

HERITAGE IMPACT STATEMENT



Planning Proposal

No. 45 McLaren Street, North Sydney

October 2020 | J4311

**Weir
Phillips**
Heritage
and Planning

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CONTENTS	PAGE
1 INTRODUCTION.....	4
1.1 PREAMBLE	4
1.2 AUTHORSHIP.....	4
1.3 LIMITATIONS.....	4
1.4 METHODOLOGY	5
1.5 DOCUMENTARY EVIDENCE	5
1.5.1 MAPS, PLANS AND PHOTOGRAPHS	5
1.5.2 HERITAGE LISTING SHEETS	5
1.6 SITE LOCATION	6
2 HERITAGE MANAGEMENT FRAMEWORK	6
2.1 THE SITE	6
2.2 THE SURROUNDING AREA	7
2.3 RELEVANT HERITAGE LEGISLATION	7
2.3.1 HERITAGE ACT 1977 (NSW)	8
2.3.2 LOCAL ENVIRONMENTAL PLAN	8
2.3.3 DEVELOPMENT CONTROL PLANS	8
3 SITE ASSESSMENT	9
3.1 SITE CONTEXT	9
3.2 THE SITE	13
4 ASSESSMENT OF SIGNIFICANCE	15
4.1 SUMMARY OF EXISTING CITATIONS AND LISTINGS FOR THE SITE.....	15
4.2 HERITAGE ITEMS IN THE VICINITY OF THE SITE.....	16
4.2.1 DEFINING 'VICINITY'	16
4.2.2 HERITAGE ITEMS IN THE VICINITY	16
4.2.3 STONE WALL	18
4.2.4 HOUSE 185 WALKER STREET, NORTH SYDNEY	19
4.2.5 SIMSMETAL HOUSE	20
4.2.6 HOUSE, 144 WALKER STREET, NORTH SYDNEY	21
4.2.7 HOUSE, 146 WALKER STREET, NORTH SYDNEY	22
4.2.8 HOUSE, 148 WALKER STREET, NORTH SYDNEY	23
4.2.9 HOUSE, 150 WALKER STREET, NORTH SYDNEY	24
4.2.10 HOUSES 2-14 HAMPDEN STREET, NORTH SYDNEY	25
4.2.11 WALKER/ RIDGE STREET CONSERVATION AREA	26
4.2.12 ST LEONARDS PARK	27
4.3 VIEWS.....	28
5 SCOPE OF WORKS – PLANNING PROPOSAL.....	30
6 ASSESSMENT OF IMPACTS.....	31
6.1 METHOD OF ASSESSMENT	31
6.2 POTENTIAL IMPACTS OF THE PLANNING PROPOSAL ON THE SITE.	31
6.2.1 ASSESSMENT AGAINST NORTH SYDNEY DCP 2013 – HAMPDEN NEIGHBOURHOOD	33
6.3 IMPACT ON HERITAGE ITEMS IN THE VICINITY	35
6.3.1 144-150 WALKER STREET, NORTH SYDNEY	35

6.3.2	STONE STREETSCAPE DIVIDER WALL	35
6.3.3	HOUSES 2-14 HAMPDEN AVENUE, NORTH SYDNEY	36
6.3.4	185 WALKER STREET	36
6.3.5	SIMSMETAL HOUSE	36
6.3.6	WALKER/ RIDGE STREET HERITAGE CONSERVATION AREA	36
6.3.7	ST LEONARDS PARK	37
6.4	OTHER HERITAGE ITEMS IN THE VICINITY	37
7	<u>CONCLUSIONS</u>	<u>37</u>

TABLE OF FIGURES

	Page
Figure 1: Subject site location. SIX Maps, NSW Department of Finance and Services (Spatial Services), 2020. Overlay by Weir Phillips Heritage and Planning.....	6
Figure 2: Subject site and adjacent heritage items	7
Figure 3: The subject site in its context looking south west. Source: Colliers International.....	10
Figure 4: An aerial photograph of the site and the surrounds. Mecone Mosaic 2020	11
Figure 5: Victorian era terraces on Hampden Avenue.	11
Figure 6: Victorian era cottage at No. 185 McLaren Street.	12
Figure 7: The late Victorian era dwellings with contemporary development behind on Walker Street. These dwellings are to the south of the subject site.....	12
Figure 8: Simsmetal House to the west of the site on McLaren Street.	12
Figure 9: The new development at No. 168 Walker Street currently under construction.	13
Figure 10: The Victoria Cross Metro dive site to the north west of the site on McLaren Street.	13
Figure 11: An oblique aerial photograph of the site indicated by the red arrow. Source: Colliers International.....	14
Figure 12: The existing apartment buildings on site as viewed from Walker Street.....	14
Figure 13: Looking south west on Walker Street towards the apartment buildings on site.....	15
Figure 14: Looking south down Harnett Street. The site is on the left and Simsmetal House is on the right.	15
Figure 15: Detail, heritage maps 02A North Sydney LEP 2013.	17
Figure 16: Stone Wall located to the south east of the site.....	19
Figure 17: 185 Walker Street to the east of the subject site.	20
Figure 18: Simsmetal House to the immediate west of the site.	21
Figure 19: 144 Walker Street, North Sydney to the south of the site.	22
Figure 20: 146 Walker Street, North Sydney to the south of the site.	23
Figure 21: 148 Walker Street, North Sydney.....	24
Figure 22: 150 Walker Street, North Sydney to the south of the site.	25
Figure 23: Nos 2-12 Hampden Avenue located to the south east of the site.	26
Figure 24: Walker/Ridge Streets Conservation Area from the North Sydney DCP 2013.	27
Figure 25: The statue of remembrance within St Leonards Park with the North Sydney CBD in the background.	28
Figure 26: The view from the Stone Wall at Hampden/Walker Street. The site is visible from this item where is visible as part of the high rise backdrop to the CBD.....	28
Figure 27: View from the site towards the rear of Nos 2-14 Hampden Street, North Sydney.....	29
Figure 28: The view of No. 185 Walker Street from the subject site.....	29
Figure 29: The view of the subject site from No.185 Walker Street with the North Sydney CBD in the background.....	29
Figure 30: The relationship between the site and Simsmetal House located to the immediate west of the site.	30
Figure 31: View from the Walker and Ridge Street HCA. Note the site is not visible due to the change in topography and intervening vegetation.	30
Figure 32: View from the edge of St Leonards Park and. The site is not visible from this location due to the topography and site at 168 Walker Street.	30

1 INTRODUCTION

1.1 Preamble

This Heritage Impact Statement (HIS) accompanies a Planning Proposal and submitted reference scheme have been prepared in support the site's redevelopment from a four – five storey residential flat building to a mixed-use development, with a maximum height of 61m (16 storeys) and an FSR of 7.5:1. This is commensurate with the existing and desired future character of the Ward Street Precinct and surrounds.

The Planning Proposal will enable the site to be redeveloped for retail and residential purposes, with a commercial/retail podium activating Harnett and McLaren Streets, and residential land uses fronting Walker Street and in the tower form above.

The proposed height, density and associated reference scheme have been designed to sit comfortably on the site, adjacent to the heritage-listed dwellings and within the emerging context of North Sydney, whilst ensuring adequate solar protection to the future public realm within Ward Street.

It is envisaged that future development on the site would result in a carbon-neutral building, east-west through site linkages and landscaped terracing.

In summary, this Planning Proposal seeks to amend the NSLEP 2013 as follows:

- Amend the maximum height of buildings to 61m.
- Introduce a maximum floor space ratio of 7.5:1.

The site is located within the Municipality of North Sydney. The principal planning control for the site is the *North Sydney LEP 2013*. The site is not listed as a heritage item but is located within the vicinity of a number of heritage items as defined by Schedule 5 Part 1 of the *North Sydney LEP 2013*.

In order to assess the potential impacts of the Planning Proposal on nearby heritage items, a heritage management document must be submitted with the application. The appropriate heritage management document, in this instance, is a Heritage Impact Statement; and this document is submitted in satisfaction of this requirement.

This report has been prepared at the request of 45 McLaren Pty Ltd and accompanies a reference scheme prepared by Bates Smart.

1.2 Authorship

This statement has been prepared by Anna McLaurin, B.Envs.(Arch), M.Herit.Cons., and James Phillips, B.Sc (Arch), B.Arch, M.Herit.Cons.(Hons), of Weir Phillips Heritage and Planning.

1.3 Limitations

A detailed history of the site and a full assessment of significance to NSW Heritage Division standards were not provided for as the site is not listed as a heritage item.

No archaeological assessment has been undertaken.

