



**NSLPP MEETING HELD ON 6/12/23  
SECTION 4.55 MODIFICATION**

**Attachments:**

1. Site Plan
2. Architectural Plans
3. Heritage Impact Statement

**ADDRESS:** 172 Kurraba Road, Kurraba Point

**APPLICATION No:** DA 130/21/2

**PROPOSAL:** To modify a consent, for alterations and additions to an attached dual occupancy.

**PLANS REF:**

Plan Nos.	Revision No	Drawing title	Prepared by	Date
A00	E	Cover sheet	BTB Architecture Studio	27 07 2023
A01	E	Site analysis	BTB Architecture Studio	27 07 2023
A02	E	Proposed site plan	BTB Architecture Studio	27 07 2023
A03	E	Proposed lower ground plan	BTB Architecture Studio	27 07 2023
A04	E	Proposed ground floor plan	BTB Architecture Studio	27 07 2023
A05	E	Proposed first floor plan	BTB Architecture Studio	27 07 2023
A06	E	Proposed roof plan	BTB Architecture Studio	27 07 2023
A07	E	Proposed elevation – north	BTB Architecture Studio	27 07 2023
A08	E	Proposed elevation – south	BTB Architecture Studio	27 07 2023
A09	E	Proposed elevation – west	BTB Architecture Studio	27 07 23
A10	E	Proposed elevation – east	BTB Architecture Studio	27 07 23
A11	E	Proposed section A	BTB Architecture Studio	27 07 23
A12	E	Proposed section B	BTB Architecture Studio	27 07 23
A13	E	Proposed material and finishes schedule	BTB Architecture Studio	27 07 23
A14	E	3D views	BTB Architecture Studio	27 07 23
DEM 01	E	Ground floor demolition plan	BTB Architecture Studio	27 07 23
DEM 02	E	First floor demolition plan	BTB Architecture Studio	27 07 23
DEM 03	E	Roof Demolition Plan	BTB Architecture Studio	27 07 23

**OWNER:** Mr P Berkemeier

**APPLICANT:** The owner

**AUTHOR:** Jim Davies Executive Planner

**DATE OF REPORT:** 21 November 2023

**DATE LODGED:** 22 August 2023

**RECOMMENDATION:** Approval

## EXECUTIVE SUMMARY

**This application under Section 4.55 of the Environmental Planning and Assessment Act 1979 seeks to modify the consent for alterations and additions to a dual occupancy and is reported to the Panel for determination as the modification seeks approval to amend a design alteration conditioned by the Panel, when a deferred commencement consent was granted at the Panel's meeting on 3 August 2022.**

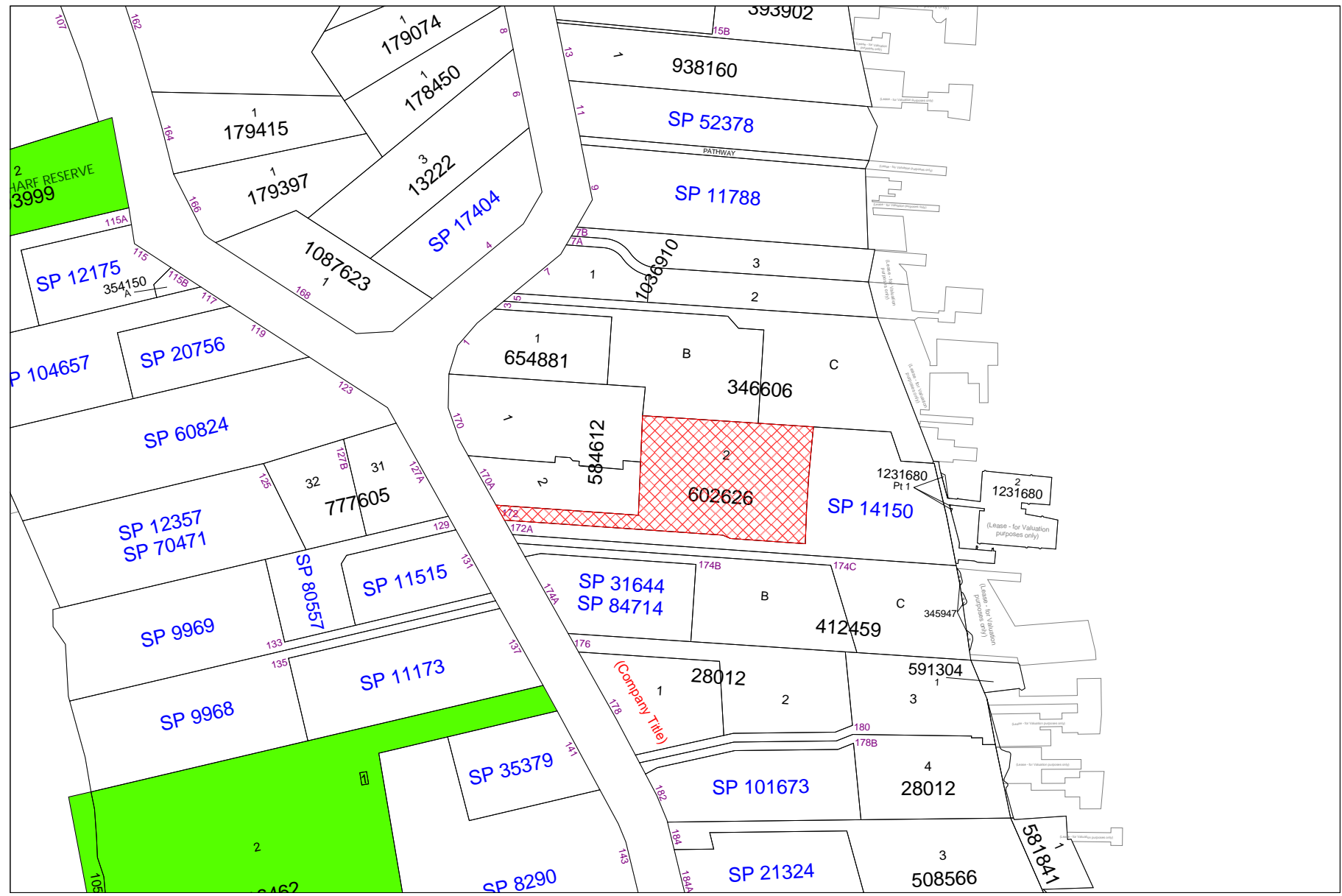
The key change made by the Panel was replacing a proposed curved profile of the roof's leading eastern edge and two upper level balconies of the extension, to a flat profile that did not protrude in front of the extant building, a contributory item in the Kurraba Point Heritage Conservation Area.

This modification application seeks to restore the curved form of the roof and balconies, although with a more subtle curve than originally proposed. Excerpts of the drawings for the originally submitted design, the approved design and the now proposed design are included in the description of the proposal in this report's body.

Council's notification of the proposal has attracted one submission, raising concerns about view sharing impacts of the modified proposal. The assessment has considered these concerns as well as the performance of the modification against applicable planning requirements.

Following this assessment the application to modify the consent is recommended for approval, subject to the design retaining the flat profile of the eastern extension's roof and balconies, as originally approved. Council's conservation planner recommends this, so the addition does not compete visually with the original form and so the building maintains its contributory value to Kurraba Point's heritage conservation area.

**LOCATION MAP**



□ Property/Applicant ● Submitters - Properties Notified

## DESCRIPTION OF PROPOSAL

The subject application seeks approval to alter the approved plans for alterations and additions to an existing attached dual occupancy on the site. The building housing the two dwellings is a contributory item in the Kurraba Point Heritage Conservation Area.

An extension of the building on the northern side was the main element of the approved work, with updating of ageing fabric and modernising adjustments proposed to the building's external form and details and internal configuration. The approved development also converts the current 'up and down' arrangement to a 'side by side' arrangement of the dwellings.

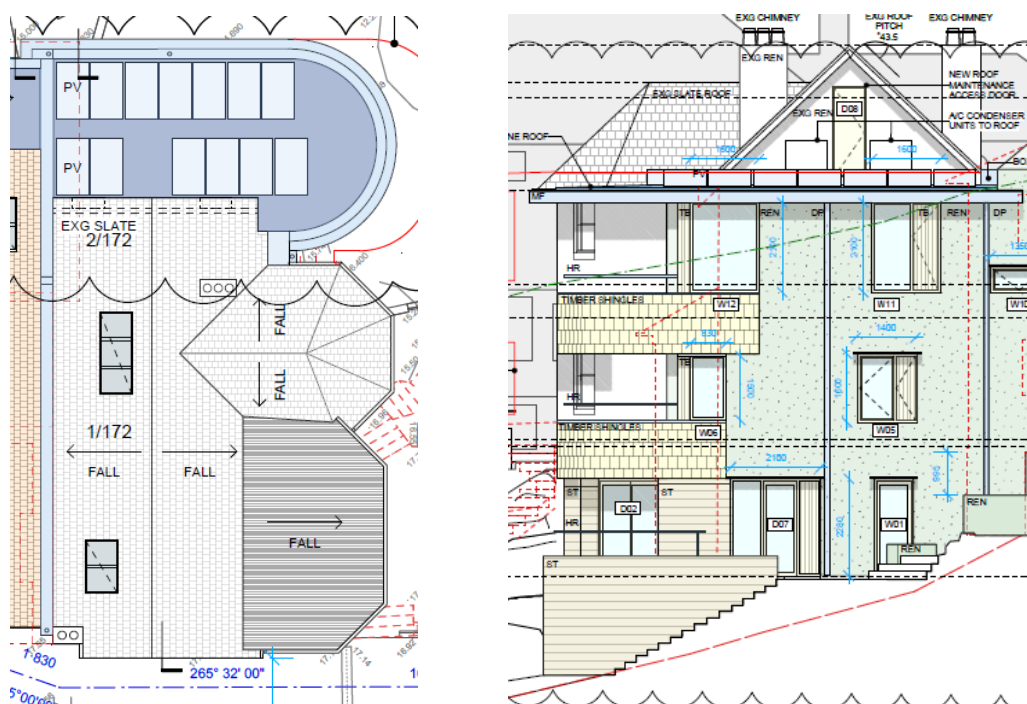
The sole reason for this report, is that the applicant seeks to amend the approved profile of the eastern façade of the northern extension, from a flat profile that would be level with the main building line of the existing dwelling, to one which has a slight curve to the leading edge of the roof and the balustrades of the two balconies on the two upper levels.

There are other modifications to the proposal as follows, that would otherwise have been approved by Council officers under delegation from the General Manager, summarised thus:

- Rebuilding of the original roof line above the eastern extension to its original form and finish,
- Replacement of dilapidated, ageing timberwork and internal features,
- Change of roofing material to custom orb on the carport and replacing corroded roof material of part of the building in the south-eastern corner, and
- Replacing corroded drain pipes.

### ***For the panel's consideration***

*The originally submitted design included a curved profile of the extension's eastern roofline and two balconies (which are similar to the roof) indicated below in a plan view of the roof and the northern elevation of the extension (BTB Architecture Studio).*



***Proposed by the original DA (BTB Architecture Studio)***







*Proposed modification – northerly perspective (BTB Architecture Studio)*

## **STATUTORY CONTROLS**

### **North Sydney LEP 2013**

- Zoning – R2 Low Density Residential
- Item of Heritage - No
- In Vicinity of Item of Heritage- A dwelling to the south, 174B Kurraba Road.
- Conservation Area – Kurraba Point - Yes
- Dual Occupancies - Yes
- FSBL - No

Environmental Planning & Assessment Act 1979 - Local Development

SEPP (Biodiversity and Conservation) 2021=

SEPP (Building Sustainability Index; BASIX) 2004

## **POLICY CONTROLS**

NSDCP 2013 – Part B Section 1 – Residential Development & Section 13 - Heritage & Conservation, and Part C – Section 6 - South Cremorne Planning Area, Kurraba Point Conservation Area.

## **DESCRIPTION OF LOCALITY**

The site's locality is described by the character statement for the Kurraba Point Conservation Area, as quoted:

*The Kurraba Point Conservation Area is bounded by the Kurraba Road, Wycombe Road, Bannerman Road and the shore of Shell Cove.*

*The landform follows the slope of the land towards the water to Neutral Bay and Shell Cove with roads following the contour lines.*

*The higher section has a more regular subdivision pattern but the sloping part has an irregular subdivision determined by the street pattern and topography, some later battle axe blocks extend to the waterfront. Lot sizes vary and many are developed for large architect-designed houses with residential flat buildings on sites close to the water.*

*The area is characterised by medium to large Federation and Edwardian homes with some earlier Victorian development, inter war dwelling houses and 1930s residential flat buildings. There are some very fine examples of the period particularly along Shell Cove Road, Kurraba Road, Hayes Street, Wallaringa Road, including Nutcote, home of the author May Gibbs. The group of dwelling houses and reserve in Bannerman Street and Prior Avenue form an unusual subdivision with a private reserve and tennis courts.*

*Elevated sites provide extensive views to Sydney Harbour and there are views from Bogota Avenue, Kurraba Wharf, down Hayes Street and Lower Wycombe Road. Front gardens contribute to the landscaping of the street. Gardens follow the slope of the site with stone walls to the street. Street trees add to the leafy character of the area.*

## CHECKING OF PLANS

This application has been checked to ensure that the changes being sought are the only changes included in the submitted plans.

## RELEVANT HISTORY

### Original Application

Date	Action
3 August 2022	Original application DA 130/22 granted deferred commencement consent, requiring amended plans to be submitted for approval under delegated authority by Manager Development Services.
19 September 2022	Deferred commencement conditions were satisfied and the operational consent issued.

### Current application

Date	Action
22 August 2023	S. 4.55 (2) application lodged to modify the consent.
15 September 2023	Application notified for 14 days (until 29 September 2023). One submission received.

## SUBMISSIONS

Basis of Submission	Response
Adverse view sharing impacts of revised roof line and balcony profile on the approved extension.	As shown by comparing the plans above, of the approved and proposed amended roof and balcony designs, the proposed balconies project 700mm forward of the approved balconies. The roof profile moves forward by a similar, if not the same amount. As recommended, to maintain the currently approved profile, the development will have acceptable amenity impacts on neighbours. It should be noted this correspondent's residence is located one allotment removed from the site, therefore views from this property over the site

	are over side and rear boundaries of an allotment between the site and the submitter's residence. Assessment of the original application considered submissions from this correspondent and the view impacts of the proposal in detail, concluding that the impacts would be satisfactory. This conclusion remains pertinent to the subject modification, as proposed and as recommended.
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## REFERRALS

The following referral comments have been provided.

## HERITAGE

Set out below is the Conservation Planner's assessment and recommendation:

### 1. *Heritage Status and Significance*

*The subject property is a Contributory item located within the Kurraba Point Conservation Area. The dwelling, known as 'Edzell', is not readily seen from Kurraba Road as it is located at the end of a battle-axe driveway. It can however, be seen from the waterfront and from Cremorne Point.*

*Built in c1906 for a milliner, Miss Leahy, the property was designed by architect Clarence Backhouse and forms part of a group of Federation Queen Anne/Arts and Crafts style dwellings along the Kurraba Point waterfront that originally extended to the harbour frontage.*



The property as seen from Cremorne Point

Image: John Oultram 172 Kurraba Road, Kurraba Point Heritage Impact Statement 2021, page 20.

*The dwelling is constructed in brick with a sandstone sub-base and a render finish (originally only on the First Level). The roof is clad in slate with a terracotta ridge. The primary façade addresses the harbour to the east with faceted bays over two levels. The north-eastern faceted bay is part of the original building whilst the southern bay is a 1930s addition undertaken when the building was converted into two flats. Other alterations include two-storey rear additions with flat and skillion roofs at the rear (West Elevation) and a carport. The original interior has been modified with the alteration and enclosure of the staircase when the dwelling was converted into two apartments.*

*The dwelling contributes to the conservation area by virtue of its Arts and Crafts style, its form, massing, scale, materiality and having been constructed during a core period of development for the conservation area.*



*Rear later addition*

*The dwelling retains a characteristic form. The rear addition (on the west) is submissive and sympathetic.*



*Existing waterfront elevation (primary façade) showing the original significant faceted bay in centre.*



## 2. Heritage Impact Assessment

### a) North Sydney LEP 2013 Clause 5.10

*The proposed bow front balcony addition does not comply with this clause as it will detract from the aesthetic significance of the Contributory item as the addition will visually compete with the faceted elements on the primary (waterfront) façade which is visible from Sydney Harbour and from Cremorne Point. New additions to Contributory items are to be limited to the side and rear and should be designed such that they are not visible in the context of the primary façade. This part of the proposal should be deleted.*

### b) North Sydney DCP 2013

*An assessment of the proposal, with reference to Part B Section 13 of the North Sydney DCP 2013 has been made with the following elements of the DCP being of note:*

**13.4 Development in the Vicinity of Heritage Items-** *The property is located in the vicinity of the heritage items located at 168, 174B and 176 Kurraba Rd. The proposed works will have minimal impact upon their heritage significance, curtilage and setting as they have adequate separation.*

**13.6.1 General Objectives O1 Ensure that new development is designed to retain and complement the character and significance of the conservation area-** *The proposed bow front balcony extension will detract from the character of the conservation area in that it will give greater visual prominence to the addition and reduce the visual dominance of the original building. The works will result in a detracting element and will likely result in the property losing its Contributory status and it being downgraded to Neutral status.*

*The North Sydney DCP planning controls seek to enhance the local existing heritage character in Kurraba Point Conservation Area. The close proximity of the proposed bow front form to the faceted bays will result in visual competition between the two (as shown in the image below at 57 Cremorne Rd). Retention of the existing approved balcony is therefore recommended. It should also be noted that the approved balcony projects beyond that previously recommended.*



*The primary façade showing southern faceted bay addition c 1930s.  
Image: John OultramHeritage Impact Statement August 2023*



*57. Cremorne Rd showing visual conflict between later curved addition and a faceted bay*

**13.6.1 General Objective O2 Ensure that contributory items are retained and where practical improved, with a focus to locate new work to the rear or away from publicly visible elevations of the building-** *The proposal does not comply as the balcony extension will be seen in the context of the primary façade and will be visible from the public domain.*

**13.6.2 Form, Massing and Scale - Objective O1 To ensure new development has a compatible and complementary building form and scale to that which characterises the conservation area-** *The form of the balcony extension on the north-eastern corner will be inconsistent with the character of the conservation area as discussed above.*

**13.6.3 Roofs - Objective O1 To maintain the characteristic roof profiles and roofing materials within a heritage conservation area-** *The proposed change of roof cladding on the garages to Custom Orb is acceptable. No objection is raised to the new roof framing and new roof slates.*

**13.6.5 Internal Layouts – Objective O1- To ensure that significant interiors are retained-** *No objection is raised to the proposed changes as the building has been significantly modified internally and it is not a heritage item.*

**13.9.3 Verandahs and Balconies- Provision P5 The design, proportions and detailing of new balconies is to relate to the style, detail and period of the building, and any characteristic elements of the conservation area-** *The existing building had an open balcony to the south of the central faceted bay. This was enclosed and extended with faceted detailing in the c. 1930s. The proposed bow front extension will project the approved balcony further forward such that it will contrast and visually compete with the character of the original dwelling. In addition, it will further confuse the legibility of the original front façade as the proportions of later additions will be perceived as greater than the remnant proportion of original fabric.*

