



STATEMENT OF HERITAGE IMPACT

PART 3A ENVIRONMENTAL ASSESSMENT

88 WALKER STREET & 77-81 BERRY STREET
NORTH SYDNEY

7 APRIL 2009

Noel Bell Ridley Smith & Partners Pty Limited
Level 3, 4 Glen Street Milsons Point
NSW Australia

Telephone +61 2 9922 2344 Facsimile +61 2 9922 1308

ABN: 16 002 247 565

Nominated Architects

Ridley Smith : Reg No.2268; Graham Thorburn : Reg No.5706; Geoffrey Deane : Reg No.3766

This report has been prepared under the guidance of the Expert Witness Code of Conduct in the Uniform Civil Procedure Rules and the NSW Land & Environment Court Practice Directions relating to the provision of evidence by expert witnesses. The opinions in the report represent the professional opinions of the author based on an assessment of the available information cited in the report.

This document remains the property of Noel Bell Ridley Smith & Partners Pty Limited.
The document may only be used for the purposes for which it was produced.
Unauthorised use of the document in any form whatsoever is prohibited.

STATEMENT OF HERITAGE IMPACT

PART 3A ENVIRONMENTAL ASSESSMENT

1.0 CONTENTS

1.0	CONTENTS.....	3
2.0	Introduction.....	4
3.0	The Proposal	6
4.0	HISTORY OF DEVELOPMENT OF THE SITE	7
4.1	Pre-European Occupation of the North Sydney Area	7
4.2	Early Development of the North Shore	8
4.3	Establishing the Town of St Leonards	8
4.4	The Development of North Sydney	10
5.0	On-Site, Adjoining and Adjacent Heritage Items	12
5.1	Adjoining Heritage Item – Former North Sydney Fire Station	13
5.2	Adjacent Heritage Item – MLC Centre	16
5.3	Other Heritage Items	22
6.0	Heritage Impact Assessment	24
6.1	Introduction	24
6.2	New development adjacent to a heritage item (including additional buildings and dual occupancies).....	24
7.0	Conclusion.....	26
8.0	APPENDICES	26
8.1	APPENDIX 1: Extract from the MLC Centre Conservation Plan prepared in May 1988 by Jackson Teece Chesterman and Willis for the MLC Centre:	27
8.2	APPENDIX 2: Heritage significance of the Former North Sydney Fire Station	29
8.3	APPENDIX 3: Heritage significance of the MLC Centre	30
8.4	APPENDIX 4: Extracts from the Conservation Plan prepared in May 1988 by Jackson Teece Chesterman and Willis for the MLC Centre:.....	31
8.5	APPENDIX 5: Heritage significance of the former Bank of NSW	33
8.6	APPENDIX 6: Heritage significance of the Victorian Shopfront Terrace at 187 Miller Street North Sydney	34

2.0 INTRODUCTION

This Statement of Heritage Impact has been prepared to satisfy the heritage related issues set out within the Department of Planning's Director-General's [environmental assessment] Requirements (DGR) to accompany a Part 3A project application for a proposed development at 77-81 Berry Street and 88 Walker Street, North Sydney. The principal issue this statement deals with is to assess 'the impact on any adjacent heritage item (on-site, adjoining and adjacent the site) and its setting as viewed from public areas' [DGR Key issue 2 – Issued 27 January 2009]. It incorporates the standard guidelines of the NSW Heritage Office with regard to assessing heritage impact.

It also responds to clause 50 of the North Sydney LEP 2001 vicinity controls for development near heritage items by providing a statement of heritage impact on heritage items and their respective curtilages. There are a number of local heritage items that are listed in the North Sydney LEP 2001 and are located in the vicinity, in Miller Street and Walker Street. The surrounding urban context is densely urban with many tall substantial office buildings built to the street edge.

Specific impacts on individual heritage items are set out in Section 5.0 and the impacts are summarised in Section 6.0.

The assessment of potential heritage impact has been undertaken by a team of heritage consultants including Bradley Hankey, Jennifer Castaldi and Don Wallace under the direction of Robert Staas, Director / Heritage Consultant of NBRS+PARTNERS Architects. Details of the project proposal have been prepared by Rice Daubney Architects.

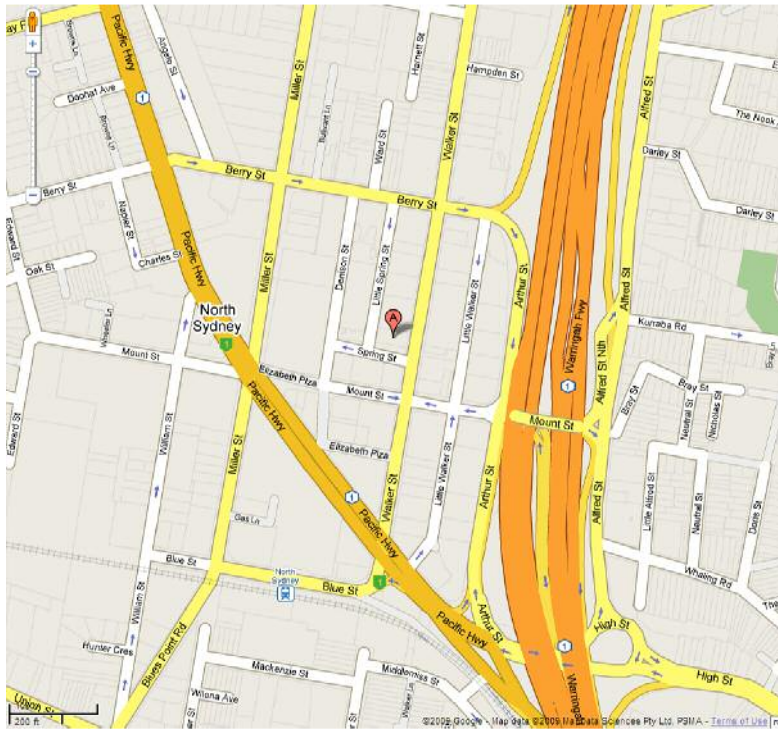


Figure 1 Location Plan 88 Walker Street North Sydney
Source Google Maps

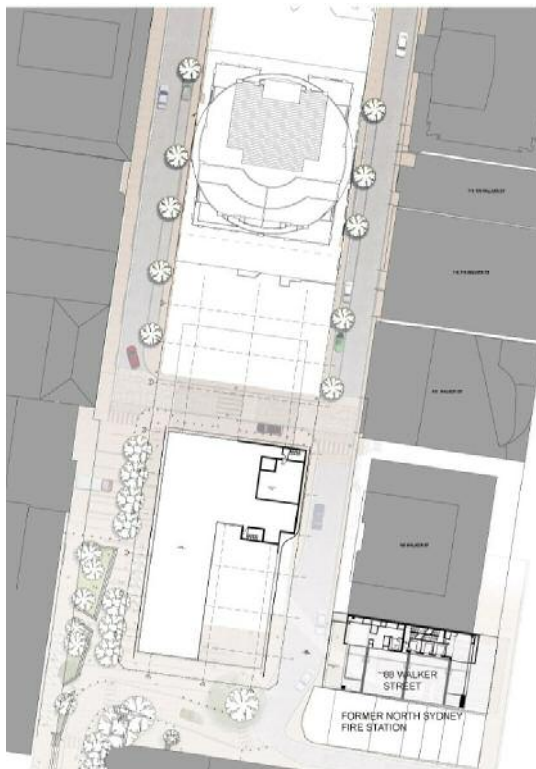


Figure 2: Site Plan (Roof Plan) 88 Walker Street North Sydney
Source: Rice Daubney Architects

3.0 THE PROPOSAL

The proposed development is for the demolition of existing buildings on the site of 88 Walker Street and 77-81 Berry Street for the construction of a 35 Level commercial Tower and Hotel. The proposal is documented in drawings prepared by Rice Daubney:

