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HERITAGE IMPACT STATEMENT

8-24 Kippax Street,
Surry Hills NSW 2010

Prepared for
CANVA PTY LTD
31 January 2024

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CONTENTS

Executive Summary.....	1
1. Introduction	3
1.1. Background & Purpose	3
1.2. Methodology & Limitations.....	4
1.3. Author Identification	4
2. Site Description	5
2.1. Site Location	5
2.2. Setting	5
2.3. Subject Site Description.....	7
3. Historical Overview	10
3.1. Area History (Post European Settlement).....	10
3.2. Subject Site History.....	11
3.3. Construction Date	15
3.4. Alterations & Additions.....	15
4. Heritage Significance.....	18
4.1. What is Heritage Significance?	18
4.2. Heritage Listings	18
4.2.1. Subject Site Heritage Listings	18
4.2.2. Vicinity Heritage items	18
4.2.3. Special Character Areas.....	20
4.3. Significance Assessment.....	21
4.3.1. Criterion A – Historic Significance	21
4.3.2. Criterion B – Historical Association	21
4.3.3. Criterion C – Aesthetic/Creative/Technical.....	22
4.3.4. Criterion D – Social, Cultural and Spiritual	22
4.3.5. Criterion E – Research Potential	23
4.3.6. Criterion F – Rare	23
4.3.7. Criterion G – Representative	24
4.4. Statements of Significance	25
4.4.1. Subject Site Statement of Significance	25
4.4.2. Vicinity Heritage Item Statements of Significance.....	25
5. The Proposal.....	27
6. Impact Assessment.....	36
6.1. Sydney Local Environmental Plan 2012	36
6.2. Sydney Development Control Plan 2012.....	38
6.3. Heritage NSW Guidelines	41
7. Conclusion and Recommendations	42
8. Bibliography & References	43
Disclaimer.....	44

FIGURES

Figure 1 – Location map showing the subject site outlined in red	5
Figure 2 – View southwest along Kippax Street looking towards “ <i>Hibernian House</i> ” Including Interior.	6
Figure 3 – View east along Kippax Street with the subject site to the north and carpark to the south.	6
Figure 4 – View south from Kippax Street, outside the subject site, looking towards the carpark and rear of “ <i>Hibernian House</i> ” Including Interior.	6

Figure 5 – View west from the southern side of Kippax Street looking towards the subject site and Aurora Rooftop Hotel.	6
Figure 6 – View east, looking at the adjacent building 26-44 Kippax Street.	7
Figure 7 – View southeast from the subject site towards the corner of Holt and Kippax Streets.	7
Figure 8 – View along Terry Street, looking north towards Foveaux Street with the item <i>Former Farleigh Nettheim & Co Ltd warehouse including interiors</i> to the east.	7
Figure 9 – View northeast along Sophia Street, looking northeast.	7
Figure 10 – Aerial diagram showing the subject site outlined in red.	8
Figure 11 – View of the subject site from the southern side of Kippax Street.	8
Figure 12 – View of the subject site, looking northeast from the northern side of Kippax Street.	8
Figure 13 – View of the extant shopfronts along Kippax Street.	9
Figure 14 – Immediate view of the western elevation from the corner of Kippax and Terry Streets.	9
Figure 15 – View of the subject site from Terry Street, looking southeast.	9
Figure 16 – View of the subject site from the corner of Terry and Sophia Streets.	9
Figure 17 – View of the northern (rear) façade from Terry Street, looking northeast.	9
Figure 18 – View of the subject site looking east along Terry Street.	9
Figure 19 – 1887 map (detail). The subject site, indicated by the red arrow, is vacant.	10
Figure 20 – 1855-1865 map illustrating the development of allotments along the street. The existing site boundary is outlined in red.	11
Figure 21 – Extract of Plans of Sydney (Rygate & West), 1888: Sheet 26, illustrating the subject site as nine lots. The exiting subject site boundary curtilage is outlined in red.	12
Figure 22 – 1938-1950 map showing the height indicated of the terraced row, being two-storeys. The exiting subject site boundary curtilage is outlined in red.	13
Figure 23 – Aerial view of the area in 1949. The exiting subject site boundary curtilage is outlined in red.	13
Figure 24 – 1949-1972 map showing the terraced row of the subject site. The exiting subject site boundary curtilage is outlined in red.	14
Figure 25 – Aerial view of the area in 1970. The subject site boundary curtilage is outlined in red.	14
Figure 26 – Architectural plans of alterations and additions, including installation of partitions at level 7, dated 1 January 1975 – 31 December 1975.	17
Figure 27 – Architectural plans of alterations and additions, including installation of partitions at level 7, dated 1 January 1975 – 31 December 1975.	17
Figure 28 Extract of heritage map and subject site outlined in yellow lines.	18
Figure 29 – <i>Former Farleigh Nettheim & Co Ltd warehouse including interiors</i> , looking north directly from the rear of the subject site from Terry Street.	19
Figure 30 – “ <i>Hibernian House</i> ” <i>Including Interior</i> , as indicated by the red arrow, looking southeast from Kippax Street.	19
Figure 31 Extract of Surry Hills Central Locality Map – subject site outlined in orange.	20
Figure 32 Extract of reference scheme plan Sophia St Elevation.	27
Figure 33 Extract of reference scheme plan – Kippax Street Elevation.	27
Figure 34 Extract of reference scheme plan.	28
Figure 35 – Extract of proposed plans showing demolition works to the ground level.	31
Figure 36 – Extract of proposed plans showing demolition of overall typical levels.	31
Figure 37 – Extract of proposed plans showing GA Plans the of the overall typical Levels.	32
Figure 38 – Extract of proposed plans showing the Kippax Street elevation demolition plan.	32
Figure 39 – Extract of proposed plans showing the Kippax Street elevation.	33
Figure 40 – Extract of proposed plans showing the Terry Street elevation.	33
Figure 41 – Extract of proposed plans – proposed render.	34
Figure 42 – Extract of proposed plans proposed render.	35

TABLES

Table 1 – Alterations & Additions	15
Table 2 – Assessment of Heritage Significance Criterion A – Historic Significance	21
Table 3 – Assessment of Heritage Significance Criterion B – Historical Association	21
Table 4 – Assessment of Heritage Significance Criterion C – Aesthetic/Creative/Technical.....	22
Table 5 – Assessment of Heritage Significance Criterion D – Social, Cultural and Spiritual	22
Table 6 – Assessment of Heritage Significance Criterion E – Research Potential	23
Table 7 – Assessment of Heritage Significance Criterion F – Rare	24
Table 8 – Assessment of Heritage Significance Criterion G – Representative	24
Table 9 – Vicinity Heritage Item Statements of Significance	25
Table 10 – Proposed Plans	28
Table 11 – Impact assessment against the relevant clauses of the Sydney LEP 2021	36
Table 12 – Impact assessment against the relevant controls of the Sydney DCP	38
Table 13 – Impact assessment against the relevant Heritage NSW Guideline Considerations	41

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EXECUTIVE SUMMARY

Urbis has been engaged by Canva Pty Ltd to prepare the following Heritage Impact Statement (HIS) to accompany a Planning Proposal (PP) to amend the underlying planning controls for the property located at 8-24 Kippax Street (hereafter referred to as the 'subject site'). We understand a concurrent Development Application (DA) will be lodged seeking consent for a redevelopment of the site in line with the amended planning controls.

The subject site is not listed as a heritage item nor is it located within a heritage conversation area under Schedule 5 of the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012). However, the subject site is located within the vicinity of the following heritage items:

- *Former Farleigh Nettheim & Co Ltd warehouse including interiors*, located at 1-15 Foveaux Street, Surry Hills, item no. 2267, Lot 10 DP 1228703.
- *"Hibernian House" Including Interior*, located at 328-344 Elizabeth Street, Surry Hills, item no. 1533, Lot 1 DP 89004.

The subject building dates from the late-20th century; having been constructed by c.1970 as a commercial building. Urbis has undertaken an assessment of significance in this report which concludes that the subject building does not have any recognised historical, aesthetic, social or associational significance, and is not a rare example of its type. While generally representative of a functional commercial building of the late-20th century period, the subject building is neither a good nor distinctive example of this typology or class of building.

The Planning Proposal intends to facilitate additional high quality commercial office floorspace at the subject site through minor increases the maximum building height and floor space. Specifically, the Planning Proposal seeks to amend the Sydney LEP 2012 to increase the site's maximum permissible building height from 22m to RL 66.060m and FSR to 9.85:1. This would be supported by a site-specific clause to the Sydney SLEP 2012 tied to specific requirements for ground/lower ground level activation, removal of all on-site car parking on the site and exemplar sustainability standards.

A reference scheme has been prepared for the PP to demonstrate a potential development outcome of the amended planning controls. The reference scheme indicates that the PP would facilitate an additional two levels on top of the existing building form at the site.

The concurrent DA seeks approval for physical works in line with the amended planning controls within the PP, including the following works:

- Demolition works.
- Removal of existing fit outs within the building and installation of contemporary fit outs to service Canva's staff.
- Refurbishment of the exterior façade of the existing building, including modification to some brickwork, replacement of windows and subtle widening of the vertical cement banding.
- New ground level access and frontages.
- Construction of a rooftop terrace with planted green roof and PV system.

Further details of the proposed works are included in Section 5.

Urbis understands that the City of Sydney has requested a Heritage Impact Statement for the proposal as the subject building is over 50 years old. In advice received dated 8 December 2023, the City of Sydney included the following:

Buildings older than 50 years

As the site is likely to be more than 50 years old, a heritage impact assessment is required for development applications that propose substantial demolition or major alterations. It is recommended that a succinct report be lodged with the planning proposal. Where significant heritage values are identified the report should consider any measures needed to manage the significance of the place.

A detailed impact assessment of the proposed works has been undertaken in Section 6 of this report.

The subject site is not a listed heritage item, nor in a heritage conservation area identified under Schedule 5 of the Sydney LEP 2012. This report includes an assessment of significance which concludes that the subject site and the existing building do not meet the requisite threshold for heritage listing. Therefore, the proposal will have no adverse impacts on heritage fabric or spaces of heritage significance.

The PP does not propose to alter the existing heritage listings or curtilages of any heritage item under Schedule 5 of the Sydney LEP 2012. The impact assessment included herein concludes that the proposed works within the DA (and the envelope facilitated by the PP) will have no adverse heritage impacts on the heritage items located within the vicinity of the site.

The DA proposal will retain and refurbish the existing building and will not result in a marked difference from the existing building form and presentation, albeit with design improvements and enhanced amenity and activation, and will therefore not have any adverse visual impacts on the existing setting, views or curtilages of the vicinity heritage items.

The proximate items already sit within a diverse urban environment comprising a mix of historic and contemporary development. The proposed works comprising new interior works, façade design and green rooftop garden, will have no detrimental resultant visual impact to the proximate items. The visual interface between the subject site and vicinity items will remain generally unchanged.

For the reasons stated above, the proposal is recommended for approval from a heritage perspective.

1. INTRODUCTION

1.1. BACKGROUND & PURPOSE

Urbis has been engaged by Canva Pty Ltd to prepare the following Heritage Impact Statement (HIS) to accompany a Planning Proposal (PP) to amend the underlying planning controls for the property located at 8-24 Kippax Street (hereafter referred to as the 'subject site'). We understand a concurrent Development Application (DA) will be lodged seeking consent for a redevelopment of the site in line with the amended planning controls.

The subject site is not listed as a heritage item nor is it located within a heritage conservation area under Schedule 5 of the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012). However, the subject site is located within the vicinity of the following heritage items:

- *Former Farleigh Nettheim & Co Ltd warehouse including interiors*, located at 1-15 Foveaux Street, Surry Hills, item no. 2267, Lot 10 DP 1228703.
- *"Hibernian House" Including Interior*, located at 328-344 Elizabeth Street, Surry Hills, item no. 1533, Lot 1 DP 89004.

The subject building dates from the late-20th century; having been constructed by c.1970 as a commercial building. Urbis has undertaken an assessment of significance in this report which concludes that the subject building does not have any recognised historical, aesthetic, social or associational significance, and is not a rare example of its type. While generally representative of a functional commercial building of the late-20th century period, the subject building is neither a good nor distinctive example of this typology or class of building.

The Planning Proposal intends to facilitate additional high quality commercial office floorspace at the subject site through minor increases the maximum building height and floor space. Specifically, the Planning Proposal seeks to amend the Sydney LEP 2012 to increase the site's maximum permissible building height from 22m to RL 66.060m and FSR to 9.85:1. This would be supported by a site-specific clause to the Sydney SLEP 2012 tied to specific requirements for ground/lower ground level activation, removal of all on-site car parking on the site and exemplar sustainability standards.

