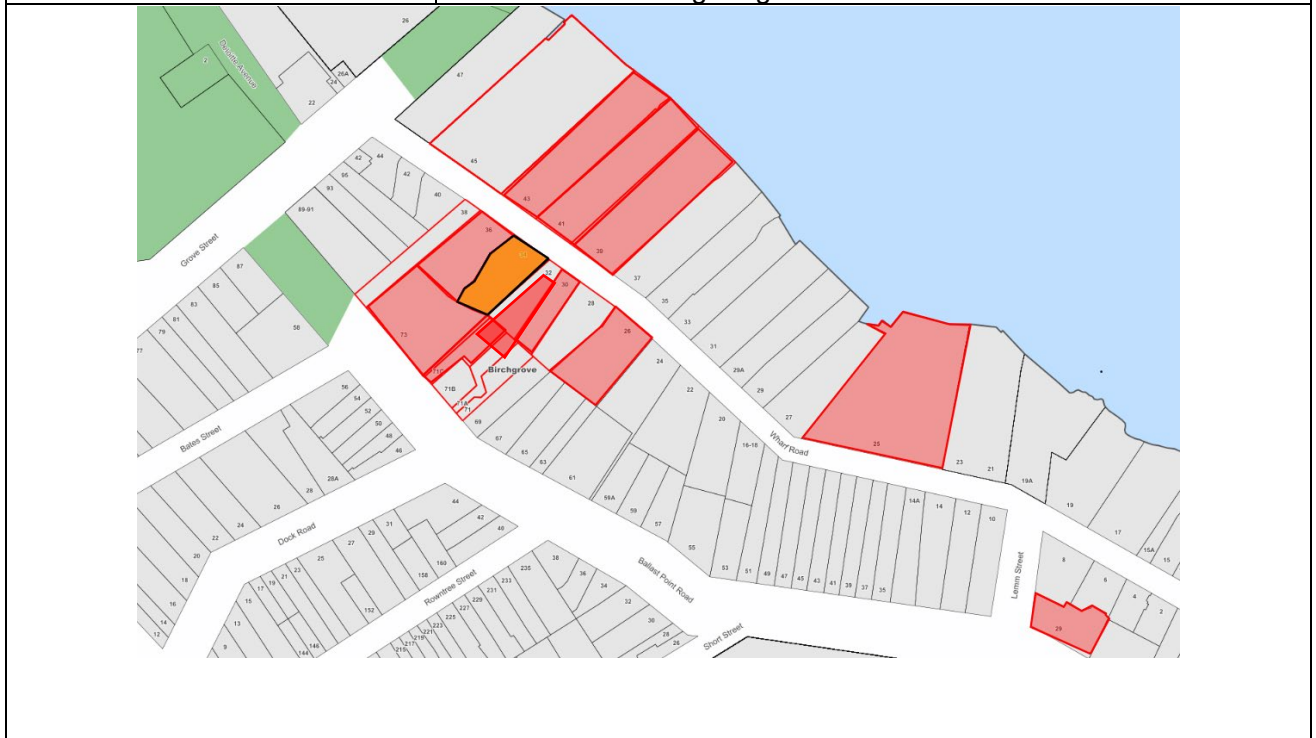






INNER WEST

DEVELOPMENT ASSESSMENT REPORT

Application No.	DA/2021/0793
Address	34 Wharf Road BIRCHGROVE NSW 2041
Proposal	Lower ground, ground and first floor alterations and additions to existing heritage listed semi-detached dwelling-house, including new garage accessed via driveway and landscaping works
Date of Lodgement	1 September 2021
Applicant	Cunningham Gill Architecture
Owner	Trent J Theedam Ronald A Theedam
Number of Submissions	Initial: 16 After Renotification: 4
Value of works	\$669,136.00
Reason for determination at Planning Panel	Number of submissions
Main Issues	Impact upon Heritage Item and HCA Bulk and Scale of Additions
Recommendation	Approved with Conditions
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Statement of Heritage Significance & Amendment



LOCALITY MAP

Subject Site		Objectors	 ↑ N
Notified Area		Supporters	

Note: Due to scale of map, not all objectors could be shown.

1. Executive Summary

This report is an assessment of the application submitted to Council for lower ground, ground and first floor alterations and additions to an existing heritage listed semi-detached dwelling-house, including new garage accessed via driveway, landscaping works and tree removal at 34 Wharf Road Birchgrove.

The application was notified to surrounding properties and 19 submissions were received in response to the initial notification.

4 submissions were received in response to renotification of the application

The main issues that have arisen from the application include:

- Impact to the heritage item, and surrounding heritage context
- Location and size of alterations and additions

The non-compliances are acceptable given compliance with the prescribed development standards and the specific circumstances of the site which limit the impact to the subject site, neighbouring amenity and the wider HCA context, therefore the application is recommended for approval.

2. Proposal

The application seeks consent to carry out alterations and additions to the existing heritage listed semi-detached dwelling at 34 Wharf Road, Birchgrove. Specifically, the proposal comprises a two-storey addition to the rear of the existing dwelling, internal alterations, and construction of tandem basement garage east of the dwelling.

Basement Level

2 Car Tandem Garage

Laundry and lift to rear addition

Ground Floor

Demolition of existing rear addition

Construction of new rear ground floor to rear with open plan Kitchen, Dining and Living Area.

New wall and bath within existing bathroom of Cottage

First Floor

Further alteration within roof of cottage for bedroom 4 and an ensuite bathroom

New rear addition to contain 3 bedrooms, walk in robe, ensuite in association with bedroom 1 and an additional bathroom.

The completed project would offer 5 bedrooms, 2 bathrooms, 2 ensuites, formal dining, formal living and open plan kitchen, dining and living areas, with 2 car tandem garage and front landscaping.

3. Site Description

The subject site is located on the southern side of Wharf Road, being 6 lots down from the intersection of Wharf Road and Grove Street. The site consists of 1 allotment and is generally rectangular in shape with a total area of 429.6 sqm and is legally described as Lot A in DP44194.

The site has a frontage to Wharf Road of 15.405 metres.

The site supports a single storey residential semi-detached dwelling. The adjoining properties support single and 2 storey residential accommodations.

The subject site is listed as a heritage item located within a conservation area.

The Site has 2 *Phoenix canariensis* (Canary Island Date Palms) located within the front setback and a rock wall at the rear of the site.



R1 - General Residential Zone - Heritage Item within Heritage Conservation Area

4. Background

4(a) Site history

The following application outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

Subject Site

Application	Proposal	Decision & Date
PDA/2020/0283	Alterations and additions to heritage listed semi-detached dwelling-house and associated works, including new double garage	Advice Issued - 18/09/2020
D/2015/132	Removal of 9 palms trees from the rear of the subject site.	Part Approval - 13/05/2015

Surrounding properties

Application	Proposal	Decision & Date
M/2015/191	Modification to D/2009/483 to modify internal and external ground and upper floors. (36 Wharf Road)	Approved - 07/12/2015
D/2009/483	Alterations and additions to existing dwelling including a new first floor. (36 Wharf Road)	Approved - 14/12/2010
D/2018/690	Alterations to existing dwelling house, relocation of swimming pool, new carport roof, new roof over pool deck and associated hard and soft landscaping works including tree removal (73 Ballast Point Road)	Approved - 01/04/2019

4(b) Application history

The following table outlines the relevant history of the subject application.

Date	Discussion / Letter / Additional Information
01/09/2021	Application Lodged
27/01/2022	Additional Information requested
16/02/2022	Partial information supplied by applicant in response to RFI
11/03/2022	Full response received by Council to RFI
08/03/2022	Renotification of amended plans conducted

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

5(a) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*

The following provides further discussion of the relevant issues:

5(a)(i) *State Environmental Planning Policy (Resilience and Hazards) 2021*

Chapter 4 Remediation of land

State Environmental Planning Policy provides planning guidelines for remediation of contaminated land. LDCP 2013 provides controls and guidelines for remediation works. The *SEPP* requires the consent authority to be satisfied that “the site is, or can be made, suitable for the proposed use” prior to the granting of consent.

The site has not been used in the past for activities which could have potentially contaminated the site.

5(a)(ii) *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*

A satisfactory BASIX Certificate was submitted with the application and will be referenced in any consent granted.

5(a)(iii) *State Environmental Planning Policy (Transport and Infrastructure) 2021*

Chapter 2 Infrastructure

Development likely to affect an electricity transmission or distribution network

The proposed development meets the criteria for referral to the electricity supply authority within Section 2.48 of *SEPP (Transport and Infrastructure) 2021* and has been referred for comment for 21 days.

“Ausgrid does not have any objections for the proposed development.” Pending compliance with statutory requirements that distances between mains/poles to structures be maintained throughout construction. Special consideration should be given to the positioning and operating of cranes and the location of any scaffolding.

It will remain the responsibility of the developer and relevant contractors to verify and maintain the “as constructed” minimum clearances to the mains onsite.

5(a)(iv) *State Environmental Planning Policy (Biodiversity and Conservation) 2021*

Chapter 10 Sydney Harbour Catchment

The site is not located within the foreshores and waterways area, a Strategic Foreshore site or listed as an item of environmental heritage under the SEPP and as such only the aims of the plan are applicable. The proposal is consistent with these aims.

5(a)(v) *Leichhardt Local Environment Plan 2013 (LLEP 2013)*

The application was assessed against the following relevant clauses of *the Leichhardt Local Environmental Plan 2013*:

- Clause 1.2 - Aims of the Plan
- Clause 2.3 - Zone objectives and Land Use Table
- Clause 2.7 - Demolition
- Clause 4.3A - Landscaped areas for residential accommodation in Zone R1
- Clause 4.4 – Floor Space Ratio
- Clause 4.5 - Calculation of floor space ratio and site area
- Clause 5.10 - Heritage Conservation
- Clause 6.1 - Acid Sulfate Soils
- Clause 6.2 - Earthworks
- Clause 6.4 - Stormwater management

(i) Clause 2.3 - Land Use Table and Zone Objectives

The site is zoned LR1 under the *LLEP 2011*. The *LLEP 2013* defines the development as:

“semi-detached dwelling means a dwelling that is on its own lot of land and is attached to only one other dwelling.”

The development is permitted with consent within the land use table. The development is consistent with the objectives of the R1 zone.

The following table provides an assessment of the application against the development standards:

Standard	Proposal	Non-Compliance	Complies
Floor Space Ratio Maximum permissible: 0.8:1 or 343.68 sqm	0.67:1 or 288.779 sqm	N/A	Yes
Landscape Area Minimum Required: 20% or 85.92 sqm	28.57% or 122.73sqm	N/A	Yes

Site Coverage Maximum permissible: 60% or 257.76 sqm	46.66% or 200.46sqm	N/A	Yes
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ii) Clause 5.10 – Heritage Conservation

The subject property at 34 Wharf Road, Birchgrove, is listed as a heritage item; semi-detached house, “Exeter Villas”, including interiors, in Schedule 5 of the Leichhardt LEP 2013 (I608). The dwelling is a semi-detached dwelling, with its heritage listed pair at 36 Wharf Road, Birchgrove (I610). The site adjoins another heritage item and is in the vicinity of various other heritage items. Those in the immediate vicinity are listed below.

- House, “Ravenscourt”, including interiors at 39 Wharf Road, Birchgrove (I611);
- House, “Clovernook” at 43 Wharf Road, Birchgrove (I612); and
- House, “Clifton Villa”, including interiors at 73 Ballast Point Road, Birchgrove (519).

The subject property, 34 Wharf Road, Birchgrove is also located within the Birchgrove and Ballast Point Road Heritage Conservation Area (C8 in Schedule 5 of the Leichhardt LEP 2013).

An assessment of the proposal against the heritage provisions of the *Leichhardt LEP 2013*, and Leichhardt DCP 2013, has been carried out elsewhere in this report.

In summary, the amended proposal is acceptable from a heritage perspective as it will have an acceptable level of impact on the heritage significance of the semi-detached house, “Exeter Villas” and on the significance of the Birchgrove and Ballast Point Road Heritage Conservation Area subject to conditions. The conditions recommended include materials, conservation works to front palisade fence and the methodology for restoration of slate roof tiles. These need to be implemented to ensure the development is in accordance with Clause 5.10 Objectives 1(a) and (b) in the Leichhardt LEP 2013 and the relevant objectives and controls in the Leichhardt DCP 2013 and are discussed later in this report.

5(b) Draft Environmental Planning Instruments

The application has been assessed against the relevant Draft Environmental Planning Instruments listed below:

Draft Environmental Planning Instruments	Compliance
Draft State Environmental Planning Policy (Environment) 2018	Yes
Draft State Environmental Planning Policy (Remediation of Land) 2018	Yes
Draft State Environmental Planning Policy (Environment) 2017	Yes

5(c) Draft Inner West Local Environmental Plan 2020 (Draft IWLEP 2020)

The Draft IWLEP 2020 was placed on public exhibition commencing on 16 March 2020 and accordingly is a matter for consideration in the assessment of the application under *Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979*.

The amended provisions contained in the Draft IWLEP 2020 are not relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft IWLEP 2020.

5(d) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Leichhardt Development Control Plan 2013

LDCP2013	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
B2.1 Planning for Active Living	Yes
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	Yes
C1.3 Alterations and additions	Yes
C1.4 Heritage Conservation Areas and Heritage Items	Yes – see discussion
C1.7 Site Facilities	Yes
C1.8 Contamination	Yes
C1.9 Safety by Design	Yes
C1.11 Parking	Yes
C1.12 Landscaping	Yes
C1.13 Open Space Design Within the Public Domain	Yes
C1.14 Tree Management	Yes
C1.19 Rock Faces, Rocky Outcrops, Cliff Faces, Steep Slopes and Rock Walls	Yes – see discussion
Part C: Place – Section 2 Urban Character	
<i>C.2.2.2.6: Birchgrove Distinctive Neighbourhood</i>	Yes
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	Yes
C3.2 Site Layout and Building Design	Yes – see discussion
C3.3 Elevation and Materials	Yes
C3.4 Dormer Windows	Yes
C3.5 Front Gardens and Dwelling Entries	Yes
C3.6 Fences	Yes
C3.7 Environmental Performance	Yes

C3.8 Private Open Space	Yes – see discussion
C3.9 Solar Access	Yes – see discussion
C3.10 Views	Yes – see discussion
C3.11 Visual Privacy	Yes – see discussion
C3.12 Acoustic Privacy	Yes
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	
D2.1 General Requirements	Yes
D2.2 Demolition and Construction of All Development	Yes
D2.3 Residential Development	Yes
Part E: Water	
Section 1 – Sustainable Water and Risk Management	
E1.1 Approvals Process and Reports Required With Development Applications	Yes
E1.1.1 Water Management Statement	Yes
E1.1.3 Stormwater Drainage Concept Plan	Yes
E1.2 Water Management	Yes
E1.2.1 Water Conservation	Yes
E1.2.2 Managing Stormwater within the Site	Yes
E1.2.3 On-Site Detention of Stormwater	Yes
E1.2.5 Water Disposal	Yes
Part G: Site Specific Controls	
Section 5 – Wharf Road, Birchgrove	Yes
G5.1 Heritage	Yes
G5.2 Landscaping	Yes - See Discussion below with heritage assessment.
G5.3 Built Form And Urban Design	Yes
G5.4 Additions	Yes - See Discussion below with heritage assessment.
G5.8 Front Fences/Walls	Yes- See Discussion below with heritage assessment.
G5.9 Views	Yes
G5.10 Access, Traffic Management And Parking	Yes

Heritage Assessment

The subject site is part of a pair of semi-detached dwelling houses and is listed as a heritage item. The proposed development is subject to heritage assessment under the Leichhardt LEP and DCP, specifically the following sections apply to the proposal:

Clause 5.10: Heritage Conservation from the Leichhardt LEP 2013 and *Parts C1.3: Alterations and additions, C1.4: Heritage conservation areas and heritage items, C1.11: Rock faces, rocky outcrops, cliff faces, steep slopes and rock walls, C.2.2.2.6: Birchgrove Distinctive Neighbourhood* and *Part G5.1: Heritage* from the Leichhardt DCP 2013.

The applicant has provided revised drawings in response to Council advice on the earlier submitted design. This amended proposal was reviewed by Council's heritage advisor who indicated the revised proposal is an acceptable improvement on the original proposal. The roof link between the existing attic and the first floor rear addition has been deleted.

Excavation is still proposed to accommodate the tandem garage, laundry, lift and 3 rainwater tanks. The proposed store to the front, turntable, the undercroft / utility to the rear and entry passage have been deleted from the proposal. Overall, this will reduce the extent of excavation previously proposed and pulls the footprint of the basement level away from the foundations of the heritage item.

The reduced extent of excavation will reduce the impact on the landscape setting of the heritage item, as viewed from Wharf Road. The dive for the driveway to access the basement garage will be visible from Wharf Road and is discussed in more detail below.

The front setback of the proposed garage has been increased to sit behind the front façade of the heritage item which has allowed the retention of the entry forecourt to the east elevation of the item. The width of the proposed driveway immediately behind the front boundary has been reduced from approximately 6.32m to 3.3m. This will retain more of the existing setting and landscaped area to the front of the item. The width of the proposed garage has been decreased from approximately 5.12m down to 3.14m. This will significantly reduce the amount of excavation required to the side and rear of the item.

The drawings, 3D perspectives and the photomontages illustrate the existing entry forecourt will remain visible from the public domain. Coupled with the retention of the gateposts and palm trees in their current location, this has reduced the physical and visual impact of the proposal within the curtilage of the item. The entry path beside the driveway will provide a formal pedestrian entry to the main entry of the item, which is a positive outcome from a heritage perspective.

Based on the above, the dive of the driveway and the garage will have a physical and visual impact on the heritage significance of the item, its setting within its curtilage and the streetscape. However, the above mitigation measures included in the design will ensure that this impact is minimal and is acceptable.

The east elevation of the first floor aligns with the east elevation of the ground floor below. The side setback from 32 Wharf Road has been increased from a zero setback to a 900mm setback. This is a better outcome from a heritage perspective as it reduces the bulk of the addition, which will be visible from the public domain.

The amended design has ensured the eave and gutter of the rear roof plane has been retained.

The proposal includes new stairs to the front verandah, the design and material proposed are acceptable with the heritage character.

Windows and doors in the north elevation of the rear addition have been amended as required to be vertically proportioned, employing traditional design and materials the amendments are acceptable. The Materials & Finishes Schedule proposes timber frame doors and windows to the rear addition finished in a dark stain finish, which is acceptable.

The lift overrun is wholly contained within the proposed building envelope (RL22.75), below the ridgeline of the main roof form of the heritage item.

The existing paling fence is being retained, which is acceptable.

The extent of excavation proposed for the basement level has been reduced. Excavation for the basement has been located away from the footings of the item; approximately 520mm to the south and 100mm to the east of the item. This is acceptable.

A high level horizontal window is now proposed in the east elevation of bedroom 1 on the first floor of the rear addition. Though not complementary to characteristic window forms on the item or in the HCA, it is generally acceptable in this instance because of its location on the side elevation of the addition which is to the rear of the site. This will ensure that views to the window from the public domain are minimal.

The finishes for the rear addition have been amended from rendered masonry to vertical timber battens for the cladding. The heritage response provided with the amended plans states that timber cladding is a more "traditional" material, which is agreed. However, horizontal timber weatherboards are complementary to the application of timber within the Birchgrove and Ballast Point Road Heritage Conservation Area, not vertical timber battens finished in an "Ice White" coating, as proposed. The vertical timber battens proposed for the cladding should be replaced with horizontally laid timber weatherboard cladding which is to be painted white in accordance with the colour specified for weatherboards in the Material and Finishes Schedule. Alternatively, the finish can be amended back to rendered masonry.

It is recommended a condition be included in the consent requiring that conservation works be undertaken to the palisade fence on the front boundary as part of the works. It is also recommended a condition be included regarding the replacement of the slate roof tiles to ensure that appropriate slate roofing tiles are used.

The amended proposal is considered acceptable from a heritage perspective as it will have an acceptable level of impact on the heritage significance of the semi-detached house, "Exeter Villas" and on the significance of the Birchgrove and Ballast Point Road Heritage Conservation Area. The conditions recommended are to be implemented to ensure the final development is in accordance with Clause 5.10 Objectives 1(a) and (b) in the Leichhardt LEP 2013 and the relevant objectives and controls in the Leichhardt DCP 2013.

C1.19 Rock Faces, Rocky Outcrops, Cliff Faces, Steep Slopes and Rock Walls & G5.2 Landscaping

The existing cliff face to the rear of the site is proposed to be retained with works in front of the face but no work to or affecting the wall. The proposed excavation has been reviewed by councils engineers and heritage experts and the face is anticipated to be unaffected by the proposal. While the face will lose some visibility from the public domain the visibility was already limited being more than 30 metres from the lots' front boundary, the visibility is not a specific objective but rather relates to the HCA and character of the area. As discussed above the proposed additions are in keeping with the character of the area and as such the proposal is acceptable in the circumstances.

C3.2 Site Layout and Building Design

The location of the proposed rear additions and garage have been considered with the objectives of this part and are considered acceptable with the circumstances of the site. The rear addition with regard to height and setback from the rear lot boundary is consistent with that approved for the adjoining dwelling being part of a pair.

The proposal however extends closer to the southeast side boundary which is discussed below

Side Boundary Setbacks

At its highest point, the proposed wall height along the southern east boundary is approximately 6.1 metres, and therefore, a setback of 1.9m is prescribed pursuant to control C7 of this part. While the amended design has provided a 900mm setback from the side boundary this remains non-compliant with control 7. However, as outlined in control C8 of this part, higher wall heights may be allowed if the following requirements are met:

a. the development is consistent with relevant Building Typology Statements as outlined within Appendix B – Building Typologies of this Development Control Plan;

Comment: The proposal is a satisfactory response to the Building Typology Statements and streetscape and desired future character controls of the Leichhardt DCP 2013

b. the pattern of development within the streetscape is not compromised;

Comment: The side wall setbacks and heights of the proposed works will not be out of character with the existing pattern of development on the site, in the street and / or wider area. The pattern of development is not compromised as detailed above with the heritage character of the area.

c. the bulk and scale of development is minimised by reduced floor to ceiling heights;

Comment: The proposed floor to ceiling height, of 2.7 metres is acceptable and a reduction is not considered adequate for living areas which are proposed at ground floor. The first floor contains bedrooms and floor to ceiling heights of 2.4m.

d. the potential impacts on amenity of adjoining properties, in terms of sunlight and privacy and bulk and scale, are minimised;

Comment: As outlined in other sections of this report, the amended proposal does not result in adverse amenity impacts that are contrary to the controls of the LDCP 2013 and the bulk and scale, is minimised.

e. reasonable access is retained for necessary maintenance of adjoining properties

Comment: Existing access arrangements are maintained to the adjoining pair. The 900mm setback to 32 Wharf Road is sufficient for maintenance and access needs.

In light of the above, the proposal is satisfactory with regard to the intent and objectives of this part and the non-compliances with the prescribed BLZ and side boundary setbacks should be supported in this instance.

C3.8 Private Open Space

The private open space is retained to the front of the heritage item. The size exceeds DCP control and is directly attached to the living area of the heritage item. The new addition will also have direct access to a secondary open space which is in excess of 35m. The proposed POS to the front of the dwelling remains consistent with the objectives of for open space and is acceptable with the proposed design.

C3.9 Solar Access

The site has a east west orientation (48° east of north). The proposal has been assessed as satisfying the solar access requirements, which includes the following specific amenity controls:

C4 Private open space is to receive a minimum three hours of direct sunlight over 50% of the required private open space between 9am and 3pm at the winter solstice.

C12 Where the surrounding allotments are orientated east/west, main living room glazing must maintain a minimum of two hours solar access between 9am and 3pm during the winter solstice.

C18 Where surrounding dwellings have east/west facing private open space, ensure solar access is retained for two and a half hours between 9am and 3pm to 50% of the total area (adjacent to living room) during the winter solstice.

Shadow impact to 32 Wharf Road is limited to the rear yard of that dwelling after 11am. It is noted that neither the side or rear boundary wall of that premises receives additional overshadowing as a result of the proposed scheme. Solar access to rear private open space and main living room windows satisfies the controls or is unaffected during the assessment times.

C3.10 Views

The development is designed to promote view sharing by appropriately addressing building height, bulk and massing and including building setbacks and gaps between buildings. The land form helps to ensure that views from rear neighbours are retained. The height of rear addition is consistent with 36 Wharf Road, and has been minimised as discussed previously in this report. The objective has been achieved and the design is considered acceptable

While it is acknowledged that certain properties may be affected with impacts to views, it is considered that the proposal is reasonable and that the development of the subject site is fully compliant with the FSR controls and building envelope height. The proposal is therefore considered to be acceptable with regard to view impacts under Part C3.10.

C3.11 Visual Privacy

The window locations have been carefully considered to ensure privacy to surrounding properties. The large ground floor window in association with the living space is at ground level and the existing boundary fencing provides sufficient screening to ensure privacy. The windows to the first floor of the rear addition are for bedrooms only and are not highly trafficable spaces and as such are unlikely to have adverse privacy impacts. Additionally the windows on the south are lower than the existing rock wall with no impact. No windows are proposed to the western elevation with additions. The window to the east with the greatest possibility of overlooking is proposed to be high sill. Predominantly the upper floor is serviced by north facing windows which overlook the subject site. No overlooking impact is anticipated with the proposed design.

5(e) The Likely Impacts

The assessment of the Development Application demonstrates that, subject to the recommended conditions, the proposal will have minimal impact in the locality.

5(f) The suitability of the site for the development

Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(g) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 14 days to surrounding properties.

16 submissions were received in response to the initial notification.

4 submissions were received in response to renotification of the application.

The following issues raised in submissions have been discussed in this report:

- The increase in visual bulk from the development with regard to width and height
- Impact of the proposal on the subject heritage item, adjoining and surrounding items and the HCA as a whole. Wharf road is also subject to specific DCP controls
- Solar Access for 36 Wharf Road
- Privacy implications from the location and height of rear addition – see Section 2. 3
- Excessive site cover and lack of landscaping on site - see Section 5(a)(iv)
- View loss, specifically the view from Wharf Road on Clifton Villa and Rock Face

In addition to the above issues, the submissions raised the following concerns which are discussed under the respective headings below:

Issue: Impact on privacy and neighbouring structures from pool

Comment: Pool deleted from proposal with amended plans.

Issue: Impact of tree removal on character of the area

Comment: Front 2 Palms to be retained with amended proposal, conditions applied to ensure their protection.

Issue: Additional height to rear addition via lift overrun.

Comment: Lift overrun now contained within roof form of amended design.

Issue: Impact of turntable driveway on streetscape

Comment: The turntable has been deleted from amended proposal.

Issue: Loss of street parking with driveway widening

Comment: Driveway width retained as existing with amended proposal.

Issue: Excavation with proposal and impact to boundaries and cliff face wall.

Comment: The proposal has been reviewed by council engineers and is satisfactory with conditions of consent and statutory requirements for the issue of construction certificates.

Issue: Noise from pool pumps and Air-cons

Comment: Pool deleted from proposal. Air-con unit location not contained with plans. No further consideration is required with this application.

5(h) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

The application was referred to the following internal sections/officers and issues raised in those referrals have been discussed in section 5 above.

- Heritage
- Engineering
- Urban Forest

6(b) External

The application was referred to the following external bodies and issues raised in those referrals have been discussed in section 5 above.

- Ausgrid

7. Section 7.11 Contributions/7.12 Levy

Section 7.12 levies are payable for the proposal.

