

Attachment A6

Conservation Management Plan – Part 2
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4. COMPARATIVE ANALYSIS

The following comparative analysis table investigates and compares the subject site to other hotels constructed in Sydney in the 1930s – 1940s by the same architects of the subject site, Prevost and Ancher (Table 6) and hotels constructed by Tooth & Co (Table 7).


The analysis provided below identifies hotels designed in a similar Inter War Functionalist and Art Deco style facades.

4.1. HOTELS BY PREVOST AND ANCHER

Table 6 – Comparative Analysis – Hotels by Ancher and Prevost


Property	Heritage Listing and Significance	Description	Photograph
Rose Shamrock and Thistle Hotel 27-33 Oxford Street, Paddington, Sydney NSW	Not listed.	<p>The Rose, Shamrock and Thistle Hotel is an Inter War Functionalist style hotel, built in 1939. The hotel was designed by Prevost and Ancher. It comprises three storeys and a basement level. The primary façade is constructed of brick, below the cantilever awning, tiles have been used and above the awning bare face bricks have been used.</p> <p>The ground floor contains public bar and saloon areas while the first floor contains accommodation spaces and facilities⁷.</p> <p>The interiors of the hotel have been substantially altered. There is nothing remaining of the original bar finishes.</p>	 <p>Source: artdeco.blogspot.com</p>
North Annandale Hotel 105 Johnston Street, Annandale NSW 2038.	Not listed.	<p>The North Annandale Hotel is defined by red brickwork and large masses of cream cement work. The brickwork is broken up by columns of articulated brickwork providing a series of vertical lines. The application of concentrated panels of modern ornament enriches the cement work.</p> <p>The doors are glass with names of departments and a series of horizontal lines sand-etched and coloured cold and silver. Double bar push-bars protect the doors and the unusually wide centre lights are also protected by bars. Copper glazing gives individually to the fan</p>	 <p>Source: Realsydneynew.com.au</p>

⁷ The U.L.V.A Review, September 18, 1939, p.17


Property	Heritage Listing and Significance	Description	Photograph
		<p>light treatment and here again the horizontal motif is emphasized⁸.</p> <p>The interiors of the North Annandale have also been heavily stripped and altered. This includes the removal of the original bar finishes.</p>	
<p>Union Hotel</p> <p>271 Pacific Highway, North Sydney, NSW 2060</p>	<p>North Sydney LEP, 2013 (I0960)</p> <p><i>The Union Hotel extensively rebuilt in 1938 is an early example of the International style, streamlined with stylised decoration and extensive use of vertical and horizontal lines. Designed by Prevost and Ancher it is aesthetically and historically significant as a relatively intact Interwar period hotel in North Sydney retaining many features of the period. The building has local social significance as a physical reminder of a site which has continuously housed a hotel since the 1870s, which continued to contribute to and serve the public⁹.</i></p>	<p>The Union Hotel is a two storey simple geometric brick hotel on the corner of Pacific Highway and West Street, with sculptured parapet which conceals a terracotta tiled hipped roof. Curved corner with vertical and horizontal elements to the facades that demonstrate the international style. The building's design displays contrasting vertical and horizontal elements which associate the building with the international style. Coursed render to the ground floor with timber framed French doors with a cantilevered metal awning with a pressed metal soffit. Brick façade above with a band of two pane double hung sash windows set between a continuous render sill and head. There is a modern extension to rear.</p> <p>Internal materials include original tiles to dado, remnants of original plaster ceiling detailing, original timber stair and leadlight to south east elevation. Bars located in original configuration. Sandstone fireplaces.</p>	 <p>Source: Sydney-city.blogspot.com</p>

⁸ National Library of Australia Vol. 4 No 1, May 1938.

⁹ NSW Heritage Register, Office of Environment & Heritage, <https://www.environment.nsw.gov.au/>

Property	Heritage Listing and Significance	Description	Photograph
The Civic Hotel 388 Pitt Street, Sydney NSW	Sydney LEP, 2012 (Item 1945) <i>The Civic Hotel considered to be the last purpose built hotel in the CBD, has social significance as it ends a tradition which extends back to the earliest decades of the colony. The building is an important corner element located on a prominent corner site within easy reach of the major entertainment and former prominent district. The building has aesthetic significance for the strong contributor it makes to the streetscape. Although poorly maintained the building is largely intact externally and internally and has high aesthetic significance as the finest of five hotels constructed in the Inter War Functionalist style in the city during a short period between 1938 and 1942 the others are the Australian (Broadway), the Hollywood, The Kegroom Tavern, and the Sutherlands. At the time of building the Civic was claimed to be a landmark in architectural treatment and finish as well as containing structural features of interest. The building has scientific significance for structural features such as the cantilevered section in Goulburn Street.¹⁰</i>	<p>The Civic Hotel was designed by Prevost and Ancher in the Inter War Functionalist Style. It was constructed in 1940-41.</p> <p>The hotel has three-storeys with a deeply recessed balcony on the second floor on the southern façade. The façade is exposed brick above the awning and granite and travertine cladding on the ground floor. Rendered string courses on the two upper floors enclose steel framed casement windows bordered by orange terracotta tiles.</p> <p>An extended parapet (face brick) is located on the corner with a vertical brick and terracotta tile tower element on the western façade. This breaks the strong horizontal lines of the façade.</p> <p>Some alterations to the interiors have been made over the years, however some original fabric has been retained on the upper floors.</p>	 <p>Source: Artdecoarchitecture.com</p>


¹⁰ Heritage NSW, "The Civic Hotel", <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2424131>.


Property	Heritage Listing and Significance	Description	Photograph
Fotheringham's Hotel 4 Pulteney Street, Taree NSW 2430	<p>Greater Taree LEP, 2010 (I167)</p> <p><i>Fotheringham's Hotel is listed for its historical significance as an existing building representative of extensive redevelopment of the local commercial centre during the 1920s.</i></p> <p><i>Additionally, it is a prominent townscape element occupying a corner position at Pulteney Street intersection. It forms an important composition with the AMP building and "beehive" building.</i></p> <p><i>It is a site of formal and informal social gatherings and has the propensity for research as an example of grand hotel design from the 1930s¹¹.</i></p>	<p>The Fotheringham's Hotel was designed by Prevost and Ancher constructed in 1938-39. It is an excellent example of Art Deco Hotel largely intact internally and externally. Occupies important corner site opposite Beehive Store & AMP Building. The "Gateway" location marks start of the main commercial strip.</p>	 <p>Source: Heritage NSW online database, Item 167.</p>

¹¹ NSW Heritage Register, Office of Environment & Heritage, <https://www.environment.nsw.gov.au/>


4.2. INTER WAR HOTELS COMMISSIONED BY TOOTH & CO.

Table 7 – Comparative Analysis – Tooth Hotels

Property	Heritage Listing and Significance	Description	Photograph
The Alexandria Hotel 36 Henderson Road, Eveleigh, Sydney NSW	<p>City of Sydney LEP 2012 (item I2223)</p> <p><i>The Alexandria Hotel is a fine and representative example of an Inter War suburban hotel. Dating from 1935, the hotel demonstrates the work of prominent hotel architects, Rudder & Grout, for the Tooth & Co brewery. With its uncommon level of integrity including a surviving u-shaped bar, the building exemplifies the planning and design of suburban hotels constructed in NSW during the 1930s.</i></p> <p><i>Historically, the location of the hotel, if not its site, has been continuously associated with hotel use since the 1870s. The original lessee of the site, Catherine Goodfellow, has local historical significance as an early inhabitant of Alexandria who was responsible for development of property in this section of the suburb including the Alexandria Hotel. The building also provides evidence of the widening of Henderson Road, one of a number of road widening initiatives undertaken by Alexandria Council during the interwar period.</i></p> <p><i>The prominent corner site, intact 1930s hotel and continuity of hotel use in this location since the 1870s, make this building a local landmark of Alexandria and Eveleigh. The building contributes to the character of the locality and</i></p>	<p>The Alexandria Hotel is a two-storey brick building located on a prominent corner site. It has a hipped roof covered with terracotta tiles. The parapet element shown on the corner of the building in early photographs has been removed. Apart from this minor change, the building is an intact example of a suburban hotel from the Inter War period. It has no affinity to a particular architectural style from this period.</p> <p>The first-floor walls are constructed of face brickwork, with multi-paned double-hung sash windows regularly spaced along both facades. Windowsills and heads are emphasised by continuous coursing executed in cement render. The corner features a recessed first floor balcony with metal balustrade and classical columns. The walls step in slightly on either side of the open balcony. The original awning soffit lining has been replaced with new metal decking.</p> <p>The ground floor is divided into four main rooms. The entrance vestibule off Garden Street separates the two bar rooms along Henderson Road from the dining room and kitchen along Garden Street. The Public Bar room is located on the corner with an adjoining Saloon, separated by a partition wall with multi-paned timber windows. The Saloon was originally divided into three separate rooms for a Ladies Parlour, Bottle Shop and Saloon. The green wall tiles mark the portion that was once a separate room. The central u-shaped bar counter of the public bar continues in a ring through the adjacent saloon. The ground floor rooms have retained original ceramic wall tiles, window and door joinery, timber picture rails, fireplace, plaster cornices</p>	 <p>Source: Heritage NSW online database, item 2223.</p>

Property	Heritage Listing and Significance	Description	Photograph
	<p><i>shares visual associations with the nearby 1920s Lord Raglan Hotel.</i></p> <p><i>The hotel has significance to the local community of Alexandria residents, as demonstrated by the community response to the proposed demolition in 2015. The hotel is also recognised for its associations with supporters of the Sydney Swans. The use of the hotel in television advertising and programs suggests the building represents a 'typical' and identifiable suburban hotel in the minds of the general public.</i></p> <p><i>The hotel is of local heritage significance in terms of its historic, associations, aesthetic, social and representative value.</i></p>	<p>and decorative grilles and lead-light glazing, which show an Art Deco influence.</p> <p>The ground floor bar areas are relatively intact, with some modification in the area formerly occupied by the Ladies' Parlour and Bottle Shop to form a connection between the public bar and saloon bar.</p> <p>A timber staircase with original timber balustrade accesses the first floor from the entrance vestibule. The first-floor layout appears original with rooms arranged either side of a central hallway extending along the two lengths of the L-shaped building footprint. Most internal doors and door hardware have been replaced¹².</p>	
<p>The Alfred Hotel 51-55 Missenden Road Camperdown, Sydney NSW</p>	<p>City of Sydney LEP, 2012 (item I70)</p> <p><i>The Alfred Hotel is of local historic, social and aesthetic significance. It is a fine and externally intact example of an Inter War Functionalist style hotel designed by prominent architects Copeman, Lemont & Keesing. It is a prominent visual element in the historical precinct of Camperdown due to its position on the corner of the street block and its stream-line modern style. It is important for its association with the earlier hotel of the same name, its role in the development of the locality and its role in</i></p>	<p>The site contains a two storey Inter War Functionalist style hotel with basement below street level at the Missenden Road end of the site. The building is a brick structure with reinforced concrete floors to the basement, ground floor and the first-floor balconies and bathrooms. The rest of the first-floor rooms have timber beams resting on steel joists. The main roof is framed in timber with light-weight metal sheet cladding and largely concealed by the parapet.</p> <p>The façade features face brickwork with the parapet having three recessed blond brick courses and a header course, projecting and recessed bricks to form simple modern motifs and expressing the curved corner as a recessed plane with the two elevations wrapping round. The curved parapet corner is</p>	 <p><i>Source: Heritage NSW online database.</i></p>


¹²12 NSW Heritage Register, Office of Environment & Heritage, <https://www.environment.nsw.gov.au/>

Property	Heritage Listing and Significance	Description	Photograph
	<i>providing a venue of meeting and socialising in the locality.</i> ¹³	<p>raised and sports the name of the hotel in lettering above the second storey projecting awning and a flagpole above. The façade retains its original tiling at street level along the Missenden Road elevation and the majority of the Dunblane Street section. Most of the original timber doors to the street survive together with their door furniture. The windows are timber box-framed double hung sash windows with clear drawn or float glass and transoms.</p> <p>The first floor contains some original fixtures including 1930s precast plaster cornices and ceilings and timber joinery including doors and skirtings. The two bathrooms contain some original tiling and fixtures. The main stair is of traditional construction with closed treads and turned balusters, newel posts and profiled handrail.</p>	
Captain Flat's Hotel 49 Foxlow Street, Captains Flat, NSW	Palerang LEP, 2014 (item I255) <i>Intact building exhibiting significant architectural details of the 1940s period with many of the original furnishings still in situ including the dining table. It makes an important contribution to the streetscape and is a building significant to the structure of the community. A good example of a hotel from the pre-war era. High degree of original intactness. Historic (a), aesthetic (c), social (d) and representative (g) heritage significance.</i> ¹⁴	<p>Captain's Flat Hotel is a two-storey red brick building with cream tiled wall on lower street façade and verandah above. The verandah is mostly enclosed with four brick pillars.</p> <p>The roof is partially parapeted, partly clad with terracotta tiles and partly corrugated asbestos. It has 20 bedrooms¹⁵.</p>	 <p>Source: Tripadvisor.com.au</p>

¹³ NSW Heritage Register, Office of Environment & Heritage, <https://www.environment.nsw.gov.au/>



¹⁴ NSW Heritage Register, Office of Environment & Heritage, <https://www.environment.nsw.gov.au/>