A reference scheme has been prepared for the PP to demonstrate a potential development outcome of the amended planning controls. The reference scheme indicates that the PP would facilitate an additional two levels on top of the existing building form at the site.

The concurrent DA seeks approval for physical works in line with the amended planning controls within the PP, including the following works:

- Demolition works.
- Removal of existing fit outs within the building and installation of contemporary fit outs to service Canva's staff.
- Refurbishment of the exterior façade of the existing building, including modification to some brickwork, replacement of windows and subtle widening of the vertical cement banding.
- New ground level access and frontages.
- Construction of a rooftop terrace with planted green roof and PV system.

Further details of the proposed works are included in Section 5.

Urbis understands that the City of Sydney has requested a Heritage Impact Statement for the proposal as the subject building is over 50 years old. In advice received dated 8 December 2023, the City of Sydney included the following:

Buildings older than 50 years

As the site is likely to be more than 50 years old, a heritage impact assessment is required for development applications that propose substantial demolition or major alterations. It is recommended that a succinct report be lodged with the planning proposal. Where significant heritage values are identified the report should consider any measures needed to manage the significance of the place.

A detailed impact assessment of the proposed works has been undertaken in Section 6 of this report.

1.2. METHODOLOGY & LIMITATIONS

This HIS has been prepared in accordance with the Heritage NSW guidelines 'Assessing Heritage Significance', and 'Statements of Heritage Impact'. The philosophy and process adopted is that guided by *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 2013*.

Site constraints, opportunities and impacts have been considered with reference to the relevant controls and provisions contained within the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) and the Sydney Development Control Plan 2012 (Sydney DCP).

This HIS is limited to the assessment of built heritage impacts of the proposal. It is beyond the scope of this report to assess the archaeological potential of the subject site or assess any potential archaeological impacts as a result of the proposal.

1.3. AUTHOR IDENTIFICATION

The following report has been prepared by Blanche Kennedy (Heritage Consultant). Ashleigh Crisp (Associate Director) has reviewed and endorsed its content. Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

2. SITE DESCRIPTION

2.1. SITE LOCATION

The subject site is located at 8-24 Kippax Street, Surry Hills within the Local Government Area (LGA) of City of Sydney. The site is legally described as Lot 3 in Deposited Plan 547558. The site is situated on Gadigal land.



Figure 1 – Location map showing the subject site outlined in red.

Source: SIX Maps 2023

2.2. SETTING

The site is located on an irregular shaped corner lot located at the north-eastern intersection of Kippax Street and Terry Street.

Kippax Street which runs in an east-west orientation, comprises two lanes of vehicle traffic, with street parking either side, predominantly comprising warehouses, multi-storey commercial office buildings, shopfronts and residential flat buildings dating from 19th and 20th century. Most of these buildings retain, to varying degrees, original forms, scales, detailing, and materials, interspersed with contemporary infill development along the street.

Terry and Sophia Streets are narrow streets with single lane vehicle traffic, there is no accessible street parking along these streets. Sophia Street which runs in a north-south orientation provides pedestrian and vehicle access to the rears of buildings along the northern side of Kippax Street and the southern side of Foveaux Street. Terry Street which runs in an east-west orientation provides access between Kippax and Foveaux Streets and is lined along the western side of the street with a row of narrow lots comprising terrace dwellings set hard-up to the street boundary at their front elevations.

Immediately to the east of the subject site is the warehouse building, 26-44 Kippax Street, a five-storey brick building, with commercial tenancies fronting the ground floor, and a strong rhythm of arched window openings with exposed dark brick lintels above characterising the overall fenestration pattern of the building.

Immediately to the west is the Aurora Rooftop Hotel located at 320-324 Elizabeth Street. The three-storey pub sits on a corner lot with principal frontage to Elizabeth Street.

To the southwest of the subject site is *"Hibernian House" Including Interior*, located at 328-344 Elizabeth Street, Surry Hills (item no. 1533). The item was constructed in 1924 and is located on the corner of Elizabeth and Kippax Streets comprising mixed-use tenancies and residential apartments. Views towards the item are primary towards the northern elevation which contains shop frontages and angled and distanced towards the eastern elevation (being the rear of the building).

To the immediate south of the site, set between the northern side of O'Loughlin Street stretching to the southern side of Kippax Street and Holt Street to the east, sits a large concrete carpark, containing the entire lot, bounded by chain wire fencing.

To the north of the subject site is the *Former Farleigh Nettheim & Co Ltd warehouse including interiors*, located at 1-15 Foveaux Street, Surry Hills (item no. 2267). The item was constructed in 1934 and sits on a corner lot bounded by the corner of Terry, Sophia, and Foveaux Streets, with primary frontage at Foveaux Street. The warehouse building comprises commercial tenancies. Views towards the item are primarily towards the southern (being the rear of the building) and western elevations.



Figure 2 – View southwest along Kippax Street looking towards *"Hibernian House" Including Interior*.

Source: Urbis

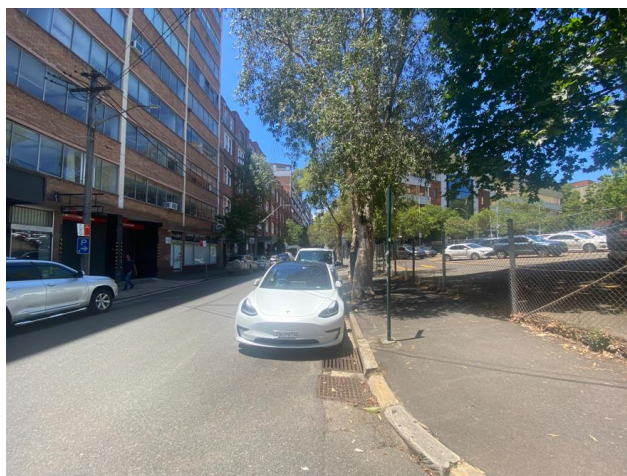


Figure 3 – View east along Kippax Street with the subject site to the north and carpark to the south.

Source: Urbis



Figure 4 – View south from Kippax Street, outside the subject site, looking towards the carpark and rear of *"Hibernian House" Including Interior*.

Source: Urbis



Figure 5 – View west from the southern side of Kippax Street looking towards the subject site and Aurora Rooftop Hotel.

Source: Urbis



Figure 6 – View east, looking at the adjacent building 26-44 Kippax Street.

Source: Urbis



Figure 7 – View southeast from the subject site towards the corner of Holt and Kippax Streets.

Source: Urbis

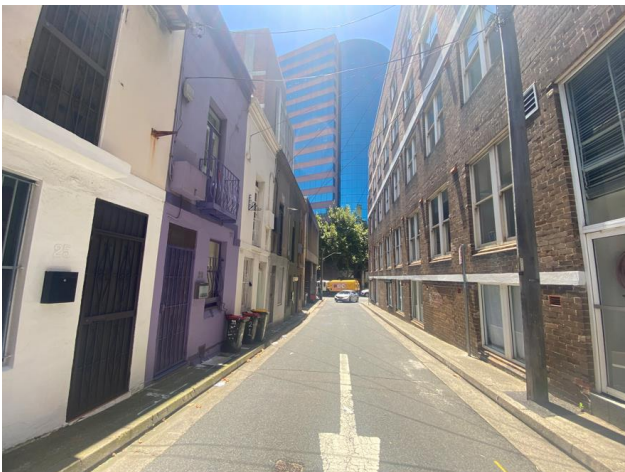


Figure 8 – View along Terry Street, looking north towards Foveaux Street with the item *Former Farleigh Nettheim & Co Ltd warehouse including interiors* to the east.

Source: Urbis



Figure 9 – View northeast along Sophia Street, looking northeast.

Source: Urbis

2.3. SUBJECT SITE DESCRIPTION

The subject site comprises a nine-storey brick veneer building, with a flat roof with a basement for vehicle parking facilities. The building currently houses a number of commercial tenancies. The building features pedestrian access via the principal (front) façade to Kippax Street, and vehicle access via the rear façade to Sophia Street. The building was constructed c.1969-1970.

The façade is characterised by an exposed brick façade with vertically proportioned banding from first floor to the parapet separating the façade into defined bays. The facades feature aluminium framed sliding and fixed windows between exposed brick spandrels.

The Kippax Street elevation, being the principal elevation contains commercial shopfronts along the street, accessed via sets of recessed stairs. The primary entrance to the building is recessed within the building, beneath a projected awning roof.

The rear elevations at Sophia Street are similarly characterised to the front (Kippax Street) façade. The lower portion of the building comprises four metal vehicle roller doors and rear access doors recessed into the building.



Figure 10 – Aerial diagram showing the subject site outlined in red.

Source: SIX Maps 2024



Figure 11 – View of the subject site from the southern side of Kippax Street.

Source: Urbis



Figure 12 – View of the subject site, looking northeast from the northern side of Kippax Street.

Source: Urbis



Figure 13 – View of the extant shopfronts along Kippax Street.

Source: Urbis



Figure 14 – Immediate view of the western elevation from the corner of Kippax and Terry Streets.

Source: Urbis

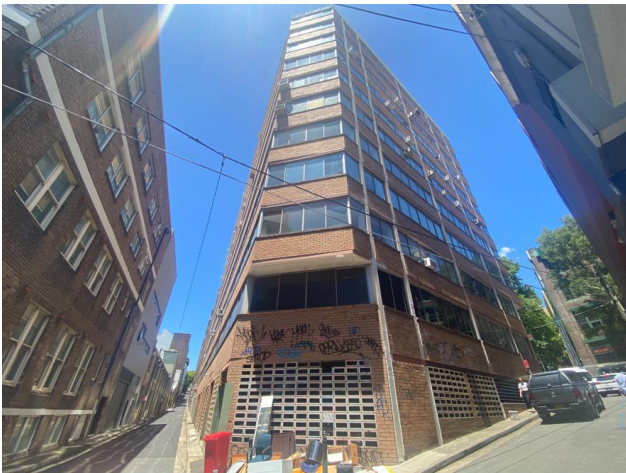


Figure 15 – View of the subject site from Terry Street, looking southeast.

Source: Urbis



Figure 16 – View of the subject site from the corner of Terry and Sophia Streets.

Source: Urbis



Figure 17 – View of the northern (rear) façade from Terry Street, looking northeast.

Source: Urbis

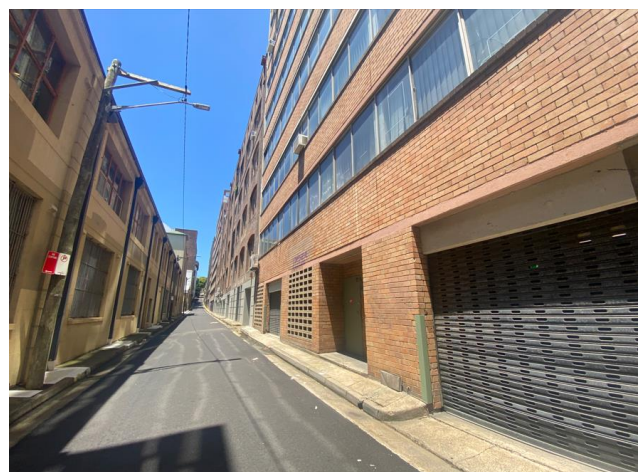


Figure 18 – View of the subject site looking east along Terry Street.

Source: Urbis

3. HISTORICAL OVERVIEW

3.1. AREA HISTORY (POST EUROPEAN SETTLEMENT)

Historical research shows that the subject site was originally part of Joseph Foveaux's 1793 land grant of 105 acres. His property was known as Surry Hills farm, named after the Surrey Hills countryside in Southeast England.

By the 1800s, the Foveaux estate was bought by John Palmer, who had acquired a total of 200 acres of land in Surry Hills. However by 1814, Palmer was experiencing financial issues and his estate was sold to settle his debts. The sale of Palmer's land to various private owners contributed to disorder in the development of the suburb. Streets laid down indiscriminately and in contradiction to a grid pattern for the suburb and its roads that had already been laid out by Surveyor-General James Meehan that same year.¹

During the 1820s, Edward Riley attempted to reconsolidate Palmer's Surry Hills Estate. This was not completed due to Riley's sudden death in 1825, and by 1830, part of Riley's Estate had been sold off again. In 1834, there was an attempt to impose some order to the streets when Surveyor General Thomas Mitchell drew up a new road plan. However, his street layout cut through the properties of many landowners, causing decades of issues for the suburb regarding the streets.



