

STATEMENT OF HERITAGE IMPACT

26 Elizabeth Street, Liverpool

Issue C, November 2019



26 ELIZABETH STREET, LIVERPOOL

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GBA Heritage Pty Ltd
Level 1, 71 York Street
Sydney NSW 2000, Australia
T: (61) 2 9299 8600
F: (61) 2 9299 8711
E: gba@gbaheritage.com
W: www.gbaheritage.com
ABN: 56 073 802 730
ACN: 073 802 730
Nominated Architect: Graham Leslie Brooks - NSW Architects Registration 3836

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1.0

INTRODUCTION

1.1 REPORT OVERVIEW

This report has been prepared to accompany a development application for the proposed redevelopment of the subject site at 26 Elizabeth Street, Liverpool. It assesses the potential heritage impact of the proposal designed by Rothe Lowman Pty Ltd and concludes that it will have an acceptable heritage impact.

1.2 REPORT OBJECTIVES

The main objective of this Statement of Heritage Impact is to determine the suitability of the design and the heritage impact of the proposal in relation to the provisions established by Liverpool City Council and the guidelines published by the NSW Heritage Office, now Heritage NSW in the Department of Premier and Cabinet.

1.3 METHODOLOGY AND STRUCTURE

This Statement of Heritage Impact has been prepared in accordance with guidelines outlined in the *Australia ICOMOS Charter for Places of Cultural Significance*, 2013, known as *The Burra Charter*, and in the *NSW Heritage Manual* published by the NSW Heritage Office, now Heritage NSW in the Department of Premier and Cabinet.

The Burra Charter provides definitions for terms used in heritage conservation and proposes conservation processes and principles for the conservation of an item. The terminology used, particularly the words *place*, *cultural significance*, *fabric*, and *conservation*, is as defined in Article 1 of *The Burra Charter*. The *NSW Heritage Manual* explains and promotes the standardisation of heritage investigation, assessment and management practices in NSW.

1.4 SITE IDENTIFICATION

The subject site is located on the south side of Elizabeth Street, between George and Bigge Streets. Until recently it consisted of two lots described by NSW Land Registry Services (LRS) as Lot 1, DP 217460 and Lot 10, DP621840. These (and four lots within the Bigge Park Conservation Area) were included in ten



Figure 1.1
Aerial view showing the subject site outlined in yellow. North is to the top.
Source: NSW LRS SIX Maps



Figure 1.2
Extract from the LEP Heritage Map showing heritage items shaded in brown, the Bigge Park Conservation Area hatched in red and the subject site outlined in blue.
Source: Liverpool LEP 2008 Heritage Map, sheet HER_011

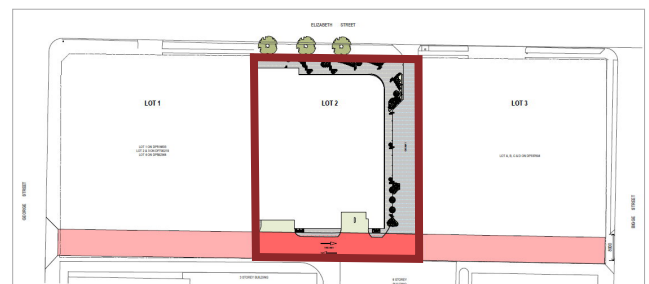


Figure 1.3
Plan showing the re-subdivided site, with subject site outlined in red. North is to the top.
Base image courtesy of Rothe Lowman Pty Ltd

lots between Bigge and George Streets which were amalgamated and re-subdivided into three lots under a separate Development Application (369/2015). The subject site is the central of the three new lots (see Figure 1.3)

1.5 HERITAGE MANAGEMENT FRAMEWORK

The subject site is not listed as a heritage item in any statutory instrument, and is not within any Heritage Conservation Area (HCA).

However, it is in the vicinity of several listed heritage items, the closest and most relevant being:

- All Saints Roman Catholic Church, cnr Elizabeth and George Streets (item 85 in Schedule 5 of the *Liverpool LEP 2008*);
- St Luke's Anglican Church Group, cnr Elizabeth and Northumberland Streets (item 84 in LEP; listing no. 00086 in State Heritage Register);
- Bigge Park, cnr Elizabeth and Bigge Streets (item 82 in LEP);
- the Bigge Park Conservation Area (LEP); and
- the Hoddle street grid including Elizabeth Street (item 89 in LEP).

