

**Submission
No 83**

INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

Organisation: The Astor Pty Ltd

Date Received: 1 July 2021

THE
ASTOR

123 – 125 MACQUARIE STREET, SYDNEY NSW 2000

30 June 2021

To: The Standing Committee on Social Issues

Dear Sirs

Submission Regarding the Review of The NSW Heritage Act 1977

I am writing to you on behalf of the Board and shareholders in The Astor Pty Ltd, the owner of a company title, residential apartment building at 123-125 Macquarie Street, Sydney.

The Astor is a heritage listed residential apartment building constructed in 1923. It contains 52 apartments and is situated on the western side of Macquarie Street north of Bent Street and adjacent to Phillip Lane.

The Board's recent experience in making a submission concerning the application for a State Significant Development hotel/residential building at 50-52 Phillip St, (SSD-10464) is a major reason it is responding to the review of the Heritage Act 1977.

50 Phillip St is the original Public Works Building, a heritage item and an extension of the Colonial Secretary's office forming a special collection of colonial government buildings.

The application SSD – 10464, proposes a huge disruption of this major heritage site. While the application promises improved tourist facilities, additional luxury hotel stock in the CBD and refurbishment of the heritage item, it destroys the context of the heritage items and hence has potential to destroy the heritage value of the site and devalue the precinct.

The Astor Board realised in developing its submission to application SSD – 10464, that the State Significant Development can turn off and override the provisions of the Heritage Act 1977, rendering it powerless.

Response to Focus Question 3:

The objectives of The Act are still relevant as long as they are NOT watered down when a project becomes classed as a State Significant Development.

The Astor is part of the Governors' Domain and Civic Precinct – National Heritage List inscription date 10 February 2021. It is a neighbour to the significant and important Colonial Secretary's Building, which is a superb piece of colonial architecture and occupies a unique place in the history of the government of the colony.

The Astor is listed as an item of local heritage significance on the Sydney Local Environmental Plan 2012, Schedule 5 - Environmental heritage, as flat building "The Astor", including interiors, item 11873.

As custodian of a building of heritage significance, the Board wishes to ensure that any amending legislation arising from the review of The NSW Heritage Act strengthens the Act to result in better heritage outcomes, rather than being overridden by State Significant Developments.

Response to Focus Question 4:

The Heritage Act adequately reflects the expectations of the contemporary NSW community as long as it is not "switched off" and continues to provide the protections the community expects – in other words it is used to protect precincts like the Governors Domain without the overdevelopment that proposals such as SSD-10464 represented.

Any legislative changes to the Heritage Act must enable the Act to enhance cultural value which will contribute to domestic and international tourism, contribute to a vibrant State economy and enrich the transmission of the State's heritage values to future generations.

Yours faithfully

Elizabeth Gavey
Chair
The Astor Pty Ltd