



STATEMENT OF HERITAGE IMPACT

25-35 SCOTT STREET
LIVERPOOL NSW 2170

NOVEMBER 2015

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STATEMENT OF HERITAGE IMPACT FOR 25-35 SCOTT STREET, LIVERPOOL

1.0 INTRODUCTION

This Statement of Heritage Impact has been prepared for Taylor Construction in accordance with the standard guidelines of the NSW Heritage Division to accompany an application to redevelop the subject site for high rise commercial uses. The site is located in an urban area of Liverpool. The current condition of the building fabric on site is poor-fair.

This development application follows an earlier one seeking permission to clear the existing buildings from the site, but not involving excavation. This current Development application addresses the necessary excavation for the development, and the construction of the development.

1.1 Site Location

The site is located in the business centre of Liverpool, and includes Lot 20 of DP 1103972, and Lots 11 and 12 of DP 262442.

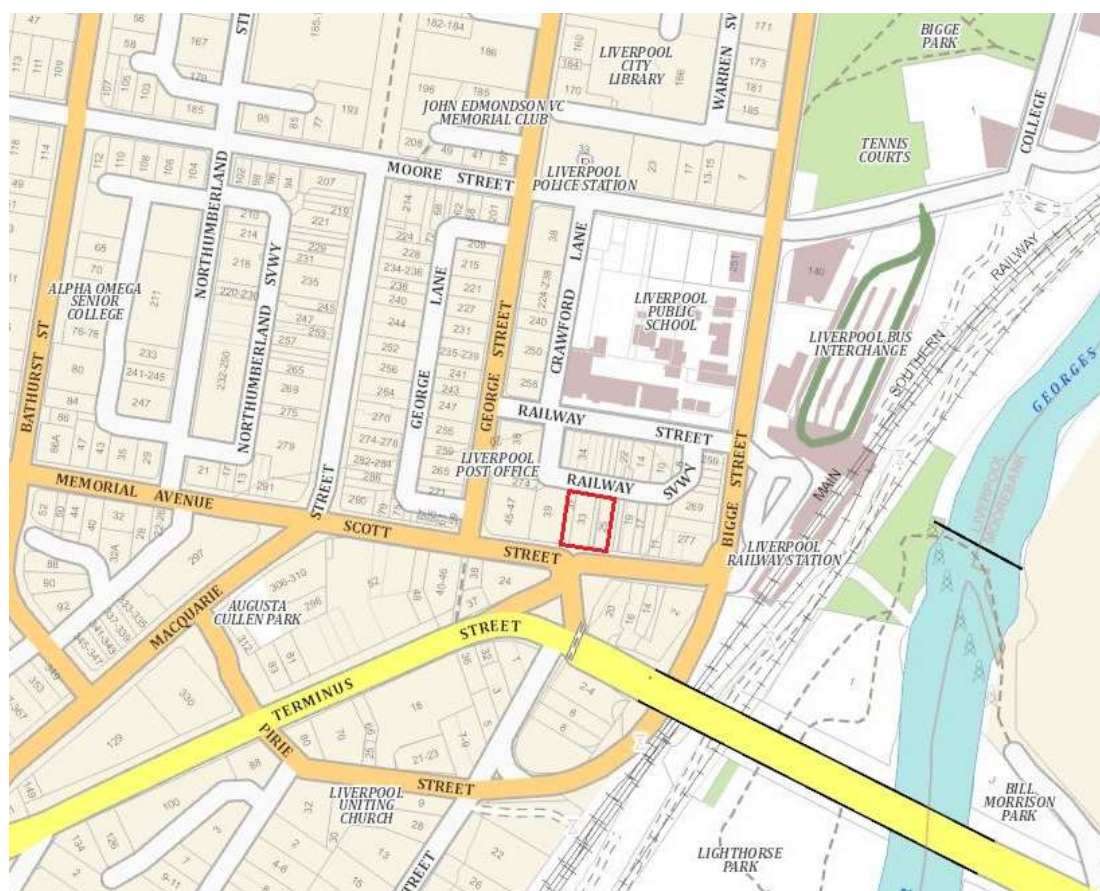


Figure 1 — location of the subject site, outlined in red, in the Liverpool business district. [SIX Maps]



Figure 2 — aerial photograph of the subject site outlined in red, taken in 2013 when the high-rise building on the western side was still being constructed. [SIX Maps]

1.2 Methodology

This report generally follows the format set out in the document entitled *Assessing Heritage Significance (2001)* published by the NSW Heritage Office. The terms *fabric*, *place*, *preservation*, *reconstruction*, *restoration*, *adaptation* and *conservation* used throughout this report have the meaning given them in *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter) 1999*.

This Statement of Heritage Impact adopts the format of the NSW Heritage Council publication *Statements of Heritage Impact*. It is prepared responding to the requirements for development in the vicinity of heritage item listed in the *Liverpool Local Environmental Plan 2008*.

1.3 Heritage Listings

The site is not a heritage item or within a conservation area. The site is within the vicinity of several built local heritage items, and is also within the vicinity of the Bigge Park Conservation Area 72, listed on the Liverpool Local Environmental Plan 2008. The site is within the Liverpool Town Centre, Archaeological Precinct.



Figure 3 — extracts from Liverpool LEP 2008 Heritage Maps 11 and 12 showing the subject site circled in red, in the vicinity of several heritage items such as the New Commercial Hotel, Golden Fleece Hotel and the Hoddle Street layout.

1.4 Heritage Significance

This heritage assessment finds that the subject site does not contain above-ground heritage significance.

1.5 Authorship

This report was prepared by Brad Vale, Senior Heritage Consultant, under the direction of Robert Staas, Associate Director / Heritage Consultant, all of NBRSPARTNERS.

