

**NSLPP MEETING HELD ON 03/05/2023****Attachments:**

1. Site Plan
2. Heritage Impact Statement

ADDRESS/WARD: 36 Victoria Street, McMahons Point**APPLICATION No:** DA 405/22**PROPOSAL:** Alternations and additions to an existing single dwelling house over two lots and associated works**PLANS REF:**

Plan No.	Rev	Description	Prepared by	Dated
105	D	Demolition – Ground Floor Plan	Atelier M P/L	16/12/2022
115	D	Materials	Atelier M P/L	16/12/2022
111	D	Proposed East & West Elevation	Atelier M P/L	16/12/2022
108	D	Proposed First Floor Plan	Atelier M P/L	16/12/2022
107	D	Proposed Ground Floor Plan	Atelier M P/L	16/12/2022
110	D	Proposed North & South Elevation	Atelier M P/L	16/12/2022
109	D	Proposed Roof Plan	Atelier M P/L	16/12/2022
112	D	Proposed Section	Atelier M P/L	16/12/2022
101	D	Site Plan/Analysis	Atelier M P/L	16/12/2022
113	D	Landscape Areas	Atelier M P/L	16/12/2022
121	A	Proposed Site Plan	Atelier M P/L	21/4/2023

OWNER: Rebecca Fui Yee Lim & Andrew Jeffrey Chick**APPLICANT:** Rebecca Lim**AUTHOR:** Rachel Wu, Graduate Assessment Officer**DATE OF REPORT:** 20 April 2023**DATE LODGED:** 16 December 2022**RECOMMENDATION:** Approval, subject to conditions

EXECUTIVE SUMMARY

This development application seeks approval for alternations and additions to a heritage listed sandstone cottage built over two lots including internal and external alterations to the original sandstone cottage and removal and replacement of more recent contemporary building works.

The development application is reported to North Sydney Local Planning Panel for determination in accordance with the Minister's Directions as the proposal involves partial demolition of a local heritage item.

The subject site was previously approved for Torrens title subdivision to create two lots (No.34 and No.36 Victoria Street) by adjusting the property boundary under DA335/17 by the North Sydney Independent Planning Panel on 6 December 2017.

Proposed works to the heritage significant sandstone cottage consists of the replacement of ceilings, replacement of a fire place mantle, infilling of an 'alcove' area between the sandstone cottage and the existing contemporary northern addition, provision of a flat steel canopy with two skylights spanning from the proposed garden area west of the Living space to approximately 15cm behind the front external wall of the sandstone cottage, replacement of sandstone porch at the front of the cottage, replacement of existing pavers for concrete at the pedestrian entry from Victoria Street, demolish and expand elsewhere on the subject site including expansion of the Living, Dining and Kitchen, construction of expanded rear decks, expansion of the first-floor balcony on Lot 4, and landscaping works.

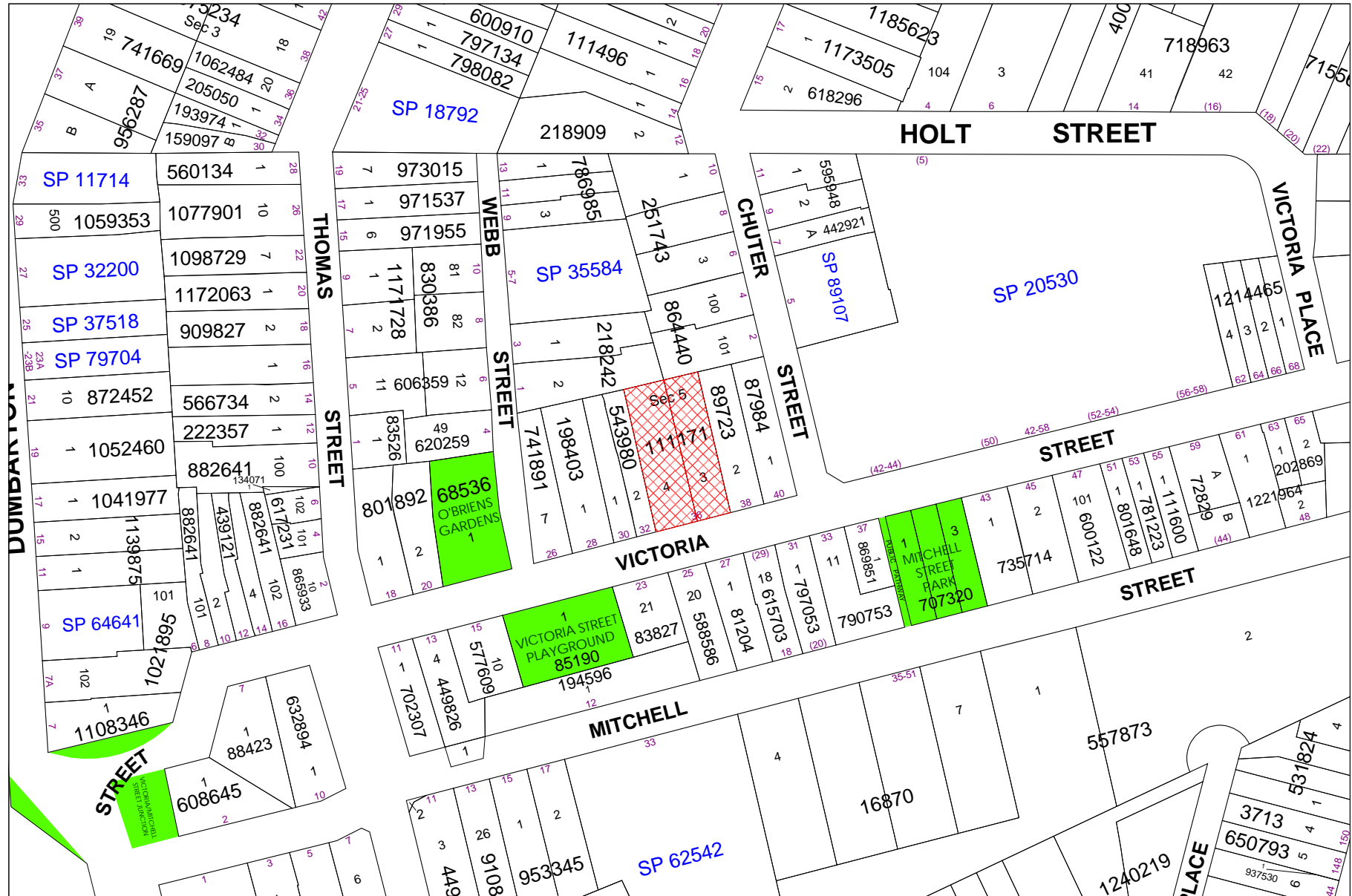
Council's Conservation Planner has assessed the impact of the proposal on the heritage significance of the heritage listed cottage and the heritage items in the vicinity of the site will be minimal subject to conditions and the Union/Thomas/Bank Streets Conservation Area will be minimal. However, a portion of the proposed works are not supported, including the infilling of 'alcove', setback of the front entry corridor (to remain), sandstone floor of the porch (to remain), deletion of the W03 window in the sandstone cottage ensuite, ceilings within the sandstone cottage (to remain).

Concern is also raised in relation to the replacement of the first-floor balcony to the contemporary addition on Lot 4. The proposed extension of the balcony towards Victoria would project beyond the existing setback of buildings in Victoria Street, would be uncharacteristic and is not supported. Conditions are recommended to require the existing balcony to be retained.

The application has been notified in accordance with Council's Community Participation Plan and no submissions have been received in response to the proposal.

The proposal was considered under the relevant Environmental Planning Instruments and policies including NSLEP 2013 and NSDCP 2013 and generally found to be satisfactory. Following this assessment, the development application is considered to be reasonable in the circumstances and is recommended for **approval** subject to conditions.

LOCATION MAP



Property/Applicant ● Submitters - Properties Notified

DESCRIPTION OF PROPOSAL

The development application seeks alterations and additions to a single dwelling over two lot titles including associated landscape works. The main works are listed below:

Ground Floor

- Demolition of the rear portion of the subject site north of the existing ensuite and study room and Bed 2 excluding the stone shed, eastern wall of the existing Kitchen and Dining, and existing mature tree in the rear yard
- Construction of a new kitchen, dining and living space that incorporates the existing space north of the ensuite
- Construction of an expanded deck with stone flooring
- Increase in garden areas in the walkway in the middle of the dwelling, creation of a garden north of existing Bed 2, and plant real grass and new garden at the rear
- Provision of a steel (6 – 12mm thin) canopy with two skylights over the central glazed entrance area and new concrete pathway
- Internal configurations including ceiling replacement and mantle replacements in the sandstone portion of the dwelling
- Demolition of the laundry and reconfiguration of the Bath 1 connected to the garage
- Construction of a weatherboard wall west of the existing Living room replacing glass
- Demolition of part of the eastern wall to insert a window W03 in the original cottage



Figure 1: Proposed Ground Floor Demolition Plan



Figure 2: Proposed Ground Floor Plan

First Floor

- Demolition and reconstruction of an enlarged front balcony (3.5m x 2m) and rear balcony (3.5 x 1m)
- Reconfiguration of the walls within the built form on the western side of the sandstone house
- Infill of window besides the void at the stairwell
- Construction of a roof garden at the rear of the original cottage



Figure 3: Proposed First-Floor Plan



Figure 4: Proposed Front Elevation (south)



Figure 5: Proposed North-South Section

STATUTORY CONTROLS

North Sydney Local Environmental Plan 2013 (NSLEP 2013)

- Zoning – R3 Medium Density Residential
- Item of Heritage – Yes, local heritage (I0503) 'House'
- In Vicinity of Item of Heritage – Yes, I0454 – I0457 (No. 2 – 8 Chuter Street), I0459 (No. 10 Chuter Street). All classified as local heritage significance with item name 'House'
- Conservation Area – Yes, Union, Bank and Thomas Streets Heritage Conservation Area (CA15)
- Environmental Planning & Assessment Act 1979 (As amended)
- SEPP (Biodiversity and Conservation) 2021
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Resilience and Hazards) 2021
- Local Development

POLICY CONTROLS

North Sydney Development Control Plan 2013 (NSDCP 2013)

North Sydney Local Infrastructure Contributions Plan 2020

DESCRIPTION OF LOCALITY

The site comprises Lots 3 and 4 in Section 5 DP 111171, commonly known as No.36 Victoria Street, McMahons Point. The site has an area of 513.3m² and is located on the northern side of Victoria Street between Webb & Chuter Streets. It is located within R3 Medium Density Residential zone and is a heritage item within a Conservation Area. The site is rectangular in shape with frontage of 16.6m to Victoria Street.

The subject site was previously approved for Torrens title subdivision to create two lots (No.34 and No.36 Victoria Street) by adjusting the property boundary under DA335/17 by the North Sydney Independent Planning Panel on 6 December 2017. The NSW Government allowed for an extension of two years to the consent lapse date for development approved prior to 25 March 2020 during the covid-19 pandemic and consequently the subdivision consent for DA335/17 remains current and may be acted upon. **The existing legal Torren title subdivision plan are included below (Figure 5a).** Furthermore, no Plan of Consolidation is received for the lots that contain a single dwelling across the two lots.

The site is occupied by a single dwelling comprising a sandstone cottage and later 2-storey addition. Existing on the site at the rear is a timber deck, synthetic grass and paving and a mature tree close to the deck. The front of the site consists of a mix of timber picket fence and masonry fence. The southeast portion of the site is the front garden consisting of lawn and hedges and two front pedestrian entries. Vehicular access and garage are located on the southwest of the subject site on the front façade. Surrounding development is predominantly residential. The site is adjoined to the east and west by detached dwellings. No.36 and 38 are seen together as a pair of single storey worker's cottages, with each dwelling having a hipped roof with a front verandah and a symmetrical façade to Victoria Street.

The subject site is listed as a local heritage item (I0503) in NSLEP 2013 gazetted on 2 August 2013. Description of Lot 3 in the State Heritage Register states:

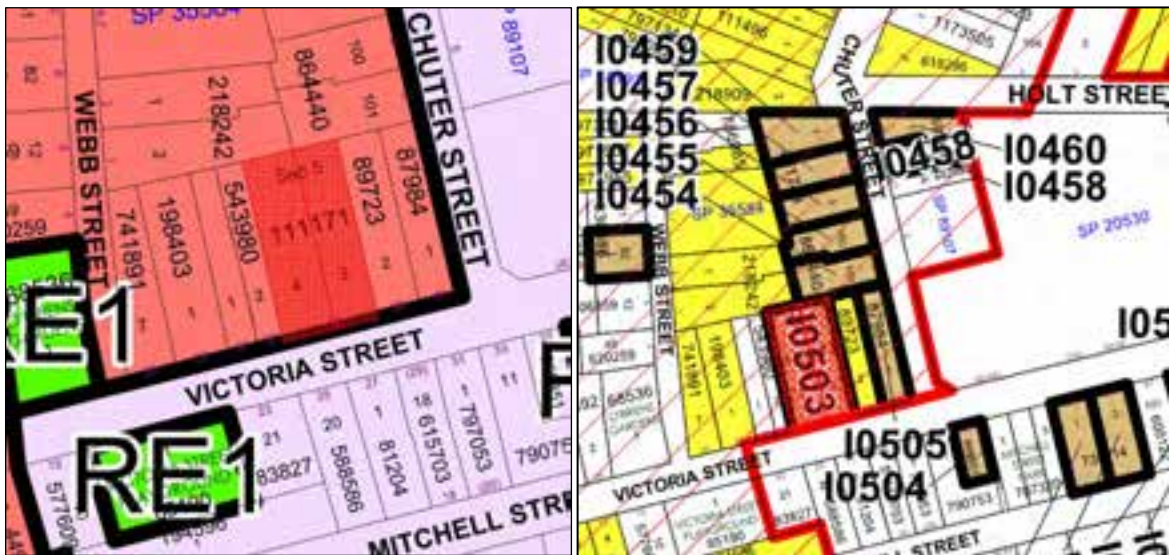
“Single storey ashlar sandstone cottage with hipped corrugated-iron roof and ogee hipped verandah roof. The front elevation is symmetrical, with central front door of early Victorian era two-panelled design, and two Georgian style 12-paned double-hung sash and cord windows on either side. The backyard contains a sandstone W.C. contemporary with the house. This building is designed in the Victorian Georgian style”.

Historical notes of No.36 Victoria Street state that the site was a part of “The Chuter Estate” which was first subdivided and released in 1858. The earliest rate book for North Sydney (1869) recorded the house as “a stone dwelling of 4 rooms with a timber shingled roof”.



Figure 6: c.1981 Front view of 36 Victoria Street, McMahons Point (Stanton Library)

The subject site is located in the Union, Bank & Thomas Streets Conservation Area within Lavender Bay Planning Area.



**Figure 7 (Left): Subject site (hatched) in the R3 Medium Density Residential zone
Figure 8 (Right): Subject site adjoining heritage and contributory items to the north and east**



Figure 9: Front façade of subject site with green arch between



Figure 10: Existing main entry path into subject site



Figure 11 (left): Main entry path
Figure 12 (right): Existing garage and balcony above



Figure 13 (left): Existing garage
Figure 14 (right): Existing mature tree in the rear yard



Figure 15: Existing sandstone cottage on Lot 3



Figure 16: Rear sandstone wall of cottage



Figure 17 (left): External area to be incorporated into floor area
Figure 18 (right): Existing Living Room with chimney



Figure 19 (left): View looking out into rear yard from Living Room
Figure 20 (right): View into kitchen from rear deck



Figure 21: Existing Ground Floor Study Room



Figure 22: Existing Ground Floor Bed 1



Figure 23: View towards dwelling from rear yard



Figure 24: Close up of dwelling from rear



Figure 25: View of rear yard



Figure 26: View of rear yard



Figure 27: Existing deck behind main dwelling



*Figure 28 (left): View east from First Floor
Figure 29 (right): View towards east from First Floor*



Figure 30: Existing western side path



Figure 31: Existing rear plantations on eastern boundary fronting No.38 Victoria Street



Figure 32: Dwelling opposite subject site on Victoria Street



Figure 33: View towards west of Victoria Street



Figure 34: View towards east of Victoria Street

RELEVANT HISTORY

Previous applications

Pre 98 Development Application 1131/93 at 36 Victoria Street granted approval on **07 September 1993** for internal alterations, demolition of the rear extension comprising living/dining rooms; a bathroom and two bedrooms on the first-floor with a balcony; a study, bathroom and single garage on ground level; inground swimming pool to the rear and picket fencing to the front. Maximum ridge height of dwelling above Victoria Street approximately 6.07m.



Figure 35 – 37 (From Left): Existing site/floor plan submitted in DA1131/93; proposed Ground Floor Plan; Proposed First Floor Plan in DA1131/93

Pre 98 Modification Application DA1131/93/2 approved on 30 May 1994 for alterations and additions to dwelling including external façade cladding, colorbond roofing, glazed timber doors and windows.

From the approved plans, it appears that the subject site and adjoining properties have changed the dwelling numbering from DA1131/93.

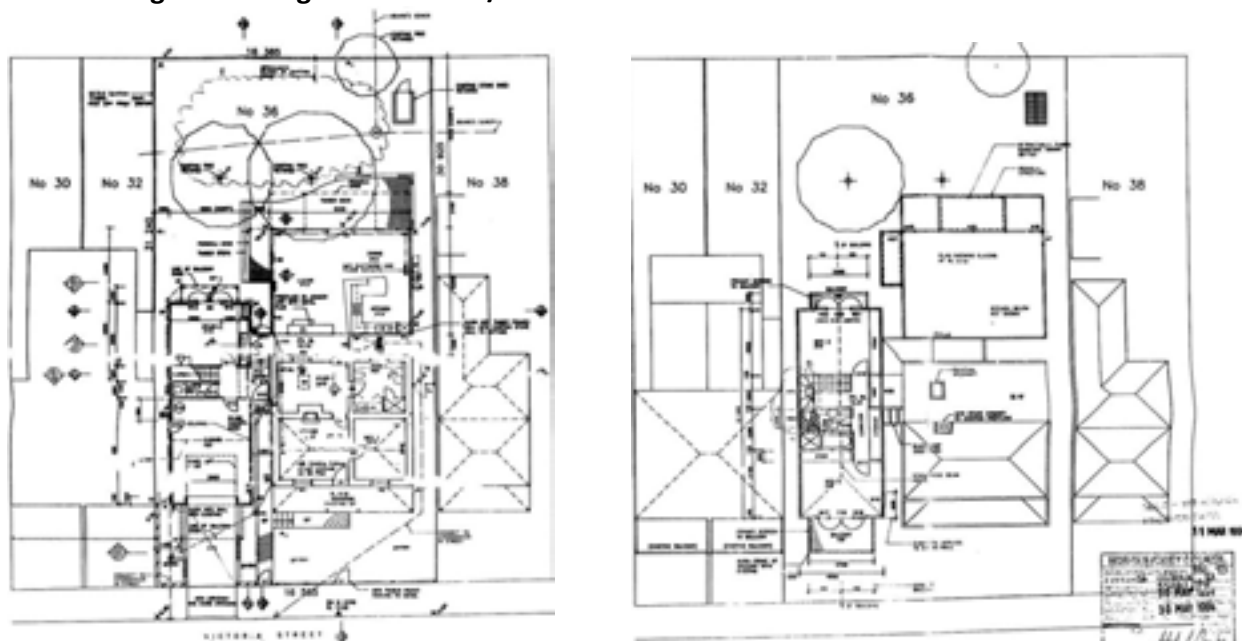


Figure 38 (Left): Approved Site/Ground Floor Plan DA1131/93/2

Figure 39 (Right): Approved First Floor Plan DA1131/93/2

Building Application 537/93 granted approval on **20 December 1994** for a new kitchen, living/dining room, study, verandah, deck and garage on the ground floor; two bedrooms, bathroom and two balconies on the first floor.

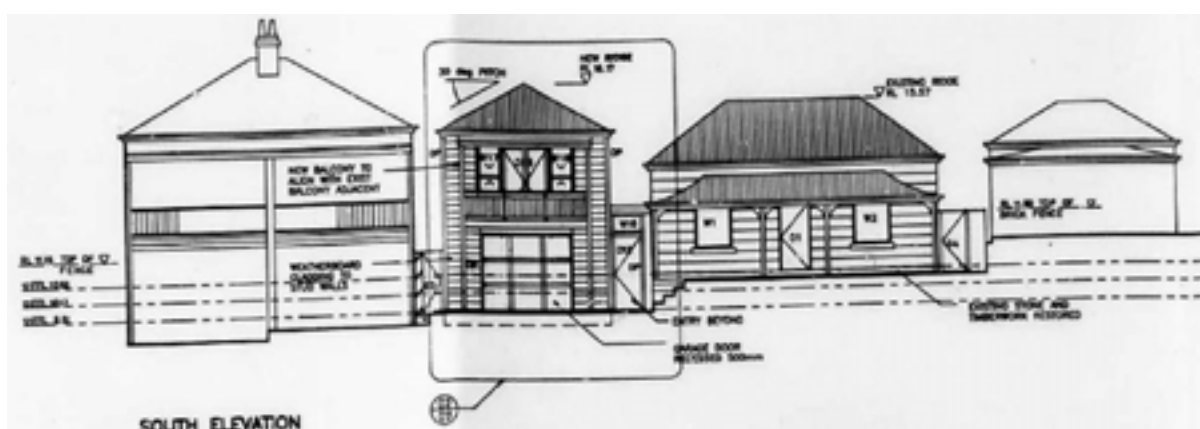


Figure 40: Approved maximum ridge height of RL16.17

Development Application 269/17 rejected by Design Review Panel on **10 August 2017** for a Torrens title subdivision of one lot into two lots and internal fitout and associated works. The reason for the rejection was insufficient information.

Development Application 335/17 granted approval by the North Sydney Independent Planning Panel on **06 December 2017** for alterations and additions to a dwelling to create two new dwellings and 2-lot Torrens Title subdivision. The site is approved for subdivision into No.34 and No.36 Victoria Street as it is consistent with the historic subdivision pattern of the site as two rectilinear lots despite the subdivision creating one lot (No.34 Victoria Street) below the minimum lot size specified in the Local Environmental Plan. The application also sought the following:

- “Single storey extension to the rear of the No.34 Victoria Street;
- Changes to the common ground entry (See Figure 40)
- Removal of garage door and replacement with bi-fold doors;
- Shade structure over rear deck (Figure 41); and
- (No building works to the sandstone cottage at No. 36 Victoria Street)”

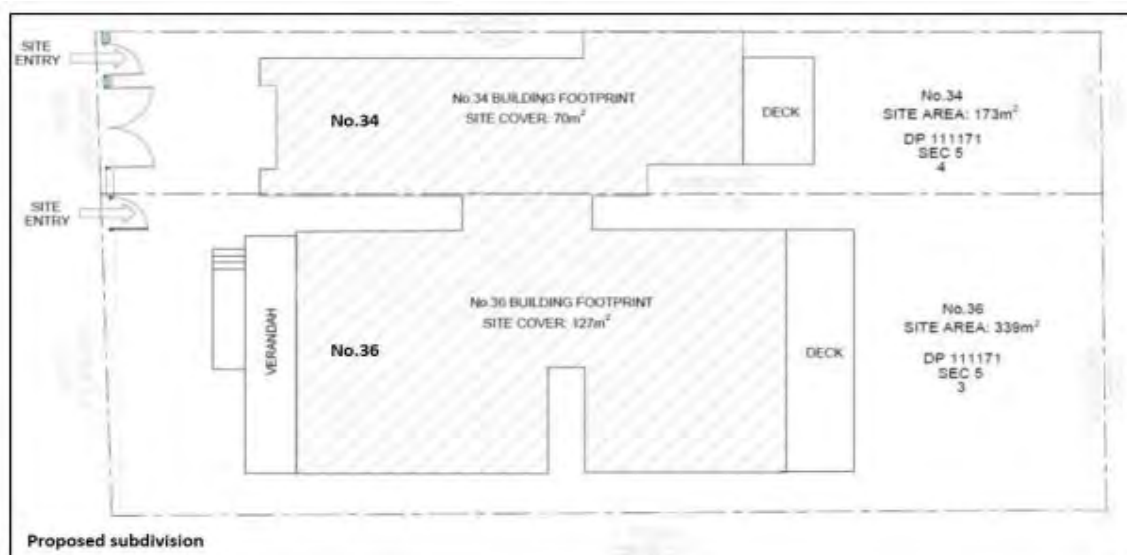


Figure 41: Approved proposal under DA335/17



Figure 42: Approved shade structure over rear deck under DA335/17 not observed on site



Figure 43: Approved Torrens title subdivision of site under DA335/17

The development approved under DA335/17 remains current and may be acted upon. A condition is recommended which clarifies that any subsequent consent may not rely upon the preceding approval, including for the purposes of further subdivision/boundary alignment. The current applicant has been considered on its own merits and does not rely upon the preceding consent.

Current Application

Date	Action
16/12/22	Lodged with Council
09/01/23	Applicant issued a STC letter through Planning Portal to provide an arborist report
24/01/23	Site inspection conducted by Assessment Officer
2/2/23	Landscape Development Officer provided comments on the proposal and a copy was forwarded to the applicant.
1/3/23	Plans for historical building application and Pre98 DAs requested from Council's Document Management Services.
19/4/23	Comments received from Council's Conservation Planner.
21/4/23	Applicant submitted proposed site plan.
01/05/23	Application to be determined by North Sydney Local Planning Panel for demolition works mostly to the rear of a heritage item.

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 application was referred to Council's Conservation Planner who raised objections to some of the proposed works and recommended conditions to be imposed in the consent. The comments are provided below:

"1. Heritage status and significance



36 Victoria Street is identified as a scheduled heritage item in NSLEP 2013 [I0503] located in the Union/Thomas/Bank conservation area [CA015]. The site is significant as a single storey ashlar sandstone cottage with hipped corrugated-iron roof and ogee hipped verandah roof. The front elevation is symmetrical, with central front door of early Victorian era two-panelled design, and two Georgian style 12-paned double-hung sash and cord windows on either side. The backyard contains a sandstone W.C. contemporary with the house. This building is designed in the Victorian Georgian style.

NSDCP 2013 Part C: s9.10.3 states that The Union, Bank, Thomas Street conservation area is significant:

- (a) as the largest area of mid to late Victorian buildings in the North Sydney area including a substantial number of individually significant buildings, groups of buildings and unique streetscapes in the local context.*
- (b) for the clarity of its subdivision history that is still clearly seen in variations of road widths between sections of streets and changes of directions of the subdivision pattern in response to the subdivision of earlier estates.*
- (c) for the way development has responded to the topography through stepped building forms and excavation in some locations.*
- (d) for its fine streetscapes with intact rows of Victorian residences, especially in Thomas, Union and Chuter Streets.*
- (e) for its relatively large number of surviving timber residences.*

The subject site is in the vicinity of the heritage item at No.37 and 40 Victoria Street and row of heritage listed items to the rear of the site facing Chuter Street and contributory buildings facing Webb Street.

2. Heritage Assessment and Recommendations

An assessment of the proposed alterations and additions at 36 Victoria Street involving works to the two storey portion of the dwelling, the stone cottage the rear ground floor addition behind the cottage and the linking structure between the single and two storey forms of the dwelling has been undertaken in relation to NSLEP 2013 Clause 5.10 Heritage conservation, NSDCP 2013 Part B: Section 13 as follows below. An inspection of the site and streetscape context was undertaken on 18 April 2023.

Existing is a double lot site that comprises the single storey sandstone cottage that was added to with a single storey skillion roofed addition at the rear, and to the west (side) by a two-storey timber clad addition. The cottage and the two-storey structure are visually separated from each other by a low scale linking element. The linking element was designed to maximise the physical separation between the two building forms. This was achieved by ensuring the entry had a minimalist design and a minimalist impact through setting the entry well back behind the front building alignments of the cottage and new two storey addition. These works were approved under DA1131/93 on 9 September 1993 subject to conditions under delegation. Building Application No. 537/93 was approved on 27/1/1994.

The proposed works relating to the two-storey later addition (referred to as the southern wing in the HIS) involve minor internal works as follows:

Ground floor: - reconfiguration of the bathroom behind the garage and a small deck addition to the rear ground floor bedroom,

First floor: the enlargement of the window relating the upstairs bathroom, infilling the glazed opening in the eastern elevation of the stair landing with timber to match the external finish and the installation of a skylight in the western and eastern roof planes above the stairwell. Modification to the street facing balcony.

These works will not be readily visible and relate to the later built form whereby their impact on the heritage significance of the stone cottage and setting is minimal.

The proposed works relating to the stone involve works as follows:

Externally:

- *extend the entry corridor between the two building forms.*
- *infilling of the rear 'alcove'*
- *New Paving*

Internally:

- *replacement of the slat and batton ceilings in the front rooms used as bedroom and wardrobe*
- *replacement of the mantle to the fireplace in the study area*
- *insertion of a new window in the bathroom in the eastern (side) wall*
- *repositioning of the bathroom door*
- *replacement of the existing non-period bathroom door and ledged door leading to the kitchen/dining/living area*
- *replacement of the timber steps leading to the kitchen/dining/living area from the cottage*

The above works are assessed as follow:

Extend the entry corridor between the two building forms.

