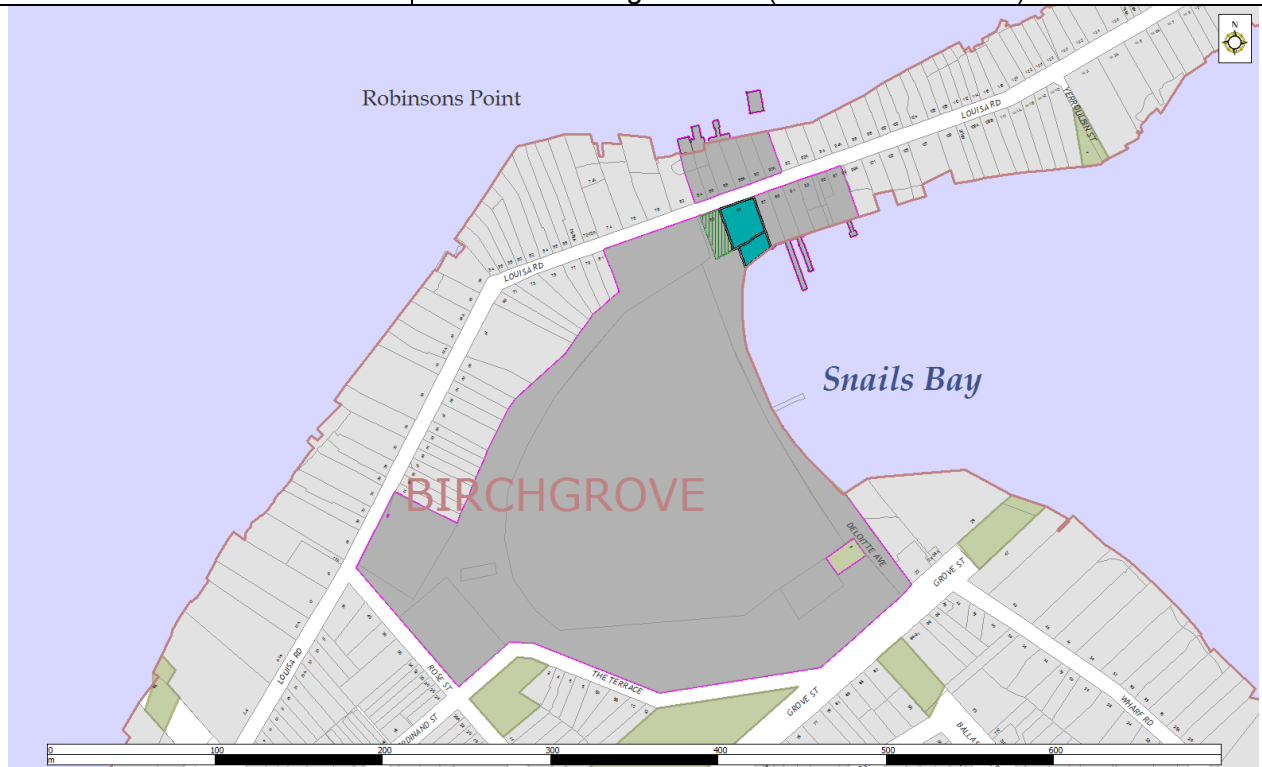




INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	D/2019/116
Address	85 Louisa Road, BIRCHGROVE NSW 2041
Proposal	Removal of one tree at front of site.
Date of Lodgement	27 March 2019
Applicant	The Stump Guy Tree Care
Owner	Ms V Duigan
Number of Submissions	One (1)
Value of works	\$2,800
Reason for determination at Planning Panel	Removal of tree at heritage listed property
Main Issues	Nil
Recommendation	Approval
Attachment A	Recommended Conditions of Consent
Attachment B	Statement of Environmental Effects
Attachment C	Statement of Significance (Birchgrove and Ballast Point Road Heritage Conservation Area)
Attachment D	Statement of Significance ('Geierstein' House)



LOCALITY MAP

Subject Site		Objectors		↑ N
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application submitted to Council, for removal of a *Eucalyptus Scoparia* (Wallangarra White Gum) at 85 Louisa Road, Birchgrove NSW 2041. The application was notified to surrounding properties and one submission, in support of the application, was received.

The proposal will not result in any adverse heritage or landscape amenity impacts, and therefore, the application is recommended for approval, subject to replanting and other recommended conditions.

2. Proposal

The application proposes the removal of the *Eucalyptus Scoparia* (Wallangarra white gum) located in the front yard, in the north-western corner of the site. The tree has an approximate height of 15m and canopy of 11m. The removal is proposed as the health of the tree has declined, with recent branch failure posing a risk to the safety of pedestrians, residents and the dwelling itself.

No other works are proposed as part of this application.

Refer below for an aerial image of the site and the location of the tree proposed to be removed, and close-ups of the tree to be removed:



Figure 1 Aerial of site and location of tree to be removed.



Figure 2 Image of tree and close-up of its trunk.

3. Site Description

The subject site is located on the southern side of Louisa Road. The site consists of two (2) allotments, and is of an irregular shape, with an area of 725.163m². It is legally described as Lot 2 / DP743504 and 1 / DP111941. The site has a frontage to Louisa Road of 21.28m.

The site supports a single, two-storey dwelling. The adjoining properties support residential uses, with a range of building designs and scales. The subject site is listed as a heritage item and the property is located within the Birchgrove and Ballast Point Road Heritage Conservation Area. The site is identified as a ‘Foreshore Inundation Lot’.

