

**NSLPP MEETING HELD ON 06/07/2022****Attachments:**

1. Site Plan
2. Architectural Plans

**ADDRESS/WARD:** 104 Wycombe Road, Neutral Bay**APPLICATION No:** D295/21**PROPOSAL:** Alterations and additions to a single storey heritage listed detached dwelling including internal alterations, a first floor rear addition and a swimming pool**PLANS REF:**

Plan No.	Description	Prepared by	Dated
DA02 Rev A	Site and Roof Plan	Carl Rutherfoord Design	13 April 2022
DA03 Rev A	Garage Plan	Carl Rutherfoord Design	13 April 2022
DA04 Rev A	Ground Floor Plan	Carl Rutherfoord Design	13 April 2022
DA05 Rev A	Attic Plan	Carl Rutherfoord Design	13 April 2022
DA06 Rev A	Elevations	Carl Rutherfoord Design	13 April 2022
DA07 Rev A	Elevations	Carl Rutherfoord Design	13 April 2022
DA08 Rev A	Sections	Carl Rutherfoord Design	13 April 2022
DA09 Rev A	Sections	Carl Rutherfoord Design	13 April 2022

**OWNER:** Arora Shweta**APPLICANT:** Arora Shweta**AUTHOR:** Robin Tse, Senior Assessment Officer**DATE OF REPORT:** 28 June 2022**DATE LODGED:** 29 September 2021**AMENDED:** 22 April 2022**RECOMMENDATION:** Refusal

## EXECUTIVE SUMMARY

This development application seeks NSLPP approval for alterations and additions to a single storey heritage listed detached dwelling including internal alterations, a first floor rear addition and a new swimming pool at 104 Wycombe Road, Neutral Bay.

**The application is reported to North Sydney Local Planning Panel for determination as the proposed works involve partial demolition of a heritage item and the determination of the Local Planning Panel is required in accordance with the directions of the Minister for Planning, Industry and Environment. While the Panel has given delegation for staff determination in some circumstances, the negative recommendation here warrants a panel determination.**

Notification of the proposal has attracted a total of five (5) submissions from three (3) households raising particular concerns about adverse visual privacy and noise impacts arising from the new swimming pool, shadowing impacts and non-compliance with the permitted site coverage. The assessment has considered these concerns as well as the performance of the application against Council's planning requirements.

The development application has been assessed against the North Sydney LEP 2013 and North Sydney DCP 2013 and was found to be unsatisfactory.

The proposal, including a new first floor rear addition and a new swimming pool, complies with the LEP maximum building height limit. However, the proposed first floor rear addition would have an adverse impact on the significance of the subject heritage listed single storey dwelling.

Therefore, the proposed development is contrary to the objective of the R4 (High Density Residential) zone because the proposal would detract from the significance of the subject heritage listed building.

The application was referred to Council's Conservation Planner who considered the proposal unsatisfactory because of the adverse impacts on the heritage significance of subject heritage listed item.



In addition, the proposed development does not comply with the DCP maximum site coverage requirement for the subject site and will cause some view loss for a property to the north of the subject site.

The issues raised in the submissions received have been addressed in this report.

Accordingly, the proposed development is recommended for **refusal**.

LOCATION MAP



 Property/Applicant   ● Submitters - Properties Notified   

## **DESCRIPTION OF PROPOSAL**

The applicant seeks consent from NSLPP for alterations and additions to the existing dwelling house on land at No.104 Wycombe Road, Neutral Bay. This property is identified as a Heritage Item that is located within the Cremorne Conservation Area. The proposed works can be summarised as follows:

### **Garage level**

- A staircase providing access from the garage and sub floor level to the ground level of the dwelling.

### **Ground floor level**

- Internal alterations to the ground floor including a new walk-in wardrobe and a new ensuite bathroom for the master bedroom at the front of the main dwelling;
- Demolition of a number of walls (internal and external) at the rear of the main dwelling to create an open plan family, dining and kitchen area, a sun lounge, a powder room and a laundry/mud room.

### **Attic level**

- The construction of a new rear addition containing two bedrooms, an ensuite bathroom for bedroom 3, a bathroom, a study and a staircase to the ground floor;
- A new dormer on the southern side of bedroom 2;
- A new gable on the western elevation of bedroom 3.

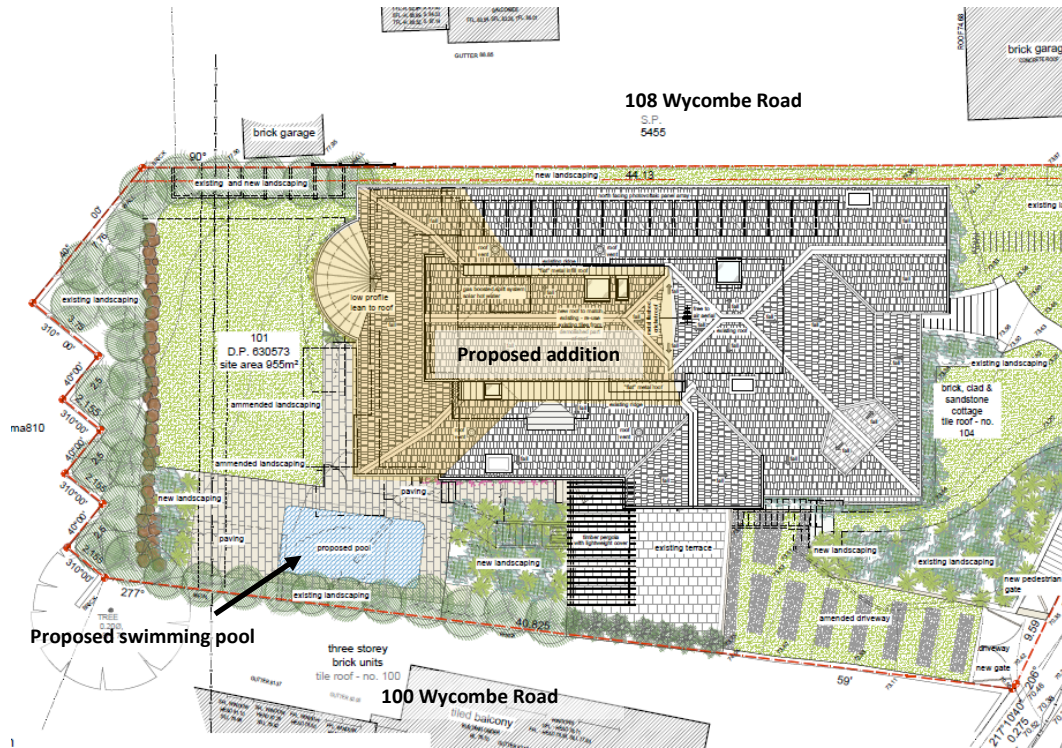
### **Roof**

- The removal of an existing chimney at the rear of the dwelling;
- The addition of four new skylights within the northern and southern roof planes.

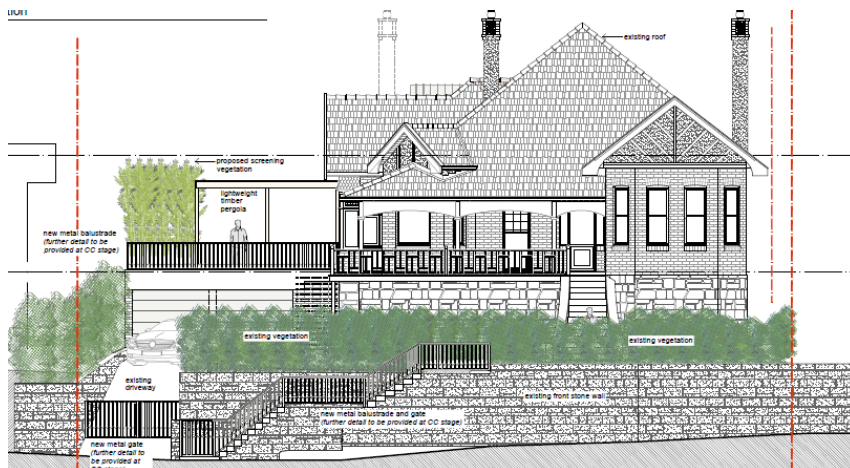
### **Other External Works**

- A new swimming pool located on the south-western building setback area including associated terrace;
- The construction of a new pergola on the outdoor terrace over the existing garage;
- The construction of a new landscaped and paved driveway including a new driveway gate;
- New landscaping and retention of existing landscaping within the front garden including the replacement of an existing pathway;
- New landscaping and retention of existing landscaping within the rear yard.

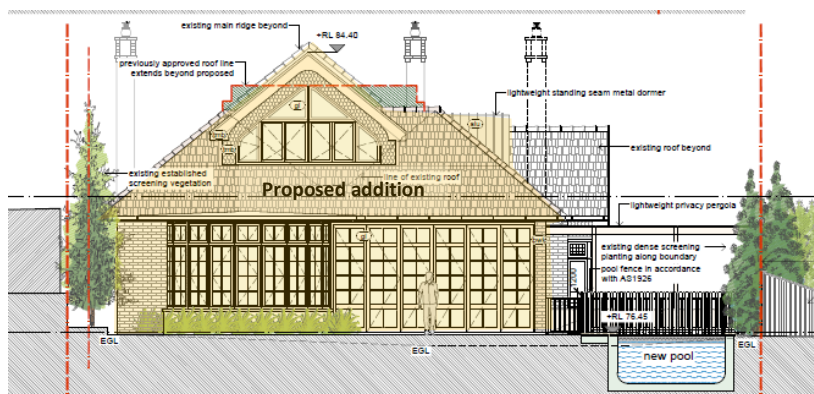




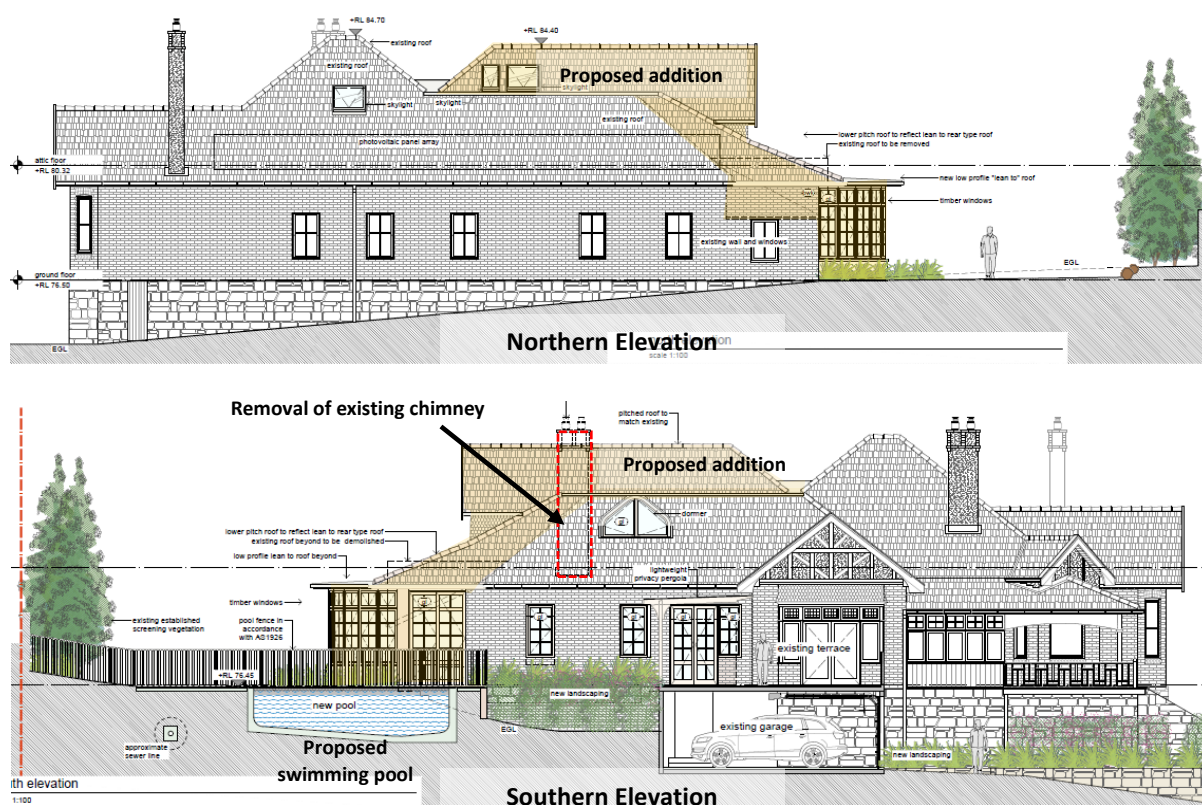
Site Plan



Eastern (Wycombe Road) Elevation



Western (Rear) Elevation



Figures 1 – 5: Proposed development

## STATUTORY CONTROLS

### North Sydney LEP 2013

- Zoning - R4 High Density Residential
- Item of Heritage - Yes
- In Vicinity of Item of Heritage – Yes - No's 89 and 95 Wycombe Road)
- Conservation Area - Cremorne Conservation Area
- Environmental Planning & Assessment Act 1979 (As amended)
- SEPP (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021
- SEPP (Building Sustainability Index: BASIX) 2004
- Local Development

## POLICY CONTROLS

### NORTH SYDNEY DCP 2013

### North Sydney Local Infrastructure Contributions Plan 2020

## DESCRIPTION OF LOCALITY

The subject site is described as Lot 101 in DP 630573 and is known as No.104 Wycombe Road, Neutral Bay. The site is irregular in shape and located on the western side of Wycombe Road, to north of the intersection with Anderson Street and opposite the intersection with Shellcove Road. The site has a fall of up to 7m from the rear (western) property boundary towards the Wycombe Road boundary with a total area of 955m<sup>2</sup>.



Currently located on the site is a detached, single-storey bungalow built in the Federation style, with Art Nouveau detailing internally. There is a steep driveway leading to a double garage on the southern side of the dwelling. The house is a Heritage Item (10751) under the North Sydney Local Environmental Plan (LEP) 2013.

Adjoining the site to the north, south and west are apartment buildings (namely No.108 Wycombe Road to the north, No.100 Wycombe Road to the south and No.17 Barry Street to the west).



**Figure 6: Aerial photograph of the subject site and surrounding developments**



**Figure 7: Subject site (Street elevation)**



**Figure 8: Subject site (Rear elevation)**

## RELEVANT HISTORY

### Previous applications

- **28 October 1958** - Building Application **No. 311/58** was approved by Council for a double garage with a terrace above.
- **4 July 2016** - Development Consent (**D133/16**) was approved under delegated authority for alterations and additions to create an attached dual occupancy including a new garage, pavilion and strata subdivision.
- **18 January 2017** - Development Application (**D416/16**) proposing alterations and additions to the dwelling was withdrawn by Applicant.
- **19 May 2017** – Development Consent (**D82/17**) was granted under delegated authority for alterations and additions to the existing dwelling to provide an open plan family/dining/kitchen and an additional bedroom on the ground floor and a first floor addition containing a master bedroom with an ensuite bathroom and a study within the existing roof of the main dwelling.