**13.9.4 Materials - Objective O1 To ensure that materials and finishes are consistent with the characteristic elements of the heritage item or heritage conservation areas-** *The proposed materials schedule is acceptable.*

### **3. Conclusion**

*The proposed extension and bow front addition to the balcony is not supported. The approved balcony sits in line with the western edge of the faceted bay such that its visual impact is limited. The proposed bow front to the balcony will project further to the east such that it is not set behind the faceted bay and will visually compete with it. The recessed link element between the original built form and the later 1930s addition is inadequate in width to provide adequate visual separation between the faceted bay and the bow front balcony. As a result, the bow front balcony will visually detract from the form of the building. The northern side addition will no longer be visually submissive to the original building but will compete with the existing elements on the primary façade.*

*It is therefore recommended that the bow front addition be deleted from the proposal, otherwise the property is likely to be downgraded from Contributory status to Neutral status. Council's controls are written to encourage positive heritage outcomes to both Neutral and Contributory items and does not support the addition of further detracting elements.*

*No objection is raised to the proposed interior changes, reconstruction of the northern gable changes in roof cladding to Custom Orb 35, new roof slates, new roof insulation, amended parapet walls, new downpipes and changes to box gutters, new timber windows and doors to replace rotten windows and doors, deletion of the southern window W103, the new flue for a fire place, amended terrace walls in the garden and the reconstruction of walls at the rear of the building for structural purposes.*

*Subject to the deletion of the curved balcony addition on the primary façade, please apply the following conditions:*

#### **AA1 Amended Plans (Heritage Requirements)**

*In relation to certain details as shown on various drawings itemised in the table (the table of approved plans and documents), the following amendments must be made to drawings submitted with an application for a construction certificate:*

- a) *The north-eastern modifications including bow front balcony additions and associated bow front roof are not approved. These details are to be included in construction certificate drawings and constructed as shown in the stamped approved plans for DA 130/21 dated 19 September 2022.*
- b) *Amended door D08 on the northern gable end is not to be glazed but is to be constructed from a solid material and painted to match the rough cast rendered gable surrounds such that it is visually unobtrusive. These details must also be included in a construction certificate application.*

*(Reason: To ensure significance of the dwelling and character of the Conservation Area is retained.)*

1. *The following condition be amended as follows:*

#### **A5. External Finishes & Materials**

*External finishes and materials must be in accordance with the submitted schedule dated July 2023, prepared by BTB Architecture Studio and received by Council on 4 August 2023, unless otherwise modified by condition or by Council in writing.*

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

The heritage planner's comments are noted and included in the recommendation. The key change proposed made by the Panel was replacing a proposed curved profile of the roof's leading eastern edge and two upper level balconies of the extension, to a flat profile that did not protrude in front of the extant building, a contributory item in the Kurraba Point Heritage Conservation Area.



This modification application seeks to restore the curved form of the roof and balconies, although with a more subtle curve than originally proposed. The modifications are generally supported, subject to the design retaining the flat profile of the eastern extension's roof and balconies, as originally approved.

Council's conservation planner recommends this, so the addition does not compete visually with the original form and so the building maintains its contributory value to Kurraba Point's heritage Conservation Area.

## **EXTERNAL REFERRALS**

None required.

## **CONSIDERATION**

Council is required to assess the s. 4.55 (2) application under the EPA Act 1979 (As amended) having regard to the following matters:

### **Section 4.55 (2)**

#### ***Other modifications***

*A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—*

- (a) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- (c) *it has notified the application in accordance with—*
  - (i) *the regulations, if the regulations so require, or*
  - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

Comments are provided on the above matters in section 4.55 (2) as follows:

- (a) ***it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and***

**Consideration:** The application involves a series of minor modifications generally within the approved building envelope. Approved density and use are not altered. All are satisfactory except the roofline and balconies, which are recommended to remain as approved. The modified development proposal is qualitatively and quantitatively substantially the same as the approved development.

(b) ***it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and***

**Consideration:** The proposal did not require any referral to another public authority.

(c) ***Whether the application has been notified and, if so, were there any submissions***

The application was notified to adjoining properties and the Kurraba Precinct under section 3.6 of the North Sydney Community Engagement Protocol inviting comment on the proposal.

(d) ***Whether submissions made have been considered***

**Consideration:** Council received one submission, which was considered above.

Section 4.55 (3) EP&A Act requires relevant matters of section 4.15 (1) and the reasons for the original approval, to be considered in assessing an application to modify a consent. This assessment is presented hereunder.

**Consideration – Reasons for granting consent:** Of relevance to the subject modification, the original reason for amending the roof and balcony profiles provided in the minutes of the Panel’s meeting on 3 August 2022, stated:

*The Panel notes the existing dwelling is a contributory item in the conservation area and the new addition requires a more nuanced architectural response that defers to the existing heritage building.*

The conservation planner has concluded that the balcony (and roof) profiles should remain subservient to the original dwelling, the applicant contends via the heritage statement submitted (Attachment 3), which concludes:

*Overall, we consider that the amended proposals are relatively minor changes to the approved design and will not result in any major changes to the form and detail of the house.*

*The amended proposals and pay due regard to the low level of significance of the house and will retain its most significant, external aspects.*

*We consider the amended proposals will have no additional impact on the heritage item in the vicinity, no further impact on the surrounding conservation area and remain in line with the heritage provisions of the NSDCP.*

*In heritage terms, we consider that the amended proposals should be approved.*

## **MATTERS FOR CONSIDERATION UNDER SECTION 4.15**

### **SEPP (Biodiversity and Conservation) 2021**

#### **Division 2, Part 6.2 – Development in regulated catchments**

The following clauses must be considered in approving an application to develop land in the Sydney Harbour Catchment:

- 6.6 Water quality and quantity
- 6.7 Aquatic ecology
- 6.8 Flooding
- 6.9 Recreation and public access
- 6.10 Total catchment management

**Evaluation:** The modifications proposed do not alter the approved development's consistency with applicable provisions.

#### **Clause 6.28 General – Development in Foreshores and Waterways Area**

The site is in the Foreshores and Waterways Area and this clause sets out a broad array of criteria for consideration for proposed development. Only one paragraph applies to the proposed modification application:

- (2) *Development consent must not be granted to development in the Foreshores and Waterways Area unless the consent authority is satisfied of the following—*
  - (e) *the unique visual qualities of the Foreshores and Waterways Area and its islands, foreshores and tributaries will be enhanced, protected or maintained, including views and vistas to and from—*
    - (i) *the Foreshores and Waterways Area,*

**Evaluation:** The proposed modifications, compared to the approved development would not affect the development's consistency with this provision. When viewed from greater distances, in the context of the harbour and surrounding foreshore areas, the modified development's contribution (as proposed or as recommended) to the area's scenic qualities will be similar to that approved.

However, in the context of the heritage conservation area and the extant building's contribution to the heritage values of the conservation area, proposed modifications to the roof and balconies are unacceptable.

### **SEPP (BASIX) 2004**

The proposed development does not require a new BASIX certificate, due to the minor scale and nature of the modifications proposed, as confirmed by the applicant.

## **NORTH SYDNEY LOCAL ENVIRONMENT PLAN 2013**

### **Permissibility**

The works proposed involve changes to an approval to make alterations and additions to an attached dual occupancy, which are permissible with consent in the R2 Low Density Residential zone that applies to the site.

#### **1. Objectives of the zone**

The objectives of the R2 Low Density Residential zone are stated below:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To encourage development of sites for low density housing, including dual occupancies, if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area.*
- *To ensure that a high level of residential amenity is achieved and maintained.*

The modifications do not alter the approved development's consistency with relevant zone objectives.

### **Height of Building**

The following objectives for the permissible height limit 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.*

The modifications do not change the height of the approved development. A variation to the height maximum was approved as the application satisfied clause 4.6's requirements to approve applications non-compliant with a development standard.

The modified proposal remains consistent with the standard's objectives.

## Heritage Conservation

The following objectives apply to the proposal:

- (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.

The conservation planner's assessment has considered these objectives.

## NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013

<b>DEVELOPMENT CONTROL PLAN 2013 – Part B Section 1- Residential Development</b>		
<i>Provision</i>	<i>Complies</i>	<i>Comments</i>
<b>1.2 Social Amenity - Provisions only apply to residential flat development</b>		
<b>1.3 Environmental Criteria</b>		
<b>1.3.1 Topography</b>	Yes.	The height of the building relevant to site terrain is not changed. The development does not involve any significant earthworks.
<b>1.3.2 Bushland</b>	N/A	
<b>1.3.3 Bush Fire Prone Land</b>	N/A	
<b>1.3.4 Foreshore Frontage</b>	N/A	
<b>1.3.6 Views</b>	Yes.	The proposed modifications do not alter the approved development's compliance with this provision.
<b>1.3.7 Solar Access</b>	Yes.	As above.
<b>1.3.8 Acoustic Privacy</b>	N/A	
<b>1.3.9 Vibration</b>	N/A	
<b>1.3.10 Visual Privacy</b>		As above.
<b>1.4 Quality built form</b>		
<b>1.4.1 Context</b>	No.	As concluded by the heritage assessment, the heritage context of the approved development as proposed to be modified, is unacceptable. Retaining the approved built form is necessary to ensure an appropriate contextual outcome.
<b>1.4.2 Subdivision Pattern</b>	N/A	
<b>1.4.3 Streetscape</b>	N/A	
<b>1.4.4 Laneways</b>	N/A	
<b>1.4.5 Siting</b>	Yes	Siting of the building remains substantially the same as the approved alterations and additions.
<b>1.4.6 Setback – Side</b>	N/A	Side setbacks are unchanged.

<b>DEVELOPMENT CONTROL PLAN 2013 – Part B Section 1- Residential Development</b>		
<i>Provision</i>	<i>Complies</i>	<i>Comments</i>
<b>P1 Front setback</b> • To match adjoining properties <b>P5 Rear Setback – Rear</b> • To match adjoining properties <b>P7 Laneways</b> <b>P8 Building Separation</b>	Yes	The revision to the balcony balustrades makes them project forward of the approved building extension, by 700mm.  Apart from the heritage impact, the overall effect of the amendment satisfies (rear) setback objectives of the DCP, as they would not significantly affect neighbour amenity. Neither would they appreciably impact occupant amenity.
<b>1.4.7 Form Massing Scale</b>	N/A	Form and massing are altered by the proposal modification.
<b>1.4.8 Built Form Character</b>	No	Due to the inconsistency with heritage requirements, change to the built form character of the building will be unsatisfactory.
<b>1.4.9 Dwelling Entry</b>		
<b>1.4.10 Roofs</b>	Yes	Roof shape, height and materials are consistent with the approved development.
<b>1.4.11 Dormers</b>	N/A	
<b>1.4.12 Materials</b>	Yes.	Materials proposed to be used in the modifications are consistent with those approved.
<b>1.4.13 Balconies – Apartments</b>	N/A	
<b>1.4.14 Front Fences</b>	N/A	
<b>1.5 Quality Urban Environment - not applicable to subject application</b>		
<b>1.6 Efficient Use of Resources - not applicable to subject application</b>		

## CHARACTER STATEMENTS – PART C

### *Kurraba Point Heritage Conservation Area*

The Conservation Planner's assessment above has considered the impacts of the proposed changes on the area's heritage values.

## SECTION 7.12 CONTRIBUTIONS PLAN

As the estimated cost of development will not change as a result of the design amendments, the condition requiring payment of a local infrastructure contribution remains unaltered.

## REASONS FOR ORIGINAL APPROVAL

The reasons the Sydney North Planning Panel approved the original application are quoted from the Panel's determination:

### **Panel Determination**

*Pursuant to the provisions of Clause 4.6 of the North Sydney Local Environmental Plan 2013 ("the LEP"), the Panel is satisfied that the written request to the contravention of the Height of Buildings development standard in clause 4.3 of the LEP, adequately addresses the required matters in clause 4.6 of the LEP. In the opinion of the Panel the written request demonstrates that compliance with the development standard is unnecessary in the circumstances of the case and the written request identifies sufficient environmental planning grounds to justify the contravention. Further, the Panel considers that the development will be in the public interest because it is consistent with the objectives of the standard and the zone objectives.*

*The Panel members have undertaken independent site inspections where necessary prior to the meeting and considered all submissions prior to determination.*

*The Council Officers Report, Recommendation and Conditions are endorsed by the Panel subject to the following amendments:*

#### **AA. Deferred Commencement Conditions**

*This consent shall not operate until the following deferred commencement condition(s) has/have been satisfied.*

***The applicant must satisfy Council's Manager Development Services as to the matters specified in the deferred commencement condition within 12 months of the date of the grant of this consent.***

***If the applicant fails to satisfy Council's Manager Development Services as to the matters specified in the deferred commencement condition within 12 months of the date of the grant of this consent this consent will lapse in accordance with Section 95(6) of the Environmental Planning and Assessment Act 1979.***

*NOTE: Consideration should be given to providing the evidence to Council to allow sufficient time to consider the same and form a view as to whether the deferred commencement conditions are satisfied or not. You are also advised of your appeal rights under clause 95(6) of the Environmental Planning and Assessment Regulation 2000, which provides that: If the consent authority has not notified the applicant within the period of 28 days after the applicant's evidence is produced to it, the consent authority is, for the purposes only of section 97 of the Act, taken to have notified the applicant that it is not satisfied as to those matters on the date on which that period expires.*

#### **Amendments to Design**

*AA1 The following amendments are to be made to the drawings, to be submitted for approval by the Council's Manager Development Services prior to an application being made for any Construction Certificate:*

- a) *The balconies proposed on the eastern façade of the addition on the northeastern corner of the building, must be set back to the original primary building line (behind the faceted bay).*

- b) *The form and materials of any new balconies must be sympathetic to the Federation Arts and Crafts style architecture and not visually compete with the existing faceted bays on the primary façade.*
- c) *Solar panels on the dwelling only as shown on the drawings shall be tilted to not more than 5 degrees above the horizontal above the roof, to reduce their visual impact. Alternatively, solar tiles may be used on any side or rear roof planes.*

*(Reason: To ensure that the heritage significance of the dwelling and conservation area is retained)*

**Panel Reason:**

*The Panel notes the existing dwelling is a contributory item in the conservation area and the new addition requires a more nuanced architectural response that defers to the existing heritage building.*

**Evaluation:** The only aspects of the proposed modifications inconsistent with the panel's reasons, namely paragraph (a) of the deferred commencement condition, are the amended balustrades and roof to the extension, as discussed.

To be consistent with the Panel's previous decision and the conservation planner's assessment of the modification, maintaining the balconies as originally approved, and adding a condition to ensure the door in the north facing roof gable above the addition is suitably finished is recommended, and the remaining proposed alterations as shown on the architectural plans are recommended for approval.

<b>ENVIRONMENTAL APPRAISAL</b>	<b>CONSIDERED</b>
1. Statutory Controls	Yes
2. Policy Controls	Yes
3. Design in relation to existing building and natural environment	Yes
4. Landscaping/Open Space Provision	N/A
5. Traffic generation and Carparking provision	N/A
6. Loading and Servicing facilities	N/A
7. Physical relationship to and impact upon adjoining development (Views, privacy, overshadowing, etc.)	Yes
8. Site Management Issues	N/A
9. All relevant S4.15 considerations of Environmental Planning and Assessment (Amendment) Act 1979	Yes
10. Section 89 LGA 93 including Clause 12 Consideration of Local Government (Approvals) Regulation 1993	N/A



## PUBLIC INTEREST

The proposal is in the public interest for the reasons stated throughout this report.

## SUITABILITY OF THE SITE

As recommended, the modified application is suited to the site.

## SUBMITTERS CONCERNS

As noted, the single submission has been considered. The impact on view sharing of the proposal will be reasonable, the same as the approved development.

## CONCLUSION & REASONS

The proposed modifications do not result in any adverse amenity impact on adjoining properties. The proposed modifications (as recommended) are consistent with the reasons for the grant of development consent to the originally approved application, and are acceptable on heritage grounds.

Having regard to the provisions of section 4.55 & 4.15 (1) of the Environmental Planning and Assessment Act 1979, the proposed development as modified is substantially the same development as originally consented to. The application is therefore recommended for **approval**.

## RECOMMENDATION

PURSUANT TO SECTION 4.55 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

**THAT** the North Sydney Planning Panel exercising the functions of Council approve the modification of development consent DA 130/21/2 in respect of the approved alterations and additions to a dual occupancy at 172 Kurraba Road Kurraba Point, under the provisions of Section 4.55 of the Environmental Planning and Assessment Act 1979, only insofar as the modification will provide for the following:

### 1. The table to condition A1 being replaced with the following table:

Plan No.	Issue	Title	Drawn by	Received
A00	E	Coversheet	BTB Architecture Studio	July 2023
A02	E	Proposed site plan	BTB Architecture Studio	July 2023
A03	E	Proposed lower ground plan	BTB Architecture Studio	July 2023
A04	E	Proposed ground floor plan	BTB Architecture Studio	July 2023
A05	E	Proposed first floor plan	BTB Architecture Studio	July 2023
A06	E	Proposed roof plan	BTB Architecture Studio	July 2023
A07	E	Proposed elevation - north	BTB Architecture Studio	July 2023
A08	E	Proposed elevations - south	BTB Architecture Studio	July 2023
A09	E	Proposed elevations - west/section D	BTB Architecture Studio	July 2023
A10	E	Proposed elevations - east	BTB Architecture Studio	July 2023
A11	E	Proposed section A	BTB Architecture Studio	July 2023
A12	E	Proposed section B	BTB Architecture Studio	July 2023
A12.1	D	Proposed section C	BTB Architecture Studio	16/08/22
A12.2	D	Proposed section E and F	BTB Architecture Studio	16/08/22
A12.3	D	Proposed section G	BTB Architecture Studio	16/08/22

A13	E	Proposed material and finishes schedule	BTB Architecture Studio	July 2023
A14	D	Erosion and sediment control plan	BTB Architecture Studio	16/08/22
A24		BASIX and general notes	BTB Architecture Studio	16/08/22
DEM01	E	Ground floor demolition plan	BTB Architecture Studio	July 2023
DEM02	E	First floor demolition plan	BTB Architecture Studio	July 2023
DEM03	E	Roof demolition plan	BTB Architecture Studio	July 2023
LA-001	E	Schedules and landscape calculations	Jane Irwin Landscape Architecture	10/11/2021
LA101	E	Site pan	Jane Irwin Landscape Architecture	10/11/2021
LA-201	F	Landscape plan	Jane Irwin Landscape Architecture	10/11/2021
SWD1876 Sheet 1/2	-	Stormwater general notes	BMB Engineers	23/02/2021
SWD1876 Sheet 2/2	-	Stormwater concept plan	BMB Engineers	23/02/2021

**2. The following being inserted at the end of condition A1:**

In relation to certain details as shown on various drawings itemised in the table, the following amendments must be made to drawings submitted with an application for a construction certificate:

- a) The north-eastern modifications including bow front balcony additions and associated bow front roof are not approved. These details are to be included in construction certificate drawings and constructed as shown in the stamped approved plans for DA 130/21 dated 19 September 2022.
- b) Amended door D08 on the northern gable end is not to be glazed but is to be constructed from a solid material and painted to match the rough cast rendered gable surrounds such that it is visually unobtrusive. These details must also be included in a construction certificate application.