¹⁵ *Ibid.*

Property	Heritage Listing and Significance	Description	Photograph
Century Hotel 640-642 <i>George Street,</i> <i>Sydney NSW</i>	City of Sydney LEP, 2012 (item I1801) The Century Hotel, located on a prominent corner of George and Liverpool Streets, is a six-storey hotel of Inter war Art Deco Style. It is historically significant as part of a group of hotels like the Great Southern further along George Street, and the Broadway Hotel near Central Station. The Century Hotel has a powerful ability to reflect the attractive building opportunities offered for breweries in the brief period between the end of the depression and the beginning of the Second World War. It is an important building in the professional career of the architectural partnership of Rudder and Grout, most noted for their hotel designs. It is aesthetically significant as a rare and outstanding example of a highly intact original Art Deco Hotel with an exterior and some intact interiors of high-quality design with outstanding potential to be restored with minimum effort. It is particularly noted for its use of horizontal and vertical massing. It is socially significant as a surviving example of an Art Deco Hotel with a lengthy tradition of hotel trade on the site ¹⁶ .	<p>The facade of streamlined modern style is faced in red bricks with dominant spandrel trims terminated by the central glazed bay to Liverpool Street, which has replaced the original curved glazing. Moulded bricks, terminating in terracotta scrolls, occur on each side of this curved window and rise up as a tower element in which the signage of the building was originally incorporated.</p> <p>The windows to the main facades are contained within the horizontal banding which stops short of the facade as a frame. Rainwater heads have been specially fabricated to match the stepped brick piers. Parts of the original gold and green tiles remain as remnants to the Liverpool Street facade. Elsewhere the tiles have been replaced. Internally the building contains a semi-circular stair which features full height glazing. The stair retains part of its original railing and timber panelling. The bar at the first floor is original and features plaster cornices, mirrors and reed glass and cocktail bar¹⁷.</p>	 <p><i>Source: Heritage NSW online database.</i></p>

¹⁶ NSW Heritage Register, Office of Environment & Heritage, <https://www.environment.nsw.gov.au/>

¹⁷ NSW Heritage Register, Office of Environment & Heritage, <https://www.environment.nsw.gov.au/>

Property	Heritage Listing and Significance	Description	Photograph
The Golden Sheaf Hotel 429 New South Head Road, Double Bay	Woollahra LEP, 2014 (Item 208) <i>No statement of significance available.</i>	<p>The Golden Sheaf Hotel was designed by Prevost and Ruwald, in a typical Inter War, art deco style. The hotel was constructed in 1936. The exposed brick façade with tiled ground floor and awning was typical of this era.</p> <p>The hotel has a small enclosed balcony on the third floor and multipaned, painted, timber windows. The original name of the hotel has been retained along the roof line in the centre.</p> <p>The detail above the windows and motifs are significant art deco features.</p>	 <p>Source: Artdecoheritage.blogspot.com</p>
The Petersham Inn 386 Paramatta Road Petersham, Sydney NSW	Marrickville LEP 2011 (item I209) <i>The Petersham Inn retains much of its original 1930s detailing which features Art Deco influences and is a good example of hotel development from this period - a time when many of the older local hotels were refurbished.</i> <i>The following Statement of Significance is from a CMP prepared by Graham Brooks and Associates in 1996:</i> <i>The Petersham Inn Hotel is of local and regional significance for its architectural value as a good example of a transitional Functionalist Art Deco hotel on a prominent corner site. It also has significance as an important element in the streetscape of Parramatta Road, and in the overall pattern, diversity and character in the city of Sydney.</i> <i>The existence of this impressive and quality hotel building in Petersham, represents physical</i>	<p>The Petersham Inn is a two-storey hotel designed by Rudder and Grout, and built in the late 1930s, this has maintained much of its original detailing, both internally and externally.</p> <p>It features a tiled ground floor façade (in orange with yellow and black detailing- this has now been painted black) with stainless steel doors and vents, and a pressed metal soffit to the awning. Large display cases remain to the main, recessed entry. The first-floor features exposed brickwork with a rendered string panel over the windows. The store is located on the corner. The façade is rendered and has large aluminium-framed windows.</p>	 <p>Source: Artdecohertiage.blogspot.com</p>

Property	Heritage Listing and Significance	Description	Photograph
	<p><i>evidence of the former prosperity and importance of the area. As a hotel, the building has a high value in the social activities of the local community and for the many visitors to the hotel.</i></p> <p><i>The adjoining shops are relatively intact examples of late 19th and early 20th century retail shops and provide variety and interest to the streetscape of Parramatta Road. As a group, they are of local significance to the community. The group forms an important part of an identifiable townscape.¹⁸</i></p>		

¹⁸ NSW Heritage Register, Office of Environment & Heritage, <https://www.environment.nsw.gov.au/>

4.3. CONCLUSION

The comparative analysis has concluded that the façade of the eastern façade of the Piccadilly Hotel is a significant example of an Inter War functionalist building.

The following summarises consistencies in architectural features and finishes of the Piccadilly Hotel and the hotels included in the tables above:

- Face brick facade on the upper floors and tiled ground floor facade. This is a feature seen all the hotels included in the tables above. The ground floor façade of the Piccadilly Hotel was altered in 2005.
- Strong horizontal lines emphasised by string courses (emphasised through the use of different coloured bricks and balcony balustrades).
- Single, strong vertical accent created by extended parapet/tower section, located off centre.
- Recessed balcony. The Piccadilly Hotel has two recessed balconies on the first and second floor.
- Areas of curved masonry. The Piccadilly Hotel has curved facades on either side of both balconies.
- Multiple entrances on the ground floor. All the Hotels in the tables above have multiple entrances along the ground floor.

Therefore, overall, the Piccadilly Hotel's eastern façade (main façade) is in keeping with the overall style of Hotels of the period. Including Hotels by the same architect/s and others commissioned by Tooth & Co. during the Inter War period.

The interiors of the Piccadilly Hotel have been substantially altered and debased. Based on desktop research only, it appears that the interiors of the Prevost and Ancher hotels listed above have all been generally heavily modified over the years. This includes complete refits and the removal of a substantial amount of original fabric. Only the Civic Hotel (on Pitt Street) is described as having retained some original fabric on the upper floors.

However, a notable difference between the Piccadilly Hotel and the majority of the hotels included in the tables above is the location of the Piccadilly Hotel. The Piccadilly Hotel is located in the middle of the streetscape rather than on a corner. Therefore, the Piccadilly Hotel does not have the same prominent position. However, due to the strong functionalist architectural features and lack of setback from the street, the Hotel retains some level of visual prominence. In addition, Leeson's history (refer to Section 3.3) highlights the prominent, street-corner pubs in Australia and comments that this is the reason for the emphasis on the curve in a lot of the Inter War Hotel designs. However, the Piccadilly Hotel is not located on a corner, yet demonstrates some of the curved features. Other hotels included in the tables above that are not located on a street corner include, The Golden Sheaf Hotel (also by Prevost) and the Captain's Flat Hotel. Therefore, while the architectural style is common around Sydney, most of the surviving pubs of this era are located on prominent corners. The Piccadilly Hotel is a good example of an Inter War Functionalist hotel that has been designed to respond to the neighbouring buildings.

Overall, the Piccadilly Hotel's eastern facade is in keeping with the general Inter War functionalist style hotels. The facade is a good example of this style due to the large amount of intact original features. The interiors however, similar to other hotels designed by Prevost and Ancher, have been substantially compromised, with only a minimal quantity of original fabric retained. It is a good example of the Inter War Functionalist style due to the use of simple geometric motifs to create a strong horizontal emphasis that contrasts with an individual vertical line that extends above the roof line.

5. HERITAGE SIGNIFICANCE

Before making decisions to change a heritage item, an item within a heritage conservation area, or an item located in proximity to a heritage listed item, it is important to understand its values and the values of its context. This leads to decisions that will retain these values in the future. Statements of heritage significance summarise the heritage values of a place; why it is important, why a statutory listing was made to protect these values.

5.1. BUILT HERITAGE SIGNIFICANCE ASSESSMENT

The Heritage Council of NSW has developed a set of seven (7) criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. The following assessment of heritage significance has been prepared in accordance with the NSW heritage Division's 'Assessing Heritage Significance' guidelines.

Table 8 – Assessment of Heritage Significance

Criteria	Significance Assessment
<p>A – Historical Significance</p> <p><i>An item is important in the course or pattern of the local area's cultural or natural history.</i></p>	<p>The subject site is located on two original lots formed during the early nineteenth century subdivision of the area. The two separate lots were consolidated in 1875 when the northern lot was purchased by the O'Dowd's. This portion of Victoria Street has generally retained the original subdivision plan.</p> <p>The Piccadilly Hotel has historic significance due to its representation of Tooths' involvement in a significant cultural change of the design and style of Sydney's Hotels. During the Inter War period, Tooth & Co. were responsible for purchasing and refurbishing or rebuilding many historic Sydney hotels. This had a significant impact on the type and style of hotels across Sydney and NSW.</p> <p>The site of the Piccadilly Hotel was occupied by a Hotel as early as 1880 (known then as the Austral Club). The Hotel was purchased by Tooth & Co. in 1936 and demolished in 1937-38 to make way for the surviving building (completed in 1938). The Hotel was at this time renamed, The Piccadilly Hotel. The Hotel generally represents the Inter War development of the area.</p> <p>The Piccadilly Hotel meets the criteria of historic significance at a local level.</p>
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> shows evidence of a significant human activity <input type="checkbox"/> is associated with a significant activity or historical phase <input checked="" type="checkbox"/> maintains or shows the continuity of a historical process or activity <input type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> has incidental or unsubstantiated connections with historically important activities or processes <input type="checkbox"/> provides evidence of activities or processes that are of dubious historical importance <input type="checkbox"/> has been so altered that it can no longer provide evidence of a particular association <input type="checkbox"/>

Criteria	Significance Assessment
<p>B – Associative Significance</p> <p><i>An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history.</i></p>	<p>The Piccadilly Hotel has a strong association with the company Tooth & Co. Ltd. Tooths was a significant brewery company of the era and was responsible for the refurbishment and redevelopment of a significant number of Hotels in Sydney including the Piccadilly Hotel.</p> <p>The Piccadilly Hotel was designed by Prevost and Ancher, Prevost was highlighted (by Lesser) as a recurring architect for Tooth's redeveloped Hotels during the Inter War period.</p> <p>While Tooth's have not owned the Hotel for a number of years and all visible evidence of their ownership has been removed (including the Tooth's Logo from the eastern façade), Tooths were responsible for the construction of the functionalist style Hotel that differs from the adjacent properties.</p> <p>Therefore, the Piccadilly Hotel meets the criteria for Associative significance at local level as the Hotel is a representation of Tooths' involvement in a significant shift in the design of Sydney's Hotels.</p>
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> • shows evidence of a significant human occupation <input type="checkbox"/> • is associated with a significant event, person, or group of persons <input checked="" type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> • has incidental or unsubstantiated connections with historically important people or events <input type="checkbox"/> • provides evidence of people or events that are of dubious historical importance <input type="checkbox"/> • has been so altered that it can no longer provide evidence of a particular association <input type="checkbox"/>
<p>C – Aesthetic Significance</p> <p><i>An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.</i></p>	<p>The eastern façade of the Piccadilly Hotel is a good example of an Inter War Functionalist style Hotel as it incorporates the following elements typical of the style:</p> <ul style="list-style-type: none"> • Use of simple geometries across the façade. • Emphasise on horizontal planes offset by a strong vertical façade element. • Two recessed balconies with simple columns. • Areas of curved façade, including curved windows. • Exposed face-brick on the upper floors. • Simple parapet concealing the roof. • Timber framed double-hung windows with original joinery/brass hardware.