### Current Application

- **29 September 2021** – The subject Development Application (**D295/21**) for alterations and additions to a heritage listed detached dwelling was lodged with Council.
- **8 to 22 October 2021** – The application was notified to the owners of the adjoining properties and the Bennett and Neutral Precincts. The notification of the application has attracted three (3) submissions.
- **2 November 2021** – The applicant was requested to provide additional information with regard to building height and site coverage calculations.
- **18 November 2021** – A site inspection was carried out by Council Officers.
- **14 January 2022** – The applicant was advised about the heritage concerns arising from the proposed design.
- **9 February 2022** – A teleconference was held with the applicant, the architect and the applicant's heritage consultant to discuss the issues relating to the original proposal.
- **22 April 2022** – The applicant submitted amended plans including modifications to the design of the first floor addition and the swimming pool.
- **28 April to 13 May 2022** – The amended plans were notified to the owners of the adjoining properties, the submitters and the Bennett and Neutral Precincts. The notification of the application has attracted two (2) submissions.

## INTERNAL REFERRALS

### Building

The proposed works the subject of this application have not been assessed in accordance with compliance with the National Construction Code of Australia. This would need to be undertaken prior to the issue of a Construction Certificate. Should significant changes be required to achieve compliance with NCC standards, a Section 4.55 application would be necessary.

### HERITAGE

The subject site is listed as a heritage item in Schedule 5 of North Sydney LEP 2013 and is located within Cremorne Conservation Area.

The proposal, including the amended plans, have been referred to Council Conservation Planner who provided the following comments:

#### **1. Heritage status and significance**

*The property known as 'Yarran' at 104 Wycombe Road is a scheduled local heritage item (NLEP 2013 Schedule 5 reference no. I 0751) and is located within the Cremorne conservation area (CA 03) which is significant:*

- (a) as a consistent late 19th/early 20th Century residential area with a mix of Victorian, Federation one and two storey housing, mixed with Inter-war residential flat buildings,*
- (b) as a largely intact early 20th Century suburb retaining much of the urban detail and fabric seen in gardens, fencing, street formations, use of sandstone, sandstone kerbing, natural rock faces, wide streets and compatible plantings, all of which are a response to the topography of the area.*

*The heritage item was built c1903 and has historic, aesthetic and social significance. The early twentieth century Federation dwelling is from the significant period of development relating to the Cremorne conservation area and is a benchmark within it. The building occupies an elevated and prominent position and has been designed to address the intersection of Shellcove and Wycombe Roads. The southern (side) elevation is clearly visible from Wycombe Road. The eastern (front) elevation creates a terminating view from Shellcove Road.*



**Figure 9: Historical photo of the subject dwelling**





## 2. Heritage Assessment and Recommendations

The following assessment relating to the revised plans and the supporting heritage comments (John Oultram Heritage and Design dated 23 February 2022) for first and ground floor additions, modern dormer, new pool, landscaping and internal alterations is undertaken in relation to NSDCP 2013 Part B: s13.0 and NSLEP 2013 Clause 5.10.

It is noted that the revised plans have reduced the scale of the proposed roof alterations to sit lower than the ridge line of the principal roof. However, the proposed rear roof addition to accommodate two bedrooms - one with ensuite, study area bathroom, foyer and circulation remains a dominant element and one that will permanently alter the distinctive and unique multi-dimensional hipped and gabled form of the original roof. The works will result in the loss of the chimney stack and include a modern dormer in the southern roof plane that compounds the impact on the visual scale of the new work.



Figure 12: Subject site as seen from the south (Anderson Street)



Figure 13: Proposed southern elevation

*Council's controls require additional storeys relating to heritage items to be contained within the existing roof form. The form of the single storey rear addition also appears to be excessive and is partially housed under an extension to the main roof. The ground floor addition is possible subject to addressing the hierarchy of form relevant to the existing building. On balance, the works remain contrary to the provisions contained in NDCP 2013 Part B: 13.5.2 Form, massing, scale O1/ O2/ P1/ P4/ P5, 13.5.3 Additional storeys O1/ P1/P2; 13.5.4 Roofs O1/ P1/ P2/ P3/ P6.*

*With respect to the internal works, the objective is to retain the traditional layout and allow changes that enable the evolution of the building to remain discernible. The proposed changes to the walk-in-robe/ensuite/bathroom area are supported subject to retaining sufficient bulkhead to enable the volumes of the previous rooms to remain interpretable with potential to be reversed. Architecturally, it is more appropriate for the new stair to run off from the main hallway.*

*The staircase as proposed, uncharacteristically disconnects from the hallway rather than to maintain a relationship with it and would benefit from a descending scale into the attic roof area. The staircase construction also disconnects the historical flow and connection of the formal dining area with the kitchen and service areas to the rear of the house. With reference to NDCP 2013 Part B: 13.5.5 Interior layouts O1/ P2/ P3/ P4/ P5/P6/ P7/ P8 there is potential for some refinement to the proposed internal arrangement to retain more of the original room layout than is achieved by the subject proposal so that proposed changes facilitate an ongoing understanding/appreciation of the heritage significance of the subject site.*

### **3. Conclusion and recommendations:**

*An assessment of the amended proposal for 104 Wycombe Road has been undertaken in terms of Part 5 Clause 5.10 Heritage conservation of the North Sydney LEP 2013 and NDCP 2013 Part B: Section 13 Heritage and Conservation.*

*The revised plans do not overcome the impact of the proposed works on the heritage significance of the subject heritage item. The proposed works are contrary to the provisions in NDCP 2013 Part B s13 Heritage and Conservation namely:*

- *13.1.1 Guiding Statement: in terms of managing North Sydney's heritage for present and future generations in accordance with the principles of intergenerational equity as per the Burra Charter.*
- *13.1.2 General objectives O4/O5*
- *13.5.1 Protecting heritage significance O1/O3/ O4/ O5/ O7/ P4/ P5*
- *13.5.2 Form, massing, scale O1/ O2/ P1/ P4/ P5*
- *13.5.3 Additional storeys O1/ P1/P2*
- *13.5.4 Roofs O1/ P1/ P2/ P3/ P6*
- *13.5.5 Interior layouts O1/ P1/ P2/ P3/ P4/ P5/P6/ P7/ P8*

*With reference to the above, the proposal does not meet the objectives of NLEP 2013 Clause 5.10 (a) and (b) and is **NOT** supported on heritage grounds because the works will adversely impact on the heritage significance of the heritage item and the character and identity of the Cremorne conservation area.*



**Comment:**

Council's Conservation Planner's comments are noted. Given that the subject site is listed as a heritage item, a development outcome that is contrary to the relevant provisions within NSLEP 2013 and NSDCP 2013 is considered to be unacceptable so the application is recommended for refusal.

**ENGINEERING**

The application has been referred to Council's Development Engineer who has raised no in-principle objection to the proposed development on engineering grounds subject to the imposition of appropriate conditions should approval be granted for the proposed development.

**LANDSCAPING**

The proposal has been referred to Council's Landscape Officer who has raised no in-principle objection to the proposed development on landscaping grounds subject to the imposition of appropriate conditions should the Panel be of a mind to support the application.

**SUBMISSIONS**

**Original proposal**

The application was notified to the owners of the adjoining properties and the Bennett and Neutral Precincts between 8 and 22 October 2021. The notification of the application has attracted three (3) submissions. The matters raised in the submissions are summarised below

**Basis of Submission**

- Noise nuisance arising from the use of the proposed swimming pool adjacent to the apartment building to the south.
- Adverse impacts on rental values or the loss of tenants.
- Noise nuisance arising from the use of the proposed swimming pool adjacent to the apartment building to the south.
- Consideration should be given to an alternate location within the rear garden of the subject site.
- The proposed pergola would cause overshadowing on the adjoining apartment building.
- The proposed pergola and landscaping would cause shadowing impacts for the apartments within the adjoining property to the south.
- Adverse privacy impacts (noise and overlooking) arising from the proposed swimming pool in close proximity to the adjoining property to the south.

**Amended Proposal**

The amended plans were notified to the owners of the adjoining properties, the submitters and the Bennett and Neutral Precincts between 28 April 2022 and 13 May 2022. The notification of the amended plans has attracted two (2) submissions from previous submitters. The new matters raised in submissions are listed below:

### **Basis of Submission**

- Non-compliance with site coverage.
- The surface treatments of the proposed driveway would have safety concerns due to the steep gradient.
- Non-compliance with site coverage.

The issues raised in the submissions are summarised below and addressed later in this report. The original submissions may be viewed by way of DA tracking on Council's website [https://www.northsydney.nsw.gov.au/Building\\_Development/Current\\_DAs](https://www.northsydney.nsw.gov.au/Building_Development/Current_DAs) and are available for review by NSLPP members.

### **CONSIDERATION**

The relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended), are assessed under the following headings:

On 1 March 2022, forty-five (45) State Environmental Planning Policies (SEPPs) were consolidated into one of the eleven (11) new SEPPs. These changes affect a number of SEPPs to be considered in this report.

It is however noted that the consolidation primarily involves the transfer of the repealed SEPPs to form new chapters within the new SEPPs without significant amendments (i.e. will only involve a change in clause numbers and consequential amendments such as removal of introductory/duplicated provisions). Consequently, there would be no material changes to the requirements between the repealed SEPPs and the new consolidated SEPPs.

- SEPP 55 (Remediation of Land) – Chapter 4 in SEPP (Resilience and Hazards) 2021
- SEPP (Vegetation in Non-Rural Areas) 2017 - Chapter 2 in SEPP (Biodiversity and Conservation) 2021
- SEPP No 19—Bushland in Urban Areas - Chapter 6 in SEPP (Biodiversity and Conservation) 2021
- SREP (Sydney Harbour Catchment) 2005 - Chapter 10 in SEPP (Biodiversity and Conservation) 2021

#### **SEPP (Resilience and Hazards) 2021 - Chapter 4**

SEPP 55 (Remediation of Land) has been consolidated into the new **SEPP (Resilience and Hazards) 2021** and the provisions of the former SEPP are contained under Chapter 4 of the new SEPP.

The provisions of SEPP 55 require Council to consider the likelihood that the site has previously been contaminated and to address the methods necessary to remediate the site. The subject site has been used for residential purposes for a long period of time and as such is unlikely to contain any contamination; therefore, the requirements of the former SEPP 55 have been satisfactorily addressed.

#### **SEPP (Biodiversity and Conservation) 2021 - Chapter 2**

SEPP (Vegetation in Non-Rural Area) 2017 has been consolidated into the new **SEPP (Biodiversity and Conservation) 2021** and the provisions of the former SREP are contained under Chapter 2 of the new SEPP.

This part of the new SEPP will ensure the biodiversity offset scheme (established under the Land Management and Biodiversity reforms) will apply to all clearing of native vegetation that exceeds the offset thresholds in urban areas and environmental conservation zones that does not require development consent. The proposal meets the objectives of the SEPP because there would be no clearance of native vegetation or any materials impacts on bushland (if any) in the vicinity of the subject site.

### **SEPP (Biodiversity and Conservation) 2021 - Chapter 6**

SEPP 19 (Bushland in Urban Area) has been consolidated into the new **SEPP (Biodiversity and Conservation) 2021** and the provisions of the former SREP are contained under Chapter 6 of the new SEPP.

The proposed development is consistent with the relevant objectives and provisions of the new SEPP because the proposal does not involve removal of significant vegetation. Appropriate conditions have also been recommended by Council's Landscape Development Officer to ensure protection of existing tree and new/replacement planting to maintain the landscape setting of the subject property.

### **SEPP (Biodiversity and Conservation) 2021 - Chapter 10**

SREP (Sydney Harbour Catchment) 2005 has been consolidated into the new **SEPP (Biodiversity and Conservation) 2021** and the provisions of the former SREP are contained under Chapter 10 of the new SEPP.

Having regard to the relevant provisions of the SREP (Sydney Harbour Catchment) 2005, the proposed development is not considered to be detrimental to the Harbour and will not unduly impose upon the character of the foreshore given the subject site is not highly visible from the harbour as the site is far enough away from the foreshores of Sydney Harbour as to have no impacts on the harbour and its foreshores. As such, the development satisfies the provisions contained within the above SREP and Chapter 10 of the new SEPP.

### **SEPP (Building Sustainability Index: BASIX) 2004**

A valid BASIX Certificate (No. A424940) has been submitted with the application to satisfy the aims of the SEPP.

### **NORTH SYDNEY LOCAL ENVIRONMENT PLAN (NSLEP 2013)**

#### **1. Permissibility**

The proposed works can be defined as alteration and additions to an existing detached dwelling and are permissible in the R4 (High Density Residential) zone with development consent.

#### **2. Objectives of the zone**

The objective of the R4 (High Density Residential) zone relevant to the proposed development is as follows:

- *To encourage the development of sites for high density housing if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area.*
- *To ensure that a reasonably high level of residential amenity is achieved and maintained.*

The proposed development does not promote or reinforce the character of the subject heritage item and the character of the surrounding areas. The proposed development would have adverse impacts on the significance of the subject heritage listed dwelling as detailed in the comments from Council's Conservation Planner.

Furthermore, the proposal would cause impacts on the amenity of the surrounding properties in terms of some view loss as detailed later in this report.

The proposal is therefore contrary to the above zone objectives.

#### **Part 4 – Principal Development Standards**

<b>Principal Development Standards – North Sydney Local Environmental Plan 2013</b>				
<b>Site Area - 955m<sup>2</sup></b>	<b>Existing</b>	<b>Proposed</b>	<b>Control</b>	<b>Complies</b>
Clause 4.3 – Heights of Building	9.9m	9.3m	<b>12m</b>	YES

#### **3. Height of Building**

The existing detached dwelling has a maximum building height of 9.9m. The proposed works would have a maximum height of 9.3m that complies with the permissible height limit of 12m for the subject site in accordance with clause 4.3 in NSLEP 2013.

#### **4. Heritage Conservation**

The application has been assessed against the relevant heritage objectives and provisions as contained in the North Sydney LEP 2013, particularly Clauses 5.10(1) and 5.10(4) of the North Sydney LEP 2013 and found to be unsatisfactory as indicated in the comments from Council's Conservation Planner because the proposal will detract from the character and significance of the subject heritage listed building.


#### **5. Earthworks**

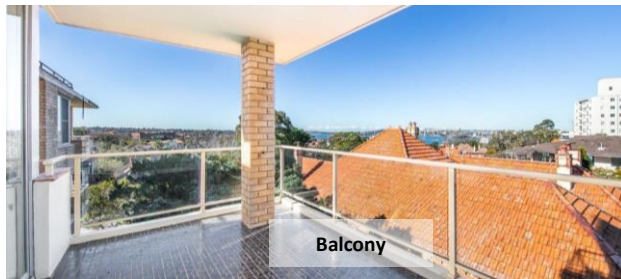
The application involves excavation within the rear garden to provide a new swimming pool.