- 07001- DA 01 Cover Page And Drawing Register
- 07001- DA 02 Photomontage Looking Up Walker Street
- 07001- DA 03 Photomontage Corner Of Little Spring St & Spring St
- 07001- DA 04 Photomontage Looking Up Denison St
- 07001- DA 05 Photomontage Of The New Link Road
- 07001- DA 06 Photomontage Distant Views From Neutral Bay & Warringah Expressway
- 07001- DA 07 Location Roof And Survey Plan
- 07001- DA 08 Basement 5 - Commercial Plan
- 07001- DA 09 Basement 4 - Commercial Plan
- 07001- DA 10 Basement 3 - Commercial Plan
- 07001- DA 11 Basement 2 - Commercial And Hotel Plan
- 07001- DA 12 Basement 1 - Commercial And Hotel Plan
- 07001- DA 13 Lobby & Ground Floor Plan Introduction Page
- 07001- DA 14 Lower Ground Commercial & Hotel Lobby
- 07001- DA 15 Commercial Lobby & Hotel Bridge Link
- 07001- DA 16 Commercial Food Court Retail & Hotel Conference
- 07001- DA 17 Commercial Conference/Meeting & Hotel Restaurant
- 07001- DA 18 Commercial Plant & Hotel Bar
- 07001- DA 19 Commercial & Hotel Towers Introduction
- 07001- DA 20 Commercial Low Rise & Hotel Plant
- 07001- DA 21 Commercial Low Rise Typical & Hotel Administration
- 07001- DA 22 Commercial Mid Rise Typical & Hotel Typical
- 07001- DA 23 Commercial High Rise Typical & Hotel Typical
- 07001- DA 24 Commercial High Rise Typical (Sml) & Hotel Plant
- 07001- DA 25 Commercial Plant & Hotel Roof
- 07001- DA 26 Commercial Roof & Hotel Roof
- 07001- DA 27 Commercial North/South Section Looking West
- 07001- DA 28 Section Through Commercial & Hotel Looking North
- 07001- DA 29 Section Through Hotel Looking West
- 07001- DA 30 Little Spring St East Elevation
- 07001- DA 31 Commercial & Hotel North Elevation/Section
- 07001- DA 32 Denison Street West Elevation
- 07001- DA 33 Spring Street South Elevation
- 07001- DA 34 Walker St East Elevation
- 07001- DA 35 Little Spring St West Elevation
- 07001- DA 36 Detailed Commercial Podium Elevation
- 07001- DA 37 Detailed Bridge Link Podium Elevation
- 07001- DA 38 Detailed Commercial Podium Elevation
- 07001- DA 39 Detailed New Link St Commercial Podium Elevation
- 07001- DA 40 Detailed Hotel Podium Elevation
- 07001- DA 41 Commercial Tower Setback Diagram
- 07001- DA 42 Hotel Setback Diagram

4.0 HISTORY OF DEVELOPMENT OF THE SITE

4.1 Pre-European Occupation of the North Sydney Area

The north shore of Port Jackson had been known for possibly 3000 years as “Cam-mer-ray”. It was the land of the numerous Cameragal tribal groups who occupied the areas around the harbour foreshore and dense forest lands to the north following the rise in the sea levels about 6000 years ago that created the present topography.

When the European settlers arrived in 1788 the north shore lands would have contained many aboriginal dwelling caves ceremonial grounds and fishing spots and there would have been an abundance of animal life.

A painting by Thomas Watling in 1794 is probably the only recording of early aboriginal life in the North Sydney area. (see Figure 3) Following the smallpox epidemic of 1789 the numbers of Aboriginal people in the Sydney Region was drastically reduced.

Aboriginal people do not figure prominently in the later white history of North Sydney. L.F. Mann in the *Royal Australian Historical Journal* (1932) claims that until the 1850s many Aboriginal people from all over Sydney would assemble near Kuraba Road Bridge to receive the annual distribution of blankets and rations from the government on the Queens Birthday. Mann also records that in 1868 on the site of St. Johns Church at Careening Cove, the Aboriginal people performed an elaborate coroboree to mark the visit of the Duke of Edinburgh.

Aboriginal people were rarely, if ever, mentioned again in the historical records of North Sydney.

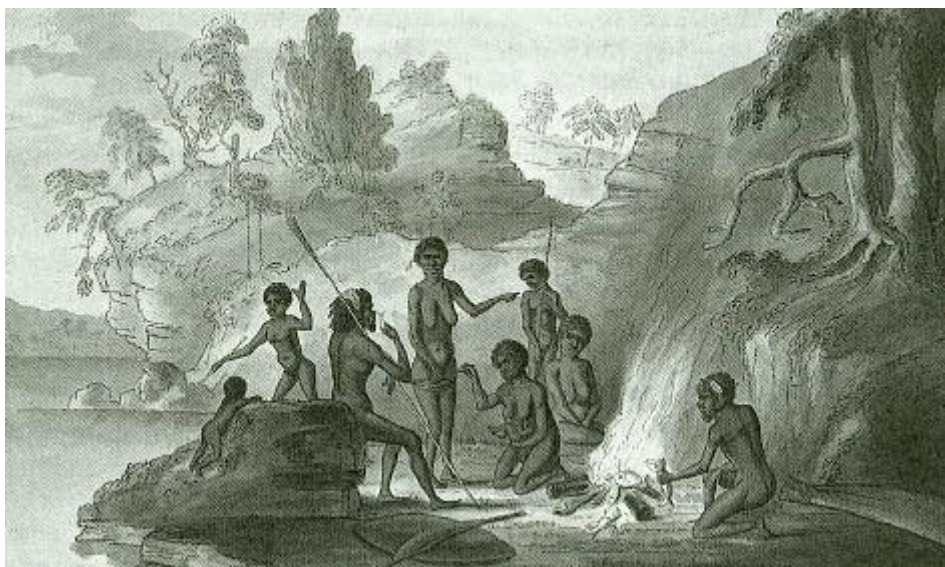


Figure 3: A group of Aboriginal people on the North Shore of Port Jackson, 1790's (Thomas Watling)

Source: cited in North Sydney 1788-1988 by Michael Jones, p5

4.2 Early Development of the North Shore

Governor Phillip explored this northern shore soon after the European settlement occurred in 1788, and Lt Henry Ball, commander of the ship "Supply" blazed a trail through the bush to Middle Harbour.

The first land grants on the northern shore were Hunters Hill in 1794 but few of these grantees farmed their land and much of the shore remained unoccupied and covered with dense scrub.

The limitations of water transport from Sydney Town to the North Shore and a lack of local industry meant that only the wealthy, retired or unemployed were able to exist on the north Shore without a great deal of time consuming travel to Sydney. No significant roads served the area and this greatly disadvantaged the development of agriculture.

4.3 Establishing the Town of St Leonards

The land granted in the St Leonards area in the early 1800's included 80 acres to William Blue covering most of the present day McMahon's Point up to Lavender Street, 120 acres to Robert Ryan covering most of the present day Milsons Point and Kirribilli, 50 acres to James Milson also covering much of Kirribilli and 700 acres to Alfred Thrupp covering most of the present day Mosman, Neutral Bay and Cremorne. The proposed township of St Leonards surveyed by Major Thomas Mitchell in 1838 took in the area north of Lavender Street in a narrow corridor between Miller and Walker Streets extending north to Ernest Street and contained about 150 small allotments. The subject site of this report is located within Milson's Grant

From the 1860s with improved transport the area began to grow and develop. 1861 saw the introduction of a regular ferry service between Dawes Point and Blues Point and a road built from Milsons Point to the main road leading to the township of St Leonards. The train service which had been established between Hornsby and St Leonards was extended to Milsons Point in 1893.

Subdivision began in earnest in the 1860s, especially in areas close to public transport. By the 1880s small housing subdivisions covered most of the North Sydney area with large areas being purchased by developers, who erected small rental cottages for the working class.

North Sydney attracted professionals wanting to move away from the densely populated inner suburbs. The commercial centre of north Sydney grew initially as a shopping centre and soon became second only to the city

By 1890, the amalgamation of three councils; St Leonards, East St Leonards and the Borough of Victoria combined amicably to form the municipality of North Sydney.