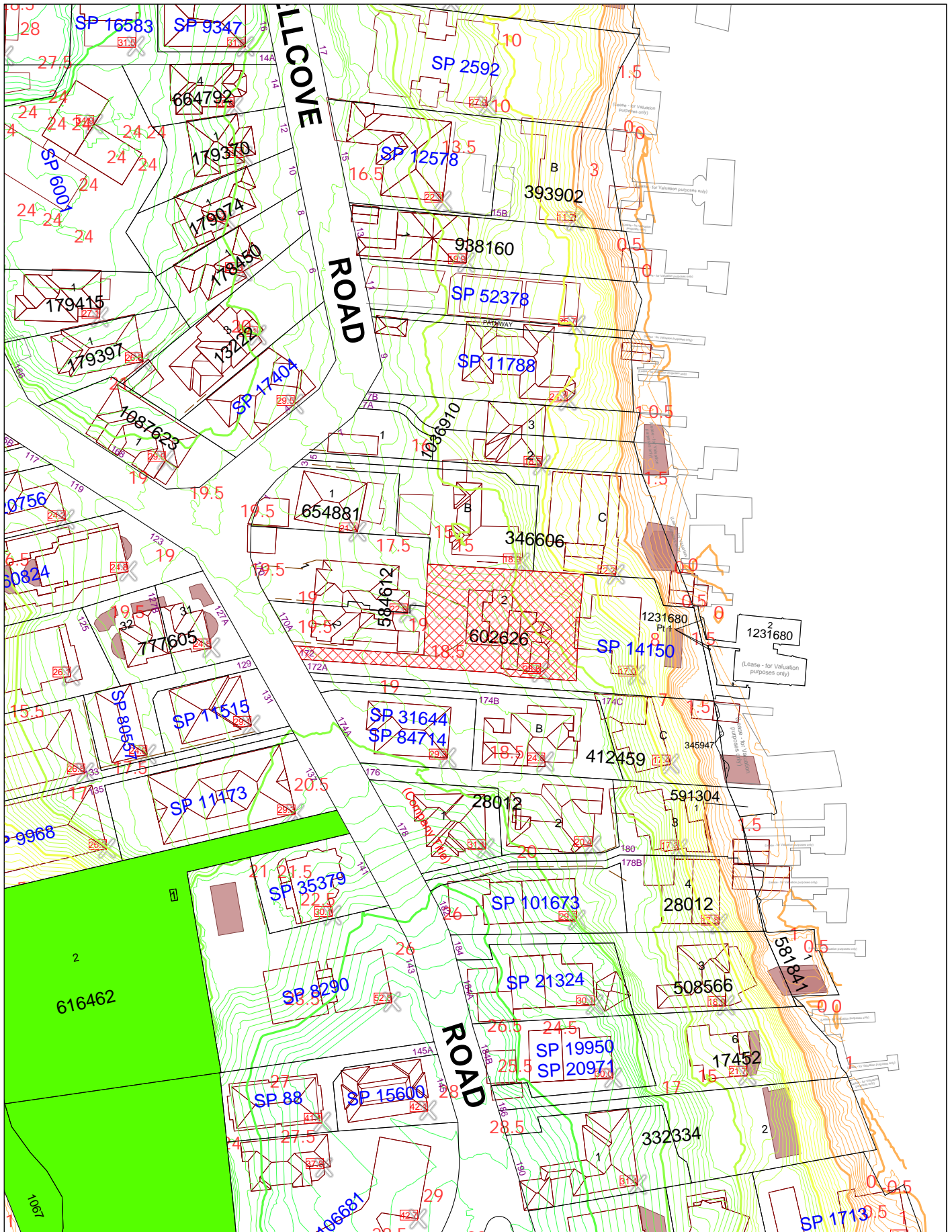
(Reason: To ensure significance of the dwelling and character of the Conservation Area is retained.)

**3. Condition A4 being replaced by the following:**

**A4. External Finishes & Materials**

External finishes and materials must be in accordance with the submitted schedule dated July 2023, prepared by BTB Architecture Studio and received by Council on 4 August 2023, unless otherwise modified by another condition of this consent or by Council in writing.

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

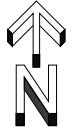


**North Sydney Council**

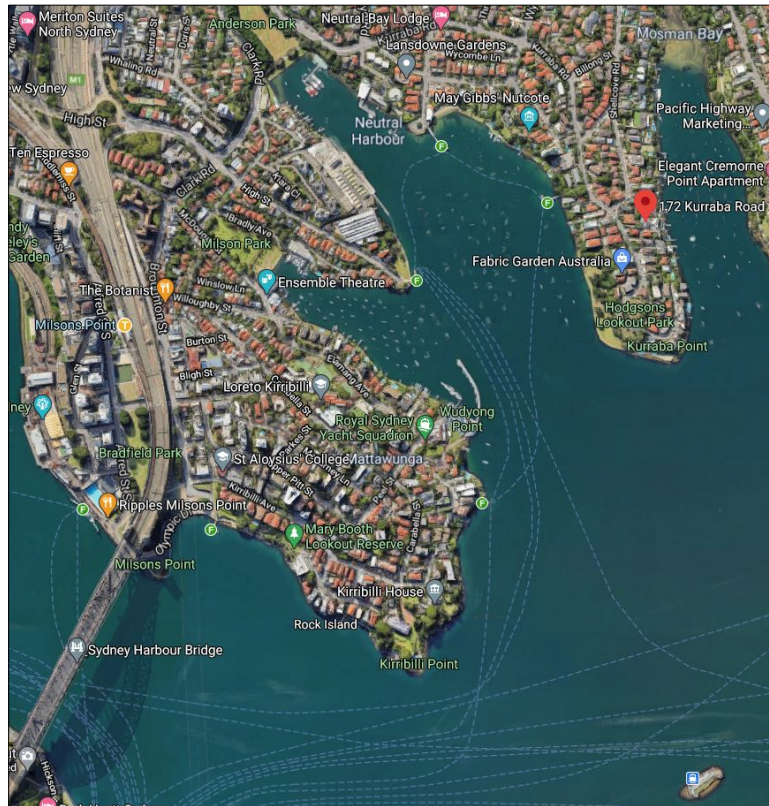
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Further details can be obtained by calling (02) 9936 8100 or e-mail mapping@northsydney.nsw.gov.au.

Scale: 1:1200 approx.







AERIAL LOCATION IMAGES - NTS



**DRAWING LIST**

NO.	TITLE	SCALE
<b>ARCHITECTURAL DRAWINGS</b>		
A00 E	Coversheet	NTS
A01 E	Site Analysis	1:200 @ A3
A02 E	Proposed Site Plan	1:200 @ A3
A03 E	Proposed Lower Ground Plan	1:100 @ A3
A04 E	Proposed Ground Floor Plan	1:100 @ A3
A05 E	Proposed First Floor Plan	1:100 @ A3
A06 E	Proposed Roof Plan	1:100 @ A3
A07 E	Proposed Elevations - North	1:100 @ A3
A08 E	Proposed Elevations - South	1:100 @ A3
A09 E	Proposed Elevations - West / Section D	1:100 @ A3
A10 E	Proposed Elevations - East	1:100 @ A3
A11 E	Proposed Section A	1:100 @ A3
A12 E	Proposed Section B	1:100 @ A3
A13 E	Proposed Material + Finishes Schedule	1:100 @ A3
A14 E	3D Views	NTS
A15 E	Notification Plans	xxxxx @ A4
<b>DEMOLITION PLANS</b>		
DEM01E	Ground Floor Demolition Plan	1:100 @ A3
DEM02E	First Floor Demolition Plan	1:100 @ A3
DEM03E	Roof Demolition Plan	1:100 @ A3

**CONSULTANT DRAWING LIST**

NO.	TITLE	SCALE
<b>SURVEY DRAWINGS - PREPARED BY BEVERIDGE WILLIAMS LAND DEVELOPMENT CONSULTANTS</b>		
SHEET 1	DETAIL SURVEY PLAN	1:100 @ A1
SHEET 2	DETAIL SURVEY PLAN	1:100 @ A1
SHEET 3	DETAIL SURVEY PLAN	1:100 @ A1
SHEET 4	DETAIL SURVEY PLAN	1:100 @ A1
<b>LANDSCAPE DRAWINGS - PREPARED BY JANE IRWIN LANDSCAPE ARCHITECTURE</b>		
LA-000	Coversheet	N/A
LA-001	Schedules + Landscape Calculations	N/A
LA-101	Site Plan	1:200 @ A3
LA-201	Landscape Plan	1:100 @ A3
<b>HYDRAULIC ENGINEER - PREPARED BY BMB ENGINEERS</b>		
SWD1876 Sheet 1/2	Stormwater General Notes	N/A
SWD1876 Sheet 2/2	Stormwater Concept Drainage Plan	1:200 @ A3

SECTION 4.55 AMENDMENTS TO APPROVED DA DRAWING.  
'E'

**WALL KEY - PLAN + SECTION**

	prp lightweight construction		prp concrete construction
	prp masonry construction		existing walls
	prp metal construction		existing walls to be demolished
	existing masonry to be rebuilt		

**MATERIAL KEY - ELEVATION**

	timber finish		concrete / cement render finish
	slate / roof tile finish		stone finish
	metal finish		extent of exg to be demolished

ISSUE	DATE	DESCRIPTION
E	27/7/23	SECTION 4.55
D	16/8/22	REVISED DA ISSUE IN RESPONSE TO LPP CONDITIONS
C	10/11/21	REVISED DEVELOPMENT APPLICATION
B	26/2/21	ISSUED FOR DEVELOPMENT APPLICATION

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Nominated Architect Brent Trousdale ARB 7718  
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ISSUE	DATE	REVISION	PROJECT #	2015
PROJECT			DATE #	JULY 2023
PROJECT			SCALE @ A3	1:1
DWG			DRAWN	MR / AK
DWG			CHKD	BT
DWG			REVISION	E

**A00**

SECTION 4.55 AMENDMENT

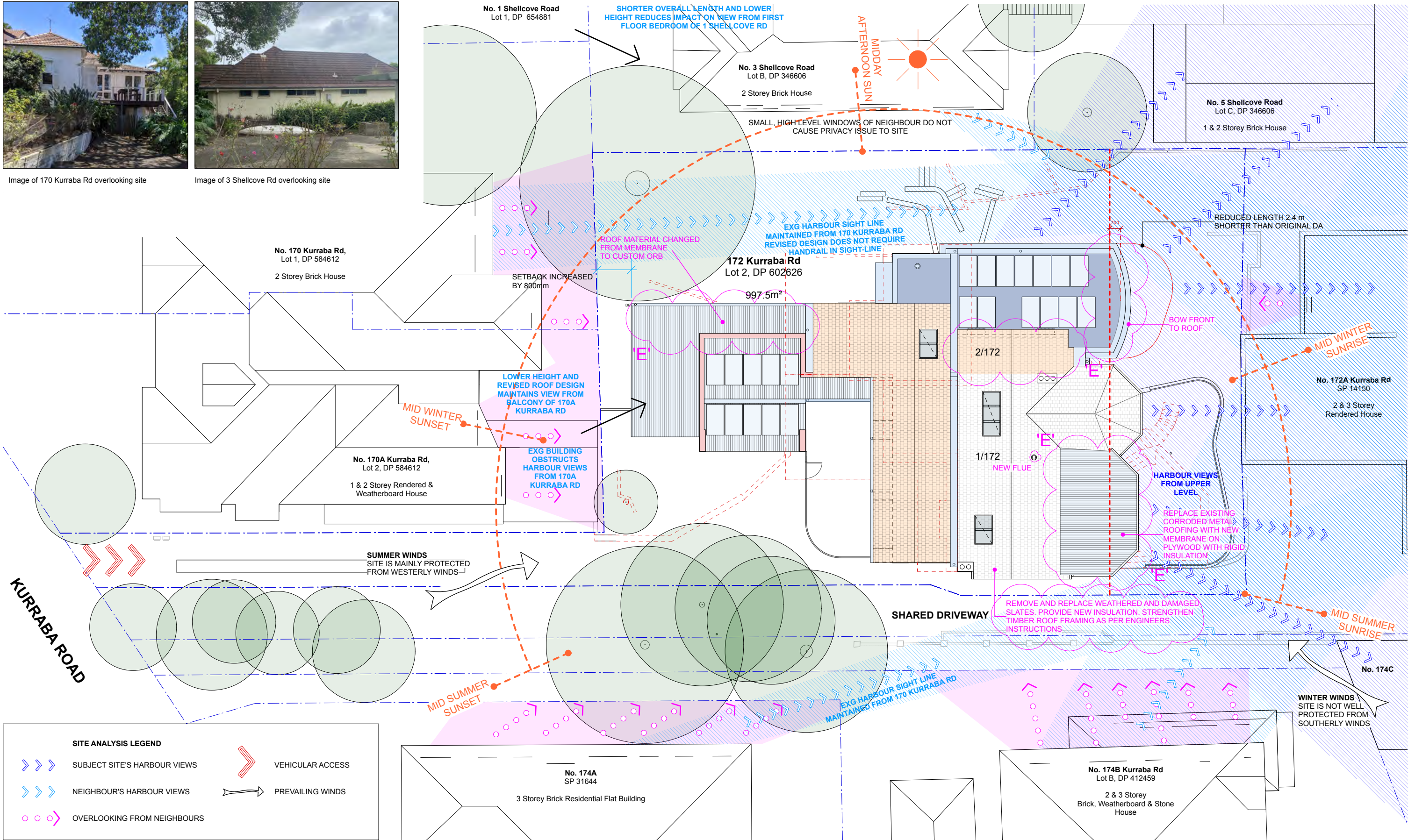




Image of 170 Kurraba Rd overlooking site



Image of 3 Shellcove Rd overlooking site



**SITE ANALYSIS LEGEND**

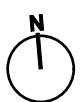
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- Light blue dashed line with arrows: NEIGHBOUR'S HARBOUR VIEWS
- Pink dashed line with circles: OVERLOOKING FROM NEIGHBOURS
- Red arrow: VEHICULAR ACCESS
- Black arrow: PREVAILING WINDS

**1 Ste Analysis**  
Scale: 1:200



KEY	CPD	cupboard	PRP	proposed	SK	skylight
AC	D	door	PW	plywood	SC	steel column
BDY	DP	downpipe	PV	photovoltaic panels	ST	stone cladding
BSN	EXG	existing	REN	render	TB	timber
C	HR	handrail	RL	reduced level	TF	timber flooring
CC	MF	metal fascia	SD	strip drain	TOW	top of wall
CT	PA	paving	SHR	shower	W	window

ISSUE	DATE	DESCRIPTION
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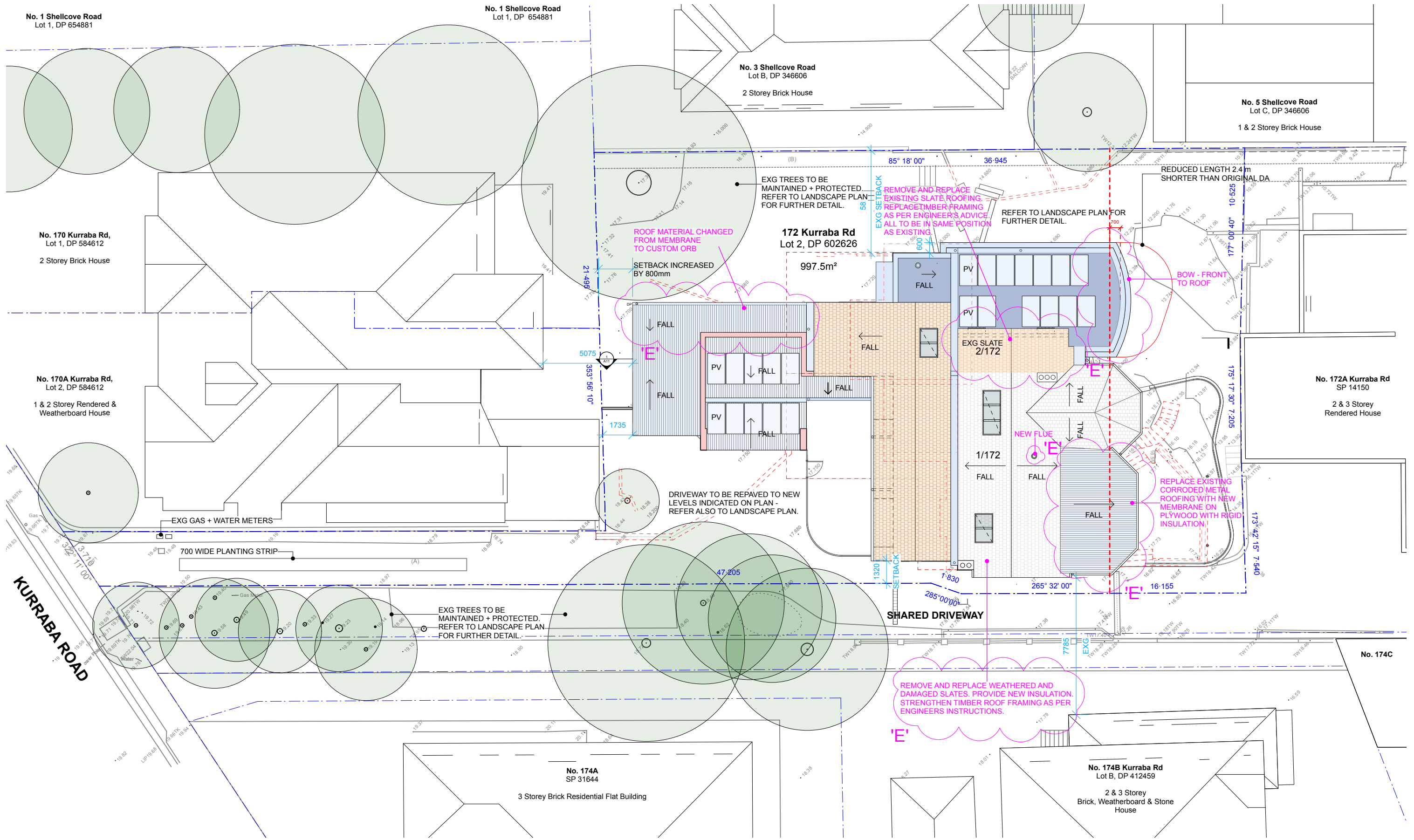


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ISSUE	DATE	REVISION	PROJECT #	2015
PROJECT	172 Kurraba Road, Kurraba Point, 2089		DATE #	JULY 2023
DWG	Site Analysis	SCALE @ A3	1:200	DWG #
CHKD		DRAWN	MR / AK	<b>A01</b>
		CHKD	BT	REVISION
				E

