (City of Sydney LEP 2012, item no. C56)

- The assessment has identified there would be **no additional impact** to:
 - Potts Hill to Waterloo Pressure Tunnel and Shafts (SHR, Item no. 01630)
 - Congregational Church (City of Sydney LEP 2012, item no. I2069)
 - Cauliflower Hotel (City of Sydney LEP 2012, item no. I2070)
 - Former CBC Bank (City of Sydney LEP 2012, item no. I5)
 - Terrace House/ shop including interior (City of Sydney LEP 2012, item no. I345)
 - Two buildings on George and Phillip Street, (*State Environmental Planning policy 2005*)

- There would be no direct impact to any City of Sydney LEP 2012 heritage items
- There may direct impact to SHR item Potts Hill to Waterloo Pressure Tunnel and Shafts (SHR no. 01630). Further detailed design is required to adequately assess impact
- There is potential to impact archaeological resources.

Recommendation

- Recommendations in the HIS (Urbis 2020) should be adhered to, including, but not limited to:
 - Further investigation and assessment to determine the potential archaeological resources. Artefact considers the detailed design stage of the proposed works to be an appropriate time to do this.

- Where possible, the design guide should continue to consider sympathetic design for buildings within proximity to the heritage items.
- Following the preparation of detailed design, additional impact assessment would be required for SHR item Potts Hill to Waterloo Pressure Tunnel and Shafts (SHR no. 01630). Where impacts are identified, approval under Section 60 of the *Heritage Act 1977* will be required
- Following the preparation of detailed design, a geotechnical or structural engineer should assess the potential indirect vibrational impacts to the heritage items within and directly adjacent to the study area. An additional heritage impact assessment may be required where it is determined the heritage items would be indirectly impacted
- Following the preparation of detailed design, measures to protect the heritage items within the boundary of the study area should be implemented. This could include a buffer zone around the heritage items where proposed works would be in close proximity to the heritage items
- A heritage induction should be provided to all contractors prior to the commencement of works outlining, at a minimum, the significance of the area and obligations of the project under the *NSW Heritage Act 1977*
- Modifications to the Planning Proposal would require further heritage assessment and may require additional exemptions or approvals from City of Sydney or Heritage NSW.

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1.0 INTRODUCTION

1.1 Background

The NSW Land and Housing Corporation (LAHC) submitted a planning proposal request with the City of Sydney (Cos) in May 2020 to change the planning controls for the Southern part of the Waterloo Estate - referred to as Waterloo Estate (South). The request included a Planning Justification Report, an Urban Design and Public Domain study and technical studies. The proposed redevelopment of Waterloo Estate (South) has been included in the NSW Government's Communities Plus program, a large scale \$22 billion scheme to renew its social housing portfolio.

The CoS assessed the LAHC planning proposal request and associated technical studies and prepared a new Planning Proposal to amend the Sydney Local Environmental Plan 2012. The statutory planning controls for the site are currently contained in the Sydney Local Environmental Plan (LEP) 2012 and the South Sydney LEP 1998. The planning proposal will be supported by more detailed controls in the draft Waterloo Estate (South) Design Guide (the draft Design Guide), that are to replace the planning controls currently detailed in Sydney Development Control Plan 2012 and the South Sydney Development Control Plan 1997. The draft Design Guide is to be publicly exhibited in conjunction with the Planning Proposal.

The CoS planning proposal was the scheme DPIE lodged for Gateway determination and is now being amended by DPIE. Following the recent Gateway determination, DPIE has made a number of changes to the planning scheme. Hassell has prepared the "Waterloo Estate South Urban Design Review Envelope Approach" on behalf of the DPIE. The changes to the planning controls proposed are contingent on satisfactory arrangements being made and agreed for the provision of public infrastructure.

The objectives of and intended outcome of the DPIE Planning Proposal are to:

- Enable orderly redevelopment of Waterloo Estate (South)
- Prioritise the delivery of social and affordable housing, balanced with the provision of market housing
- Establish a new local centre in the CoS's hierarchy of centres – supported by infrastructure, community facilities and services, open space and retail
- Ensure the built form provides high levels of amenity for residents and tenants, to the public domain and to open space, and
- Require high environmental performance standards for building to mitigate the effects of climate change.

The design principles provided by Hassell in the DPIE Design Guide are:

- Urban amenity
- Flexibility
- Certainty³

³ Hassell, "Waterloo South Planning Proposal Urban Design Review"

It is the CoS's intention that a draft planning agreement between LAHC and CoS be prepared and publicly exhibited for community comment. The comparative planning proposals are shown in Figure 1.

Artefact have been engaged by the DPIE to provide an addendum Heritage Impact Statement (HIS) for Waterloo Estate (South). The addendum is to address the amended proposals, building envelopes and relationships to heritage for the new proposal of Waterloo Estate, lodged by the DPIE against the previous proposed schemes presented by the LAHC and CoS.



Figure 1: Comparative planning proposals - LAHC (left) and DPIE (right) (DPIE 2 August 2021)

1.2 Study area

Waterloo Estate (South) is located in the suburb of Waterloo, which is situated within the CoS LGA and within the boundaries of the Metropolitan Local Aboriginal Land Council. The subject study area of Waterloo Estate (South) is bounded by McEvoy Street and Kellick Street to the South, Raglan Street and Wellington Street to the north, Cope Street to the west, and George Street, Pitt Street and Gibson Street to the east. The study area is comprised of numerous cadastral lots, most of which are owned by the NSW LAHC. The study area also comprises of some private, residential, commercial lots, along with strata apartment buildings.⁴ The lots comprising the study area are listed in Table 1 below.

The study area of Waterloo Estate (South) can be identified Figure 2.

⁴ City of Sydney, "Planning Proposal - Waterloo Estate (South) - Sydney Local Environmental Plan 2012 Amendment" (City of Sydney, 2021), 3.

**Table 1: Addresses, lot and DP numbers and the respective owners in Waterloo Estate (South)
(Source: City of Sydney, 2021)**

Address	Lot/DP	Owner
209-219 Cope Street, Waterloo	Lot 1 SP 217386	NSW LAHC
238-246 George Street, Waterloo	Lot 1 DP 225159	NSW LAHC
229-231 Cope Street, Waterloo	Lot 3 DP 10721	NSW LAHC
6 John Street, Waterloo	Lot 1 DP 533762	NSW LAHC
97-109 Cooper Street, Waterloo	Lot A DP 105916 Lot B DP 105916 Lot C DP 105916 Lot 14 DP 10721	NSW LAHC
224 – 154 George Street, Waterloo	Lot 2 DP 533678	NSW LAHC
232 Pitt Street, Waterloo	Lot 11 DP 635663 Lot 10 DP 635663	NSW LAHC
74-76 Wellington Street, Waterloo	Lot 1 DP 224728	NSW LAHC
331-337 George Street, Waterloo	Lot 3 DP 533680	NSW LAHC
247-251 Cope Street, Waterloo	Lot 1 DP 533679	NSW LAHC
339-341 George Street, Waterloo	Lot 1 DP 77168	NSW LAHC
250 Pitt Street, Waterloo	Lot 313 DP 606576	NSW LAHC
221-223 Cope Street, Waterloo	Lot 6 DP 10721 Lot 7 DP 10721 Lot 9 DP 10721 Lot 8 DP 1147179	Ethnic Communities Council NSW
225-227 Cope Street, Waterloo.	Lot 5 DP 10721 Lot 4 DP 10721	Ms Stephanie Mary Hurst
233 Cope Street, Waterloo	Lot 12 DP 1099410 Lots 1-41 SP 79210	The Owners – Strata Plan No 79210
116 Wellington Street, Waterloo	Lot 10 DP 10721	Tillow Enterprises Pty Ltd Lot 11 DP 10721
111 Cooper Street, Waterloo	Lot 15 DP 10721	Mrs Elaine Lau and Mr Zhida Zhan
291 George Street, Waterloo	Lot 10 DP 1238631 Lots 1-20 SP 96906	The Owners – Strata Plan No 96906
110 Wellington Street, Waterloo	Lot 101 DP 1044801 Lots 1-58 SP 69476	The Owners – Strata Plan No 69476
336 George Street, Waterloo	Lot 3 DP 10686	Alpha Distribution Ministerial Holding Corporation

Address	Lot/DP	Owner
213-215 Cope Street, Waterloo	Lot 2 DP 217386	Alpha Distribution Ministerial Holding Corporation

1.3 Approval framework

Waterloo Estate (South) is currently undergoing a Gateway determination through community consultation of the Planning Proposal and associated technical studies. The Gateway determination for Waterloo was made on 23 June 2021. The Gateway determination requires an addendum HIS to address the CoS Planning Proposal.

Waterloo Estate (South) is part of the Waterloo precinct which is being investigated for rezoning through the State Significant Precinct (SSP) process. Study requirements to the LAHC were issued in March 2017 and revised in March 2018. The study requirements outline the requirements for Heritage in Section 11. These relevant requirements are outlined in Table 2 below.

Table 2: Study requirements for Nominated State Significant Precinct – Waterloo

Requirement	Response
11.1. Prepare a heritage assessment that investigates the history, physical evidence and significance of the features within the study area, based on a site inspection and documentary research, to identify and conserve features of local or greater heritage significance.	Refer to section 3.0, <i>Historical Context</i> and section 4.0 <i>Site Analysis</i> .
11.2. The heritage assessment is to be undertaken in accordance with guidelines set out in the NSW Heritage Manual, the methodology described in 'The Conservation Plan' (J S Kerr 1996) and in the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (the Burra Charter).	Considered and referred to in the preparation of this report. Refer to section 5.4.1 <i>Methodology</i> .
11.3. This assessment is to review, but is not limited to, features of potential heritage significance within the area for replanning including: o buildings: all existing; o landscaping elements: built and planted; o monuments or public art installations; o infrastructure: street patterns and stormwater; o potential archaeological relics; and o places of social significance.	Refer to section 5.0 of this report, entitled <i>Impact Assessment</i> .
11.4. Provide recommendations for the management of heritage significance – to guide future development or planning to retain the assessed significance of features, including features to retain and re-use, treatment of specific spaces and fabric of significance, view corridors, setbacks and heights for new development in the vicinity, photographic archival recording or oral histories	Refer to section 6.0 of this report, entitled <i>Recommendations</i> .
11.5. Provide the required DCP provisions	As per Urbis (2020), these are included in the Heritage Impact Statement Urbis (2020) in section 10.2 <i>Development Control Plan Provisions</i> .
11.6. Provide an interpretation plan having particular regard to the precinct's relationship with nearby heritage items in accordance with <i>Interpreting Heritage Places and Items Guidelines</i>	As per Urbis (2020), these are included in the Heritage Impact Statement Urbis (2020) in section 10.3 <i>Interpretation Strategy</i> .

1.4 Report objectives

The aim of this report is to provide an addendum HIS to the Urbis 2020 report by comparing the new CoS Planning Proposal with the LAHC planning proposal request to address any additional heritage impacts.

1.5 Limitations

This report is an addendum to Urbis' HIS for Waterloo Estate (South) in 2020, as such this report relies largely on the information provided by Urbis.

1.6 Authorship

This addendum HIS was written by Sarah Ryan (Heritage Consultant). The report was managed and reviewed by Julia McLachlan (Senior Associate). Internal review and project direction was provided by Sandra Wallace (Managing Director).



Figure 2: Study area curtilage: Waterloo Estate (South) (Source: Artefact, 2021)

2.0 HERITAGE MANAGEMENT FRAMEWORK

There are several items of State legislation that are relevant to the current investigation area. A summary of these Acts and the potential legislative implications follow.

