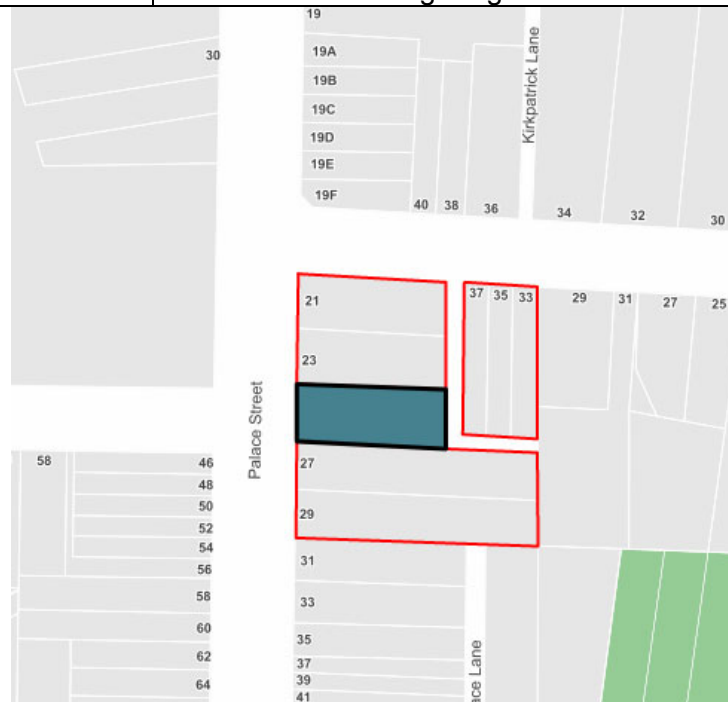




INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	DA201900198
Address	25 Palace Street, Petersham
Proposal	To carry out first floor alterations and additions to a dwelling house to extend a bedroom
Date of Lodgement	13 June 2019
Applicant	Mr Andrew Hokin
Owner	Mr Andrew Hokin and Ms Belinda Hokin
Number of Submissions	Nil
Value of works	\$48,750
Reason for determination at Planning Panel	Proposed FSR variation exceeds officer delegation
Main Issues	Clause 4.6 variation for Floor Space Ratio
Recommendation	Approved with Conditions
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Clause 4.6 Exception to Development Standards
Attachment D	Statement of Heritage Significance



1. Executive Summary

This report is an assessment of the application submitted to Council to carry out first floor alterations and additions to a dwelling house to extend a bedroom at 25 Palace Street, Petersham. The application was notified to surrounding properties and no submissions received.

The main issues that have arisen from the application include:

- Variation to the Floor Space Ratio development standard by more than 10%

The proposal generally complies with the aims and objectives of the Marrickville Local Environmental Plan 2011 (MLEP 2011) with the exception that the proposal exceeds the Floor Space Ratio development standard by 43.5sqm or 17%. A written request under Clause 4.6 of MLEP 2013 has been submitted by the applicant for the variation which is considered well justified and worthy of support.

The development generally complies with the provisions of the Marrickville Development Control Plan 2019. It is considered that the proposal will not result in any significant impacts on the streetscape or amenity of adjoining properties.

The potential impacts on the surrounding environment have been considered as part of the assessment process. Any potential impacts from the development are considered acceptable.

2. Proposal

Approval is sought to carry out alterations and additions to the existing dwelling including;

- Demolition of the existing rear wall to bedroom 3 on the first floor
- Construction of an addition to bedroom 3 (measuring 9.4sqm in area)

3. Site Description

The subject site is located on the western side of Palace Street, between Croydon Street and Brighton Street, Petersham. The site consists of one allotment and is generally regular shaped with a total area of 485 sqm and is legally described as Lot 2 in Deposited Plan 1309.

The site has a frontage to Palace Street of 13.8 metres.

The site supports a two storey dwelling house and separate garage. The adjoining properties support two storey dwelling houses. The subject site is listed as a heritage item under MLEP 2011, namely Group of Victorian villas and stables (Item I207).

4. Background

4(a) Site history

The following application outlines the relevant development history of the subject site.

Subject Site

Application	Proposal	Decision & Date
DA200500812	To demolish part of the premises and carry out ground and first floor alterations and additions to a dwelling-house and alterations to the existing outbuilding	Approved 22 March 2006
DA200100670	To install a panel lift door to an existing carport and erect a lattice screen to the southern side of the carport	Approved 22 October 2001

4(b) Application history

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

Date	Discussion / Letter / Additional Information
13 June 2019	Application lodged with Council
23 July 2019	Request for additional information sent to applicant for shadow diagrams
12 August 2019	Additional information submitted to Council
14 August 2019	Request for additional information sent to applicant for a Clause 4.6
12 September 2019	Additional information submitted to Council

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 1.15 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:

- Marrickville Local Environmental Plan 2011; and
- Marrickville Development Control Plan 2011.

The following provides further discussion of the relevant issues:

Marrickville Local Environment Plan 2011 (MLEP 2011)

The application was assessed against the following relevant clauses of the *Marrickville Local Environmental Plan 2011*:

- Clause 2.3 - Zone objectives and Land Use Table
- Clause 2.7 - Demolition
- Clause 4.3 - Height of buildings
- Clause 4.4 - Floor space ratio
- Clause 4.6 - Exceptions to development standards
- Clause 5.10 - Heritage Conservation
- Clause 6.5 - Development in areas subject to aircraft noise

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

Standard	Proposal	non compliance	Complies
Height of Building Maximum permissible: 9.5 m	6.5 m	N/A	Yes
Floor Space Ratio Maximum permissible: 0.5:1 or 242.5 sqm	0.59:1 or 286 sqm	43.5 sqm or 17%	No

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

The property is zoned R2 – Low Density Residential under the provisions of MLEP 2011. Dwelling houses are permissible with consent within the zone.

The development is considered acceptable having regard to the objectives of the R2 – Low Density Residential zone.

(x) Demolition (Clause 2.7)

Clause 2.7 of MLEP 2011 states that the demolition of a building or work may be carried out only with development consent. The application seeks consent for demolition works. Council's standard conditions relating to demolition works are included in the recommendation.

(xi) Height (Clause 4.3)

The site is located in an area where the maximum height of buildings is 9.5 metres as indicated on the Height of Buildings Map that accompanies MLEP 2011. The development has a height of approximately 6.7 metres, which complies with the height development standard.

