

Level 1, 177A Sailors Bay Road,
Consulting
Northbridge,
NSW, 2063

Heritage

Tel: (02) 9967 2426
Mobile: 0412 415 010
Email: scobiearchitect@optusnet.com.au

www.davidscobiearchitects.com.au

ABN: 64 079 683 079

Wednesday, October 19, 2016
Liverpool City Council

Attention: Ash Chand and Rodger Roppolo, Assessing Officer

RE: DA-84/2016

Thank you for the project referral dated 05/10/2016 in relation to heritage matters.

A submission has been provided from GBA Heritage in response to the Heritage advice provided by the Heritage Advisor (advice enclosed at the end of this document).

The submission disputes the analysis within the advice and requests that the recommended Development Conditions be disregarded on the basis that they are not supported and not appropriate for the development.

The following response details the matters of consideration and their relevance to the issue of the impact on heritage significance.

- The advice considered proposal in relation to the relevant issues specific to the Liverpool DCP 2008;
- The advice reviewed the proposal in accordance with specific questions which form part of the standard document, *Statements of Heritage Impact*, NSW Heritage Office;
- The advice reviewed the proposal in relation to the relevant issues provided within *Design in Context*, NSW Heritage Office and RAlA. Reference to the document was made as it provides guidelines, definitions and checklists intended for applicants, designers and assessors. The information is specific to design applications and the provision of six Criteria allows a detailed consideration and assessment in an effort to increase the objective nature of reviews as opposed to the subjective nature of a review. The Introduction refers to urban and rural settings, to heritage items and conservation areas, heritage groups and precincts. The Heritage Council of NSW has endorsed the design criteria and they are policy on new development in conservation areas or development affecting a heritage item of either local or state significance¹. The document further advises:
 - *The Heritage Council will use these guidelines when assessing development applications:*
 - *In conservation areas or precincts;*
 - *Within the curtilage of an identified heritage item; for development affecting an identified heritage item.*

¹ Design in Context, p.04

- *Local Councils should use the guidelines for the same purpose.*
- *Applicants should seek the advice of the local Council's heritage advisor or planning staff at an early stage where new development will affect identified heritage items, conservation areas or special character areas.²*

In relation to the Guidelines, it is noted that The Design Criteria: 02 Scale illustrates a multi-storey residential building adjacent to a single storey building by way of explaining the principles and provides the following attribution³.

- *The construction of unsympathetic buildings at the rear of existing buildings can alter their massing and damage local character. The intrusion of such buildings will be limited if they cannot be seen from across the street.*

Following a review of the relevant legislation and the documents and references utilised in the considerations, the Advisor concludes that the appropriate assessment process has been followed.

The Heritage Advisor has reviewed the proposal and the context in which the new building will be located and its impact on the environs including the two listed heritage items. Based on a review of the site plan and the elevations of the proposal, it is clear that the new building will be visible from the subject heritage item. The impact of the proposed eight and nine storey buildings will dramatically alter the visual setting and context of the surroundings. The visual intrusion of the new buildings will change the predominant single and two storey context into one dominated by broad elevations at an eight and nine storey context.

This impact of this imposition can be limited provided appropriate mitigation measures are taken with the design. The purpose of such measures is to introduce elements into the subject design which interpret key elements of the context. These elements will mitigate the visual impact and intrusion through developing relationships with the established and valued setting and character of the listed building. An approach which simply adopts the planning and zoning allowances without reference to the historic context will produce a negative impact on the significance.

- *New design should respond to its historic context through an understanding and informed analysis of its character and quality. This will include elements such as its grain, existing patterns of development, important views, scale, materials and building methods. As a consequence, the resulting design should create new relationships between the building, the neighbours and its setting⁴.*

A review of the elevations of the proposal and the context indicates that no design measures or mitigation have been undertaken to reduce the visual impact of the tall building on the listed item diagonally opposite.