2.1 New South Wales Heritage Act 1977

The NSW *Heritage Act 1977* (Heritage Act) provides protection for items of 'environmental heritage' in NSW. 'Environmental heritage' includes places, buildings, works, relics, movable objects or precincts considered significant based on historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic values. Items considered to be significant to the State are listed on the SHR and cannot be demolished, altered, moved or damaged, or their significance altered without approval from the Heritage Council of NSW.

2.1.1 State Heritage Register

The State Heritage Register (SHR) was established under Section 22 of the Heritage Act and is a list of places and objects of particular importance to the people of NSW, including archaeological sites. The SHR is administered by Heritage NSW under the Department of Premier and Cabinet and includes a diverse range of over 1500 items, in both private and public ownership. To be listed, an item must be deemed to be of heritage significance for the whole of NSW.

As demonstrated in Table 3, there is only one heritage item listed on the SHR within the study area, which is identified as the "Potts Hill to Waterloo Pressure Tunnel and Shafts", listed under item no. 01630 on the SHR. The tunnel is located on the Southern end of the study area, running underneath Pitt Street, George Street, Cope Street, Cooper Street and Botany Road.

2.1.2 The 2009 'Relics provisions'

The Heritage Act also provides protection for 'relics', which includes archaeological material or deposits. According to Section 139 (Division 9: Section 139, 140-146):

- (1) A person must not disturb or excavate any land knowingly or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, damaged or destroyed unless the disturbance is carried out in accordance with an excavation permit.
- (2) A person must not disturb or excavate any land on which the person has discovered or exposed a relic except in accordance with an excavation permit.
- (3) This section does not apply to a relic that is subject to an interim heritage order made by the Minister or a listing on the State Heritage Register.
- (4) The Heritage Council may by order published in the Gazette create exceptions to this section, either unconditionally or subject to conditions, in respect of any of the following:
 - a. Any relic of a specified kind or description,
 - b. Any disturbance of excavation of a specified kind or description,
 - c. Any disturbance or excavation of land in a specified location or having specified features or attributes,
 - d. Any disturbance or excavation of land in respect of which an archaeological assessment approved by the Heritage Council indicates that there is little likelihood of there being any relics in the land.

Section 4 (1) of the Heritage Act (as amended in 2009) defines a relic as:

...any deposit, artefact, object or material evidence that:

relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and is of State or local heritage significance

A relic has been further defined as:

Relevant case law and the general principles of statutory interpretation strongly indicate that a 'relic' is properly regarded as an object or chattel. A relic can, in some circumstances, become part of the land be regarded as a fixture (a chattel that becomes permanently affixed to land).⁵

Excavation permits are issued by the Heritage Council of NSW, or its Delegate, under Section 140 of the Heritage Act for relics not listed on the SHR or under Section 60 for relics listed on the SHR. An application for an excavation permit must be supported by an Archaeological Research Design and Archaeological Assessment prepared in accordance with the Heritage NSW archaeological guidelines. Minor works that will have a minimal impact on archaeological relics may be granted an exception under Section 139 (4) or an exemption under Section 57 (2) of the Heritage Act.

Definition of works

The Heritage Act includes archaeological 'works' as a separate category to archaeological 'relics'. Exposure of a 'work' does not trigger reporting obligations under the Act. The following examples are commonly considered to be 'works': former road surfaces or pavement, kerbing, evidence of former infrastructure (such as drains or drainage pits where there are no relics in association), tram and train tracks and ballast and evidence of former rail platforms and bridges.

2.2 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) establishes the framework for cultural heritage values to be formally assessed in the land use planning, development consent and environmental impact assessment processes. The EP&A Act requires that environmental impacts are considered prior to land development and the level of significance of the impact assessed; this includes impacts on cultural heritage items and places as well as archaeological sites and deposits. The EP&A Act also requires that local governments prepare planning instruments (such as LEPs and Development Control Plans [DCPs]) in accordance with the EP&A Act to provide guidance on the level of environmental assessment required.

The study area falls within the boundaries of the City of Sydney LGA and is therefore subject to the City of Sydney LEP 2012.

2.2.1.1 Sydney Local Environmental Plan 2012 (Sydney LEP 2012)

The aim of the LEP in relation to heritage is to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings, views and archaeological sites. The LEP lists items of heritage significance within the LGA and specifies aims and objectives to be addressed in any development application. Clause 5.10 outlines the provisions which apply to

⁵ *Assessing Significance for Archaeological Sites and 'Relics'*, Heritage Branch, Department of Planning, 2009:7.

heritage conservation and requirements in relation to development applications affecting a heritage item or within a conservation area.

The objectives of Clause 5.10.1 in the City of Sydney LEP 2012 are as follows:

(1) Objectives *The objectives of this clause are as follows—*

(a) *to conserve the environmental heritage of the City of Sydney,*

(b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*

(c) *to conserve archaeological sites,*

(d) *to conserve Aboriginal objects and Aboriginal places of heritage significance*

There are four locally listed items under Schedule 5 of the City of Sydney LEP 2012 that are within the study area. These items are listed in the table below (Table 3).

There are three local heritage listed items adjacent to the site: Waterloo Park and Oval (item no. I2079); and Our Lady of Mt Carmel Church and School (item no. I2088) to the east. Both items fall within the Waterloo Heritage Conservation Area (C70) which is also adjacent to the study area. The ‘Gordon terraces’ (item no.2087) are adjacent to the west of the study area. These items and other items within proximity are listed in Table 4 below.

2.2.2 Heritage register search

A search of all relevant statutory registers was undertaken in August 2021. There are four LEP heritage items and one SHR item within the study area. There are nine LEP heritage items and three heritage conservation areas within proximity to the study area. These items are outlined in Table 3 - Table 5 below.

Table 3: Places of significance identified within the study area

Item Name	Address	Significance	Item/Listing Number
Duke of Wellington Hotel including interior	291 George Street, Waterloo, NSW, 2017	Local	<i>City of Sydney LEP 2012 (Item No. I2085)</i>
Electricity Substation 174	336 George Street, Waterloo, NSW, 2017	Local	<i>City of Sydney LEP 2012 (Item No. I2086)</i>
Terrace houses	229-231 Cope Street Waterloo, NSW, 2017	Local	<i>City of Sydney LEP 2012 (Item No. I2078)</i>
Former Waterloo Pre-School	225 Cope Street, Waterloo, NSW, 2017	Local	<i>City of Sydney LEP 2012 (Item No. I2077)</i>

Item Name	Address	Significance	Item/Listing Number
Potts Hill to Waterloo Pressure Tunnel and Shafts	N/A	State	SHR (Item No. 01630)

Table 4: Heritage items within proximity to the study area

Item Name	Address	Significance	Item/Listing Number	Vicinity from the subject site
Waterloo Park and Oval including grounds and landscaping	Elizabeth Street, Waterloo, NSW, 2017	Local	<i>City of Sydney LEP 2012</i> (item no. I2079)	Adjacent
Our Lady of Mt Carmel Church and School buildings including interiors and grounds	2-6 Kellick Street, Waterloo, NSW, 2017	Local	<i>City of Sydney LEP 2012</i> (item no. I2088)	Adjacent
Terrace group "Gordon Terrace" including interiors	1 – 25 John Street, Waterloo, NSW, 2017	Local	<i>City of Sydney LEP 2012</i> (item no. I2087)	Adjacent
Congregational Church including interior	103-105 Botany Road, Waterloo, NSW, 2017	Local	<i>City of Sydney LEP 2012</i> (Item No. I2069)	30m
Cauliflower Hotel including interior	123 Botany Road, Waterloo, NSW, 2017	Local	<i>City of Sydney LEP 2012</i> (Item No. I2070)	60m
Former CBC Bank including interior	60 Botany Road, Alexandria, NSW, 2015	Local	<i>City of Sydney LEP 2012</i> (Item No. I5)	90m
Former Somerset Hotel including interiors	191 Pitt Street Redfern, NSW, 2016	Local	<i>City of Sydney LEP 2012</i> (Item no. I346)	>100m
Terrace House/ shop including interior	189 Pitt Street, Redfern, NSW, 2016	Local	<i>City of Sydney LEP 2012</i> (Item no. I345)	>100m
Two Buildings on George and Phillip Streets	George Street and Phillip Street, NSW, 2016	-	<i>State Environmental Planning Policy 2005</i>	>100m

Table 5: List of Heritage Conservation Areas

Item Name	Address	Significance	Item/Listing Number	Vicinity from the subject site
Waterloo Heritage Conservation Area	N/A	Local	<i>City of Sydney LEP 2012</i> (item no. C70)	Adjacent
Alexandria Park Heritage Conservation Area	N/A	Local	<i>City of Sydney LEP 2012</i> (Item no. C1)	>100m
Redfern Estate Heritage Conservation Area	N/A	Local	<i>City of Sydney LEP 2012</i> (Item no. C56)	>100m

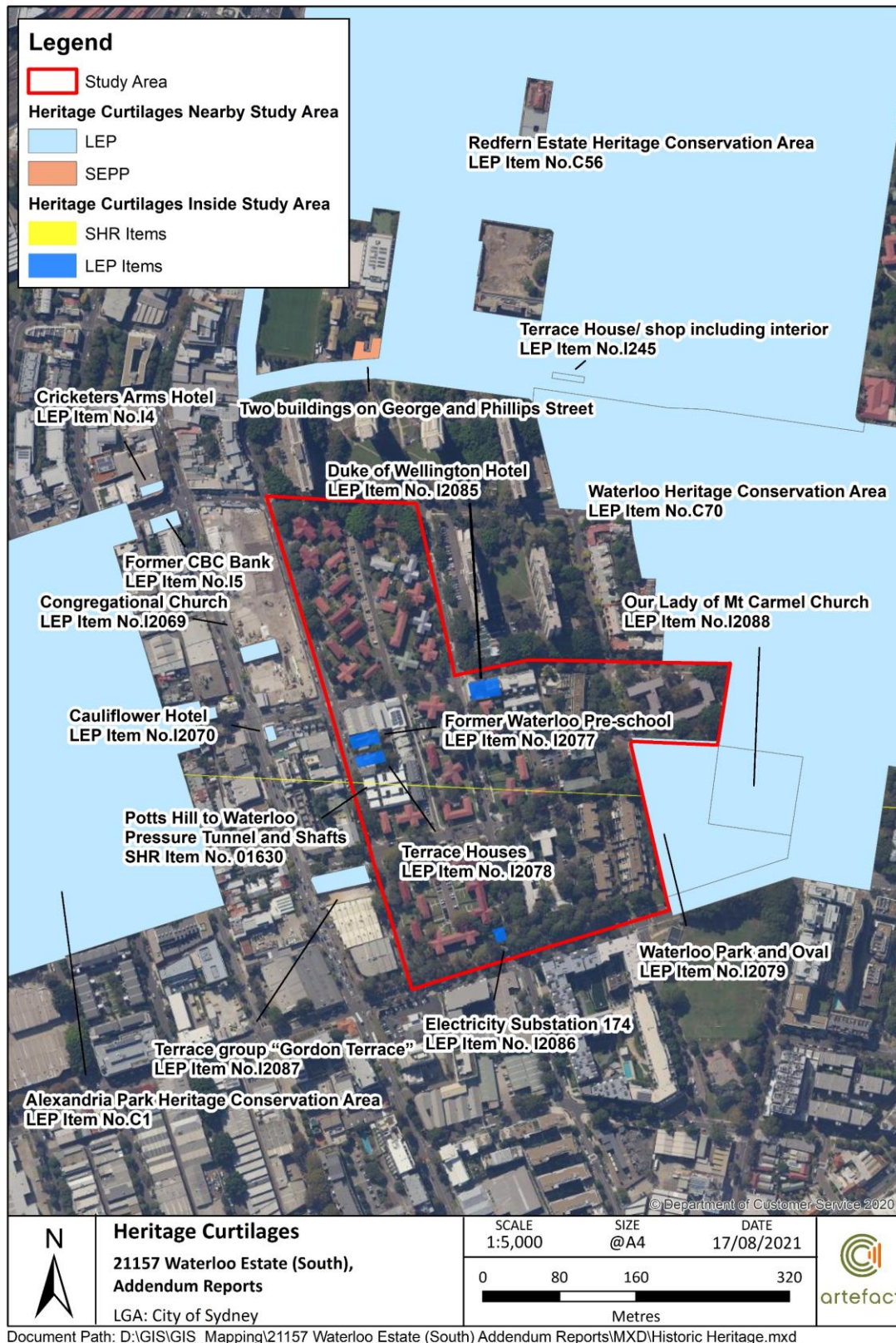


Figure 3: Heritage items within 100m of the study area (Source: Artefact, 2021)

3.0 HISTORICAL CONTEXT

The following history has been informed by Urbis' HIS (2020) on Waterloo Estate (South), 2020. This history is intended to be a concise summary of Waterloo, for a more extensive history please refer to Urbis' HIS (2020).

