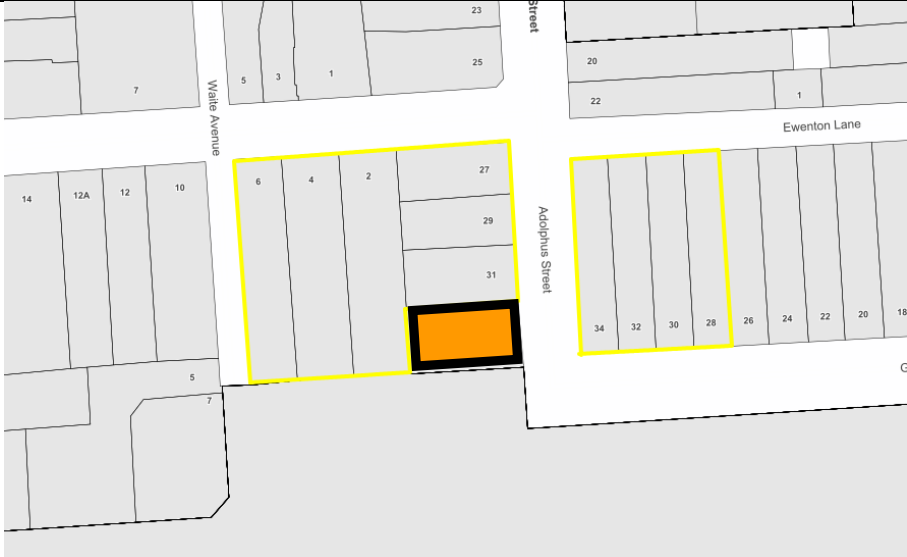




 DEVELOPMENT ASSESSMENT REPORT	
Application No.	REV/2023/0019
Address	33 Adolphus Street BALMAIN
Proposal	S8.2 Review of Development Consent DA/2023/0219 relating to approved alterations and additions to existing heritage listed dwelling seeking to delete condition 2 regarding a skylight.
Date of Lodgement	15 September 2023
Applicant	Mr Ray Stevens
Owner	Sudhanshu Jaiswal and Rashmi Gupta
Number of Submissions	One
Value of works	\$449,500.00
Reason for determination at Planning Panel	It is not agreed by both the applicant's heritage expert and Council's heritage officer that the proposed development can proceed.
Main Issues	Impacts to Heritage Item
Recommendation	Refusal
Attachment A	Reasons for refusal
Attachment B	Plans of proposed development
Attachment C	Statement of Heritage Significance
	
LOCALITY MAP	
Subject Site 	Objectors 
Notified Area 	Supporters 
Note: Due to scale of map, not all submitters are shown.	

1. Executive Summary

This report is an assessment of the application submitted to Council pursuant to Section 8.2 of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* for a review of Development Consent DA/2023/0219 relating to approved alterations and additions to existing heritage listed dwelling at 33 Adolphus Street Balmain. The subject application seeks the deletion of the following condition:

2. Design Change

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

- a) *Delete the skylight proposed in the southern roof plane of the main roof form (RL03)*

The consent included the design change condition for the following reasons:

- To ensure that the development retains the significant fabric and will have little to no adverse impact on the significant fabric and setting of the heritage item.
- To ensure that the proposal responds to the significance of the heritage conservation area and preserves contributory elements and fabric of the existing heritage item.
- To reduce visibility of the development from the public domain.

A review of the condition under Section 8.2 of the *EP&A Act 1979* has been requested. The application was notified to surrounding properties and one submission was received in response to notification which provided support to the proposal.

The main issues that have arisen from the application include:

- Loss of significant fabric to heritage item.
- Impacts to heritage conservation area through loss of contributory fabric.
- Visibility of the development within the heritage conservation area.

Overall it is considered the skylight results in unacceptable impacts to the heritage item and heritage conservation area and the proposal to delete Condition 2 is unsupportable and in view of the circumstances, refusal of the review request is recommended.

2. Proposal

The proposal seeks review of the abovementioned design change condition to delete the condition and subsequently approve the skylight to the southern roof plane of the main roof form (RL03). The skylight is identified by the red circle on the below extract from the stamped plans.



Figure 1: Detail of roof plan (stamped under DA/2023/0219) – subject skylight highlighted in red circle.

3. Site Description

The subject site is located on the western side of Adolphus Street, at the corner Grafton Street and Adolphus Street. The site consists of one allotment and is generally L-Shaped with a total area of 190.49sqm. The site has a frontage to Adolphus Street of approximately 9.2 metres.

The site supports a semi-detached, single storey dwelling house, identified as heritage item I440 namely *Semi-detached house, including interiors* under Schedule 5 of *IWLEP 2022*. The dwelling forms part of a row of heritage items I437, I438, I439 at nos. 27, 29 and 31 Adolphus Street, respectively. The property is located within the Balmain East Heritage Conservation Area (HCA).

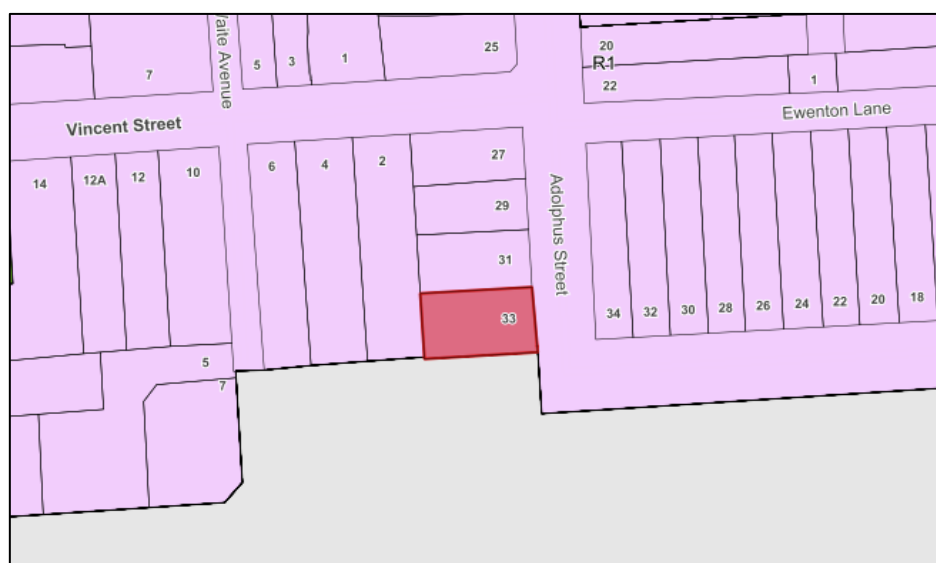


Figure 2: Land Zoning Map (subject site identified in red)

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
MOD/2023/0372	Section 4.55(1) Modification of Development Consent DA/2023/0219 which approved alterations and additions to existing semi-detached dwelling, seeking to remove Condition 17 of the consent relating to party wall certification which was imposed in error	Approved 09/11/2023
DA/2023/0219	Ground and first floor alterations and additions to existing heritage listed sandstone cottage	Approved 18/08/2023
DA/2022/0373	Single Storey Extension to Existing Dwelling	Rejected 20/05/2022

Surrounding properties

31 Adolphus Street, Balmain		
Application	Proposal	Decision & Date
D/2009/539	Alterations and additions to an existing dwelling including ground and first floor addition plus replace doors at front elevation and privacy screens.	Approved 19/05/2010
27 Adolphus Street, Balmain		
D/2018/379	Alterations to existing heritage listed dwelling-house, including new kitchen, bathroom and bedroom.	Approved 09/10/2018

5. Assessment

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

5(a) Section 8.2 Reviews

The following is an assessment of the application against the requirements of Sections 8.2, 8.3, and 8.4 of the *Environmental Planning and Assessment Act 1979*.