1.4 Methodology

This HIS has been prepared with reference to the NSW Heritage Division publications *Statements of Heritage Impact* (2002 update) and *Planning and Heritage* (1996), and to the North Sydney Council planning documents listed in Section 1.5. A site inspection was undertaken in July 2020.

1.5 Documentary Evidence

1.5.1 Maps, Plans and Photographs

- NSW Lands Department, *Aerial Photograph over North Sydney*, 1943. Department of Lands 2015.
- Heritage Map 002

1.5.2 Heritage Listing Sheets

- *House*, 10 Hampden Street, North Sydney (I0844) State Heritage Inventory Database No.: 2181628
- *House*, 12 Hampden Street, North Sydney (I0845) State Heritage Inventory Database No.: 2181629
- *House*, 14 Hampden Street, North Sydney (I0846) State Heritage Inventory Database No.: 2181630
- *House*, 144 Walker Street, North Sydney (I0984) State Heritage Inventory Database No.: 2181932
- *House*, 146 Walker Street, North Sydney (I0985) State Heritage Inventory Database No.: 2181933
- *House*, 148 Walker Street, North Sydney (I0986) State Heritage Inventory Database No.: 2181934
- *House*, 150 Walker Street, North Sydney (I0987) State Heritage Inventory Database No.: 2181935
- *House*, 185 Walker Street, North Sydney (I0988). State Heritage Inventory Database No.: 2182717
- *House*, 2 Hampden Street, North Sydney (I0840) State Heritage Inventory Database No.: 2186327
- *House*, 4 Hampden Street, North Sydney (I0841) State Heritage Inventory Database No.: 2181625
- *House*, 6 Hampden Street, North Sydney (I0842) State Heritage Inventory Database No.: 2181626
- *House*, 8 Hampden Street, North Sydney (I0843) State Heritage Inventory Database No.: 2181627
- *St Leonards Park*, Miller Street North Sydney (I0916). State Heritage Inventory Database No.: 2180911.
- *Stone Wall*, Walker Street (near Hampden Street) (I0996) State Heritage Inventory Database No.: 2186359
- *Walker and Ridge Street HCA*, North Sydney (CA20). State Heritage Inventory Database No.: 2186370.
- *Wenona Girls' School Group—Wenona*, 186 Walker Street, North Sydney (I0989) State Heritage Inventory Database No.: 2186327.

1.6 Site Location

No. 45 McLaren Street North Sydney is a triple fronted site, with the primary address located on the southern side of McLaren Street. The site has secondary frontage to Harnett Street to the west and Walker Street to the east. See **Figure 1** below. It is identified as Strata Plan (S.P.) 14598.



Figure 1: Subject site location.

SIX Maps, NSW Department of Finance and Services (Spatial Services), 2020. Overlay by Weir Phillips Heritage and Planning.

2 Heritage Management Framework

2.1 The Site

The site is **not** subject to any statutory heritage listings: it is **not** listed as a heritage item on the National or Commonwealth Heritage List, the State Heritage Register, or Schedule 5 of the *North Sydney LEP 2013*.

The site is **not** located in a heritage conservation area as defined by Schedule 5 Part 2 of the *North Sydney LEP 2013*.

The site is located adjacent to and in the vicinity of a number of Items listed in Schedule 5 of *North Sydney LEP 2013*

See **Figure 2** below.



Figure 2: Subject site and adjacent heritage items

The subject site is shown with a blue hatch.

North Sydney LEP 2013, Heritage Map 02a (detail) with overlay by Weir Phillips Heritage and Planning.

2.2 The Surrounding Area

The site is located in the northern fringe of the North Sydney CBD, with numerous heritage items nearby, including items of local heritage significance, listed on Schedule 5 of the *North Sydney LEP 2013*; items of State heritage significance, listed on the NSW State Heritage Register under the *Heritage Act 1977* (NSW); These are discussed in further detail in Section 4.2.

2.3 Relevant Heritage Legislation

In Australia and NSW, heritage listings give rise to statutory requirements to consider the heritage impact of any proposed works to a heritage item, and in some cases, in the vicinity of a heritage item.

While this proposal does not consider specific works, it does provide for an expanded envelope for potential works, and as such the potential for such works must be considered. In light of this, the following legislation should be considered.

2.3.1 Heritage Act 1977 (NSW)

The *Heritage Act 1977* (NSW) provides statutory obligations for the conservation of items of State heritage significance in NSW.

Places, buildings, works, relics, movable objects or precincts considered to be of significance for the whole of NSW are listed on the State Heritage Register (SHR). The SHR is administered by the Heritage Division of the Office of Environment and Heritage, and includes a diverse range of over 1,500 items.

Under cl.57(1) of the Act, alterations of any kind to an item listed on the SHR cannot be carried out without prior approval from the Heritage Council of NSW.

The proposal on the subject site does **not** require assessment under the *Heritage Act 1977* (NSW) as no part of the site is listed on the SHR, nor is any part of the site within the heritage curtilage of a site listed on the SHR.

Consideration of the impact of the proposal on nearby items listed on the SHR is discussed in detail included in Section 4.2, below.

2.3.2 Local Environmental Plan

In NSW, the *Environmental Planning and Assessment Act, 1979* (NSW) (the 'EP&A Act') sets out statutory obligations for local governments to take into consideration the impacts to the environment and the community of any proposed development or land-use change.

Under this act, local government must prepare and implement a Local Environmental Plan (LEP) to regulate development within their respective Local Government Area (LGA).

Under Cl.5.10(2) of the *North Sydney LEP 2013*, development consent is required for any action that will demolish, move or affect a heritage item or item within a conservation area. While the subject site is not a listed item of local heritage significance, nor in a conservation area, it is in the vicinity of heritage items.

Cl.5.10(5)(c) enables Council to 'require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned,' where the development is on land 'within the vicinity' of a heritage item or heritage conservation area. This report is submitted as the required heritage management document.

An assessment of the potential impacts of the proposal on vicinity items is presented in Section 4.2.

2.3.3 Development Control Plans

Development Control Plans (DCPs) provide detailed planning and design guidelines to support the planning controls in the Local Environmental Plan (LEP). The *North Sydney Development Control Plan 2013* identifies Council's requirements for new works on land to which the *North Sydney LEP 2013* applies.

The Section 13.1.1 of the *North Sydney DCP 2013* identifies the following objectives for the preservation of the heritage values of Sydney:

Council will work to protect North Sydney's heritage by:

- (a) Ensuring Council decisions are consistent with policy as expressed in the LEP and the DCP;*
- (b) Acknowledging the importance Aboriginal occupation and protecting sites that are important to Aboriginal culture and history;*
- (c) Acknowledging and protecting North Sydney's archaeological remnants;*
- (d) Committing to responsible management of Council's own heritage resources and heritage in the public domain;*
- (e) Not supporting developments that remove or significantly reduce the heritage significance of any heritage item;*
- (f) Striving to achieve an appropriate balance between contemporary expectations, environmental sustainability and protecting the elements that make an item significant or important to a conservation area's character;*
- (g) Acknowledging and protecting the setting of heritage items;*
- (h) Permitting flexible yet sensitive adaptation of heritage affected sites where appropriate. Council responds to guidance from and the planning principles of the NSW Land and Environment Court*

3 SITE ASSESSMENT

3.1 Site Context

The site is located at the northern extent of the North Sydney Centre, being a major commercial centre. The area is characterised by primarily mixed use buildings of commercial, retail and residential uses, as well as a diversity of lower-scale residential developments, sport fields and parklands.

McLaren Street is a bi-directional two-lane street, terminating at the intersection of Walker Street in to the east of the site. Mature street trees are present along its length, planted at irregular intervals. Building heights, massing, setbacks and finishes in this area are semi-regular on the southern side of McLaren Street.

The subject site is in an area dominated by residential apartment buildings with the CBD of North Sydney located to the south and west of the site. The buildings to the east of the site, separated by Walker Street, are part of a group of heritage listed dwellings comprising a group of terraces along Hampden Avenue and a mid-Victorian sandstone cottage. See Figure 5 and Figure 6.

To the south are a row of listed dwellings with contemporary hi-rise residential development to the rear. See Figure 7.

To the immediate west of the site is *Simsmetal House* (1970) a commercial office building designed by Harry Seidler and Associates. The building is nine (9) story modernist style building terraced to the north. See Figure 8

To the north of the site, on the opposite side of McLaren Street, 168 Walker Street (located at the corner of McLaren Street and Walker Street) is an existing 18-storey commercial office building which was approved for redevelopment by the Sydney East

Joint Regional Planning Panel at its meeting of 12 July 2016 for a 29-storey predominantly residential building with a maximum height of RL 167.51 metres (maximum building height 99 metres). See Figure 9.