Figure 19 – 1887 map (detail). The subject site, indicated by the red arrow, is vacant.

Source: City of Sydney Section, Sheet T1, 1st Edition, 1887, accessed at:
<http://acms.sl.nsw.gov.au/album/albumView.aspx?itemID=861676&acmsid=0>

During the 1850s terrace houses and worker's cottages were built in Surry Hills and light industry became established in the area, in particular the clothing industry. By 1860s and 1870s, the area also saw a growing number of mechanics, skilled artisans and shopkeepers which came to dominate the area.

¹ Dictionary of Sydney, http://dictionaryofsydney.org/entry/surry_hills, accessed February 2016.

During the late 19th century and early 20th century, Surry Hills peaked as a residential suburb in Sydney. It was favoured by newly arrived families and became a working class suburb predominantly inhabited by Irish immigrants, as property value in the area was low and accommodation was inexpensive. However, the area also had a reputation for crime and larrikin gangs (such as the Gibbs Street Gang), and later in the 1920s and 1930s for organised criminal networks.

From around the 1960s, the demographic of Surry Hills dramatically changed, and the area was characterised by many middle-class working young people who sought terraces close to the city. They were attracted to the more 'cosmopolitan lifestyle' of the area compared to the suburbs. Increasing rents would in turn push many older working class and migrant families out of the area.

From the 1980s, the area was gentrified with many of the area's older homes and buildings restored to their original state. Contemporary apartment buildings were added to the streetscape of historic terraces and industrial buildings.

3.2. SUBJECT SITE HISTORY

Between the mid-late 1800s and 1969, terrace dwellings were developed on the subject site comprising nos. 8-24 Kippax Street and 26 Terry Street. As identified in the following images the terraced row was generally uniform with a coherent rhythm of hard-up street frontages to Kippax Street, and generous gardened rears comprising over half of the allotment.

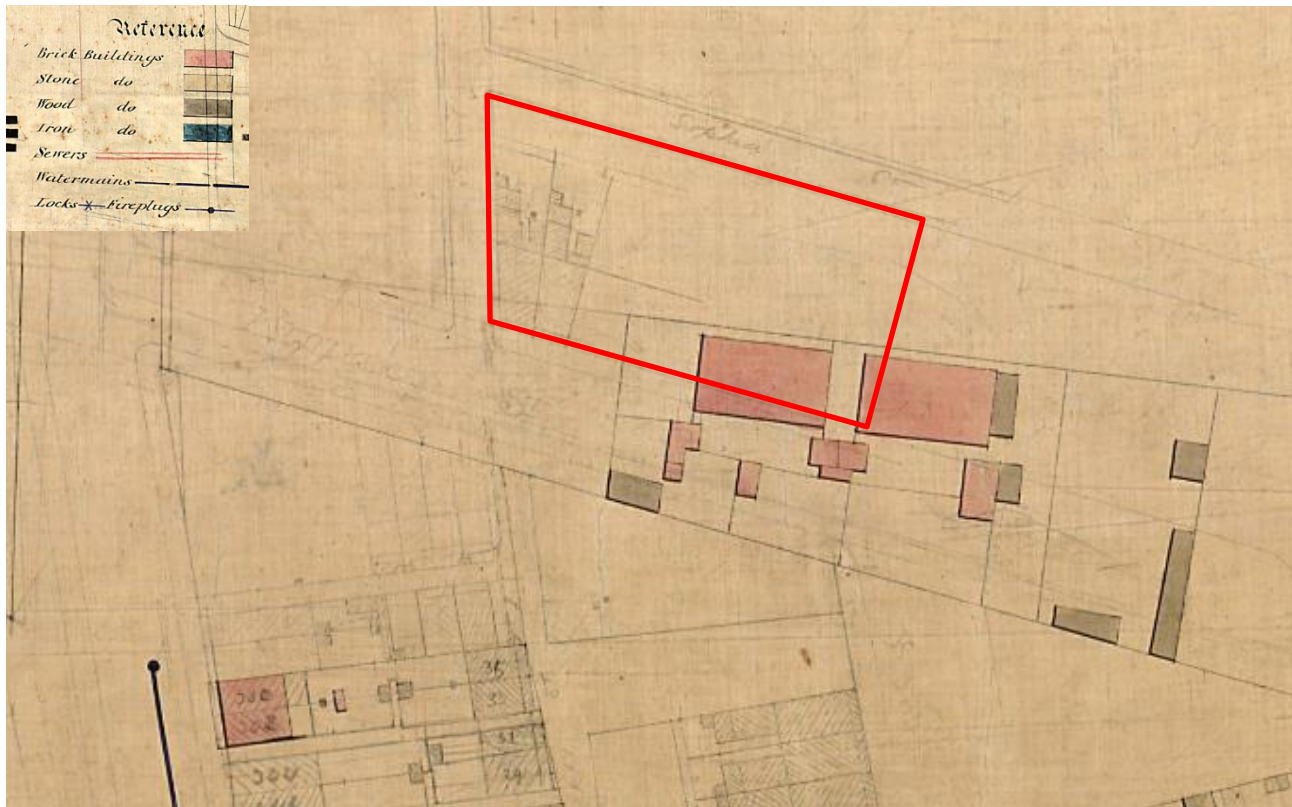


Figure 20 – 1855-1865 map illustrating the development of allotments along the street. The existing site boundary is outlined in red.

Source: City of Sydney, *Trigonometrical Survey, 1855-1865*, accessed at: <https://archives.cityofsydney.nsw.gov.au/nodes/view/1709332>

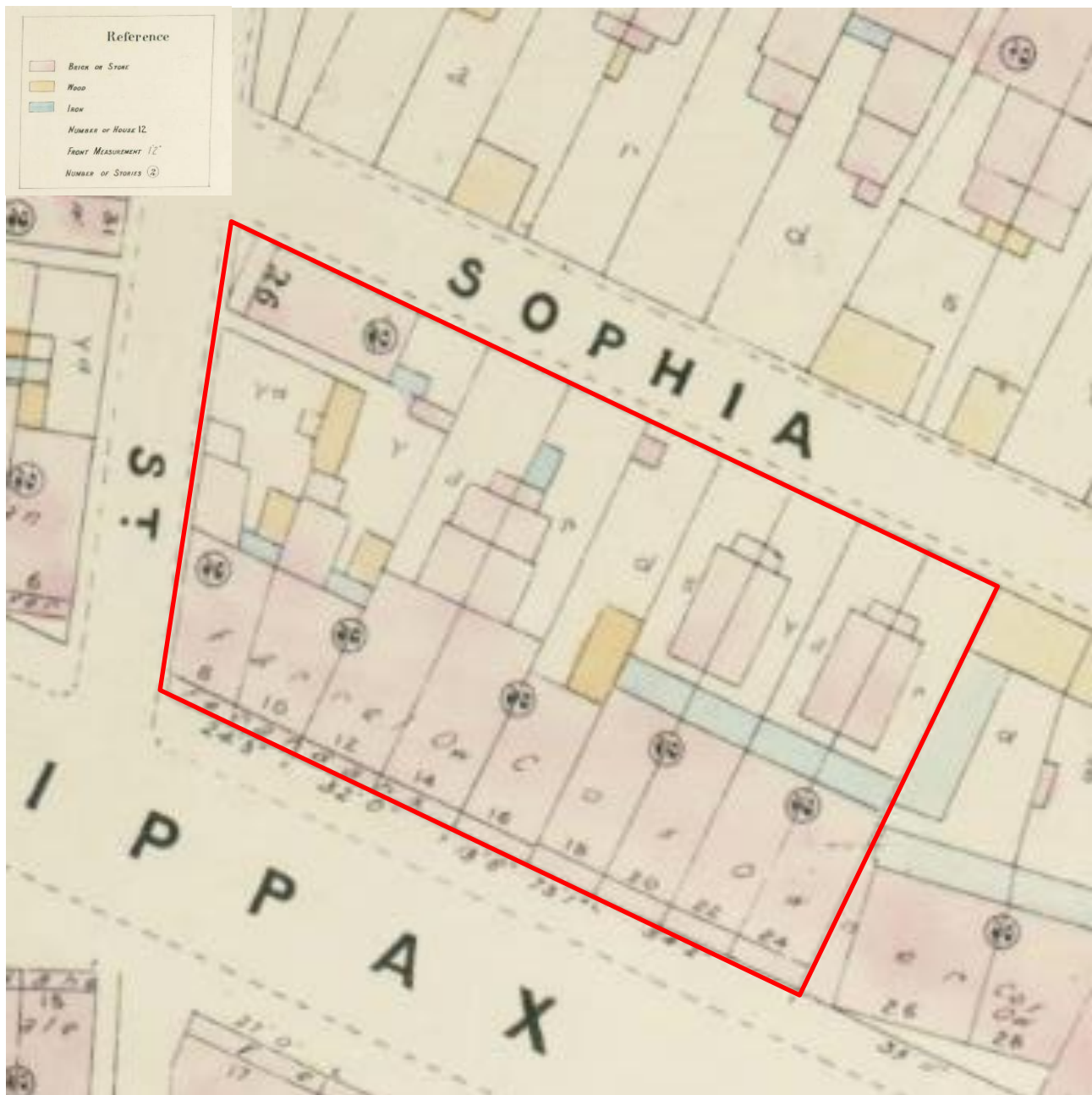


Figure 21 – Extract of Plans of Sydney (Rygate & West), 1888: Sheet 26, illustrating the subject site as nine lots. The exiting subject site boundary curtilage is outlined in red.

Source: City of Sydney Archives, item A-00880438. Accessed at <https://archives.cityofsydney.nsw.gov.au/nodes/view/1709365>

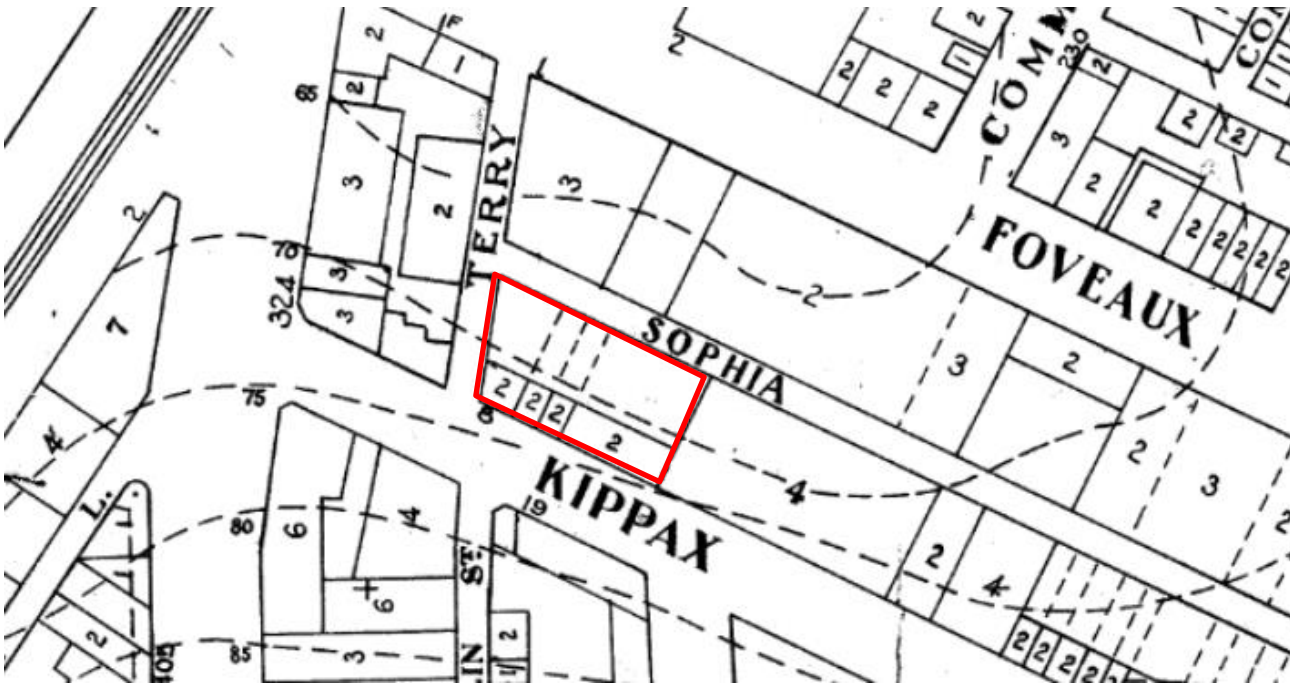


Figure 22 – 1938-1950 map showing the height indicated of the terraced row, being two-storeys. The exiting subject site boundary curtilage is outlined in red.