The proposal has been assessed against the provisions of Clause 6.10(3) of NSLEP 2013 and is unlikely to cause disruptions or detrimental effects on drainage patterns, soil stability and vegetation subject to the imposition of appropriate engineering and construction management conditions should approval be granted for the application.

**NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013**

The proposal has been assessment under the following heading within NSDCP 2013:

<b>DEVELOPMENT CONTROL PLAN 2013 – Part B Section 1- Residential Development</b>		
	<i>complies</i>	<i>Comments</i>
<b>1.2 Social Amenity</b>		
<b>1.2.1 Population Mix</b> <b>1.2.2 Maintaining Residential Accommodation</b> <b>1.2.3 Affordable Housing</b> <b>1.2.4 Housing for Seniors/Persons with disability</b>	No change	The proposal would not change the population mix, the supply of residential accommodation, affordable housing and housing for senior/persons with disabilities within the locality.
<b>1.3 Environmental Criteria</b>		
<b>1.3.1 Topography</b>	Yes	The construction of the swimming pool would require excavation, however, there would be no change to the overall landform of the subject site.
<b>1.3.2 Bushland</b>	N/A	The subject site is not in close proximity to bushland or natural reserves.
<b>1.3.3 Bush Fire Prone Land</b>	N/A	The subject site is not affected by any bushfire prone land as identified in Bushfire Prone Land map for the North Sydney LGA.
<b>1.3.6 Views</b>	Yes	<p>Whilst Council has not received any submissions raising concerns in relation to view loss, consideration has been given to the likely view impact arising from the proposed development with reference to the Tenacity view assessment principle, particularly the adjoining apartment buildings to the north at No.108 Wycombe Road and to the west at No.17 Barry Street.</p> <p><b>No.108 Wycombe Road:</b></p> <p>It is noted that the majority of the apartments are unlikely to have significant view impacts resulting from the proposed development because of the location and orientation of these apartments.</p> <p>However, a second floor apartment on the south elevation of No.108 Wycombe Road has windows and a balcony facing the rear of the dwelling at the subject site. Photos obtained from real estate website have indicated that the views as seen from the living room and the balcony of this apartment consist of nearby buildings and vegetation, district and skyline views as well as water views towards the east and south-east across the subject site (the neighbouring building with terracotta roof tiles) (Figures 14 – 16).</p>
		 <p style="text-align: center;"><b>Living Room</b></p>



**Figures 14 – 16: Views from a second storey apartment on the southern side of No.108 Wycombe Road**

The significant water/skyline view and the district views as seen from the living room are likely to be retained and the proposed first floor addition would obscure the outlook to nearby vegetation and buildings only (Figure 14).

Given that the proposed first floor addition would be located at the rear of the main dwelling on the subject site including a maximum 4m wide gap between the existing roof above the main dwelling and the roof of the first floor rear addition, the significant water views adjacent to the existing roof as seen from the kitchen are likely to be mostly retained (Figure 15).



The proposed first floor addition is likely to affect the water views next to the front roof and chimney, the water and district views in front of the roof further towards the south-east would not be affected (Figure 16).

In addition, the views from the living room, kitchen and balcony are all obtained across the side boundary.

Whilst the view impacts would be caused by complying building elements (building height/setbacks), it is considered that a more skilful design is likely to further minimise the view impacts for this second floor apartment within No.108 Wycombe Road.

**No.17 Barry Street:**

A site inspection of No.17 Barry Street has revealed that the views from the ground and first floor apartments facing the subject site is heavily screened by established vegetation along the property boundary (Figure 17).

		 <p><b>Figure 17: Established vegetation along the property boundary with the subject site as seen from the open car park of No.17 Barry Street</b></p> <p>The views from the apartment on the second floor across the subject site to the east is unlikely to be affected by the proposal because the windows would be higher than the ridge height of the proposed addition.</p> <p>In addition, any likely impacts on views as seen from this adjoining property would also be caused by complying building elements.</p> <p>It is therefore concluded that the proposal would have no material view impacts for the surrounding properties.</p>
<p><b>1.3.7 Solar Access</b></p>	<p>Yes</p>	<p>Consideration has been given to the likely shadowing impact of the proposed first floor addition and a new pergola on the terrace above the existing garage.</p> <p>It is considered that the additional shadows caused by the proposed addition would generally fall on the shadows of the existing structures because of the setback of the new addition away from the southern property boundary.</p> <p>The proposed first floor addition would cause some additional shadowing to the ground floor terraces on the western side of the northern façade of the adjoining apartment building at 100 Wycombe Road between 9am and 10am during mid-winter. These terraces would receive the required 3 hours of sunlight between 9am and 3pm during mid winter. However, it is noted that the sunlight is filtered by the screen planting along the property boundary (<b>Figure 18</b>).</p>  <p><b>Figure 18: Existing screening planting along the southern common property boundary with No. 100 Wycombe Road</b></p>

		The shadow of the proposed pergola above the existing garage would have no material overshadowing impact on the adjoining apartment building at No.100 Wycombe Road as the new shadows from this proposed structure would generally fall within the shadows of the taller existing structures to the north.												
<b>1.3.8 Acoustic Privacy</b>	Yes (via condition)	<p>The proposed first floor addition and the internal works for the main dwelling are unlikely to cause noise nuisance for the adjoining properties as any noise would be contained by the building envelope.</p> <p>It is noted that the proposed swimming pool provided a complying 6m setback from the nearest habitable room of the adjoining building. It is considered that noise from the use of the swimming pool would be associated with a single residential dwelling only. Standard conditions limiting sound levels of swimming pool pump/equipment can be imposed should approval is granted for the proposed development to minimise noise impacts on the surrounding properties.</p>												
<b>1.3.10 Visual Privacy</b>	Yes	<p>The windows on the southern and western (rear) elevation of the proposed first floor addition are unlikely to cause adverse visual privacy impacts for the adjoining properties because of the adequate building separation (15m minimum) and screening provided by the established screen planting along the western (rear) and southern property boundaries.</p> <p>The boundary fencing along the southern property boundary and the existing screen planting should provide adequate visual privacy protection for the adjoining property to the south at No. 100 Wycombe Road.</p> <p>There would be no material visual privacy impacts for the residents of No. 17 Barry Street given a minimum building separation in excess of 26m between the new first floor addition and the eastern façade of No.17 Barry Street and the established screen planting adjacent to the common property boundary with the subject site (<b>Figure 17</b>).</p>												
<b>1.4 Quality built form</b>														
<b>1.4.1 Context</b>	No	The proposed development, involving the creation of a new first floor addition at the rear of a single storey heritage item, which will alter the original roof form of existing dwelling and will detract from the significance of the subject heritage item and the conservation area.												
<b>1.4.2 Subdivision Pattern</b> <b>1.4.5 Siting</b>	No Change	The proposal would not change the subdivision pattern of the subject site and the siting/orientation of the subject building.												
<b>1.4.6 Setback – Side</b>	No (acceptable on merit)	<p>Compliance with DCP’s side boundary setback requirements are detailed in the compliance table below:</p> <table border="1" data-bbox="772 1637 1318 1906"> <thead> <tr> <th>Elevation/ Control</th> <th>Existing</th> <th>Proposed</th> <th>Compliance</th> </tr> </thead> <tbody> <tr> <td>Northern - 1.5m - 3.5m BHP</td> <td>1.3m w/in BHP</td> <td>1.3m w/in BHP</td> <td>No Yes</td> </tr> <tr> <td>Southern - 1.5m - 3.5m BHP</td> <td>0m w/in BHP</td> <td>1.4m w/in BHP</td> <td>No Yes</td> </tr> </tbody> </table> <p>The northern elevation of the existing dwelling provides a minimum setback from the northern property boundary of 1.3m. The proposed works would not change the side boundary setback on the northern elevation. It is also noted that the first floor addition would be contained wholly within building height plane (BHP) for land with the a R4 (High Density Residential) zone.</p>	Elevation/ Control	Existing	Proposed	Compliance	Northern - 1.5m - 3.5m BHP	1.3m w/in BHP	1.3m w/in BHP	No Yes	Southern - 1.5m - 3.5m BHP	0m w/in BHP	1.4m w/in BHP	No Yes
Elevation/ Control	Existing	Proposed	Compliance											
Northern - 1.5m - 3.5m BHP	1.3m w/in BHP	1.3m w/in BHP	No Yes											
Southern - 1.5m - 3.5m BHP	0m w/in BHP	1.4m w/in BHP	No Yes											



			<p>The terrace above the existing double garage provides zero setback from the property boundary. The proposed pergola on this terrace will provide a minimum 1.4m setback from the northern boundary. It is considered that the proposed pergola above the garage would have no material amenity impact on the adjoining properties given the light weight open nature of the structure causing no significant change on the use of the terrace as a private open space for the subject property.</p> <p>The new first floor addition would be fully compliant with the BHP that are applied on land zoned R4 (High Density Residential).</p> <p>Further comments in relation to the proposed swimming pool will be provided later in this compliance table under the heading "swimming pool".</p>
<b>P1</b>	<b>Front setback</b>	No change	The proposed works would not change the building setback from the front (Wycombe Road) Property boundary.
<b>P5</b>	<b>Rear Setback – Rear</b>	Yes	Whilst the subject property does not adjoin another detached dwelling house, the proposed sunlounge at the rear of the dwelling would provide 11m setback from the rear (western) property boundary that generally matches the rear building setback of the adjoining apartment building to the north at No. 108 Wycombe Road. The proposal is considered to be acceptable having regard to rear building setback.
<b>1.4.7</b>	<b>Form Massing Scale</b>	No	<p>As indicated in Council’s Conservation Planner’s comments earlier in this report, any additional storeys to heritage items are to be contained within the existing roof form. The proposed first floor rear addition does not comply with the above requirement with a separate new roof structure on top of a modified ground floor structure at the rear of the main dwelling.</p> <p>In addition, the proposed removal of the rear chimney stack is not supported because this would alter the roof form and the associated roof structures of the original dwelling.</p>
<b>1.4.8</b>	<b>Built Form Character</b>		
<b>1.4.10</b>	<b>Roofs</b>		
<b>1.4.9</b>	<b>Dwelling Entry</b>	No change	The proposal would not change the existing dwelling entry on the front elevation.
<b>1.4.11</b>	<b>Dormers</b>	No	Whilst the size and location of the proposed dormer for the first floor bedroom 2 complies with the DCP requirements, the dormer window should be modified to provide more traditional proportions with solid side walls.
<b>1.4.12</b>	<b>Materials</b>	Yes	The proposed colours and materials, featuring preliminary traditional materials, are considered to be generally acceptable.
<b>1.4.14</b>	<b>Front Fences</b>	Yes	The existing sandstone walls along the street will be retained. The proposed a 1.1m high palisade style driveway gate is considered to be acceptable.
<b>1.5 Quality Urban Environment</b>			
<b>1.5.4</b>	<b>Vehicle Access and Parking</b>	No change	The proposal retains the existing driveway off Wycombe Road and the existing double garage within the southern building setback.

<p><b>1.5.5 Site Coverage</b> <b>1.5.6 Landscape Area</b></p>	<p>No</p>	<p>A table is provided below showing the level of compliance with DCP's site coverage, unbuilt upon area and landscaped area requirements:</p> <table border="1" data-bbox="694 315 1382 528"> <thead> <tr> <th>Control</th> <th>Existing</th> <th>Proposed</th> <th>Control</th> <th>Compliance</th> </tr> </thead> <tbody> <tr> <td>Site coverage</td> <td>374sqm (39%)</td> <td>387sqm (40%)</td> <td>35%</td> <td>No</td> </tr> <tr> <td>Unbuilt-upon area</td> <td>178sqm (19%)</td> <td>131.7sqm (14%)</td> <td>20%</td> <td>Yes</td> </tr> <tr> <td>Landscaped area</td> <td>403sqm (42%)</td> <td>436.3sqm (46%)</td> <td>45%</td> <td>Yes</td> </tr> </tbody> </table> <p>The existing development does not comply with the DCP site coverage requirement. The proposal would increase this non-compliance by 1% to 40%. It is however noted that the applicant has proposed additional soft landscaping that would result in an increase in landscaped area to a complying 46%.</p> <p>Whilst the increase in the non-compliance site coverage by 1% does not materially change the overall density and the landscape quality of the subject site, the non compliance has resulted a further breach of the DCP's maximum site coverage requirement for the subject site by 5% and is considered to be unacceptable in this regard.</p>	Control	Existing	Proposed	Control	Compliance	Site coverage	374sqm (39%)	387sqm (40%)	35%	No	Unbuilt-upon area	178sqm (19%)	131.7sqm (14%)	20%	Yes	Landscaped area	403sqm (42%)	436.3sqm (46%)	45%	Yes
Control	Existing	Proposed	Control	Compliance																		
Site coverage	374sqm (39%)	387sqm (40%)	35%	No																		
Unbuilt-upon area	178sqm (19%)	131.7sqm (14%)	20%	Yes																		
Landscaped area	403sqm (42%)	436.3sqm (46%)	45%	Yes																		
<p><b>1.5.7 Excavation</b></p>	<p>Yes</p>	<p>As mentioned earlier in this report, the proposal involves excavation within the rear garden to provide a new swimming pool.</p> <p>The proposed works are unlikely to cause disruptions or detrimental effects on drainage patterns, soil stability and vegetation subject to the imposition of appropriate engineering and construction management conditions should approval be granted for the application.</p>																				
<p><b>1.5.8 Landscaping</b></p>	<p>Yes</p>	<p>The applicant has submitted a landscape plan showing additional soft landscaping including the replacement of the existing hard paving on the driveway with soft ground cover.</p> <p>Council's Landscape Officer has raised no in-principle objection to the proposed landscaping treatments subject to the imposition of appropriate condition including bonds for street trees, tree protection measures and additional tree planting should approval be granted for this application.</p>																				
<p><b>1.5.11 Swimming Pools</b></p>	<p>Yes/No</p>	<p>The proposed swimming pool has been assessed against the key DCP swimming pool requirements as shown below:</p> <table border="1" data-bbox="756 1518 1331 1675"> <thead> <tr> <th>Control</th> <th>Proposed</th> <th>Compliance</th> </tr> </thead> <tbody> <tr> <td>Setback 1.2m min</td> <td>1.2m</td> <td>Yes</td> </tr> <tr> <td>Height -500m max</td> <td>1.1m</td> <td>No</td> </tr> <tr> <td>Nearest habitable room – 6m min.</td> <td>6m</td> <td>Yes</td> </tr> </tbody> </table> <p>The proposed swimming pool complies with the boundary setback and nearest habitable room requirements. However, the north-western corner of the swimming pool would be up to 1.1m above the existing ground level due to the sloping landform of the subject site. It is considered that the non-compliance can be minimised by shifting the proposed swimming pool towards the rear property boundary by 1m.</p>	Control	Proposed	Compliance	Setback 1.2m min	1.2m	Yes	Height -500m max	1.1m	No	Nearest habitable room – 6m min.	6m	Yes								
Control	Proposed	Compliance																				
Setback 1.2m min	1.2m	Yes																				
Height -500m max	1.1m	No																				
Nearest habitable room – 6m min.	6m	Yes																				
<p><b>1.5.13 Garbage Storage</b></p>	<p>Yes (via condition)</p>	<p>A standard condition requiring the provision of adequate storage for general waste and recyclable materials can be imposed should approval be granted for the proposed development.</p>																				
<p><b>1.6 Efficient Use of Resources</b></p>																						
<p><b>1.6.1 Energy Efficiency</b></p>	<p>Yes</p>	<p>The applicant has submitted a valid BASIX certificate.</p>																				

### South Cremorne Planning Area (Cremorne Conservation Area) – Part C of NSDCP 2013

The proposed development would result in alterations to the existing roof form for a heritage listed building and is inconsistent with the desired future outcome for Cremorne South Planning Area requiring development to reflect and reinforce the existing distinctive built form.

#### LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

The proposal is subject to Local Infrastructure Contributions in accordance with the North Sydney Local Infrastructure Contributions Plan 2020.

It is noted that the proposed development does not involve an increase in population, therefore the proposal is subject to a S7.12 levy in accordance with Sections 1.3.3 and 1.4 of North Sydney Local Infrastructure Contribution Plan 2020 because the cost of the development is over \$100,000.00.

The required contribution has been calculated in accordance with the applicable contribution rates as follows

Applicable Contribution Type		
S7.12 contribution detail	Development cost:	\$ 1,709,237.00
(payment amount subject to indexing at time of payment)	Contribution:	\$17,092.37

Conditions requiring payment of contributions can be imposed should approval be granted for the application.

#### ALL LIKELY IMPACTS OF THE DEVELOPMENT

All likely impacts of the proposed development have been considered within the context of this report.

#### ENVIRONMENTAL APPRAISAL

#### CONSIDERED

1.	Statutory Controls	Yes
2.	Policy Controls	Yes
3.	Design in relation to existing building and natural environment	Yes
4.	Landscaping/Open Space Provision	Yes
5.	Traffic generation and Carparking provision	Yes
6.	Loading and Servicing facilities	No
7.	Physical relationship to and impact upon adjoining development (Views, privacy, overshadowing, etc.)	Yes
8.	Site Management Issues	Yes
9.	All relevant S4.15 considerations of Environmental Planning and Assessment (Amendment) Act 1979	Yes

## **SUBMITTERS CONCERNS**

The proposal, including the amended plans, notified to adjoining properties and the Bennett and Neutral Precincts. Council received a total of five (5) submissions from three (3) households. The issues raised in the submissions are addressed as follows:

- ***Adverse privacy impacts (noise and overlooking) arising from the proposed swimming pool.***
- ***Alternate location for the proposed swimming pool within the rear garden of the subject site.***

### **Comment:**

As indicated above, the noise and visual privacy impacts of the proposed development, including the new swimming pool is considered to be acceptable given the modest scale of the proposed development to remain as a single dwelling within a high density residential zone.

Furthermore, the existing screen planting along the southern and western (rear) property boundaries would provide privacy protection, particularly visual privacy, for the surrounding residents.

Whilst there is scope for a minor shift of the swimming pool by 1m towards the rear property boundary can be considered to minimise the height of the swimming pool above the existing ground level, a significant shift of the swimming pool to other locations within the rear garden is considered more difficult because of the alignment of an existing Sydney Water sewer line traverse the rear of the site.

- ***The proposed pergola would cause overshadowing on the adjoining apartment building.***

### **Comment:**

As indicated earlier in this report, the shadow of the proposed pergola above the existing garage would not cause material overshadowing of the adjoining apartment building at No.100 Wycombe Road as the new shadows from this proposed structure would generally fall within the shadows of the taller existing structures to the north.

- ***Non-compliance with site coverage.***

### **Comment:**

The existing development does not comply with the DCP site coverage requirement. As indicated earlier in this report, the proposal would increase this non-compliance by 1% to 40%.

- ***The surface treatments of the proposed driveway would have safety concerns due to the steep gradient.***

### **Comment:**

It is considered that concrete tyre strips can be incorporated in the driveway design in order to provide better traction for vehicles travelling on steeper gradient.

- ***Adverse impacts on rental values or the loss of tenants.***

**Comment:**

Whilst any development may have impacts, environmental or financial, on the surrounding properties, there is insufficient evidence to demonstrate how the proposed development would affect the rental levels and/or occupancy of these properties.

**PUBLIC INTEREST**

The proposal is not considered to be in the public interest for the reasons stated throughout this report.

**SUITABILITY OF THE SITE**

The proposal is considered to be unsuitable for the subject site because the proposed addition would detract from the significance of the subject heritage listed property.

**CONCLUSION + REASONS**

The development application has been assessed against the North Sydney LEP 2013 and North Sydney DCP 2013 and was found to be unsatisfactory.

The proposal, including a new first floor rear addition and a new swimming pool, complies with the LEP maximum building height limit. However, the proposed first floor rear addition would have an adverse impact on the significance of the subject heritage listed single storey dwelling.

Therefore, the proposed development is contrary to the objective of the R4 (High Density Residential) zone because the proposal would detract from the significance of the subject heritage listed building.

The application was referred to Council's Conservation Planner who considered the proposal unsatisfactory because of the adverse impacts on the heritage significance of subject heritage listed item.

In addition, the proposed development does not comply with the DCP maximum site coverage requirement for the subject site and will cause some view loss for a property to the north of the subject site.

It is also noted that the additional accommodation proposed in the current DA would be comparable to that approved in the 2017 DA (**D82/17**), however the first floor rear addition would be visually more dominant than the previous approval.

The issues raised in the submissions received have been addressed in this report.

Accordingly, the proposed development is recommended for **refusal**.

**HOW WERE THE COMMUNITY VIEWS TAKEN INTO CONSIDERATION?**

The application was notified to the owners of the adjoining properties and the Bennett and Neutral Precincts between 8 and 22 October 2021. The notification of the application has attracted three (3) submissions.

The amended plans were notified to the owners of the adjoining properties, the submitters and the Bennett and Neutral Precincts between 28 April 2022 and 13 May 2022. The notification of the amended plans has attracted two (2) submissions from previous submitters. The issues raised in the submissions have been addressed in this report.

## **RECOMMENDATION**

PURSUANT TO SECTION 4.16 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

**THAT** the North Sydney Local Planning Panel, exercising the functions of Council as the consent authority, resolve to refuse development consent to Development Application No.295/21 for alterations and additions to a single storey heritage listed dwelling on land at No.104 Wycombe Road, Neutral Bay, for the following reasons:-

### **1. Unacceptable Heritage Impacts**

The proposed development is unacceptable because of the adverse impacts on the subject heritage item.

- (i) The proposed development does not satisfy Clause 5.10(1)(a), Clause 5.10(1)(b) and Clause 5.10(4) in Part 5 of NSLEP 2013 due to the detrimental impacts of the proposed development on the subject heritage listed item, in particular the introduction of an uncharacteristic first floor addition at the rear of the dwelling.
- (ii) The proposal does not satisfy the aims of North Sydney Local Environmental Plan 2013 (NSLEP 2013) as listed in Clauses 1.2 (2)(a), (2)(b)(i), and (2)(f) in Part 1 of NSLEP 2013.
- (iii) The proposed development does not satisfy the objective of the R4 (High Density Residential) zone in the Land Use Table in Part 2 of NSLEP 2013 because of the adverse impacts of the proposed development on the significance of the subject heritage listed item, particularly dot point 4.
- (iv) The proposed development does not satisfy the Area Character Statement for South Cremorne Planning Area in Section 6.0 in Part C of North Sydney DCP 2013 (NSDCP 2013) given that the proposal does not promote a quality built form within the planning area because the design of the proposal fails to reflect and reinforce the distinctive built form of the existing heritage listed building.
- (v) The application fails to satisfy the development controls for the following sections in Part B of the NSDCP 2013 and is therefore considered unacceptable:
  - a. 13.1.1 Guiding Statement: in terms of managing North Sydney's heritage for present and future generations in accordance with the principles of intergenerational equity as per the Burra Charter
  - b. 13.1.2 – General Objectives
  - c. Section B – 13.5.1 – Protecting heritage significance
  - d. Section B – 13.5.2 – Form massing and scale
  - e. Section B – 13.5.3 – Additional Storeys
  - f. Section B – 13.5.4 – Roofs
  - g. Section B – 13.5.5 – Interior Layout
  - h. Section B – 13.9.4 – Materials

### **2. Inappropriate context, excessive height, bulk and scale**

The proposed development is unacceptable because of the proposed first floor rear addition

is inappropriate for the built form of the existing building.

**Particulars**

- (i) The proposed development is inappropriate in its context being a heritage item because the proposed first floor addition will alter the form of the subject single storey dwelling which is contrary to aim 1.2 (2)(a) in NSLEP 2013 as well as section 1.4.1 in Part B of NSDCP 2013.
- (ii) The proposed development is contrary to Section 1.4.7 and 1.4.8 in Part B of NSDCP 2013 because the proposed first floor addition will increase the bulk and scale of the existing dwelling with an uncharacteristic built form due to the creation of an additional storey that would detract from the significance of the subject heritage item.

**3. Excessive Site Coverage**

The proposed development is unacceptable because the non-complying site coverage.

**Particulars**

- (i) The proposed development will result in a non-compliance with the maximum site coverage for the subject site and is contrary to section 1.5.5 in Part B of NSDCP 2013.

**4. View Loss**

The proposed development is unacceptable because the proposed first floor rear addition will cause some loss of water views that could be retained with a more skilful design.

**Particulars**

- (ii) The proposed first floor rear addition will cause some loss of water view of Sydney Harbour currently seen from the adjoining property to the north and is contrary to aim 1.2 (2)(a) in NSLEP 2013 as well as section 1.3.6 in Part B of NSDCP 2013.
- (iii) The proposed development does not satisfy the objective of the R4 (High Density Residential) zone in the Land Use Table in Part 2 of NSLEP 2013 because of the adverse impacts of the proposed development on the amenity of the neighbouring properties in terms of the loss of significant views.

**5. Public Interest**

The approval of the proposed development is not in public interest because of the adverse impacts on the significance of the subject heritage listed item and the failure to protect heritage buildings within North Sydney.

**ROBIN TSE**  
**SENIOR ASSESSMENT OFFICER**

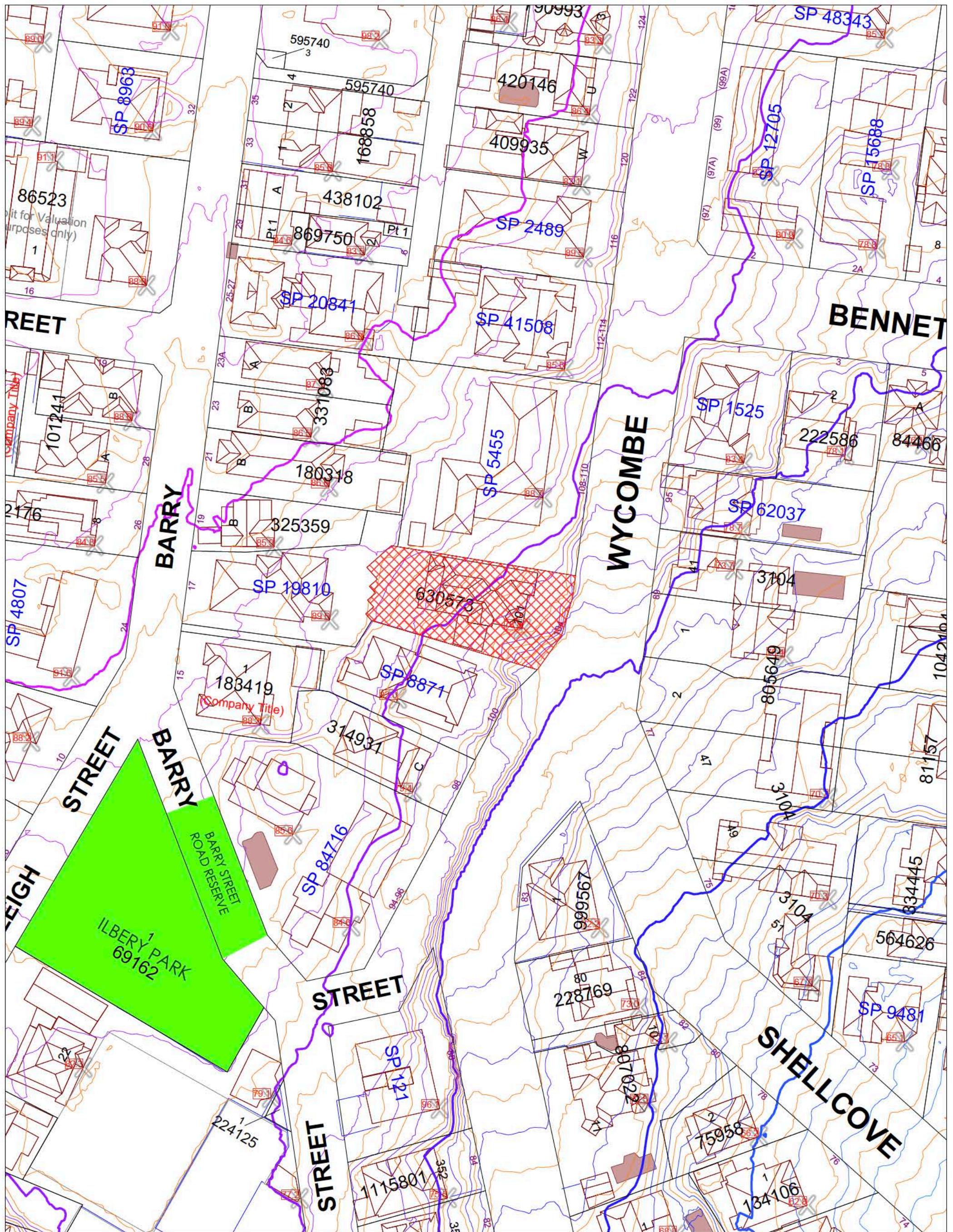
**ROBYN PEARSON**  
**TEAM LEADER ASSESSMENTS**