There is a vacant site at the corner of McLaren Street and Miller Street which will be developed as the northern access to the Victoria Cross Metro Station and a future over-station development. See Figure 10.

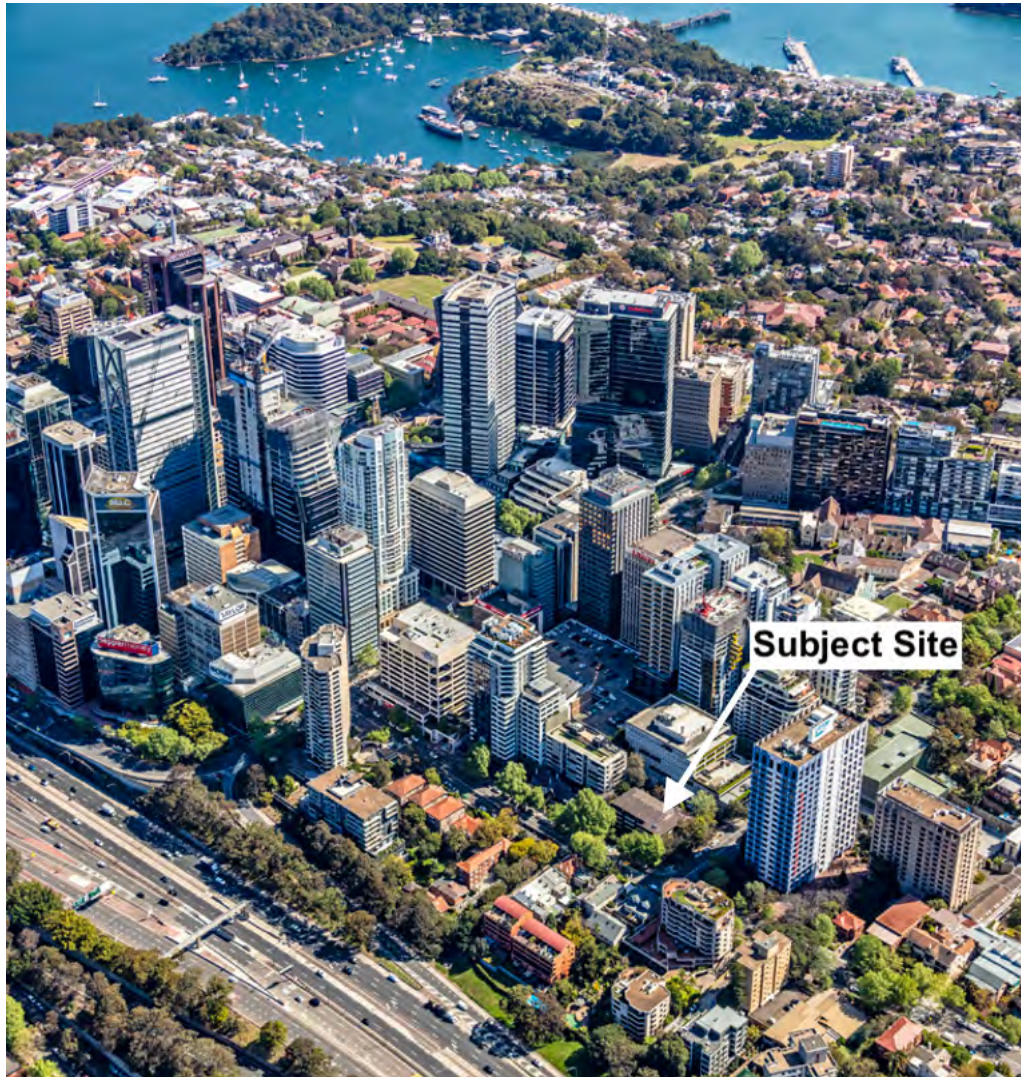


Figure 3: The subject site in its context looking south west.

Source: Colliers International

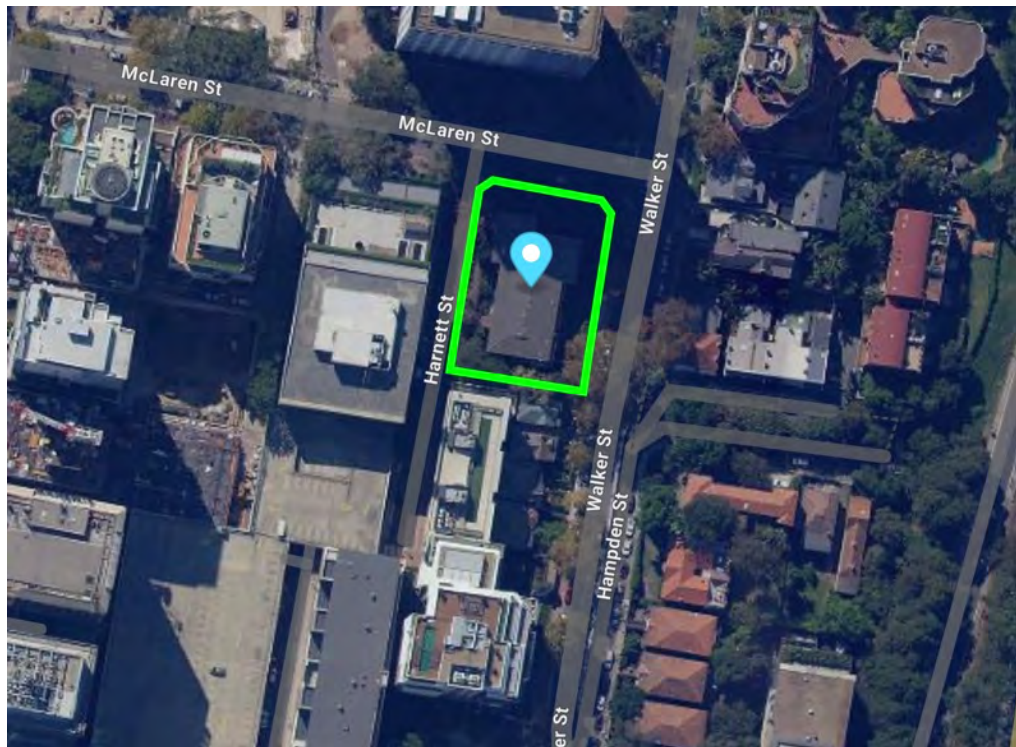


Figure 4: An aerial photograph of the site and the surrounds.
Mecone Mosaic 2020



**Figure 5:
Victorian era
terraces on
Hampden
Avenue.**



Figure 6:
Victorian era
cottage at No. 185
McLaren Street.



Figure 7: The late
Victorian era
dwellings with
contemporary
development
behind on Walker
Street. These
dwellings are to
the south of the
subject site.

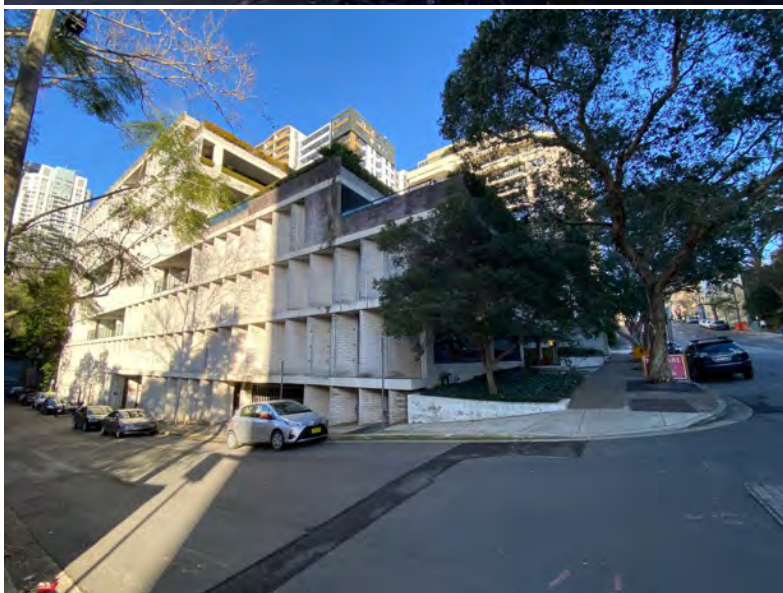


Figure 8:
Simsmetal
House to the
west of the site
on McLaren
Street.



Figure 9: The new development at No. 168 Walker Street currently under construction.



Figure 10: The Victoria Cross Metro dive site to the north west of the site on McLaren Street.

3.2 The Site

The site is occupied by a late 20th century residential flat building. The building is set slightly below street level due to the sloping topography of Walker Street. The primary access points to the site is from both Walker Street and Harnett Street.

For the following, refer to Figure 12 to Figure 14.