The site contains vegetation with small trees and shrubbery scattered within the front yard, along the side boundaries, and in the rear yard.

4. Background

4(a) Site history

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

Subject Site

Application	Proposal	Decision and Date
D/1999/486	Alterations to existing dwelling including ground and 1st floor additions	Approved on 08-Feb-2000

D/2009/74	Construction of a new carport.	Refused on 23-May-2009
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Surrounding properties

Application	Proposal	Decision and Date
83 Louisa Road, Birchgrove		
BA/1996/721	Details not available.	Approved With Conditions on 28-Nov-1996
D/2010/480	Alterations and additions to existing dwelling.	Approved on 09-Nov-2010

4(b) Application history

Not applicable.

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 (Vegetation in Non-Rural Areas) 2017
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Leichhardt Local Environmental Plan 2013

The following provides further discussion of the relevant issues:

5(a)(iii) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The application seeks the removal of a tree at the front of the site and the appropriate consent has been sought under this application. The application was referred to Council's Tree Management Officer whose comments are summarised as follows:

- The removal of the tree is supported, subject to recommended conditions, including provision of replanting.

Overall, the proposal is considered acceptable with regard to the *Vegetation SEPP* and LDCP 2013 clauses C1.12 Landscaping and C1.14 Tree Management, subject to the imposition of conditions, which have been included in the recommendation of this report.

5(a)(iv) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

An assessment has been made of the matters set out in Clause 20 of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. It is considered that the carrying out of the proposed development is generally consistent with the objectives of the Plan and would not have an adverse effect on environmental heritage, the visual environment, the natural environment and open space and recreation facilities.

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 5.10 – Heritage Conservation
- Clause 6.1 – Acid Sulphate Soils
- Clause 6.2 – Earthworks

The following provides further discussion of the relevant issues:

Clause 5.10 – Heritage Conservation

The subject property at 85 Louisa Road, Birchgrove, is listed as a heritage item; House, “Geierstein”, including interiors, in Schedule 5 of the Leichhardt LEP 2013 (I553.). The site also adjoins the heritage listed Birchgrove Park, Grove Street (I535) and is in the vicinity of the heritage listed house, “Douglas”, including interiors, at 76 Louisa Road, Birchgrove. The subject property is located within the Birchgrove and Ballast Point Road Heritage Conservation Area (C8 in Schedule 5 of the Leichhardt LEP 2013).

The Statement of Significance for the “Geierstein”, including interiors, sourced from Council’s heritage database, is below:

No. 85 Louisa Road is of local historic and aesthetic significance as a good example of a late Victorian Italianate dwelling constructed in 1886. Despite some modifications and additions the building significantly retains its overall scale, form, character and details including distinctive gable roof forms, chimneys and associated timber decorative details, patterned slate roof cladding, faceted bays and open verandah and associated finishes, pattern of openings, also garden setting and front fence. The building is sited close to the street frontage and addresses Snails Bay and makes a positive contribution to the Louisa Road streetscape and Birchgrove waterfront.

Clause 5.10: Heritage Conservation from the Leichhardt LEP 2013 and Section C1.4: Heritage conservation areas and heritage items and C.2.2.2.6: Darling Street Distinctive Neighbourhood from the Leichhardt DCP 2013 apply to the proposal.

The existing character for the Birchgrove and Ballast Point Road HCA states that front setbacks vary from 1m to 4m and many have mature trees in the front yards.

The Statement of Environmental Effects, prepared by Tony Giurla – The Stump Guy Tree Care, has been reviewed as part of this assessment.

It is proposed to remove the 16m high Eucalyptus Scoparia at the front of the site which has a 14m spread. It is estimated the age of the tree is between 35 and 45 years old. It is proposed to remove the tree as it has bracket fungus and has recently lost a large limb. The limb fell on the front verandah and façade of the dwelling causing damage. The SEE states the tree has been maintained, but is in decline, despite the deadwood being removed, and needs to be removed for safety reasons. It also states this species was commercially promoted in the 1960s and 70s as a fast growing tree. It is proposed replace the tree with a Tuckeroo tree.

The Statement of Significance for the site relates to the historic, aesthetic and representative significance of the dwelling. The subject tree does not contribute to this significance. The

recommended management for the heritage item states that “*the garden setting should be retained and trees and plantings maintained to ensure no damage to built elements*”.

When viewed on Nearmap, the decline in the tree’s health and the loss of limbs is evident since 2009. As can be seen from the images below, in 2010 the tree had a relatively rounded canopy which has eroded since that time. The loss of the most recent limb is visible between the images taken in December 2018 and March 2019.

The decline of the health of the tree was confirmed during the site inspection on 15 April 2019, with Council’s Tree Assessment Officer and Planning Consultant.

The application is recommended for approval, subject to replacement tree planting.

5(b) Draft Environmental Planning Instruments

There are no relevant Draft Environmental Planning Instruments.