3.1 History of Waterloo Estate

That suburb of Waterloo historically was part of former convict William Hutchison's estate: Waterloo Estate. Hutcherson was granted 1400 acres on Southern end of Sydney, spanning over present-day Waterloo; as well as parts of Alexandria, Zetland, Beaconsfield and Redfern.

With the introduction of a *Municipalities Act* in 1858 through the colonial government, there was a great push to amalgamate Redfern and Waterloo Estate. In 1859 the Redfern Municipality was established which spanned from Redfern to Waterloo Dam. In 1860 a break occurred, and a separate Waterloo Municipality was established with 1500 residents.

During the 1880s large portions of Waterloo Estate were freed up and subdivisions occurred under the Building and Land Investment companies. These blocks were labelled as an escape from the surrounding 'slums' of Sydney and were aimed towards the working class of Sydney. By the 1890s most of the block surrounded by McEvoy, Pitt, Raglan and Cope Streets developed exponentially; and as a result, the population boomed from 1,222 in 1861 to 8,701 in 1891.

By the turn of the twentieth century, Waterloo was considered a working-class suburb with range of industries and workers living within the area. The rapid population boom and high density in the area had its downfall when the bubonic plague raged through Sydney in 1900. The fast construction to keep up with the rising population, meant that housing was structurally unsound and not maintained. These poor housing conditions in Waterloo contributed to the spread of the plague and the total of 11 deaths in the area.

Waterloo had followed in the footsteps of its surrounding suburbs and by 1928 the cities authorities had labelled the suburb as one of the Sydney 'slums.' Discussions of widespread demolition and redevelopment were circulating during this time however, the Great Depression hit before much could be done. As a result of the Depression unemployment began to rise in the area, residents were evicted from rental properties and Waterloo's label of being Sydney's 'slum' solidified further. The decline in the maintenance and construction of rental houses within Waterloo continued up until the 1950s.

In 1941 the newly established Housing Commission, endeavoured to provide reasonable housing for the working class in the underdeveloped suburbs within Sydney City. Redfern, Waterloo, Surry Hill and Glebe were the first of the known 'slums' that were selected for the Urban Renewal.

Waterloo's Urban Renewal began in 1948 with its first block of commission housing between Raglan, George, and Cooper Streets. This marked the beginning of many housing commission developments in the suburb of Waterloo.

From the 1940s to the 1980s, the NSW Housing Commission had transformed the highly dense, 'slum' suburb to a modern, high-rise neighbourhood – consisting primarily of public housing (Figure 5). The new Waterloo Endeavor Project in the 1970s sought to achieve the world's best practise and approach in response to the rise of elderly residents. However, by the 1980s, the dreams of the

Waterloo Endeavour Project had fallen short as the suburb organically regressed back to its historical reputation, as a depressed and rough neighbourhood.⁶

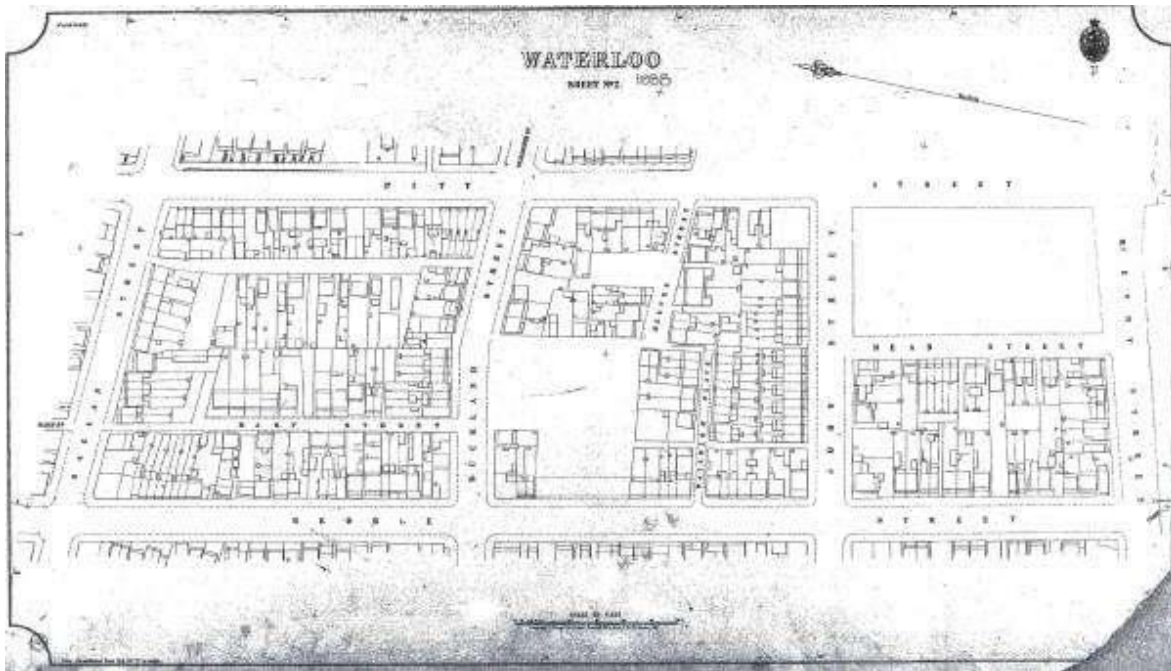


Figure 4: Plan of Waterloo subdivisions 1888 (Source: City of Sydney Archives, 2021)



Figure 5: Madden Place in Pitt Street, 1966 (Source: Housing commission annual report 1966)

⁶ Urbis, "Heritage Impact Statement: Waterloo Metro Quarter and Waterloo State Significant Precinct," 2018.

4.0 SITE ANALYSIS

4.1 Background

A site inspection was undertaken by Adele Zubrzycka (Senior Associate, Artefact Heritage) on 10 August 2020. The inspection was undertaken to assess the extent of the study area and the potential impact to the listed heritage items, as well as assess the area for archaeological potential. Heritage items within and directly adjacent to the study area were inspected as part of this site analysis. The survey area was undertaken on foot and conducted in accordance with best practise standards.

4.2 Site description

The following site description is extracted from the HIS undertaken by Urbis (2018).

Waterloo Estate (South) consists of approximately 18 hectares of primarily government owned land containing low, medium and high rise social housing, one site owned by Ausgrid and several privately-owned sites. It is located within the City of Sydney LGA and is part of the Central to Eveleigh Urban Transformation Strategy. It is generally bounded by Philip Street, Cope Street, McEvoy Street and Pitt Street and includes one block east of Pitt Street bounded by Wellington, Gibson and Kellick Streets. The Estate comprises 2,012 dwellings within a mix of single storey cottages, low to medium rise walk-ups (two to three storeys in height), medium rise apartment buildings (four to seven storeys in height), four high rise apartment buildings (17-storeys in height, known as Marton, Banks, Cook and Solander) and two apartment buildings (30-storeys in height, known as Matavai and Turanga). Collectively, the four 17-storey high-rise buildings and two 30-storey buildings form the 'Endeavour Estate'⁷.

The location of the heritage items listed below can be identified on Figure 3.

4.2.1 Duke of Wellington Hotel (item no. I2085)

The 'Duke of Wellington Hotel' is a two storey inter-war classical style hotel building. The exterior is brick with rendered bands running horizontally. It features a hipped roof, blind arch motifs above the window. The subject site is in good condition. The Hotel is situated on the northern end of the Waterloo Estate (South) study area. In its present context, the Hotel faces Raglan Street to the north and George Street to the west. To the east is a modern 4 storey building. To the South is a smaller two storey brick building, which is reasonably set back from the hotel and the road.⁸

The item's statement of significance as provided on the State Heritage Inventory is as follows:

The Duke of Wellington Hotel has local historic, aesthetic, and social significance. It is a good representative example of an Inter-war Free Classical style hotel in a prominent corner location. There has been a hotel of the same name on the site since 1876 and the hotel has had close associations with the development of the

⁷ Urbis, "Heritage Impact Statement: Waterloo Metro Quarter and Waterloo State Significant Precinct."

⁸ Heritage Office, "State Heritage Inventory," State Heritage Inventory, n.d., <https://www.heritage.nsw.gov.au/search-for-heritage/state-heritage-inventory/>.

Waterloo area. It is held in high esteem as a social and recreational venue for nearby workers and residents.⁹



Figure 6: Duke of Wellington north elevation (Artefact, 2021)



Figure 7: Duke of Wellington north-west elevations (Artefact, 2021)

4.2.2 Electricity Substation no. 174 (item no. I2086)

The 'Electricity Substation no.174' is situated on the corner of George and McEvoy Street. It is located on the Southern edge of the Waterloo Estate (South) study area. Its Southern elevation faces McEvoy Street. Its northern elevation faces a set of 3-storey brick apartments, which are reasonably set back from the building. To the east and west of the building are pavements, trees, and other vegetation. The building is a single storey inter-war building, with red brick and 3 semi circular arched windows. It is surrounded by high vegetation. The building is in a moderate condition.¹⁰

The item's statement of significance as provided on the State Heritage Inventory is as follows:

The George Street substation is a modest purpose designed and built Interwar structure. It was built by the Municipal Council of Sydney during the period of rapid expansion of the electricity network into the suburbs.¹¹

⁹ Heritage Office, "Milperra Soldier Settlement (Roads)," State Heritage Inventory, 2020.

¹⁰ Heritage Office, "State Heritage Inventory."

¹¹ Heritage Office, "State Heritage Inventory."



Figure 8: Electricity substation eastern elevation (Artefact, 2021)



Figure 9: Electricity substation South-eastern elevation (Artefact, 2021)

4.2.3 Terrace Houses (item no. I2078)

The ‘Terrace Houses’ are situated on the north-western side of the Waterloo Estate (South) study area on Cope Street. They comprise of two Victorian terrace houses featuring matching French doors, flanked windows, cast iron verandas, pitched rooves and chimneys. One terrace is cream whilst the other is white. They are both in good condition. To the north of the building is the ‘Former Waterloo Pre-School’ and to the South is an adjoining modern three-storey terrace.¹²

The item’s statement of significance as provided on the State Heritage Inventory is as follows:

An intact terrace pair representing Victorian land subdivision and residential development c1880. A good example of terrace housing in Waterloo area. The pair may also have associations with the former Waterloo School at 225 Cope St which dates from c1850.¹³

¹² Heritage Office, “State Heritage Inventory.”