2.0 DOCUMENTARY EVIDENCE

2.1 Aboriginal Occupation

Some 40,000 years before European settlement of this region of the Georges River, this land was occupied by the Darug people and the neighbouring Tharawal and Gandangara peoples. The land was known as Gunyungalung. The Georges River has been seen by some as the natural (east-west) boundary between the Darug, or 'woods' tribe, (north of the river and east to the coast); the 'coast' tribes of the Tharawal (south of the river and east to the coast) and the Gandangara (west of the river, inland). Others argue that the region around Liverpool (where the river runs generally west to Botany Bay) signifies an important north-south cultural divide between the Darug peoples living north of the river and the Tharawal to the south of the river. The river demarcated rather than divided groups, providing an 'important corridor of mobility' that enabled transport, communication, economic and cultural interaction up, down and across the river on light, rapid bark canoes.

2.2 Early European Settlement of the Liverpool Region

The Georges River area first felt the impact of European settlement in the 1790s when early settlers around the Parramatta area sought out fertile soils for cultivation, moving south along Prospect Creek to the alluvial flats around Liverpool. Facing the steep banks and sandstone cliffs of sections of the Georges River, settlement penetrated slowly in the 1790s.

From the early 1800s the area saw Aboriginal hostilities against settler intrusions with raids on settler crops and stock led first by Pemulwuy of the Bediagal (until his death in 1804, likely at the hands of settlers). Some prominent settlers, who argued that the smaller settlers were the aggressors, themselves sought communication and interaction with Aboriginals, employing them as shepherds and allowing them to remain on the fringes of their landholding. Governor King's 1801 edict, however, prevented settlers harbouring Aboriginal peoples thus effectively excluding Aboriginals from the settled areas. Following the Appin massacre of 1816 the Gandagara and Tharwal kept their distance from the settlers, but they remained around the Georges River.

Governor Macquarie's policy was two-pronged. He authorised settlers around the Georges River to take action against Aboriginal raiders and later instructed the military to make pre-emptive strikes. He also sought conciliation, meeting with the Tharawal when he toured the Cow Pastures in 1810. Kogi of the Tharawal was one who met with Macquarie and who, like other Tharawal, developed close relationships with settlers around the Liverpool area. In 1816 Macquarie issued a call to Aboriginals of the Georges River to lay down arms in return for food, education and secure title to land in the Liverpool area. Kogi was one who took up this option, receiving a King Plate from Macquarie which identified him as "King of the Georges River". Land grants were the only means of effecting land transfer prior to the 1850 legislation that reserved Crown land exclusively 'for the use of Aborigines'. There are few records of land grants to Aboriginals arising out of the 1816 agreement but there is anecdotal evidence of Aboriginal freehold land along the Georges River until the late Twentieth Century.

In 1810 the Liverpool area was the frontier of settlement, with its alluvial and clay soils increasingly being cleared for farming. Small farming enclaves characterised the area around Liverpool which Governor Macquarie proclaimed on 2 November 1810 as the first of his new towns. The first land grants followed. Partly because of Aboriginal hostilities the area did not take off for settlement, however, until the 1830s.

The construction of Liverpool Weir in 1836 would have impacted on the different Aboriginal groups' use of the river as a communication channel. The weir would also have gradually changed the ecology of the river upstream.

2.3 European Settlement and the Establishment of Liverpool

In 1810, following the lead of the prominent pioneer Thomas Moore, Governor Lachlan Macquarie set out on a surveying expedition along the newly discovered Georges River. Governor Macquarie located the new township of Liverpool on the undulating Cumberland Plain and the banks of the Georges River.

Commissioned by Governor Lachlan Macquarie and designed by Francis Greenway, St Luke's Church was built in 1818-1819 as part of Macquarie's establishment plan for the town of Liverpool. It was the smallest of the three major church designs commissioned by Macquarie from Greenway, the others being St James' in Sydney and St Matthew's at Windsor. A rectory was built about the same time but was replaced in 1840.

The site for Liverpool was marked out by Macquarie in 1810. St Luke's Anglican Church was one of the original public buildings for the town. Its foundation stone was laid in 1818 and the first service was held on 18 October 1819. Macquarie attended a service in December 1820. The building was not fully completed until the early 1820s. A rectory and school building, since demolished, were built close by.

Liverpool weir was built in 1836 to supply water to local farmers and the town and to serve as a causeway across the George's River. It was one of the two last convict-built public works at Liverpool, the other being Lennox's Lansdowne Bridge over the Prospect Creek on the Hume Highway, Lansvale.

The railway at Liverpool station was opened in September 1856. This, with the electric telegraph arriving in 1858, provided speedy, safe transport and communication and began the transformation of Liverpool into a major regional city.