The proposed materials are to be of a lightweight contemporary design. Whilst no objection is raised to the new linking element per se, extending the area of the covered entry forward is not supported on heritage grounds as it visually consolidates the connection between the two building elements that will compromise their physical and visual separation as viewed from the public domain. As evident in the images below, the deeply recessed entry emphasizes the separation between the two built forms ensuring they are interpreted as such from Victoria Street as free-standing elements.



*Source: Touring the Past Heritage Impact Statement
re 36 Victoria Street dated December 2022 - View of
the eastern 'alcove'*

Infilling of the rear 'alcove'

It is noted that the footprint of the rear addition is equivalent to the stone cottage. This 'alcove' area as referred to in the Heritage Impact Statement (HIS), maintains a visual and physical interpretation of the older cottage structure and the later contemporary addition.

The infilling of the rear 'alcove' is not supported on heritage grounds. In the absence of any information as to how the existing bathroom window will be maintained and integrated into the updated kitchen space, the existing design approach remains appropriate to protecting the heritage significance of the stone cottage and is in line with the provisions set out in NSDCP 2013 Part B: s13.5.1 Protecting heritage significance; and s13.5.2 Form, massing, scale. This being the case, the creation of a new opening for a new window in the eastern sided elevation of the existing bathroom area is to be deleted.

New paving



The proposed treatment of the existing porch with new paving is not supported. The existing sandstone finish to the porch remains appropriate to the period of the dwelling. No objection is raised to the replacement of the surrounding paving that has a more contemporary finish.

Replacement of the slat and batton ceilings in the front rooms used as bedroom and wardrobe

The replacement of the slat and batton ceiling is not supported. It is noted that these ceilings are not original to the cottage and maintain their function which is to record the ongoing evolution of the cottage and how it was maintained in the earlier part of the twentieth century.



Replacement of the mantle to the fireplace in the study area

The replacement of the mantle relating to the fireplace in the Study is supported as the surround is not original. However, a mantle appropriate to the period of the cottage is recommended.



Insertion of a new window in the bathroom in the eastern (side) wall/

See comments under 'infilling of rear alcove area' above.



Replacement of the existing non-period bathroom door and ledged door leading to the kitchen/dining/living area

No objection is raised to the replacement of the existing bathroom door and the ledged door connecting to the kitchen/living/dining area with period doors appropriate to the period of the cottage on the basis that these doors are not original. Although the preference is for the position of the bathroom door to remain in its current position, if it is repositioned, details of the existing door dimensions, architraves and skirtings are to be reinstated. Details relating to the above are to be provided to Council for approval.



Replacement of the timber steps leading to the kitchen/dining/living area from the cottage

This is a later insertion to which no objection is raised on heritage grounds.

With reference to the above, and subject to retaining the sandstone porch to the cottage and the entry corridor retaining its existing setbacks, the impact from the proposed works on the heritage significance of the subject heritage item and those in the vicinity of the subject site and the character and significance of the heritage conservation area will not be adversely impacted by the proposal. The proposal is supported on heritage grounds subject to conditions set out below.

3. Conclusion and Recommendations:

With reference to the above the proposed alterations and additions have been assessed 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 impact of the proposal on the heritage significance of the heritage listed cottage and the heritage items in the vicinity of the site will be minimal subject to conditions and the Union/Thomas/Bank Streets Conservation Area will be minimal. The application is supported subject to conditions.

Non-standard conditions

- 1. The existing setback of the front entry corridor to remain as existing and the affixing of the new corridor enclosure is to be undertaken by utilising the mortar joints in the sandstone of the cottage*
- 2. That the subsurface ventilation grilles are to always remain uncovered and unobstructed to ensure the ongoing ventilation of the building structures*
- 3. That the existing sandstone floor of the porch is to remain in situ.*
- 4. That the replacement of the existing bathroom door and the ledged door connecting to the kitchen/living/dining area is to be of the period appropriate to the stone cottage*

Details relating to the above are to be submitted to Council for approval prior to the issue of any CC.

A set of standard conditions are also recommended and imposed in the conditions of consent:

Standard Conditions

- | | | |
|------------|------------|---|
| <i>5.</i> | <i>A3</i> | <i>No demolition of extra fabric</i> |
| <i>6.</i> | <i>C7</i> | <i>Colours, Materials and Finishes (Conservation Areas)</i> |
| <i>7.</i> | <i>C8</i> | <i>Sandstone re-pointing</i> |
| <i>8.</i> | <i>C9</i> | <i>Heritage architect to be commissioned</i> |
| <i>9.</i> | <i>C10</i> | <i>Skylights</i> |
| <i>10.</i> | <i>E5</i> | <i>Removal of extra fabric</i> |

(REASON: To protect the character and significance of the heritage conservation area., the heritage item, its setting and that of the heritage items within the vicinity of the site)

Planning comment: The above comments are concurred with and the recommended non-standard and standard conditions are imposed in the consent.

ENGINEERING

The application was referred to Council's Development Engineer who raised no objections to the proposal and recommended conditions that are included in the consent.

LANDSCAPING

The application was referred to Council's Landscape Development Officer who provided the comments below and provided conditions to imposed in the consent:

"The proposal is considered to provide an improved landscaped area with a reduction in non-permeable surfaces. Works are proposed within the TPZ of several large mature trees, but if sensitive construction techniques are used, under supervision of a project arborist, no objections would be raised, and no initial arborist report shall be required for the purpose of assessment."

Planning comment: The comments and recommended conditions are provided to the applicant who are aware of the conditions to be imposed in the consent.

SUBMISSIONS

No submissions were received during the 14-day notification period with adjoining dwellings and the Union Precinct.

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:

Environmental Planning and Assessment Act 1979 (as amended)

SEPP (Resilience and Hazards) 2021

The provisions of SEPP (Resilience and Hazards) 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 only previously been used for residential purposes and as such is unlikely to contain any contamination; therefore, the requirements of the above SEPP have been satisfactorily addressed.

SEPP (Building Sustainability Index: BASIX) 2004

A valid BASIX Certificate (*No.A468154_02 dated 28 November 2022*) for alterations and additions to a detached dwelling over two lots 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 alterations and additions to a detached dwelling over two lots and are permissible in the zone with development consent.

2. Objectives of the zone

The objectives for a **R3 Medium Density Residential** zone are stated below:

- *“To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To encourage the development of sites for medium density housing if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area.*
- *To provide for a suitable visual transition between high density residential areas and lower density residential areas.*
- *To ensure that a high level of residential amenity is achieved and maintained.”*

The proposal is consistent with the relevant objectives of the zone subject to the imposition of conditions in the consent to protect the cultural heritage of the subject site and the amenity of adjoining dwellings. The replacement at the rear of the site from a timber deck to a wider stone terrace will improve the usage of this external private open space to accommodate for more users.

Part 4 – Principal Development Standards

Principal Development Standards – North Sydney Local Environmental Plan 2013			
Site Area – 513.3m² (total of Lot 3 & 4)	Proposed	Control	Complies
Clause 4.3 – Heights of Building	5.9m (to proposed skylight SK04)	8.5m	Yes

3. Height of Building

The following objectives for the permissible height limit 8.5m pursuant to clause 4.3 in NSLEP 2013 are stated below:

- *“(a) to promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient,*
- *(b) to promote the retention and, if appropriate, sharing of existing views,*
- *(c) to maintain solar access to existing dwellings, public reserves and streets, and to promote solar access for future development,*

- (d) to maintain privacy for residents of existing dwellings and to promote privacy for residents of new buildings,
- (e) to ensure compatibility between development, particularly at zone boundaries,
- (f) to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of, an area.
- (g) to maintain a built form of mainly 1 or 2 storeys in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone E4 Environmental Living.”

The proposed works would have a height of 5.9m to the proposed skylight (SK04) and comply with the permissible height limit of 8.5m in accordance with clause 4.3 in NSLEP 2013.

4. Heritage Conservation

The subject site is listed as a Heritage Item (10503) located in a Conservation Area under Schedule 5 in NSLEP 2013 so the following planning objectives apply to the site:

- (a) to conserve the environmental heritage of North Sydney,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.



Council’s Conservation planner has considered the proposal and has advised that the proposal is unlikely to create an adverse impact on the heritage significance of the subject site and the conservation area subject to the imposition of conditions in the consent.

NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013

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

DEVELOPMENT CONTROL PLAN 2013 – Part B Section 1- Residential Development		
	<i>complies</i>	<i>Comments</i>
1.2 Social Amenity		
1.2.2 Maintaining Residential Accommodation	Yes	The proposal maintains the residential density on the site through the provision of 6 bedrooms which is the same number as existing.
1.3 Environmental Criteria		
1.3.1 Topography	Yes	Minor surface preparations are necessary in the proposal. Development does not result in alteration of the finished ground level by 500mm and site works are not located within 1m of site boundaries.
1.3.6 Views	Yes	No significant views are impacted through this proposal that retains generally the same building form as the existing.
1.3.7 Solar Access <ul style="list-style-type: none"> • More than 3 hours between 9am – 3pm 	Yes	The external building envelope remains generally the same in the proposal and the main area of proposed works is located at the rear of the dwelling which enjoys solar access from its northern orientation. Existing tall hedges, plantations and bamboo surround the rear boundaries behind the main dwelling and are taller than the proposed rear terrace which has a height of 2.7m from ground floor to roof. The proposal is unlikely to create an adverse impact on adjoining properties for solar access.

<p>1,3,10 Visual Privacy</p>	<p>Yes</p>	<p>A condition is imposed to ensure that the roof of the proposed terrace is to be non-trafficable. The proposed windows and door are unlikely to create visual privacy concerns due to their location away from any direct outlook to windows of adjoining dwellings, and the extended rear first-floor balcony is proposed with blade walls. Existing tall hedges and plantations surround the rear boundaries of the subject site that further adds to the existing protection of visual privacy.</p> <p>The proposed front balcony to Victoria Street on Lot 4 is 2m in depth and the existing front balcony is 1.8m approximately in depth. A blade wall is proposed on the western boundary which will prevent visual privacy impacts to No.32 Victoria Street. No visual privacy impacts to the single-storey dwelling at No.38 Victoria Street is likely across the existing sandstone cottage on the subject site.</p>																				
<p>1.4 Quality built form</p>																						
<p>1.4.1 Context</p>	<p>Yes</p>	<p>Subject to the imposition of conditions, the proposal will be compliant with the site analysis detailed in the area character statement.</p>																				
<p>1.4.3 Streetscape</p>	<p>Yes</p>	<p>Subject to the imposition of conditions, the proposal will be compliant with the site analysis detailed in the area character statement. No existing street trees are located in front of the site.</p>																				
<p>1.4.6 Setback – Side</p>		<table border="1" data-bbox="837 974 1428 1388"> <thead> <tr> <th>Control</th> <th>Existing</th> <th>Proposed</th> <th>Compliance</th> </tr> </thead> <tbody> <tr> <td colspan="4">Zone R3 (Medium Density Residential)</td> </tr> <tr> <td>1st storey (Up to 4m) 900mm</td> <td>East: 1.425m West: 0.9m</td> <td>East: 1.425m West: 0.9m</td> <td>Yes</td> </tr> <tr> <td>2nd storey (up to 7m) 1.5m</td> <td>East: 0.9m West: 0.9m</td> <td>East: 0.9m West: 0.9m</td> <td>No No change</td> </tr> <tr> <td>3rd storey (Greater than 7m) 2.5m</td> <td>None proposed, No change</td> <td>None proposed, No change</td> <td>None proposed over 7m</td> </tr> </tbody> </table> <p>The proposal satisfies the side setbacks for the ground floor, but does not satisfy the minimum setback requirements for the first-floor (2nd storey). No change is proposed that delineates the proposal from the existing side setbacks of the first-floor which requires 1.5m side setbacks but provides the same as existing at 0.9m. No adverse impacts will result from maintaining the dimensions of setbacks as existing.</p>	Control	Existing	Proposed	Compliance	Zone R3 (Medium Density Residential)				1 st storey (Up to 4m) 900mm	East: 1.425m West: 0.9m	East: 1.425m West: 0.9m	Yes	2 nd storey (up to 7m) 1.5m	East: 0.9m West: 0.9m	East: 0.9m West: 0.9m	No No change	3 rd storey (Greater than 7m) 2.5m	None proposed, No change	None proposed, No change	None proposed over 7m
Control	Existing	Proposed	Compliance																			
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3 rd storey (Greater than 7m) 2.5m	None proposed, No change	None proposed, No change	None proposed over 7m																			
<p>P1 Front setback</p> <ul style="list-style-type: none"> To match adjoining properties. 	<p>No Condition imposed</p>	<p>The front setback is proposed to be altered by 20cm by the proposed front balcony on Lot 4. The existing balcony is approximately 1.8m in depth and the proposed balcony is 2m in depth. The existing balcony already contains less front setback compared to dwelling in the same block. No.26, 28, Lot 3 of No.36, and No.38 Victoria Street all contain more generous front setbacks. No.30 and No.32 Victoria Street have approximately the same setback as the existing front setback of the proposed front balcony on the subject site. The increase by 20cm to the proposed front balcony will further exacerbate the inconsistency between the front setback of properties in the same block on the north of Victoria Street and between Webb and Chuter Streets. A condition is imposed to retain the same front setback from Victoria Street to the existing front balcony.</p>																				

<p>P5 Rear Setback – Rear To match adjoining properties.</p>	<p>Yes</p>	 <p>Above: Subject site in the wider context</p>  <p>Above: Subject site close up of properties in the same block The distance from the rear boundary to the rear elevation of the proposed Living Room is 10m and is consistent with the rear setbacks of adjoining properties.</p> <p>Existing within the block between Webb and Chuter Street, north of Victoria Street are dwellings generally with more generous rear setbacks. Within the block, No.36 and 38 have the most extended building form towards the rear. The approved plans from the S34AA conference for 38 Victoria Street determined on 18 September 2012 depicts a rear setback of approximately 8.8m to the rear wall (See Figure below).</p> <p>The proposed rear setback of 10m is consistent with that of adjoining properties and remains the same as existing for the subject site.</p>
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Above: Approx. measurement of rear setback approved under LEC s34AA Without Prejudice Order on 18 September 2012 for the refused DA360/11 is approximately 8.8m for No.38 Victoria Street, adjoining property to subject site

1.4.7 Form Massing Scale	Yes	The proposal is consistent with that described in the area character statement.									
1.4.8 Built Form Character	Yes	The proposal viewed from the front façade at Victoria Street is similar to the existing development and is consistent with the character of the locality.									
1.4.9 Dwelling Entry	Yes	The proposed steel canopy commencing approximately 15cm behind the front external wall of the sandstone cottage towards the rear provides weather shelter and a sense of address.									
1.4.10 Roofs	No Merit	No change is proposed to alter the existing roof form on the subject site. The proposed roof above the stone terrace at the rear of the proposed Living Room does not match the area character statement of skillion roof to rear extensions as it proposes a flat roof garden. Despite this, the roof garden contains merit subject to it being a non-trafficable roof.									
1.4.12 Materials	Yes	The proposed materials are consistent with the area character statement and includes weatherboard, sandstone to be retained, timber fenestrations, and roof to match existing galvanised cottage roof. A condition is imposed for the colours to be compatible with the conservation area.									
1.5 Quality Urban Environment											
1.5.1 High Quality Residential Accommodation	Yes	The proposed outdoor stone terrace will provide for expanded private open space outdoors that contains weather protection.									
1.5.2 Lightwells & Ventilation	Yes	The proposal provides adequate light and ventilation to all rooms/spaces with door/window openings or opening of the room onto an outdoor balcony.									
<p>1.5.5 Site Coverage Calculation based on individual lot areas</p> <table border="1" data-bbox="220 1653 552 1984"> <caption>Table B-1.6: Maximum Site Coverage Requirements</caption> <thead> <tr> <th>Development Type (Detached dwelling)</th> <th>Lot Size (m2)</th> <th>Site Coverage (Max)</th> </tr> </thead> <tbody> <tr> <td>Lot 4 34 Victoria Street (286m²)</td> <td>0-229</td> <td>60%</td> </tr> <tr> <td>Lot 3 36 Victoria Street (226.1m²)</td> <td>230-499</td> <td>50%</td> </tr> </tbody> </table>	Development Type (Detached dwelling)	Lot Size (m2)	Site Coverage (Max)	Lot 4 34 Victoria Street (286m ²)	0-229	60%	Lot 3 36 Victoria Street (226.1m ²)	230-499	50%	Yes	<p>The lots currently consist of a single detached dwelling constructed across both lots.</p> <p><u>34 Victoria Street (286m²)</u> A maximum site coverage of 50% (143m²) is permissible on Lot 4 in accordance with s1.5.5 in NSDCP 2013. The application proposes 41.4% (118.5m²) that is permissible. The proposed site coverage includes the front balcony and first floor rear balcony roofed over floor area below.</p> <p><u>36 Victoria Street (226.1m²)</u> A maximum site coverage of 60% (135.7m²) is permissible on Lot 3. The application proposes 45.7% (103.4m²) including the original rear dunny that is permissible in accordance with s1.5.5 in NSDCP 2013.</p> <p>A condition is imposed so that the front balcony is not increased in depth from 1.8 to 2m due to inconsistency with the front setback of dwelling houses in the vicinity.</p>
Development Type (Detached dwelling)	Lot Size (m2)	Site Coverage (Max)									
Lot 4 34 Victoria Street (286m ²)	0-229	60%									
Lot 3 36 Victoria Street (226.1m ²)	230-499	50%									

<p>1.5.5 and 1.5.6 Site Coverage, Landscaped Area and Unbuilt-upon Area</p> <p>Calculation based on total area of Lot 3 and 4</p> <table border="1" data-bbox="220 412 552 618"> <caption>Table B-1.6: Maximum Site Coverage Requirements</caption> <thead> <tr> <th>Development Type (Detached dwelling)</th> <th>Lot Size (m²)</th> <th>Site Coverage (Max)</th> </tr> </thead> <tbody> <tr> <td>Combined lot areas of Lot 3 & 4: 512.1 m²</td> <td>500-749</td> <td>40%</td> </tr> </tbody> </table> <table border="1" data-bbox="220 622 587 875"> <caption>Table B-1.7: Minimum Landscaped Area and Maximum UBA Requirements</caption> <thead> <tr> <th></th> <th>Proposed</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>Landscaped area (500-749m²: 40% min. or 204.84m²)</td> <td>175.5m² (34.27%)</td> <td></td> </tr> <tr> <td>Unbuilt-upon area (Max 20% or 102.4m²)</td> <td>97.4m² (19%)</td> <td>Yes</td> </tr> </tbody> </table>	Development Type (Detached dwelling)	Lot Size (m ²)	Site Coverage (Max)	Combined lot areas of Lot 3 & 4: 512.1 m ²	500-749	40%		Proposed	No	Landscaped area (500-749m ² : 40% min. or 204.84m ²)	175.5m ² (34.27%)		Unbuilt-upon area (Max 20% or 102.4m ²)	97.4m ² (19%)	Yes	<p>No Acceptable</p> <p>Landscape No</p> <p>UBA Yes</p>	<p>Site Coverage <u>The site coverage control is also assessed through the combined lot measurements as the proposed dwelling spans over both lots.</u></p> <p>The total combined area of Lot 3 and 4 is 512.1m² based on the area annotated on the survey from the existing legal subdivision. In accordance with s1.5.5 of NSDCP 2013, a maximum site coverage of 40% (204.84m²) is permissible on the combined lot area.</p> <p>The application proposes a site coverage of 221.9 m² and contravenes the site coverage control by 3.3% or 17.06m². Despite this, appropriate conditions are imposed to satisfy heritage conservation including setting back the proposed metal canopy and retaining the existing 'alcove' north of the sandstone cottage.</p> <p>Despite the minor non-compliance, the objectives of the site coverage control are considered to be addressed as the application does not affect residential density and adequate provision is made for landscaped area and private open space.</p> <p>Landscaped area Due to increased restrictions on site control and landscaped area for larger sites, the proposal when calculated as a combined area of the two lots will not comply. The UBA will comply however, with the restriction of 20% maximum remaining the same across different detached dwelling property sizes. Consequently, the non-compliance with the UBA when the sites are measured separately (<i>see next section s1.5.6 for separate calculations</i>) is considered acceptable as it is unlikely that any one of the two lots will be sold off separately while there is a single dwelling house constructed across the two lots.</p>
Development Type (Detached dwelling)	Lot Size (m ²)	Site Coverage (Max)															
Combined lot areas of Lot 3 & 4: 512.1 m ²	500-749	40%															
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Unbuilt-upon area (Max 20% or 102.4m ²)	97.4m ² (19%)	Yes															



Figure 44 (Left): Site coverage calculations for 34 Victoria Street
Figure 45 (Right): Site coverage calculations for 36 Victoria Street

Black dotted line: Area not included in calculation
 Green: Landscaped Area
 Grey/Blue-grey: Site coverage
 Light Blue: Unbuilt-upon area



1.5.6 Landscape Area																			
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Yes	Yes	Yes	<p>34 Victoria Street (286m²)</p> <table border="1"> <thead> <tr> <th>Control</th> <th>Existing</th> <th>Proposed</th> <th>Compliance</th> </tr> </thead> <tbody> <tr> <td>Site coverage (Max.50% or 143m²)</td> <td>109.8m² (38.4%)</td> <td>118.5m² (41.4%)</td> <td>Yes</td> </tr> <tr> <td>Landscaped area (Min.30% or 85.8m²)</td> <td>59m² (20.6%)</td> <td>72.6m² (25.4%)</td> <td>Yes</td> </tr> <tr> <td>Unbuilt-upon area (Max 20% or 57.2m²)</td> <td>112.5m² (39.3%)</td> <td>77.2m² (27%)</td> <td>No Improved</td> </tr> </tbody> </table>	Control	Existing	Proposed	Compliance	Site coverage (Max.50% or 143m ²)	109.8m ² (38.4%)	118.5m ² (41.4%)	Yes	Landscaped area (Min.30% or 85.8m ²)	59m ² (20.6%)	72.6m ² (25.4%)	Yes	Unbuilt-upon area (Max 20% or 57.2m ²)	112.5m ² (39.3%)	77.2m ² (27%)	No Improved
Control	Existing	Proposed	Compliance																
Site coverage (Max.50% or 143m ²)	109.8m ² (38.4%)	118.5m ² (41.4%)	Yes																
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Control	Proposed	Compliance																	
Site coverage (Max.60% or 135.7m ²)	103.4m ² (45.7%)	Yes																	
Landscaped area (20% min.)	102.9m ² (45.5%)	Yes																	
Unbuilt-upon area (Max 20% or 45.2m ²)	20.2m ² (8.9%)	Yes																	
1.5.8 Landscaping	Yes	Yes	Council's Landscape Development Officer has provided conditions to be imposed in the consent. There is an increase in the landscaped area coverage on the site and the application is satisfactory in this regard.																
1.5.10 Private and Communal Open Space			<table border="1"> <thead> <tr> <th>Control – lot size</th> <th>Proposed</th> <th>Compliance</th> </tr> </thead> <tbody> <tr> <td>Dwellings 0m² -499m² (40m² required minimum)</td> <td>Each Lot >40m²</td> <td>Yes</td> </tr> </tbody> </table> <p>The proposal satisfies the provisions in this section with the provision of more than 40m² of private open space at the rear of the Lots and minimum dimensions of 4m at ground level and 2m above ground level at the first-floor rear balcony.</p>	Control – lot size	Proposed	Compliance	Dwellings 0m ² -499m ² (40m ² required minimum)	Each Lot >40m ²	Yes										
Control – lot size	Proposed	Compliance																	
Dwellings 0m ² -499m ² (40m ² required minimum)	Each Lot >40m ²	Yes																	
1.6.1 Energy Efficiency	Yes	Yes	See submitted BASIX Certificate																
1.6.2 Passive Solar Design	Yes	Yes	See submitted BASIX Certificate																
1.6.3 Thermal Mass and Insulation	Yes	Yes	See submitted BASIX Certificate																
1.6.4 Natural Ventilation	Yes	Yes	See submitted BASIX Certificate																
1.6.6 Hot Water Systems	Yes	Yes	See submitted BASIX Certificate																
1.6.7 Water Conservation	Yes	Yes	See submitted BASIX Certificate																
1.6.9 Water Management and Minimisation	Yes	Yes	See submitted BASIX Certificate																

North Sydney Development Control Plan 2013 – Part C

Section 9 Lavender Bay Planning Area

Section 9.10 Union, Bank & Thomas Street Conservation Area

The proposal is consistent with the Area Character Statement subject to the satisfaction of conditions imposed in the consent.

LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

The proposal is subject to Local Infrastructure Contributions in accordance with the North Sydney Local Infrastructure Contributions Plan (as amended). The required contribution has been calculated in accordance with the applicable contribution rates as follows

Applicable Contribution Type		
S7.12 contribution detail	Development cost:	\$ 562,000
(payment amount subject to indexing at time of payment)	Contribution:	\$ (\$562,000 x 0.01) = \$5,620

Conditions requiring payment of contributions for section 7.12 are included in the attached recommended conditions of consent.

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	Yes
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 application was notified to adjoining properties and the Union Precinct for 14 days. Council received nil submissions during this period.

PUBLIC INTEREST

The proposal is considered to be in the public interest for the reasons stated throughout this report subject to the imposition of conditions.

SUITABILITY OF THE SITE

The proposal would be located in a R3 Medium Density Residential zone where alterations and additions to a detached dwelling over two lot titles are a permissible form of development. Consequently, the proposal is considered to be suitable for the site having regard to the merits of the proposal as described in the above report.

CONCLUSION

The proposal was considered under the relevant Environmental Planning Instruments and policies including NSLEP 2013 and NSDCP 2013 and generally found to be satisfactory.

The application has been notified in accordance with Council's Community Participation Plan and no submissions have been received in response to the proposal.

Council's Conservation Planner has assessed the impact of the proposal on the heritage significance of the heritage listed cottage and the heritage items in the vicinity of the site will be minimal subject to conditions and the Union/Thomas/Bank Streets Conservation Area will be minimal. However a portion of the proposed works are not supported, including the infilling of 'alcove', setback of the front entry corridor (to remain), sandstone floor of the porch (to remain), deletion of the W03 window in the sandstone cottage ensuite, ceilings within the sandstone cottage (to remain).

Concern is also raised in relation to the replacement of the first-floor balcony to the contemporary addition on Lot 4. The proposed extension of the balcony towards Victoria would project beyond the existing setback of buildings in Victoria Street, would be uncharacteristic and is not supported. Conditions are recommended to require the existing balcony to be retained.

Following this assessment, the development application is considered to be reasonable in the circumstances and is recommended for **approval** subject to conditions.

HOW WERE THE COMMUNITY VIEWS TAKEN INTO CONSIDERATION?

The subject application was notified to adjoining properties and the Union Precinct for 14 days. Appropriate conditions of consent have been recommended to maintain the amenity of adjoining dwellings and the heritage significance of the subject site.

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 grant consent to Development Application No. **405/22** for alterations and additions to a detached dwelling over two lots on land at 36 Victoria Street McMahons Point subject to the following site specific and standard conditions:

No consent for subdivision

- A4. No consent is granted or may be inferred under this consent for any subdivision of land. Separate and further consent must be obtained for subdivision.

(Reason: To clarify that existing lot boundaries are to be retained)

Proposed extension of front balcony

- A5. The proposed extension of the front balcony from 1.8m to 2m is not permissible due to inconsistency with adjoining dwelling houses.

(Reason: To ensure consistency in front setbacks in compliance with Area Character Statement in NSDCP 2013)

Setback of the front entry corridor

- A6. The existing setback of the front entry corridor to remain as existing and the affixing of the new corridor enclosure is to be undertaken by utilising the mortar joints in the sandstone of the cottage. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Steel canopy

- A7. The proposed materials for the steel canopy are to be of a lightweight contemporary design and the setback to remain in accordance with condition A6. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Subsurface ventilation grilles to remain uncovered

- A8. The subsurface ventilation grilles are to always remain uncovered and unobstructed to ensure the ongoing ventilation of the building structures. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To ensure residential amenity)

Existing sandstone floor of the Porch to remain in-situ

- A9. The existing sandstone floor of the porch is to remain in situ. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Replacement of Doors

- A10. The replacement of the existing bathroom door and the ledged door connecting to the kitchen/living/dining area is to be of the period appropriate to the stone cottage. The proposed bathroom door is to remain in its current position, otherwise details of the existing door dimensions, architraves and skirtings are to be reinstated. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Replacement of Mantle in Study

- A11. The replacement of the mantle relating to the fireplace in the Study is to be a mantle appropriate to the period of the cottage. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Infilling of rear 'alcove' north of the sandstone cottage

A12. The proposed work to infill the 'alcove' between the existing sandstone cottage and the existing kitchen area in the later contemporary addition is to be deleted. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Proposed ensuite window W03 to the sandstone cottage

A13. The proposed ensuite window W03 on the eastern elevation is to be deleted.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Replacement of ceilings in the front rooms of sandstone cottage

A14. The proposed works to replace the slat and batton ceiling within Bed 1 and Robe are to be deleted. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Roof top area must be non-trafficable

I1. The flat roof top area above the rear terrace should not be used as an outdoor recreation area and is to remain non-trafficable at all times only to be used for garden maintenance of the roof top garden beds and/or solar panels.