¹³ Heritage Office, “State Heritage Inventory.”



Figure 10: Terrace houses north-western elevation (Artefact, 2021)



Figure 11: Terrace houses western elevation (Artefact, 2021)



Figure 12: Terrace houses facing north up Cope Street (Artefact, 2021)



Figure 13: Terrace houses in context (Artefact, 2021)

4.2.4 Former Waterloo Pre-School (item no.I2077)

The former Waterloo Pre School is also situated on the north-western side of the Waterloo Estate (South) study area. It is located on Cope Street. To the South of the building is 'Terrace houses.' To the north of the building is a large two-storey brick building. The heritage item is a Victorian style rendered brick building, with a main gabled roof to the sides and a protruding wing to the front with a gabled parapet. It features double-hung sash timber windows. The building is in good condition. It is set back from the street, with vegetation present in front of the building. ¹⁴

The item's statement of significance as provided on the State Heritage Inventory is as follows:

The building is of historical and social significance as it provided moral support and education for the underprivileged local residents, particularly the children of the poor, during a period when Waterloo was one of the most disadvantaged areas of Sydney. The original architectural simplicity and lack of architectural detail or pretension of the building are a clear reflection of the original use of the building and the social conditions in which it was built and operated. The building is historically significant as a relatively early religious building in the Waterloo area, as a Congregational Chapel built in 1870, and as an early religious school for the area (operating as a Congregational School by 1880); important for historical

¹⁴ Heritage Office, "State Heritage Inventory."

association with the Congregational Church, the Sydney Ragged School movement and the Sydney City Mission; socially significant as an early religious establishment and school for the area, and due to its operation as a "Sydney Ragged School" from 1887 to provide education for the children of the poor, and then subsequently (from 1928 till 1997) as a kindergarten run by the Sydney City Mission. The building has aesthetic significance as a simple gabled brick Victorian building, simple in its detail indicating its non-conformist religious and utilitarian function.¹⁵



Figure 14: Former Waterloo Pre-school context to the South (Artefact,2021)



Figure 15: Former Waterloo Pre-school north-western elevation (Artefact,2021)



Figure 16: Former Waterloo- Pre-school context to the north (Artefact,2021)



Figure 17: Building to the north of subject (Artefact,2021)

4.2.5 Potts Hill to Waterloo Tunnel and Shafts (Item no. 01630)

The Potts Hill to Waterloo Tunnel runs underneath the suburbs of Chullora, Bankstown, Enfield, Canterbury, Ashfield, Petersham, Marrickville, Erskineville, and Waterloo. It varies from a depth of 15m-67m and its total length is 16km. The tunnel pipes are made of sand-cement and the pressure shafts are lines with metal. The item is in good condition.¹⁶

The item's statement of significance as provided on the State Heritage Register is as follows:

¹⁵ Heritage Office, "State Heritage Inventory."

¹⁶ Heritage Office, "State Heritage Inventory."

The Pressure Tunnel is of high historical and technical significance as it represents a successful engineering response to the difficulties of increasing the volume of water from the Potts Hill Reservoir to the Pumping Station at Waterloo, a historically critical link in the water supply of Sydney. It is the third largest pressure tunnel in the world, representing a significant achievement in the provision of a dependable water supply by the Government and Water Board during the inter-war period.¹⁷

As the item is underground, current photos were unable to be obtained during the site inspection.

4.2.6 Waterloo Heritage Conservation Area (item no.C70)

The Waterloo HCA is adjacent to the east of the Waterloo Estate (South) study area. The area comprises of various subdivisions dating from the mid-late Victorian era. The area consists of several terrace houses which were part of the development of Waterloo in the 1880s. There have been a number of developments in the area, particularly pertaining to the north-western side of the HCA. The HCA is in a fair condition.

The conservation areas statement of significance as provided on the State Heritage Inventory is as follows:

The area has significance as early residential subdivisions of the Mount Lachlan Estate, which developed incrementally from the 1850s through to the early twentieth century. The area provided housing for workers at the industrial establishments to the east and South east. The area has provided a community focus since the 1850s and incorporates the civic and commercial heart of Waterloo with former Town Hall, Mount Carmel and Elizabeth Street shops.¹⁸



Figure 18: Waterloo HCA terrace houses on Wellington St (Artefact,2021)



Figure 19: Waterloo HCA redevelopment (Artefact,2021)

¹⁷ Heritage Office, "State Heritage Inventory."

¹⁸ Heritage Office, "State Heritage Inventory."

4.2.7 Waterloo Oval and Park (item no.I2079)

Waterloo Oval and Park is adjacent to the eastern side of Waterloo Estate (South). The Park is bounded by Elizabeth, Allen, Pitt and Killick Streets. It is a diverse wetland, comprising of lowland swamps streams. After settlement the park was significantly modified with infill material. Port Jackson figs are a key vegetation in the area, along with Moreton Bay figs, paperbarks, brush boxes, coral trees and deciduous fig trees. The Park is in fair condition.¹⁹

The item's statement of significance as provided on the State Heritage Inventory is as follows:

Historically significant as part of Mount Lachlan Estate and related to the early housing development surrounding Waterloo Swamp and establishment of Our Lady of Mount Camel. It is of aesthetical significance as a large green area between the residential and industrial establishments. It is of social significance as it was used as by the local public for leisure, recreation, and sports since 1880s.²⁰



Figure 20: Waterloo Park and Oval facing east onto Pitt Street (Artefact,2021)



Figure 21: Waterloo Park and Oval, Port Jackson figs (Artefact, 2021)

4.2.8 Our Lady of Mt Carmel School and Church (item no I2088)

'Our Lady of Mt Carmel School and Church' buildings is adjacent to the eastern boundary of 'Waterloo Park and Oval.' It is therefore sub-adjacent to the eastern edge of Waterloo Estate (South). The site comprises of a Victorian gothic Style Church, with presbytery and school. The site and its buildings has had various changes and developments. Since the 'Waterloo Park and Oval' runs between 'Our Lady of Mt Carmel' and the Waterloo Estate (South), the views of the study area are limited from the heritage listed item. Therefore, there is minimal interaction between the two currently, and potentially in future.²¹

The item's statement of significance as provided on the State Heritage Inventory is as follows:

The Our Lady of Mount Carmel Church and School has local historic, social, and aesthetic significance as a good example of a Victorian school and church complex located on a prominent hill and dating from the key period of development of

¹⁹ Heritage Office, "State Heritage Inventory."

²⁰ Heritage Office, "State Heritage Inventory."

²¹ Heritage Office, "State Heritage Inventory."

Waterloo. It has provided educational facilities and a place of worship to the local community continuously since the 1850s.²²



Figure 22: Our Lady of Mt Carmel Church (Sydney Archdiocese, 2021)

4.2.9 Gordon Terraces (item no. I2087)

The ‘Gordon Terraces’ are adjacent to the western end of Waterloo Estate (South). They are a group of 12 two storey Victorian terraces, which were significant to the development of Waterloo in the 1880s. Whilst there have been minor changes to the exterior of the terraces in colour. They are architecturally identical in form, with double hung timber windows, parapet rooves, cast iron verandas, and rendered masonry exteriors. The buildings are in good condition.²³

The conservation areas statement of significance as provided on the State Heritage Inventory is as follows:

The building is a representative example of a mid-Victorian terrace group constructed c1885 during the key period of subdivision and subsequent development of Waterloo.²⁴

²² Heritage Office, “State Heritage Inventory.”

²³ Heritage Office, “State Heritage Inventory.”

²⁴ Heritage Office, “State Heritage Inventory.”



Figure 23: Gordon terraces (Artefact, 2021)



Figure 24: Corner of Gordon terraces
(Artefact, 2021)

5.0 IMPACT ASSESSMENT

5.1 Planning Proposal

The DPIE has prepared a Planning Proposal by amending the CoS scheme and has provided an Urban Design Review prepared by Hassell. The purpose of this proposal is to amend the Sydney LEP 2012 in the following areas: zoning, building height (HOB), floor space ratio (FSR) and gross floor area (GFA). The proposed planning controls will facilitate with the following development outcomes within Waterloo Estate (South):

- Approximately 3,012 dwellings on LAHC-owned land, including 847 social housing dwellings, 227 affordable housing dwellings and 1,938 market dwellings, plus about 127 additional market dwellings on privately owned sites.
- a large park adjoining Waterloo Metro station of more than two hectares and a small park in the South of the site;
- 255,000 sqm GFA, including no less than 12,000 sqm for commercial premises and 5,000 sqm for community facilities, childcare and health facilities;
- Four towers of about 30 storeys and most other building generally around 8 storeys (with some 4 storeys and others up to 13 storeys in some locations (Figure 25);
- Optimal tree retention, particularly through the north-east street block and along McEvoy Street;
- formalised perimeter block typology with enhanced pedestrian and cycle connectivity between McEvoy Street and Mead Street.²⁵²⁶

The Planning Proposal development is shown in Figure 25.

²⁵ City of Sydney, "Waterloo Estate (South)."

²⁶ Hassell, "Waterloo South Planning Proposal Urban Design Review"



Figure 25: Proposed plan building heights and heritage items (Source: Hassell, 2021)

5.2 Comparative assessment

The comparative planning proposals (LAHC and DPIE) are shown in Figure 26 is a notable difference between the two planning proposals, namely, building footprint and building heights.

The LAHC planning proposal request proposed development of nine towers between 20 and 32 storeys, three fifteen storey buildings and other buildings up to eight storeys which would result in a predominantly high-rise precinct. In contrast, building heights for the current Planning Proposal (DPIE) would reduce the number of tall buildings (over 20 storeys) from nine to four, with three of them located in the southern portion of the site and the fourth on the east corner of Kellick Street and Gibson Street. Hassell identifies that the location of the preferred fourth tower has the pros in being located near the proposed tower cluster and providing good solar amenity, however some of the cons

identified were: the potential overshadowing to developments to the south; building separation and overshadowing to the southwest pocket of the neighbouring park²⁷. Despite this, the fourth tower in this location will reduce the amount overshadowing in total in comparison to the perimeter block buildings that were proposed in the previous schemes. The location of the fourth tower can be seen in Figure 27. Other options for the fourth tower location are provided in Figure 28.