As such, the property is subject to the heritage provisions of the *Liverpool Local Environmental Plan (LEP) 2008* and the *Liverpool Development Control Plan (DCP) 2008* under the *Environmental Planning and Assessment Act 1979*. Section 17, 'Heritage and Archaeological Sites', of the *Liverpool DCP 2008* states that

A Statement of Heritage Impact must be submitted with any applications for development to... properties in the vicinity of heritage items where the works may impact upon the item...



Figure 1.3

Aerial view of vicinity, showing the subject site (outlined in yellow), Bigge Park (white arrow), All Saints Roman Catholic Church (pink arrow) and St Luke's Anglican Church (orange arrow). North is to the top.

Base image: Nearmap

1.6 REPORT LIMITATIONS

While this report is limited to the analysis of European cultural heritage values, GBA Heritage recognises that for over forty thousand years or more Aboriginal people occupied the land that was later to be claimed as a European settlement.

Recommendations have been made on the basis of documentary evidence viewed and inspection of the site and vicinity.

This report only addresses the relevant heritage planning provisions and does not address general planning or environmental management considerations. Archaeological assessment of the subject site is outside the scope of this report.

1.7 AUTHORSHIP

This report has been prepared by Dov Midalia, Senior Heritage Consultant, of GBA Heritage. Unless otherwise noted, all of the photographs and drawings in this report are by GBA Heritage.

1.8 COPYRIGHT

Copyright of this report remains with GBA Heritage.

2.0

HISTORICAL CONTEXT

The original inhabitants of the Liverpool area were the Cabrogal people, who spoke the Darug language.

On November 7, 1810, Governor Lachlan Macquarie founded Liverpool, naming it for the Earl of Liverpool, then Secretary of State for the Colonies.¹ The surveyor Robert Hoddle is generally credited with the design of the Township of Liverpool street grid, of which Elizabeth Street is part.

In 1814 the subject site was part of a 300 acre property owned by one Richard Guise, to whom it had been granted by the Crown.² Possibly Macquarie's creation of the Township saw the resumption or sale of the property, as the subject site was included in a smaller parcel granted in 1837 to John Rowley.³ Rowley was the son of Captain Thomas Rowley, adjutant of the NSW Corps from 1789 and a major landholder and grazier in NSW.⁴ John Rowley received several land grants including 200 acres between Bathurst and the Cowpastures, granted for his participation in Charles Throsby's explorations of the area.

Rowley's estate was subdivided and changed hands many times over the years before being acquired by Peter Howard Warren in 1962.⁵

As part of the Township, the property was likely to have been used for residential or small-scale commercial retail purposes, though until at least 1943 the general vicinity was still only sparsely built up. An aerial view from that year shows what appears to be houses on the site.

In 1966 the site was transferred to Peter Warren (Properties) Pty Ltd and, together with lots to either side, used as a car dealership and service centre. All buildings were demolished in 2018 and only remnant floor slabs, tarmac, etc, remain today.



Figure 2.1
Excerpt from the Hoddle grid plan of Liverpool, 1819.
Source: NSW State Archives



Figure 2.2
Excerpt from 19th Century map of Parish of St Luke, showing Liverpool Town Centre grid. The location of the subject site is indicated by the red ellipse. North is to the top.
Source: NSW Land Registry Services, St Luke Parish Map, file 14061401.jp2, CD PMAPMN05, sheet 4

¹ 'The Founding of Liverpool', Liverpool City Council website

² 'Plan of Allotments of Ground Granted from the Crown in NSW', digitised from map by J Burr and G Ballisat 1814, *Australian Dictionary of Biography*, <http://adb.anu.edu.au/entity/12456?pid=2614>

³ Torrens title vol.10307, folio 238, NSW Land Registry Services

⁴ BH Fletcher, 'Rowley, Thomas', *Australian Dictionary of Biography*

⁵ Primary Application 43073, NSW Land Registry Services

In recent years Liverpool has grown dramatically, from a population of 153,633 in 2001 to 204,326 in 2016⁶, and is forecast to rise to 386,000 by 2041⁷. This kind of growth lies behind recently increased State Government housing stock targets for local governments in NSW and, inevitably, an increase in the construction of apartment buildings, and in their heights, across Sydney. Existing examples in Liverpool can be found in the vicinity of Macquarie Street south.