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**STEPHEN BEATTIE**  
**MANAGER DEVELOPMENT SERVICES**

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**North Sydney Council**

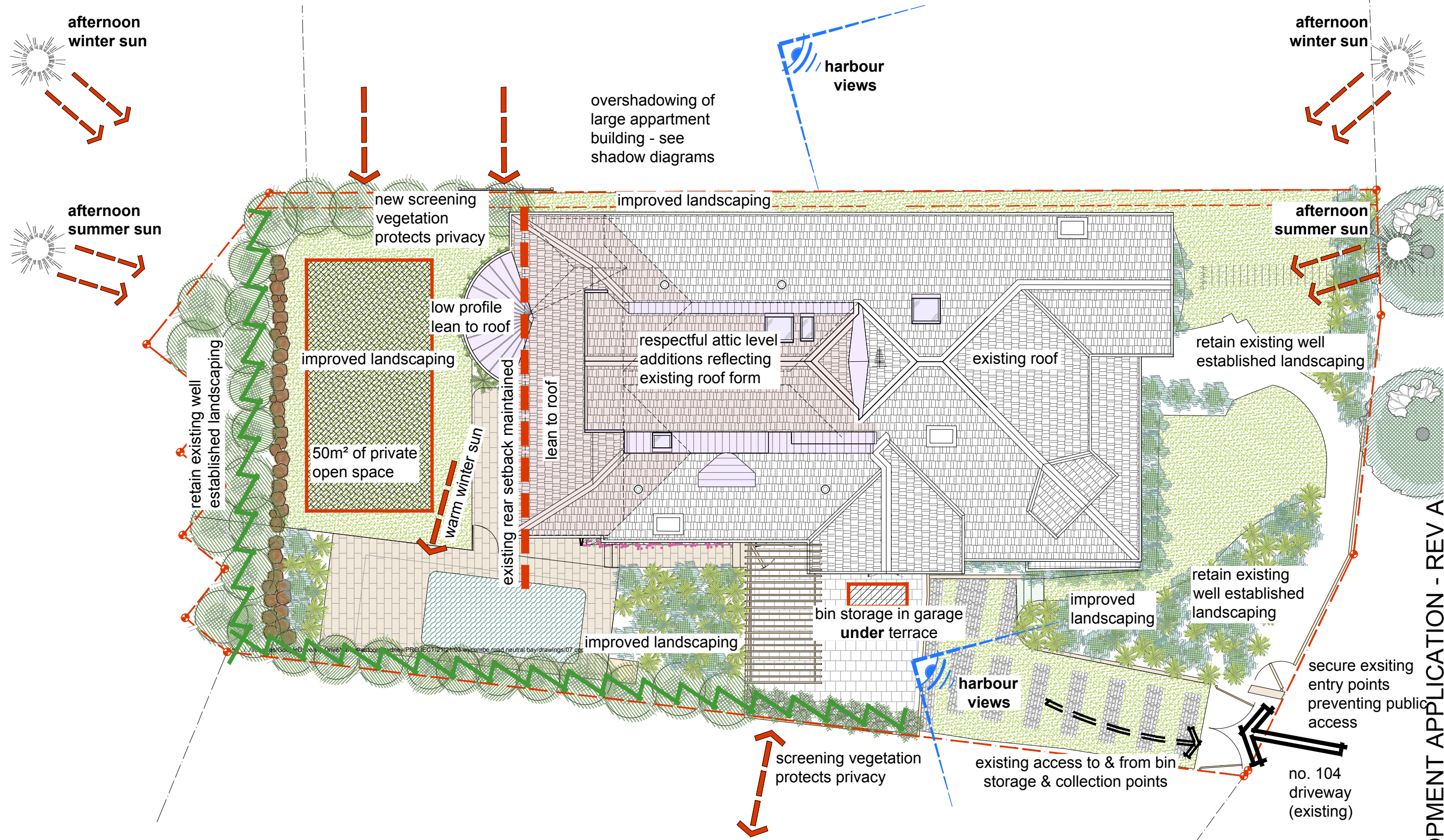
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Further details can be obtained by calling (02) 9936 8100 or e-mail [mapping@northsydney.nsw.gov.au](mailto:mapping@northsydney.nsw.gov.au).









site analysis plan

scale 1:100

**legend**

- elements to be removed
- roof to be removed
- finished RL
- screening planting
- private open space
- bins / utilities as noted
- existing & proposed landscaped area - lawn

NOTE: drawing based on site survey & where unavailable, estimates from aerial photos, DCP/LEP maps & department of land maps.

drawing title  
site analysis

stage  
development application

drawing title  
alterations & additions

project address  
104 wycombe road  
neutral bay

21.03 DA01

CARL RUTHERFORD  
DESIGN

address  
PO Box 336  
pyrmont NSW 2009

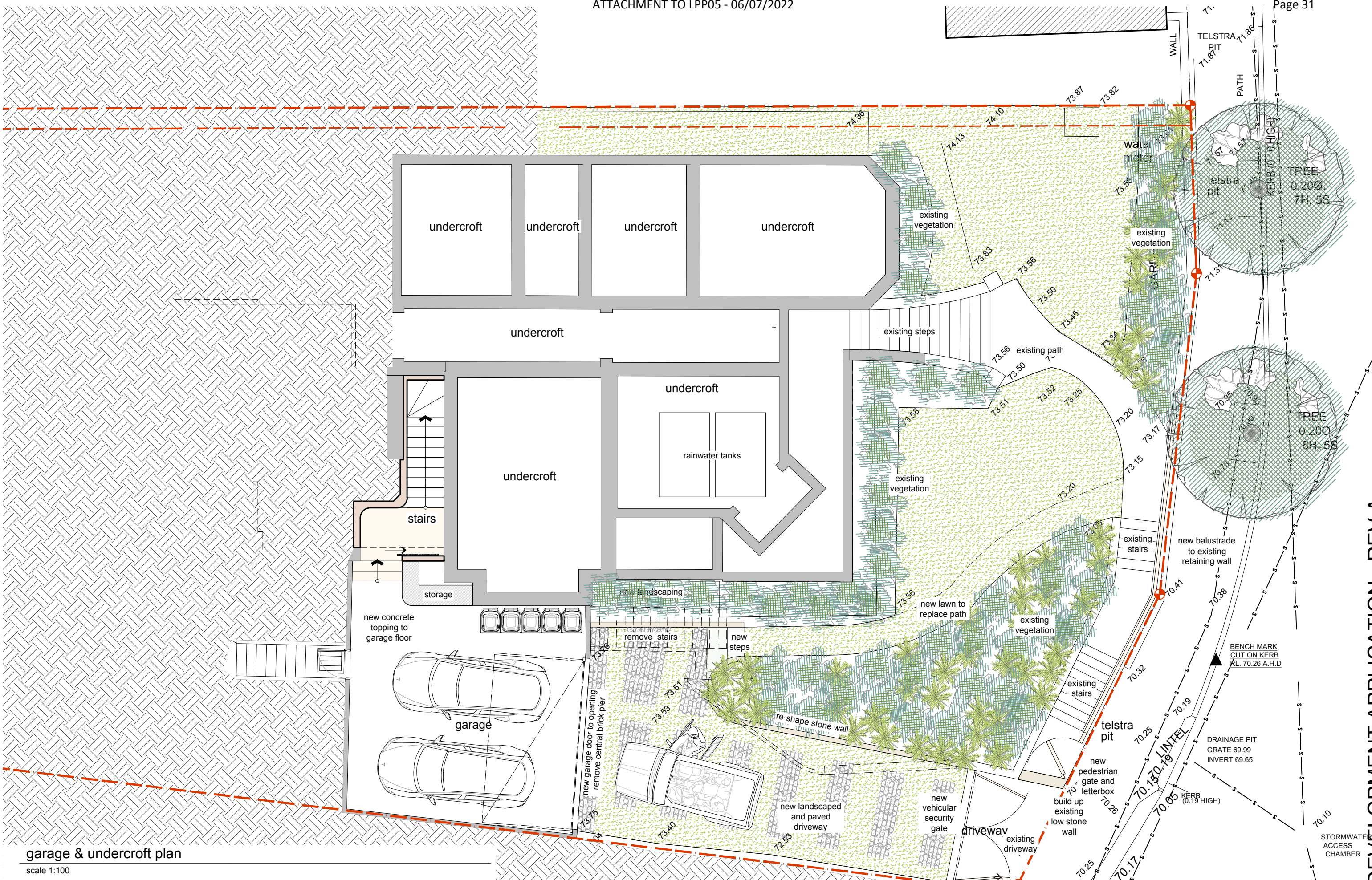
web  
carlrutherford.sydney

email  
carl@carlrutherford.sydney

phone  
+61 414 480 427

ABN  
54 504 271 329





garage & undercroft plan

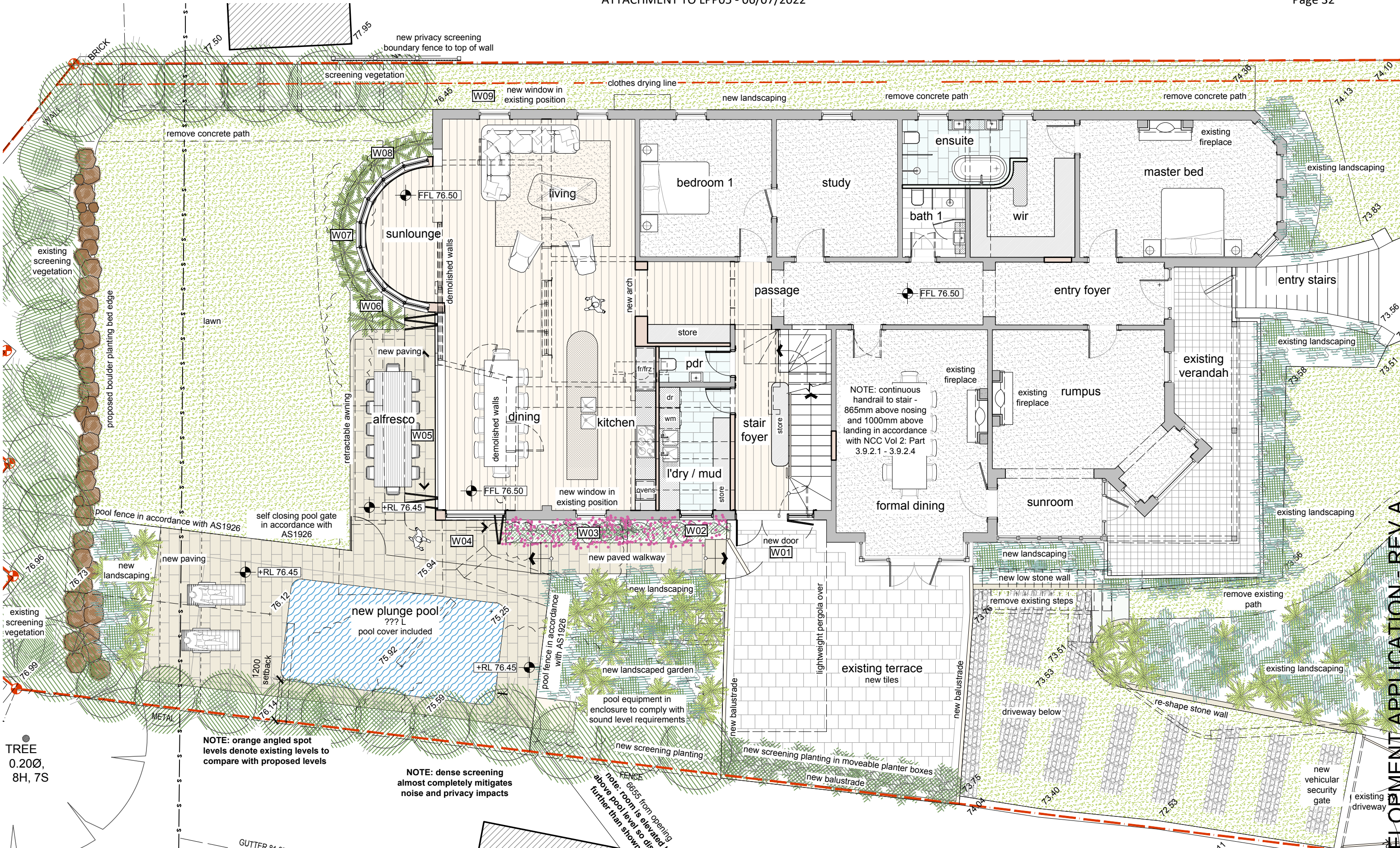
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<p><b>wall legend</b></p> <p>existing walls</p> <p>new walls (colour as per legend)</p> <p>joinery</p>	<p><b>legend</b></p> <p>building elements over</p> <p>building elements under</p> <p>elements to be removed</p> <p>roof over</p> <p>finished floor level</p> <p>smoke alarms</p>
--	--



drawing title	garage plan
stage	development application
drawing title	alterations & additions
project address	104 wycombe road neutral bay
21.03	DA03
CARL RUTHERFORD	DESIGN
address	PO Box 336 pyrmont NSW 2009
web	carlrutherford.sydney
email	carl@carlrutherford.sydney
phone	+61 414 480 427
ABN	54 504 271 329





TREE  
0.20Ø,  
8H, 7S

NOTE: orange angled spot levels denote existing levels to compare with proposed levels

NOTE: dense screening almost completely mitigates noise and privacy impacts

note: 6855 from opening above pool level so distance is further than shown in plan

ground floor plan

scale 1:100

- wall legend**
- existing walls
  - new walls (colour as per legend)
  - joinery

- legend**
- building elements over
  - building elements under
  - elements to be removed
  - roof over
  - finished floor level  FFL 40.90
  - smoke alarms  SM