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$6,691.36 would be required for the development under the following plan:

- Former Leichhardt Local Government Area Section 7.12 Development Contributions Plan 2020

A condition requiring that contribution to be paid is included in the recommendation.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Leichhardt Local Environmental Plan 2013* and *Leichhardt Development Control Plan 2013*

The development will not result in any significant impacts on the amenity of the adjoining properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. DA/2021/0793 for lower ground, ground and first floor alterations and additions to existing heritage listed semi-detached dwelling-house, including new garage accessed via driveway and landscaping works at 34 Wharf Road, Birchgrove subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

The development must be carried out in accordance with plans and documents listed below:

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
DA01, J	Site Analysis and Site Plan	16/02/2022	Cunningham Gill Architecture
DA02, H	Existing Ground Floor Plan	16/02/2022	Cunningham Gill Architecture
DA04, L	Proposed Ground Floor Plan	15/02/2022	Cunningham Gill Architecture
DA05, L	Proposed First Floor Plan	15/02/2022	Cunningham Gill Architecture
DA06, L	Proposed Basement Floor Plan	14/02/2022	Cunningham Gill Architecture
DA07, K	Proposed Roof Plan	15/02/2022	Cunningham Gill Architecture
DA08, H	Proposed Sections	11/02/2022	Cunningham Gill Architecture
DA10, F	North Elevation	11/02/2022	Cunningham Gill Architecture
DA11, F	South Elevation and Cross Section	11/02/2022	Cunningham Gill Architecture
DA12, F	East Elevation	11/02/2022	Cunningham Gill Architecture
DA13, F	West Elevation	11/02/2022	Cunningham Gill Architecture
DA14, F	Street Elevation	11/02/2022	Cunningham Gill Architecture

DA17, E	Section through Garage	16/02/2022	Cunningham Gill Architecture
Revision 3	Material and Finishes Schedule pages 1 to 3	14/02/2022	

As amended by the conditions of consent.

FEES

2. Security Deposit - Custom

Prior to the commencement of demolition works or prior to the issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit:	Min \$2,254.00
Inspection Fee:	\$241.50

Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date.

The inspection fee is required for the Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.

Should any of Council's property and/or the physical environment sustain damage during the course of the demolition or construction works, or if the works put Council's assets or the environment at risk, or if any road, footpath or drainage works required by this consent are not completed satisfactorily, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all of the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.

A request for release of the security may be made to the Council after all construction work has been completed and a final Occupation Certificate issued.

The amount nominated is only current for the financial year in which the initial consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

3. Section 7.12 (formerly section 94A) Development Contribution Payments

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that a monetary contribution to the Inner West Council has been paid, towards the provision of infrastructure, required to address increased demand for local services generated by additional development within the Local Government Area (LGA). This condition is imposed in accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979* and in accordance with *Former Leichhardt Local Government Area Section 7.12 Development Contributions Plan 2020*.

Note: Copies of these contribution plans can be inspected at any of the Inner West Council Service Centres or viewed online at <https://www.innerwest.nsw.gov.au/develop/planning-controls/section-94-contributions>

Payment amount*:

\$6,691.36

*Indexing of the Section 7.12 contribution payment:

The contribution amount to be paid to the Council is to be adjusted at the time of the actual payment in accordance with the provisions of the relevant contributions plan. In this regard, you are recommended to make contact with Inner West Council *prior to arranging your payment method* to confirm the correct current payment amount (at the expected time of payment).

Payment methods:

The required contribution must be paid either *by BPAY (to a maximum of \$500,000); unendorsed bank cheque (from an Australian Bank only); EFTPOS (Debit only); credit card (Note: A 1% credit card transaction fee applies to all credit card transactions; cash (to a maximum of \$10,000)*. It should be noted that personal cheques or bank guarantees cannot be accepted for the payment of these contributions. **Prior to payment contact Council's Planning Team to review charges to current indexed quarter, please allow a minimum of 2 business days for the invoice to be issued before payment can be accepted.**

4. Long Service Levy

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid at the prescribed rate of 0.35% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more.

GENERAL CONDITIONS

5. Tree Protection

No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent or marked on the approved plans for removal.

Prescribed trees protected by Council's Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent.

Any public tree within five (5) metres of the development must be protected in accordance with Council's *Development Fact Sheet—Trees on Development Sites*.

No activities, storage or disposal of materials taking place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council's Tree Management Controls at any time.

The trees identified below are to be retained and protected in accordance with the conditions of consent or approved Tree Protection Plan throughout the development (note: tree numbers must correspond with approved Tree Protection Plan if conditioned) :

Tree No.	Botanical/Common Name	Location
-	2 x <i>Phoenix canariensis</i> (Canary Island Date Palm)	Front

Details of the trees must be included on all Construction Certificate plans and shall be annotated in the following way:

- a. Green for trees to be retained;

6. Project Arborist

Prior to the commencement of any demolition or construction works within close proximity to protected trees a Project Arborist must be engaged for the duration of the site preparation, demolition, construction and landscaping to supervise works. Details of the Project Arborist must be submitted to the Certifying Authority before work commences.

7. Boundary Alignment Levels

Alignment levels for the site at all pedestrian and vehicular access locations must match the existing back of footpath levels at the boundary.

8. Waste Management Plan

Prior to the commencement of any works (including any demolition works), the Certifying Authority is required to be provided with a Recycling and Waste Management Plan (RWMP) in accordance with the relevant Development Control Plan.

9. Erosion and Sediment Control

Prior to the issue of a commencement of any works (including any demolition works), the Certifying Authority must be provided with an erosion and sediment control plan and specification. Sediment control devices must be installed and maintained in proper working order to prevent sediment discharge from the construction site.

10. Works Outside the Property Boundary

This development consent does not authorise works outside the property boundaries on adjoining lands.

PRIOR TO ANY DEMOLITION**11. Hoardings**

The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.

Separate approval is required from the Council under the *Roads Act 1993* to erect a hoarding or temporary fence or awning on public property.

12. Dilapidation Report

Prior to any works commencing (including demolition), the Certifying Authority and owners of identified properties, must be provided with a colour copy of a dilapidation report prepared by a suitably qualified person. The report is required to include colour photographs of all the adjoining properties to the Certifying Authority's satisfaction. In the event that the consent of the adjoining property owner cannot be obtained to undertake the report, copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the Certifying Authority before work commences.

13. Advising Neighbours Prior to Excavation

At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

14. Construction Fencing

Prior to the commencement of any works (including demolition), the site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property.

PRIOR TO CONSTRUCTION CERTIFICATE

15. Construction Methods to Minimise Impact on Trees

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with detailed plans certified by a suitably qualified Arborist (AQF Level 5) demonstrating that any work will utilise tree sensitive construction techniques (such as isolated pier or pier and beam construction, leaving driveway kerb/surface intact if required etc) and that the location and design of any walls or level changes will be such that the structural viability of the palms will not be compromised within the specified radius of the trunks of the following trees:

Tree No.	Botanical/Common Name	Radius in metres
-	2 x <i>Phoenix canariensis</i> (Canary Island Date Palm)	3 m from each trunk

Prior to the issue of a Construction Certificate, the Certifying Authority must verify that no proposed underground services are located beneath the canopy of any prescribed tree/s located on the subject site and adjoining sites (including trees located within the public domain).

16. Tree Protection Plan

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a detailed site-specific Tree Protection Plan (TPP) prepared by a AQF5 Consultant Arborist. The TPP is to be prepared in accordance with Council’s *Development Fact Sheet—Trees on Development Sites*.

The trees identified below are to be retained and protected throughout the development:

Tree No.	Botanical/Common Name	Location
-	2 x <i>Phoenix canariensis</i> (Canary Island Date Palm)	Front adjacent existing driveway

The tree protection measures contained in the TPP must be shown clearly on the Construction Certificate drawings, including the Construction Management Plan.

The Certifying Authority must ensure the construction plans and specifications submitted fully satisfy the tree protection requirements identified in the TPP.

A Project Arborist is to be appointed prior to any works commencing to monitor tree protection for the duration of works in accordance with the requirements identified in the TPP.

All tree protection measures as detailed in the approved Tree Protection Plan must be installed and certified in writing as fit for purpose by the Project Arborist.

17. Dilapidation Report – Pre-Development – Minor

Prior to the issue of a Construction Certificate or any demolition, the Certifying Authority must be provided with a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site.

18. Stormwater Drainage System – Minor Developments (OSD is not required)

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with stormwater drainage design plans certified by a suitably qualified Civil Engineer that the design of the site drainage system complies with the following specific requirements:

- a. The Stormwater Drainage Concept plan on Drawing No. STW4 revision (C) prepared by PC CONSULTING ENGINEERS and dated 21 April 2021, must be amended to comply with the following;
- b. Stormwater runoff from all roof areas within the property being collected in a system of gutters, pits and pipeline and be discharged, together with overflow pipelines from any rainwater tank(s), by gravity to the kerb and gutter of a public road;
- c. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP;
- d. Pipe and channel drainage systems must be designed to cater for the twenty (20) year Average Recurrence Interval (ARI) storm in the case of low and medium residential developments, the twenty (20) year ARI Storm in the case of high-density residential development and commercial and/or industrial developments and the fifty (50) year ARI Storm in the case of heavy industry. In all cases, the major event surface flow paths must be designed to cater for the one hundred (100) year ARI Storm;
- e. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage;
- f. To provide for adequate site drainage all roof and surface stormwater from the site and any catchment external to the site that presently drains to it, must be collected in a system of pits and pipelines/channels and major storm event surface flow paths and being discharged to a stormwater drainage system in accordance with the requirements of Council's DCP. Please note any stormwater outlets through sandstone kerbs must be carefully core drilled;
- g. The design plans must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes;
- h. The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system;
- i. As there is no overland flow/flood path available from the rear and central courtyards to the Wharf Road frontage, the design of the sag pit and piped drainage system is to meet the following criteria:
 1. Capture and convey the 100 year Average Recurrence Interval flow from the contributing catchment assuming 80% blockage of the inlet and 50% blockage of the pipe;
 2. The maximum water level over the sag pit shall not be less than 150 mm below the floor level or damp course of the building; and
 3. The design shall make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands.
- j. A minimum 150mm step up shall be provided between all external finished surfaces and adjacent internal floor areas;
- k. The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands;
- l. No nuisance or concentration of flows to other properties;
- m. The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system;

- n. The design plans must specify that any components of the existing system to be retained must be certified during construction to be in good condition and of adequate capacity to convey the additional runoff generated by the development and be replaced or upgraded if required;
- o. The proposed outlet pipe under the existing vehicular crossing is not permitted. The inspection pit and the outlet pipe must be relocated to the south western side of the existing driveway. The setback of the pit and the outlet pipe from the trees must comply with the requirements of Council's Tree Assessment Officer;
- p. Details of stormwater disposal from the ramp to the garage must be shown on the drainage plan;
- q. An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;
- r. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site;
- s. New pipelines within the footpath area that are to discharge to the kerb and gutter must be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0 mm and a maximum section height and width of 100 mm or sewer grade uPVC pipe with a maximum diameter of 100 mm;
- t. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings;
- u. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated;
- v. No impact to street tree(s);

19. Parking Facilities - Domestic

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer demonstrating that the design of the vehicular access and off-street parking facilities must comply with Australian Standard AS/NZS2890.1-2004 Parking Facilities – Off-Street Car Parking and the following specific requirements:

- a. The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004;
- b. A minimum of 2200mm headroom must be provided throughout the access and parking facilities. Note that the headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors;
- c. Longitudinal sections along each outer edge of the access and parking facilities, extending to the centreline of the road carriageway must be provided at a natural scale of 1:25, demonstrating compliance with the above requirements;
- d. The garage/carport/parking space must have minimum clear internal dimensions of 11400 mm x 3000 mm (length x width). The dimensions must be exclusive of obstructions such as walls, doors and columns, except where they do not encroach inside the design envelope specified in Section 5.2 of AS/NZS 2890.1-2004;

- e. A plan of the proposed access and adjacent laneway, drawn at a 1:100 scale, demonstrating that vehicle manoeuvrability for entry and exit to the parking space complies with swept paths from AS/NZS 2890.1:2004. The plan must include any existing on-street parking spaces;
- f. The maximum gradients within the parking module must not exceed 1 in 20 (5%), measured parallel to the angle of parking and 1 in 16 (6.25%), measured in any other direction in accordance with the requirements of Section 2.4.6 of AS/NZS 2890.1-2004; and
- g. The external form and height of the approved structures must not be altered from the approved plans.

20. Structural and Geotechnical Report

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an integrated structural and geotechnical report and structural plans that address the design of the proposed basement, prepared certified as compliant with the terms of this condition by a qualified practicing Structural and Geotechnical Engineer(s) who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng). The report and plans must be prepared/ amended to make provision for the following:

- a. The basement must be fully tanked to prevent the ingress of subsurface flows;
- b. All components of the basement, including footings, must be located entirely within the property boundary;
- c. No adverse impact on surrounding properties including Council's footpath and road;
- d. The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development;
- e. Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property; and
- f. Provide relevant geotechnical/ subsurface conditions of the site, as determined by a full geotechnical investigation.

21. Changes to Levels

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans incorporating the following amendments:

- a. A 150 mm step down must be provided between the finished floor level of the internal room and the finished surface level of the external area.

22. Party Walls

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with Architectural Plans accompanied by a Structural Certificate which verifies that the architectural plans do not rely on the Party Wall for lateral or vertical support and that additions are independently supported. A copy of the Certificate & plans must be provided to all owners of the party walls.

23. Structural Certificate for retained elements of the building

Prior to the issue of a Construction Certificate, the Certifying Authority is required to be provided with a Structural Certificate prepared by a 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. The certificate must also include all details of the methodology to be employed in construction phases to achieve the above requirements without result in demolition of elements marked on the approved plans for retention.

24. Sydney Water – Tap In

Prior to the issue of a Construction Certificate, the Certifying Authority is required to ensure approval has been granted through Sydney Water's online 'Tap In' program to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

Note: Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 13 20 92

DURING DEMOLITION AND CONSTRUCTION**25. Finishes**

During construction, the vertical timber battens proposed for the cladding to the rear addition must be replaced with horizontally laid timber weatherboard cladding which is to be painted white in accordance with the colour specified for weatherboards in the Material and Finishes Schedule. Alternatively, the finish is to be amended back to rendered masonry.

26. Conservation of Front Palisade Fence

During construction works, conservation works are to be undertaken to the palisade fence on the front boundary as part of the works. Previous repairs with cement are to be carefully removed. Replace sandstone blocks that are structurally unsound. Where possible, patch damaged or

deteriorated sandstone to improve water shedding and extend its functional life, rather than replace. The impact of the proposed replacement of sandstone is to be minimised by:

- a. ensuring the cause or source of the deterioration is rectified before replacement;
- b. only replace stone that has reached the end of its functional life or is structurally unsound;
- c. ensure the material, finish appearance (colour) quartz content, permeability, structural capacity and any other relevant characteristics of the replacement stone closely matches the existing. It is likely the replacement sandstone will be paler than the existing until the formation of its mineralised outer layer;
- d. tooling and jointing must be in the spirit of the original detail;
- e. The composition of mortar for repointing is to be no stronger than the original sandstone used in the building. The lime-based mortar to be used for the joints with the restoration and reconstruction works is to be softer than surrounding sandstone and is to be sacrificial;
- f. This drilling of holes into the coping stones are to be 50mm to 75mm deep, wholly contained within the coping stone layer, and are not to penetrate through to the existing sandstone block layer below; and
- g. Corrosion protection tape (Denso tape or similar) is to be wrapped around the portion of the railings to be embedded within the coping stones for corrosion protection, sealing and waterproofing of the palisade.

27. Repairs / Replacement of Slate Roof Tiles

During construction work, preference for restoration is to be given to the roof planes most visible from the public domain. Introduced second hand slate tiles are to be used on roof planes that are less visible.

- a. Where the replacement of slate roof tiles is required, they are to be replaced with like for like, e.g. Welsh slate roof tiles the same size and colour and with whittled (hand cut) edges, rather than a sawn edge finish.
- b. The rolled ridge capping to the roof is to be retained and restored. Alternatively, if it cannot be restored, it must be replaced with like for like.
- c. Where re-nailing of slate tiles is required, proper copper or phosphor-bronze slating nails must be used.

28. Inspections by Project Arborist

The trees to be retained must be inspected, monitored and treated by the Project Arborist during and after completion of development works to ensure their long-term survival. Regular inspections and documentation from the Project Arborist to the Certifying Authority are required at the following times or phases of work:

Tree No./ Botanical/ Common Name/ Location	Time of Inspection	Key stage/ Hold point
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2 x <i>Phoenix canariensis</i> (Canary Island Date Palm) / Front (TPZ = 3m radius from each trunk)	Prior to commencement of works	<ul style="list-style-type: none"> • Inspection and sign off installation of tree protection measures.
	During Works	<ul style="list-style-type: none"> • Supervise all site preparation and demolition works within the TPZ; • Supervise all works inside or above the TPZ; • Supervise all excavation, trenching works, landscaping works and tree/planting replenishment within the TPZ; • Supervise all tree work.

Recommendations to ensure the tree/s long term survival must be carried out immediately upon receipt of the report.

29. Limited Root Pruning

Minor root pruning only is approved within the specified radius of the trunks of the following trees in the process of any works during the construction period:

Tree No.	Botanical/Common Name	Radius in metres
-	2 x <i>Phoenix canariensis</i> (Canary Island Date Palm)	3 m from each trunk

Any root pruning must be approved and supervised by the Project Arborist and must be such that the structural viability and long term health of the palms will not be compromised. The roots (if any) approved for pruning must be cut cleanly using a sharp and *fit for purpose tool*.

30. Construction Hours – Class 1 and 10

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work are only permitted between the hours of 7:00am to 5.00pm, Mondays to Saturdays (inclusive) with no works permitted on, Sundays or Public Holidays.

31. Survey Prior to Footings

Upon excavation of the footings and before the pouring of the concrete, the Certifying Authority must be provided with a certificate of survey from a registered land surveyor to verify that the structure will not encroach over the allotment boundaries.

PRIOR TO OCCUPATION CERTIFICATE

32. Project Arborist Certification

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with certification from the project arborist the requirements of the conditions of consent related to the landscape plan and the role of the project arborist have been complied with.

33. No Encroachments

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any encroachments on to Council road or footpath resulting from the building works have been removed, including opening doors, gates and garage doors with the exception of any awnings or balconies approved by Council.

34. Protect Sandstone Kerb

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any stone kerb, damaged as a consequence of the work that is the subject of this development consent, has been replaced.

35. Parking Signoff – Minor Developments

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with certification from a qualified practising Civil Engineer that the vehicle access and off street

parking facilities have been constructed in accordance with the approved design and relevant Australian Standards.

ADVISORY NOTES

Arborists standards

All tree work must be undertaken by a practicing Arborist. The work must be undertaken in accordance with AS4373—*Pruning of amenity trees* and the Safe Work Australia Code of Practice—*Guide to Managing Risks of Tree Trimming and Removal Work*. Any works in the vicinity of the Low Voltage Overhead Network (including service lines—pole to house connections) must be undertaken by an approved Network Service Provider contractor for the management of vegetation conflicting with such services. Contact the relevant Network Service Provider for further advice in this regard.

Tree Protection Works

All tree protection for the site must be undertaken in accordance with Council's *Development Fact Sheet—Trees on Development Sites* and AS4970—*Protection of trees on development sites*.

Permits

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip Bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street veranda over the footpath;
- h. Partial or full road closure; and

- i. Installation or replacement of private stormwater drain, utility service or water supply.

If required contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. Applications for such Permits must be submitted and approved by Council prior to the commencement of the works associated with such activity.

Insurances

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2000*.

Notification of commencement of works

At least 7 days before any demolition work commences:

- a. The Council must be notified of the following particulars:
 - i. the name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - ii. the date the work is due to commence and the expected completion date; and
- b. A written notice must be placed in the letter box of each directly adjoining property identified advising of the date the work is due to commence.

Storage of Materials on public property

The placing of any materials on Council's footpath or roadway is prohibited, without the prior consent of Council.

Toilet Facilities

The following facilities must be provided on the site:

- a. Toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees; and

- b. A garbage receptacle for food scraps and papers, with a tight fitting lid.

Facilities must be located so that they will not cause a nuisance.

Infrastructure

The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be undertaken before occupation of the site.

Other Approvals may be needed

Approvals under other acts and regulations may be required to carry out the development. It is the responsibility of property owners to ensure that they comply with all relevant legislation. Council takes no responsibility for informing applicants of any separate approvals required.

Failure to comply with conditions

Failure to comply with the relevant provisions of *the Environmental Planning and Assessment Act 1979* and/or the conditions of this consent may result in the serving of penalty notices or legal action.

Other works

Works or activities other than those approved by this Development Consent will require the submission of a new Development Application or an application to modify the consent under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

Obtaining Relevant Certification

This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, such as (if necessary):

- a. Application for any activity under that Act, including any erection of a hoarding;
- b. Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*;
- c. Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*;
- d. Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed;

- e. Application for Strata Title Subdivision if strata title subdivision of the development is proposed;
- f. Development Application for demolition if demolition is not approved by this consent; or
- g. Development Application for subdivision if consent for subdivision is not granted by this consent.

National Construction Code (Building Code of Australia)

A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out. All building works approved by this consent must be carried out in accordance with the requirements of the National Construction Code.

Notification of commencement of works

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the PCA (not being the council) has given the Council written notice of the following information:

- 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.
- 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.

Dividing Fences Act

The person acting on this consent must comply with the requirements of the *Dividing Fences Act 1991* in respect to the alterations and additions to the boundary fences.

Permits from Council under Other Acts

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;

- c. Mobile crane or any standing plant;
- d. Skip bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street verandah over footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

Contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. A lease fee is payable for all occupations.

Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.

Amenity Impacts General

The use of the premises must not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

Lead-based Paint

Buildings built or painted prior to the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe. Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned prior to occupation of the room or building.

Dial before you dig

Contact "Dial Prior to You Dig" prior to commencing any building activity on the site.

Useful Contacts

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	13 32 20 www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100 www.dialpriortoyoudig.com.au
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diySAFE.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92 www.sydneywater.com.au

Waste Service - SITA 1300 651 116
Environmental Solutions www.wasteservice.nsw.gov.au

Water Efficiency Labelling and Standards (WELS) www.waterrating.gov.au

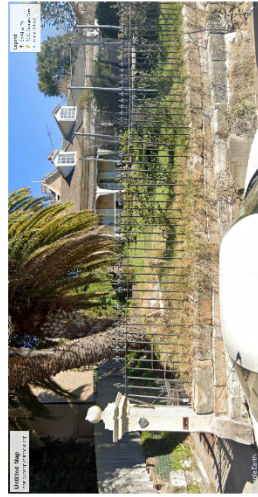
WorkCover Authority of NSW 13 10 50
www.workcover.nsw.gov.au
Enquiries relating to work safety and asbestos removal and disposal.

Theedam House 34 Wharf Road, Birchgrove DEVELOPMENT APPLICATION

DA COMPLIANCE TABLE			
	Existing	Allowed	Proposed
Site Area	429.8sqm	344sqm/80%	243sqm/56%
Floor Area	147sqm/34%	86sqm/20%	125sqm/29%
Landscaping	141sqm/33%	258sqm/60%	197sqm/46%
Site Cover	139sqm/32%		



A Aerial view NTS



B EXISTING PHOTO STREET VIEW NTS



C PROPOSED STREET VIEW NTS

SCOPE OF WORK
The scope of works include but are not limited to the demolition and reconstruction of the existing house, the alterations and additions to the existing family room, the extension of the storey rear extension with lower ground floor/basement tandem garage.

ARCHITECTURAL DRAWING LIST

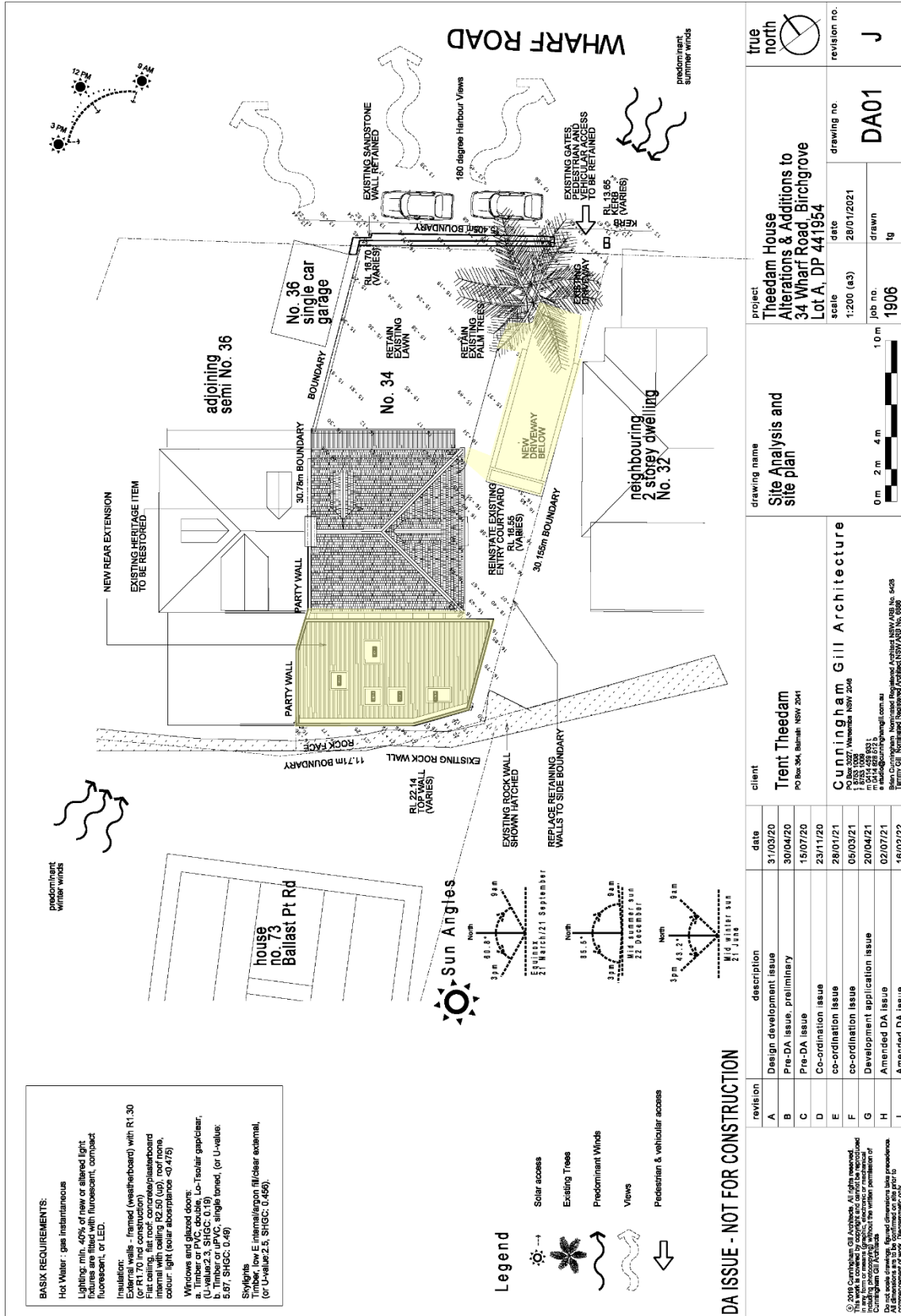
- DA00 COVER SHEET
- DA01 SITE ANALYSIS PLAN & BASIC COMMITMENTS
- DA02 EXISTING GROUND FLOOR PLAN
- DA03 EXISTING FIRST FLOOR PLAN
- DA04 PROPOSED GROUND FLOOR PLAN
- DA05 PROPOSED FIRST FLOOR PLAN
- DA06 PROPOSED BASEMENT PLAN
- DA07 PROPOSED ROOF & PARTIAL SITE PLAN
- DA08 PROPOSED SECTIONS SHEET 1
- DA09 DELETED
- DA10 NORTH ELEVATION
- DA11 SOUTH ELEVATION & CROSS SECTION
- DA12 EAST ELEVATION
- DA13 WEST ELEVATION
- DA14 STREETSCAPE ELEVATION
- DA15 LANDSCAPE & SITE AREA CALCULATIONS
- DA16 FSR AREA CALCULATIONS
- DA17 SECTION THROUGH GARAGE
- DA18 SHADOW DIAGRAMS, 9AM
- DA19 SHADOW DIAGRAMS, 10AM
- DA20 SHADOW DIAGRAMS, 11AM
- DA21 SHADOW DIAGRAMS, 12 NOON
- DA22 SHADOW DIAGRAMS, 1PM
- DA23 SHADOW DIAGRAMS, 2PM
- DA24 SHADOW DIAGRAMS, 3PM
- DA25 3D IMAGES SHEET 1
- DA26 3D IMAGES SHEET 2
- DA27 3D IMAGES SHEET 3
- DA28 3D IMAGES SHEET 4

