



Client: AMP Capital Investors

Marrickville Metro Shopping Centre
Preferred Project Report
Statement of Heritage Impact



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Introduction

1.0

1.1 Background

This Report forms part of a Preferred Project Report (PPR) prepared on behalf of AMP Capital Investors (AMPCI) in respect to the Concept Plan Application under Part 3A of the *NSW Environmental Planning and Assessment Act 1979* for the proposed redevelopment of the Marrickville Metro Shopping Centre.

This Report has been prepared in response to the letter from the Department of Planning (DOP) dated 14 October 2010 requesting that a Preferred Project Report (PPR) be prepared. The letter requests that the proponent respond to the issues raised by the submissions and for the PPR to identify how the issues raised by the submissions including those of the DOP have been addressed and how the PPR minimises the environmental impacts of the proposal.

The Preferred Project includes the following key amendments to the original proposal:

- The adoption of the “alternative proposal” for Smidmore Street as outlined in section 5.6 of the Environmental Assessment Report, meaning that all proposed development within the Smidmore Street road reserve has been deleted from the proposal and the road will remain open to vehicle traffic.
- Removal of the draft VPA from the PPR following Marrickville Council’s decision not to grant owner’s consent for the inclusion of Smidmore Street in the application.
- Accompanying refinements to the design of the buildings fronting Smidmore Street to address the existing street interface, optimise pedestrian access between the two buildings and maximise street front retail activation and pedestrian amenity.
- A reduction in the gross leasable floor space of the new development from 21,470sqm to 16,767sqm (a reduction of 22% in floor area).
- A reduction in the number of new car parking spaces from 715 to 528.
- A significant reduction in the new building footprint above the existing shopping centre within the north-east section of the site, including the removal the spiral ramp near the corner of Victoria Road and Murray Street.
- Retention of the existing vehicle ramp location within Murray Street and the relocation of the access from Murray Street to the new loading dock 3 further to the south.

- A public domain 'concept vision' for Smidmore Street which will be subject to the further agreement of Marrickville Council.
- Retention of all existing mature Lemon Scented Gums in Smidmore Street.
- Revised Statement of Commitments

This Report evaluates the proposed Preferred Project Report architectural drawings, prepared by Bovis Lend Lease, and landscaping concept, prepared by Site Image Landscape Architects.

1.2 Report Objectives

The main objective of this Statement of Heritage Impact is to analyse the overall heritage impact of the proposed development in relation to the Environmental Planning Instruments (EPIs) specified in the Director General's Requirements (DGR) for this project and the guidelines of the Heritage Branch of the NSW Department of Planning.

1.3 Methodology and Structure

This Heritage Impact Statement has been prepared in accordance with guidelines outlined in the *Australia ICOMOS Charter for Places of Cultural Significance*, 1999, known as *The Burra Charter*, and the New South Wales Heritage Office publication, *NSW Heritage Manual*.

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 comprises the existing Marrickville Metro Shopping Centre, located at 34 Victoria Road, Marrickville, the western part of Smidmore Road, and land to the immediate south of the shopping centre at 13-55 Edinburgh Road, Marrickville. The existing shopping centre fronts Victoria Road to the north, Murray Street to the east and Smidmore Street to the south. The land at 13-55 Edinburgh Road is located to the south of Smidmore Street and is bounded by Edinburgh Road and Murray Street.



Figure 1.1
Aerial photograph of the locality showing the subject site outlined in red

Source: Bovis Lend Lease

1.5 Heritage Management Framework

The DGR for this project note the following in relation to heritage:

The EA shall include a Heritage Impact Statement for the development and address environmental heritage issues at the site, and specifically in respect of the “Mill House” at 34 Victoria Road, Marrickville, which is listed as a Heritage Item under the MLEP 2001, the NSW Heritage Database and National Trust Register.

The relevant EPIs and guidelines, pertaining to heritage, that are to be addressed as part of the key issues are:

- *Marrickville Local Environmental Plan 2001*
- *Draft Marrickville Local Environmental Plan 2010*
- *Marrickville Development Control Plan No. 28 Urban Design Guidelines for Business Centres*
- *Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.*

The following heritage items, listed under the *Marrickville Local*

Environmental Plan (MLEP) 2001 and the Draft Marrickville Local Environmental Plan (MLEP) 2010 are also in the vicinity of the proposed development:

- Brick paving in Victoria Road
- Llewellyn Estate Heritage Conservation Area
- St Pius Church and Presbytery, 290 Edgeware Road, Newtown

As 'Mill House' is not included on the State Heritage Register as an item of State significance, and is not the subject of an interim heritage order, there are no requirements for its conservation under the *NSW Heritage Act*.

'Mill House' is included on the National Trust of Australia (NSW) register. The National Trust of Australia (NSW) is a community-based organization which has no legal jurisdiction over the places it has assessed and classified. As such, the inclusion of 'Mill House' on its register has no statutory implications for the proposed development.

1.6 Authorship

This Report has been prepared by Gail Lynch, Associate Director, of Graham Brooks and Associates Pty Ltd and has been reviewed by the Director, Graham Brooks. Unless otherwise noted all of the photographs and drawings in this report are by Graham Brooks and Associates Pty Ltd.

1.7 Report Limitations

This Report is limited to the investigation of the European history of the site. Recommendations have been made on the basis of documentary evidence viewed and inspection of the existing fabric.

Archaeological assessment of the subject site is outside the scope of this Report.

Historical Summary

2.0

2.1 Introduction

The following history of the site has been reproduced from 'Mill House' 34 Victoria Road, Marrickville Conservation Management Plan, prepared by Graham Brooks and Associates in July 2007.

2.2 Early Ownership of the Site

The subject site is part of the thirty acre land grant made to James Waine on 5 September 1795¹, in the area known at the time as Petersham Hill. The grant was an irregular shaped block of land, situated north of the Gumbramorra Swamp. Its boundaries are present day Victoria Road to the north, Edgeware Road and Bedwin Road to the east, and Edinburgh Road to the south. These early grants were referred to as farms and were intended to supplement the food supply of the colony².

The earliest documentary evidence found relating to the development of Waine's Farm is when it was offered for sale in 1837. The public auction of Waine's Grant was advertised in *The Australian* of 25 September 1837 as having been lately occupied by a Mr Dent.³ The land was purchased by William Thurlow⁴ who subdivided it into the 13 allotments shown on the map in Figure 2.3.

The subject building is located on Lot 5 of this subdivision which was described at the time as being cleared and mostly fenced, and containing the "old garden" which had "afforded for many years a constant and excellent supply of both fruit and vegetables for the Sydney Market".⁵

In July 1839 Lot 5, which comprised 2 acres 1 rood 30 perches, was sold to John Blackman for £58 10 shillings⁶. The map in Figure 2.4 shows the land owned by John Blackman and its close proximity to the local water source, a creek which ran through the adjoining block to the east. It was this water supply that facilitated the later industrial development of the site.

Blackman sold the allotment later that same year for £200.⁷ It was purchased by William Smith who re-sold it to Francis O'Brien in 1840 for the same price.⁸ O'Brien borrowed heavily from the Bank of Australia⁹ and in 1844 he surrendered the property to the bank.¹⁰

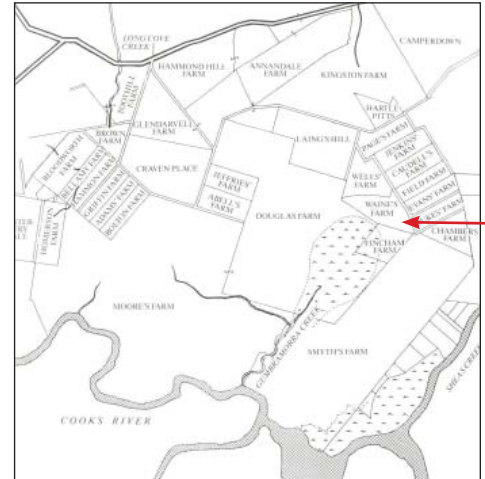


Figure 2.1
Map of Marrickville in 1810, showing the location of Waine's Grant (marked with an arrow)

Source: Cashman & Meader, *Marrickville Rural outpost to inner city*, page 39



Figure 2.2
Parish map showing the location of Waine's Grant (marked with an arrow)

Source: NSW Department of Lands Parish Maps

1 NSW Department of Lands Real Property Register, Primary Application number 9285
2 R Cashman and C Meader, *Marrickville Rural outpost to inner city*, Sydney, Hale & Iremonger, 1990
3 Lyn Collingwood, 'Historical Archaeology: Major Assignment 1984, Vicars Woollen Mills, unpublished thesis, University of Sydney, 1984, page 3
4 NSW Department of Lands Real Property Register, Primary Application number 9285
5 Lyn Collingwood, *Vicars Woollen Mills*, pages 3-4, original citation *The Australian* of 15.12.1837
6 NSW Department of Lands, Register 142 Book P
7 NSW Department of Lands, Register 944 Book P
8 NSW Department of Lands, Register 496 Book 20
9 NSW Department of Lands, Register 496 Book 20
10 NSW Department of Lands, Register 454 Book 20

2.3 Early Use of the Site

The Assessment Book Parishes of Petersham and Concord 1843-1846¹¹ describes the status of the 13 allotments. Three lots are described as unoccupied waste, two as having a brickyard (including Lot 5 where the subject building is located), and the remainder as being paddocks and gardens. Two large water holes, shown on the 1891 Water Board Survey plan in Figure 2.5, are thought to be the remains of the early brick pits on Lot 5.¹² The subdivision of land grants in Marrickville in the 1830s and 1840s had created a local market for building bricks.

2.4 Construction of 'Mill House'

The earliest reference found to a building on the site is in the 1843 - 1846 Assessment Books¹³ where it is described as containing a 'weatherboard cottage and brickyard', owned by Henry O'Brien occupied by Thomas Leicester.