**drawing title**  
ground floor plan

**stage**  
development application

**drawing title**  
alterations & additions

**project address**  
104 wycombe road  
neutral bay

**21.03 DA04**

**CARL RUTHERFORD DESIGN**

**address**  
PO Box 336  
pyrmont NSW 2009

**web**  
carlrutherford.com.au

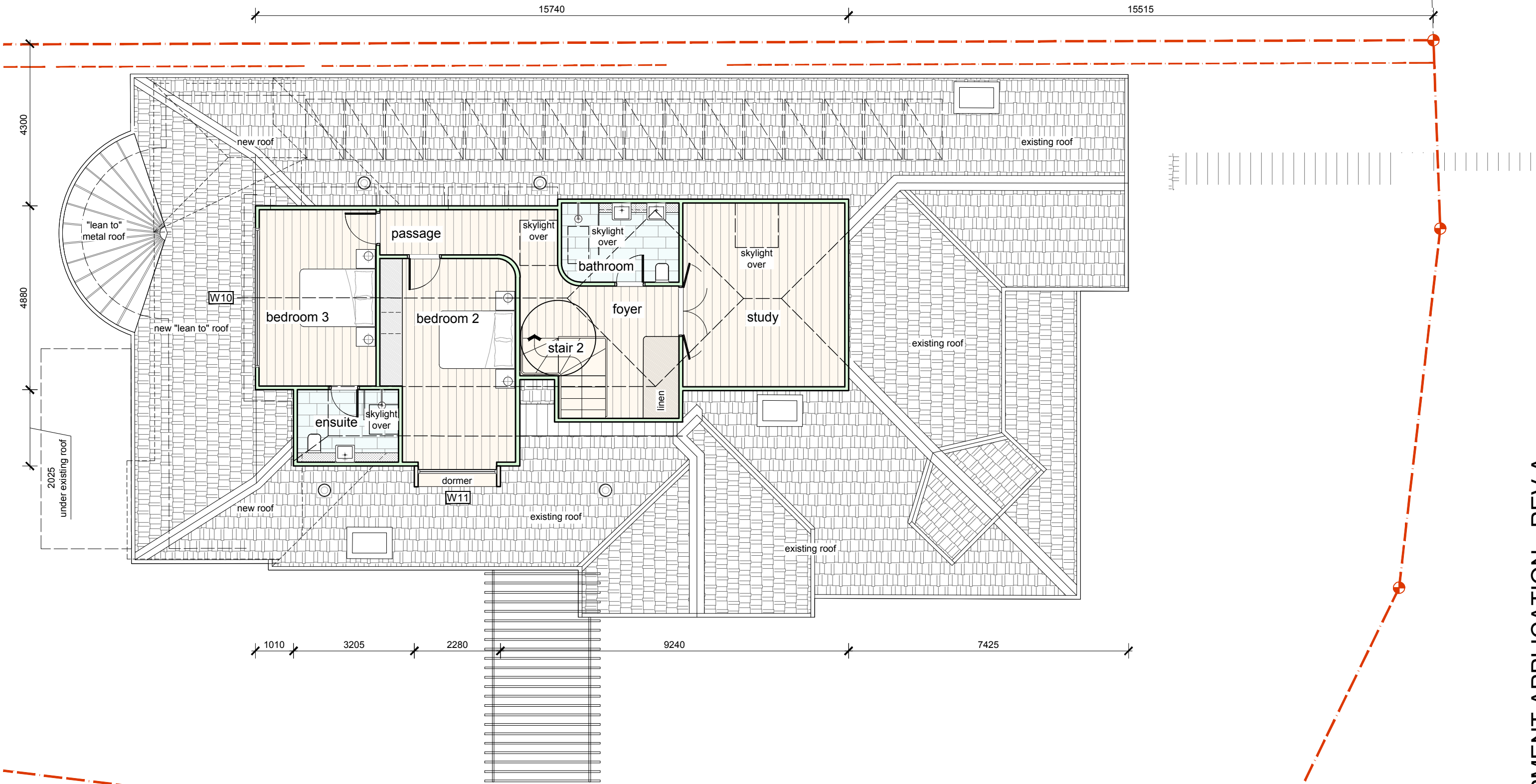
**email**  
carl@carlrutherford.com.au

**phone**  
+61 414 480 427

**ABN**  
54 604 271 329

DEVELOPMENT APPLICATION - REV A

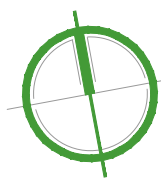




attic floor plan

scale 1:100

<p><b>wall legend</b></p> <p>existing walls </p> <p>new walls (colour as per legend) </p> <p>joinery </p>	<p><b>legend</b></p> <p>building elements over </p> <p>building elements under </p> <p>elements to be removed </p> <p>finished floor level  FFL 40.90  HRL 40.90</p> <p>smoke alarms </p>
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**drawing title**  
attic plan

**stage**  
development application

**drawing title**  
alterations & additions

**project address**  
104 wycombe road  
neutral bay

**21.03 DA05**

**CARL RUTHERFOORD DESIGN**

**address**  
PO Box 336  
pyrmont NSW 2009

**web**  
carlrutherforddesign.com.au

**email**  
carl@carlrutherforddesign.com.au

**phone**  
+61 414 480 427

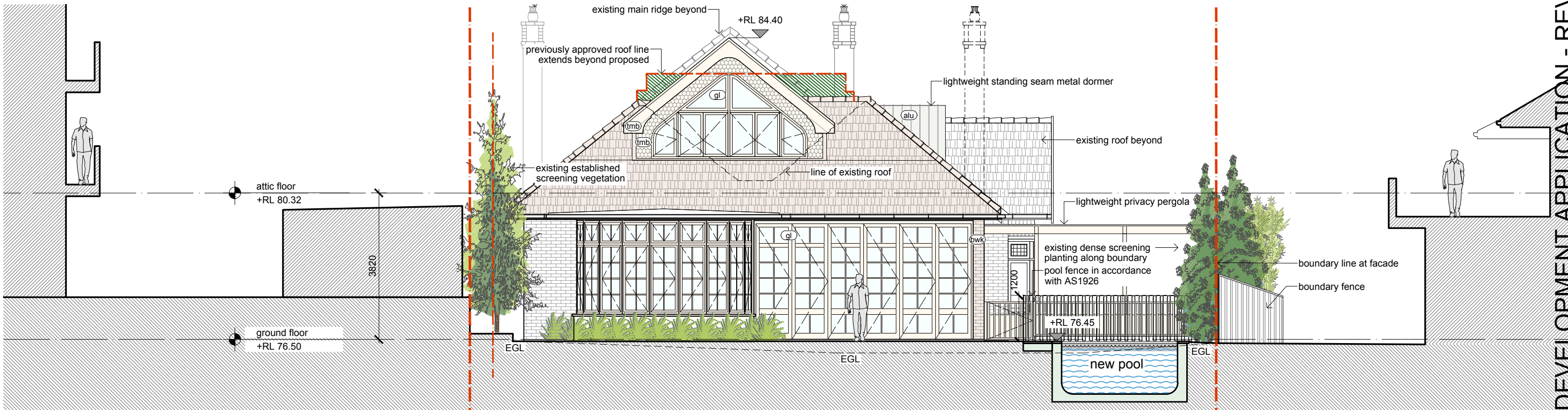






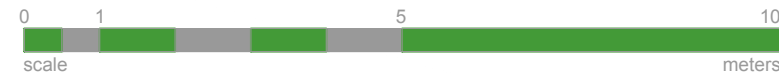
east elevation

scale 1:100



west elevation

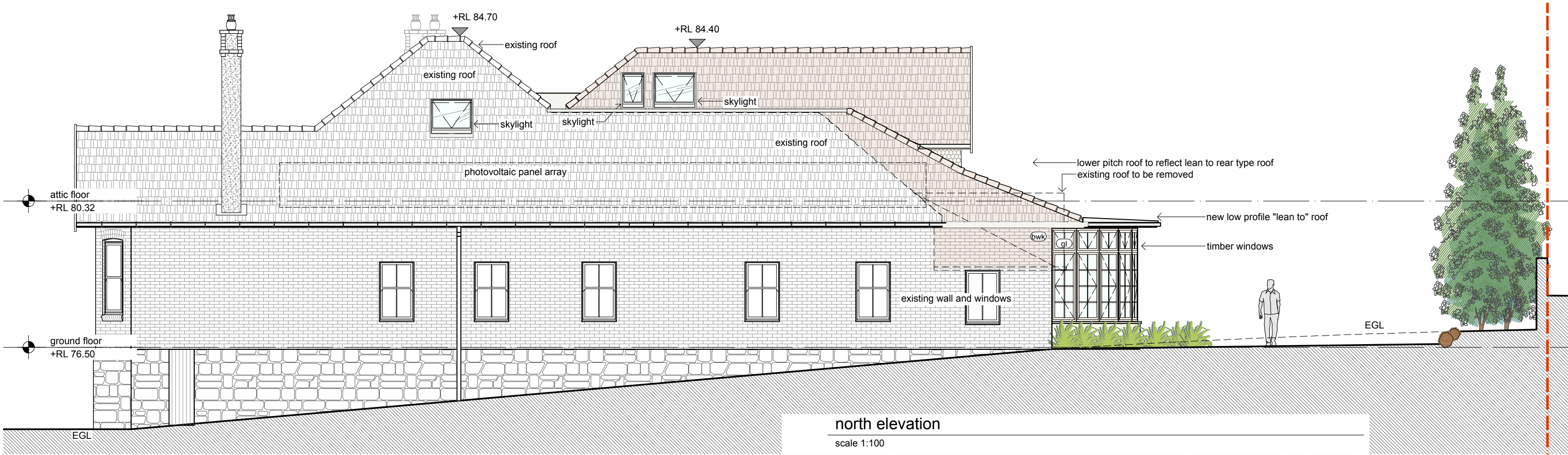
scale 1:100



drawing title	elevations
stage	development application
drawing title	alterations & additions
project address	104 wycombe road neutral bay
21.03	DA06
CARL RUTHERFORD DESIGN	address
PO Box 336 pyrmont NSW 2009	web
carlrutherford.com.au	email
carl@carlrutherford.com.au	phone
+61 414 480 427	ABN
54 504 271 329	

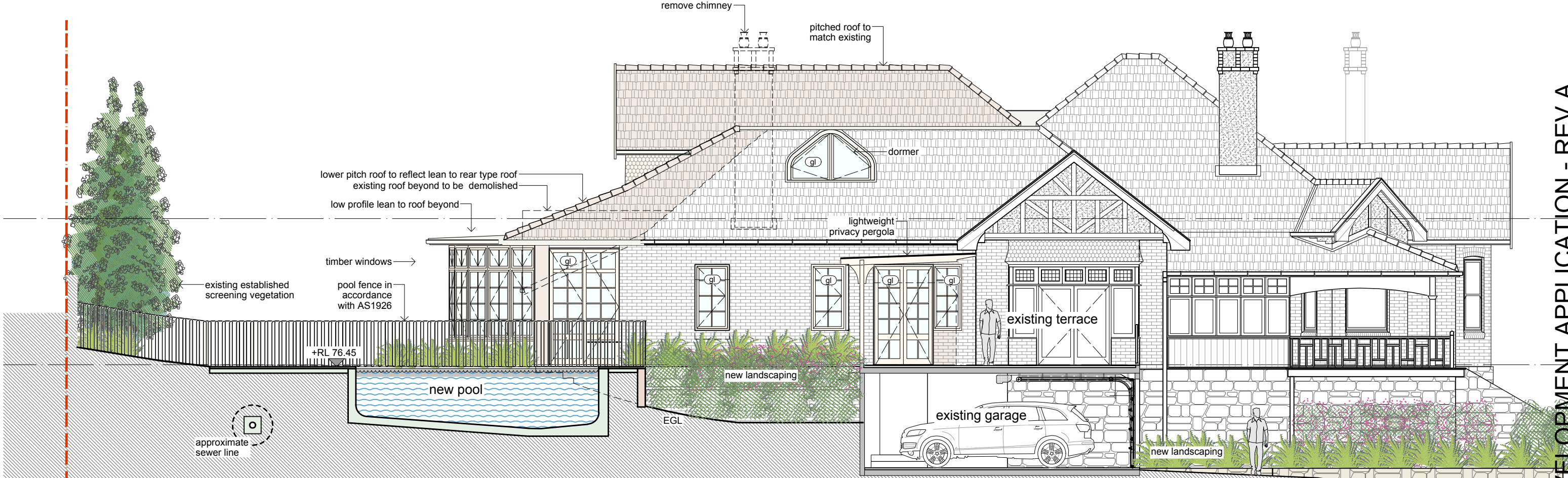
DEVELOPMENT APPLICATION - REV A





north elevation

scale 1:100



south elevation

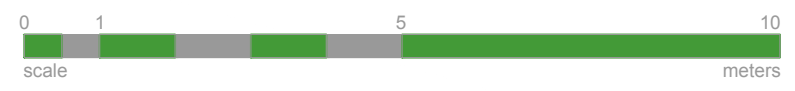
scale 1:100

notations legend

- st - stone
- r/p - painted render
- fc/p - textured painted render
- bwk - face & recycled brick
- og - semi-opaque glass
- gl - glass
- tm - timber
- tc - timber cladding / shutter

- mr - steel / aluminium cladding / roofing
- dp - down pipe
- J - joinery
- HWU - hot water unit
- EGL - existing natural ground level
- A/C - airconditioning unit

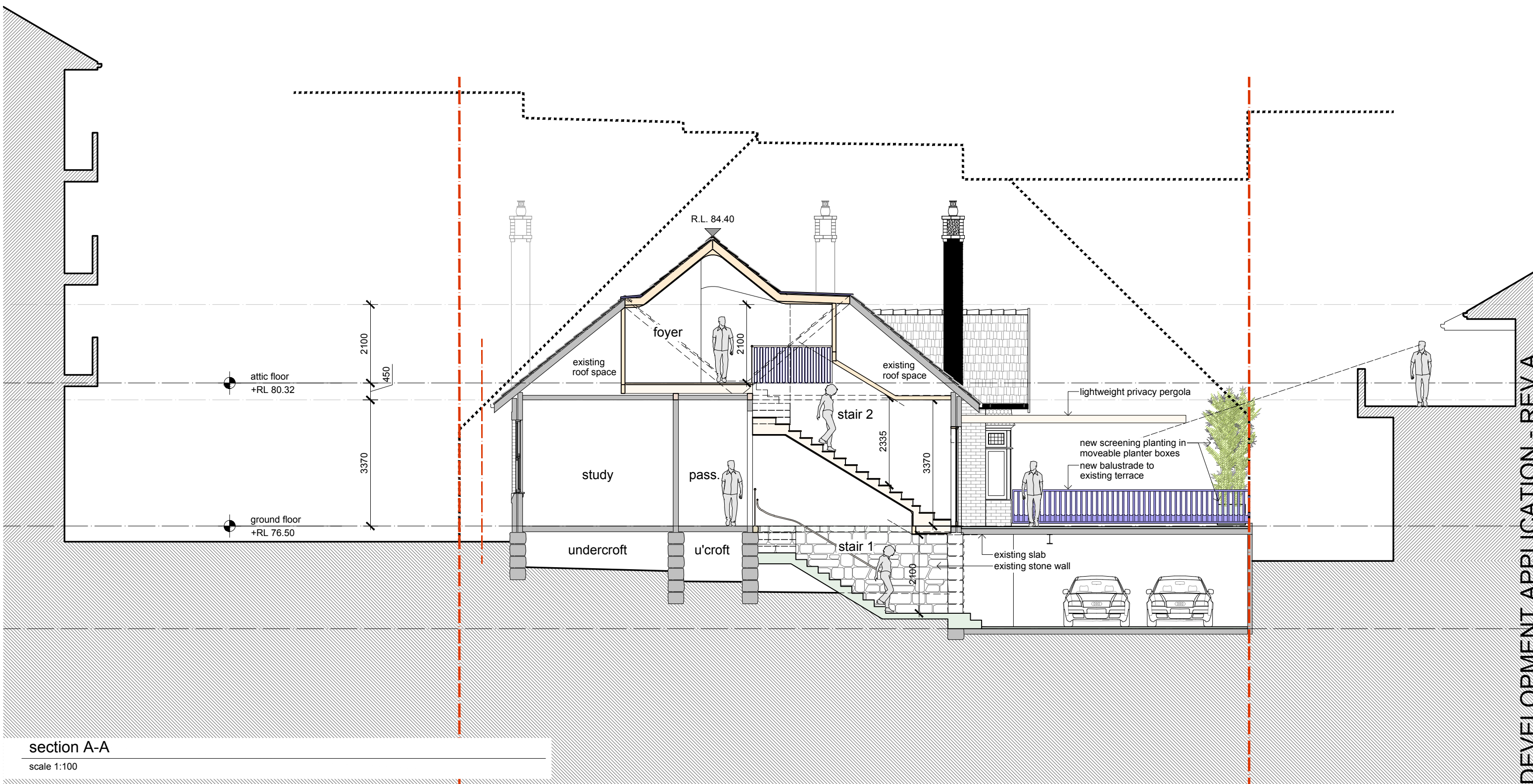
(W) - window behind shutter



drawing title: elevations  
 stage: development application  
 drawing title: alterations & additions  
 project address: 104 wycombe road neutral bay  
 21.03 DA07  
 CARL RUTHERFORD DESIGN  
 address: PO Box 336 pyrmont NSW 2009  
 web: carlrutherford.sydney  
 email: carl@carlrutherford.sydney  
 phone: +61 414 480 427  
 ABN: 54 504 271 329