(xii) Floor Space Ratio (Clause 4.4)

Clause 4.4(2A) of MLEP 2011 specifies a maximum floor space ratio for a dwelling house on land labelled "F" on the Floor Space Ratio Map. The maximum floor space ratio (FSR) of 0.5:1 applies to the land as indicated on the Floor Space Ratio Map that accompanies MLEP 2011.

The property has a site area of 485sqm. The existing dwelling has an FSR exceedance of 0.57:1 which equates to a Gross floor Area (GFA) of 276sqm.

The proposed development has a GFA of 286sqm which equates to a FSR of 0.59:1 on the 485sqm site which does not comply with the FSR development standard. The application was accompanied by a written submission in relation to the contravention of the FSR development standard in accordance with Clause 4.6 of MLEP 2011.

(xiii) Clause 4.6 Exceptions to Development Standards

As outlined above, the proposal exceeds the maximum floor space ratio development standard prescribed under Clause 4.4 of MLEP 2011 by 43.5sqm or 17%.

Clause 4.6 allows Council to vary development standards in certain circumstances and provides an appropriate degree of flexibility to achieve better design outcomes.

In order to demonstrate whether strict numeric compliance is unreasonable and unnecessary in this instance, the proposed exception to the development standard has been assessed against the objectives and provisions of Clause 4.6 of MLEP 2011 below.

A written request to vary the standard has been submitted by the applicant in accordance with Clause 4.6(3) of MELP 2011 justifying the proposed contravention of the development standard. The applicant's written rationale adequately demonstrates compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

The written submission contends that compliance with the development standard is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard. The submission makes the following comments:

- The building bulk, form and scale of the proposed building will be consistent with the traditional character of these large houses.
- The first floor addition is a modest addition to the rear of the existing building.
- There are no significant impacts from the bulk and scale of the proposed dwelling on neighbouring properties.

It is considered the development is in the public interest because it is consistent with the objectives of the R2 – low density residential, in accordance with Clause 4.6(4)(a)(ii) of MLEP 2011 for the following reasons:

- The development provides for the housing needs of the community within a low density residential environment.

It is considered the development is in the public interest because it is consistent with the objectives of the FSR development standard, in accordance with Clause 4.6(4)(a)(ii) of MLEP 2011 for the following reasons:

- The developments' density and bulk in relation to the site area achieves the desired future character for the area; and

- The proposal does not result in any adverse amenity impacts to the surrounding locality and or the public domain, which is demonstrated by the assessment in this report.

Further, it is noted as discussed below that the proposal complies with the FSR for the site set out in the draft amendment to MLEP 2011 of 0.6:1.

The concurrence of the Secretary may be assumed for matters determined by the Local Planning Panel.

The proposal thereby accords with the objective in Clause 4.6(1)(b) and requirements of Clause 4.6(3)(b) of MLEP 2011. For the reasons outlined above, there are sufficient planning grounds to justify the departure from the FSR development standard and it is recommended the Clause 4.6 exception be granted.

(xiv) Heritage Conservation (Clause 5.10)

The property is listed as a heritage item, namely *Group of Victorian villas and stables* (Item I207) and is located within a Heritage Conservation Area (Heritage Conservation Area C3 - Petersham North) under MLEP 2011.

The application submitted a Heritage Impact Statement that supports the proposal. The application was referred to Council's Heritage Specialist who provided the following comments;

The rear addition is considered integral to the overall form and character of the villa and appears to be intact. The proposed addition is however fairly small and whilst not ideal does not fundamentally affect the significance of the site or the ability to read it as a substantial Victorian Italianate Villa that has a strong presentation to the streetscape. Having said that some minor changes to the proposal are required in order to allow subtle interpretation of the original rear wing and the new addition.

The proposal is supported provided the following changes are made to the application which may be provided as a condition of consent:

- 1. The new addition is to be constructed of lightweight material and finished in horizontally proportioned weatherboards painted to match the existing masonry walls.*
- 2. Nib walls are to be provided to the east wall of Bed 3 for interpretation purposes. Nib walls are to be a minimum of 300mm from the inside face of the north and south walls.*

Conditions are included in the recommendation (in accordance with Council's Heritage Specialist's advice) to ensure the subtle interpretation of the original rear wing and the new addition.

(xv) Development in areas subject to Aircraft Noise (Clause 6.5)

The property is located within the 20-25 Australian Noise Exposure Forecast (2033) Contour.

The development is likely to be affected by aircraft noise. However having regard to the minor extent of the addition proposed to a single room, it is considered the requirement to noise attenuate the addition would be onerous, impractical and ineffective to attenuate a portion of the room. As such attenuation is not warranted in the circumstances having regard to the minor nature of the addition.

5(b) Draft Environmental Planning Instruments

It is noted that the Draft Marrickville Local Environmental Plan 2011 (Amendment 4) (the Draft LEP Amendment) was placed on public exhibition commencing on 3 April 2018 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 amendments are primarily housekeeping matters that seek to address misdescriptions, errors, omissions, anomalies and inconsistencies in the written instrument and maps, ensure consistency in the application of controls, or improve communication in the Plan.

The following extract from the draft instrument is provided below to illustrate the proposed changes to Clause 4.4(2A) of MLEP 2011 which are of relevance to the proposal:

“Under Clause 4.4 (2A) the maximum floor space ratio for various forms of residential accommodation (namely attached dwellings, bed and breakfast accommodation, dwelling houses and semi-detached dwellings) on land labelled “F” on the Floor Space Ratio Map with a site area greater than 400sqm is restricted to 0.5:1.

To ensure consistency in the FSR controls with the other forms of development permitted, it is recommended that the upper site area listing for sites greater than 400sqm for development for the purposes of attached dwellings, bed and breakfast accommodation, dwelling houses and semi-detached dwellings) on land labelled “F” on the Floor Space Ratio Map be deleted.

The deletion of the upper site area listing of “> 400 square metres” from the table to Clause 4.4 (2A) would mean that a maximum floor space ratio of 0.6:1 would apply to attached dwellings, bed and breakfast accommodation, dwelling houses and semi-detached dwellings on land labelled “F” on the Floor Space Ratio Map, on land with a site area greater than 350 square metres, the same maximum FSR that applies to other forms of development permitted on such land.