5(c) Development Control Plans

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

Part	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.4 Heritage Conservation Areas and Heritage Items	Yes
C1.12 Landscaping	Yes
C1.14 Tree Management	Yes
Part C: Place – Section 2 Urban Character	
C2.2.2.6 Birchgrove Distinctive Neighbourhood	Yes
C2.2.2.6(a) Louisa Road Sub Area	Yes
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	Yes

The following provides discussion of the relevant issues:

C1.12 – Landscaping

The objectives of *C1.12 Landscaping – Residential Development* are:

- O1 Development includes on-site landscaped open space that:*
- a. enhances the visual setting of buildings;*
 - b. contributes to the distinct landscape character within the neighbourhoods and preserves, retains and encourages vegetation and wildlife that is indigenous to the municipality and Sydney;*
 - c. preserves or retains natural features such as rock outcrops that contribute to the landscape of the area;*

- d. *conserves water resources by reducing the need for irrigation;*
- e. *maximises vegetation to regulate and increase rainwater infiltration, thereby increasing nutrient recycling and reducing surface runoff;*
- f. *is compatible with the heritage significance of the place;*
- g. *contributes to the amenity of the residents and visitors;*
- h. *where involving new plantings, benefit the building's energy efficiency;*
- i. *protects and retains existing trees on the subject and surrounding sites, including the street verge; and*
- j. *is designed to encourage the retention and enhancement of green corridors.*

Removal of the subject tree is supported, as it is considered that its health is in decline and will result in further branch failures overtime, which poses a hazard for residents, pedestrians, and property. It is located where the prevailing environmental conditions are unsuitable for its long term survival.

Replacement planting with minimum of 1 x 75 litre size locally indigenous tree, which will attain a minimum mature height of 8 metres, shall be planted in a more suitable location within the property at a minimum of 1.5 metres from any boundary or structure.

This replacement tree as conditioned will create a positive contribution to the surrounding landscape and enhance the visual appeal of the neighbourhood.

C1.14 – Tree Management

The proposed tree removal is consistent with the *Tree Management Controls* under C1.14.7 which provides the criteria under which the removal of a prescribed tree is to be assessed:

- a. *the tree is located where the prevailing environmental conditions are unsuitable;*
- b. *the tree is in a state of irreversible decline or is dead;*
- c. *the tree poses a threat to human life or property;*
- d. *the tree is causing significant damage to public infrastructure which cannot be remediated by any other reasonable and practical means;*
- e. *the replacement of damaged or failed sewer pipes or storm water lines cannot reasonably be undertaken with the retention of the tree;*
- f. *the tree is not deemed to be a tree of landscape significance; and*
- g. *replacement planting can better achieve the objectives of this section of the Development Control Plan within a reasonable time.*

The proposal seeks removal of one *Eucalyptus scoparia* (Wallangarra White Gum) tree located at the front of the property.

A site inspection was undertaken 15/04/2019. The following observations were recorded and Arboricultural advice provided:

- The subject tree was identified as a mature *Eucalyptus scoparia* (Wallangarra White Gum) growing in the front property.
- The specimen was estimated to be 15m x 11m in height and canopy spread, however, several large branches from the upper canopy had been recently removed.
- Several recent pruning cuts greater than 200mm in diameter were observed.
- The stem diameter was recorded to be 910mm measured at 1400mm from ground level.
- At the time of inspection the specimen appeared to be in fair to poor health. An estimated 35% of the upper canopy was observed to be epicormic shoots. The remaining upper canopy appeared to be sparsely foliated. Branch die back was clearly evident.
- Evidence of basal decay was detected when using a nylon sounding mallet on the northern and western aspect of the lower trunk and root flare.

- A large structural root greater than 100mm in diameter on the northern aspect of the trunk was observed to have been previously damaged. Decay was detected at this point using the sounding mallet.
- Evidence of active Jewel beetle (Crescent borer) activity was observed at the time of inspection.

At the time of inspection, no *Phellinus* fungal fruiting bodies could be seen on the subject tree. Upon review of the supporting photographs of recent branch failure, light discolouration of altered wood within the centre of the branches could be seen indicating a decay pathogen is likely present.

A review of satellite imaging taken from 2010 to 2019 has confirmed that the specimen has been in steady decline.

Phellinus wood decay fungi (Bracket fungi) are commonly observed in *Eucalyptus scoparia* (Wallangarra White Gum). Given the current condition and estimated age of the specimen in conjunction with a suspected decay pathogen being present, it is not anticipated that the specimen will remain viable in the landscape in the long term.

Given the close proximity of the specimen in relation to the dwelling on site and evidence of recent large limb failure, tree removal is supported in this instance.

A review of the submitted SEE has found that a *Cupaniopsis anacardioides* (Tuckeroo) is proposed as a replenishment tree. This is considered acceptable.

The application is recommended for approval subject to conditions as listed in 'Attachment A – Recommended conditions of consent'.

5(d) 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(e) The suitability of the site for the development

The site is zoned *R1 General Residential*. 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(f) Any submissions

The application was notified in accordance with LDCP 2013 for a minimum period of 14 days to surrounding properties. A total of one submission was received.

The submission supported the application on the grounds of the tree being in a state of decay and branches falling on to adjoining property and parked vehicles.

5(g) 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 Officer: The proposal is acceptable from a heritage perspective, without conditions, as the removal of the tree will have little to no impact on the heritage item or the items within the vicinity
- Landscape: The application is supported, subject to recommended conditions, including adequate replacement planting to be provided to offset the loss of the tree.

6(b) External

The application was not required to be referred to any external body for comment.

7. Section 7.11 Contributions

Section 7.11 contributions are not payable for the proposal.

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 proposed tree removal 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

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. D/2019/116 for removal of tree at front of site at 85 Louisa Road BIRCHGROVE NSW 2041 subject to the conditions listed in Attachment A.