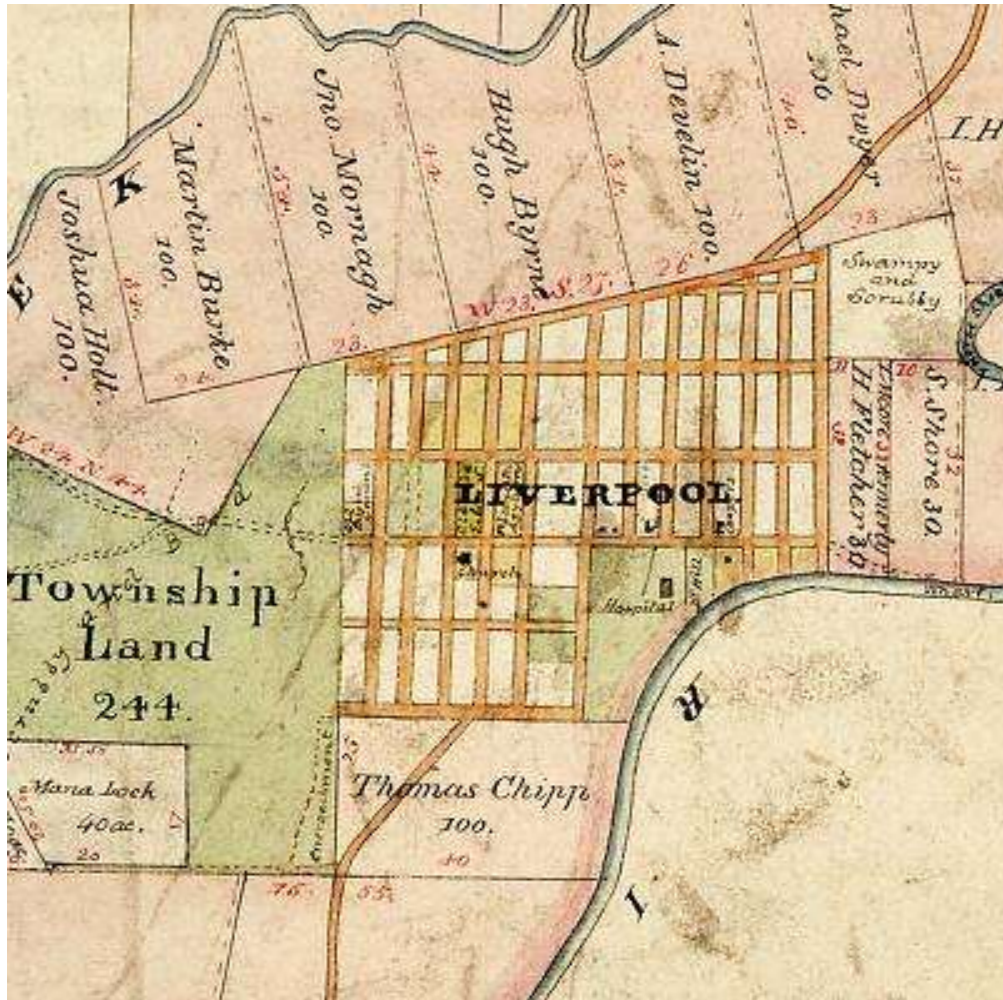


Figure 4 — Parish Map ND showing the subdivision of the township of Liverpool, undated. (Source: NSW Land & Property Information, PMap MN05 14061401)

2.3.1 History of the Subject Site

The subject site is located on part of lots 8 to 12 in Section 2 of McCabe's Subdivision of part of Allotment 7 of Section 61 of the Town of Liverpool, originally granted to John Terry Hughes by Crown Grant on 18 March 1841.

John Terry Hughes was a merchant and land speculator. He entered into a partnership with John Hosking in the Albion Mills, Darling Harbour. When the mill burnt down in 1841, the property was underinsured and in an attempt to save themselves they borrowed large sums against the assets of the Bank of Australia. Their company, Hughes and Hosking, finally collapsed in 1843, resulting in the sequestration of their estates, as well as causing the collapse of the bank. Hughes died in 1851, survived by his widow, Rosetta Hughes nee Marsh. There were innumerable court cases in the intervening period as creditors sought to assert their claims, and yet others alleged fraud. His insolvency was ended by a final arrangement to pay 20 pence in the £1 to creditors.

In September 1843, Terry's Estate was sequestered by Order of the Supreme Court and two months later, Thomas Ware Smart, William Dawes and John Walker were confirm as Trustees of his insolvent estate. The Trustees conveyed the whole of Terry's land grant at Liverpool (Figure 5) in January

1846 to John Stirling. He conveyed same to Henry Osborne in 1851 and 1855.¹ Osborne in turn held onto the land until June 1856 when it was conveyed to Francis Peter McCabe.²