Figure 11: An oblique aerial photograph of the site is indicated by the red arrow.
Source: Colliers International



Figure 12: The existing apartment buildings on site as viewed from Walker Street.



Figure 13:
Looking south
west on
Walker Street
towards the
apartment
buildings on
site.



Figure 14:
Looking south
down Harnett
Street. The site
is on the left
and Simsmetal
House is on the
right.

4 ASSESSMENT OF SIGNIFICANCE

4.1 Summary of Existing Citations and Listings for the Site

With reference to commentary provided below in Section 4.2.1 on vicinity and curtilage, No. 45 McLaren Street, North Sydney:

- **is not** listed as a heritage item on the State Heritage Register under the *Heritage Act 1977* (NSW).
- **is not** located within the vicinity of items listed on the State Heritage Register under the *Heritage Act 1977* (NSW),
- **is not** listed as an item of local heritage significance by Schedule 5 of the *North Sydney LEP 2013*.
- **is** located adjacent to and in the vicinity of local heritage items by Schedule 5 of *North Sydney LEP 2013*;

In heritage studies to date have not identified the subject site as having heritage significance

4.2 Heritage Items in the Vicinity of the Site

4.2.1 *Defining 'Vicinity'*

There is no statutory definition of 'vicinity' in the context of heritage items. The concept of curtilage, however, is a related and useful concept that assists in understanding and assessing the impacts of development on nearby heritage items.

The majority of built heritage items in North Sydney are listed with their curtilage contained within the lot boundary containing the item. In some cases, there is a reduced curtilage where the significance of the item and its interpretation is not dependent on having a large curtilage extending to the lot boundary. In such cases it is necessary to identify a curtilage that enables the heritage significance of the item to be retained. It is also possible that there will be an expanded curtilage for some items where the curtilage is greater than the property boundary. An expanded curtilage may be required to protect the landscape setting or visual catchment of an item. For example, the significance of some properties includes a visual link between the property itself and the harbour or topographical feature.

Considering the items around the subject site, listing sheets indicate that all have a heritage curtilage that is limited to their property boundary.

For the items near to the subject site, 'in the vicinity' has been determined with reference to physical proximity, existing and potential view corridors and the nature of the proposed works.

4.2.2 *Heritage Items in the Vicinity*

The following image (Figure 15) and table identifies the heritage items in the vicinity of the site, which are discussed in the following Section.

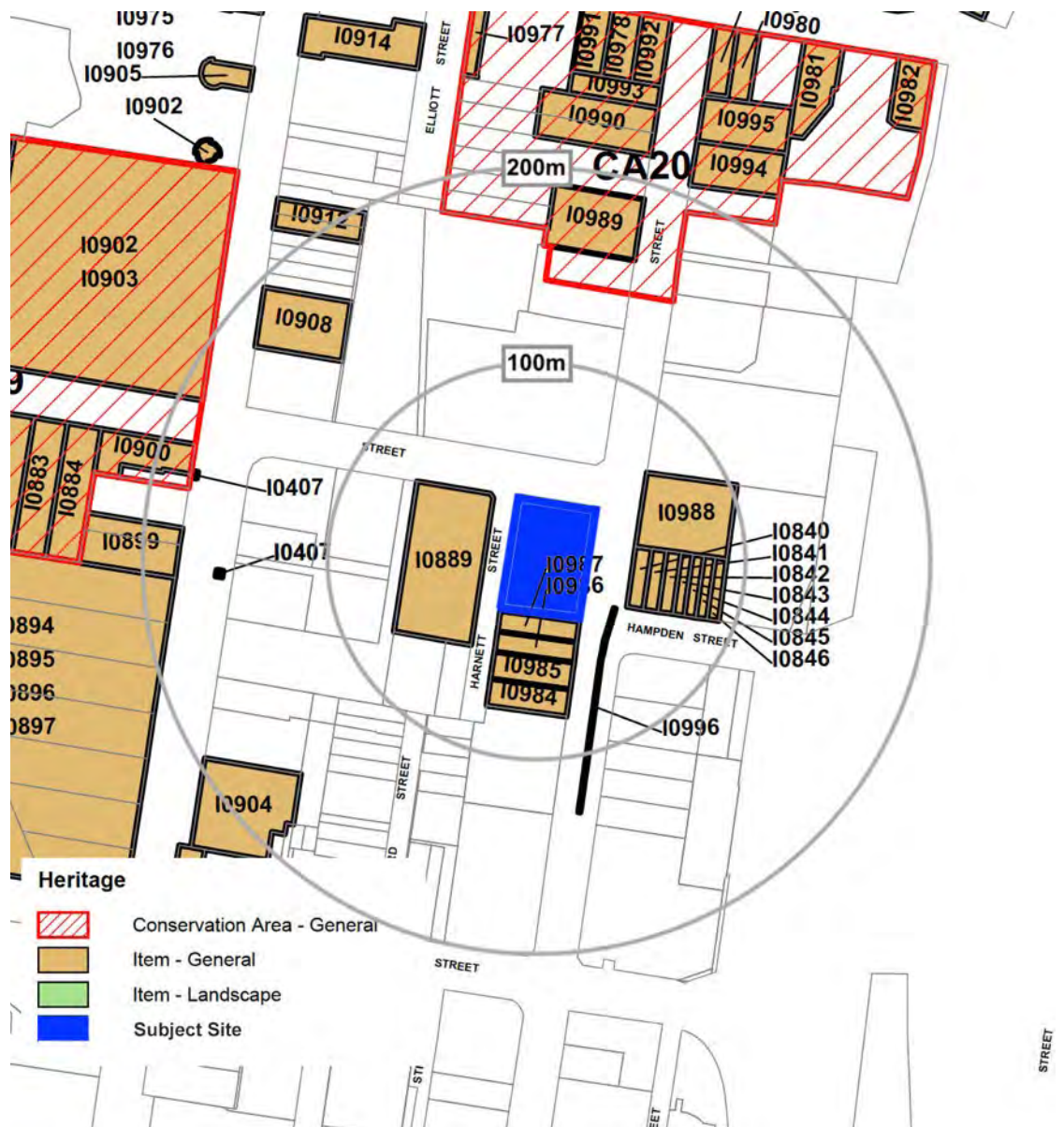


Figure 15: Detail, heritage maps 02A North Sydney LEP 2013.
The site is shown at centre hatched with blue.

North Sydney LEP 2013. Overlays by Weir Phillips Heritage and Planning.

All heritage items within 100 metres of the site are shown in the table below.

Place ID	Name and Description	Address	Listing
Local Heritage items within 100m of subject site			
I0996	Stone Wall	Walker Street (near Hampden Street)	Local
I0988	House	185 Walker Street, North Sydney	Local
I0889	Simsmetal House	41 McLaren Street	Local
I0984	House	144 Walker Street, North Sydney	Local
I0985	House	146 Walker Street, North	Local

		Sydney	
I0986	<i>House</i>	148 Walker Street, North Sydney	Local
I0987	<i>House</i>	150 Walker Street, North Sydney	Local
I0840	<i>House</i>	2 Hampden Street, North Sydney	Local
I0841	<i>House</i>	4 Hampden Street, North Sydney	Local
I0842	<i>House</i>	6 Hampden Street, North Sydney	Local
I0843	<i>House</i>	8 Hampden Street, North Sydney	Local
I0844	<i>House</i>	10 Hampden Street, North Sydney	Local
I0845	<i>House</i>	12 Hampden Street, North Sydney	Local
I0846	<i>House</i>	14 Hampden Street, North Sydney	Local

These items are discussed below:

4.2.3 *Stone Wall*

Address Walker Street near Hampden Street

Listings	Level of Listing	Listing Instrument	List ID
	Local item	North Sydney LEP 2013	I0996

Boundary N/A

Description There is no description of this item on the State Heritage Inventory.

A large road retaining wall of ashlar sandstone with a rusticated finish. Most blocks have small circular depression left by lifting gear used during construction. It resolves the difference in level between Walker Street and Hampden Street.

Statement of Significance There is no Statement of Significance on the State Heritage Inventory.

Other stone walls listed in the locality are noted for their contribution to their contribution to the understanding of the historic development of locality. Visually records method of construction and the relationship of development with the steep topography



Figure 16:
Stone Wall
located to
the south
east of the
site.

4.2.4 House 185 Walker Street, North Sydney

Address	<i>185 Walker Street, North Sydney</i>		
Listings	Level of Listing	Listing Instrument	List ID
	Local item	North Sydney LEP 2013	I0988
Boundary	This site has a lot boundary curtilage.		
Description	Single storey cottage with coursed sandstone walls with a gabled corrugated metal roof with two pitched roof dormers. Verandah to the front with a flat metal roof supported on decorated cast iron columns. Symmetrical front façade with a central door and French doors and shutters each side. House raised from street with steps to the garden. Small garden to the front with a sandstone wall to the street.		
Statement of Significance	A good example of a late Nineteenth Century stone cottage in the Victorian Regency style, a rare survivor in the area.		