Figure 2.3

Aerial view of vicinity, 1943, with subject site outlined in dashed yellow line, showing apparent houses. North is to the top.

Source: NSW Spatial Services, SIX Maps



Figure 2.4

Detail of Figure 2.3 with subject site outlined by dashed yellow line.

Source: NSW Spatial Services, SIX Maps



Figure 2.5

Aerial views of contemporary apartment buildings, vicinity of Macquarie Street south.

Source: Nearmap

⁶ Australian Bureau of Statistics

⁷ <https://forecast.id.com.au/liverpool>

3.0

SITE DESCRIPTION

The subject site is directly east of the Liverpool Central Business District, and is located on the south side of Elizabeth Street, between Bigge and George Streets. The entire Elizabeth Street frontage of this city block has been cleared of structures and trees, presenting as a flat paved surface with some remnant floor slabs and vegetation. Several lots line this frontage; the subject site comprises the central two.

Elizabeth Street west of Bigge Street is a wide, busy, generally untreed main artery, lined on the north side by contemporary buildings including the tall, Modernist, heritage-listed All Saints Roman Catholic Church on the corner of George Street and a recent ten-storey contemporary building on the corner of Macquarie Street, accommodating the University of Western Sydney. The south side of Elizabeth Street west of George Street is occupied by recent low-scale retail development and, further west, the green open space around St Luke's Anglican Church.

The nature and context of the site and views to it are indicated in the photographs in this section. (All photographs by GBA Heritage, October 2019, unless otherwise noted.)



Figure 3.1
View across subject site, looking south-west from Elizabeth Street boundary



Figure 3.2
View west along Elizabeth Street with subject site at left, All Saints Roman Catholic Church at right and University of Western Sydney building beyond. Note that the Church presents a blank wall to Elizabeth Street.



Figure 3.3
Panoramic view west along Elizabeth Street with subject site at left, All Saints Roman Catholic Church at centre and University of Western Sydney building beyond. All Saints Church is separated from the subject site by four traffic lanes, footpaths and gardens.



Figure 3.4
View east along north side of Elizabeth Street, with University of Western Sydney building at left and approximate location of site indicated by arrow.



Figure 3.5
View east along north side of Elizabeth Street at corner of George Street, with approximate location of site indicated by arrow.



Figure 3.6
View east along south side of Elizabeth Street, with All Saints Roman Catholic Church at left and approximate location of site indicated by arrow.



Figure 3.7
View east along south side of Elizabeth Street at corner of George Street, with All Saints Roman Catholic Church at left and approximate location of site indicated by arrow.



Figure 3.8
View south-east from George Street, with All Saints Roman Catholic Church at left and approximate location of site indicated by arrow.



Figure 3.9
View south-east from George Street, with All Saints Roman Catholic Church at centre and approximate location of site indicated by arrow.



Figure 3.10
View east along Elizabeth Drive, with St Luke's Anglican Church at right, and approximate distant location of site indicated by arrow.



Figure 3.11
View east across St Luke's Anglican Church grounds, with Church at right, and approximate location of site indicated by arrow.



Figure 3.12
View east from Northumberland Street, with St Luke's Anglican Church at centre



Figure 3.13
View east across St Luke's Anglican Church grounds, with Church at left and approximate location of site indicated by arrow.



Figure 3.14 Panoramic view to west from eastern side of Bigge Park, with approximate location of site indicated by arrow.

Figure 3.15 Panoramic view to north along Bigge Street, with Bigge Park at right and approximate location of site indicated by arrow.



Figure 3.16 View to west from eastern side of Bigge Park, with approximate location of site indicated by arrow.



Figure 3.17 View to west from centre of Bigge Park, with approximate location of site indicated by arrow.



Figure 3.18 View to west from western side of Bigge Park, with approximate location of site indicated by arrow.

4.0

ESTABLISHED HERITAGE SIGNIFICANCE

The subject site is neither listed as an item of heritage significance in any statutory instrument nor within a Heritage Conservation Area. However, it is in the vicinity of a number of individually listed heritage items, as listed in Section 1.5. The established significance of these items is presented in this section.

All Saints Roman Catholic Church

The NSW Heritage Inventory includes the following Statement of Significance for database entry number 1970029, *All Saints Roman Catholic Church*:

All Saints Roman Catholic Church demonstrates the history of the Catholic Church in the Liverpool area and has strong social links with the community. The church building in both scale, design and location, is a landmark site in the city. It is representative of Post-War Ecclesiastical style architecture and is rare within Liverpool.