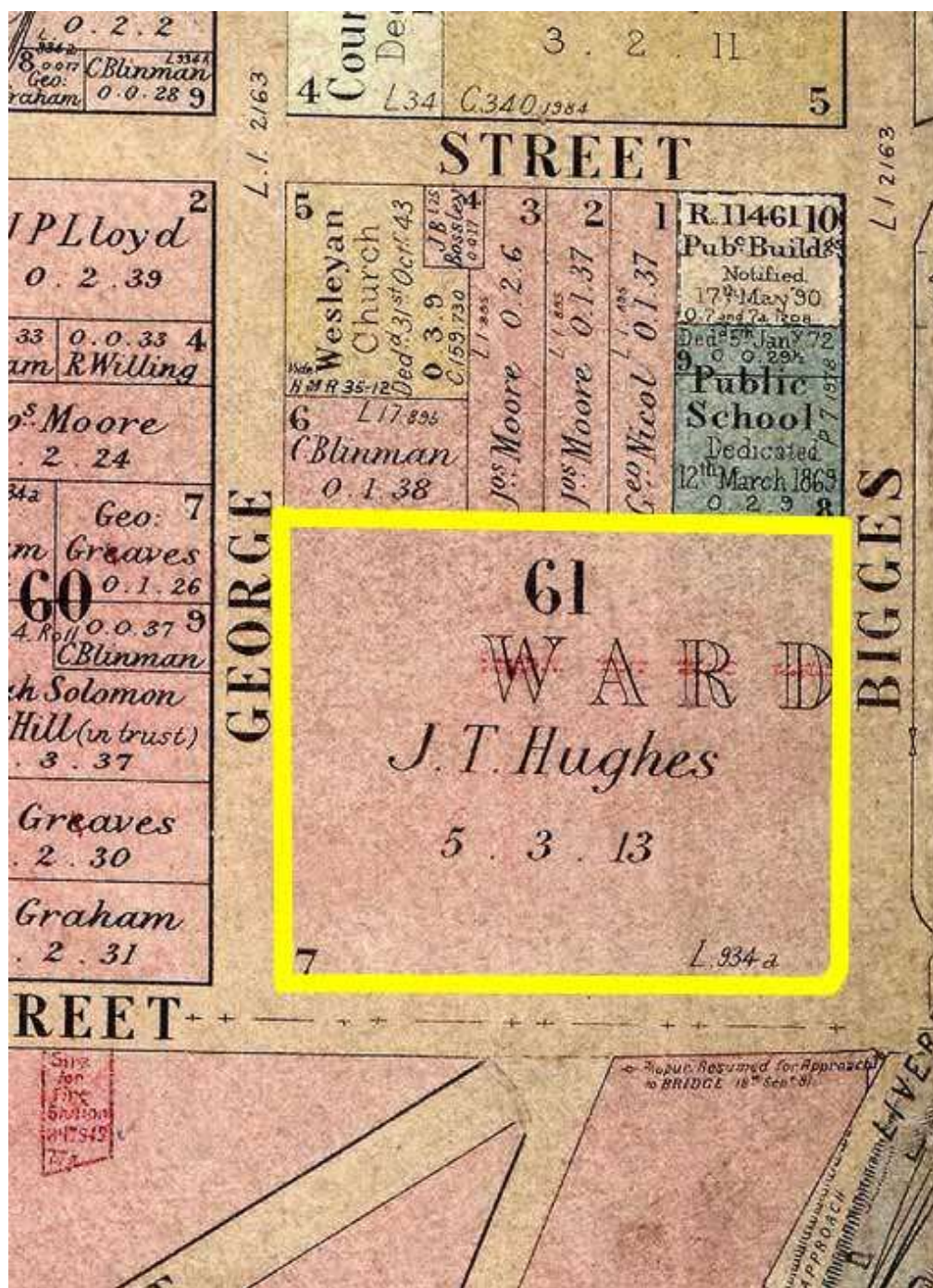


Figure 5 – Detail from Town of Liverpool, undated. Shows land granted to John Terry Hughes outlined in yellow. (Source: NSW Land & Property Information, HLRV)

Peter McCabe subdivided the land into two sections comprising a total of 57 allotments separated by a new street (Railway) as shown in Figure 6. The allotments in the Town of Liverpool were advertised for sale on the ground on

¹ Old System Deed Bk 20 No 295, NSW Land & Property Information.

² Old System Deed Bk 43 No 872, NSW Land & Property Information.

2 September 1856 (Figure 7). The *Empire* reported that Messrs Bowden and Threlkeld sold eight lots “at from 26s to 85s per foot”.³

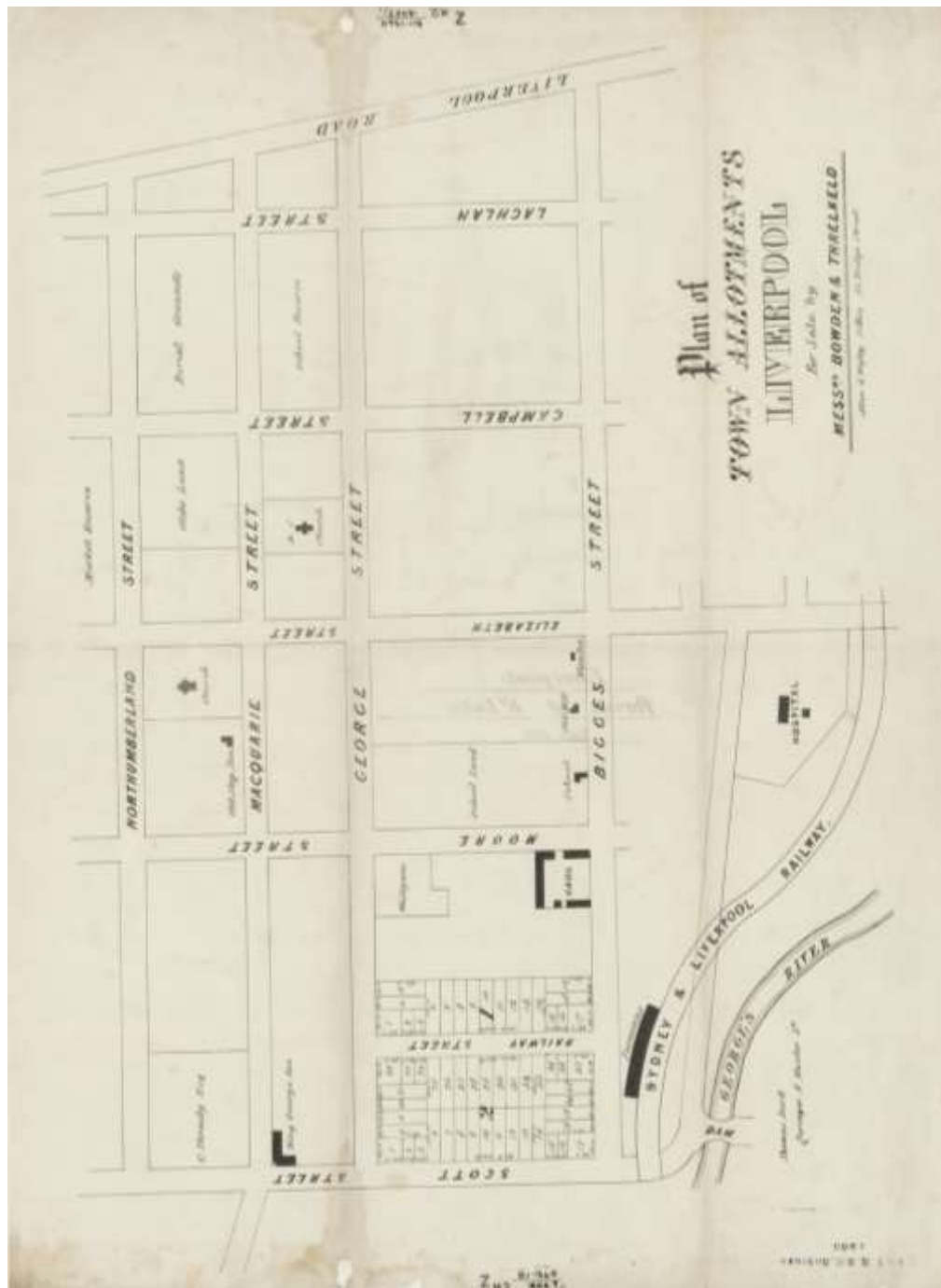


Figure 6 – Plan of Town Allotments Liverpool for sale by Messrs Bowden & Threlkeld, 1856. North to top. (Source: SLNSW, Digital Order No. c012740001)

³ “Commercial Record”, *Empire*, 12 September 1856, p6.

TOWN OF LIVERPOOL.

BOWDEN AND THRELKELD have received instructions from the Proprietor, to sell, **THIS DAY, Tuesday, the 2nd September, upon the Ground,**

A large block of land, comprising about six acres, in the very best part of the town of Liverpool, immediately opposite the Railway terminus, divided into 57 allotments, varying from 33 feet to 66 feet frontages to Scott-street, Bigge-street, George-street, and a new street running from George-street to Bigge-street, lately named Railway-street.

