

# INNER WEST

## DEVELOPMENT ASSESSMENT REPORT

<b>Application No.</b>	DA/2021/0188
<b>Address</b>	144 Elizabeth Street ASHFIELD NSW 2131
<b>Proposal</b>	to carry out ground and first floor alterations and additions to a dwelling house
<b>Date of Lodgement</b>	18 March 2021
<b>Applicant</b>	50One Pty Ltd
<b>Owner</b>	Mr Rocco R Mazzeo
<b>Number of Submissions</b>	N/A
<b>Value of works</b>	\$276,730
<b>Reason for determination at Planning Panel</b>	Sensitive development – Demolition to a heritage item
<b>Main Issues</b>	Impacts to heritage item and streetscape
<b>Recommendation</b>	Refusal
<b>Attachment A</b>	Reasons for refusal
<b>Attachment B</b>	Plans of proposed development
<b>Attachment C</b>	Conditions of consent (if approved)
<b>Attachment D</b>	Statement of Heritage Significance



LOCALITY MAP

Subject Site		Objectors		
Notified Area		Supporters		

## 1. Executive Summary

This report is an assessment of the application submitted to Council to carry out ground and first floor alterations and additions to a dwelling house at 144 Elizabeth Street ASHFIELD NSW 2131.

The application was notified to surrounding properties and no submissions were received in response to the initial notification.

The main issues that have arisen from the application include:

- Non-compliance with clause 5.10 (4) & (5) – Heritage Conservation of the ALEP 2013
- Impacts to heritage item/ inconsistent with desired future character of the area.

The non-compliances are not acceptable and therefore the application is recommended for refusal.

## 2. Proposal

The current application seeks consent for alterations and additions to an existing single storey dwelling house identified as a local heritage item (item 393) under the ALEP 2013.

The proposal seeks consent for the following works:

- Demolition of existing external concrete paths within front and rear yards
- Demolition of internal walls to create new openings
- Demolition of existing rear laundry
- Ground floor alterations to create a new laundry, storeroom, living room, kitchen, patio and stairs leading to the proposed first floor addition
- Construction of a new first floor addition accommodating two bedrooms, a bathroom, study and rear facing balcony.

## 3. Site Description

The subject site is located on the southern side of Elizabeth Street, between Benalla Ave and Frederick Street. The site consists of one allotment and is generally rectangular shaped with a total area of 412.5 sqm and is legally described as 144 Elizabeth Street ASHFIELD NSW 2131.

The site has a frontage to Elizabeth Street of 11.25 metres and a secondary frontage of approximate 36.6 metres to Elizabeth Street Playground. The site is not affected easements but is adjoining a right of carriageway along the eastern boundary, which provides vehicular access to the rear of the subject site and the neighbouring 5 Benalla Avenue.

The site supports a single storey dwelling house made up of brick and tile. The adjoining properties support similar single storey dwelling houses, constructed at a similar time as the subject site. Located immediately to the south of the subject site at 5 Benalla Avenue is a three storey red brick residential flat building.

The subject site is listed as a heritage item (item 393) under the ALEP 2013.

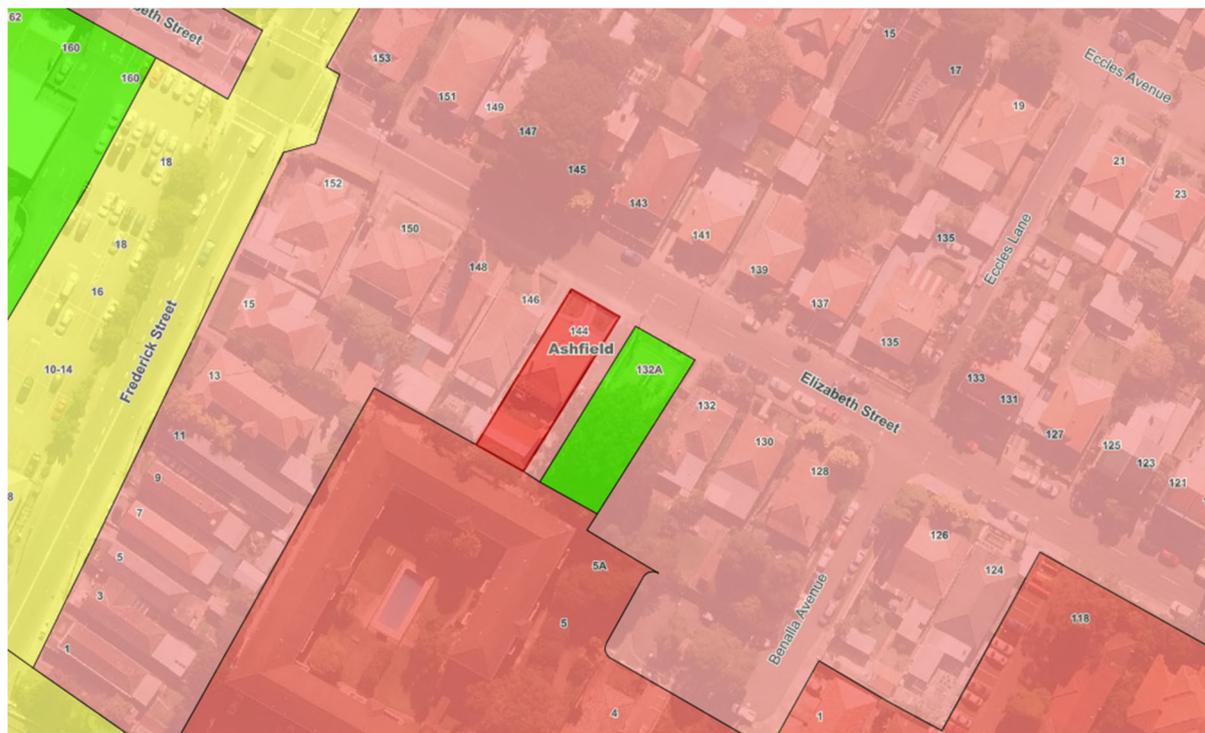


Figure 1 – Zoning Map, subject site identified by red box

## 4. Background

### 4(a) Site history

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

#### Subject Site

Application	Proposal	Decision & Date
009.2019.37	Pre DA – Alterations and additions to an existing dwelling house	Advice issued – 13/8/2019

#### Surrounding properties

Not applicable

### 4(b) Application history

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

Date	Discussion / Letter / Additional Information
29/4/2021	<p>Council Officers issued a request for additional information/amended plans, addressing the following:</p> <ul style="list-style-type: none"> <li>- Submission of a revised heritage impact statement which includes a detailed internal and external fabric analysis undertaken by a registered heritage architect. The amended report must identify historical sources that relate to the design and construction of the building.</li> </ul>

	<ul style="list-style-type: none"> <li>- Submission of amended plans detailing a significant reduction to the scale of the proposal (as outlined within the pre-da advice). The current addition will have unreasonable impacts on streetscape and detract from the heritage items significance.</li> <li>- Submission of amended plans detailing a revised design compliant with the maximum height limit.</li> <li>- Submission of amended plans detailing compliance with the minimum landscaped area.</li> <li>- Submission of revised shadow diagrams detailing the extent of shadows cast by the development and other neighbouring structures.</li> </ul>
10/5/2021	Additional information in response to Councils letter was submitted on the 10/5/2021.