DA ISSUE - NOT FOR CONSTRUCTION

revision	description	date	client
A	Pre-da issue (preliminary)	30/04/20	Trent Theedam
B	Pre-da issue	15/07/20	PO Box 304, Berrimah NSW 2041
C	DA co-ordination issue	23/11/20	
D	DA co-ordination issue	28/01/21	
E	DA co-ordination issue	08/04/21	
F	Development application issue	20/04/21	Cunningham Gill Architecture
G	Amended DA issue	02/07/21	1/2021/0001 - Waverley NSW 2048
H	Amended DA issue	16/02/22	1/2021/0001 - Waverley NSW 2048 PO Box 428 931 1/2021/0001 - Waverley NSW 2048 a.m.c@trishgill.com.au Trish Gill - Registered Architect NSW Reg. No. 5428 Brien Cunningham - Non-Registered Architect NSW Reg. No. 5428 Trish Gill - Non-Registered Architect NSW Reg. No. 1906

drawing name Cover sheet	project Theedam House Alterations & Additions to 34 Wharf Road, Birchgrove Lot A, DP 441954	scale NTS (A3)	date 28/01/2021
revision no. H	drawing no. DA00	job no. 1906	drawn tg
scale 0 m 1 m 2 m 6 m		drawn tg	

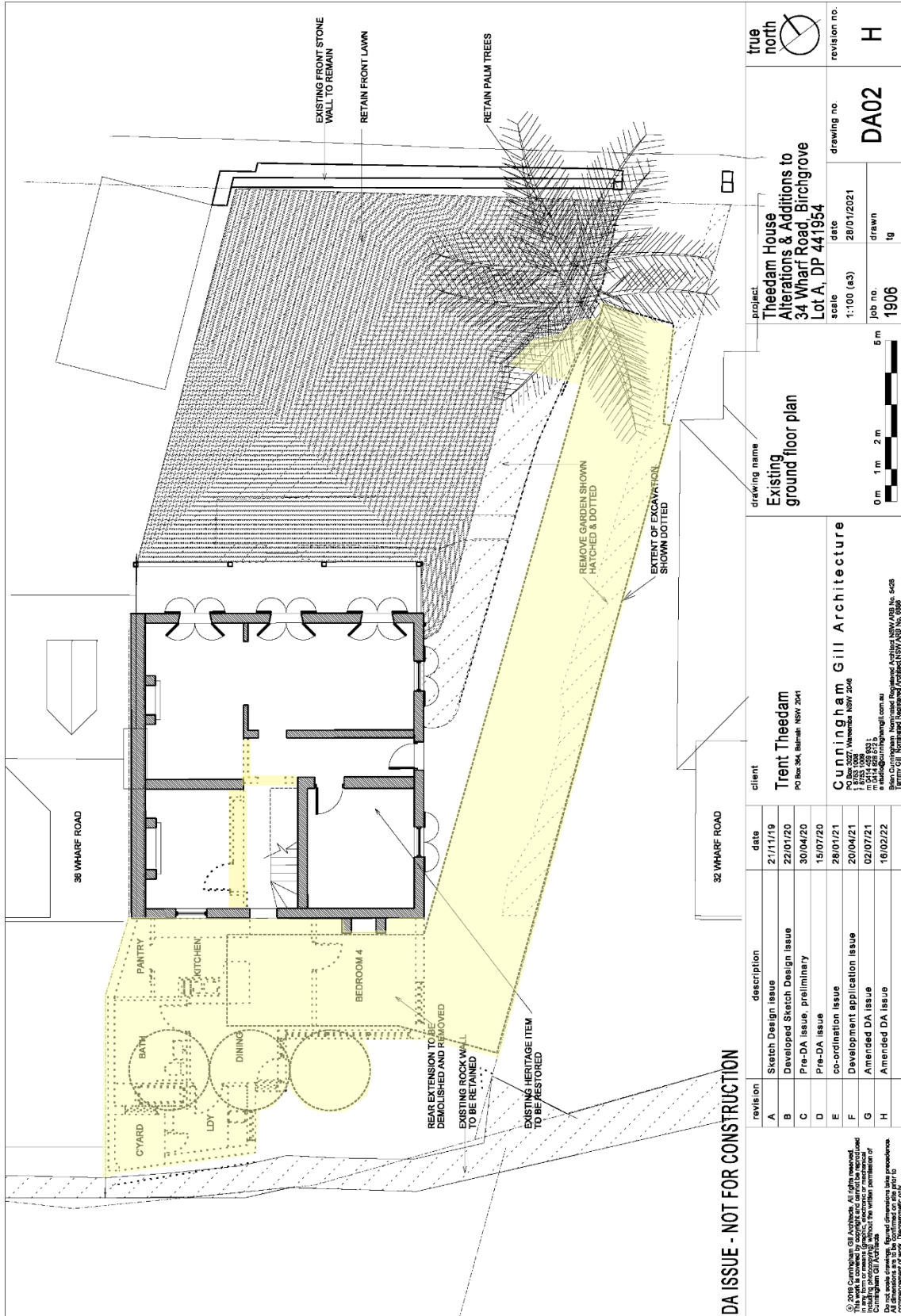
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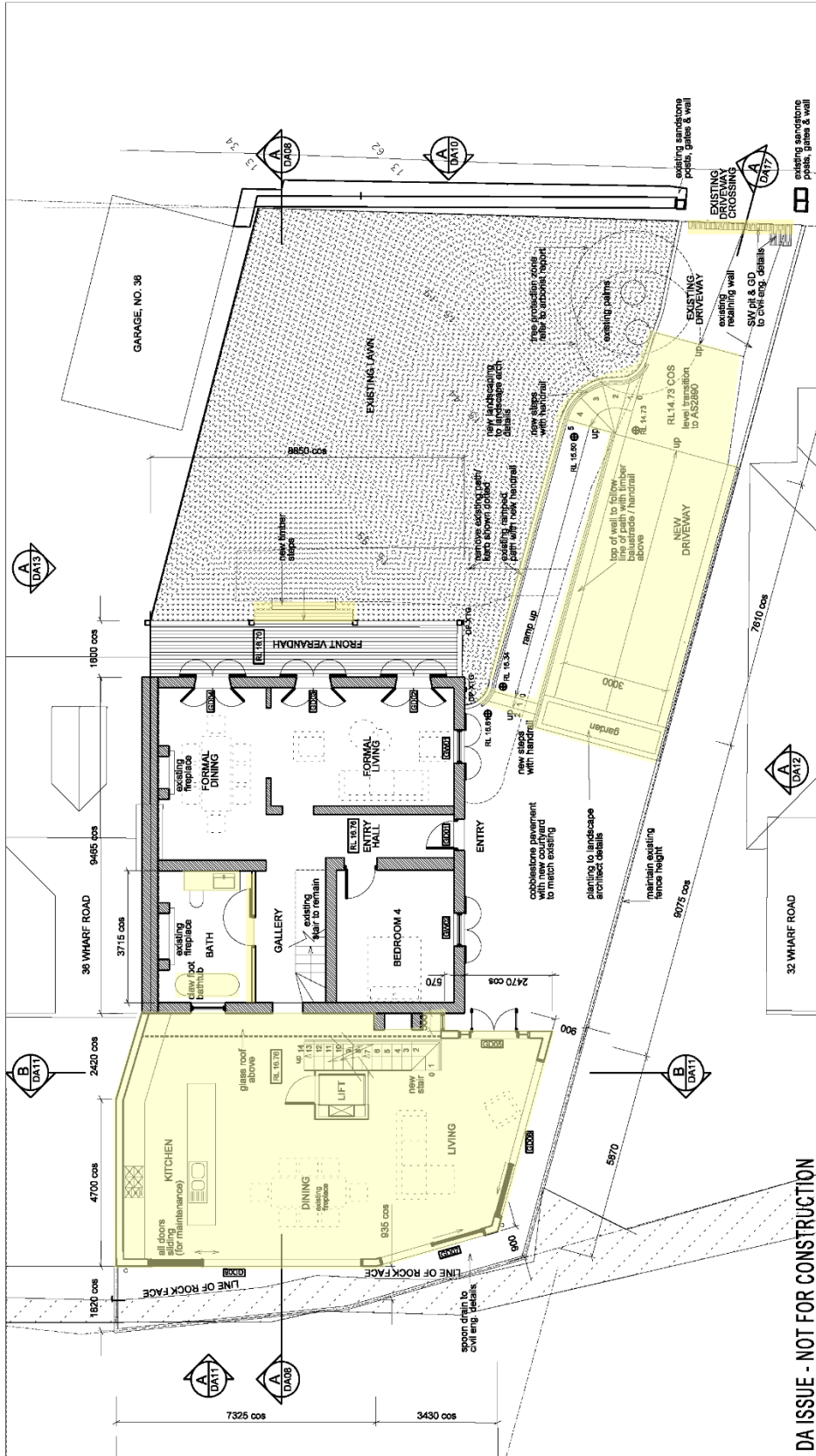


DA ISSUE - NOT FOR CONSTRUCTION

revision	description	date	client	drawing name	project	scale	date	drawing no.	revision no.
A	Sketch Design Issue	21/11/19	Trent Theedam PO Box 304, Berrimah NSW 2041 Cunningham Gill Architecture 1/205-206 Waverley NSW 2048 Ph: 02 9439 9311 Email: trent@cunninghamgill.com.au Brian Cunningham, Nominated Registered Architect NSW Reg. No. 5428 Emily Gill, Nominated Registered Architect NSW Reg. No. 6866	Existing ground floor plan	Theedam House Alterations & Additions to 34 Wharf Road, Birchgrove Lot A, DP 441954	1:100 (e4)	28/01/2021	DA02	H
B	Developed Sketch Design Issue	22/01/20							
C	Pre-DA Issue, preliminary	30/04/20							
D	Pre-DA Issue	15/07/20							
E	co-ordination issue	28/01/21							
F	Development application Issue	20/04/21	0m 1m 2m 6m	1906	ig				
G	Amended DA Issue	02/07/21							
H	Amended DA Issue	16/02/22							

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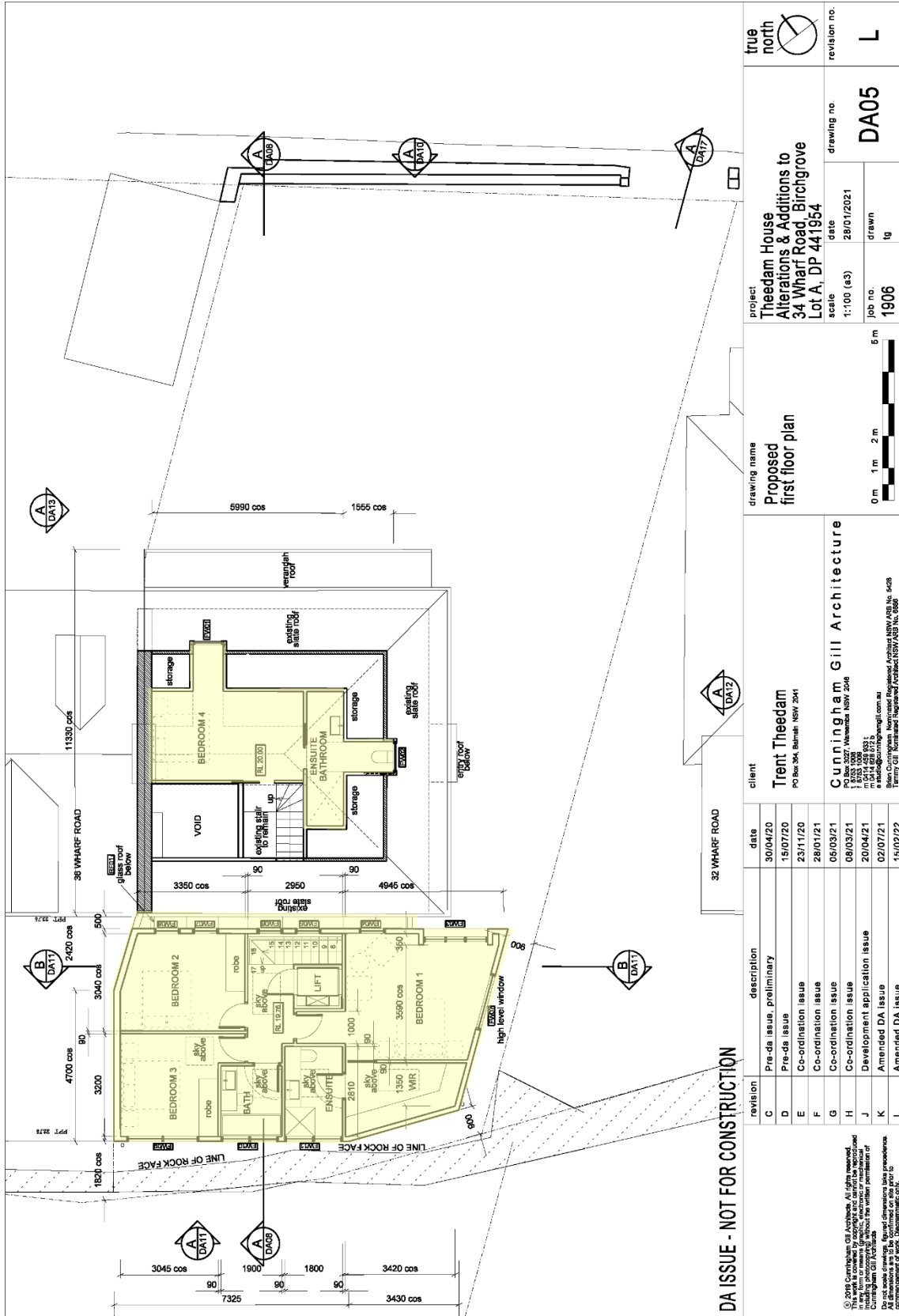
revision	description	date	client
C	Pre-da issue, preliminary	30/04/20	Trent Theedam PO Box 304, Berman NSW 2041 Cunningham Gill Architecture 17/23 - 17/25, Waverley NSW, 2046 Ph: 02 9434 599 931 www.cunninghamgill.com.au Brian Cunningham, Non-Resident Registered Architect NSW Reg. No. 5428 Barry Gill, Non-Resident Registered Architect NSW Reg. No. 6866
D	Pre-da issue	15/07/20	
E	Co-ordination issue	23/11/20	
F	Co-ordination issue	28/01/21	
G	Co-ordination issue	05/03/21	
H	Co-ordination issue	08/04/21	
J	Development application issue	20/04/21	
K	Amended DA issue	02/07/21	
L	Amended DA issue	15/02/22	

drawing name	project	revision no.
Proposed ground floor plan	Theedam House Alterations & Additions to 34 Wharf Road, Birchgrove Lot A, DP 441954	L

scale	date	drawing no.
1:100 (A3)	28/01/2021	DA04

job no.	drawn	scale
1906	lg	5m

0 m 1 m 2 m 5 m

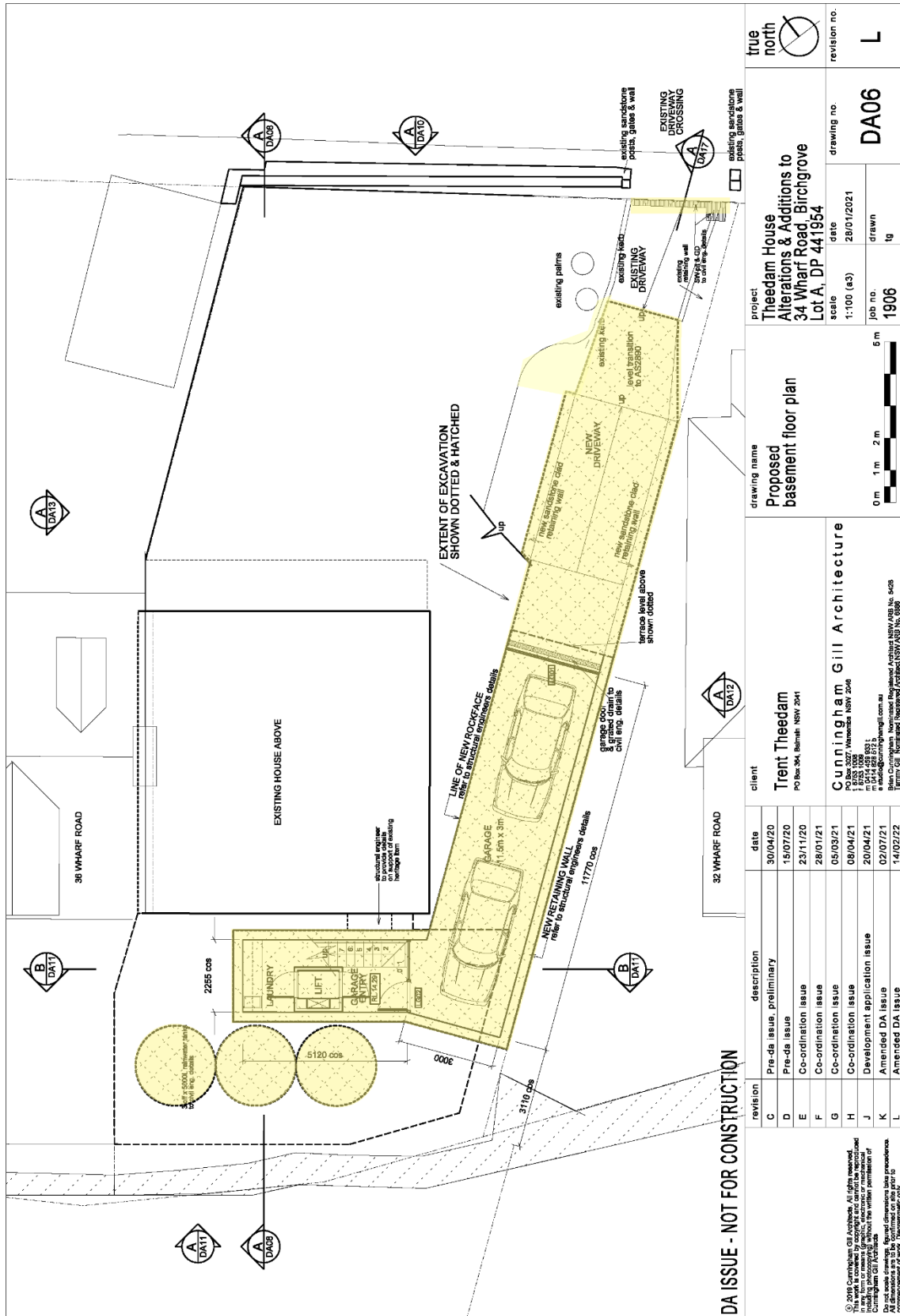


DA ISSUE - NOT FOR CONSTRUCTION

revision	description	date	client
C	Pre-da issue, preliminary	30/04/20	Trent Theedam PO Box 304, Berrimah NSW 2041 Cunningham Gill Architecture 1/205 Wattle Street, Waverley NSW 2048 Ph: 02 9439 8311 www.cunninghamgill.com.au Brian Cunningham, Nominated Registered Architect NSW Reg. No. 5428 Terri Gill, Nominated Registered Architect NSW Reg. No. 6986
D	Pre-da issue	15/07/20	
E	Co-ordination issue	23/11/20	
F	Co-ordination issue	28/01/21	
G	Co-ordination issue	05/03/21	
H	Co-ordination issue	08/03/21	
J	Development application issue	20/04/21	
K	Amended DA issue	02/07/21	
L	Amended DA issue	15/02/22	

drawing name	project	scale	date	drawing no.	revision no.
Proposed first floor plan	Theedam House Alterations & Additions to 34 Wharf Road, Birchgrove Lot A, DP 441954	1:100 (A3)	28/01/2021	DA05	L

job no.	drawn	scale
1906	tg	6 m



DA ISSUE - NOT FOR CONSTRUCTION

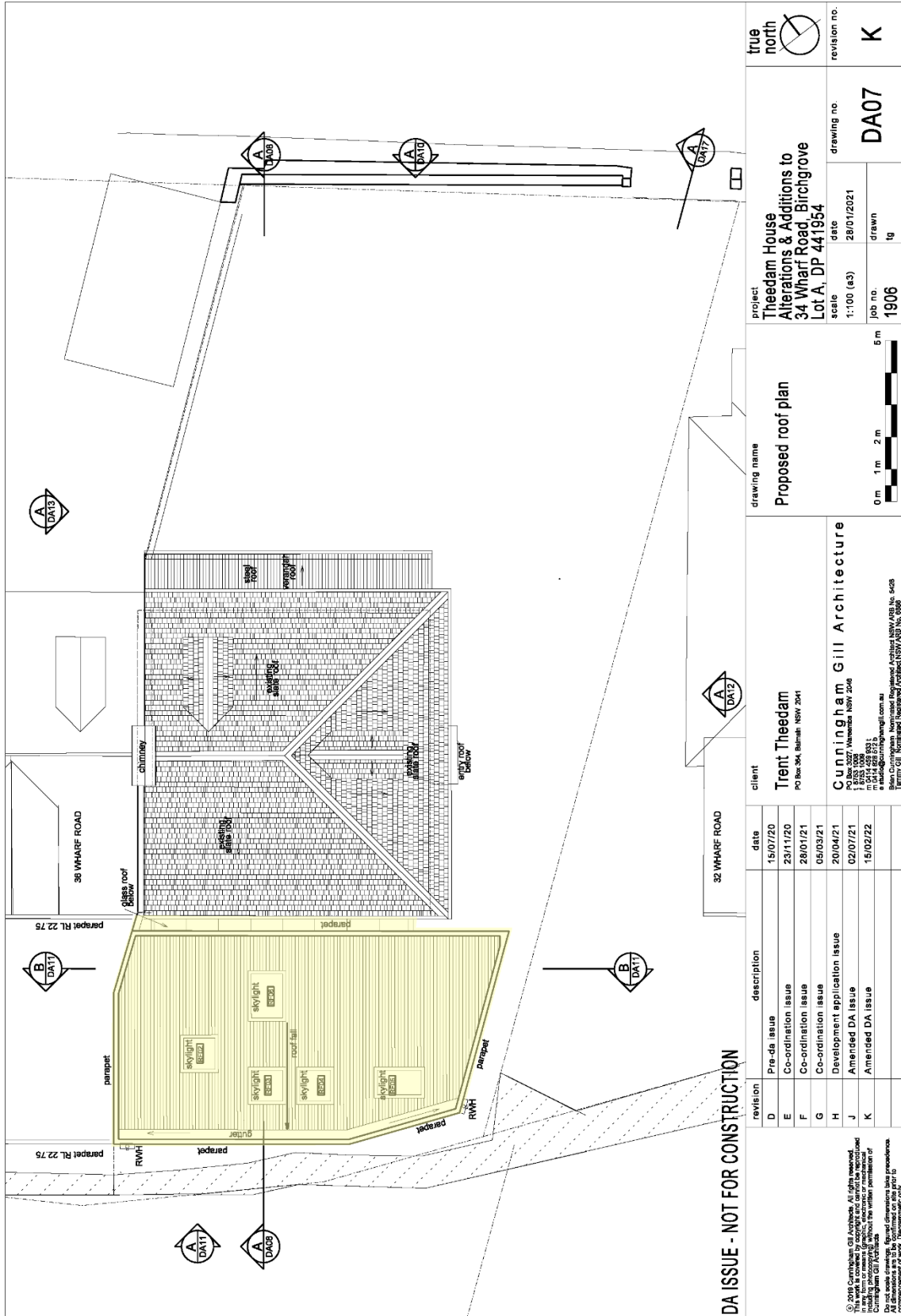
revision	description	date	client
C	Pre-da issue, preliminary	30/04/20	Trent Theedam PO Box 304, Berrimah NSW 2041 Cunningham Gill Architecture 1/205 Wattle Street, Waverley NSW 2048 Ph: 02 9439 9311 Email: trent@cgarch.com.au www.cgarch.com.au Brian Cunningham, Nominated Registered Architect NSW Reg. No. 5408 Terri Gill, Nominated Registered Architect NSW Reg. No. 6988
D	Pre-da issue	15/07/20	
E	Co-ordination issue	23/11/20	
F	Co-ordination issue	28/01/21	
G	Co-ordination issue	05/03/21	
H	Co-ordination issue	08/04/21	
J	Development application issue	20/04/21	
K	Amended DA issue	02/07/21	
L	Amended DA issue	14/02/22	

drawing name	project	scale	date	job no.	date	drawing no.	revision no.
Proposed basement floor plan	Theedam House Alterations & Additions to 34 Wharf Road, Birchgrove Lot A, DP 441954	1:100 (A3)	28/01/2021	1906	drawn	DA06	L

0 m	1 m	2 m	6 m
[Scale bar graphic]			

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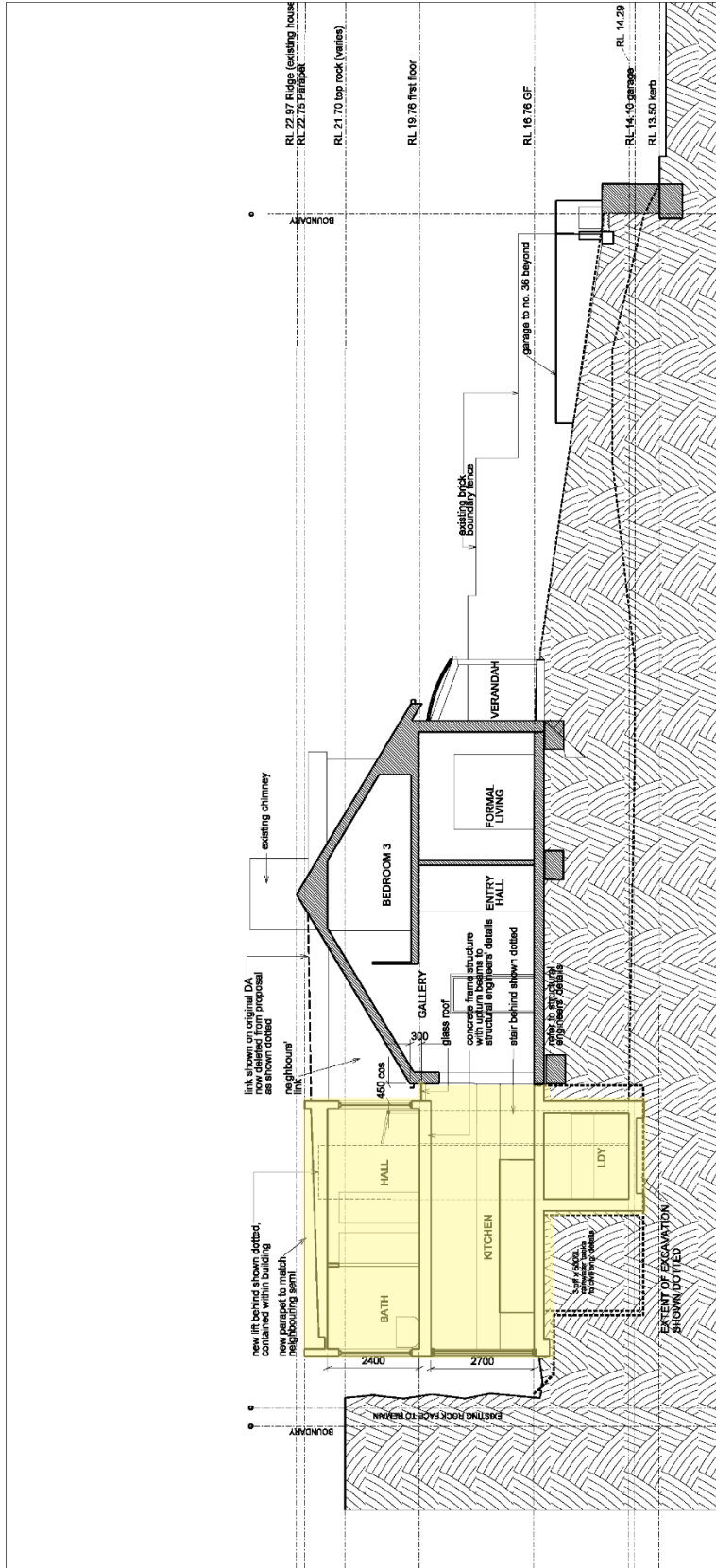


DA ISSUE - NOT FOR CONSTRUCTION

<p>client Trent Theesdam PO Box 304, Berrimah NSW 2041</p>		<p>project Theesdam House Alterations & Additions to 34 Wharf Road, Birchgrove Lot A, DP 441954</p>		<p>drawing name Proposed roof plan</p>		<p>scale 1:100 (as)</p>		<p>date 28/01/2021</p>		<p>drawing no. DA07</p>		<p>revision no. K</p>	
<p>client Cunningham Gill Architecture 1/205-1/207 Waverley NSW 2048 Ph: 02 9388 8331 Email: cga@cunninghamgill.com.au Terry Gill, Non-Resident Registered Architect NSW Reg. No. 5428 Brian Cunningham, Non-Resident Registered Architect NSW Reg. No. 6986</p>		<p>scale 0 m 1 m 2 m 6 m</p>		<p>job no. 1906</p>		<p>drawn lg</p>		<p>date 28/01/2021</p>		<p>drawing no. DA07</p>		<p>revision no. K</p>	
revision	description	date											
D	Pre-da issue	15/07/20											
E	Co-ordination issue	23/11/20											
F	Co-ordination issue	28/01/21											
G	Co-ordination issue	05/03/21											
H	Development application issue	20/04/21											
J	Amended DA issue	02/07/21											
K	Amended DA issue	15/02/22											