Attachment A – Recommended Conditions of Consent

CONDITIONS OF CONSENT

1. Approval is given for the following works to be undertaken to trees on the site:

Tree/location	Approved works
<i>Eucalyptus scoparia</i> (Wallangarra White Gum) located in front property.	Remove.

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved.

The approved works shall not be carried out unless this letter, or copy of it, is kept on the site. It shall be shown to any authorised Council Officer upon request.

All tree work shall be undertaken by an experienced Arborist with a minimum qualification of Level 3 under the Australian Qualification Framework (AQF). The work shall be undertaken in accordance with AS4373 – 2007 ‘Pruning of amenity trees’ and in compliance with 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) shall be undertaken by an approved Ausgrid contractor for the management of vegetation conflicting with such services. Please contact Ausgrid for further advice in this regard.

2. The following trees must be planted:
 - A minimum of 1 x 75 litre size additional locally indigenous tree, which will attain a minimum mature height of 8 metres, shall be planted in a more suitable location within the property at a minimum of 1.5m from any boundary or structure. The tree is to conform to AS2303—*Tree stock for landscape use*.

Details of the species and planting locations of the replacement plants must be included on the landscape plan and site plan prior to the issue of a Construction Certificate. Note: any replacement tree species must not be a palm tree species or tree species listed as an exempt species under Council’s Tree Management Controls.

If the replacement trees are found to be faulty, damaged, dying or dead within twelve (12) months of planting then they must be replaced with the same species. If the trees are found dead before they reach a height where they are protected by Council’s Tree Management Controls, they must be replaced with the same species.

DURING WORKS

3. No activities, storage or disposal of materials taking place beneath the canopy of any tree protected under Council's Tree Management Controls at any time.
4. 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.

ONGOING CONDITIONS OF CONSENT

5. The canopy replenishment trees required by this consent are to be maintained in a healthy and vigorous condition until they attain a height of 6 metres whereby they will be protected by Council's Tree Management Controls. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species within 2 months.

Attachment B – Statement of Environmental Effects



INNER WEST COUNCIL

**Statement of Environmental Effects –
Removal of Tree/s from Heritage Items or Heritage Conservation
Areas**

About this form:	This form is provided to assist applicants in the preparation of Development Application to remove one or more trees from heritage listed properties or properties located within a Heritage Conservation Area.
How to complete:	<ol style="list-style-type: none"> 1. Ensure that all fields have been filled out correctly. 2. Please print clearly. 3. Once completed, please refer to the lodgement details section for further information.

Development Application Details:	
Address:	85 Louisa Road, Birchgrove
Proposed Development:	Tree Removal
Prepared By:	Tony Giurla - The Stump Guy Tree Care

What is the Heritage Status of the Subject Site:	
<input checked="" type="checkbox"/> Heritage Item	
<input type="checkbox"/> Heritage Conservation Area	

Tree Characteristics:	
Species	Eucalyptus Scoparia
Approximate Height and Spread:	16 metres Height x 14 metres Spread
Approximate Age:	Between 35 - 45 years old



INNER WEST COUNCIL

**Statement of Environmental Effects –
Removal of Tree/s from Heritage Items or Heritage Conservation
Areas**

Is the Tree a Prescribed Tree:

- Yes
- No

Approval for removal is sought as:

- The tree is located where the prevailing environmental conditions are unsuitable;
- The tree is in a state of irreversible decline or is dead;
- The tree poses a threat to human life or property;
- The tree is causing significant damage to public infrastructure which cannot be remediated by any other reasonable and practical means;
- The replacement of damaged or failed sewer pipes or storm water lines cannot reasonably be undertaken with the retention of the tree;
- The tree is not deemed to be a tree of landscape significance; and
- Replacement planting can better achieve the objectives of this section of the Development Control Plan within a reasonable time.

Please provide further details/justification:

Tree has bracket fungus and has recently lost large limb. Tree has been maintained recently however is in decline and needs to be removed for safety reasons.

Is the application accompanied by specialist consultant report/s ?

Yes

No

Inspected by level 3 Arborist



INNER WEST COUNCIL

**Statement of Environmental Effects –
Removal of Tree/s from Heritage Items or Heritage Conservation
Areas**

Environmental Impacts	
Please specify the environmental impacts associated with the proposal and measure to be taken to mitigate the impacts:	
Context	Removal of 1 x Eucalyptus Scoparia tree, located front right corner of house. The tree has a bracket fungus and has recently lost a large limb. Tree has been deadwooded but is in decline.
Significance of the Heritage Item/Conservation Area:	Although the site is heritage, the tree is not consistent with the general plantings of the period. It was a commercially promoted product in the 60s and 70s, as a fast growing option. Therefore it is considered to be of NO heritage relevance and easily replaced by a more appropriate species.
Flora and Fauna:	No flora or fauna will be impacted by the removal of this tree. There is no evidence of any bird or possum life in the tree.

Is Replacement Planting proposed:

Yes – Please specify: Tuckeroo tree

No – Please specify:



**Statement of Environmental Effects –
Removal of Tree/s from Heritage Items or Heritage Conservation
Areas**

Site Plan:

In the space provided below, please include:

- A diagram of the subject site, indicating street frontage, general location of any buildings, the location of all trees that are the subject of this application and any other trees on the property.
- Approximate height, trunk diameter, canopy width and species of each tree that is the subject of this application.
- Please number the trees which are subject to this application.