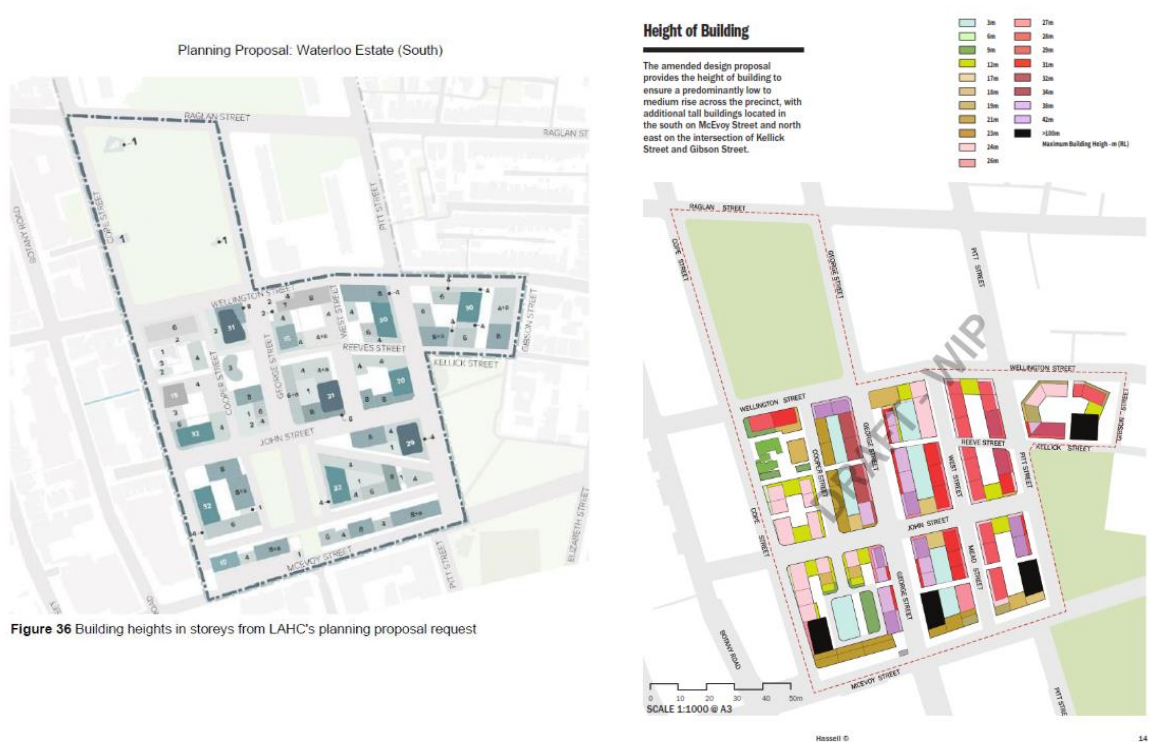


Figure 26: Comparative planning proposals (Building Heights) - LAHC (left) and DPIE (right) (DPIE 2 August 2021)

²⁷ Hassell, "Waterloo South Planning Proposal Urban Design Review" p54

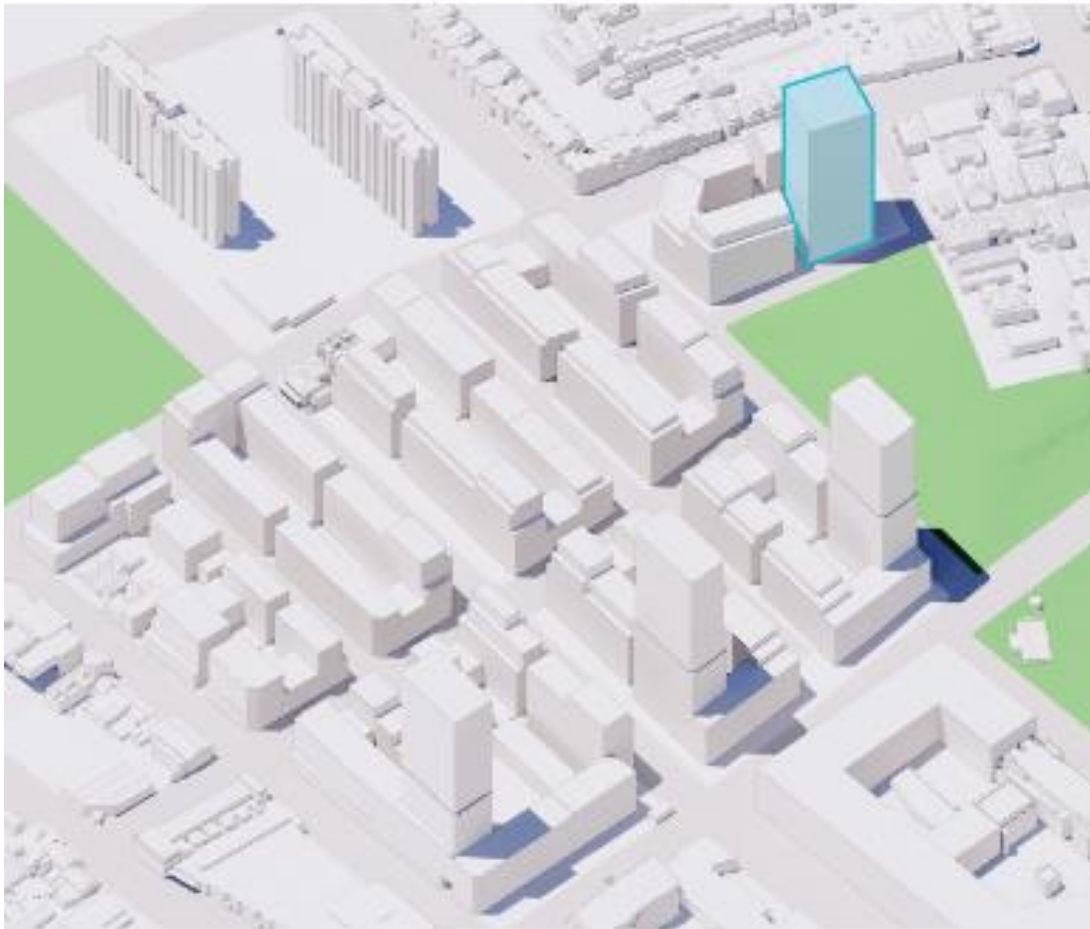


Figure 27: Location determination for fourth tower (Hassell)

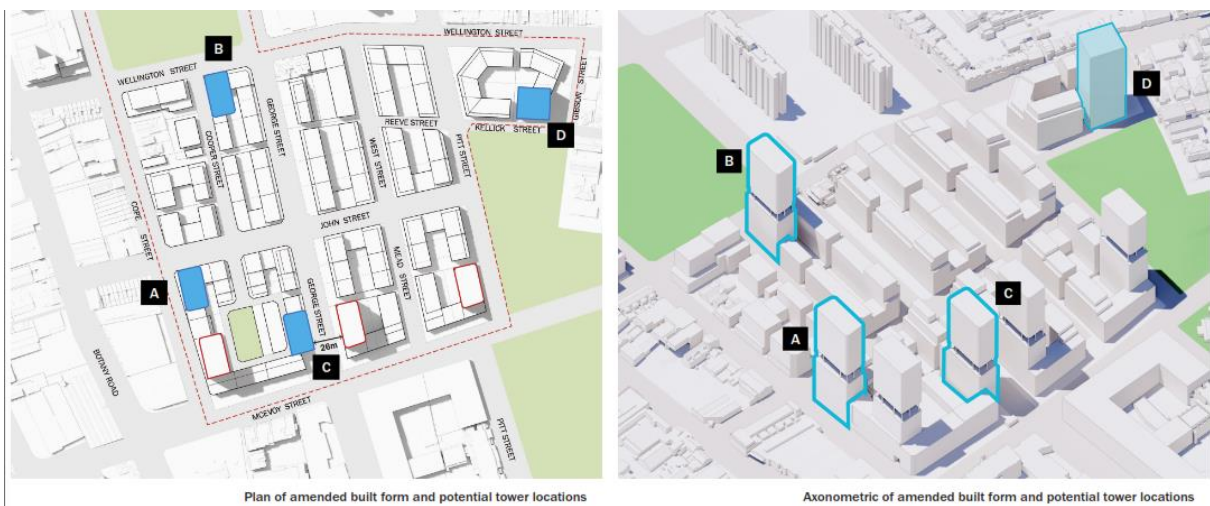


Figure 28: Alternative positions for the fourth tower (Hassell)

A visual comparative analysis design between the LAHC planning proposal request and the Planning Proposal (DPIE) in the tower locations over the southern part of the study area can be seen Figure 27 and Figure 29.



Figure 29: LAHC views from Waterloo Park looking over Southern end of Waterloo Estate (South) (Cos)

For the remainder of the study area, the Planning Proposal would more evenly distribute height across the precinct with buildings reaching a maximum of 13 storeys.

Both the LAHC planning proposal request and the Planning Proposal (DPIE) include provision to preserve the heritage listed items in situ.

The floorspace ratio (FSR) and non-residential plan from DPIE Planning Proposal can be seen in Figure 30 and Figure 31. The FSR for the DPIE Planning Proposal are based off a 10% reduction of the GFA of the building envelopes across each street owned by the LAHC. The draft for the non-residential plan allows for flexibility in non-residential uses across majority of the study area.²⁸

²⁸ Hassell, "Waterloo Planning Proposal Urban Design Review"



Figure 30: DPIE Floor Space Ratio (Hassell)

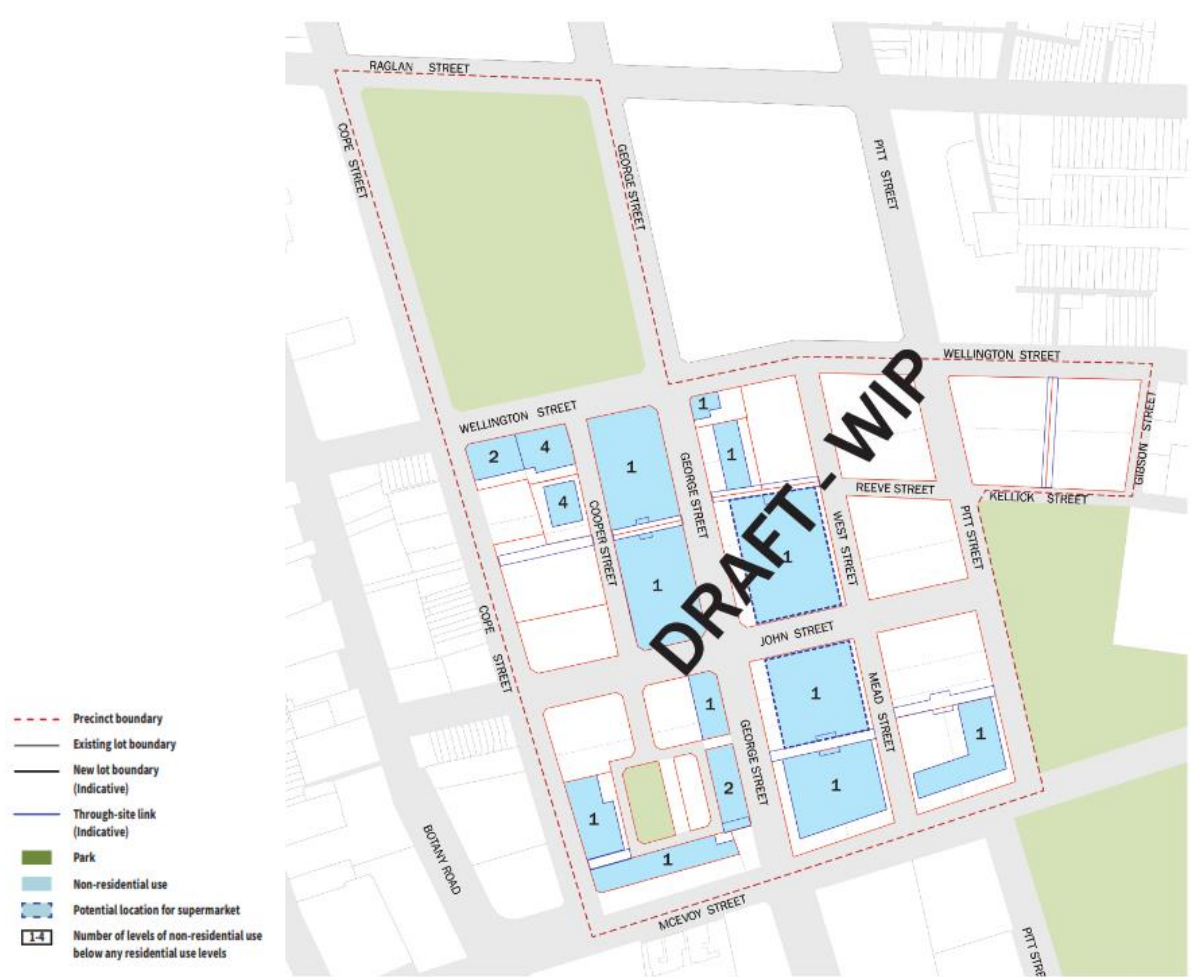


Figure 31: DPIE Non-Residential Plan (Hassell)

A comparison of the DPIE Planning Proposal and LAHC planning proposal request is shown in Table 6 below.