Source: City of Sydney, Civic Survey, 1938-1950: Map 21 – Surry Hills, accessed at: <https://archives.cityofsydney.nsw.gov.au/nodes/view/1709286>



Figure 23 – Aerial view of the area in 1949. The exiting subject site boundary curtilage is outlined in red.

Source: City of Sydney - Aerial Photographic Survey, 1949: Image 65. City of Sydney Archives, item A-00880010

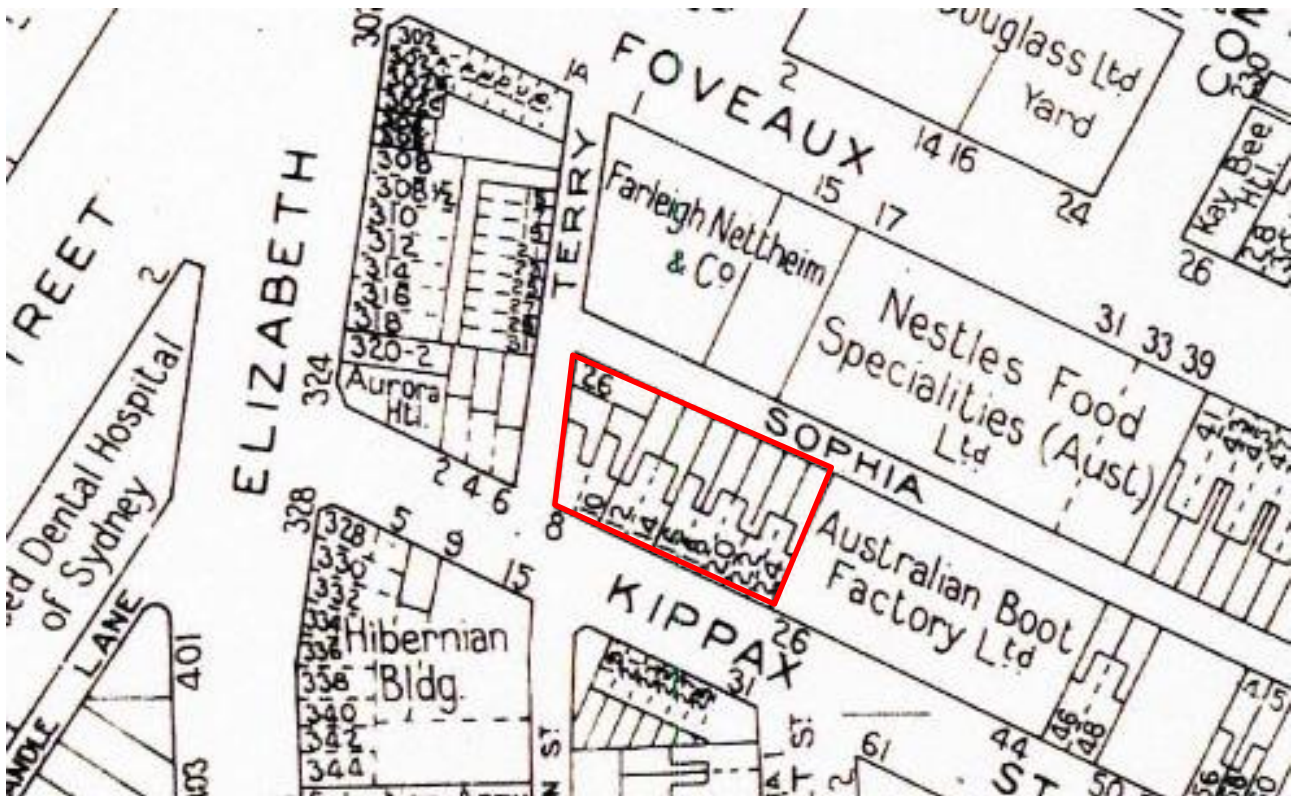


Figure 24 – 1949-1972 map showing the terraced row of the subject site. The exiting subject site boundary curtilage is outlined in red.

Source: City of Sydney, *Building Surveyor's Detail Sheet, 1959-1972: Sheet 10 - Central*, accessed at: <https://archives.cityofsydney.nsw.gov.au/nodes/view/1709112>



Figure 25 – Aerial view of the area in 1970. The subject site boundary curtilage is outlined in red.

Source: NSW Government Historical Imagery Viewer

Between 8 July 1968 – 19 January 1969 a property application was made, no.46284 for 14/24 Kippax and Sophia Streets, inclusive of the subject site.² On the 14 March 1969 a DA was lodged for a new building at the subject site. The demolition of nos. 8-24 and 26 Terry Street comprising the subject site was undertaken in 1969 following a DA approval on 9 September 1969, with construction works beginning as substantiated by a 'building inspector card'.³

Over the course of the following years alterations and additions were made to the building as outlined in the table below in Section 3.4.

3.3. CONSTRUCTION DATE

Based on the historical research outlined herein, we have identified the construction date to be approximately 1969-70 with completion of construction to the subject building by 1970, as identified by the historical aerial (Figure 25). This date is substantiated by archival building inspection cards, historical maps, and historical aerials.

3.4. ALTERATIONS & ADDITIONS

A review of historical building approvals as well as our onsite observations of extant fabric confirm that the following alterations have been undertaken.

Please note this is a selection of archival records readily available on a desktop historical search and is not a full record of all archival records available.

Table 1 – Alterations & Additions

Year/Date	Alterations/Addition	Price	Source
7 October 1971 – 19 April 1972	Ventilation and ongoing mechanical works.	\$105,00	Building Inspectors Card: 8/24 Kippax Street, Surry Hills. Application to install mechanical, City of Sydney Archives, accessed: https://archives.cityofsydney.nsw.gov.au/nodes/view/1610444?keywords=24+Kippax+street&type=all&highlights=WyllyNCIsImtpcHBheCIsInN0cmVldCJd
24 February 1971 – 5 April 1971	Erection of partitions at level 1.	\$5000	Building Inspectors Card: 8/24 Kippax Street, Surry Hills. Application to erect partitions 1 st floor. 1, City of Sydney Archives, accessed: https://archives.cityofsydney.nsw.gov.au/nodes/view/1605225?keywords=24+Kippax+street&type=all&highlights=WyllyNCIsImtpcHBheCIsInN0cmVldCJd&lsk=7bca0448d78c1bd1a0535a3060cba776
7 March 1974 – 5 February 1975	Erection of partitions at level 8.	\$560	Building Inspectors Card: 8/24 Kippax Street, Surry Hills. Application to erect partitions 8 th floor. 1, City of Sydney Archives, accessed: https://archives.cityofsydney.nsw.gov.au/nodes/view/1593041?keywords=8-24+kippax+street&type=all&highlights=eylwIjoiOCIsImtpcHBheCIsInN0cmVldCJd

² Building Inspectors Card: 8/24 Kippax Street, Surry Hills. 14/24 Kippax Street & Sophia Street, subject of Real Property Application No.46284. Maryvoir, City of Sydney Archives, accessed: <https://archives.cityofsydney.nsw.gov.au/nodes/view/717351?keywords=24+Kippax+street&type=all&highlights=WyllyNCIsImtpcHBheCIsInN0cmVldCJd>

³ Building Inspectors Card: 8/24 Kippax Street, Surry Hills. New Factory Building. 8 card, City of Sydney Archives, accessed: <https://archives.cityofsydney.nsw.gov.au/nodes/view/1593041?keywords=8-24+kippax+street&type=all&highlights=eylwIjoiOCIsImtpcHBheCIsInN0cmVldCJd>

Year/Date	Alterations/Addition	Price	Source
			s/view/1618905?keywords=24+Kippax+street&type=all&highlights=WylyNCIsImtpcHBheCIsInN0cmVldCJd
1 January 1975 – 31 December 1975.	Erection of partitions at level 7.	Unknown.	Building Inspectors Card: 8/24 Kippax Street, Surry Hills. Application to erect partitions 7 th floor, City of Sydney Archives, accessed: https://archives.cityofsydney.nsw.gov.au/nodes/view/62980
19 June 1990 – 1 January 1991	Erection of partitions office fitout.	\$200,000	Building Inspectors Card: 8/24 Kippax Street, Surry Hills. New Partitions Office Fitout – 200000 – K & D Bond International, City of Sydney Archives, accessed: https://archives.cityofsydney.nsw.gov.au/nodes/view/1618905?keywords=24+Kippax+street&type=all&highlights=WylyNCIsImtpcHBheCIsInN0cmVldCJd
6 November 1997	Alterations and additions.	\$150,000	Building Inspectors Card: 8/24 Kippax Street, Surry Hills, 24341 - Q97/00950 - Alterations & Additions to Commercial Premises - \$150000 - L A Kulbany and Associates - 20 10 97, City of Sydney Archives, accessed: https://archives.cityofsydney.nsw.gov.au/nodes/view/1241469?keywords=24+Kippax+street&type=all&highlights=eylwIjoia2lwcGF4IiwMSI6IjI0IiwNCi6InN0cmVldCJ9
2 February 1999 – 1 January 2000	Erection of partitions office fitout.	\$70,400	Building Inspectors Card: 8/24 Kippax Street, Surry Hills, Office Fitout Plaster Board Partitions, City of Sydney Archives, accessed: https://archives.cityofsydney.nsw.gov.au/nodes/view/1310156?keywords=24+Kippax+street&type=all&highlights=eylwIjoia2lwcGF4IiwMSI6IjI0IiwNCi6InN0cmVldCJ9

4. HERITAGE SIGNIFICANCE

4.1. WHAT IS HERITAGE SIGNIFICANCE?

Before undertaking change a listed heritage item, a property within a heritage conservation area, or a property located in proximity to a listed heritage item, it is important to understand the heritage values of the place and its broader heritage context. This understanding will underpin the approach to any proposed changes and identify what is important and why, and how these values can be protected. Statements of heritage significance summarise the heritage values of a listed heritage item – why it is important and why a statutory listing was made to protect these values.

4.2. HERITAGE LISTINGS

4.2.1. Subject Site Heritage Listings

The subject site is not listed as a heritage item on any statutory heritage list.

4.2.2. Vicinity Heritage items

The subject site is located within the vicinity of the following heritage items:

- *Former Farleigh Nettheim & Co Ltd warehouse including interiors*, located at 1-15 Foveaux Street, Surry Hills, item no. 2267, Lot 10 DP 1228703.
- *“Hibernian House” Including Interior*, located at 328-344 Elizabeth Street, Surry Hills, item no. 1533, Lot 1 DP 89004.



Figure 28 Extract of heritage map and subject site outlined in yellow lines.

Source: NSW Planning Portal

The physical description of the warehouse at 1-15 Foveaux Street, Surry Hills is outlined in the State Heritage Inventory as follows:

The warehouse was constructed in 1934 for Farleigh Nettheim & Co. The building occupies the majority of the corner site between Foveaux, Terry and Sophia Streets, with a setback from the eastern boundary occupied by a two-storey building and open parking. The building has no set back from the three streets. The warehouse comprises a five storey face brick building contained under a flat roof concealed behind

a parapet wall. The two upper levels are later additions setback behind the line of the parapet wall. The building is designed in the inter-war free classical architectural style with Art Deco elements. It exhibits typical characteristics of this style including its symmetrical façade, regularly placed brick piers, decorative skyline formed by curved and hexagonal parapet profiles, moulded cornices, cartouches, polychromatic face brickwork, large timber-framed windows with brick lintels and curved corner. Art Deco elements include the parallel lines of the cornice, stepped geometric motifs incorporated into window lintels and the stepped awning with pressed metal underside. The 1934 construction date of the building is displayed on the parapet. The adaptive reuse of the building for commercial and educational uses and its additions have retained its architectural integrity as a recognisable inter-war industrial building.