Criteria	Significance Assessment
	<p>The eastern façade however is the one of the few remaining features of the Hotel that exemplifies the Inter War functionalist style.</p> <p>The interiors on the ground and first floor have been heavily altered in the early 2000s to refurbish the Hotel into a night club. This included covering up or removing many original features and finishes including floor and wall tiles, the curved bars on both floors and large areas of skirting boards, architraves and original timber floorboards.</p> <p>One area that has retained the original wall and floor tiles includes the stairwell on the southern side of the Hotel. This stairwell goes between ground and first floor and has largely been left as original. In addition, the second floor appears to have retained timber skirting boards, doors and floorboards. These however are all simple in design and style.</p> <p>Due to the extensive alterations and additions to the site, the aesthetic significance of the site is vested in the eastern façade and the internal stairwell with minor joinery elements throughout making some contribution to this significance.</p>
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> • shows or is associated with, creative or technical innovation or achievement <input checked="" type="checkbox"/> • is the inspiration for a creative or technical innovation or achievement <input type="checkbox"/> • is aesthetically distinctive <input checked="" type="checkbox"/> • has landmark qualities <input type="checkbox"/> • exemplifies a particular taste, style or technology <input type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> • is not a major work by an important designer or artist <input type="checkbox"/> • has lost its design or technical integrity <input checked="" type="checkbox"/> • its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded <input type="checkbox"/> • has only a loose association with a creative or technical achievement <input type="checkbox"/>
<p>D – Social Significance</p> <p><i>An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons.</i></p>	<p>The site has been vacant for approximately four years. The Hotel was converted to a club in the early 1990s which was representative of the social culture of the area. However, since its closure in 2015, the area has also changed rapidly and the former use as a night club is no longer in keeping with the character of the area.</p> <p>The Hotel's conversion to a club and its subsequent closure has substantially diminished any social significance as it is no longer utilised by the community. Therefore, the subject site does not reach the criteria for social significance.</p>

Criteria	Significance Assessment
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> is important for its associations with an identifiable group <input type="checkbox"/> is important to a community's sense of place <input type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> is only important to the community for amenity reasons <input checked="" type="checkbox"/> is retained only in preference to a proposed alternative <input type="checkbox"/>
<p>E – Research Potential</p> <p><i>An item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history.</i></p>	<p>It is unlikely that the site is able to yield any information that is not available from other sources. This is due to the disturbance of the site which was excavated for the construction of the Hotel basement during the late 1930s. In addition, there is no documentation which indicates that the construction methods employed for the Hotel were rare or advanced for the time.</p> <p>Therefore, the subject site does not reach the criteria for research potential.</p>
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> has the potential to yield new or further substantial scientific and/or archaeological information <input type="checkbox"/> is an important benchmark or reference site or type <input type="checkbox"/> provides evidence of past human cultures that is unavailable elsewhere <input type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> the knowledge gained would be irrelevant to research on science, human history or culture <input type="checkbox"/> has little archaeological or research potential <input checked="" type="checkbox"/> only contains information that is readily available from other resources or archaeological sites <input type="checkbox"/>
<p>F – Rarity</p> <p><i>An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history.</i></p>	<p>The subject site is not rare. Many hotels survive from the Inter War period in Sydney and NSW more generally as shown in the Comparative Analysis table shows above (Section 4) which has been limited to hotels associated with Prevost and Ancher and Tooth & Co. only.</p> <p>In addition, due to the loss of original interior fabric (as with many other hotels of the era), the Hotel does not constitute a rare example of original internal finishes etc.</p>
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> provides evidence of a defunct custom, way of life or process <input type="checkbox"/> demonstrates a process, custom or other human activity that is in danger of being lost <input type="checkbox"/> shows unusually accurate evidence of a significant human activity <input type="checkbox"/> is the only example of its type <input type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> is not rare <input checked="" type="checkbox"/> is numerous but under threat <input type="checkbox"/>

Criteria	Significance Assessment
<ul style="list-style-type: none"> demonstrates designs or techniques of exceptional interest <input type="checkbox"/> shows rare evidence of a significant human activity important to a community <input type="checkbox"/> 	
<p>G – Representative</p> <p><i>An item is important in demonstrating the principal characteristics of a class of NSWs (or the local area's):</i></p> <ul style="list-style-type: none"> cultural or natural places; or cultural or natural environments. 	<p>The subject site is representative of the shift in architectural development of the area from the nineteenth century terraces (residences and commercial buildings) to Inter War apartment buildings and the Piccadilly Hotel.</p> <p>The significance of the Potts Point Conservation area highlights the collection of building types, particularly from the nineteenth and early twentieth century.</p> <p>The subject site is representative of the early twentieth century development in the area. Despite the loss of original fabric from the interior, the façade remains a good representation of Inter War Functionalist architecture.</p> <p>Therefore, the subject site reaches the criteria for representative significance.</p>
<p><u>Guidelines for Inclusion</u></p> <ul style="list-style-type: none"> is a fine example of its type <input type="checkbox"/> has the principal characteristics of an important class or group of items <input checked="" type="checkbox"/> has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity <input type="checkbox"/> is a significant variation to a class of items <input type="checkbox"/> is part of a group which collectively illustrates a representative type <input type="checkbox"/> is outstanding because of its setting, condition or size <input type="checkbox"/> is outstanding because of its integrity or the esteem in which it is held <input type="checkbox"/> 	<p><u>Guidelines for Exclusion</u></p> <ul style="list-style-type: none"> is a poor example of its type <input type="checkbox"/> does not include or has lost the range of characteristics of a type <input type="checkbox"/> does not represent well the characteristics that make up a significant variation of a type <input type="checkbox"/>

5.2. STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE

5.2.1. Existing Statement of Significance

The following established Statement of Significance has been sourced from the NSW Heritage Inventory online database.

The Piccadilly Hotel has aesthetic significance as a good example of an Inter War Functionalist style building, designed by prominent architects Prevost and Ancher, which makes a positive contribution to the

streetscape. It has historic significance as the building dates from the key period of hotel rebuilding in NSW by the breweries during the Inter War period.¹⁹

5.2.2. Proposed Statement of Significance

This CMP proposed the following Statement of Significance:

The Piccadilly Hotel has heritage significance at a local level.

The subject site was formed as part of two lots from the early subdivision of the area (consolidated in 1875). The site has been the location of a hotel continuously since 1876. Tooth & Co who were responsible for the construction of many hotels in Sydney during the Inter War period were responsible for the current hotel on the site which was constructed in 1938. As a distinctive Inter War hotel the place retains its associations with Tooth & Co.

The eastern (main) façade is a fine example of the Inter War Functionalist style. Functionalist features of the primary façade include curved walls, a horizontality created by materiality and the fenestration pattern and a strong vertical projection off centre. The Hotel was designed by Prevost and Ancher, designers associated with Tooth & Co. during the Inter War period.

The eastern façade contributes to the general streetscape as it represents the shift from nineteenth century to early twentieth century development and more specifically the Inter War layer of development in the area.

Due to the extensive alterations to the interior, they make minimal contribution to the heritage significance of the site. Remnant significant features are confined to original stairs and some original joinery to Level 2.

5.2.3. Potts Point Heritage Conservation Area.

The subject site is also located within the Potts Point Heritage Conservation Area. This established Statement of Significance has been sourced from Heritage NSW online database.

The Potts Point Conservation Area provides evidence of the subdivision of the early land grants and the consolidation of development in Potts Point during the nineteenth and twentieth centuries, reflecting the evolution of the locality from a district of substantial nineteenth century villas, to one characterised by terraces of late nineteenth and early twentieth century interspersed with early to mid-nineteenth century apartment housing and several surviving grand houses. Together with adjoining Elizabeth Bay and Rushcutters Bay, no where else in Australia were apartments built to this height or level of density. This creates streetscapes of strong urban form and Victorian, Federation and Inter War character.

The area provides building types which represents the last 150 years of development and coexist in a harmonious way. Despite the intrusive nature of later high rise towers, whose impact is disproportionate to their proportion of built area, the area provides a highly cohesive character although the towers visually dominate the background of low scale streetscape.

The commercial strip along Darlinghurst Road, together with Fitzroy Gardens and the El Alamein Fountain, provide a continuing civic and visual focus for the area.²⁰

5.3. LEVELS & GRADINGS OF SIGNIFICANCE

The Heritage Council of NSW recognises four (4) levels of heritage significance in NSW: Local, State, National and World. The level indicates the context in which a heritage place is important (for example, local heritage significance means the place is important to the local area or region). Heritage places that are rare, exceptional or outstanding beyond the local area or region may be of state or national significance.

In most cases, the level of heritage significance for a place has a corresponding statutory heritage listing and responsible authority for conserving them.

Different components of a place may contribute in different ways to its heritage value. The gradings of significance adopted for this CMP are based on those definitions as developed by the Heritage Council of NSW, and have been modified as follows:

¹⁹ NSW Heritage Council. "Piccadilly Hotel Including Interior", <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2421377>.

²⁰ Heritage NSW, "Potts Point Heritage Conservation Area", <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2435711>.

Table 9 – Gradings of Significance

Grading	Justification	Status
Exceptional	Rare or outstanding elements that directly contribute to the place's overall heritage significance; they retain a high degree of integrity and intactness in fabric or use; any change should be minimal and retain significant values or fabric	Fulfil criteria for local or state listing
High	Element demonstrates a key aspect of the place's overall heritage significance; they have a high degree of original fabric or they retain their original use; alterations do not detract from significance	Fulfil criteria for local or state listing
Moderate	Element contributes to the place's overall heritage significance; they may have been altered but they still have the ability to demonstrate a function or use particular to the site; change is allowed so long as it does not adversely affect the place's overall heritage significance	Fulfil criteria for local listing
Little	Element may be difficult to interpret or may have been substantially modified which detracts from its heritage significance; change is allowed so long as it does not adversely affect the place's overall heritage significance	Does not fulfil criteria for local or state listing
Neutral	Elements do not add or detract from the site's overall heritage significance; change allowed	Does not fulfil criteria for local or state listing
Intrusive	Elements are damaging to the place's overall heritage significance; can be considered for removal or alteration	Does not fulfil criteria for local or state listing

5.4. SCHEDULE OF SIGNIFICANT ELEMENTS

The following schedule has outlined the spaces and fabric that have been assessed as having Exceptional, High and Moderate heritage significance only. Therefore, the spaces and fabric that are not addressed in Table 11 and Table 12 are considered to have little, neutral or intrusive gradings. Refer to significance mapping provided in section 5.5 for a visual representation of gradings of fabric and spaces.

In addition to the gradings of significance, the location and corresponding time period for the elements have been identified. The corresponding time periods have been identified as follows

Table 10 – Table of Time Periods

Phase	Year
Original	1938-39, Construction of the Hotel
Late	1950-89, Minor alterations to the Hotel

Phase	Year
Recent	1990-2020, Conversion of the Hotel into night club and recent alterations to night club.

Table 11 – Gradings of heritage significance – External fabric

Structure, space or element	Phase	Location of Element	Grading
General			
Overall form and footprint	Original		High
Eastern Façade Upper floors	Original	Levels 1 and 2	High
Recessed balcony (including columns)	Original	Levels 1 and 2	High
External Fabric			
Masonry	Original	Eastern Façade	High
String Course (render)	Original	Above first and second floors.	High
Piccadilly Hotel Signage	Original	Above second floor balcony.	High
Vertical Detail (render)	Original	At the southern end of eastern façade, above second floor	High
Ground floor entrances			
Openings	Original	Eastern façade	Moderate
Fabric	Original	Eastern façade	Moderate
Awning			
Generally	Original	Ground	High
Ceiling fabric (pressed metal)	Original	Ground	High
Windows			
Openings	Original	East and west facades	High
Fabric (timber frames)	Original	East and west facades	High
Balcony Doors			
Openings	Original	Eastern Façade, first and second floors	High
Fabric	Original	Eastern Façade, first and second floors	High

Table 12 – Gradings of heritage significance – Internal fabric and spaces

Structure, space or element	Phase	Location of building	Grading
Basement			
Floor tiles	Original	Basement	Moderate
Keg chute	Original	Basement (eastern wall opening)	Moderate
Ground Floor			
Stairs			
Timber	Original	Ground floor (north-west corner leading to basement)	Moderate
Tiles and timber	Original	Ground floor (along the southern wall, leading to first floor)	High
First Floor			
First Floor layout generally	Later (Modified)	First floor	Moderate
Timber joinery			
Skirting boards	Original	First floor (within eastern rooms)	Moderate
Plate rails	Original	First floor (within eastern rooms)	Moderate
Timber Floorboards	Original	First floor (within room to the east)	Moderate
Glass bricks	Original	First floor (Female bathroom, eastern corridor)	Moderate
Internal Doors - fabric			
Double French doors	Original	First floor (north-west corner)	Moderate
Double Glass pane doors	Original	First Floor (into eastern corridor)	Moderate
Bathroom doors (including decorative detail and signs)	Original	First floor (eastern corridor)	Moderate
Main Bar (location only)	Original	First Floor	Moderate
Second floor			
Second Floor layout generally	Later (Modified)	Second floor	Moderate

Structure, space or element	Phase	Location of building	Grading
Plasterboard Ceilings	Original	Second floor	Moderate
Timber joinery			
Skirting boards	Original	Second floor	Moderate
Plate rails	Original	Second floor	Moderate
Doors	Original	Second floor	Moderate
Timber frame (around doorways)	Original	Second floor	Moderate
Timber Floorboards	Original	Second floor	Moderate
Timber Stairwell	Original	First and Second floor (along southern wall)	High

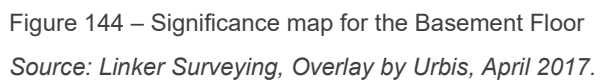
5.5. SIGNIFICANCE MAPPING

The following maps have been prepared to illustrate significant fabric on the eastern façade and all floors of the subject site. These should also be read in conjunction with the schedule above (Table 11 and Table 12).



Figure 143 – Significance map for the Eastern Facade

Source: Woods Bagot, overlay by Urbis April 2020.