Requirement	Proposal
8.2 Determinations and decisions subject to review	
<ul style="list-style-type: none"> • The following determinations or decisions of a consent authority under Part 4 are subject to review under this Division— • the determination of an application for development consent by a council, by a local planning panel, by a Sydney district or regional planning panel or by any person acting as delegate of the Minister (other than the Independent Planning Commission or the Planning Secretary), • the determination of an application for the modification of a development consent by a council, by a local planning panel, by a Sydney district or regional planning panel or by any person acting as delegate of the Minister (other than the Independent Planning Commission or the Planning Secretary), • the decision of a council to reject and not determine an application for development consent. 	<p>The subject application relates to the review of a determination of an application for development consent by Council.</p>
<ul style="list-style-type: none"> • However, a determination or decision in connection with an application relating to the following is not subject to review under this Division— <ul style="list-style-type: none"> • a complying development certificate, • designated development, • Crown development (referred to in Division 4.6). 	<p>The subject application does not relate to any of the applications noted in Clause 2.</p>
<ul style="list-style-type: none"> • A determination or decision reviewed under this Division is not subject to further review under this Division. 	<p>Noted.</p>
8.3 Application for and conduct of review	
<ul style="list-style-type: none"> • An applicant for development consent may request a consent authority to review a determination or decision made by the consent authority. The consent authority is to review the determination or decision if duly requested to do so under this Division. 	<p>Noted.</p>
<ul style="list-style-type: none"> • A determination or decision cannot be reviewed under this Division— <ul style="list-style-type: none"> - after the period within which any appeal may be made to the Court has expired if no appeal was made, or - after the Court has disposed of an appeal against the determination or decision. 	<p>The original DA was determined on 18 August 2023. Pursuant to Section 8.10(1)(b)(i) of the <i>Environmental Planning and Assessment Act 1979</i>, an appeal may be made to the Court 6 months after the date of determination.</p> <p>The subject application was lodged on 15 September 2023 and has been reported to the Inner West Local Planning Panel for determination prior to the expiry of the appeal period (18 February 2024).</p>

<ul style="list-style-type: none"> • In requesting a review, the applicant may amend the proposed development the subject of the original application for development consent or for modification of development consent. The consent authority may review the matter having regard to the amended development, but only if it is satisfied that it is substantially the same development. 	<p>The applicant has not made amendments to the subject application.</p>
<ul style="list-style-type: none"> • The review of a determination or decision made by a delegate of a council is to be conducted- <ul style="list-style-type: none"> - by the council (unless the determination or decision may be made only by a local planning panel or delegate of the council), or - by another delegate of the council who is not subordinate to the delegate who made the determination or decision. 	<p>The original DA was determined under Council Officer delegation. The current application is to be determined by the Local Planning Panel.</p>
<ul style="list-style-type: none"> • The review of a determination or decision made by a local planning panel is also to be conducted by the panel. 	<p>The application is to go before the Local Planning Panel for determination.</p>
<ul style="list-style-type: none"> • The review of a determination or decision made by a council is to be conducted by the council and not by a delegate of the council. 	<p>NA.</p>
<ul style="list-style-type: none"> • The review of a determination or decision made by a Sydney district or regional planning panel is also to be conducted by the panel. 	<p>NA.</p>
<ul style="list-style-type: none"> • The review of a determination or decision made by the Independent Planning Commission is also to be conducted by the Commission. 	<p>NA.</p>
<ul style="list-style-type: none"> • The review of a determination or decision made by a delegate of the Minister (other than the Independent Planning Commission) is to be conducted by the Independent Planning Commission or by another delegate of the Minister who is not subordinate to the delegate who made the determination or decision. 	<p>NA.</p>
<p>8.4 Outcome of review</p>	
<p>After conducting its review of a determination or decision, the consent authority may confirm or change the determination or decision.</p>	<p>It is recommended that the decision regarding the development remain the same, and that the proposal be refused.</p>

5(b) Environmental Planning Instruments

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

5(b)(i) Inner West Local Environmental Plan 2022 (IWLEP 2022)

The application was assessed against the following relevant sections of the *Inner West Local Environmental Plan 2022*:

1. Section 1.2 - Aims of Plan
2. Section 2.3 - Zone objectives and Land Use Table
3. Section 2.7 – Demolition requires development consent
4. Section 4.3 – Height of buildings
5. Section 4.4 – Floor space ratio
6. Section 4.5 – Calculation of floor space ratio and site area
7. Section 5.10 – Heritage conservation

Section 1.2 - Aims of Plan

The proposal is inconsistent with 1.2(b) of the *IWLEP 2022* as the proposal fails to conserve and maintain the built heritage of the Inner West.

Section 2.3 Zone objectives and Land Use Table

The subject site is zoned R1 General Residential under *IWLEP 2022*. The application proposes alterations to a dwelling house. Dwelling houses are permissible within the zone.

The objectives of the R1 General Residential zone are as follows:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide residential development that maintains the character of built and natural features in the surrounding area.

The development is not consistent with the zone objective, in that the development detracts from the character of the built environment and the surrounding heritage conservation area.

Section 5.10 – Heritage conservation

The site supports a semi-detached, single storey dwelling house, identified as heritage item I440 namely *Semi-detached house, including interiors* under Schedule 5 of *IWLEP 2022*. The dwelling forms part of a row of heritage items I437, I438, I439 at nos. 27, 29 and 31 Adolphus Street, respectively. The property is located within the Balmain East Heritage Conservation Area (HCA).

The statement of significance for the heritage item states that the dwelling “*is of local historic and aesthetic significance as a representative example of a single storey Victorian Georgian style semi-detached dwelling constructed in c. 1855-56. The building retains its original scale,*

form and character including open verandah and detailing and together with Nos 27, 29 and 31 makes a positive contribution to the Adolphus Street streetscape.”

The proposal to permit the inclusion of the skylight to the southern roof plane is contrary to the objectives of the section for the following reasons:

- The inclusion of the skylight, through cutting and removal of original roof framing would result in loss of significant fabric to the heritage item.
- The inclusion of the skylight to one of the houses is considered to disrupt the intact roofscape of the entire group of heritage items, thus reducing the overall level of intactness of the roof form of the entire row.
- The use of skylights to buildings of such age and scale were not characteristic, meaning that the insertion of the uncharacteristic element is detrimental to the heritage item and row of items.
- The location and size of the skylight to the roof plane at the end of the row of heritage items means that the skylight would be visible within the public domain, thereby detracting from the character of the area.
- Further, the visibility of the skylight from the public domain would detract from the character of the heritage conservation area within which the dwelling sits.



Figure 3: View of Side Roof Plane from Grafton Street where skylight is proposed.

Given the above, the proposal is contrary to section 5.10 of IWLEP 2022 as it will detract from the heritage significance of the heritage item, adjoining heritage items and Balmain East Heritage Conservation Area. Accordingly, the application is recommended for refusal.

5(c) Development Control Plans

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

LDCP 2013	Compliance
Part C – Place – Section 1: General Provisions	
C1.3 Alterations and additions	No – see below
<p>The proposed development does not satisfy the provisions of the part as discussed within section 5(a)(ii) of this report and as follows:</p> <ul style="list-style-type: none"> ▪ The proposed skylight to the roof form of the heritage item would be visible within the public domain and is not sympathetic to the existing building nor the character of the heritage conservation area contrary to objective O1(b). ▪ The inclusion of the skylight would not positively contribute to the desired future character of the streetscape and the heritage values associated with its, contrary to objective O1(c). ▪ The proposed fenestration type is not considered compatible with the existing building typology as discussed within section 5(b)(i) of this report, contrary to control C5. ▪ Further, the development has not been designed to minimise visibility form the public domain, does not retain the predominant and desired future character of the street, contrary to C8(a)(b). 	
C1.4 Heritage Conservation Areas and Heritage Items	No – see below
<p>The proposed development does not satisfy the provisions of the part as follows:</p> <ul style="list-style-type: none"> • The development does not represent a sympathetic alteration or addition to a building, contrary to O1(a). • The proposed skylight is not compatible with the building nor the heritage conservation area in terms of scale, materials and detailing, contrary to O1(d). • The proposal does not conserve fabric at the building which contributes to the significance of the building, contrary to O1(e). • The development would disrupt the visual unity of the group of semi-detached heritage items, as the inclusion of a visible skylight to one of the dwellings disrupts the intact roofscape of the entire group, thus reducing the overall level of intactness of the roof form of the entire row, contrary to O1(f). • The development would be visible within the public domain, from Grafton Street, thereby failing to protect and enhance views of the existing building form the public domain, contrary to O1(h). • The development does not contribute to the conservation of the heritage item as the inclusion of a large skylight will require cutting and demolition at the original roof, contrary to C3(a). 	