It is suggested in the National Trust listing card for 'Mill House' that the most likely construction date for the building is between July and November 1839 when there was a substantial increase in the value of the property. However there is no reference to a building being on the site in the Conveyance document between John Blackman and William Smith, dated November 1839.¹⁴ This document contains the map reproduced in Figure 2-3, which shows the only buildings at this time are on Lot 2.

The property was in the control of the Bank of Australia from 1844 until 1851 when it was sold to James Roberts. The auctioneer's agreement for this sale, dated 7 April 1851, makes no mention of a house on the property. However, Roberts took a mortgage with Peter William Plomer on 8 April 1851 and the mortgage document mentions Lot 5 'together with all houses, buildings, yard'¹⁵. This is the first time houses and buildings are mentioned on a document for this property. Considering the evidence above it is most likely the building was constructed by Francis O'Brien (who purchased the site in 1840) before he encountered financial difficulties in 1844.

2.5 Robert Koll's Tannery

In July 1863 the property was purchased by Robert Koll¹⁶, a tanner from Prussia, who had been naturalised earlier that year¹⁷. By this time Marrickville had been gazetted as a municipality, encompassing 1920 acres, with more than 600 residents and 130 houses¹⁸.

¹¹ These assessment books have apparently been lost. A transcript attached with the National Trust listing card gives details of Lot 5 as '2a 1r 30p owner Henry O'Brien occupier Thos Leicester weatherboard cottage and brickyard. Annual Value £18'

¹² Lyn Collingwood, *Vicars Woollen Mills*, page 4

¹³ *Transcript of Assessment Book Parishes of Petersham and concord 1843 - 1846* attached with the National Trust listing card.

¹⁴ NSW Department of Lands, Primary Application 9285 associated package documents, Conveyance between Mr John Blackman and Mr William Smith, dated 1&2 November 1839

¹⁵ NSW Department of Lands, Primary Application package documents 9285, Mortgage between James Roberts and Peter William Plomer, dated 8 April 1851

¹⁶ Department of Lands, Primary Application 9285

¹⁷ State Records NSW, Item 4/1202

¹⁸ Fox & Associates Architects/Planners, *Marrickville Heritage Study*, Department of Environment and Planning and Marrickville Municipal Council, 1986

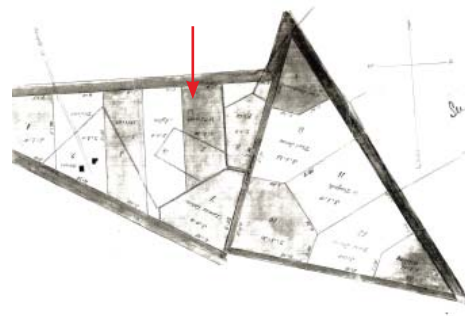


Figure 2.3
1839 Map showing the subdivision of Waine's Grant into 13 allotments, and the location of the fencing on the site. The arrow shows the approximate location of 'Mill House'.

Source: Department of Lands Archives, Primary Application 9285, Conveyance document dated 1 November 1839

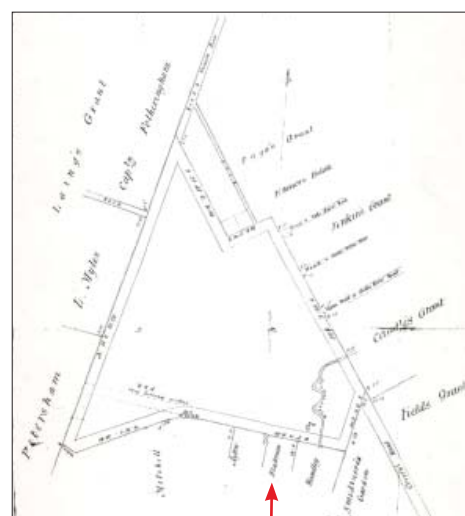


Figure 2.4
Map showing the location of Blackman's allotment (Lot 5) and the nearby creek

Source: NSW State Library, SP: M9/130, undated map assumed to be 1839

Robert Koll was able to set up a tannery on the site due to its close proximity to a water source. Tanning is the early stage in leather production. It is a water intensive industry with each hide requiring about 250 gallons (1,136.5 litres) of water in its processing. Hides are soaked in various pits for up to 18 months before being slowly dried under cover. The clay soil of the site was ideal for the construction of tanning pits as it lessened the amount of leakage. The pits were probably lined with brick to provide additional water tightness.¹⁹

In 1866 Koll purchased 3 acres (Lot 4)²⁰ adjoining to the west, presumably to expand his business but it appears this did not happen as the two lots were sold separately after his death in 1867. Lot 4 was sold for £870 at public auction to W Farmer²¹ and Lot 5, including the tannery, was later sold to Joseph Davenport and Thomas Henry Alcock for £450²². The Conveyance document notes the land sale included the *'weatherboard cottage erected thereon and also other houses buildings.'*²³ The Sydney Morning Herald advertisement for the sale of the property described it as having *'a six roomed shingled roof weatherboard cottage, an orchard and at the rear all the necessary appliances for carrying out the business of a Tanner, consisting of a large drying shed, 12 pits, 4 spenders pits, 6 lime pits etc various appliances designed by Mr Koll.'*²⁴

2.6 Davenport's Boot Factory

In the early years of their partnership Alcock and Davenport maintained separate tanning and bootmaking businesses. Alcock ran the tannery in Victoria Road as The Enmore Tannery. He resided in the cottage, now known as 'Mill House', from 1869 until 1880. Davenport continued to live in Glebe and ran the bootmaking business as Davenport and Alcock. They also occupied business premises at 60 York Street, Sydney.²⁵

Davenport and Alcock are listed in the Sands Sydney Directories of 1871 as partners in Wright, Davenport and Co., Tanners, Curriers and Fellmongers at 794 George St. In 1873 they purchased the block west of the tannery (Lot 4, formerly owned by Robert Koll), in partnership with John Plant Wright. Wright resided at 'Rosebank', on this property, from 1873 until 1880, while Joseph Alcock continued to live next door²⁶.

In 1874 they purchased the southern part of Lot 4 and the northern part of Lot 6 in the Waine Grant subdivision.²⁷ The factory illustrated in Figure 2.6 was built on the Victoria Road frontage and the boot making business moved from Glebe. At the end of 1878 Davenport

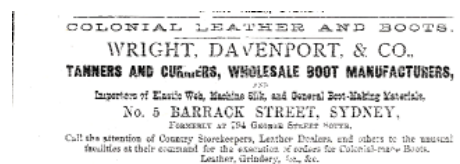


Figure 2.5
1876 Advertisement for Wright, Davenport and Alcock

Source: Sands Sydney Directories



Figure 2.6
1878 illustration of the Davenport and Alcock boot factory. Note 'Mill House' visible to the west

Source: Lyn Collingwood, 'Vicars Woollen Mills', citing Town and Country Journal 6 April 1878

19 Lyn Collingwood, *Vicars Woollen Mills*, page 4

20 NSW Department of Lands Real Property Register, Primary Application 9285

21 NSW Department of Lands Real, Primary Application 9285 (Archival documents)

22 NSW Department of Lands Real Property Register, Primary Application 9285

23 NSW Department of Lands, Primary Application 9285 (Archival documents)

24 Lyn Collingwood, as above, original citation Sydney Morning Herald 21 December 1867, page 15

25 Sands Sydney Directories

26 Sands Sydney Directories

27 NSW Department of Lands Real Property Register, Primary Application 9285

and Alcock purchased the remainder of Lot 6 to further expand their tanning and boot making businesses. By this time the tannery was the second largest in the colony, with an estimated value of £10,000, plus stock valued at £15,000. With the land, building and machinery of the boot factory valued at £13,000.²⁸

The illustration in Figure 2.6 is reproduced from an 1878 Town and Country Journal article. It shows the three storey boot factory, facing Victoria Road, with 'Mill House' visible in the right of the picture. The factory is not shown on the 1891 Water Board survey (see Figure 2-7), and it is not known what became of it.

The area was connected to the town water supply in 1881²⁹, and the business continued to grow. In 1890 Davenport and Sons was considered to be one of Marrickville's leading industries³⁰. The business owners were active in local politics, with Thomas Henry Alcock serving as an alderman on Marrickville council from 1877 - 1880, and Mayor of Marrickville in 1879 and 1880. John Plant Wright was also a local alderman from 1874 - 1877, and Joseph Davenport Junior from 1884 - 1892.

Joseph Davenport is listed in the Sands Sydney Directories as the resident of 'Mill House' from 1883 to 1886, and his son Joseph Junior as residing there from 1887 until 1892. In 1893 the property was forfeited to the London Chartered Bank³¹ and was purchased by William Vicars of John Vicars & Co, Woollen Manufacturers.

The 1891 Water Board plan, reproduced in Figure 2.7, shows the extent of the tannery and boot making operation.

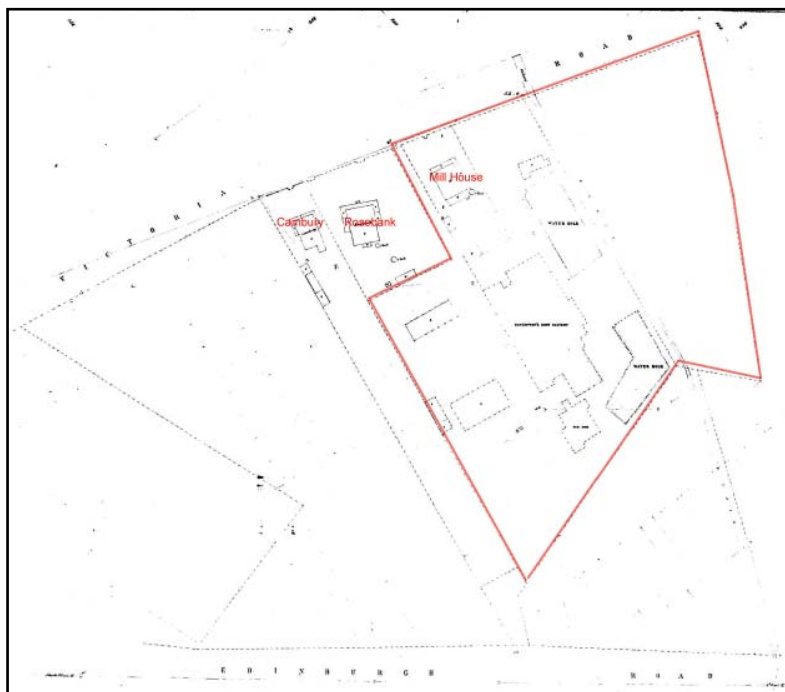


Figure 2.7
1890 Water Board survey showing the boundaries of the Davenport and Alcock site and the position of 'Mill House', 'Rosebank' and 'Cambury'. The location of Davenport's boot factory, water holes and tan pit at the rear of the site are also shown.