Table 6: Comparison LAHC and DPIE (Source: DPIE, 2021)

	LAHC	DPIE
Zones	B4, B2 and RE1	B4, B2
HOB (LAHC land)	RL71m to RL126.4m (9 towers 20-32 storeys, balance mostly 4-8 storeys)	Max. R 126.4m (4 towers 30+ storeys, balance mostly 11-13 storeys)
HOB (private)	Approx. 50-55m	Mostly 30-35m
FSR (LAHAC land)	1.25:1 to 10.55:1 (by lot)	1:5:1 (+1:26:1 bonus*)
FSR (private)	3.09:1	1:75:1-2.66:1 (+0:25:1 bonus for additional BASIX)
GFA total (private and LAHC)	257,310sqm	265,425sqm

*bonus if 30% social housing GFA + 30% CHP housing GFA + 13,000sqm non-resi GFA + 5,000sm community GFA + additional BASIX + undefined open space dedication

In addition, the DPIE planning proposal takes into consideration the building heights relative to the heritage items to mitigate visual impacts of the proposed design. Given the varying topography of the surrounding landscape it was determined that the perceived visual impact would be minimised by sympathetic design to the existing landform. This is particularly evident with the design around the 2-storey Duke of Wellington Hotel (item no. I2085), adjoining 4 storey building and the adjacent proposed 11 and 13 storey buildings. The design has responded to the height change in topography relative to the datums of the heritage item (Figure 32). Overall, the proposed design has allowed for a sympathetic transition of building height with low built forms adjacent to the heritage items transitioning to taller buildings. Hassell provide in Figure 33 and Figure 34 an ariel overview of the outcome from the DPIE Planning Proposal.

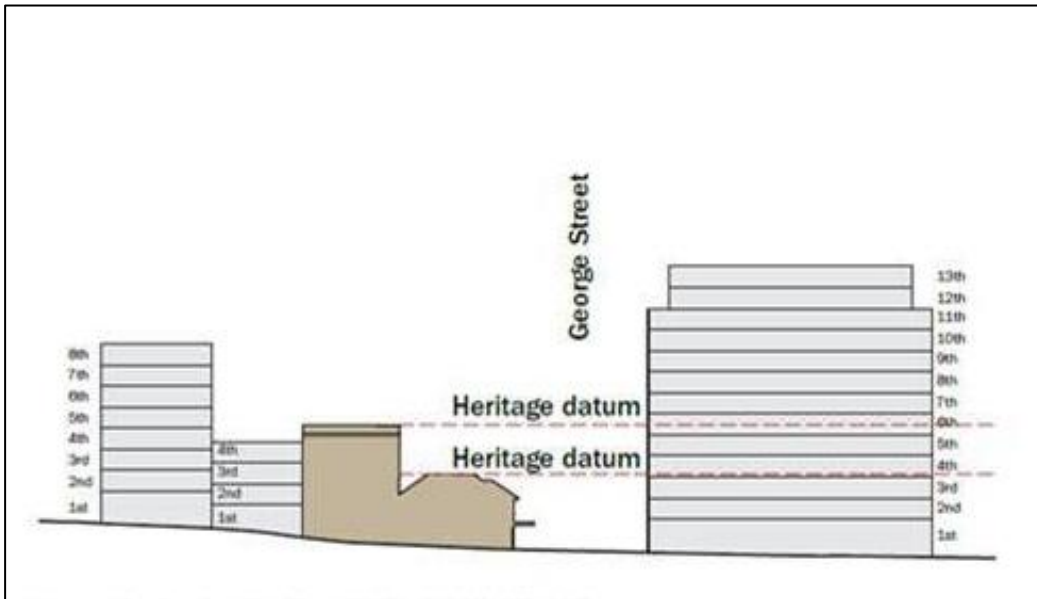


Figure 32: Proposed east section through Duke of Wellington Hotel (item no. I2085)



Figure 33: Ariel view looking north-west from Hassell Urban Design review (Hassell)



Figure 34: Ariel view looking east from Hassell Urban Design Review (Hassell)

5.3 Assessment of archaeological impact

5.3.1 Archaeological potential

Urbis (2020) provides the following summary of non-aboriginal archaeological assessment in their HIS for Waterloo Estate (South):

... the area covered by the Estate, including Waterloo South, has the potential to contain historical (non-Aboriginal) archaeological material. Given the similarities between the development history of Waterloo South and the adjacent Metro Quarter, it is anticipated that historical (non-Aboriginal) archaeological resources present within Waterloo South may be similar and comparable to those uncovered within the Metro Quarter.

This may include occupational deposits, including personal items, building remnants, wells and cesspits, post holes, features associated with industrial activity, and features associated with early agricultural use of the land. These remains may date from the 1850s onwards, with potential for material of a greater age to be present.

Based on the results of the AMBS excavations undertaken within the Metro Quarter to date, this material is likely to be of local significance. However, it is acknowledged that based on the interim Summary report provided by AMBS, there remains potential (pending the completion of analysis and post-excavation reporting by AMBS) for comparable material within Waterloo South, if found intact, to be of State significance.

It is relatively unlikely for remains that pre-date the 1850s to be retained within Waterloo South, particularly given its development history, and the likelihood that built elements dating from this period would have been minimal. However, the potential for physical traces of the manipulation of the original environment by early development may still be visible. It is also noted that archaeological remains are unlikely to be present in areas that have been subject to substantial disturbance, such as the footprints of larger buildings and where basements exist.

The historical (non-Aboriginal) archaeological potential of Waterloo South will, however, need to be confirmed through a detailed Historical Archaeological Assessment report.²⁹

5.3.2 Archaeological impact

A preliminary assessment of archaeological impact as a result of the DPIE Planning Proposal would indicate that the development is likely to impact potential archaeological resources. As with Urbis (2020), it is recommended that detailed historical archaeological assessment is undertaken once more detailed development design has been prepared in order to adequately assess the impacts to potential archaeological resources.

²⁹ Urbis, "Heritage Impact Statement Waterloo Estate (South)," 2020.

5.4 Assessment of heritage impact - built heritage

5.4.1 Methodology

The following section provides a comparative heritage impact assessment between the LAHC planning proposal request and the DPIE Planning Proposal. The comparative impact assessment is provided for visual impact and direct impact, where relevant.

Based on the research provided in this report and an analysis of the current DPIE Planning Proposal, it is sufficient to assess only the impact of heritage items within and directly adjacent to the study area. As such the following items will be assessed below:

5.4.2 Heritage items within the Waterloo Estate (south)

5.4.2.1 Duke of Wellington Hotel (LEP no. 2085)

The “Duke of Wellington Hotel” is within the boundary of the study area. It is listed as an item of local significance under the City of Sydney LEP 2012 (item no. 2085).

The following statement of heritage impact is extracted from Urbis (2020) HIS on Waterloo Estate (South) for the LAHC planning proposal request.

The Duke of Wellington Hotel is located within Waterloo South. This heritage item is a two- storey corner hotel at George and Wellington Street, and is of a traditional low scale. To respond to this low-scaled heritage item, the proposed height controls provide for low-scale four-storey immediately adjoining the item to the east and south. This four-storey height control provides for a transition to medium density development to the south-east of the block. It is noted that the centre of this block will provide for up to seven stories and careful consideration of the final design of this element will be required to mitigate potential adverse heritage impacts on the Duke of Wellington Hotel. Proposed height controls on the adjacent block to the west provide for future development of up to 31-storeys, however this proposed building form has been chamfered to provide the adjacent heritage item with breathing space. View lines to the heritage item east-west along Wellington Street and north-south along George Street will be retained.³⁰

Direct Impact

There would be no direct impact to the Duke of Wellington Hotel (no. 2085).

Visual impact

The LAHC planning proposal request height controls provided for low-scale, 4-storey buildings, immediately adjoining the heritage item on the south and east, transitioning to medium density to the southeast of the block. Thus, in this case the views of the Hotel would not be adversely affected, due to the respect of the low-scale heritage item and the controls of surrounding low-scale development.

The DPIE Planning Proposal comprises of two 11-storey buildings on the Southern side and in close proximity to the Duke of Wellington. The height of the building would visually dominate in its context with respect to the low-scale of the heritage item. The DPIE Planning Proposal also includes an 11-storey building towards the north of the heritage item which would visually impact heritage item. The

³⁰ Urbis, “Heritage Impact Statement Waterloo Estate (South),” 2020.

function of having a narrow façade buffer of 4 and 9 stories around the perimeter of the 11-storey building would not mitigate the scale the 11-storey building directly adjacent to the heritage item. In addition, the increased height of the buildings (11 and 13 storeys) on the corner of George Street and Wellington Street would result in visual impact to the heritage item.

Overall, the DPIE Planning Proposal would result in **increased visual impact** to the heritage item.

5.4.2.2 Electricity Substation no. 174 (LEP no. I2086)

The “Electricity Substation no. 174” is within the boundary of the study area. It is listed as an item of local significance under the City of Sydney LEP 2012 (item no. I2086).

The following statement of heritage impact is extracted from Urbis (2020) HIS on Waterloo Estate (South) for the LAHC planning proposal request.

The Electricity Substation 174, fronts McEvoy Street. The proposed planning controls provide for future development along the McEvoy Street corridor of varying heights, but generally medium scale development of six to eight storeys immediately adjoining the heritage item. While the heritage item is a single-storey low scale building, this typology (substations) is typically located within higher urban areas without detracting their understanding or significance. The proposed planning controls provide for a substantial curtilage around the item, with a proposed open road space to the east and open space to the west, and a proposed park to the north, these measures are satisfactory to ensure that the heritage item is not dominated or overwhelmed in the streetscape as a result of future development. ³¹

Direct Impact

There would be no direct impact to the Electricity Substation no. 174 (no. I2086)

Visual Impact

The LAHC planning proposal request proposed for development along the McEvoy corridor to be of medium-scale. The LAHC provided substantial curtilage around the item, with a proposed open road space to the east and to the west, and a proposed park to the north. These controls would allow for minimal visual impact to occur to the heritage item.

The DPIE Planning Proposal proposes for developments of a larger scale surrounding the item, with the 30-storey tower to the east and 11-storey buildings to the north. The DPIE Planning Proposal does provide a substantial curtilage to the rear of the heritage item, however, this does not mitigate the high scale surrounding developments which may dominate the item. An heritage item of this building typology is often found in higher urban areas however, consideration needs to be made towards the scale of the heritage item.

Overall, the DPIE Planning Proposal would result in **increased visual impact** to the heritage item.

5.4.2.3 Terrace Houses (no. I2078) and Former Waterloo Pre-School (LEP no. I2077)

The “Terrace Houses” falls within the curtilage of the study area. It is listed as an item of local significance under the City of Sydney LEP 2012 (item no. I2078). The “Former Waterloo Pre-School” falls within the curtilage of the study area and is listed as an item of local significance under the City of Sydney LEP 2012 (item no. I2077).

