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O/N H-1450998

**INDEPENDENT PLANNING COMMISSION**

**MEETING WITH COUNCIL**

**RE: MLC BUILDING, NORTH SYDNEY (FORMER) – HERITAGE ACT ADVICE**

**PANEL:**                      **ADRIAN PILTON  
DR PETER WILLIAMS**

**ASSISTING PANEL:**      **STEPHEN BARRY  
ANDREW SNEDDON**

**COUNCIL:**                    **JILLY GIBSON  
ZOE BAKER  
JOSEPH HILL  
STEPHEN BEATTIE  
LARA HUCKSTEPP**

**LOCATION:**                  **VIA VIDEO CONFERENCE**

**DATE:**                        **3.41 PM, WEDNESDAY, 21 APRIL 2021**

MR A. PILTON: Okay. My apologies for this technical stuff. I'm far away, and my video wasn't working from the start. Good afternoon and welcome. Before we begin, I would like to acknowledge the traditional owners of the land from which we virtually meet today, and pay my respects to the elders past, present and emerging.

5 Welcome to the meeting today to discuss the MLC Building North Sydney (former) – request for advice on proposed listing on the State Heritage Register currently before the commission. This matter has been referred to the Independent Planning Commission for review. Hello? .....

10 MR S. BARRY: Yes. We can hear you.

MR PILTON: Been referred to the Independent Planning Commission for review under section 34(1)(b) of the Heritage Act 1977. My name is Adrian Pilton, and I am the Chair of this commission panel. I am joined by my fellow commissioner,  
15 Dr Peter Williams. We are also joined by Steve Barry, planning director from the Office of the Independent Planning Commission, and Andrew Sneddon, heritage advisor assisting the IPC. In the interests of openness and transparency, and to ensure the full capture of information, today's meeting is being recorded, and a complete transcript will be produced and made available on the Commission's  
20 website. This meeting is one part of the commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its advice.

It is important for the Commissioners to ask questions of attendees and to clarify  
25 issues whenever it is considered appropriate. If you are asked a question, and you're not in a position to answer, please feel free to take up the question on notice, and to provide any additional information in writing which we will then put up on our website. I request that all members here today introduce themselves before speaking for the first time, and for all members to ensure they do not speak over the top of  
30 each other to ensure accuracy of the transcript. We will now begin. Perhaps I could ask the Council team to start by introducing yourselves.

MR J. HILL: Yes. Hello, good afternoon, everyone. My name is Joseph Hill. I'm the Director of City Strategy.

35

MR S. BEATTIE: Hello. I'm Stephen Beattie. I'm the Manager of Development Services.

MS L. HUCKSTEPP: Lara Huckstepp, Executive Planner.

40

MS J. GIBSON: I'm Jilly Gibson, Mayor of North Sydney.

MR PILTON: Is that the entire team there? I'm sorry, I can't see you there because I'm on the phone.

45

MR HILL: That's correct. We've got an apology from General Manager, Ken Gouldthorp, and I'm unaware of Councillor Baker and her attendance.

5 MR PILTON: Okay. Thank you. Would Council like to begin by making an introductory statement, or would you just like to proceed to the agenda?

MR BEATTIE: I think I would like to state that from the Council's perspective, there has been no formal resolution whether to support a State listing or not, so a lot of what we're going to be discussing today is predicated on that fact, and – and  
10 certainly, I'm not aware of any Council-resolved position as to whether to support a State listing or not on this property.

MR PILTON: Okay. Thank you. Shall we start on the agenda?

15 MR BEATTIE: We certainly can. Do you want to work us through that?

MR PILTON: Okay. I'm just working on the agenda that I hope you have received. The first one is, is the statement of significance that has been endorsed by the Heritage Council fair and appropriate? Sorry, carry on. Hello.

20 MR BEATTIE: I think they've frozen. Jilly has frozen. Jilly? She has muted herself.

MS GIBSON: I – I – I couldn't hear any of that. It keeps dropping in and out.  
25

MR PILTON: Well, the first point I was just going to raise was we're just working slowly through the agenda. The first item on the agenda for discussion is, is the statement of significance that has been endorsed by the Heritage Council fair and appropriate? Does the Council have a view on that?  
30

MR BEATTIE: In – in my considered opinion, we're probably not really in a position to critique the Heritage Council's report, and in any case, we haven't really turned our mind to that. We haven't had the opportunity to, so that's something we will take on notice and provide a comment if we think appropriate.  
35

MR PILTON: That would be great. Thank you very much. I should acknowledge at this point that we received some documentation from the Council this afternoon which I haven't had time to read yet, which includes some information on past heritage studies. The second point was – where are we? Perhaps I should move  
40 down to the third one, which says:

*Assuming State significance, especially for aesthetic significance, is the focus on the Miller Street frontage appropriate - - -*

45 MR BEATTIE: The building - - -

MR PILTON:

- - - as opposed to Denison Street.