(Reason: To maintain residential amenity)

RACHEL WU
GRADUATE ASSESSMENT OFFICER

DAVID HOY
TEAM LEADER (ASSESSMENTS)

STEPHEN BEATTIE
MANAGER DEVELOPMENT SERVICES

NORTH SYDNEY COUNCIL
CONDITIONS OF DEVELOPMENT APPROVAL
36 VICTORIA STREET, MCMAHONS POINT
DEVELOPMENT APPLICATION NO. 405/22

A. Conditions that Identify Approved Plans

Development in Accordance with Plans/Documentation

- A1. The development must be carried out in accordance with the following drawings and documentation and endorsed with Council's approval stamp, except where amended by the following conditions of this consent.

Plan No.	Rev	Description	Prepared by	Dated
105	D	Demolition – Ground Floor Plan	Atelier M P/L	16/12/2022
115	D	Materials	Atelier M P/L	16/12/2022
111	D	Proposed East & West Elevation	Atelier M P/L	16/12/2022
108	D	Proposed First Floor Plan	Atelier M P/L	16/12/2022
107	D	Proposed Ground Floor Plan	Atelier M P/L	16/12/2022
110	D	Proposed North & South Elevation	Atelier M P/L	16/12/2022
109	D	Proposed Roof Plan	Atelier M P/L	16/12/2022
112	D	Proposed Section	Atelier M P/L	16/12/2022
101	D	Site Plan/Analysis	Atelier M P/L	16/12/2022
113	D	Landscape Areas	Atelier M P/L	16/12/2022
121	A	Proposed Site Plan	Atelier M P/L	21/4/2023

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

Plans on Site

- A2. A copy of all stamped approved plans, specifications and documents (including the plans, specifications and documents submitted and approved with the Construction Certificate) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

All documents kept on site in accordance with this condition must be provided to any officer of the Council or the certifying authority upon their request.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance)

No Demolition of Extra Fabric

- A3. Alterations to, and demolition of the existing building shall be limited to that documented on the approved plans.

(Reason: To ensure compliance with the approved development)

No consent for subdivision

- A4. No consent is granted or may be inferred under this consent for any subdivision of land. Separate and further consent must be obtained for subdivision.

(Reason: To clarify that existing lot boundaries are to be retained)

Proposed extension of front balcony

- A5. The proposed extension of the front balcony from 1.8m to 2m is not permissible due to inconsistency with adjoining dwelling houses.

(Reason: To ensure consistency in front setbacks in compliance with Area Character Statement in NSDCP 2013)

Setback of the front entry corridor

- A6. The existing setback of the front entry corridor to remain as existing and the affixing of the new corridor enclosure is to be undertaken by utilising the mortar joints in the sandstone of the cottage. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Steel canopy

- A7. The proposed materials for the steel canopy are to be of a lightweight contemporary design and the setback to remain in accordance with **condition A6**. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Subsurface ventilation grilles to remain uncovered

- A8. The subsurface ventilation grilles are to always remain uncovered and unobstructed to ensure the ongoing ventilation of the building structures. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To ensure residential amenity)

Existing sandstone floor of the Porch to remain in-situ

- A9. The existing sandstone floor of the porch is to remain in situ. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Replacement of Doors

- A10. The replacement of the existing bathroom door and the ledged door connecting to the kitchen/living/dining area is to be of the period appropriate to the stone cottage. The proposed bathroom door is to remain in its current position, otherwise details of the existing door dimensions, architraves and skirtings are to be reinstated. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Replacement of Mantle in Study

- A11. The replacement of the mantle relating to the fireplace in the Study is to be a mantle appropriate to the period of the cottage. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Infilling of rear 'alcove' north of the sandstone cottage

A12. The proposed work to infill the 'alcove' between the existing sandstone cottage and the existing kitchen area in the later contemporary addition is to be deleted. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Proposed ensuite window W03 to the sandstone cottage

A13. The proposed ensuite window W03 on the eastern elevation is to be deleted.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

Replacement of ceilings in the front rooms of sandstone cottage

A14. The proposed works to replace the slat and batton ceiling within Bed 1 and Robe are to be deleted. Details relating to the above are to be submitted to Council for approval prior to the issue of any Construction Certificate.

(Reason: To protect the character and significance of the heritage conservation area, the heritage item, its setting and that of the heritage items within the vicinity of the site)

C. *Prior to the Issue of a Construction Certificate (and ongoing, where indicated)*

Arborist to be Commissioned

C1. An experienced AQF Level 5 consulting arborist must be commissioned to assist the design development, contract documentation and overseeing of construction works on the site for their duration by undertaking regular inspections of the works in progress and providing advice in relation to tree matters.

Written details of the engagement of the experienced arborist must be submitted to the Certifying Authority prior to the issue of any Construction Certificate.

Note: This condition, and any advice given by the consulting arborist, should not be construed as authorising the carrying of development with/ otherwise than in accordance with the development consent.

(Reason: To ensure that all matters relating to trees are resolved and recorded using best practice.)

Tree Protection

- C2. To ensure the protection of all trees to be retained, the following measures are to be undertaken:
- a) All documentation for the Construction Certificate application must show the site trees to be retained, and retention of the adjoining trees, with their positions and diameters of trunks and crowns (canopies) to be clearly and accurately shown in relation to all levels of the proposed development.
 - b) All plans and correspondences must refer to the required compliance with the approved Tree Protection and Management Plan, and clearly show the assigned number of each tree on site, adjoining and Council land.
 - c) A Consulting Arboriculturist (“the project arboriculturist”), who holds a minimum Australian Qualification Framework Level 5 in Arboriculture, is a registered consulting member of a nationally recognised arboricultural organisation or association, and who does not remove or prune trees in the North Sydney local government area, shall be engaged before work commences for the duration of site preparation, demolition, construction and landscaping.
 - d) The project arboriculturist shall inspect, monitor, supervise, provide recommendations and written reports and certification relating to protection of the trees and compliance with the conditions of consent.
 - e) The contact details of the project arboriculturist shall be advised to council before work commences and maintained up to date for the duration of works. If a new project arborist is appointed details of the new project arborist shall be notified to council within 7 days.

(Reason: Tree protection measures)

Dilapidation Report Damage to Public Infrastructure

- C3. A dilapidation survey and report (including photographic record) must be prepared by a suitably qualified consultant which details the pre-developed condition of the existing public infrastructure in the vicinity of the development site. Particular attention must be paid to accurately recording any pre-developed damaged areas so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development. A copy of the dilapidation survey and report is to be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The developer may be held liable for all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded and demonstrated as pre-existing under the requirements of this condition.

The developer shall bear the cost of carrying out works to restore all public infrastructure damaged as a result of the carrying out of the development, and no occupation of the development shall occur until damage caused as a result of the carrying out of the development is rectified.

A copy of the dilapidation survey and report must be lodged with North Sydney Council by the Certifying Authority with submission of the Construction Certificate documentation.

(Reason: To record the condition of public infrastructure prior to the commencement of construction)

Dilapidation Survey Private Property (Neighbouring Buildings)

- C4. A photographic survey and dilapidation report of adjoining properties Nos. 32 and 38 Victoria Street, McMahon's Point detailing the physical condition of the property, both internally and externally, including, but not limited to, such items as walls, ceilings, roof, structural members and other similar items, SHALL BE submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The survey and report are to be prepared by an appropriately qualified person agreed to by both the applicant and the owner of the adjoining property. A copy of the report is to be provided to Council, if Council is not the Certifying Authority, prior to the issue of any Construction Certificate.

All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent.

In the event that access for undertaking the photographic survey and dilapidation report is denied by an adjoining owner, the applicant MUST DEMONSTRATE, in writing, to the satisfaction of Council that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from Council in such circumstances.

Note: This documentation is for record keeping purposes only and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

(Reason: Proper management of records)

Structural Adequacy of Existing Building

- C5. A report prepared by an appropriately qualified and practising structural engineer, certifying the structural adequacy of the property and its ability to withstand the proposed additional, or altered structural loads during all stages of construction shall be submitted to the Certifying Authority for approval prior to issue of any Construction Certificate. The certified report must also include all details of the methodology to be employed in construction phases to achieve the above requirements. The methodology in the certified report must be complied with at all times.

(Reason: To ensure the structural integrity of the building is maintained)

Sediment Control

- C6. Where construction or excavation activity requires the disturbance of the soil surface or existing vegetation, erosion and sediment control techniques, as a minimum, are to be in accordance with the publication *Managing Urban Stormwater: Soils and Construction* (4th edition, Landcom, 2004) commonly referred to as the "Blue Book" or a suitable and effective alternative method.

A Sediment Control Plan must be prepared and submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate and prior to any works commencing. The Sediment Control Plan must be consistent with the Blue Book and disclose:

- a) All details of drainage to protect and drain the site during the construction processes;
- b) All sediment control devices, barriers and the like;
- c) Sedimentation tanks, ponds or the like;
- d) Covering materials and methods; and
- e) A schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.
- f) Methods for the temporary and controlled disposal of stormwater during construction.

All works must be undertaken in accordance with the approved Sediment Control plan.

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

Colours, Finishes and Materials (Conservation Areas)

- C7. The finishes, materials and exterior colours shall be complementary to the architectural style of the original building and sympathetic to the character of the Conservation Area. A schedule of finishes, materials and external colours shall be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted fully satisfy the requirements of this condition prior to the release of the Construction Certificate.

(Reason: To ensure that the completed colours, finishes and materials are complementary to the Conservation Area)

Sandstone Repointing

- C8. Any repointing works to the sandstone block wall must be undertaken using traditional lime mortar by a qualified stonemason. Written details of the engagement of a qualified stonemason must be submitted to the Certifying Authority prior to the issue of any Construction Certificate.

The Certifying Authority must also ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

Note: The provisions of the Heritage Act may also apply to altering any sandstone elements on any site.

(Reason: To allow for preservation of cultural resources within the North Sydney Council area)

Heritage Architect to be Commissioned

- C9. An appropriately qualified and experienced heritage architect must be commissioned to assist the design development, contract documentation and overseeing of construction works on the site for their duration by undertaking regular inspections of the works in progress and providing advice in relation to heritage matters.

Written details of the engagement of the experienced heritage architect must be submitted to the Certifying Authority prior to the issue of any Construction Certificate.

Note: If advice provided by the heritage architect is to the effect that works requiring development consent be carried out, such works would require an application under s96 of the *Environmental Planning and Assessment Act 1979* or further development application. This condition, and any advice given by the heritage architect, should not be construed as authorising the carrying of development with/ otherwise than in accordance with the development consent.

(Reason: To ensure that all matters relating to significant fabric and spaces are resolved and recorded using best practice for heritage conservation)

Skylight(s)

- C10. Skylight flashing(s) and frame(s) to be coloured to match the roof material. Skylight(s) to sit no higher than 100 mm above roof plane when in a closed position. Plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The Certifying Authority must ensure that the building plans and specifications submitted fully satisfy the requirements of this condition.

(Reason: To minimise the visual impact of the skylight(s) on the roof plane)

Work Zone

- C11. If a Work Zone is proposed, an application must be made to the North Sydney Local Traffic Committee to install the 'Work Zone'. A Work Zone permit is required to be issued by the Council prior to the issue of any Construction Certificate.

Work Zones are provided specifically for the set down and pick up of materials and not for the parking of private vehicles associated with the site. Work Zones will generally not be approved where there is sufficient space on-site for the setting down and picking up of goods being taken to or from a construction site. If the Work Zone is approved by the Committee, the Applicant must obtain a written copy of the related resolution from the North Sydney Local Traffic Committee and submit a copy of this to the Certifying Authority to enable issue of the Construction Certificate.

Where approval of the 'Work Zone' is given by the Committee, the requirements of the Committee, including installation of the necessary 'Work Zone' signage and payment of any fees, must occur prior to commencement of any works on the site. Further, at the expiration of the Work Zone approval, the developer is required to remove the Work Zone signs and reinstate any previous signs, all at the developer's cost. The requirements imposed by the Committee on the Work Zone permit (or permits) must be complied with at all times.

(Reason: Amenity and convenience during construction)

Maintain Property Boundary Alignment Levels

- C12. Except where otherwise approved by Council, the property boundary alignment levels must match the levels which existed prior to the commencement of works. Plans and specifications which document existing and proposed levels adjacent to the site boundaries and which comply with the requirements of this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure interface between property and public land remains uniform)

Stormwater Disposal

- C13. Stormwater runoff generated by the approved development must be conveyed by gravity to the existing site stormwater drainage disposal system. A licensed tradesman shall install plumbing components to achieve this requirement in accordance with the BCA and current plumbing standards and guidelines. Plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure appropriate provision for disposal and stormwater management arising from the development)

Bond for Damage and Completion of Infrastructure Works - Stormwater, Kerb and Gutter, Footpaths, Vehicular Crossing and Road Pavement

C14. Prior to the issue of any Construction Certificate, security deposit or bank guarantee must be provided to Council to the sum of \$7,000.00 to be held by Council for the payment of cost for any/all of the following:

- a) making good any damage caused to any property of the Council as a consequence of the doing of anything to which this consent relates,
- b) completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with this consent.
- c) remedying any defects in any such public work that arise within six months after the work is completed.

The security required by this condition and in the schedule contained later in these conditions must be provided by way of a deposit with the Council; or other such guarantee that is satisfactory to Council (such as a bank guarantee). Any guarantee provided as security must name North Sydney Council as the nominated beneficiary and must not be subject to an expiry date.

The security will be refundable following the expiration of six months from the issue of any final Occupation Certificate or completion of public work required to be completed (whichever is the latest) but only upon inspection and release by Council's Engineers.

Council shall have full authority to make use of the bond for such restoration works as deemed necessary by Council in circumstances including the following:

- where the damage constitutes a hazard in which case Council may make use of the security immediately;
- the applicant has not repaired or commenced repairing damage within 48 hours of the issue by Council in writing of instructions to undertake such repairs or works;
- works in the public road associated with the development are to an unacceptable quality; and
- the Certifying Authority must ensure that security is provided to North Sydney Council prior to issue of any Construction Certificate.

(Reason: To ensure appropriate security for works on public land and an appropriate quality for new public infrastructure)

Protection of Trees

- C15. The following tree(s) are required to be protected and retained as part of the development consent in accordance with AS 4970-2009 - Protection of trees on development sites:

Tree	Location	Height
All site and neighbouring trees and vegetation, including but not limited to unidentified tree (12x11m) within the rear seat back of 36 Victoria Street	various	Var

Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

Any tree(s) shown as being retained on the approved plans (regardless of whether they are listed in the above schedule or not) must be protected and retained in accordance with this condition.

(Reason: Protection of existing environmental and community assets)

Section 7.12 Contributions

- C16. A monetary contribution pursuant to the provisions of Section 7.12 of the Environmental Planning and Assessment Act 1979 is to be paid to Council, in accordance with the North Sydney Council's Contribution Plan, to provide for local infrastructure improvements.

Based on the cost of development at the date of determination, the total contribution payable to Council is 5,620.00

Indexation

The monetary contribution required under this consent will be indexed at the time of payment in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

Timing of Payment

The contribution must be paid to Council prior to issue of any Construction Certificate for any work approved by this consent.

A copy of the North Sydney Contribution Plan can be viewed at North Sydney Council's Customer Service Centre, 200 Miller Street, North Sydney or downloaded via Council's website at www.northsydney.nsw.gov.au.

(Reason: To provide for local infrastructure identified in the North Sydney Council Local Contributions Plan 2020)

Security Deposit/Guarantee Schedule

C17. All fees and security deposits/guarantees in accordance with the schedule below must be provided to Council prior to the issue of any Construction Certificate:

Security deposit/ guarantee	Amount (\$)
Infrastructure Damage Bond	\$7,000
TOTAL BONDS	\$7,000

Note: The following fees are applicable

Fees	
Local Infrastructure Contributions (s7.12)	\$5,620.00
TOTAL FEES	\$5,620.00

The security required by the above schedule must be provided by way of a deposit with the Council, or other such guarantees that are satisfactory to Council (such as a bank guarantee). Any guarantee provided as security must name North Sydney Council as the nominated beneficiary and must not be subject to an expiry date.

(Reason: Compliance with the development consent)

BASIX Certificate

C18. Under clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in BASIX Certificate No. **A468154_02** for the development are fulfilled. Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the proposed development will meet the Government's requirements for sustainability and statutory requirements)

Root Mapping

C19. Non-invasive/non- destructive root mapping is to be undertaken within the tree protection zone (TPZ) (identified as per AS4970-2009) of any protected tree to determine the size and depth of the tree roots prior to the design of the required footings for any proposed construction.

Root mapping is to be undertaken under the direct supervision of an AQF level 5 arborist. The said consulting/ project arborist is to prepare a written report, with images, addressing the following:

- a) describing the results of the root mapping;
- b) providing an assessment of potential tree impacts of the excavation; and
- c) making recommendations of protection measures to be implemented for the duration of excavation and construction activity to ensure the ongoing health and viability of the tree.

The report is to be provided to the Certifying Authority for approval (with a copy provided to Council) prior to the issue of any Construction Certificate. Plans and Specifications submitted to the Certifier for approval must comply with the recommendations of the arborist report referred to in this condition, and the development must be carried out in accordance with the said report.

(Reason: To ensure the protection of significant trees)

D. Prior to the Commencement of any Works (and continuing where indicated)

Protection of Trees

- D1. All trees that are specifically nominated to be retained by notation on plans or by condition as a requirement of this consent must be maintained and protected during demolition, excavation and construction on the site in accordance with AS4970-2009 (Protection of trees on development sites). A report containing recommendations, and methods of tree protection prepared by an appropriately qualified person must be provided to the Certifying Authority for approval by an appropriately qualified person prior to commencement of any works on the site. Any recommendations must be undertaken for the duration of works on the site.

Sensitive construction techniques including hand excavation, pier & beam construction & flexible location of piers/footings shall be used within the TPZ of any protected tree. No roots greater than 40mm shall be cut. Existing paving/hard surfaces within the TPZ of protected trees shall be left in situ as root protection during the construction process. No level changes greater than 100mm shall be permitted within the TPZ of any tree. No canopy pruning shall be permitted.

(Reason: To ensure compliance with the requirement to retain significant planting on the site)

Temporary Fences and Tree Protection

- D2. All protected trees on-site that are specifically nominated as per **condition C16** to be retained by notation on plans or by condition as a requirement of this consent must be tagged with luminous tape or the like for purposes of identification prior to demolition, excavation or construction works and must remain so for the duration of works on the site. No materials or builder's waste are to be stored in the vicinity of the nominated tree/trees at any time.

Appropriate fencing or barricades in accordance with AS4970-2009 (Protection of trees on development sites), not less than the distance shown in the schedule hereunder, must

be installed to the satisfaction of the Certifying Authority prior to demolition or commencement of any works and must be maintained for the duration of the works: -
(Reason: To protect the trees to be retained on the site during construction works)

Tree Protection Measures

D3. The tree protection measures detailed in the approved Tree Protection and Management Plan, and as directed by the project arboriculturist shall be established before work commences.

(Reason: To ensure that the stability and ongoing viability of trees being retained are not compromised Tree protection measures)

Project Arborist Engaged

- D4.
- The project arboriculturist shall inspect tree protection measures and certify in writing to the Principal Certifying Authority the measures comply with the approved Tree Protection Plan and as directed by the project arboriculturist before work commences.
 - The project arboriculturist shall provide guidance and oversight of tree protection and management to ensure that the stability and ongoing viability of trees being retained is not compromised.
 - The project arboriculturist must contact the tree pruning contractor and Council's Tree Management Officer (giving at least 2 working days' notice) to arrange a joint site meeting, prior to commencing any pruning, to determine the exact location and extent of pruning that is permissible, with the tree pruning contractor to comply with any instructions issued by Council, acting reasonably.
 - Any pruning must be undertaken by a practicing arborist with a minimum Australian Qualification Framework Level 3 in arboriculture, in accordance with the principles of the Australian Standard AS 4373-2007 'Pruning of Amenity Trees,' and the NSW Work Cover Code of Practice for the Amenity Tree Industry (1998), as well as any instructions issued on site by Council, acting reasonably.
 - The practicing arborist must keep a log of dates and times of when they attended the site, the type of works that were performed, and must form part of the certification required prior to Occupation.

(Reason: Tree protection measures)

Public Liability Insurance - Works on Public Land

D5. Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of public land and the undertaking of approved works within Council's road reserve or public land, as approved by this consent. The Policy is to note and provide protection/full indemnification for North Sydney Council, as an interested party. A copy of the Policy must be submitted to Council prior to commencement of any works. The Policy must be valid for the entire period that the works are being undertaken.

Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.

(Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land)

Commencement of Works' Notice

D6. Building work, demolition or excavation in accordance with this development consent must not be commenced until the developer has given at least two days' notice to North Sydney Council of the person's intention to commence building work, demolition or excavation in accordance with this development consent.

(Reason: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

E. During Demolition and Building Work

Parking Restrictions

E1. Existing public parking provisions in the vicinity of the site must be maintained at all times during works. The placement of any barriers, traffic cones, obstructions or other device in the road shoulder or kerbside lane is prohibited without the prior written consent of Council. Changes to existing public parking facilities/restrictions must be approved by the North Sydney Local Traffic Committee. The Developer will be held responsible for any breaches of this condition and will incur any fines associated with enforcement by Council regulatory officers.

(Reason: To ensure that existing kerbside parking provisions are not compromised during works)

Road Reserve Safety

E2. All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works, with no obstructions caused to the said footways and roadways. Construction materials and plant must not be stored in the road reserve without approval of Council. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site.

Where public infrastructure is damaged, repair works must be carried out in when and as directed by Council officers (at full Developer cost). Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) "Traffic Control Devices for Work on Roads". **If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**

(Reason: Public Safety)

Temporary Disposal of Stormwater Runoff

- E3. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems must be installed to reasonably manage and control runoff as far as the approved point of stormwater discharge. Such ongoing measures must be to the satisfaction of the Certifying Authority.

(Reason: Stormwater control during construction)

Council Inspection of Public Infrastructure Works

- E4. During the works on public infrastructure reverting to Council's care and control, Council's development engineer may undertake inspections of the works at the following hold points:

- Formwork for layback, kerb/gutter, footpath, etc.

All works must proceed in accordance with Roads Act 1993 approvals or other permits relating to roads issued by Council. A minimum of 48 hours notice must be given to Council to book an inspection. Work must not proceed until the works or activity covered by the inspection is approved.

(Reason: To ensure the quality of construction joints and connections in the drainage system)

Removal of Extra Fabric

- E5. Should any portion of the existing building, trees, or curtilage of the site which is indicated on the approved plans to be retained be damaged for whatever reason, all the works in the area of the damaged portion are to cease and written notification of the damage is to be given to Council forthwith. No work is to resume until the written approval of Council to do so is obtained. Failure to comply with the provisions of this condition may result in the Council taking further action including legal proceedings if necessary.

(Reason: To ensure compliance with the terms of this development consent)

Dust Emission and Air Quality

- E6. The following must be complied with at all times:

- (a) Materials must not be burnt on the site.
- (b) Vehicles entering and leaving the site with soil or fill material must be covered.

- (c) Dust suppression measures must be carried out to minimise wind-borne emissions in accordance with the NSW Department of Housing's 1998 guidelines - Managing Urban Stormwater: Soils and Construction.
- (d) Odour suppression measures must also be carried out where appropriate so as to prevent nuisance occurring at adjoining properties.

(Reason: To ensure residential amenity is maintained in the immediate vicinity)

Developer's Cost of Work on Council Property

- E7. The developer must bear the cost of all works associated with the development that occurs on Council's property, including the restoration of damaged areas.

(Reason: To ensure the proper management of public land and funds)

No Removal of Trees on Public Property

- E8. No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved by this consent shall be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works.

(Reason: Protection of existing environmental infrastructure and community assets)

Protection of Trees

- E9. All trees required to be retained, as part of this consent must be protected from any damage during construction works in accordance with AS4970-2009.

In the event that any tree required to be retained is damaged during works on the site, notice of the damage must be given to Council forthwith.

Notes:

- a. If the nominated tree is damaged to a significant degree or removed from the site without prior written approval being obtained from Council, the issuing of fines or legal proceedings may be commenced for failure to comply with the conditions of this consent.
- b. An application to modify this consent pursuant to Section 4.55 of *the Environmental Planning and Assessment Act 1979* will be required to address the non-compliance with any of the conditions of consent relating to the retention of nominated trees, and Council may require tree replenishment.

(Reason: Protection of existing environmental infrastructure and community assets)

Special Permits

- E10. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development must occur entirely on the property.

The developer, owner or builder may apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property. In the event that a permit is granted by Council for the carrying out of works, processes, storage of materials, loading and unloading associated with the development on Council's property, the development must be carried out in accordance with the requirements of the permit. A minimum of forty-eight (48) hours' notice is required for any permit:

1) **On-street mobile plant**

E.g., cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the developer's, owner's and builder's responsibilities to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.

(Reason: Proper management of public land)

2) **Hoardings**

Permits are required to erect Class A and Class B hoardings. If an 'A' Class hoarding is to alienate a section of Council's property, that section will require a permit for the occupation of Council's property.

(Reason: Proper management of public land)

3) **Storage of building materials and building waste containers (skips) on Council's property**

Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.

(Reason: Proper management of public land)

4) **Kerbside restrictions, construction zones**

Attention is drawn to the existing kerbside restrictions adjacent to the development. Should alteration of existing kerbside restrictions be required, or the provision of a construction zone, the appropriate application must be made and the fee paid to Council. Alternatives to such restrictions may require referral to Council's Traffic Committee and may take considerable time to be resolved. An earlier application is suggested to avoid delays in construction programs.

(Reason: Proper management of public land)

Construction Hours

E11. Construction activities and works approved under this consent must be carried out only within the hours stipulated in the following table:

Standard Construction Hours		
Location	Day	Hours
All Other Zones	Monday - Friday	7.00 am - 5.00 pm
	Saturday	8.00 am - 1.00 pm
	Sunday, Public holiday	No work permitted

Demolition and excavation works must be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only. For the purposes of this condition:

- a) "Building construction" means any physical activity on the site involved in the erection of a structure, cladding, external finish, formwork, fixture, fitting of service installation and the unloading of plant, machinery, materials or the like.
- b) "Demolition works" means any physical activity to tear down or break up a structure (or part thereof) or surface, or the like, and includes the loading of demolition waste and the unloading of plant or machinery.
- c) "Excavation work" means the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders, or the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site and includes the unloading of plant or machinery associated with excavation work.

All builders, excavators must display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

Out-of-hours' Work Permits

E12. Where it is necessary for works to occur outside those hours allowed by these conditions, an application may be made to Council's Customer Services Centre for a permit to carry out works outside of the approved hours. If a permit is issued the works approved must be carried out in accordance with any requirements specified in the permit. Permits will only be approved if **public safety is at risk**. Applications which seek a variation to construction hours solely to benefit the developer will require the lodgement and favourable determination of a modification application pursuant to the provisions of Section 96 of the Environmental Planning and Assessment Act 1979.

Notes:

- 1) Failure to obtain a permit for work outside of the approved hours will result in on the spot fines being issued, or Council pursuing any action required (including legal proceedings) to have the out of hours work cease, without prior warning.
- 2) Applications for out of hour's works should be lodged with Council no later than seven (7) calendar days prior to the date of the intended works.
- 3) Examples of activities for which permits may be granted include:
 - the erection of awnings,
 - footpath, road and other infrastructure works which cannot be carried out for public convenience reasons within normal hours,
 - the erection and removal of hoardings and site cranes, and
 - craneage of materials which cannot be done for public convenience reasons within normal working hours.
- 4) Examples of activities for which permits WILL NOT be granted include;
 - extended concrete pours
 - works which are solely to convenience the developer or client, and
 - catch up works required to maintain or catch up with a construction schedule.
- 5) Further information on permits can be obtained from the Council website at www.northsydney.nsw.gov.au.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

Installation and Maintenance of Sediment Control

E13. Erosion and sediment controls must be installed and maintained at all times in accordance with the Sediment and erosion control plan submitted and approved with the Construction Certificate.

Erosion and sediment measures must be maintained in accordance with the publication Managing Urban Stormwater: Soils and Construction (4th edition, Landcom, 2004), commonly referred to as the "Blue Book" and can only be removed when development activities have been completed and the site fully stabilised.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

Sediment and Erosion Control Signage

E14. A durable sign must be erected during building works in a prominent location on site, warning of penalties should appropriate erosion and sedimentation control devices not be maintained. A sign of the type referred to in this condition is available from Council.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

Site Amenities and Facilities

E15. Where work involved in the erection and demolition of a building is being carried out, amenities which satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements, must be provided and maintained at all times. The type of workplace determines the type of amenities required.

Further information and details can be obtained from the Internet at www.workcover.nsw.gov.au.

(Reason: To ensure the health and safety of the community and workers on the site)

Health and Safety

E16. All work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements to prepare a health and safety plan. Site fencing must be installed sufficient to exclude the public from the site. Safety signs must be erected that warn the public to keep out of the site and provide a contact telephone number for enquiries.