See attached Google Map





INNER WEST COUNCIL

Statement of Environmental Effects – Removal of Tree/s from Heritage Items or Heritage Conservation Areas

Declaration

I understand that information provided with this application (including the application form) and any subsequent information submitted as part of this application may be disclosed under the provisions of the Government Information (Public Access) Act 2009 and correspondence from Council may be made available for viewing by the general public.

**Applicant's
signature:**

John Goh

Date:

4, 3, 19

Privacy statement

Application forms and/or names and addresses of people making an application is information that is publicly available. In accordance with section 18(1)(b) of the *Privacy and Personal Information Protection Act 1998 (NSW)*, you are advised that all application forms received by Council will be placed on the appropriate Council file and may be disclosed to Councillors, Council officers, consultants to Council or members of the public. Pursuant to the provisions of the *Government Information (Public Access) Act 2009*, Council is obliged to allow inspection of its documents, including any application you make. However, should you wish for your contact details to be suppressed, please indicate on this application form.

Instructions for applicants

This form must be lodged with your Development Application. Both an electronic and hard copy should be provided.

Incomplete/illegible applications will not be accepted and will be returned to you.

Lodge in person: Inner West Council's Customer Service Centres:

- Ashfield – 260 Liverpool Road Ashfield.
- Leichhardt – 7-15 Wetherill Street Leichhardt.
- Petersham – 2-14 Fisher Street Petersham.

Opening hours: Monday-Friday, 8:30am-5:00pm

www.innerwest.nsw.gov.au/ContactUs

Cashiering: 8:30am-4:30pm.

Lodge by mail: Inner West Council, PO Box 14, Petersham NSW 2049

Attachment C – Statement of Significance (Birchgrove and Ballast Point Road Heritage Conservation Area)

Godden Mackay Logan

Area 14 Birchgrove and Ballast Point Road

Landform

Birchgrove Point is a rugged narrow neck of sandstone called Yurulbin (swift running waters) by the Aboriginals because of the change in water movement around the point where the bays of the river to the west are protected from the open waters of the harbour to the east. Very deep water frontage along both sides of the point.

There are swamps and mudflats within the still waters of Snails Bay with another high, rocky headland on the southern side, and Ballast Point at its most easterly end. Views either northeast to the harbour, and/or south over Morts Dock can be achieved from most allotments along the Ballast Point headland.



Figure 14.1 Birchgrove and Ballast Point Road Conservation Area Map.

History

The Birchgrove and Ballast Point Conservation Area covers the area of the George Whitfield's 30-acre grant of 1796 (Birchgrove) and sections of John Gilchrist's Balmain Estate (Ballast Point).

Birch acquired Whitfield's grant in 1810 and built Birch Grove house (at 67 Louisa Road, demolished 1967). In 1860 the estate was purchased by Didier Joubert of Hunters Hill and the Parramatta Ferry Service. He commissioned Surveyor Brownrigg to subdivide the land into villa allotments, and despite later small resubdivisions, Brownrigg's layout provides the backbone for Birchgrove today. The streets were named for Joubert's wife (Louisa), children (Numa and Rose) and nephew (Ferdinand) with (Iron) Cove Road, and (Birch) Grove Road defining the grant boundaries. Louisa Road followed the ridge, except for the sharp bend to avoid Birch Grove House, giving access to a single row of steep allotments, all with deepwater frontage. The land around the bay was divided to provide the greatest number of allotments at 50-70ft x 150ft approximately, above high water mark, with The Terrace forming the drive to Birch Grove House.

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The 1860 sale was premature. Within six years Joubert had only sold seven allotments. Stonemasons and quarrymen were among the first purchasers. The estate was eventually mortgaged to the Bank of New South Wales. By 1878, only twenty-three lots had been sold. These early residents were Sydney professionals, who travelled to town by ferry, and small speculators or builders, who quarried the land for buildings elsewhere. In 1986 twenty-four houses, eighteen built of weatherboard, remained from those first eighteen years. Today only fifteen remain.

A new consortium of McLean, McGregor and Threlkeld commissioned Surveyor Reuss Junior to re-examine the Brownrigg plan, and make some amendments around the head of the bay and along the steepest part of Louisa Road to create more allotments or more useable allotments. The estate was again put up for sale in 1878. Sydney's boom period of the 1880s saw many more allotments taken up and villas in stone or rendered brick were built. This dramatic tongue of sandstone at the western end of the harbour also attracted industries dependent on water (shipbuilding and repair) or on water for the transport of its raw materials (timber yards, a cooperage, a coalyard, an oil refinery). Birchgrove was also the site of a power cable tunnel to the north side of the harbour 1913-1926.

The mud flats, by then the repository of garbage and effluent from an increasingly industrialised and urbanised harbour, were designated in the plan as 'proposed park'. A trust was established to fill the area in 1887 for shrubberies and a cricket pitch. The present configuration was completed in 1897.

The garden of Birch Grove House was subdivided twice, in 1900 fourteen brick houses were built between 1902 and 1922 (twelve remain), and again in 1911 when four brick houses built between 1912 and 1926 (all remain). A thick plantation of trees in Birchgrove Park marks the eastern edge of the Birch Grove House garden, and shields the 1967 flats which replaced it, from view. By 1941 when Storey and Keers shipwrights were established on an apron below a narrow cliff edge in Louisa Road, all land in Birchgrove had been taken up. In the 1970s change in industrial operations and the nature of maritime industry in particular left the former small industrial sites of Birchgrove available for new residential development.