**SECTION 4.55 AMENDMENT**



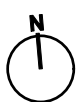
1 Site Plan - Proposed  
Scale: 1:200



KEY	CPD	PRP	SK
AC	cupboard	proposed	skylight
BDY	door	plywood	steel column
BSN	downpipe	photovoltaic panels	stone cladding
C	existing	render	timber
CC	handrail	reduced level	timber flooring
CT	metal fascia	strip drain	top of wall
	paving	shower	window

ISSUE	DATE
E	27/7/23
D	16/8/22
C	10/11/21
B	26/2/21

SECTION 4.55  
REVISED DA ISSUE IN RESPONSE TO LPP CONDITIONS  
REVISED DEVELOPMENT APPLICATION  
ISSUED FOR DEVELOPMENT APPLICATION

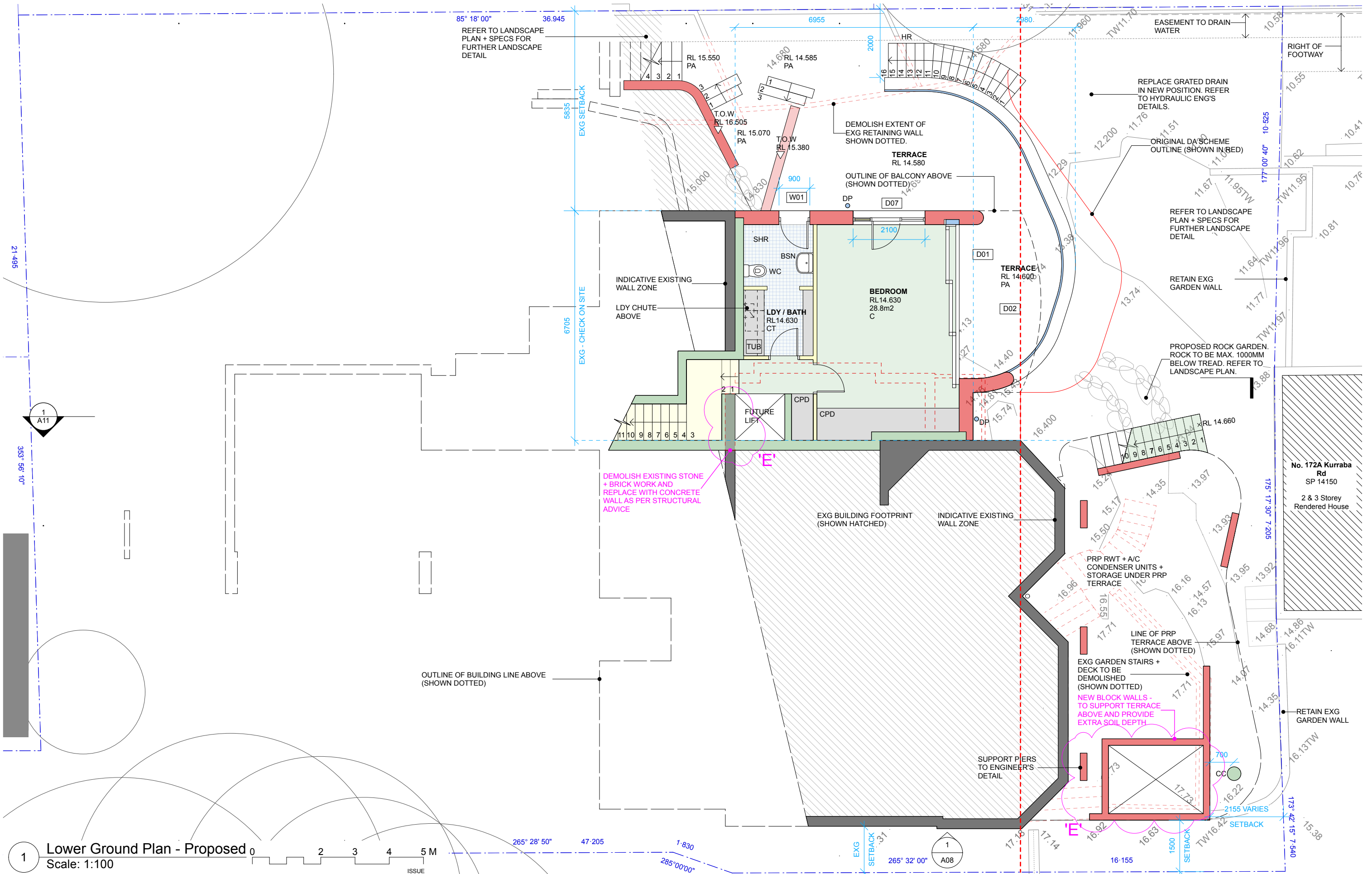


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ISSUE	DATE	REVISION	PROJECT #	2015
PROJECT	172 Kurraba Road, Kurraba Point, 2089		DATE #	JULY 2023
DWG	Proposed Site Plan		SCALE @ A3	1:200
CHKD	MR / AK	BT	DWG #	A02
			REVISION	E

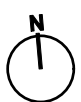




1 Lower Ground Plan - Proposed 0  
Scale: 1:100

KEY	AC	air-conditioning	BDY	boundary	BSN	basin	C	concrete	CC	concrete column	CT	ceramic tile	CPD	cupboard	D	door	DP	downpipe	EXG	existing	HR	handrail	MF	metal fascia	PA	paving	PRP	proposed	PW	plywood	PV	photovoltaic panels	REN	render	RL	reduced level	SD	strip drain	SHR	shower	SK	skylight	SC	steel column	ST	stone cladding	TB	timber	TF	timber flooring	TOW	top of wall	W	window
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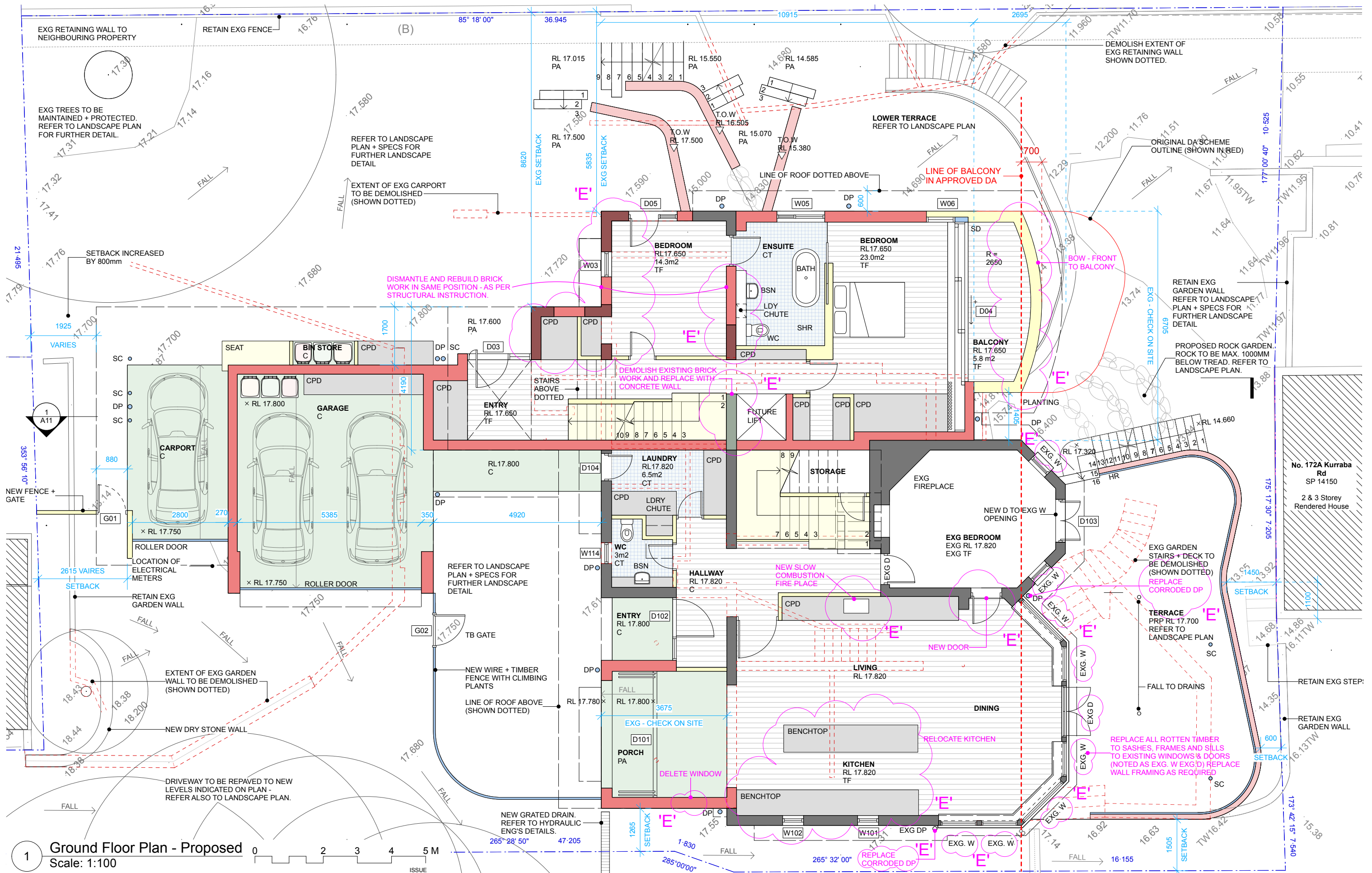
ISSUE	DATE	DESCRIPTION
E	27/7/23	SECTION 4.55 REVISED DA ISSUE IN RESPONSE TO LPP CONDITIONS
D	16/8/22	REVISED DA ISSUE IN RESPONSE TO LPP CONDITIONS
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ISSUE	DATE	REVISION	PROJECT #	2015
PROJECT			DATE #	JULY 2023
PROJECT			SCALE @ A3	1:100
PROJECT			DRAWN	MR / AK
PROJECT			CHKD	BT
PROJECT			REVISION	E

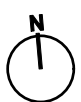
**A03**



1 Ground Floor Plan - Proposed  
Scale: 1:100

KEY	CPD	PRP	SK
AC	cupboard	PW	skylight
air-conditioning	door	proposed	steel column
BDY	DP	plywood	stone cladding
boundary	downpipe	photovoltaic panels	timber
BSN	EXG	render	TB
existing boundary	handrail	RL	TF
C	HR	reduced level	timber flooring
concrete	MF	strip drain	TOW
concrete column	PA	SHR	top of wall
CT			W
ceramic tile			window

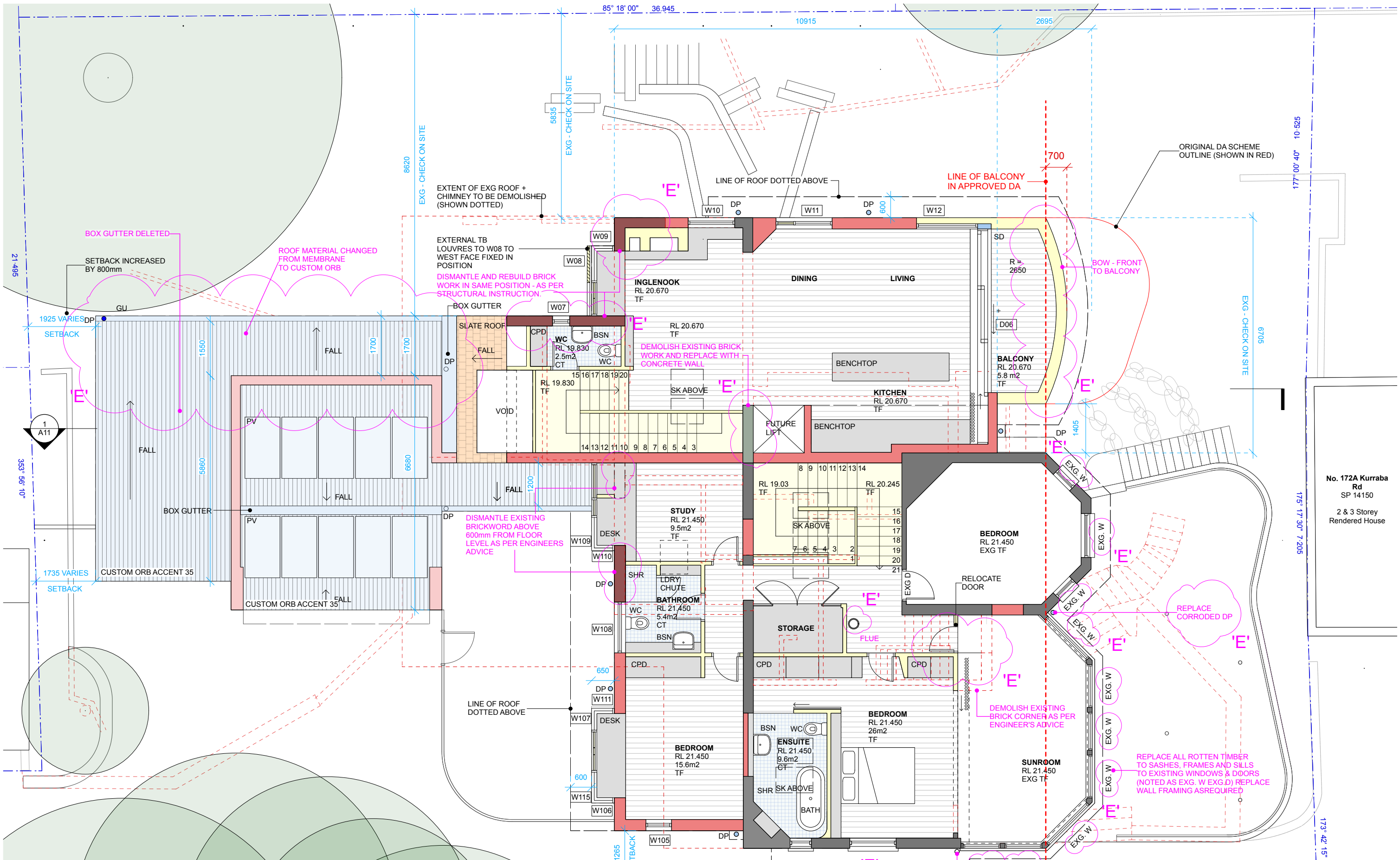
ISSUE	DATE	DESCRIPTION
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D	16/8/22	REVISED DA ISSUE IN RESPONSE TO LPP CONDITIONS
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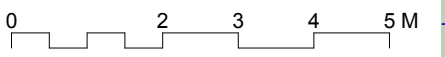
ISSUE	DATE	REVISION	PROJECT #	2015
PROJECT	172 Kurraba Road, Kurraba Point, 2089			DATE #
DWG	Proposed Ground Floor Plan			SCALE @ A3
	SECTION 4.55 AMENDMENT			1:100
	DRAWN	MR / AK	DWG #	A04
	CHKD	BT	REVISION	E





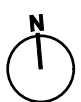
No. 172A Kurraba Rd  
SP 14150  
2 & 3 Storey  
Rendered House

1 First Floor Plan - Proposed  
Scale: 1:100



KEY	DESCRIPTION	KEY	DESCRIPTION	KEY	DESCRIPTION	KEY	DESCRIPTION
AC	air-conditioning	CPD	cupboard	PRP	proposed plywood	SK	skylight
BDY	boundary	D	door	PW	plywood	SC	steel column
BSN	basin	DP	downpipe	PV	photovoltaic panels	ST	stone cladding
C	concrete	EXG	existing	REN	render	TB	timber
CC	concrete column	HR	handrail	RL	reduced level	TF	timber flooring
CT	ceramic tile	MF	metal fascia	SD	strip drain	TOW	top of wall
		PA	paving	SHR	shower	W	window

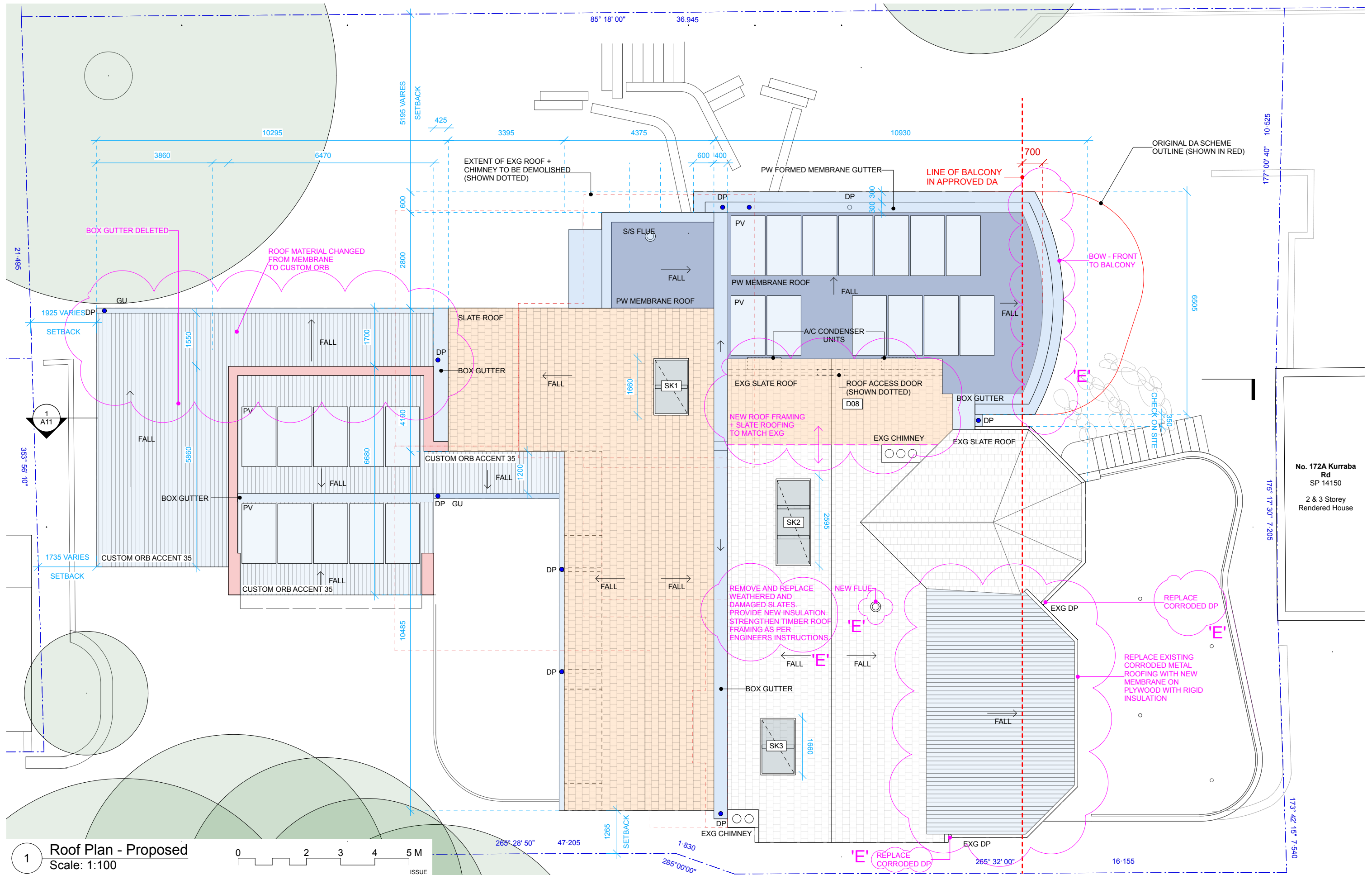
ISSUE	DATE	DESCRIPTION
E	27/7/23	SECTION 4.55
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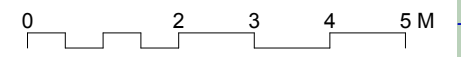
ISSUE	DATE	REVISION	PROJECT #	2015
PROJECT			DATE #	JULY 2023
PROJECT			SCALE @ A3	1:100
PROJECT			DRAWN	MR / AK
PROJECT			CHKD	BT
PROJECT			REVISION	E