Further information and details regarding occupational health and safety requirements for construction sites can be obtained from the internet at www.workcover.nsw.gov.au.

(Reason: To ensure the health and safety of the community and workers on the site)

Community Information

E17. Reasonable measures must be undertaken at all times to keep nearby residents informed about the proposed work, such as by way of signs, leaflets, public meetings and telephone contact numbers, to ensure that adjoining residents are aware of the likely duration of the construction works on the site

(Reason: To ensure that residents are kept informed of activities that may affect their amenity)

Prohibition on Use of Pavements

E18. Building materials must not be placed on Council's footpaths, roadways, parks or grass verges, (unless a permit is obtained from Council beforehand). A suitable sign to this effect must be erected adjacent to the street alignment.

(Reason: To ensure public safety and amenity on public land)

Plant and Equipment Kept Within Site

E19. All plant and equipment used in the undertaking of the development/ works, including concrete pumps, wagons, lifts, mobile cranes, hoardings etc, must be situated within the boundaries of the site (unless a permit is obtained from Council beforehand) and so placed that all concrete slurry, water, debris and the like must be discharged onto the building site, and is to be contained within the site boundaries.

Details of Council requirements for permits on public land for standing plant, hoardings, storage of materials and construction zones and the like are available on Council's website at www.northsydney.nsw.gov.au.

(Reason: To ensure public safety and amenity on public land)

F. *Prescribed Conditions imposed under EP&A Act and Regulations and other relevant Legislation*

National Construction Code

F1. All building work must be carried out in accordance with the provisions of the National Construction Code.

(Reason: Prescribed - Statutory)

Home Building Act

F2. 1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act 1989) for which the *Home Building Act 1989* requires there to be a contract of insurance under Part 6 of that Act must not be carried out unless the Principal Certifying Authority for the development to which the work relates has given North Sydney Council written notice of the contract of insurance being issued and of the following:

- a) in the case of work for which a principal contractor is required to be appointed:
 - i) the name and licence number of the principal contractor, and
 - ii) the name of the insurer by which the work is insured under Part 6 of that Act, or

- (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
- 2) If arrangements for doing residential building work are changed while the work is in progress such that the information submitted to Council in accordance with this conditions is out of date, work must cease and no further work may be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

Note: A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

(Reason: Prescribed - Statutory)

Appointment of a Principal Certifying Authority (PCA)

- F3. Building work, demolition or excavation in accordance with the development consent must not be commenced until the developer has appointed a Principal Certifying Authority for the building work in accordance with the provisions of the EP&A Act and its Regulations.

(Reason: Statutory: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

Construction Certificate

- F4. Building work, demolition or excavation in accordance with the development consent must not be commenced until a Construction Certificate for the relevant part of the building work has been issued in accordance with the provisions of the EP&A Act and its Regulations.

(Reason: Statutory: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

Occupation Certificate

- F5. A person must not commence occupation or use of the whole or any part of a new building (*new building* includes an altered portion of, or an extension to, an existing building) unless an Occupation Certificate has been issued in relation to the building or part. Only the Principal Certifying Authority appointed for the building work can issue an Occupation Certificate.

(Reason: Statutory)

Critical Stage Inspections

- F6. Building work must be inspected by the Principal Certifying Authority on the critical stage occasions prescribed by the EP&A Act and its Regulations, and as directed by the appointed Principal Certifying Authority.

(Reason: Statutory)

Commencement of Works

- F7. Building work, demolition or excavation in accordance with this development consent must not be commenced until the developer has given at least two (2) days' notice to North Sydney Council of the person's intention to commence the erection of the building.

(Reason: Statutory: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

Excavation/Demolition

- F8. 1) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- 2) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- 3) Demolition work must be undertaken in accordance with the provisions of AS2601- Demolition of Structures.

(Reason: To ensure that work is undertaken in a professional and responsible manner and protect adjoining property and persons from potential damage)

Protection of Public Places

- F9. 1) A hoarding and site fencing must be erected between the work site and adjoining public place.
- 2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- 3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- 4) Any such hoarding, fence or awning is to be removed when the work has been completed.

- 5) No access across public reserves or parks is permitted.

Note: Prior to the erection of any temporary fence or hoarding over property owned or managed by Council, written approval must be obtained. Any application needs to be accompanied by plans indicating the type of hoarding and its layout. Fees are assessed and will form part of any approval given. These fees must be paid prior to the approval being given. Approval for hoardings will generally only be given in association with approved building works, maintenance or to ensure protection of the public. An application form for a Hoarding Permit can be downloaded from Council's website.

(Reason: To ensure public safety and the proper management of public land)

Site Sign

- F10. 1) A sign must be erected in a prominent position on the site
- a) stating that unauthorised entry to the work site is prohibited;
 - b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
 - c) showing the name, address and telephone number of the Principal Certifying Authority for the work.
- 2) Any such sign must be maintained while to building work or demolition work is being carried out but must be removed when the work has been completed.

(Reason: Prescribed - Statutory)

G. Prior to the Issue of an Occupation Certificate

Infrastructure Repair and Completion of Works

- G1. Prior to the issue of any Occupation Certificate any and all works relating to the development:
- a. in the road reserve must be fully completed; and
 - b. to repair and make good any damaged public infrastructure caused as a result of any works relating to the development (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete vehicles) must be fully repaired;

to the satisfaction of Council Engineers at no cost to Council.

(Reason: Maintain quality of public assets)

Damage to Adjoining Properties

- G2. All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.

(Reason: To ensure adjoining owner's property rights are protected)

Utility Services

- G3. All utility services shall be adjusted to the correct levels and/or location/s required by this consent, prior to issue of an occupation certificate. This shall be at no cost to Council.

(Reason: To ensure compliance with the terms of this consent)

Certification of Tree Condition

- G4. Prior to the issue of an Occupation Certificate, a report prepared by an appropriately qualified person (being an arborist or the like) must be submitted to the Certifying Authority, describing the health of the tree(s) specifically nominated below:

Tree	Location	Height
All site and neighbouring trees and vegetation, including but not limited to unidentified tree (12x11m) within the rear setback of 36 Victoria St	various	Var

The report must detail the condition and health of the nominated tree(s) upon completion of the works, and shall certify that the tree(s) has/have not been significantly damaged during the works on the site, and has/have reasonable prospects for survival.

(Reason: To ensure compliance with the terms of this consent)

BASIX Completion Certificate

- G5. In accordance with Section 45 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, prior to issuing a final occupation certificate, the Principal Certifier must provide a BASIX completion receipt.

(Reason: To ensure compliance with the Regulations)

Damage to Adjoining Properties

- G6. On completion of the development the subject of this consent and prior to the issue of the Occupation Certificate, a report is to be prepared by an appropriately qualified consultant and is to be provided to the Certifying Authority (and a copy to Council if it is not the Certifying Authority) certifying:

a) whether any damage to adjoining properties has occurred as a result of the

- development;
- b) the nature and extent of any damage caused to the adjoining property as a result of the development;
 - c) the nature and extent of works required to rectify any damage caused to the adjoining property as a result of the proposed development;
 - d) the nature and extent of works carried out to rectify any damage caused to the adjoining property as a result of the development; and
 - e) the nature and extent of any agreements entered into for rectification of any damage caused to the adjoining property as a result of the development.

The report and certification must reference the dilapidation survey and reports required to be provided to the Certifying Authority in accordance with this consent.

Where works required to rectify any damage caused to adjoining property as a result of the development identified in the report and certification have not been carried out, a satisfactory agreement for rectification of the damage is to be made with the affected person/s as soon as possible prior to the issue of an Occupation Certificate.

All costs incurred in achieving compliance with this condition shall be borne by the developer.

(Reason: To ensure adjoining owner's property rights are protected in so far as possible)

Unpaved Verge

- G7. The unpaved verge area must be constructed/reconstructed with an appropriate species of grass prior to completion of the works at no cost to Council.

(Reason: To ensure that community assets are presented in accordance with reasonable community expectations)

I. Ongoing/Operational Conditions

Roof top area must be non-trafficable

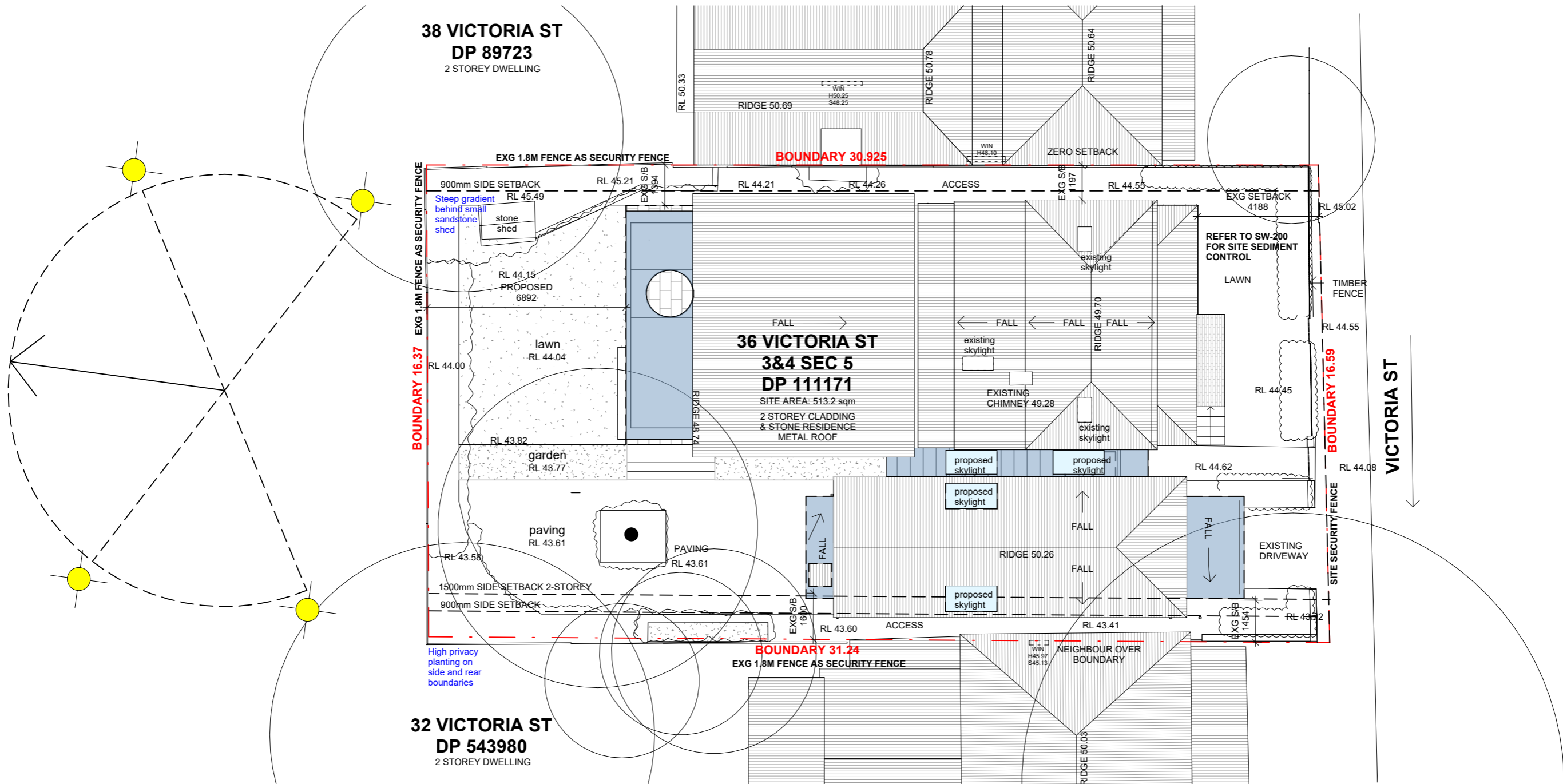
- I1. The flat roof top area above the rear terrace should not be used as an outdoor recreation area and is to remain non-trafficable at all times only to be used for garden maintenance of the roof top garden beds and/or solar panels.

(Reason: To maintain residential amenity)

Loading within Site

- I2. All loading and unloading operations must be carried out wholly within the confines of the site, at all times and must not obstruct other properties or the public way.

(Reason: To ensure that deliveries can occur safely within the site and does not adversely affect traffic or pedestrian amenity)



38 VICTORIA ST
DP 89723
 2 STOREY DWELLING

36 VICTORIA ST
3&4 SEC 5
DP 111171
 SITE AREA: 513.2 sqm
 2 STOREY CLADDING
 & STONE RESIDENCE
 METAL ROOF

32 VICTORIA ST
DP 543980
 2 STOREY DWELLING

VICTORIA ST

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Verify all dimensions on site prior to commencement of work. Check existing RL's on site. Advise Architect of any discrepancies before commencement. Allow for adjustments to suit discrepancies. Comply with relevant authorities requirements. Comply with the BCA/NCC requirements. Comply with relevant Australian Standards for materials and construction practice. Comply with Basix Certificate. Do not scale drawings.

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REV	DESCRIPTION	DATE
A	Additional Information	21.04.23

House LC

PROP Site Plan

057_DA_121

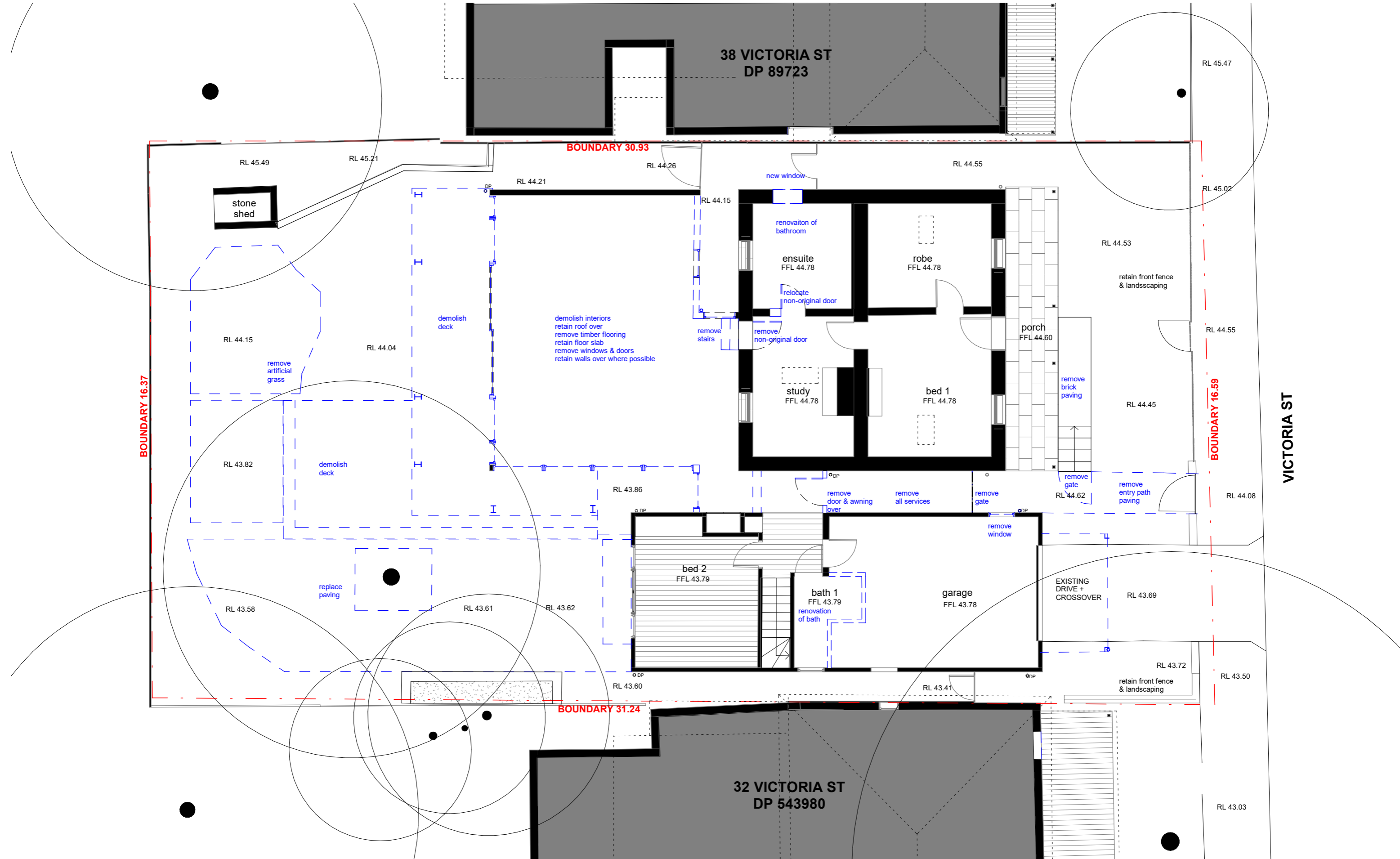
Rebecca Lim & Andrew Chick
 36 Victoria Street
 McMahons Point NSW
 2060

Project number
 Date
 Drawn by
 Scale

057
 June 2022
 CW
 1 : 150



Atelier M Pty Ltd
 32/82 myrtle street
 chippendale nsw 2008
 t: 0417 655 056
 abn 74 654 024 441
 nominated architect
 miriam green new arb 8432



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REV	DESCRIPTION	DATE
A	Consultant Issue	06.09.22
B	DA Issue Draft	30.09.22
C	Consultant Issue	28.11.22
D	DA Issue	16.12.22

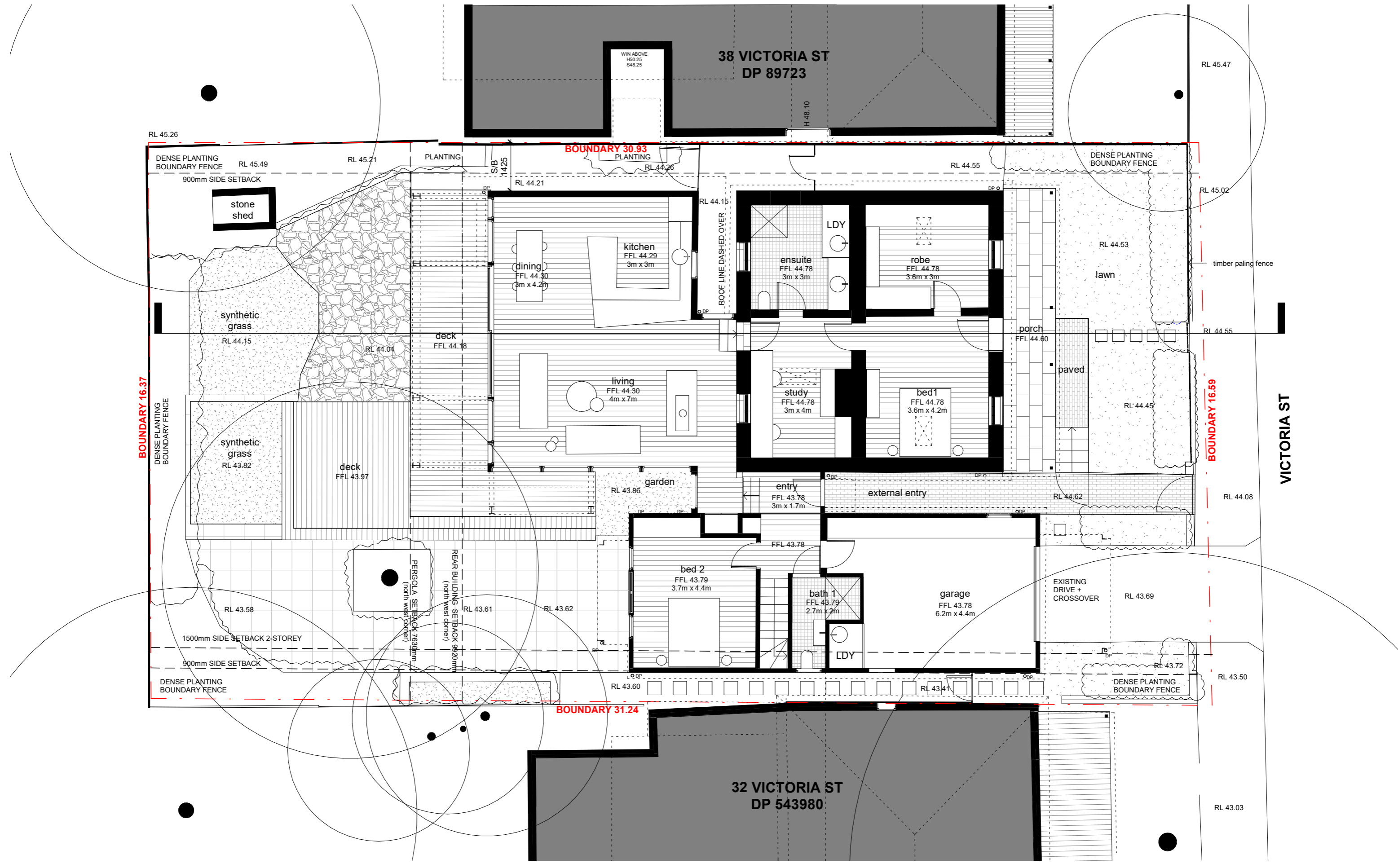
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Demolition - Ground
 Floor Plan
 Project number
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057_DA_105
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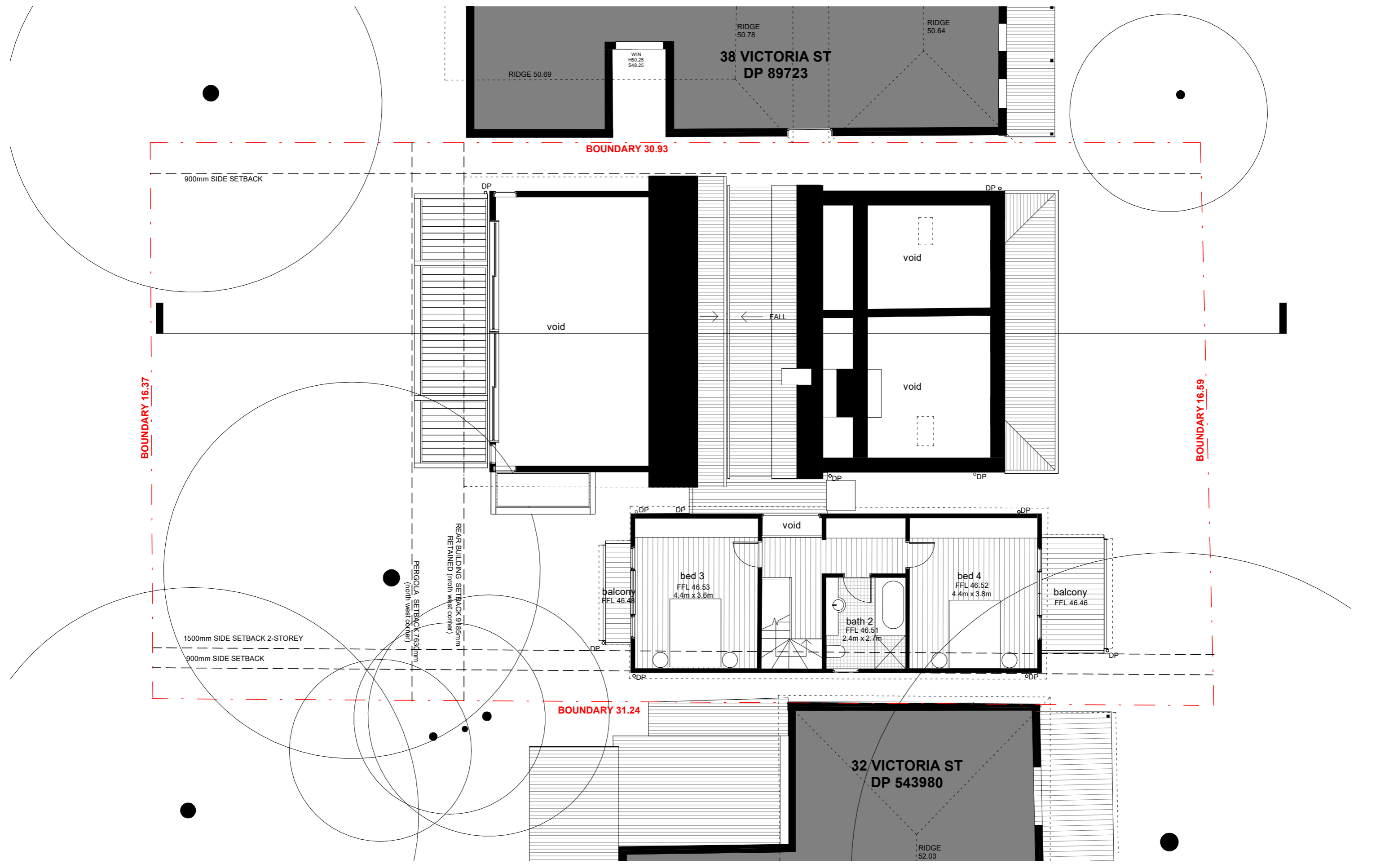
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Existing Ground Floor 057_DA_103 Plan
 Project number 057
 Date June 2022
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House LC