The current assessment is based off the additional information submitted by the applicant on the 10/5/2021.

## 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:

- *State Environmental Planning Policy No. 55—Remediation of Land*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*

The following provides further discussion of the relevant issues:

#### 5(a)(i) *State Environmental Planning Policy No 55—Remediation of Land*

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. CIWCDCP 2016 provides controls and guidelines for remediation works. *SEPP 55* requires the consent authority to be satisfied that "the site is, or can be made, suitable for the proposed use" prior to the granting of consent.

The site has not been used in the past for activities which could have potentially contaminated the site. It is considered that the site will not require remediation in accordance with *SEPP 55*.

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

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

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

*Vegetation SEPP* concerns the protection/removal of vegetation identified under the SEPP and gives effect to the local tree preservation provisions of Council’s DCP.

The application seeks the removal of vegetation from within the site. The application was referred to Council’s Tree Management Officer who outlined no objection subject to suitable conditions of consent.

Overall, the proposal is considered acceptable with regard to the *Vegetation SEPP* and DCP subject to the imposition of conditions. However the proposal is recommended for refusal due to outstanding concerns discussed later within the report.

**5(a)(iv) Ashfield Local Environment Plan 2013 (ALEP 2013)**

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

- Clause 1.2 - Aims of Plan
- Clause 2.3 - Land Use Table and Zone Objectives
- Clause 2.7 - Demolition
- Clause 4.3 - Height of buildings
- Clause 4.4 - Floor space ratio
- Clause 4.5 - Calculation of floor space ratio and site area
- Clause 4.6 - Exceptions to development standards
- Clause 5.10 - Heritage Conservation
- Clause 6.1 - Earthworks

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

The site is zoned R2 under the *ALEP 2011*. The *ALEP 2013* defines the development as:

**dwelling house** means a building containing only one dwelling

The development is permitted with consent within the land use table. The development is not consistent with the objectives of the R2 zone.

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

Standard	Proposal	non compliance	Complies
<b>Height of Building</b> Maximum permissible: 8.5m	8.4m	N/A	Yes
<b>Floor Space Ratio</b> Maximum permissible: 0.7:1 or 288.75m <sup>2</sup>	0.39:1 or 161.8m <sup>2</sup>	N/A	Yes

Clause 5.10 – Heritage Conservation

The current proposal has been reviewed by Councils Heritage Advisor against the provision of clause 5.10 of the ALEP 2013 and is non-compliant. The proposal in its current form results in a variation to clause 5.10 (4) and 5.10 (5) of the Ashfield LEP 2013.

*Variation to clause 5.10(4)*

Clause 5.10(4) outlines that the consent authority must, before granting consent in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This clause was introduced to conserve the environmental heritage of Ashfield and to conserve heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.

The subject site is listed as a heritage item (item 393) under the ALEP 2013. A review of the statement of significance has highlighted that this dwelling is significant for the following reason:

*One of an unusually good group of three California Bungalows, in fine and essentially original condition. They demonstrate the high standard of residential building in Ashfield during its burgeoning Inter-War years.*

The proposal seeks consent for a large and dominating first floor addition that is expected to result in an overwhelming structure. The development is substantially out of character with the with neighbouring dwellings and will undoubtedly dominate and diminish the heritage significant setting of the current dwelling house and its context within Elizabeth Street. The proposal results in a highly visible first floor development to a heritage item which notes significance around the persevered single storey nature and uniformly developed dwelling houses.

In this instance the proposal does not conserve the significance of the heritage item and results in a development out of context with the fabric, settings and streetscape of the heritage item/area. For these reasons, the proposal results in a variation to clause 5.10 (4) and is not supported/recommended for refusal.

*Variation to clause 5.10(5)*

Clause 5.10(5) of the ALEP 2013 outlines that before granting consent to any development on land which a heritage item is located, require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the significance of the heritage item. As part of the current development application the applicant has submitted a heritage impact statement, which has been reviewed by Council's Heritage Advisor. This review has found that the submitted heritage impact statement is insufficient and has not demonstrated a sufficient understanding on the heritage impacts which will result from the development. In particular the following concerns are raised with the provided heritage impact statement:

- The revised Heritage Report still has not demonstrated an understanding of the design and character of the heritage item or adequately demonstrated that the key elements of the building including the roof form have been retained. The original form of the building has not been identified nor has its date of construction been determined. Historic aerials have not been sourced which would have shown the form and the original block plan has not been determined from water board diagrams or water board surveys. The original room layout has not adequately been determined based on physical or documentary records and the existence of BA plans was not confirmed or the Council's Building Application Register consulted.
- Materials are incorrectly identified, the authors are not familiar with the difference between solid plaster, fibrous plaster and plasterboard or the difference between full bricks and other partial brick elements or glazed tile terminology for historic buildings. The previous heritage comments sought an accurate identification of the surviving historic fabric.

- The scale of the proposal has not been reduced. The scale of the proposal is such that the integrity of the building form of the local heritage item is not being maintained. The PreDA advice indicated that the preferred form of addition to a heritage item, when the addition is proposed to be two storey, is a separate rear wing with a low level link. This approach retains the main roof form intact.

It is considered that the proposal does not comply with the provisions of the Ashfield LEP 2013.

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

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

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

### 5(d) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

IWCDCP2016	Compliance
<b>Section 1 – Preliminary</b>	
B – Notification and Advertising	Yes
<b>Section 2 – General Guidelines</b>	
A – Miscellaneous	
1 - Site and Context Analysis	Yes
15 - Stormwater Management	Yes
E1 – Heritage items and Conservation Areas (excluding Haberfield)	
1 – General Controls	No – see discussion
2 – Heritage Items	No – see discussion
<b>F – Development Category Guidelines</b>	
1 – Dwelling Houses and Dual Occupancy	No – see discussion

The following provides discussion of the relevant issues:

#### Heritage Items

The development results in a variation from objectives O1, O2, O3, O5, O6, O8 and controls C3, C4 and C6 of Chapter E1, Part 2 of the Inner West Comprehensive Development Control Plan 2016. These controls outline that any development to heritage items must retain and conserve significant elements, protect and retain original or largely intact roof forms and ensure development is sympathetic to significant features with regards to bulk, style, character, scale. These controls were introduced to ensure heritage items are retained, protected and conserved, ensure alterations and additions compliment the character and significance of the item.