Source: Sydney Water Archives

²⁸ Lyn Collingwood, *Vicars Woollen Mills*, citing Town and Country Journal 6 April 1878

²⁹ Fox & Associates, *Marrickville Heritage Study*, The Department of Planning and Marrickville Council, 1986, page 115

³⁰ Lyn Collingwood, *Vicars Woollen Mills*, citing The Echo 31.7.1890

³¹ NSW Department of Lands, Real Property Register, Primary Application 9285

2.7 Vicars Woollen Mills

John Vicars and his family migrated to Australia in 1863, after his textile factory in Tillicoultry, Scotland was destroyed by fire. After spending eight years in Rockhampton, he moved to Sydney to take up a position as manager of Thomas Barker's tweed mill. The mill was located on land now bounded by Bathurst, Sussex, and Liverpool Streets and Darling Harbour. It had originally been a flour mill and was converted to a tweed mill by Thomas Barker, in 1830.³² Two years later (1873) John Vicars leased the business from Barker for a term of fourteen years. At this time the mill consisted of two warping mills, 17 power looms, 22 hand looms and a dyeing and finishing plant. At the end of the lease term Vicars negotiated a new lease, giving him possession of the plant after five years.

Vicars won awards for fabrics shown at Philadelphia in 1876, Paris 1878, and Calcutta 1883.³³ New South Wales cloth manufacturers struggled with the government's free trade policy in the 1880s and Vicars campaigned to have it changed. Companies were forced to compete with cheaper stock imported from Britain, where there was a surplus, and from Victoria where a ten percent import duty had been introduced, to protect local industry. Despite this John Vicars continued to run a successful business and by 1879 he had bought out the interests of his financial backers.

John Vicars junior, who had run the business with his father and brother, William, left to set up a wool washing business at Maroubra with business partner Charles Swinbourne. William and his younger brother, Robert, took over the manufacturing business from their father, and in 1893 it was decided to move the factory to Marrickville. In August 1894 William Vicars purchased the Davenport and Alcock site in Victoria Road, Marrickville. The site was a little over 6 acres. It contained the dwelling, now known as 'Mill House', Davenport's boot factory, two large water holes, tanning pits and drying sheds. John Vicars died in September of the same year.

The Vicars brothers expanded the business at Marrickville, after securing a New South Wales government contract to supply white blankets to government institutions. In 1895 a new mill was constructed on the site of the old boot factory³⁴. It was the largest factory in Marrickville and employed 200 people.³⁵

William Vicars took up residence in the cottage on the factory site and it became known as 'Mill House'. When he moved to George Street, Marrickville in 1907 Robert moved in, and he lived there until 1915.³⁶

Fred Vicars, the younger brother of William and Robert, joined the management team in 1906. The company secured the tender to supply the government's entire cloth requirement for the new

³² No author, *John Vicars and Co. Limited, The first 100 years in Australia 1873-1973*

³³ *Australian Town and Country Journal*, August 12, 1899, page 31

³⁴ Lyn Collingwood, *Vicars Woollen Mills*

³⁵ *Australian Town and Country Journal*, August 12, 1899, page 31

³⁶ *Sands Sydney Directories*



Figure 2.8
Early letter head logo of John Vicars and Co., depicting the city factory.

Source: *John Vicars and Co Limited 1873 - 1973*

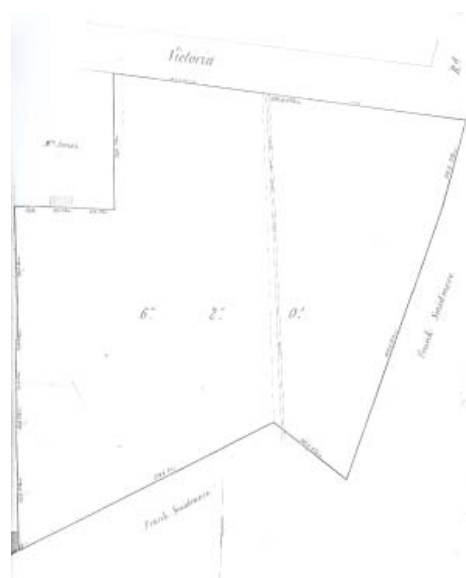


Figure 2.9
6 acres 2 roods 0 perches purchased by William Vicars in August 1894

Source: NSW Department of Lands Real Property Register Volume 1136 Folio 60



Figure 2.10
The first mill constructed at the Vicars' Marrickville site in 1895

Source: *Australian Town & Country Journal*, August 12, 1899, page 30

Compulsory Military Training scheme which was legislated in 1909. This was an enormous undertaking and the factory operated day and night for three years to supply the order.³⁷

The factory site was enlarged with the purchase of a several pieces of land between 1912-1914. A strip of just over one acre to the west of the site was purchased in 1912 (Figure 2.11). The title for this property records a right of way over the land directly to the south which gave direct access to the factory site from Edinburgh Road.³⁸

In December 1913 the Victoria Road property, directly west of 'Mill House' was purchased by William and Robert Vicars for twelve hundred and fifty pounds (Figure 2.13). A house, known as 'Rosebank' was situated on this parcel of land. It was leased by the Vicars brothers to James Mulligan for a period of three years³⁹. Sands Sydney Directories show James Mulligan as the resident of this property until 1917, after which time Mrs Ellen Mulligan, presumably his wife, is listed. Stables at the rear of the property were converted to a garage for the factory in 1923 and in 1935 the house was demolished and a new wool scouring and carbonising building was constructed.⁴⁰

A small parcel of land, just 16 1/2 perches was purchased in September of 1914 (Figure 2-14). John Vicars and Co had previously had right of way over this land to provide access from Edinburgh Road to the rear of the site and an easement for construction of a drain.⁴¹ The southern portion of this small block was resumed by the Municipal Council of Sydney in February 1927, under the Electric Lighting Act 1896, to construct a sub station at the corner of Edinburgh Road and Smidmore Street.

Another parcel of land to the south of the site was purchased in August 1915⁴². This was formerly lots 1, 2 and 3 of DP 4991 (the Smidmore Estate) and now fronts Smidmore Street. This gave John Vicars and Co ownership of a site area of 8 acres 2 roods 24 1/2 perches.

In 1942 the Vicars land holding was further increased with the purchase of a property at 9 Bourne Street⁴³. The house on this property was demolished to provide a second entrance to the site. This allowed easier access for the coal trucks delivering fuel to the site.⁴⁴

As the business grew new buildings were constructed. By 1923 five of the site's eight acres were covered with buildings. There were 120 looms operating and the factory was processing three to

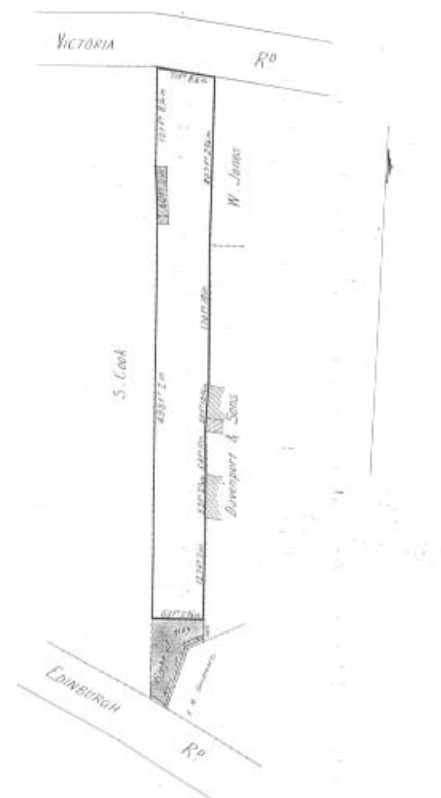


Figure 2.11
1 acre 3/4 perches purchased by William and Robert Vicars in February 1912

Source: NSW Department of Lands Real Property Register Volume 1434 Folio 50

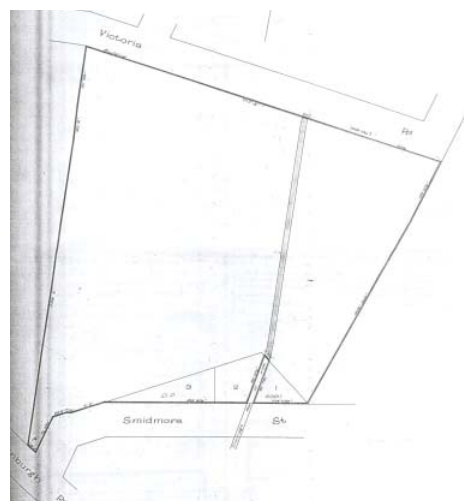


Figure 2.12
Lots 1, 2 and 3 of DP 4991 (the Smidmore Estate) were added to the property in August 1915, giving a total land holding of 8 acres 2 roods 30 3/4 perches

Source: NSW Department of Lands Real Property Register Volume 2596 Folio 104

37 No author, *John Vicars and Co. Limited, The first 100 years in Australia 1873-1973*, page 14

38 NSW Department of Lands, Real Property Register, Volume 1434 Folio 50

39 NSW Department of Lands, Real Property Register, Primary Application 19074

40 Lyn Collingwood, *Vicars Woollen Mills*, Appendix: Significant Dates

41 NSW Department of Lands, Real Property Register, Volume 2515 Folio 70

42 NSW Department of Lands, Real Property Register, Volume 2596 Folio 104

43 NSW Department of Lands, Real Property Register, Volume 2151 Folio 50

44 Lyn Collingwood, *'Historical Archaeology: Major Assignment 1984, Vicars Woollen Mills'*, page 15

four hundred thousand fleeces per year. In 1929 the northern water hole, which had been made into an ornamental lake, was drained and partially filled. A building with a basement was constructed over the hole.