Recommendation L-4.4 (01):

That the Site area and Maximum floor space ratio table in Clause 4.4 (2A) of MLEP 2011 be amended by the deletion:

<i>“> 350 ≤ 400 square metres</i>	<i>0.6:1</i>
<i>> 400 square metres</i>	<i>0.5:1”</i>

and the insertion of:

<i>“> 350 square metres</i>	<i>0.6:1”</i>
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The amended provisions the Draft LEP Amendment would make the maximum FSR on the site 0.6:1 and therefore the proposal would comply with the maximum FSR development standard. As such the proposed development is consistent with the provisions of Draft MLEP 0211 (Am 4).

5(c) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Marrickville Development Control Plan 2011.

MDCP 2011 Part of MDCP 2011	Compliance
Part 2.3 – Site and Context Analysis	Yes
Part 2.5 – Equity of Access and Mobility	Yes
Part 2.6 – Acoustic and Visual Privacy	Yes
Part 2.7 – Solar Access and Overshadowing	Yes
Part 2.18 – Landscaping and Open Space	No but acceptable - see discussion
Part 2.21 – Site Facilities and Waste Management	Yes
Part 8 – Heritage	Yes - subject to conditions
Part 9 – Strategic Context	Yes

The following provides discussion of the relevant issues:

(i) Landscaping and Open Space (Part 2.7)

C12 states that the 45sqm or 20% of the total site area with no dimension being less than 3 metres (whichever is greater) must be private open space. The plans provided identify that 58sqm, being 11% of the total site area is to be retained as private open space. Therefore, the development does not comply with the above requirement. Furthermore, there is no reduction to the existing landscaping and area of private open space as all works are located on the first floor.

Notwithstanding the above, the landscaped area and private open space is appropriate given:

- The entire front setback is to consist of pervious landscaping with the exception of the pathway;
- The quantum of landscaping remains unchanged as part of the proposal;
- The area of private open space is consistent with the private open space of properties in the surrounding area; and
- The private open space acts as extension of internal living areas.

Given the above the development is reasonable having regard to the objectives and controls relating to landscaping and opens spaces as contained in Part 2.18 of MDCP 2011

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 R2 – Low Density Residential under MLEP 2011. 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 Marrickville Development Control Plan 2011 for a period of 14 days to surrounding properties. No submissions were received.

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 and Urban Design Team - Refer to discussion Section 5(a)(vi) of this report.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Marrickville Local Environmental Plan 2011* and *Marrickville Development Control Plan 2011*.

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. The applicant has made a written request pursuant to Clause 4.6 of the *Marrickville Local Environmental Plan 2011*. After considering the request, and assuming the concurrence of the Secretary, the Panel is satisfied that compliance with the standard is unnecessary in the circumstance of the case and that there are sufficient environmental grounds to support the variation. The proposed development will be in the public interest because the exceedance is not inconsistent with the objectives of the standard and of the zone in which the development is to be carried out.

- B. 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. DA201900198 to carry out first floor alterations and additions to a dwelling house to extend a bedroom at 25 Palace Street, Petersham«Primary_Location» subject to the conditions listed in Attachment A below/for the following reasons.

Attachment A – Recommended conditions of consent

Conditions of Consent

Fees

1. 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.

2. Security Deposit - Standard

Prior to the commencement of demolition works or 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:	\$2,152.50
Inspection Fee:	\$230.65

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 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.

General Conditions

3. 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
A01 b	Floor plans and sections	11 June 2019	Trevor Jones Architects
A02 b	Elevations	11 June 2019	Trevor Jones Architects
N/A	Schedule of Finishes	N/A	Trevor Jones Architects

As amended by the conditions of consent.

4. Design Change

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

- a) Nib walls are to be provided to the east wall of Bed 3 for interpretation purposes. Nib walls are to be a minimum of 300mm from the inside face of the north and south walls.
- b) The new addition is to be constructed of lightweight material and finished in horizontally proportioned weatherboards painted to match the existing masonry walls.

5. 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.

6. 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.

7. Standard Street Tree Protection

Prior to the commencement of any work, the Certifying Authority must be provided with details of the methods of protection of all street trees adjacent to the site during demolition and construction.

8. Works Outside the Property Boundary

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

Prior to any Demolition**9. 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**10. 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.

11. 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 132092.

During Demolition and Construction

12. 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.

13. Stormwater Drainage System

Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, pits and pipelines discharged by gravity to the kerb and gutter of a public road.

Any existing component of the stormwater system that is to be retained, including any absorption trench or rubble pit drainage system, must be checked and certified by a Licensed Plumber or qualified practising Civil Engineer to be in good condition and operating satisfactorily.

If any component of the existing system is not in good condition and /or not operating satisfactorily and/or impacted by the works and/or legal rights for drainage do not exist, the drainage system must be upgraded to discharge legally by gravity to the kerb and gutter of a public road. Minor roof or paved areas that cannot reasonably be drained by gravity to a public road may be disposed on site subject to ensure no concentration of flows or nuisance to other properties.

Advisory notes

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.
- 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.

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
- 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* and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

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.dialprior toyoudig.com.au

Landcom

9841 8660

To purchase copies of Volume One of "Soils and Construction"

