

Mary O’Kane  
Chair  
Office of the Independent Planning Commission NSW  
Level 3, 201 Elizabeth Street  
SYDNEY NSW 2000

Dear Ms O’Kane

**RE: MLC Building, North Sydney (former) - Request for advice on proposed listing on State Heritage Register**

I write to raise issues and lodge my objection to the proposed listing of the former MLC Building located at 105 Miller Street North Sydney on the State Register.

In my capacity as an advisor to the property sector in relation to retail and ground plane issues, including the subject site, I acknowledge that the building does have some architectural merit, however the benefits of a heritage listing are significantly outweighed by the public benefits of the proposed development of the site due to the proposed buildings contribution to quality and quantity of public space

My arguments for this position are outlined below.

**The Existing Building**

- Like many buildings post World War 2, including those designed by global leading architects, the existing building has failed to meaningfully consider the ground plane and how it contributes to the surrounding public space and human experience. This results in failed places as they fail to attract people and deliver vibrancy over an extended day.
- The existing building reflects the poor urban design legacy of North Sydney that has led to the sub optimal location of many buildings and roads with regard to the micro climate and human experience.
- The existing building was developed in the 1950s when lifestyles of the North Sydney community were very different. The CBD of North Sydney was planned as a place for people to come and work between nine and five on weekdays. The subject building does not respond to, nor enhance the lifestyle needs and urban experience of the North Sydney community
- There appears to be a lack of a financially sustainable pathway to restore and celebrate the building’s past. The inability to bring the building up to “code” in a financially sustainable project puts at risk the creation of a “ghost building” with associated anti-social behaviour increasing policing, public health and vandalism costs.

### **The Public Space Benefit**

- The proposed open space at the basement of the redeveloped building provides the only genuine opportunity to deliver a meaningful urban space in North Sydney CBD. The proposed public space at the ground plane that considers the micro climate, and can accommodate a range of uses, events and experiences over an extended day and week. This will improve the wellbeing of workers and the residential community of North Sydney.
- North Sydney currently provides for 0.75m<sup>2</sup> of public space per worker versus 2.0m<sup>2</sup> for Barrangaroo. This is significantly under benchmarks for successful and vibrant knowledge worker precincts. To maintain the existing rate of 0.75m<sup>2</sup> per person, an additional 16,000m<sup>2</sup> of new public space is needed based on worker population forecasts.
- Of even greater importance is the quality of the public space. Currently North Sydney lacks meaningful quality public spaces (inclusive of streets) that enhance the amenity and human experience of North Sydney. The existing public spaces of Berry Square, 60 Miller Street, Brett Whitley Place, Elizabeth Plaza and the 105 Miller St are poor public spaces due to location, poor design and micro-climates
- The proposed building significantly enhances the interface with the often overlooked public spaces of footpaths, roads and lanes. This improved interface will lead to increased vibrancy and passive surveillance relative to the existing.
- The proposed public space at the ground plane of the building is to be privately owned with public access. Privately owned public spaces are maintained to a much higher standard than typically undertaken by local councils. When well-managed, these public spaces tend to be far more successful as demonstrated by Paley Park in New York City and Granary Square London

### **A Catalyst for Change**

- The project has the opportunity to address the poor urban design legacy of North Sydney. Due to the location on Miller Street a significantly improved building and ground plane can be the catalyst to truly revitalise North Sydney both during and outside of work hours.

### **True Economic Cost Benefit Analysis**

- For a greater community benefit assessment for various scenarios, the analysis should consider the costs and benefits associated from policing, public health, graffiti and other non-direct social costs and benefits.

### **Conclusion**

As highlighted in the arguments above the existing building reflects a time when consideration of the human experience at the ground plane was a secondary consideration. The design and construction of many buildings from the 60s, 70s and 80s have been

recognised as being to the detriment of many urban precincts due to the poor ground plane that contributed to much anti social behaviour.

Given the lack of a financial sustainable pathway to rectify the inherent issues a heritage listing has the potential to further detract from the wellbeing of the North Sydney community and inhibit the future of North Sydney's important role as a key urban precinct within Sydney.

It is for this reason I strongly urge IPC to **NOT** grant the former MLC building located at 105 Miller Street Heritage Listing.

Yours faithfully

A handwritten signature in black ink that reads "S Shepherd". The signature is written in a cursive, slightly slanted style.

Samuel Shepherd

12 St Giles Avenue, Greenwich, NSW 2065