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A LONGITUDINAL SECTION A-A

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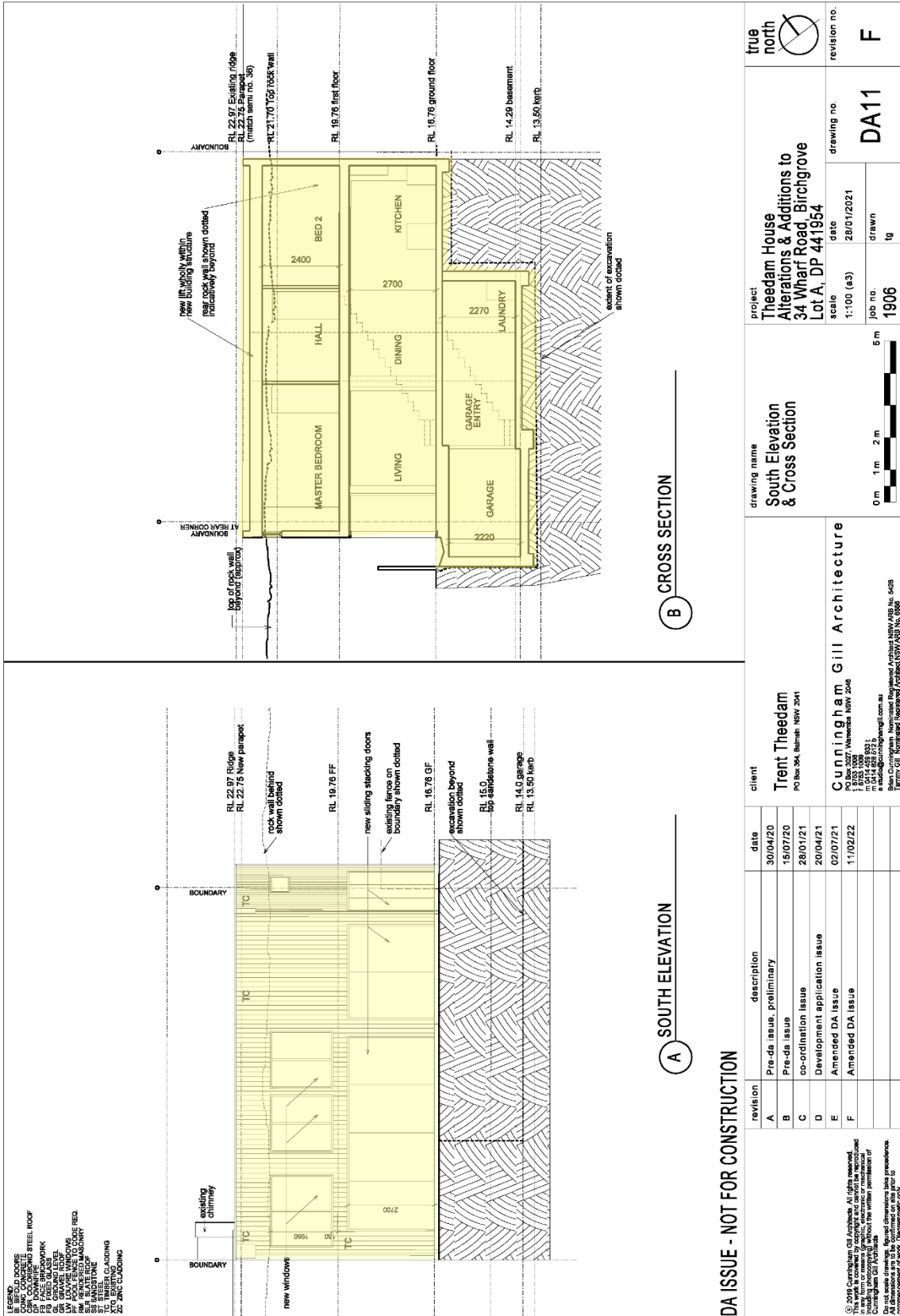
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A	Sketch Design Issue	21/11/19	Trent Theedam PO Box 304, Berrimah NSW 2041	Proposed Sections - Sheet 1	Theedam House Alterations & Additions to 34 Wharf Road, Birchgrove Lot A, DP 441954	true north
B	Developed Sketch Design Issue	22/01/20				
C	Pre-da issue, preliminary	30/04/20				
D	Pre-da issue	15/07/20				
E	co-ordination issue	28/01/21				
F	Development application issue	20/04/21	Cunningham Gill Architecture 1/275 WYVERN WAY, WARRIEWOOD NSW 2048 PH: 02 9439 9311 www.cunninghamgill.com.au			
G	Amended DA issue	02/07/21				
H	Amended DA issue	11/02/22	Brian Cunningham, Nominated Registered Architect NSWREG No. 5428 Cunningham Gill, Nominated Registered Practitioner NSWRA No. 0986			



scale 1:100 (A3)
date 28/01/2021
job no. 1906
drawn tg
drawing no. DA08
revision no. H

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LEGEND:

- CC CONCRETE
- CMU CONCRETE MASONRY
- CR CORRUGATED STEEL ROOF
- DF DARK FIBRE BRICKWORK
- FB FINE BRICKWORK
- GL GYPSUM BOARD
- GR GRANITE
- HW HARDWOOD
- KL KILN DRIED TIMBER FRAME REG.
- LS LIGHT SANDSTONE
- MS MASONRY
- NS NON-SKINNED MASONRY
- SS SANDSTONE
- TC TRIPLE CLADDING
- ZC ZINC CLADDING

DA ISSUE - NOT FOR CONSTRUCTION

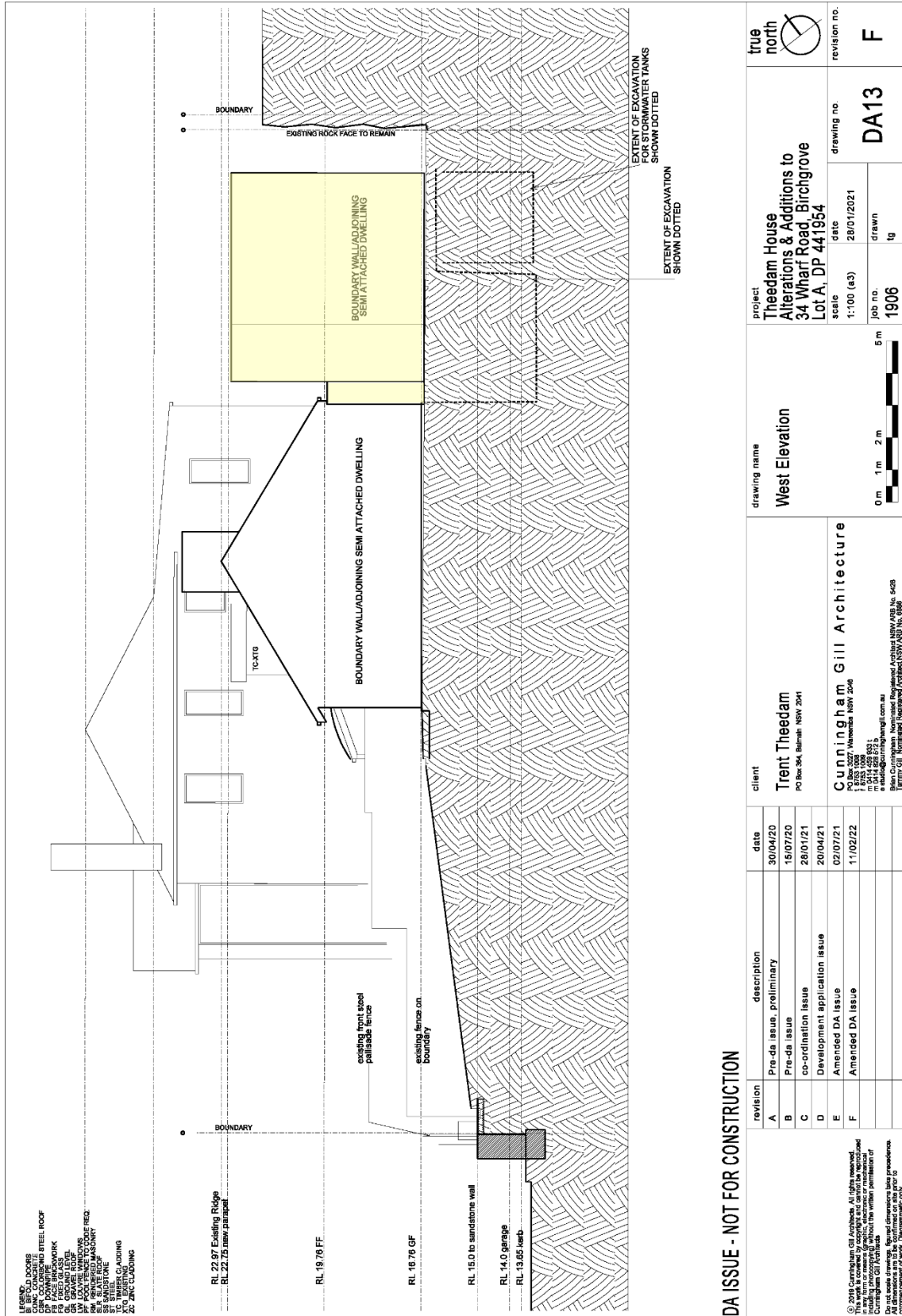
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A	Pre-da issue, preliminary	30/04/20	Trent Theedam PO Box 304, Berrimah NSW 2041
B	Pre-da issue	15/07/20	
C	co-ordination issue	28/01/21	
D	Development application issue	20/04/21	
E	Amended DA issue	02/07/21	
F	Amended DA issue	11/02/22	

revision no.	drawing no.	project	scale	date	job no.	drawn	tg
F	DA11	Theedam House Alterations & Additions to 34 Wharf Road, Birchgrove Lot A, DP 441954	1:100 (e.s.)	28/01/2021	1906		

revision	description	date	client
A	Pre-da issue, preliminary	30/04/20	Trent Theedam PO Box 304, Berrimah NSW 2041
B	Pre-da issue	15/07/20	
C	co-ordination issue	28/01/21	
D	Development application issue	20/04/21	
E	Amended DA issue	02/07/21	
F	Amended DA issue	11/02/22	

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- LEGEND: ROOFING
 CM: CONCRETE
 CB: CLAY BRICK
 DP: DOWNPIPE
 FB: FIBREGLASS
 GR: GRAVEL ROAD
 GW: GRAVEL DRIVE
 HW: HARDWOOD
 IR: IRON ROOFING
 M: MASONRY
 S: SLATE
 ST: STEEL
 T: TERRAZZO
 X: XEROX
 Z: ZINC CLADDING

RL 22.97 Existing Ridge
 RL 22.75 new parapet

RL 19.78 FF

RL 16.78 GF

RL 15.0 to sandstone wall

RL 14.0 garage
 RL 13.65 verb

DA ISSUE - NOT FOR CONSTRUCTION

revision	description	date
A	Pre-da issue, preliminary	30/04/20
B	Pre-da issue	15/07/20
C	co-ordination issue	28/01/21
D	Development application issue	20/04/21
E	Amended DA issue	02/07/21
F	Amended DA issue	11/02/22

client
Trent Theodam
 PO Box 304, Berrimah NSW 2041

Cunningham Gill Architecture
 1/255-259 Waverley NSW 2048
 Ph: 02 9439 9311
 Email: info@cunninghamgill.com.au
 Blain Cunningham, Nominated Registered Architect NSW Reg. No. 5428
 Barry Gill, Nominated Registered Architect NSW Reg. No. 6888

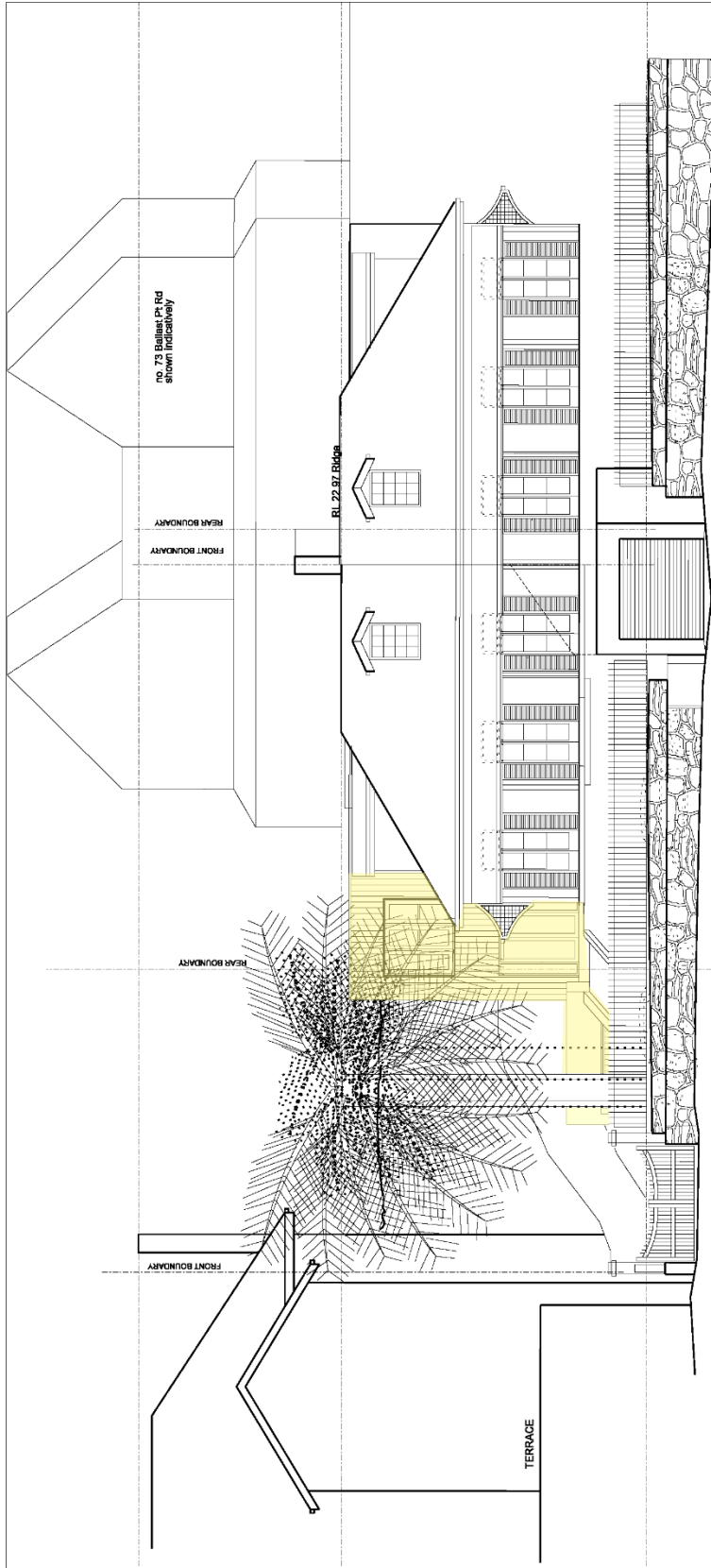
drawing name
West Elevation

project
Theodam House Alterations & Additions to 34 Wharf Road, Birchgrove Lot A, DP 441854

scale 1:100 (A3)
 date 28/01/2021
 job no. 1906
 drawn lg
 drawing no. DA13
 revision no. F



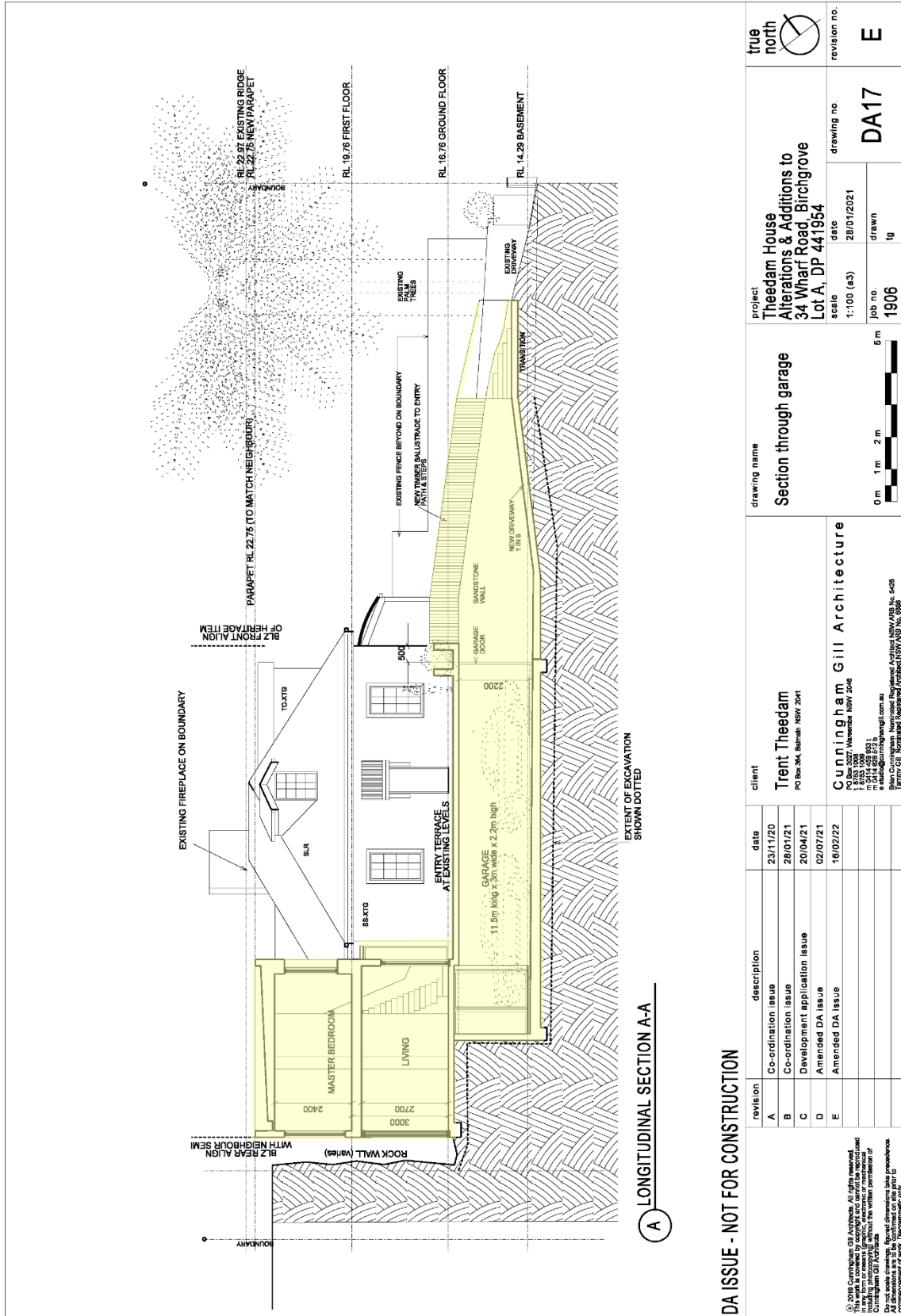
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DA ISSUE - NOT FOR CONSTRUCTION

revision	description	date	client	drawing name	project	revision no.
A	Pre-da issue, preliminary	30/04/20	Trent Theodam PO Box 304, Berrah NSW 2541 Cunningham Gill Architecture 1/205-209 Waverley NSW 2048 Ph: 02 9439 8311 www.cunninghamgill.com.au Brian Cunningham, Nominated Registered Architect NSW Reg. No. 5428 Emily Gill, Nominated Registered Architect NSW Reg. No. 6986	Street Elevation	Theodam House Alterations & Additions to 34 Wharf Road, Birchgrove Lot A, DP 441954	1
B	Pre-da issue	15/07/20				2
C	co-ordination issue	28/01/21				3
D	Development application issue	20/04/21				4
E	Amended DA issue	02/07/21				5
F	Amended DA issue	11/02/22				6
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...\\card14_streetelevation.dgn Feb. 11., 2022 18:43:29



A LONGITUDINAL SECTION A-A



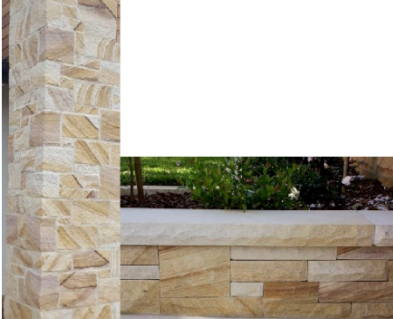
DA ISSUE - NOT FOR CONSTRUCTION






revision	description	date	client	drawing name	project	revision no.
A	Co-ordination issue	23/11/20	Trent Theedam	Section through garage	Theedam House Alterations & Additions to 34 Wharf Road, Birchgrove Lot A, DP 441954	17
B	Co-ordination issue	26/01/21	PO Box 304, Berrimah NSW 2041			E
C	Development application issue	20/04/21				
D	Amended DA issue	02/07/21				
E	Amended DA issue	16/02/22				
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<p>Cunningham Gill Architecture 1/275 WYNDHAM ST WYNDHAM NSW 2048 PH: 02 9339 8331 www.cunninghamgill.com.au Blair Cunningham, Nominated Registered Architect NSW Reg. No. 5428 Trent Cunningham, Nominated Registered Architect NSW Reg. No. 6986</p>						



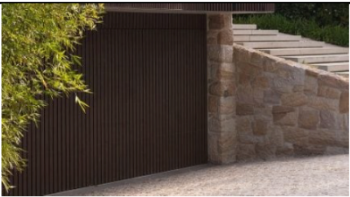

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Material and Finishes Schedule

Theedam Family Home : 34 Wharf Road, Birchgrove
Proposed alterations and additions

PAINT COLOUR SCHEME	
<p>New paint colours</p> <p>External weatherboards, all timber work including fascia, doors, windows, shutters, posts & balustrades</p> <p><i>Colour: White to match existing</i></p>	
EXTERNAL WALLS	
<p>TC (new rear extension)</p> <p>Timber cladding, Solid timber vertical timber battens</p> <p>Species: Blackbutt</p> <p>Size: 42x42 with 10mm spacing</p> <p>Frame: Sculptform Click-on Battens</p> <p>Finish: "Ice White" coating <i>(appearance of weathered timber)</i></p>	
<p>SS</p> <p>Sandstone facing & retaining walls</p> <p>Gosford Quarries</p>	 <p>Cladding (left) & Solid garden & retaining walls (right)</p>

ROOFING, GUTTERS AND DOWNPIPES	
<p>Steel roofing to existing verandah, awning & dorma roof</p> <p>Colorbond custom orb profile</p> <p>Colour: Windspray</p>	
<p>New steel roofing to rear extension</p> <p>Colorbond Trimdek (to suit min. 2 deg. Roof fall)</p> <p>Colour: Windspray</p>	
<p>Slate roof to existing main roof and dormas</p> <p>Restore slat roofing, ie, Bellstone Slate specialist</p>	
<p>Gutters and downpipes to existing house</p> <p>Material: Copper</p>	
DOORS & WINDOWS	
<p>Existing timber frame doors and windows to existing house</p> <p>Frame colour: White to match existing</p>	

<p>New Glass Doors & Windows: Timber frame doors and window to rear extension, Frame colour: Dark stain finish</p>	 <p>French doors to north rear extension (<i>double hung windows to north elevation to match</i>)</p>  <p>Timber frame glazed doors to rear extension on east and south elevations (<i>sliding timber frame windows to south and east elevation to match</i>)</p>
<p>Garage Door Panel-lift door with vertical timber battens similar to image shown</p>	
<p>PAVING</p>	
<p>External cobblestone paving Charcoal granite cobblestones Sareenstone</p>	






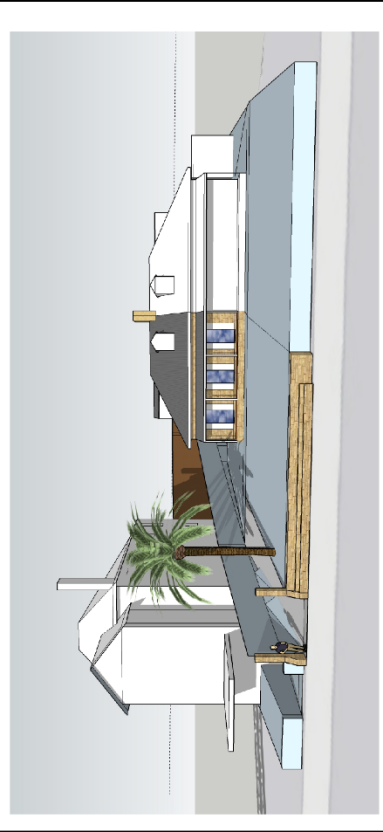
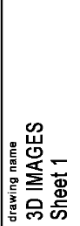

B Existing Area calculations

A Proposed Area calculations







DA ISSUE - NOT FOR CONSTRUCTION

revision	description	date	client	drawing name	project	scale	date	revision no.
A	Pre-da issue, preliminary	30/04/20	Trent Theedam PO Box 504, Balmuir NSW 2041	Landscape & Site Area calculations	Theedam House Alterations & Additions to 34 Wharf Road, Birchgrove Lot A, DP 441954	1:200 (A3)	28/01/2021	J
B	Pre-da issue	15/07/20						
C	Co-ordination issue	23/11/20						
D	Co-ordination issue	28/01/21						
E	Co-ordination issue	24/03/21	Cunningham Gill Architecture 17/25 Wattle Street, Waverley NSW 2046 t: 02 9439 8331 e: info@cunninghamgill.com.au www.cunninghamgill.com.au					
F	Co-ordination issue	13/04/21						
G	Development application issue	20/04/21						
H	Amended DA issue	02/07/21						
J	Amended DA issue	11/02/22						

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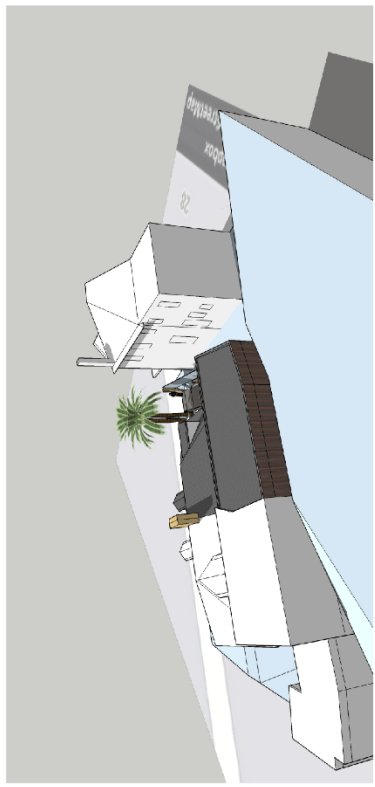
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B	DA co-ordination issue	26/01/21																
C	Amended DA issue	02/07/21																
D	Amended DA issue	16/02/22																
<p><small>© 2016 Cunningham Gill Architects. All rights reserved. This drawing is the property of Cunningham Gill Architects. It is to be used for the purposes of the project only. All other uses are prohibited. All dimensions are to be confirmed on site prior to commencement of work. Diagrammatic only.</small></p>		<p>scale</p> <p>1:100 (e.s)</p>	<p>date</p> <p>28/01/2021</p>															
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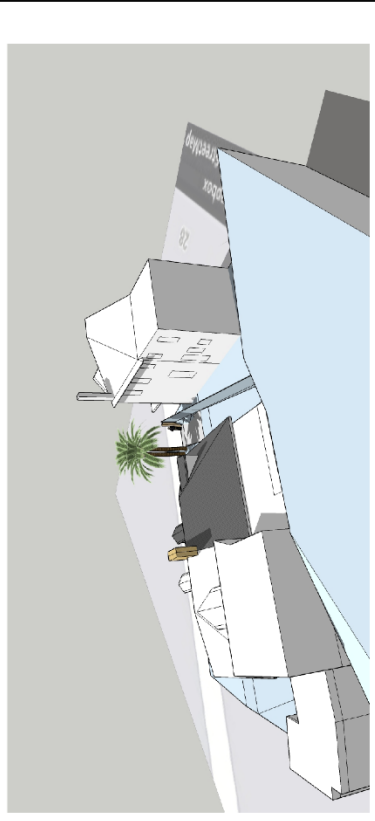
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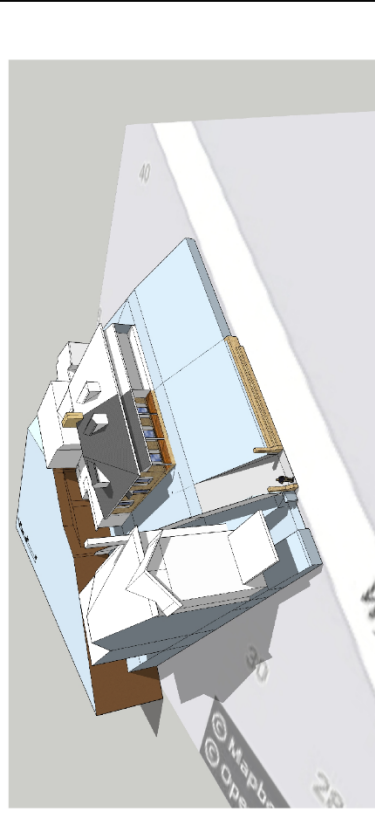
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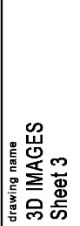