Long Service
Corporation

Payments 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

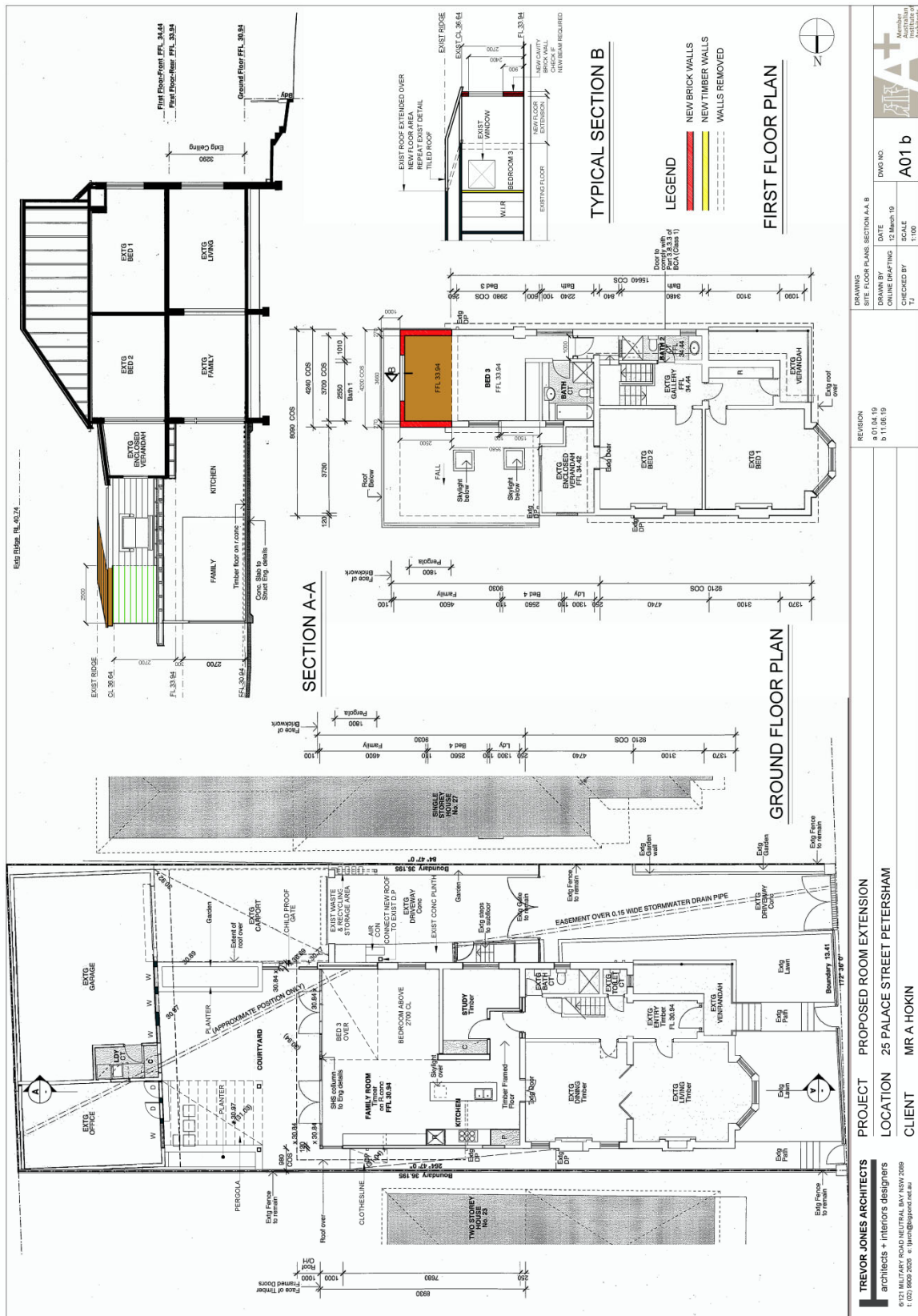
Water Efficiency Labelling and Standards (WELS) www.waterrating.gov.au

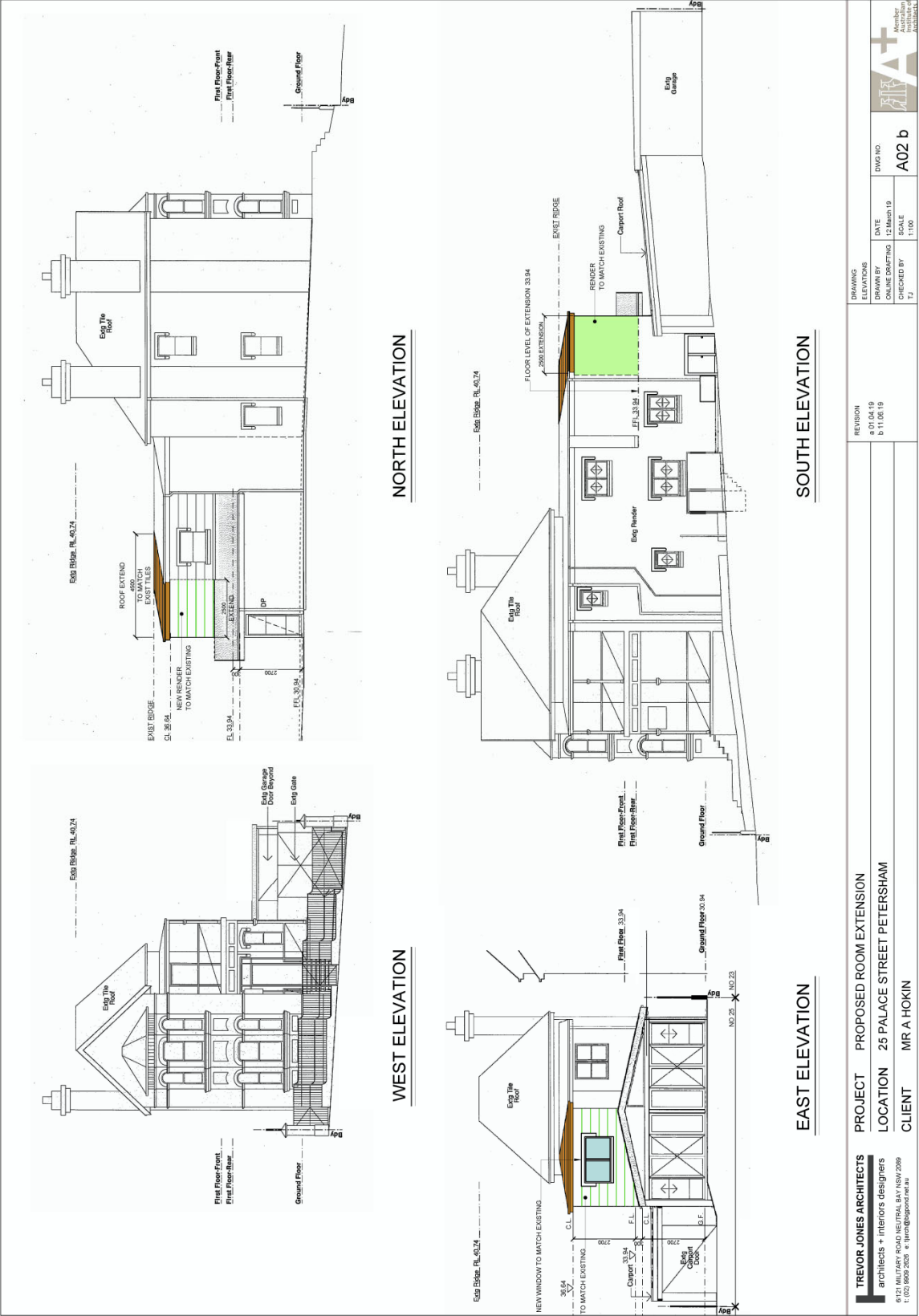
WorkCover Authority of NSW 13 10 50

www.workcover.nsw.gov.au

Enquiries relating to work safety and asbestos
removal and disposal.