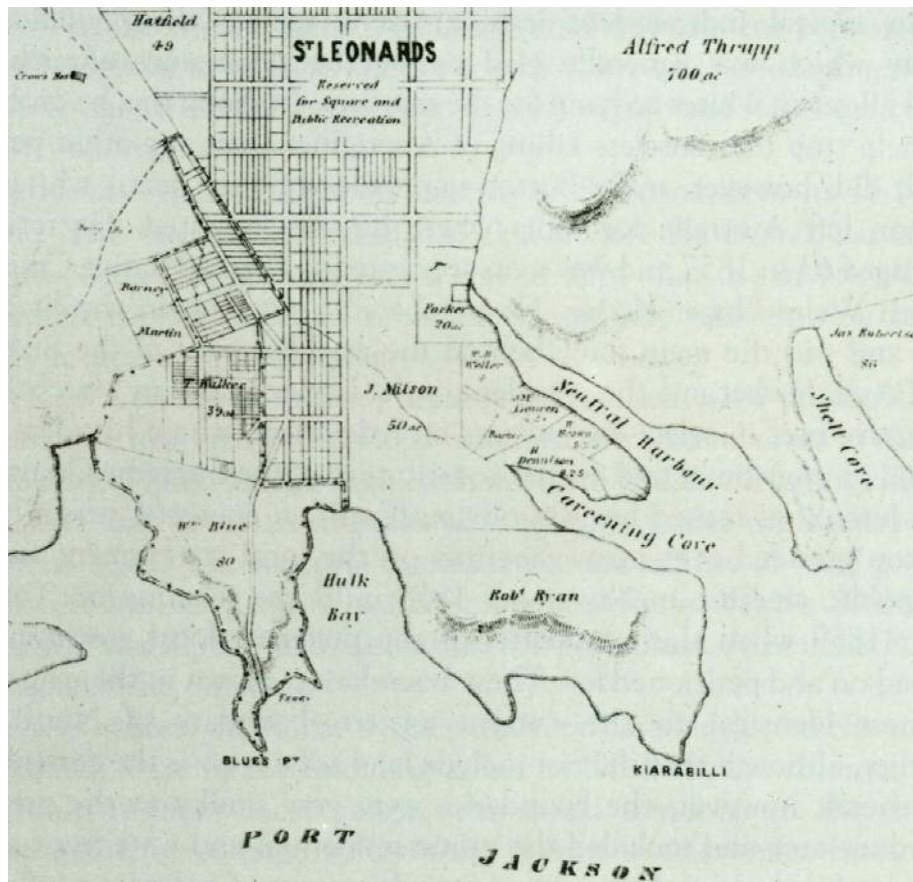


Figure 4: Early Land Grants St Leonards

Source: Jones M. North Sydney 1788 -1988, p16

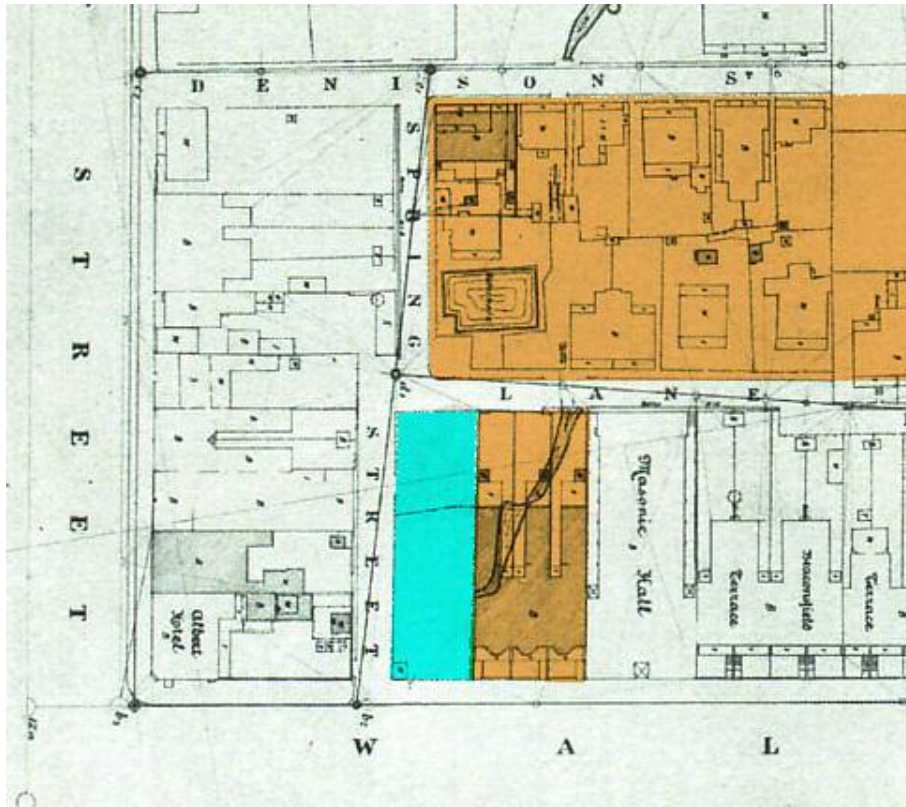


Figure 5:c.1892 Sydney Water PWD

Development site shaded in orange
Heritage item shaded in blue

In the 1890s subject site for the proposed development at 88 Mount Street was occupied by houses (See Fig.5). Along Walker Street there was a row of terraces north of a Masonic Hall which was adjacent to the subject site of 88 Walker Street. The site of the former North Sydney Fire Station was a vacant block at this time and to the south, on the corner of Walker Street and Mount Street was the Gilbert Hotel.

4.4 The Development of North Sydney

The 1930s brought enormous change to the North Sydney area with the construction of the Harbour Bridge. Not only did the sudden ease of access to the city change the area's focus but also required the demolition of 800 homes to make way for the massive approaches to the new bridge, which divided the municipality. The ferries declined in importance after the opening of the bridge and North Sydney's focus shifted away from the waterfront, though there was still a considerable amount of industry located on the harbour well into the 1970s.

The completion of the MLC Building was an important milestone in the growth of North Sydney. Prior to its construction, the 9 lots on which it is situated were occupied by two and three storey masonry and timber buildings housing various enterprises. The development of the MLC building was aided by factors which included the underdeveloped status of the locality, its closeness to the Sydney CBD and good transportation links. It was a major decision to move out of the Sydney CBD and construct what was in 1957 the largest building in Australia. It became a catalyst for North Sydney's subsequent

development (see Appendix 1 – The Development of North Sydney 1932-1957)

In 1962 the subject site at 88 Walker was still limited to low rise housing and small business (see Fig.6) The former North Sydney Fire Station is located south of the subject site on Walker Street and the row of terrace houses are to the north.

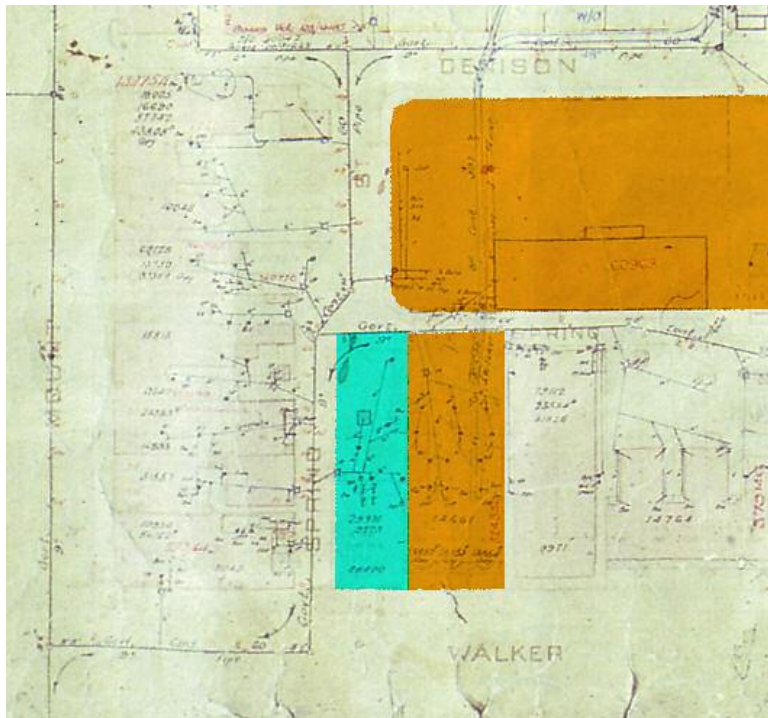


Figure 6: c.1962 Sydney Water BW 608

Development site shaded in orange
Heritage item shaded in blue

In 1960s the construction of the Warringah Freeway meant the loss of another 593 homes. At the same time the city council decided to remove the 45.7m height restriction on buildings and so plans were put in process to rebuild North Sydney as a commercial centre and high rise development accelerated in the 1970s.

The Harbour Bridge had given people and industry the opportunity to develop the cheaper, less crowded suburbs further north. By the end of the twentieth century the commercial sector dominated the residential sector. North Sydney has always been relatively densely populated, urban, modelled much more on Sydney City rather than the mainly suburban low density North Shore away from the water.

5.0 ON-SITE, ADJOINING AND ADJACENT HERITAGE ITEMS

The DGR requires that impacts upon on-site, adjoining and adjacent heritage items be assessed. Of the relevant environmental planning instruments, policies and development control plans, the North Sydney Local Environment Plan 2001 identifies heritage items in the area. Heritage items within the LEP are shown below.

On Site means on the Lot subject to the project application (PA)

Adjoining means sharing a lot boundary with the lot and contiguous with the lot

Adjacent means separated from the PA lot by a roadway/open space or similar that is adjacent but discontinuous with the PA lot.