Figure 17:
185 Walker
Street to
the east of
the subject
site.

4.2.5 *Simsmetal House*

Address 41 McLaren Street

Listings	Level of Listing	Listing Instrument	List ID
	Local item	North Sydney LEP 2013	I0889
Boundary	This item has a lot boundary curtilage.		
Description	<p>A most interesting office building which, by means of a concrete framed structure and clever set-backs, achieves a sense of modest scale and streetscape while in fact being a most commodious structure. Almost every horizontal structural member features planting troughs and the resulting plane material screens and softens the building walling and spandrels are of pale brickwork and one is indented to accommodate a large branch of a weeping willow in the front garden. Dense landscaping makes an effective architectural foil. The slope of the McLaren Street is such that the open, large entrance foyer is below street level, producing an interesting spatial effect. The five storey concrete framed office building with a flat roof. Concrete floor plates with white brick walls and blades with aluminium framed glazing. Planting troughs to most levels with terraces to the street with dense landscaping makes an effective architectural foil.</p> <p>The open, large entrance foyer is below street level in an undercroft. - This building is designed in the Late Twentieth century international style.</p>		
Statement of Significance	<p>A good example of a five storey, concrete framed office building in the Twentieth Century International style with strong horizontality in its elevations. An example of the work of the prominent Sydney architect, Harry Seidler. An office building of distinction which by its strong horizontality and the integration of much planting, is pleasant and attractive not only as streetscape but spatially as well.</p>		



Figure 18:
Simsmetal
House to the
immediate
west of the
site.

4.2.6 *House, 144 Walker Street, North Sydney*

Address 144 Walker Street,
North Sydney

Listings	Level of Listing	Listing Instrument	List ID
	Local item	North Sydney LEP 2013	I0984
Boundary	This item has a lot boundary curtilage.		

Description Single storey double fronted cottage with rendered brick walls and a hipped slate roof with terracotta cappings and rendered masonry chimneys with decorated cappings and arched pots. Double fronted with faceted projecting bay with two pane double hung sash windows with stucco decoration. Bull-nosed corrugated roof verandah infilled with fibro and timber framed glazing. Verandah has elaborate cast iron posts and balustrades.

Garden to front with low sandstone retaining wall and large Palms.

Statement of Significance One of a group of late nineteenth century houses displaying the design of quality late nineteenth century housing, and representative of the form of housing which was typically built in this part of North Sydney. The interior room configuration is intact and original detailing is evident. The houses have aesthetic qualities which contribute to the attractive streetscape in this vicinity and relate to their siting and harbour views. It is one of a pair with 146 Walker Street.



Figure 19:
144 Walker
Street,
North
Sydney to
the south of
the site.

4.2.7 House, 146 Walker Street, North Sydney

Address 146 Walker Street, North Sydney

Listings	Level of Listing	Listing Instrument	List ID
	Local item	North Sydney LEP 2013	I0985

Boundary Lot boundary.

Description Single storey double fronted cottage with tuck pointed brick walls and a hipped, slate roof with hexagonal slate decoration terracotta cappings and rendered masonry chimneys with decorated cappings and arched pots. Gable to front with faceted projecting bay with two pane double hung sash windows with stucco decoration and sills. Bullnosed corrugated metal roof verandah supported on timber posts. Overgrown garden to front with low sandstone retaining wall with rendered masonry piers and cappings. Decorative cast iron feature on masonry wall.

No. 146 is a single storey double-fronted brick cottage with gabled slate roof, some slates decoratively shaped, terracotta finials and ridgecaps; appear dilapidated and overgrown. This building is designed in the Federation Queen Anne style.

Statement of Significance An example of a single storey house in the Federation Queen Anne one of a pair with 144 Walker Street. One of a group of late nineteenth century houses displaying the design of quality housing of the late nineteenth century, and representative of the form of housing which was typically built in this part of North Sydney. Interior room configuration still evident and detailing, although quite dilapidated by Aug 2011. They have aesthetic qualities which contribute to the attractive streetscape in this vicinity and relate to their siting and

harbour views.



Figure 20: 146 Walker Street, North Sydney to the south of the site.

4.2.8 House, 148 Walker Street, North Sydney

Address 148 Walker Street, North Sydney

Listings	Level of Listing	Listing Instrument	List ID
	Local item	North Sydney LEP 2013	10986

Boundary Lot boundary.

Description Two storey narrow-fronted terrace with painted, tuck-pointed brick walls set on a low sandstone base with a gabled slate roof with brick chimneys. Two storey timber verandah with hipped corrugated metal roof supported on timber posts with aluminium lace balustrade. Projecting gabled bay to front with triple bay semi-circular headed windows with stucco sills. Front door with sidelights and fanlights with part glazed French door and fanlight to the balcony. Two pane double hung sash windows.

Two storey wing to rear with verandah. Steps to front with rendered flank walls. Small garden to front with steel palisade fence on a rendered masonry wall with rendered pillars. Side drive with carport.
- This building is designed in the Federation Gothic style.

Statement of Significance An example of a two storey house in the Federation Gothic style. One of a pair with 150 Walker Street. It is representative of the form of housing which was typically built in this part of North Sydney. The interior room configuration is intact as is much of the interior detailing such as the staircase. They have aesthetic qualities which contribute to the attractive streetscape in this vicinity and relate to their siting and harbour views.



Figure 21:
148 Walker
Street, North
Sydney

4.2.9 *House, 150 Walker Street, North Sydney*

Address 150 Walker Street, North
Sydney

Listings	Level of Listing	Listing Instrument	List ID
	Local item	North Sydney LEP 2013	10987

Boundary Lot boundary.

Description Two storey narrow-fronted terrace with tuck-pointed brick walls set on a low sandstone base with a corrugated metal sheeting roof with brick chimneys. Two storey timber verandah over front entry with skillion corrugated metal roof supported on timber posts with aluminium lace balustrade. Projecting gabled bay to front with triple bay semi-circular headed windows with stucco sills and dark brick heads. Front door with sidelights and fanlights with part glazed French door and fanlight to the balcony. Two pane double hung sash windows. Two storey wing to rear with verandah. Steps to front with rendered flank walls. Small garden to front with steel palisade fence on a rendered masonry wall with rendered pillars. Side drive with carport to rear.

Statement of Significance An example of a two storey house in the Federation Gothic style. One of a pair with 148 Walker Street. Representative of the form and quality of housing which was typically built in this part of North Sydney. Interior room configuration intact. Interior detailing still evident. The face brickwork remains unpainted and intact. The interior room configuration remains intact as does much of the original interior detailing such as the staircase. They have aesthetic qualities which

contribute to the attractive streetscape in this vicinity and relate to their siting and harbour views.

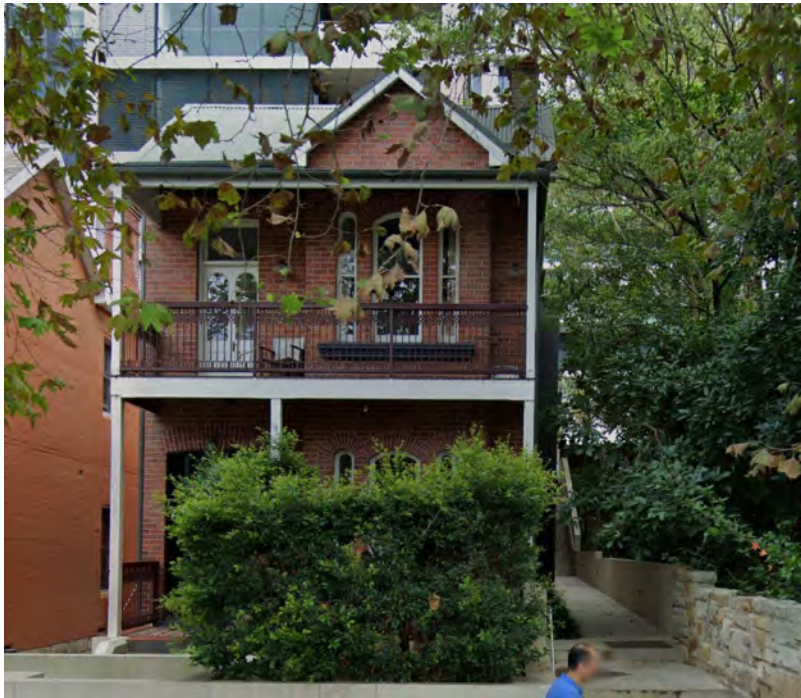


Figure 22:
150 Walker
Street, North
Sydney to the
south of the
site.