Attachment B – Plans of proposed development





Attachment C- Clause 4.6 Exception to Development Standards

Burrell Threlfo Pagan Pty Ltd TOWN PLANNING CONSULTANTS

48 Victoria Road Rozelle NSW 2039
 phone: 9818 8333 fax: 9818 8356 e-mail: bruce@btpplan.com.au
 ABN 55 078 022 447

25 Palace Street Petersham

Clause 4.6 Submission - Exception to development standard (floor space ratio)

The property is zoned R2 Low Density Residential under Marrickville LEP 2011. The development standard for FSR for dwelling houses is set out in clause 4.4(2A) of MLEP 2011. For lots >400m² the standard is 0.5:1.

Site area	480m ²
Existing GFA	273m ²
Existing FSR	0.57:1
GFA of addition	13m ²
Proposed GFA	286m ²
Proposed FSR	0.59:1
Permitted FSR	0.5:1

There is an existing non-compliance with the FSR standard of 33m²(14%) which will increase by only 13m² (18%).

Criteria

Clause 4.6 allows consent to be granted for development that would contravene a development standard if

- the applicant has made a written request seeking to justify the contravention and
- the consent authority is satisfied that the written request has adequately addressed the matters required to be addressed by subclause (3); that is

(3)(a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*

(b) *that there are sufficient environmental planning grounds to justify contravening the development standard and*

the consent authority is satisfied that

(4)(a)(ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

- the concurrence of the Director-General has been obtained

In accordance with the guidelines provided by decisions of the Land and Environment Court and in particular the judgments in *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009, *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90, *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248, *Micaul Holdings Pty Ltd v Randwick City Council* [2015] NSWLEC 1386 and *Moskovich v Waverley Council* [2016] NSWLEC 1015, this submission addresses the requirements of clause 4.6.

Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

The judgment in *Wehbe v Pittwater Council* [2007] NSWLEC 827 identified five ways of establishing under *State Environmental Planning Policy No. 1 – Development Standards* (SEPP 1) that compliance is unreasonable or unnecessary. The subsequent cases referred to above have confirmed that these ways are equally applicable under the clause 4.6 regime. The 5 matters to consider are whether:

1. *The objectives of the development standard are achieved notwithstanding non-compliance with the standard.*
2. *The objective is not relevant to the development.*
3. *The objective would be defeated or thwarted if compliance was required.*
4. *The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard.*
5. *The zoning of the land is unreasonable or inappropriate.*

These 5 matters are discussed below.

1. *The objectives of the development standard are achieved notwithstanding non-compliance with the standard.*

The objectives of the FSR development standard are

- (a) *to establish the maximum floor space ratio,*
- (b) *to control building density and bulk in relation to the site area in order to achieve the desired future character for different areas,*
- (c) *to minimise adverse environmental impacts on adjoining properties and the public domain.*

These objectives are achieved despite the non-compliance with the numerical control because:

- The additional floor area is only 13m² over the standard. The resulting built form is suitable for a large two storey building.
- There are no adverse impacts on the adjoining property as indicated by the shadow diagrams. The addition does not have any significant presentation to the public domain.

2. *The objective is not relevant to the development.*

This contention is not relied upon.

3. *The objective would be defeated or thwarted if compliance was required.*

This contention is not relied upon.

4. *The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard.*

This contention is not relied upon.

5. *The zoning of the land is unreasonable or inappropriate.*

This contention is not relied upon.

Compliance with the development standard is unreasonable and unnecessary in the circumstances because

- There is an existing non-compliance with the FSR standard of 33m²(14%) which will increase by only 13m² (18%).

Are there sufficient environmental planning grounds to justify contravening the development standard?

The cases referred to above have established that the environmental planning grounds must be particular to the circumstances of the proposed development on its site. The following environmental planning grounds are relevant:

- The building bulk, form and scale of the proposed building will be consistent with the traditional character of these large houses.
- The first floor addition is a modest addition to the rear of the existing building.
- There are no significant impacts from the bulk and scale of the proposed dwelling on neighbouring properties.

Will the proposed development be in the public interest because it is consistent with the objectives of the development standard?

The objectives of the FSR standard have been addressed above. The proposal is consistent with the objectives. Further, strict compliance is considered to be unreasonable in the circumstances.

Will the proposed development be in the public interest because it is consistent with the objectives of the zone?

The objectives for development within the R2 Low Density residential zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for multi dwelling housing and residential flat buildings but only as part of the conversion of existing industrial and warehouse buildings.*
- *To provide for office premises, multi dwelling housing and residential flat buildings only as part of the conversion of existing industrial and warehouse buildings.*
- *To provide for office premises and retail premises in existing buildings designed and constructed for commercial purposes.*

The proposal satisfies the first objective because the modest increase in size of the bedroom will benefit the existing owner/occupants of the dwelling.

The other objectives are not relevant.

Concurrence of the Director-General

The concurrence of the Director-General may be assumed by Council.

Council must also consider:

- (a) *whether contravention of the development standard raises any matter of significance for State or regional environmental planning*
- (b) *the public benefit of maintaining the development standard*

Any matter of significance for State or regional environmental planning

There are no matters of significance for State or regional environmental planning

Public interest

The proposal is considered to be neutral in terms of the public interest.

Bruce Threlfo

Attachment D – Statement of Heritage Significance

Group of Victorian Villas and Stables - Zanobi, including interiors | NSW Environme... Page 1 of 9



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Group of Victorian Villas and Stables - Zanobi, including interiors

Item details

Name of item:	Group of Victorian Villas and Stables - Zanobi, including interiors
Other name/s:	Victorian villas and stables; Zanobi and stables and neighbouring villas
Type of item:	Built
Group/Collection:	Residential buildings (private)
Category:	Villa
Primary address:	21-25 Palace Street (odd numbers only), Petersham, NSW 2049
Local govt. area:	Marrickville

All addresses

Street Address	Suburb/town	LGA	Parish	County	Type
21-25 Palace Street (odd numbers only)	Petersham	Marrickville			Primary Address
Croydon Street	Petersham	Marrickville			Alternate Address

Statement of significance:

This is a row of three freestanding Italianate villas and is an excellent example of the villas built in this precinct during the 1880s. The relationship of Zanobi to the other buildings with similar detailing (one builder) and the retention of its stables makes it of particular importance.