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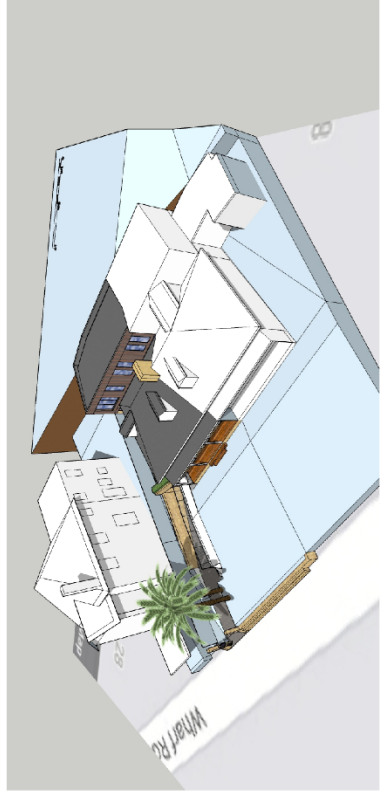
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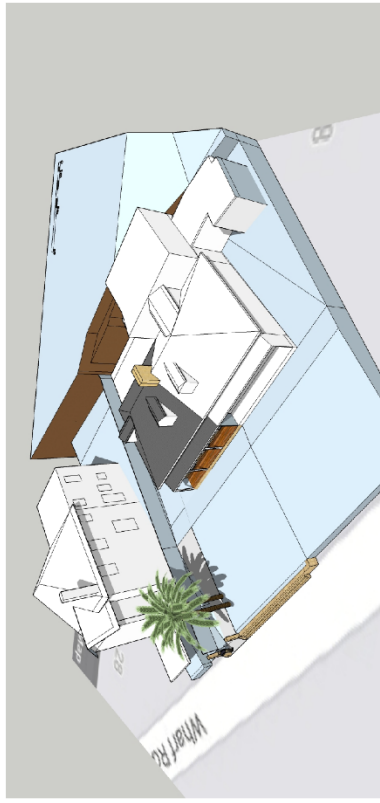
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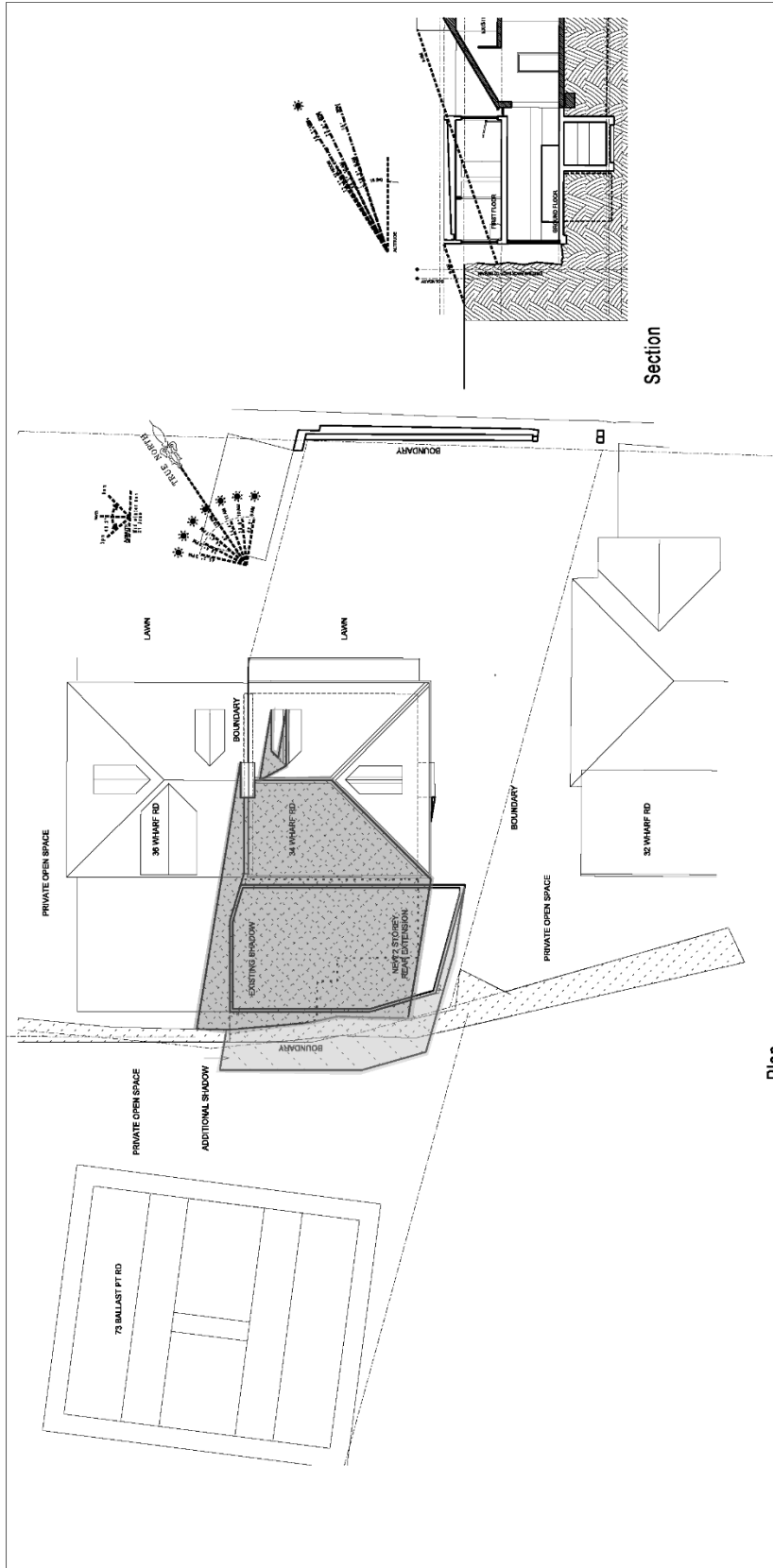
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D	Amended DA issue	16/02/22

client Trent Theedam PO Box 304, Berrimah NSW 2041 t.theedam@trenttheedam.com.au	drawing name 3D IMAGES Sheet 4	project Theedam House Alterations & Additions to 34 Wharf Road, Birchgrove Lot A, DP 441954
client Cunningham Gill Architecture 1/255-1/257 Waverley NSW 2048 P: 02 9339 8331 F: 02 9339 8331 a.cunningham@cunninghamgill.com.au Belen Cunningham, Nominated Registered Architect NSW Reg. No. 5428 Trent Theedam, Nominated Registered Architect NSW Reg. No. 6966	scale 1:100 (A3)	date 28/01/2021
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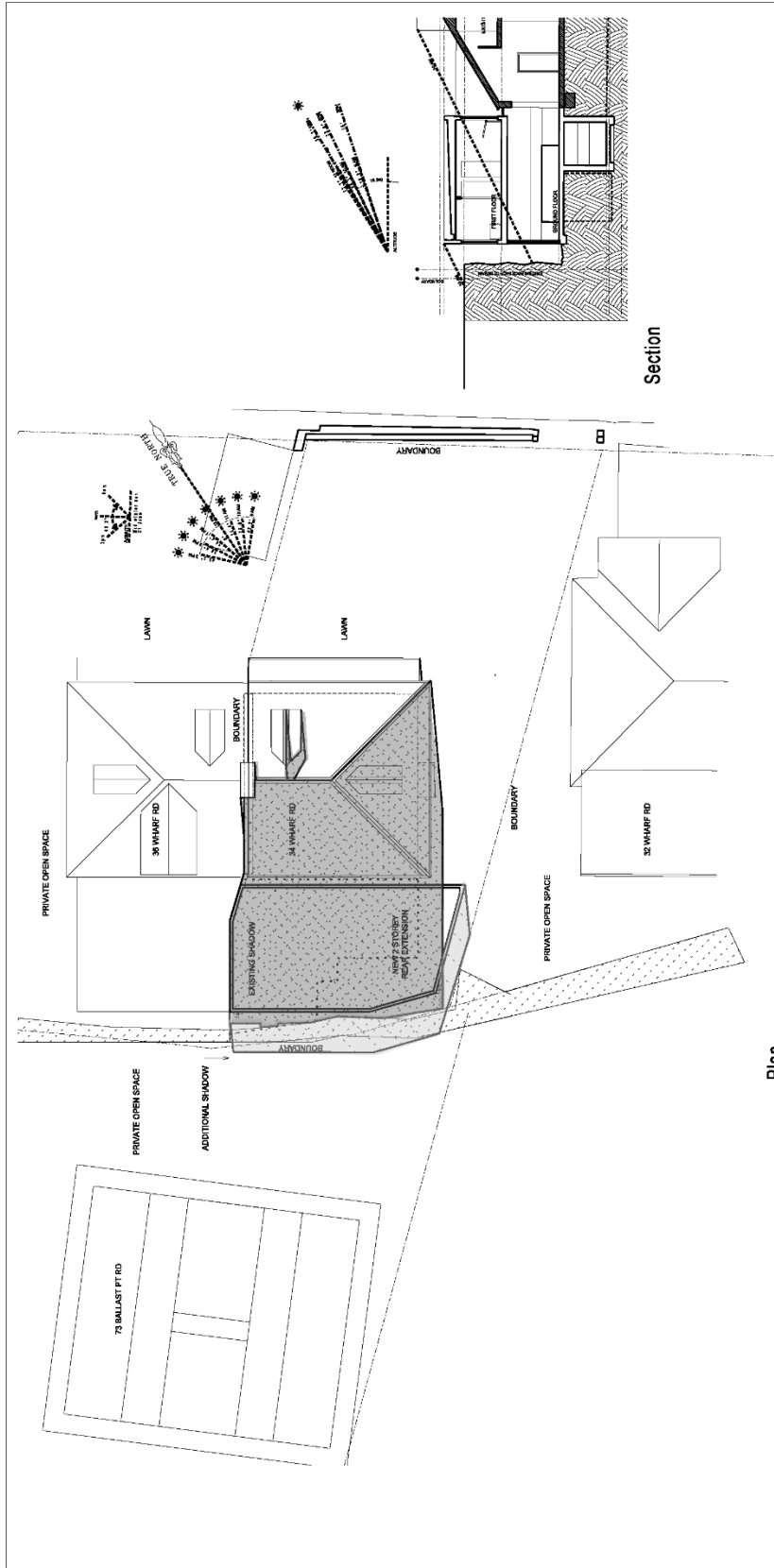
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C	Amended development application issue	02/07/21				3
D	Amended development application issue	14/02/22				4
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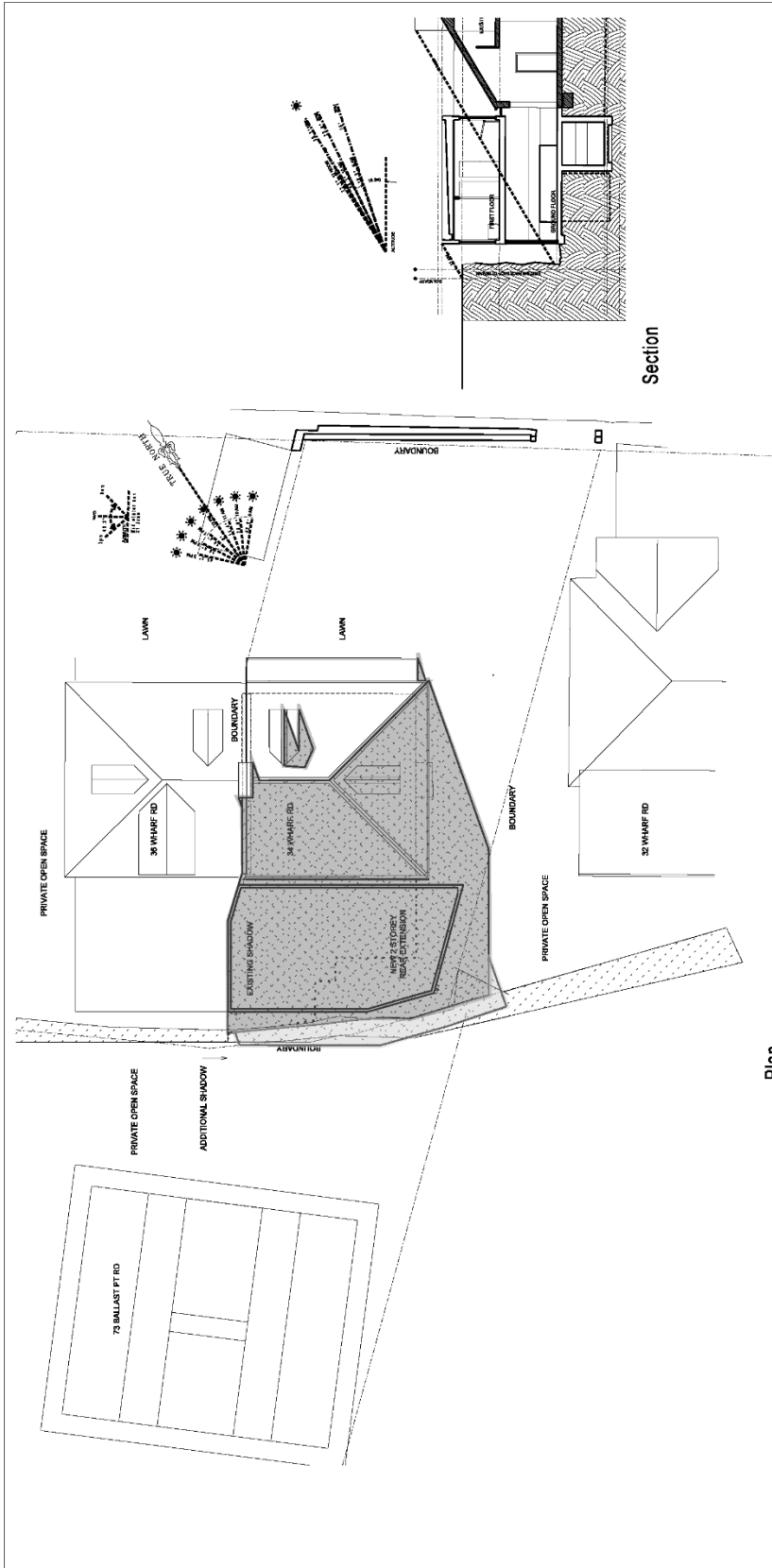
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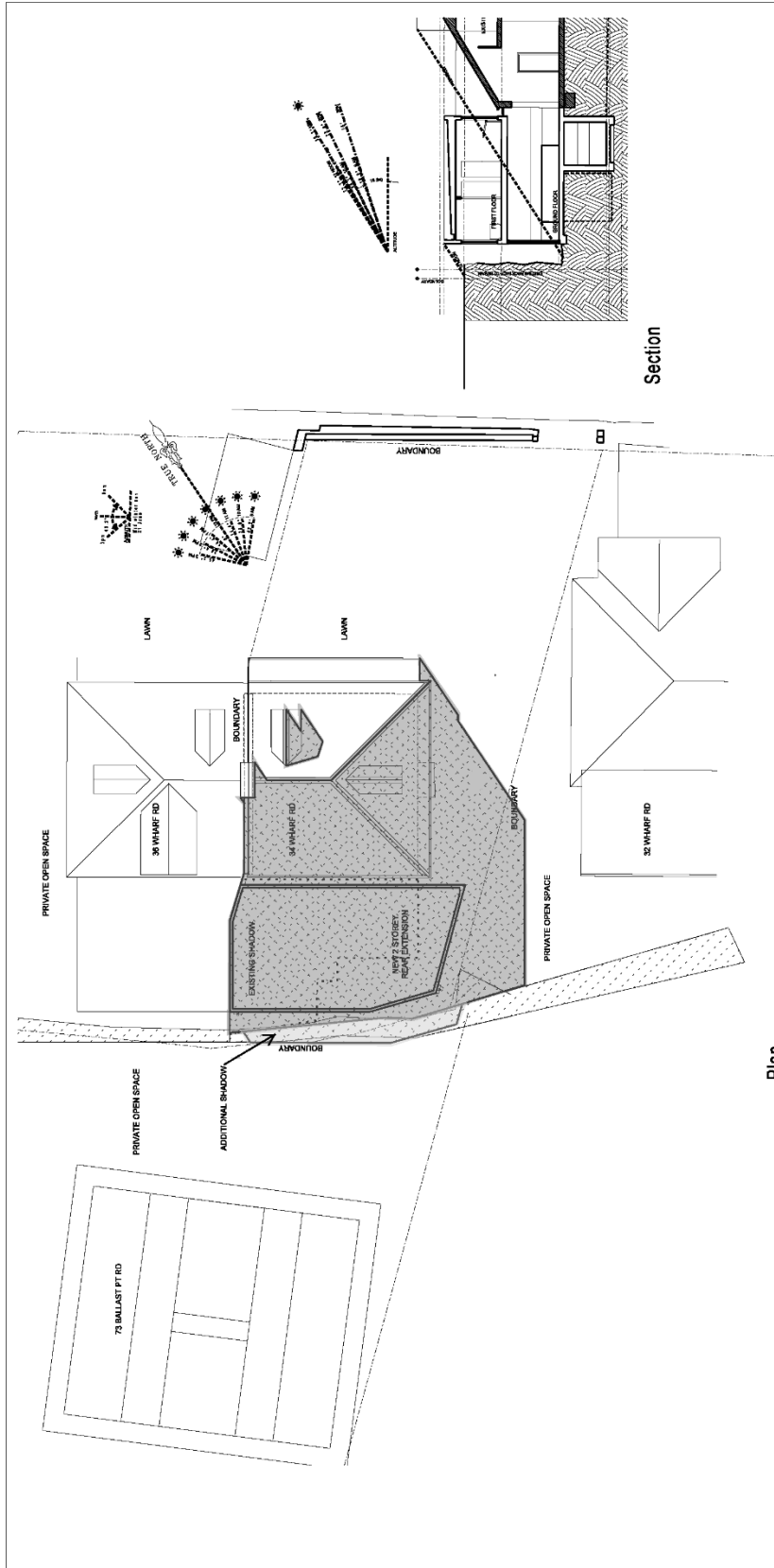
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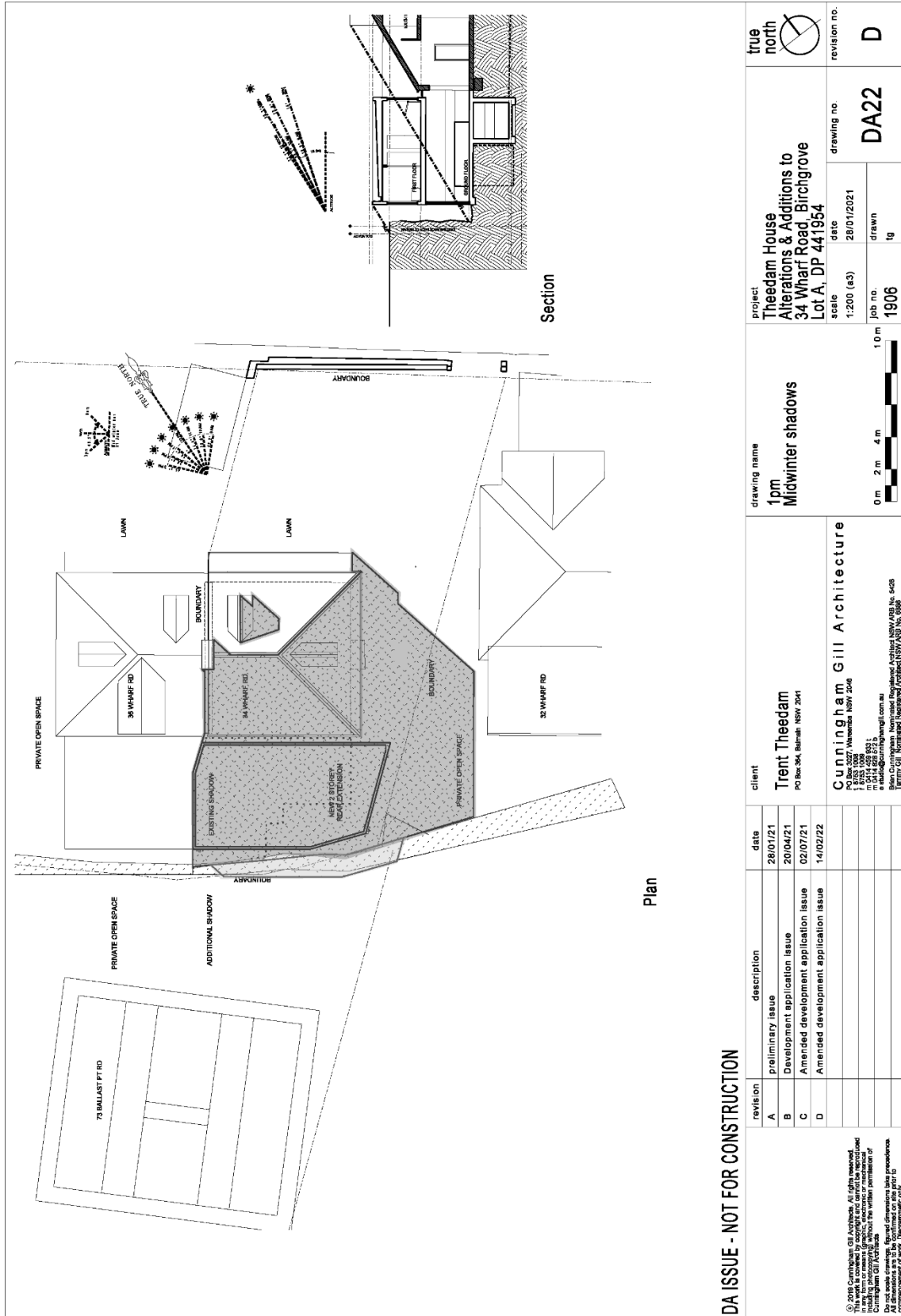
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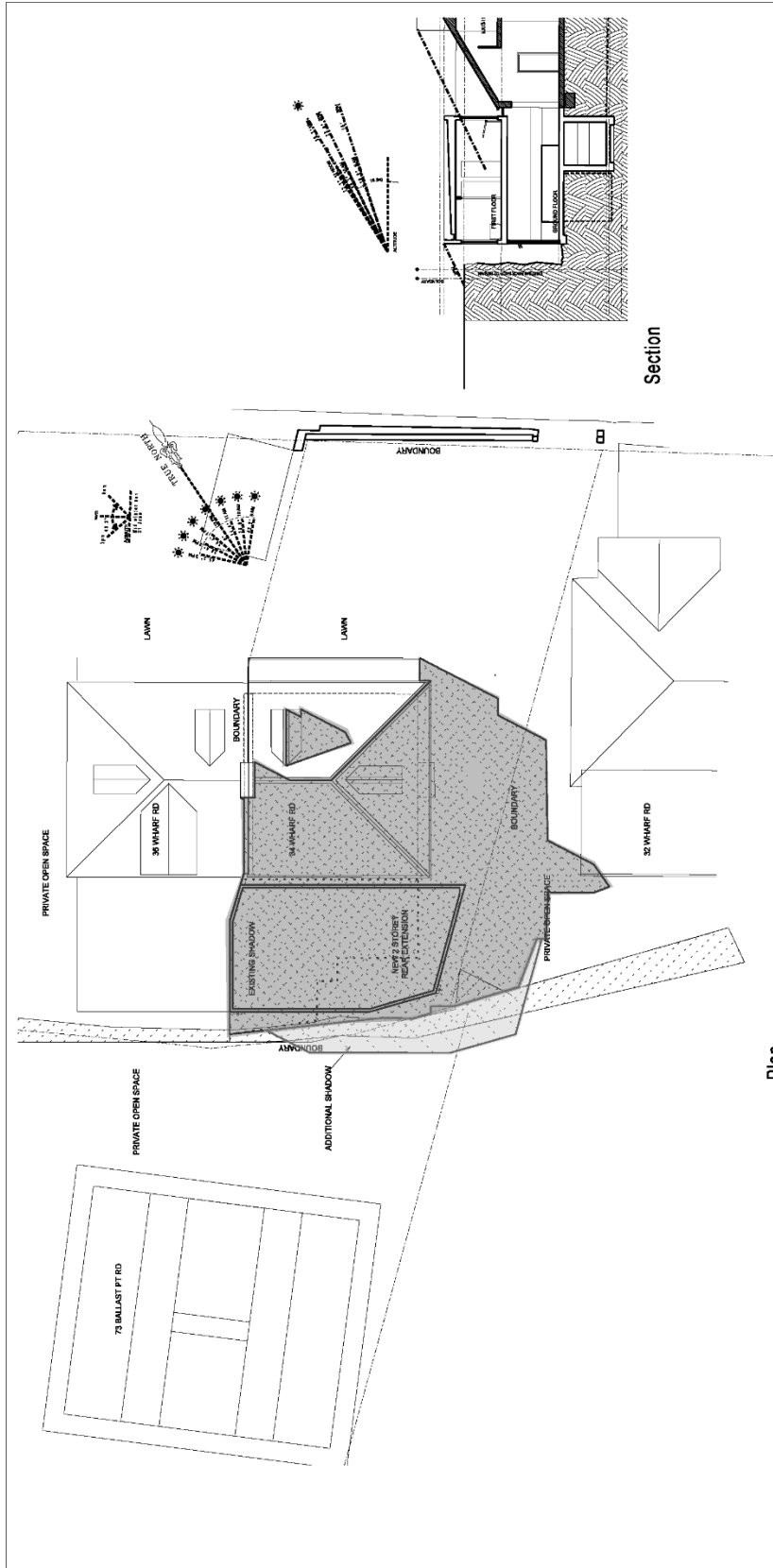
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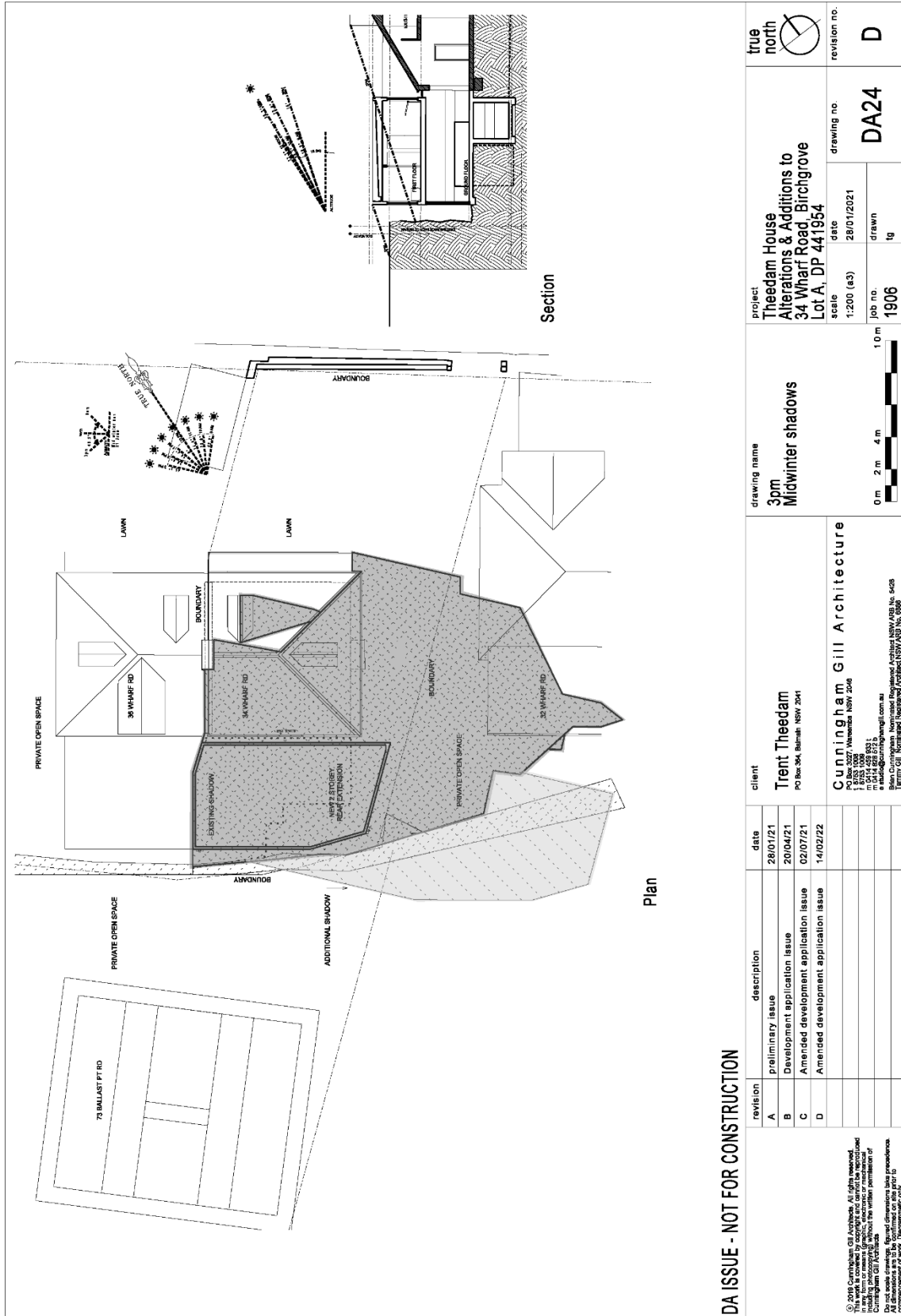
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B	Development application issue	20/04/21					
C	Amended development application issue	02/07/21					
D	Amended development application issue	14/02/22					
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client Trent Theedam PO Box 304, Berrimah NSW 2041		scale 1:200 (e4)		drawing no. DA24
client Cunningham Gill Architecture 1/255-1/257 Waverley NSW 2048 Ph: 02 9439 9331 Email: info@cunninghamgill.com.au Brian Cunningham, Nominated Registered Architect NSW REG. No. 5428 Terry Gill, Nominated Registered Architect NSW REG. No. 6986		date 28/01/2021	job no. 1906	revision no. D
drawing name 3pm Midwinter shadows		scale 1:200 (e4)	job no. 1906	drawing no. DA24
drawing name 3pm Midwinter shadows		scale 1:200 (e4)	job no. 1906	drawing no. DA24

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Attachment C – Statement of Heritage Significance

JOHN OULTRAM HERITAGE & DESIGN

Level 2, 386 New South Head Road

DOUBLE BAY NSW 2028

(Access from Knox Lane)

PO Box 1441

DOUBLE BAY NSW 2028

Telephone: (02) 9327 2748

Email: heritagedesign@bigpond.com

ABN 23 581 172 790

16th February 2022

Inner West Council

c/o Trent Theedam Boden Builders,

PO Box 364,

Balmain,

NSW 2041

Attention: Tammy Gill

Dear Sirs,

Re: 34 Wharf Road, Birchgrove– Proposed Alterations and Additions DA/2021/0793

Further to our recent meeting with Council, we are writing to provide a heritage assessment of the proposed design changes for alterations and additions to the above.