4.2.10 *Houses 2-14 Hampden Street, North Sydney*

Address	2-14 Hampden Street, North Sydney		
Listings	Level of Listing Local item	Listing Instrument North Sydney LEP 2013	List ID I0840 I0841 I0842 I0843 I0844 I0845 I0846
Boundary	Lot boundary.		
Description	A group of two storey rendered masonry terraces in the Victorian and Federation Filigree Style.		
Statement of Significance	Good examples of Victorian and Federation era terraces in an intact group.		



**Figure 23: Nos 2-12
Hampden Avenue
located to the south
east of the site.**

4.2.11 Walker/ Ridge Street Conservation Area

Address Walker/ Ridge/ Elliot Streets

Listings	Level of Listing	Listing Instrument	List ID
	Local item	North Sydney LEP 2013	CA20

Boundary Multiple Lots

Description The Walker/Ridge Streets Conservation Area includes the eastern end of Ridge Street and the sloping, northern portion of Walker Street. It is bounded St Leonards Park to the north, Elliot Street to the west and the Warringah Expressway to the east.

The landform falls to the south. Subdivision is determined by the grid pattern of the streets and lot sizes are irregular and many are developed for attached housing.

The area is characterised by intact groups of single and two storey detached and attached dwelling houses in a mix of Victorian Italianate and Federation styles with St. Helens being a remnant of the Victorian Georgian. The main buildings at the northern end of Walker Street are substantial residences in the Federation Arts and Crafts and Queen Anne styles. There is some modern residential infill and educational buildings associated with Wenona. Street verges are 3.5 metres wide with concrete footpaths and lined with regularly spaced street trees.

The vista towards the War Memorial in St Leonards Park up Walker Street is a significant feature of the Conservation Area and there are views from the eastern edge to Sydney Harbour. Original fencing and retaining walls are important unifying elements in the streetscape.

Mature landscaping is a unifying and significant feature of the Conservation Area and the gardens to Walker Street contribute to this. There are street trees to Walker Street.

Uncharacteristic elements include contemporary multi-storey buildings; over-scaled, two storey additions; over-scaled and poorly detailed carports and garages; front and side

Statement of Significance The Walker/Ridge Streets Conservation Area is significant:
 (a) For its late 19th and early 20th century character defined by the number of intact heritage items in the area.



Figure 24:
 Walker/Ridge
 Streets Conservation
 Area from the North
 Sydney DCP 2013.

4.2.12 St Leonards Park

Address 283A Miller Street, North Sydney

Listings	Level of Listing	Listing Instrument	List ID
	Local item	North Sydney LEP 2013	I0916
	State item	SHR	01941
Boundary	Multiple Lots		

Description A large urban park of approximately 180,000 square metres, square in plan, bound by Miller Street, Falcon Street, Ridge Street and the Warringah Expressway. Mostly grassed and undulating in topography with large mature trees and some managed garden beds. Combined football and cricket oval contained by brick walls and grandstands in south-west corner. Fountain, War Memorial, Entry Gates, Main Oval and Grandstands are listed individually. Music Shell, WW1 Field Gun, No. 2 Oval (former football ground), Bowling Club, Amphitheatre, practice cricket pitch of concrete, basketball courts are other features. Tables and benches are scattered throughout the park. Some paths and access roads are bitumenised.

Statement of Significance Important local urban park, with continuous history from 1838. Part of original town plan of North Sydney. Expansive open space in close

proximity to town centre, with a combination of nineteenth, and twentieth century design features, mirroring the built environment nearby. Contains a number of significant built features, monuments and numbers of native trees and historic plantings. Centre for large scale recreational activities as well as passive recreation in the area.



Figure 25: The statue of remembrance within St Leonards Park with the North Sydney CBD in the background.

4.3 Views

The subject site is visible in the immediate surroundings and from further afield due to both its height and limited intervening development on the eastern side. Due to the slope of Walker Street and the differentiation in levels of the street the site does not read as part the Walker Street, streetscape.

Individual views from heritage items in the vicinity are discussed below:



Figure 26: The view from the Stone Wall at Hampden/Walker Street. The site is visible from this item where is visible as part of the high rise backdrop to the CBD.



Figure 27: View from the site towards the rear of Nos 2-14 Hampden Street, North Sydney



Figure 28: The view of No. 185 Walker Street from the subject site.



Figure 29: The view of the subject site from No.185 Walker Street with the North Sydney CBD in the background.



Figure 30: The relationship between the site and Simsmetal House located to the immediate west of the site.

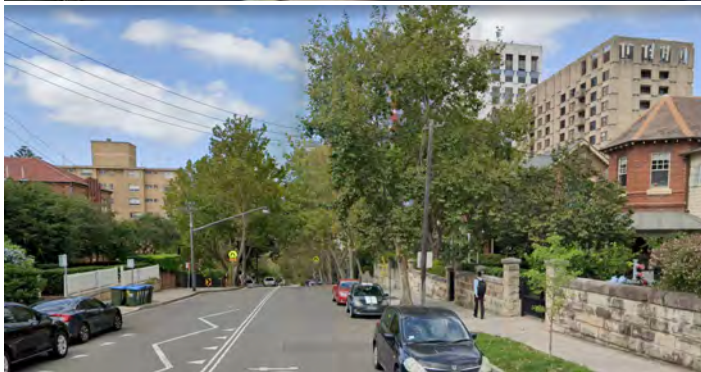


Figure 31: View from the Walker and Ridge Street HCA. Note the site is not visible due to the change in topography and intervening vegetation.



Figure 32: View from the edge of St Leonards Park and. The site is not visible from this location due to the topography and site at 168 Walker Street.

5 SCOPE OF WORKS – PLANNING PROPOSAL

The Planning Proposal and submitted reference scheme have been prepared in support of the proposed amendment to the existing R4 High Density Residential zone to include additional land uses (Commercial Premises and Recreational Facility (indoor)), with a maximum height of 61m (16 storeys) and an FSR of 7.5:1, commensurate with the existing and desired future character of the Ward Street Precinct and surrounds.

The Planning Proposal will enable the site to be redeveloped for retail and residential purposes, with a commercial/retail podium activating Harnett and McLaren Streets and residential land uses fronting Walker Street and in the tower form above.

The proposed height, density and associated reference scheme have been designed to sit comfortably on the site and within the emerging context of North Sydney, whilst ensuring adequate solar protection to the future public realm within Ward Street.

It is envisaged that future development on the site would result in a carbon-neutral building, east-west through site linkages and landscaped terracing.

In summary, this Planning Proposal seeks to amend the NSLEP 2013 as follows:

- Amend R4 High Density Residential zone to include additional land uses (Commercial Premises and Recreational Facility (indoor)).
- Amend the maximum height of buildings to 61m.
- Introduce a maximum floor space ratio of 7.5:1.

These changes apply only to the subject site.

While no physical works are proposed, larger and higher building envelopes would be permissible if such changes were approved. The following assessment considers the impact of such an increase in building volume.

6 ASSESSMENT OF IMPACTS

6.1 Method of Assessment

The following considers heritage related issues only. It does not consider compliance or otherwise with numerical controls unless non-compliance will result in an adverse heritage impact.

The Planning Proposal is assessed by consideration of:

- the relevant controls of the *North Sydney LEP 2013*;
- the objectives and controls for new works in the vicinity of heritage items as per Part 13 of the *North Sydney DCP 2013*;
- with an understanding of the requirements for Heritage Impact Statements provided by the NSW Heritage Branch publication Statements of Heritage Impact (2002 update); and

The HIS as also been updated to respond to Pre-PP lodgement advice from North Sydney Council dated 10th August 2020.

6.2 Potential impacts of the Planning Proposal on the site.

Changes to the controls will facilitate a tower which will require the demolition of the buildings on site. The buildings on site are not considered to be of heritage significance, either through the assessment of North Sydney Council or by the authors of this statement.

The proposed changes to the controls are compatible with the evolving context of the North Sydney CBD. The site is located within the Ward Street Masterplan precinct which seeks to provide significant uplift building height to strengthen the commercial centre created by the new Victoria Cross metro station. The proposal will retain the R4 High

Density Residential zone, however the proposal will introduce additional permitted land uses that would enable commercial, retail and the gym to be permissible within the zone and on the site. The heritage impact of placing a mixed-use portion at podium levels with residential development above has a negligible heritage impact considering the current and future context of CBD. At Walker Street, the proposed primary use is residential. This will soften the impact of the commercial core on the adjoining residential use heritage items and act as a line of demarcation between the two. This can reduce the perception of the CBD in the background of many dwellings in the adjoining HCA, which preserves the residential feel of the items. Notwithstanding, heritage items in the vicinity of the site sit comfortably within the existing emerging CBD to the west, the intensification of use will not impact upon the ability to understand these sites as heritage items.