MR BEATTIE: Yes.

5 MR PILTON: Sorry.

MR BEATTIE: The building is currently listed as a locally listed item, and that listing covers the whole of the site and the whole of the building. From – from my professional point of view, the Miller Street frontage is probably more important in terms of its visibility, and it’s highly visible from the Fiveways and, of course, it does have the green strip which the Council has protected as a special area, and so certainly those aspects of the building are arguably more important than simply the Denison Street frontage, which tends to be the service area of the building.

15 MR PILTON: Okay. Thank you. Going on from that, would the necessary ongoing repairs and maintenance of the building compromise its integrity and authenticity to such an extent that it would lose its heritage significance? Again, do we have a Council view on that?

20 MR BEATTIE: This really is a very highly subjective issue, but I do – do take the panel to the many buildings around the world which are heritage listed and, indeed, world heritage listed, have significant maintenance in their – their lifetime, and still retain their association as a heritage item, and certainly in terms of the MLC Building, to restore the building to address the building maintenance issues that have been raised, they could quite probably be done without reducing the heritage significance of the building, albeit at some expense. Council has one building, being the Don Bank Museum, which has been rebuilt. It’s a – a – a timber building that has been extensively rebuilt, and it still retains its heritage significance because of its association with Henry Lawson, and there are a number of other examples of buildings around the nation that simply have a lot of maintenance put – put into them, but somehow don’t lose their heritage significance or value.

MS GIBSON: Could have I some input there? Can everyone hear me?

35 MR PILTON: Yes, please. Carry on.

MR HILL: Yes, Jilly.

MS GIBSON: Yes. Can I – can I have some input there?

40

MR PILTON: Yes.

MS GIBSON: With all due respect, I have a totally different perspective. As you walk around – I walk past this building most days of the week because I work – walk to work, and you can see – you can visibly see the building falling to pieces. The exterior tiles are falling off at – at a rapid rate. If the building were to be in any way converted or used as as an office building, it would have to have the entire insides pulled out of it.

I would argue that there would be nothing – very little left of the original heritage value of the building. Once the bricks and mortar and the interiors have gone, I think the heritage – the heritage value of the building is – is severely compromised, or – or virtually non-existent.

5

Can I just make a quick statement to the panel. I mean, I'm very much delighted to be here today, and I've joined in because this is so important, but I would just like to state I've had an operation on my hand late this morning, and I've been under an anaesthetic, and I'm on very heavy painkillers, but I did not want to miss this meeting and give my point of view, because I have – I have a strong view that the building should not be heritage listed, and that I – I've got – I've made various notes here that I would like to read out at an appropriate time. But you will have to bear with me, because I'm not – I'm not operating at full speed.

10

15 MR PILTON: Understood. Perhaps we could have that statement after we work our way through the agenda.

MS GIBSON: Can – can you hear me?

20 MR PILTON: I can hear you, yes. Can you hear me?

MS GIBSON: Can you hear me?

MR PILTON: Yes. I can hear you.

25

MS GIBSON: Can you hear me? Can you hear me?

MR PILTON: Yes. I can hear you.

30 MR HILL: Yes.

MS GIBSON: Did you hear me? Did you hear that?

MR PILTON: Yes. I did, yes.

35

MS GIBSON: Okay. This – this connection is terrible.

MR PILTON: ..... you can hear – yes, I know. I'm actually speaking to you from North Queensland, so it's – it's a bit primitive up here technology wise. I was suggesting that perhaps you could make your statement towards – after we work our way through the agenda - - -

40

MS GIBSON: Sure.

45 MR PILTON: - - - and then we can transcribe it. Okay. That will be good, and we understand perfectly the health issues you're talking about. I will just – I will move on. The next point on the agenda that we have is about the economic analysis – will

a listing result in undue financial hardship, and I might skip down to one of the last points that we've listed where we talk about the owner's view that their – in their experience, B-grade buildings in North Sydney are undesirable tenancies and, therefore, a refurbished MLC Building would be difficult to tenant, and they think  
5 that that would lead to undue financial hardship. Does the Council have a view on that?