DEVELOPMENT APPLICATION - REV A



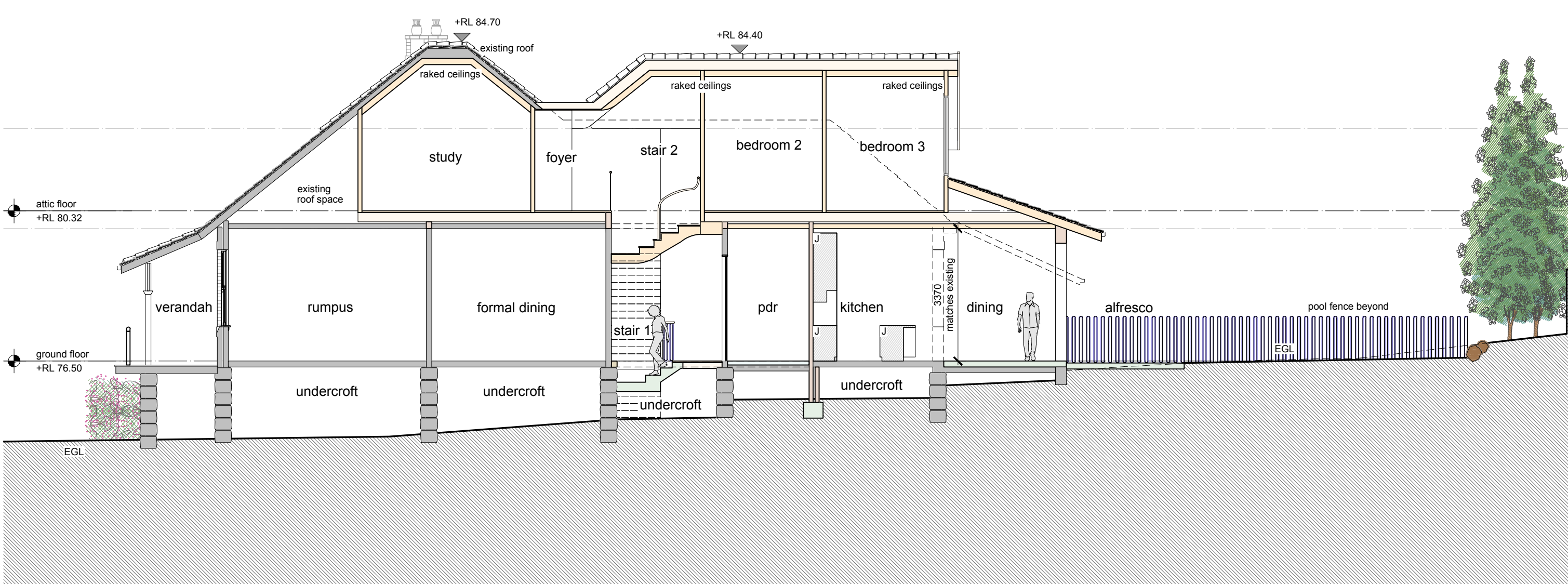


section A-A  
scale 1:100



drawing title sections  
stage development application  
drawing title alterations & additions  
project address 104 wycombe road neutral bay  
21.03 DA08  
CARL RUTHERFOORD DESIGN  
address PO Box 336 pyrmont NSW 2009  
web carlrutherforddesign.com.au  
email carl@carlrutherforddesign.com.au  
phone +61 414 480 427  
ABN 54 504 271 329

DEVELOPMENT APPLICATION - REV A



section B-B

scale 1:100



drawing title sections  
stage development application  
drawing title alterations & additions  
project address 104 wycombe road neutral bay  
21.03 DA09  
CARL RUTHERFOORD DESIGN  
address PO Box 336 pyrmont NSW 2009  
web carlrutherford.sydney  
email carl@carlrutherford.sydney  
phone +61 414 480 427

DEVELOPMENT APPLICATION - REV A

ABN 54 504 271 329

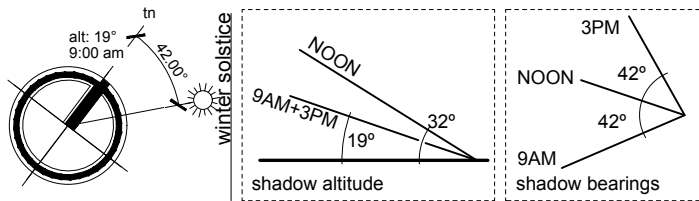




**NOTE: no additional shadows cast on neighbour properties or the public domain**

shadows - 9am - winter solstice

scale 1:200



**note** drawing based on site survey & where unavailable, estimates from aerial photos, DCP/LEP maps & department of land maps

existing shadows

proposed shadows

deleting shadow



**drawing title**  
shadow diagram

**stage**  
development application

**drawing title**  
alterations & additions

**project address**  
104 wycombe road  
neutral bay

**21.03 DA10**

**CARL RUTHERFORD DESIGN**

**address**  
PO Box 336  
pyrmont NSW 2009

**web**  
carlrutherford.sydney

**email**  
carl@carlrutherford.sydney

**phone**  
+61 414 480 427

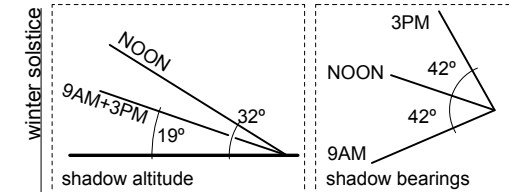
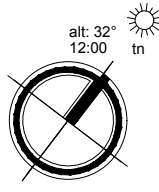




**NOTE: no additional shadows cast on neighbour properties or the public domain**

shadows - 12pm - winter solstice

scale 1:200

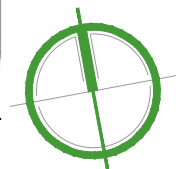


**note** drawing based on site survey & where unavailable, estimates from aerial photos, DCP/LEP maps & department of land maps

existing shadows

proposed shadows

deleting shadow



**drawing title**  
shadow diagram

**stage**  
development application

**drawing title**  
alterations & additions

**project address**  
104 wycombe road  
neutral bay

**21.03 DA11**

**CARL RUTHERFORD DESIGN**

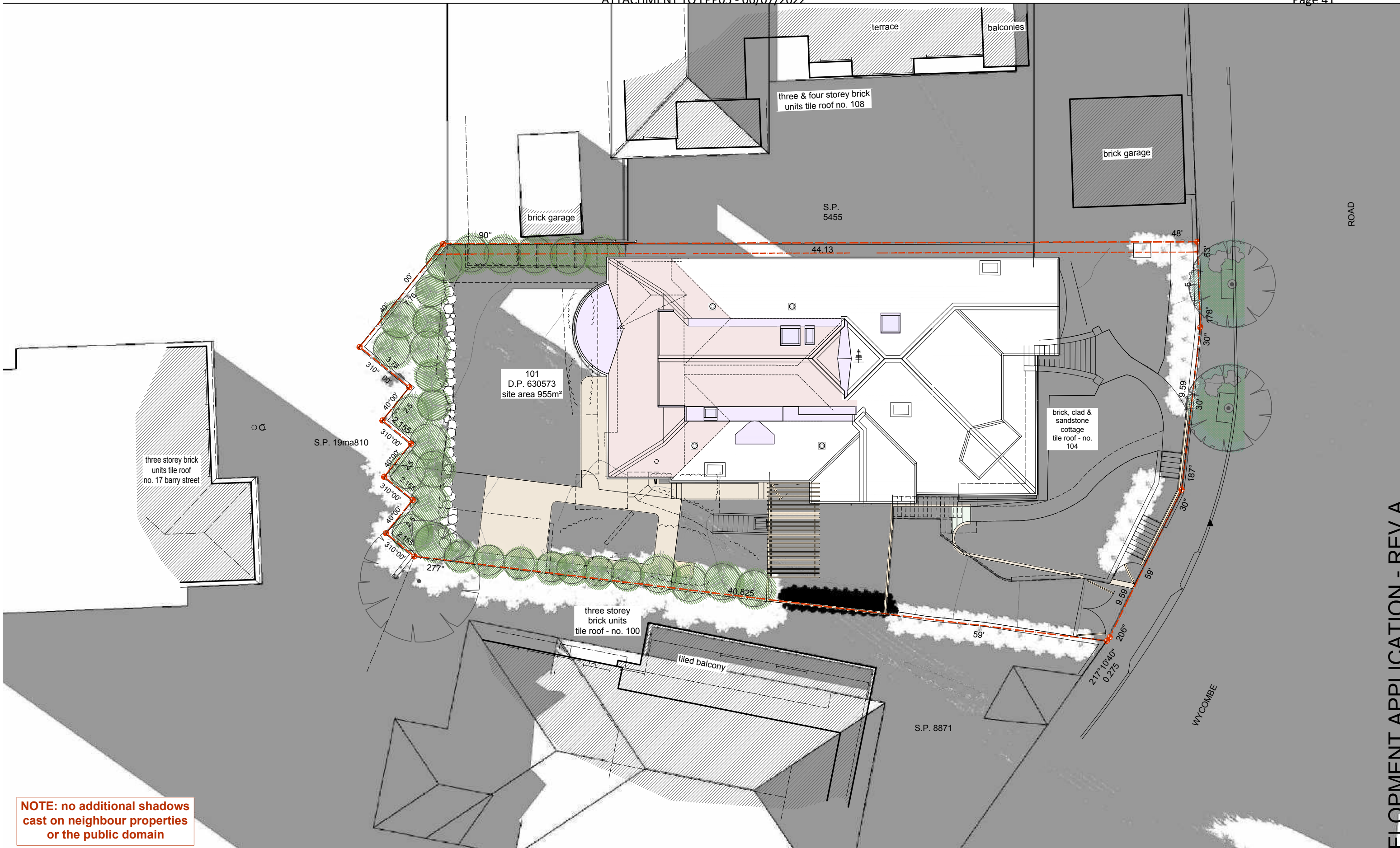
**address**  
PO Box 336  
pyrmont NSW 2009

**web**  
carlrutherford.sydney

**email**  
carl@carlrutherford.sydney

**phone**  
+61 414 480 427

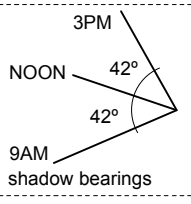
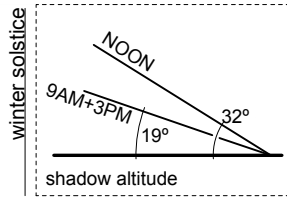
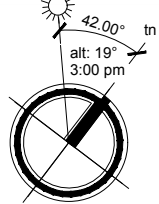




**NOTE: no additional shadows cast on neighbour properties or the public domain**

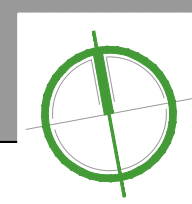
shadows - 3pm - winter solstice

scale 1:200



- existing shadows
- proposed shadows
- deleting shadow

**note** drawing based on site survey & where unavailable, estimates from aerial photos, DCP/LEP maps & department of land maps



drawing title	shadow diagram
stage	development application
drawing title	alterations & additions
project address	104 wycombe road neutral bay
21.03	DA12
CARL RUTHERFORD DESIGN	
address	PO Box 336 pyrmont NSW 2009
web	carlrutherford.sydney
email	carl@carlrutherford.sydney
phone	+61 414 480 427
ABN	54 604 271 329