Part C: Place – Section 2 Urban Character	
C.2.2.2.3 Gladstone Park Distinctive Neighbourhood	No – see below
The proposed development is not considered to preserve the conservation values of the neighbourhood when viewed from the street, contrary to the desired future character of the area.	
Part C: Place – Section 3 – Residential Provisions	
C3.1 Residential General Provisions	No – see below
The proposed development does not satisfy the provisions of the part as follows: <ul style="list-style-type: none"> • The inclusion of the skylight is considered to have adverse effect on the setting and cultural significance of the place and the portion of existing building to be retained, namely the roof form, contrary to C1(a). • As discussed under section 5(b)(i) of this report, the skylight will have adverse effect on the relationship of the heritage item to its place within the heritage conservation area, its place setting and significance, contrary to C1(b). 	

5(d) The Likely Impacts

The assessment of the Review Application outlined within this report demonstrates that the proposal will have an adverse impact on the locality, in particular, its adverse impact to the heritage item, row of heritage items and broader heritage conservation area in which the subject dwelling sits.

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

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

5(f) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 14 days to surrounding properties. One submission was received in response to the notification which provided support for the proposal.

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 contrary to the public interest.

6 Referrals

The application was referred to Council's heritage specialist and issues raised in the referral has been discussed in section 5 above.

7. Section 7.11 Contributions/7.12 Levy

Section 7.11 contributions/7.12 levies are not payable for the proposed modifications.

Notwithstanding, a condition has already been imposed on the original determination which remains unchanged as a result of the proposed review.

8. Conclusion

The proposal fails to comply with the aims, objectives and design parameters contained in *Inner West Local Environmental Plan 2022* and *Leichhardt Development Control Plan 2013*.

The development would result in unacceptable impacts to the fabric of the heritage item, surrounding heritage conservation area and 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.

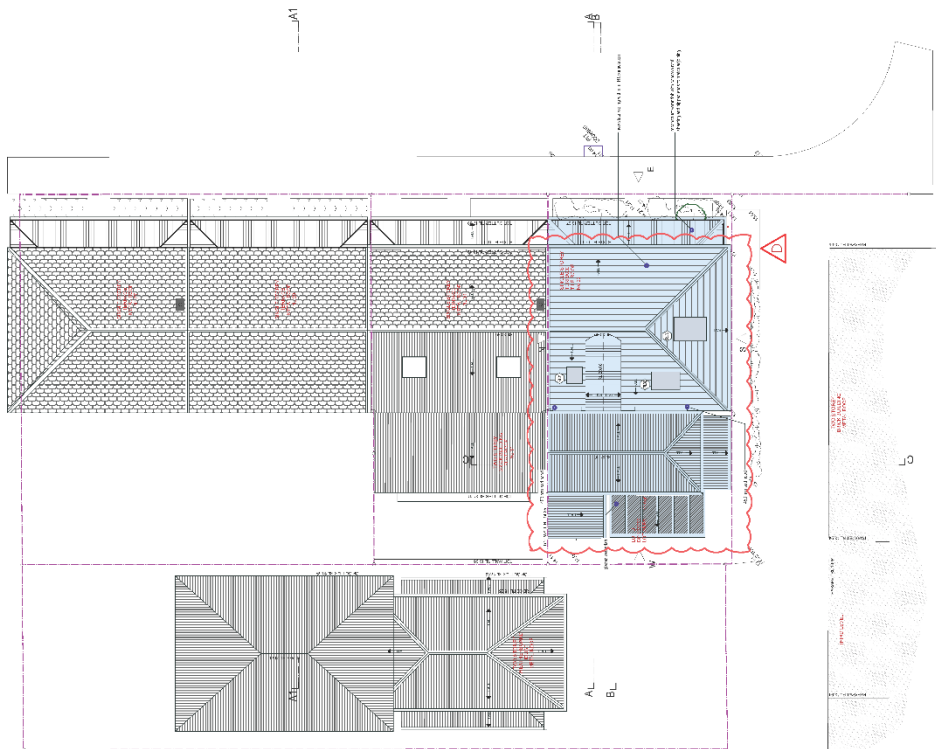
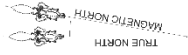
9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to 8.2 of the *Environmental Planning and Assessment Act 1979*, refuse Application No. REV/2023/0019 which seeks a review of Condition 2 of Development Consent DA/2023/0219 to the existing heritage listed dwelling at 33 Adolphus Street BALMAIN for the reasons listed in Attachment A.

Attachment A – Reasons for refusal

1. The development is inconsistent with the following provisions of Inner West Local Environmental Plan 2022:
 - a. Section 1.2 Aims of the Plan, in that the development does not conserve and maintain the built and cultural heritage of Inner West, contrary to (2)(b).
 - b. Section 5.10 Heritage conservation, in that the proposal adversely impacts the heritage item, row of heritage items and does not conserve the heritage significance of the Balmain East Heritage Conservation Area.
2. The development is inconsistent with the following Parts of the Leichhardt Development Control Plan 2013:
 - a. Part C – Place - Section 1: General Provisions – C1.3 Alterations and additions, in that the development is not sympathetic to the building, would be visible within the public domain and is contrary to the desired future character of the street.
 - b. Part C – Place - Section 1: General Provisions – C1.4 Heritage Conservation Areas and Heritage Items, in that the proposal results in the loss of significant fabric to the heritage item and does not comply with several controls for development within heritage conservation areas and results in the loss of elements which contribute to the heritage significance of the Balmain East Heritage Conservation Area.
 - c. Part C: Place – Section 2: Urban Character - C.2.2.2.3 Gladstone Park Distinctive Neighbourhood, in that the proposal is not considered to preserve the conservation values of the neighbourhood when viewed from the street, contrary to the desired future character of the area.
 - d. Part C: Place – Section 3 – Residential Provisions – C3.1 Residential General Provisions, in that the proposed development would have adverse effect on the setting and cultural significance of the place and the portion of existing building to be retained and an adverse effect on the relationship of the heritage item to its place within the heritage conservation area, its place setting and significance.
3. Considering non-compliances with the relevant Environmental Planning Instruments, the resultant heritage and streetscape impacts, the development is not considered to be in the public interest.