The proposal fails to conserve and protect the significance of the heritage item with the works detracting from the significance of the locality/ streetscape and the uniformity of the single

storey California bungalows and results in a new building form that will dominate the heritage listed dwelling. The proposed first floor addition has been massed to as to achieve compliance with the maximum height limit of 8.5m, with little regard for the dominate or overwhelming impact such an outcome would have on a heritage listed item. The proposal also seeks consent to largely alter and diminish the intact roof form of the existing dwelling further detracting from the heritage significance of the dwelling.

The proposed second storey addition results in a direct variation to the provisions of objective O5 and control C3 in that the development has is not consistent with the setbacks, massing form and scale of the heritage item and will impact the significance views/settings of the heritage item. The form and scale of the addition does not fit into the character of the heritage item/ area and results in a building form and scale that is not predominant in the streetscape. Acceptance of the proposal in its current form is expected to result in a significant variation from the objectives and controls outlined within Part 2 of Chapter E1 for development located in heritage conservation area.

### Wall Height

The current proposal seeks consent for a 700mm (eastern elevation) variation to clause DS3.4 of Chapter F within the Inner West Comprehensive Development Control Plan 2016. This control outlines that developments are to have a maximum 6m wall height, as measured from the existing ground. The intention of the control is to ensure that development is in keeping with the scale prevailing in the street and the desired future character of the area. In this instance the proposed variation will not have an amenity impact on neighbouring sites. However the variation will contribute to the overall bulk/scale of the development dominating and detracting from the existing heritage item and is not supported. The proposed variation further exacerbates the height and scale of the addition and would contribute to the addition being the dominate element on the site (if approved). As stated above the proposal is not supported on heritage grounds and is not considered to reflect the desired future character of the area. The proposed variation is not supported, and the proposal recommended for refusal.

### Visual Privacy

The proposal has been generally designed to avoid visual privacy impact to neighbouring sites and appropriately locates new windows to be offset from neighbouring windows. However concerns are raised with regards to the proposed first floor rear balcony and the resulting visual privacy impacts. This first floor balcony relates to a proposed study and/or second living area and incorporates a depth of 1.6m by a width of 4.6m. The location of this balcony means that a direct line of sight into neighbouring properties at 5 Benalla Avenue will be obtainable. While the relationship to internal elements and size of the balcony means that it could readily become a locality of high trafficability. Should the proposal be approved it is recommended that a design change condition requiring the deletion of the first floor rear balcony is imposed. Regardless the current proposal is recommended for refusal based on heritage impacts.

## 5(e) The Likely Impacts

The assessment of the Development Application demonstrates that the proposal will have an adverse impact on the locality in the following way:

### Streetscape and Heritage Significance

As discussed above within the assessment section of this report, the current proposal is expected to have an unreasonable impact on the existing streetscape and settings/views of a local heritage item. The current proposal is not in-keeping with the desired future character

and has failed to meet the controls and objectives of the LEP and DCP. The proposal is therefore recommended for refusal.

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

It is considered that the proposal will have an adverse impact on the adjoining properties and therefore it is considered that the site is unsuitable to accommodate the proposed development.

#### 5(g) Any submissions

The application was notified in accordance with Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill for a period of 14 days to surrounding properties. No submissions were received in response to the initial notification.

#### 5(h) The Public Interest

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

The proposal is contrary to the public interest and is recommended for refusal.

## 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.

- Development Engineering – No objection to the proposal, subject to suitable conditions of consent.
- Urban Forests - No objection to the proposal, subject to suitable conditions of consent.
- Heritage – Proposal is unsupportable due to heritage impacts. The application is recommended for refusal. See assessment section above for details.

## 7. Section 7.11 Contributions/7.12 Levy

Section 7.12 levies are payable for the proposal.

The carrying out of the proposed development would result in an increased demand for public amenities and public services within the area. A condition requiring that contribution to be paid should be imposed on any consent granted.

## 8. Conclusion

The proposal is inconsistent with the aims, objectives and design parameters contained in *Ashfield Local Environmental Plan 2013* and Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

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

The application is considered unsupportable and in view of the circumstances, refusal of the application is recommended.

## 9. Recommendation

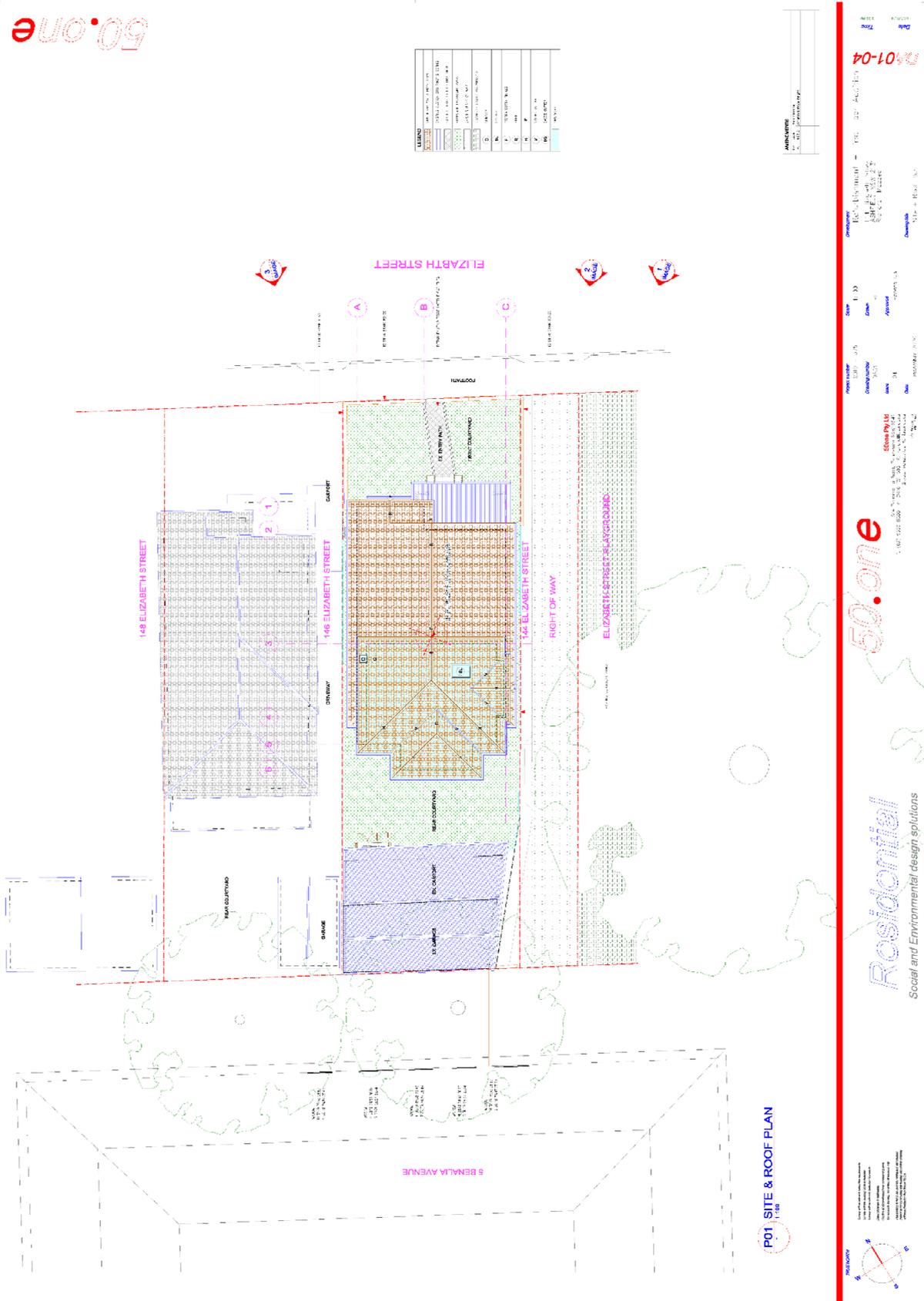
That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, refuse Development Application No. DA/2021/0188 for to carry out ground and first floor alterations and additions to a dwelling house at 144 Elizabeth Street ASHFIELD NSW 2131 for the reasons outlined in attachment A.