Building continued in the 1930s, with the construction of a scouring⁴⁵ and carbonising⁴⁶ building on the site of the 'Rosebank' cottage and a greasy wool store in place of the adjacent dwelling 'Cambury'.

Members of the Vicars family retained senior management roles at the factory with staff recruited from Scotland and Yorkshire, England when vacancies could not be filled by local labour. The Marrickville factory was a major employer in the local area. It began with sixty employees and by 1935 had almost 1200 workers.⁴⁷ By the middle of the twentieth century a considerable number of European migrants settled in Marrickville. It is estimated that in the 1960s sixty per cent of Vicars work force were Greek.⁴⁸

The business diversified and expanded with the following changes to the company:

- 1961 acquisition of Austral Swiss Textiles Pty Ltd
- 1965 merger with Australian Woollen Mills Limited to form Textile Holdings Limited
- 1966 formation of Cumberland Textiles
- 1971 acquisition of Triotex Knitting Mills Pty Ltd

Despite this the company did not survive the changing textile market and in 1976 the Marrickville operation was wound up. At the time of the factory closure, the site was almost entirely covered with buildings. 'Mill House' had survived the building program and was still used as a residence for family members.



Figure 2.16
'Mill House', circa 1977
Source: Photograph courtesy of J R Vicars

45 *scouring* - washing of raw wool and clean woven cloth

46 *carbonising* - heating wool that has been steeped in diluted sulphuric acid

47 The Marrickville Council, *A History of the Municipality of Marrickville*, Marrickville Council, 1936

48 C Meader, R Cashman & A Carolan, *Marrickville People and Places*, Sydney, Hale & Iremonger, 1994, page 18



Figure 2.13
2 roods 25 perches purchased by William and Robert Vicars in 1913 and transferred to John Vicars & Co in August 1914

Source: NSW Department of Lands Real Property Register Volume 2507 Folio 132

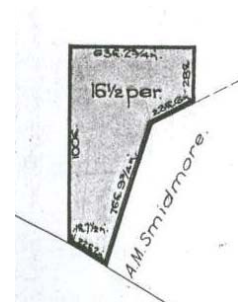


Figure 2.14
16 1/2 perches purchased by John Vicars & Co in September 1914

Source: NSW Department of Lands Real Property Register Volume 2515 Folio 70

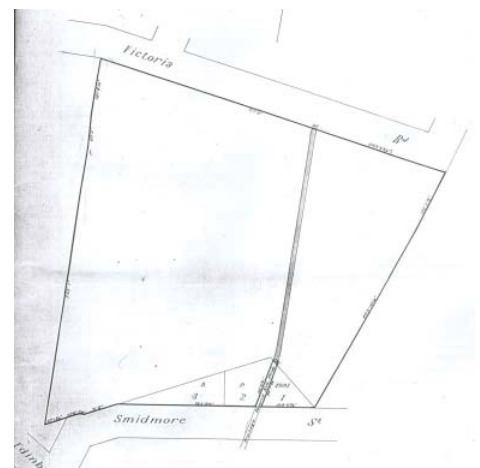


Figure 2.15
Shows the site area having a total area of 8 acres 2 roods 24 1/2 perches, after land at the corner of Edinburgh Road and Smidmore Street was resumed by the Municipal Council of Sydney in February 1927, under the Electric Lighting Act 1896

Source: Department of Lands Real Property Register Volume 3988 Folio 195

Marrickville Metro Shopping Centre
Preferred Project Report
Heritage Impact Statement
October 2010
Graham Brooks & Associates Pty Ltd

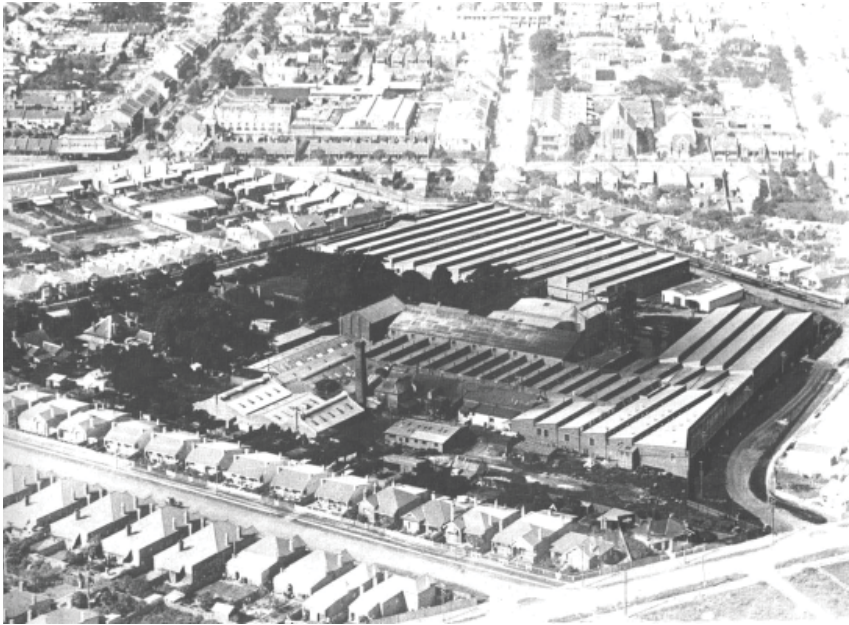


Figure 2.17

1930s aerial view of the site shows there is still a considerable amount of open space on the north west section of the site. The cottages, known as 'Rosebank' and 'Cambury' are visible in the left hand side of the picture. 'Mill house' is hidden from view by trees. Source: Cashman & Meader, *Marrickville Rural outpost to inner city*, page 169

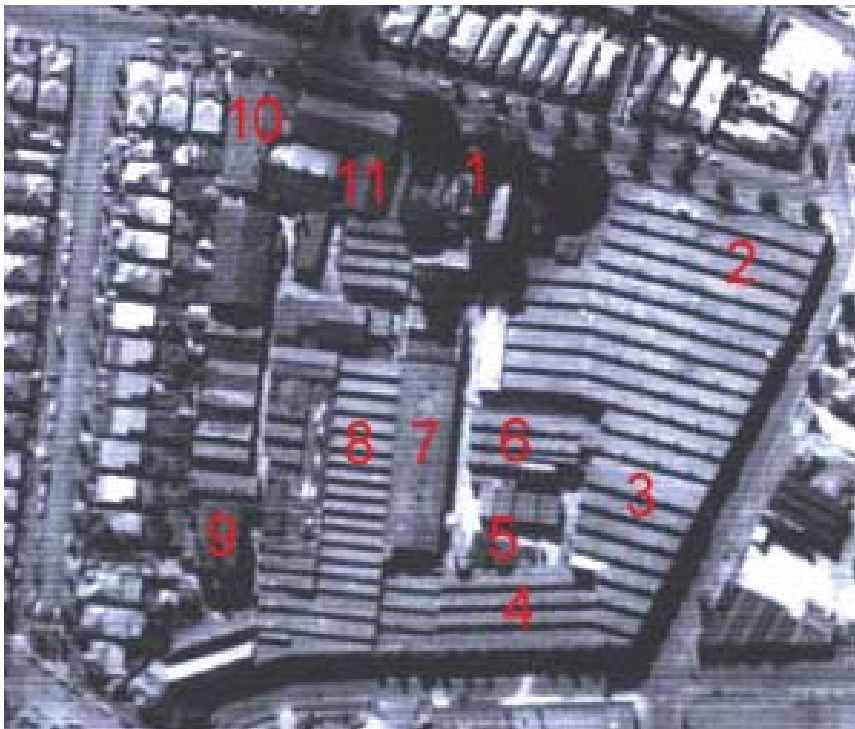


Figure 2.18

1978 aerial view of the site, showing the extent of building on the site at the time of the factory closure.

- 1 'Mill House'
- 2 Worsted room c 1915
- 3 Storage shed
- 4 Woollen combing plant
- 5 Water tower
- 6 "Willey" and "devil" shed
- 7 Two storey building originally for worsted spinning machinery, later became weaving yarn store
- 8 Vicars first factory building c1895
- 9 Boilers
- 10 Greasy wool store, built on the site on 'Cambury' in the 1930s
- 11 Wool scouring and carbonising building, built on the site of 'Rosebank'. Later used a spare parts workshop

Source: 2000 Aerial photograph with building locations and terminology as identified in Collingwood, *Vicars Woollen Mills*

2.8 The Vacant Factory Site

The vacant property was offered for sale and several options for its use were proposed. In September 1979 the Department of Technical and Further Education (TAFE) was given consent by Marrickville Council to develop the site as an educational facility. However, their bid to purchase the property was not successful.⁴⁹ Lend Lease Developments Pty Ltd also made an application to Marrickville Council. The proposal for a shopping centre, to be called Marrickville Square, was not approved. The proposed demolition of 'Mill House', as part of this development, attracted the attention of the National Trust who campaigned to save the building. It was given protection under Section 130 of the New South Wales Heritage Act 1977 in 1980, and classified by the National Trust in 1982.

In 1981 the Bond Corporation Pty Ltd commissioned a planning report⁵⁰ to accompany its application for development of the site. The report focus was on assessment of the impact a large shopping centre would have on the locality. This development proposed to retain and restore 'Mill House' for use as a childcare facility. By this time the factory site had been vacant for five years and the condition of the house had deteriorated.