Along Ballast Point to the east of Birchgrove Park, land was released for subdivision and sale in 1852. It was part of John Gilchrist's 550-acre Balmain Estate, and subdivisional activities across the whole estate had been suspended in 1841 because of disputes about his will. Once resolved, Surveyor Charles Langley was responsible for subdividing the remaining acres into 46/47 sections, using existing contour-aligned routes such as Darling Street, Birchgrove Road and Ballast Point Road to delineate the parcels. The sections were purchased over the next thirty years by wealthy investors, local speculators and builders.

Speculators Joshua Josephson, Didier Joubert, Charles Smith, William Cover and George Thorne bought up the land on both sides of Ballast Point Road in 1853. This marine location, with most allotments possessing water frontages, attracted some keen bidding.

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By 1891 the whole process of building up Ballast Point Road, Wharf Road, Yeend, Ronald and Lemm Streets was largely complete. There were marine villas on generous parcels of land along Wharf Road. They were sited well up from the waterfront for a stylish setting and for views, with their backs to the road. Large terraces and villas occupied the high ground along Ballast Point Road.

Cooper, who had already received twenty-three acres in Morts Bay (later part of Mort's Town of Waterview) also owned Ballast Point itself. The Point was purchased and used by Caltex Oil Co for oil storage purposes until the 1980s.

Sources

Jeffery, P 1986, Birchgrove 1796-1985 - the Suburbanisation of the 'Birch Grove' Estate, *Leichhardt Historical Journal*, No. 18.

History of the Ballast Point area provided by Max Solling.

Significant Characteristics

- Close relationship between landform and the road pattern, park, siting of buildings (particularly the nineteenth-century marine villas).
- Wide main access roads.
- Narrow minor streets.
- Sandstone a major element - in retaining walls and sea walls, cut stone fences and walls, as outcrops in streetscape, in steps for pedestrian access, kerbs and gutters, piers to palisade fences, in buildings - terraces and villas.
- Generally a sense of elevation.
- Buildings sited close to street alignment.
- Setbacks can vary, particularly on waterfront sites.
- Views between buildings to harbour from public roads and footpaths.
- Villas often sited with backs to street and front elevation to water.
- Villas sometimes single-storey to street, with two to three stories to waterfront.
- Variety of building types:
 - some early cottages of timber/stone/brick remain;
 - Victorian boom villas of stone or rendered brick;
 - dark brown or blue face brick buildings of early twentieth century; and
 - last subdivisions of the Birch Grove House garden occupied by dark brown face brick houses (some unfortunately painted recently).
- Slate roofs particularly noticeable. Also terracotta tiles and iron roof claddings.
- Some original fences remain - iron palisade fences with sandstone piers and bases from 1880s; brick fences from 1920s/1930s.

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- Prominence of large trees, particularly fig trees, around site of Birch Grove House, in Birchgrove Park and along Ballast Point; some notable palm trees.
- Tree planting schemes of jacaranda and melaleuca along Dock Road and Ballast Point Road.
- Grassed verges in wide streets - Grove Street and Ballast Point Road.
- Loss of many original face brick surfaces to plaster and painting.

Note: The location of former waterfront industries indicated by new dwellings/town houses.

Statement of Significance or Why the Area is Important

- One of a number of conservation areas which collectively illustrate the nature of Sydney's early suburbs and Leichhardt's suburban growth particularly between 1871 and 1891, with pockets of infill up to the end of the 1930s (ie prior to World War II). This area retains evidence (though somewhat diminished in the last twenty years) of the growth of Birchgrove and Ballast Point as marine suburbs and as a maritime industrial area from the 1870s-1920s, and other industry developed prior to 1941.
- Demonstrates the close relationship between landform, the layout of the roads and the siting of the early villas and industries to take advantage of the marine position.
- Demonstrates the close physical relationship between industry and housing (both middle class and workers housing) in nineteenth century cities.
- Demonstrates the development of brick making in Sydney through its building materials with the use of plastered brick walls and dry-pressed face bricks (unplastered, unpainted) walls.
- Demonstrates one of a number of late nineteenth century bay reclamation projects which characterise Sydney Harbour.

Management of Heritage Values

Generally

This is a conservation area. Little change can be expected other than modest additions and discrete alterations. Buildings which do not contribute to the heritage significance of the area may be replaced with sympathetically designed infill.

Retain

- All residential or commercial industrial structures developed up to 1941 belonging to the period of the growth of the Birchgrove and Ballast Point area.
- All weatherboard buildings - rare and typical of early development.
- All sandstone structures - cottages, villas, wharves/slipways, uninterrupted kerbs and gutters, walls, bases to fences.

Godden Mackay Logan

- All plaster finishes to external walls – reconstruct where necessary.
- All original external architectural detail where evidence is available.
- Views between buildings from public places, especially views to the harbour.
- Open undeveloped setting between waterfront and marine villas.

Avoid

- Demolition of any pre-1940s building unless the building has been so compromised that it can no longer explain its history or its role in the history of the area.
- Alteration to the form (scale and massing) of these buildings, especially the roof, including additional stories above the roofline.
- Removal of any plaster or decorative mouldings to external walls.
- Painting or plastering of any sandstone or face brick walls.
- Loss of any trees.
- Widening of Louisa Road or Wharf Road.