1.0 Background

A development application has been submitted to Inner West Council for alterations and additions to the above. The application was accompanied by a Heritage Impact Statement (HIS) prepared by this office. The HIS included a detailed history of the place and a physical description that is not repeated here,

The house is identified as a heritage item in the Leichhardt LEP 2013.

Council has raised some concerns over the proposals that are outlined in their letter dated 26th January 2021. The design has been amended to address some of the concerns and this report has been prepared to address the revised proposals.

2.0 Revised Proposals

The revised proposals are shown on Drawings Nos. 1906 DA00 to DA17 dated February 2022 and prepared by Cunningham Gill Architecture. The amendments include:

2.1 Lower Ground Floor

- Reduction in the extent of excavation at the rear
- Increased front setback to the garage

2.2 Ground Floor

- Increased setback to the side boundary for the rear extension
- Alteration to the cladding and glazing to the northeast elevation of the addition
- Increased setback from the extension to the cottage
- New internal stair

2.3 First Floor

- Deletion of the roof link
- Increased setback to the side boundary for the rear extension
- Alteration to the cladding and glazing to the northeast elevation of the addition
- Increased setback from the extension to the cottage with glass roof

The extension is now in timber cladding with vertically proportioned doors and windows to the visible elevation.

2.4 External Works

- Reconfiguration of the drive and retaining walls
- Increased front setback to the garage door
- Deletion of the entry steps
- Retention of the front gateposts in their current locations
- Deletion of the pool
- Retention of the Palm trees to the front garden

The retaining walls and front of the garage will be in sandstone with a parapet to the garage forming a balustrade/planter to the entry court above. The drive slope will be retained at the entry with a level area beyond. The drive then falls to the garage.

The steps to the entry forecourt have been largely removed and will be replaced by a sloping path along the drive with a small set of steps at the base and top.

3.0 Impact of the Proposed Amendments

3.1 Lower Ground Floor

Reduction in the extent of excavation at the rear

Comment: The extent of excavation was not particularly a heritage issue as the place has no archaeological potential but the excavation has been set to avoid the footings of the cottage.

Increased front setback to the garage

Comment: The garage and garage door have been set back further from the street and as far back into the site as is practicable. The garage is now set back beyond the front building line and angled away from it. The garage is set under the entry forecourt and extension retaining the level entry area at the cottage.

Allied to the changes to the drive and the retention of the front garden and trees, the increased setback will reduce the visual impact of the garage on the house with only the upper section, parapet and planter being visible from the street. The changes will largely maintain the setting of the cottage to the street.

3.2 Ground Floor

Increased setback to the side boundary for the rear extension

Comment: The setback was primarily a planning issue but the increased setback will reduce the extent of the addition that can be seen from the street. The narrow width of the site to the rear limits the depth of any addition and the intrusion into the side setback is reasonable in this instance. The addition is set well back from the primary street frontage and beyond the rear wall of the cottage.

Alteration to the glazing and cladding to the northeast elevation of the addition

Comment: The timber cladding is a more 'traditional' material and, by its nature, will reduce the apparent bulk and scale of the addition. The new doors are smaller and vertically proportioned, again a more 'traditional' treatment.

Increased setback from the extension to the cottage

Comment: The setback provides greater separation to the rear wall and extant chimneybreast at the cottage.

New internal stair

Comment: The stair allows the deletion of the roof link (see below).

3.3 First Floor

Deletion of the roof link

Comment: This has been deleted as per Council's comments.

Increased setback to the side boundary for the rear extension

Comment: See above.

Alteration to the cladding and glazing to the northeast elevation of the addition

Comment: See above.

Increased setback from the extension to the cottage with glass roof

Comment: The setback provides greater separation to the rear wall and extant chimneybreast at the cottage and the glass roof is set below the eave to touch the cottage lightly.

2.5 External Works

Reconfiguration of the drive and retaining walls

Comment: The new walls are a simple approach to the treatment of the drive and are 'least possible' approach to the design. The up and down treatment of the drive will limit the visual impact of the excavation and retaining walls by retaining the current detail and levels at the gate posts.

Increased front setback to the garage door

Comment: See above.

Deletion of the entry steps

The steps will be replaced with a sloping path and steps to provide a more 'naturalistic' treatment to the garden and retain the current slope. There is currently no path to the cottage and the proposed path will allow for safe access while having a very limited impact on the garden.

Retention of the front gateposts in their current locations

Comment: These features will be retained as is.

Deletion of the pool

Comment: The change will allow for a paved entry court at the cottage entry and remove the more contemporary treatment here as pool fencing is no longer required.

Retention of the Palm trees to the front garden

Comment: The Palm trees are post war plantings but will be retained and will assist in blocking views to the garage while retaining the major plantings to the front garden.

4.0 Other Matters

Council's letter also noted:

Comment: *The HIS does not establish when alterations and additions have been made to the dwelling or show in plan the original fabric and components that have been altered.*

Response: Section 3.0 of the HIS contains a detailed description of the house identifying changes and original, later and modern fabric. Section 5.0 contains a plan indicating the original sections of the cottage and an assessment of its intactness and level of change

4.0 Summary

Overall we consider that the revised proposals are a very well considered and comprehensive response to Council's concerns and address each of the pertinent issues in a sufficient manner,

The revised proposals pay due regard to the significance and integrity of the cottage and the level of internal alteration remains very limited. The former room arrangement and primary form of the cottage will be conserved.

The rear additions are appropriately scaled and detailed and are subservient to the form of the cottage.

We consider that the revised proposals will have an acceptable impact on the heritage item, the heritage items in the vicinity and the conservation area and meet the aims and objectives of the DCP.

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

Yours faithfully,



JOHN OULTRAM

PROPOSED ALTERATIONS AND ADDITIONS

TO

GLENDON (FORMERLY NO. 2 EXETER VILLA)

34 WHARF ROAD, BIRCHGROVE, NSW

HERITAGE IMPACT STATEMENT



Prepared by:

John Oultram Heritage & Design
Level 2, 386 New South Head Road,
Double Bay, NSW 2028

T: (02) 9327 2748
E: heritagedesign@bigpond.com

Prepared for:

Trent Theedam Boden Builders

April 2021

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1.0 INTRODUCTION

1.1 THE BRIEF

The following report has been prepared to accompany a development application for alterations and additions to the existing cottage at 34 Wharf Road, Birchgrove, NSW. The report has been prepared on behalf of Trent Theeddam of Bostem Builders.

1.2 BACKGROUND

The proposals were the subject of the pre DA application (PDA/2020/0283) to Inner West Council in September 2020. The design has been revised at address some of the comments outlined in Council's pre DA report dated 18th September 2020. This report addresses the amended design.

1.3 THE STUDY AREA

The study area is Lot A in DP 441 954 at Birchgrove, Parish of Petersham 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" and "Assessing Heritage Significance Guidelines" and the Inner West 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. John Oultram Heritage & Design was established in 1998 and is on the NSW Heritage Office list of heritage consultants.

2.0 HISTORICAL DEVELOPMENT

2.1 SUMMARY

Nos. 34 and 36 Wharf Road were built in 1857 for tailor George Elworthy (1813-1878) as property investments. They are located within two allotments formed in 1853 by Charles Smith's subdivision of Blocks 31 and 32 of the Balmain Estate. Originally called Exeter Villas (1 and 2), the house names changed in the 1880s, with No. 34 Wharf Road becoming Glendon. The existing allotment of No. 34 Wharf Road was formed in 1957.

2.2 SETTLEMENT OF BALMAIN

The property is located within the 550 acres granted to Dr William Balmain in 1800 by Governor John Hunter. Hunter stipulated the grant be known as Gilchrist Place. Curiously fifteen months after receiving the grant Balmain sold it to John Borthwick Gilchrist for a nominal sum and he was the intended beneficiary evidently. Gilchrist was then in India and never visited Australia. Hunter, Balmain and Gilchrist shared business interests.

In 1833 Gilchrist appointed the merchant Frederick Parbury as his local agent and directed him to subdivide and sell the Balmain grant. The land was sold first in 1836 at the eastern point (today East Balmain), but Gilchrist still retained the bulk of the holding by the time of his death in 1841. Gilchrist's will stipulated the land should be sold to fund a charitable trust to promote education and learning. From 1852 the Gilchrist Trust began to sell the balance of the grant with a plan of subdivision being prepared by surveyor Charles Langley in that year.¹



Figure 2.1 Detail from Surveyor Charles E Langley's plan of Balmain Estate, dated 1852. Marked-up to show the location of Blocks 31 and 32 discussed in the report. Image re-orientated for reproduction.

Source: National Library of Australia (MAP F 535)

¹ Lawrence, J and C Warne, *Pictorial History: Balmain to Glebe*, Kingsclear Books, 2009 (Lawrence 2009)

2.3 WHARF ROAD

The eastern shoreline of William Balmain's grant is defined by two deeply inset bays called Waterview and Snails. Within the shallow peninsula between Waterview Bay and Snails Bay is Wharf Road. This area was subdivided in 1852 by the aforementioned surveyor Langley to form Blocks 31 and 32 of the Balmain Estate.

Blocks 31 and 32 of the Balmain Estate were purchased in 1853 by merchant captain Charles Smith, the proprietor of a long established wharf at Millers Point. Block 31 was acquired directly from the Gilchrist Estate trustees and Block 32 indirectly from Didier Numa Joubert.² Joubert is a name associated with the historical development of Hunters Hill, but in 1854 he purchased the Birchgrove Estate, which he subdivided in 1860.

Collectively these two blocks formed an area of nearly ten acres.³ Smith swiftly arranged for the subdivision of this land into building blocks for in September 1853 Miss Rose Adcock purchased eight for a total price of 405 pounds.⁴ Miss Adcock was residing then at Ermington, and in 1859 she married merchant captain Jaffray Sceales, commander of the steamship *Australasian*, at Hunters Hill,⁵ and presumably after returned to England with him.

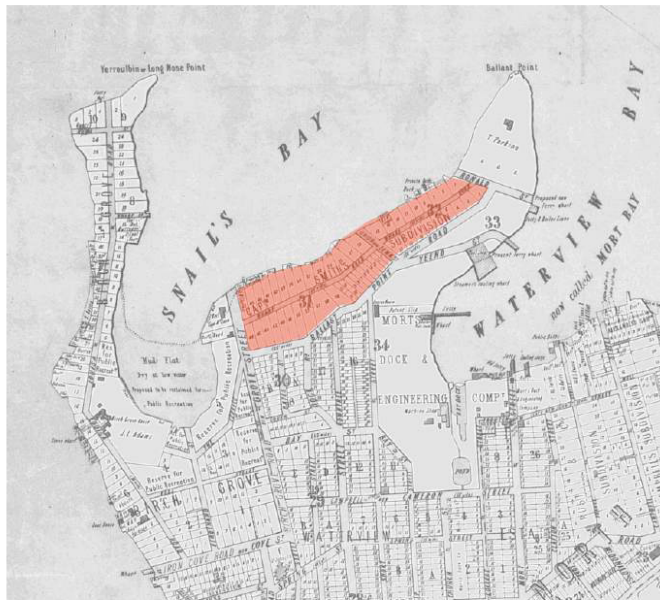


Figure 2.2 Detail from Higinbotham Robinson & Harison's 'Map of the Municipality of Balmain', published in about 1883. The area shaded red identifies Smith's 1853 subdivision of Balmain Blocks 31 and 32.

Source: State Library of New South Wales (Z/M4 811.1821/1883/1)

² Recited in Old System Conveyance Book 28 No. 249
³ Recited in Old System Conveyance Book 28 No. 249
⁴ Old System Conveyance Book 28 No. 249
⁵ Advertising, *Empire*, 4/6/1858, p.1. Marriages, *Sydney Morning Herald*, 9/3/1859, p.1

2.4 Nos. 34 & 36 WHARF ROAD

In May 1857 Miss Adcock conveyed to George Elworthy Lots 40 and 42 of Captain Charles Smith's subdivision for 180 pounds.⁶ These two allotments form the collective site of Nos. 34 & 36 Wharf Road.

Elworthy (1813-1878) was a commercial tailor in Sydney with freehold premises in George Street at the time of his death in 1878. He was the youngest son of James Elworthy (1770-1837), an innkeeper of Exeter, England. George married Emma Bowcher (1810-1854) in England in 1833. Mis Emma Elworthy died at Exeter in 1854,⁷ and George presumably came to Australia sometime between 1854 and 1857.

The two stone cottages at Nos. 34 & 36 Wharf Road were built for George Elworthy in 1857. The cottages were completed in December 1857 when Elworthy commenced advertising for prospective tenants. An agent acting for Elworthy was the architects practice of Reuss and Browne,⁸ and it was possible Reuss and Browne were the architects engaged for the design of the houses. The two houses were called No. 1 and No. 2 Exeter Villa, recalling Elworthy's place of birth. Each comprised six rooms, with verandah, large flower garden, and good water supply.⁹



Figure 2.3 Letting notice published in December 1857 for Elworthy's two 'newly-built' stone villas

Source: *Sydney Morning Herald*, 11/12/1857, p.8

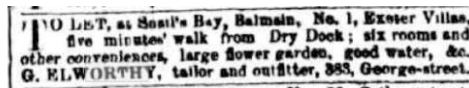


Figure 2.4 Letting notice published in August 1858 for Elworthy's Exeter Villa No.1

Source: *Sydney Morning Herald*, 14/8/1858, p.10

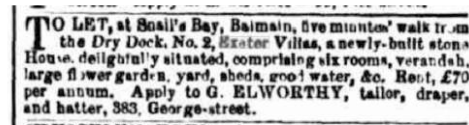


Figure 2.5 Letting notice published in December 1858 for Elworthy's Exeter Villa No.2

Source: *Sydney Morning Herald*, 16 December 1858, p.3

George Elworthy died at his George Street shop and residence in 1878,¹⁰ and his eldest son, George Baker Elworthy, printer and publisher of Gundagai, as executor, put the Exeter Villas up for sale in March 1878. The detailed sales notice is reproduced below:

⁶ Old System Conveyance Book 48 No. 981

⁷ <http://www.bellsite.id.au/>

⁸ Advertising, *Sydney Morning Herald*, 11/12/1857, p.8

⁹ Advertising, *Sydney Morning Herald*, 14/8/1858, p.10

¹⁰ Deaths, *Sydney Morning Herald*, 26/2/1878, p.1

By order of the ADMINISTRATOR of the ESTATE of
the late Mr. G. ELWORTHY.

SNAIL'S BAY, BALMAIN.

EXETER VILLAS,
TWO stone-built COTTAGE RESIDENCES,
WHARF ROAD,
opposite the residence of J. Bell, Esq., east of
Birch Grove Road, overlooking Snails Bay, and
within four minutes' walk of the steamers' wharf.

RICHARDSON and WRENCH have received instructions to sell by public auction, at the Rooms, Pitt-street, on
FRIDAY, MARCH 29, at 11 o'clock,
All that **BLOCK** of **LAND** having **100 FEET** frontage to **WHARF ROAD**, with a depth of about **94 feet**, upon which are **TWO** most faithfully built **STONE RESIDENCES** known as
EXETER VILLAS,
with verandahs in front, and containing each **4** good rooms, **2** attics, and pantry, weatherboard kitchen, and servant's room; washhouse with copper, well of water with pump, yard, &c., at rear.
The grounds in front of the villas are laid out as flower gardens, enclosed with a dwarf stone wall and iron railing, on the street frontage.

These villas can with confidence be recommended as a good permanent investment, in a favourite part of the marine suburb of Balmain. They are substantially erected, and in good order.

From the residences looking north and west there is a fine view of Snail's Bay and the Parramatta River.
Inspection is invited, one of the houses being empty; the key can be obtained at the Auctioneer's Rooms.
Plan of position at the Rooms.
Terms at sale.

Figure 2.6 Sale notice published in 1878 for the late Elworthy's Exeter Villas at Balmain

Source: *Sydney Morning Herald*, 27 March 1878, p.9

The purchaser of the Exeter Villas in 1878 was James Tweedie Inglis who paid 1000 pounds for them.¹¹ Inglis (1840-1890) worked in the printing industry as a draughtsman and lithographic printer. Owing to difficulty experienced in paying his mortgage, the property was conveyed to Francis Adams in 1882.¹² Inglis residing in one of the Exeter Villas (No. 36 it seems).¹³

¹¹ Old System Conveyance Book 180 No. 407

¹² Old System Conveyance Book 244 No. 58

¹³ *Sands' Directory* for 1880

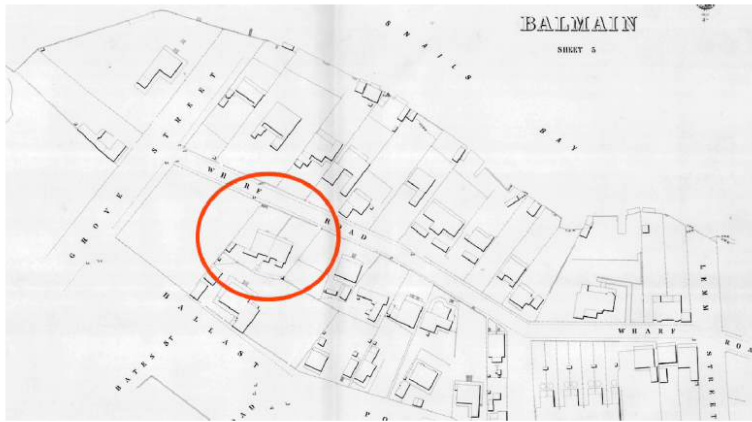


Figure 2.7 Balmain Sheet 5 dated 1889 of the Sydney metropolitan detailed series of surveys. Circled are Nos. 34 and 36 Wharf Road.

Source: State Library of NSW (Z/MSer 4 811.17/1)

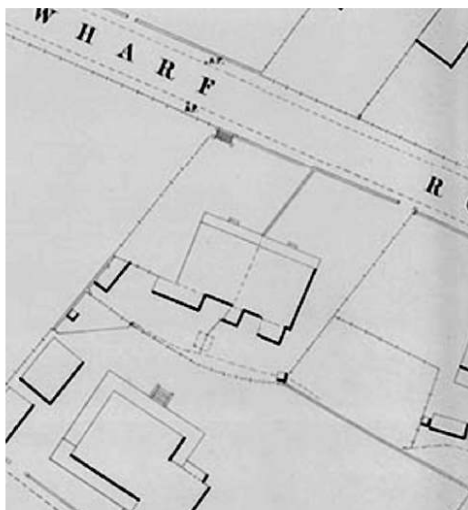


Figure 2.8 Extract from same. Note the width of the entry gates and the rear wings

Source: State Library of NSW (Z/MSer 4 811.17/1)

Adams (1835-1911) was the general manager of the Australian Joint Stock Bank between 1884 and 1907, and had worked for the Bank since 1863.¹⁴ Adams continued to let the two dwellings as before, but he changed their names from Exeter Villas to Glendon (No. 34) and Lynworth (No. 36).

¹⁴ Mr Francis Adams's Retirement, *Sydney Morning Herald*, 17/8/1907, p.15

Adams continued to own both until his death in 1911 aside from a brief interval between 1887 and 1888 when owned by the music instructor (professor) Tavares Falconer.¹⁶ The bankrupted Falconer resided at Lynworth (No. 36) and No. 34 was tenanted.¹⁶

The tenants of No. 34 Wharf Road when owned by Adams included Henry Perclau (1880), JG Anderson (1885), engineer RJ Bell (1890), Mrs R Johnson (1895), Henry Connell (1905), and Robert M Ronald (1910).¹⁷

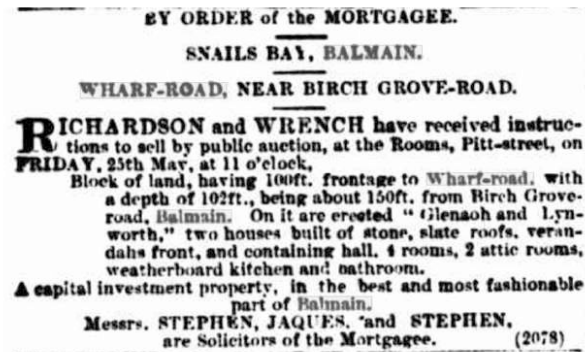


Figure 2.9 Sale notice published in 1888 for the bankrupt estate of Tavares Falconer. The 'houses' had been renamed Glendon (No. 34) and Lynworth (No. 36).

Source: *Sydney Morning Herald*, 23 May 1888, p.14

The executors of Adams estate put the two dwellings up for sale in 1911, and they were conveyed to building contractors John Butler (1864?-1924?) and Martin Willis (1867?-1943?).¹⁸ Both houses were tenanted during the Butler/Willis era of ownership, with No. 34 Wharf Road being let by Harry L Davey in 1915 and James Duke in 1920.¹⁹



Figure 2.10 Sale notice published in 1911 for the estate of the late Francis Adams. The 'cottages' were then numbered 30 and 32 Wharf Road.

Source: *Sydney Morning Herald*, 15 April 1911, p.20

¹⁶ Old System Conveyance Book 357 No. 581 and Old System Conveyance Book 398 No. 695
¹⁶ Sale notice for contents of Falconer's Lynworth, Advertising, *Sydney Morning Herald*, 2/7/1887, p.17
¹⁷ *Sands' Directory*
¹⁸ Torrens Title Vol. 2179 Fols. 194 & 195
¹⁹ *Sands' Directory*

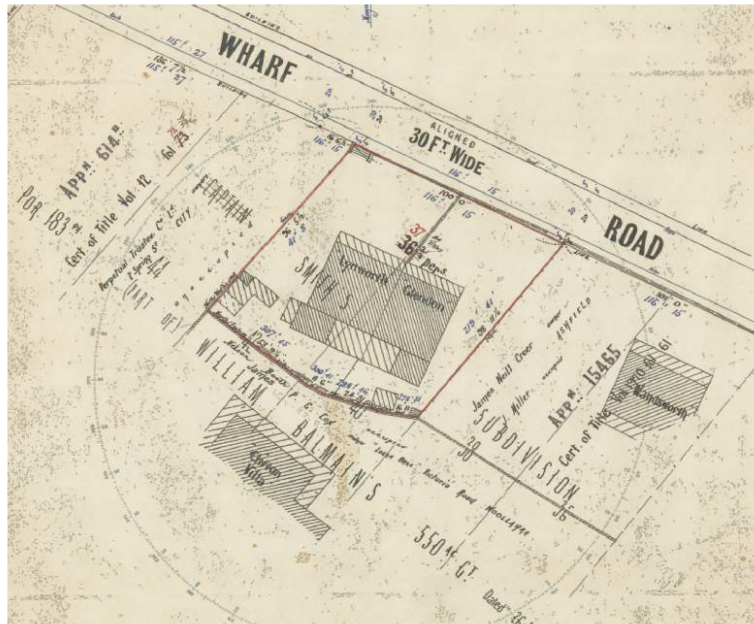


Figure 2.11 The detailed survey undertaken in 1909 for owner Francis Adams to convert the land title to Torrens

Source: NSW Land Registry Services (DP 66023)

Later owners were engineer Samuel Ramsden from 1921 to 1935, and after his death his daughter Florence Amelie who had married James McEwan in 1929. Ramsden had been leasing No. 36 Wharf Road since about 1905.²⁰ After the death of Mrs McEwan, her beneficiaries in 1957 subdivided the property to form individual title to No. 36 and No. 34 Wharf Road (Lot A in DP441954).²¹

The pattern of occupancy in the Ramsden family era of ownership was for No. 34 Wharf Road being tenanted, and the owner, Ramsden, occupied No. 36 Wharf Road.²² The tenant of No. 34 Wharf Road between 1925 and 1930 was Alexander McIlveen.²³

2.5 No. 34 WHARF ROAD

The owner of No. 34 Wharf Road from 1957 was builder Alexander Hill Brodie Burns, and after 1969 the Hendry family.²⁴ The subdivision in 1957 probably was influenced by the changes in the landlord and tenants acts that occurred in the mid 1950s, which brought about the breakup of the tightly held tenanted properties dating from the nineteenth and early twentieth century. Burns had been the tenant of No. 34 Wharf Road²⁵ prior to taking up the offer of purchasing the freehold.

²⁰ Sands' Directory

²¹ Torrens Title Vol. 3242 Fol. 16

²² Ramsden died in 1935 at Lynworth (No. 36). Deaths, *Daily Telegraph*, 13/6/1935, p.8

²³ Sands' Directory

²⁴ Torrens Title Vol. 7436 Fol. 65

²⁵ *Sydney Telephone Directory*, 1954

This part of metropolitan Sydney was administered by Balmain Council prior to 1949, and very few records of that council have survived. From 1949 the area was administered by Leichhardt Council where the retention of historical building records was not a priority.