St Luke's Anglican Church Group

Several heritage listings apply to the Church and its grounds. The following Statements of Significance are sourced from the NSW Heritage Inventory.

- Database entry number 1970217, *St Luke's Anglican Church Group* (locally listed item):

St Luke's Anglican Church Group, including landscaping, church, hall, headstone and memorial gates (locally listed item).

St Luke's Anglican Church Group as part of Macquarie's original survey of Liverpool demonstrates the history of the early settlement of the city and is a physical link to the character of the early township. It also demonstrates the history of the Anglican Church from the early establishment of the Colony from which period it has been a centre for local worship. The group is associated with many key Colonial figures, including the Architect Francis Greenway and is representative of his early colonial architectural style. Located within the heart of Liverpool the group is a historic, aesthetically pleasing landmark in an otherwise

modernised city centre. It is one of only three surviving early Anglican churches in the country. There is the potential to gain more information on the site from further architectural, archaeological and documentary research.

- Database entry number 1970108, *St Luke's Anglican Church* (locally listed item):

St Luke's Anglican Church, as part of Macquarie's original survey of Liverpool demonstrates the history of the early settlement of the city and is a physical link to the character of the early township. It also demonstrates the history of the Anglican Church from the early establishment of the Colony from which period it has been a centre for local worship. The church is associated with many key Colonial figures, including the Architect Francis Greenway and is representative of his early colonial architectural style. Later 20th century modifications to the building are also associated with eminent architects of that period. Located within the heart of Liverpool the church is a historic, aesthetically pleasing landmark in an otherwise modernised city centre. It is now one of only three surviving early Anglican churches in the country. There is the potential to gain more information on the site from further architectural, archaeological and documentary research.

- Database entry number 5045188, *St Luke's Anglican Church* (state listed item):

Evidence of Governor Macquarie's initiatives in opening up settlement in NSW. One of the three oldest surviving Anglican churches in Australia. A fine example of Francis Greenway's public architecture in NSW. Widely regarded with St James, Sydney and St Matthew's, Windsor as a 'foundation' colonial church. The clock in the tower is rare in Australia, being one of 3 Thwaites (UK) clocks in Australia, sent (gifted) by King George III (one in Parramatta at the Former Female Factory, one in Hobart). (Brown, 2002)

St Luke's Anglican Church Group as part of Macquarie's original survey of Liverpool

demonstrates the history of the early settlement of the city and is a physical link to the character of the early township. It also demonstrates the history of the Anglican Church from the early establishment of the Colony from which period it has been a centre for local worship. The group is associated with many key Colonial figures, including the Architect Francis Greenway and is representative of his early colonial architectural style. Located within the heart of Liverpool the group is a historic, aesthetically pleasing landmark in an otherwise modernised city centre. It is one of only three surviving early Anglican churches in the country. There is the potential to gain more information on the site from further architectural, archaeological and documentary research (LEP)

- Database entry no. 1970138, *St Luke's Anglican Church Landscaping* (locally listed item):

St Luke's Anglican Church grounds are part of Macquarie's original survey of Liverpool demonstrates the history of the early settlement of the city and is a physical link to the character of the early township. It also demonstrates the history of the Anglican Church from the early establishment of the Colony to present times. The history of garden landscaping and planting is also reflected in the grounds. The church grounds indicate a level of technical achievement and creativity in their design and layout and are representative of the original/indigenous site vegetation and later fashions in garden planting. The landscaping as a setting for the St Luke's Anglican Church group is a landmark historic and aesthetically pleasing cultural landscape within the modern city centre of Liverpool. There is the potential to gain more information on the site from further archaeological and documentary research.

- Database entry number 1970184, *St Luke's Anglican Church, Headstone and Memorial Gates* (locally listed item):

The headstone as a memorial to a First Fleeter and an early settler of Liverpool, demonstrates the history of settlement in the region. It is the only apparent surviving gravestone from Liverpool's first cemetery. The gates as the original entrance to the St Luke's Anglican Church group demonstrates the history of the early settlement of the city and is a physical link to the character of the early township. They are further associated with the early prominent Ashcroft family. Both items are now part of a historic landmark site within the centre of Liverpool city centre. There is the potential to gain more information on the site from further architectural, archaeological and documentary research.