	Heritage Items
On-Site	• There are no heritage items on-site.
Adjoining	• Former Fire Station, 86 Walker Street, North Sydney adjoins the 88 Walker Street site to the south.
Adjacent	• MLC Centre, 105-153 Miller Street, North Sydney is adjacent and across Denison Street from the 77-81 Berry Street site to the south and west.

Additional nearby heritage items that could be considered in the vicinity are:

- Former Bank of NSW, 51 Mount Street, North Sydney
- Victorian shopfront terrace, 187 Miller Street, North Sydney

The densely developed CBD of North Sydney is already heavily shaded. Additional shadows that would be cast by the proposal in relation to heritage items or conservation areas are confined to:

- The eastern side of the MLC Centre in the morning;
- The northern side of the former Bank of NSW, 51 Mount Street, North Sydney in the morning;
- The street in front of the former fire station around noon; and
- The rear yards of two or three houses in the south-western corner of the Whaling Road Conservation Area (Kirribilli) on Winter afternoons.

None of these additional areas of shade significantly impact upon the heritage values of the items or conservation area.

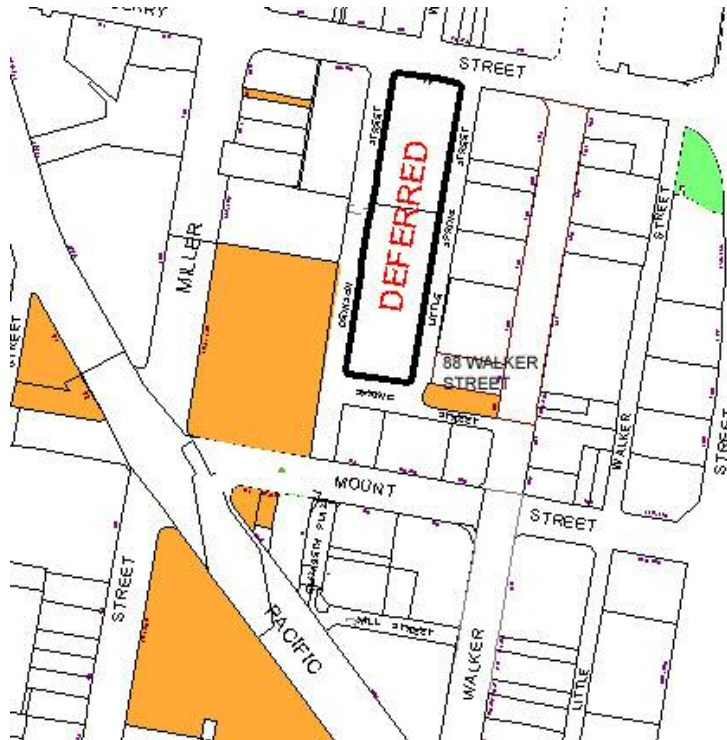


Figure 7: Site plan indicating heritage items near the proposed development shown in orange.

Source: North Sydney LEP 2001 Heritage Map

5.1 Adjoining Heritage Item – Former North Sydney Fire Station

The former North Sydney Fire Station has characteristics of the Victorian Italianate style, built in 1895 and operational as a Fire Station until 1945, when services were rationalised. It subsequently was refurbished and used as a restaurant in the late 20th Century and retains little original fabric other than the façade and exterior walls.

For Statement of Heritage Significance (see Appendix 2).



Figure 8: North Sydney Fire Station (former) prior to refurbishment c. 1970



Figure 9: North Sydney Fire Station (former) after refurbishment as a restaurant c. 1970



Figure 10: Former North Sydney Fire Station, View from south on Walker Street



Figure 11: Former North Sydney Fire Station, View from north on Walker Street

Heritage Impact Assessment

The proposed hotel building includes a 10m high glazed lobby that is aligned to the height of the adjoining former North Sydney Fire Station, now the Firehouse Hotel. The height of the glass volume is level with the top cornice of the balustraded parapet of the Firehouse building. The tower is set back from Walker Street by approximately 5m allowing the facade of the Firehouse to maintain the integrity of its Walker Street facade. The ability of the public to appreciate the heritage listed building from Walker Street is retained as the scale and current context at street level is consistent with the scale of the existing adjoining building. The condition of the underlying fabric of the northern wall of the heritage item is unknown. Subject to detailed resolution of the treatment of the exposed northern wall of the heritage item (once

revealed), the new development will not adversely affect the appreciation of the heritage significance of the former North Sydney Fire Station from Walker Street.

The photomontage on DA02 shows plane trees along Walker Street. The existing plane tree directly in front of the fire appliance entry intrudes upon the significance of the former fire station. The replacement of this tree (in the location shown in DA02) would have a beneficial impact upon the significance of this heritage item.

5.2 Adjacent Heritage Item – MLC Centre

The MLC Centre is on the corner of Miller Street and Mount Street. It is separated from the development site by Spring Street and Denison Street. The MLC Centre was designed by Bates Smart McCutcheon in the Post War International Style. It was opened in 1957/58 as the headquarters of the Mutual Life and Citizens Assurance Company (MLC Limited). It is a fourteen storey office block, the first office block in North Sydney and the largest for a number of years after its construction. It utilised construction and structural techniques not previously used in Australia including curtain walling and modular units. For Statement of Heritage Significance (see Appendix 3.)

A Conservation Plan was prepared for the building in May 1998 by Jackson Teece Chesterman Willis giving a more comprehensive study of the building and detailed conservation policies. Relevant extracts from the policy recommendations Conservation Plan are included (see Appendix 4):

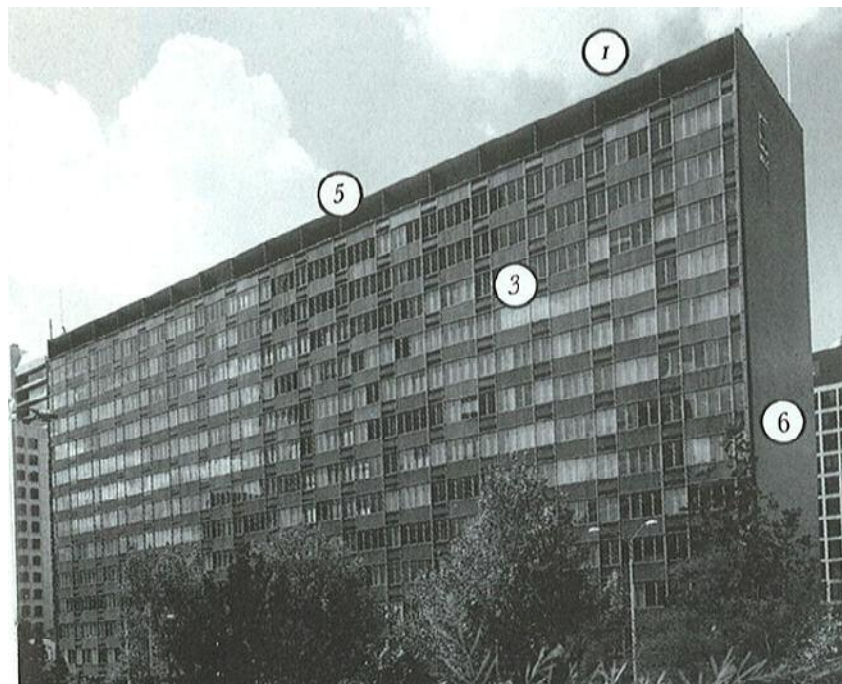


Figure 12: MLC Building, Miller Street, North Sydney

Typical Style indicators of a Building from the Post War International Style

1. – Cubiform and overall shape
- 3 –Curtain wall
- 5 – Overhang for shade
- 6 – Plain smooth wall surface

Source: *A Pictorial Guide to Identifying Australian Architecture, Styles and Terms from 1788 to the Present* – Richard Apperley, Robert Irving, Peter Reynolds et al.