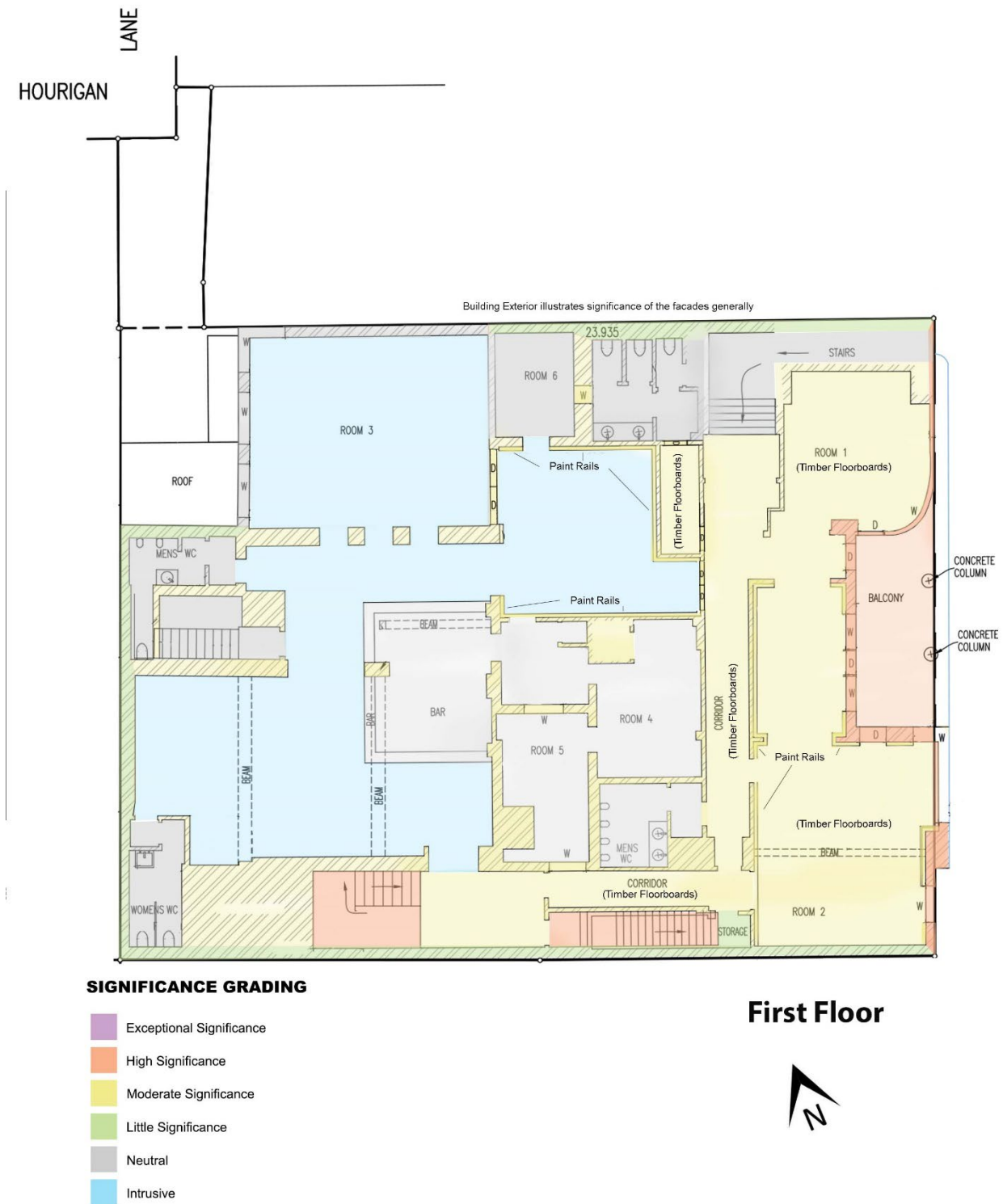


Figure 146 – Significance map for the First Floor
Source: Linker Surveying, Overlay by Urbis, April 2017.

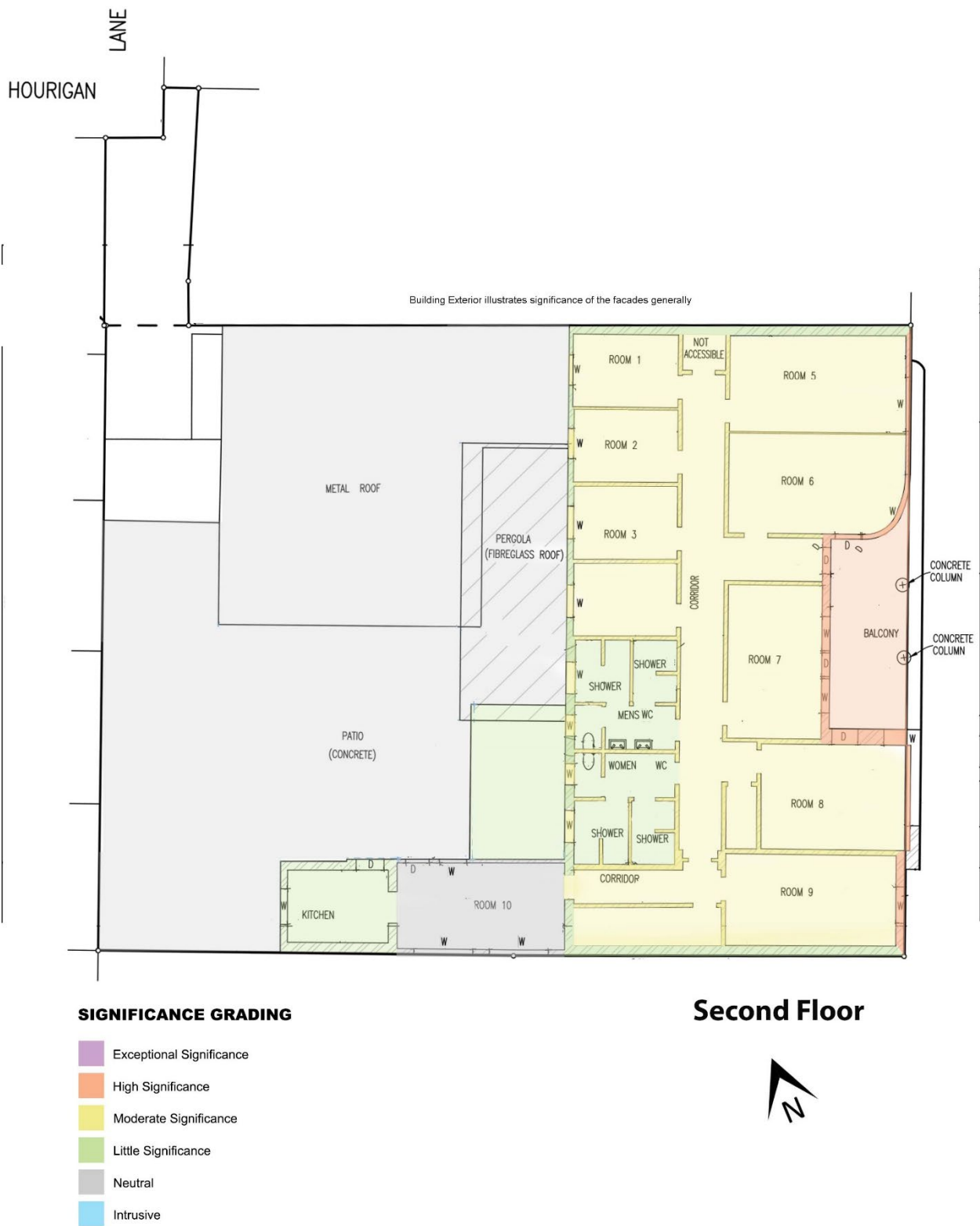


Figure 147 – Significance map for the First Floor
Source: Linker Surveying, Overlay by Urbis, April 2017.

5.6. SIGNIFICANT VIEWS & VISTAS

Significant views to the subject site have been identified in this section. However, due to the built-up nature of the street and scale of the building, there is limited visibility towards the site. In addition, Victoria Street is lined with trees which obscure the subject site from view. The effect of this varies depending on the season. Further, no significant views toward the western façade have been identified given the Brougham Street terraces obscure views and much of the fabric to the western façade is later fabric of no significance. This is demonstrated in the photographs included below.

Significant views from the interior include the views from the two balconies on the eastern façade towards the eastern side of Victoria Street. In addition, the views west from the first and second floors include views of the City skyline (including the harbour bridge). These views from the subject site are significant as they provide clear views within the Potts Point Heritage Conservation Area and the subject site's proximity to the city. Examples of these views have been demonstrated below.



Figure 148 – Views directly in front of the subject site.



Figure 149 – View north-west from the eastern side of Victoria Road. Trees currently obscuring the views of the subject site (Indicated).



Figure 150 – View south on the western side of Victoria Street. The ground floor of the subject site is indicated.



Figure 151 – View south-west from the eastern side of Victoria Road. Trees currently obscuring the views of the subject site (indicated).

The following views are of the western façade of the subject site.



Figure 152 – Views of the western façade from Hourigan Lane.



Figure 153 – Views from Brougham Street of the top corner of the western façade (indicated).

5.6.1. Views to the subject site

Views have been assigned numbers in the table below. These numbers are cross referenced to the reference map below at Figure

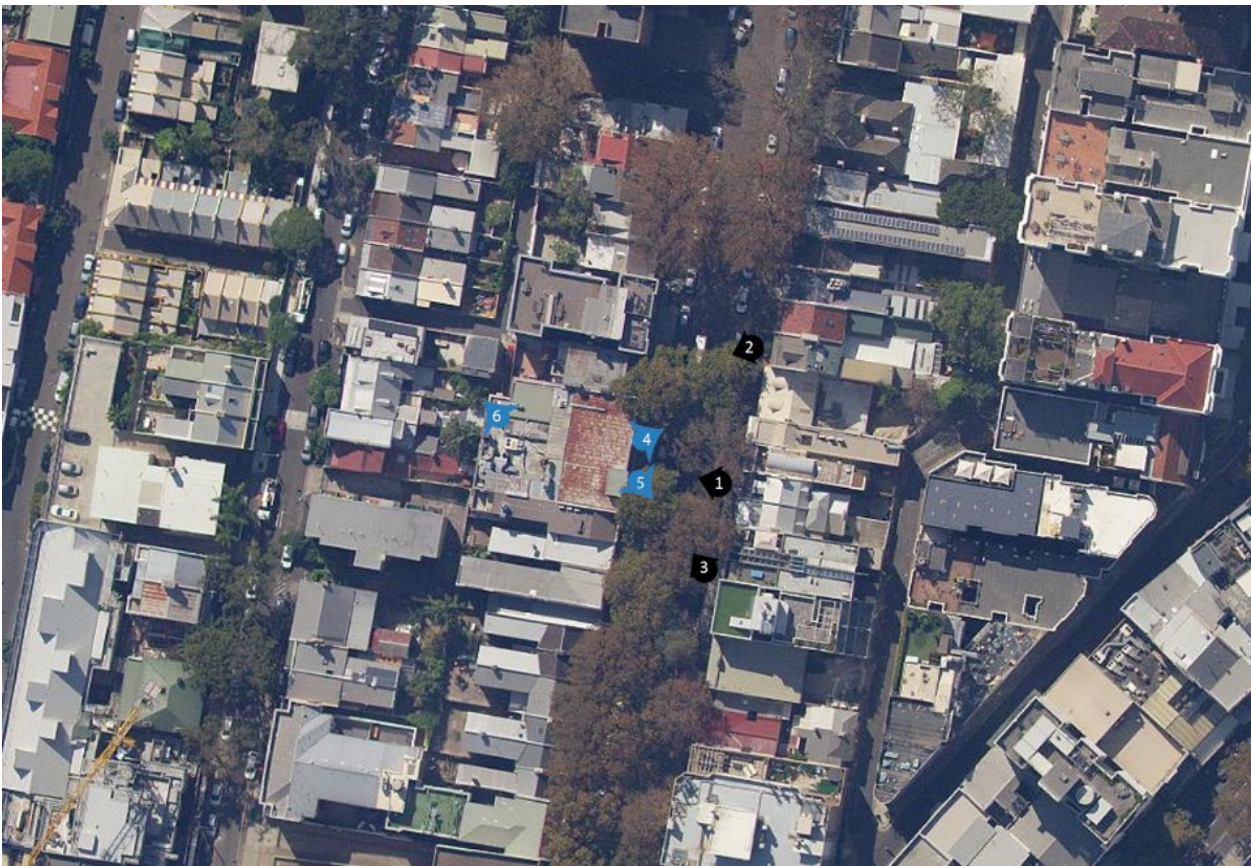








Figure 154 – Significant views to and from the subject site. Views to the subject site have been indicated in black and views from have been indicated in blue.

Source: Six Maps, 2019.

Table 13 – Schedule of significant views.

View No.	Direction/Location	Image
1	View west from Victoria Street.	 <p>Figure 155 – Significant view no. 1.</p>
2	View south-west from Victoria Street.	 <p>Figure 156 – Significant view no. 2.</p>
3	View north-west from Victoria Street.	 <p>Figure 157 – Significant view no. 3.</p>

View No.	Direction/Location	Image
4	View north-east from balconies of subject site (levels 1 and 2).	 <p>Figure 158 – Significant view no. 4.</p>
5	View south-east from balconies of subject site (levels 1 and 2).	 <p>Figure 159 – Significant view no. 5.</p>
6	View north-west from level 1 and open roof top of subject site.	 <p>Figure 160 – Significant view no. 6.</p>

5.7. SIGNIFICANT LANDSCAPE

The subject Hotel building occupies the entirety of the lot. Therefore, there is no significant landscaping located on site. In addition, no landscape has been incorporated into the open rooftop on the second floor.

5.8. ARCHAEOLOGY AND CULTURAL HERITAGE

The site may have historical archaeological potential, or it may be a place of Aboriginal cultural heritage.

5.8.1. Aboriginal Cultural Heritage

The traditional owners of the land are the Gadigal of the Eora Nation.

Aboriginal cultural heritage consists of places and items that are of significance to Aboriginal people because of their traditions, observances, lore, customs, beliefs and history. It provides evidence of the lives and existence of Aboriginal people before European settlement through to the present. Aboriginal cultural heritage is dynamic and may comprise physical (tangible) or non-physical (intangible) elements. It includes things made and used in traditional societies, such as stone tools, art sites and ceremonial or burial grounds. It also includes more contemporary and/or historical elements such as old mission buildings, massacre sites and cemeteries.