This land forms part of the square, on the lower end of which stand the Gaol and Wesleyan Chapel.

BLOCK 1.

Lot 1. A corner, with 66 feet to George and Railway Streets.

Lots 2 and 3, adjoining, with 27 feet to Railway-street by 66 feet deep.

Lots 4 and 5 have each 33 feet to George-street by 120 feet deep.

Lots 6 to 14 have each 31 feet 2 inches to Railway-street by 132 feet deep.

Lots 15 and 16 have each 27 feet to Railway-street by 66 feet deep.

Lot 17, a corner, with 66 feet to Bigge and Railway Streets.

Lots 18 and 19 have each 33 feet to Bigge-street by 120 feet deep.

BLOCK 2.

Lot 1, a corner, with 66 feet to George and Scott Streets.

Lots 2 and 3, adjoining, have each 27 feet to Scott-street by 66 feet.

Lots 4, 5, 20, and 21 have each 33 feet to Scott-street by 120 feet deep.

Lots 6 to 14 have each 31 feet 2 inches to Scott-street by 132 feet deep.

Lots 15 and 16 have each 27 feet to Scott-street by 66 feet deep.

Lot 17, a corner, with 66 feet to Scott street by 66 feet to Bigge-street.

Lots 18, 19, 34, and 35 have each 33 feet to Bigge-street by 120 feet deep.

Lot 37, a corner, with 66 feet to Bigge and Railway Streets.

Lots 35 and 36, adjoining, each 27 feet to Railway-street by 66 feet deep.

Lots 25 to 33, nine lots, each 31 feet 2 inches to Railway-street by 132 feet deep.

Lot 22, a corner lot, with 66 feet to George and Railway Streets.

Lots 23 and 24, adjoining, each 27 feet to Railway-street by 66 feet deep.


 The Auctioneers beg to direct the particular attention of the shopkeepers in Liverpool, and others intending to reside there, as well as persons disposed to speculate in the purchase of town allotments in immediate proximity to an important railway station, to this highly important sale of building sites, in the very best part of Liverpool, many of which are immediately in front of the station-house and platform, which must directly prove to be the spot on which the whole business of the town must be transacted.

Figure 7 – Auction sale advertisement. (Source: *Empire*, 2 September 1856, p8)

2.3.2 25-29 Scott Street

McCabe retained lots 11 and 12 in Section 2 until 1885 when they were sold to Pollard Smith of Liverpool, wool classer.⁴ In 1895, Smith was elected as an alderman on Liverpool Council and served on the council until early 1904; he was elected Mayor of the Council in 1903. He later served as a Valuer of the Council in 1907. He erected on the subject land a house called "Allerton Villa".

In the intervening period, Peter Francis McCabe passed away. The Trustees of his Estate advertised "15 choice allotments of land in Centre of Town of Liverpool" for auction sale on 20 July 1901. These were located within Section 2 of McCabe's 1856 subdivision. In the plan of subdivision (Figure 8), the land associated with the subject site is shaded yellow



Figure 8 – To Speculators, Business men and others, Sale of Auction, 15 choice of allotments of land in centre of Town of Liverpool, 1901. (Source: NSW Land & Property Information, DP 979379)

Lot 10 was sold at this date to Pollard Smith for the sum of £93 18s; Smith already owned Lots 11 and 12 on which Allerton Villa was sited.⁵ Following Smith's death at Queenscliff in June 1931, probate was granted to his sons, Robert and Sidney Smith. In December 1934 they sold all three allotments to Wilfred Bonner Davis of Cecil Park, school teacher, for the sum of £1,250.⁶

In 1936, Davis had erected a group of five shops on the three allotments in Scott Street as noted in the local newspaper, "the five new shops being erected at the railway end of Scott Street, Liverpool add considerably to the

⁴ Old System Deed Bk 304 No 699, NSW Land & Property Information.

⁵ Old System Deed Bk 699 No 765, NSW Land & Property Information.

⁶ Old System Deed Bk 1706 No 263, NSW Land & Property Information.

appearance of that portion of the town".⁷ The group was named "Imperial Buildings". Coinciding with the completion of the shops, Davis lodged an application to convert the land to Torrens title.⁸ The detail survey sheet based upon the survey undertaken in 1929 and revised in 1936 shows the villa insitu at the rear of the new shops (Figure 9). Figure 12 comprises a 1943 aerial survey of the study site.



Figure 9 – Detail from DTS 910 showing 25-29 Scott Street shaded purple and 31-33 Scott Street shaded yellow. (Source: Sydney Water / WaterNSW Historical Research & Archive Facility)

Davis retained ownership of the property until May 1947 when he subdivided the land into two allotments (A and B) and sold the former to John Joseph Gregory McGirr of North Sydney, chemist and grazier, for the sum of £4,000.⁹ Lot A comprised thirty nine and three quarters perches of land. The property passed by transmission in 1953 to John Joseph Gregory McGirr, George James Miller McGirr, Rachel McGirr and Raymond Xavier McGirr following the death of their father. The following year they re-subdivided Lot A into seven allotments as shown in Deposited Plan 26798 (Figure 10); that part of the study site comprised in this subdivision is shaded yellow thereon comprising 25, 25A and 27 [sic] Scott Street.

In June 1955, Lot 1 (No. 29) was sold to Raymond Joseph Kemister while Lots 2 and 3 (Nos. 25-27) were sold in a single transaction to Stanley Gordon Everett and Ann Jean Lucy Everett as joint tenants.¹⁰

As to Lot 1, Raymond Kemister sold the property in April 1973 to Harris Christofer of Liverpool, shop proprietor, and Soula Christofer his wife as joint tenants.¹¹ It changed hands in 1980 to Cedar Investments (Wollongong) Pty Limited. Lots 2 and 3 remained in the ownership of the Everetts until 1978

⁷ "Liverpool", *The Biz*, 10 September 1936, p7.

⁸ Primary Application 32743, NSW Land & Property Information.

⁹ Memorandum of Transfer D672242, NSW Land & Property Information.