## Attachment A – Reasons for refusal

1. The proposal is inconsistent with the aims of clause 1.2(2) of the *Ashfield Local Environmental Plan 2013* as the proposal does not protect the urban character of Ashfield.
2. The proposal is inconsistent with the objectives and controls of Clause 5.10(1), Clause 5.10(4) and Clause 5.10(5) of the *Ashfield Local Environmental Plan 2013* as it does not conserve the heritage significance of the heritage conservation area including associated fabric, settings, and views.
3. The proposal is contrary to the objectives and controls of Chapter E1 – Heritage Items and Conservation Areas (excluding Haberfield) of the *Comprehensive Inner West Development Control Plan 2016*, as follows:
  - a. Part 2 Heritage Items – O3, the proposal does not provide a development that is sympathetic to significant to features.
  - b. Part 2 Heritage Items – O5, the proposal does not retain or conserve the item within its significant setting or form and will have impact on heritage significance.
  - c. Part 2 Heritage Items – C3, the new work is not consistent with setback, massing form and scale of the heritage item.
  - d. Part 2 Heritage Items – C6, the proposed alterations and additions do not maintain the integrity of the building form so that the original building is retained and can be clearly discerned.
4. The proposal does not comply with Chapter F – Development Category Guidelines, Part 1 – Residential Dwelling House and Dual Occupancy of the *Comprehensive Inner West Development Control Plan 2016*, as follows:
  - a. Design Solution 3.4 – the proposed development is non-complaint with the maximum wall height provisions.
5. Contrary to Section 4.15(1)(b)(c) of the *Environmental Planning and Assessment Act 1979*, the proposed development would have adverse environmental impacts on both the natural and built environments, and social and economic impacts in the locality and is not considered suitable for the site.
6. Contrary to Section 4.15(1)(d)(e) of the *Environmental Planning and Assessment Act 1979*, the proposed development is not considered to be in the public interest.

Attachment B – Plans of proposed development

50.one





NO.	DESCRIPTION
1	EXIST. DRIVEWAY 4M
2	EXIST. GARAGE 1M
3	EXIST. DRIVEWAY 4M
4	EXIST. DRIVEWAY 4M
5	EXIST. DRIVEWAY 4M
6	EXIST. DRIVEWAY 4M
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17	EXIST. DRIVEWAY 4M
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19	EXIST. DRIVEWAY 4M
20	EXIST. DRIVEWAY 4M

P10 EXISTING GROUND FLOOR PLAN

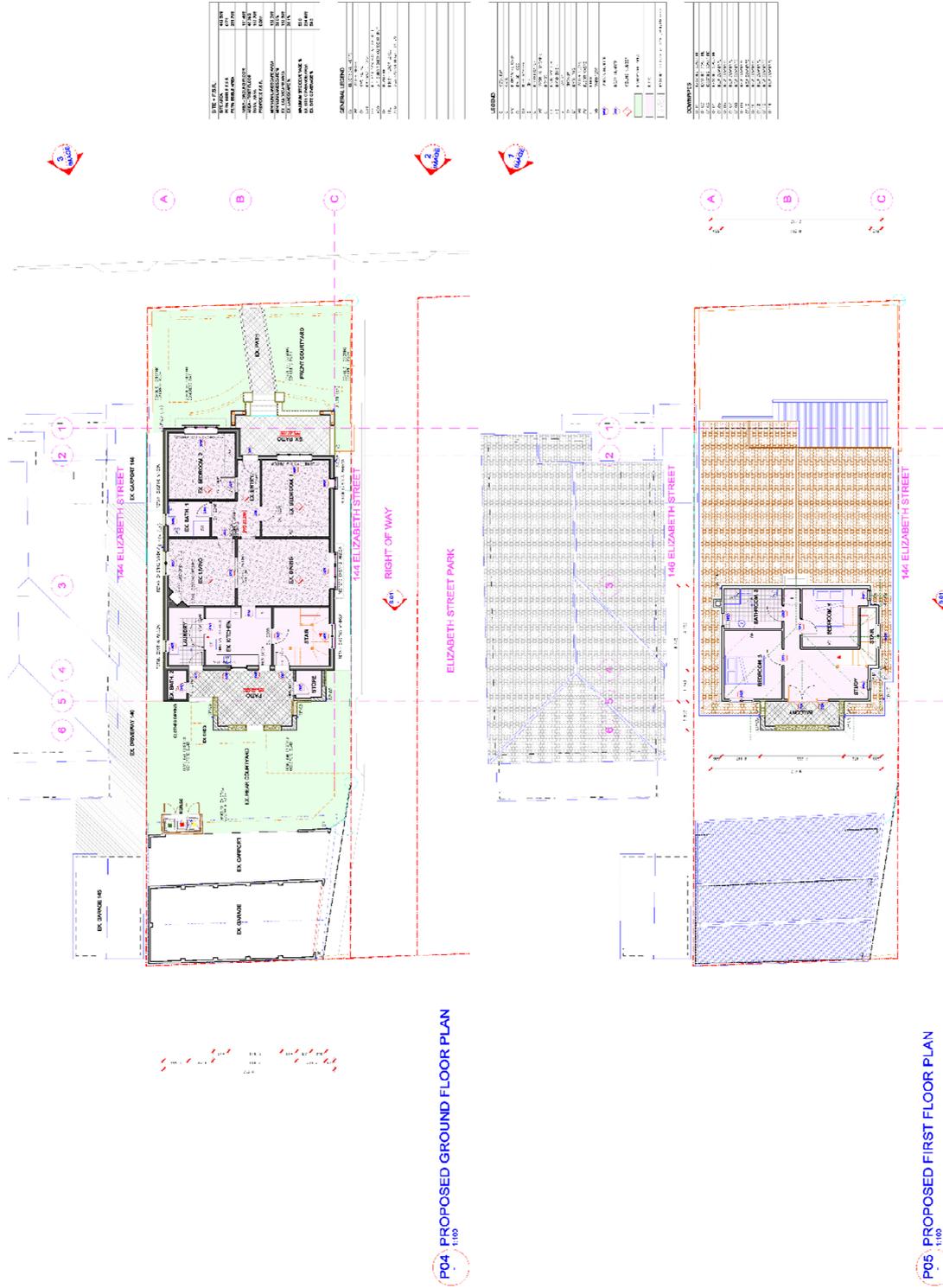
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 146 Elizabeth Street  
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50.one  
 Residential  
 Social and Environmental design solutions