Attachment B – Plans of proposed development



DEVELOPMENT CONSENT
 Determination No: DA/2023/0219
 Determination Date: 18 August 2023
 Subject to attached conditions

1 ROOF / SITE PLAN
 Scale 1:100

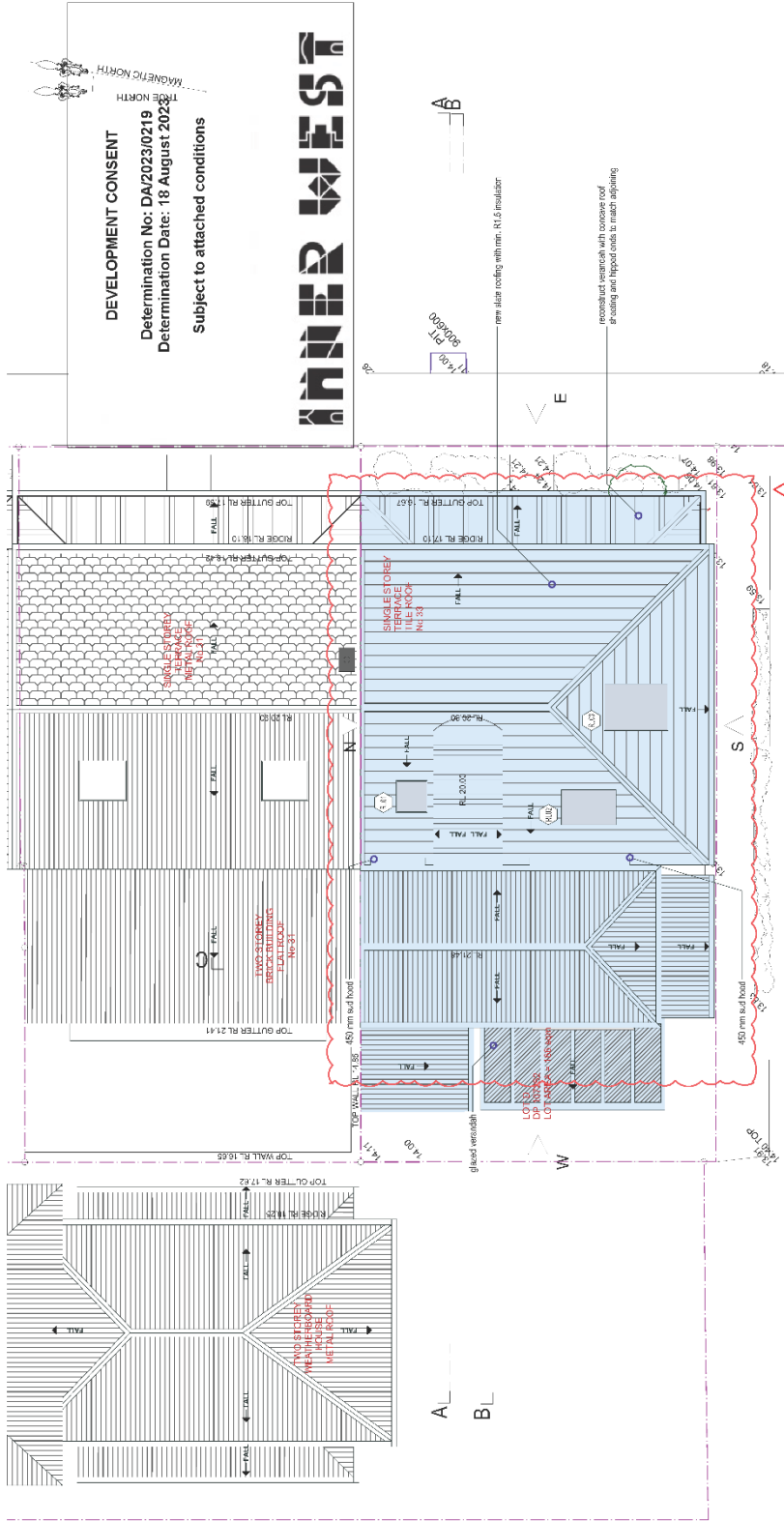
Amend.	Description	Date
D	DA Issue - as per council request	27/06/23
C	Issued for Council RFI	29/03/23
B	DA Issue B	16/02/23
A	DA Issue	13/02/23



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Client:
Rashmi Gupta & Sudhanshu Jaiswal
 Project:
**Alterations & Additions to
 33 ADOLPHUS ST, BALMAIN**

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 Drawing Title:
PROPOSED PLAN - SITE PLAN
 Size: 1200@A3: 1100@A2
 Date: 30/06/2023
 Drawn: 2022/23/DA.02/D
 Per: 30/06/2023
 EMC_GF



DEVELOPMENT CONSENT
 Determination No: DA2023/0219
 Determination Date: 18 August 2023
 Subject to attached conditions



1 **ROOF / SITE PLAN**
 Scale 1:100

THIRD LEVEL
 PARAMET RL 13.94

TWO STOREY
 BRICK BUILDING
 METAL ROOF
 PARAMET RL 13.94

PARAMET RL 13.94

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 Drawing Title:
PROPOSED PLAN - ROOF

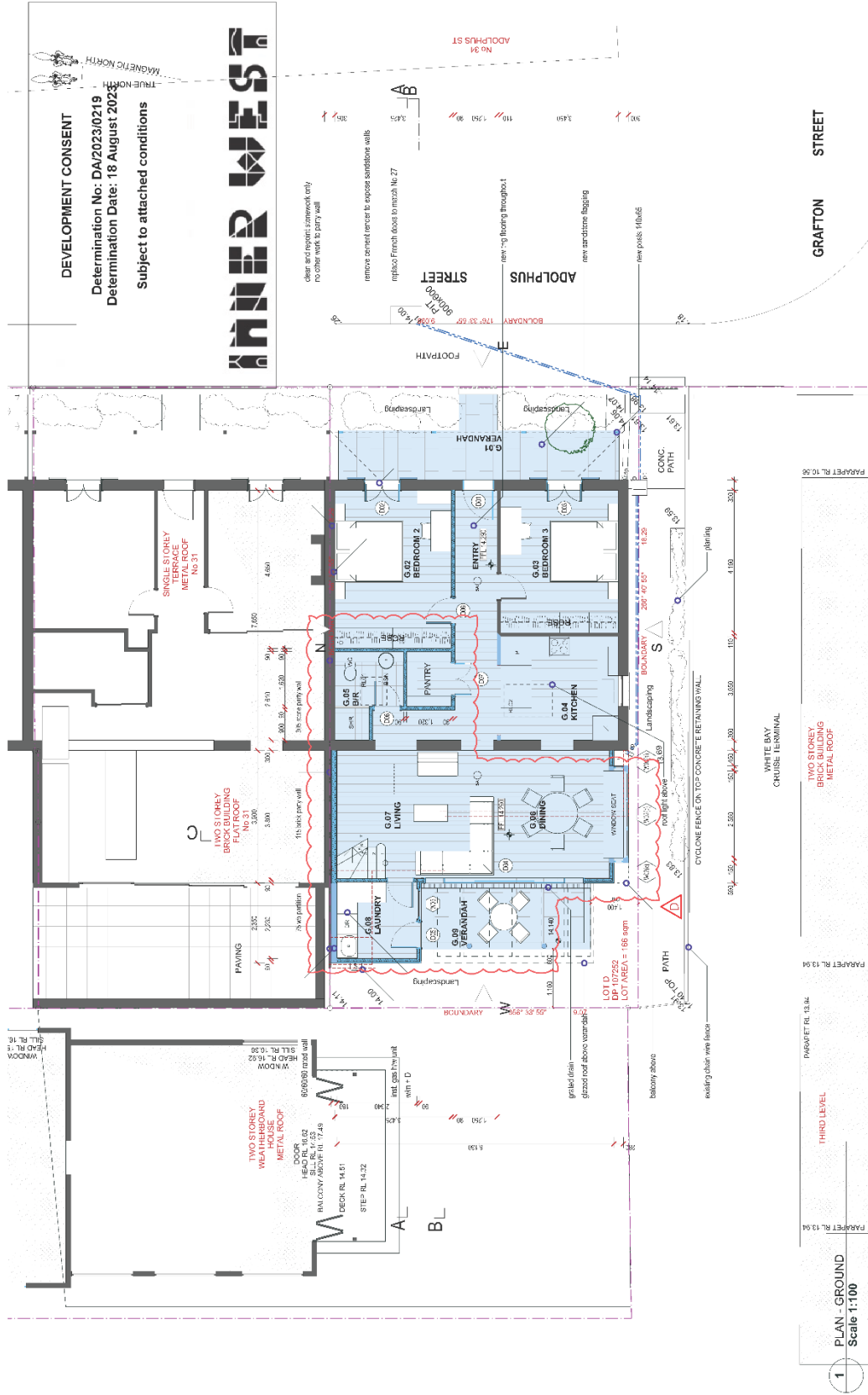
C ont: **Rashmi Gupta & Sudhanshu Jaiswal**
 Project:
Alterations & Additions to
33 ADOLPHUS ST. BALMAIN