MR BEATTIE: I guess, looking at the economic analysis, the building has been listed as a heritage item since the early nineties, and certainly was listed as a heritage  
10 item in our 2001 LEP, and one possibly of State significance. That had no formal bearing on the significance of the building whatsoever from a state level, but it was an indicator, I guess. But the state listing – sorry, the local listing has been there for quite some time, so the economic imperative to maintain the building, that burden has been there for the past 25 years or more and, in any case, it's behoven on any  
15 building owner to maintain the building. As we all know, anyone who owns an old house – and I own a old house – things change, but if you want to maintain it, you need to continuously maintain the building: it's not a case of putting it off for 20-odd years.

20 The current owners have been aware of the issues of maintenance for quite a number of years, and – and really for me, and certainly from a professional point of view, the state listing won't change that burden. The burden is there inherent in its local listing. So in terms of the tenants, B-grade – there's a mix of tenancies available in North Sydney, occupancy styles, and certainly whereas the Council does see A-grade  
25 uses as being preferable, the marketplace demands all – B and C-grade – and, indeed, we currently have some pre-discussions going on about a very significant and new commercial building which will aim at slightly below A-grade, so B-grade plus if you would, to address what they perceive as a – a – a need in the market. So it's sort of horses for courses, you know. The building could quite easily be re-let. I'm no  
30 expert in marketing, though. It needs to be directed at – the ultimate question needs to be directed at someone who is.

MR PILTON: Are you able to advise us on which buildings those might be, that you're talking about, that are aiming towards less than A-grade building status. Is  
35 that a - - -

MR BEATTIE: I'm really not in a position to disclose this at this time. It's in – in pre-discussion.

40 MR PILTON: Okay.

MR BEATTIE: But it is a – a site very nearby the MLC Building up on Pacific Highway.

45 MR PILTON: Okay. Okay. Thank you very much on that one. Can we now turn to the overshadowing issue. On the agenda, the question is, can Council clarify the extent of overshadowing that the approved station development will cause, relevant

to what the redevelopment options presented in the Urbis report would cause, and does the Council have a position on the overshadowing issue having regard to relevant statutory controls?

5 MR BEATTIE: We've reviewed the report into the Over Station Development. Through that application process, the Department of Planning sought changes from the applicant to address the overshadowing of Brett Whiteley Place, and effectively, there's minimal additional overshadowing to that – that area arising from the Over Station Development. The – the impacts from – the impacts from the proponent's  
10 current proposal haven't been fully assessed, but one of the things I might say, going back to our earlier iteration of a redevelopment site or a development site being the 2003 proposal, the shadowing at that time was prohibited because of the construction of our LEP at the time. If that option was re-explored now, it may well get up, based on shadowing impacts.

15 MR PILTON: Okay. Thank you. Then we've got the question of the Miller Street versus the Denison Street wings, whether you can keep the Miller Street wing and then demolish the Denison Street wing and – and redevelop that. The proponent suggests that it would be impossible to build a new building on Denison Street  
20 because of the 2.4 metre floor to floor height in the Miller Street building and then tie that through, because they reckon that the building standard wouldn't be acceptable. Does the Council have any views on that?

MR BEATTIE: We don't as such. We have no proposal proposing to do that. We  
25 would have to look at that as a package, but if we again go back to the 2003 proposal which, from the Council's point of view, failed largely on overshadowing; it was acceptable on heritage grounds, it – it literally extended up the eastern wing to bring it to the same height as the existing western wing, and the issues being raised by the proponent now weren't so prevalent at that time. They – they seemed happy to  
30 proceed that way. So again, that – that's – that's a choice for the proponent if they want to proceed that way, and it's a matter of later .....

MR PILTON: Okay. Some of the material – excuse me – some of the material we –  
35 we received this morning showed some drawing of that – I think it must be the 2003 proposal – I haven't had time to study it yet, but can you clarify what were the reasons that it was withdrawn, the DA application for the - - -

MR BEATTIE: The Council had started its assessment of that application, and as  
40 I've mentioned earlier, in our 2001 LEP there were quite significant constraints – originally quite significant restraints on overshadowing of what is now Brett Whiteley Place, and the – the proposal at the time actually breached those controls. That control was written as a prohibition, so once the control was breached, the application would not be approved. The – the application on heritage grounds was actually supported by Council's heritage planner at the time, and I think being here at  
45 the time, and working with the elected Council at the time, it was one of the most, let's say, sympathetic potential refusals I've seen. On that basis, the applicant

withdrew the application, and it – you know, the withdrawal letter which we haven't provided to you, is literally two lines withdrawing that application.