- Database entry number 1970022, *St Luke's Anglican Church Hall* (locally listed item):

St Luke's Anglican Hall, demonstrates the history of the Anglican Church and their practises from the mid 19th century. As part of the St Luke's Anglican Church group it demonstrates the history of the early settlement of the city and is a physical link to the character of the early township. Architect Edmund Blacket designed the hall and it is representative of his Victorian architectural style. Located within the heart of Liverpool the hall is a historic, aesthetically pleasing landmark in an otherwise modernised city centre. There is the potential to gain more information on the site from further architectural, archaeological and documentary research.

Bigge Park

The NSW Heritage Inventory includes the following Statement of Significance for database entry number 1970025, *Bigge Park*:

Bigge Park, as part of the original early 19th century commons for the Town of Liverpool, demonstrates the history of early urban planning and land use in the Colony. The establishment of a Town Common is particularly representative of Governor Macquarie's early urban plans in the Colony. As part of the original survey of Liverpool it demonstrates the history of the early settlement of the city and is a physical link to the character of the early township, enhanced by its location near a number of other historic sites in the city centre. It indicates a level of technical achievement in its original design by key Colonial figures Governor Macquarie and Surveyor Meehan. The park is now a public, open, green space with attractive tree planting located in close proximity to a number of historic sites, it is aesthetically pleasing within the modern city centre. Its continuity of use as a green open space is rare within Liverpool. There is the potential to gain more information on the group from further architectural, archaeological and documentary research.

Bigge Park Conservation Area

The NSW Heritage Inventory includes the following Statement of Significance for database entry number 1970009, *Bigge Park Conservation Area*:

Bigge Park CA, as part of the original early 19th century plan for the Town of Liverpool, demonstrates the history of early urban planning and land use in the Colony. Remaining features are representative of Governor Macquarie's early

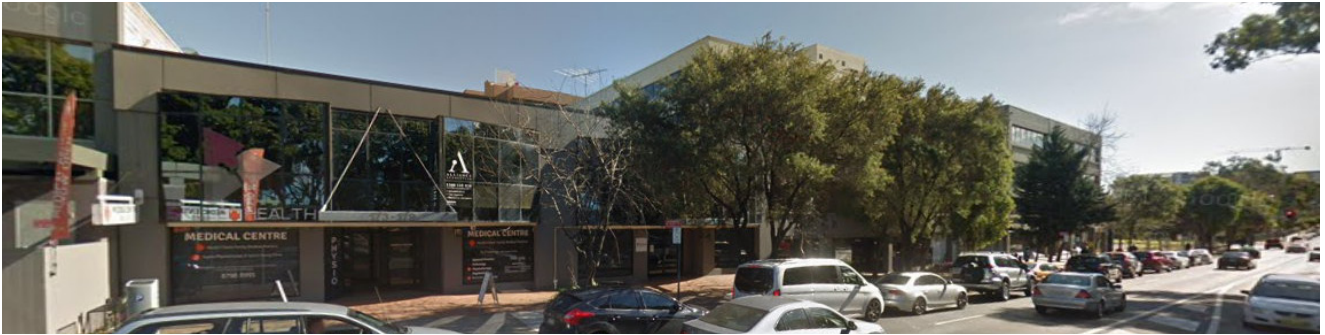


Figure 4.1
West side of Bigge Street in vicinity of subject site.
Source: Google Streetview

urban plans in the Colony. As part of the original survey of Liverpool it demonstrates the history of the early settlement of the city and is a physical link to the character of the early township. It indicates a level of technical achievement in its original design by key Colonial figures Governor Macquarie and Surveyor Meehan. It is a rare intact example of a modern urban centre that retains features of the original early 19th century town plan. The CA is aesthetically pleasing within the modern city centre. There is the potential to gain more information on the group from further architectural, archaeological and documentary research.

The western edge of the Conservation Area includes the lots along the west side of Bigge Street, which in the vicinity of the subject site are occupied by low-rise contemporary commercial development (see Figure 4.1), and separated from the subject site by a separate lot (see Figure 1.2).

The Hoddle Grid

The NSW Heritage Inventory includes the following Statement of Significance for database entry number 1970552, *Plan of Town of Liverpool (early town centre street layout - Hoddle Grid 1827)* (locally listed item):

Liverpool town centre is one of a small number of townships in the Sydney Region initially planned and developed in the Macquarie period. It is likely that a considerable quantity of archaeological evidence may survive below ground on sites within the historic town boundaries. Further archaeological, architectural and documentary research would contribute substantially to knowledge and understanding of the town's establishment, functions, development and living conditions. The township has significant archaeological potential to reveal information about life in the Colonial period and the occupation of Liverpool in particular.