**A05**



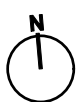
No. 172A Kurraba Rd  
SP 14150  
2 & 3 Storey Rendered House

1 Roof Plan - Proposed  
Scale: 1:100



KEY	CPD	PRP	SK
AC	D	PW	SC
BDY	DP	PV	ST
BSN	EXG	REN	TB
C	HR	RL	TF
CC	MF	SD	TOW
CT	PA	SHR	W
air-conditioning	cupboard	proposed	skylight
basin	door	plywood	steel column
boundary	downpipe	photovoltaic panels	stone cladding
concrete	existing	render	timber
concrete column	handrail	reduced level	timber flooring
ceramic tile	metal fascia	strip drain	top of wall
	paving	shower	window

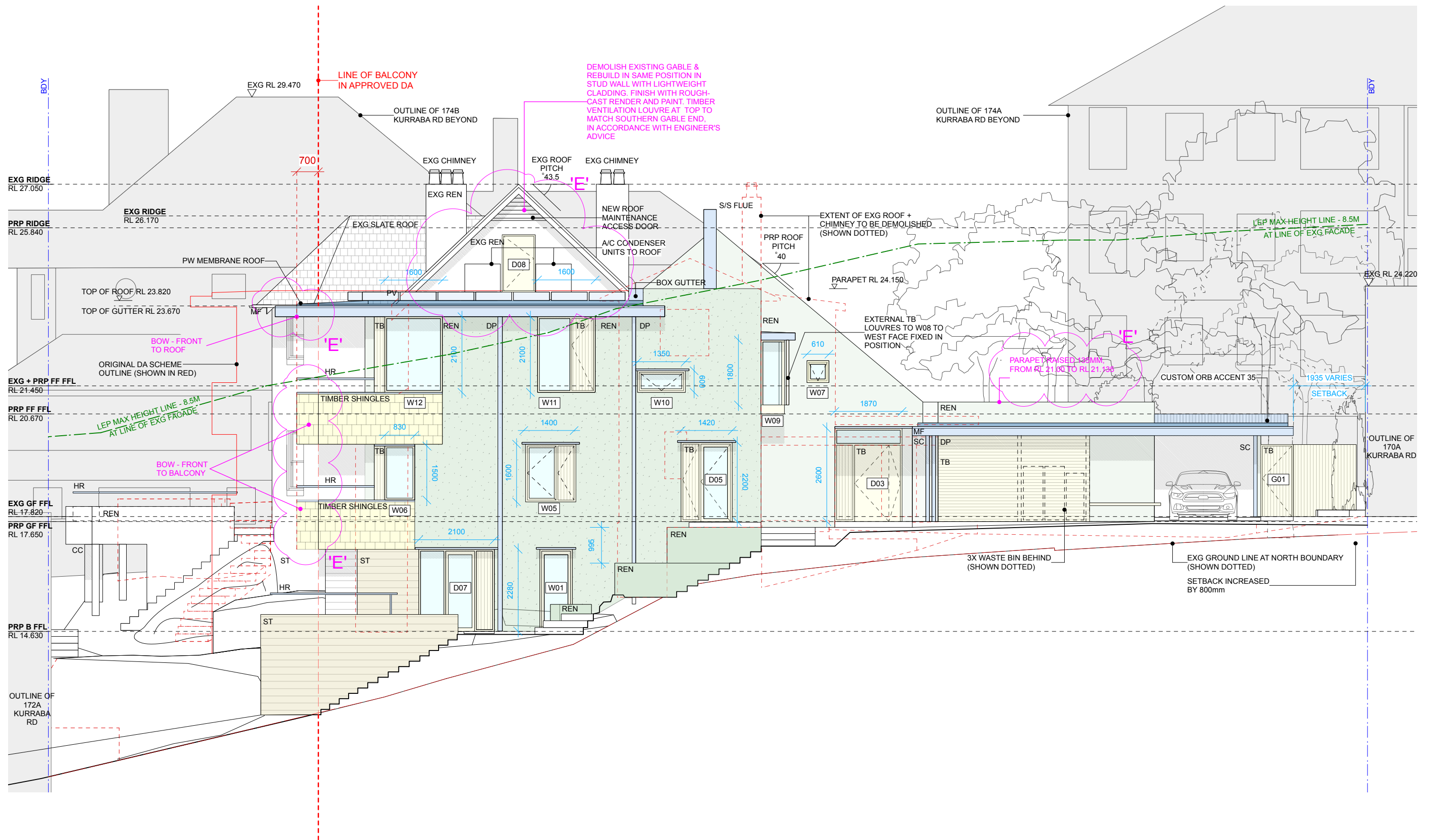
ISSUE	DATE	DESCRIPTION
E	27/7/23	SECTION 4.55
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ISSUE	DATE	REVISION	PROJECT #	2015
PROJECT			172 Kurraba Road, Kurraba Point, 2089	DATE # JULY 2023
DWG			Proposed Roof Plan	SCALE @ A3 1:100
CHKD			MR / AK	DWG #
REVISION			BT	REVISION
			E	<b>A06</b>

SECTION 4.55 AMENDMENT



1 North Elevation - Proposed  
Scale: 1:100

KEY	CPD	DP	EXG	HR	MF	PA	PRP	PW	PV	REN	RL	SD	SHR	SK	SC	ST	TB	TF	TOW	W
AC	air-conditioning	cupboard	downpipe	existing	handrail	metal fascia	proposed	plywood	photovoltaic panels	render	reduced level	strip drain	shower	skylight	steel column	stone cladding	timber	timber flooring	top of wall	window

ISSUE	DATE	DESCRIPTION
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B	26/2/21	ISSUED FOR DEVELOPMENT APPLICATION

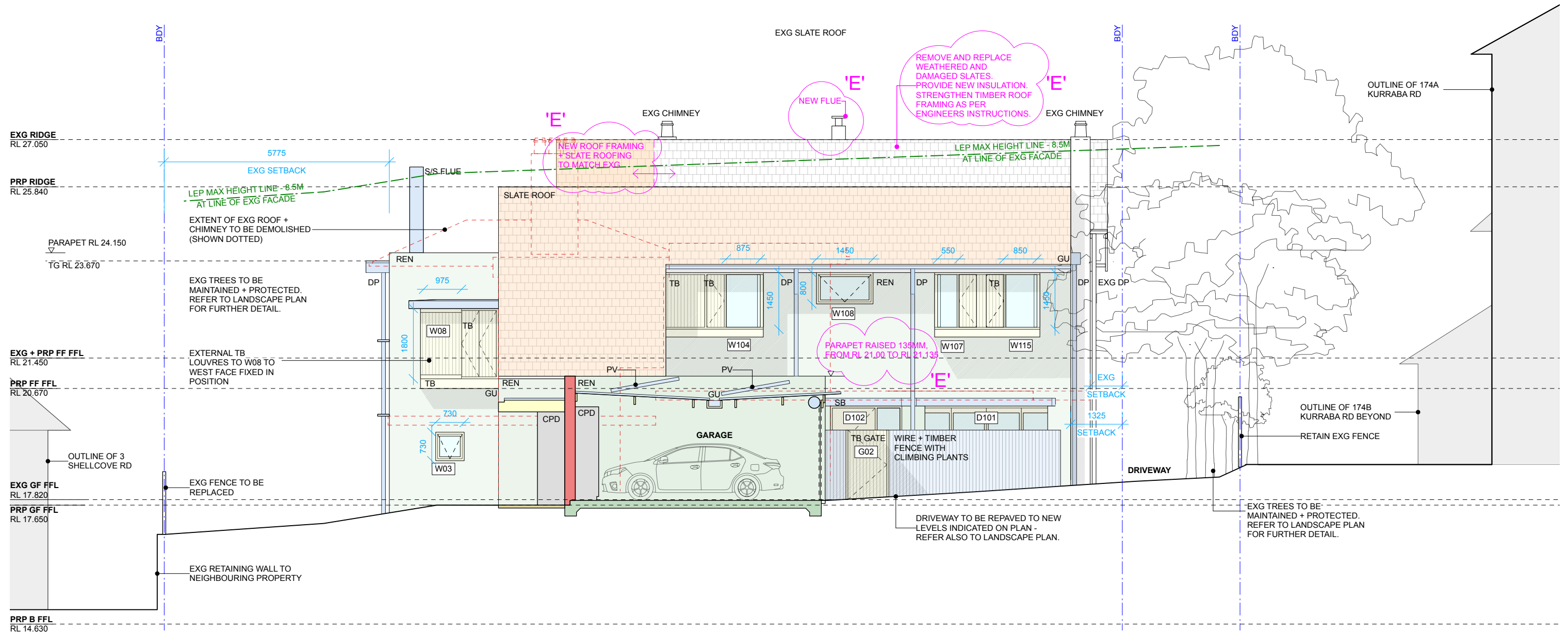
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ISSUE	DATE	REVISION	PROJECT #	DATE #	SCALE @ A3	DWG #
			2015	JULY 2023	1:100	A07
PROJECT			172 Kurraba Road, Kurraba Point, 2089			
DWG			Proposed Elevation - North			
			SECTION 4.55 AMENDMENT			
CHKD	MR / AK	BT	REVISION	E		







1 West Elevation - Proposed  
Scale: 1:100



KEY	CPD	DP	EXG	HR	MF	PA	PRP	PW	PV	REN	RL	SD	SHR	SK	SC	ST	TB	TF	TOW	W		
AC	air-conditioning	cupboard	door	downpipe	existing	handrail	metal fascia	paving	proposed	plywood	photovoltaic panels	render	reduced level	strip drain	shower	skylight	steel column	stone cladding	timber	timber flooring	top of wall	window

ISSUE	DATE	DESCRIPTION
E	27/7/23	SECTION 4.55
D	16/8/22	REVISED DA ISSUE IN RESPONSE TO LPP CONDITIONS - NO CHANGE IN THIS SHEET
C	10/11/21	REVISED DEVELOPMENT APPLICATION
B	26/2/21	ISSUED FOR DEVELOPMENT APPLICATION

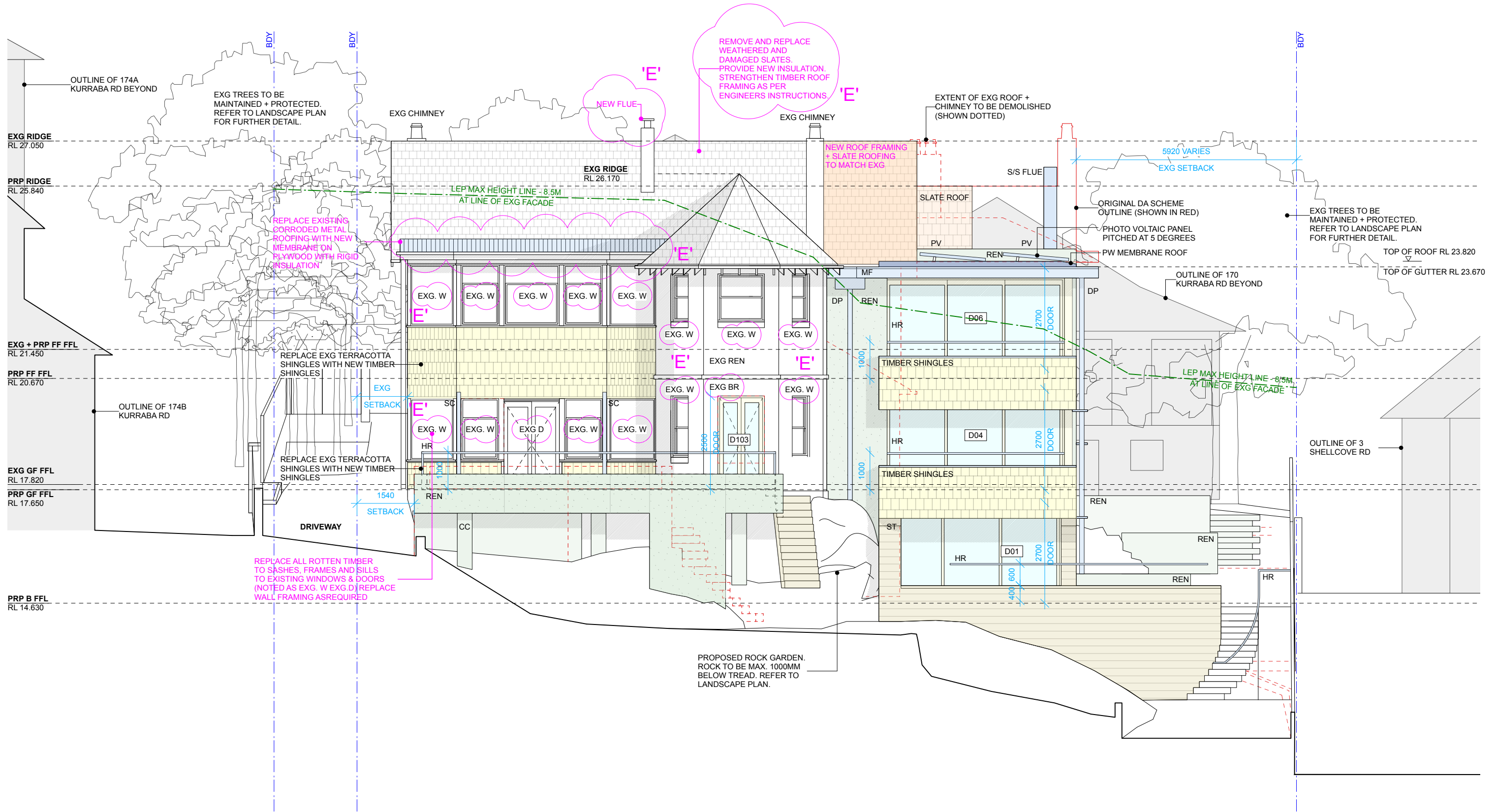
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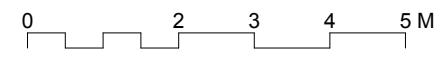
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ISSUE	DATE	REVISION	PROJECT #	2015
PROJECT	172 Kurraba Road, Kurraba Point, 2089		DATE #	JULY 2023
DWG	Proposed Elevations - West / Section D		SCALE @ A3	1:100
	SECTION 4.55 AMENDMENT		DRAWN	MR / AK
			CHKD	BT
			REVISION	E

A09



1 East Elevation - Proposed  
Scale: 1:100



KEY	CPD	DP	EXG	HR	MF	PA	PRP	PW	PV	REN	RL	SD	SHR	SK	SC	ST	TB	TF	TOW	W						
AC	air-conditioning	D	door	downpipe	downpipe	paving	proposed plywood	render	photovoltaic panels	reduced level	strip drain	shower	SK	skylight	SC	steel column	ST	stone cladding	TB	timber	TF	timber flooring	TOW	top of wall	W	window

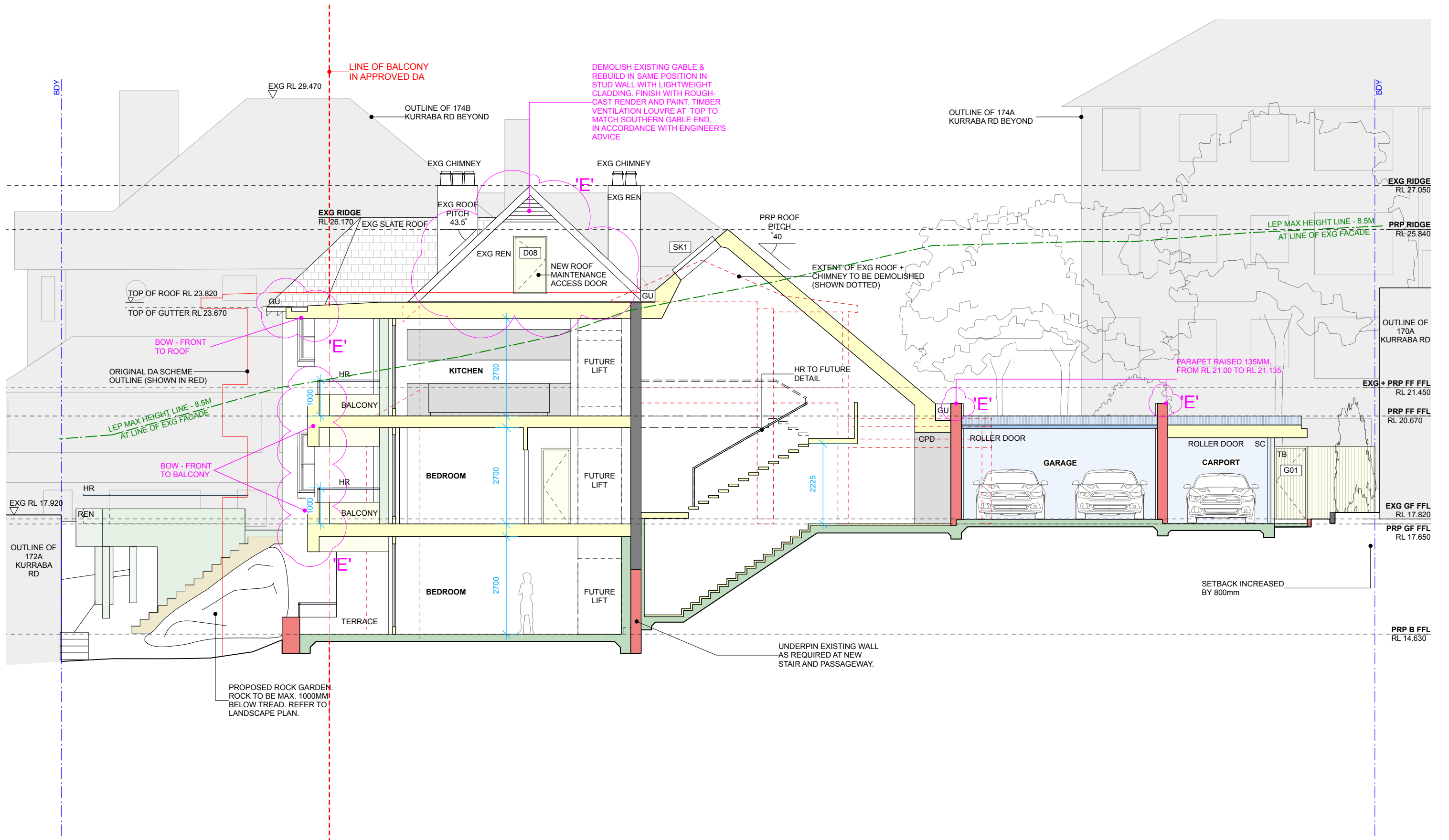
ISSUE	DATE	DESCRIPTION
E	27/7/23	SECTION 4.55
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C	10/11/21	REVISED DEVELOPMENT APPLICATION
B	26/2/21	ISSUED FOR DEVELOPMENT APPLICATION