The response from GBA does not record whether any design considerations were provided by the Heritage Consultants, whether the Heritage Consultants participated in the design process or whether in their opinion the proposed design was an acceptable response to the context provided by the listed building. No specific commentary was provided upon each of the recommendations other than to indicate that they are extensive and inappropriate.

The following recommendations were provided to Council and the Consent Authority and are repeated with commentary:

- The ground floor built forms on Atkinson Street are oriented towards the street alignment in order to address the traditional setbacks and orientations of industrial buildings

² Design in Context, p.04 'Legislative Framework'.

³ Ibid, p.08

⁴ Ibid, p.02

- **The purpose of this change is to reflect the context, subdivision pattern and building layout of the heritage buildings. The change would occur at the lower level of the proposal and correspond to the level of the building height of the listed building. There would appear from the plans to be no loss of floor area to the proposal by making the change**
- Detail drawings of the ground floor elevation and plan of the Atkinson and Shepherd Street are prepared to indicate a masonry framed and clad structure with large glazed openings reflecting the Mill design principles
 - **The purpose of this change is to provide external materials and details which will provide visual relationship with the listed building. The change would occur at the lower level of the proposal on the ground floor level and correspond to the level of the building height of the listed building. There would appear from the plans to be a potential increase in the floor area of the proposed ground level to the proposal by making the change**
- An interpretation strategy is developed in conjunction with the Liverpool Historical Society (LHS) to provide material which illustrates the local historical significance of the Mill and associated industrial enterprises from the vicinity.
 - **The change would occur at the lower level of the proposal and correspond to the level of the building height of the listed building. There would appear from the plans to be no loss of floor area to the proposal by making the change. The impact would usually be a series of interpretive panels fixed to the perimeter boundary walls on Atkinson and Shepherd Streets**
- The orange feature colour is replaced with a wall clad in recycled brick to interpret the scale and impact of the traditional industrial buildings in the vicinity
 - **The change would occur at the lower three levels of the proposed elevations and correspond to the level of the building height of the listed building. There would appear from the plans to be no loss of floor area to the proposal by making the change. The choice of material is open to negotiation provided the principle is appreciated and the result gives effect to the interpretation of the industrial character.**
- The perimeter wall presented to Atkinson and Shepherd Streets is detailed in industrial off-form concrete with interpretive markings to reflect the industrial heritage of the local industries, in conjunction with the LHS.
 - **The change would occur at the lower level of the proposal and correspond to the level of the building height of the listed building. There would appear from the plans to be no loss of floor area to the proposal by making the change. The choice of material is open to negotiation provided the principle is appreciated and the result gives effect to the interpretation of the industrial character.**

As a result of the review and an analysis of the issues raised in the correspondence the following amended recommendations are provided:

- The ground floor built forms on Atkinson Street are oriented towards the street alignment in order to address the traditional setbacks and orientations of the heritage listed industrial buildings;
- Detail drawings of the ground floor elevations and plans of the Atkinson and Shepherd Street proposed works are prepared to indicate a masonry framed and clad structure with large glazed openings reflecting the Mill design principles;
- An interpretation strategy is developed in conjunction with the Liverpool Historical Society (LHS) to provide material which illustrates the local historical significance of the Mill and associated industrial enterprises from the vicinity;
- The orange feature colour is replaced with a wall clad in recycled brick or other similar approved material to interpret the scale and impact of the traditional industrial buildings in the vicinity

- The perimeter boundary walls presented to Atkinson and Shepherd Streets are to be detailed in industrial off-form concrete or other similar approved material with interpretive markings to reflect the industrial heritage of the local industries, in conjunction with the Liverpool Historical Society.