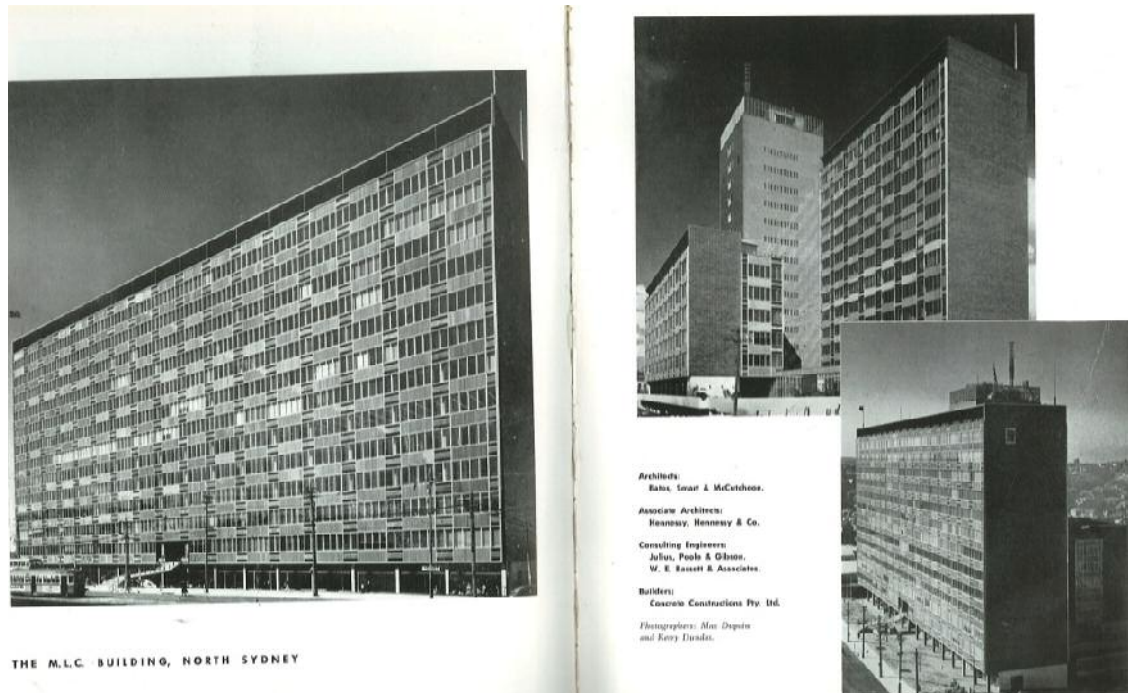


Figure 13: Views of MLC Building

Source: *Architecture in Australia*. Journal of the Royal Australian Institute of Architects April – June 1956

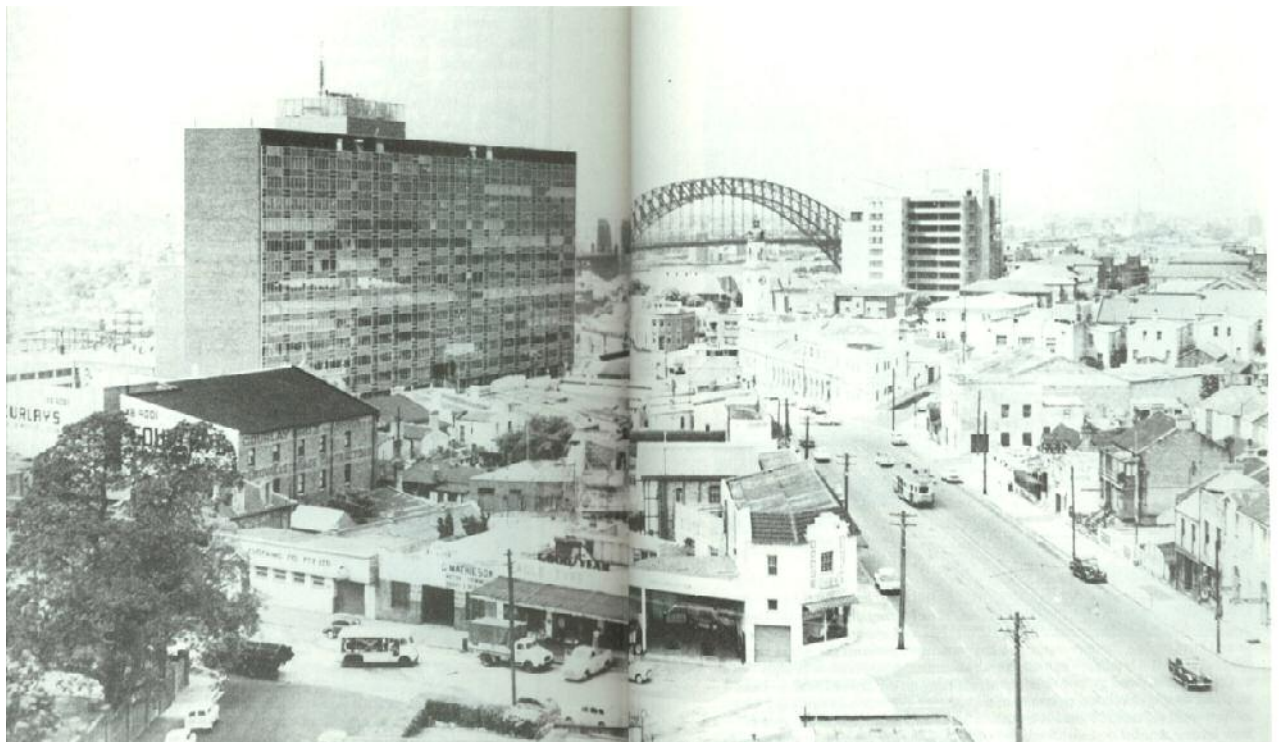


Figure 14: North Sydney before 1958. A view looking south down the Pacific Highway from the vicinity of McLaren Street

Source: *The Opposite Shore North Sydney and Its People*, Russell, E.



Figure 15: A south view of the Municipality of North Sydney 1974 showing the path of the expressway

Source: *The Opposite Shore North Sydney and Its People*, Russell, E.



Figure 16: The MLC Centre, View from south west

Heritage Impact Assessment

The 1988 Jackson Teece Chesterman and Willis conservation plan for the MLC Centre provides a specific policy for the townscape setting of the building and identifies the building as having a 'lot boundary curtilage' – that is a curtilage which is confined to lot on which the building sits. The relevant policy is set out below:

Policy 3.2

The original configuration of the setback with its landscaped garden and paved concourse/ colonnade, along Miller Street should be preserved by the adoption of a Lot Boundary Curtilage. The design of any new landscaping should be expressive of the philosophy which informed the original design of these spaces.

Explanation

The adoption of a lot Boundary Curtilage is a formal mechanism by which:

- *The historical setting of the building may be protected*
- *Existing visual and physical links into and out of the site may be protected*
- *The site may be protected from inappropriate development.*

The principal view to the MLC Centre is from its immediate forecourt on Miller Street and from the southwest across Victoria Cross where the cubiform massing of the building with its gridded western wall and solid planar tiled south wall can be appreciated. Figure 17 and Figure 18 below show the impact on this view. The proposed building will be marginally visible at the eastern edge of the MLC Centre when the heritage item is viewed in its immediate and more significant context. When farther away, the proposed building will be visible rising above the roof of the MLC Centre but in this view other tall buildings are also included as part of a townscape context. The Beaumonde development already visually interrupts the roof edge of the MLC Centre in this further removed view but it is an interruption which is not dominant to the casual observer. Also shown on the view analyses are the massing of potential development of 100 Mount Street in accordance with the provisions of the draft LEP amendment. Which show that any development on that site of the scale proposed – or even two-thirds the height for that matter – would be visible along the eastern margin and roof of the heritage item. Nevertheless, all the development shown in the view analyses outside conforms to the specific provisions of the 'lot boundary curtilage' policy of the conservation plan for the MLC Centre.

In essence, the experience of the MLC Centre is principally from Miller Street and Victoria Cross and is one of a massive gridded slab at the street edge – though obscured by subsequent tree planting. That there are and will be taller nearby buildings rising further above around is consistent with the significance of the MLC Centre as it was the first high rise office block in North Sydney and was seminal in the current and future nature of the central business district of North Sydney. The height and visibility of the proposed development in relation to the MLC Centre will not adversely impact upon the significance of this heritage item.