Aboriginal cultural heritage also relates to the connection and sense of belonging that people have with the landscape and each other. It recognises that Aboriginal people understand cultural heritage and cultural practices as being part of both the past and the present and that cultural heritage is kept alive and strong by being part of everyday life.

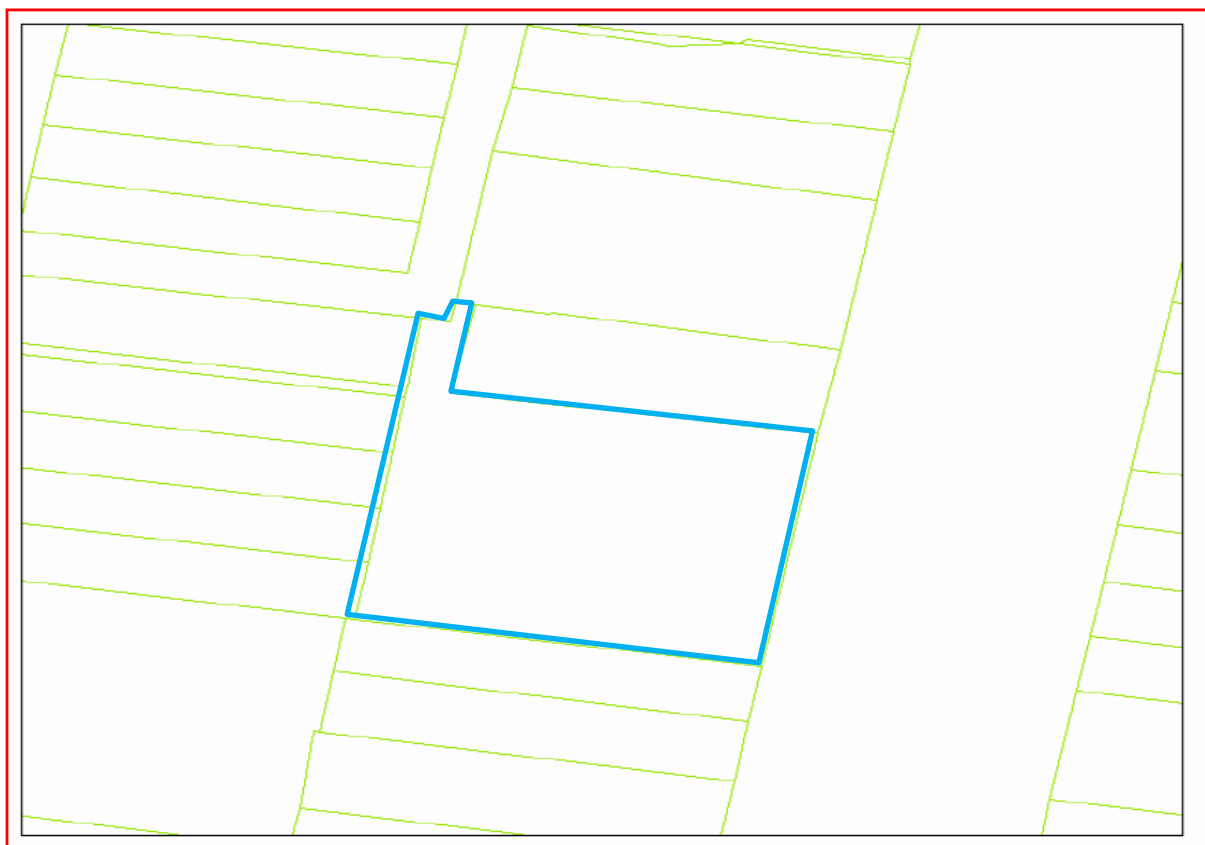
Cultural heritage is not confined to sites; it also includes peoples' memories, storylines, ceremonies, language and 'ways of doing things' that continue to enrich local knowledge about the cultural landscape. It involves teaching and educating younger generations. It is also about learning and looking after cultural traditions and places and passing on knowledge. It is enduring but also changing. It is ancient but also new.

Aboriginal cultural knowledge provides crucial links between the past and present and therefore represents an essential part of the identities of Aboriginal people and all Australians.

A basic AHIMS search for the subject area was undertaken on 3rd December 2019 (Client Service ID: 469256). This indicates 0 Aboriginal Places and 0 Aboriginal sites within the search area or in proximity (refer to Figure 161). The AHIMS register only includes sites that have been registered, which is generally the result of previous assessments having been undertaken. An absence of registered sites is not indicative of an absence of archaeological potential.

Disturbance has the ability to impact archaeological potential. Where disturbance across a site is high, resulting from previous land use activities such as the installation of basement levels, this reduces the archaeological potential of a site. Across the subject site, the soil landscape present is the Hawkesbury (ha) Soil Landscape. This is described as containing shallow (>50cm) discontinuous *lithosols/siliceous sands* associated with rock outcrops; *earthy sands, yellow earths* and some *yellow podzolic soils* on the inside of benches and along joints and fractures; localised *yellow* and *red Podzolic soils* associated with shale lenses; *Siliceous sands* and secondary *Yellow Earths* along drainage lines. The shallow depth of the soils associated with this landscape results in the conclusion that the basement level of the existing building has likely removed natural soils across the subject site, reducing the potential for Aboriginal archaeological remains to occur where this is the case. Where this is not the case, Aboriginal archaeological potential is retained.

Further assessment may be required to determine Aboriginal archaeological potential within the subject site prior to ground disturbance activities.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Figure 161 – Results of a Basic AHIMS search. The subject site is outlined in blue.

Source: Office of Environment & Heritage, AHIMS Web Services (AWS).

5.8.2. Historical Archaeology Potential

Historical archaeology is the study of the past using physical evidence in conjunction with historical sources. It focuses on the objects used by people in the past and the places where they lived and worked. It can tell us about the way things were made and used and how people lived their daily lives. Archaeology is not just about objects and remains, it is also about landscapes and links between sites.

The City of Sydney Archaeological Zoning Plan (CSAZP) outlines and documents the survey and assessment of the archaeological potential of the City of Sydney (CSAZP 1997). The report describes the methodology, criteria and results of the archaeological assessment and lists all identified areas with archaeological potential. The work was carried out in accordance within the principles of the Australian ICOMOS Character for the Conservation of Places of Cultural Significance (the Burra Charter) and the Heritage Act (as amended). Although the CSAZP does not include assessment criteria against the possibility of Aboriginal archaeological remains, the possibility of surviving Aboriginal archaeological resources or 'contact archaeology' remains cannot be entirely discounted.

A search of the CSAZP for the subject areas was undertaken on 3rd December 20196. Despite including portions of Potts Point, the subject area is not included on the CSAZP. The exclusion of the subject area from the CSAZP is not indicative of absence of historical archaeological potential. Further assessment may be required to determine historical archaeological potential within the subject area prior to ground disturbance activities.

6. HERITAGE LISTINGS & STATUTORY OBLIGATIONS

6.1. HERITAGE LISTINGS

The subject site is item of Local heritage significance “Piccadilly Hotel including interior” (I1192) and is located within the “Potts Point Heritage Conservation Area” (C51) as shown below in the heritage map.

The subject site is also located within the Kings Cross Special Character Area as defined in the Sydney Development Control Plan, (DCP) 2012.

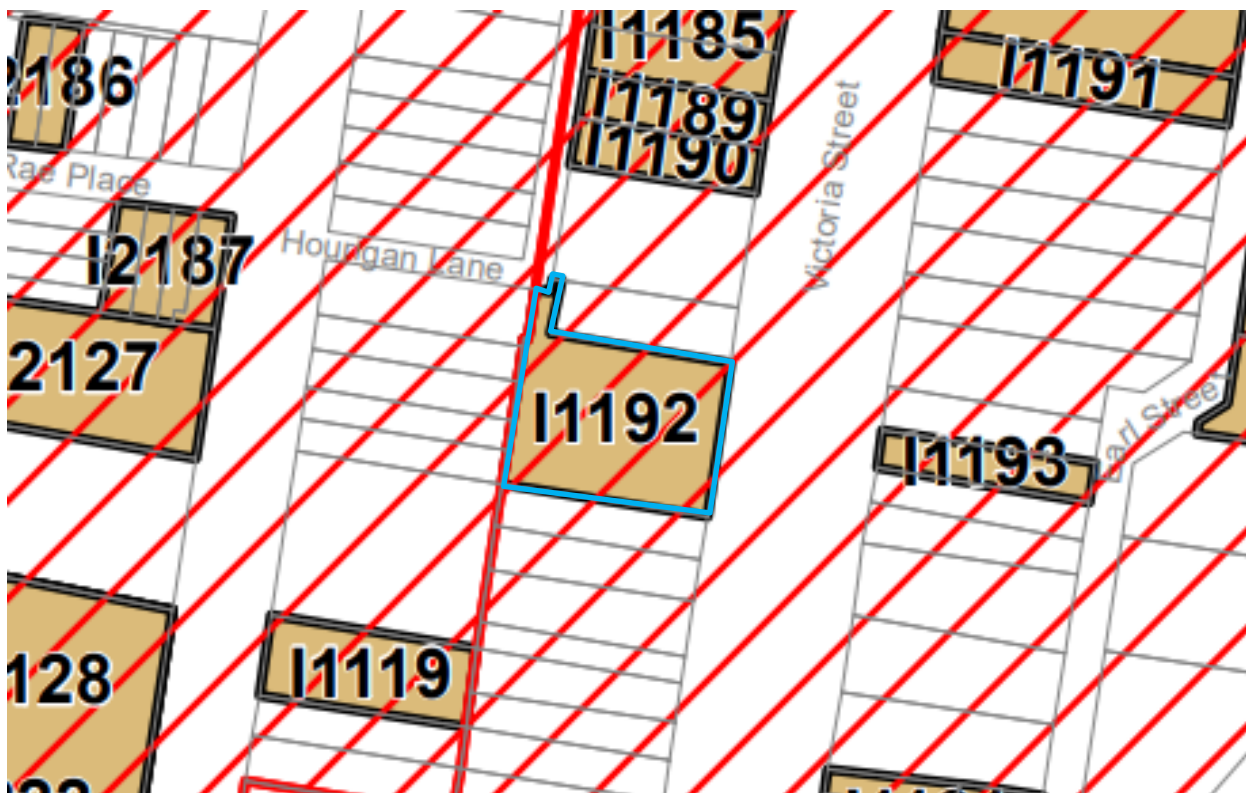


Figure 162 – Heritage Map. The subject site is outlined in blue.

Source: Sydney LEP, Heritage Map HER_022.

6.2. STATUTORY OBLIGATIONS

Works to the subject site may require particular approvals depending on the nature of proposed works. Key commonwealth, state and local legislation, plans and policies affecting the management of the place are described below. This section should be referred to in addition to other management plans for the site.

Commonwealth Government Legislation & Policies

National Construction Code / Building Code of Australia

The National Construction Code (NCC), incorporating the Building Code of Australia (BCA) is a national set of building regulations with some state-specific variations. The performance requirements of the BCA are mandatory, although the introductory sections of the Code make clear that not all requirements will apply to a given case. The Code also includes ‘deemed-to-satisfy’ requirements which are accepted as meeting the performance requirements. The Code also makes provision for alternative solutions to meet the performance requirements, subject to satisfactory verification.

Under the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), all new building work must be carried out in accordance with the BCA. In the case of an existing building, there is generally no requirement to comply with the BCA unless works are being carried out. However, where works (in particular alterations or additions) are proposed to the place, the building will need to comply on completion

with the relevant [performance] requirements of the Building Code of Australia (EP&A Act Regulation Clause 145). In addition, where an existing building has a change of use, the structural capacity and fire safety of the building must be appropriate for the new use. For a building which undergoes alterations without a change of use, the structural capacity and fire safety of the building must not be reduced by the work (EP&A Act Regulation Clause 143).

In certain circumstances, exemption can be obtained from the requirements of the BCA under Clause 187 of the EP&A Regulation. Because in most cases there will be an acceptable alternative solution to satisfy the performance requirements of the BCA, it is rare to seek applications for exemption. If such an application is contemplated, it should be sought at development application stage. The Fire, Access and Services Advisory Panel of the Heritage Council of NSW may be able to assist in resolving conflicts between heritage and regulatory requirements.

State Government Legislation & Policies

Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EPA Act) governs strategic planning and development assessment processes undertaken by State and Local Government in NSW. Development approval for works may be required under Part 3A, Part 4 or Part 5 of the Act.

It is necessary in most cases to submit a development application to the relevant local Council for permission to erect, alter, demolish or change the use of an existing building. This does not apply to a building proposal defined as an 'Exempt Development'. Six categories of development are defined by the new legislation: Exempt Development, Complying Development, Local Development, Integrated Development, Designated Development or State Significant Development.

Approval is required under this Act for alterations and additions to the Haymarket Library. A Review of Environmental Factors (REF) is prepared in most instances to address relevant approvals and consultation requirements under the EP&A Act.

Independent heritage advice or assessment may be required if works are likely to impact on the overall heritage significance of the place or elements identified in this report as being of exceptional or high significance. A heritage impact statement is generally required to accompany development applications for works to a heritage item, to assess the likely impact of the works on the heritage significance of the item.