MR PILTON: Okay. Thank you.

5

DR P. WILLIAMS: Adrian.

MR PILTON: Yes.

10 DR WILLIAMS: Adrian. Sorry, it's Peter Williams here.

MR PILTON: Yes.

DR WILLIAMS: Could I just ask a question at this point, if I could, please?

15

MR PILTON: Please, Peter, yes.

DR WILLIAMS: I'm just a little bit confused. We're talking about the 2003 application at the moment. Is that right?

20

MR BEATTIE: That's correct.

DR WILLIAMS: Yes. But there was also one in 2020, wasn't there, Steve – Stephen, as well? Stephen Beattie, last year or - - -

25

MR BEATTIE: Yes. That's the current application. That's the current application - - -

DR WILLIAMS: Right.

30

MR BEATTIE: - - - which is the total demolition of the MLC Building.

DR WILLIAMS: Right. Right. And that hasn't been determined at this stage?

35 MR BEATTIE: It hasn't been determined yet.

DR WILLIAMS: Okay.

40 MR BEATTIE: We're prepared to report that on the basis that the building is a local heritage item. We have been prepared to report that now for about five months, but the Sydney North Planning Panel has deferred that consideration for the outcome of the state listing to be known.

DR WILLIAMS: Right. Okay. Thank you. Thanks for that. Thank you. Sorry.

45

MR A. SNEDDON: It's Andrew. Can I ask - - -



DR WILLIAMS: Sorry, Adrian.

MR SNEDDON: May I ask a question too?

5 MR PILTON: That's okay.

MR SNEDDON: In the 2003 DA, you're saying that the overshadowing was expressed as a prohibition. What is the change to the LEP that means that a – a similar DA might get up now?

10

MR BEATTIE: Lara, would you like to comment on that?

MS L. HUCKSTEPP: Yes. We – we have since amended the – the LEP. Clause 6.34 that allows overshadowing to Brett Whiteley Place just for the MLC site, so the – in terms of overshadowing, the constraint would be that it can't overshadow other special areas. That would be the Greenwood Plaza, but in terms of Brett Whiteley Plaza, that's no longer a prohibition.

15

MR SNEDDON: All right. Thank you.

20

MR PILTON: Thank you.

MR SNEDDON: And in those documents that came through earlier today, there was – back in 2003, there was some talk about possible trade-offs between the loss of – the loss occasioned by overshadowing at Brett Whiteley Place and the solar gains on Denison Street as a public open space, and Council obviously said, "But it's not a public open space." Am I right in saying under the new station development, Denison Street would be considered more of a public open space and, therefore, there might be trade-offs?

25

30

MR BEATTIE: Denison Street is a significant part of the Council's laneway strategy. Unfortunately, it's also significantly constrained in its amenity due to both the Over Station Development and a number of existing office buildings, including 1 Denison Street. But again, it – it is intended to be a major through link through the CBD, all the way from North Sydney Station to St Leonards Park, so it will form part of that. Increased overshadowing there wouldn't be desirable, but it's likely to happen.

35

MR SNEDDON: Thank you.

40

MR PILTON: Thank you. Just moving on to the last issue we have on the agenda, it's about the flooding in Miller Street. We're interested to know is that a Council problem or is that the – the State Government's Roads Department – a drainage problem?

45

MR BEATTIE: The whole of the North Sydney CBD drains through one major stormwater drain that essentially runs from the corner of Bay Road and Pacific

Highway, which is right up the northern end of the CBD, all the way down and discharges into Sydney Harbour at Watt Park, I think it is. The flooding, which has only – according to our engineers is – is this flooding has only happened once in a blue moon. It was in part a result of Council’s stormwater system that links into the  
5 Sydney water system, blocking up and – and causing an overflow in a very high – high storm event. As part of Metro and as part of the works generally in the CBD, that stormwater main – Sydney water main is being upgraded. There’s going to be a detention tank under Miller Street.