small steel clad dormer



new roof to match existing



pool balustrade vegetation



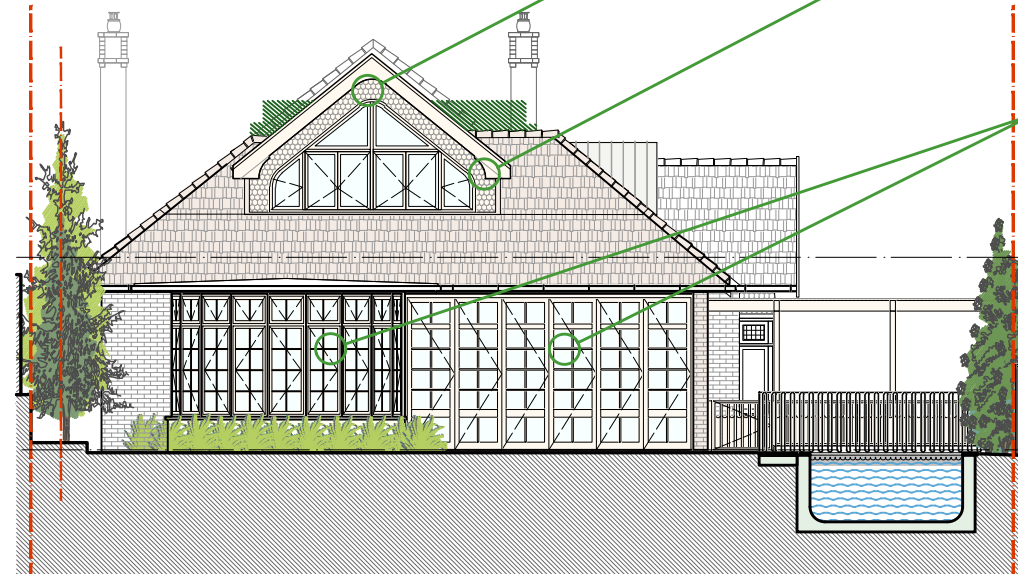
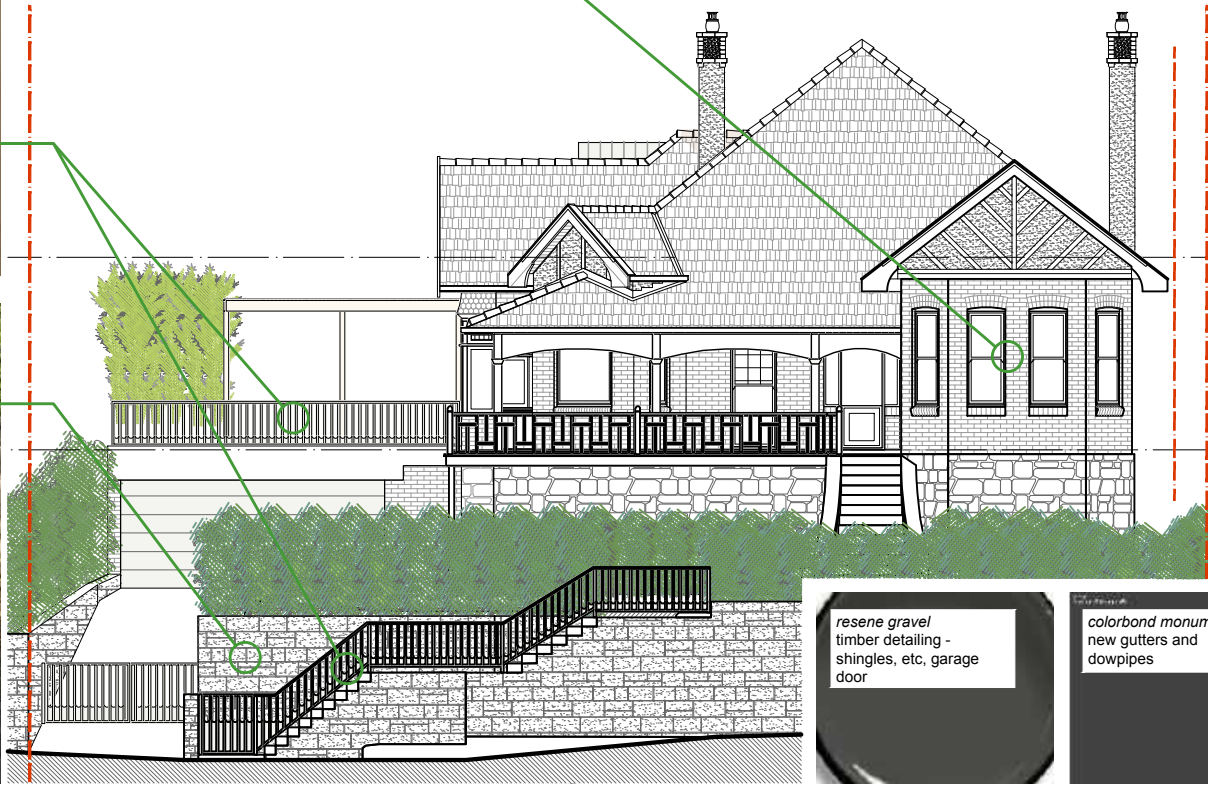
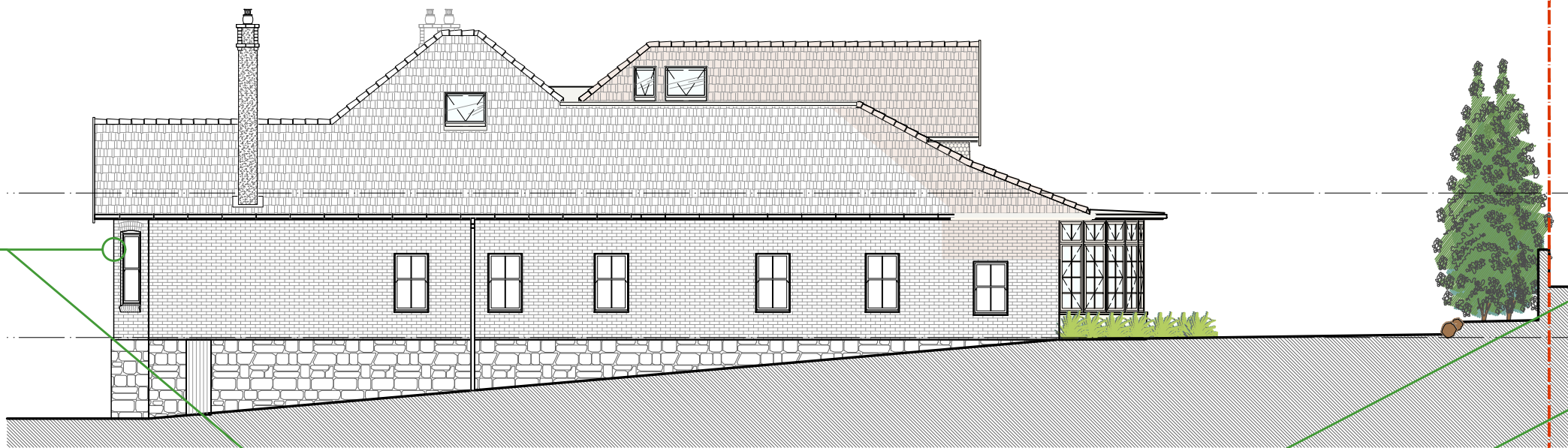
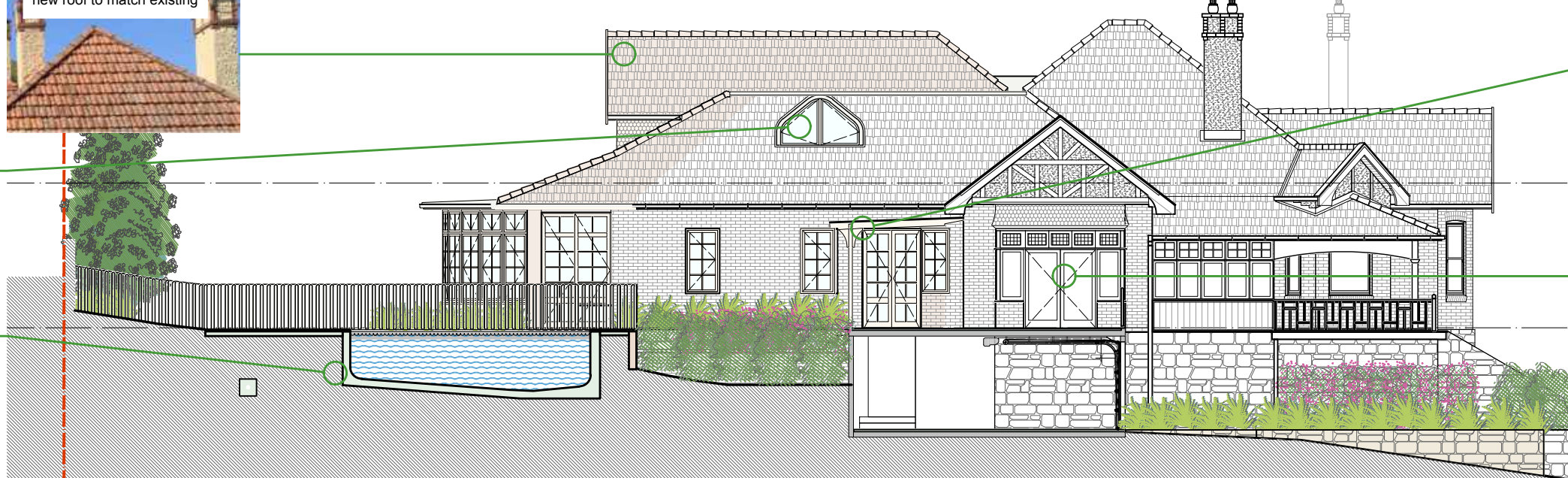
existing detailing



semi open timber balustrade & gate (painted)



stone walls



lightweight awning



existing



timber windows



match existing timber fish scale shingles



timber windows



timber windows

resene gravel  
timber detailing -  
shingles, etc, garage  
door

colorbond monument  
new gutters and  
downpipes

dulux domino  
pool fence, timberwork  
separate from house -  
fencing (part of ), etc,  
front door

dulux ghosting half or  
resene alabaster half  
textured render, timber  
eaves, balustrade (part  
of), pergola

dulux whisper white or  
resene alabaster half  
timber windows

drawing title  
materials & finishes  
stage  
development application  
drawing title  
alterations & additions  
project address  
104 wycombe road  
neutral bay

21.03 DA15  
CARL RUTHERFORD  
DESIGN  
address  
PO Box 336  
pyrmont NSW 2009  
web  
carlrutherford.sydney  
email  
carl@carlrutherford.sydney  
phone  
+61 414 480 427  
ABN  
54 604 271 329

DEVELOPMENT APPLICATION - REV A



**LANDSCAPE NOTES**

**DRAINAGE**  
Install required sedimentation control devices as required by council DCP's.

**PLANTING NOTES**

**SITE PREPARATION**  
All existing plants marked for retention shall be protected for the duration of works. Remove from site all perennial weeds and rubbish before commencing landscape works.

**SOIL WORK**  
Thoroughly cultivate the subsoil to a depth of 200mm. Supply and install to a depth of 300mm quality garden soil mix to all planting beds and 150mm turf underlay to lawn areas.

**MULCH**  
Supply and install a 75mm layer of hardwood horticultural grade mulch to all planting beds set down 25mm from adjacent paving or garden edge.

**MAINTENANCE**  
Garden to be maintained every 10 weeks for the first 12 months of establishment period. Garden to be maintained by a qualified horticulturalist.  
All failed or defective plant species to be replaced for a 3 months period following completion of work.  
Further maintenance during and after this period should include watering, weeding, fertilising, pest and disease control, pruning and hedging, reinstatement of mulch and keeping the site neat and tidy.  
Irrigation: DripEze in line drip tubing with 2.0lph emitters at 300mm spacing throughout all garden beds. Rows of tubing at 400mm spacing or to suit planting and fixed to soil surface using galvanized steel "U" pegs at 1.0m centres.  
Organic matter and mulch supplied to standard AS4454.

1 general : existing vegetation to be retained



3 lightweight paving with grass in between



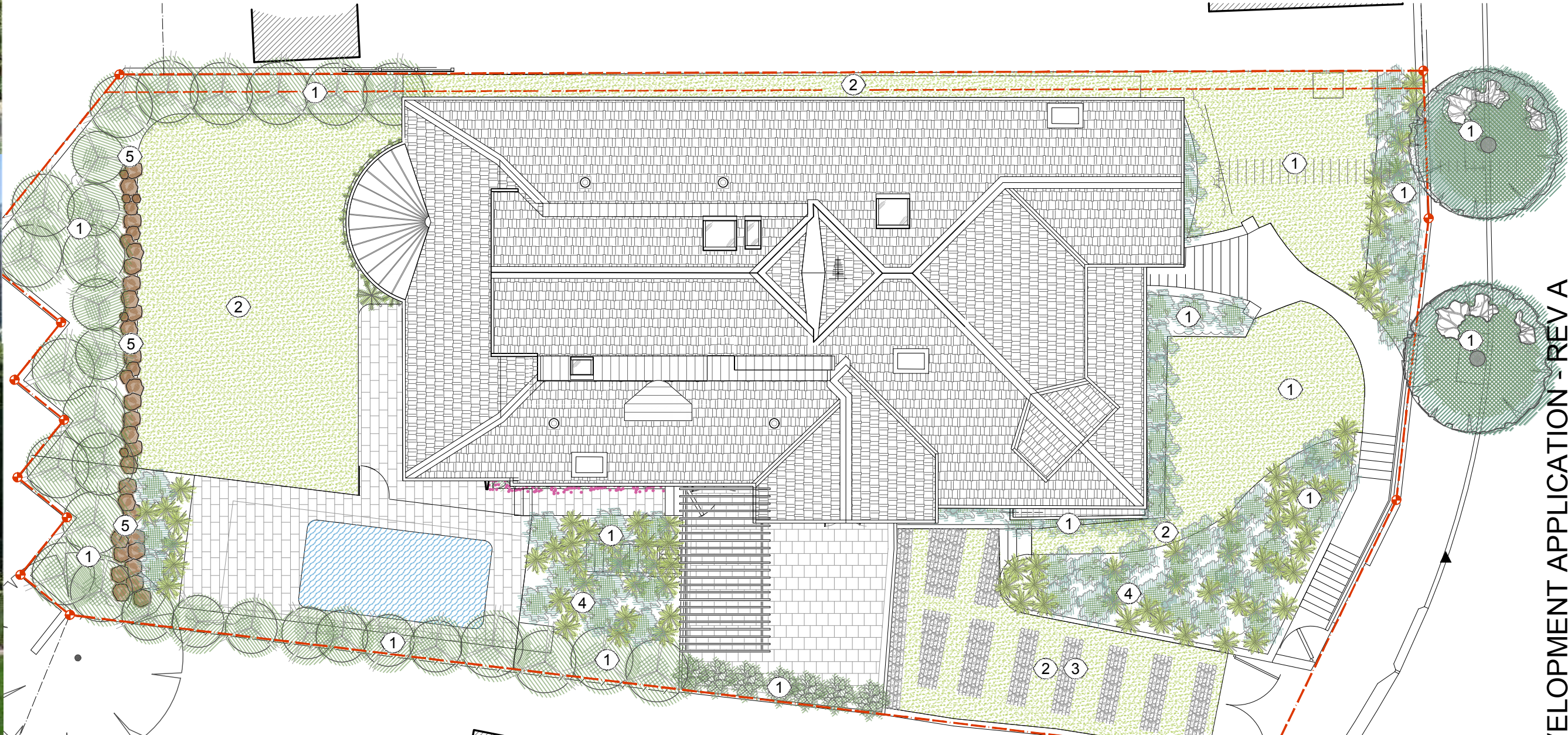
1 existing vegetation to be retained



4 mix of vegetation to match existing



4 mix of vegetation



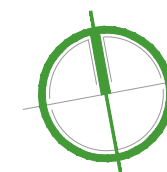
landscape plan

scale 1:150

**tree legend**

- trees to be retained (green circle with tree icon)
- trees to be removed (red circle with tree icon)
- paving (grey brick pattern)
- decking (white brick pattern)
- lawn (green stippled pattern)

**note**  
this drawing is for design guidance only. final details must meet site conditions, relevant authorities and applicable building standards. verify all dimensions on site and with detailed site survey prior to off site fabrications.  
please note that the plant graphics are indicative sizes only and not an accurate representation at time of purchase



**drawing title**  
landscape plan

**stage**  
development application

**drawing title**  
alterations & additions

**project address**  
104 wycombe road  
neutral bay

**21.03 DA16**

**CARL RUTHERFORD DESIGN**  
**address**  
PO Box 336  
pyrmont NSW 2009

**web**  
carlrutherford.sydney

**email**  
carl@carlrutherford.sydney

**phone**  
+61 414 480 427