Later additions include alterations to the curved corner including rendering of the former face brickwork, removal of original company signs, new curved windows and an entrance at street. The two upper levels were added between 1979 and 1984, setback from the original parapet behind a second parapet wall repeating the original parapet profile. This addition can be distinguished on the side wall by the different colour brickwork and windows. The two-storey building to the east is also a later addition to the site dating from between 1994 and 1998. Internally, the roof, foundations and floor structures have not been inspected by the authors. Category: Individual building. Style: Inter-war free classical with Art Deco elements. Storeys: Five. Façade: face brick. Side/Rear Walls: Face brick.⁴

The physical description of the warehouse located at the corner of Elizabeth and Kippax Streets is outlined in the State Heritage Inventory as follows:

Hibernian House is located on a prominent corner not far from Central Station. It is of Federation Free style and its conservative appearance for 1928 probably relates to its construction in two stages over four years. The facade comprises six stories with nine bays to Elizabeth Street, three bays to Kippax Street, and a chamfered corner. The facade above awning level comprises repetitive bays featuring three storey oriel windows from first to third floor. The facade is capped by a simple entablature. The plan 44 x 36m comprising three structures, centres on a common lightwell. Windows are steel framed and multi-paned. The interior while intact is devoid of detailed finishes. The plaque referring to the earlier 1913 building is located in the foyer. Category: Individual building. Style: Federation Free Style. Storeys: 6 + basement. Facade: Rendered brick. Side/Rear Walls: Rendered brick. Internal Walls: Rendered brick, timber joinery. Roof Cladding: Waterproof membrane. Internal Structure: Reinf conc slab. Floor: Reinf conc slab. Roof: Reinf conc slab. Ceilings: Set plaster. Stairs: 2. Fire Stairs: 2. Lifts: 1.⁵



Figure 29 – Former Farleigh Nettheim & Co Ltd warehouse including interiors, looking north directly from the rear of the subject site from Terry Street.

Source: Urbis



Figure 30 – “Hibernian House” Including Interior, as indicated by the red arrow, looking southeast from Kippax Street.

Source: Urbis

⁴ Former Farleigh Nettheim & Co Ltd warehouse including interiors, State Heritage Inventory, accessed: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2424344>

⁵ Hibernian House” Including Interior, State Heritage Inventory, accessed: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5062499>

4.2.3. Special Character Areas

The subject site is located within the Surry Hills Central Locality under Section 2 of the Sydney Development Control Plan (DCP). The Locality has the following character statement:

This locality is bounded by Foveaux Street to the north, Devonshire Street to the south, the rear of lots fronting Elizabeth Street to the west, and the rear of lots fronting Bourke Street to the east.

The area is to continue to constitute the retail centre of Surry Hills with active frontages consolidated along Crown, Foveaux and Kippax Streets. The future built form character is to maintain the transition in scale and use, from large footprint warehouse buildings in the west to small lot retail, shop-top and terrace houses in the east.

Crown Street is to continue its role as a neighbourhood centre defined by consistent street level awnings and high quality public domain treatment and active uses such as restaurants, cafes, and specialty retail shops, particularly to the north and opposite Shannon Reserve. The consistent late Victorian terrace house character of the areas residential streets is to be preserved to contribute to the heritage quality of the neighbourhood.



Figure 31 Extract of Surry Hills Central Locality Map – subject site outlined in orange

Source: Sydney DCP 2012

4.3. SIGNIFICANCE ASSESSMENT

There are generally four levels of heritage significance used in Australia: local significance, state significance, national significance and world significance. The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. To be considered for heritage listing for local significance, an item must meet at least one of the seven assessment criteria. To be considered for heritage listing for state significance, an item must meet at least two of the seven assessment criteria, or be considered by the Heritage Council of NSW to be of such particular significance under one criterion to warrant listing.

The following assessment of heritage significance has been prepared in accordance with the Heritage NSW 'Assessing Heritage Significance' guidelines (2023) to determine whether the subject site meets the requisite threshold for heritage listing and at what significance level.

4.3.1. Criterion A – Historic Significance

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

Table 2 – Assessment of Heritage Significance Criterion A – Historic Significance

Criterion A – Historic Significance	
Significance Indicators	Significance Assessment
<input type="checkbox"/> Association with an event, or series of events, of historical, cultural or natural significance.	The commercial building on site is a utilitarian building of simple design and construction c.1969-1970. It is not associated with any significant historical activity or phase. There is no historical evidence to suggest that the site is associated with any particularly significant historical figures. The subject site does not meet the criterion for historical significance.
<input type="checkbox"/> Demonstration of important periods or phases in history.	
<input type="checkbox"/> Association with important cultural phases or movements.	
<input type="checkbox"/> Demonstration of important historical, natural or cultural processes or activities.	
<input type="checkbox"/> Symbolism and influence of place for its association with an important historical, natural or cultural event, period, phase or movement.	

4.3.2. Criterion B – Historical Association

An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

Table 3 – Assessment of Heritage Significance Criterion B – Historical Association

Criterion B – Historical Association	
Significance Indicators	Significance Assessment
<input type="checkbox"/> A key phase(s) in the establishment or subsequent development at the place or object was undertaken by, or directly influenced by, the important person(s) or organisation.	There is no historical evidence to suggest that the subject site has any strong or special associations with the life or works of a person or group of persons that are considered to be of importance in the local area's cultural or natural history.

Criterion B – Historical Association	
Significance Indicators	Significance Assessment
<input type="checkbox"/> <i>An event or series of events of place over an extended period historical importance occurring at the place or object were undertaken by, or directly influenced by, the important person(s) or organisation.</i> <input type="checkbox"/> <i>One or more achievements for which the person(s) or organisation are considered important are directly linked to the place or object.</i>	The subject site does not meet the criterion for associative significance.

4.3.3. Criterion C – Aesthetic/Creative/Technical

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

Table 4 – Assessment of Heritage Significance Criterion C – Aesthetic/Creative/Technical

Criterion C – Aesthetic/Creative/Technical	
Significance Indicators	Significance Assessment
<input type="checkbox"/> <i>Recognition as a landmark or distinctive aesthetic natural environment.</i> <input type="checkbox"/> <i>Recognition of artistic or design excellence.</i> <input type="checkbox"/> <i>Represents a breakthrough or innovation in design, fabrication or construction technique, including design/technological responses to changing social conditions.</i> <input type="checkbox"/> <i>Distinctiveness as a design solution, treatment or use of technology.</i> <input type="checkbox"/> <i>Adapts technology in a creative manner or extends the limits of available technology.</i>	<p>The building on the subject site c.1969-1970 is of a simple design and construction. It does not show and is not associated with creative or technical innovation or achievement, is not aesthetically distinctive, and does not have landmark qualities.</p> <p>The subject site does not meet the criterion for aesthetic significance.</p>

4.3.4. Criterion D – Social, Cultural and Spiritual

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

Table 5 – Assessment of Heritage Significance Criterion D – Social, Cultural and Spiritual

Criterion D – Social, Cultural and Spiritual	
Significance Indicators	Significance Assessment
<input type="checkbox"/> <i>Highly regarded by a community as a key landmark (built feature, landscape or streetscape) within the physical environment.</i>	There is no evidence to suggest that the subject site has any strong or special associations with a

Criterion D – Social, Cultural and Spiritual	
Significance Indicators	Significance Assessment
<input type="checkbox"/> <i>Important to the community as a landmark within social and political history.</i>	particular community or cultural group in the local area for social, cultural, or spiritual reasons.
<input type="checkbox"/> <i>Important as a place of symbolic meaning and community identity.</i>	It is a commercial building of a typology that is common in the Sydney local government area.
<input type="checkbox"/> <i>Important as a place of public socialisation.</i>	The subject site does not meet the criterion for social significance.
<input type="checkbox"/> <i>Important as a place of community service (including health, education, worship, pastoral care, communications, emergency services, museums).</i>	
<input type="checkbox"/> <i>Important in linking the past affectionately to the present.</i>	

4.3.5. Criterion E – Research Potential

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

Table 6 – Assessment of Heritage Significance Criterion E – Research Potential

Criterion E – Research Potential	
Significance Indicators	Significance Assessment
<input type="checkbox"/> <i>Comparative analysis.</i>	<p>The subject site is a commercial building of a typology that is common in the Sydney local government area. It is not considered to have the potential to yield any new or further scientific information. It is not an important benchmark reference or site and does not provide evidence of past human cultures that is unavailable elsewhere. It is beyond the scope of this report to assess the archaeological potential of the site.</p> <p>The subject site does not meet the criterion for research potential.</p>
<input type="checkbox"/> <i>Potential to improve knowledge of a little-recorded aspect of an area's past or to fill gaps in our existing knowledge of the past.</i>	
<input type="checkbox"/> <i>Potential to inform/confirm unproven historical concepts or research questions relevant to our past.</i>	
<input type="checkbox"/> <i>Potential to provide information about single or multiple periods of occupation or use.</i>	
<input type="checkbox"/> <i>Potential to yield site-specific information that would contribute to an understanding of significance against other criteria.</i>	

4.3.6. Criterion F – Rare

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

Table 7 – Assessment of Heritage Significance Criterion F – Rare

Criterion F – Rare	
Significance Indicators	Significance Assessment
<input type="checkbox"/> <i>Rare surviving evidence of an event, phase, period, process, function, movement, custom or way of life in an area's history that continues to be practised or is no longer practised.</i>	The subject building is a typical example of a late twentieth century commercial building with standard aesthetic detailing of the period. This typology is common throughout Sydney.
<input type="checkbox"/> <i>Evidence of a rare historical activity that was considered distinctive, uncommon or unusual at the time it occurred.</i>	The subject site does not meet the criterion for rarity for the reasons discussed above.
<input type="checkbox"/> <i>Distinctiveness in demonstrating an unusual historical, natural, architectural, archaeological, scientific, social or technical attribute(s) that is of special interest.</i>	
<input type="checkbox"/> <i>Demonstrates an unusual composition of historical, natural, architectural, archaeological, scientific, social or technical attributes that are of greater importance or interest as a composition/collection.</i>	

4.3.7. Criterion G – Representative

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

Table 8 – Assessment of Heritage Significance Criterion G – Representative

Criterion G – Representative	
Significance Indicators	Significance Assessment
<input type="checkbox"/> <i>A class of places or objects that demonstrate an aesthetic composition, design, architectural style, applied finish or decoration of historical importance.</i>	Though the subject building is a typical example of a commercial building of its period of a simple design and construction, it is not a fine example of this typology, and is not outstanding because of its setting, condition, façade character and integrity.
<input type="checkbox"/> <i>Representative of a class of places that demonstrate a construction method, engineering design, technology, or use of materials, of historical importance.</i>	The subject building does not meet the criterion for representativeness.
<input type="checkbox"/> <i>Representative of a class of places that demonstrate an historical land use, environment, function, or process, of historical importance.</i>	
<input type="checkbox"/> <i>Representative of a class of places that demonstrates an ideology, custom or way of life of historical importance.</i>	

4.4. STATEMENTS OF SIGNIFICANCE

4.4.1. Subject Site Statement of Significance

The subject site has been assessed against the Heritage Council of NSW's seven criteria for assessing heritage significance. The subject site has been assessed to not meet the requisite threshold for heritage listing.

4.4.2. Vicinity Heritage Item Statements of Significance

The following table outlines the established statements of significance for relevant heritage items in the vicinity of the subject site.