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Scale: T100@A3, L50@A2
 Date: 30/06/2023
 Drawn: 2022/23/DA.03/D
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DEVELOPMENT CONSENT
 Determination No: DA/2023/0219
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 Subject to attached conditions

INNER WEST

GRAFTON STREET

ADOLPHUS STREET

WHITE BAY CRUISE TERMINAL

THIRD LEVEL

1 PLAN - GROUND Scale 1:100

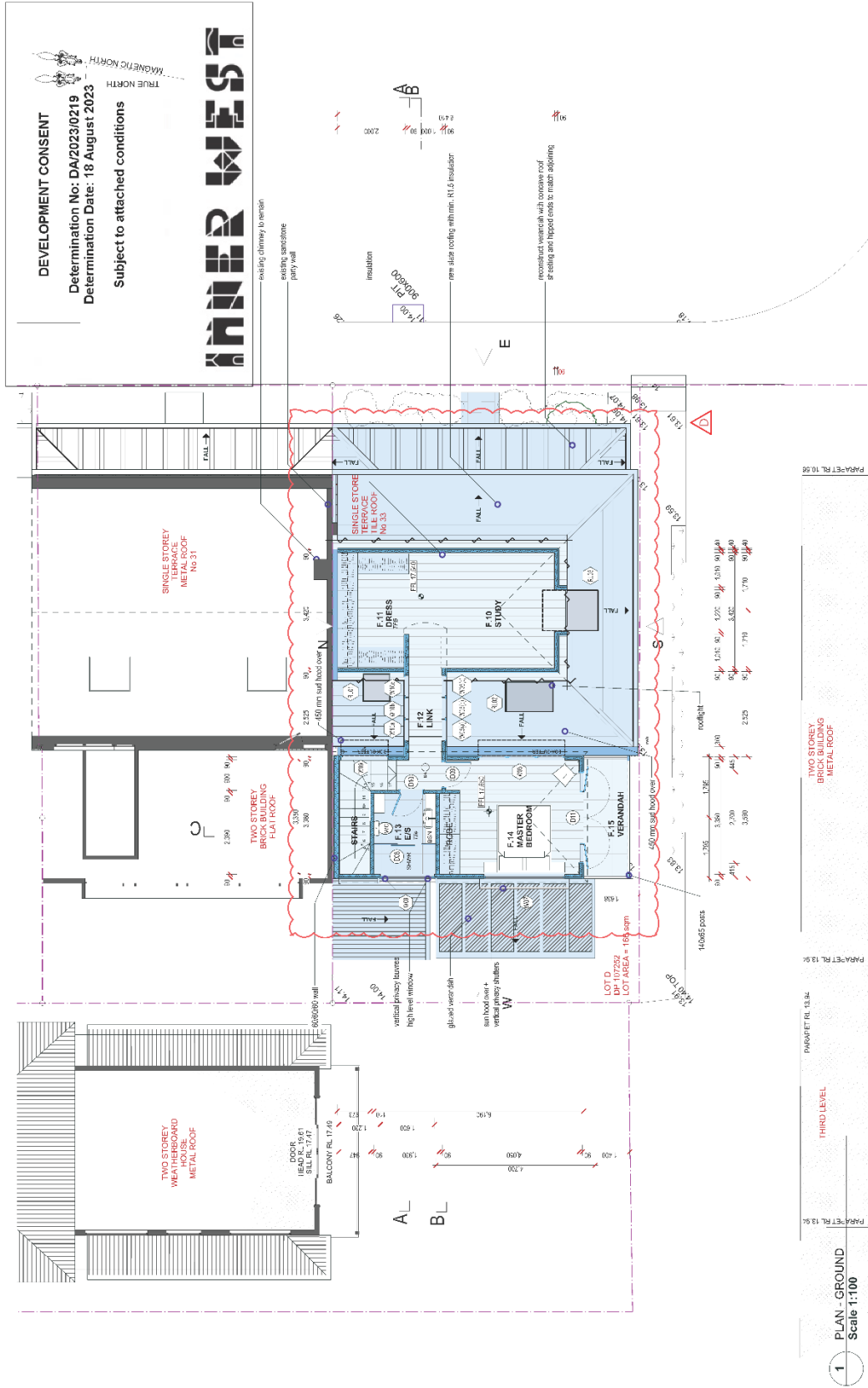
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 Scale: T:100/DA3, 150/A2
 Date: 30/06/2023
 Project: 2022/23/DA/04/D
 Perce: 30/06/2023
 EMC_GF

Client: **Rashmi Gupta & Sudhanshu Jaiswal**
 Project: **Alterations & Additions to 33 ADOLPHUS ST. BALMAIN**

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A	DA Issue	13/02/23



DEVELOPMENT CONSENT
 Determination No: DA/2023/0219
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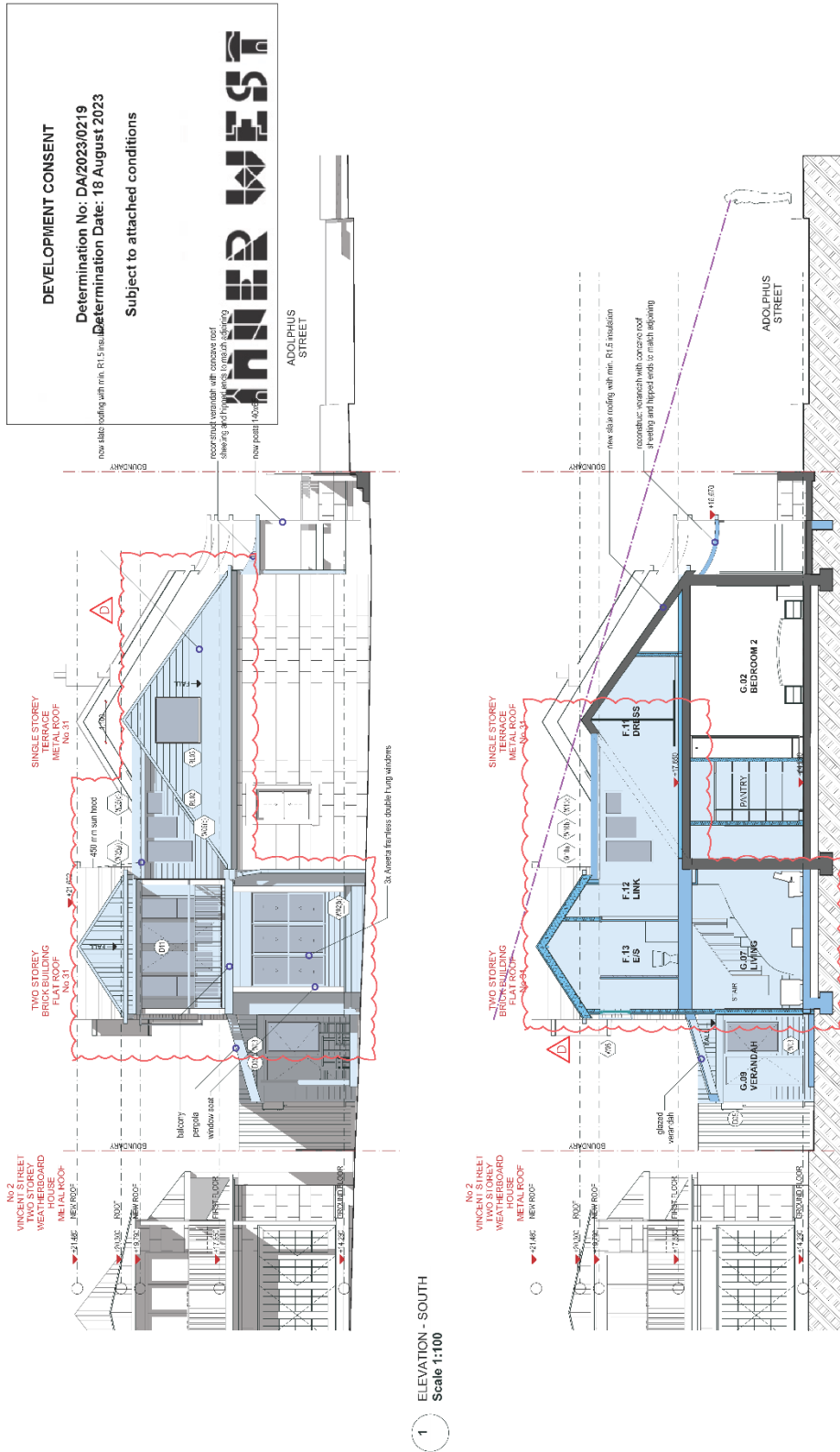
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 Scale: T:\100@A3.150@A2
 Date: 30/06/2023
 Project: E202/23/DA/05/D
 Per: 50/06/2023
 E:\M.C.G.F.