Given the location of the dwelling, and its history of private ownership, historical photographs of the exterior of the premises have not been found.



Figure 2.12A Detail from aerial photography of metropolitan Sydney dated 1943. Marked-up to show the footprint of the cottage.

Source: NSW Spatial Services



Figure 2.12B Detail from aerial photography of metropolitan Sydney dated 1943

Source: NSW Spatial Services

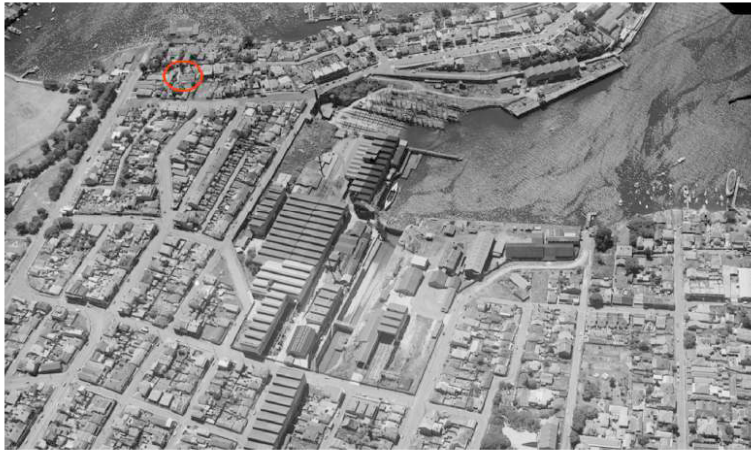


Figure 2.13 A Milton Kent photograph of the engineering works beside Mort Bay with the property discussed in the report being shown. Prior to the 1970s many of the residents of the water fronting properties at Balmain were employed in the local engineering and maritime works. Not dated, 1960s

Source: State Library of New South Wales (c111740005)

2.6 REUSS AND BROWNE, ARCHITECTS

The architects for the two houses built in 1857 very probably were Ferdinand Hamilton Reuss and JL Browne, then in partnership. Nothing is known of Browne, but of Reuss (1821-1896) he was born in London, and educated in London, Liverpool and Germany as an engineer. In the 1840s he was employed by a company of railway engineers.

The Reuss family came to the Victorian goldfields in 1853, and a little later relocated to Sydney and he went into partnership with Browne. Reuss laid out a number of housing estates in the mid 1850s and continued with this line of work throughout his professional life.

By the 1860s he had moved to Glebe and there built The Hermitage (ca 1866) for himself, and Reussdale for his sister (ca 1868), Mrs Adeline Halloran. In the 1880s Reuss was in partnership with his brother-in-law Edward Roland Halloran (1846-1919), an example of their work in this period is Alexandria Town Hall (1881).²⁶

²⁶ Boyd, N in *The Encyclopedia of Australian Architecture*, (ed P Goad and J Willis), Cambridge University Press, 2102

3.0 PHYSICAL DESCRIPTION

An inspection of the property was carried out by John Oultram in February 2021 to ascertain its layout, condition and intactness from original construction. The current plan is shown on Figure 3.1.

23 Wharf Road is a single storey, semi-detached, mid Victorian stone cottage set on a sloping site to the south side of the street. The house is one of a pair with 36 Wharf Road to the west. The house is reasonably intact in form and layout but has been altered internally and has later additions to the rear. The cottage has an attic bedroom with dormers to the front and side that may be original

The house is in the Georgian style with a symmetrical front elevation and pyramidal roof and is in picked, coursed sandstone with expressed quoins and eave stones with a hipped, slate roof with metal cappings and a rendered masonry chimney. There is a verandah to the front with a curved corrugated metal roof supported on square, timber columns with decorated valance brackets and a diagonal pattern, timber balustrade. The verandah appears to have been rebuilt and may have had cast iron, lace columns originally and the floor has been re-laid with quarry tiles. The rear wing has been rebuilt and extended and is in sandstock brick and weatherboards with a series of skillion roofs.

The main entrance is to the side and internally the cottage has a dog-leg hall with rooms off with a stair in the rear hall. The interior is partly intact though some walls have been replaced and original fabric removed or replaced.

To the front section, floors are in polished timber (M). Walls are in plastered masonry (O) with moulded timber skirtings (M). The plaster has been removed to the study and rear bedroom revealing the stone wall beneath. Some walls have been replaced in plasterboard (M) and there is a plaster and lath wall to the rear bedroom (O). Ceilings are in fibrous plaster with moulded plaster cornices (L). The study ceiling is in V jointed timber boards (M) and the ceiling to the rear bedroom has been replaced in plasterboard (M).

Doors are four panel timber with moulded timber architraves (L & O). The front door is a two pane, double margin door with a glazed fanlight (O) with a swept, corrugated hood over on decorated timber brackets. To the front verandah there are 3 panel, part glazed, French doors (possibly O with margin bars removed) and glazed fanlights. Windows are twelve pane, double hung, timber sashes (O).

There are fireplaces to the western rooms. The study has a painted timber surround (L or M) and open hearth. The rear bedroom has painted timber surround and tiled, cast iron insert (L).

The rear section of the house is modern throughout with a convoluted arrangement of rooms with a small lightwell at the rear rockface. The stone wall to the rear of the house has exposed stone and there is a stone fireplace in what was the former kitchen.

The upper floor has two bedrooms with plasterboard linings (M) and two, timber dormer windows with twelve pane, double hung, timber sashes (O) with gabled, corrugated metal roofs.

The house has a large garden to the front laid to lawn with perimeter shrub plantings and two Phoenix Palms. The garden is raised above the street and there is a stone outcrop and stone retaining wall to the front topped with a metal palisade fence with stone gates piers at the drive. The drive is laid in asphalt with a low wall to the east and rises to a hardstand at the house.

34 WHARF ROAD, BIRCHGROVE

HERITAGE IMPACT STATEMENT

There is a paved yard to the rear with a brick wall and gate to the drive and rendered boundary wall. The rear of the site has a high, rock outcrop.

The house is one of a pair and the adjoining cottage to the west also retains its original form and detail (though the roof has been replaced in concrete tiles) but has been extended to the rear with a two storey addition.

Wharf Road rises to the east and has one and two storey houses from the mid Victorian period onwards. To the east is a heavily altered, two storey Federation house set high off the street. To the rear is an ornately detailed mid Victorian Gothic style cottage set on the stone outcrop above the subject house.

O ORIGINAL
L LATER
M MODERN

Figures 3.2 – 3.19

34 WHARF ROAD, BIRCHGROVE

HERITAGE IMPACT STATEMENT



Figure 3.1 34 Wharf Road, Birchgrove

Plans as existing

Source: realestate.com

34 WHARF ROAD, BIRCHGROVE

HERITAGE IMPACT STATEMENT



Figure 3.2 34 Wharf Road, Birchgrove
Front elevation



Figure 3.3 34 Wharf Road, Birchgrove
Side elevation



Figure 3.4 34 Wharf Road, Birchgrove
Rear elevation



Figure 3.5 34 Wharf Road, Birchgrove
Front garden

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34 WHARF ROAD, BIRCHGROVE

HERITAGE IMPACT STATEMENT



Figure 3.6 34 Wharf Road, Birchgrove
Entry gates



Figure 3.7 34 Wharf Road, Birchgrove
Living room



Figure 3.8 34 Wharf Road, Birchgrove
Dining room



Figure 3.9 34 Wharf Road, Birchgrove
Bedroom



Figure 3.10 34 Wharf Road, Birchgrove
Stair

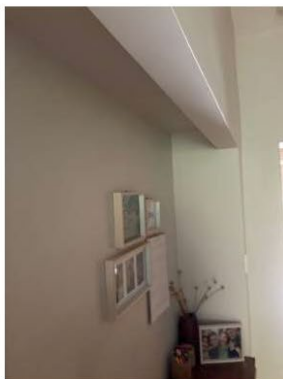


Figure 3.11 34 Wharf Road, Birchgrove
Study wall



Figure 3.12 34 Wharf Road, Birchgrove
Kitchen



Figure 3.13.34 Wharf Road, Birchgrove
Range at rear



Figure 3.14.34 Wharf Road, Birchgrove
Wall marking where original wall removed



Figure 3.15.34 Wharf Road, Birchgrove
Attic



Figure 3.16 34 Wharf Road, Birchgrove
Attic



Figure 3.17 34 Wharf Road, Birchgrove
36 Wharf Road



Figure 3.18 34 Wharf Road, Birchgrove
Houses to the east



Figure 3.19 34 Wharf Road, Birchgrove
Front boundary wall and outcrop

4.0 HERITAGE LISTINGS & CONTROLS

4.1 NATIONAL TRUST

The property is not classified on the Register of the National Trust of Australia (NSW).

4.2 HERITAGE NSW OF THE NSW DEPARTMENT OF PREMIER AND CABINET

4.2.1 State Heritage Register

Under the Heritage Act 1977, the NSW Heritage Council, administered by Heritage NSW of the NSW Department of Premier and Cabinet, maintains the State Heritage Register (SHR), a register of items and places that are considered to have heritage significance at a state level. The subject property is not listed on the Register.

4.2.2 State Heritage Inventory

The Heritage Division also compiles the State Heritage Inventory (SHI), a collated database of all places listed on statutory heritage lists, including Local Environmental Plans. The subject property is listed on the Inventory (SHI 1940630) and the listing sheet is attached as Appendix B.

Listing on the Inventory has no statutory implications for development at the place but reflects the listing of the property on the LEP (see below).

4.3 LOCAL AUTHORITY

The local authority for the area is Inner West Council (formerly Leichhardt Council). The property is listed as a heritage item in Schedule 5 Part 1 of the *Leichhardt Local Environmental Plan 2013* (as amended) (LEP). It shares the description with the neighbouring property, 36 Wharf Road.

REF	ADDRESS	ITEM	RANKING
I608	34 Wharf Road	Semi-detached House, <i>Exeter Villas</i> , including interiors	Local
I610	36 Wharf Road	Semi-detached House, <i>Exeter Villas</i> , including interiors	Local

The property is within the Birchgrove and Ballast Point Road Heritage Conservation Area (C8) and is in the vicinity of heritage items at:

REF	ADDRESS	ITEM	RANKING
I611	39 Wharf Road	House, <i>Ravenscourt</i> , including interiors	Local
I612	43 Wharf Road	House, <i>Clovermook</i>	Local
I519	73 Ballast Point Road	House, <i>Clifton Villa</i> , including interiors	Local

Development would be the subject of the heritage provisions of the LEP regarding development of a heritage item, in a conservation area and in the vicinity of a heritage item.

Council would also take into consideration the heritage provisions of the *Leichhardt Development Control Plan 2013* (as amended) (DCP) that contains detailed objectives and controls for development in the conservation area²⁷.

²⁷ Leichhardt Council has recently been amalgamated into the Inner West Council and, until new controls are gazetted, the current Leichhardt planning controls will apply

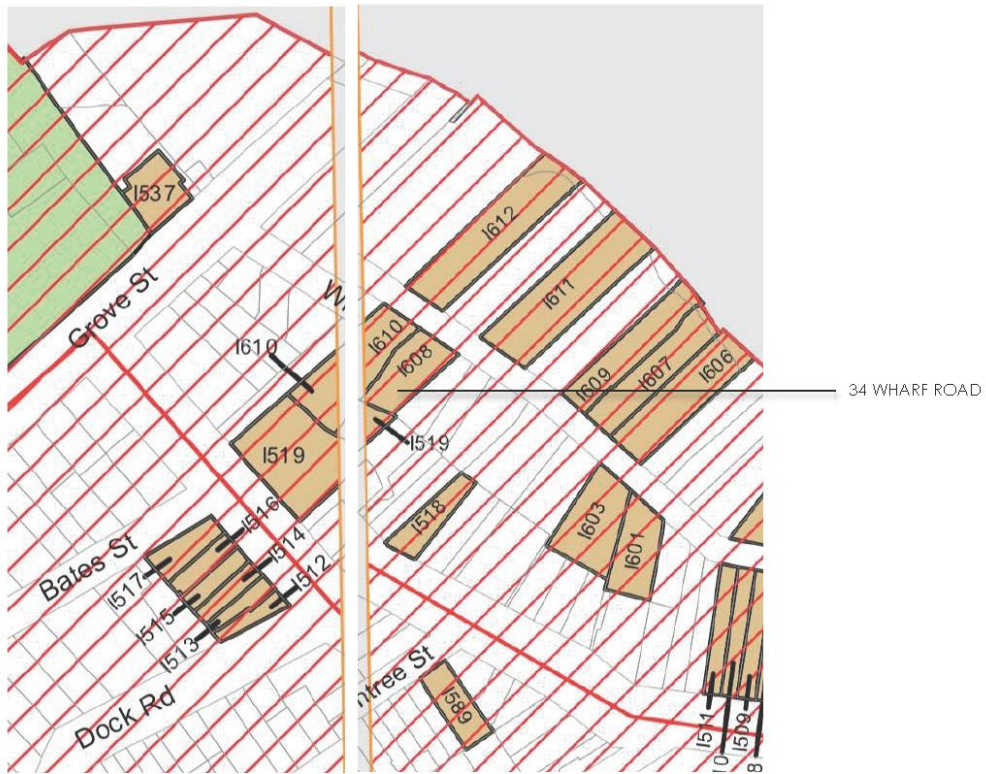


Figure 4.1 Leichhardt Local Environmental Plan 2013 Heritage Maps HER_006 and HER_010

Source: Inner West Council

5.0 ASSESSMENT OF SIGNIFICANCE

5.1 HISTORIC SIGNIFICANCE

5.1.1 Historical Development

Criterion (a)	An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)
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34 Wharf Road is an example of a mid Victorian, stone cottage that was built in 1857 for George Elworthy as part of a semi detached pair with 36 Wharf Road.

The property is located within the original land grant to Dr. William Balmain but Balmain sold the grant soon after to John Borthwick Gilchrist, who subdivided the grant for development. The subject area was released for sale in 1836 and, after Balmain's death, the remaining portions were subdivided by the Gilchrist Trust to a plan laid out by surveyor Charles Langley in 1852. Ten acres (Blocks 31 and 32) were sold to Charles Smith (who owned a wharf at Miller Point) and re-subdivided. Eight of the blocks were sold to Miss Rose Adcock.

Adcock sold two lots to Elworthy, a commercial tailor, in 1857. The cottages were a speculative development for lease and were called No. 1 and No. 2 Exeter Villa. After Elworthy's death in 1878 the houses were sold by his son George to James Tweedie Inglis but his financial problems led to the houses being on sold to Francis Adams in 1882.

The cottages were sold in 1911 to building contractors John Butler and Martin Willis and continued to be let.

The cottages are emblematic of the early development of the area and would have been one of the many such developments fronting the harbour that provided higher-class accommodation for local residents.

Local Significance.

5.1.2 Historical Associations

Criterion (b)	An item has strong or special associations with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)
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Like much of the area that place has associations with William Balmain, John Gilchrist and Adolphus Young who were early owners and who subdivided but did not develop the land. The association is incidental.

The place is most closely associated with George Elworthy (1813-1878) a commercial tailor with premises in George Street, Sydney. Originally from England, he came to Australia in the early 1850s. No other biographical information was available and he could not be considered to be persons of note.

Elworthy may have commissioned architects Reuss and Browne to design the cottages as the company acted as agents for Elworthy for the leasing advertisements. Little is known of Browne but Ferdinand Hamilton Reuss (1821-1896) was born in London and educated as an engineer. Reuss is well known for his surveying and subdivision plans (e.g. the Annandale Estate) and designed houses in Sydney and in the further afield.

Local Significance.

5.2 AESTHETIC SIGNIFICANCE

Criterion (c)	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)
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The house is a good example of a mid Victorian, stone cottage in a hybrid of the Georgian style. The house is one of a pair that forms a charming partnership and signals the early development of the area and the construction methods of the time.

The cottage is largely intact to its original form but has been altered internally and extended to the rear. Some of the internal fabric has been removed or replaced and the verandah appears to have been rebuilt to a later detail. Though having a symmetrical elevation to the front the cottage is accessed from the side and does not have a symmetrical internal plan.

The house appears to have been built with an attic as the early lease notices indicate that it was of six rooms and the attic is mentioned in the notice of 1878 (see Figure 2.6). The notice also notes the weatherboard kitchen and servants room, washhouse with copper, well of water with pump and a flower garden to the front.



Figure 5.1 Plan of the original cottage based on the plan of 1889 (see Figure 2.8)

The cottages may have been designed by architects Reuss and Browne, Reuss being the better known particularly for his surveying work. Reuss built the Hermitage in Glebe as his own home and the house Reussdale for his sister, Mrs Adeline Haloran. Reuss was later in partnership with Edward Roland Halloran and an example of their work is the Alexandria Town Hall (1881).

Known work by Reuss and Browne include Balmoral at Muswellbrook (1857), Hamilton in Bridge Road, Glebe (c.1877) (now demolished). Works by Reuss include 175 Bridge Road, Glebe (c.1870) and Dennarque at Mount Wilson (c. 1878).



Figure 5.2 Reussdale, c. 1870 by Ferdinand Reuss

Source: State Heritage Inventory 2427885



Figure 5.3 The Hermitage, Glebe, c. 1867, by Ferdinand Reuss

Source: State Heritage Inventory 2427883

Local Significance.

5.3 SOCIAL SIGNIFICANCE

Criterion (d)	<i>The item has strong or special association with a particular community or cultural group in NSW (or the local area) for social or spiritual reasons</i>
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The older stone houses in Balmain are held in high regard by local residents and interest groups and the subject site may have special associations.

May meet the criterion.

5.4 TECHNICAL/SCIENTIFIC SIGNIFICANCE

Criterion (e)	<i>An item has the potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)</i>
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There were no previous buildings on the site and the place has no known archaeological potential. The location of the well is not known unless the remains to the southeast corner signal this.



Figure 5.4 Well remains?

The house is of no technical significance.

Does not meet the criterion.

5.5 INTACTNESS AND RARITY

Criterion (f)	<i>An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)</i>
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The house is in reasonable condition and retains much of its original form and detail but has been extended at the rear with poor quality additions. The weatherboard kitchen at the rear has been demolished along with what was likely the scullery. The kitchen chimneybreast remains but the chimney has been removed.

The verandah may have been rebuilt as it now has an Arts and Craft detail, perhaps from when the house was purchased by building contractors John Butler and Martin Wills in 1911.

Internally floors have been replaced and some walls altered to plasterboard. There may have been a door at the end of the entrance hall but this has been removed (infilled) along with part of the dividing wall between the dining and the living room. The ceiling to the hall and rear bedroom has been replaced in plasterboard and the plaster has been removed to the dining room and part of the rear bedroom. The fireplaces appear to be to a later detail and the insert to the dining room has been removed. The French doors to the front may have had their margin bars removed.

The 'flower garden' has been laid to lawn. The Palm trees at the front do not appear on the 1943 aerial (see Figure 2.12B).

The house is one of a pair and the detail to each is similar (roof replaced to 36 Wharf Road) and the adjoining house has a two storey extension to the rear.

Cottages of this type are not uncommon in the local area.

5.6 REPRESENTATIVENESS

The house is a good example of its type and retains much of its original characteristics. It represents well the characteristics that make up the type.

Local Significance.

5.7 STATEMENT OF SIGNIFICANCE

The listing sheet for the property (SHI 1940630) contains a statement of significance:

No. 34 Wharf Road is of local historic and aesthetic significance as a good example of a Victorian Regency style single storey plus attic stone semi-detached dwelling constructed in c. 1870. Despite alterations to the rear, the building significantly retains its overall scale, form, character and details as presents to the street including the stone facades, roof form, party wall and chimney, roof domers, open front verandah and associated details, side entry and pattern of openings and front wall/ fence. The building is elevated above street and is enhanced by a garden setting. With the adjoined semi Nos. 34-36 make a positive contribution to the Wharf Road streetscape.

We would add:

The cottages example of mid Victorian, stone cottages built in 1857 for George Elworthy as part of a semi detached pair with 36 Wharf Road possibly to the design of architects Reuss and Browne.

6.0 PROPOSED REDEVELOPMENT

6.1 CURRENT PROPOSALS

The current owner would like to alter and extend the property. The proposals are shown on Drawings Nos. 1906 DA00 to DA17 (inclusive, all revision J) dated April 2021 and prepared by Cunningham Gill Architecture. The proposal include:

6.2 COTTAGE

6.2.1 Ground Floor

- Demolition of the rear wing
- Excavation for an undercroft entry, lift and stair
- Excavation for storage
- New doors to the study/bedroom
- New opening to the hall/dining room
- New rear extension
- New decking and steps to the front verandah.

The garage will be connected to the rear extension. The extent of the excavation to the rear beyond will be confirmed on opening up of the ground but the new entry passage and laundry are set back from the stone wall to the cottage.

The rear addition is two storey and is set to the northwest boundary and is inset from the line of the rear outcrop and extends into the side passage to the southeast. Here it is setback from the rear wall to the cottage and there is a single storey link at the rear wall with a box gutter to the existing roof. The north western section abuts the current roof and the narrow link with glazed sides with a flat roof set to the centre of the rear roof.

The addition is in rendered masonry large format glazing to the northwest elevation visible from the street with a flat roof set slightly below the existing ridge height. The rear section has full height glazing to the rock outcrop. The lift overrun extends slightly higher.

6.2.2 Attic

- Demotion of the internal walls
- Part removal of the floor to provide a void to the rear bedroom/study
- Internal reconfiguration to form an ensuite and bedroom
- New glazed link to the extension

6.3 EXTERNAL WORKS AMND LANDSCAPING

- Excavation of the side drive for a garage
- Excavation of the front garden for a turning circle
- Removal of the palm trees
- New swimming pool and pool fence
- New entry terrace and steps to the drive
- New planter to the front boundary

The garage is set below the pool and the excavation carries along the south and rear of the house with a new retaining wall along the boundary.

The door to the garage is set halfway along the drive under the new terrace that has a planter to the street in concrete with a metal balustrade above. There is an external stair to the side of the garage door and the garden here will be regraded to suit.

34 WHARF ROAD, BIRCHGROVE

HERITAGE IMPACT STATEMENT

The driveway will be widened and partly excavated into the front garden with new steps up to the terrace and retaining walls each side in rendered masonry. The current driveway gates will be retained and repaired.

The pool is set to the side of the house with a terrace between.

7.0 IMPACT OF THE PROPOSED DEVELOPMENT

7.1 GENERALLY

34 Wharf Road is a good example of a mid Victorian cottage that was built as a pair with 36 Wharf Road and both houses retain their primary form much of their external detail. Both have been extended to the rear and 36 Wharf Road has a two storey extension.

The works are aimed at retaining much of the form and fabric of the cottage and providing a good level of modern accommodation in a rear extension and providing car parking on the site in an underground garage.

7.2 EXCAVATION AND ARCHAEOLOGY

The site has no known archaeological potential and the excavation is proposed is outside of the cottage footprint. Early reports on the house note that there was a well on the site but the location of this is not known. Any excavation should be monitored for the location of this and, if located, the excavation may have to be adjusted accordingly.

The early plans do not indicate a drive and the gate opening appears very narrow and may have been for pedestrian access only (the adjoining house has steps). It is likely that the current drive is later and the excavation here will not impact on an original layout or original hard landscaped elements.

The usual structural considerations would apply to excavation near existing structures but any excavation should avoid the need for underpinning to the existing cottage.

7.3 DEMOLITION

The rear wing is to be demolished. The rear wing is modern throughout and there is no evidence of the early structures. It is a mish-mash of materials and forms and is of no heritage significance. The chimney to the rear that presumably served the kitchen will be retained along with the exposed stone wall to the rear of the cottage.

7.4 ALTERATIONS

7.4.1 Ground Floor

The wall at the end of the hall will be removed but this is a later plasterboard wall that likely replaced a door.

The nib walls to the rear hall will be removed but we would recommend that these be retained.

The wall to the rear bedroom/study will be removed and the current door here will be replaced with French doors. The change will not impact on original fabric.

The tiling to the front verandah will be replaced with timber that is the likely original detail. The change is a positive in heritage terms.

7.4.2 Attic

The attic will be reconfigured with walls removed and the stair void infilled. The fabric here is modern apart from the windows and floors and these will be retained. The two-room arrangement may be original and this will be altered to a single bedroom with a bathroom off. The changes will not result in any change in the form or fenestration and are neutral in heritage terms.

Part of the ceiling and floor will be removed to form a void above the study/bedroom below but this should be reconsidered as the double height space is a rather alien element in the cottage form.

Part of the rear a roof will be removed to for a very narrow link to the rear extension but the removal of fabric here is very limited and the DCP allows for such links.

7.5 ADDITIONS

The house will be extended to the rear in a two storey, pavilion form that retains the primary roof form largely as is. The addition has a 500mm, low level link to the southeast at the junction with the cottage and the link here is inset from the side wall to allow the corner and hip to remain readable. The connection here has a box gutter on the existing roof and we would recommend that the link become the box gutter (i.e. be lower than the current eave).

The addition is in a contemporary flat roof form and the cottage provides no design cues for a two storey addition. The majority of the addition is hidden behind the cottage but the part to the east will be visible as it steps into the side passage. The visible elevation has large format glazing partly louvered at both levels and the roof is set below the ridge of the cottage. However the elevation treatment is simple and contemporary and set well back from the front façade of the cottage and is set just below the height of the main ridge. Only a portion of the addition will be seen from the street and the visible primary roof form to the cottage will be retained.

The cottage is one of a pair but the handing at the rear has been lost by the later additions to both cottages and the addition adopts a similar approach in terms of placement, form and height.

The addition has a narrow link to the existing roof but this will not be seen from the street and is allowed under the DCP.

7.6 LANDSCAPING

The front garden and drive will be adjusted to allow for on site garaging that is set to the side and forward of the cottage with tandem parking for two cars. The current drive allows for this but requires reversal into the street. Parking is at a premium in the street and the paired cottage to the north has a garage set into the front lawn facing the street.



Figure 7.1 Garage to 36 Wharf Road

The garage is sensibly set into the site and under a terrace that accommodates the new pool. The front wall to the garage is to the side of the house and the garden to the front is largely maintained with the levels of the drive adjusted to allow the garage to be set low. The garage door is inset under the planter to the front that provides a link to the garden with steps down from the terrace that will form a solid element to the adjusted garden levels. The garage is set below the ground floor level of the cottage and will not block views to the house from the public domain.

We would recommend that the garage and steps be in sandstone to reflect the period of the house as can be seen in the entry steps to the adjoining house.

The drive will have a retaining wall along its southern edge that replaces a rather unsound wall. We would recommend that this wall be in brick rather than rendered masonry. The drive has a turning area to the east and the garden here will be cut back and the Palm trees removed. The trees do not appear on the 1943 aerial and, though distinctive, are not part of its historic character. The double trunk does not lend itself to being transplanted.

The transition for drive to garden should be as natural as possible and we would recommend the garden banked to suit the new levels and the drive curved around the turning area to dress into the gateposts.

The garden was noted in the early descriptions as a 'large flower garden' but any evidence of this has been removed and the garden is laid to lawn. This will be retained with new plantings along the front boundary maintaining a landscaped setting to the cottage.

The pool is located over the garage but will not be seen from the street as it is elevated from the footpath. It replaces the current drive that provides little in terms of setting to the house and the terrace above can be paved to provide a solid platform and appropriate setting to the house.

7.7 LEICHHARDT LOCAL ENVIRONMENTAL PLAN (LEP)

7.7.1 Impact on the Heritage Item

The house is a heritage item and the listing sheet (SHI 1940630) contains management guidelines that are addressed below.

Management Guideline	Comment
<i>the existing scale, character and details of the building particularly the stone facades, roof form, party wall and chimney, roof dormers, front verandah and associated decorative details, side entry, hood and pattern of openings be retained and conserved</i>	Complies
<i>no new openings should be made in the stone facades</i>	No change
<i>repairs of the roof slates is recommended</i>	Noted
<i>the face stone façades and elements including the front wall/ fence should remain face stone, whilst elements that have previously been painted such as render, metal and timber work should continue to be painted in appropriate colours</i>	Complies
<i>the front garden setting should be retained and planting maintained to ensure no damage to building and the front fence/ wall fabric</i>	Complies
<i>any further alterations and additions should be restricted to the rear of the building and site and should not detract from the existing form, character and scale of the building and adjoined semi as presents to Wharf Road.</i>	Partly complies. The new garage is to the side but is set below the ground floor of the house

Based on the above we consider that the proposed works will have an acceptable impact on the setting and significance of the cottage.