5.0

DESCRIPTION OF THE PROPOSAL

The proposed development, designed by Rothe Lowman Pty Ltd, is detailed in the plans and Statement of Environmental Effects that have accompanied this application.

The proposal entails:

- amalgamation of two lots to form the subject site;
- construction of a mixed use 34-storey (plus four basement levels) building including a restaurant, a hotel, commercial space and residential apartments, and consisting of a modulated urban podium at street level and a highrise component in keeping with the present and likely future direction of development in Liverpool;
- landscape and public domain works including street trees; and
- creation of a new rear laneway connecting Bigge and George Streets.

The proposal complies with the current density and envelope controls as stipulated in the *Liverpool LEP 2008* and *Liverpool DCP 2008*.

The aim of the proposal is to develop what has hitherto been a peripheral urban site used for low-scale commercial / light industrial purposes in a manner consistent with both its historic use (primarily residential), the intention of Macquarie's planned township (urban development) and the direction of development in Sydney and Liverpool today, while retaining the significant features and characteristics of the vicinity.



Figure 6.1
Architect's render of view from north-east
Source: Rothe Lowman Pty Ltd

6.0

ASSESSMENT OF HERITAGE IMPACT

6.1 INTRODUCTION

This Statement of Heritage Impact has been prepared in relation to the objectives and guidelines of the *Liverpool Local Environmental Plan (LEP) 2008*, the *Liverpool Development Control Plan (DCP) 2008* and the documents *Altering Heritage Assets* and *Statements of Heritage Impact* published by the NSW Heritage Office, now Heritage NSW.

This section assesses the impact of the development proposal against the statutory and primary heritage controls and criteria applicable to this site.

6.2 OVERVIEW OF POTENTIAL HERITAGE IMPACTS

The site is separated from All Saints Church, St Luke's Church and Bigge Park by roadways, distance and/or other development. The proposed development will have no physical impact on any significant item.

There will be no physical impact on or change to Elizabeth Street: the Hoddle grid will remain unaffected by any construction on the site, or by the creation of a new laneway connecting George and Bigge Streets, which supports the purpose of the grid as a framework for urban growth.

Other than the St Luke's Anglican Church Group, from which the subject site is separated by considerable distance, roads and existing development, Elizabeth Street/Drive is primarily occupied by contemporary or recent architecture. No significant views to All Saints Church will be obstructed by the proposed development. The Church is separated from the subject site by four lanes of traffic plus footpaths and gardens and is not at risk of visual domination by the proposed building. The Church is a large-scale contemporary Modernist form that was considered challenging in its day, exemplifying innovative design and evolving approaches in urban planning. In this respect the proposed building represents continuity of design and planning principle in this locality.

No change is proposed within the Bigge Park Conservation Area and the proposed building will be sympathetic to the contemporary forms of the buildings within the Conservation area along the west side of Bigge Street.

The proposed building will be of greater height than other buildings in the vicinity. This height is articulated into two primary sections: a six-storey podium addressing the existing and traditional built context, and, set back from that on all sides, a tower consistent with the direction of development in Liverpool, Sydney and indeed internationally (this is further discussed in Section 6.3).

While the proposed development will become a new element in Liverpool's evolving skyline from parts of Bigge Park, it will not obstruct any significant views to or from the park or other heritage items, or significantly alter their settings: it will not prevent the public from appreciating the significance of any heritage item.

Thus overall, the heritage impact of the proposal will be acceptable.

6.3 HIGHRISE BUILDINGS IN HERITAGE CONTEXTS

The increasing appearance over the last two decades or so of buildings of unprecedented height in cities around the world, often in low-scale historical or suburban environments, reflects the striking demographic, economic, technological and urban planning changes of our era. Yet Australian heritage assessment criteria and guidelines remain substantially as they were when introduced in the last century. While the need to evaluate structures occupying a visual field reserved, until now, for birds and mountains is a historical development requiring careful thought, the erection of such buildings in important heritage contexts (such as London and New York) has demonstrated their ability not only to avoid undue heritage impact but to enhance and revitalise heritage places.