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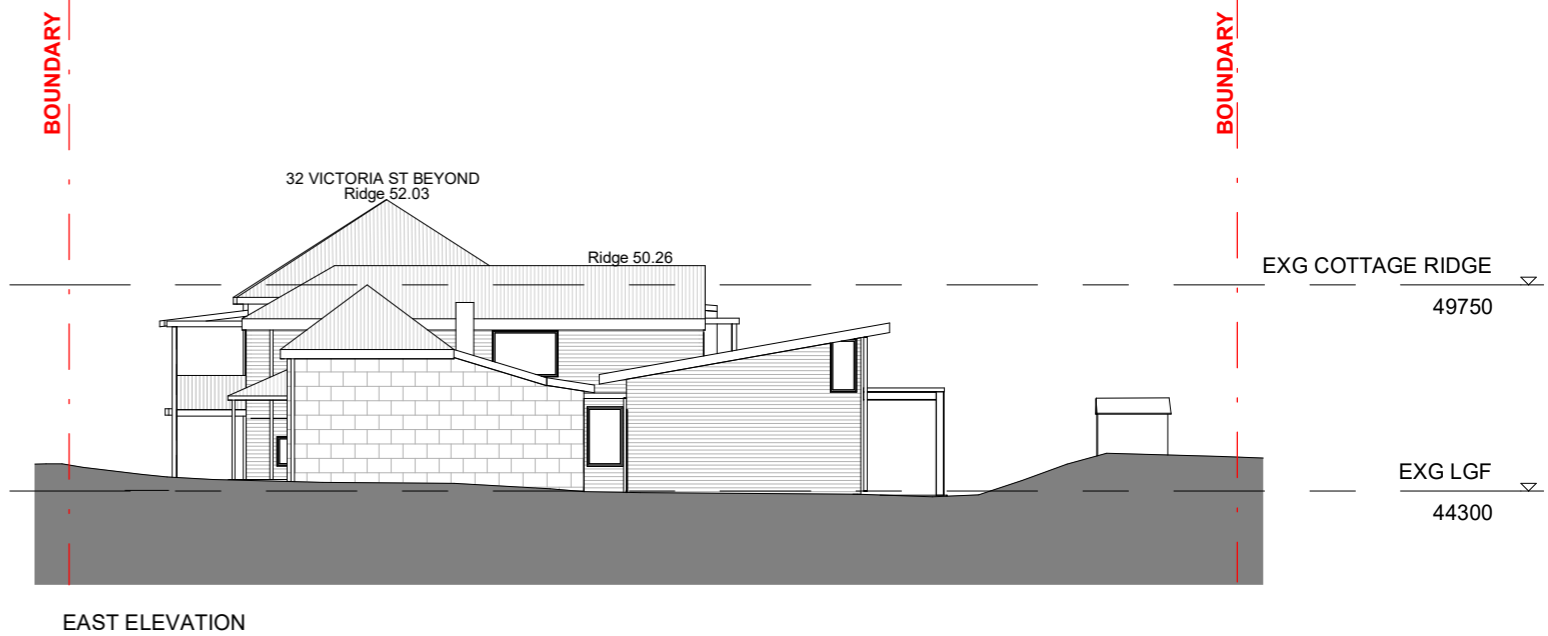
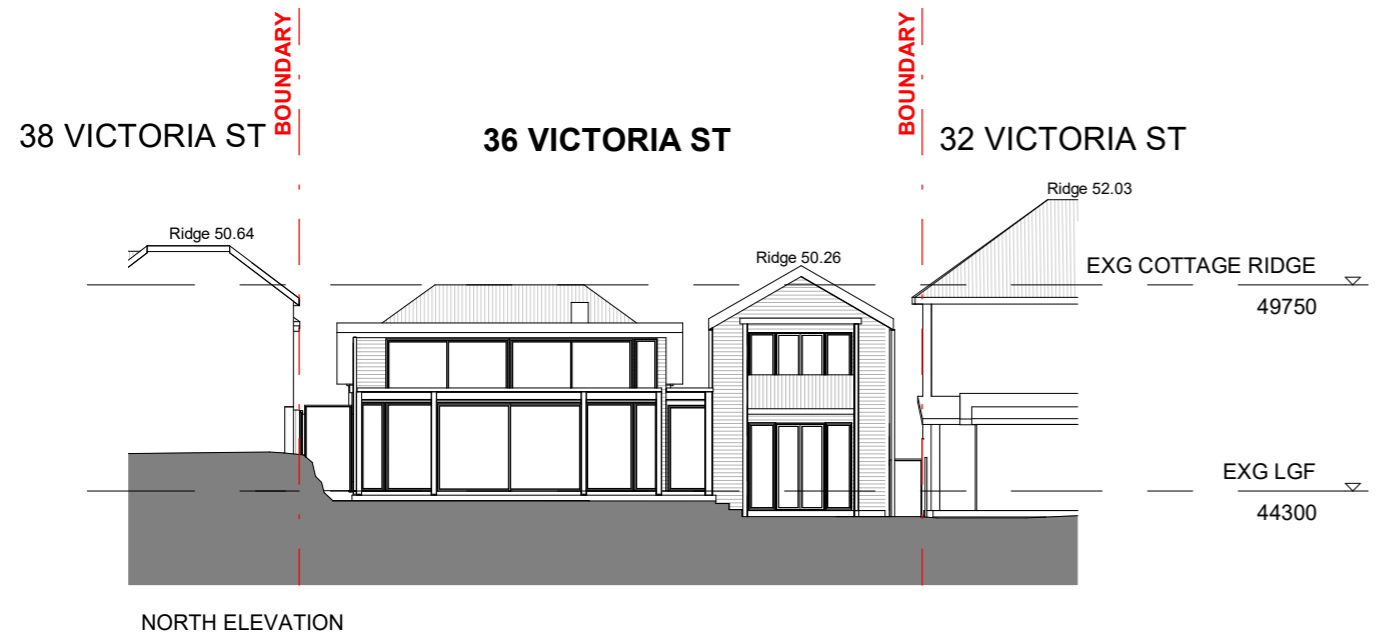
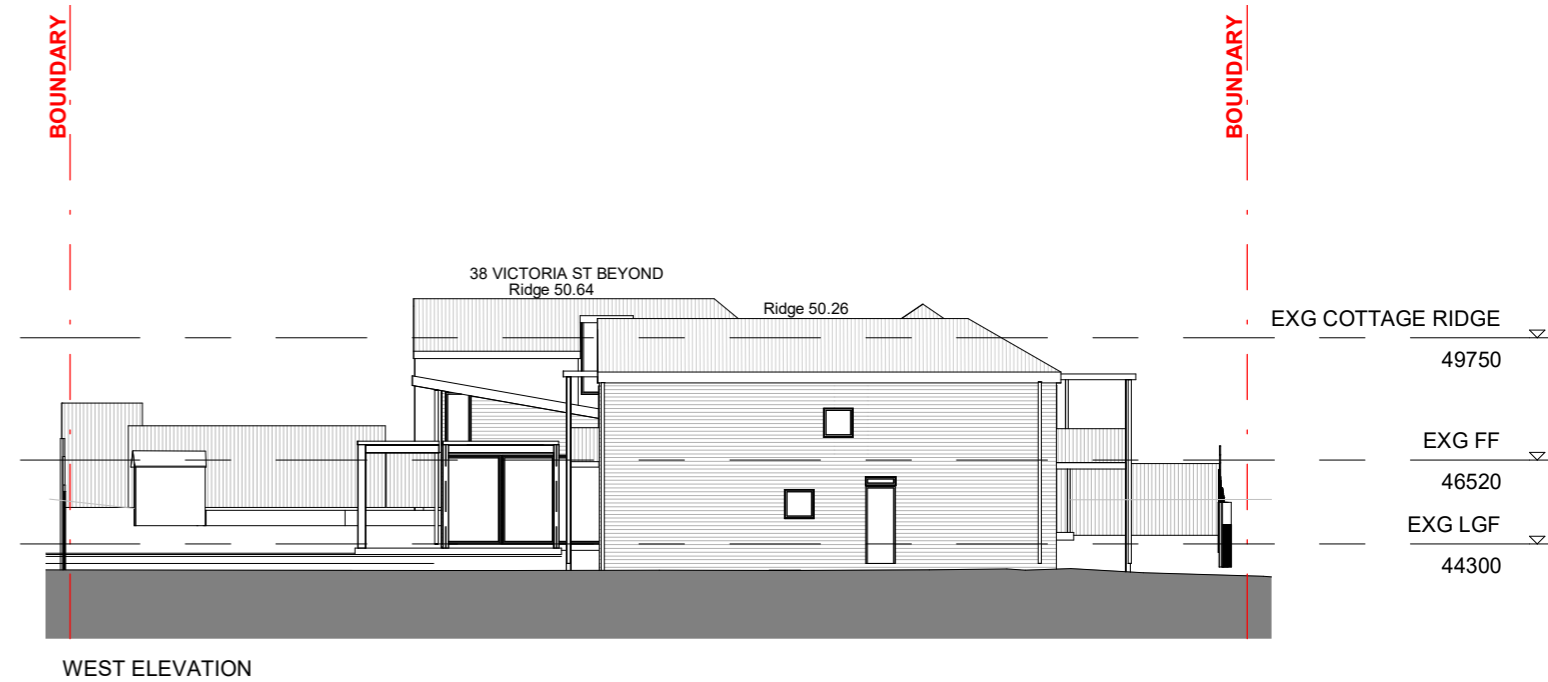
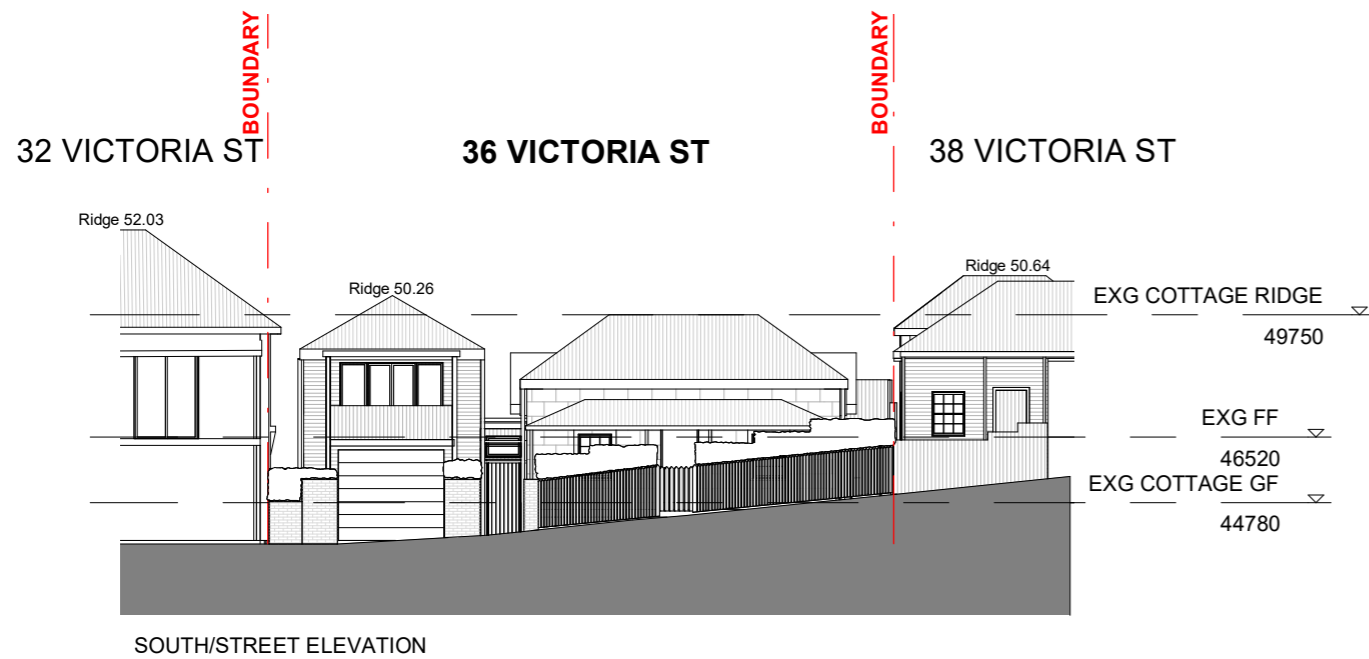
Existing First Floor Plan 057_DA_104

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Existing Elevations

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June 2022
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057_DA_106

	GLASS	28.52	EXISTING LEVELS RETAINED
	METAL	28.54	EXISTING LEVELS MODIFIED
	CONCRETE	28.54	PROPOSED LEVELS
	TIMBER - PAINTED		
	MASONRY - FACE BRICK		
	ROOF TILE - TO MATCH EXISTING		
	LINE OF PROPOSED BUILDING		
	LINE OF EXISTING BUILDING TO BE DEMOLISHED		
	ROOF LINE OVER		

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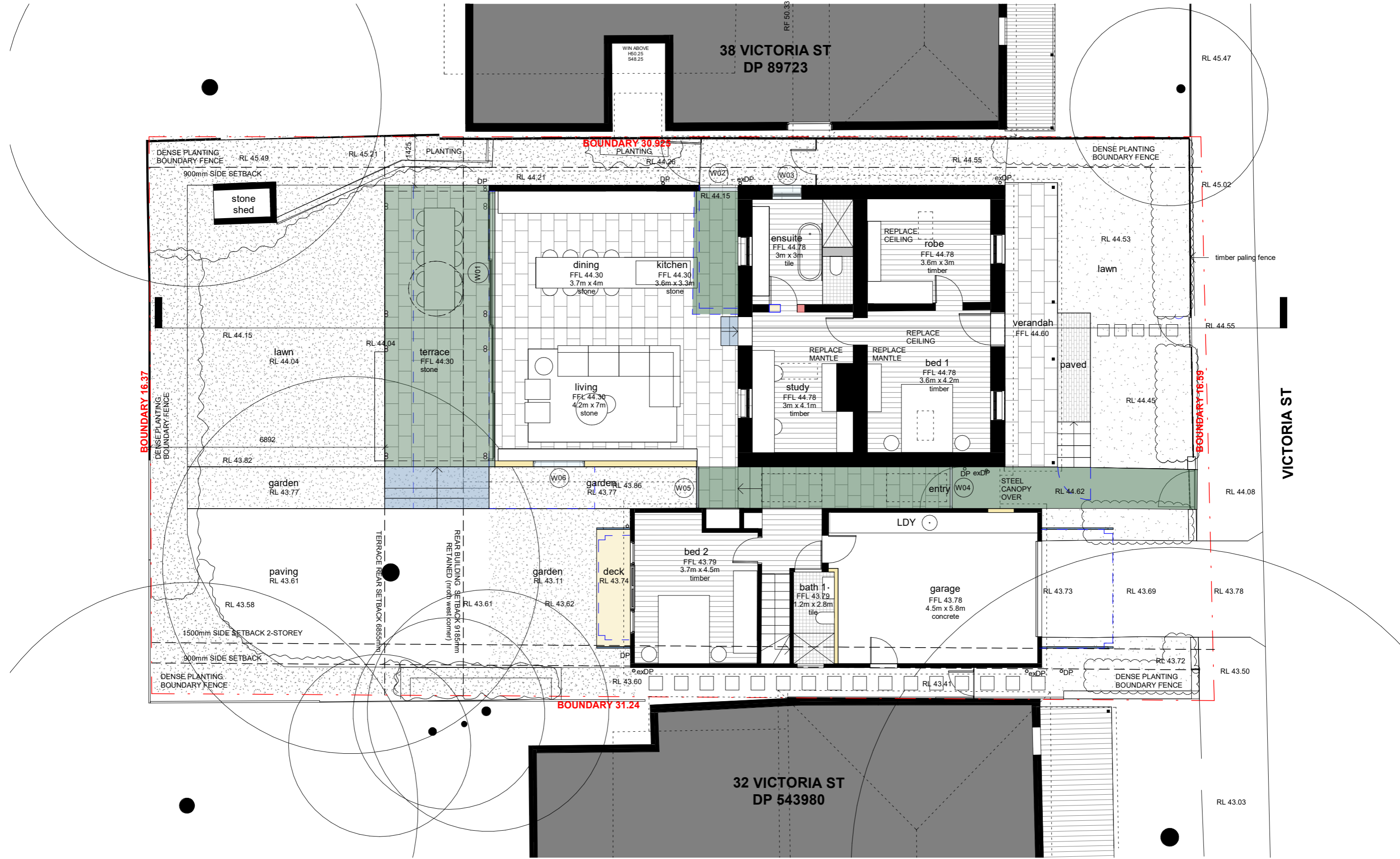
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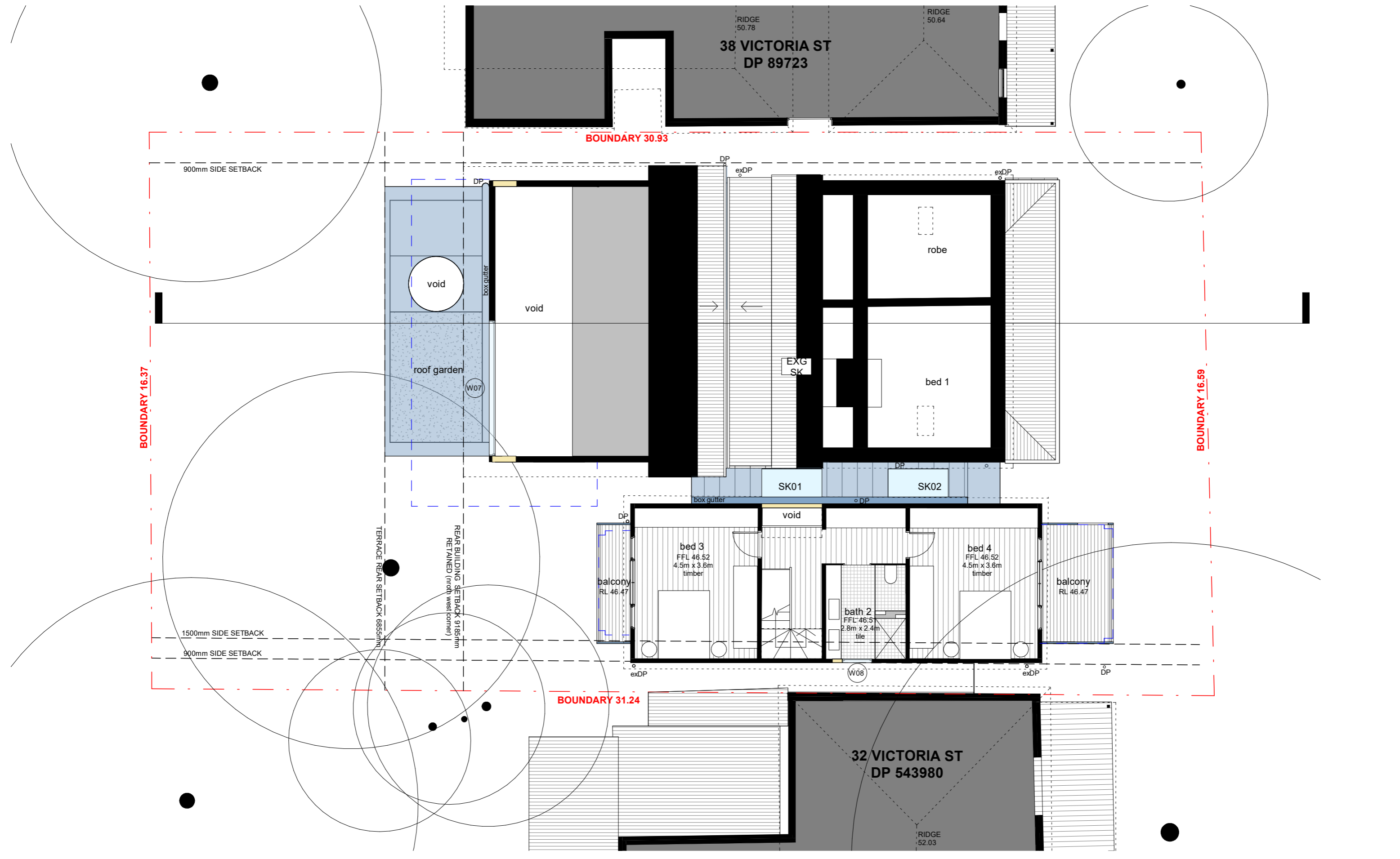
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Proposed Ground Floor 057_DA_107
 Plan

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- GLASS
- METAL
- CONCRETE
- TIMBER - PAINTED
- MASONRY - FACE BRICK
- ROOF TILE - TO MATCH EXISTING
- LINE OF PROPOSED BUILDING
- LINE OF EXISTING BUILDING TO BE DEMOLISHED
- ROOF LINE OVER

- 28.52** EXISTING LEVELS RETAINED
- 28.54** EXISTING LEVELS MODIFIED
- 28.54** PROPOSED LEVELS

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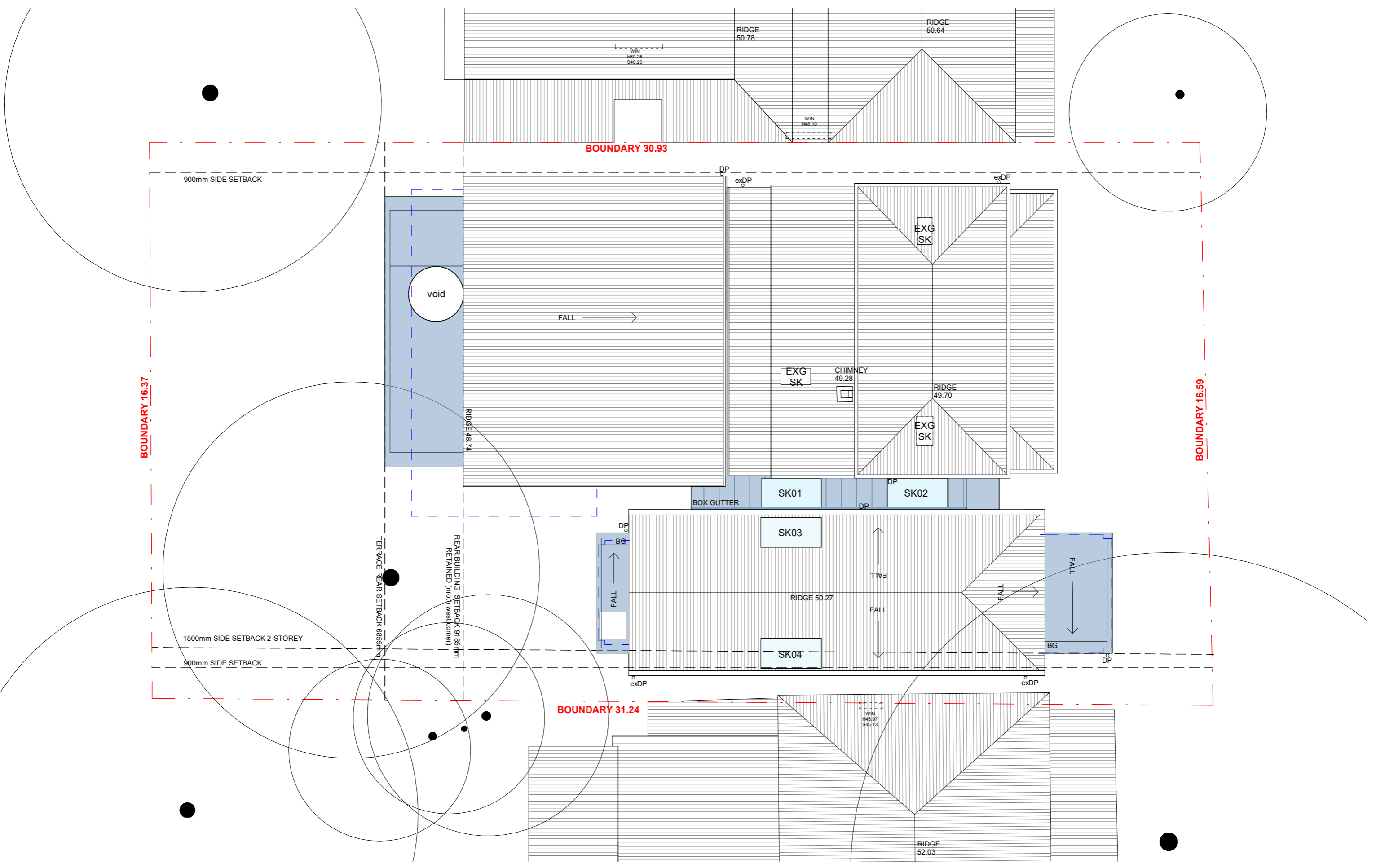
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C	Consultant Issue	28.11.22
D	DA Issue	16.12.22

House LC
 Rebecca Lim & Andrew Chick
 36 Victoria Street
 McMahons Point NSW
 2060

Proposed First Floor Plan
 Project number
 Date
 Drawn by
 Scale

057_DA_108
 057
 June 2022
 CW
 1 : 100





Atelier M Pty Ltd
 32/82 myrtle street
 chippendale nsw 2008
 t: 0417 655 056
 abn 74 654 024 441
 nominated architect
 miriam green nsw arb 8432

- GLASS **28.52** EXISTING LEVELS RETAINED
- METAL **28.54** EXISTING LEVELS MODIFIED
- CONCRETE **28.54** PROPOSED LEVELS
- TIMBER - PAINTED
- MASONRY - FACE BRICK
- ROOF TILE - TO MATCH EXISTING
- LINE OF PROPOSED BUILDING
- LINE OF EXISTING BUILDING TO BE DEMOLISHED
- ROOF LINE OVER

This drawing is for DA purposes only. NOT FOR CONSTRUCTION

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House LC

Proposed Roof Plan

057_DA_109

Rebecca Lim & Andrew Chick
 36 Victoria Street
 McMahon's Point NSW
 2060

Project number
 Date
 Drawn by
 Scale

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 June 2022
 CW
 1 : 100





38 VICTORIA ST
Ridge 50.64

EXG COTTAGE RIDGE
49750

EXG COTTAGE GF
EXG LGF
44300

BOUNDARY

BOUNDARY

terrace

kitchen

W02

study

bed 1

verandah

GLASS	28.52	EXISTING LEVELS RETAINED
METAL	28.54	EXISTING LEVELS MODIFIED
CONCRETE	28.54	PROPOSED LEVELS
TIMBER - PAINTED		
MASONRY - FACE BRICK		
ROOF TILE - TO MATCH EXISTING		
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House LC

Proposed Section

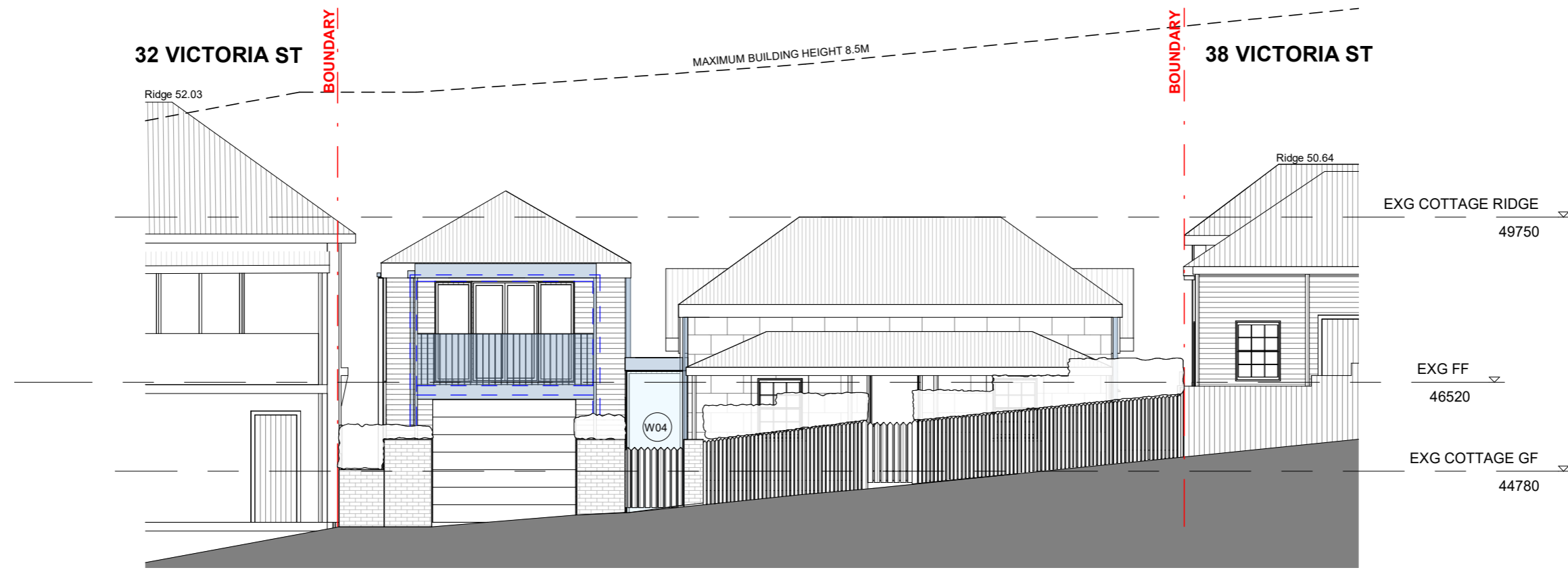
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Rebecca Lim & Andrew Chick
36 Victoria Street
McMahons Point NSW
2060

Project number
Date
Drawn by
Scale

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June 2022
CW
1 : 100

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abn 74 654 024 441
nominated architect
miriam green nsw arb 8432



SOUTH/STREET ELEVATION



NORTH ELEVATION

■	GLASS	28.52	EXISTING LEVELS RETAINED
■	METAL	28.54	EXISTING LEVELS MODIFIED
■	CONCRETE	28.54	PROPOSED LEVELS
■	TIMBER - PAINTED		
■	MASONRY - FACE BRICK		
■	ROOF TILE - TO MATCH EXISTING		
---	LINE OF PROPOSED BUILDING		
---	LINE OF EXISTING BUILDING TO BE DEMOLISHED		
---	ROOF LINE OVER		

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House LC

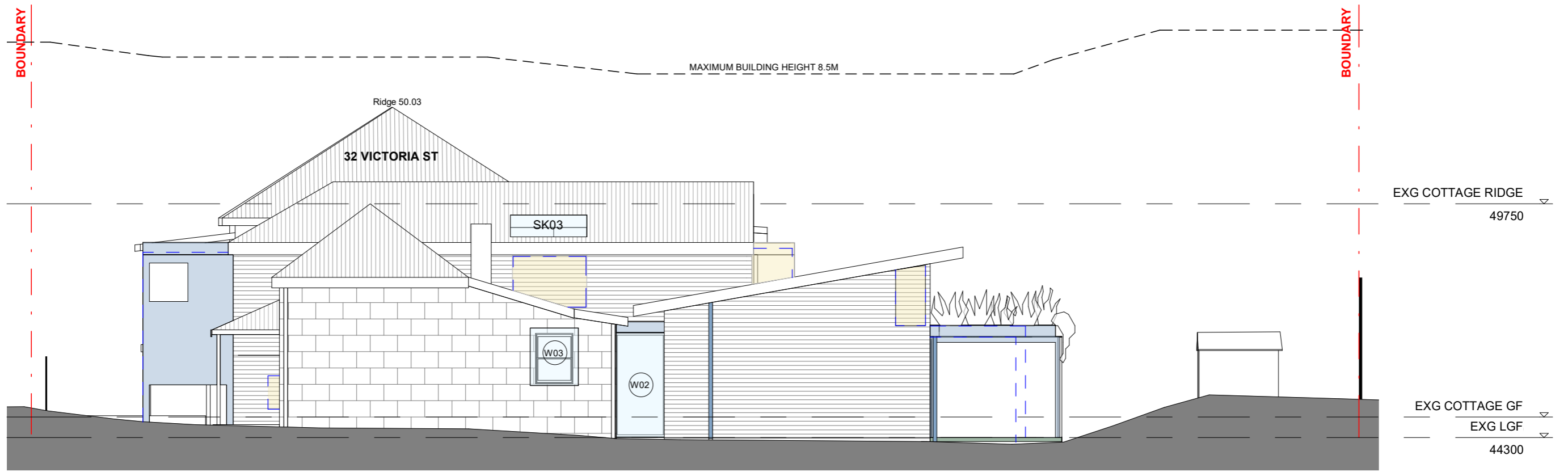
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36 Victoria Street
McMahons Point NSW
2060