Client:
Rashmi Gupta & Sudhanshu Jaiswal
 Project:
 Alterations & Additions to
 33 ADOLPHUS ST. BALMAIN

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A	DA Issue	13/02/23

1 PLAN - GROUND
 Scale 1:100
 PART RL 13.94
 THIRD LEVEL
 PART RL 13.94
 PART RL 10.85
 TWO STOREY BRICK BUILDING METAL ROOF



DEVELOPMENT CONSENT
 Determination No. DA2023/0219
 Determination Date: 18 August 2023
 Subject to attached conditions

INNER WEST

ADOLPHUS STREET

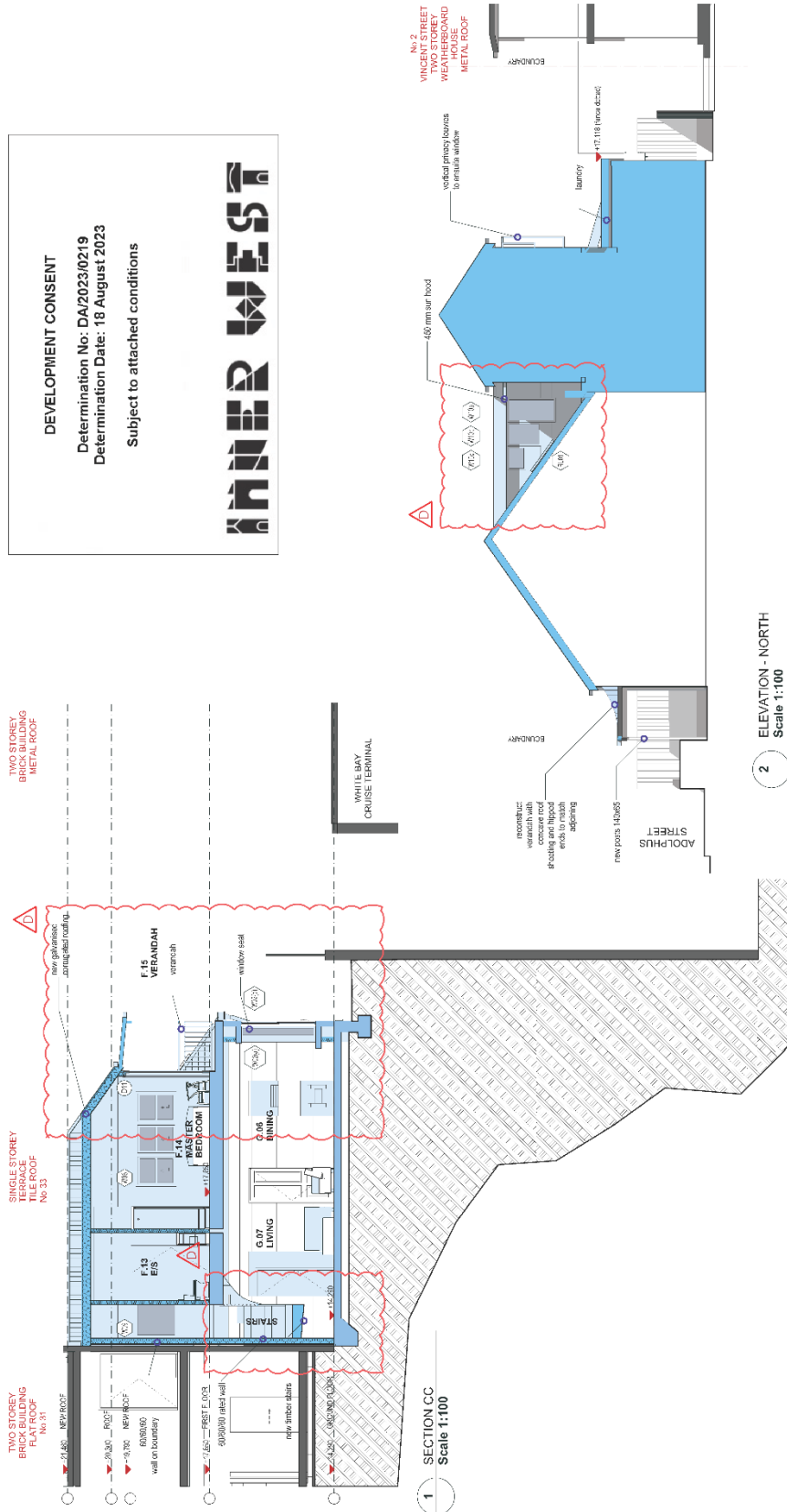
new slab: holding with min. R1.5 insulation
 re-orientated verandah: with concrete roof sheathing and 100mm insulation (R1.0)
 new roof: 100mm

D	DA Issue - as per council request	27/06/23	Amend. Description Date
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A	DA Issue	13/02/23	

	OIKOS Architects Ray Stevens B. Arch, M.Arch, PHD NSW AIBS No. 7459 15 Flitch Street Balmain NSW 2041 E-mail: ray@oikos.com.au Tel: (02) 9610 7854 Mob: 0411 655 669
C ont: Rashmi Gupta & Sudhanshu Jaiswal Project: Alterations & Additions to 33 ADOLPHUS ST. BALMAIN	Scale: T:100@A3, L50@A2 Date: 30/06/2023 Drawn: 2022/23/DA.06/D Perce: 30/06/2023 EMC_GF

DEVELOPMENT CONSENT
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INNER WEST