¹⁰ Certificate of Title Vol 5823 Fol 18, NSW Land & Property Information.

¹¹ Certificate of Title Vol 7208 Fol 165, NSW Land & Property Information.

when it was sold to William Spyrakis of Belmore, shopkeeper, and Haido Spyrakis, his wife as joint tenants.¹²

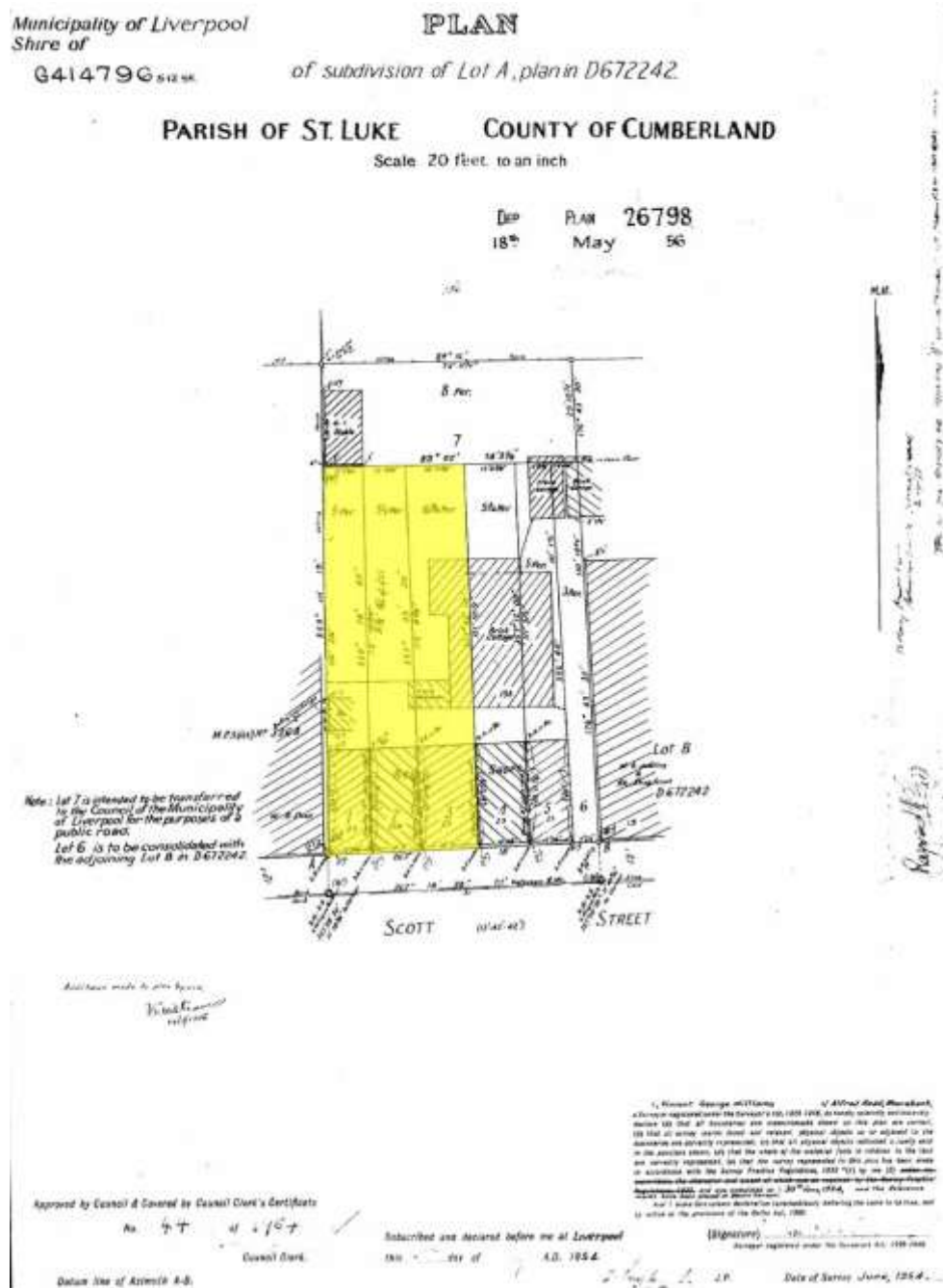


Figure 10 — Plan of Subdivision of Lot A, plan in D672242 Parish of St Luke County of Cumberland, 1954 [registered 18 May 1956]. (Source: NSW Land & Property Information, DP 26798)

In January 1982, DP 26798 was re-subdivided as Lots 11 to 15 in DP 262442 whereupon Lots 2 and 3 became Lot 12 in DP 262442 and Lot 1 became Lot 11 in DP 26242. Cedar Investments (Wollongong) Pty Limited conveyed Lot 11 in December 1982 to Reginald Howard Lacey and Mary Ann Lacey. Two

¹² Certificate of Title Vol 7208 Fol 167, NSW Land & Property Information.

years later that lot changed hands to Nick Dimakis and Helen Dimakis as joint tenants.¹³ Lot 12 in DP 262442 was retained by the Spyrakis family.¹⁴

2.3.3 31–35 Scott Street

31-35 Scott Street is located on Lot 9 and part of Lot 8 of Section 2 of McCabe's Subdivision. Peter Francis McCabe retained ownership of Lots 8 and 9 until his death. The Trustees of his Estate advertised "15 choice allotments of land in Centre of Town of Liverpool" for auction sale on 20 July 1901. These were located within Section 2 of McCabe's 1856 subdivision. In the plan of subdivision (Figure 8), the land associated with the subject site is shaded yellow.

Lots 8 and 9 were sold at the 1901 auction sale to Bridget Brewer, wife of George Brewer of Liverpool, saw mill proprietor.¹⁵ George Brewer erected a bulk store on this land and is listed in his occupation in the 1911 Sands Directory (the first time Liverpool is listed). The business was later operated by Robert Fitzpatrick.