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 Social and Environmental design solutions

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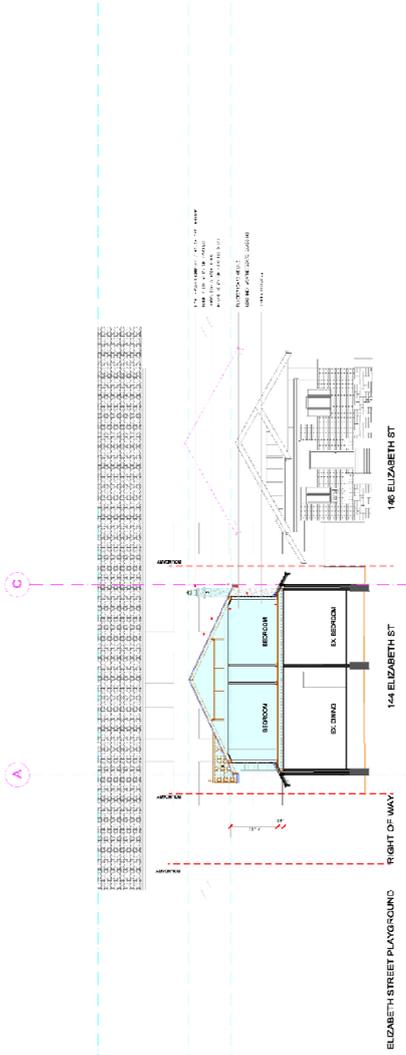


P04 PROPOSED GROUND FLOOR PLAN  
1:100

P05 PROPOSED FIRST FLOOR PLAN  
1:100

GENERAL LISTING	
1. SITE NO.	144 ELIZABETH STREET
2. PROJECT NAME	50.ONE
3. ARCHITECT	50.ONE ARCHITECTURE
4. ENGINEER	50.ONE ARCHITECTURE
5. SURVEYOR	50.ONE ARCHITECTURE
6. DATE	10/03/2022
7. DRAWING NO.	144-01-01
8. SHEET NO.	1 OF 1
9. SCALE	AS SHOWN
10. PROJECT NO.	144-01
11. CLIENT	50.ONE ARCHITECTURE
12. PROJECT ADDRESS	144 ELIZABETH STREET
13. PROJECT CITY	SYDNEY NSW
14. PROJECT STATE	NSW
15. PROJECT POSTAL CODE	1500
16. PROJECT PHONE	02 9550 1444
17. PROJECT FAX	02 9550 1444
18. PROJECT EMAIL	info@50one.com.au
19. PROJECT WEBSITE	www.50one.com.au
20. PROJECT SOCIAL MEDIA	www.facebook.com/50one
21. PROJECT INSTAGRAM	www.instagram.com/50one
22. PROJECT TWITTER	www.twitter.com/50one
23. PROJECT LINKEDIN	www.linkedin.com/company/50one
24. PROJECT YOUTUBE	www.youtube.com/50one
25. PROJECT GITHUB	www.github.com/50one
26. PROJECT OTHER	
27. PROJECT NOTES	
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S01 SECTION 01  
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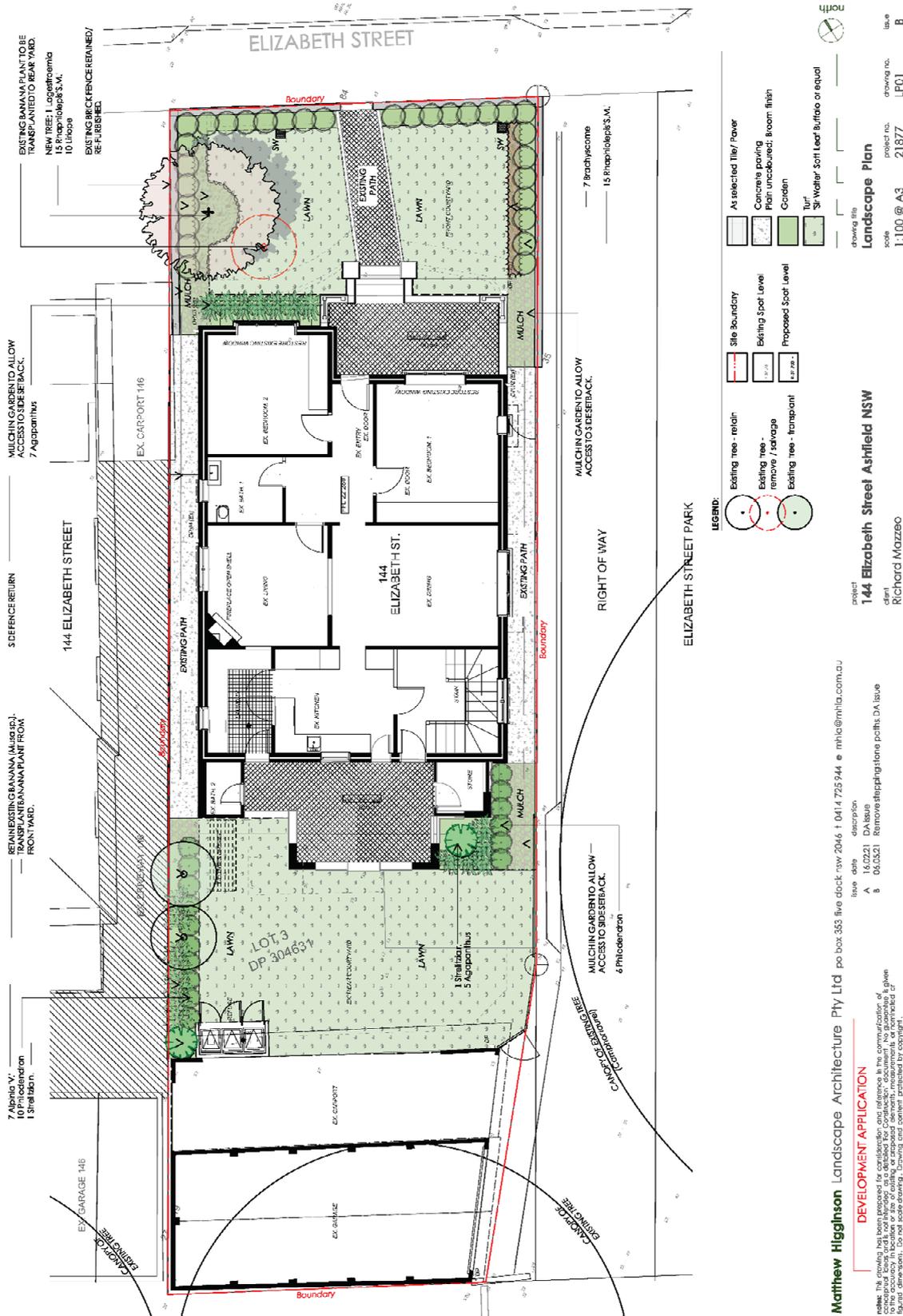
50.one  
52-04  
50.one Pty Ltd  
100 Years Road, North Sydney, NSW 1585  
Tel: 02 9388 1000  
www.50one.com.au