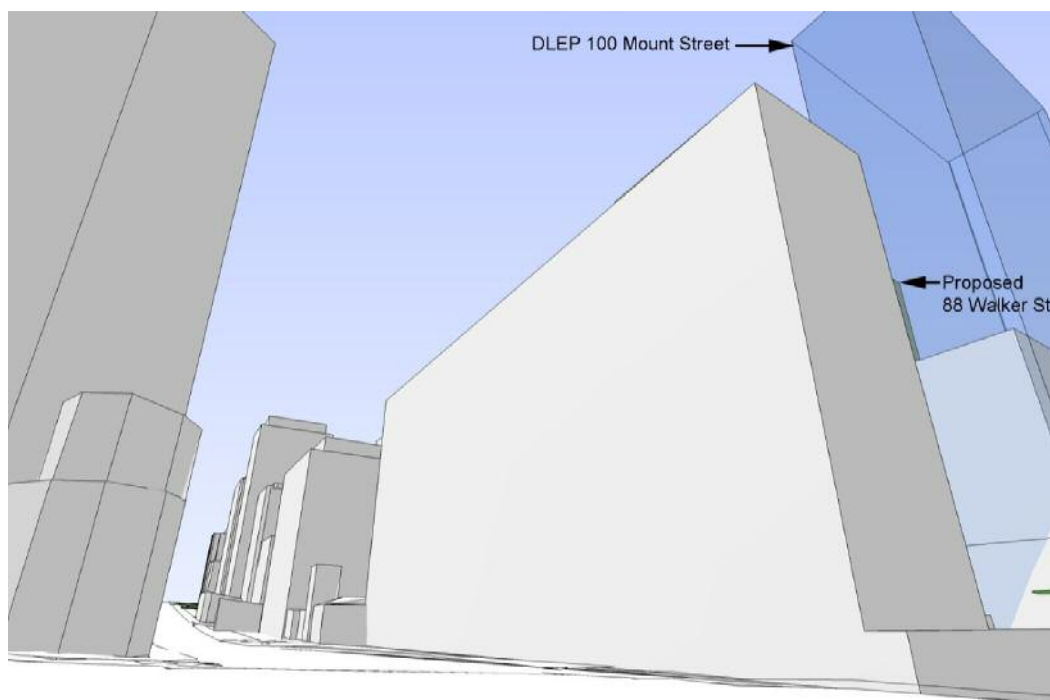


Figure 17: View Analysis of proposed development at 88 Walker Street from south west of MLC Centre



Figure 18: View Analysis of proposed development at 88 Walker Street from south west of MLC Centre

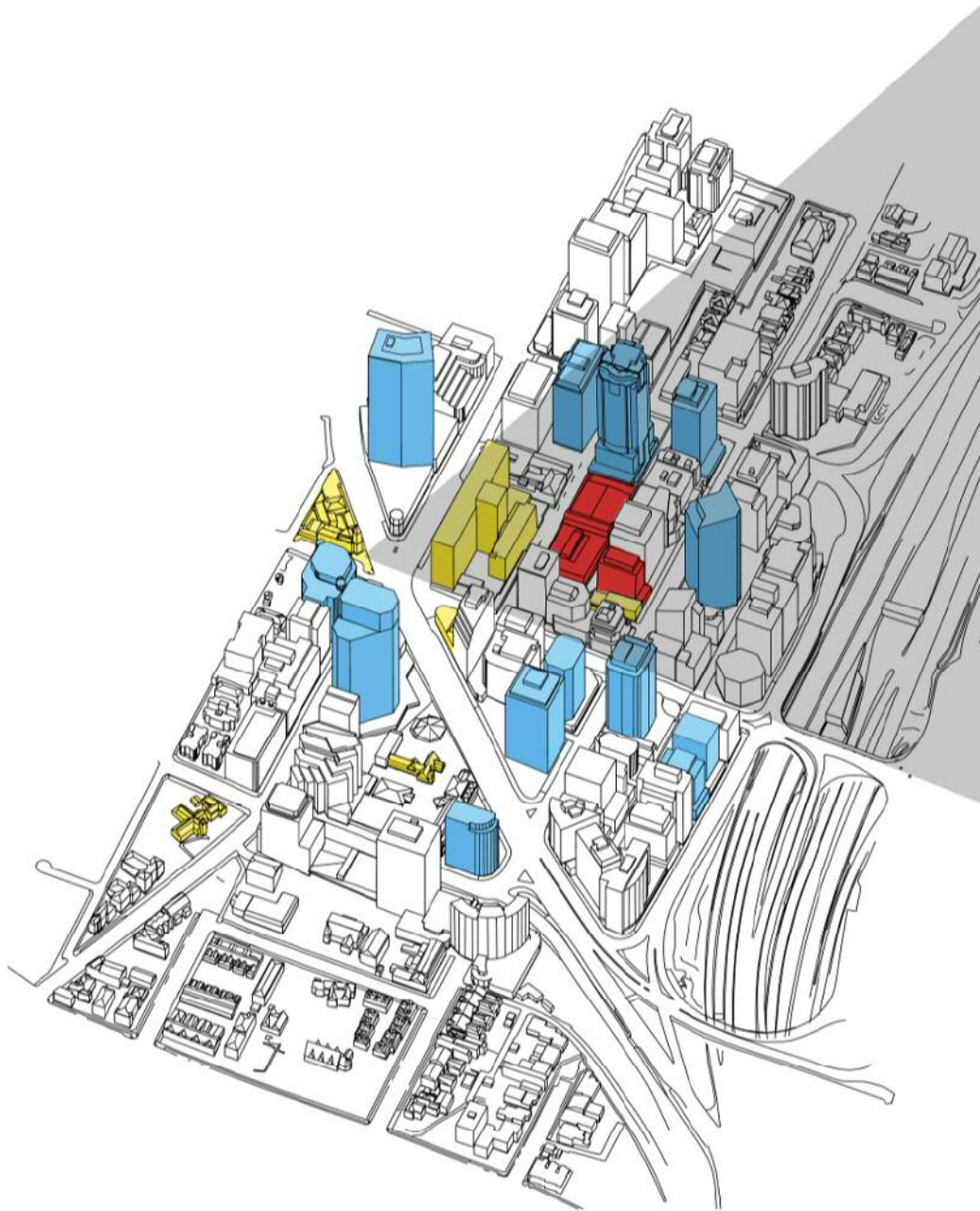


Figure 19: View Analysis location –
Proposed development shown in red
Heritage items in the vicinity shown in yellow

5.3 Other Heritage Items

Former Bank of NSW

This two storey building is located on a triangular site on the corner of Mount Street and the Pacific Highway. The building was erected in 1931 replacing an earlier bank premises on the site. It is designed in the Inter-War Free Classical style and the new building co-incided with the construction of the Pacific Highway approaches to the Harbour Bridge.

For Statement of Heritage Significance (see Appendix 5)



Figure 20: The Bank of NSW (Former) Miller Street View from the West



Figure 21: Bank of NSW (Former) View from North

Heritage Impact Assessment

The heritage item retains its original external form and can be appreciated as a significant corner building at the corner of Mount Street and the Pacific Highway. When viewed from the west, the heritage item already has a backdrop of taller planar buildings. The lower scale of the item, its rounded corner and its apparent protrusion into the space of the Victoria Cross retain its landmark value. The addition of another tall building into the north-eastern setting of the heritage item will not have a significant adverse impact upon its heritage value.

Victorian Shopfront Terrace, 187 Miller Street, North Sydney

This two storey Victorian Italianate style building was erected c.1888. It is one of the few remaining Victorian shopfronts on Miller Street and retains original detailing to the Miller Street facade including the ground floor glass and metal shopfront and the triple semicircular arched windows on the upper floor.

For Statement of Heritage Significance (see Appendix 6).

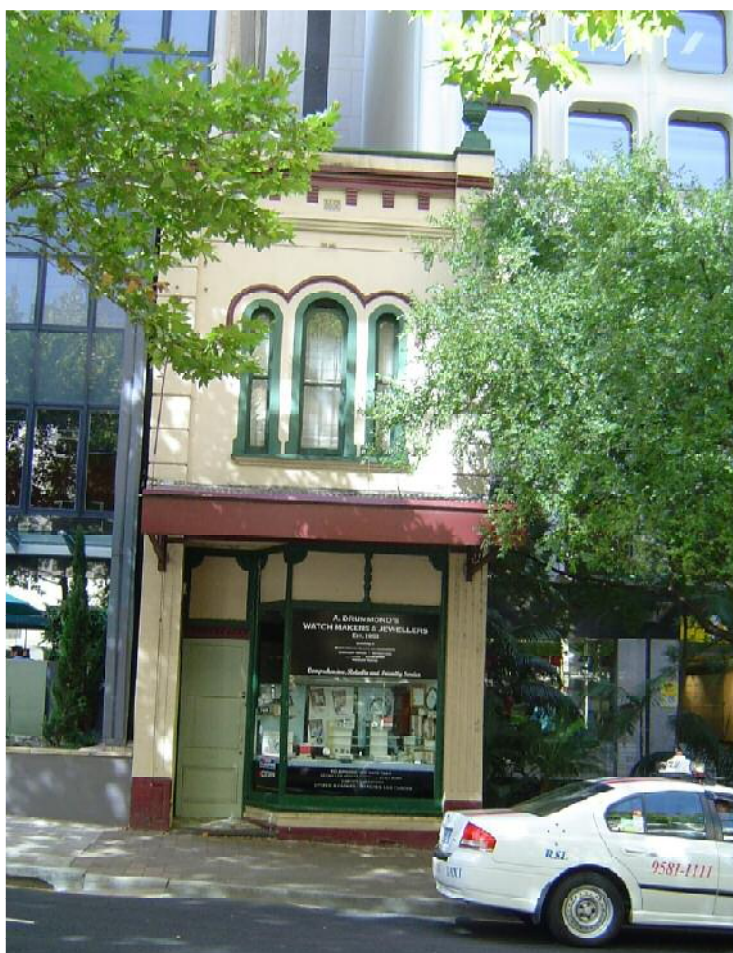


Figure 22: 187 Miller Street North Sydney

Heritage Impact Assessment

This heritage item is a remnant of the type of development characteristic of North Sydney before the second half of the twentieth century. The development of the second half of the last century has now engulfed all but

the intact streetfront of the building. The proposed development is not visible from this location on Miller Street and there will be no effect on the heritage significance of the item.