Statement of Significance for 'Tasma', 25 Palace St, Petersham

No. 25 Palace Street Petersham, also known as Tasma, has local significance as a substantially intact c.1885 Victorian Italianate Style villa. The villa was constructed at a time when the population of Petersham Municipality was beginning to expand. It is typical of the type, style and standard of housing constructed for gentlemen and professional men and their families along the high ridges of the Parramatta Railway line during the 1870s and 1880s. The villa has aesthetic significance for its ability to demonstrate the key characteristics of the Victorian

<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=...> 8/10/2019

Italianate Style. As one of a group of three villas of a similar size, style and construction date, most likely constructed by local builders David Williams and John Blamire, it makes a strong contribution to the streetscape.

Date
significance updated: 12 Jan 12

*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: Not known

Builder/Maker: David Williams and John Blamire

Physical description: A substantial late Victorian Italianate villa with gothic detailed gable and elaborate barge boards. Adjacent are two villas similar in style only smaller. The facades have elaborate rendered detailing, with cast iron detailing to the verandah. The palisade fences sit upon low sandstone walls. Brick stables remain behind No. 21.

Description
of 'Tasma', 25 Palace Street
No. 25 Palace Street is a two storey, triple fronted, rendered dwelling with a hipped and tiled roof. The walls are scribed to imitate Ashlar stone work. Tall, rendered and stucco ornamented chimneys are located on the northern side. The front, western, elevation is asymmetrical. The northern most side lies under a wide projecting gable with narrow timber bargeboards to the gable and a timber finial to the apex. Within this projection is a wide two storey bay with a separate tiled roof and bracketed eaves. The bay is three sided and has large arched double hung timber windows with deep rendered sills on stucco corbels and a label mould above. The second and third sections of the elevation are stepped inwards and are narrow. They are protected by a two storey return verandah with elaborate cast iron ornamentation. The ground floor of the verandah is of modern sandstone flagging; the first floor of timber. The roofs are lined with timber lining boards. The front door is a timber with Art Nouveau Style leadlight panels, an etched ruby glass fanlight (with the name Tasma) and side lights. Directly above the front door at first floor level is a pair of timber french doors.

Beyond the return verandah, windows are straight top and, with the exception of a label mould, lack the elaborate stucco work of the front elevation. The original timber windows have been replaced with aluminium framed sliding windows. The northern elevation is largely concealed by the proximity of the neighbouring villa.

A two storey wing with a low hipped tile roof adjoins the main section of the villa to the rear, on the southern side. This section is similarly rendered and scribed to imitate Ashlar blocks. At first floor level there is a shallow gable. To the north side is a single storey skillion addition, containing a laundry. To the south side there is a stone and timber lattice panel enclosure, similarly with a skillion roof. An enclosed verandah opening from the main part of the villa at first floor level is largely concealed by this roof form.

Interior
The narrow entrance hallway runs from the front door to the rear of the main part of the villa. This hallway is divided into two by an arch with decorative plaster work. The northern side of the ground floor is occupied by two large rooms with access through four panel timber doors from the hallway. The two rooms are connected by large timber

folding doors. The front, western most room, has a marble fireplace surround with cast iron coal grate. The fire place surround has been removed from the second room.

The rear section of the ground floor comprises a variety of rooms, including two kitchens and a laundry. The cornice profile in these areas is modern.

The Garage and Office to the Rear

The garage/office building is a single storey rendered building with a flat metal deck roof. The southern half of the building is occupied with garaging accessed through two roller doors. The south garage entrance aligns with the driveway and opens onto a carport. The northern half is occupied by office space. Two windows and doors (at different levels) characterise the western elevation. The addition of the office/garage building along the eastern boundary has reduced the open space around the villa. Together with the hard landscaping, there is little understanding of the garden setting that this villa would once have possessed. The impact of this building on the villa is reduced by the low level of intactness displayed by the rear elevation.

Streetscape

Assessment

Palace Street runs in a north-south direction from Parramatta Road towards the railway line. The street is wide and rises and falls to follow the terrain. Street planting is random; there are mature native trees to the front of the group Nos. 21, 23 and 25 Palace Street. Palace Street is characterised by one and two storey terrace and free standing residences. The majority of these buildings date from the mid to late nineteenth century, with some modern infill development.

No.

25 Palace Street lies on the eastern side of the street. This section of the street falls steadily towards the south and the railway line. The immediate neighbours on the northern side are two, two storey, hipped roof, free standing villas contemporary to and similar in scale and style to the subject property. The three villas share a common set back; Nos. 23 and 25 share a narrow side set back. The render has been largely been removed from No. 23 to expose sandstone brickwork.

The immediate

neighbour to the south is a single storey building containing two semi-detached brick and painted brick dwellings of the late nineteenth to early twentieth century period. No. 29 Palace Street has been altered, reducing the unity of the pair. The most dominant element of this building is the hipped and gabled tile roof and tall rough cast and brick detailed chimneys. No. 27 Palace Street presents a face brick side elevation to No. 25. The two properties are separated by a high, solid steel fence and by the driveway of No. 25.

Immediately opposite the subject property

are the playing fields and tennis courts of Fort Street High School and the two storey Victorian terrace row on the corner of Palace Street and Andreas Street. To the rear is a narrow reserve and the side elevations and rear yards of two storey terraces addressing Croydon Street.

Physical condition and/or Archaeological potential:

Good

Integrity of

'Tasma', 25 Palace Street

As it presents to Palace Street, the villa has a moderate to high degree of integrity. The basic form of the main body of the original villa is clear. The front, western elevation, displays a high degree of integrity. Original finishes such as the elaborate stucco mouldings and cast iron lace work, are intact. Alterations to this elevation include:

- The original roof would have been of slate.
- The original front door has been replaced or modified to incorporate Art Nouveau Style leadlight characteristic of the period c.1890-1919.
- The front stairs, paving and ground floor of the verandah, are modern in detail.
- The front gable may originally have had decorative timber barge boards, given the high level of detailing

- evident elsewhere.
- The addition of metal security grills to the windows and front doors.