In providing controls that encourage high density development, Council has, *a priori*, accepted a level of impact on heritage items in the area. As development in the North Sydney CBD continues to intensify new commercial and high-rise residential buildings are increasingly located adjacent to heritage items. It is now quite common for heritage buildings to be set in amongst tall commercial or residential buildings. Where a proposed tall building is directly adjacent to a heritage item, it is desirable to create a transition between the two buildings. This is normally achieved by the creation of a podium to the taller building the height of which reflects the height of bulk and proportions of the adjacent item. Although there are no set rules to podium height it generally lies in the 2-3 storey height range and this allows for a transition by creating a lower street front to the new development and drawing attention away from the tower above. In most cases the visual impact of the tower remains constant regardless of its height. In this case the reference design has developed a podium to respond to the height, articulation and setback of the adjoining heritage listed dwellings along Walker Street. The mitigation measures are discussed in Section 6.3.1 below.

The impact is acceptable on heritage items in the vicinity for the following reasons:

- The degree of separation is sufficient to have no direct impact on the lot boundary curtilage of the items in the vicinity.
- No significant view corridors to/from the items will be blocked. Views to items will largely remain the same.
- The architectural, historic and/or social significance of the items will not be impacted upon.
- The proposed works are consistent with the plans of future development in the area. Council has accepted that the wider setting of these heritage items will change over time.
- The podium has been designed to align with the front building line of the heritage items on Walker Street to minimise impacts on their setting and protection of views and vistas to and from them. It is also noted that to the north of the site at 168 Walker Street a setback is integrated into the development which also protects view lines towards the items.
- As indicated by the reference scheme, the lower scale transition of the development at the southern of the site will serve to reinforce and address a transition zone from the heritage items on the on the western side of Walker Street.

The subject site is in the vicinity of a number of heritage items. It is also close to a number of other items, of both local, and state heritage significance. The potential impacts of the

PP are discussed in relation to each item below.

6.2.1 *Assessment against North Sydney DCP 2013 – Hampden neighbourhood*

NSDCP 2013 Control	Response
2.1.3 Desired build form	
P6 Zero setback to all street frontages at the ground floor level and adjacent to heritage items, with the following exceptions: (b) 7m from the western side of Walker Street, north of Berry Street.	The indicative building envelope incorporates a 5.5m setback from Walker Street . The podium has been designed to align with the front building line of the heritage items on Walker Street to minimise impacts on their setting and protection of views and vistas to and from them. It is also noted that to the north of the site at 168 Walker Street a setback is integrated into the development which also protects view lines towards the items.
Hampden neighbourhood	
2.4.2 Desired Future Character	
P1 A mixture of modern multi-level residential flat buildings with older low rise residential flat buildings.	The site proposed redevelopment of the site envisages a modern multi-level residential flat building with commercial fronting Harnett and Walker Street. It is consistent with this control.
P2 Retention of the 2-3 storey original attached dwelling houses on Hampden Street.	The dwellings on Hampden Street will be retained.
P3 Pedestrian walk along the western side of Warringah Expressway accessed from Hampden Street.	N/A Not part of the subject site.
2.4.3 Desire Built Form	
P1 Early and original residential buildings complement the topography to maintain views and easy access.	N/A The current building on site is not an original or early residential building. Notwithstanding, the indicative reference scheme provided seeks to integrate the podium within the existing sloped topography and protect view lines by respecting the historic pattern of setbacks along the streetscape.
P2 Ground floors may not relate to street level due to topography of the area, with high sandstone retaining walls at ground level.	Despite the significant cross fall across the site the indicative reference scheme seeks to activate the frontage along Walker Street and minimise the instance of blank walls.
P3 Generally a maximum of 2 storeys on Hampden Street.	N/A The site is located on Walker and McLaren Streets.

P4 Maintain existing setbacks from property boundary along the eastern side of Walker Street and the northern side of Berry Street.	The indicative reference design has been revised to retain the existing setbacks and align with the heritage items along Walker Street.
P5 Low fences (max 800mm)	Low fences fronting the residential use along Walker Street will be used.
P6 Small picket fences above sandstone bases	As the site is proposed to be a contemporary development a small picket fence above a sandstone base is not appropriate.
P7 Located off-street and below ground for all residential flat buildings and multi dwelling housing.	The proposal will integrate basement parking.
P8 Located on-street parking for all heritage listed attached dwellings.	N/A The site is not a heritage item.
P9 Short term on-street meter parking.	N/A A public domain consideration.
P10 Existing sandstone retaining walls on street frontages must not be breached to accommodate garages or car parking spaces.	N/A The site does not contain existing sandstone retaining walls.
P11 Heritage features such as Walker Street and Hampden Street sandstone walls.	The walls will not be affected by the proposal. See Section 4.2.3 for further assessment.
P12 Substantial gardens within front setback area.	The setback from Walker Street allows for substantial gardens fronting the public domain.
P13 Steps and pathways along Walker and Hampden Streets are maintained	Steps and pathways along Walker Street will be retained. The proposed indicative reference scheme allows for increased pedestrian permeability via the through-site link between Harnett Street and Walker Street. This has an added mitigating bonus by providing increased separate between 146-150 Walker Street and the site.
P14 Landscaping in front gardens/private open space.	The setback from Walker Street also allows for private open space and front gardens.
P15 Tree lined streets and mature vegetation on median enhances area.	Established trees in addition to the street trees will be incorporated into the design.
P16 Elevations of buildings fronting the Warringah Freeway are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).	N/A Site does not front Warringah Freeway.

6.3 Impact on heritage items in the vicinity

6.3.1 144-150 Walker Street, North Sydney

The proposed rezoning will have a minor but acceptable impact upon the heritage items located to the front of contemporary development to the rear. Originally part of a core residential group on the fringe of the North Sydney CBD these items have slowly become amalgamated into high-density context. While contributing to the streetscape as readily identifiable late Victorian era/Federation style dwellings their setting has been diminished as a result of the high-density development to the rear. The development that contains these heritage items has no podium to the towers directly adjacent to the item, these items are viewed from Walker Street with the tower developments directly behind them. The proposed redevelopment of the subject site is consistent with the surrounding context, particularly the western side of Walker Street. Introducing commercial offerings at podium level fronting McLaren Street and Harnett will not impact upon the ability to understand the historic significance these dwellings, as they will continue to be readily visible from the streetscape.

The proposed increase in height will have some impact on the setting of the items. The majority of the impact mitigated by the stepped tower reference design by Bates Smart which preserves much of the solar access to the items. The bulk of the proposed height as indicated by the reference scheme is to be concentrated at the northern end of the site along McLaren Street. This assists in reducing the bulk and scale of the proposal and offers a softer transition to higher density development as envisaged by the Ward Street Masterplan.

The podium has been designed to align with the front building line of the heritage items on Walker Street to minimise impacts on their setting and protection of views and vistas to and from them. It is also noted that to the north of the site at 168 Walker Street a 5.5m setback is integrated into the development which also protects view lines towards the items.

The indicative reference scheme also provides vertical articulation of the podium to reference the pattern and separation of the individual dwellings. This reflects the earlier historic subdivision and setbacks of the site which included four separate dwellings fronting Walker Street. This assists in better integrating the future proposal into the existing historic context.

The indicative reference scheme also provides vertical articulation of the podium to reference the fine grain nature of 146-150 Walker Street. The articulation references the modulation and separation of each heritage listed dwellings. This assists in better integrating the future proposal into the existing historic context and better unifies the streetscape.

6.3.2 Stone Streetscape Divider Wall

The proposed modification to the height controls will have no heritage impact on understand the stone wall as a late Victorian response to deal with changes in topography. The sandstone wall is separated by the width of Walker Street and is only viewed in its entirety from Hampden Avenue which is set approx. 2m below Walker Street. Any tower constructed as a result of the proposed changes to the height control will read as a background element to the sandstone wall. The wall will continue to act as a

divider between Walker Street and Hampden Avenue and will continue to support traffic accessing both the CBD and residential areas on the fringe.

6.3.3 Houses 2-14 Hampden Avenue, North Sydney

The heritage listed dwellings along Hampden Avenue are an intact group of late Victorian and Federation era terraces. Their significance is derived from their contribution to understanding the extent of residential development in the North Sydney CBD and the depression era landscaping of Hampden Avenue with a central and vegetated road divider.