National Parks and Wildlife Act 1974

The National Parks and Wildlife Act 1974 (NSW) (the 'NPW Act') is the primary piece of legislation for the protection of Aboriginal cultural heritage in New South Wales. The Office of Environment and Heritage (OEH) administers the NPW Act. The NPW Act provides statutory protection for Aboriginal objects by making it illegal to harm Aboriginal objects and Aboriginal places, and by providing two tiers of offence against which individuals or corporations who harm Aboriginal objects or Aboriginal places can be prosecuted. The NPW Act defines Aboriginal objects and Aboriginal places:

Aboriginal object means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Aboriginal place means any place declared to be an Aboriginal place under section 84. The highest tier offences are reserved for knowledgeable harm of Aboriginal objects or knowledgeable desecration of Aboriginal places. Second tier offences are strict liability offences—that is, offences regardless of whether or not the offender knows they are harming an Aboriginal object or desecrating an Aboriginal place—against which defences may be established under the National Parks and Wildlife Regulation 2009 (NSW) (the 'NPW Regulation').

Section 87 of the NPW Act establishes defences against prosecution under s86 (1), (2) or (4). The defences are as follows:

- An Aboriginal Heritage Impact Permit (AHIP) authorising the harm (s87(1))
- Exercising due diligence to establish Aboriginal objects will not be harmed (s87(2))

Due diligence may be achieved by compliance with requirements set out in the National Parks and Wildlife Regulation 2009 (the NPW Regulation) or a code of practice adopted or prescribed by the NPW Regulation (s87(3)).

Local Government Environmental Planning Instruments and Plans

Sydney Local Environmental Plan 2012

A Local Environmental Plan (LEP) is the principal legal document for controlling development and guiding planning decisions made by Council. Sydney Local Environmental Plan 2012 (Sydney LEP 2012) commenced on 14 December 2012 and is the current local environmental plan. Schedule 5 Environmental heritage of the planning instrument lists heritage items and heritage conservation areas within the local government area.

The subject site is listed as a heritage item under Schedule 5 of the Sydney LEP 2012.

The LEP requires consent for certain types of development (including development affecting heritage items) and the consent authority, in considering any proposed development, must have regard to the relevant aims, strategies and principles contained in this plan. Heritage provisions for the City of Sydney Council area are incorporated under Part 5 Miscellaneous Provisions, *Clause 5.10 Heritage Conservation* of the instrument. Sub-clause (2) details consent required for certain development as outlined below:

Development consent is required for any of the following:

(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) a heritage item,*
- (ii) an Aboriginal object,*
- (iii) a building, work, relic or tree within a heritage conservation area,*

(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,

(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,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land:

- (i) on which a heritage item is located or that is within a heritage conservation area, or*
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*

(f) subdividing land:

- (i) on which a heritage item is located or that is within a heritage conservation area, or*
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

Sydney Development Control Plan 2012

The purpose of the Development Control Plan (DCP) is to supplement the Sydney Local Environmental Plan (LEP) 2012 and provide more detailed provisions to guide development. The DCP has been made in accordance with Section 74C of the *Environmental Planning & Assessment Act 1979* and must be read in conjunction with the provisions of Sydney LEP 2012.

Heritage item provisions are predominantly considered in the general provisions of the DCP in section 3, and specifically Section 3.9 Heritage (although this is not exhaustive). The DCP acknowledges that heritage conservation does not preclude change but rather responds to different constraints and opportunities. The DCP aims to ensure that the significant elements of the past are appropriately managed and respected by new development, with the underlying principles being that:

- Change should be based on an understanding of heritage significance; and
- The level of change should respect the heritage significance of the item or area.

The intention of these provisions is to ensure that decisions about change are made with due regard to heritage significance, and that opportunities to improve the understanding and appreciation of this significance are taken.³³⁰

In summary, where new works or uses are proposed to the building, specific provision within the DCP should be considered including but not limited to the provisions for heritage items in Section 3.9.1-3.9.5.

This report lists the provisions at the time of preparing this report and reference should be made to the current instrument in conjunction with any proposed works.

Heritage Management Documents

The Sydney LEP and DCP 2012 requires the preparation of recent Conservation Management Plan before application for major change are considered or lodged for statutory approval. In addition to a CMP most heritage legislation requires the preparation on an assessment of heritage impact to accompany development applications and notifications associated with exempted works. Policies have also been included in this document concerning heritage impact statements.

This document has been prepared in response to these conditions

6.3. HERITAGE MANAGEMENT GUIDELINES

Potts Point Heritage Conservation Area

The following recommendations have been sourced from the Heritage NSW online database for the item and have been prepared by the City of Sydney.

Policy Recommendations

1. Protection of Significance:

(a) subdivision – Retain Victorian Subdivision – Do not amalgamation of sites.

(b) Key period Significant (Contributory) Development:

- Retain 1-2 Storey Victorian terraces, Victorian/Federation/Inter War Public Buildings, Victorian/Federation Commercial development, Interwar apartment buildings.*
- Retain scale, maintaining building alignment.*
- Retain form, finishes and details particularly face brick and now rare slate roofing.*
- Reinstate Verandas, front fences, lost detail.*
- Protect intact rear lane.*
- Additions to rear of low scale building not to exceed ridge height and retain original roof form.*
- Discourage front dormers to terrace*

2. Redevelopment of Non Contributing Sites:

- Encourage reinterpretation of earlier Subdivision on amalgamated sites by façade treatment.*
- Retain small scale of development in low scale areas*
- Respect scale and form of significant development.*
- Respect building line of significant development*
- Encourage rendered and painted finishes.*
- Face brick finishes need to be carefully selected and detailed.*
- Encourage contemporary detail*
- Limit car parking access from street*

- Do not allow car parking, additions forward of building line and rationalise existing additions forward of building line.

3. Enhance Significance of Area:

- Reinforce the existing landscaped character.
- Provide landscape screening to detracting sites.

4. FSR and Height Controls:

- Controls to reflect desired future character of area.
- Revise height controls to reflect 3-storey scale of significant development to terrace area.
- Revise FSR controls to encourage retention of significant development patterns of high-rise adjacent to low rise dwelling. As the area is already densely populated revise FSR to restrict future development.

5. Contributory Buildings should be retained and conserved.

- A Heritage assessment and Heritage Impact Statement should be prepared for contributory buildings prior to any major works being undertaken.
- There shall be no vertical additions to such buildings and no alterations to the façade of the building other than to reinstate original features.
- Any additions and alterations should be confined to the rear in areas of less significance, should not be visibly prominent and shall be in accordance with the relevant planning controls.²¹

Kings Cross Special Character Area

The following outlines the guidelines for the Kings Cross Special Character Area. It has been sourced directly from the Sydney DCP, 2012.

This locality is bounded by the Victoria Street/Brougham Street cliff edge to the west; Darlinghurst Road/Victoria Street intersection to the south-west; Craigend Street exit from New South Head Road to the south; Hughes Street and the rear of lots along Greenknowe to the north; and Roslyn Street, Roslyn Lane and lots along Elizabeth Bay Road to the east.

The well recognised Kings Cross skyline which includes the iconic Coca-Cola sign are significant features of William Street. Heritage items such as the Kings Cross Hotel have a landmark presence to the street. Any significant redevelopment is to enhance the existing pedestrian network to improve pedestrian amenity.

Kings Cross has long been recognised as an international and regional destination for tourism and entertainment, with international, regional, and local roles to play. Darlinghurst Road forms the area's lively, bohemian main street. The unique character of Darlinghurst Road is typified by its rich history and heritage, eclectic mix of buildings from different periods, architectural character and diversity, an inclusive community and a wide variety of businesses. With a mixture of shops, bars, restaurants, accommodation, and services for local needs, Darlinghurst Road is vital to the local community, as well as serving visitors from Sydney and further afield.

Development along Darlinghurst Road will contribute to and enhance the area's fun, vibrant and eccentric identity by appropriately responding to its existing 'human scale', including the fine grain and established built form patterns of the street. Development should also achieve a balance and diversity of activities and experiences to support the liveliness and vitality of Darlinghurst Road, which is to continue to fulfil its key economic, social and cultural role within the locality.

The area's role as a centre is to be strengthened by capitalising on its proximity to public transport, and by providing commercial and retail services for existing and future residents and visitors alike. The centre is to be consolidated with Orwell Street, promoting active retail and commercial uses to improve the link between Darlinghurst Road, Macleay Street, Lankelly Place and Victoria Street.

²¹ Heritage NSW, "Potts Point Heritage Conservation Area", <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2435711>.

Principles

- (a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.*
- (b) Development is to respond to and complement subdivision, heritage items and contributory buildings within heritage conservation areas, including streetscapes and lanes.*
- (c) Maintain the built form structure of the neighbourhood with taller buildings located predominantly along the ridge line and at the crossing of Victoria Street and Darlinghurst Road.*
- (d) Maintain the unique skyline of buildings located along the western side of Springfield Avenue.*
- (e) Maintain view corridors along Orwell Street and over terraces along Victoria Street towards the skyline.*
- (f) Design development on the eastern corner of Darlinghurst Road and Bayswater Road to respond to its highly visible corner location.*
- (g) Introduce upper level setbacks for new developments to respect the existing street wall heights to Darlinghurst Road, where appropriate.*
- (i) Maintain the small lot subdivision and predominant terrace building type along Victoria Street.*
- (j) Preserve the Kings Cross Hotel building as an important building for Kings Cross.*
- (K) Retain Darlinghurst Road and Bayswater Road as a precinct which supports a mix of daytime and night time commercial and retail uses.*
- (l) Encourage active retail and commercial uses on Orwell Street to improve the link between activities along Darlinghurst Road, Macleay Street, Lankelly Place and Victoria Street and the activity and surveillance of the pocket park on Orwell Street.*
- (m) Encourage development with active edges and outdoor eating along Springfield Avenue and Springfield Plaza.*
- (n) Encourage outdoor eating in Lankelly Places to expand the existing laneway character.*
- (o) Encourage employment opportunities and provide a range of non-residential Road that support the existing high population density of Kings Cross and serve its international regional, and local function including retail, business, entertainment, food and drink, cultural and community uses.*
- (p) Reinforce the urban form of Darlinghurst Road including its fine grain, varied, high quality architectural character, and avoid building design that reduces diversity and grain.*
- (q) Increase uses that provide all day activity, particularly those that serve the broader community's social, cultural and entertainment needs.*
- (r) Encourage interesting development that references the socio-historic significance of Darlinghurst Road and supports community diversity and harmony.*

7. OPPORTUNITIES & CONSTRAINTS

7.1. INTRODUCTION

The conservation planning process established by the *Burra Charter* of Australia ICOMOS guidelines (refer Article 6 which defines the Burra Charter Process) requires that relevant constraints be identified as part of the process for developing conservation policies for places of significance.

Obligations arising from the cultural significance of the place:

- Physical constraints of the place, including environmental factors and the physical condition of the fabric.
- Relevant statutory and non-statutory controls.
- Owner's needs, resources and other external constraints; and
- Obligations involved in undertaking research, maintaining records and communicating the heritage values of the place.

The assessment of the following specific constraints and opportunities will result in appropriate policies for the Piccadilly Hotel.

7.2. STATUTORY & NON-STATUTORY REQUIREMENTS

Approvals for works to the site may be required under the EP&A Act, the Heritage Act or National Parks and Wildlife Act as outlined above in Section 0. This section should be referred to prior to undertaking any works.

Where new works are proposed, compliance with the Building Code of Australia 1996/ National Construction Code 2011 and Australian Standard AS1428 (Universal Access) may also be required as outlined in Section 0. Any strategies or solutions to ensure that components of the building comply with the BCA/ NCC or AS1428 should be driven by the cultural significance of the place. Where necessary, alternative solutions and performance-based outcomes should be pursued to ensure the intent of the code is met without adversely impacting on significant fabric. Professional advice should be obtained. To minimise adverse interventions and to assist in maximising the exposure of significant heritage fabric, alternate solutions to the deemed to satisfy provisions of the BCA should be derived from performance-based assessments particularly in relation to structural provisions, fire resistance and stability, fire separation, provisions for access and egress, sound transmission and isolation, and energy efficiency.

Similarly, works to achieve environmental performance standards should be carefully considered in conjunction with heritage advice.

City of Sydney Council

The following provisions from Clause 5.10 of the LEP 2012 dictate the necessity for consent for works from City of Sydney Council.

(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.*

(2) Requirement for Consent

Development consent is required for any of the following:

(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) a heritage item,*

(ii) an Aboriginal object,

(iii) a building, work, relic or tree within a heritage conservation area,

(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,

(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,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land:

(i) on which a heritage item is located or that is within a heritage conservation area, or

(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

(f) subdividing land:

(i) on which a heritage item is located or that is within a heritage conservation area, or

(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) When consent not required

However, development consent under this clause is not required if:

(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:

(i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and

(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area.

7.3. OBLIGATIONS ARISING FROM CULTURAL HERITAGE SIGNIFICANCE

This CMP provides an analysis of the significance of the subject building in its present form. It has been determined that the building has significance for its historic, associative, aesthetic and representational values (refer Section 5).

This places an obligation of the owners, occupiers and users of the building and any other stakeholders responsible for or involved in the maintenance and management of the building to conserve this identified significance. This includes the buildings facades and form, nominated internal and external fabric, individual spaces, elements and structures of the building as identified in section 5.4.

Any future proposed changes to the building must be undertaken in accordance with the Sydney LEP and DCP 2012, the Burra Charter and with reference to the provisions of the CMP and further should seek to retrieve lost elements and restore the building previous significance and character. This significance of the site is summarised above in Section 5.2.2.