2.9 The Shopping Centre Development

Council approval was given for a zoning change to allow the site to be used as a shopping centre. The Bond Corporation withdrew from the project and G J Coles and Co Limited purchased the property in June 1982. New World Properties submitted a development application for the site on behalf of Coles, and were given approval to demolish the factory buildings.

A condition of consent was that the 'Mill House' be retained and restored.⁵¹ A sum of \$75,000 was allocated for the restoration and this was held in trust by Marrickville Council, along with an extra \$25,000 for contingency and a \$225,000 bond. The project ran over budget and in February 1985 it was estimated that \$50,000, over and above the contingency amount, would be needed to complete the restoration. It was decided to complete the external restoration works and leave the internal work until a use for the building had been determined.⁵²

New World Properties consulted with Marrickville Council and the New South Wales Heritage Office to identify a suitable community use for the building, but no agreement was reached. There was considerable community support for a childcare centre on the site, but this did not eventuate. Issues with security, fireproofing and egress requirements for such a facility were reported to Council

49 Letter from Department of Technical and Further Education to Municipality of Marrickville, dated 9 November 1979, sourced from Marrickville Council Archives

50 Planning Workshop Pty Ltd, *Impact of Proposed Retail Development Marrickville Plaza*, prepared for Bond Corporation, 1981

51 Marrickville Council Archives, *Memo to Town Clerk-General Manager from Chief Town Planner*, 30 October 1984

52 Marrickville Council Archives, *Report to Marrickville Council dated 21 September 1985*



Figure 2.19
1981 view of the corner of Victoria Road and Murray Street

Source: Planning Workshop Pty Ltd, *Impact of Proposed Retail Development Marrickville Plaza*



Figure 2.20
1981 view of the Murray Street facade

Source: Planning Workshop Pty Ltd, *Impact of Proposed Retail Development Marrickville Plaza*



Figure 2.21
1981 view from Bourne Street

Source: Planning Workshop Pty Ltd, *Impact of Proposed Retail Development Marrickville Plaza*

in March of 1983. Approval seemed imminent when New World Properties advised Council it had decided the building would be used as offices for centre management.⁵³

When building work on the shopping centre began the house was used by the builders as a site office. The Heritage Council approved the work done to 'Mill House' and the Interim Heritage Order was revoked in June 1987.

The shopping complex has operated on the site since its completion. The property was purchased by AMP Marrickville Metro Ltd in 2004, and transferred to Metro Shopping Centre Pty Ltd in 2005.⁵⁴ 'Mill House' has continued to be used as the offices for the centre management, with the two front rooms let as a doctor's consulting rooms. In 2006 Metro Shopping Centre Pty Ltd undertook further conservation works to the building. This work was nominated for the 2007 Marrickville Medal for Conservation, and was Highly Commended at the awards ceremony.



Figure 2.22
Aerial photograph of the locality showing the location of 'Mill House' marked with an arrow.

Source: Bovis Lend Lease

⁵³ Marrickville Council Archives, *Letter to Marrickville Council from New World Properties*, dated 18 March 1985

⁵⁴ NSW Department of Lands Real Property Register Volume 8627 Folio 6

Site Description & Context

3.0

3.1 Site Description

Marrickville Metro Shopping Centre is located at 34 Victoria Road, Marrickville. The existing shopping centre fronts Victoria Road to the north, Murray Street to the east and Smidmore Street to the south and is adjoined by single storey residential dwellings to the west. The shopping centre is predominantly a single level retail building and comprises major tenants being Kmart, Woolworths and Aldi as well as a range of speciality stores. Car parking is located at roof top level with existing vehicle ramp access via Smidmore Street and Murray Street.

The land at 13-55 Edinburgh Road is located to the south of Smidmore Street and is bounded by Edinburgh Road and Murray Street. This site is currently used as a warehouse with associated ground level car parking.

3.2 Site Context

The shopping centre is located within an established residential and industrial precinct surrounded by small lot residential housing to the north and west, and predominantly industrial land comprising larger allotments and larger building scales to the south and east.

This Victoria Road frontage to the shopping centre has well established street tree plantings and a brick footpath. The footpath is constructed of dark bricks laid in a stepped pattern and is part of the heritage listed paving of Bourne Street, Juliette Street and Victoria Road which was laid as part of a depression relief scheme in the 1930s¹.

Views to the shopping centre, from Victoria Road, are largely screened by the remnant walls of the Vicars factory complex.

3.3 'Mill House'

'Mill House' is located within the existing shopping centre site, on the southern side of Victoria Road, between Murray and Bourne Streets.

Immediately to the west of the site is the K-Mart store, located behind the remnant walls of the Vicars factory. To the east is the entrance to the Marrickville Metro shopping centre, which surrounds the house. The northern side of this portion of Victoria Road is characterised by single storey free standing brick houses constructed in the Federation style.



Figure 3.1
Shows the Victoria Road entrance to the shopping centre, adjacent to 'Mill House'

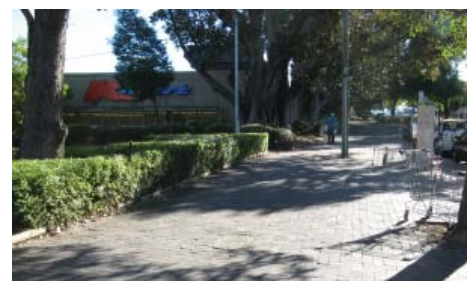


Figure 3.2
View of Victoria Road, looking west, showing the K-Mart tenancy of the shopping centre and the heritage listed brick pavement



Figure 3.3
Smidmore Street, looking east, with the entrance to the shopping centre car park on the left



Figure 3.4
Looking south top the corner of Murray and Smidmore Streets where the shopping centre extension is to be located

¹ NSW Heritage Office State Heritage Inventory Item Id 2030137, Marrickville LEP Schedule 5 Reference 2.101

'Mill House' is a free standing dwelling situated in a clearing between the remnant industrial walls of the Vicars factory complex. It is set back from the street and its front garden is dominated by a large fig tree at the front of the site. The house is a two storey timber residence constructed in the domestic Gothic revival style. A lean-to addition and verandah have been constructed across the rear of the house. The symmetrical front elevation features paired gables with decorative barge boards and shuttered attic windows. The main entrance has a four panelled timber door with glazed side light and high light windows opening into the central hallway. French doors either side of the main entrance provide direct access to the front rooms.

A timber verandah with a bellcast roof wraps around the north and east elevations. Three sets of french doors open onto the eastern verandah. Two dormer windows project from the roof in both the west and east elevations. These feature timber barge boards, finials and shutters. Ground floor windows are multi paned timber sash windows. .

The heritage curtilage of 'Mill House' is defined in the '*Mill House' 34 Victoria Road, Marrickville Conservation Management Plan*, as shown in Figure 3.9. It is bounded to the west by the remnant factory wall, to the south by the shopping centre wall, to the east by the entrance to the shopping centre, and to the north by the street boundary. This curtilage includes the fig tree located in front of the house, adjacent to the street frontage, which is the subject of a Marrickville Council tree preservation order.

3.4 Views to and from 'Mill House'

The siting of 'Mill House', near the its Victoria Road frontage, allows views of the building from the street as shown on the following page. The public open space at the shopping centre entrance enhances opportunities for this view to be appreciated. Due to its orientation the main view from the house is the leafy outlook of the street and the residential context to its north.



Figure 3.5
Residential development opposite the shopping centre, in Victoria Road



Figures 3.6 - 3.8
Remnant walls from the Vicars factory complex, in Victoria Road and Murray Street



Figures 3.7



Figures 3.8



View 1



View 2



View 3



View 4



View 5

Figure 3.9
Aerial photograph from the 'Mill House' CMP showing the identified heritage curtilage of the former residence and views to the building as indicated

Description of the Proposal

4.0

AMP Capital Investors (AMPCI) proposes to upgrade and expand Marrickville Metro Shopping Centre to accommodate additional retail floor space, improved facilities and services, as well as enhance convenience and accessibility for the community.

The proposal has three key elements:

- An extension of retail floor area at first floor level above the existing shopping centre building with further additional roof top parking above.
- Redevelopment of the existing industrial land south of Smidmore Street (13-55 Edinburgh Road) to create a two level retail addition to the shopping centre with car parking above.
- Continued operation of Smidmore Street as a vehicular road between Edinburgh Road and Murray Street.

The additional retail floor area will primarily accommodate a discount department store, supermarket, mini major and specialty retail space. The development will incorporate additional car parking as well as improved vehicle access and loading facilities.



Figure 4.1
Site plan of the proposed development

Source: Bovis Lend Lease



Figure 4.2
Level 1 plan of the proposed development

Source: Bovis Lend Lease

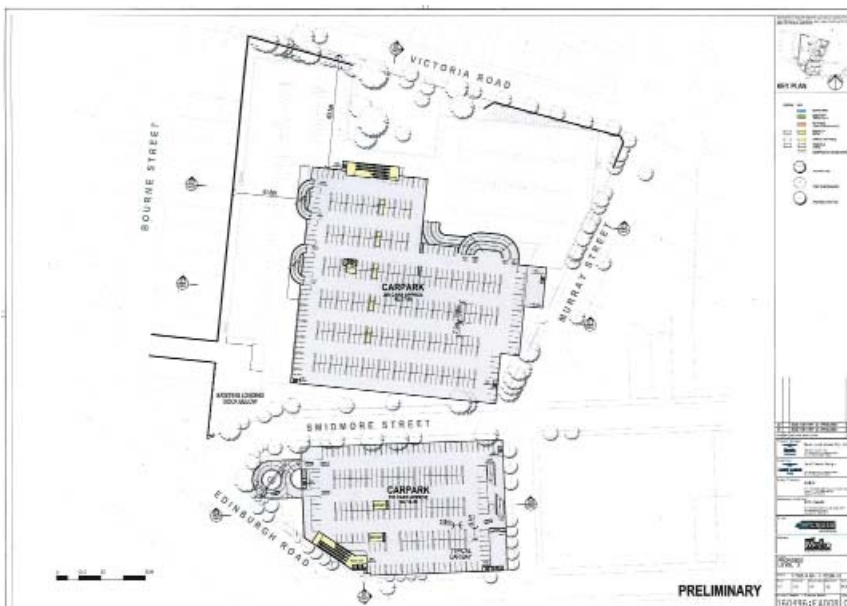


Figure 4.3
Level 2 plan of the proposed development

Source: Bovis Lend Lease

Assessment of Heritage Impact

5.0

5.1 Introduction

This Statement of Heritage Impact has been prepared in relation to the following impact assessment criteria, the *Marrickville Local Environmental Plan (MLEP) 2001*, *Preliminary Draft Marrickville Local Environmental Plan (MLEP) 2010*, *Marrickville Development Control Plan (DCP) No 28 Urban Design Guidelines for Business Centres* and the guidelines of the Heritage Branch of the New South Wales Department of Planning, *Altering Heritage Assets* and *Statements of Heritage Impact*.