These heritage items are directly across the road from the proposal. This separation of adds to mitigating the impact of the proposal. The low-rise nature of the historic streetscape of this section of Hampden Avenue will still be able to be understood. The podium on the proposed development will be in keeping, in terms of scale, with heritage items opposite.

Consequently, the reference design will not materially impact the identified heritage significance of these items beyond the existing and recently approved conditions.

6.3.4 185 Walker Street

No. 185 Walker Street is a late Victorian era sandstone cottage located diagonally opposite the site. The proposed changes to the controls will facilitate a future tower that is significantly larger than the existing context. While the propose changes the controls will have some impact on the setting of the item, the separation of the width of Walker Street and the appropriately scaled podium adds to the mitigating impact of the tower above. The site will continue to read as part of the early residential development of North Sydney on the eastern side of Walker Street, where it is unencumbered by high density development.

There will be no overshadowing of this item caused by a tower built to the proposed controls as the item is located to the north of the site.

6.3.5 Simsmetal House

The proposed changes to both the FSR and height controls will have a minor impact on Simsmetal House. The proposed commercial and retail land uses will better suit the interface between two buildings as it is envisaged to provide a retail use at ground level for both buildings which will act to activate Harnett Street which separates the two items.

The original Harry Seidler designed podium of the future development will continue to read from McLaren Street as an example of the Twentieth Century International style with strong horizontality in its elevations. The proposed reference scheme which could be built as a response to the change in height controls forms a strong street wall height to complement the established street wall height.

6.3.6 Walker/ Ridge Street Heritage Conservation Area

The proposed modification to the height and FSR controls will have a negligible impact on the significance of the HCA. From the view corridors it is clear that the existing topography, streetscape vegetation and bulk of 168 Walker Street will the majority of a

future built form. Notwithstanding, the setback of the podium from Walker Street has been designed to allow any remaining view corridors from the items in the northern section of Walker Street and the HCA to remain unobstructed by a future built form. The connection between these the items to the south of the site and the HCA (and items within) will further unify the streetscape and strengthen any links towards the HCA and St Leonards Park.

6.3.7 St Leonards Park

Like the Walker/ Ridge Street Heritage Conservation Area a tower built to the proposed changes in controls will have a negligible impact on the significance of the park. From the view corridors it is clear that the existing topography, streetscape vegetation and bulk of 168 Walker Street will be the majority of a future built form. Where visible, it will form part of the North Sydney CBD backdrop to the park which is elevated on a ridge.

6.4 Other Heritage Items in the Vicinity

Beyond the items discussed above, the PP will have no impact on other heritage items in the vicinity for the following reasons:

- Nearby sites are located over 100 metres from the subject site. This distance is sufficient that other heritage items are well beyond the immediate setting of the site.
- The proposal will not result in a built form that will impact on the ability to understand the historic significance of these items.
- The proposal will not result in a built form which further blocks identified significant views to or from the items.
- The proposal will result in a built form which is consistent with the ongoing development in the surrounding area.

7 CONCLUSIONS

The PP seeks consent for the proposed amendments to the *NSLEP 2013*. A reference design has been provided which demonstrates the intended development outcome at No. 45 McLaren Street, North Sydney. With regard to nearby heritage items and the assessment of impacts set out above, the PP is considered acceptable for the following reasons:

- The impact of the transition to a tower form will be mitigated by the use of a podium level of appropriate height and the proposed stepped tower form to improve solar access to heritage items and the Central Plaza and Pocket Park within the Ward Street Masterplan.
- Proposed concept design will provide the opportunity to increase the performance of the building in relation to the public domain (in terms of streetscape presentation, light, views and connectivity) which will be improved when compared to existing building.
- No significant view corridors to or from the items identified in Section 4.2 and 4.3 will be blocked, impeded or unreasonably disrupted by the proposed PP Reference Design.
- The podium has been designed to align with the front building line of the heritage items on Walker Street to minimise impacts on their setting and

protection of views and vistas to and from them.

- Views *from* the site are not considered to have heritage significance.
- The proposed concept design will facilitate a tower which will require the demolition of the building on site. The buildings on site are not considered to be of heritage significance, either through the assessment of North Sydney Council or by the authors of this statement.

8th November 2021

J4311

Attention: General Manager
North Sydney Council

Re: No 45 McLaren Street, North Sydney – Planning Proposal

This Heritage Impact Statement addendum has been prepared to accompany the modified Planning Proposal (PP/6/20) for the site at 45 McLaren Street, North Sydney.

The site is located within the Municipality of North Sydney. The principal planning control for the site is the *North Sydney Local Environmental Plan 2013 (LEP 2013)*. The site is not listed as a heritage item by Schedule 5 Part 1.0 of the *LEP 2013* but does lie in the vicinity of other items listed by this Schedule. The site also lies in the vicinity of a Heritage Conservation Area as defined by Schedule 5 Part 2.0 of the *LEP 2013*.

Weir Phillips Heritage and Planning prepared the Heritage Impact Statement (HIS) that accompanied **PP/6/20**. This statement, dated October 2020, should be referred to for a site history and heritage assessment. Key elements of the proposal retained and assessed in the aforementioned HIS include:

- Non-residential uses at lower levels, excluding the Walker Street frontage
 - Low-scale 'terrace' houses along Walker Street, reflecting the scale, heritage datum and use of the heritage properties to the south
 - Stepped massing to transition the scale between CBD and North Sydney periphery
 - Generous landscape terraces to the podium and tower
- Stepped form to allow retention of solar access to the Ward Street Plaza's Central Square from 9am on June 21st.

Addressing Council's additional feedback has resulted in several significant changes, including:

Proposed modifications	Heritage Impact Assessment
Reduction in overall maximum building height from RL118.7 to RL113.8	No additional heritage impacts. The proposed reduction in height is not overtly legible from the heritage items in the vicinity as the scale of the building built to the proposed is of considerably larger scale to the existing building.
The stepped form of 12-16 storeys (stepping south to north) adjusted to 10-14 storeys - reduction of 2 storeys	The proposed reduction in scale, particularly the stepping the southern end of the site relate better contextually to the heritage items at 146-150 Walker Street. This assists in reducing the bulk and scale of the proposal and offers a softer transition to higher density development as envisaged by the Ward Street Masterplan.
Reduction in FSR from 7.5:1 to 6.25:1	An overall reduction in FSR relates more appropriately to the surrounding residential context to the east.
Increased building separation to the south boundary and	The increased separation on the southern boundary increases the physical curtilage of the items to the

Proposed modifications	Heritage Impact Assessment
Harnett Street.	south. This lessens the visual impact of any future tower built to the proposed controls, allowing these items to be read interdependently of the surrounding development. Increasing the separation allows the items to have more prominence in the streetscape as they are less overwhelmed by the high-density development in the immediate vicinity.
Simplified building form to provide orthogonal frontage to Walker Street, consistent with the prevailing street wall	<p>The indicative reference scheme also provides vertical articulation of the podium to reference the pattern and separation of the individual dwellings in an orthogonal manner to correspond with the topography of the site. This reflects the earlier historic subdivision and setbacks of the site which included four separate dwellings fronting Walker Street. This assists in better integrating the future proposal into the existing historic context.</p> <p>The indicative reference scheme also provides vertical articulation of the podium to reference the fine grain nature of 146-150 Walker Street. The articulation references the modulation and separation of each heritage listed dwellings. This assists in better integrating the future proposal into the existing historic context and better unifies the streetscape.</p>
Introduction of a 3-storey podium and 3m tower setback to McLaren Street	The reduction in the scale of the podium is more appropriate for the 146-150 Walker Street, which are a grouping of late Victorian and Federation era dwellings in the 1-2 storey height range. The proposed 3-storey podium allows for a transition by creating a lower street front to the new development and drawing attention away from the tower above which is further recessed by the 3m setback.

The amendments to the Planning Proposal is considered acceptable for the following reasons:

- The impact of the lowered transition to a tower form will be mitigated by the use of a podium level of appropriate height and the proposed stepped tower form to improve solar access to heritage items and the Central Plaza and Pocket Park within the Ward Street Masterplan.
- No significant view corridors to or from the items identified the vicinity will be blocked, impeded or unreasonably disrupted by the proposed amendments to the Planning Proposal Reference Design.
- The podium has been updated designed to align with the front building line of the heritage items on Walker Street to minimise impacts on their setting and protection of views and vistas to and from them. The updated orthogonal form of the podium bays better relates to the form of the heritage items to the south.

Weir Phillips Heritage and Planning

- The overall changes to the reference scheme will allow a tower built to the proposed controls to better contextually relate to the historically significant area in which it is located.

Please do not hesitate to contact me on 02 8076 5317 if you have any questions.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'James Phillips', with a stylized flourish at the end.

James Phillips | Director