Notes

Because this area comprises high headlands and tall tree canopies prominent within the harbour, and visible also from the land behind, special care is needed in dealing with changes which might alter the skyline of those headlands in any way – new buildings, additions at the rear of existing buildings. Further, the apron to these headlands – the trees and remaining open land, usually private garden, between building and waterfront – is vital to the protection of the harbour and its foreshores as the most important visible open space asset in Sydney. These foreshore gardens/open areas need to be protected from encroachment of buildings or large moorings.

Care is needed for applications for change to any building or the tree canopy in these areas. There are a number of very early buildings that remain here, overlaid with later works, and restoration to reveal the original building could be possible in many cases.

Industrial archaeology is an important issue – remnants of wharves, slipways, remains of former buildings (especially small cottages later taken over for industry), tunnel entrance, and the proper process for their assessment is essential before any new works can be considered. For any remaining redundant industrial structures careful archaeological work would be needed prior to consideration of demolition or recycling.

Attachment D – Statement of Significance (‘Geierstein’ House)

"Geierstein" house

Item details

Name of item:	"Geierstein" house
Type of item:	Built
Group/Collection:	Residential buildings (private)
Category:	House
Primary address:	85 Louisa Road, Birchgrove, NSW 2041
County:	Cumberland
Local govt. area:	Leichhardt

All addresses

Street Address	Suburb/town	LGA	Parish	County	Type
85 Louisa Road	Birchgrove	Leichhardt		Cumberland	Primary Address

Statement of significance:

No. 85 Louisa Road is of local historic and aesthetic significance as a good example of a late Victorian Italianate dwelling constructed in 1886. Despite some modifications and additions the building significantly retains its overall scale, form, character and details including distinctive gable roof forms, chimneys and associated timber decorative details, patterned slate roof cladding, faceted bays and open verandah and associated finishes, pattern of openings, also garden setting and front fence. The building is sited close to the street frontage and addresses Snails Bay and makes a positive contribution to the Louisa Road streetscape and Birchgrove waterfront.

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.

*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 OEH **copyright and disclaimer**.*

Description

Designer/Maker:	Attributed to Jules Joubert
Builder/Maker:	Alexander William Cormack
Physical	One and two storey rendered and painted brick dwelling with gable roof clad in slates with

description:	<p>terracotta trims and rendered chimneys with rendered details and capping and terracotta pots. The building presents as single storey to the street with distinctive double gable with timber decorative bargeboards on the eastern elevation. The roof also features patterned slate cladding on the street and water facing roof slopes. The front façade has a gable roofed projection also with decorative timber fretwork bargeboard and finial and faceted bay with timber framed arched head double hung windows, continuous rendered sill and hipped roof over clad in slates. An open verandah with tessellated tiled floor and curved roof clad in corrugated steel extends across the front of the building and around the faceted bay. The roof is supported on cast iron columns with lace brackets and valance. The building also has a timber and glass panelled entry door with top and sidelights, French doors with timber shutters and regular timber framed double hung windows with profiled rendered sills. The building is setback from the street frontage which has a palisade gate and fence on stone base with decorative stone piers. A stone step and tessellated tiled path extends from the street frontage to the verandah. A concrete driveway and car space is located at the eastern end of the frontage with steps and railing extending parallel to the eastern façade of the building down the sloping site. Two small projecting wings with skillion roofs are attached to the south western façade. The "rear" façade facing the waterfront has a two storey faceted bay with double hung timber framed windows and ground floor verandah with balcony over also with cast iron details. The balcony has pitched roof clad in corrugated steel which also extends around the faceted bay. The building located close to the waterfront which has a timber picket fence and gate over the stone sea wall with garden and dense trees and plantings located between. The rear verandah is elevated above the rear yard. A pontoon extends from the wall.</p>
Physical condition and/or Archaeological potential:	<p>In good condition. Some weathering to the stone fence and stone edging to the front verandah is evident. It appears the fence may have been modified or altered to accommodate the car space and drive. The body of the stone pier on the southern end of the driveway has been replaced.</p>
Modifications and dates:	<p>1978: Carport, renovations kitchen s/room etc (16364, Building Certificate 7/97).</p> <p>1999: Alterations to existing dwelling including ground and 1st floor additions (D/1999/486, CC/1999/230).</p>
Further information:	<p>A high brick fence with vines extends along the north eastern site boundary. Some planting and a number of matures trees are located along the side boundaries and includes a large gum in the front, north western corner of the site.</p>
Current use:	Residential
Former use:	Residential