Specific policies for the treatment of the fabric have been set out below in Section 8. However, general constraints in relation to the elements, fabric and spaces of heritage significance include:

- The Statement of Significance embodies the core heritage values of the building and all future decisions and works to the building must be guided by the Statement of Significance and the identified significant spaces, fabric and building elements identified in this CMP, together with any additional detailed research and assessment. The significance is defined in Section 5.2.2 of this report with a Schedule of Significant Elements provided in Section 5.4. Fabric and spaces of

moderate or higher significance should generally be retained and conserved and with consideration for policies herein.

- Management and maintenance of the asset should aim to conserve its heritage significance to the greatest extent feasible whilst facilitating appropriate ongoing use.
- Works should be undertaken in accordance with the principles of the Australia ICOMOS Burra Charter.
- The contribution that the building makes to Victoria Street.

The Burra Charter

The ICOMOS Burra Charter 2013 adopted by Australia ICOMOS, establishes the nationally accepted principles for the conservation of places of cultural significance. Although the *Burra Charter* is not cited formally in an Act, it is nationally recognised as a document that shapes the policies of the Heritage Council of NSW. The document provides the underlying methodology by which works to heritage items of all levels of significance are undertaken and provides the guidelines for the management of heritage items. The building is of demonstrated cultural significance and therefore, procedures for managing change and activities at the site should be in accordance with the recognised conservation methodology of The Burra Charter.

A copy of the Burra Charter is available via the following link: <http://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf>.

7.4. OBLIGATIONS ARISING FROM THE CONDITION AND INTEGRITY OF FABRIC AND PHYSICAL EVIDENCE

The condition of the place overall is poor to good. While the eastern façade has retained significant detail and fabric, the interiors and western façade have been significantly altered, leading to a large loss of fabric. However, remnant portions of fabric have survived in small areas, allowing for the potential for original fabric to be reinstated or interpreted. This should particularly be considered on the ground and first floor areas (the public bar areas). Conservation works to the exteriors will also be required.

General constraints and opportunities in relation to the integrity and condition of the fabric include:

- Conservation of the building fabric should be managed in accordance with the Conservation Policies in section 8 and the Outline Schedule of Conservation Works in section 9.
- Management and maintenance of the asset should aim to conserve its heritage significance to the greatest extent feasible. Works should be sympathetic to highly significant fabric and repairs should be undertaken over replacement, if possible. Where required, works to significant fabric should be undertaken as a priority and *in situ* in preference to removal and reinstatement.
- Impact on highly significant fabric should be considered and the appropriate approvals sought.
- Any repair, conservation or reconstruction work to significant elements or facades should be undertaken with appropriate supervision by a suitably qualified heritage consultant/architect and/or relevant materials specialist's or conservator.
- Due to the significance of the eastern façade, no structure should be visible above the parapet that dominates or detract from the Inter War functionalist façade detail or which dominates the scale of the building.

7.5. CURRENT & FUTURE USE

The site originally operated as a hotel and bar and most recently the place operated as a nightclub. The nightclub ceased operations in mid-2015. King Cross was previously an area dominated by nightclubs and bars. Given changes to NSW legislation since the previous nightclub ceased operations there is little possibility for the place to be successfully utilised as a bar or a nightclub. The site is therefore currently vacant in its entirety and severely underutilised. The best means for conservation of a heritage item is through its use and therefore the identification and implementation of an appropriate use is considered to be a high priority item of work for the subject site.

The physical description set out in this report identifies that the ground floor and lower ground floor of the place constitute large open areas with few dividing walls. The first floor has a more discernible original layout. The second floor constitutes the area which was formerly used as the Hotel's accommodation. It has retained a large amount of its original layout which constitutes small individual spaces set around a central hallway.

It is imperative that the future use of the place is chosen and implemented with consideration for its significant fabric and on a best fit basis. In the case of the subject site this is likely to mean different uses for different levels based on the layout and significance of the existing fabric.

The open plan of the ground floor generally indicates its former uses. Further, as a typical Tooth & Co building the façade is indicative of the hospitality use formerly occupying the building. There is a preference that the open plan layout is retained on the ground floor and there is a preference that the area retains a public use. This may include food and beverage, or hotel uses.

As the most intact original layout, it is preferred that the existing layout of the second floor remains easily discernible. As such, uses which facilitate the retention of this are preferred. Appropriate uses may include commercial offices, hotel rooms or boarding house accommodation.

7.6. OWNER REQUIREMENTS

The existing owner has owned the building since the cessation of its use as a nightclub. Given the lock out laws which have been introduced in Sydney in the past 5 years the nightclub use was no longer feasible, and it is not feasible to return to that use now. Given the restrictions to night time trade in the area its return to its original use as a pub is not feasible.

This is a major site in the Potts Point area and a feasible adaptive reuse must be identified so that the place is appropriately maintained. The owner requires a permissible use to be implemented across all floors of the former hotel. This may include food and beverage or commercial uses. In addition, the owner is investigating use of an additional floor for residential use. This is acceptable subject to the policies set out in this document and ongoing heritage input.

8. CONSERVATION POLICIES

8.1. WHAT IS A CONSERVATION POLICY?

A conservation policy explains the principles to be followed to retain or reveal a place's heritage significance, and how the significance can be maintained and enhanced. This relies on a full understanding of the item's significance and a review of the constraints and opportunities arising out of that significance.

The below policies and guidelines are informed by background discussion which explains the reasoning behind the policy. This includes obligations arising from statutory requirements and heritage significance as detailed in 5 and 6 of this report, as well as owners' requirements and current and future uses. It is noted that not all the guidelines and/ or policy may be achievable when external matters are taken into account such as condition or owners' requirements (within reason).

8.2. ADOPTION, IMPLEMENTATION & REVIEW

8.2.1. Adoption of Conservation Management

Background

Any works to the property should comply with appropriate legislation, policies and guidelines, as amended from time to time, including but not limited to the *Heritage Act 1977*, the Building Code of Australia (including the National Construction Code), the Australia ICOMOS Burra Charter (revised 2013) and relevant environmental planning documentation.

Policy

- Policy 1. This conservation management plan should be adopted by present and future owners and occupants of the place, and used as a guide for management and conservation, and in conjunction with any proposals for future development or adaptive re-use of the place. A copy of this conservation management plan should be provided with the sale of the place and retained on-site at all times, for the use by those responsible for the management and conservation of the place.
- Policy 2. A copy of the CMP should be submitted to the local Council for reference purposes.
- Policy 3. This CMP should be submitted to the relevant Council as part of any application for new development or adaptive re-use proposals. Where appropriate or requested, it should be accompanied by a Heritage Impact Statement that assesses the specific impacts of the proposal against relevant legislation and policies in this CMP.
- Policy 4. If ownership of the property is transferred, a copy of the CMP should be provided to the new owner. Copies of the completed CMP should also be provided to any lessees of the place.
- Policy 5. All persons responsible for the management and maintenance of the place should be familiar with the significance of the place and the conservation policies in this CMP.
- Policy 6. Conservation works undertaken in accordance with the CMP should only be undertaken in consultation with experienced heritage and conservation professionals.

8.3. MANAGING HERITAGE SIGNIFICANCE

8.3.1. Statement of Cultural Significance

Background

The Assessment of Significance included in this report embodies the core heritage values of the place. All future decisions and works to the property must be guided by the statement of cultural significance and the identified significant spaces, fabric, views, landscape and built elements identified in this CMP, together with any additional detailed research and assessment.

Policy

- Policy 7. The Assessment of Significance set out in this report is to be accepted as the basis for future conservation of the fabric and values of the place. All future works to the place should be cognisant of the significant built elements, fabric, spaces, views, landscape and archaeological resource identified in this CMP, together with any additional detailed research and assessment.
- Policy 8. Elements of **exceptional** significance are rare or outstanding elements that directly contribute to the place's overall heritage significance; they retain a high degree of integrity and intactness in fabric or use; any change is to be minimal and retain significant values or fabric
- Elements of **high** significance have a high degree of original fabric; they demonstrate a key aspect of the place's overall heritage significance and must be retained and conserved; retention should be considered in-situ; minor change is allowed so long as significant values and fabric are retained and conserved.
- Elements of **moderate** significance have been altered or modified or do not demonstrate a key aspect of the significance of the place; they contribute to the place's overall heritage significance however change is allowed so long as it does not adversely affect values and fabric of exceptional or high significance.
- Elements of **little** significance do not substantially add to the significance of the place in a positive way, though neither do they detract from its overall significance. Elements of little significance may also reflect fabric that is reproduction or may have been substantially altered or modified or may reflect non-significant phases of development. Changes are allowed so long as it does not adversely affect values and fabric of exceptional or high significance.
- Elements identified as **neutral** do not contribute or detract from significance. The attribution of 'neutral' typically applies to introduced new or utilitarian fabric that does not relate to a significant historical period or use. Changes are allowed so long as they do not impact on associated fabric of higher significance.
- Intrusive** elements are damaging to the place's overall heritage significance; they should be considered for removal or alteration.
- Policy 9. All repair, conservation and reconstruction works to significant elements must be undertaken with appropriate supervision by a suitably qualified heritage specialist or relevant materials specialist or conservator, with reference to historical documentation, and in accordance with any relevant legislative or statutory constraints.
- Policy 10. Unless otherwise stated in these policies, surviving original and early elements and fabric identified as exceptional or high must be retained intact, and conserved. Elements of exceptional or high significance must not be obstructed by new works, structures or services where possible, and they must be clearly visible and interpreted as part of any new works.
- Policy 11. Where elements of exceptional or high significance have been damaged, they are to be repaired with sympathetic materials in preference to replacement. Significant elements should be repaired in-situ wherever possible.
- Policy 12. If changes to elements of exceptional or high significance are required, they should be carefully considered and the approach should be one of minimal intervention; as much as necessary, as little as possible.
- Policy 13. Intervention for purposes other than conservation of the fabric is to occur in areas of lower rather than higher significance.
- Policy 14. Any elements of significance proposed for demolition, removal or alteration, should be subject to archival photographic recording, copies of which should be retained on site and provided to the relevant consent authorities (the local Council and the NSW OEH Heritage Division). This should include photography and / or measured drawings as deemed necessary. Archival recordings should be undertaken in accordance with the NSW OEH Heritage Division's Guidelines for '*Photographic Recording of Heritage Items Using Film or Digital Capture*'.

8.3.2. Best Practice Heritage Management (The *Burra Charter*)

Background

Article 3 of the *Burra Charter* (revised 2013) indicates that conservation is based on a respect for the existing fabric of a place and should therefore involve the least possible physical intervention to prevent distortion of the evidence provided by the fabric. One of the key objectives therefore, of contemporary conservation practice is to retain as much of the significant original fabric as possible, in order to preserve the essential integrity of the heritage resource.

Policy

- Policy 15. The future conservation and management of the place should be carried out in accordance with the principles of the *Burra Charter*. The *Burra Charter* advocates a cautious approach to change: *do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.*
- Policy 16. All contractors, consultants and project managers engaged to work on the place should have appropriate conservation skills, experience and techniques appropriate to the trade, fabric or services, and should work within the guidelines of this CMP.
- Policy 17. A heritage impact statement and / or archaeological assessment should be prepared for all proposals for new development within the property.

8.4. CONSERVATION & MAINTENANCE

Background

Regular maintenance and scheduled conservation works are required to be implemented to conserve the heritage significance and identified significant fabric of the place. Ongoing maintenance should be undertaken in accordance with a cyclical maintenance plan.

Policy

- Policy 18. Maintenance works and minor repairs should be undertaken in compliance with the minimum standards of maintenance and repair under Section 118 of the *Heritage Act 1977* as specified in the *Heritage Regulations 2012*, and the Standard Exemptions under Section 57(2) of the *Heritage Act 1977*. Advice of a heritage consultant should be sought to establish what constitutes minor work for Standard Exemptions.
- Policy 19. Any reconstruction or restoration works should be based on historical documentation rather than speculation.
- Policy 20. Materials used for repair and reconstruction should preferably be traditional materials used in the construction of the place. Missing or damaged fabric will be replaced observing the 'like for like' principle. For example, replace with similar fabric (e.g. timber with timber) or replace with new fabric of similar appearance, or replace with different fabric of similar profile and dimensions (whilst remaining apparent as new work).
- Policy 21. Fabric identified as of exceptional and high significance is to have priority works undertaken when required. Impact on significant fabric is to be considered and the appropriate approvals sought.
- Policy 22. Maintenance work should be prioritised according to the heritage significance and vulnerability to deterioration of individual elements and fabric.
- Policy 23. Management and maintenance of the place should aim to conserve its heritage significance to the greatest extent feasible. Works are to be sympathetic to exceptionally and highly significant fabric and repairs are to be undertaken instead of replacement, where possible.
- Policy 24. A schedule of cyclical and ongoing maintenance and schedule of conservation works should be prepared to guide the conservation of fabric of the place. The schedule should be adopted as minimum requirement for maintenance works. It is noted that this schedule will need to be supplemented by further physical investigation into the fabric to identify additional required works and latent conditions.

- Maintenance works to the buildings should be undertaken on a regular basis to avoid the need for substantive conservation works.

8.5. PRINCIPLES FOR USE

Background

The subject site has been occupied by a Hotel since c.1880. The currently building has occupied the site since 1938 and was converted into a night club and casino in the 1990s. The subject site has therefore been historically used as a hospitality venue for over 100 years. The subject site has been unoccupied since 2015.