Bridget predeceased her husband. Upon the death of George Brewer in June 1935, *The Biz* published the following obituary:

The death has occurred at Wynella Liverpool, on Sunday night, of Mr. George Brewer, aged 76 years. For several years he was proprietor of the Golden Fleece Hotel. Later he entered the sawmilling business. Mr. Brewer was prominently associated with sport. The Liverpool Horse Race Club, managed by Mr. Brewer, conducted its races on the property now known as Woodlands. Subsequently it was taken over by proprietary clubs. Mr Brewer served for many years as an alderman. He started the plumptown coursing for which Liverpool became noted. Until his death, he held office in both football and cricket clubs in the district.

The late Mr. Brewer's wife predeceased him by several years, and one son and one daughter are also deceased. Those surviving are Messrs Peter and Clem and Mrs. C. Ives.

*The funeral took place on Tuesday' afternoon, and was largely attended.*¹⁶

In November 1935, the executors of the estate of the late George Brewer, namely Clement John Brewer, Peter Thomas Brewer and Mabel Veronica Ives, subdivided Lots 8 and 9 in Section 2 to form two allotments, (1 and 2 DP 153624). A "galvanised iron produce store", was located on Lot 2 as shown in Figure 11 and in the detail survey at Figure 9. The property was sold in October 1940 to Thomas Patrick Fitzpatrick of Liverpool, baker and his wife, Mary Jane Fitzpatrick for the sum of £650.¹⁷ In the intervening period the produce store was demolished to make way for a new shop and office building.

¹³ Certificate of Title Vol 14563 Fol 233, NSW Land & Property Information.

¹⁴ Certificate of Title Vol 14563 Fol 234, NSW Land & Property Information.

¹⁵ Old System Deed Bk 698 No 583, NSW Land & Property Information.

¹⁶ "Liverpool – Obituary, Mr George Brewer", *The Biz*, 21 June 1925, p7.

¹⁷ Old System Deed Bk 1881 No 12, NSW Land & Property Information.



Figure 12 – Detail from 1943 aerial survey of Sydney showing respective portions of study site shaded yellow and purple. (Source: NSW Land & Property Information, SIX Maps)

Following her husband's death, Mary Jane Fitzpatrick conveyed the site in 1956 to Brian Thomas Fitzpatrick of Liverpool, butcher for the sum of £3000.¹⁸ He transferred the property in 1959 to Fitzpatrick Holdings Pty Limited which company remained owner of the site until 1992 when it was sold to Margaret Fitzpatrick for \$360,000.¹⁹

¹⁸ Old System Deed Bk 2367 No 226, NSW Land & Property Information.

¹⁹ Old System Deed Bk 4020 Fol 391, NSW Land & Property Information.

3.0 PHYSICAL EVIDENCE

The subject site at 25–37A Scott Street, Liverpool contains a row of shops and commercial space of one and two storeys, each facing south to Scott Street. To the north of each site is yard space with access at the northern boundary to a crescent-shaped lane from Railway Street. The building at 25–27 Scott Street is a single-storey set of row-shops that were constructed in 1936 as the Imperial Buildings. Each shop has a low-pitched roof draining towards the rear to the north, separated by brick partition walls and parapets. The building at 29-37 Scott Street is a two-storey commercial building with shops on the ground floor and commercial space under a simple gable roof.

The Imperial Buildings are constructed with a structure of double brick walls, concrete floor and likely timber framing supporting the roof, with a wrought steel cantilevered truss supporting the awning. Each bay is articulated in the parapet façade by a pier of red-purple face brick. The piers are capped with a soldier course. The parapet panels in between are rendered and painted, perhaps anticipating sign writing. The outer shops in the row have flat parapets, while the inner two shops have curved parapets with reflexively opposing curves.

The interiors of the Imperial Buildings do not appear to retain period decorative or stylistic fabric. The only original shopfront in this row of shops is at No. 21, outside the study site. This barbershop retains its nickel-chromed framing around the glass, terrazzo steps, possibly 1930s wall tiles disguised by paint and a solid timber door.



*Figure 13 — south façade of the Imperial Buildings at 21–27 Scott Street
NBRS+Partners, September 2015.*



Figure 14 — the building naming pediment, 1936. NBRSPartners, September 2015.



Figure 15 — the under-awning view of the shop fronts of the Imperial Buildings. The wrought steel trusses, with timber purlins in between, was typical of the inter-war period. NBRSPartners, September 2015.



Figure 16 — although outside the study area, the shop at No. 21 is the only shop in the row to retain its original shopfront



Figure 17 — the commercial building at 29–33 Scott Street. NBRS+Partners, September 2015.



Figure 18 — detail of a typical shop front at 29–33 Scott Street with 1960s floor tiles and c1970s aluminium-framed fenestration.



Figure 19 — pressed metal ceiling under the awning of 29–33 Scott Street is 1930s–50s. This Wunderlich pattern is still fairly common across Sydney.

The two-storey commercial building at 37A Scott Street is typical of 1950s suburban development. It is constructed with red-brown face brick walls acting as parapets that hide the low-pitched sheet metal roof. It has non-original aluminium-framed fenestration. There is a narrow passageway on its east side between it and the larger building at No. 29–33.



Figure 20 — the 1950s shop at 37A Scott Street is not part of this development, but may become a pedestrian lane in a future project.



Figure 21 — the shop front at 37A Scott Street contains fabric no older than the 1960s. NBRSPartners, September 2015.



Figure 22 — the soffit and cornice of the awning at 37A Scott Street have a Wunderlich pattern that was sold in the 1950s. NBRSPartners, September 2015.

The subject buildings are not listed as heritage items and are not within a heritage conservation area. These commercial buildings are mid-twentieth century speculative development without design excellence. The demolition of these buildings would not have an adverse heritage impact on the heritage resources of Liverpool.

3.1 Context of the Item



Figure 23 — the New Commercial Hotel is a heritage item nearby on the corner of Scott Street and Bigge Street, with much taller development nearby to the north and north-west. NBRSPartners, September 2015.



Figure 24 — The golden Fleece hotel on the other side of Scott Street is a local heritage item. NBRSPartners, September 2015.



Figure 25 — these commercial buildings at Nos. 14–16 Scott Street stand opposite the subject site and are local heritage items.