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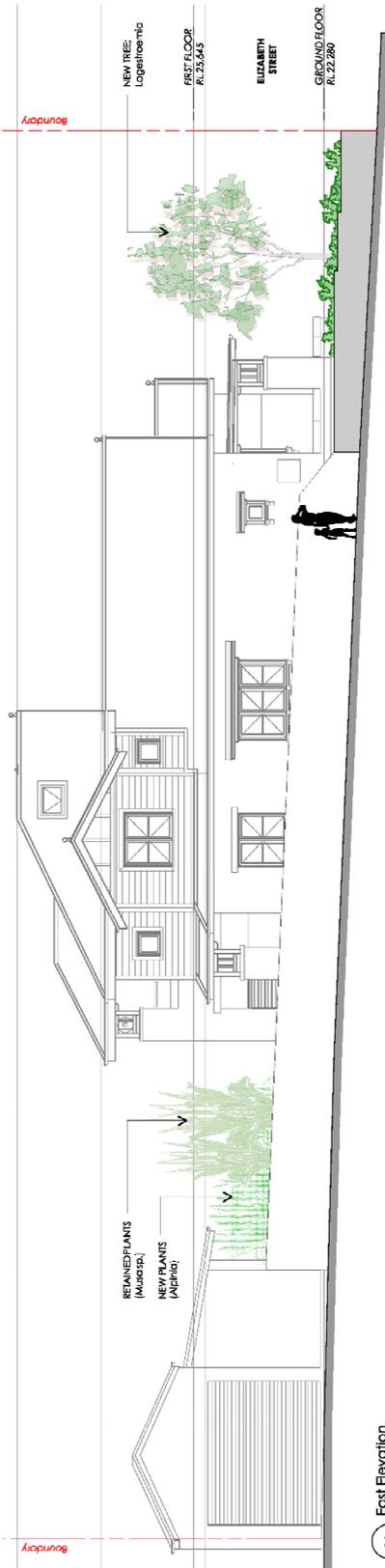


**PLANT SCHEDULE**

Botanic Name	Common Name	Supply Size (mm/ft/L)	Mature Height	Mature Spread	Qty
<b>Trees</b>					
<i>Lagotis indica</i>	Cape Myrtle	100L	6m	3m	1
<b>Shrubs</b>					
<i>Alpinia zombomb 'Vanigata'</i>	Vanigatac Shell Ginger	300mm	2m	1m	7
<i>Philodendron 'Xanadu'</i>	Xanadu Philodendron	300mm	0.9m	0.8m	16
<i>Rhiphalepis 'Snow Maiden'</i>	Snow Maiden Hawthorn	200mm	1m	0.7m	30
<i>Streitzia nicolii</i>	Giant Bird of Paradise	45L	3m	1m	1
<i>Strelitzia reginae</i>	Bird of Paradise	200mm	1m	1m	1
<b>Groundcovers</b>					
<i>Agapanthus</i>	Agapanthus	200mm	1m	1m	12
<i>Brachyscome multifida</i>	Cut-leaf Daisy	200mm	0.2m	0.6m	7
<i>Liloupe muscari</i>	Lily Turf	140mm	0.4m	0.6m	10



01 North Elevation  
Scale: 1:100



02 East Elevation  
Scale: 1:100

Matthew Higginson Landscape Architecture Pty Ltd po box 383 five dock nsw 2046 t 0414 725 944 e mhlo@mha.com.au

issue date: 16.02.21  
revision: A 16.02.21 DX Issue  
B 06.05.21 Remove stepping stone paths DA Issue

project: 144 Elizabeth Street Ashfield NSW  
client: Richard Mazzeo

drawing no: LP02  
project no: 21877  
scale: 1:100 @ A3  
drawing no: LP02  
issue: B

**DEVELOPMENT APPLICATION**

This drawing has been prepared for consideration and reference in the communication of conceptual ideas and is not intended as a detailed construction document. No proprietor is given any right or authority to use the drawings or any part thereof for any purpose other than that for which they were prepared. Drawing and content protected by copyright.

## Attachment C- Conditions of consent (if approved)

### CONDITIONS OF CONSENT

#### DOCUMENTS RELATED TO THE CONSENT

##### 1. Documents related to the consent

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

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
DA01-04 Issue 04	Site & Roof Plan	4/5/2021	50.one Pty Ltd
DA07-02 Issue 02	Demolition Plan	4/5/2021	50.one Pty Ltd
DA03-02 Issue 02	Proposed Ground floor & First Floor	December 2020	50.one Pty Ltd
DA51-04 Issue 04	Proposed Elevations	4/5/2021	50.one Pty Ltd
DA52-04 Issue 04	Section 01	4/5/2021	50.one Pty Ltd
DA30-02 Issue 02	Finish + Colour Schedule	4/5/2021	50.one Pty Ltd
LP01 Issue B	Landscape Plan	6/5/2021	Matthew Higginson Landscape Architecture
LP02 Issue B	Schedule + Elevations	6/5/2021	Matthew Higginson Landscape Architecture

As amended by the conditions of consent.

#### DESIGN CHANGE

##### 2. Design Change

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

- a. The proposed first floor balcony adjoining the study on the southern elevation is to be deleted and the opening changed to a window.

#### FEES

##### 3. Security Deposit - Custom

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

Security Deposit:	\$4,000.00
Inspection Fee:	\$236.70

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

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

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

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

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

#### **4. Section 7.12 (formerly section 94A) Development Contribution Payments**

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that a monetary contribution to the Inner West Council has been paid, towards the provision of infrastructure, required to address increased demand for local services generated by additional development within the Local Government Area (LGA). This condition is imposed in accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979* and in accordance with *Ashfield Section 94A Development Contributions Plan 2009 – Amendment No.3*.

Note:

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

Payment amount\*:  
\$2,767.30

\*Indexing of the Section 7.12 contribution payment:

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

Payment methods:

The required contribution must be paid either *by BPAY (to a maximum of \$500,000); unendorsed bank cheque (from an Australian Bank only); EFTPOS (Debit only); credit card (Note: A 1% credit card transaction fee applies to all credit card transactions; cash (to a maximum of \$10,000)*. It should be noted that personal cheques or bank guarantees cannot be accepted for the payment of these contributions. **Prior to payment contact**

Council's Planning Team to review charges to current indexed quarter, please allow a minimum of 2 business days for the invoice to be issued before payment can be accepted.