7.7.2 Impact upon Heritage Items in the Vicinity

7.7.2.1 36 Wharf Road – Exeter Villa No. 2

The house forms one of pair with 36 Wharf Road. The listing sheet for the property (SHI 19406310) contains a statement of significance:

No. 36 Wharf Road is of local historic and aesthetic significance as a good example of a Victorian Regency style single storey plus attic stone semi-detached dwelling constructed in c. 1870. Despite alterations to the rear, the building significantly retains its overall scale, form, character and details as presents to the street including the stone facades, roof form, party wall and chimney, roof dormers, open front verandah and associated details, side entry and pattern of openings and front wall/ fence. The building is elevated above street and is enhanced by a garden setting. With the adjoined semi Nos. 34-36 make a positive contribution to the Wharf Road streetscape.

While the pairing of the house is partly evident to the front this has been lost at the rear as the item has a two storey extension. The proposed addition to the subject house is set in a similar location and will largely not be seen in front on views to the item.

The proposed garage is placed to the side along with the alterations to the drive and, again there is no common treatment to the two houses has the item has steps and garage to the front

Based on the above we consider that the proposal will have a limited and acceptable impact on the setting and significance of the item.

7.7.2.2 39 Wharf Road – Ravenscourt

Across from the subject site is Ravenscourt, a two and three storey, late Victorian Italianate villa that was built in 1861 and designed by architect EH Buchanan.



Figure 7.1 Ravenscourt

The listing sheet for the item (SHI 1940632) contains a statement of significance:

No. 39 Wharf Road is of local historic and aesthetic significance as an example of a Victorian Italianate villa originally constructed in 1861 and largely extended in 1875 and 1888. The major part of the house was designed by local architect EH Buchanan. The building significantly retains its overall scale, form, character and details as presents to the street including rendered facades and rendered details and mouldings, roof form and chimneys, open verandah and balcony and associated cast iron decorative details. The building retains its prominent setting from the water and makes a positive contribution to the Wharf Road streetscape.

The house is quite prominent in the street due to its proximity to the footpath and ornate detailing. There is no historic relationship between the item and the subject site. The properties are separated by the road and the subject cottage is set well back from the street.

The proposed work are below the ground level of the cottage or to the rear of the primary form and the proposals retain a landscaped garden and drive at the front that will maintain the limited visual relationship between the properties.

We consider that the works will have a very limited and acceptable impact on the setting and significance of the item.

7.7.2.3 43 Wharf Road - Clovernook

Opposite the site to the east is Clovernook, a two storey, late Victorian house constructed c. 1861.



Figure 7.2 Clovernook

The listing sheet for the item (SHI 1940633) contains a statement of significance:

No. 43 Wharf Road is of local historic and aesthetic significance as a good example of an original Victorian dwelling constructed in c. 1861 with later development through the Federation and Inter-War periods. The building retains elements within the house that reflect these periods, the latter two more predominantly. The weatherboard summerhouse/boatshed is one of the best surviving waterside structures on the Balmain peninsula.

The house is not highly visible from the street due to its setback and the most prominent element is the large garage to the street. There is no historic relationship between the item and the subject site and they are separated by the road and the subject cottage is set well back from the street. There is little visual connection between the properties. The proposed works are below the ground level of the cottage or to the rear of the primary form and the proposals retain a landscaped garden and drive at the front that will maintain the limited visual relationship between the properties. We consider that the works will have a very limited and acceptable impact on the setting and significance of the item.

7.7.2.4 73 Ballast Point Road, Clifton Villa

Set high above the subject site is Clifton Villa, a large late Victorian house in the Gothic style that was constructed c. 1870.

The listing sheet for the item (SHI 1940541) contains a statement of significance:

No. 73 Ballast Point Road is of local historic and aesthetic significance as a good example of a two storey plus attic stone Victorian Rustic Gothic style dwelling constructed c. 1870. Despite some additions, the building significantly retains its overall scale, form, character and details including the stone facades, distinctive double gable roof form and timber details, chimney, roof domers, open verandah and associated details, pattern of openings, attached and detached stone wings and front fence. The building is a prominent feature in the area and due to its elevated location is also partially visible from Wharf Road. It is enhanced by several mature trees and garden setting and makes a positive contribution to the Ballast Point Road streetscape.



Figure 7.3 Clifton Villa from Ballast Point Road pre 1989



Figure 7.4 View to Clifton Villa over the subject site

The upper portion house is highly visible from the street due to its high setting on the rock and its ornate detailing. There is no historic relationship between the item and the subject site and the subject cottage is set well below the item. The proposed works are set below the ridge height to the cottage and below the rock ledge to Clifton Villa and, though there will be some change to the outlook from the Villa and its gardens, the proposal will not block views to or from the item.

There is some visual connection between the properties but we consider that the works will have a very limited and acceptable impact on the setting and significance of the item.

7.7.3 Impact upon the Conservation Area

The property is within the Birchgrove and Ballast Point Road Heritage Conservation Area (C8) and the impact of the proposal is assessed below.

7.8 LEICHHARDT DEVELOPMENT CONTROL PLAN (DCP)

Controls for development of heritage items and in conservation areas are contained in Section C1.3 and C1.4 of the DCP and the proposals are assessed against the relevant provision below:

7.8.1 General Controls

	<i>Objective/Control</i>	<i>Comment</i>
C1.3	<i>Alterations and Additions</i>	
C1	<i>The overall form of alterations and additions shall</i>	
(a)	<i>have regard to the provisions within Appendix B – Building Typologies of this Development Control Plan</i>	The proposal is a hybrid of Design Approach 1 for the single storey street fronting house and Design Approach 2 Cottage-pavilion addition
(b)	<i>be compatible with the scale, form and material of the existing dwelling and adjoining dwellings, including wall height and roof form</i>	Complies. The additions are two storey but in a pavilion form and retains the primary roof form
(d)	<i>maintain the integrity of the streetscape and heritage significance</i>	Complies
(e)	<i>be considered from all public vantage points from which the additions will be visible; and</i>	Noted. The proposal retains the streetscape presentation of the cottage including its garden setting
(f)	<i>achieve the objectives and controls for the applicable desired future character</i>	See below
C2	<i>Development shall preserve the consistency in architectural detail and form of continuous rows of attached dwellings, or groups of similar dwellings</i>	The pairing has been altered by the later additions to the handed cottage and the proposal adopts a similar approach
C4	<i>Where buildings contain original form or detail which has been compromised, the integrity of the original form and detail should be enhanced, rather than being justification for further compromise</i>	The proposals retain the most significant aspects of the cottage with limited change and the reinstatement of a timber floor to the verandah
C5	<i>New materials and fenestrations of alterations and additions shall be compatible with the existing building</i>	The design is a contemporary contrast to the stone cottage with only part visible from the street
C6	<i>The reconstruction of posted verandahs is encouraged where consistent with the architectural style of the building and suitable evidence of original verandahs is on that property</i>	The timber verandah floor will be reinstated
	<i>For alterations to the side of an existing building</i>	
C8	<i>Alterations and additions to the side of an existing dwelling (where that dwelling is currently setback from the side property boundary), must:</i>	
(a)	<i>endeavour to minimise visibility from the street;</i>	The garage is set below the floor level of the cottage to maintain views
(b)	<i>retain the predominant and desired future character of the street;</i>	The street is very mixed in character and there a number of garages closer to the street including to the handed cottage to the west
(c)	<i>ensure compliance with the remaining suite of controls within this Development Control Plan relating to residential development where relevant; and</i>	See SEE
(d)	<i>when located on the ground floor, the alterations and additions shall be:</i>	The garage is below the ground floor

	Objective/Control	Comment
C9	Alterations or additions to the rear of an existing building are to	
(a)	be of a building height that complies with the objectives and controls of the Site Layout and Building Design Part C3.2 of this Development Control Plan;	See SEE
(b)	maintain an area of useable private open space in accordance with Part C Section 3.8 Private Open Space of this Development Control Plan	There is very limited usable space at the rear due to the extent of the current rear wing
(c)	be of minimum visibility from the street (refer to Figure C1)	Complies. The addition is set below the ridge of the cottage and the visible section to the east is set well back from the street
C10	Where rear additions are visible from the public domain due to street layout or topography, maintaining original roof form is preferred and new additions are to be sympathetic to that original roof.	The original roof form is retained and the addition is a pavilion style at the junction with the rear wall
C11	Alterations and additions above ground floor level shall:	
(a)	comply with the appropriate provisions within Appendix B Building Typologies of this Development Control Plan	See C1 (a) above
(b)	maintain setback patterns within surrounding development;	The proposal retains a nil setback to the south and steps into the side passage due to the narrow width of the rear section of the site
	be subordinate to the existing building so that the additions do not dominate the building from the public domain.	The addition is set well back and below the ridge and is behind the primary roof form that will be retained
C12	Additions at first floor and above shall be of a scale and are to be located in a manner which	
(a)	maintains visual separation between the existing building and adjoining residential development; and	Complies
(c)	maintains setback patterns of surrounding development; and	The proposal retains a nil setback to the south and steps into the side passage due to the narrow width of the rear section of the site
(d)	will ensure that the addition does not dominate, but is sub-ordinate to the existing dwelling when viewed from the street.	Complies
C14	Any first floor and above additions attached to the rear of the existing roof form is to	
(a)	be subordinate to that roof form	The addition is set well back and below the ridge and is behind the primary roof form that will be retained
(ii)	enable the original roof form to be apparent from the public domain by setting the additions back from the external face of the existing side roof plane (so the gable, hip or original parapet roof form is retained); or	Complies
	comprising a rear sub roof linking the existing roof to additions that appear as a separate roof form to that of the existing dwelling. Any proposed link must be set 300mm below the existing ridgetin	Complies

	Objective/Control	Comment
	<i>Roof forms for alterations and additions</i>	
C1.5	Appropriate roof forms for rear additions depend on the context of the site, and may include	
(b)	boxed in form where not incongruous in the context, and where this approach reduces the visual impact of the addition, such that it is not overtly visible from the street; or	The additions are in a flat roof form to limit the height and avoid blocking views from the house to the south (Cliffon Villa)
C1.6	Where roof links are proposed to connect the original roof space to the new addition, they are to	The attic is original
(a)	be of minimal scale and proportion (up to a maximum of 50% of the rear roof plane) and are to provide a link only. Roof links which span the whole rear roof plane will not be supported;	Complies
	preserve the unity of the row, preserve chimneys and traditional scale and proportion in the street;	There is no change to the primary form and the new link is not visible from the street
	be located below the original ridge line, including clerestory roofs.	Complies
C1.4	Heritage Conservation Areas and Heritage Items	
C1	Development maintains the characteristics and is consistent with the objectives and controls for the relevant building type contained in Appendix B – Building Typologies of this Development Control Plan	See above
C2	The fabric of an existing building is to be the subject of appropriate conservation practices including	
(a)	retention of original detail and finishes	Complies
(b)	conservation of original elements	All extant original fabric is retained
(c)	reconstruction or restoration of original elements where deemed appropriate	The verandah decking will be reinstated
(d)	retention of the original cladding material of original roofs where viable	No change
C3	Development of dwellings within Heritage Conservation Areas must	
(a)	not include the demolition of the internal walls and roof form, including any existing chimneys, of the front two rooms of the dwelling	Complies. Only later walls will be removed
(b)	retain the major form, scale and materials of the existing structure as described in (a)	Complies
(c)	be for a rear addition which does not dominate the existing building or substantially change the relationship of the building to the street when viewed from the street	Complies
(d)	retain significant, established gardens and plantings including early fences	Complies. Noting the front garden is to a modern layout and detail
	<i>Roof Forms and Materials</i>	
C5	Consideration of roofing materials for additions should have regard for compatibility with the original roof, as well as for the context of the setting (such as if a dwelling is part of a group of similar dwellings)	The new roofs are flat

	Objective/Control	Comment
C6	<i>Within Heritage Conservation Areas, whole roof forms should be retained where possible and roofs of additions should be subservient to the main roof (in scale, form, location and materials). Changes to the form of the existing roof or extension of the ridge cannot be supported</i>	Complies
C7	<i>Where roof links are proposed to connect the original roof space to the new addition, they are to:</i>	
(a)	<i>be of minimal scale and proportion (up to a maximum of 50% of the rear roof plane) and are to provide a link only. Roof links which span the whole rear roof plane will not be supported;</i>	Complies
(b)	<i>preserve the unity of the row, preserve chimneys and traditional scale and proportion in the street; and</i>	Complies
(c)	<i>not be used to raise the ridge, or be for the purpose of creating a viable roof space where roof space meets the requirements of the Building Code of Australia.</i>	No change

7.8.2 Birchgrove Distinctive Neighbourhood

The DCP also contains objectives for the design of buildings in each of the suburbs of the conservation area. The property is within Birchgrove Distinctive Neighbourhood and the objectives and provisions for development in the area are in Section C2.2.2.6 of the DCP. An assessment of the proposed design against these is made below.

Wharf Street has a mixed character with single and two storey buildings from various periods with some later infill development.

The DCP notes that the area is characterised by:

The traditional housing styles in the neighbourhood include grand houses in a variety of styles along the waterfront as well as smaller more modest housing away from the waters edge (most of the foreshores in Birchgrove were too steep for commerce and were thus available for housing). Housing in the south of the neighbourhood tended to reflect other housing in the vicinity of Darling Street, such as middle class housing to serve the needs of those involved in Darling Street commerce.

The Birchgrove Distinctive Neighbourhood is now a residential area with scattered corner shops, schools and remnant maritime industry. In the decades since 1940, the variety of housing has increased to include blocks of walk-up flats, converted shops and townhouses. This is in addition to the majority of houses, which remain much as they were originally constructed in earlier periods of settlement.

The subject house is from the mid Victorian period and makes a strong contribution to the conservation area as part of a pair.

	OBJECTIVE/CONTROL	COMMENT
C.2.2.2.6	<i>Birchgrove Distinctive Neighbourhood</i>	
	<i>Desired Future Character</i>	
C1	<i>Development should follow the topography of the area and maintain the single storey scale on the mid slopes and mixed one and two storey scales at the top and bottom of the slopes.</i>	The proposal adopts a two storey form in line with its immediate context
C2	<i>Conserve and promote the consistent rhythm within the streetscape created by regular lot sizes, subdivision pattern and the predominance of detached and semi-detached houses with a prevalence of hipped, pitched and gable roof forms. Preserve the established setbacks for each street.</i>	Complies. The primary roof form will be retained and the new elements are designed to be recessive and below the ground floor or set well back
C3	<i>Preserve and where practicable, enhance public and private views over Snails Bay and Parramatta River. Buildings on the waterfront should follow the slope and help preserve view lines by stepping down with the contours.</i>	No impact on views
C4	<i>Promote a balance of landscape to built form in the view of the neighbourhood when viewed from the water.</i>	The development retains a garden to the front
C5	<i>Conserve the single and double storey, freestanding form, style and materials characteristic to each street.</i>	Complies
C8	<i>Maintain the diverse character of the area by ensuring new development is complementary in terms of its architectural style, built form and materials.</i>	Complies
C10	<i>Fences should be low open picket style with iron or timber pickets and with metal timber or stone posts.</i>	No change
C12	<i>Conserve and complement the established streetscape with regard to setbacks, street trees and general lack of driveway crossings.</i>	The driveway is extant and the boundary wall will be retained and conserved
C13	<i>Maintain sandstone outcrops and remnant stone wall footings</i>	Complies
C15	<i>A maximum wall height of 6m applies to the neighbourhood.</i>	See SEE
C16	<i>Changes to the front façades of existing dwellings shall be kept to a minimum with additions to the rear of dwellings preferred.</i>	Complies
C18	<i>New development shall maintain the use of hipped, pitched or gabled roof forms and designs shall be complementary to the existing unadorned built form. Flat roofs may be appropriate where the style of architecture is contemporary and view lines may be affected.</i>	Complies. The flat roof form is to the rear
C19	<i>Building materials used shall be consistent with the existing character of the streetscape, including rendered and painted surfaces and roof materials such as corrugated iron as well as timber windows.</i>	Complies

We consider that the proposal meets the heritage objectives and controls in the DCP.

8.0 SUMMARY AND RECOMMENDATIONS

8.1 SUMMARY

Overall we consider that the proposals are very well considered and pay due regard to the significance and integrity of the cottage. The level of internal alteration is very limited and the former room arrangement and primary form of the cottage will be conserved.

The rear additions are appropriately scaled and detailed and are subservient to the form of the cottage.

The proposals include some conservation works including the reinstatement of the timber floor to the front verandah and repairs to the gatepost at the drive.

We consider that the proposals will have an acceptable impact on the heritage item, the heritage items in the vicinity and the conservation area and meet the aims and objectives of the DCP.

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



JOHN OULTRAM

9.0 APPENDIX A – OWNERS (1857-1967)

Auto Folio A/441954 (Source: NSW Land Registry Services)

Year	Owner
1800	30th January CROWN GRANT Parish of Petersham 550 acres William Balmain
1853	1st April Section 31 of Balmain Estate 6 acres 2 roods 31 perches From: Joseph Hume, Charles Holland, John MacGregor, John Bowring, Robert Verity To: Charles Smith and Didier Numa Joubert
1853	8th September Section 32 of Balmain Estate 3 acres 1 rood 11 perches From: Didier Numa Joubert To: Charles Smith
1853	13th September BOOK 28 NO. 249 Conveyance Lots 36, 38, 40 and 42 of Smith's Subdivision of Balmain Estate Section 31 Lots 30, 32, 33 of Smith's Subdivision of Balmain Estate Section 31 Lot 32 of Smith's Subdivision of Balmain Estate Section 32 From: Charles Smith, Sydney, esquire To: Rose Adcock, Ermington, spinster 405 pounds
1857	5th May BOOK 48 NO. 981 Appointment of Release (Conveyance) Lots 40 & 42, Smith's Subdivision of Balmain Estate Section 31 From: Rose Adcock, Sydney, spinster To: George Elworthy, Sydney, tailor 180 pounds
1878	24th February George Elworthy died
1878	25th May BOOK 180 NO. 407 Conveyance Allotment number not given From: James Baker Elworthy, Gundagai, printer As executor To: James Tweedie Inglis, Balmain, esquire 1000 pounds
1882	4th May BOOK 244 NO. 58 Conveyance of Equity of Redemption Allotment number not given From: James Tweedie Inglis, Exeter Villa, Wharf Road, draughtsman To: Francis Adams, St Leonards, bank manager 500 pounds and mortgage liability

Year	Owner
1887	31st January BOOK 357 NO. 581 Conveyance Allotment number not given From: Francis Adams, Sydney, bank manager To: Tavares Falconer, Balmain, esquire 1600 pounds
1887	2nd February BOOK 357 NO. 582 Mortgage From: Tavares Falconer To: Australian Mutual Provident Society
1888	29th September BOOK 398 NO. 695 Conveyance Allotment number not given From: Australian Mutual Provident Society To: Francis Adams, Sydney, bank manager 1550 pounds
1909	PRIMARY APPLICATION 16023
1909	21st October CERTIFICATE OF TITLE Vol. 2008 Fol. 223 Part Lots 40 & 42, Smith's Subdivision of Balmain Estate Section 31 37 perches Francis Adams, North Sydney, esquire
1911	25th May Dealing 25666 Transfer Mabel Gertrude Adams, North Sydney, spinster Randall John Adams, North Sydney, esquire
1911	6th July Dealing 619956 Transfer John Butler and Martin Willis
1911	4th September CERTIFICATE OF TITLE Vol. 2179 Fols. 194 & 195 Part Lots 40 & 42, Smith's Subdivision of Balmain Estate Section 31 37 perches John Butler, Balmain, contractor Martin Willis, Balmain, contractor
1921	30th August Dealing A743949 Transfer Samuel Ramsden
1921	25th October CERTIFICATE OF TITLE Vol. 3242 Fol. 16 Part Lots 40 & 42, Smith's Subdivision of Balmain Estate Section 31 37 perches Samuel Ramsden, Snails Bay, engineer, and wife Martha Ann
1935	9th October Dealing C368961 Transfer Florence Amelie McEwan, Balmain, married woman
1955	29th August Dealing G360490 Transfer Andrew James McEwan, Eastwood, bank officer

34 WHARF ROAD, BIRCHGROVE

HERITAGE IMPACT STATEMENT

Year	Owner
1956	13th November Dealing G627145 Transfer Ethel Jane Ramsden, Toronto widow, Marion Frances Cousins, Toronto, married woman Florence Ethel Ramsden, Toronto, spinster Dorothy Jean McFarlane, Toronto, married woman
1957	Subdivision
1957	16th January Dealing G696425 Transfer of part Alexander Hill Brodie Burns
1958	30th January CERTIFICATE OF TITLE Vol. 7436 Fol. 65 Lot A in Dealing G692842 (DP 441954) 17 perches Alexander Hill Brodie Burns, Balmain, builder
1969	9th March Dealing L376875 Transfer Edward Reuben Hendry, Lavender Bay, sales representative, and wife Marie Therese
	Auto Folio A/441954 not searched

10.0 APPENDIX B - HERITAGE LISTING

Heritage NSW of the NSW Department of Premier and Cabinet

State Heritage Inventory Sheet for Exeter Villas, 34 Wharf Road, Birchgrove (SHI 1940630)

"Exeter Villas", semi-detached house

Item details

Name of item:
"Exeter Villas", semi-detached house
Other name/s:
Lynworth
Type of item:
Built
Group/Collection:
Residential buildings (private)
Category:
Semi-Detached House
Primary address:
34 Wharf Road, Birchgrove, NSW 2041
County:
Cumberland
Local govt. area:
Inner West
All addresses:

Street Address	Suburb/town	LGA	Parish	County	Type
34 Wharf Road	Birchgrove	Inner West		Cumberland	Primary Address

Statement of significance:

No. 34 Wharf Road is of local historic and aesthetic significance as a good example of a Victorian Regency style single storey plus attic stone semi-detached dwelling constructed in c.1870. Despite alterations to the rear, the building significantly retains its overall scale, form, character and details as presents to the street including the stone facades, roof form, party wall and chimney, roof dormers, open front verandah and associated details, side entry and pattern of openings and front wall/fence. The building is elevated above street and is enhanced by a garden setting. With the adjoining semi Nos. 34-36 make a positive contribution to the Wharf Road streetscape.

Note: This inventory sheet is not intended to be a definitive study of the heritage item, therefore information may not be accurate and complete. The information should be regarded as a general guide. Further research is always recommended as part of the preparation of development proposals for heritage items.

Date significance updated: 29 Nov 11

Note: The State Heritage inventory provides information about heritage items listed by local and State government agencies. The State Heritage Inventory is continually being updated by local and State agencies as new information becomes available. Read the Department of Premier and Cabinet copyright and disclaimer.

Description

Physical description:

Single storey plus attic stone semi-detached dwelling with hipped roof clad in slates with central rendered chimney with terracotta pots. The roof also has gabled dormers with timber framed multi-paned double hung windows. An open verandah on a stone base extends across the front of the semi with curved roof clad in corrugated steel supported on timber posts with deep timber brackets and simple rail. The front façade also has timber framed French doors with toplights and timber shutters. The entry is located on the side and has a timber panelled door with toplight and timber bracketed hood over. The entry is also framed by two windows openings with projecting stone sills and timber shutters. The building is elevated well above street level and is setback from the street frontage which has palisade fence on an ashlar stone wall on rock base with garden area between. Rendered piers with decorative steel gates are located at the eastern end of the street frontage and open onto concrete and asphalted driveway which ramps up from the street and extends parallel to the driveway. The driveway is bounded by trees and shrubs including two palm trees. A face brick skillion roofed wing extends from the rear of the building.

Physical condition and/or

Archaeological potential:

In good condition. The verandah roof cladding is rusting and some roof slates are displaced and missing. Some patching and repairs to the front fence/stone retaining wall is visible and fence is overgrown. Some cracking of the driveway piers is also evident and some of the palisades are missing.

Date condition updated: 29 Nov 11

Modifications and dates:

1974: Alterations and additions - rear (13171).
2002: Building certificate (BC/320/2002).
2005: Alterations and additions to an existing dwelling to include a new two storey addition at rear (D/2005/345).

Further information:

The driveway gates appear to be later reproductions.

Current use:

Residential

Former use:

Residential

History

Historical notes:

Surgeon William Balmain was granted 550 acres and most of the area now encompassing Balmain in 1800. In 1801 the entire grant was transferred to fellow surgeon John Gilchrist. Gilchrist never actually lived in NSW and advertised the land for sale in 1823. However, the sale was not a success. He gave power of attorney to his Sydney-based agent and merchant, Frank Parbury, who commissioned Surveyor John Armstrong to subdivide part of the land. This subdivision and sale of this land took place in 1836 and commenced from the eastern end of the suburb (East Balmain) due to its proximity and convenient water access and later spread west. The early subdivision was, however, suspended in 1841 due to difficulties associated with Gilchrist's will, but was resumed in 1852 when Surveyor Langley divided it into 46 later 47 sections. Langley used existing routes such as Darling Street and other tracks such as Beattie and Mullens Streets, which followed the local topography and contours, to delineate the parcels. The sections were purchased over the next 30 years by wealthy investors, local speculators and builders.

The site is located in Lot 31 of the 1852 subdivision. The early ownership is not clear, however, the semi, originally known as the "Exeter Villas" have been dated c.1870. A Sydney Water Plan (Balmain Sheet No. 5) dating from the late 1880s shows the semi set well back from the street frontage with front façade orientated parallel to the street alignment. Open verandahs extend across the front of the buildings noted as "Glendon" and "Lynworth". Two small wings are attached to the rear of the building with a detached structure also shown in the south western corner of the site.

Since that time it would appear that some infill, alterations and to the rear have been undertaken.

Historic themes

Australian theme (abbrev)	New South Wales theme	Local theme
A Settlement: Building settlement towns and cities	Accommodation: Activities associated with the provision of accommodation, and particular types of accommodation - does not include architectural styles - use the theme of Creative Endeavour for such activities	

Assessment of significance

SHR Criteria a)

[Historical significance]

The site is part of an early subdivision and building is part of the late Victorian period of development in the local area constructed in c. 1870.

SHR Criteria c)

[Aesthetic significance]

The building is of aesthetic significance as single storey with attic Victorian Regency style stone semi detached dwelling. Despite alterations to the rear, the building significantly retains its overall scale, form, character and details as presents to the street including the stone façades, roof form, party wall and chimney, roof dormers, open front verandah and associated details, side entry and pattern of openings and front wall/fence. The building is elevated above street and is enhanced by a garden setting. With the adjoined semi Nos. 34-36 make a positive contribution to the Wharf Road streetscape.

SHR Criteria f)

[Rarity]

The building is a good, representative example of a single storey plus attic Victorian period stone semi-detached dwellings which are relatively rare in the local area.

Integrity/intactness:

High

Assessment criteria:

Items are assessed against the State Heritage Register (SHR) Criteria to determine the level of significance. Refer to the Listings below for the level of statutory protection.

Recommended management:

It is recommended that: - the existing scale, character and details of the building particularly the stone façades, roof form, party wall and chimney, roof dormers, front verandah and associated decorative details, side entry, hood and pattern of openings be retained and conserved; - no new openings should be made in the stone façades; - repairs of the roof slates is recommended; - the face stone façades and elements including the front wall/fence should remain face stone, whilst elements that have previously been painted such as render, metal and timber work should continue to be painted in appropriate colours; - the front garden setting should be retained and planting maintained to ensure no damage to building and the front fence/ wall fabric; - any further alterations and additions should be restricted to the rear of the building and site and should not detract from the existing form, character and scale of the building and adjoined semi as presents to Wharf Road.

Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Leichhardt Local Environmental Plan 2013	1626	23 Dec 13		

Study details

Title	Year	Number	Author	Inspected by	Guidelines used
Leichhardt Municipality Heritage Study	1990		McDonald McPhee Pty Ltd (Chalg Burton, Wendy Thorp)		V, 85

References, internet links & images

Type	Author	Year	Title	Internet Link
Written	Max Solling and Peter Reynolds	1997	Leichhardt: On the Margins of the City	

Note: internet links may be to web pages, documents or images.



(Click on thumbnail for full size image and image details)

Data source

The information for this entry comes from the following source:

Name:
Local Government
Database number:
1940G30