Table 9 – Vicinity Heritage Item Statements of Significance

Vicinity Heritage Item	Established Statement of Significance
<i>Former Farleigh Nettheim & Co Ltd warehouse including interiors, located at 1-15 Foveaux Street, Surry Hills, item no. 2267, Lot 10 DP 1228703.</i>	<p><i>Built in 1934 for tanners and importing merchants Farleigh Nettheim & Co, this former warehouse represents the industrial development of Surry Hills during the early twentieth century and provides evidence of the formerly widespread leather and clothing industry in Surry Hills. It is historically significant for its connection to the Australian tanning and leather industry which supported the manufacture of boots, saddles and sports goods. As suppliers of leather and other shoe-making materials such as threads and nails to manufacturers, this former Farleigh Nettheim warehouse demonstrates the link between primary and secondary industries.</i></p> <p><i>The building has significant associations with one of the earliest tanning businesses in Australia, Farleigh Nettheim & Co, from the 1930s until the 1960s.</i></p> <p><i>The building represents a good example of a multi-storey warehouse constructed in Surry Hills during the inter-war period near the major transport route of central railway station. The scale of the building demonstrates the demand for leather goods at this time.</i></p> <p><i>Aesthetically, the building demonstrates a good example of a warehouse designed in the inter-war free classical style with Art Deco elements. It features typical characteristics of this style including its symmetrical façade, regularly placed brick piers, decorative skyline formed by curved and hexagonal parapet profiles, moulded cornices, cartouches, polychromatic face brickwork, large timber-framed windows with brick lintels and curved corner. Art Deco elements include the parallel lines of the cornice, stepped geometric motifs incorporated into window lintels and the stepped awning with pressed metal underside.</i></p> <p><i>The building makes an important contribution to the streetscapes of Foveaux, Terry and Mary Streets. The building marks the junction of Foveaux and Sophia Streets and is visible in the round from a number of near and distant vantage points. With its distinctive inter-war features, decorative parapet, prominent corner position and curved corner, the building is a local landmark within the surrounding streetscapes of Foveaux, Terry, Sophia and Mary Streets.</i></p>

Vicinity Heritage Item	Established Statement of Significance
	<p><i>The adaptive reuse of the building for commercial and educational uses and its additions have retained its architectural integrity as a recognisable inter-war industrial building.</i></p> <p><i>As a major former employer in the local area, the warehouse is likely to have social value to the former workers of Farleigh Nettheim & Co. The building may also hold significance to the Australian community for its connection to the well known 'Australian Leather' trademark and 'King of Mimosa' hides produced by this company during the early twentieth century.</i></p> <p><i>The former warehouse forms part of one of the largest known collections of industrial and warehouse buildings of its kind in Australia, which records City of Sydney's past as one of only two historic industrial heartlands in Australia. This collection of buildings provides evidence of Australia's twentieth century transformation through industrialisation when Sydney became one of the largest industrialised cities in the South Pacific.</i></p> <p><i>The building is of local heritage significance in terms of its historical, aesthetic and representative value.⁶</i></p>
<p><i>"Hibernian House"</i> <i>Including Interior</i>, located at 328-344 Elizabeth Street, Surry Hills, item no. 1533, Lot 1 DP 89004.</p>	<p><i>Hibernian House is a six storey reinforced concrete commercial building constructed in the Federation Free Style. It occupies a prominent corner address. The building has high social significance for generations of Irish Catholics associated with the Hibernians, which is reflected in the size and finish of the building. The building has aesthetic significance for the unusual glazing treatment.⁷</i></p>

⁶ *Former Farleigh Nettheim & Co Ltd warehouse including interiors*, State Heritage Inventory, accessed: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2424344>

⁷ *Hibernian House" Including Interior*, State Heritage Inventory, accessed: <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5062499>

5. THE PROPOSAL

The Planning Proposal intends to facilitate additional high quality commercial office floorspace at the subject site through minor increases the maximum building height and floor space. Specifically, the Planning Proposal seeks to amend the Sydney LEP 2012 to increase the site's maximum permissible building height from 22m to RL 66.060m and FSR to 9.85:1. This would be supported by a site-specific clause to the Sydney SLEP 2012 tied to specific requirements for ground/lower ground level activation, removal of all on-site car parking on the site and exemplar sustainability standards.

A reference scheme has been prepared for the PP to demonstrate a potential development outcome of the amended planning controls. The reference scheme indicates that the PP would facilitate an additional two levels on top of the existing building form at the site.

The reference scheme is shown in the following extracts of plans prepared by Cox Architecture.

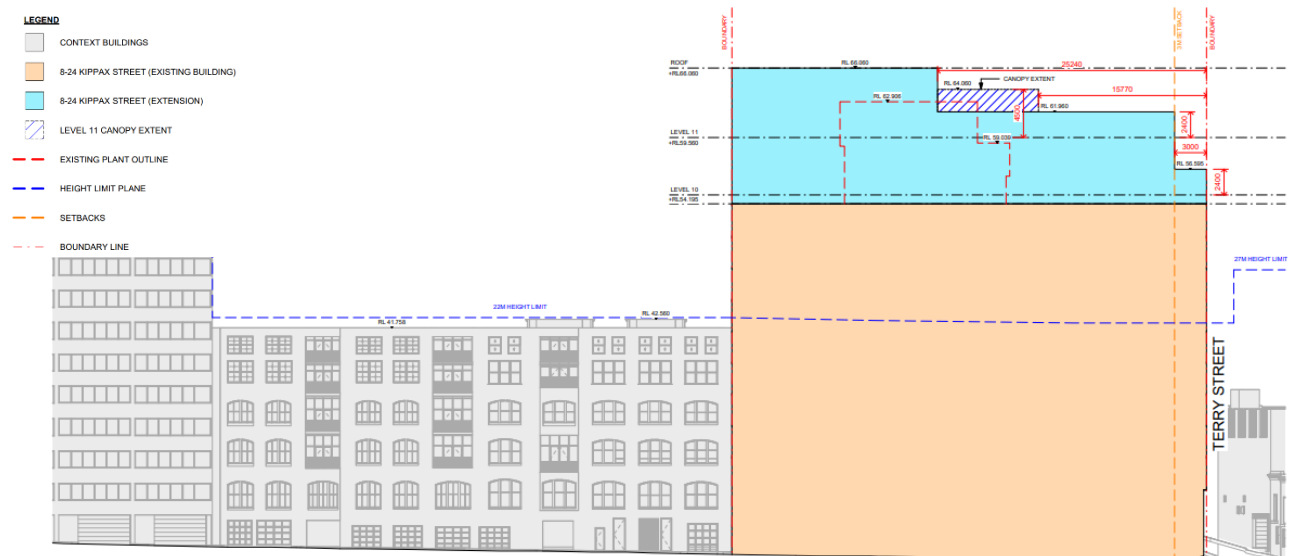


Figure 32 Extract of reference scheme plan Sophia St Elevation

Source: Cox Architecture

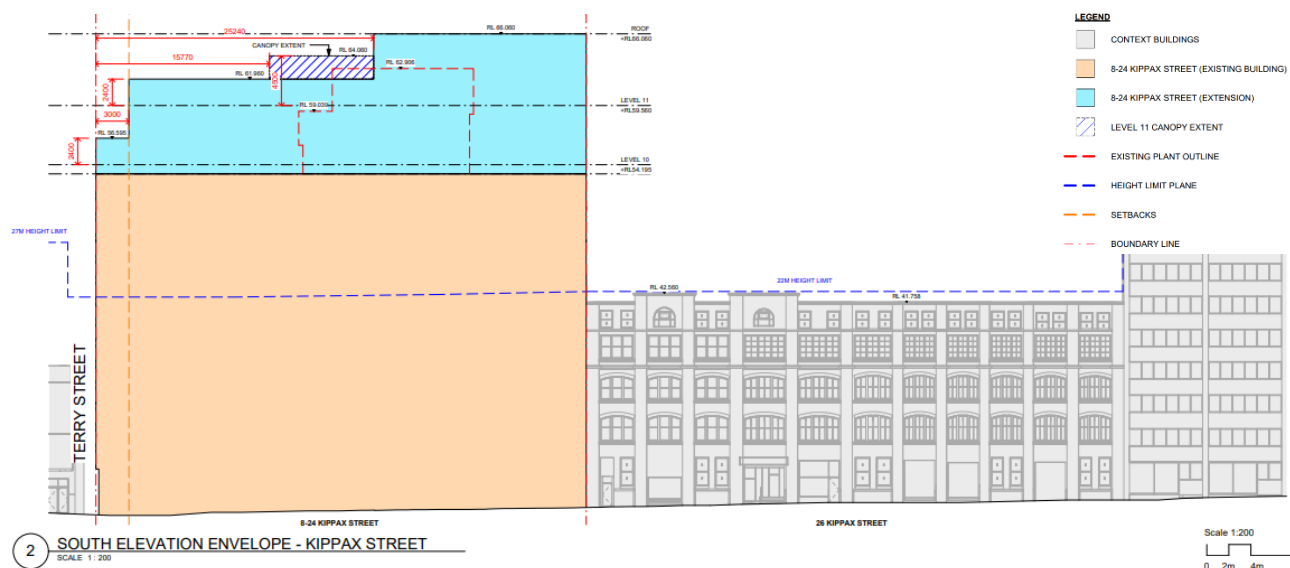


Figure 33 Extract of reference scheme plan – Kippax Street Elevation

Source: Cox Architecture

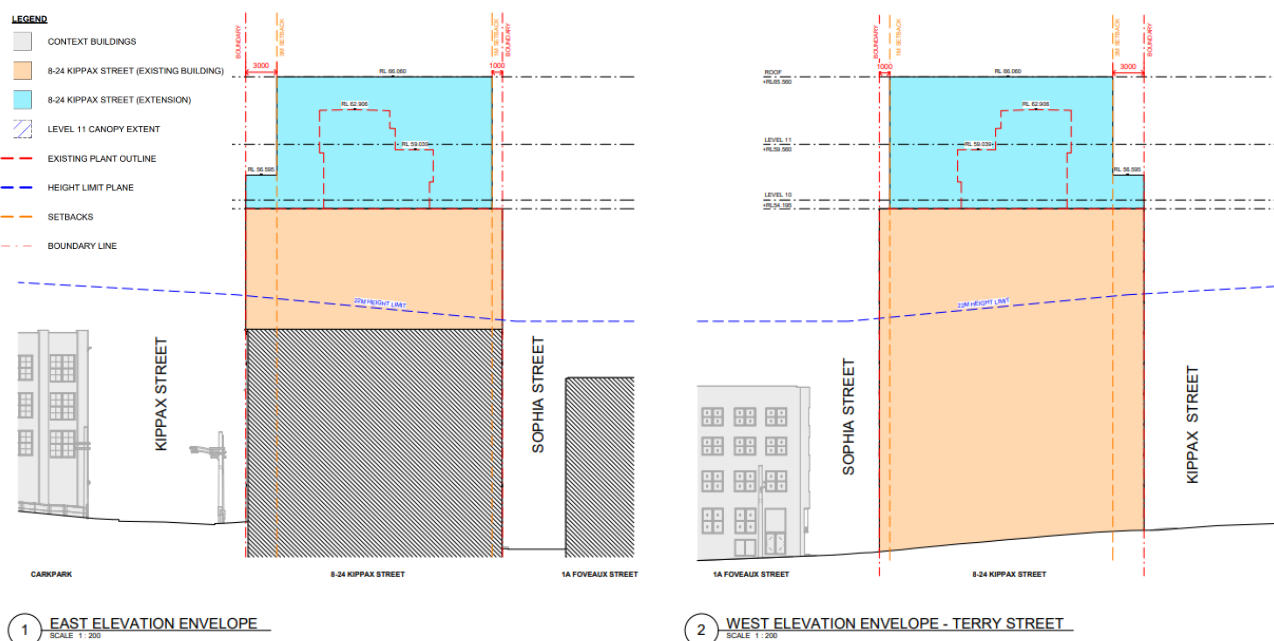


Figure 34 Extract of reference scheme plan

Source: Cox Architecture

The concurrent DA seeks approval for physical works in line with the amended planning controls within the PP, including the following works:

- Demolition works.
- Removal of existing fit outs within the building and installation of contemporary fit outs to service Canva's staff.
- Refurbishment of the exterior façade of the existing building, including modification to some brickwork, replacement of windows and subtle widening of the vertical cement banding.
- New ground level access and frontages.
- Construction of a rooftop terrace with planted green roof and PV system.

Urbis has been provided with drawing documentation for the DA prepared by Cox Architecture. This HIS has relied on these plans for the impact assessment include in Section 6. Extracts of the proposed plans are also provided overleaf. Full size plans should be referred to for detail.