**5. Long Service Levy**

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

**GENERAL CONDITIONS**

**6. Boundary Alignment Levels**

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

**7. Tree Protection**

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

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

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

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

**8. Waste Management Plan**

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

**9. Erosion and Sediment Control**

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

**10. 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.

**11. Works Outside the Property Boundary**

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

**PRIOR TO ANY DEMOLITION****12. Hoardings**

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

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property. Separate approval is required from the Council under the *Roads Act 1993* to erect a hoarding or temporary fence or awning on public property.

**13. Advising Neighbors Prior to Excavation**

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

**14. Construction Fencing**

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

**PRIOR TO CONSTRUCTION CERTIFICATE****15. Dilapidation Report – Pre-Development – Minor**

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

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

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

- a. Stormwater runoff from all roof areas within the property being collected in a system of gutters, pits and pipeline and be discharged, together with overflow pipelines from any rainwater tank, by gravity to the kerb and gutter of a public road;
- b. Comply with Council's Stormwater Drainage Code, Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3-2018 'Stormwater Drainage' and Council's DCP;
- c. Pipe and channel drainage systems must be designed to cater for the twenty (20) year Average Recurrence Interval (ARI) storm event. Major event surface flow paths must be designed to cater for the one hundred (100) year ARI Storm;
- d. Charged or pump-out stormwater drainage systems are not permitted including for roof drainage other than to drain downpipes to the rainwater tank;
- e. The design plans must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes;
- f. An overland flowpath must be provided within the setback to the side boundary;

- g. The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system;
- h. A minimum 150mm step up shall be provided between all external finished surfaces and adjacent internal floor areas;
- i. The design must make provision for the natural flow of stormwater runoff from adjacent properties;
- j. No nuisance or concentration of flows to other properties;
- k. The design plans must specify that any components of the existing system to be retained must be certified during construction to be in good condition and of adequate capacity to convey the additional runoff generated by the development and be replaced or upgraded if required;
- l. A silt arrester pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets;
- m. Only a single point of discharge is permitted to the kerb and gutter, per frontage of the site;
- n. New pipelines within the footpath area that are to discharge to the kerb and gutter must be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0mm and a maximum section height and width of 100mm or sewer grade uPVC pipe with a maximum diameter of 100mm;
- o. All stormwater outlets through sandstone kerbs must be carefully core drilled in accordance with Council standard drawings; and
- p. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.

#### **17. 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.

#### **18. Sydney Water – Tap In**

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

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

### **DURING DEMOLITION AND CONSTRUCTION**

#### **19. 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.

**20. Survey Prior to Footings**

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

**PRIOR TO OCCUPATION CERTIFICATE****21. No Encroachments**

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

**22. Protect Sandstone Kerb**

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any damaged stone kerb has been replaced.

**23. Certification of Tree Planting**

Prior to the issue of any Occupation Certificate, the Principal Certifier is to be provided with evidence certified by a person holding a minimum qualification of AQF3 Certificate of Horticulture or Arboriculture that:

One X *Lagerstroemia indica* (Crepe Myrtle) tree, from a 100 litre size pot, and a variety which will attain a minimum mature height of six (6) metres, has been planted as per the Landscape Plan prepared by Matthew Higginson, dated 16/02/2021, at a minimum of 2 metres from the building and allowing for future tree growth. The tree is to conform to AS2303—*Tree stock for landscape use*.

If the replacement tree/s are found to be faulty, damaged, dying or dead within twelve (12) months of planting then they must be replaced with the same species (up to 3 occurrences). 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.

**ON-GOING****24. Tree Establishment**

The tree/s planted as part of this consent is/are to be maintained in a healthy and vigorous condition for 12 months from the issue of an Occupation Certificate. If any of the tree/s is/are found faulty, damaged, dying or dead within 12 months of the issue of an Occupation Certificate it/they must be replaced with the same species within one (1) month (up to 3 occurrences).

**ADVISORY NOTES****Permits**

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

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

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

#### **Insurances**

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

#### **Consent of Adjoining property owners**

This consent does not authorise the applicant, or the contractor engaged to do the tree works to enter a neighbouring property. Where access to adjacent land is required to carry out approved tree works, Council advises that the owner's consent must be sought. Notification is the responsibility of the person acting on the consent. Should the tree owner/s refuse access to their land, the person acting on the consent must meet the requirements of the *Access To Neighbouring Lands Act 2000* to seek access.

#### **Tree Protection Works**

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

#### **Tree Pruning or Removal (including root pruning/mapping)**

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved and must be retained and protected in accordance with Council's *Development Fact Sheet—Arborist Reports*.

#### **Prescribed Conditions**

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

#### **Notification of commencement of works**

At least 7 days before any demolition work commences:

- a. the Council must be notified of the following particulars:

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

**Storage of Materials on public property**

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

**Toilet Facilities**

The following facilities must be provided on the site:

- a. Toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees; and
- b. A garbage receptacle for food scraps and papers, with a tight fitting lid.

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

**Infrastructure**

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

**Other Approvals may be needed**

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

**Failure to comply with conditions**

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

**Other works**

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

**Obtaining Relevant Certification**

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

- a. Application for any activity under that Act, including any erection of a hoarding;
- b. Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*;
- c. Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*;

- d. Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed;
- e. Application for Strata Title Subdivision if strata title subdivision of the development is proposed;
- f. Development Application for demolition if demolition is not approved by this consent; or
- g. Development Application for subdivision if consent for subdivision is not granted by this consent.

**Disability Discrimination Access to Premises Code**

The *Disability Discrimination Act 1992* (Commonwealth) and the *Anti-Discrimination Act 1977* (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.

**National Construction Code (Building Code of Australia)**

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

**Notification of commencement of works**

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

- a. In the case of work for which a principal contractor is required to be appointed:
  - i. The name and licence number of the principal contractor; and
  - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
- b. In the case of work to be done by an owner-builder:
  - i. The name of the owner-builder; and
  - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

**Dividing Fences Act**

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

**Swimming Pools**

Applicants are advised of the following requirements under the *Swimming Pools Act 1992*:

- a. The owner of the premises is required to register the swimming pool on the NSW State Government's Swimming Pool Register. Evidence of registration should be provided to the Certifying Authority.
- b. Access to the pool/spa is restricted by a child resistant barrier in accordance with the regulations prescribed in the. The pool must not be filled with water or be allowed to collect stormwater until the child resistant barrier is installed. The barrier is to conform to the requirements of Australian Standard AS 1926:2012.
- c. A high level overflow pipe has been provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the

receiving Sydney Water sewer. Evidence from the installer, indicating compliance with this condition must be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

- d. Permanently fixed water depth markers are to be clearly and prominently displayed on the internal surface above the water line at the deep and shallow ends on in-ground pools / spas and on the outside of aboveground pools / spas.
- e. A durable cardiopulmonary resuscitation information poster sign authorised by the Life Saving Association is to be displayed in the pool / spa area in accordance with Clause 10 of the *Swimming Pool Regulation 2008*.
- f. Access to the swimming pool/spa must be restricted by fencing or other measures as required by the *Swimming Pools Act 1992* at all times.