History

Historical notes:	<p>The area around Snails Bay to Long Nose Point and bounded by Cove and Grove Streets, approximately 30 acres, was originally granted to George Whitfield of the NSW Corps in 1796. He named his grant "Whitfields Farm". The land changed ownership a couple of times before it was acquired by Lieutenant John Birch in 1810. Birch built Birch Grove House, the first house on the Balmain peninsula (at 67 Louisa Road, demolished 1967). Birch left the colony in 1814 and sold the house to Rowland Walpole Loane. Loane tried to subdivide the land into four lots in 1833, however, this was unsuccessful. The area was difficult to access (the ferry system was not started until 1836) and the odours from the mudflats around the bay may have also contributed to the lack of interest. Loane sold the house in 1838. A series of owners and tenants followed, but the house remained the only building in the area for another two decades.</p> <p>In 1854 the Estate was purchased by Didier Joubert, who with his brother was responsible for the development in Hunters Hill and also established the Parramatta Ferry Service. He commissioned Surveyor Brownrigg to subdivide the land which provided the backbone of the area today. The street names were derived from family members including Joubert's wife (Louisa), children (Numa and Rose) and nephew (Ferdinand) with boundaries defined by (Iron) Cove Road and (Birch) Grove Road. Birch Grove House remained undisturbed. Louisa Road followed the ridge and prominent bend still stems from this time. The 1860 sale was premature and within 6 years only 7 allotments had been sold. Joubert sold Birch Grove House in 1860 to Jacob Levi Montefiore. His Bank sold all the remaining land in December 1862.</p> <p>A new consortium comprising of Archibold McLean, Thomas McGregor, both merchants and auctioneer Lancelot Edward Threlkeld commissioned Surveyor Reuss Junior to re-examine the Brownrigg plan and make some amendments around the head of the bay and along the</p>
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steepest part of Louisa Road to create more usable allotments. The estate was again put up for sale in 1878. Street frontages varied between 50 to 70 feet with a depth of about 150 feet. The terrain and generous proportions of the blocks made the precinct ideal for the construction of substantial free-standing dwellings, but by 1882 only 53 residences stood on the estate. Stonemasons and quarrymen were among the first purchasers. Other early occupants were professionals who travelled to town by ferry and small speculators or builders who quarried the land or buildings elsewhere. The boom period, however, later saw more lots taken up and villas were constructed in stone or rendered brick.

John William Wynne purchased Lot 6 in September 1878. The site was subsequently amalgamated with the north eastern part of the adjoining Lot 5 and "Gelerstein" was constructed by Alexander William Cormack in 1886. The house was constructed with one level facing Louisa Road and two levels facing Snails Bay. Designed in the Victorian Italianate style it has been attributed to Jules Joubert, who designed several buildings in the area and also in Hunter's Hill.

A Sydney Water plan dated 1888 (Balmain Sheet No. 2), shows the building occupying the site near the turn of the Bay and reclaimed land and recreation reserve (now Birchgrove Park). The building is setback from Louisa Road with verandah extending across the front of the building and around a faceted bay at the western end. The rear façade, facing the Bay, also has an open verandah and faceted bay. The verandah wraps around the bay and returns around the south western corner of the building.

The Cormack family ran a cooperage in Redfern and later moved to Pymont, Ultimo and also occupied premises in Balmain before purchasing land at Long Nose Point (now Yurulbin Park). Alexander William died at Gelerstein in 1909, however, members of his family continued to reside here until 1912. Mrs Kate Rezzonico occupied the house from that time until 1920. The Simplex Flooring Company occupied the site from 1921 to 1923 followed by William Gibson to 1927 and a Mrs G Harley into the 1930s. More recently the home was owned and occupied for eight years by playwright David Williamson.

Since the 1880s plan some alterations and additions have been undertaken including the construction of the south western wings. However the faceted bays and open verandahs to the front and rear of the house remain.

Historic themes

Australian theme (abbrev)	New South Wales theme	Local theme
4. Settlement-Building settlements, 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.	(none)-

Assessment of significance

SHR Criteria a) [Historical significance]	The site is part of an early subdivision and late Victorian period of development in the local area constructed in 1886.
SHR Criteria b) [Associative significance]	The site and building are associated with a number of local land speculators and owners including members of the Cormack family. More recently it was owned and occupied by noted playwright David Williamson.
SHR Criteria c) [Aesthetic significance]	The building is of aesthetic significance as a good and highly intact late Victorian Italianate style dwelling. Despite some modifications and additions, the building significantly retains its overall scale, form, character and details distinctive gable roof forms, chimneys and associated timber decorative details, patterned slate roof cladding, faceted bays and open verandah and associated finishes, pattern of openings, also garden setting and front fence. The building is sited close to the street frontage and addresses Snails Bay and makes a positive contribution to the Louisa Road streetscape and Birchgrove waterfront.
SHR Criteria g) [Representativeness]	The building is a good representative example of a late Victorian Italianate dwelling constructed in 1886. The house is one of three in Birchgrove attributed to Jules Joubert who also designed a number of homes in Hunters Hill.
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 as presented to the street (and possibly waterfront), particularly the rendered and painted brick facades and details, gable roof form and chimneys, decorative rendered and timber details and patterned slate roof cladding, faceted bays, open verandahs and cast iron details and tessellated tiles, pattern of openings, pallsade fence and gate, stone base and piers, steps and tessellated tiled path be retained and conserved;
- no new openings should be made on the front building facades visible to the street;
- the verandahs should remain open and elements repaired and replaced to match;
- the garden setting should be retained and trees and plantings maintained to ensure no damage to built elements;
- any further alterations and additions should be restricted to the rear of the building and areas that have previously undergone some change and should not detract from the existing form, character, scale and setting of the front of the building as it presents to Louisa Road and also the waterfront.

Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan		I553	23 Dec 13		

Study details

Title	Year	Number	Author	Inspected by	Guidelines used
Leichhardt Municipality Heritage Study	1990		McDonald McPhee Pty Ltd (Craig Burton, Wendy Thorp)		Y e s

References, internet links & images

Type	Author	Year	Title	Internet Links
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.



Data source

The information for this entry comes from the following source:

Name: Local Government

Database number: 1940568