Internally, the main section of the villa displays a high degree of integrity. The original floor plan is clear and there is a high percentage of original fabric. This fabric is indicative of the Victorian period. Some of the plaster ceilings maybe reproductions and date from a later period.

Like many buildings of its age, No. 25 Palace Street has undergone additions and alterations to the rear. The footprint of the building provided by the c. 1890 survey plan, indicates that part of the existing rear wing most likely dates from the time that the villa was built. The rear wing of a villa provided the service areas of a dwelling. They were seldom finished to the same standard as the main part of the dwelling and were often updated as circumstances required. Much of the rear section of No. 25 Palace Street appears to date from the alterations of the 1960s, with later renovations. The multiple kitchens relate to its use as a boarding house or residential flats. This evidence of a change in use is not, however, exceptional and was a process repeated in large Victorian villas throughout the inner and near city suburbs from the interwar period onwards. None of this part of the building is rare or exceptional. The eastern facing, first floor verandah has been enclosed and is no longer visible from the rear yard; the original balustrade has been lost.

Alterations have also occurred to the eastern (rear) end of the southern elevation. This elevation is visible as the site is approached from the south. The replacement of windows along the southern elevation with aluminium windows has had a negative impact. The window sizes, layout relative to each other and sill details are atypical for a Victoria villa. Given that these openings are not likely to be original, the stucco moulding would likewise be a later addition. Secondary elevations, particularly towards the rear, were commonly left unornamented. The lower part of the rear chimney (and the chimney itself) has clearly been removed.

Date condition updated: 18 Jun 99

Modifications and dates:	No. 25 has been rendered in rough cast and has an enclosed verandah. No.s 23 and 25 have tiled roofs. The stables have been recently fitted with roller doors. Additions to rear and minor modifications.
Current use:	Residences
Former use:	Residences and stables

History

Historical notes:	<p>The villas were built as part of the redevelopment of this area from large villa allotments to suburban allotments during the 1870's - 80's.</p> <p>History of 'Tasma', 25 Palace St, Petersham</p> <p>The property comprises Lots 11 and 12 which were transferred from the Wardell Estate to David Williams and John Blamire on 25 January, 1884. Williams and Blamire are both described by title deeds as Petersham builders. A number of mortgages were subsequently listed against the title. Williams and Blamire further subdivided the two allotments and began selling individual lots in September 1884. The first lot sold was Lot 3, the subject property. Lot 3, comprising 19 perches, was conveyed to Herbert Clinch on 9 September, 1884.</p> <p>The reserve for a laneway from</p>
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Croydon Street provides rear lane access for all the properties and was required for the removal of night soil.

The first listing for the subject property in John Sands Suburban Directory occurs in 1886. The listing is for the owner Herbert Clinch and the villa's name is given as Tasma. Herbert Clinch had been listed by earlier Directories as residing in Palace Street at Zanobi, the villa now No. 21 Palace Street.

Interestingly, the builder, J. Blamire is listed as a house and land agent in Palace Street, beyond the railway line, in this year.

The two villas to either side of No. 25 Petersham Street appear in Sands Directory at around the same time. This, combined with physical examination, suggests that the three villas, now Nos. 21, 23 and 25 Palace Street, were constructed by Blamire and Williams. The three properties share common details and a front fence; Nos. 23 and 25 Palace Street have a common footprint.

The above information from Sands Directory indicates a construction date for the villa now No. 25 Palace Street of 1885 or in the immediately preceding years. This places the villa firmly within the pattern of villa residences that appeared along the high ridges of the Parramatta line during the mid to late Victorian period.

At the time that Tasma was constructed, Palace Street was a prestigious address. Nearby lot 1, site of the villa Zanobi, had been sold to Percy Hordern, of the retailing Anthony Hordern family, in February 1885. Hordern was later alderman and Mayor of Petersham Council. A second prominent resident of Palace Street during the 1880s was G.W. Griffin, American Consul from 1884 to 1891.

The Sands Directory listing for 1886 indicates that Mrs. B. Clinch was in residence at Tasma in this year. Two years later, on 21 April, 1888, the property was transferred to Agnes Jasmine Murray, a Stanmore widow, and Robert John Murrar. Following Agnes' death, Robert became the sole owner (registered 1903). An interest in the property was transferred to Percy William Murrar, Esquire, of Canley Vale in 1902. The Murrars do not appear to have occupied the villa. The Sands Directories listing for 1888 to 1890 is for Mrs. Mary Hamilton, from 1891-1892 for Thomas J. Charlton, in 1893, Mrs. C. Richardson and from 1894-1903 F. Clark.

The first available footprint for buildings in Palace Street dates from around this time. This survey plan was produced by the NSW Lands Department in 1890 and was most likely carried out in relation to the provision of sewerage and water supply.

The three villas Nos. 21, 23 and 25 Palace Street are clearly visible. Nos. 23 and 25 have an identical footprint. This form - the asymmetrical body of the villa with attached rear wing - is common to buildings of this size and period. The attached wing provided the necessary service areas. To the rear of the yards can be seen the outhouse, with immediate access to the night soil lane. The neighbouring semis, Nos. 27 and 29 Palace Street, have not yet been constructed.

On 8 September, 1902, the property was conveyed to Sydney auctioneer John Ewing. John Ewing is listed in Sands Directories at the subject property from 1904 to 1911.

The property was conveyed to Mary Maddison, wife of Petersham contractor George Maddison, on 23 November, 1910. It would again appear to have been tenanted, with Sands Directories listing the following occupants for the period to 1932-3, the year when the Directory was last published:

1912-1914: Henry Roberts.

1915-1917: Ernest Boyne.

1918-1927: John McEncroe.

1928-1932/3: Mrs. M. Jones.

By this time, Petersham Municipality could boast a population of around 32,000 people within 5,388

private dwellings.

Change in Petersham and the Use of the Villa as a Boarding House

In May 1959, the proprietors of the subject property were registered as being Edith Maddison (of Petersham, spinster) and Francis Alice Dwyer, a Petersham widow.³⁹ The property was conveyed soon after, on 24 August, 1959, to Paddington Real Estate Agent, Richard Joseph De Bono and his wife, Therese, as joint tenants.