David Scobie

Heritage Advisor to Liverpool City council

Wednesday, October 19, 2016

Wednesday, June 01, 2016

Liverpool City Council

Attention: Ash Chand and Rodger Roppolo, Assessing Officer

RE: DA-84/2016

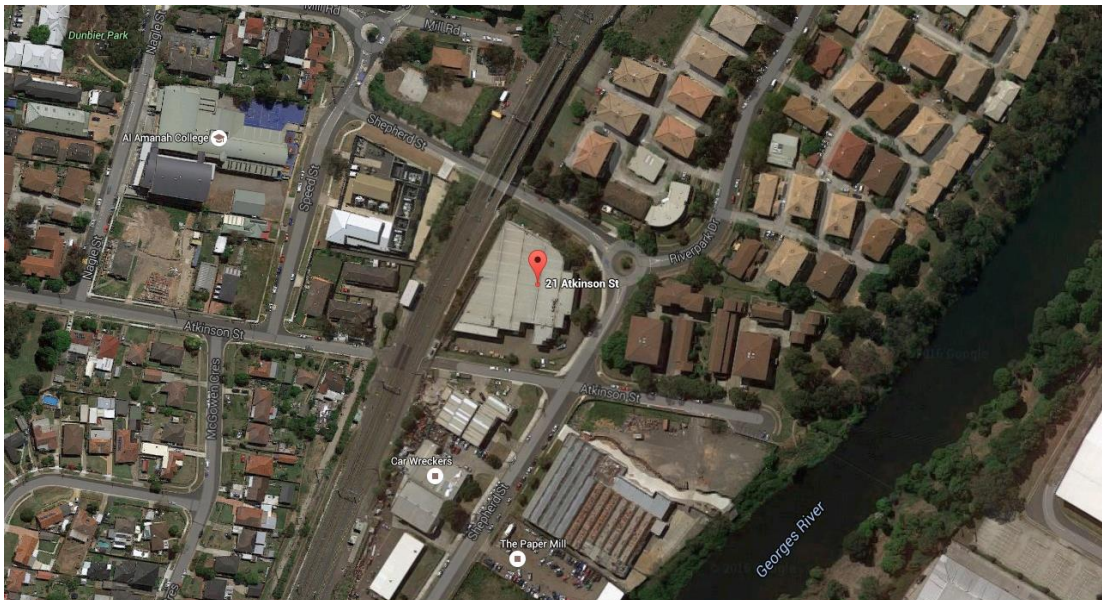
Thank you for the project referral dated 22/04/2016 in relation to heritage matters.

The documents provided with the DA have been reviewed and the following comments are provided in relation to the impact on the heritage significance of the two sites in the vicinity of the subject site.

The Subject Site

21 Atkinson Street, Liverpool

The subject site is indicated in the aerial photograph supplied by Google maps.



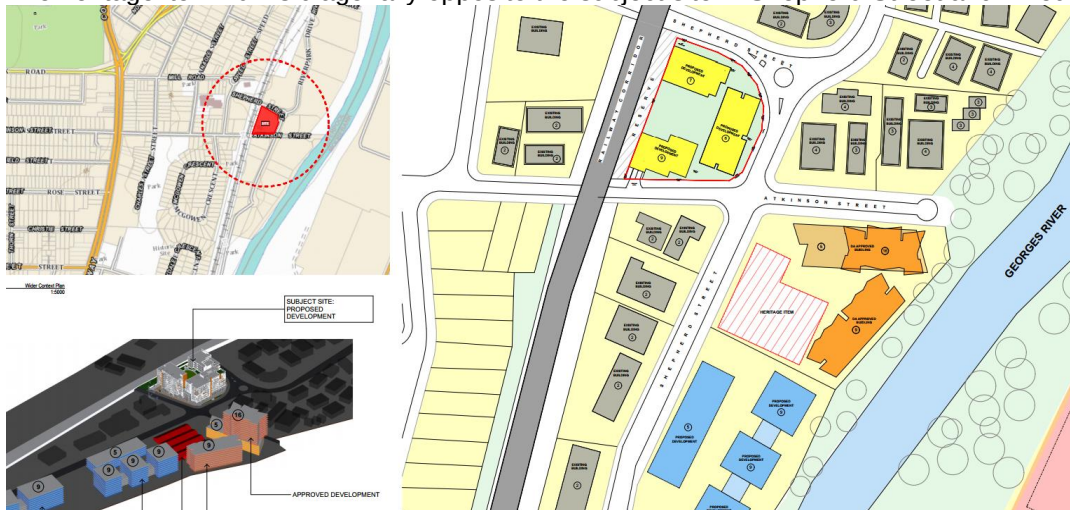
Planning Instrument

Liverpool Local Environmental Plan 2008 (LEP).