Ongoing sustainable and viable uses would encourage and facilitate the conservation and maintenance of the place, and new uses should be considered with a goal to conserve and enhance the identified heritage values of the property whilst providing for those uses. Uses that require substantial changes, alteration or intervention are not appropriate.

Policy

- Policy 25. Encourage uses which allow for public access to the ground floor.
- Policy 26. Planning the use of the place is to be a wholistic approach which ensures no areas of the building remain underutilised.
- Policy 27. Uses are to ensure original elements of the existing layout on the first and second floors remain discernible.
- Policy 28. Uses that require new fitout are acceptable provided the heritage significance and significant fabric of the site is not compromised by the required works. New fitout is to be designed in accordance with a methodology established by the engaged heritage consultant to ensure the design and implementation have no heritage impact.
- Policy 29. Encourage uses that enable the balconies on the eastern façade to remain accessible.

8.6. ALTERATIONS & NEW WORK

Section 5.4 of this report sets out the levels of significance of the exterior and interior elements and fabric that should form the basis of the approach of all works. Any substantial development proposal such as an adaptive reuse of the building or redevelopment of the site should entail works to the exterior of the building to retrieve significance whilst sympathetically adapting the building.

While the majority of the original and early fabric have been removed from the site due to previous works and uses, some features of the original Hotel have been retained and could be located beneath later fitout. Therefore, future alterations and new works should carefully consider the location of the significant elements and seek the advice of a heritage consultant prior to undertaking any works.

Policy

8.6.1. Further Investigation and Recording

- Policy 30. Any major new works to the building need to be based upon the results of further investigation including further physical analysis to determine the extent of original or early fabric and finishes, and possibly early signage that remain but are covered over.
- Policy 31. The results of further analysis and all new evidence uncovered during works to the place should be recorded to provide an on-going resource for reconstruction, repair and maintenance, and added to the existing archive on the place or incorporated into a report or addendum to this Conservation Management Plan, as appropriate.

8.6.2. Exterior Elements and Fabric

- Policy 32. The form, scale and general configuration of the principal Victoria Street façade is to be retained and conserved.
- Policy 33. Finishes never intended for painting, such as face brick, must remain unpainted.

- Policy 34. There is an opportunity to reinstate key features of the principal ground floor façade (eastern). Including reinstating the openings and removing later black tiles and black paint. Replacement fabric is to be selected in consultation with a heritage consultant.
- Policy 35. Investigate exposing all remnant tiled walls on the ground floor, including removing recent cladding and paint.

8.6.3. Interior Elements and Spaces

- Policy 36. Significant internal elements and spaces of high or moderate significance (as identified in this document) should be retained and conserved.
- Policy 37. Alterations and additions should ideally be located in areas that have been previously altered, in preference to those which are relatively intact.
- Policy 38. The open layout on the ground floor generally interprets the original use of the site. New works within this space should investigate opportunities to interpret the original use.
- Policy 39. The Hotel accommodation layout of the second floor has been retained. Therefore, any alterations to this floor should ensure that the original layout is interpreted/discernible.

8.6.4. Building Services (Interiors)

- Policy 40. Internally, new services and plant should reuse existing service areas or be located in areas of lesser significance
- Policy 41. The upgrading of services within the building is to comply with the following approach:
- Minimise impact on significant fabric, by maximising the exposure of heritage fabric and minimising penetrations and fixings through heritage fabric, utilising existing penetrations where feasible
 - New services should be located in areas of lesser significance, in areas that are not visible or that have been previously modified or in the area of existing services (including stairs and/or WCs) where possible
 - Not conflict with window and door openings
 - Be complementary to the interiors
 - Minimise the extent of servicing required by enhancing natural ventilation and natural light.

8.6.5. Vertical Additions

- Policy 42. Additional floors are supported in principle subject to individual assessment. However, alterations are to respect the original design intent, building envelope and massing. This importantly includes the predominant horizontal proportions of the principal façade and the strong vertical elements which offsets it. This interplay between height and level is to remain clear and is not to be dominated by additional floors.
- Policy 43. The design of additional floors must be subject to a structural response that enable maximum retention of the significant component of the heritage item and does not compromise its overall significance. A methodology for any supporting structure is to be submitted to the heritage consultant for review before the resolution of any new design for additional floors.
- Policy 44. The preference is to set back vertical additions from the primary Victoria Street facade to minimise visual impacts.
- Policy 45. Additions that are detailed in a contemporary, yet sympathetic manner are acceptable provided they are of a high design quality and developed in consultation with a heritage consultant.

8.7. SIGNAGE AND LIGHTING

Policy

- Policy 46. All new commercial signage should utilise appropriate areas on the awning and ground floor façade.

- Policy 47. No new commercial signage should be located above the awning on the eastern façade.
- Policy 48. Any new signage should be sympathetic to the site's character and historic use as a Hotel. For example, signage can be fixed in frames on the ground floor façade, similar to historic pub advertisements etc.
- Policy 49. A signage strategy should be developed that respects the significance of the building and is consistent with relevant City of Sydney signage policy and/ or guidelines.
- Policy 50. Lighting strategies should consider City of Sydney Council lighting policy. External lighting should be inconspicuous and sympathetic to the heritage character of the façade and should reuse existing services where possible. The qualities of each elevation should be reinforced through a unified lighting strategy.

8.8. SETTING & VIEWS

Background

Significant views to the subject site have been identified in Section 5.6 of this report. Due to the built-up nature and street trees on Victoria Street, there is limited views toward the subject site. Also, no views toward the western façade have been identified as these views are oblique and only show a portion of the building.

Significant views from the subject site have also been considered. These include views east, from the balconies on levels 1 and 2 that offer elevated views of contributory items within the Potts Point Heritage Conservation Area. In addition, views north west from level 1 and the open roof top offer views of Sydney's skyline and the Harbour Bridge.

Policy

- Policy 51. Conserve the eastern façade and significant features including the curved form, open balconies and Piccadilly Hotel Signage.
- Policy 52. Access to the balconies on levels 1 and 2 should be retained as they provided elevated views of the Potts Point Heritage Conservation Area.
- Policy 53. Windows on the western façade should not be infilled, especially from level 1 so as not to lose the views toward the city from the interior.

8.9. ARCHAEOLOGICAL SIGNIFICANCE

Background

A preliminary assessment of archaeological potential was undertaken to form part of this CMP and inform policies surrounding management of potential archaeological resources across the site.

The preliminary assessment of archaeological potential has found that while the subject site is highly disturbed resulting from the basement level, it may have both historical and Aboriginal archaeological potential in areas of moderate or lower disturbance, and this must be investigated further prior to any ground disturbance activities. This conclusion has informed the below policies.

Policy

- Policy 54. Should any ground disturbance activities be proposed, a full Historical Archaeological Assessment should be undertaken to assess the potential for historical archaeological resources to occur, and their significance.
- Policy 55. Geotechnical analysis in the form of geotechnical testing to be undertaken within the subject area to investigate the presence or absence of natural soils across the site.
- Policy 56. In the event that geotechnical analysis identifies the presence of natural soils across the site, further investigation of Aboriginal archaeological potential in the form of, at minimum, an Aboriginal Objects Due Diligence Assessment should be undertaken prior to ground disturbance activities.
- Policy 57. Aboriginal objects are protected under the *National Parks and Wildlife Act 1974* (NPW Act) regardless of whether they are registered on AHIMS or not. If suspected Aboriginal objects,

such as stone artefacts are located during future works, works must cease in the affected area and an archaeologist called in to assess the finds. If the finds are found to be Aboriginal objects, the OEH must be notified under section 89A of the NPW Act. Appropriate management and avoidance or approval under a section 90 AHIP should then be sought if Aboriginal objects are to be moved or harmed.

Policy 58. In the unlikely event that suspected human remains are encountered any future, all work in the area that may cause further impact, must cease immediately and the following measures must be implemented:

- The location, including a 20 m curtilage, should be secured using barrier fencing to avoid further harm.
- The NSW Police must be contacted immediately; •Notify OEH's Environment Line on 131 555 as soon as practicable and provide available details of the remains and their location.
- No further action is to be undertaken until the NSW Police provide written clearance for the identified remains.
- Should the remains be identified as Aboriginal, the MLALC must be notified.
- A suitably qualified archaeologist and/or anthropologist with forensic training must be contacted.

8.10. INTERPRETATION & FURTHER INVESTIGATION

Background

Interpretation is an essential part of the conservation process. Methods of interpretation may include conserving original features and fabric, reconstructing missing or damaged elements based on documentary and/or archaeological evidence, introducing interpretative devices (such as discrete labelling), the use of historic photographs, preserving evidence of original finishes and fabric, facilitating access for specialist study and/or presentation in publications and websites.

Policy

Policy 59. The highest form of interpretation is the retention and conservation of significant fabric, spaces and relationships and accordingly significant elements should be retained, exposed and interpreted.

Policy 60. Preservation, restoration and reconstruction of key significant elements, areas and fabric are the preferred method of meaningfully interpreting important attributes and associations of the place. Where adaptation is part of the conservation work, measures should be incorporated to show the location, character and/or role of removed or altered elements, where appropriate.

Policy 61. Further investigation of remnant fabric should be undertaken when recent floors and cladding are removed. Particularly on the ground and first floors. Any additional fabric found should be always be documented and interpreted (where appropriate and possible).

Policy 62. Archaeological remains should be retained in situ where possible, to assist in interpreting the chronology of the site and the significant values. Any display or storage of archaeological material should be subject to further advice or in conjunction with future archaeological assessment.

Policy 63. Any elements of significance proposed for demolition, removal or alteration, should be subject to archival photographic recording, copies of which should be retained on site and provided to the relevant consent authorities (the local Council and the NSW OEH Heritage Division). This should include photography and / or measured drawings as deemed necessary. Archival recordings should be undertaken in accordance with the NSW OEH Heritage Division's Guidelines for '*Photographic Recording of Heritage Items Using Film or Digital Capture*'.

Policy 64. The content for all proposed interpretation needs to consider the use of the place, audience and should only be site specific.

- Policy 65. A Heritage Interpretation Plan should be developed for the place. The place should be interpreted as an example of an Inter War style hotel, constructed for Tooth & Co and designed by Prevost and Anchor. However, other themes and narratives should also be investigated as part of an Interpretation Strategy.
- Policy 66. Interpretation elements should be designed in regard to durability, installation and maintenance.

Guidelines

- Interpretation should be consistent with the NSW Heritage Manual, the NSW Heritage Division's *Interpreting Heritage Places and Items: Guidelines* (August 2005) and the NSW Heritage Council's *Heritage Interpretation Policy* (endorsed by the Heritage Council August 2005).

9. MAINTENANCE SCHEDULES

Table 14 – Gradings of Condition

Grading	Justification
E (Excellent)	Element has no defects. Condition and appearance are stable and not deteriorating.
G (Good)	Element exhibits superficial wear and tear, minor defects, minor signs of deterioration to surface finishes, but does not require major maintenance. No major defects exist.
F (Fair)	Element is in average condition. Deteriorated surfaces require attention. Services are functional but require attention. Deferred maintenance work exists.
P (Poor)	Element has deteriorated badly. Serious structural problems exist. General appearance is poor with eroded protective coatings. Elements are defective, services are frequently failing, and significant number of major defects exists.
VP (Very Poor)	Element has failed. It is not operational and is unfit for occupancy or normal use.
U	Unknown. Unable to access to assess condition.

10. BIBLIOGRAPHY

Department of Lands 2018, Spatial Information Exchange, Department of Lands, Sydney, available at: <<http://imagery.maps.nsw.gov.au/>>.

Google Maps 2018, Aerial view of subject site, available at: <<http://maps.google.com.au/maps?hl=en&tab=wl>>.

Apperly, R., Irving, R. and Reynolds, P. (eds) 2002, *A Pictorial Guide to Identifying Australian Architecture: Styles and Terms from 1788 to the Present*, Angus and Robertson, Pymble.

Australian Heritage Commission 2002a, *Ask First: A Guide to Respecting Indigenous Heritage Places and Values*, Australian Heritage Commission, Canberra.

Australian Heritage Commission 2002b, *Australian Natural Heritage Charter for the Conservation of Places of Natural Heritage Significance*, 2nd ed., Australian Heritage Commission, Canberra.

Australia ICOMOS 1999, *The Burra Charter: 2013 The Australia ICOMOS Charter for Places of Cultural Significance*, Australia ICOMOS, Burwood.

Harrison, Les. "Tooth & Co. Ltd. And Sydney Hotels", *Spirit of Progress* (Spring 2017). Pages 23-25.

Heritage Office and Department of Urban Affairs & Planning 1996, *NSW Heritage Manual*, Heritage Office and Department of Urban Affairs & Planning (NSW), Sydney.

Heritage Office 2001, *Assessing Heritage Significance*, Heritage Office, Parramatta.

Heritage Office 2002, *Statements of Heritage Impact*, Heritage Office, Parramatta.

Kerr, James Semple 2000, *The Conservation Plan, National Trust of Australia* (NSW), Sydney.

NSW National Parks and Wildlife Service 1997, *Aboriginal Cultural Heritage Standards and Guidelines Kit*, NSW National Parks and Wildlife Service Hurstville.

Pollon, Frances (editor) 1988. *The Book of Sydney Suburbs*.

[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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