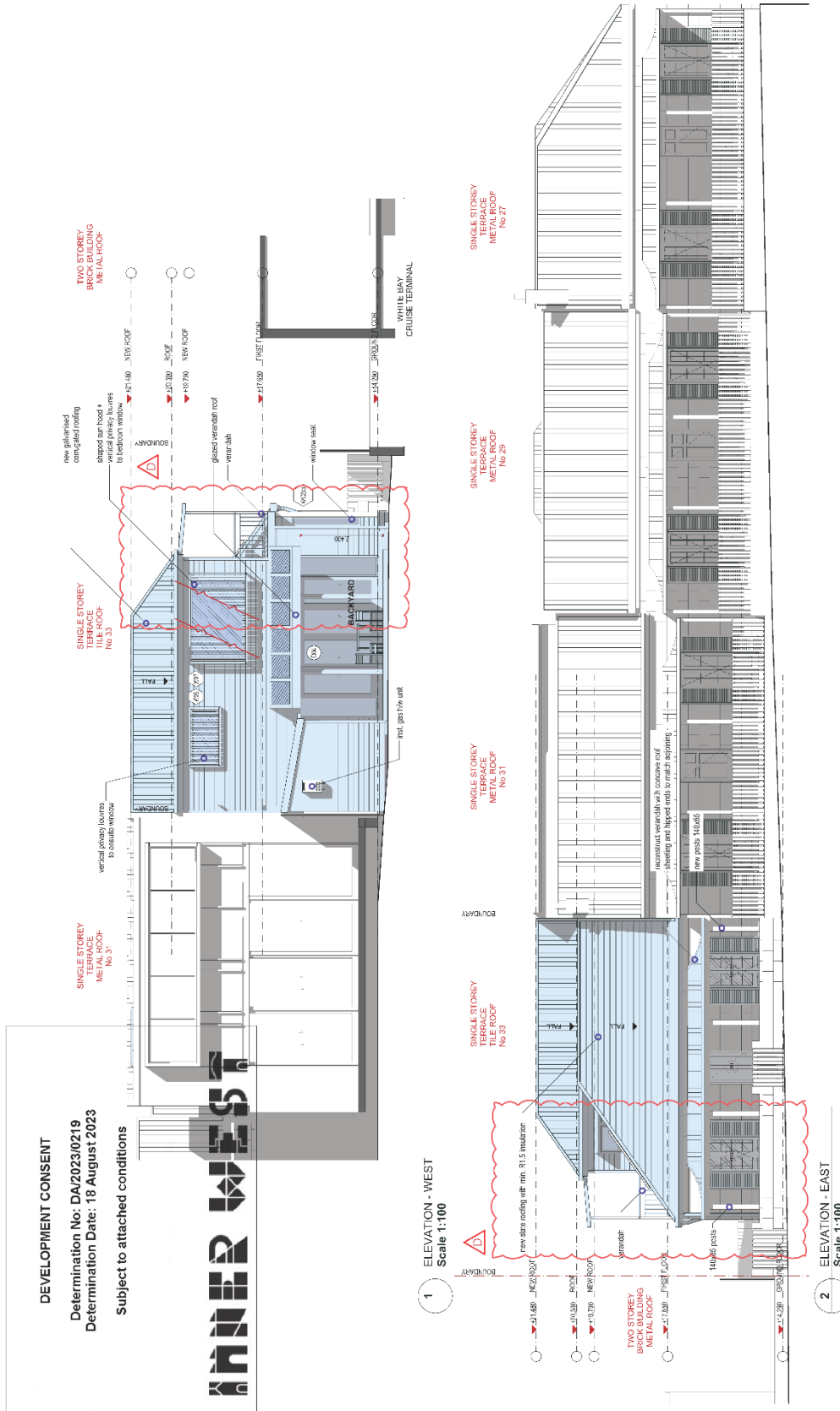


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 Drawn: 2022/23/DA/07/D
 Project: 30/06/2023
 Perce: 30/06/2023

C:ent: Rashmi Gupta & Sudhanshu Jaiswal
 Project: Alterations & Additions to 33 ADOLPHUS ST, BALMAIN

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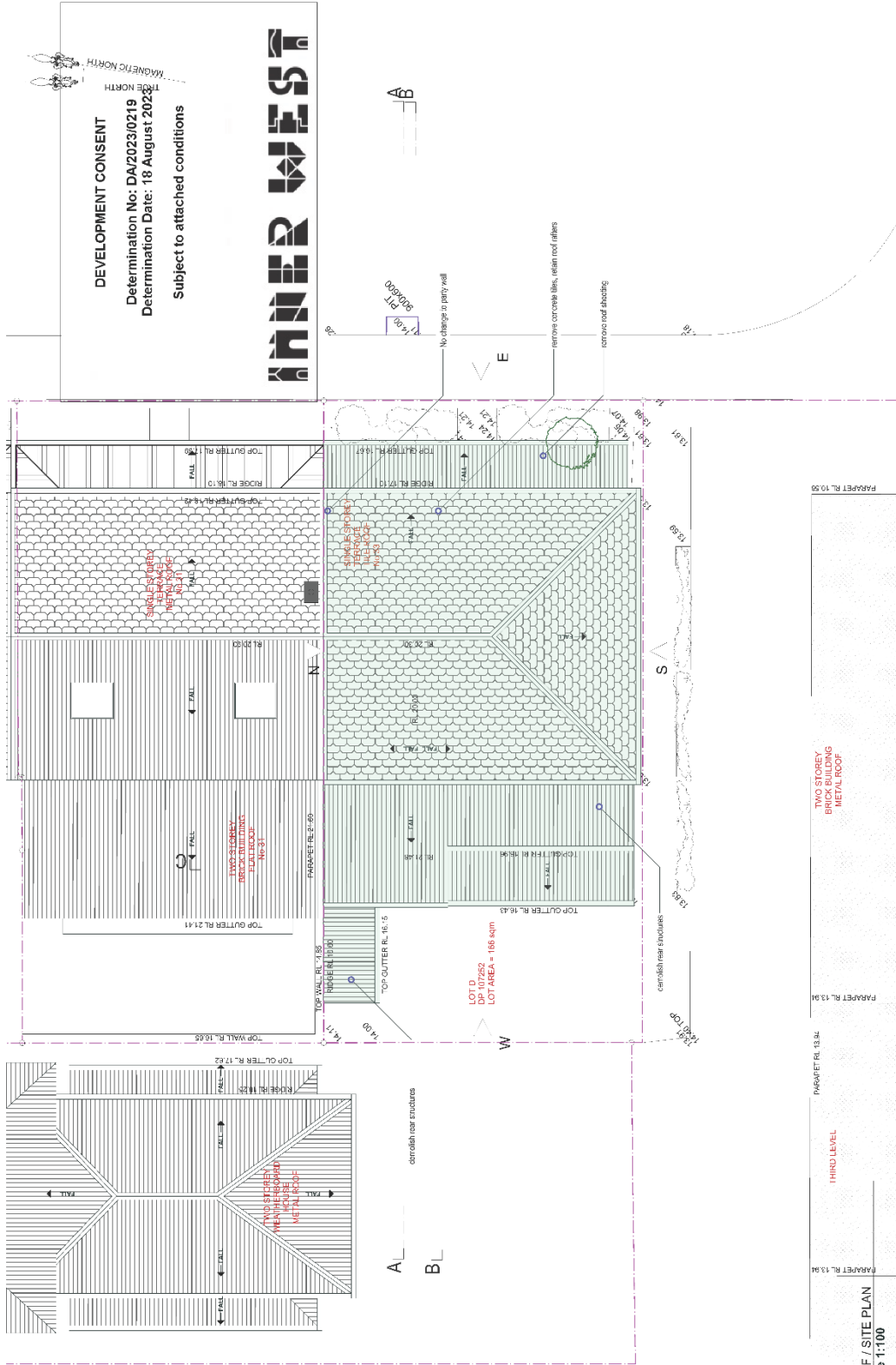
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A	DA Issue	13/02/23



Amend.	Description	Date
D	DA Issue - as per council request	27/06/23
C	Issued for Council RFI	29/03/23
B	DA Issue B	16/02/23
A	DA Issue	13/02/23