All drainage, including any overland waters associated with the pool/spa, must be pipe-drained via the filter to the nearest sewer system in accordance with the requirements of Council & Sydney Water. No drainage, including overflow from the pool or spa must enter Council's stormwater system.

#### Permits from Council under Other Acts

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

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

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

#### Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* 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 <a href="http://www.basix.nsw.gov.au">www.basix.nsw.gov.au</a>
Department of Fair Trading	13 32 20 <a href="http://www.fairtrading.nsw.gov.au">www.fairtrading.nsw.gov.au</a> Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100 <a href="http://www.dialprior toyoudig.com.au">www.dialprior toyoudig.com.au</a>
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Corporation	Payments 131441 <a href="http://www.lspc.nsw.gov.au">www.lspc.nsw.gov.au</a>
NSW Food Authority	1300 552 406 <a href="http://www.foodnotify.nsw.gov.au">www.foodnotify.nsw.gov.au</a>
NSW Government	<a href="http://www.nsw.gov.au/fibro">www.nsw.gov.au/fibro</a> <a href="http://www.diysafe.nsw.gov.au">www.diysafe.nsw.gov.au</a> Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 <a href="http://www.environment.nsw.gov.au">www.environment.nsw.gov.au</a>
Sydney Water	13 20 92 <a href="http://www.sydneywater.com.au">www.sydneywater.com.au</a>
Waste Service - Environmental Solutions	SITA 1300 651 116 <a href="http://www.wasteservice.nsw.gov.au">www.wasteservice.nsw.gov.au</a>
Water Efficiency Labelling and Standards (WELS)	<a href="http://www.waterrating.gov.au">www.waterrating.gov.au</a>
WorkCover Authority of NSW	13 10 50 <a href="http://www.workcover.nsw.gov.au">www.workcover.nsw.gov.au</a> Enquiries relating to work safety and asbestos removal and disposal.

**Street Numbering**

If any new street numbers or change to street numbers (this includes unit and shop numbers) are required, a separate application must be lodged with and approved by Council's GIS Team before being displayed.

### Attachment D – Statement of Heritage Significance

#### AD 2001 Ashfield Heritage Study Review of Areas Zoned 2(a)

<b>Name of Item</b>	House, 'Nimitybelle', one of a group of three adjacent	<b>Reference N°</b>	2 05 10																								
<b>Other Names</b>	houses																										
<b>Address</b>	144 Elizabeth Street	<b>Land Title</b>																									
<b>Locality</b>	Ashfield	<b>Postcode</b>																									
<b>Item Type</b>	Building	<b>Owner/s</b>																									
<b>Group Name</b>																											
<b>Statement of Significance</b>	One of an unusually good group of three California Bungalows, in fine and essentially original condition. They demonstrate the high standard of residential building in Ashfield during its burgeoning Inter-War years.	<b>Condition as observed from street —</b> <input checked="" type="checkbox"/> Intact <b>Minor alteration —</b> <input type="checkbox"/> Sympathetic <input type="checkbox"/> Unsympathetic <b>Major alteration —</b> <input type="checkbox"/> Sympathetic <input type="checkbox"/> Unsympathetic <b>Modifications —</b> The gable terminals are missing. One chimney remains.																									
<b>Summary of Significance</b>	<table border="0"> <thead> <tr> <th></th> <th>Rare</th> <th>Associative</th> <th>Representative</th> </tr> </thead> <tbody> <tr> <td>Historic</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Aesthetic</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Social</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Scientific</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Other</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>		Rare	Associative	Representative	Historic	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Aesthetic	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Social	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Scientific	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
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		<b>Survey Date</b>	2/10/2001																								
		<b>Surveyed by</b>	RI																								

## Ashfield Heritage Study Review of Areas Zoned 2(a)

<b>Current Use</b> House, 'Nimitybelle', 144 Elizabeth Street, Ashfield, one of a group of three houses	<b>Reference N°</b> 2 05 10
<b>Heritage Listing</b> Recommended	
<b>Themes : Local</b> Subdivision and consolidation	<b>Themes : State</b> Towns, suburbs and villages
<b>Historical Notes</b> <p>The history of this part of Ashfield goes back to First-fleet surveyor Augustus Alt, to whom a grant of 280 acres was made in 1810. By about 1820 it had become part of Joseph Underwood's Ashfield Park Estate.(1) At some time before 1883 the land between Frederick and Alt Streets was divided into allotments with frontages of 120 feet (36.5 m)(2). On one of these, Lot 54, a house called 'Beddington' was erected for James Phelan, a telegraphist.(3) Evidently that house was demolished and its site subdivided into the three allotments that are now Nos 144, 146 and 148 Elizabeth Street, each with a frontage of 40 feet (12.2 m).(3)</p> <p>The first record of the house on No 144 is in the Valuer General's records for 1922-25, where it is shown as a new construction, erected in about 1923. The owner was C H Ridge, of Annandale, who sold to Mrs Harriett Barnett. Mrs Barnett is recorded in 1924 as the first occupier. The valuation of the property was then £259 unimproved and £1,350 improved.(4) By 1928 the property had been named 'Nimitybelle' and it was still owned and occupied by Mrs Barnett. By then its valuation had increased to £370 unimproved and £1,450 improved.(5)</p> <p style="text-align: right;">There is a separate Inventory sheet for the group</p>	
<b>Physical Description</b> <p>One of a group of three almost-identical California Bungalows, each with a broad gabled roof of terra cotta tiles, with a slightly projecting gabled bay to one side and a fairly deep verandah on the other, partly recessed under the main gable and partly projecting forward beyond the gable bay, flat-roofed, supported on substantial brick piers and having a tessellated tile floor. The walling is brick on a sandstone base, roughcast rendered above about a metre and a half, and tuckpointed stretcher bond face work below that. The windows are triple-light casements. A curved path leads to the steps up to the verandah, which have tiled risers, terrazzo treads and stone piers and balusters. At No 144 there are triple short posts, with square balusters between them, atop the verandah piers. The gables have a panel-and-batten treatment. The garden is simple and there is no driveway.</p>	
<b>Information Sources</b> (1) <i>Ashfield Heritage Study, 1993</i> , vol 1, pp 32, 36. (2) Higinbotham & Robinson map of Ashfield, 1883. (3) H E C Robinson map of Ashfield, c 1912, showing Application No 14319; Valuer General's records, North Ward, 1908-10, No 1128, in Ashfield Council Archives. (4) Valuer General's records, <i>ibid</i> , 1922-25, Nos 1125-27. Rate Book, North Ward, <i>ibid</i> . <i>Sands Directories</i> . (5) Valuer General's records, <i>ibid</i> , 1928, No 1325.	