This section of the Report provides a detailed analysis of the heritage legislation, controls and guidelines applying to this site.

5.2 Established Significance of the Subject Site

'Mill House' is listed in Schedule 5 of the *MLEP 2001* and the *Preliminary Draft MLEP 2010* as an item of local heritage significance shown on the heritage maps as item number 2.105.

The NSW State Heritage Inventory has the following Statement of Significance, for database entry 2030139, 'Mill House' at 34 Victoria Road, Marrickville. The NSW State Heritage Inventory is a register of heritage items maintained by the Heritage Branch of the NSW Department of Planning. Inclusion in this database has no additional statutory implications for heritage items.

This entry is for information only :

This is one of the oldest surviving houses in the district and its unusual construction and many intact features make it particularly important. The adjoining industrial facade of the former mill, the brick paving to the footpath and the surrounding trees make an important contribution to the character of the site.

The 'Mill House' 34 Victoria Road, *Marrickville Conservation Management Plan*, prepared by Graham Brooks and Associates in 2007 has the following, more detailed Statement of Significance:

'Mill House' is sited on one of the early farm land grants in the Marrickville area, made to James Waine in 1795. It is sited on Lot 5 of the subdivision of Waine's grant. Prior to its subdivision this land had been used to grow fruit and vegetables for the Sydney market.

The house has survived several phases of industrial development of the surrounding area. This has included brick making, tanning, boot making and cloth manufacturing. It was used continuously as a residence for the site owners and managers of these industries until the early 1980s. It is now part of a regional shopping centre.

'Mill House' is thought to have been constructed in the early 1840s when the property was owned by Francis O'Brien. It may have initially been a single storey dwelling with a smaller building footprint than the current. The substantial weatherboard house, with its two storey double gabled form, has resulted from alterations and additions made in the mid to late nineteenth century. It is one of the oldest weatherboard houses in the area.

Bricks were manufactured on the site in the 1840s and two of the large brick pits were later used as water storage holes. These remained until 1929 and 1935. The tannery, set up by Robert Koll in 1863, was taken over by Thomas Henry Alcock, who became an alderman and Mayor of Marrickville Council. His business partner, Joseph Davenport, had a boot factory on the site for nearly twenty years. This was purchased by John Vicars and Co in 1894. The Vicars family ran their woollen mills on the site for more than eighty years. The house was continuously used as a residence for the owners of the business located on the site.

'Mill House' was refurbished in the 1980s, as a condition of consent for the Marrickville shopping centre development, and again in 2006. It is currently used as commercial offices and professional consulting rooms.

5.3 Established Significance of the Heritage Items in the Vicinity of the Subject Site

The following heritage items of local significance, listed under the *MLEP 2001* and the *Preliminary Draft MLEP 2010* are in the vicinity of the proposed development:

- Brick paving in Victoria Road, Item 2.101
- St Pius Church and Presbytery, 290 Edgeware Road, Newtown, Item 2.85

Additionally, the subject site adjoins the Llewellyn Estate Heritage Conservation Area (HCA 14), defined as a conservation area of local heritage significance under the *Preliminary Draft MLEP 2010*.

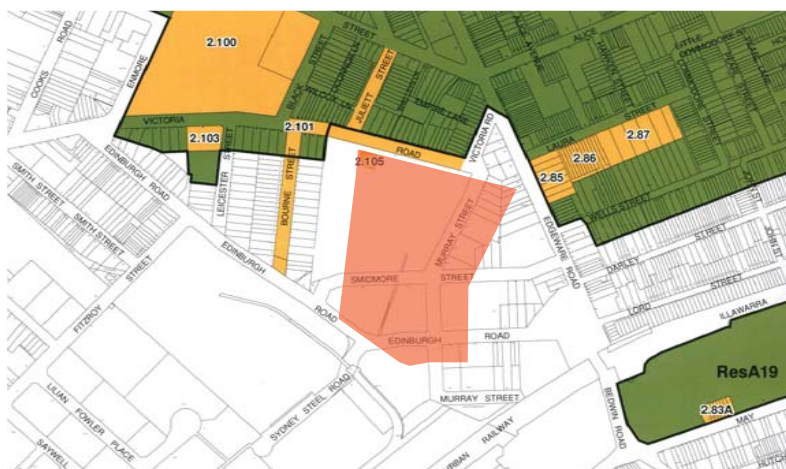


Figure 5.1
Extract from the Marrickville LEP 2001 Heritage map, showing heritage items coloured yellow and the Residential Areas defined in MLEP Amendment 111 coloured green. The subject site, shaded in red, contains 'Mill House' which is labelled as heritage item number 2.105. The heritage items in its vicinity are the Brick paving in Victoria Road, Bourne Street and Juliette Street, and item 2.101 and St Pius Church, Item 2.85

Source: Marrickville Council website, accessed 27 April 2010



Figure 5.2

Extract from the Preliminary Draft Marrickville LEP 2010 Heritage map, with the subject site shaded in red and 'Mill House' labelled as item number 2.105, Brick paving item 2.101 and St Pius Church, Item 2.85, and the Llewellyn Estate Heritage Conservation Area (HCA 14), adjoining to the north hatched in red

Source: Marrickville Council website, accessed 27 April 2010

Brick Paving

The NSW Heritage Inventory contains the following information for database entry number 2030137, Brick paving:

Statement of Significance:

Well preserved remnant of brick paving that was laid as part of a depression relief scheme of the 1930's. It forms an attractive streetscape and is complemented by the well maintained brick houses and well established tree planting in the area.

Description:

Each of these streets retains the dark, stepped pattern, brick paving laid in the 1930's.

The present condition of the paving is excellent, although some sections show subsidence, and short sections have been removed for cement driveways.

History:

This labour intensive form of sealing footpaths dates from the depression relief schemes of the 1930's. It provided a demand for bricks from the local brickworks as well as usefully occupying the unemployed. The Central Brick and Tile Co. of St. Peters supplied the bulk of brick pavers for the Municipality of Marrickville.

St Pius Church, and Presbytery

The NSW Heritage Inventory contains the following information for database entry number 2030124, St Pius Church, Church Hall and Presbytery:

Statement of Significance:

This group is part of a small precinct which illustrates the development of churches and of private and public schools in the district in the period around the turn of the century. The Church and presbytery are relatively intact and form a good example of a Church from this period.

Description:

This group includes the two storey Edwardian presbytery, the church and church hall, all of which were built of red brick. The presbytery has an enclosed balcony with the cast iron detailing to the verandah. The side bay has a cantilevered bay window to the first floor. Slate roof. The church and hall both have pointed arches to the facade, and each of the buildings has a cross to the gable. The church is of two tone brickwork with liver colour bricks used as a decorative element. The site is enclosed by a brick and wrought iron fence.

History:

This site was purchased for church purposes in 1905. The church was opened in 1906 and the school commenced in the following year. The present presbytery was built in 1911, the church in 1913 and the school (opposite) in 1915.

Llewellyn Estate Heritage Conservation Area

The following Statement of Significance for the Llewellyn Estate Heritage Conservation Area has been sourced from Marrickville Council.

The Llewellyn Estate Heritage Conservation Area is of historical significance as an area developed around the 1850s "Waterloo Villa" (later known as Frankfort Villa, Frankfort House, Bethesda and Stead House) as the 1894 "Llewellyn Estate" subdivision. The area is of high historical significance as it retains the original (albeit altered) 1850s villa, which is heritage listed as an individual heritage item.

The Area is of historical significance for demonstrating the pattern of development in the Council area from early land grants to suburban cultural landscape. The layers of occupation are demonstrated clearly through the street and subdivision pattern, the form of development and the more recent layers of occupation by migrants 1950-c2000; and gentrification (c1980-present). The area demonstrates the transition in built forms accompanying the decline of the densely developed terrace house model of urban development to the beginning of the low-density suburban patterns and social principles of 20th Century suburbia.

The pattern of subdivision has responded to the patterns of smaller Colonial land grants made south of Enmore Road. The Area provides evidence of the maturing suburban form of development in the Council area. The pattern of development in the area provides evidence of the historical process of small-scale speculative development and the rise of housing choice for the middle classes.

The Llewellyn Estate Heritage Conservation Area is of aesthetic significance for its substantially intact collections (built forms) of early 20th Century single-storey domestic design covering a range of typologies. It is significant for the Area's response to the triangular street layout, resulting in an interesting adaptation of built forms to accommodate irregular lots near intersections. It allows a range of views over houses that are not normally available from the public domain. It is also significant for the many substantially intact individual examples of Federation period bungalow, including original timber joinery, window hoods and detailing to gables and verandas. The Area represents the principal characteristics of the development of the Marrickville Council area from a rural Estate to residential area.

The area provides valuable evidence of the range of building types and forms available to the middle class from the late 19th and early 20th Century, including the detached cottage, semi-detached pair and terrace house.