³¹ Urbis, “Heritage Impact Statement Waterloo Estate (South),” 2020.

The following statement of heritage impact is extracted from Urbis (2020) HIS on Waterloo Estate (South) for the LAHC planning proposal request.

The Former Waterloo Pre-School at 225 Cope Street (Item I2077) and the adjoining Terrace Houses at 229-231 Cope Street (Item 2078) are located along the eastern alignment of Cope Street and are heritage items of local significance. The proposed planning controls have responded to the low-scale nature of these items, being two-storey dwellings, by providing for low-to-medium scale development surrounding this group of heritage items. Proposed heights range between two to six storeys for the remainder of future development on this proposed urban block. This lower scale ensures that the heritage items will not be overwhelmed in the streetscape and provides for transitional development up to the high-density development further to the east and south within Waterloo South. The proposed planning controls also show proposed significant setbacks of future built form to the existing heritage items and the rear and north, where future development is four or six storeys in height.

Direct Impact

There would be no direct impact to the Terrace Houses (no. I2078) and Former Waterloo Pre-School (no. I2077).

Visual Impact

The LAHC planning proposal request accommodates for the items low-scale nature of the two items by providing for a low-medium scale development surrounding the item, from two – six storeys. It also allows for significant setbacks of future built form to the existing heritage items.

The DPIE Planning Proposal also maintains a low-medium scale control on surrounding development. However, the presence of a set of 8-storey towers to the north, would have a visually dominating impact on the two heritage items. The developments directly surrounding the items would be consistent with the existing visual amenity.

Overall, the DPIE Planning Proposal would result in **increased visual impact** to the heritage item.

5.4.2.4 Potts Hill to Waterloo Pressure Tunnel and Shafts (SHR no. 01630)

The “Potts Hill to Waterloo Pressure Tunnel and Shafts” falls within the curtilage of the study area. It is listed as an item of state under on the State Heritage Register (item no. 01630) and is protected under the *Heritage Act 1977*.

The Potts Hill to Waterloo Pressure Tunnel and Shafts run through Waterloo South diagonally. Constructed between 1921 and 1935, and beginning at Potts Hill, the tunnel passes under the suburbs of Chullora, Bankstown, Enfield, Canterbury, Ashfield, Petersham, Marrickville, Erskineville, and Waterloo at a depth below ground level that varies between 15 and 67 metres beneath high ground at Ashfield.

As the Pressure Tunnel and Shafts is a State listed built heritage item, any potential impacts to the item will require approval under Section 60 of the Heritage Act 1977. The Pressure Tunnel and Shafts is listed as an item of heritage significance, rather than an archaeological site, however it is located sub-surface. It is therefore recommended that prior to design finalisation, consultation is undertaken with NSW Heritage to determine the most appropriate assessment

format, and whether the Pressure Tunnel and Shafts should be assessed as an archaeological item of State heritage significance in addition to being as item of built heritage significance.

Consultation should also be undertaken with NSW Heritage as early as possible, to ascertain as to whether or not physical impacts to the Pressure Tunnel and Shafts would be considered for approval, as any requirements to avoid impacts to the item are likely to result in design implications (such as limitations on the spatial extent of any basement levels proposed within or in proximity to the known location of the tunnel).

The Planning Proposal does not seek consent for any physical construction works and is seeking a change in planning controls only. However, it is acknowledged that the tunnel is positioned underneath a number of proposed future built forms which could be facilitated under the proposed planning control changes, including a future 32- storey tower form. While no built works are proposed at this stage, future applications will need to be cognisant of and respond to the potential impact of excavation and construction on the underground tunnel. The owner of this heritage item is Sydney Water who should be consulted as part of the next stage of further detailed design work.³²

Direct Impact

There is potential for direct impact where construction above the site of the tunnel requires deep underground excavation or trenching. There is potential that the tunnel could be damaged or disturbed. However, this can be mitigated by an awareness of the item's location and adhering to heritage recommendations when excavation in and around the area. Assessing direct impact to the heritage item would require detailed design.

Overall, there are **no additional impacts identified** to the Potts Hill to Waterloo Pressure Tunnel and Shafts (SHR 01630).

Visual Impact

There would be no visual impact to the Potts Hill to Waterloo Pressure Tunnel and Shafts (SHR 01630).

5.4.3 Heritage items outside the study area

Heritage items outside the boundary of the study area would not be directly impacted by the DPIE Planning Proposal and therefore only visual impact has been assessed.

5.4.3.1 Waterloo Park and Oval (item no. I2079)

“Waterloo Park and Oval” is adjacent to the eastern curtilage of the study area. It is listed as an item of state under on the City of Sydney LEP 2012 (item no. I2079). The following statement of heritage impact is extracted from Urbis (2020) HIS on Waterloo Estate (South) for the LAHC planning proposal request.

³² Urbis, “Heritage Impact Statement Waterloo Estate (South),” 2020.

The Waterloo Park & Oval (Item 2079) is located adjoining Waterloo South to the south-east. This heritage item comprises two large land parcels as a park to the north and south of McEvoy Street. The proposed planning controls provide for an uplift in urban development throughout Waterloo South, replacing the existing urban development. The future change to the urban environment will not affect the heritage significance of the item, as it only provides for a change to an already existing urban environment. The Pitt Street alignment will be reinstated to the western boundary of the park, where it is currently truncated to provide an internal road within the Estate only. This Pitt Street alignment will be reconnected to McEvoy Street. While the proposed planning controls provide for an uplift in density, this uplift will not detract from the significance of the place, and will not interrupt existing view lines as the street borders will be retained. ³³

Visual Impact

The Southern end of the Waterloo HCA, which consists of the Waterloo Park and Oval, may be impacted indirectly/visually due to the proposal of the erection of two 30+ storey tower adjacent, off Kellick Street and Pitt Street. This development has the potential to impact the aesthetic significance of the site. The height of the towers may visually dominate over the park, causing shadowing and a block of views.

The DPIE Planning Proposal has a significant decrease in the overall large-scale proposed building heights that would reduce impact to the views and vistas from Waterloo Park and Oval.

Overall, there would be a **reduced visual impact** to the heritage item.

5.4.3.2 Our Lady of Mt Carmel Church and School (item no. I2088)

The “Our Lady of Mt Carmel Church and School” is adjacent to the eastern curtilage of the study area. It is listed as an item of state under on the City of Sydney LEP 2012 (item no. I2088). The following statement of heritage impact is extracted from Urbis (2020) HIS on Waterloo Estate (South) for the LAHC planning proposal request.

The Our Lady of Mt Carmel Church and School Buildings (Item 2088) at 2-6 Kellick Street, Waterloo, is a vicinity heritage item located to the east, outside of Waterloo South. The heritage item contains low- scale ecclesiastical buildings situated at a topographically high point of the landscape and is facing west overlooking the adjoining heritage-listed park. Diagonally opposite this heritage item is a proposed eight-storey planning control. However, the natural topography of the land at this location means that the location of the eight-storey built form is set at a level significantly below street level and significantly below the ground level of the heritage item. Therefore, this corner eight-storey building form will read as a significantly lower height, which will mitigate potential visual impacts on outward views from the heritage item of the north-west. Notwithstanding the above, primary views from the heritage item are directed to the west and south-west overlooking the adjoining heritage listed park. ³⁴

Visual Impact

³³ Urbis, “Heritage Impact Statement Waterloo Estate (South),” 2020.

³⁴ Urbis, “Heritage Impact Statement Waterloo Estate (South),” 2020.

Urbis (2020) notes that the item contains low-scale ecclesiastical building situated at a topographically high point of the landscape, facing west overlooking the adjoining heritage listed park and subsequently the new Waterloo Estate (South). The items primary views are towards the south-west and west overlooking the park. The LAHC proposal allowed for multiple high-scale towers along the western viewpoint, but along the south-western viewpoint only an 8-storey would have a visual impact. Urbis acknowledges this item as being of minimal impact due to its positioning in the typography, positioning it at a lower scale when viewed from the item.

The DPIE Planning Proposal has a significant decrease in the overall large-scale proposed building heights that would reduce impact to the views and vistas to the heritage item.

Overall, there would be a **reduced visual impact** to the heritage item.

5.4.3.3 “Gordon Terraces” (item no. I2087)

The “Gordon Terraces” is adjacent to the western curtilage of the study area. It is listed as an item of state under on the City of Sydney LEP 2012, item no. I2087. The following statement of heritage impact is extracted from Urbis (2020) HIS on Waterloo Estate (South) for the LAHC planning proposal request.

The Terrace Group ‘Gordon Terrace’ (Item 2087) at 1-25 John Street, Waterloo is located to the immediate west of Waterloo South, at the corner of John Street and Cope Street. This heritage item comprises a low-scale two-storey row of terrace dwellings with an articulated three-storey corner presentation. Along John Street, within Waterloo South, a large area of open space has been provided to physically separate the heritage item terrace row from future development allowed under the proposed planning controls. The low-scale building form is continued through the provision of a maximum four-storey built height for the width of the urban block along John Street within Waterloo South. This is a direct response to the terrace heritage item with the intention of continuing the lower-scale built form along this axis, and to retain the view corridors up John Street. Diagonally opposite the terrace heritage item to the north-east, and to the south-east, the proposed planning controls provide for development of up to 32-storeys, but with a 4-6 storey podium development. Future detailed design of this development will need to carefully consider the heritage item corner typology and respond appropriately with façade articulation, modulation and materiality. ³⁵

Visual impact

The DPIE Planning Proposal in comparison to the LAHC planning proposal request maintains a very low-medium scale of development adjacent to the terraces. The LAHC in comparison proposed a 32-storey tower adjacent to the terraces. The DPIE Planning Proposal contains a set of 8-storey buildings in that same location. The visual impact over the terraces has been mitigated through a set of lower-scaled buildings at 8-storeys rather than 32 storey building.

Overall, there would be a **reduced visual impact** to the heritage item.

5.4.3.4 Congregational Church (LEP no. I2069)

The Congregational Church is adjacent to the western curtilage of the study area. It is listed as an item of state under on the City of Sydney LEP 2012, item no. I2069. The following statement of

³⁵ Urbis, “Heritage Impact Statement Waterloo Estate (South),” 2020.

heritage impact is extracted from Urbis (2020) HIS on Waterloo Estate (South) for the LAHC planning proposal request.

The Congregational Church at 103-105 Botany Road, Waterloo (Item 2069) is located within the adjacent Metro Quarter. This heritage item is significantly separated from Waterloo South by future development separately proposed within the Metro Quarter.

Visual impact

The DPIE Planning Proposal in comparison to the LAHC planning proposal request maintains a very low-medium scale of development adjacent to the heritage item.

Overall, there are **no additional impacts identified**.

5.4.3.5 Cauliflower Hotel (LEP no. I2070)

The Cauliflower Hotel is adjacent to the western curtilage of the study area. It is listed as an item of state under on the City of Sydney LEP 2012, item no. I2070. The following statement of heritage impact is extracted from Urbis (2018) HIS on Waterloo Estate (South) for the LAHC planning proposal request.

This significant property will be unaffected physically by the proposal, or by future development provided for by the proposed new planning framework. This heritage item is located outside the boundary of the Metro Quarter, and outside the broader Waterloo SSP boundary.