Heritage Listings

The site is within the vicinity of a heritage item, listed on the Liverpool LEP, Schedule 5. The McGrath Services Centre at 20 Shepherd Street is item 104 in Schedule 5 and the railway viaduct is item 105 in schedule 5

The heritage item 104 is diagonally opposite the subject site in Shepherd Street and in red below



Extract from the submitted Context Analysis Plan, Mosca Pserras Architects

Documentation

The following submitted documentation has been reviewed:

- Site and Landscape plans
- Floor Plans
- Elevations
- Sections
- Site Analysis Plan
- Statement of Heritage Impact
- Statement of Environmental Effects

Proposal

The proposal is for the demolition of the existing structures and construction of a mixed use development comprising of 4 ground floor commercial tenancies, community room, private gymnasium and 143 residential units over basement parking and 2 above ground parking levels.

Note: Liverpool City Council is the consent authority and the Sydney West Joint Regional Planning Panel has the function of the determining Authority

The project indicates a heritage responsive wall to the three sides of the site perimeter on Shepherd Street and Atkinson Street

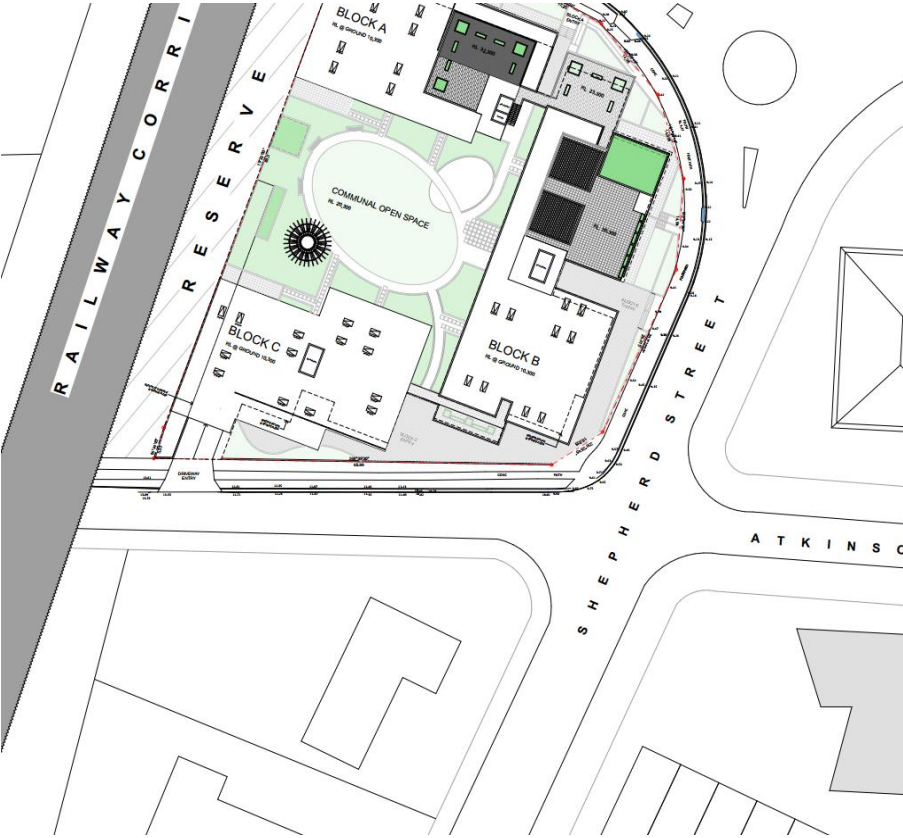
Visible from the context of the heritage item are the south and east elevations of proposed buildings 8 & 9.