Proposed North & South Elevation

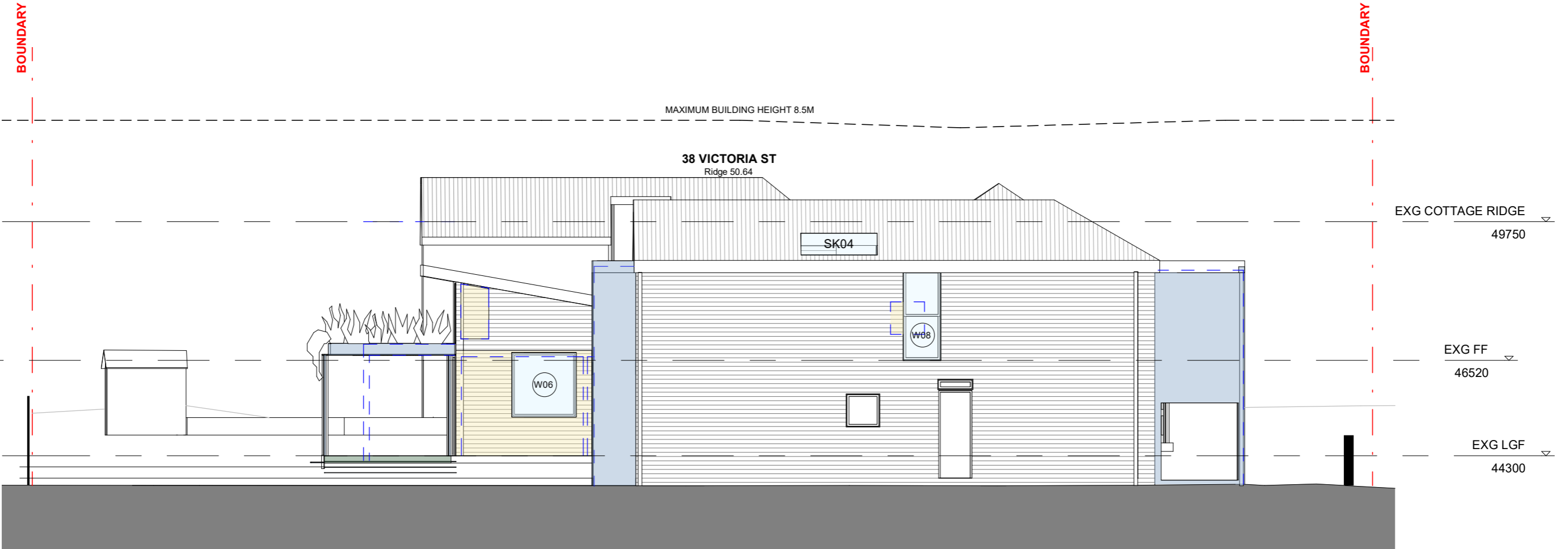
Project number
Date
Drawn by
Scale

057
June 2022
CW
1 : 100

057_DA_110



EAST ELEVATION



WEST ELEVATION

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 nominated architect
 miriam green nsw arb 8432

- GLASS
- METAL
- CONCRETE
- TIMBER - PAINTED
- MASONRY - FACE BRICK
- ROOF TILE - TO MATCH EXISTING
- LINE OF PROPOSED BUILDING
- LINE OF EXISTING BUILDING TO BE DEMOLISHED
- ROOF LINE OVER

- 28.52** EXISTING LEVELS RETAINED
- 28.54** EXISTING LEVELS MODIFIED
- 28.54** PROPOSED LEVELS

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House LC
 Rebecca Lim & Andrew Chick
 36 Victoria Street
 McMahons Point NSW
 2060

Proposed East & West Elevation 057_DA_111
 Project number 057
 Date June 2022
 Drawn by CW
 Scale 1 : 100





EXISTING WINDOWS TO BE RETAINED



ALL PROPOSED WINDOWS TO BE PAINTED TIMBER FRAMED



PROPOSED METAL AWNING



ROOF TO MATCH EXISTING GALVANISED COTTAGE ROOF



WALLS: PROPOSED AND EXISTING WEATHERBOARDS TO BE PAINTED



EXISTING SANDSTONE TO BE RETAINED

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House LC

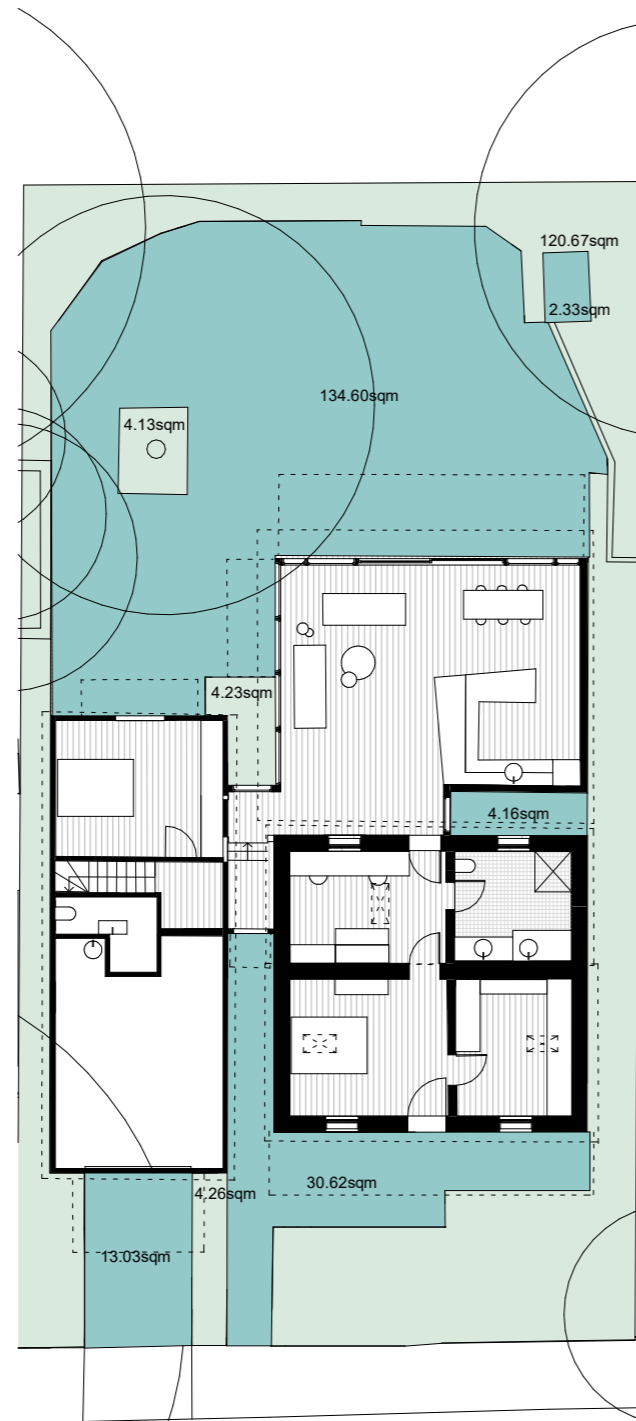
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36 Victoria Street
McMahons Point NSW
2060

Materials

Project number
Date
Drawn by
Scale

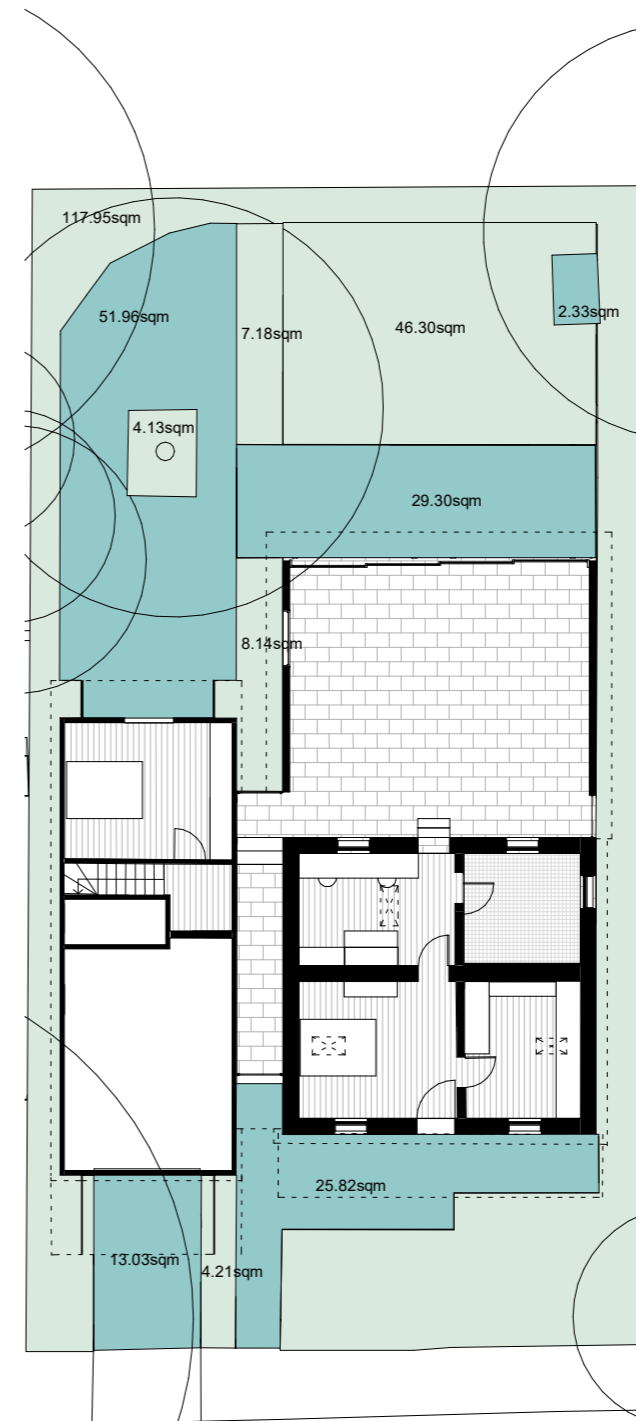
057
June 2022
Author

057_DA_115



Landscape Area = 133.79 sqm
 (26% of site area)
 Unbuilt Area = 184.74 sqm
 (36% of site area)

EXISTING LANDSCAPING



Landscape Area = 186.91 sqm
 (36% of site area)
 Unbuilt Area = 123.41 sqm
 (24% of site area)

PROPOSED LANDSCAPING

Landscaped:

Landscaped area is considered to comprise all parts of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

Unbuilt:

The following items are considered to constitute un-built upon area:

- (i) any part of a basement which does not comprise site coverage;
- (ii) unenclosed balconies, decks, pergolas and the like;
- (iii) paving and patios (porous and non-porous);
- (iv) driveways and car stand areas (porous and non-porous); or
- (v) water features.

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House LC

Landscape Areas

057_DA_113

Rebecca Lim & Andrew Chick
36 Victoria Street
McMahons Point NSW
2060

Project number
Date
Drawn by
Scale

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June 2022
CW
1 : 200



36 VICTORIA STREET MCMAHONS POINT NSW DA ISSUE

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STORMWATER SERVICES LEGEND

PIPEWORK SYMBOLOGY & ABBREVIATIONS

	AGM	AMENDMENT
	ASM	AUTHORITY GAS MAIN
	ASWM	AUTHORITY SEWER MAIN
	AWM	AUTHORITY STORMWATER MAIN
		AUTHORITY WATER MAIN
		CASTIN
		DISCONNECTED SERVICE
	ELEC	ELECTRICAL SERVICE
	GRW	GREY WATER
		INSET BORDER
	IR	IRRIGATION LINE
	eIR	IRRIGATION LINE - EXISTING
	NCW	NON-POTABLE COLD WATER
	eNCW	NON-POTABLE COLD WATER - EXISTING
	NHW	NON-POTABLE HOT WATER
	eNHW	NON-POTABLE HOT WATER - EXISTING
	NHW-R	NON-POTABLE HOT WATER RETURN
	RR	RAINWATER RE-USE
	eRR	RAINWATER RE-USE - EXISTING
	RW	RECLAIMED WATER
	eRW	RECLAIMED WATER - EXISTING
		STORMWATER CATCHMENT
	SWD	STORMWATER DRAINAGE
	eSWD	STORMWATER DRAINAGE - EXISTING
	SWRM	STORMWATER RISING MAIN
	eSWRM	STORMWATER RISING MAIN - EXISTING
	SSD	SUBSOIL DRAINAGE
	eSSD	SUBSOIL DRAINAGE - EXISTING
	SOF	SYPHONIC OVERFLOW
	eSOF	SYPHONIC OVERFLOW - EXISTING
	SSW	SYPHONIC STORMWATER
	eSSW	SYPHONIC STORMWATER - EXISTING

SYMBOLS

	RISER
	DROP / RISE
	DROPPER
	TEE DROPPER
	PIPEWORK CAP
	PIPEWORK CONTINUATION
	UNDOCUMENTED CONTINUED LINE
	PIPEWORK SECTION
	DIRECTION ARROW
	NEW CONNECTION
	NEXT DRAWING
	DIRECTION OF FLOW
	SERVICE DESCRIPTION
	SERVICE SIZE
	DIRECTION OF FLOW
	STOP VALVE
	CHECK VALVE
	3 - WAY VALVE
	BALL VALVE
	REDUCED PRESSURE ZONE DEVICE
	PRESSURE RELIEF VALVE
	PRESSURE LIMITING VALVE
	DOUBLE CHECK VALVE
	INFRA RED SENSOR
	WATER FILTER
	REFLUX VALVE
	REFLUX VALVE IN PIT
	PATHBOX
	EXPANTION JOINT
	PRESSURE GAUGE
	FLOW SWITCH
	PRESSURE SWITCH
	WATER POINT
	HOSE TAP
	PUMP
	CONTROL PANEL
	CLEAROUT TO SURFACE
	SYPHONIC OUTLET
	RAINWATER OUTLET
	SPREADER
	OVERLAND FLOW ARROW
	STORMWATER FLOW ARROW
	PENETRATION / CORE HOLE IN SLAB
	BEAM PENETRATION
	REDUCER
	STORMWATER GRATE
	STORMWATER COVER
	TRENCH GRATE
	REVISION
	KERB ENTRY PIT
	HAY BALE
	RAINWATER HEAD

ABBREVIATIONS

AS	Australian Standards
BCA	Building Code Of Australia
BDO	Balcony Drain Outlet
BR	Brass
BV	Ball Valve
BWL	Bottom Water Level
CHV	Check Valve
CI	Cast Iron
CIC	Cast In Column
CICL	Cast Iron Cement Lined
CIS	Cast In Slab
CL	Ceiling Level
COS	Clear Out To Surface
CP	Chrome Plated
CU	Copper
CV	Control Valve
DCV	Double Check Valve
DCV-A	Double Check Valve Assembly
DIA	Diameter
DICL	Ductile Iron Cement Lined
DP	Downpipe
DWG	Drawing
e	Existing
ECV	Expansion Control valve
EJ	Expansion Joint
ELEC	Electrical Service
FCR	For Continuation Refer
FFL	Finished Floor Level
FRC	Fibre Reinforced Concrete
FSL	Finished Surface Level
GAL	Galvanised
GD	Grated Drain
GDO	Grated Drain Outlet
GL	Ground Level
GMS	Galvanised Mild Steel
GO	Gutter Outlet
GV	Gate Valve
H/L	High Level
HD	Heavy Duty
HDPE	High Density Polyethylene
HP	High Point
HV	High Voltage
ID	Inside Diameter
IL	Invert Level
IO	Inspection Opening
IS	Inspection Shaft
IV	Isolation Valve
JU	Jump Up
KIP	Kerb Inlet Pit
KPA	Kilopascal
KW	Kilowatt
L	Litres
L/L	Low Level

ABBREVIATIONS cont.

L/S	Litres Per Second
LD	Light Duty
LV	Low Voltage
M	Metre
M.HEAD	Metres Head
M/S	Metres per Second
M3/HR	Cubic Metres per Hour
MDPE	Medium Density Polyethylene
MIN	Minimum
MJD	Movement Joint Drain
MM	Millimetres
MS	Mild Steel
NRV	Non-Return Valve
NTS	Not To Scale
O/F	Overflow
OD	Outside Diameter
OJ	Oblique Junction
PDO	Planter Drain Outlet
PG	Pressure Gauge
PLV	Pressure Limiting Valve
PRV	Pressure Relief Valve
PVC	Polyvinyl Chloride
RCP	Reinforced Concrete Pipe
RHS	Rectangular Hollow Section
RL	Reduced Level
RPZD	Reduced Pressure Zone Device
RV	Reflux Valve
RWH	Rain Water Head
RWO	Rainwater Outlet
S/S	Stainless Steel
SDO	Spoon Drain Outlet
SL	Surface Level
SO	Syphonic Outlet
SOF	Syphonic Overflow
SPD	Spreader
SQ	Square
SSL	Structural Slab Level
STD	Sprinkler Test Drain
SV	Stop Valve
SWIP	Stormwater Inspection Pit
SWMH	Stormwater Manhole
SWP	Stormwater Pit
SWS	Stormwater Sump
SYP	Syphonic
TB	Thrust Block
TBR	To Be Removed
TEL	Telecommunication Service
TG	Trench Grate
TWL	Top Water Level
TYP	Typical
U/S	Underside
UNO	Unless Noted Otherwise
UPVC	Unplasticised Polyvinyl Chloride
UV	Ultra Violet
VCP	Vitrified Clay Pipe
WL	Water Level

DRAWING SCHEDULE

DRAWING NUMBER	DRAWING SCALE	DRAWING TITLE
SW-000	NTS	COVER SHEET AND LEGEND - STORMWATER SERVICES
SW-100	1:100	GROUND FLOOR PLAN - STORMWATER SERVICES
SW-101	1:100	FIRST FLOOR PLAN - STORMWATER SERVICES
SW-102	1:100	ROOF PLAN - STORMWATER SERVICES
SW-200	1:200	SEDIMENT AND EROSION CONTROL PLAN - STORMWATER SERVICES

REV	DATE	DESCRIPTION	DRN	APP
A	02.08.22	DA ISSUE	MA	PC

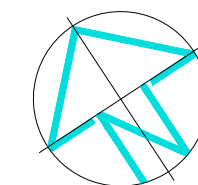
Hydraulic Consultant:
ADCAR CONSULTING
GPO Box 4055 Pitt Town NSW 2756
Tel 0404 881 256
Email info@adcar.com.au
Web www.adcar.com.au
Hydraulic & Fire Consultants
ABN 12 152 581 587



Architect:
ATELIER M

Drawing Title:
**COVER SHEET AND LEGEND
STORMWATER SERVICES**

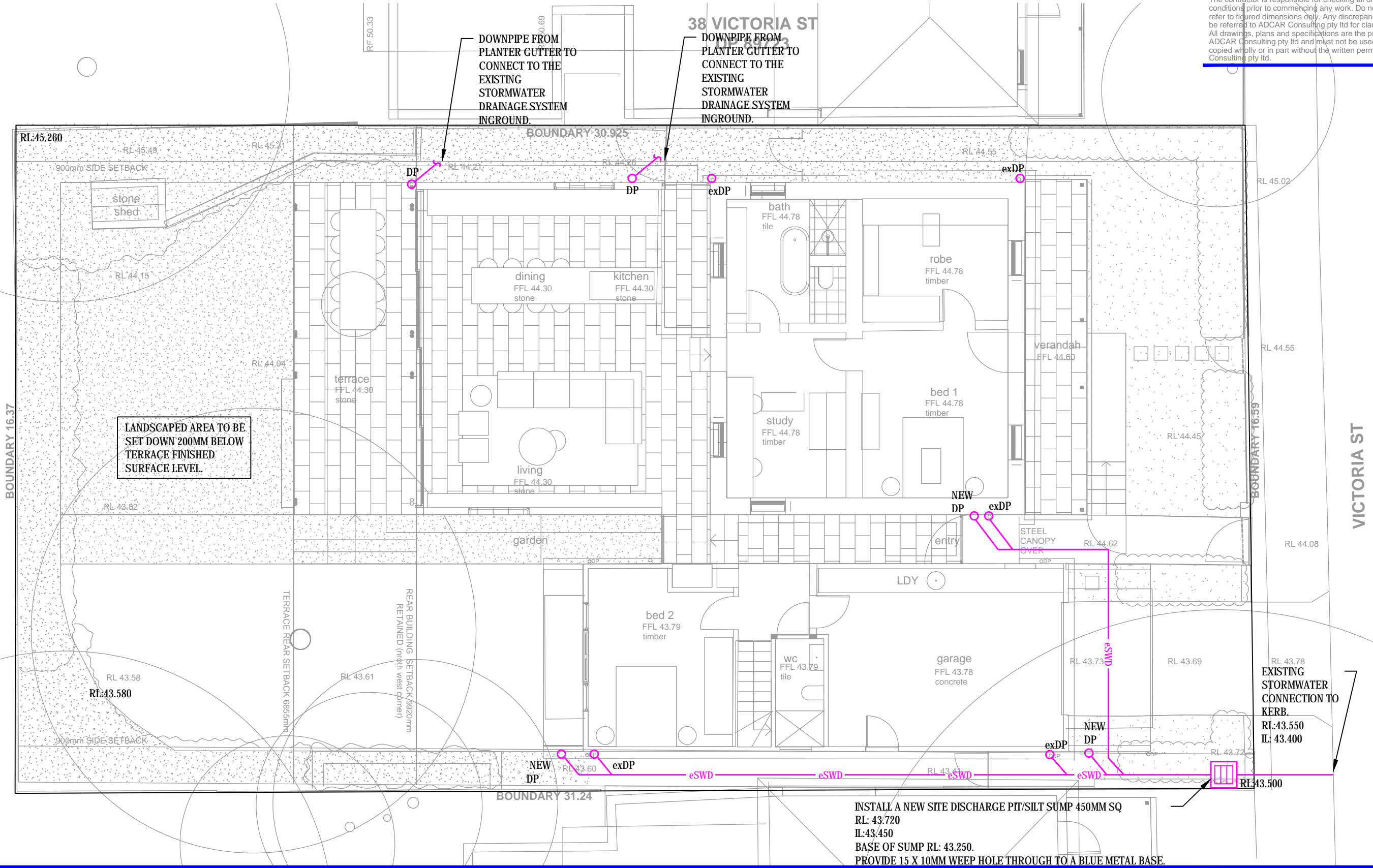
Project:
**36 VICTORIA STREET
MCMAHONS POINT, NSW**



DRAWN MA	ENGINEER MA	CHECKED PC	SCALE NTS
PROJECT No. ADC220619		DRAWING No. SW-000	REVISION A

ORIGINAL SIZE: A3

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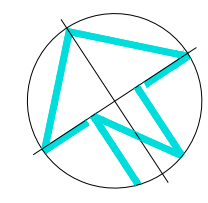
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 Hydraulic & Fire Consultants
 ABN 12 152 581 587



Architect:
ATELIER M

Drawing Title:
**GROUND FLOOR PLAN
 STORMWATER SERVICES**

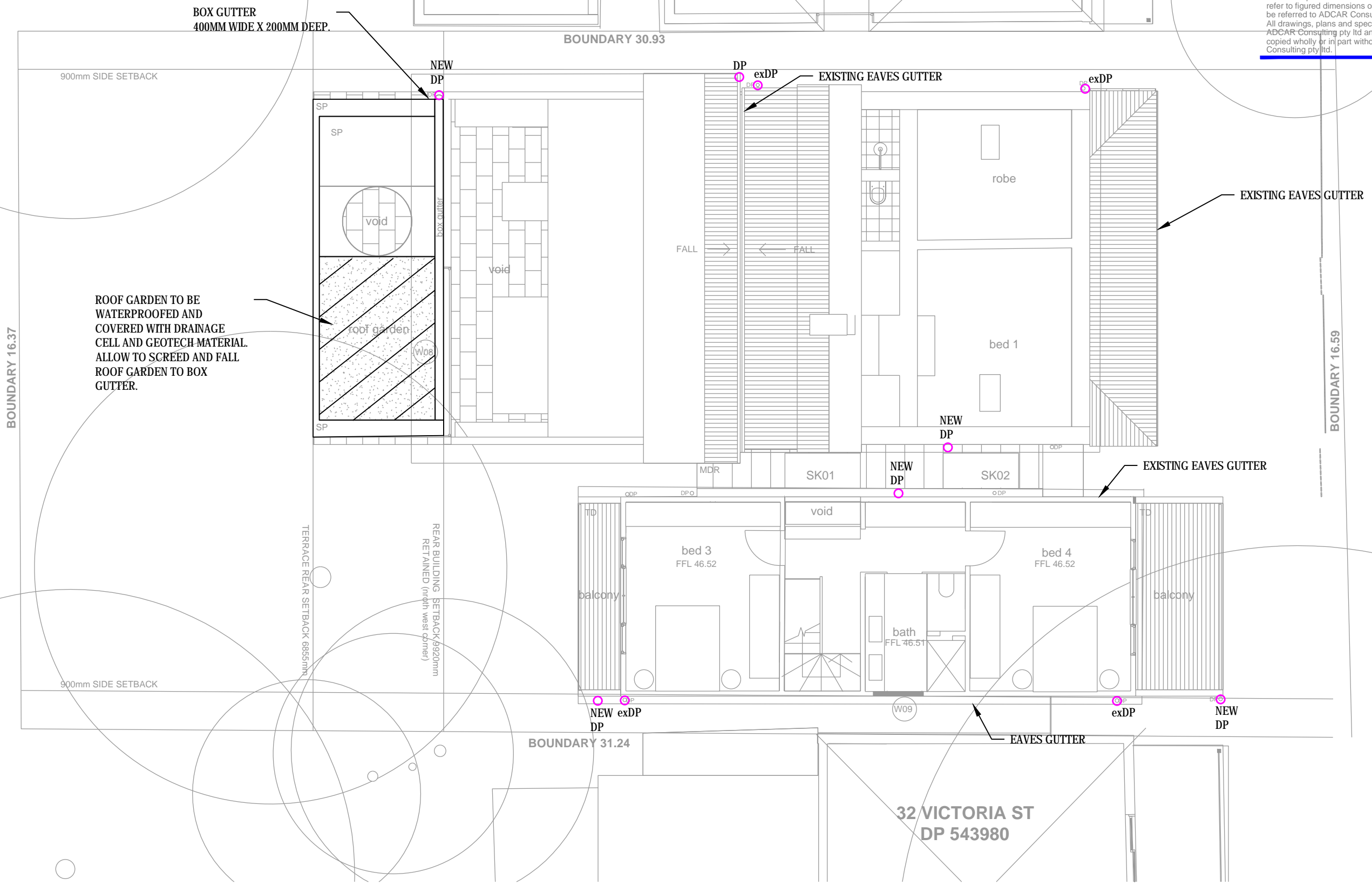
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DRAWN MA	ENGINEER MA	CHECKED PC	SCALE 1:100
PROJECT No. ADC220619		DRAWING No. SW-100	REVISION B

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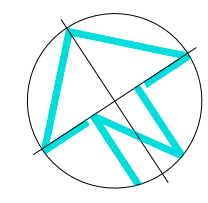
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 ABN 12 152 581 587



Architect:
ATELIER M

Drawing Title:
**FIRST FLOOR PLAN
 STORMWATER SERVICES**

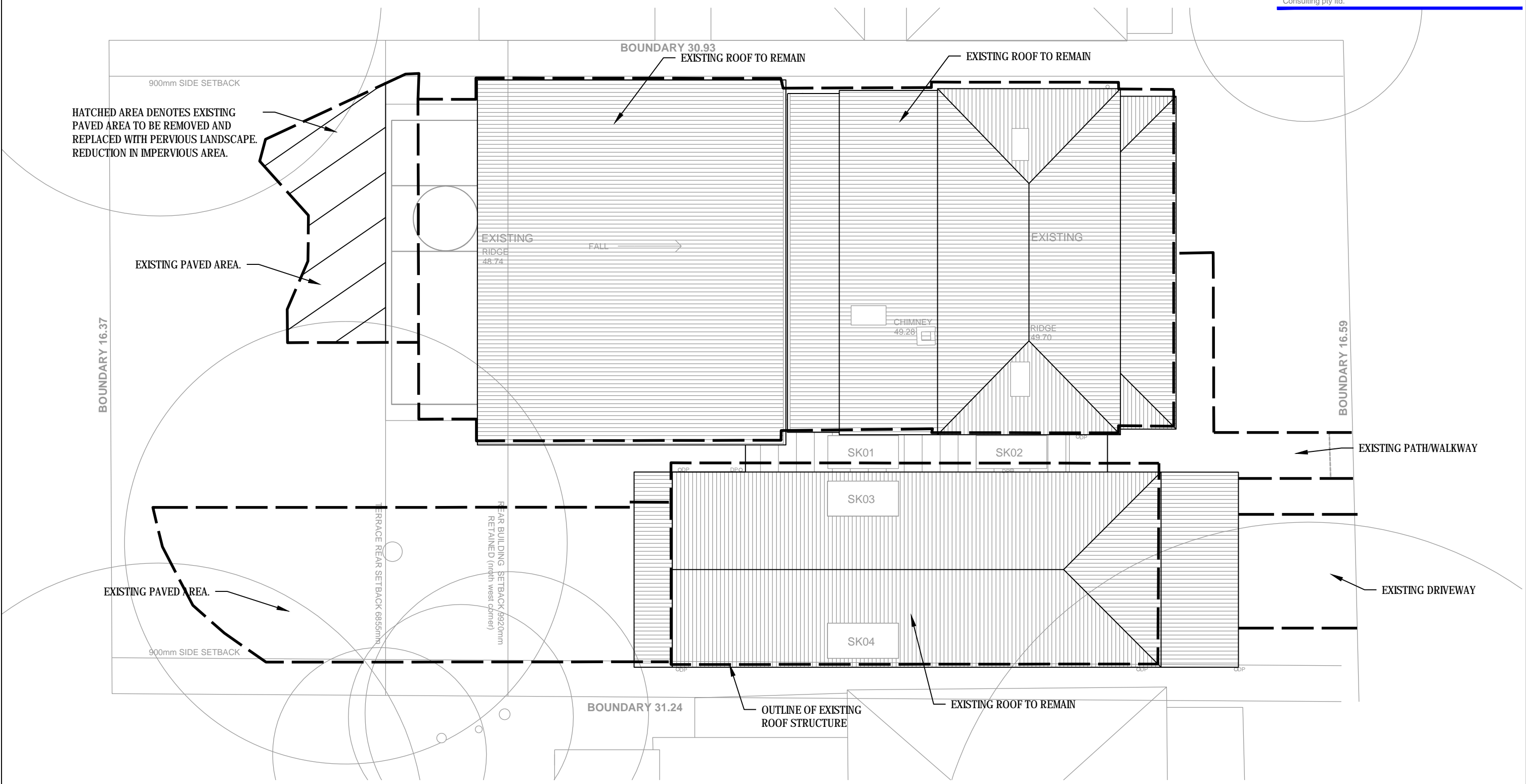
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PROJECT No. ADC220619		DRAWING No. SW-101	REVISION B