Where once it may have been assumed that a building of (say) 34 storeys would by definition 'dominate' an

adjacent low-scale heritage building, an abundance of examples now demonstrates - and have long demonstrated in central Sydney and several suburban centres - that if the older buildings remain sufficiently visible and legible, and are shown sufficient sympathy and respect by the newer, heritage significance can be protected. Contemporary vertical additions can be added to, or occupy the airspace above, heritage items without adverse impact upon them where an item's aesthetic significance does not depend on its relationship to that space, for example if its aesthetic is strongly horizontal, or where sufficient separation is provided above it. Where the relationship to airspace is aesthetically important, as with church steeples, this might not be true.

Thus while visual 'domination' should continue to be of concern and is useful as a general concept, a more nuanced understanding can bring out the specific underlying concerns that contemporary developments require us to identify. A related but more specific concept, for example, is expressed in a Burra Charter Practice Note on 'New Work':

New work should respect the context, strength, scale and character of the original, and should not overpower it.

Indeed, the core of the concept of 'domination' is depriving others of their rightful 'power'. The power of buildings or other heritage items lies in their ability to affect us and define our personal sense of place as they traditionally have, and their ability to *continue* affecting us and defining places - the continuity of their 'power' - is an essence component of any concern about 'domination'. Viewed in this way, the observable lack of detrimental impact of recent examples of highrise buildings in heritage contexts can be explained by the ability of nearby heritage items to continue their effect on and role in the place - to retain their power regardless of the presence of new elements.

Thus where once it was sufficient to ask (as the recommended criteria of NSW Heritage suggest):

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

it may now be useful to ask:

Will the development reduce the power of the item? In what ways? What has been done to protect such power?

With regard to the proposed development, it is noted that the 'power' of all relevant heritage items in the vicinity remains undiminished:

- Bigge Park will continue to be appreciable in every respect. Views from it, currently expansive though with some distant tall buildings beginning to appear, will have one new element in the very broad skyline around it.
- The Bigge Park Conservation Area will retain its character: the proposed development will not be visible from most of the Area, and will be generally sympathetic to the contemporary buildings in it.
- The forms, scales, masses, materiality and detailing of both the All Saints Roman Catholic Church and the St Luke's Anglican Church Group, and their relationship to the streetscape and the Town Centre, will continue to be legible from every existing viewpoint.
- The Hoddle grid as represented by Elizabeth Street will remain unchanged and continue to be legible and appreciable.

That is, the power of these items to affect the public and define its sense of place as they traditionally have will not be altered by the proposed development.

Of course, many other issues are raised by tall buildings in heritage contexts, including:

- Whether the issue is primarily one of aesthetic accustomisation: the six-storey Modernist-style All Saints Catholic Church was once considered a radical intrusion into its setting;
- Whether the underlying issue is opposition to change by those who have incorporated their longstanding surroundings into their identity and their sense of stability and comfort;
- Whether new elements in a setting necessarily have heritage impact: the recognised visual analysis expert Dr Richard Lamb has noted that, just as views to heritage items are not necessarily *heritage* views (unless they were historically available, and intended to be available), new elements in views do not necessarily have detrimental *heritage* impacts.¹

Suffice it here to note that this relatively new issue presents a complex challenge for the assessment of heritage impact, and opinion varies widely on how best to approach it. The above approach can be considered a contribution to the necessary debate.

¹ Dr Richard Lamb, *Visual Impact Analysis, 'Seaview'*, 2019,

6.4 CONSIDERATION OF THE GUIDELINES OF NSW HERITAGE

The NSW Heritage Office (now Heritage NSW in the Department of Premier and Cabinet) has published a series of criteria for the assessment of heritage impact. The relevant 'questions to be answered' in the *NSW Heritage Manual* document 'Statements of Heritage Impact' relating to development in the vicinity of a heritage item have been considered in the preparation of the following commentary, as follows.

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

The proposal will have no physical impact on any heritage item including the Bigge Park Conservation Area.

The proposed building will obstruct no identified significant views to or from heritage items or within the Bigge Park Conservation Area.

While the proposed building will be a new element in the settings of some heritage items as seen from certain viewpoints, it will not dominate or 'overpower' these items, or interfere with their visibility or legibility or with the public's ability to appreciate their significance.

New Development Adjacent to a Heritage Item

- *How is the impact of the new development on the heritage significance of the item or area to be minimised?*
- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*
- *Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?*
- *Will the additions visually dominate the heritage item? How has this been minimised?*
- *Will the public, and users of the item, still be able to view and appreciate its significance?*

The new development will have no physical impact on any heritage item.