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ISSUE	DATE	REVISION	PROJECT #	2015
PROJECT	172 Kurraba Road, Kurraba Point, 2089		DATE #	JULY 2023
DWG	Proposed Elevations - East		SCALE @ A3	1:100
CHKD	MR / AK	BT	REVISION	E

**A10**



1 Section A - Proposed  
Scale: 1:100

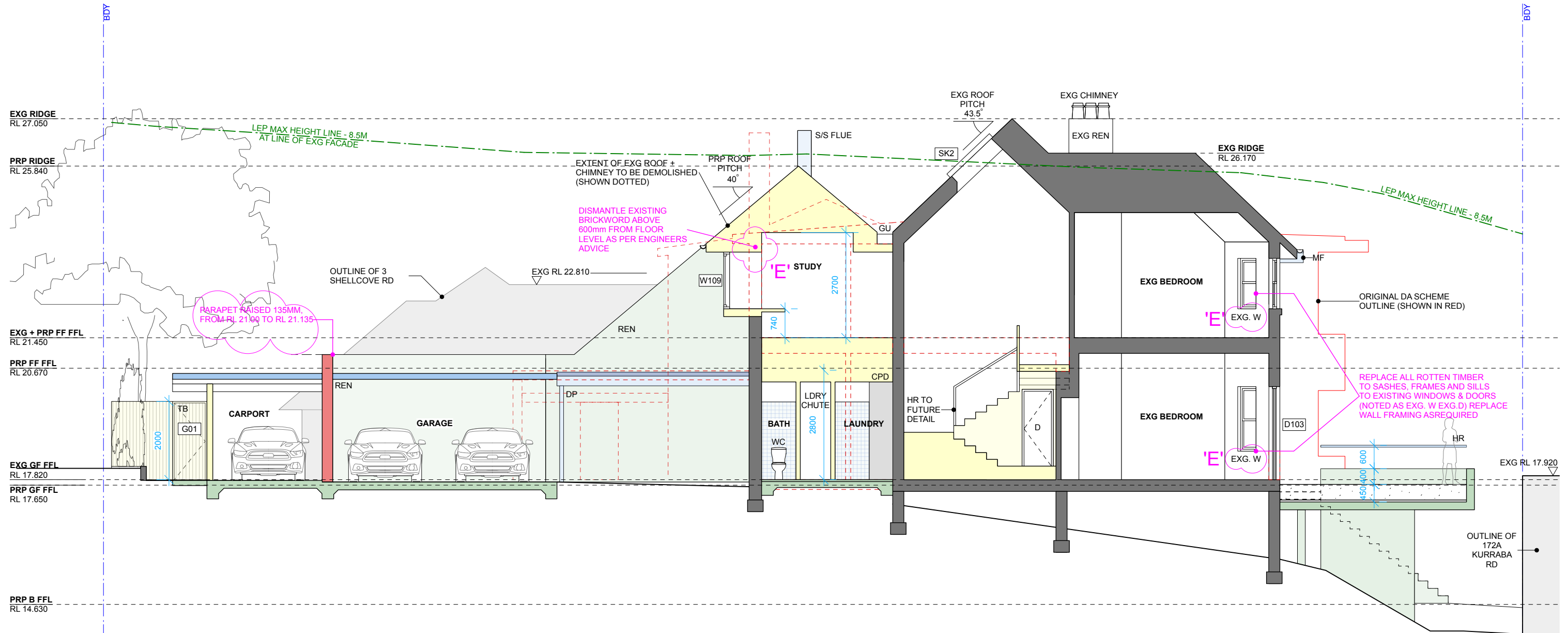


KEY	CPD	PRP	SK
AC air-conditioning	D door	PW proposed plywood	SK skylight
BDY boundary	DP downpipe	PV photovoltaic panels	SC steel column
BSN basin	EXG existing	REN render	ST stone cladding
C concrete	HR handrail	RL reduced level	TB timber
CC concrete column	MF metal fascia	SD strip drain	TF timber flooring
CT ceramic tile	PA paving	SHR shower	TOW top of wall
			W window

ISSUE	DATE	DESCRIPTION
E	27/7/23	SECTION 4.55
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C	10/11/21	REVISED DEVELOPMENT APPLICATION
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ISSUE	DATE	REVISION	PROJECT #	DATE #	REVISION	DWG #
			2015	JULY 2023		
PROJECT			172 Kurraba Road, Kurraba Point, 2089	SCALE @ A3	1:100	A11
DWG			Proposed Section A	DRAWN	MR / AK	
			SECTION 4.55 AMENDMENT	CHKD	BT	REVISION
						E



1 Section B - Proposed  
Scale: 1:100



<b>KEY</b>	AC	air-conditioning	CPD	cupboard	PRP	proposed	SK	skylight
	BDY	boundary	D	door	PW	plywood	SC	steel column
	BSN	basin	DP	downpipe	PV	photovoltaic panels	ST	stone cladding
	C	concrete	EXG	existing	REN	render	TB	timber
	CC	concrete column	HR	handrail	RL	reduced level	TF	timber flooring
	CT	ceramic tile	MF	metal fascia	SD	strip drain	TOW	top of wall
			PA	paving	SHR	shower	W	window

ISSUE	DATE	DESCRIPTION
E	27/7/23	SECTION 4.55
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ISSUE	DATE	REVISION	PROJECT #	2015
PROJECT	172 Kurraba Road, Kurraba Point, 2089		DATE #	JULY 2023
DWG	Proposed Section B		SCALE @ A3	1:100
CHKD	MR / AK	BT	DWG #	A12
			REVISION	E





1 Render of Eastern Elevation

BALUSTRADES TO NEW  
BALCONIES CHANGED  
FROM FLAT FACED TO BOW - FRONTED

<p><b>A</b></p>	<p><b>B</b></p>	<p><b>C</b></p>	<p><b>D</b></p>	<p><b>E</b></p>	<p><b>F</b></p>	<p><b>G</b></p>	<p><b>H</b></p>	<p><b>J</b></p>
<p><b>ROUGH CAST RENDER WITH PAINT FINISH</b> NOTED AS 'REN' COLOUR: MUROBOND 'NERO' OR SIMILAR LOCATION: GENERALLY</p>	<p><b>SMOOTH RENDER WITH PAINT FINISH</b> NOTED AS 'REN' COLOUR: MUROBOND 'NERO' OR SIMILAR LOCATION: TO SELECTED SECTIONS OF WALL</p>	<p><b>SANDSTONE CLADDING / CAPPING</b> NOTED AS 'ST'</p>	<p><b>SLATE CLADDING / ROOFING</b> TO MATCH EXG ROOF SLATE</p>	<p><b>CUSTOM ORB ACCENT 35 ROOFING, GUTTERS, FASCIAS AND DOWNPIPES.</b> COLOUR: COLORBOND 'SLATE GREY' OR SIMILAR.</p>	<p><b>PW MEMBRANE ROOFING</b> COLOUR: MID GREY</p>	<p><b>TIMBER FRAMED WINDOWS + DOORS</b> (GLAZING AS PER BASIX REQUIREMENTS)</p> <p>NEW AND EXISTING WINDOW AND DOOR FRAMES - MUROBOND 'OBERON'; NEW SASHES - MUROBOND 'MOROCCO'; OLD SASHES - MUROBOND 'PELICAN'.</p>	<p><b>STEEL HANDRAIL / BALUSTRADE</b></p> <p>NOTED AS 'HR' FINISH: MIO PAINT OR POWDERCOAT COLOUR: MUROBOND 'GRAPHITE' OR SIMILAR</p>	<p><b>TIMBER SHINGLE CLADDING</b></p> <p>NOTED AS 'TIMBER SHINGLES' FINISH: NATURAL TIMBER</p>

2 Proposed Materials + Finishes Schedule

<b>KEY</b>	CPD cupboard	PRP proposed	SK skylight
AC air-conditioning	D door	PW plywood	SC steel column
BDY boundary	DP downpipe	PV photovoltaic panels	ST stone cladding
BSN basin	EXG existing	REN render	TB timber
C concrete	HR handrail	RL reduced level	TF timber flooring
CC concrete column	MF metal fascia	SD strip drain	TOW top of wall
CT ceramic tile	PA paving	SHR shower	W window

<b>ISSUE</b>	DATE	DESCRIPTION
E	27/7/23	SECTION 4.55
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ISSUE	DATE	REVISION	PROJECT #	2015	
PROJECT	172 Kurraba Road, Kurraba Point, 2089			DATE #	JULY 2023
DWG	Proposed Material + Finishes Schedule			SCALE @ A3	1:1
CHKD	MR / AK	BT	REVISION	E	<b>A13</b>





1 3D View - South East Elevation BALUSTRADES TO NEW  
BALCONIES CHANGED  
FROM FLAT FACED TO BOW - FRONTED



3 3D View - South West Elevation



5 3D View - West Elevation



2 3D View - North East Elevation BALUSTRADES TO NEW  
BALCONIES CHANGED  
FROM FLAT FACED TO BOW - FRONTED



4 3D View - North Elevation BALUSTRADES TO NEW  
BALCONIES CHANGED  
FROM FLAT FACED TO BOW - FRONTED



6 3D View - Entry

ISSUE  
E 27/7/23 SECTION 4.55  
D 16/8/22 REVISED DA ISSUE IN RESPONSE TO LPP  
CONDITIONS - NO CHANGE IN THIS SHEET  
C 10/11/21 REVISED DEVELOPMENT APPLICATION  
B 26/2/21 ISSUED FOR DEVELOPMENT APPLICATION

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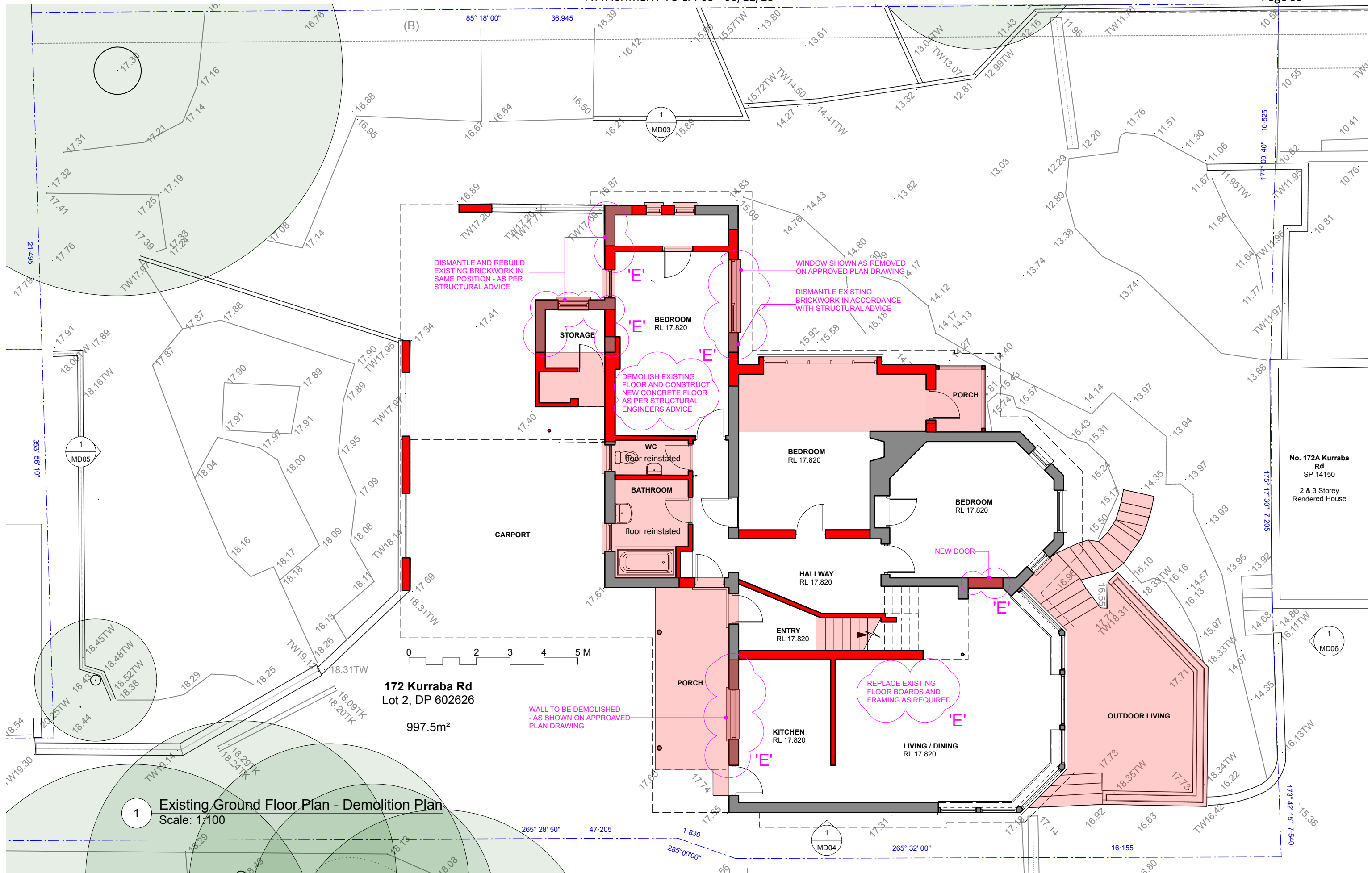
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ISSUE	DATE	REVISION	PROJECT #	2015
PROJECT			172 Kurraba Road, Kurraba Point, 2089	DATE # JULY 2023 DWG #
DWG			3D Views	SCALE @ A3 NTS
				DRAWN MR / AK
				CHKD BT
				REVISION E

**A14**

SECTION 4.55 AMENDMENT





1 Existing Ground Floor Plan - Demolition Plan  
Scale: 1:100

172 Kurraba Rd  
Lot 2, DP 602626  
997.5m<sup>2</sup>

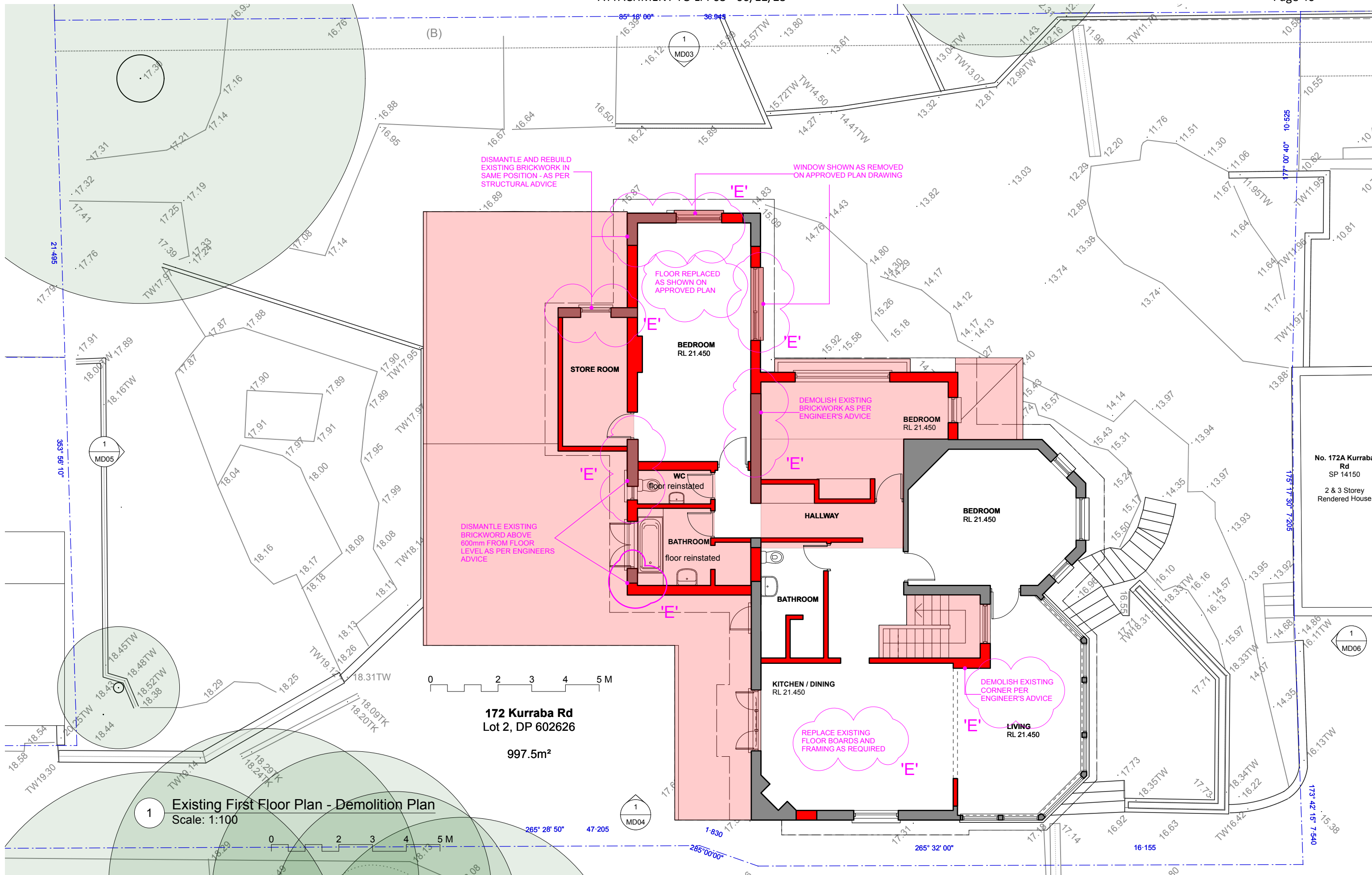
No. 172A Kurraba Rd  
SP 14150  
2 & 3 Storey  
Rendered House

**KEY - DEMOLITION PLAN**  
 wall / structure to be demolished  
 floor area / roof area to be demolished

ISSUE	DATE	DESCRIPTION
E	27/7/23	SECTION 4.55
D	8/5/23	SECTION 4.55
C	16/8/22	REVISED DA ISSUE IN RESPONSE TO LPP CONDITIONS
B	10/11/21	REVISED DEVELOPMENT APPLICATION

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ISSUE	DATE	REVISION	PROJECT #	DATE #	DWG #
PROJECT			172 Kurraba Road, Kurraba Point, 2089	JULY 2023	DEM 01
DWG			Ground Floor Demolition Plan	SCALE @ A3 1:100	
			SECTION 4.55 AMENDMENT	DRAWN MR / AK	
				CHKD BT	REVISION E



1 Existing First Floor Plan - Demolition Plan  
Scale: 1:100

172 Kurraba Rd  
Lot 2, DP 602626  
997.5m<sup>2</sup>

**KEY - DEMOLITION PLAN**

- wall / structure to be demolished
- floor area / roof area to be demolished

ISSUE	DATE	DESCRIPTION
E	27/7/23	SECTION 4.55
D	8/5/23	SECTION 4.55
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ISSUE	DATE	REVISION	PROJECT #	2015
PROJECT			172 Kurraba Road, Kurraba Point, 2089	
DWG			First Floor Demolition Plan	
			SECTION 4.55 AMENDMENT	
			DATE #	JULY 2023
			SCALE @ A3	1:100
			DRAWN	MR / AK
			CHKD	BT
			DWG #	DEM 02
			REVISION	E



## PROPOSED SECTION 4.55 APPLICATION

FOR

**EDZELL**

**172 KURRABA ROAD, KURRABA POINT, NSW**

## HERITAGE IMPACT STATEMENT



Prepared by:

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Prepared for:

Paul Berkemeier

August 2023

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## 1.0 INTRODUCTION

### 1.1 THE BRIEF

The following report has been prepared to accompany a Section 4.55 application for modification to the approved proposals for alterations and additions to the existing house at 172 Kurraba Road, Kurraba Point, NSW. The report has been prepared on behalf of Paul Berkemeier, the owner of the property.