10 In association with that, there’s going to be additional inlets into that detention tank. Stormwater drainage associated with that that flows through the Metro site and into Denison Street and then under 1 Denison Street and then further afield down to Sydney Harbour, is all being upgraded in association with that. So although the Council can’t guarantee that flooding won’t occur again, there’s a high – high  
15 likelihood of a reduced chance of it occurring. I might also add that in terms of the MLC Building and, indeed, the Metro Building, they’re both examples of buildings which have levels below ground level, and historically the MLC Building has had that since its construction in 1956, and there’s no real history on Council’s file except for that one flood event, where there has been a significant loss to property through  
20 flooding.

MR PILTON: Okay. Thank you. Peter or Andrew, do you have any other issues on – on that point?

25 MR SNEDDON: Not from me.

DR WILLIAMS: Sorry, Adrian. So – so Council at this stage has no formal position or resolution, just to clarify that point, in terms of state significance of the site. Is there likely to be any – any determination of that in the near future, or is that  
30 something that really can’t be determined at this stage?

MS GIBSON: Is it appropriate for me to address that?

DR WILLIAMS: Sure. Thanks. Thanks, Jilly.  
35

MS GIBSON: And is it appropriate for me to speak now or generally speak now?

MR PILTON: Yes. You can make your statement now, Jilly.

40 MS GIBSON: Okay. That’s good, and as I say, I’m probably not – not performing at 100 per cent, but Council didn’t make a formal resolution here. Instead, we went off to a site meeting, which was attended by most of the Councillors. Speaking as mayor, I know the position of the – the – well, the position of the majority of Councillors is that at – at the site meeting, there were – there were seven Councillors  
45 there and there was not one expression of a strong point of view that the building should be heritage listed and – and saved. So it hasn’t come back to Council for that reason. I – I – I – I’ve just written some notes here which I would like to go through.

I've – I've been on Council for 22 years now, and I've been mayor for nine years, and I ran on a platform of reinvigorating our CBD. I was appalled at – at the state of our CBD under the previous mayor, and I ran on that idea, and was voted in.

5 I – I think our Council considers itself to be a visionary forward-looking Council, and I think we should be aiming for all of our workers to work in the absolute best office space that we can provide for them, or that can be provided for them. I mean, that's – that's my aspiration, that nobody in our CBD should be working in a B or C-  
10 grade building. Our new buildings in North Sydney are providing amazing office space. I've toured them all. I've talked to the workers, and the difference in those workplaces compared to our older buildings is – is extraordinary. So we should be aiming for every building in North Sydney to be at that standard. I think there's no point at all in talking about what happened in 2003, when I was on Council. This is  
15 2021 and, as I say, we're a very forward-looking Council, and I don't even look back a year or two, let alone back to 2003.

Expectations have changed enormously. We've had a pandemic, as well as all the other changes that we've encountered. We're still going through a pandemic. So  
20 expectations about what is a suitable workplace are so different than 2003, it's hardly worth a comparison. I would have to say, after touring – after going on a tour, I know the building from the outside. As I said, I walk past it every day. My main problems of it from the outside – well – it doesn't contribute, I don't believe, in any significant way to our streetscape. Because it's on a different – it – it – it's not level  
25 with Miller Street. The other vision I have as mayor, and I hope I will be able to complete it before my mayoralty ends, is to ensure that we get Miller Street Plaza, which will be a plaza between Berry Street and the Pacific Highway, and the MLC Building is the only building that would actually – that actually sits below the level of the road. So we would have a much better contiguous plaza space if all the  
30 buildings were at street level.

We also, as part of the plans that I've been working on now and – and dreaming about for the last 22 years, are the upgrade of our laneways. We should have  
laneways and – and streets like Denison Street – they should be like Melbourne or –  
35 or New York or London. I don't know. It – it's sad that we haven't been able to develop those streets into really pleasant places to be, particularly after dark. So a new – all of the new buildings will contribute to better use of our laneways and – and smaller streets, and when you have, you know, in – in North Sydney, in our whole municipality, we are really tight for space. Every square metre needs to be used to the best advantage that it can be used, or otherwise we're being wasteful. The one  
40 thing I would like to say about the – the new buildings that we're building, I'm very proud of their energy ratings and how sustainable they are. We're a Council that really prides itself on our sustainability, and all of our new buildings have very high – or the highest energy ratings. The MLC Building, if you were to – to start to use that again as an office building, it uses vast amounts of energy because it was  
45 positioned the wrong way on the block. The architects, Bates – is it Bates – Bates – Smart – Smart Bates - - -

MR PILTON: Bates - - -

MS GIBSON: Is it Smart Bates or Bates Smart?