Figure 26 — the adjacent nine-storey development of Quest Liverpool Serviced Apartments. NBRS+Partners, September 2015



Figure 27 — the nearby nine-storey development at 269 Bigge Street. NBRS+Partners, September 2015

4.0 THE PROPOSAL

Following approval to demolish the buildings on the site in a separate development application, it is proposed to excavate the site for the basement levels and construct a multi-level commercial building of reinforced concrete. There would be four levels of basement and ten above-ground commercial levels with a roof-top occupied by plantroom and similar service spaces, and a roof terrace. The facades would be performance glass curtain wall construction in a contemporary Miesian manner, with powder-coated steel framing, pre-finished metal cladding on the framing of the upper three levels. The curtain wall would extend along the south and northern facades facing the streets, and also on the western façade facing a future pedestrian laneway on the site of 37A Scott Street. The western façade would have no openings and be clad in masonry panels with a pattern of metal panels.

5.0 EVALUATION OF HERITAGE CONTROLS

The site is subject to the controls of the Liverpool Local Environmental Plan 2008 and the Liverpool Development Control Plan 2008.

5.1 Liverpool Local Environmental Plan 2008

The Liverpool LEP 2008 contains clause 5.10 (5):

(5) Heritage assessment

The consent authority may, before granting consent to any development:

(a) on land on which a heritage item is located, or

(b) on land that is within a heritage conservation area, or

(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

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.

This statement of heritage impact is intended to satisfy the requirements of this condition.

5.2 Liverpool Development Control Plan 2008

Part 4 of the Liverpool DCP 2008 for the Liverpool City Centre has a list of controls for development in the vicinity of a heritage item(s). The more relevant controls include the following.

DCP Control	Response
<i>1. Any new development in the study area must ensure that the significance of heritage items and setting are retained and enhanced, ensure that the significance of heritage items and their setting are retained.</i>	The proposed development responds to the desired future character of the precinct on the Liverpool LEP 2018, more so than the scale of the nearby heritage items.

<p><i>2. For sites in the vicinity of heritage items or heritage conservation areas, an assessment of the impact of the proposal on the setting of nearby heritage items or heritage conservation areas are to be undertaken</i></p>	<p>The impact of the development is further described in this Statement of Heritage Impact</p>
<p><i>4. The scale and bulk of any new building must be in scale with the original and new development must not obstruct important views.</i></p>	<p>The desired future character in the LEP allows for greater development than the precedent of nearby heritage items.</p>
<p><i>6. Architectural form: The basic architectural form of any new work needs to respect what exists. Issues to consider are the roof form, proportion and location of windows and doors.</i></p>	<p>The architectural form and detailing respond more to the bulk and scale of the desired future character than the precedent of nearby heritage items</p>

6.0 HERITAGE IMPACT ASSESSMENT

6.1 Introduction

The following assessment of this application is based on the guidelines set out by the NSW Heritage Office (now Heritage Division of the Department of Environment and Heritage) publication 'Statements of Heritage Impact', 2002. The standard format has been adapted to suit the circumstances of this application.

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

- The proposed building would rise to less than half the allowable height in the desired future character of the area, as described in the Liverpool LEP 2008;
- In the unlikely event that any archaeological relics are found during the excavation, they will be excavated by an archaeologist and incorporated into an interpretive display in a public space of the building.

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 new development would have a substantially bigger bulk and taller scale than the heritage items in the vicinity, along Scott Street. The larger scale responds to the desired future character of the area in the LEP, but is approximately 55m under the maximum building height.
- The glazing on the southern façade is likely to reflect an image of the heritage items across Scott Street — this may not be a bad thing, but there would be a contrast in the material quality of facades in the east end of Scott Street.

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

- nil

6.2 New development adjacent to a heritage item (including conservation areas)

The development is not actually adjacent to a heritage item, but is across Scott Street from several items. This is the more important urban-heritage relationship.

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

- The development would rise to less than half the allowable building height (allowable height of 100m under building height AC on the Liverpool LEP 2008).

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

- The site is zoned B3 Commercial Core, so it is appropriate for this type and scale of development to be located here. The proposed works would provide additional commercial space on the site that cannot be provided by the existing buildings on the site. The desired

future character in the LEP for this site allows much taller development.

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

- The curtilages of the nearby heritage items are their allotments combined with the adjacent sections of public roadway. The proposed works do not intrude into the curtilage of nearby heritage items. The concentration of heritage items on the southern side of Scott Street and at the east end is likely to preserve a traditional scale of development here of one-to-three storeys.

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

- The proposed works would not block any known significant view between heritage items. The development would limit some views of the sky from the heritage items on the south side of Scott Street, though this is not a heritage view and should be considered under amenity.

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

- The land was subdivided in 1856 and again 1901, but there is no available evidence that the site was developed before the 1930s. There is no available evidence that the site has had earlier significant structures on it. It is unlikely that the site has archaeological resources.

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

- The contrast in scale between the subject development and the nearby heritage items that are of typically two-to-three storeys would be clear. The development is not strictly adjacent to a heritage item; a development of the proposed scale will fit into the desired future character described in the Liverpool Local Environmental Plan, of which there are many precedents of development reaching to a similar scale.

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

- The development would dominate the scale of nearby heritage items, though not to the extent envisaged in the desired future character in the Liverpool LEP. As it is, for this section of Scott Street, the heritage items are on the south side and at the east end.

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

- The proposed works will continue the transformation of the Liverpool business district as envisaged in the LEP. The development will have no impact on the visibility of the nearby heritage items, though their streetscape setting would be changed. The public will still be able to appreciate the significance of the nearby heritage items.

7.0 CONCLUSION

The site is unlikely to contain archaeological resources of state or local significance, but if significant remains are uncovered, work will stop and the Heritage Division of the Department of Environment and Heritage will be informed.

The proposed development responds to the desired future character of the precinct envisaged in the statutory planning documents, although the development would rise to less than half the allowable height. The construction of the development would change the streetscape setting, but not diminish the heritage significance of the nearby heritage items on the opposite (southern) side or east end of Scott Street.



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