### 1.2 BACKGROUND

A development application (DA/130/21) for alterations and additions to the property was approved by North Sydney Council (following deferred commencement) in September 2021. The development application was supported by a Heritage Impact Statement (HIS) prepared by this office

The applicant would like to make some amendments to the approved proposals and this report has been prepared to address the changes.

### 1.3 THE STUDY AREA

The study area is Lot 2 in DP 602626 at Kurraba Point, Parish of Willoughby and County of Cumberland. (Figure 1.1)

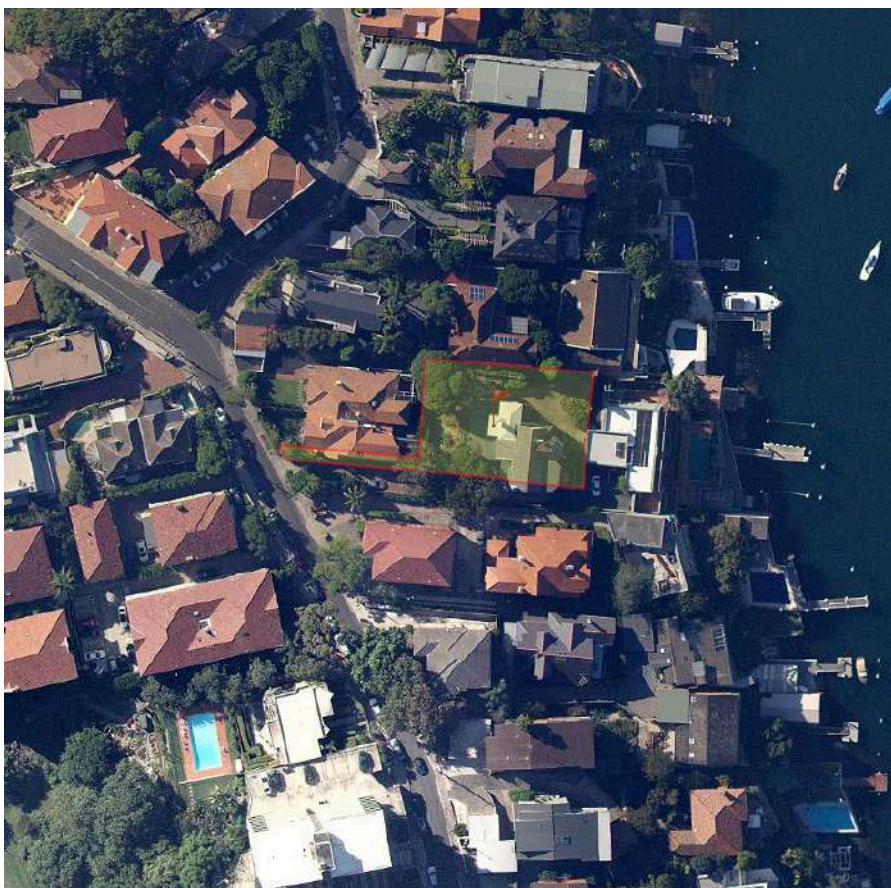


Figure 1.1 The Study Area shaded

Source: Six Maps

#### 1.4 LIMITATIONS AND TERMS

The report only addresses the European significance of the place. The terms *fabric, conservation, maintenance, preservation, restoration, reconstruction, adaptation, compatible use and cultural significance* used in this report are as defined in the Australia ICOMOS Burra Charter.

#### 1.5 METHODOLOGY

This report was prepared in accordance with the *NSW Heritage Manual* "Statements of Heritage Impact", "Assessing Heritage Significance Guidelines" and the North Sydney Council guidelines for the preparation of heritage impact statements. The philosophy adopted is that guided by the Australia ICOMOS Burra Charter 2013.

#### 1.6 AUTHORS AND ACKNOWLEDGMENTS

This report, including all diagrams and photographs, was prepared by John Oultram of John Oultram Heritage & Design, unless otherwise noted. Historical research was prepared by Nicholas Jackson.



## 2.0 HISTORICAL DEVELOPMENT

The HIS contained a detailed history of the place that is summarized below.

### 2.1 SUMMARY

The harbourside villa at No. 172 Kurraba Road was built in 1906 for Miss Emily Lindsay Leahy, a milliner. The house was called Edzell.

### 2.2 THRUPP'S GRANT AND COOPER'S LEASEHOLD

Kurraba Point is located within the 700 acres granted to Alfred Thrupp in 1816 (registered in 1830), with the land being a gift from his father-in-law Captain John Piper. Thrupp moved to Tasmania and the land was re-acquired by Captain Piper. Piper went bankrupt in 1827 and the grant was conveyed to Daniel Cooper.

In 1853 Cooper died and his Point Piper Estate (Woollahra) and his nephew, John Cooper (1830-1915), inherited the Thrupp Estate at North Sydney.

### 2.3 THRUPP'S KURRABA POINT

Kurraba Point has been known firstly as Ballast Point and later as Thrupp's Point. A portion of the eastern side of Kurraba Point was leased by John Cooper in 1860 to William Dymock. In 1879, William Dymock, then residing in Dunedin, New Zealand, on-sold the lease of about 3&1/2 acres to Edward Orpen Moriarty.

### 2.4 LAMBTON'S SUBDIVISION IN 1898

After the death of Moriarty in 1896, his leasehold at Kurraba Point, then being about 2 acres, was sold by his executor to solicitor Richard Stanley Lambton. Lambton (1865-1926) subdivided the about 2 acres into five (5 No.) villa allotments of about 1/2 acre each, all in leasehold. These were sold from 1898 to (from north to south along Kurraba Road):

John Houghton Bradley, dentist	August 1906	1 rood 20&1/2 perches	No. 170 Theulda	Book 811 No. 230
Miss Emily Lindsay Leahy, milliner	September 1906	1 rood 36 perches	No.172 Edzell	Book 810 No. 939
Alfred Spain, architect	December 1898	1 rood 36 perches	No. 174 Waione	Book 635 No. 892
Staunton William Spain, notary public	December 1898	1 rood 22 perches	No. 176 Gingie	Book 635 No.891
Frederick Leonard Partridge, gentleman	August 1898	1 rood 22 perches	No. 178 Rocklands	Book 626 No. 588

The subject property is Miss Emily Lindsay Leahy's purchase.

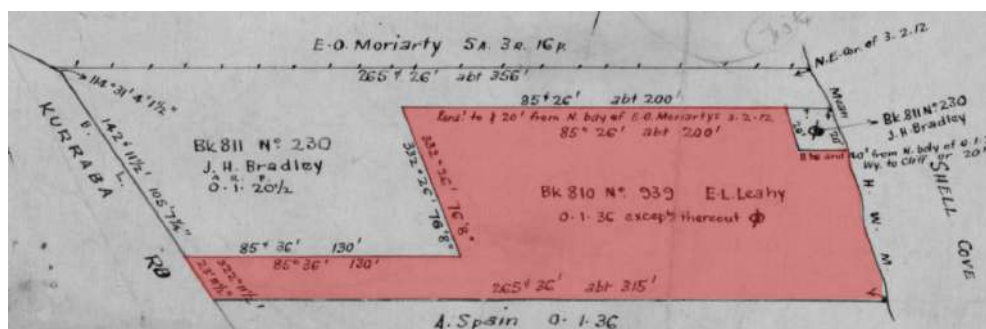


Figure 2.1 Sketch survey plan showing the under-lease registered in System Under Lease Book 810 No. 939 to Miss Emily Lindsay Leahy

Source: NSW Land Registry Services (PASS 18186)

## 2.5 MISS LEAHY'S EDZELL

The property No. 172 Kurraba Road was purchased by Miss Emily Lindsay Leahy in September 1906. Miss Leahy arranged for the building of the harbourside villa at No. 172 Kurraba Road, which was completed by April 1907 (first listing in *Sands' Directory* was 1908), which she called Edzell. The architect for this villa is not recorded in records held by North Sydney Council. Possibly, the architect was Clarence Backhouse (1860-1930) who advertised in August 1906 for builders to erect a residence in Kurraba Road.<sup>1</sup>

## 2.6 LATER OWNERS AND TENANTS

Miss Leahy had attempted to sell Edzell in 1907 and she succeeded in 1914 with a sale to her neighbour, architect Alfred Spain.<sup>2</sup> From about 1909 Edzell was let (Malcolm Macdonald 1910-1911, George H Hoskins 1912, and Frank J Caldwell 1913-1914).<sup>3</sup> Spain (1868-1954) had built his villa, Waione (No. 174 Kurraba Road) in 1905, and to the south of that was Gingie (No. 176 Kurraba Road), built for his brother Staunton William Spain at the same time. With the purchase of Edzell in 1914, the Spains came to own three neighbouring houses in Kurraba Road.

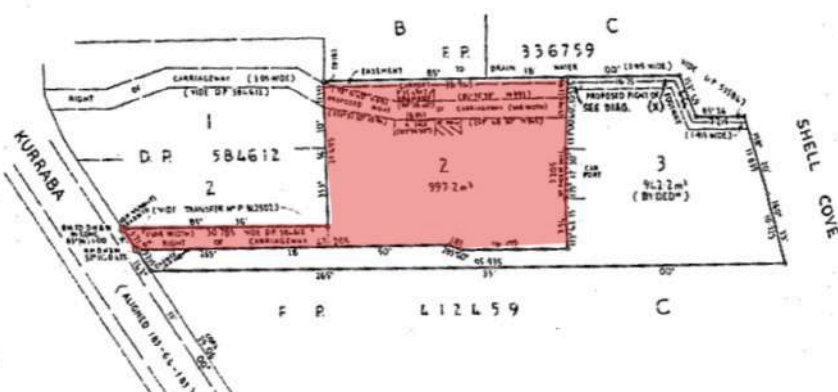


Figure 2.2 The existing allotment of Edzell was formed in 1969

Source: NSW Land Registry Services Vol. 13968, Fol. 33

<sup>1</sup> Advertising, *Sydney Morning Herald*, 4 August 1906, p.20

<sup>2</sup> Torrens Title Dealing A87083

<sup>3</sup> *Sands' Directory*

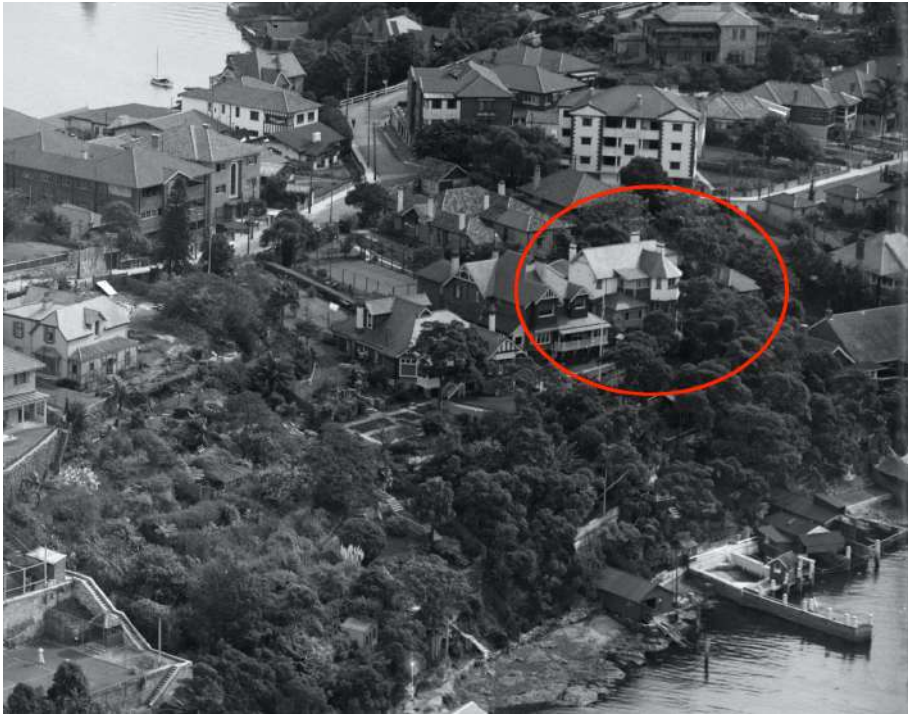


Figure 2.3 Looking down on Kurraba Point in about 1936. Circled is Edzell, and to its left are the two Spain family villas. Detail from a Milton Kent commercial aerial photograph

Source: State Library of NSW (c111180016)

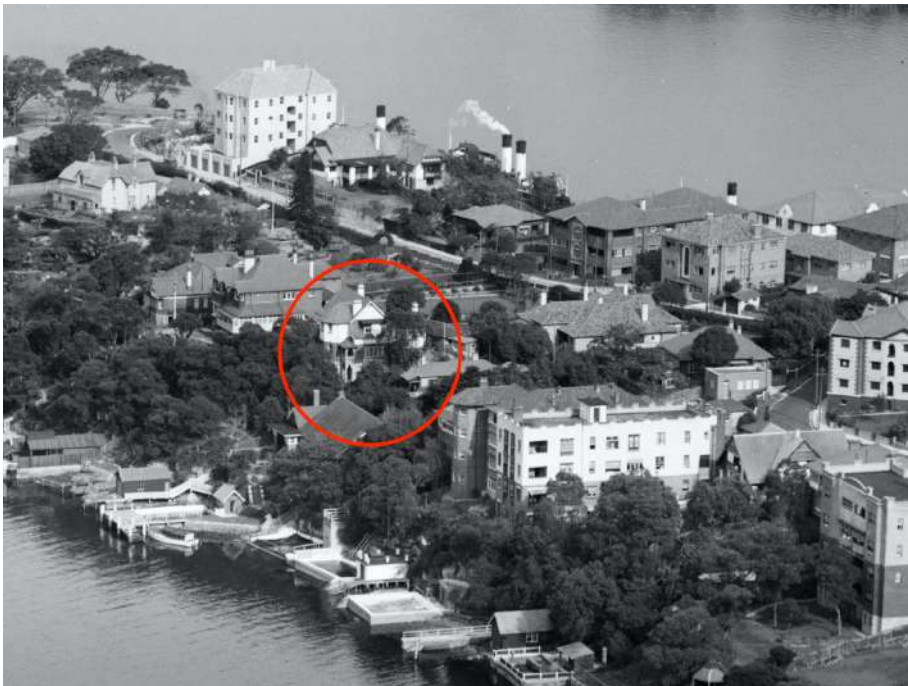


Figure 2.4 Looking down on Kurraba Point in about 1936. Detail from a Milton Kent commercial aerial photograph

Source: State Library of NSW (c111180015)

### 3.0 PHYSICAL DESCRIPTION

The HIS contained a detailed description of the property based on an inspection carried out by John Oultram in September 2020. The current plans are shown in Figures 3.1A and 3.1B.

#### 3.1 EXTERNAL

172 Kurraba Road is an example of a two storey, Edwardian period house in the Queen Anne/Arts and Crafts style set on a battle-axe block to the east side of the street. The house is partly intact in form but has been extended, heavily altered internally and converted to two apartments.

The house is in roughcast render set on a rockface sandstone base with a gabled, slate roof with terracotta ridge cappings and rendered masonry chimneys. The two storey, rear additions have a series of flat and skillion roofs. There is a faceted, projecting bay to the east with a hipped, slate roof that flanks a two storey, faceted verandah with a flat roof and tiled spandrel. The verandah has been enclosed with timber framed glazing. There is a small sunroom (now enclosed) to the northwestern corner supported on a timber post.

The entry to both apartments is to the west off a flat roof 'verandah' supported on decorated cast iron columns that connects to a flat roof carport at the rear that is supported on painted brick columns.

#### 3.2 INTERNAL

The house has been converted to apartments with the original stair altered and enclosed. The layout of the major rooms is similar at both levels and each level has access to the rear additions.

#### 3.3 LANDSCAPING

The house is approached via a concrete drive with planters each side that connects to a concrete hardstand at the rear of the house. The drive extends along the south of the house to the house fronting the water and also around the north of the house where there is a concrete hardstand and steeply sloping, concrete drive.

The house has a garden to the west bounded by a low freestone walls and painted brick wall and has paved paths, a terrace and shrub plantings. There is a raised planter the rear with a garden off to the north.

Kurraba Road is a largely residential street with single and two storey houses from the Federation period onwards with later, Inter War infill development including apartments.