5 MR PILTON: Bates Smart.

MS GIBSON: Bates Smart. Okay. I've nearly got it. They acknowledged that the building was put on the – on the block the wrong way. It faces – all the windows face due west. So to keep those offices comfortable for workers on a summer's  
10 afternoon, you are using vast amounts of energy and, in my mind, that is simply not acceptable. And also to go with our – our vision to liven up our back lanes and our smaller streets, we want to have good sight linkages through buildings. We want buildings you can walk through to get to the other side. We want that sort of pedestrian activity. I'm a – I'm a walker, and I believe we want CBDs that are  
15 walkable, that you should be able to walk through buildings, you should be able to walk right around the CBD and – and go through buildings and out the other side. That's good planning.

Because of where the lift – the lift well is in the MLC Building, smack bang in the  
20 middle, you're never going to be able to create good pedestrian links through that building. Also the internal configuration of the building is simply not suitable for a modern day workplace. Modern day workplaces have internal staircases so that people feel they can communicate with other members, other team members, other office workers, whether they're in their own organisation or –or with outside their  
25 own organisation, so internal stairs are really important. They're also a good way of people getting some exercise during the day. If you're running up and down the stairs, it's very good for your health and, again, we should be aiming for healthy workplaces. So healthy physically and healthily – healthy mentally, and the MLC Building would never be able to provide that sort of work space for any worker.

30 I've already said the building is literally falling to pieces. If you got it up to standard, it – it – you know, you wouldn't be able to retain – you would – you would hardly be able – able to retain anything of the original building, so it makes no sense to me to try to retrofit a building that doesn't work – doesn't work now. Much better  
35 to have a – a new building in that area. As mayor, I'm pretty well known. You know, I'm a popularly elected mayor and I get elected each time because I know what my community thinks. I'm a mayor who walks everywhere, and I talk to everyone all over the place, and I've talked to lots of people about the MLC Building. There's some planners, some architects, the historians who want to retain  
40 the MLC Building and – and really want to retain any old buildings, but I don't see – they're not the majority in our community.

The average person in our community, particularly younger members of our community, I've heard descriptions, "Well, it's – it's ugly. It's nothing. It should  
45 go. I don't even know where it is. It means nothing to me." I don't think this is a building that is – has – that – that inspires or that – the people that – that residents or visitors to our CBD or school children have any great affection for.

I mean, I love old buildings. Some of our old buildings in our city centre, you know, every time I walk into town, I stand and I look at them, but the MLC Building is not one of those, and if we want to retain a building from that period, the AMP Building is a much better example of a building from that period.

5

But it says everything that the firm of architects that designed that building no longer think it's fit for purpose, and think it should be replaced. It has very low ceilings, you know, and apart from the layout of the floorplans, just the feeling of those lower ceilings, it – it's quite – quite claustrophobic when you're in that building. So it's the wrong way on the block. I've gone over the facts. I think one of the major facts is the high energy levels required to – to cool that building in summer. We must be doing better than that. Also there has been absolutely no interest in this building till very recently. When we went down – usually a building that's registered for a State heritage listing, you know, is – is a building that everyone knows, that – that there has been a lot of interest in.

When we went to our site visit, one of the Councillors who works in the – well, it used to be the Faculty of Built Environment at the University of New South Wales, asked a really interesting question, and the question was how many students, architecture students or, you know, students doing their PhD or thesis or historians or whatever, whatever, asked to come and have a tour of the building or inspect the building. And the answer was that over the last 20 years, zero, so not one student or one group of students, or one teacher thought the building was of such interest that – that students, architectural students should go on a field excursion and tour the building. I don't think it has been the subject of – of a thesis of a PhD. So I thought if it was that important, architectural students would have been wanting to see it, go through it, read about it and know more about it.

So I thought that was a really interesting question, and the answer to that question really firmed in my mind that although, you know, we do have some very political journalists who would, you know, try to persuade the city that this building must be saved at – at all costs, I don't believe that's true. I don't believe it's what our average resident thinks, and I envisage a much better building in our CBD for – for when my children and – and my grandchildren – I would like – you know, I would like my grandchildren – they live locally. They might – they might work locally. They're still at school, but they might work locally. I want all of the young people in our area to – when they go off to work – to work in a not just an okay workplace, but an outstanding workplace. And if we want to get our workforce back to offices, out of their homes and back to offices, and back into our CBD, which is healthy for our economy and healthy for our society, we need to be ensuring that workplaces are fantastic. That's the way we get our workforce back – good, well-designed buildings. That's my spiel for today.