6.0 HERITAGE IMPACT ASSESSMENT

6.1 Introduction

The following assessment is based on the guidelines set out by the NSW Heritage Office publication 'Statements of Heritage Impact', 2002.

The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:

- The significance of the heritage items in the vicinity of the proposed development is not significantly adversely affected. The proposed development is in the context of North Sydney which has multiple high rise buildings in the vicinity. The heritage items in the vicinity are generally appreciated from a relatively close proximity as the height of the buildings in the area does not allow for long range views. The specific impacts upon the former North Sydney Fire Station has been managed by provision of a simple glazed podium. The significance of the former fire station would be enhanced by the replacement of the intrusive tree as shown in DA02.

The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:

- The condition of the northern wall of the Firehouse Hotel is unknown and so its treatment can not yet be confirmed. The condition of the wall will be investigated in the course of careful demolition of the existing building. This investigation will inform the detailed resolution of the interface of the glass podium and the existing heritage item.

The following sympathetic solutions have been considered and discounted for the following reasons:

- Earlier sketches of lower levels of the new building adjacent to the heritage item were considered too dominant and inconsistent with the two storey scale of the heritage item. The current proposal addresses the height of the adjoining heritage item, the former North Sydney Fire House at street level by utilising a similar scale on the Walker Street frontage.

6.2 New development adjacent to a heritage item (including additional buildings and dual occupancies)

- *How is the impact of the new development on the heritage significance of the item or area to be minimised?*

The proposed new development has a street level podium which matches the height of the adjoining heritage item (the former North Sydney Fire Station). The construction of the proposed podium is of glass and is aligned to the height of the top cornice of the balustrade parapet of the heritage listed Firehouse Hotel. The potential dominance of the existing building on the site

and any higher development such as that proposed has been mitigated by mediating the scale shift using a glazed podium. The detail of podium interface should be confirmed once the condition of the north wall of the heritage item is revealed. The proposed development conforms to heritage objectives and existing policies within conservation plans for the heritage items nearby.

- *Why is the new development required to be adjacent to a heritage item?*

The new development is on land near heritage items in the dense North Sydney central business district for which the existing character, the future desired character and the highest and best use of the land is for a development such as that proposed.

- *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*

The curtilage around the former North Sydney Fire Station is its Lot boundary. This is not altered by the proposed adjacent development. The curtilage around the MLC Building is its Lot boundary and this is not altered by the proposed development.

- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*

Views to the former North Sydney Fire Station from Walker Street are not affected by the proposed development. The proposed lobby of the new building would match the two storey scale of the heritage item at the Walker Street frontage. The Hotel facade to Walker Street will match the parapet height of the heritage item and the tower will be set back from Walker Street.

Views to the MLC building not be impeded by the proposed development but the tower will be visible from behind the MLC Centre when it is viewed further west of its immediate context on Miller Street.

- *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*

The development site is on land which has previously been developed. The existing building to be demolished is a contemporary multistorey building. It is unlikely that there are any significant archaeological deposits.

- *Is the new development sympathetic to the heritage item? In what way (eg form, siting, proportions, design)?*

A glazed podium foyer within the new development is consistent with the scale of the adjoining heritage item (the former North Sydney Fire Station) and mediates the Walker Street frontage. The 39 storey tower is set back from the heritage item but is much higher in proportion to the heritage item.

The tower of the new development is higher than the adjacent heritage item (the MLC Building) but it does not dominate the heritage item as there are other multistorey buildings in the vicinity.

- *Will the additions visually dominate the heritage item? How has this been minimised?*

The additions will not visually dominate the heritage items. The heritage item is currently surrounded by multistorey buildings so there will be limited adverse impacts.

- *Will the public and users of the item, still be able to view and appreciate its significance?*

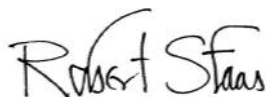
Appreciation of the significance of the adjoining heritage item from Walker Street, for the public and users of the former North Sydney Fire Station will not be adversely affected by the development. Appreciation of the adjacent heritage item from Mount Street, Miller Street and the eastern side of the MLC Building for the public and users of the MLC Building will not be adversely affected by the development. Indeed the increase in accommodation means a greater number of members of the public will be able to experience the heritage items within the setting of the new development.

7.0 CONCLUSION

In conclusion, the proposed project does not significantly, adversely impact upon the identified heritage significance of the adjacent or adjoining heritage items nor heritage items or conservation areas further afield. The former North Sydney Fire Station is currently surrounded by tall buildings and the impact of a new high-rise development in the immediate vicinity will not alter the ability of the public to appreciate the heritage significance of the heritage item. The new development generally maintains the parapet height of the heritage item on the Walker Street frontage and the tower is set back from Walker Street. Although the tower is higher than the existing building adjacent to the heritage item, the height of the development is not out of context with the existing buildings in the vicinity and conforms to relevant heritage objectives and conservation policies.

The detail of the interface with the northern wall of the former Fire Station should be reviewed once the condition of the underlying fabric is known. The replacement of the intrusive plane tree in front of the entry to the former Fire Station with one further south as shown in DA02 has a beneficial heritage impact.

I recommend that the heritage aspects of this project application be approved subject to the minor mitigating measures set out above. The detail of the podium interface should be confirmed once the condition of the north wall of the heritage item is revealed.



Robert Staas
Director / Heritage Consultant
NBRS+PARTNERS ARCHITECTS

7 April 2009

8.0 APPENDICES

8.1 APPENDIX 1: Extract from the MLC Centre Conservation Plan prepared in May 1988 by Jackson Teece Chesterman and Willis for the MLC Centre:

2. 2 The Development of North Sydney

2.2.2 1932- 1957 Period

The opening of the Sydney Harbour Bridge in 1932 enabled easy road and rail connections which encouraged further growth on the North Shore in general and North Sydney in particular.

In North Sydney, the interval between the opening of the Sydney Harbour Bridge and the commencement of large-scale commercial development was characterised by residential development associated with new road links created by the Bridge.

Between 1923 and 1942 over 1000 new flats were constructed in North Sydney, ranking it behind only Sydney, Waverley, Randwick and Woollahra.

Together with this urbanisation, the nature of the commercial and retail activities changed.

North Sydney began to develop away from the waterfronts and peninsulas that had traditionally been the focus of activity. The transfer of the Council Chambers from Alfred Street, Milsons Point to its present site in 1926 was significant in this process and the town centre envisaged by the Surveyor General's 1838 town plan finally came into its own. The transport nexus of the suburb now centred on the North Sydney Railway Station and Victoria Cross precinct and the main roads through the council area took on a greater significance as individual travellers drove their horses, carriages and motor cars through North Sydney to the Bridge approaches.

[Following the Great Depression and World War II, there was endemic widespread housing shortage across the country.]

The nation-wide commitment to improve housing standards brought about by memory both of the low standards before the war and of the horrors and austerity of the World War II, had the effect of severely limiting the resources that could be made available for commercial development. It was not until the easing of financial restrictions by Commonwealth Government in 1955 that commercial and industrial building was able to re-commence in earnest with the consequence that "Australian building embarked on the greatest period of expansion in the country's history".

High-rise in North Sydney began with an isolated development, the MLC office building, opened in 1957. It was the largest office block in Australia for some years afterwards and incorporated the latest building technology being practised in America.

...

Many other large buildings are under construction or in the planning stage and, within a few years, the entire commercial area of the North Sydney municipality will be transformed.