Table 10 – Proposed Plans

Author	Drawing No.	Drawing Title	Revision	Date
Cox Architecture	0100	Cover Sheet-Drawing Index	1	05/12/2023
Cox Architecture	1100	Location Plan	1	05/12/2023
Cox Architecture	1101	Site Plan	1	05/12/2023
Cox Architecture	1500	Demolition Plan – Basement	1	05/12/2023
Cox Architecture	1501	Demolition Plan – Lower Ground	1	05/12/2023

Author	Drawing No.	Drawing Title	Revision	Date
Cox Architecture	1502	Demolition Plan – Ground Level	1	05/12/2023
Cox Architecture	1503	Demolition Plan – Level 01	1	05/12/2023
Cox Architecture	1504	Demolition Plan – Typical Levels	1	05/12/2023
Cox Architecture	1505	Demolition Plan – Level 07	1	05/12/2023
Cox Architecture	1506	Demolition Plan – Roof	1	05/12/2023
Cox Architecture	1507	Demolition Plan – Upper Roof	1	05/12/2023
Cox Architecture	1530	Demolition Elevations – North Elevation	1	05/12/2023
Cox Architecture	1531	Demolition Elevations – West Elevation	1	05/12/2023
Cox Architecture	1532	Demolition Elevations – South Elevation	1	05/12/2023
Cox Architecture	1540	Demolition – Section A	1	05/12/2023
Cox Architecture	1541	Demolition – Section B	1	05/12/2023
Cox Architecture	1542	Demolition – Section C	1	05/12/2023
Cox Architecture	2100	GA Plan – Basement	1	05/12/2023
Cox Architecture	2101	GA Plan – Lower Ground	1	05/12/2023
Cox Architecture	2102	GA Plan – Ground Level	1	05/12/2023
Cox Architecture	2103	GA Plan – Level	1	05/12/2023
Cox Architecture	2104	GA Plan – Typical levels	1	05/12/2023
Cox Architecture	2105	GA Plan – Level	1	05/12/2023
Cox Architecture	2106	GA Plan – Level	1	05/12/2023
Cox Architecture	2107	GA Plan – Level 10	1	05/12/2023
Cox Architecture	2108	GA Plan – Level Roof	1	05/12/2023
Cox Architecture	3100	Elevation – North (Sophia Street)	1	05/12/2023
Cox Architecture	3101	Elevation – West (Terry Street)	1	05/12/2023
Cox Architecture	3102	Elevation – South (Kippax Street)	1	05/12/2023

Author	Drawing No.	Drawing Title	Revision	Date
Cox Architecture	3103	Elevation - East	1	05/12/2023
Cox Architecture	4100	General Sections – Section A	1	05/12/2023
Cox Architecture	4101	General Sections – Section B	1	05/12/2023
Cox Architecture	4102	General Sections – Section C	1	05/12/2023
Cox Architecture	4103	General Sections – Section D	1	05/12/2023
Cox Architecture	4104	General Sections – Section E	1	05/12/2023
Cox Architecture	4105	General Sections – Section F	1	05/12/2023
Cox Architecture	4300	Façade Sections – Sheet 01	1	05/12/2023
Cox Architecture	4301	Façade Sections – Sheet 02	1	05/12/2023
Cox Architecture	4302	Façade Sections – Sheet 03	1	05/12/2023
Cox Architecture	4303	Façade Sections – Sheet 04	1	05/12/2023
Cox Architecture	4304	Façade Sections – Sheet 05	1	05/12/2023
Cox Architecture	4305	Façade Sections – Sheet 06	1	05/12/2023
Cox Architecture	7700	External Signage – Sky Sign Sheet 1	1	05/12/2023
Cox Architecture	7701	External Signage – Sky Sign Sheet 2	1	05/12/2023
Cox Architecture	7702	External Signage – Kippax St Entry	1	05/12/2023
Cox Architecture	7703	External Signage – Corner Window	1	05/12/2023
Cox Architecture	8100	3D View 1	1	05/12/2023
Cox Architecture	8101	3D View 2	1	05/12/2023
Cox Architecture	8200	External Finishes Schedules – Sheet 01	1	05/12/2023
Cox Architecture	8201	External Finishes Schedules – Sheet 02	1	05/12/2023
Cox Architecture	8300	GFA Calculation – Sheet 1	1	05/12/2023
Cox Architecture	8500	Shadow Studies – Winter Solstice	1	05/12/2023
Cox Architecture	8501	Shadow Studies – Equinox	1	05/12/2023

Author	Drawing No.	Drawing Title	Revision	Date
Cox Architecture	8502	Shadow Studies – Summer Solstice	1	05/12/2023

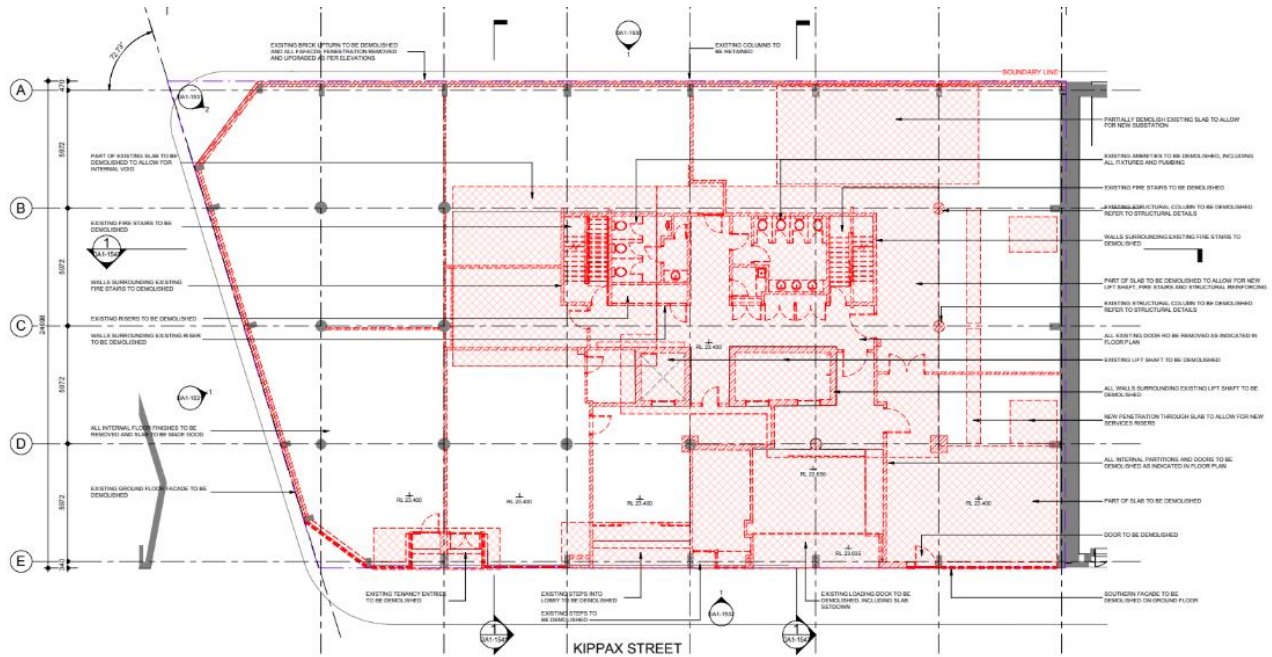


Figure 35 – Extract of proposed plans showing demolition works to the ground level.

Source: Cox Architecture, Draw no. 1502, Demolition Plan – Ground Level, revision 1, 05/12/2023

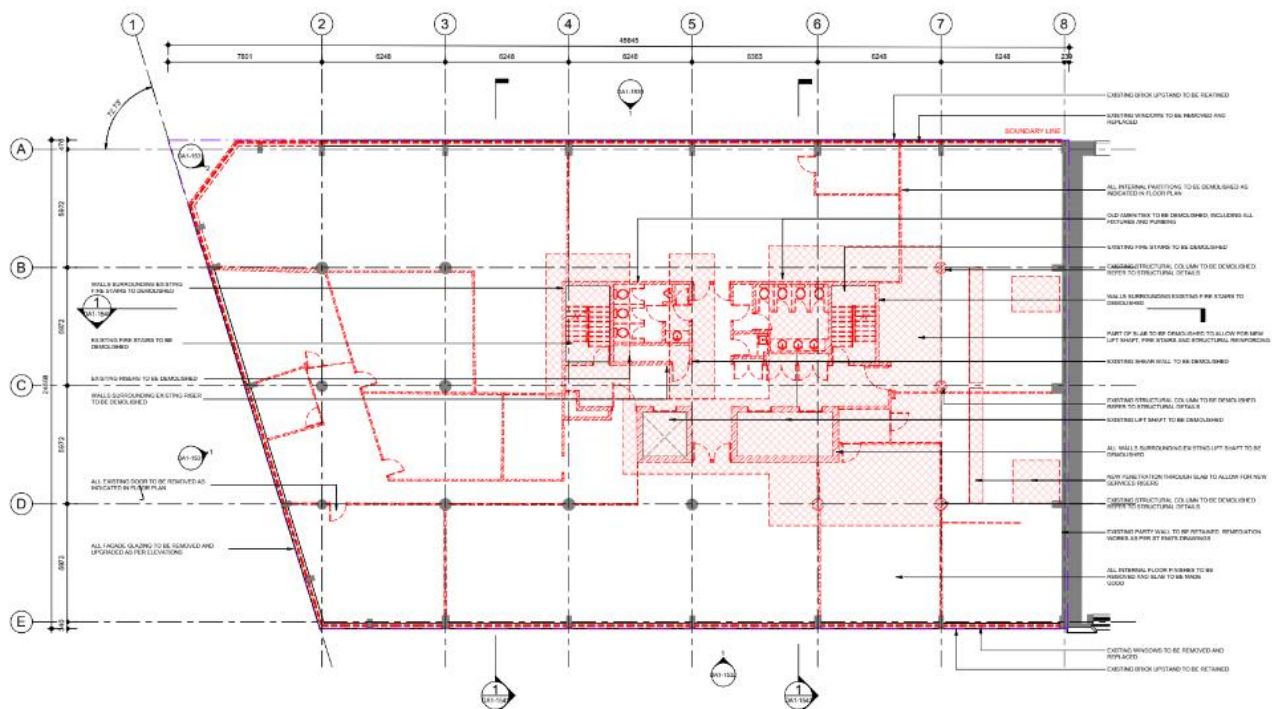


Figure 36 – Extract of proposed plans showing demolition of overall typical levels.

Source: Cox Architecture, Draw no. 1504, Demolition Plan – Typical Levels, revision 1, 05/12/2023

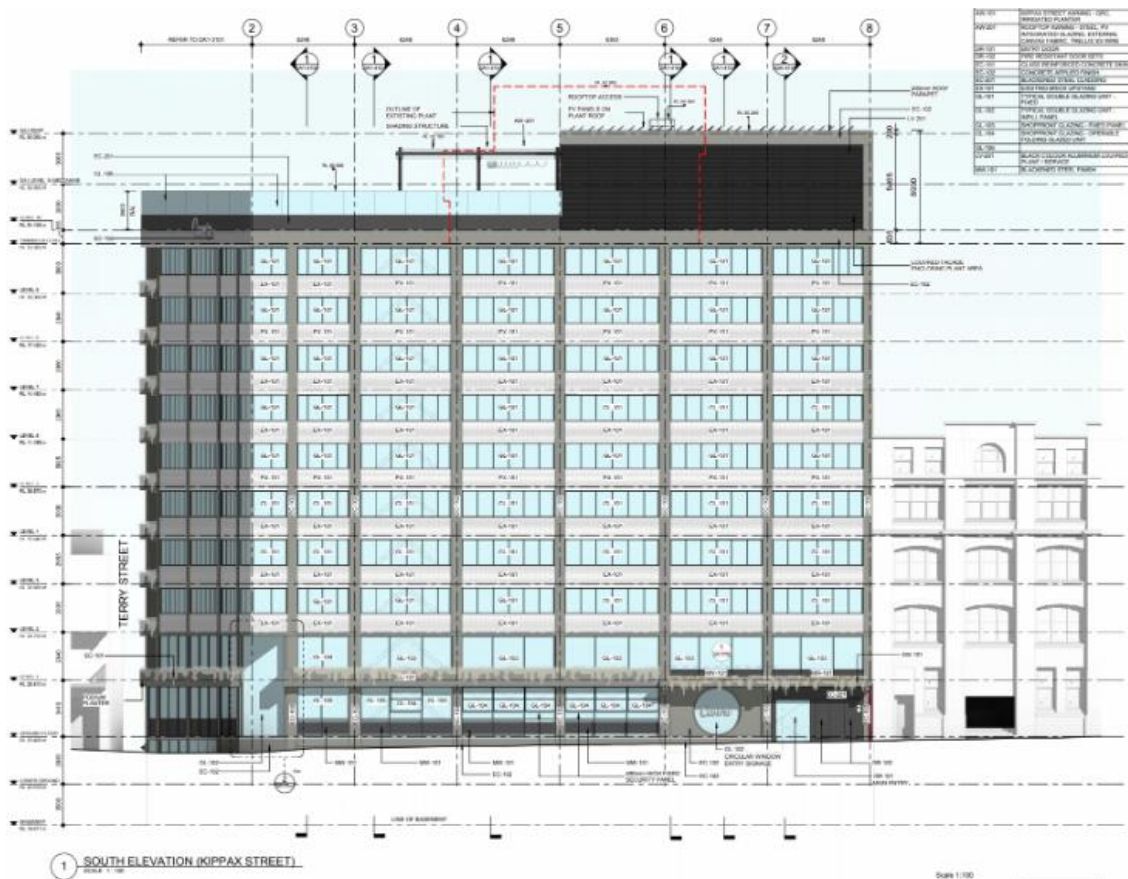


Figure 39 – Extract of proposed plans showing the Kippax Street elevation.

Source: Cox Architecture, Draw no. 3102, Elevation, revision 1, 05/12/2023



Figure 40 – Extract of proposed plans showing the Terry Street elevation.