The contemporary design of the building is sympathetic to the contemporary All Saints Roman Catholic Church and the contemporary development along the west side of Bigge Street, within the Bigge Park Conservation Area.

The building's bulk is reduced with height: its facades are set back at Levels 5, 10 and 33, thus increasingly stepping back from Elizabeth Street (part of the Hoddle

grid), Bigge Park, the Bigge Park Conservation Area and All Saints Roman Catholic Church. The building consists of a podium addressing the existing urban stratum, and a tower, set back on all sides, whose height is consistent with the direction of residential development across Sydney and, it appears, Liverpool. Tree planting along the north side will further soften any impact on the streetscape.

The proposed development will be a new element in the built landscape and in the setting of some heritage items as viewed from some viewpoints. However the building is sufficiently separated from all heritage items in the vicinity (excepting the Hoddle grid) by distance, roadways or other development to preclude visual domination. The significance of the Hoddle grid does not lie in its aesthetic character; the grid will remain intact.

As shown in Figures 3.4-3.18, no significant views to or from any heritage item, or within the Bigge Park Conservation Area, will be obstructed or significantly altered.

All significant aspects of the heritage items in the vicinity will remain visible and legible, and the public will continue to be able to appreciate their significance.

6.5 HERITAGE OBJECTIVES OF THE LIVERPOOL LEP 2008

For the reasons outlined in Sections 6.2 and 6.3, the proposal is considered to be consistent with the relevant heritage objectives of the *Liverpool LEP 2008*, which are:

5.10 Heritage conservation

(1) Objectives

The objectives of this clause are as follows:

- (a) *to conserve the environmental heritage of Liverpool,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views...*

6.6 HERITAGE GUIDELINES OF THE LIVERPOOL DCP 2008

The following heritage objectives of the *Liverpool DCP 2008* have been considered in this assessment.

Part 1 Section 17

Heritage and Archaeological Sites

- a) *to conserve the heritage significance of heritage items and heritage conservation areas of Liverpool*

including associated fabric, setting, curtilage and views;

h) to enhance the amenity and heritage values of the Liverpool local government area;

Part 4 Section 7.1

Heritage Items and Conservation Areas

a) To facilitate the conservation and protection of heritage items and heritage conservation areas and their settings.

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...

c) To conserve, maintain and enhance existing views and vistas to buildings and places of historic and aesthetic significance.

The analysis in Sections 6.2 and 6.3 demonstrate that the proposed development is generally consistent with these objectives:

7.0

CONCLUSIONS AND RECOMMENDATIONS

7.1 CONCLUSIONS

- The subject site is not listed as an item of heritage significance in any statutory instrument and is not within any Heritage Conservation Area.
- The site is in the vicinity of the following listed heritage items:
 - All Saints Roman Catholic Church;
 - St Luke's Anglican Church Group;
 - Bigge Park;
 - the Bigge Park Conservation Area; and
 - the Hoddle street grid for Liverpool Township.
- All buildings on the site have been demolished.
- It is proposed to construct a 34-storey (plus 4 basements) mixed use building.
- There will be no physical impact on any heritage item.
- No significant views to or from any heritage item including Bigge Park will be obstructed or significantly altered.
- The building will be a new element in the setting of some heritage items from some viewpoints. However all significant aspects of all heritage items will remain visible and legible and able to be appreciated by the public.
- The proposed building will be separated from all built heritage items in the vicinity by distance, roadways or development, precluding their visual domination by it. The 'power' of heritage items in the vicinity to affect the public will be retained.
- The proposed building will be in a contemporary style that will be sympathetic and compatible with the All Saints Roman Catholic Church and development within the Bigge Park Conservation Area on the west side of Bigge Street.
- Creation of a new laneway between Bigge and George Streets will have no adverse impact on any heritage item including the Hoddle grid.
- Overall, there will be no adverse heritage impact on any heritage items in the vicinity.
- The proposed development is consistent with the heritage requirements and guidelines of the *Liverpool LEP 2008*, the *Liverpool DCP 2008* and the criteria established by the NSW Heritage Office, (now Heritage NSW in the Department of Premier and Cabinet).

7.2 RECOMMENDATION

- Council should have no hesitation, from a heritage perspective, in approving the application.

8.0

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