By the end of the 1950s the northern approach roads to the Bridge were unable to handle the traffic demand and in 1962 a radical reconfiguration was proposed, which was to operate in conjunction with the newly opened Cahill Expressway. The new northern approach system known as the Warringah

Expressway was constructed between 1963 and 1968 and necessitated the demolition of approximately 600 dwellings.

Upon completion, the Warringah Expressway formed a major role in allowing the rapid expansion of high-rise office and commercial development in North Sydney during the 1970s and 1980s.

8.2 APPENDIX 2: Heritage significance of the Former North Sydney Fire Station

The heritage significance and other relevant attributes of the Former North Sydney Fire Station, 86 Walker Street, North Sydney as noted on the Heritage Inventory Database is:

Original Fire Station for North Sydney and relic of operations from horse-drawn technology. Indicative of period Fire Brigade organisations and activity. Fine example of small regional government building and an example of Victorian Italianate architecture.

Designed by W. Vernon (And Charles Hellmrich). Built by Department of Public Works.

Two storey rendered brick fire station with balustrade parapet with central semi-circular pediment above heavy cornice, three pairs of semi-circular arched windows on the upper floor, all with moulded archivolt and keystones carried on simulated square columns with dentilated imposts and corbelled sills. Ground floor windows are simple segmental arches with label moulds and corbelled sills. This building is designed in the Victorian Italianate style.

Converted to a restaurant during the 1970s. Interior extensively altered.

[The building was opened in June 1895 and replaced the previous headquarters in Mount Street as well as a branch station in Alfred Street.] It operated until 1945 when services rationalised and the area was covered from Crows Nest and Neutral Bay. The building was subsequently sold and reused as a restaurant.

[Source: North Sydney Heritage Study Review, 1993]

8.3 APPENDIX 3: Heritage significance of the MLC Centre

The heritage significance and other relevant attributes of the MLC Centre, 105-153 Miller Street, North Sydney as noted on the Heritage Inventory Database is:

The first high rise office block in North Sydney and the largest for a number of years after its construction. Seminal building on subsequent high-rise design in Sydney and utilised construction and structural techniques not previously used in Australia. First use of curtain wall design; first use of modular units in Australia. Major landmark in North Sydney.

Designed by Bates, Smart and McCutcheon

A fourteen storey cubiform office block of 450,000 feet of floorspace constructed on a rigid steel frame with hollow steel floors. Curtain walls of glass and anodized aluminium spandrels. ... Double glazed using anti-actinic heat resisting glass outer and plate glass inner, ten inches apart. Facing materials include terracotta, marble, granite and mosaic tiles. This building is designed in the Post-War International style.

Opened in 1957/58, the building was constructed as the headquarters of the Mutual Life and Citizens Assurance Company (MLC Limited). It was a pioneer in architecture and construction when built.

[Source: North Sydney Heritage Study Review, 1993]

8.4 APPENDIX 4: Extracts from the Conservation Plan prepared in May 1988 by Jackson Teece Chesterman and Willis for the MLC Centre:

HERITAGE SIGNIFICANCE

5.2 Statement of Significance

5.2.1 Aesthetic Significance

The Building is of National Aesthetic significance:

- As Australia's first large-scale commercial office development embodying the sleek, modern, recognisable, rectangular glazed prism so recently embraced by US corporations, as exemplified by the UN Secretariat and Lever House;
- As Australia's first "freestanding" office building, with setbacks from boundaries creating landscaped spaces at street level;
- As Australia's first office building incorporating two office slabs separated by a services tower, with a podium, pilotis and roof gardens;
- As Australia's first example of a deliberately decorated curtain wall;
- As Australia's first large scale commercial office development in the International Modern Style, incorporating, at all levels from conception through finishes to furniture, the contemporary architectural influences of the USA, and Europe;
- As Australia's first large scale commercial office development utilising large areas of glazed curtain walls in association with large capacity, sophisticated – control air conditioning for comfort conditions;
- In association with the state office buildings for the MLC in Adelaide and Perth, for the ground-breaking aspects of its construction including: use of light weight materials; testing leading to evolution of building regulations; prefabricated steel structural framing and flooring system; incorporation of modular design and fitout of the interiors; adoption of "fast track" construction methods;
- As Australia's first building with a large lift capacity designed to cope with a high level of inter-floor traffic resulting from the head office operations of a single tenant.

The building is of State Aesthetic Significance :

- For the incorporation of the artworks of two notable contemporary sculptors

The building is of Regional Aesthetic significance

- As a (formerly) prominent landmark of a major Australian institution, best exemplified by the now removed weather beacon on the roof of the building.

5.2.2 Historical Significance

The Building is of National Historical significance:

- As the first large scale commercial office development built in Australia after the easing of both financial constraints and post-war materials shortages brought about by the pressing need to overcome housing shortages.;
- Because it was designed by Sir Osborne McCutcheon whose architectural practice Bates, Smart McCutcheon was in the forefront of the introduction of large scale commercial office developments in

the capital cities and major country centres throughout Australia in the 1950's and 60's, not only for MLC but also for other major corporations.

- For its association with a major company who chose to raise their national market profile by construction of a group of International Modern" office Buildings whose genre was recognisable different from those that preceded.
- Because it was a "flagship" national headquarters from which MLC's purposeful expansion into its nation-wide market was directed;
- As an essentially intact example of an office floor configuration that demonstrates a style of commercial office space that had been overtaken by the evolutionary changes in work practices, particularly those associated with the PC
- As a rare, essentially intact example of commercial office development provided with large-scale social and cultural facilities for use by staff, as a part of the developing trend towards increased leisure time in contemporary society.

The Building is of Regional Historical significance

- Because it instigated the development of North Sydney as an acceptable and viable commercial office area, as an alternative to Sydney CBD

The Building is of Local Historical significance

- Because by the provision of a shopping concourse along Miller Street and shops along Mount Street, it continues the street-level retail tradition of the area;
- As the first example of a large-scale site amalgamation for commercial purposes in North Sydney

7. CONSERVATION POLICY

7.4.3 Policies for The Townscape

Policy 3.1

The original relationship of the building envelope to original site boundaries shall be retained

Policy 3.2

The original configuration of the setback with its landscaped garden and paved concourse/colonnade, along Miller Street should be conserved by the adoption of a Lot Boundary Curtilage. The design of new landscaping should be expressive of the philosophy which informed the original design of these spaces.

Explanation

The adoption of a Lot Boundary Curtilage is a formal mechanism by which:

- *The historical setting of the building may be protected*
- *Existing visual and physical links into and out of the site may be protected*
- *The site may be protected from inappropriate development*

8.5 APPENDIX 5: Heritage significance of the former Bank of NSW

The heritage significance and other relevant attributes of the Former Bank of NSW, 51 Mount Street, North Sydney as noted on the Heritage Inventory Database is:

Interesting and attractive building on an important corner in the commercial heart of North Sydney. Excellent example of its style and indicative of period bank architecture.

Designed by John Reid and Sons

A two storey building on a triangular site, the apex being semi-circular curve. Facade formed of brick with colonnade of semi-circular arched windows continuous over two floors. The curved wall section has classically inspired columns between each window. Roof line has heavily moulded cornice. This is designed in the Inter-War Free Classical style.

Conversion to a restaurant during the 1980s involved removal of original floors and alterations of floor levels internally.

This building erected in 1931, replacing earlier bank premises on the same site from 1877, being at that time the first bank office on the North Shore. New building co-inciding with and a result of the construction of the Pacific Highway approaches to the Sydney Harbour Bridge. Sold by bank in 1974 to McDonalds Restaurants.

[Source: North Sydney Heritage Study Review, 1993]

8.6 APPENDIX 6: Heritage significance of the Victorian Shopfront Terrace at 187 Miller Street North Sydney

The heritage significance and other relevant attributes of 187 Miller Street, North Sydney as noted on the Heritage Inventory Database is:

One of the few remaining Victorian shopfronts on Miller Street and the last in this vicinity. An interesting example of its type, with attractive detailing. Provides a strong contrast to the surrounding multi-storey commercial buildings. Important reminder of the continuity of retailing over time in this vicinity.

Two storey narrow-fronted building of rendered brick. Ground floor glass and metal shopfront. Corrugated-iron roofed awning and upper floor has triple semi-circular arched windows, central to facade between pilasters with horizontal course lines. Windows have label mould and facade is parapeted with corbelled cornice and flanking finials in the shape of square urns on circular pedestals. This building is designed in the Victorian Italianate style.

[Source: North Sydney Heritage Study Review, 1993]