Source: Cox Architecture, Draw no. 3101. Elevation – West (Terry Street), revision 1, 05/12/2023



Figure 41 – Extract of proposed plans – proposed render.

Source: Cox Architecture,



Figure 42 – Extract of proposed plans proposed render.

Source: Cox Architecture,

6. IMPACT ASSESSMENT

The following impact assessment has assessed the proposed works against the relevant provisions and controls of the Council's statutory and non-statutory planning controls as well as the Heritage NSW 'Statement of Heritage Impact' assessment guideline questions.

6.1. SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

The table below provides an impact assessment of the proposal against the relevant clause for heritage conservation in the Sydney LEP 2012.

Table 11 – Impact assessment against the relevant clauses of the Sydney LEP 2021

Clause	Response
<p>(2) Requirement for consent</p> <p><i>Development consent is required for any of the following:</i></p> <p><i>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):</i></p> <p><i>(i) a heritage item,</i></p> <p><i>(ii) an Aboriginal object,</i></p> <p><i>(iii) a building, work, relic or tree within a heritage conservation area,</i></p> <p><i>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</i></p> <p><i>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</i></p> <p><i>(d) disturbing or excavating an Aboriginal place of heritage significance,</i></p> <p><i>(e) erecting a building on land:</i></p> <p><i>(i) on which a heritage item is located or that is within a heritage conservation area, or</i></p> <p><i>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</i></p> <p><i>(f) subdividing land:</i></p>	<p>The subject site is not a listed heritage item, nor in a heritage conservation area identified under Schedule 5 of the Sydney LEP 2012.</p> <p>This report includes an assessment of significance which concludes that the subject site and the existing building do not meet the requisite threshold for heritage listing. Therefore, the proposal will have no adverse impacts on heritage fabric or places.</p> <p>The site is located in the vicinity of two locally listed heritage items, the <i>Former Farleigh Nettheim & Co Ltd warehouse including interiors</i>, located at 1-15 Foveaux Street, Surry Hills, (item no. 2267) and <i>"Hibernian House" Including Interior</i>, located at 328-344 Elizabeth Street, Surry Hills (item no. 1533).</p> <p>This impact assessment also considers potential impacts on these vicinity heritage items. The PP does not propose to alter the existing heritage listings or curtilages of any heritage item under Schedule 5 of the Sydney LEP 2012. The impact assessment included herein concludes that the proposed works within the DA (and the envelope facilitated by the PP) will have no adverse heritage impacts on the heritage items located within the vicinity of the site.</p>

Clause	Response
<p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p>	
<p>(4) Effect of proposed development on heritage significance</p> <p><i>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</i></p>	<p>A detailed heritage impact assessment has been undertaken in the following sections of this report. The proposal has been assessed to have no adverse heritage impact on the subject building and proximate heritage items, the <i>Former Farleigh Nettheim & Co Ltd warehouse including interiors</i>, located at 1-15 Foveaux Street, Surry Hills, (item no. 2267) and <i>"Hibernian House" Including Interior</i>, located at 328-344 Elizabeth Street, Surry Hills (item no. 1533).</p>
<p>(5) Heritage assessment</p> <p><i>The consent authority may, before granting consent to any development:</i></p> <p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p><i>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</i></p>	<p>This heritage impact statement has been prepared to assist the consent authority in their determination and to assess the potential heritage impacts of the proposal. This heritage impact statement satisfies the requirement under this clause.</p>

6.2. SYDNEY DEVELOPMENT CONTROL PLAN 2012

The table below provides an impact assessment of the proposal against the relevant controls for heritage conservation in the Sydney DCP.

Table 12 – Impact assessment against the relevant controls of the Sydney DCP

Control	Response
<p><u>2.11.7 Surry Hills Central</u></p> <p><i>Principles</i></p> <p><i>(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.</i></p> <p><i>(b) Development is to respond to and complement heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.</i></p> <p><i>(c) Maintain consistent intact residential streets.</i></p> <p><i>(d) Maintain views along Riley Street to Ward Park.</i></p> <p><i>(e) Maintain the transition in built form scale, from taller buildings in the west, to consistent two storey areas in the east.</i></p> <p><i>(f) Provide a strong edge and passive surveillance to Ward Park Sites on the corner of Riley and Devonshire Streets while creating a gateway to Riley Street from the south.</i></p> <p><i>(g) Retain the low scale of terrace houses along Richards Avenue. Single storey additions only are allowed at the rear of these houses to minimise the impact on Shannon Reserve.</i></p> <p><i>(h) New development is to maintain and respond to intact low scale terrace areas.</i></p> <p><i>(i) Retain and reinforce the two distinct retail characters; including the warehouse style retail outlets of Foveaux and Kippax Streets and the small lot pattern traditional retail strip of Crown Street with active uses dominated by restaurants, cafes and specialty shops.</i></p> <p><i>(j) Allow the commercial precinct around Waterloo Street between Kippax and Devonshire Streets to continue, defined by remnant commercial warehouses, and landmarks such as the Reader's Digest building.</i></p>	<p>The proposal under the PP and DA meet the principles of this Locality. The proposal seeks to increase the height of the overall building form by facilitating additional levels to accommodate a rooftop terrace. The immediate vicinity is characterised by a mixture of building types and scales, and the minor vertical increase proposed at the subject site will not have an adverse visual or physical impact on the existing character of the area or the visual amenity in the streetscape. Existing views will not be obscured by the proposal. The general visual presentation of the subject site will be retained through the retention and minor alteration of the existing building.</p>

Control	Response
<i>(k) Retain the mixed use character of the north side of Devonshire Street.</i>	
<p><u>3.9.1 Heritage Impact Statements</u></p> <p><i>(2) The consent authority may not grant consent to a development application that proposes substantial demolition or major alterations to a building older than 50 years until it has considered a heritage impact statement, so as to enable it to fully consider the heritage significance of a building and the impact that the proposed development has on the building and its setting.</i></p>	<p>This heritage impact statement satisfies this provision.</p>
<p><u>3.9.5 Heritage items</u></p> <p><i>Development in the vicinity of a heritage item can have an impact upon the heritage significance of the item. The determination of the setting of a heritage item should consider the historical property boundaries, significant vegetation and landscaping, archaeological features, and significant views to and from the property.</i></p> <p><i>(3) Alterations and additions to buildings and structures and new development of sites in the vicinity of a heritage item are to be designed to respect and complement the heritage item in terms of the:</i></p> <p><i>(a) building envelope;</i></p> <p><i>(b) proportions;</i></p> <p><i>c) materials, colours and finishes; and</i></p> <p><i>(d) building and street alignment.</i></p>	<p>As stated above, this report finds there are no adverse heritage impacts to the vicinity heritage items as a result of the proposal.</p> <p>The <i>Former Farleigh Nettheim & Co Ltd warehouse including interiors</i>, located at 1-15 Foveaux Street, Surry Hills, (item no. 2267) and <i>“Hibernian House” Including Interior</i>, located at 328-344 Elizabeth Street, Surry Hills (item no. 1533) are the only listed heritage items in the vicinity of the subject site and will be wholly retained.</p> <p>Kippax, Terry, and Sophia Streets provide a significant physical buffer between the items and the subject site and views towards the items from the subject site are secondary towards their rears, which are less significant elevations.</p> <p>Furthermore, as stated above, there is no consistent architectural rhythm or pattern within the streetscape, and no identified physical relationship between proximate items and subject site.</p> <p>The proposed DA works comprising new interior works, façade redesign and green rooftop garden will remain wholly within the existing subject site boundary. The redevelopment of the subject site is of a high-quality design and materiality of neutral tones which will not result in any detrimental impact, either physical or visual, to the proximate items.</p> <p>The proposal will retain and refurbish the existing building and will not result in a marked difference from the existing building form and presentation, albeit with design improvements and enhanced amenity and activation.</p>

Control	Response
	No changes to the existing listings for any heritage items are proposed under the PP.
<p><i>(4) Development in the vicinity of a heritage item is to minimise the impact on the setting of the item by:</i></p> <p><i>(a) providing an adequate area around the building to allow interpretation of the heritage item;</i></p> <p><i>(b) retaining original or significant landscaping (including plantings with direct links or association with the heritage item);</i></p> <p><i>c) protecting, where possible and allowing the interpretation of archaeological features; and</i></p> <p><i>(d) Retaining and respecting significant views to and from the heritage item.</i></p>	<p>(a) No changes to the existing curtilage of the heritage items in the vicinity is proposed. The ability to interpret the vicinity heritage items will remain unchanged.</p> <p>(b) Not applicable.</p> <p>(c) It is beyond the scope of this report to assess potential archaeological impacts however we note that the existing building is being retained.</p> <p>(d) The proximate items settings and context is already defined by intermittent contemporary development.</p> <p>The proposed development will not have any greater impact on existing views to or from the proximate heritage listed items and will be contained within the existing lot boundary. Furthermore, the proposed works will read as contemporary additions within a streetscape interspersed with existing contemporary development.</p> <p>As such, the proposed works will not compromise the proximate items legibility or interpretation within the public domain.</p>

6.3. HERITAGE NSW GUIDELINES

The table below provides an impact assessment of the proposal against the relevant questions posed in Heritage NSW's (former Heritage Office/Heritage Division) 'Statement of Heritage Impact' guidelines.

Table 13 – Impact assessment against the relevant Heritage NSW Guideline Considerations

Provision	Response
<i>Will the proposed works be the best conservation solution for the heritage item?</i>	The proposed works will not affect any listed heritage items.
<i>Will the works promote the ongoing use and upkeep of the item?</i>	The proposed works will not affect any listed heritage items.
<i>Do the proposed works affect the setting of the heritage item, including views and vistas to and from the heritage item and/or a cultural landscape in which it is sited? Can the impacts be avoided and/or mitigated?</i>	<p>The proximate items already sit within a diverse urban environment comprising a mix of historic and contemporary development. The proposed works comprising new interior works, façade design and green rooftop garden, will have no detrimental resultant visual impact to the proximate items. The proposed works, particularly in terms of the new façade design are restrained and modest in form and style and wholly consolidated within the existing subject site boundary curtilage.</p> <p>The proposal seeks to retain and modify the existing building, and will not result in a marked difference from the existing building streetscape presentation or overall form, and therefore have no adverse visual impacts on the vicinity heritage items.</p>
<i>Will the proposed works result in adverse heritage impact? If so, how will this be avoided, minimised or mitigated?</i>	The works are physically separated to the proximate items and as stated above result in no adverse visual relationship, nor physical interference between the proximate items and the subject site.
<p>Works adjacent to a heritage item or within the heritage conservation area (listed on an LEP)</p> <p><i>Will the proposed works affect the heritage significance of the adjacent heritage item or the heritage conservation area?</i></p> <p><i>Will the proposed works affect views to, and from, the Interpretation heritage item? If yes, how will the impact be mitigated?</i></p> <p><i>Will the proposed works impact on the integrity or the streetscape of the heritage conservation area?</i></p>	As outlined above, there are no adverse heritage impacts on the vicinity heritage items as a result of the proposed development.

7. CONCLUSION AND RECOMMENDATIONS

A detailed impact assessment of the proposed works has been undertaken in Section 6 of this report.

The subject site is not a listed heritage item, nor in a heritage conservation area identified under Schedule 5 of the Sydney LEP 2012. This report includes an assessment of significance which concludes that the subject site and the existing building do not meet the requisite threshold for heritage listing. Therefore, the proposal will have no adverse impacts on heritage fabric or spaces of heritage significance.

The PP does not propose to alter the existing heritage listings or curtilages of any heritage item under Schedule 5 of the Sydney LEP 2012. The impact assessment included herein concludes that the proposed works within the DA (and the envelope facilitated by the PP) will have no adverse heritage impacts on the heritage items located within the vicinity of the site.

The DA proposal will retain and refurbish the existing building and will not result in a marked difference from the existing building form and presentation, albeit with design improvements and enhanced amenity and activation, and will therefore not have any adverse visual impacts on the existing setting, views or curtilages of the vicinity heritage items.

The proximate items already sit within a diverse urban environment comprising a mix of historic and contemporary development. The proposed works comprising new interior works, façade design and green rooftop garden, will have no detrimental resultant visual impact to the proximate items. The visual interface between the subject site and vicinity items will remain generally unchanged.

For the reasons stated above, the proposal is recommended for approval from a heritage perspective.

8. BIBLIOGRAPHY & REFERENCES

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[Note: Some government departments have changed their names over time and the above publications state the name at the time of publication.]

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