Figures 3.2 – 3.5

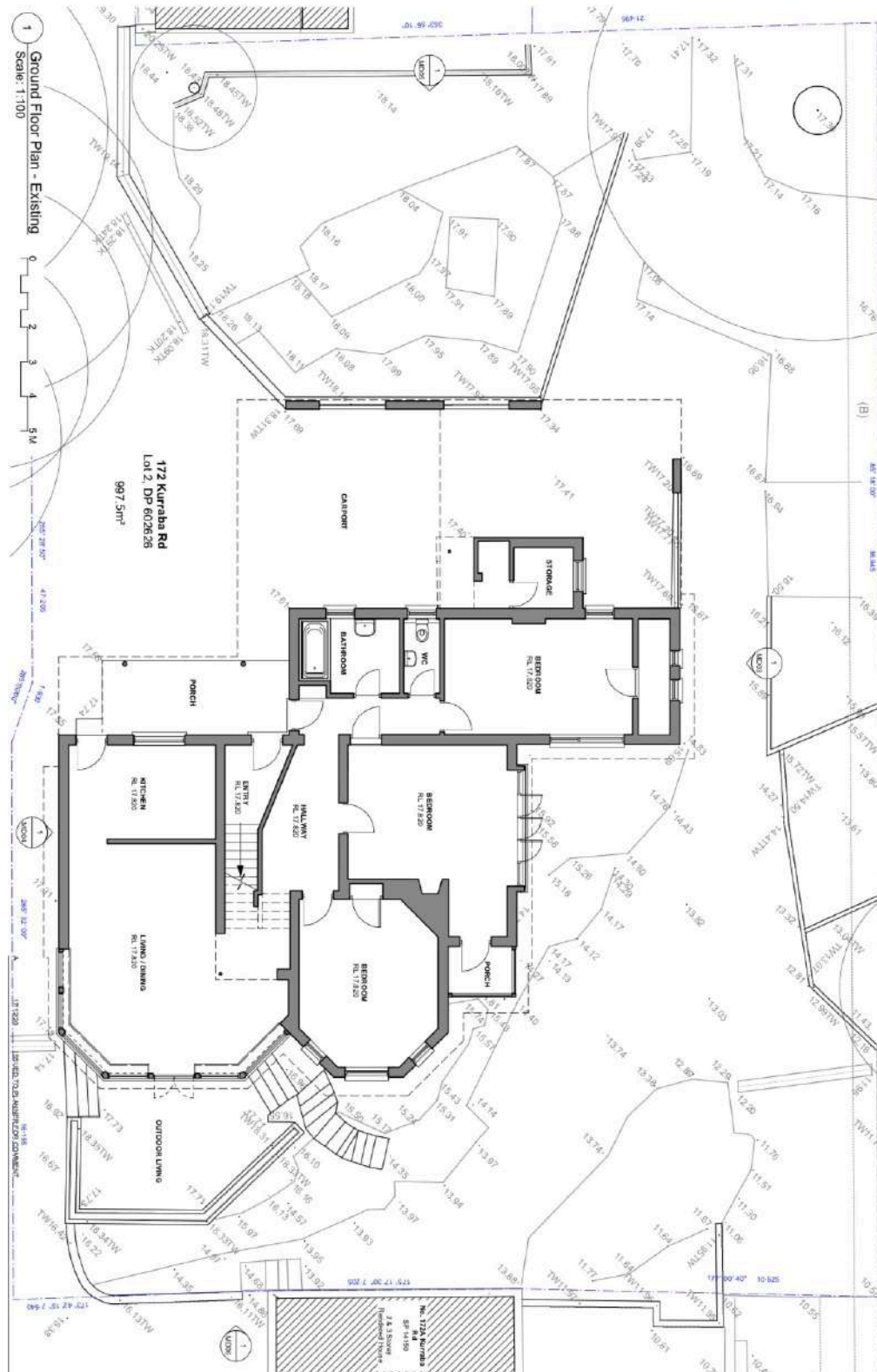


Figure 3.1A 172 Kurraba Road, Kurraba Point

Ground floor plan as existing

Source: Architect



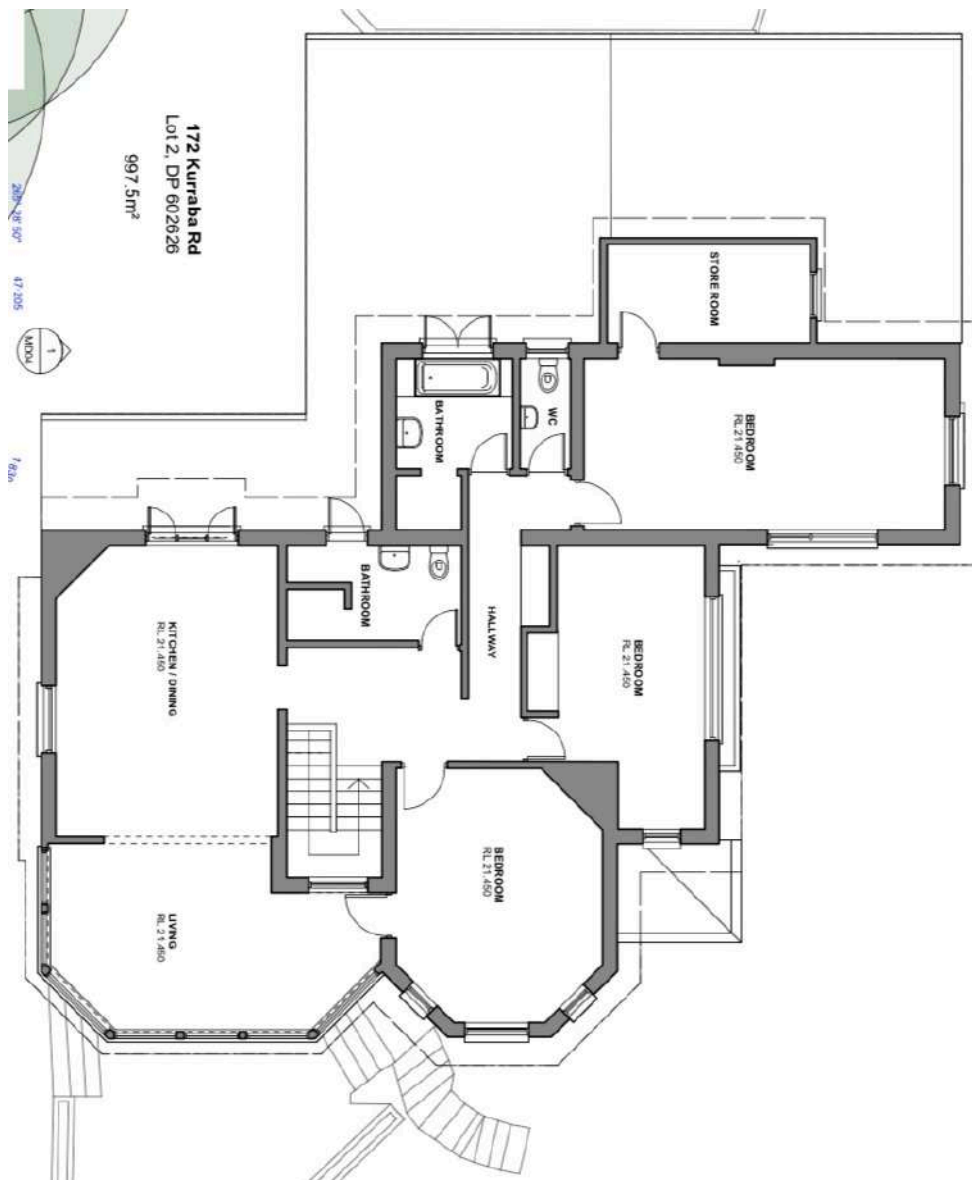


Figure 3.1B 172 Kurraba Road, Kurraba Point

First floor plan as existing

Source: Architect



Figure 3.2 172 Kurraba Road, Kurraba Point

View looking along drive



Figure 3.3 172 Kurraba Road, Kurraba Point

Rear (west) elevation



Figure 3.4 172 Kurraba Road, Kurraba Point

West elevation and carport



Figure 3.5 172 Kurraba Road, Kurraba Point

East elevation and garden

## 4.0 HERITAGE LISTINGS & CONTROLS

### 4.1 LOCAL AUTHORITY

The local authority for the area is North Sydney Council. The property is not listed as a heritage item in Schedule 5 Part 1 of the *North Sydney Local Environmental Plan 2013* (as amended) (NSLEP) but is within the Kurraba Point Conservation Area (CA16).

The property is in the vicinity of a heritage items at:

REF	ADDRESS	ITEM	RANKING
I0666	168 Kurraba Road	<i>Casa Madrona</i>	Local
I0667	174B Kurraba Road	House	Local
I0668	176 Kurraba Road	<i>Gingie</i>	Local

Development would be the subject of the heritage provisions of the NSLEP relating to development in a conservation area and in the vicinity of a heritage item.

Development would also be subject of the heritage provisions of the *North Sydney Development Control Plan 2013* (NSDCP) that contains detailed objectives and controls for development in conservation areas.

The house is identified as a *Contributory Item* in Table App-1.1 of the NSDCP.

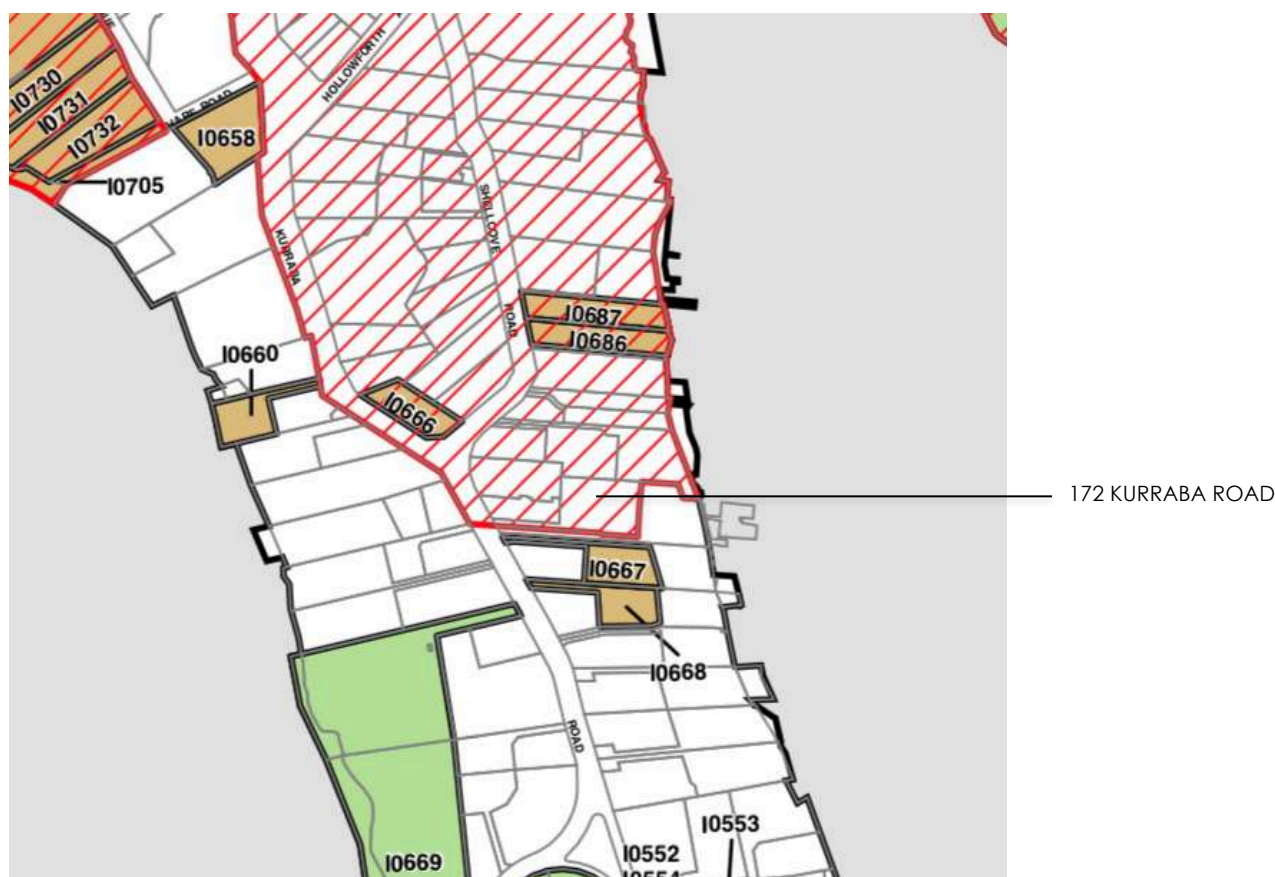


Figure 4.1 North Sydney Local Environmental Plan 2013 Heritage Map HER 004

Source: North Sydney Council



## 5.0 ASSESSMENT OF SIGNIFICANCE

The HIS contained a detailed assessment and summary of significance.

### 5.1 SUMMARY OF SIGNIFICANCE

172 Kurraba Road is an example of an Edwardian period house built in 1906 for Miss Emily Lindsay Leahy, a milliner. The site was part of a complicated subdivision done under a series of leases and subleases and Miss Leahy had purchased the underlease for the site in the same year.

The house is typical of the later wave of development following the break-up of the larger estates on the Point.

We consider that the house would not meet any of the Heritage Manual criteria for identification as a place of local significance. The house is borderline in its contribution to the conservation area due to the level of external change though it signals the Edwardian development of the area following the break-up of the major estates.

## 6.0 APPROVED DEVELOPMENT

### 6.1 APPROVED DEVELOPMENT

The DA proposals were shown on Drawing Nos. 2015 A00 to A13 (inclusive, all revision B) dated February 2021 and prepared by BTB Architecture Studio.

The proposals included:

#### 6.1.1 Undercroft

- Excavation for side extension
- Removal of the stone wall to the side of the house
- New extension

#### 6.1.2 Ground Floor

- Demolition of the northern wall to the house
- Removal of internal walls to the lounge/dining, kitchen and side bedroom
- Removal of the stair
- Internal reconfiguration
- New window to the eastern bay
- New dividing wall to the north in the house and extension
- New stairs
- Reconfiguration and extension of the rear wing
- New entry porch
- Part demolition of the rear wall at the kitchen
- New addition off the current kitchen
- New extension to the north

#### 6.1.3 First Floor

- Demolition of the northern wall to the house
- Removal of internal walls to the lounge/dining, kitchen and side bedroom
- Removal of the stair
- Internal reconfiguration
- New dividing wall to the north in the house and extension
- New stairs
- Reconfiguration and extension of the rear wing
- Infill of the window to the kitchen
- New addition off the current kitchen
- New extension to the north
- New roofs over the rear wings and western extensions

#### 6.1.4 Landscaping and External Works

- Demolition of the garden stairs
- New retaining walls to the side drive and garden
- New stairs to the northern drive
- Replacement steps to the waterside planter
- New terrace to the waterside elevation
- Demolition of the carport
- New two car garage and carport
- New covered link to the laundry
- New covered link to the second entry around the garage
- New timber fence to the western yard

- Removal of the garden to the west
- New garden to the northwest to replace a hardstand
- New garden to the west of the house
- New gardens to the north
- New gardens to the east

The proposals were amended and approved following discussions with Council.

## 7.0 THE PROPOSED AMENDMENTS

### 7.1 AMENDED PROPOSALS

The amended proposals are shown on Drawing Nos. 2015 A00 to A13 (inclusive, all revision E) dated July 2023 and prepared by BTB Architecture Studio.

The amendments include:

#### 7.1.1 Lower Ground Floor

- Replace stone and brick wall with concrete at stair

#### 7.1.2 Ground Floor

- Alteration of the extension balcony from to square to a shallow curve
- Dismantle and rebuild brickwork to the north west corner
- Delete window to porch
- New stove to living room
- Relocation of kitchen
- Replace rotten windows and doors to the dining room bay

#### 7.1.3 First Floor

- Alteration of the extension balcony from to square to a shallow curve
- Replace brick wall with concrete at stair
- Dismantle and rebuild brickwork to the northern lavatory
- Alteration of the garage roof from a membrane to custom orb
- Delete box gutter to garage roof
- Dismantle and rebuild brickwork to the western bathroom
- Demolish brick wall to the sunroom
- Replace rotten windows to the dining room bay

#### 7.1.4 Roof

- Replace northern section of roof with new slate to match and new framing
- Rebuild northern gable to match the existing
- Replace damaged and loose slates with new slate to match and strengthen framing
- Replace corroded metal roof with new membrane on new decking

#### 7.1.5 External Works

- Additional block walls to the eastern support for the terrace and allow for extra soil depth
- Replace corroded gutters and downpipes
- Garage
- Raise parapet to garage



## 8.0 IMPACT OF THE AMENDED PROPOSALS

### 8.1 GENERALLY

172 Kurraba Road is an example of a two storey, Edwardian house that retains some features and details typical of the period. The original house had a simple form and has been very heavily altered with large and intrusive extensions to the rear. The front verandah has a later addition at the upper floor and has been enclosed.

The house is identified as a Contributory Item in the conservation area due largely to the extant sections of its external form and detailing. However, based on a detailed inspection, the house would be at the borderline in its contribution to the conservation area and only its waterside elevation signals its early detail and form.

The house is not prominent from the street due to its setting on a battle-axe block. The waterside garden has been subdivided and the house surrounded by concrete drives. The small garden to the west is now divorced from the house and reads as the back garden to the property fronting Kurraba Road.

The proposal have been the subject of design development including structural detailing and a maintenance survey and parts of the design have been amended to address issues raised. The amendments to the approved proposals are not extensive and are relatively minor changes.

The amendments are assessed in table form below

### 8.2 IMPACT OF THE PROPOSED AMENDMENTS

#### 8.2.1 Lower Ground Floor

ITEM	COMMENT
Replace stone and brick wall with concrete at stair	The wall is internal and part of the undercroft and north east extension and the change is required to provide structural stability
	The change is minor

#### 8.2.2 Ground Floor

ITEM	COMMENT
Alteration of the extension balcony from to square to a shallow curve	The change is more in line with the faceted forms to the bedroom and dining room and has the same projection depth and face materials (shingle) as those approved
	The change is a positive in heritage terms
Dismantle and rebuild brickwork to the north west corner	The change is required for structural reasons and the change is neutral in heritage terms
Delete window to porch	The window is part of the new additions and the change is minor
New stove to living room	The change is minor
Relocation of kitchen	The change is internal and will not impact on the south windows
	The change is minor
Replace rotten windows and doors to the dining room bay	The doors and windows are part of the later infill to the verandah and not original fabric and the change is necessary maintenance work

## 8.2.3 First Floor

ITEM	COMMENT
Alteration of the extension balcony from to square to a shallow curve	See above
Replace brick wall with concrete at stair	The wall is internal and the change is required to provide structural stability
	The change is minor
Dismantle and rebuild brickwork to the northern lavatory	The change is required for structural reasons and the change is neutral in heritage terms
Alteration of the garage roof from a membrane to custom orb	The material change will not impact on the presentation of the house and corrugated metal is a well-used component in the conservation area for secondary elements
	The change is minor
Delete box gutter to garage roof	The change is minor
Dismantle and rebuild brickwork to the western bathroom	The change is required for structural reasons and the change is neutral in heritage terms. The new wall will be rendered to match the existing
Demolish brick wall to the sunroom	The change is internal and minor
Replace rotten windows to the dining room bay	The windows are part of the later infill to the verandah and not original fabric and the change is necessary maintenance work

## 8.2.4 Roof

ITEM	COMMENT
Replace northern section of roof with new slate to match and new framing	The works will not alter the form of the approved roof and is maintenance work
Rebuild northern gable to match the existing	The works are required for structural reasons and the gable will be rebuilt to the approved detail
	The change is neutral in heritage terms
Replace damaged and loose slates with new slate to match and strengthen framing	The works will not alter the form of the approved roof and is maintenance work and for structural reasons
	The change is neutral in heritage terms
Replace corroded metal roof with new membrane on new decking	The works will not alter the form of the roof and is maintenance work. The roof cannot be seen from any public vantage point
	The change is neutral in heritage terms

## 8.2.5 External Works

ITEM	COMMENT
Additional block walls to the eastern support for the terrace and allow for extra soil depth	The new walls are low set behind the front wall to the terrace above and will not be highly visible
	The change is minor
Replace corroded gutters and downpipes	The change is necessary maintenance works
Garage	
Raise parapet to garage	The change will allow for a change of roof material (see above) but the increase in height is small and the change is minor

We consider that the amendments are minor and largely neutral in heritage terms.

## 9.0 SUMMARY AND RECOMMENDATIONS

### 9.1 SUMMARY

Overall, we consider that the amended proposals are relatively minor changes to the approved design and will not result in any major changes to the form and detail of the house.

The amended proposals and pay due regard to the low level of significance of the house and will retain its most significant, external aspects.

We consider the amended proposals will have no additional impact on the heritage item in the vicinity, no further impact on the surrounding conservation area and remain in line with the heritage provisions of the NSDCP.

In heritage terms, we consider that the amended proposals should be approved.

JOHN OULTRAM