5.4 Evaluation Against Marrickville LEP 2001 Heritage Provisions

Compliance with the relevant heritage provisions outlined in Part 6 of the MLEP 2001, that apply to heritage items are assessed below.

47 Objectives

The objectives of this plan in relation to heritage are to:

- (a) conserve the environmental heritage of the Marrickville local government area which includes natural, historic and Aboriginal components of environmental heritage, and*
- (b) retain the cultural significance of that area, and*
- (c) conserve existing significant fabric, settings, uses, views and relics associated with the heritage significance of heritage items and heritage conservation areas which provide evidence of significant aspects of the history of Marrickville, especially the residential, retail and industrial heritage, and*
- (d) ensure that archaeological sites and places of Aboriginal significance are conserved, and*
- (e) maintain the heritage significance of areas of remnant vegetation, significant trees, parks and the features of the Cooks River, and*
- (f) recognise and strengthen the contribution of the environmental and cultural heritage to the character and amenity of many localities in Marrickville, and*
- (g) ensure that the heritage conservation areas throughout Marrickville local government area retain their heritage significance, and*
- (h) ensure that any development does not adversely affect the heritage significance of heritage items and heritage conservation areas and their settings.*

Comment

The proposed development is consistent with these objectives.

48 Protection of heritage items, heritage conservation areas and relics

(1) The following development may be carried out only with development consent:

- (a) demolishing or moving a heritage item or a building, work, relic, tree or place within a heritage conservation area,*
- (b) altering a heritage item or a building, work, relic or place within a heritage conservation area by making structural or non-structural changes to its exterior, including changes to its detail, fabric, finish or appearance,*
- (c) altering a heritage item by making structural changes to its interior,*
- (d) moving a relic, or excavating land for the purpose of discovering, exposing or moving a relic,*
- (e) demolishing, dismantling, moving or altering a heritage item or relic,*
- (f) erecting a building on, or subdividing, land upon which a heritage item is located or which is within a heritage conservation area.*

(2) When determining a development application required by this clause, the consent authority must take into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area. This is to include but not to be limited to an assessment of the following:

(a) for heritage items:

- (i) the heritage significance of the item as part of the environmental heritage of the Marrickville local government area,*
- (ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features,*
- (iii) the measures proposed to conserve the heritage significance of the item and its setting,*
- (iv) whether any archaeological site or potential archaeological site would be adversely affected,*
- (v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision,*

(3) When determining whether or not to grant development consent required by this clause, the consent authority:

(a) must not grant such consent until it has considered:

- (i) a heritage impact statement for heritage items, or*
- (ii) a heritage assessment for conservation areas, which includes an assessment of matters specified in subclause (2) (a) or (b) (as appropriate), and*

(b) may refuse to grant consent until it has considered a conservation management plan.

Comment

The proposed development includes changes to the landscape setting of 'Mill House', and to the heritage listed paving in Victoria Road which are both heritage items of local significance. As no changes are proposed to 'Mill House' itself as part of the proposed development the focus of this Report is that of analysis of the impact of the development in its immediate vicinity.

A Conservation Management Plan (CMP) for 'Mill House' was prepared by Graham Brooks and Associates in 2007. The proposed development is consistent with the policies of this CMP.

52 Development in the vicinity of a heritage item

(1) Consent must not be granted for development affecting land in the vicinity of a heritage item until the consent authority has considered an assessment of the impact that the development would have on the heritage significance and setting of the item, as well as the impact of the development on any significant views to or from the heritage item.

(2) This clause extends to development that may, in the opinion of the consent authority:

(a) have an impact on the setting of the heritage item (such as affecting a significant view to or from the item or by overshadowing), or

(b) undermine or otherwise cause physical damage to a heritage item, or

(c) otherwise have any adverse impact on the heritage significance of a heritage conservation area or a heritage item within such an area.

(3) The consent authority may refuse to grant any such consent unless it has considered a heritage assessment that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.

(4) The heritage assessment should include details of the size, shape and scale of, setbacks for, and materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.

Comment

This Statement of Heritage Impact assesses the impact of the proposed changes on the heritage items in the vicinity of the subject site, to assist the consent authority in making its assessment.

5.5 Evaluation Against Preliminary Draft Marrickville LEP 2010 Heritage Provisions

Compliance with the relevant heritage provisions outlined in Part 6 of the *Preliminary Draft MLEP 2010*, that apply to heritage items are assessed below.

5.10 Heritage conservation

(1) Objectives

The objectives of this clause are:

(a) to conserve the environmental heritage of the Marrickville local government area, and

(b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and

(c) to conserve archaeological sites, and

(d) to conserve places of Aboriginal heritage significance.

(2) Requirement for consent

Development consent is required for any of the following:

(a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,
(b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior,
(c) altering a heritage item that is a building by making structural changes to its interior,
(d) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
(e) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,
(f) erecting a building on land on which a heritage item is located or that is within a heritage conservation area,
(g) subdividing land on which a heritage item is located or that is within a heritage conservation area.

(4) Effect on heritage significance

The consent authority must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage impact statement is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage impact assessment

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

*(a) on which a heritage item is situated, or
(b) within a heritage conservation area, or
(c) within the vicinity of land referred to in paragraph (a) or (b), require a heritage impact statement 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.*

(6) Heritage conservation management plans

The consent authority may require, after considering the significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

Comment

The proposed development is consistent with the objectives of the *Preliminary Draft LEP 2010*. As noted for the provisions of the *MLEP 2001*, this Statement of Heritage Impact assesses the impact of the proposed changes on 'Mill House', and the heritage items in the vicinity of the proposed development, to assist the consent authority in making its assessment.

It is considered that the proposed rain garden, adjacent to the Victoria Road footpath, will have no adverse effect on the heritage significance of the Draft Llewellyn Estate Heritage Conservation Area.

5.6 Evaluation Against 'Mill House' CMP Policies

The following table contains an evaluation of the proposed development against the relevant policies of the 'Mill House' 34 Victoria Road, Marrickville Conservation Management Plan.

Policy	Applicable Guidelines	Comment
<p>6.3 Use of the Site <i>The future use of the building is open to several options. Potential new uses should work with the existing nature and fabric of the building without requiring extensive alterations.</i></p>	<p><i>The following is an indicative, but not exhaustive, list of uses considered to be appropriate for this building:</i></p> <ul style="list-style-type: none"> • public or private uses as commercial offices • professional consulting rooms • specialist retail facility • community facilities • educational facilities • residential use as a single dwelling • restaurant or cafe • or combinations of any of these. 	<p>The proposed continuing and future use of the building is consistent with this policy and its guidelines.</p>
<p>6.4 Retention of Significance of the Site <i>'Mill House' is to be retained should any modifications for continued or changed use of the site or the surrounding retail centre take place. Demolition of the building is not an acceptable option.</i></p>		<p>'Mill House' is to be retained.</p>
<p>6.5 Conservation of Setting <i>The visual setting around 'Mill House' should be retained in any future use of the building or the shopping centre site</i></p>	<p><i>Future landscaping of the site should not obscure views to or from the house.</i></p> <p><i>Future changes to the shopping centre should not visually dominate 'Mill House' and its setting.</i></p> <p><i>As there is no documentary evidence of the original fencing the preferred option is that the site remain largely unfenced.</i></p> <p><i>If future uses of the site require it to be fenced the fencing should be of an open nature to allow views of the building to be seen through the fence.</i></p>	<p>The vertical additions to the existing shopping centre have been set back from the north to retain the setting of 'Mill House'.</p> <p>Setting the paving around 'Mill House' at a lower level than that of its verandah will provide a podium for the building. This will reinforce the building's visual presence in the context of the shopping centre development.</p> <p>The proposed development is consistent with this policy and its guidelines.</p>
<p>6.14 Landscaping and Vegetation Control <i>There should be no new plantings in close proximity to the house.</i></p>	<p><i>The planting of garden beds against the walls of the house should be avoided</i></p>	<p>The proposed landscaping plan shows plantings are to be kept away from the house, as required by this policy.</p>

5.7 Evaluation Against Marrickville DCP 28

Part 6b - Marrickville Metro, Parramatta Road & Dulwich Hill of the *Marrickville Development Control Plan (DCP) No 28 Urban Design Guidelines for Business Centres* contains the following guidelines for Marrickville Metro.

Townscape & building guidelines

Council's major concern in any alteration to the Marrickville Metro Centre is that all items of Environmental heritage on the site are retained and the external appearance of the building is sensitive to the heritage context and the scale and nature of adjacent land uses. Oversized signs and cluttered or excessive external advertising shall be avoided. External advertising is to be limited to anchor tenants only.

Desired future character objectives

Encourage

- *Restoration of Vickers [Vicars] Wall where altered and missing architectural elements;*
- *Screening of loading dock areas;*
- *Signs appropriate to their function & location; and*
- *Appropriate colour schemes*

Discourage

- *Insensitive alterations and additions;*
- *Cluttered and oversized signs;*
- *Inappropriate bright paint colours;*
- *Puncturing new openings into the Vickers [Vicars] Wall that surrounds centre; and*
- *Removal of existing fig trees and site landscaping*

Comment

The remnant Vicars Walls are to be retained in the proposed development.

5.8 Evaluation Against the Guidelines of the Heritage Branch of the NSW Department of Planning

The NSW Heritage Council has published the following series of criteria for the assessment of heritage impact of new development in the vicinity of a heritage item. These are answered below in relation to the impact of the proposed development on 'Mill House', the Brick paving in Victoria Road, St Pius Church and Presbytery, and the Llewellyn Estate Heritage Conservation Area.

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

- The additions to the existing shopping centre have been setback from the north to respect the setting of 'Mill House'.
- The proposed new landscape setting for the house reinforces its visual presence in the context of the shopping centre development.