The South Elevation



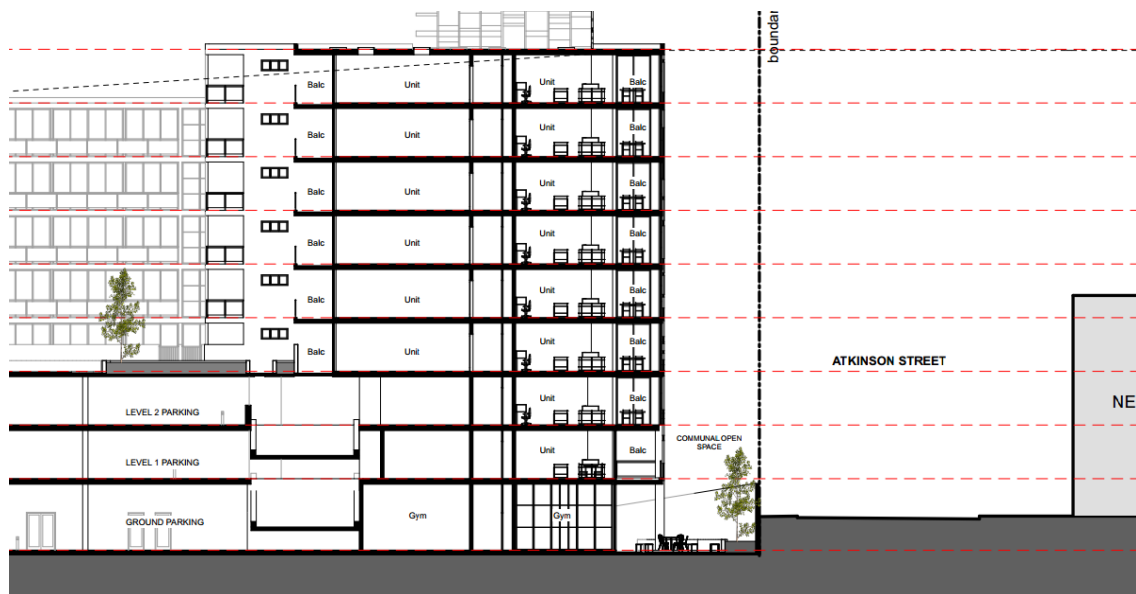
The East Elevation



The Proposed site plan



The Landscape Plan at Street level also illustrating the ground floor built form and uses



A cross section at Atkinson Street indicating the streetscape treatment

Assessment of Heritage Impact

Pre-DA advice was provided to the applicant that the development should address the heritage context and incorporate mitigating measures to reduce any adverse impacts and that a Statement of Heritage Impact (SoHI) should accompany the DA.

The advice in detail indicated that the proposal should address the industrial history and character including the adjacent listing. Issues of relevance would be scale, character, form, siting, materials and detailing in relation to the standard guide: *Design in Context*.

Recommendations included a strong street edge in order that there was a strong contrast between the open character of the low scaled heritage item and the very tall proposals in the vicinity.

The statement of heritage impact document was prepared by Graham Brooks and Associates and provided with the application.

The document indicates that the eight storey proposal will prove to be compatible with the heritage listed single storey Paper Mill site in terms of height and scale. The report indicates minimal impact on the railway viaduct due to the fact that it is already generally obscured by existing development.

The width of Shepherd Street is indicated as the main reason the heritage site will not be adversely affected.

The SoHI makes no recommendations in relation to mitigation, materials and finishes or other matters.

The SoHI does not address in detail the specific and relevant questions within the standard format of the NSW Heritage Manual 'Statements of Heritage Impact' guidelines relating to development adjacent to a heritage item:

1. *How is the impact of the new development on the heritage significance of the item or area to be minimised?*
2. *Why is the new development required to be adjacent to a heritage item?*
3. *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*
4. *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*
5. *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*
6. *Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?*
7. *Will the additions visually dominate the heritage item? How has this been minimised?*
8. *Will the public and users of the item, still be able to view and appreciate its significance?*

Points 1, 4, 6, and 7 are regarded as being relevant and lacking attention in the SoHI and in the design proposal.