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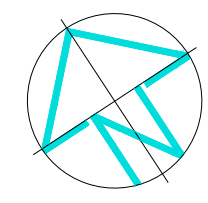
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 ABN 12 152 581 587



Architect:
ATELIER M

Drawing Title:
**ROOF PLAN
 STORMWATER SERVICES**

Project:
**36 VICTORIA STREET
 MCMAHONS POINT, NSW**



DRAWN MA	ENGINEER MA	CHECKED PC	SCALE 1:100
PROJECT No. ADC220619		DRAWING No. SW-102	REVISION A

ORIGINAL SIZE: A3

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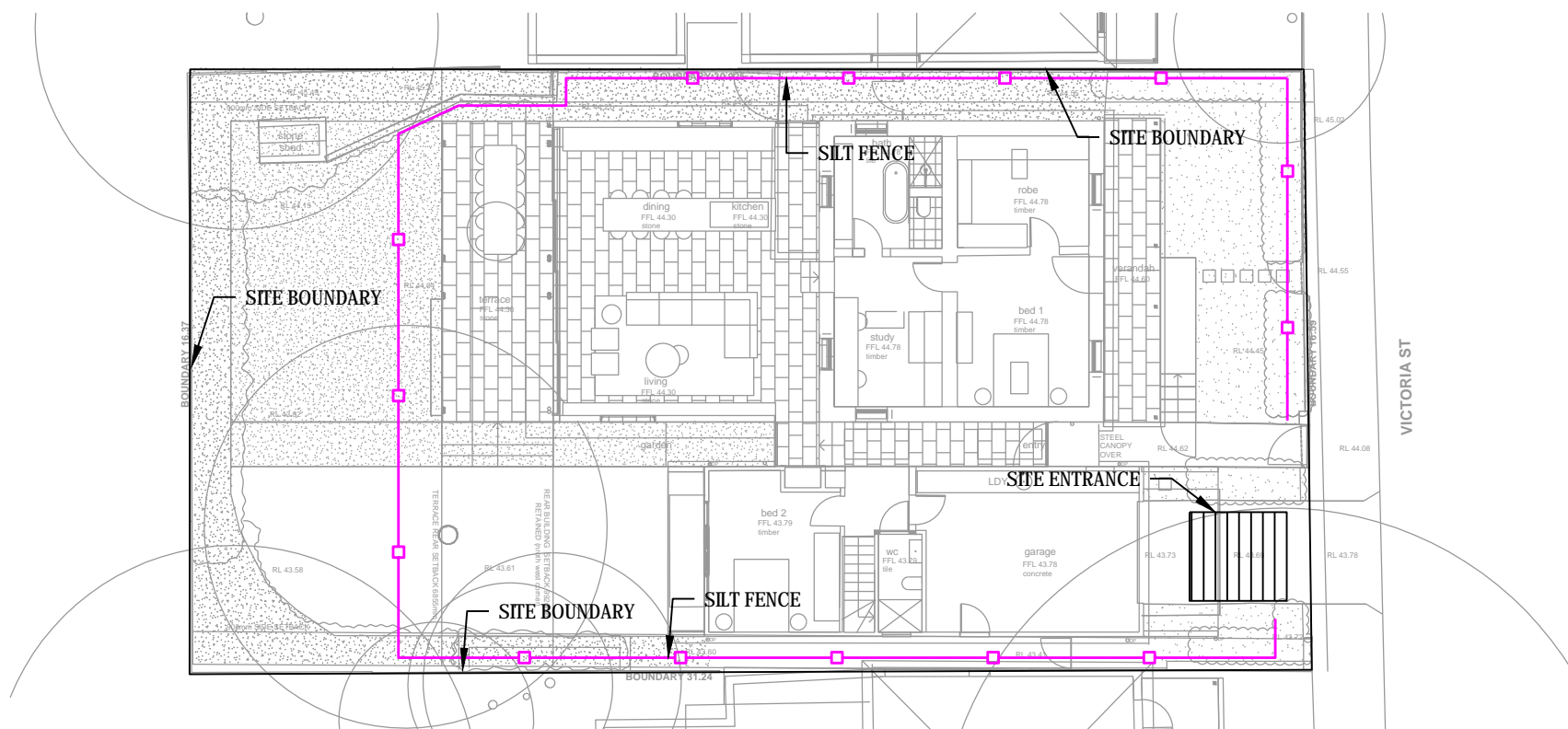
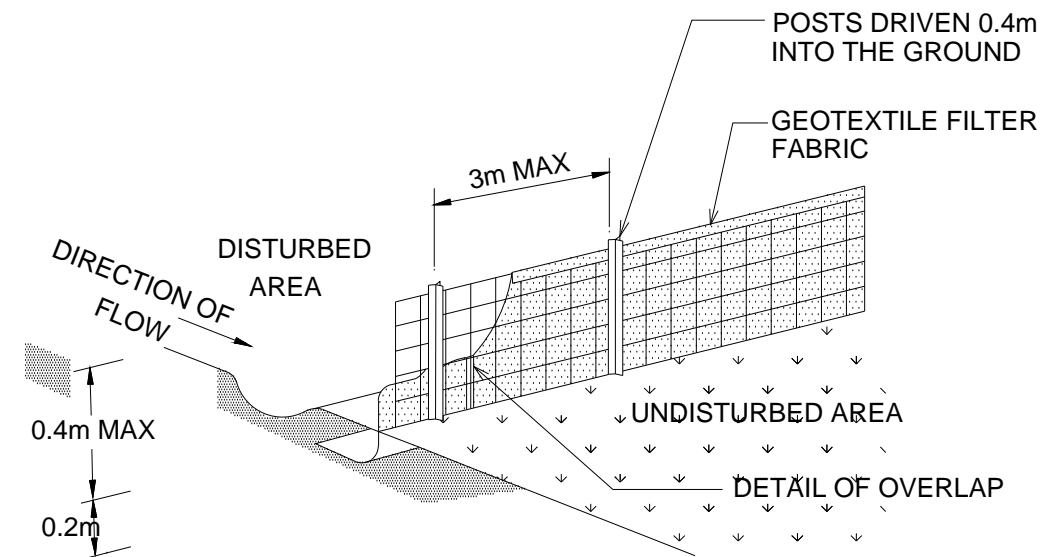
EROSION CONTROL NOTES

1. ALL INITIAL SEDIMENT CONTROL MEASURES SHALL BE IN PLACE PRIOR TO COMMENCING TOPSOIL STRIPPING AND EARTHWORKS.
2. IMMEDIATELY ANY BATTER OR FOOTPATH IS COMPLETED, THE SECTION SHALL BE TOPSOILED AND SEEDED OR TURFED.
3. THE RECOMMENDED SEED MIX AND FERTILIZER SPREAD RATE SHALL BE AS DIRECTED BY SUPERINTENDENT.
4. IMMEDIATELY AREAS ARE SEEDED, THEY SHALL BE PROPERLY WATERED TO PROMOTE GROWTH. THE GROWTH SHALL BE WATERED UNTIL REVEGETATION TO SUPERINTENDENT'S SATISFACTION IS ACHIEVED.
5. A STRIP OF TURF SHALL BE PLACED IMMEDIATELY BEHIND THE KERB ON ALL NEW ROADS TO ACT AS A FILTER STRIP.
6. PLACE KERB INLET SEDIMENT TRAPS, DETAILED ABOVE, URBAN EROSION AND SEDIMENT CONTROL MANUAL, ON ALL INLET PITS.
7. THE CONTRACTOR SHALL NOTE THAT HIS CONTRACT IS NOT COMPLETED UNTIL THE REVEGETATION IS ACCEPTED BY COUNCIL. SOME AREAS MAY REQUIRE THE PLACEMENT OF TURF TO ACHIEVE SATISFACTORY REVEGETATION.
8. ALL VEHICLE MOVEMENTS TO BE RESTRICTED TO AREAS OF CONSTRUCTION ONLY.

ORDER OF CONSTRUCTION:

REFER TO DETAILED CONSTRUCTION SCHEDULE FOR SPECIFIC DETAILS.

1. PROVIDE SILT FENCE AROUND BOUNDARIES AS SHOWN ON THE PLAN. RETURNS TO BE PROVIDED EVERY 20m MAXIMUM.
2. CONSTRUCT SILT TRAPS AROUND EXISTING PITS & SEDIMENT TRAP.
3. PROVIDE DIVERSION BANKS ALONG THE SIDES AS SHOWN ON THE PLAN. BANKS TO SPILL ONTO SCALLOPED SILT FENCING.
4. PROVIDE TEMPORARY ENTRY/EXIT AREA AS SHOWN.
5. STRIP TOPSOIL FROM IMMEDIATE WORK AREA AND REMOVE SURPLUS AS DIRECTED. STOCKPILE REMAINED ON SITE IN AREA DESIGNATED WITH DIVERSION BANK IN PLACE UPSLOPE AND SILT FENCE IN PLACE DOWNSLOPE.
6. CONSTRUCT BULK EARTHWORKS
7. CONSTRUCT DRAINAGE & OSD WORKS TO SPECIFICATION.
8. DURING CONSTRUCTION OF DRAINAGE PIPELINES TEMPORARY PROTECTION TO BE PROVIDED AROUND PITS & PIPE OPENINGS. ALL SPOIL TO BE STOCKPILED ON HIGH SIDE OF TRENCH PRIOR TO BACKFILLING.
9. PROVIDE TURF STRIPS BEHIND ROADS.
10. REMOVE SEDIMENT CONTROL MEASURES.



REV	DATE	DESCRIPTION	DRN	APP
A	02.08.22	DA ISSUE	MA	PC

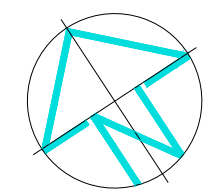
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Architect:
ATELIER M

Drawing Title:
**SEDIMENT AND EROSION CONTROL PLAN
 STORMWATER SERVICES**

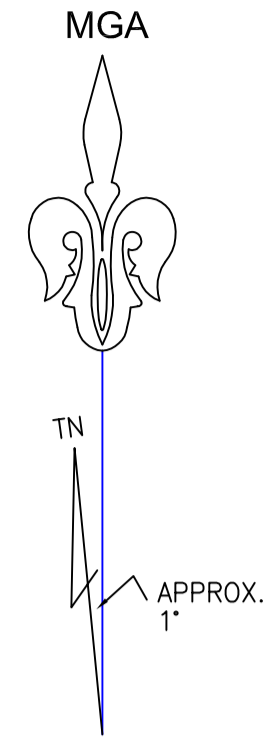
Project:
**36 VICTORIA STREET
 MCMAHONS POINT, NSW**



DRAWN MA	ENGINEER MA	CHECKED PC	SCALE 1:200
PROJECT No. ADC220619		DRAWING No. SW-200	REVISION A

ORIGINAL SIZE: A3

BOUNDARIES HAVE BEEN DEFINED BY SURVEY, DUE TO THE AGE OF THE SUBJECT PLAN AND LACK OF RECENT PLANS OF SURVEY IN THE AREA, THE LOCATION OF THE BOUNDARIES IS OUR OPINION ONLY. WE RECOMMEND A PLAN REDEFINING THE BOUNDARIES BE REGISTERED WITH NSW LRS IF CONSTRUCTION WORKS ARE TO BE UNDERTAKEN ON OR NEAR THE BOUNDARY.



NOTES :

- * BOUNDARIES HAVE NOT BEEN DEFINED BY SURVEY
- * BEARINGS RELATE TO MGA NORTH ORIGINATING FROM DP 1038314
- * LEVEL DATUM IS AHD ORIGINATING FROM PM 35767 RL 47.904 LOCATED AT VICTORIA STREET
- * VISIBLE, ACCESSIBLE SERVICES ONLY HAVE BEEN LOCATED. THIS PLAN DOES NOT PURPORT TO SHOW UNDERGROUND SERVICES.
- * THE EXISTENCE OF UNDERGROUND SERVICES HAS NOT BEEN ESTABLISHED.
- * EXISTENCE OF SERVICES MUST BE VERIFIED BY CONTACTING DIAL BEFORE YOU DIG (DBYD) 1100.COM.AU
- * CRITICAL SERVICES MUST BE EXPOSED AND LOCATED.
- * NEIGHBOURING HOUSES, WINDOWS AND ROOF POSITIONS ARE APPROXIMATELY ONLY.
- * FLOOR LEVELS GENERALLY SURVEYED AT DOOR THRESHOLDS. INTERNAL ROOMS NOT SURVEYED.
- * CONTOURS SHOWN ARE INDICATIVE OF LAND FORM. SPOT LEVELS SHOULD TAKE PRECEDENCE.
- * REFER TO FACE OF PLAN FOR SUBJECT TITLE NOTATIONS.
- * THIS TITLEBLOCK IS AN INTEGRAL PART OF THIS DRAWING AND SHOULD NOT BE REMOVED.



SCIMS SURVEY MARK

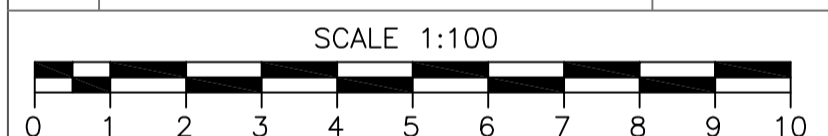


LEGEND

- TF - TOP FENCE
- TW - TOP WALL
- TK - TOP KERB
- TG - TOP GUTTER
- TC - TOP CHIMNEY
- RDG - RIDGE
- LP - LIGHT POLE
- SP - SIGN POST
- GM - GAS METER
- WM - WATER METER
- HWS - HOT WATER SYSTEM
- 0.1D/3S/5H - TREE DIAMETER SPREAD, HEIGHT
- WIN - WINDOW
- S - SILL HEIGHT
- H - HEAD HEIGHT
- SNV - SILL NOT VISIBLE
- IP - INSPECTION HOLE
- DH - DRAINAGE HOLE
- FL - FLOOR LEVEL
- TEL - TELSTRA PIT
- SMH - SEWER MANHOLE
- PT - STEEL POST
- BH - STEEL BEAM HEIGHT
- SRW - STONE RETAINING WALL

© PROJECT SURVEYORS - 2022
REPRODUCTION WITHOUT WRITTEN APPROVAL IS STRICTLY PROHIBITED

B	ADDED VERANDAHS STEEL BEAMS	4/03/2022
REV	AMENDMENTS	DATE



SHEET 1 OF 1 - DETAIL SURVEY

CLIENT: REBECCA LIM

JOB REF. : 5188
DRAWING No. 5188-1
SURVEYOR: ALEC V. & MATINA K.
CHECKED: NATHAN MILLIGAN
REGISTERED LAND SURVEYOR
DATE: 11 FEBRUARY 2022
DATUM: A.H.D.
ORIGIN: PM 35767 RL 47.904
REFERENCE SYSTEM: GDA 2020

PLAN OF: 36 VICTORIA STREET
MCMAHONS POINT
BEING: LOTS 3&4 SECTION 5 IN DP 111171
SHOWING: GENERAL DETAIL AND SITE LEVELS
PURPOSE: ARCHITECTURAL DESIGN COUNCIL SUBMISSION

BELLA VISTA
PO Box 7419 BAULKHAM HILLS NSW 2153
SUITE 405, LEVEL 4 14 LEXINGTON DRIVE,
BELLA VISTA NSW 2153
PHONE : 9056 1900
email: office@projectsurveyors.com.au
www.projectsurveyors.com.au

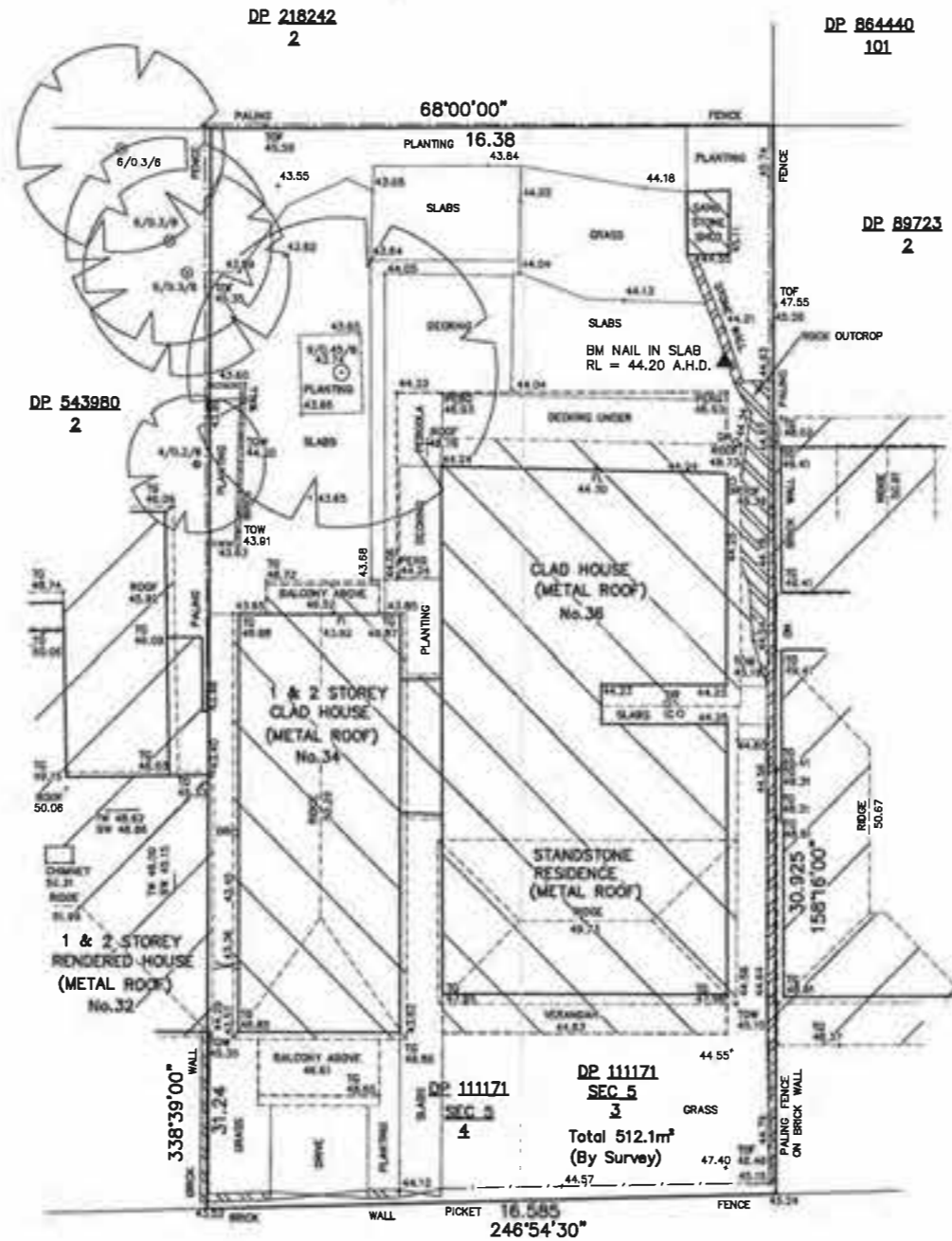
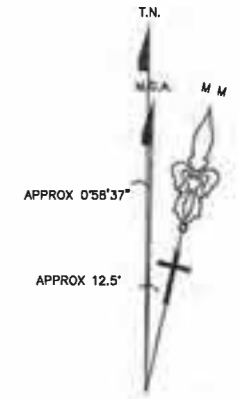


* THE AUTO CONSOL 1553-125, BEING LOTS 3-4, SEC 5 IN DP111171, NOTES 1. RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

L.G.A. NORTH SYDNEY

SITE SURVEY
SHOWING SELECTED LEVELS AND DETAIL OVER
LOT 3 & 4 IN DP 869851 BEING No.34 & No.36 VICTORIA STREET, MCMAHONS POINT.

DATUM : A.H.D.
0 1 2 3 4 5 10
PLOT SCALE 1 : 100 ON A1 SHEET



- LEGEND**
- BD BOTTOM OF DOOR
 - BDW BOTTOM OF DOOR/WINDOW
 - BW BOTTOM OF WINDOW
 - DR DRAIN
 - FL GROUND FLOOR LEVEL
 - GM GAS METER
 - HYD HYDRANT
 - IC INSPECTION COVER
 - PERG PERGOLA
 - TD TOP OF DOOR
 - TDW TOP OF DOOR/WINDOW
 - TOW TOP OF WALL
 - TG TOP OF GUTTER
 - TOF TOP OF FENCE
 - TW TOP OF WINDOW
 - TOW TOP OF WALL
 - WM WATER METER
 - W-B WALL TO BOUNDARY
 - 12/0.4/9 TREE WITH APPROX. 12m SPREAD
0.4m DIAMETER
9m HEIGHT

- NOTES.**
- 1) SURVEY MARKS MUST BE PLACED PRIOR TO ANY CONSTRUCTION WORK.
 - 2) ORIGIN OF LEVELS PM 35767, RL=47.87 A.H.D.
 - 3) BOUNDARY DIMENSIONS OBTAINED FROM DP 111171
 - 4) SITE SURVEY HAS BEEN CARRIED OUT.
 - 5) NO UNDERGROUND SERVICES SEARCH MADE, ONLY PITS ETC. VISIBLE AT TIME OF SURVEY PLOTTED.
 - 6) BEARINGS ARE ON MAGNETIC MERIDIAN
 - 7) EXTENT OF TREE CANOPY IS APPROXIMATE & DIAGRAMMATIC ONLY.
 - 8) THE INFORMATION ON THIS SURVEY IS TO BE USED FOR DESIGN AND DA PURPOSES ONLY. SURVEY MARKS MUST BE PLACED PRIOR TO ANY CONSTRUCTION.
 - 9) SITE AREA CALCULATED BY SURVEY
 - 10) THE RECORDS OF THE SERVICE AUTHORITIES HAVE NOT BEEN INVESTIGATED, ONLY THOSE SERVICES THAT ARE VISIBLE AND ACCESSIBLE AT THE DATE OF HAVE BEEN SHOWN.
 - 11) SERVICES SHOWN ARE INDICATIVE ONLY, OTHER SERVICES MAY EXIST THAT ARE NOT SHOWN. THEREFORE FIELD CONFIRMATION OF THEIR EXACT POSITION SHOULD BE MADE PRIOR TO COMMENCEMENT OF EXCAVATION.
 - 12) IF THERE IS ANY POINT OR FEATURE I.e (FLOOR LEVEL, WALL POSITION, ROOF, RIDGE ETC) CRITICAL TO THE PREPERATION OF DESIGN PLANS OR CONSTRUCTION, THAT POINT OR FEATURE SHOULD BE MADE KNWON TO US AND ACCURATELY LOCATED PRIOR TO THE COMPLETION OF THOSE PLANS OR COMMENCEMENT OF CONSTRUCTION.
 - 13) STAIR RISES, STEPS AND LANDINGS HAVE NOT BEEN INDIVIDUALLY LOCATED, AND ARE DIAGRAMMATIC ONLY.

NORTH SYDNEY COUNCIL
RECEIVED DMS
25 SEP 2017
SCANNED DMS

RECEIVED BY CS
22 SEP 2017
NORTH SYDNEY COUNCIL

RECEIVED BY CS
00 AUG 2017
N.S.C.

VICTORIA STREET

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DATE OF SURVEY: 15/10/13 REF No. 55141
CAD FILE: 55141001A.DWG
ISSUE "A"
FIRST ISSUE



HERITAGE IMPACT STATEMENT

Additions & Alterations



36 Victoria Street, McMahons Point

Prepared for Rebecca Lim and Andrew Chick

December 2022

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ABN: 47 660 767 224

Acknowledgement of Country

We acknowledge the Gamaragal/Cammeraygal people as the Traditional Owners of this land we now call McMahons Point and recognise that sovereignty has never been ceded. We support the Uluru Statement from the Heart to achieve justice, recognition, and respect for all First Nations people.

Touring the Past Pty Ltd

History—Heritage—Interpretation

Author: Patrick Wilson

Director—Heritage Consultant and Professional Historian

B.A. (Hist Hons) and M. Cult. Heritage

M. ICOMOS, Pro Hist PHA (NSW + VIC), SAHANZ, IAIA, APT, Interps Aus, Nat Trust (NSW)

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Cover image: Façade, subject building.

Primary and secondary materials utilised in the preparation of this report are acknowledged and referenced in captions or footnotes.

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DATE	VERSION	PREPARED BY
15.08.22	Issued for review	Patrick Wilson
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1 INTRODUCTION

1.1 Purpose

This Heritage Impact Statement (HIS) has been prepared on instruction of the property owners of 36 Victoria Street, McMahons Point (subject place)—a mostly intact 1860s sandstone cottage, which is identified as an individual heritage item and situated in the Union, Bank and Thomas Streets Heritage Conservation Area. It accompanies a development application (DA) for minor alterations and additions at the place. This report provides the consent authority, the North Sydney Council, with an expert assessment of the projected heritage impact of the new work.

1.2 Methodology

The author of this report is an experienced heritage consultant and accredited professional historian and the assessment is made pursuant to the Expert Witness Code of Conduct in Schedule 7 of the *Uniform Civil Procedure Rules 2005 (NSW)*. Terminology and principles in this document are informed by good heritage management approaches, namely as expressed by *The Australia ICOMOS Charter for Places of Cultural Significance*, *The Burra Charter* (rev. 2013), the *NSW Heritage Manual* (various revisions), and *Better Placed: Design Guide for Heritage* (2019).

This assessment is informed by a non-invasive inspection of the subject place and its setting (July 2022).

1.3 Location

The subject place is a pair of allotments—legally described as Lot 3 and 4, Section 5, DP 111171—situated on the north side of Victoria Street, approximately between Webb (west) and Chuter (east) streets. The broader setting is the historic urban environs of McMahons Point on Sydney's Lower North Shore.



Aerial photograph of the subject place (shaded red).
(Source: Metromap, June 2022)



3D model of the subject place, indicated by the red arrow, facing north across Victoria Street.
(Source: Apple Maps)

1.4 Heritage Management Framework

The subject place is identified as an individual item of environmental heritage under Schedule 5 of the *North Sydney Local Environmental Plan 2013 (NSLEP)*. Its listing details follow:

Item name	Address	Property Description	Significance	Item no.
House	36 Victoria Street, McMahons Point	Lots 3 and 4, Section 5, DP 111171	Local	I0503

There is no known council-endorsed Statement of Significance for the place. Accordingly, a preliminary Statement of Significance is provided in section 4 of this report.

The place is also situated in the Union, Bank and Thomas Streets Heritage Conservation Area (HCA) (CA15), which is a large urban precinct of 'local' cultural heritage value. Its Statement of Significance, extracted from the *North Sydney Development Control Plan 2013 (NSDCP)*, follows:

The Union, Bank, Thomas Street Conservation Area is significant:

- (a) As the largest area of mid to late Victorian buildings in the North Sydney area including a substantial number of individually significant buildings, groups of buildings and unique streetscapes in the local context.
- (b) For the clarity of its subdivision history that is still clearly seen in variations of road widths between sections of streets and changes of directions of the subdivision pattern in response to the subdivision of earlier estates.
- (c) For the way development has responded to the topography through stepped building forms and excavation in some locations.
- (d) For its fine streetscapes with intact rows of Victorian residence, especially in Thomas, Union and Chuter Streets.
- (e) For its relatively large number of surviving timber residences.

There are some other individual heritage items in the vicinity of the place; however, considering the nature and scale of the new work, the risk of any adverse heritage impact on nearby heritage assets is deemed infinitesimal. Accepting that, further assessment is not considered necessary or undertaken in section 6.2.