New Landscape Works and Features

The relevant 'questions to be answered' in the *NSW Heritage Manual* 'Statements of Heritage Impact' guidelines relating to new landscape works and features to a heritage item are:

- *How is the impact of the new development on the heritage significance of the existing landscape been minimised?*
- *Has evidence (archival and physical) of previous landscape work been investigated? Are previous works being reinstated?*
- *Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so, have their recommendations been implemented?*
- *Are any known or potential archaeological deposits affected by the landscape works? If so, what alternatives have been considered?*
- *How does the work impact on views to, and from, adjacent heritage items?*

Comment

The landscape space around 'Mill House' was reduced as the area became industrialised and the factory expanded around it. With the exception of the fig tree adjacent to Victoria Road which is the subject of a Marrickville Council tree preservation order, the current landscape setting of 'Mill House' is not considered to be of heritage significance.

As no archival evidence of previous landscaping was found when the *CMP* was prepared, and the curtilage of the house has been greatly reduced, it is not considered appropriate to seek the advice of a specialist heritage landscape consultant.

Opportunities for the public to view, and appreciate, the significance of 'Mill House' will be enhanced with its new landscape setting.

New Development Adjacent to a Heritage Item

The relevant 'questions to be answered' in the *NSW Heritage Manual* 'Statements of Heritage Impact' guidelines relating to development adjacent to a heritage item are:

- *How is the impact of the new development on the heritage significance of the item or area to be minimised?*
- *Why is the new development required to be adjacent to a heritage item?*
- *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*
- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*
- *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*
- *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?*

Comment

The northern edge of the proposed new development is adjacent to 'Mill House' and across the street from the Draft Llewellyn Estate Heritage Conservation Area. The new additions to the shopping centre are set back from the northern edge of the existing buildings and will have no adverse impact on the established heritage significance of these items.

The curtilage of the residential buildings of the Llewellyn Estate is limited to that of the conservation area boundaries. The curtilage for 'Mill House' is defined in the *CMP* and is shown in Figure 3.9.

Although St Pius Church and Presbytery, at 290 Edgeware Road, Newtown, appears proximate to the subject site on the Council's heritage map it is in reality separated by intervening streets and houses, as shown in Figure 5.3, taken from the corner of Victoria Street and Murray Streets. As such it is considered there will be no adverse impact on views to and from the St Pius Church buildings as a result of the proposed development.

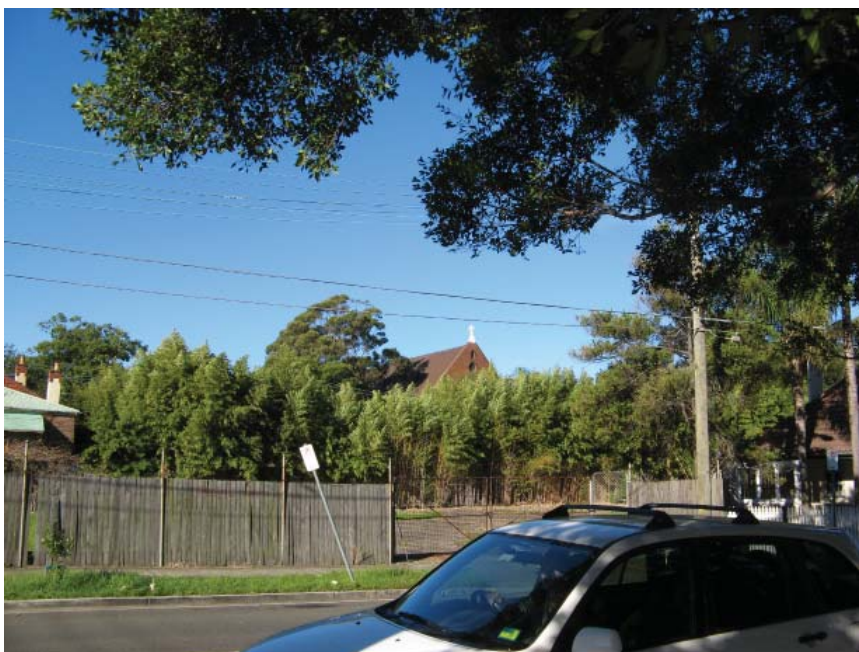


Figure 5.3

View of St Pius Church from the corner of Victoria Road and Murray Street showing there is no visual link of significance between it and the subject site

5.9 Archaeological Potential

The *NSW Heritage Act 1977 (Amended) (the Act)* is an Act to conserve the environmental heritage of New South Wales. Under the *Heritage Act 1977* the disturbance or excavation of land containing or likely to contain relics can only take place when an Excavation Permit has been granted by the Heritage Council. The *NSW Heritage Amendment Act 2009* defines a "relic" as meaning any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
(b) is of State or local heritage significance.

All “relics” are protected under the *NSW Heritage Act*, regardless of whether or not the place is listed as a heritage item of a local, State or national level. For places that are not listed on the State Heritage Register, the disturbance of relics requires an Excavation Permit.

5.10 Response to the Issues Raised by Marrickville Council

The table below responds to the issues raised by Marrickville Council following the public exhibition of the Concept Plan application for this project.

Council Comment	Response
The proposal makes minor improvements to the Mill House plaza area through better utilization of the available space and terracing which is better engaged with both the street and the interior of the Metro site.	Noted – no response required
The 3d modelling of the Mill House shows a verandah roof added to the western side – this is not acceptable, there should be no changes to the exterior of the Mill House because it is a Heritage Item (No. 2.105, MLEP 2001) and is listed on the Register of the National Trust.	No changes to the exterior of the Mill House are proposed as part of this application. References in the 3D Modelling are a drafting error only. Confirmation in the Statement of Commitments
A structurally separate terrace for chairs and tables between the Kmart wing and the Mill House is acceptable. It is a pity that the façade at the western end of the site, north of the Kmart space, is not put to better use as an activated street front.	The conscious decision has been taken not to activate the Victoria Road frontage owing to the residential properties directly opposite. No change is proposed.
The addition of 3 storeys of car parking/retail is a substantial increase in building size which will dwarf the Heritage Item (Mill House), and have a high impact on the residential scale and heritage significance of Victoria Road, and the end of Murray Street. The bulk should be pulled back from the north boundary by a further 30m to reduce impact. The spiral ramps at the corner of Murray Street and Victoria Road are excessively dominant, overwhelming the remnant walls of the Vicars warehouse and severely degrading the outlook from the Mill House and the proposed conservation area along Victoria Road.	The amended plans have significantly reduced the building footprint particularly on the corner of Victoria Road and Murray Street. The spiral ramp on the corner has been removed entirely and the building footprint ‘pulled back’ approximately 45 metres from that previously proposed. This will significantly or totally remove the visual impact of the new development from the corner of Victoria Road and Murray Street. The new building will still be visible to the south of the Mill House, but the car park deck has been further setback removing the cantilever which addresses the concern about the Mill House being overwhelmed.

Conclusions and Recommendations

6.0

6.1 Conclusions

- The 'Mill House' component of the subject is listed as an item of local heritage significance in Schedule 5 of the *Marrickville LEP 2001* and of the *Preliminary Draft Marrickville LEP 2010*.
- The industrial site at 13-55 Edinburgh Road is not identified as a heritage item on any statutory list.
- The brick paving in Victoria Road and St Pius Church and Presbytery, 290 Edgeware Road, Newtown are heritage items of local significance in the vicinity of the proposed development, listed under the *Marrickville LEP 2001* and the *Preliminary Draft Marrickville LEP 2010*.
- Additionally, the subject site adjoins the Llewellyn Estate Heritage Conservation Area (HCA 14), which is defined as a conservation area of local heritage significance under the *Preliminary Draft MLEP 2010*.
- The Archaeological Management provisions of the *NSW Heritage Act* are applicable to any works carried out on the site. If, at any time, unexpected archaeological remains are uncovered or disturbed, work must stop immediately and the NSW Heritage Council must be notified.
- There will be no adverse impact on the established heritage significance of 'Mill House', St Pius Church and Presbytery, the Victoria Road brick paving and the Draft Llewellyn Estate Conservation Area, resulting from the proposal.

6.2 Recommendations

- Graham Brooks and Associates has no hesitation, from a heritage perspective, in recommending the proposed Preferred Project Report for approval.
- An archival photographic recording of 'Mill House, in its context, documenting the Victoria Road streetscape, the remnant Vicars walls and the brick paving, should be made prior to commencement of any works.
- The design details for this project should be prepared with the input and endorsement of a suitably qualified Heritage Consultant.

Bibliography

7.0

BOOKS and PUBLICATIONS

Apperly R, Irving R, Reynolds P, *A Pictorial Guide to Identifying Australian Architecture Styles and Terms from 1788 to the Present*, NSW, Angus & Robertson, 2002

Graham Brooks and Associates, *'Mill House' 34 Victoria Road, Marrickville Conservation Management Plan*, July 2007

ICOMOS Australia, *The Burra Charter: The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter)*, Canberra, Australia ICOMOS, 1999

Mayne-Wilson W, *Heritage Curtilages*, NSW Heritage Office and the Department of Urban Affairs and Planning, NSW, 1996

Marrickville Council, *Marrickville Development Control Plan (DCP) No 28 Urban Design Guidelines for Business Centres*, Marrickville Council, August 2003

Marrickville Council, *Marrickville Local Environmental Plan 2001*, Marrickville Council, 2001

Marrickville Council, *Preliminary Draft Marrickville Local Environmental Plan 2010*, Marrickville Council, 2009

NSW Heritage Office and Department of Infrastructure Planning and Natural Resources, *NSW Heritage Manual*, Sydney 2001

NSW Heritage Office, *Interpreting Heritage Places and Items Guidelines*, NSW Heritage Office, 2005

Urbis, *Marrickville Metro Shopping Centre Concept Plan Application MP 09_0191 Environmental Assessment Report Final 160710*

WEBSITES

www.austlii.edu.au, Australasian Legal Information Institute

www.heritage.nsw.gov.au, State Heritage Inventory

www.marrickville.nsw.gov.au, Marrickville Council