MR PILTON: Thanks, Jilly. Before we wrap up, I will just go around and ask if anyone else wants to ask any more questions or make any more comments. Do either of you want to ask any more?

DR WILLIAMS: No. I'm – I'm fine, thanks. Thanks, Adrian.

MR PILTON: Okay. Andrew? Hello, Andrew. Are you there?

5 MR SNEDDON: I'm here, and I've got no questions, thanks, Adrian.

MR PILTON: Thanks. Steve, do you want to ask anything? Hello, Steve.

10 MR BARRY: I – I just wanted to draw your attention to the fact that somebody entered the meeting. I'm not sure who that is. It would be useful if they could - - -

MS Z. BAKER: Good – good afternoon.

15 MR BARRY: Hi.

MS BAKER: Good afternoon. It's Zoe Baker. I apologise for entering late. I had trouble with technology, and I've had to dial in.

20 MR PILTON: That's okay, Zoe. We've all had troubles with technology this afternoon. So I'm sorry you missed the meeting, but you will be able to read the transcript online in a couple of days. Is there anything that you would like to add .....

25 MS BAKER: If – if I may – if I may just very shortly. I won't take too much of your time.

MR PILTON: Please.

30 MS BAKER: I'm – my name is Zoe Baker, and I'm a Wollstonecraft Ward Councillor, and the North Sydney CBD is firmly within the centre of the ward I represent. I would just – and I'm making this submission as an individual, as the Council has not yet met to – to resolve a position on the state heritage listing. However, what I would say to you is I would urge you to follow the advice of the Office of Environment and Heritage, the Institute of Architects, the submission made by the Committee for North Sydney and others, and note that it's already an item –  
35 the MLC Building is very special. It's already an item of local heritage significance for good reason. I would urge you to extend the added protection of state heritage significance to it.

40 You no doubt are very well aware of the building and you – and you've read the submissions and the report. The curtilage is exceptionally important. That's a very precious piece of green space that was an integral part of the design of the original building, and is really important to provide part of a heart to North Sydney and the CBD. It is a very small CBD. Unlike the City of Sydney, it has very few heritage items – the Greenwood Hotel and the post office and this building, and this building  
45 is a building from the 20th century, and it has just as much value as some of those older buildings.

In fact, the – the rarity and the importance of that curtain wall and – and how that building came to be has intrinsic value. It's not a popularity context – contest about heritage listing: it's whether it has merit and significance or not, and so I would strongly urge you to take to extend the state significance to the building. And the –  
5 the final thing I would say is that development pressure and developer uplift really shouldn't be determinative about – in this process: it really – you really must have regard to the significance of – of the potential item or not, and so that there – that's it in a nutshell, and thank you for your time.

10 MR PILTON: Thanks, Zoe. If there's no more comments – do any of the Council staff want to say anything more?

MR BEATTIE: Yes. Just very briefly, I – I guess for me, the current DA should take no part in the panel's determination of whether this building should be listed as  
15 a State heritage item. As you all know, it is currently a local heritage item, and the development proposal itself has two big issues, if I can call them that, being it's too high, significantly too high. There's a height control on the site that's nearly half that of what's being sought. The second thing is, of course, the proposed total demolition of a heritage item.

20 We've had previous discussions with the proponent about ways of dealing with that, and it's called the planning proposal. If there's a belief that the building, for whatever reason, does not warrant heritage listing at all, it has been open to the owner to run a planning proposal process to have that argument examined.  
25 Regardless of the State listing, it will remain a local item, and that is likely to impact on the outcome of the development application. The second thing about the actual development application itself, very briefly, it does have its own troubles. It needs a little bit more work before it could be supported, regardless of the – the outcome of the determination of the panel.

30 MR PILTON: Okay. Thank you. Well, if there's no more comments, I will draw the meeting to a close. Thank you, everybody that has taken part. As I said, the transcript will be up on the Commission's website in two or three days. So thank you for joining us today, and thank you for all your help.

35 MR HILL: Thank you, Adrian.

MR BEATTIE: Thank you, Adrian.

40 MR BARRY: Thank you, everyone. Thanks very much.

**RECORDING CONCLUDED**