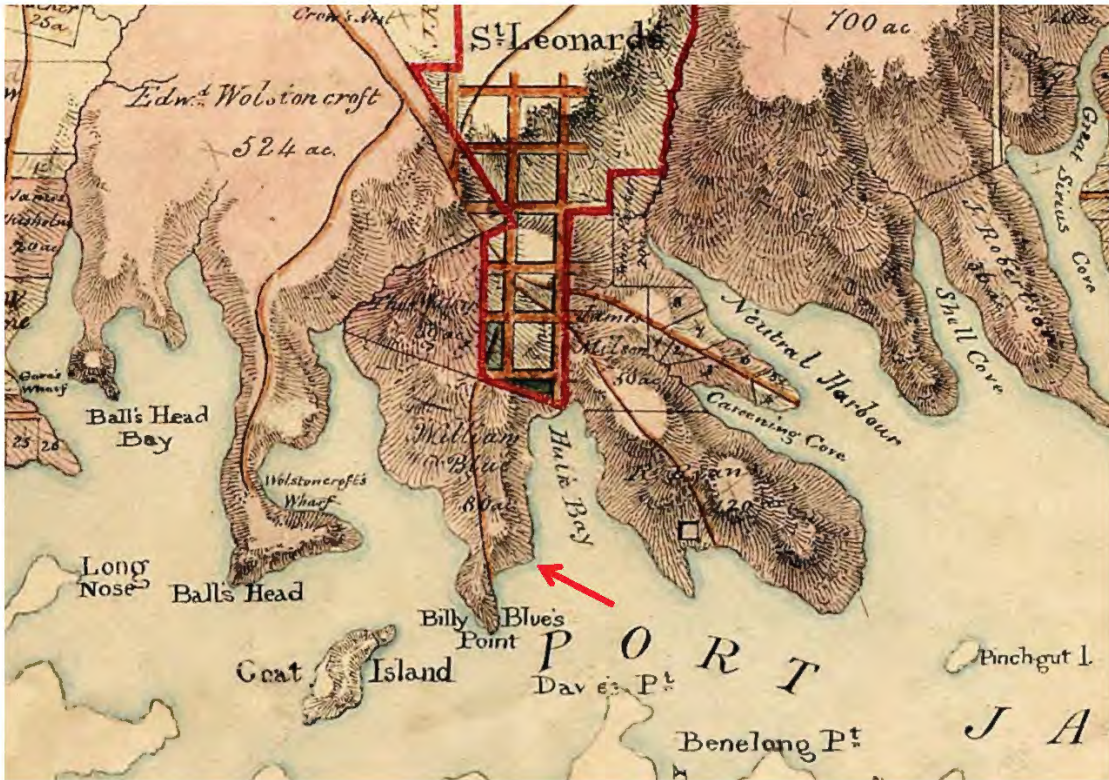


Heritage Map with tan shading indicating individual heritage items and red hatching the extent of HCA (CA15). The subject place is outlined in yellow. The NSLEP map only provides a 'cut up' view. (Source: ePlanning Spatial Viewer, confirmed via HER_002, NSLEP)

The key objective for heritage management, as per the NSLEP (at cl. 5.10), is to sustain a place's assessed cultural heritage value. Accordingly, the above Statement of Significance and further discussion throughout this document concerning the place provides an essential baseline for understanding the likely impact of the new work on the subject place and the encompassing HCA—an approach in line with Article 27 ('Managing Change') of the *Burra Charter*.

2 HISTORICAL SUMMARY

The subject land derived from an 80-acre grant made to the emancipist African-American William ‘Billy’ Blue (circa 1767-1834) in 1817. Blue is a remarkable historical character—born possibly in New York City into slavery, he served with the British army in the American War of Independence, found his way to London, and then was transported to Australia in his late twenties in 1797, where he more or less thrived as a crafty and well-known colonial figure. Blue named his holding ‘Northampton’ and developed it as a farm.¹



Parish of Willoughby, County of Cumberland map with the 80-acre ‘William Blue’ grant indicated by the red arrow, undated. (Source: HLRV)

Blue’s grant was broken up amongst his surviving children, with the subject land forming part of a property transferred to his daughter, Susannah. In 1856 she and her second husband, William Chuter, a stonemason and innkeeper, sold the wedge-shaped waterside holding. Three years later, it was subdivided and offered for sale as the ‘Chuter Estate’:

Blues Point, North Shore.
Positive and Unreserved Sale,
By order of the Mortgagee,
Chuter’s Estate, North Shore.

The whole of this Magnificent Property, subdivided into Villa Sites and Building Allotments, and also all the various improvements, viz.,
CHUTER HOUSE, BILLY’S BLUE’S INN, CARR’S STORE, the GOLDEN ERA STORE, and PAGE’S SHOP,
fronting the Lane Cove Road, opposite Captain Browne’s well-known property.²

¹ Margaret Park, ‘Blue, William (Billy) (c. 1767-1834)’, *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, 2005, available online

² ‘Advertising’, *Sydney Morning Herald*, 27 May 1859, p7

As part of this subdivision, the existing street pattern was established, including the main spine of Victoria Street, which was known as Susannah Street, until the early 1880s. The subject land was formed by lots 3 and 4.



Plan of the Chuter's Estate, 1859. The subject land, outlined in dashed red, is shown as undeveloped, unlike some other properties in the subdivision, which accommodated inns, stores, and dwellings. (Source: SLNSW)

Between the release of the Chuter Estate and the first municipal valuation undertaken by the North Sydney Council in 1869, the subject building was constructed on lots 3 and 4. The initial rate book entry describes the building as a four-roomed 'dwelling' with stone (sandstone) walls and a roof of timber shingles (since replaced).³ The owner was given as William Shipley, seemingly a local landowner, who tenanted it.



Extract from a mid-1870s photograph across the Chuter Estate, showing the rear plane of the subject building's hipped roof, (Source: American & Australasian Photographic Company, *Part of a panorama of Sydney Harbour showing McMahons Point, Goat Island ...*, 1870-75, SLV)

³ Information supplied by the Stanton Library Historical Services

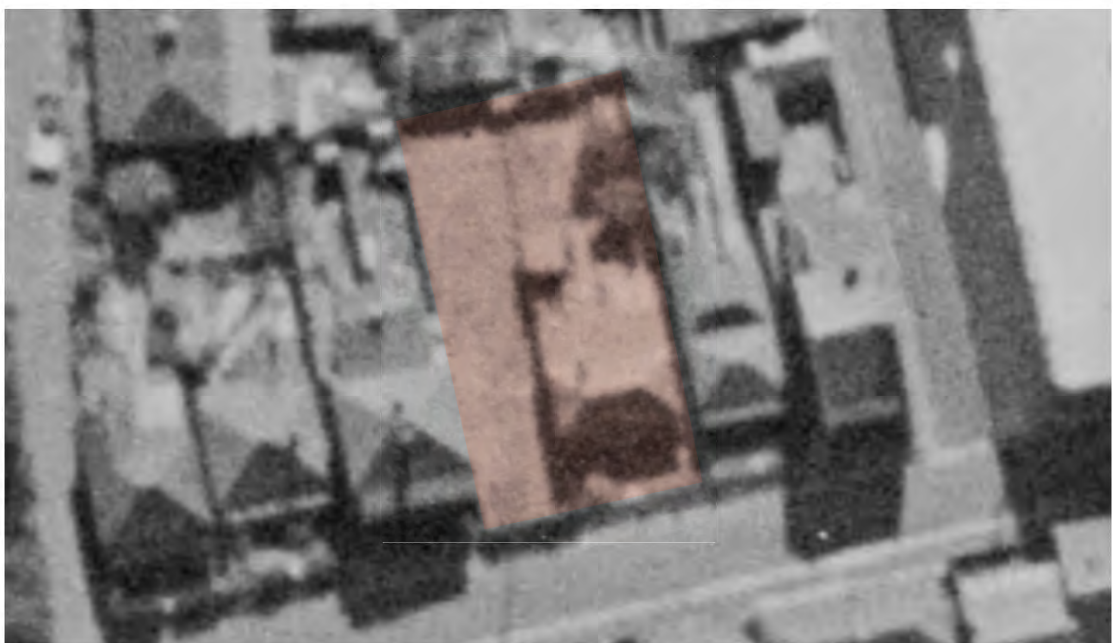
The property was sold by the Shipley family in the late 1890s, after which it passed through several different hands.

The likely original or early footprint of the subject cottage, depicted in the 1891 drainage plan, is shown below. This map shows the front (remains) and rear (lost) verandah.



North Sydney Sheet, no. 21, 1891. The subject place is shaded red. (Source: LH REF MF299/21, Stanton Library HS)

In 1892, the *Sands, Sydney, Suburban and Country Commercial Directory*, gave the residence's name as 'Merton Cottage'. This appellation did not appear subsequently in the *Directory*. By 1945, as shown in the aerial photograph below, it appears that the rear verandah survived.



Aerial photograph of the subject place, shaded red, dated 1943. (Source: Metromap)



Aerial photograph of the subject place, shaded red, dated 1982. The roof cladding is now of corrugated metal sheeting.
(Source: Metromap)

The cottage was photographed in the late 1970s and early 1980s, showing the sandstone's condition to be grimy and stained. It was apparently cleaned in the late 1990s, when the rear addition and side wing were constructed.



Photograph of the façade, 1978. Note the multi-paned sashes and door, which remain.
(Source: LH REF CPF32/4, Stanton Library Historical Services)



Façade, circa 1981. Note that Arts & Crafts timber brackets have been added to the verandah.
(Source: LH REF PF1531/2, Stanton Library Historical Services)



Photograph of the façade and west elevation, 1978. The dilapidated timber fence has since been replaced.
(Source: LH REF CPF32/3, Stanton Library Historical Services)

3 PHYSICAL DESCRIPTION

The subject property is a double-width allotment that slopes east-west. The 1860s cottage has a rectangular footprint and is located at a medium setback from Victoria Street. At its rear is a linked-in contemporary single-storey skillion-roofed addition with extensive glazing. Immediately west of the cottage is a two-storey, elongated studio/garage of 'rusticated' boards capped by a street-facing gable. This side wing is linked to the cottage's rear addition and northwest corner by a flat-roofed entry. It also has front and rear first-floor balconies. The balcony visible from the public realm is sheathed in two bands of battens that form a bulky privacy screen.

The cottage has a primary hipped roof with a long ridge and, at the rear, a broken-back skillion section. Roof cladding is contemporary corrugated metal sheeting. There is a chimney located on the rear hipped roof plane. Eaves are short. The building is constructed from Sydney 'yellow block' sandstone in ashlar blocks with lightly sparrow picked faces (increasingly in intensity to the side and rear elevations). The concave/incised joint profile preserved in the east elevation is probably original.

The cottage reflects the, by the 1860s, well-proven design principles and considered proportions of the Georgian design mode as applied to a substantial cottage. This character is most apparent in the façade, which features an elegant convex verandah (replacement timber posts) and symmetrical fenestration. The latter is formed by a central entrance with flanking recessed timber-framed, double-hung sash windows with multipaned glazing. Sandstone sills and lintels are evident, as is an overpainted threshold. Unusually for this typology, its verandah deck of sandstone flags survives, including its bullnosed edge. Timber louvred shutters are non-original.

There are no openings in the side elevations of the cottage. Its rear wall, which is now partly internal and external, mirrors the facade openings and retains multipaned sashes (the addition's raked ceiling partly conceals the internal lintel).

The cottage's original double-fronted internal layout remains interpretable, although both the western hallway partition walls have likely been removed. There are few original elements of note due to the extensive works, other than the back-to-back fireplaces, due to the extensive works that have taken place (the cottage appears to have fallen into a dilapidated state by the late 20th century). Most components, including timber floorboards, cornices, skirting boards, and architraves, are reproductions, as are the timber fireplace surrounds. The slate hearth and possibly the iron grate in the front room fireplace could be original. There is an inclined boarded ceiling in the western skillion section. Its originality is unclear. Considering the extent of change evident in the interior of the cottage, this element is probably non-original and fairly unremarkable.

Landscaping, paving, and the front picket fence at the place are non-original. In the northeast corner of the property endures a small sandstone outbuilding, likely the former privy.

Victoria Street has a decidedly mixed, multiperiod-built character and is highly reflective of the haphazard, private, 'boom and bust' 19th and early 20th-century pattern of development that characterised this part of the municipality.

The subject place is flanked by two contributory assets—a simplified symmetrical weatherboard cottage in the east (no. 38) and a two-storey hipped roof late Victorian period brick residence that has been internally subdivided. Of interest, there is a notable cluster of sandstone cottages, rowhouses, and terraces nearby in Chuter Street.



Aerial photograph of the subject place, with the original/significant footprint shaded red.
(Source: Metromap, February 2022)



Façade from the front gate.
(Source: August 2020, realestate.com.au)



View to the side (west) garage/studio from the front path.



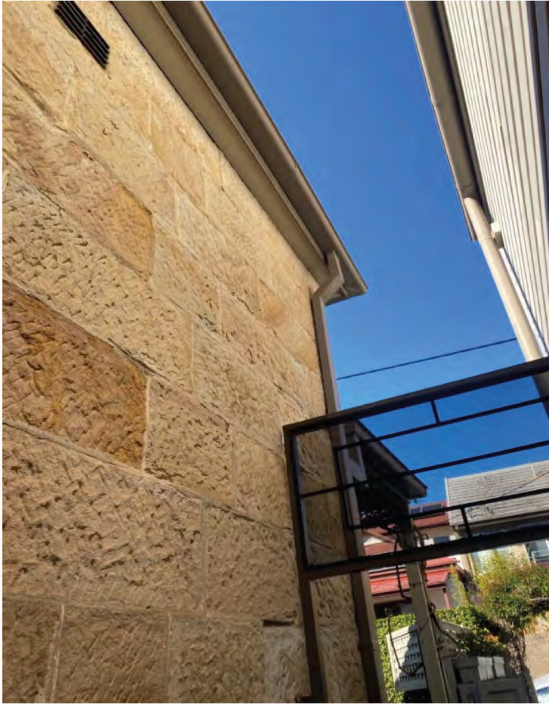
View from the verandah of cottage to the east elevation of the garage/studio.



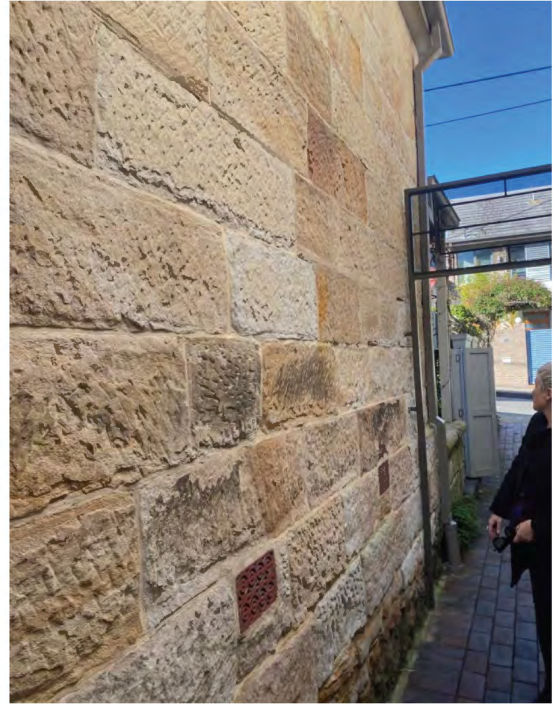
Non-original brick stairs and paving in front of the cottage's verandah.



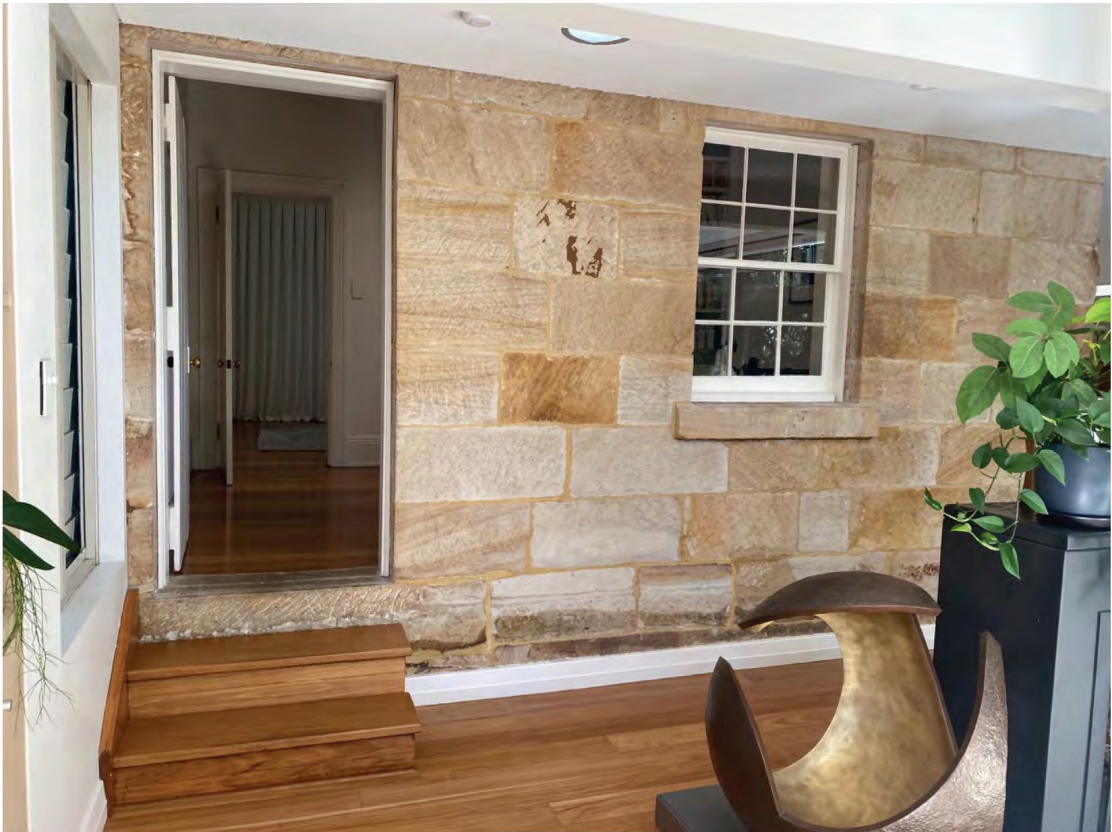
View of the narrow open space between the cottage and garage/studio.



View to the upper southwest corner of the cottage, facing Victoria Street.



View to the middle and lower section of the west elevation—note the height of the wall (due to sloping landform) and Victorian period metal grilles.



Western half of the rear elevation from the rear addition—note former external window. Stairs and the door are non-original.



View to the eastern alcove, showing the partly exposed cottage's rear wall. Note the relationship of the two roofs.



Eastern elevation of the sandstone cottage, facing north. Concave joint.



View to the rear wing from the backyard.



(Above) Gabled sandstone privy, northeast corner of the property.

(Left) Rear of side garage/studio.



Bed 1, fireplace with original cast iron arch plate grate. Possibly original slate hearth. Timber surrounds is non-original.



Study, fireplace with non-original tiled threshold. Timber mantelpiece and imposed pilaster surrounds are non-original.



View to the fireplace in the Study, facing towards Victoria Street, with inclined boarded ceiling apparent. (Source: August 2020, realestate.com.au)

4 DISCUSSION OF SIGNIFICANCE

4.1 Cultural Heritage Significance

Sustainable management of a heritage place begins with understanding and defining how, why, and to what extent it embodies cultural values: its significance. It is essential to communicate these values, particularly to those whose actions could affect their form and bearing, and make decisions in light of them.

4.2 Preliminary Statement of Significance

As noted, the consent authority does not appear to have prepared or endorsed a Statement of Significance for the subject. It is beyond the remit of this report to develop a comprehensive statement, which should require additional historical research (specific and contextual) and comparative analysis. Nonetheless, a draft or preliminary Statement has been prepared below and is considered to provide a sufficient basis for the council to understand the significance of the place. Its production has been guided by the criteria outlines and thresholds specified in the NSW Heritage Manual section *Assessing Heritage Significance* (2001). The practical three-part format for Statements popularised in Victoria is also adopted.

What is Significant?

The sandstone cottage and former privy at 36 Victoria Street, McMahons Point, are significant. Both are believed to have been constructed in the 1860s on a pair of allotments that derived from the 1859 Chuter Estate subdivision. The residence may have been known as 'Merton Cottage' in the 1890s. The sandstone was thoroughly cleaned in the late 1990s.

Significant elements are its original external envelope, namely its hipped and lean-to roof form (not the cladding), walls of ashlar sandstone, remnant likely original joints (east elevation), convex verandah roof and sandstone deck, and rear and front openings, including multipaned timber-framed, double-hung sashes and sandstone lintels and sills. Internally, the only original components of note are the general double-fronted layout and back-to-back fireplaces, although most of the related fireplace fabric are additions. The small gable-roofed sandstone former privy in the backyard is also significant. Non-original elements, including the rear wing, side (west) garage/studio, and landscape elements, are not significant.

How is it Significant?

The sandstone cottage and former privy is of local historical and aesthetic significance to North Sydney Council.

Why is it Significant?

The sandstone cottage and former privy are of historical significance as an illustration of the mid-Victorian residential growth on McMahons Point. The 1860s were a formative period for urban development in the locale as the peninsula transformed from the farming-industrial endeavours of its original grantee, the prominent African-American emancipist and ferryman William 'Billy' Blue, into a heterogenous, fairly dense urban environment. The high-quality stonework displayed by the cottage is reflective of the relative prosperity associated with at least some construction activity during this phase of growth as well as contemporary tastes. The survival of the former privy is of some interest as an increasingly rare element in the municipality that is indicative of past ways of life. (Criterion A)

The sandstone dwelling is of aesthetic significance as a generally intact and good example of the Georgian style applied at the cottage level. Its overall repose, classicised proportions, and fine stonework are handsome and evocative of its influential design mode. The cottage appears to be one of the best surviving examples of its type in the municipality. (Criterion C)

5 ASSESSMENT OF HERITAGE IMPACT

5.1 The Proposal

The new work is outlined in a set of development application drawings prepared by Atelier M, dated 28 November 2022. These plans should be referred to for a complete understanding of the proposed work.

Work that would affect significant fabric follows:

- Insertion of a new window in the east elevation of the sandstone cottage (bath 2),
- Removal/reconfiguration/replacement of the existing door to bath 2 and renewal of bathroom layout, fixings, and fixtures,
- Removal of the existing rear door and replacement of its associated non-original timber stairs,
- Incorporation of the existing alcove at the rear of the cottage's lean-to within the footprint of the latter addition wing, and
- Enlargement of the extant covered entrance between the west elevation of the cottage and the garage/studio.

An array of non-original elements would also be removed, namely brick and sandstone paving and the rear deck. Various later addition components are proposed for remodelling or reconfiguration, including the enclosure of the garage/studio's front and rear balcony side walls with boarding and the replacement of their balustrade with simplified railings.

5.2 Heritage Policy

The following section examines the projected impact of the proposed work on the identified cultural heritage significance of the subject place, which is identified as an individual heritage item (I0503), and that of the encompassing Union, Bank and Thomas Streets HCA (CA15).

This section adopts a performance-based impact assessment model as appropriate for heritage impact assessment, although due regard is given to the heritage provisions of the NSLEP and the guidance offered by the NSDCP.

As the new work would affect an individual heritage item and a property situated in a HCA, the NSLEP at cl. 5.10(2) (a)(iii) requires that the consent authority, North Sydney Council, consider the potential impact of the proposal on the significance of the place and HCA—as identified by their Statements of Significance—particularly 'associated fabric, settings and views'. The overall objective is to 'conserve the environmental heritage of North Sydney', cl. 5.10(1) (a).

This HIS, prepared by a heritage professional, constitutes the required documentation to allow the council to understand the new work's likely heritage impact and make an informed assessment.

5.3 Review of Heritage Impact

New windows at cottage

It is proposed to insert a window into the cottage's eastern sandstone wall to provide light and ventilation into Bath 2. The new window would be a timber-framed, double-hung sash.

The physical impact of the new window would be appropriately limited as only a small extent of sandstone would require removal. The affected window is not visible from the public realm. The overall solidity and robust sandstone character of the building would not be diluted. The new opening is of reasonable dimensions and of

vertical proportions—aspects sympathetic to the underlying Georgian design principles of the place. It is recommended that the new window be positioned in accord with the ashlar coursing and that its insertion be overseen by an experienced stonemason to make certain a high quality of finish.

A traditional sash window would be utilised for the new opening. This window would not employ the multiplanes characteristic of the place's original windows nor feature a sandstone lintel or sill to ensure an appropriate level of distinguishability. However, it is recommended that the window be recessed in keeping with extant original openings. If the council deemed necessary, the new windows could be discretely date stamped.

The proposed new window would not be visible from the public realm due to their location in the rear part of the sandstone cottage's east (side) wall, set back from the street, and the existing/retained built environment. Accordingly, its visual impact on the appreciation and interpretation of the place from Victoria Street would not be affected. It is also noted that the presence of traditional vertical openings in the sidewalls of a mid-Victorian period Georgian style dwelling is not atypical for this typology.

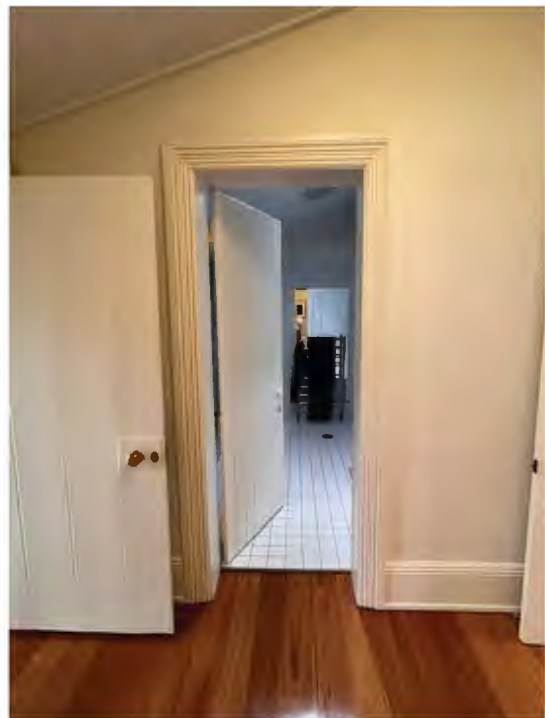
The proposed window can be accepted as having an appropriately low physical and visual impact on the place.

Removal of doors and steps

Neither the rear or bathroom door at the cottage are original. Their removal and the replacement of the bathroom door would not be impactful. The same assessment is made in relation to the contemporary timber steps at the rear of the cottage. Either a period or sympathetic contemporary replacement would be suitable.



Rear ledged door. Battens too wide for 1860s.



Bathroom door. Non-original.

Entry corridor enlargement

It is proposed to construct a metal roof with a pair of skylights over the narrow space between the sandstone cottage and garage/studio—expanding an existing corridor to the rear of the subject building. The proposed roof would feature a cantilevered thin (6-12mm) steel canopy at the front—setback slightly from the façade wall—and a glazed entry door. Pavers would replace existing brickwork on the corridor's floor.

The physical impact of this modification would be negligible. As noted on the plans, the new section of metal roof would be affixed in a manner that requires minimal penetration of the sandstone wall, utilising—where possible—the mortar joints (which can be readily repointed if the structure is removed).

It is noted that none of the sub-surface ventilation grilles (interesting ornamental elements in themselves) present in the west elevation of the cottage would be covered or obstructed and that there is no sign of moisture stress in the sandstone. Accepting that, the installation of pavers and the enclosure of this corridor space would not likely have a negative outcome on the health of the stonework, although this should be monitored over time (whether the work is carried out or not).

The lightweight, glazed character of the entry corridor—in particular contrast to the robust masonry character of the cottage—would ensure this new element reads as a visually recessive component of the place and more or less maintain the moderate availability of public realm sightlines to the ashlar sandstone in the western elevation. The siting of the new door back from the façade wall and the steel canopy slightly so (but well behind the convex verandah) would also prevent this aspect of the new work from appearing overly dominant. The sandstone cottage would still remain as the prevailing structure of note at the property when viewed from Victoria Street. The sandstone western wall would not be obscured internally.

The proposed corridor enlargement can be accepted as having only a very minor physical and visual impact on the place.

Expansion of the rear addition

It is proposed to incorporate an alcove at the back of the cottage (eastern half) into the footprint of the rear addition. This action would require the provision of an external window and replacing the existing concrete floor with pavers. The latter would be utilised throughout the non-original ground floor in place of a timber floor.

The main issue that requires resolution for the enclosure of the alcove is augmenting the breathability of the northern (rear) sandstone wall, which is showing signs of rising damp and moisture stress in the plinth and lower courses. Further investigation into the root cause of this issue (likely the impervious slab adjacent to the sandstone wall and pooling of stormwater in this location) and possible solutions, such as the installation of a French drain, additional ventilation grilles (one exists), and/or reduction of hardstand in the northern setback, is warranted and would be examined during the development of construction drawings.

If deemed necessary, the council could develop a condition of consent to ensure appropriate heritage oversight of this process—although, in the view of this report, the expertise of the appointed architect could be considered sufficient in solving this issue.

Other changes

None of the other changes, such as the modifications to the front balcony of the non-original southern wing, are considered problematic from a heritage impact perspective as they would only affect non-original/non-significant fabric and are of high contemporary quality. The dialogue established between the steel pod proposed for the front boundary would engender some subtle architectural interest in the frontage.

5.4 Conclusion

The proposal would have a negligible impact on the subject place and is in keeping with the expectation of sound heritage management practice and the heritage provisions of the NSLEP and NSDCP. It is recommended that that council approve the new works in their current form.