The wider

area of Petersham had undergone significant changes during the long period when the Maddison's had owned No. 25 Palace Street. The municipality had been subsumed during this period, becoming part of the Municipality of Marrickville (1949). While Petersham itself had remained largely residential in character, the small scale industries that had been established in nearby Marrickville as the municipality continued to grow. These industries, combined with the advent of the Garden Suburb movement, resulted in an exodus of those with means out of the older city suburbs. Petersham gradually developed a lower socio-economic base. Some of the formerly grand villas and mansions were converted into institutions, residential flats and boarding houses. No. 25 Palace Street formed part of this pattern.

On 29 June, 1961, No. 25 Palace Street was conveyed to Kurrajong orchardist Gordon Lennox Commens and his wife, Shirley Anne, as joint tenants.⁴¹ Council records indicate an application for use as a boarding house and for alterations to the value of £1,200 in this year.

On 20 February, 1973, No. 25 Palace Street was conveyed to chief John Ross McBurnie Ewen and Lorraine Jean Cross, both of Kingsgrove, as joint tenants.⁴³ The property was conveyed to Petersham plasterer Manuel Dias De Carvalho and his wife, Arminde De Jesus Des Santos De Carvalho, as joint tenants, on 18 January, 1974.⁴⁴ Council records indicate several applications to Council relating to a 1987 Building Application for a garage, store and laundry to the rear. There is an existing garage and store (office) building to the rear of the villa and a laundry attached to the villa.

Following his wife's death in November 1990, Manuel became the sole owner, registered November 1994. Manuel was occupying the house at this time. The property was transferred to the current owner, Trina Maria Edwards on 4 June, 2005.

Assessment of significance

SHR Criteria a)


[Historical significance]

Local

Tasma, No. 25 Palace Street, Petersham, has historic significance for its ability to demonstrate the high status enjoyed by the suburb during the late Victorian period. The large free standing villa on the site was built, c.1885, at a time when the elevated areas of Petersham along the Parramatta Railway line were a favoured location for professional gentlemen who were possessed of the means to benefit from the suburban villa lifestyle and yet need to be within easy reach of their place of work, usually inner Sydney. As indicated by the owners of Nos. 21, 23 and 25 Palace Street during the late nineteenth and early twentieth century, this section of Palace Street was a prestigious address. The subsequent history of the villa continued to mirror that of the surrounding area. The population growth of the late nineteenth century ultimately reduced the desirability of Petersham as a place to live. As were many buildings of its size, the villa was later divided into multiple dwellings as the social status of the area changed.

Tasma, No. 25

Palace Street, Petersham, is not considered to be significant under this criterion. A Sands Directory Search and a title search has not indicated ownership or occupation by anyone of more than ordinary importance. Further research outside the scope of this report would be required to determine if the one time owners of the land and the likely builders of the villa, Williams and Belmaire, were persons of local interest.

SHR Criteria c) [Aesthetic significance]	Local Tasma, No. 25 Palace Street, Petersham, has aesthetic and technical significance as an example of a two storey Victorian Italianate Villa. The front section of the villa is substantially intact and displays many of attributes of a villa of its size, style and date, including an asymmetrical front elevation, a multi-faced bay and arched windows, combined with extensive use of cast iron and stucco ornamentation. Its high level of intactness and location as part of a group of villas of a similar date, size and style reinforces the significant contribution that No. 25 Palace Street makes to the streetscape. No. 25 Palace Street, Petersham makes a significant contribution to the streetscape. This is derived from the high degree of intactness (when seen from the street), from its Victorian Italianate detailing, and from the fact that it is one of three similarly sized and detailed buildings in a row. Located on a rising section of Palace Street, opposite the open playing fields of Fort Street High School, these villas are prominent elements within the streetscape. The most significant view corridor towards the villa is obtained from directly in front. No. 25 is largely concealed by Nos. 21 and 23 as it is approached from the north. The view corridor towards the three villas as a group, however, is of significance. The villa has a greater degree of visibility when approached from the south.
SHR Criteria d) [Social significance]	Tasma, No. 25 Palace Street, Petersham, is listed as a local heritage item and is located within a Draft Heritage Conservation Area, indicators that it is of significance to the local community and historical/architectural interest groups.
SHR Criteria e) [Research potential]	Tasma, No. 25 Palace Street, Petersham, has significance under this criterion for the reasons cited under Criterion (a) and (c), that is, its potential to provide information on the type, style and standard of inner suburban housing occupied by the Sydney gentleman (and his family) during the late nineteenth century and as an example of the Victorian Italianate Style.
SHR Criteria f) [Rarity]	Tasma, No. 25 Palace Street, Petersham, is not considered to be significant under this criterion. It is one of a number of villas of this size and date to be found within the fashionable Sydney suburbs of the late nineteenth century. Its significance is well recognised by existing heritage listings.
SHR Criteria g) [Representativeness]	Local Tasma, No. 25 Palace Street, Petersham, has significance under this criterion for its ability to demonstrate the villa residence of the Sydney professional gentleman and his family in the late nineteenth and early twentieth centuries, to demonstrate a particular pattern of development along the ridges of the Parramatta railway line at a time of rapid growth within the area and to demonstrate the principal attributes of the Victorian Italianate Style.
Integrity/Intactness:	All are relatively intact. No 21 retains its integrity while No. 23 retains much of its integrity and No. 25 has lost integrity due to unsympathetic security additions and rough cast detailing.
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:

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General
maintenance to Nos 21 and 23. Conservation works to No.
25

Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Marrickville Local Environmental Plan 2001		18 May 01	86	
Local Environmental Plan	Marrickville LEP 2011	1207	12 Dec 11	2011/645	
Within a conservation area on an LEP	within draft cons. area Marrickville LEP 2001				
Heritage study					

Study details

Title	Year	Number	Author	Inspected by	Guidelines used
Marrickville Heritage Study	1986	1.17	Fox and Associates	November 1984	No
Marrickville Heritage Study Review	1997	2030013	Tropman & Tropman Architects	1997-1999	Yes

References, internet links & images

Type	Author	Year	Title	Internet Links
Written	Weir and Phillips	2005	Heritage Report, Tasma, 25 Palace St, Petersham (December)	

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



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Data source

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Name: Local Government

**Database
number:** 2030013

File number: 1.17

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