It is acknowledged that the proposed new planning framework will facilitate future development at the Metro Quarter that will be of a significantly larger scale than that previously known at the site. This means that vicinity heritage items will have altered outward views towards a new mixed-use urban precinct. However, any potential future development provided for by the proposed new planning framework, would not obscure significant views and view corridors towards vicinity heritage items.

Visual impact

The DPIE Planning Proposal in comparison to the LAHC planning proposal request maintains a very low-medium scale of development adjacent to the heritage item.

Overall, there are **no additional impacts identified**.

5.4.3.6 Former CBC Bank (LEP no. I5)

The following statement of heritage impact is extracted from Urbis (2018) HIS on Waterloo Estate (South) for the LAHC planning proposal request.

[Former CBC Bank] will be unaffected physically by the proposal, or by future development provided for by the proposed new planning framework.

It is acknowledged that the proposed new planning framework will facilitate future development at the Metro Quarter that will be of a significantly larger scale than that previously known at the site. This means that vicinity heritage items will have

altered outward views towards a new mixed-use urban precinct. However, any potential future development provided for by the proposed new planning framework would not obscure significant views and view corridors towards vicinity heritage items.

5.4.3.7 Terrace House/ shop including interior (LEP no. I345)

The following statement of heritage impact is extracted from Urbis (2020) HIS on Waterloo Estate (South) for the LAHC planning proposal request.

The Terrace House/Shop heritage item (Item 1345) at 189 Pitt Street, and the Former Somerset Hotel (Item 1346) at 191 Pitt Street, are substantially distanced from Waterloo South, and are separated from Waterloo South by future planning precincts. There are no adverse impacts to these heritage items as a result of the Waterloo South Planning Proposal.

Visual impact

The DPIE Planning Proposal in comparison to the LAHC planning proposal request maintains a very low-medium scale of development adjacent to the heritage item.

Overall, there are **no additional impacts identified**.

5.4.3.8 Two buildings on George and Phillip Street, (State Environmental Planning policy 2005)

The following statement of heritage impact is extracted from Urbis (2020) HIS on Waterloo Estate (South) for the LAHC planning proposal request.

Waterloo South is substantially distanced from the NCIE heritage item on Phillip Street, described as 'Two Buildings on George and Phillip Streets' (listed under the State Environmental Planning Policy (State Significant Precincts) 2005).

This heritage item comprises low scale buildings which were the former Redfern Public School.

The heritage item is separated from Waterloo South by future planning precincts. There are no adverse impacts to the heritage item as a result of the Waterloo South Planning Proposal.

Visual impact

The DPIE Planning Proposal in comparison to the LAHC planning proposal request maintains a very low-medium scale of development adjacent to the heritage item.

Overall, there are **no additional impacts identified**.

5.4.4 Heritage Conservation Areas

5.4.4.1 Waterloo Heritage Conservation Area (Waterloo HCA) (LEP no. C70)

The "Waterloo Heritage Conservation Area" is adjacent to the eastern curtilage of the study area. It is listed as an item of state under on the *City of Sydney LEP 2012* (item no. C70).

Visual Impact

The DPIE Planning Proposal consists of four 30 storey towers in comparison to the nine towers proposed in the LAHC planning proposal request. With two of the 30 storey tower located overlooking the Waterloo HCA. One would be located in the southeast portion of the site, directly adjacent to the Waterloo HCA from Pitt Street and the other would be located on the northeast portion of the site, directly overlooking the Waterloo HCA from Kellick Street. This has potential to visually dominate over the park, causing shadowing and a block of views. The DPIE Planning Proposal has a significant decrease in the overall large-scale proposed building heights that would reduce impact to the views and vistas from the Waterloo HCA.

Overall, there would be a **reduced visual impact** to the heritage item.

5.4.4.2 Alexandria Park Conservation Area (Alexandria Park HCA) (LEP no. C1)

The “Alexandria Park Heritage Conservation Area” is approximately 200m west of the study area. It is listed as an item of state under on the *City of Sydney LEP 2012* (item no. C1).

Visual Impact

The DPIE Planning Proposal consists of three 30 storey towers in comparison to the nine towers proposed in the LAHC planning proposal request. The DPIE Planning Proposal has a significant decrease in the overall large-scale proposed building heights that would reduce impact to the views and vistas from the Alexandria Park HCA.

Overall, there would be a **reduced visual impact** to the heritage item.

5.4.4.3 Redfern Estate Heritage Conservation Area (LEP no. C56)

“Redfern Estate Heritage Conservation Area” is approximately 200m north of the study area. It is listed as an item of state under on the *City of Sydney LEP 2012* (item no. C56).

Visual Impact

The DPIE Planning Proposal has a significant decrease in the overall large-scale proposed building heights. Given that the three high-rise towers are located in the southern portion of the study area, these are unlikely to cause significant visual impacts to the Redfern Estate Heritage Conservation Area.

Overall, there would be a **reduced visual impact** to the heritage item.

5.5 Summary of heritage impact

The following table provides a summary of the heritage impacts in consideration of the *Statements of Heritage Impact* guidelines by the Office of Environment and Heritage (2002).

Table 7: Summary of heritage impact

Impact on a heritage item	Discussion
Aspects that respect or enhance the heritage significance of the heritage items	<ul style="list-style-type: none"> The proposed plan seeks to create better liveability within Waterloo Estate (South) which in return will help in use and survival of the surrounding heritage items and conservation areas. The proposed plan seeks to provide more housing for residents, these residents will in turn fuel the use of public heritage items and conservation areas therefore enabling their relevancy and survival within the community.

Impact on a heritage item	Discussion
	<ul style="list-style-type: none"> • The design has tried to minimise the amount of visual impact to occur to low-scale heritage items located predominately on the northern end of the study area, by concentrating larger scale developments and towers towards the southern end of the study area. • The design has tried to mitigate the overall skyline and significant views by concentrating larger developments to one location and maintaining a more consistent medium-high scale throughout the study area.
Aspects that would detrimentally impact on the heritage significance of the heritage items	<ul style="list-style-type: none"> • The dominance of very high storeys buildings over the following heritage items: Duke of Wellington, Electrical Substation no.174. • The dominance of very high storey buildings on the southern end of the study area has will have visual impacts on the heritage conservation Waterloo Heritage Conservation
Justifications for impact	<ul style="list-style-type: none"> • The proposed plan is part of the NSW Government's Communities Plus program, a large scale \$22 billion scheme to renew its social housing portfolio • The proposed plan is aims to provide better liveability and more public housing for the community. • Better liveability within the neighbourhood will assist in the use and survival of public heritage items • Despite the increased visual impact on the heritage items identified (Duke of Wellington Hotel, Electricity Substation 174, Terrace group, Former Waterloo Pre-School) the DPIE scheme overall has a reduced visual impact in comparison to the previously proposed LAHC scheme. Comparatively, this scheme is more sympathetic to the heritage significance of the study area.

5.5.1 Statement of heritage impact

The DPIE Planning Proposal would result in an increased visual impact to the heritage items located within the boundary of the study area due to the increase in height of the proposed buildings directly adjacent to those items. There would be no direct impact to these items. No additional impact was identified to the Potts Hill to Waterloo Pressure Tunnel and Shafts (SHR 01630) which is located below the ground surface however it is noted that more detailed design in required to adequately assess the direct impact to the SHR heritage item.

The DPIE Planning Proposal would result in a decrease in visual impact to those heritage items outside of the study area. This is due to the overall distribution of the building heights which would reduce the number of high-rise buildings, with only three 30 storey buildings proposed. These three high-rise buildings are concentrated in the southern portion of the study area. In comparison to LAHC planning proposal request, the 9 towers (25-32 storeys) would be sprawled across the north and south of the study area. Comparatively, the DPIE scheme overall provides a reduced impact compared to the previous LAHC scheme.

Overall, in comparing the LAHC planning proposal with the DPIE Planning Proposal, the reduction in large scale towers is a significant improvement in the consideration the general visual impacts to heritage items outside of the study area. However, consideration should be made to reduce the visual impacts from the buildings proposed adjacent to the heritage items within the study area. This can be achieved through various mitigation measures such as buffer zones and setbacks of taller buildings within the vicinity of heritage items.

6.0 CONCLUSIONS AND RECOMMENDATIONS

6.1 Conclusions

The proposed changes to development footprint in the DPIE Planning Proposal as compared to the LAHC planning proposal request do contain some differences in the distribution of new impacts to ground surfaces and building heights. As a result of the new DPIE Planning Proposal the following conclusions are made:

- The assessment has identified there would be an **increased visual impact** to:
 - Duke of Wellington Hotel (City of Sydney LEP 2012, Item no. I2085)
 - Electricity Substation 174 (City of Sydney LEP 2012, Item no. I2086)
 - Terrace group (City of Sydney LEP 2012, Item no. I2078)
 - Former Waterloo Pre-School (City of Sydney LEP 2012, Item no. I2077)

- The assessment has identified there would be a **reduction in visual impact** to :
 - Waterloo Park and Oval (City of Sydney LEP 2012, item no. I2079)
 - Our Lady of Mt Carmel Church and School (City of Sydney LEP 2012, item no. I2088)
 - 'Gordan Terraces' (City of Sydney LEP 2012, item no. I2087)
 - Waterloo Heritage Conservation Area (City of Sydney LEP 2012, item no. C70)
 - Alexandria Park Heritage Conservation Area (City of Sydney LEP 2012, item no.C1)
 - Redfern Estate Heritage Conservation Area (City of Sydney LEP 2012, item no. C56)

- The assessment has identified there would be **no additional impact** to:
 - Potts Hill to Waterloo Pressure Tunnel and Shafts (SHR, Item no. 01630)
 - Congregational Church (City of Sydney LEP 2012, item no. I2069)
 - Cauliflower Hotel (City of Sydney LEP 2012, item no. I2070)
 - Former CBC Bank (City of Sydney LEP 2012, item no. I5)
 - Terrace House/ shop including interior (City of Sydney LEP 2012, item no. I345)
 - Two buildings on George and Phillip Street, (*State Environmental Planning policy 2005*)

- There would be no direct impact to any City of Sydney LEP 2012 heritage items
- There may direct impact to SHR item Potts Hill to Waterloo Pressure Tunnel and Shafts (SHR no. 01630). Further detailed design is required to adequately assess impact
- There is potential to impact archaeological resources

6.2 Recommendations

- Recommendations in the HIS (Urbis 2020) should be adhered to, including, but not limited to:

- Further investigation and assessment to determine the potential archaeological resources. Artefact considers the detailed design stage of the proposed works to be an appropriate time to do this.
- Where possible, the design guide should continue to consider sympathetic design for buildings within proximity to the heritage items.
- Following the preparation of detailed design, additional impact assessment would be required for SHR item Potts Hill to Waterloo Pressure Tunnel and Shafts (SHR no. 01630). Where impacts are identified, approval under Section 60 of the *Heritage Act 1977* will be required
- Following the preparation of detailed design, a geotechnical or structural engineer should assess the potential indirect vibrational impacts to the heritage items within and directly adjacent to the study area. An additional heritage impact assessment may be required where it is determined the heritage items would be indirectly impacted
- Following the preparation of detailed design, measures to protect the heritage items within the boundary of the study area should be implemented. This could include a buffer zone or setback around the heritage items where proposed works would be in close proximity to the heritage items
- A heritage induction should be provided to all contractors prior to the commencement of works outlining, at a minimum, the significance of the area and obligations of the project under the *NSW Heritage Act 1977*
- Modifications to the Planning Proposal would require further heritage assessment and may require additional exemptions or approvals from City of Sydney or Heritage NSW.

7.0 REFERENCES

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