The SoEE has been prepared by Haskew Planning

The document indicates that four shops will address the corner of Shepherd and Atkinson Streets and hence face the heritage site. The southern elevation at ground level includes a community space and gym. There are no detailed drawings provided to indicate the scale, materials and details of these two prominent elevations.

Conclusion and Recommendations

The Statement of Heritage Impact (SHI) is not regarded as having adequately addressed the impacts of the proposal on the heritage significance of the Mill site. The NSW Heritage Office indicates in the SoHI that the intent is that a heritage Consultant participates in the design process and assist in ensuring a proposal minimises the impacts. There is no evidence that this has been the case.

The following comments are provided to indicate that further assessment is warranted and that recommendations from the Heritage Consulted would be expected.

- *How is the impact of the new development on the heritage significance of the item or area to be minimised?*
 - *There are no elements on the two primary elevations of the proposal which interpret or reference the scale, form, materials or details of the listed building*
- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*
 - *There are no drawings provided of the ground level treatments which indicate how views along both streets would be enhanced by the built form or landscaping*
 - *None of the proposed built forms adopt any orientation towards the listed building or at right-angles to the street alignments, a common form of referencing*
- *Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?*
 - *There are no details or formal references to the industrial architecture evident in the proposal. There is a reference to the use of Gertrudis brown brick in retaining walls and an orange feature wall but no indication as to why this could be an appropriate reference to a single storey red brick mill building.*
- *Will the additions visually dominate the heritage item? How has this been minimised?*
 - *While an argument may be mounted for the height given other planning matters, the large height differential would warrant mitigation. A direction for mitigation was offered during the Pre-DA discussion but does not appear to have been adopted*

The Proposal does not address or satisfy the heritage provisions within DCP 2008 in relation to the heritage impact, through the Objectives

Objective b)

To reinforce the special attributes and qualities of heritage by ensuring that development has regard to the fabric and prevailing character of the item or conservation area e.g. scale, proportions, materials and finishes

- *There is no evidence in the sections, elevations or ground and first floor plans that there has been any relevant regard*

or the Conservation Criteria

1. *Any new development within the study area must ensure that the significance of heritage items and their setting are retained and enhanced. Any new development within the study area must ensure that the significance of heritage items and their setting are retained. Development Applications relating to heritage listed sites or sites within heritage conservation areas must demonstrate how the proposed work will not adversely affect the heritage significance of the site and the area around it.*
 - *There are no elements within the design, materials or details which indicate that the significance of the Mill building and the related historic significance has been referenced or addressed*
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.*
 - *The SoHI is not regarded as being acceptable*
3. *Relevant criteria to be considered will vary for each proposal depending on the nature of development, the proximity of the development to surrounding heritage items and conservation areas as well as other factors.*
 - *No statements, architectural drawings, details or materials are presented which imply that the significance has been addressed*

The following recommendations are presented for conditions in relation to heritage matters while it is appreciated that Council is not the Determining authority but the Consent Authority.

- The ground floor built forms on Atkinson Street are oriented towards the street alignment in order to address the traditional setbacks and orientations of industrial buildings
- Detail drawings of the ground floor elevation and plan of the Atkinson and shepherd Street are prepared to indicate a masonry framed and clad structure with large glazed openings reflecting the Mill design principles
- An interpretation strategy is developed in conjunction with the Liverpool Historical Society (LHS) to provide material which illustrates the local historical significance of the Mill and associated industrial enterprises from the vicinity.
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- The perimeter wall presented to Atkinson and Shepherd Streets be detailed in industrial off-form concrete with interpretive markings to reflect the industrial heritage of the local industries, in conjunction with the LHS