		<p>OIKOS Architects Ray Stevens B. Arch, M.Arch, PhD NSW A/RB No. 4159 15 Flitch Street Balmain NSW 2041 E-mail: ray@oikos.com.au Tel: (02) 9610 7854 Mob: 0411 655 669</p>
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<p>Site: T100/DA3, L50/A2 Date: 30/06/2023 Drawn: 2022/23/DA/09/D P: 2023/06/2023</p>	<p>This drawing is protected by copyright law. Check all work on site and report any discrepancies to the architect.</p> <p>Drawing Title: ELEVATIONS - E & W</p> <p>Client: Rashmi Gupta & Sudhanshu Jaiswal</p> <p>Project: Alterations & Additions to 33 ADOLPHUS ST. BALMAIN</p>
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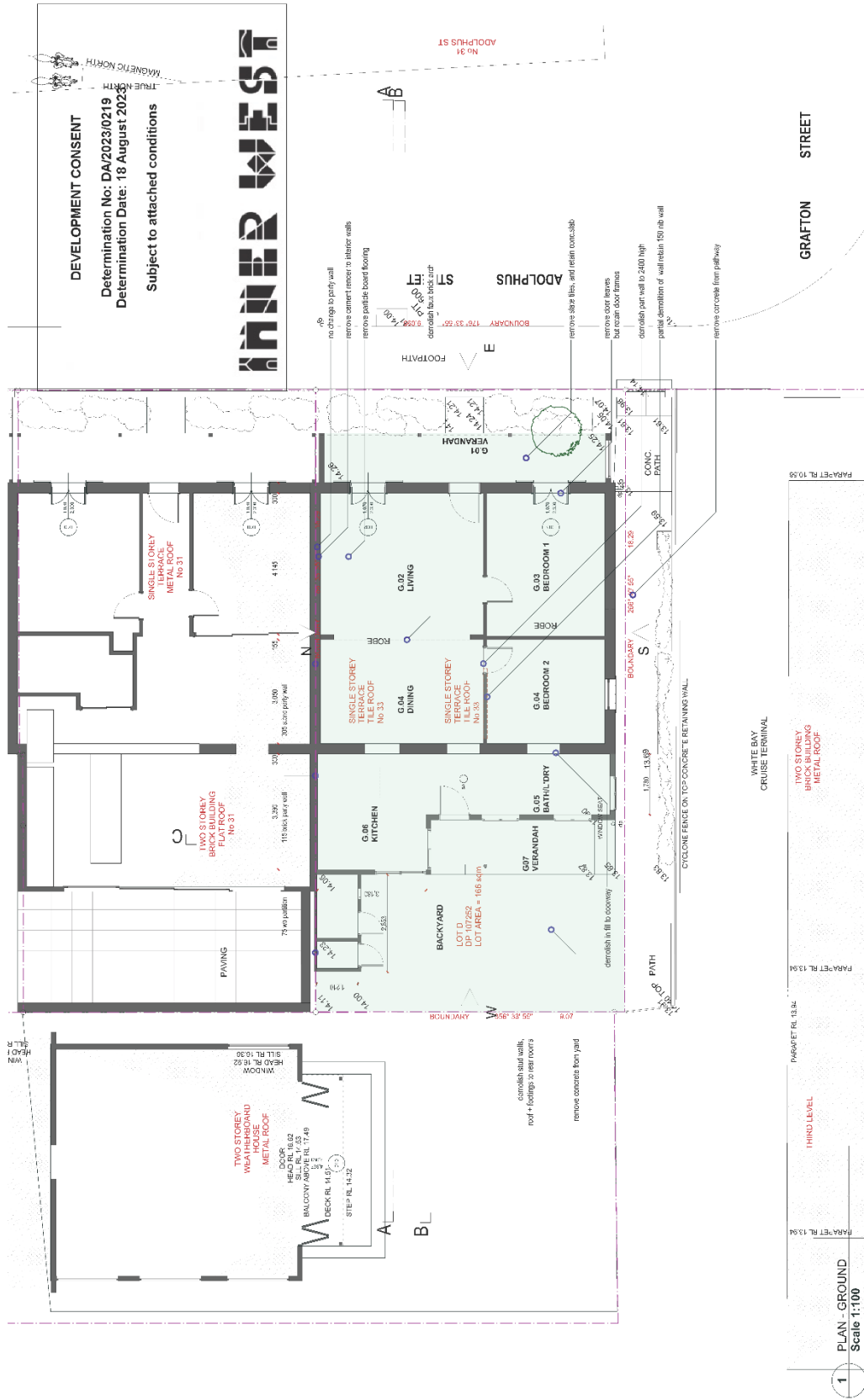
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 Scale: T:100@A3, 150@A2
 Date: 30/06/2023
 Drawn: 2022/23/DA/11/D
 P:rec30/06/2023
 EMC_GF

Client: Rashmi Gupta & Sudhanshu Jaiswal
 Project: Alterations & Additions to
 33 ADOLPHUS ST. BALMAIN

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B	DA Issue B	16/02/23
A	DA Issue	13/02/23

1 ROOF / SITE PLAN
 Scale 1:100
 PARAPET RL 13.94
 PARAPET RL 13.94
 PARAPET RL 13.94
 PARAPET RL 13.94
 PARAPET RL 13.94
 PARAPET RL 13.94
 THIRD LEVEL
 TWO STOREY BRICK BUILDING METAL ROOF



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 Drawing Title: DEMOLITION PLAN - GROUND FLOOR
 Scale: T:100@A3, L:50@A2
 Date: 30/06/2023
 Project: 2022/23/DA/12/D
 Perce: 30/06/2023
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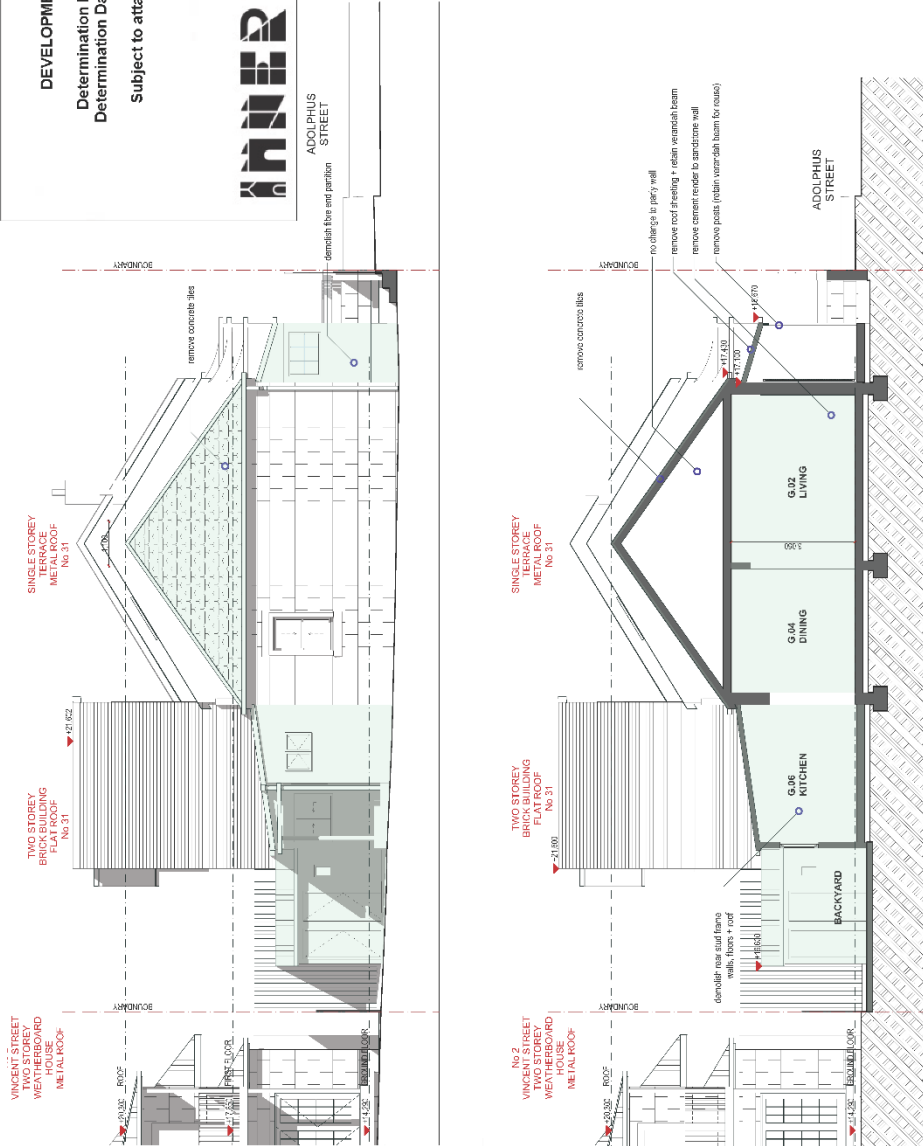
Client: Rashmi Gupta & Sudhanshu Jaiswal
 Project: Alterations & Additions to 33 ADOLPHUS ST, BALMAIN

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1 PLAN - GROUND Scale 1:100
 THIRD LEVEL
 PARAMET RL 13.84
 PARAMET RL 13.82
 WHITE BAY CRUISE TERMINAL
 TWO STOREY BRICK BUILDING METAL ROOF
 PARAMET RL 10.26
 GRAFTON STREET
 ADOLPHUS ST

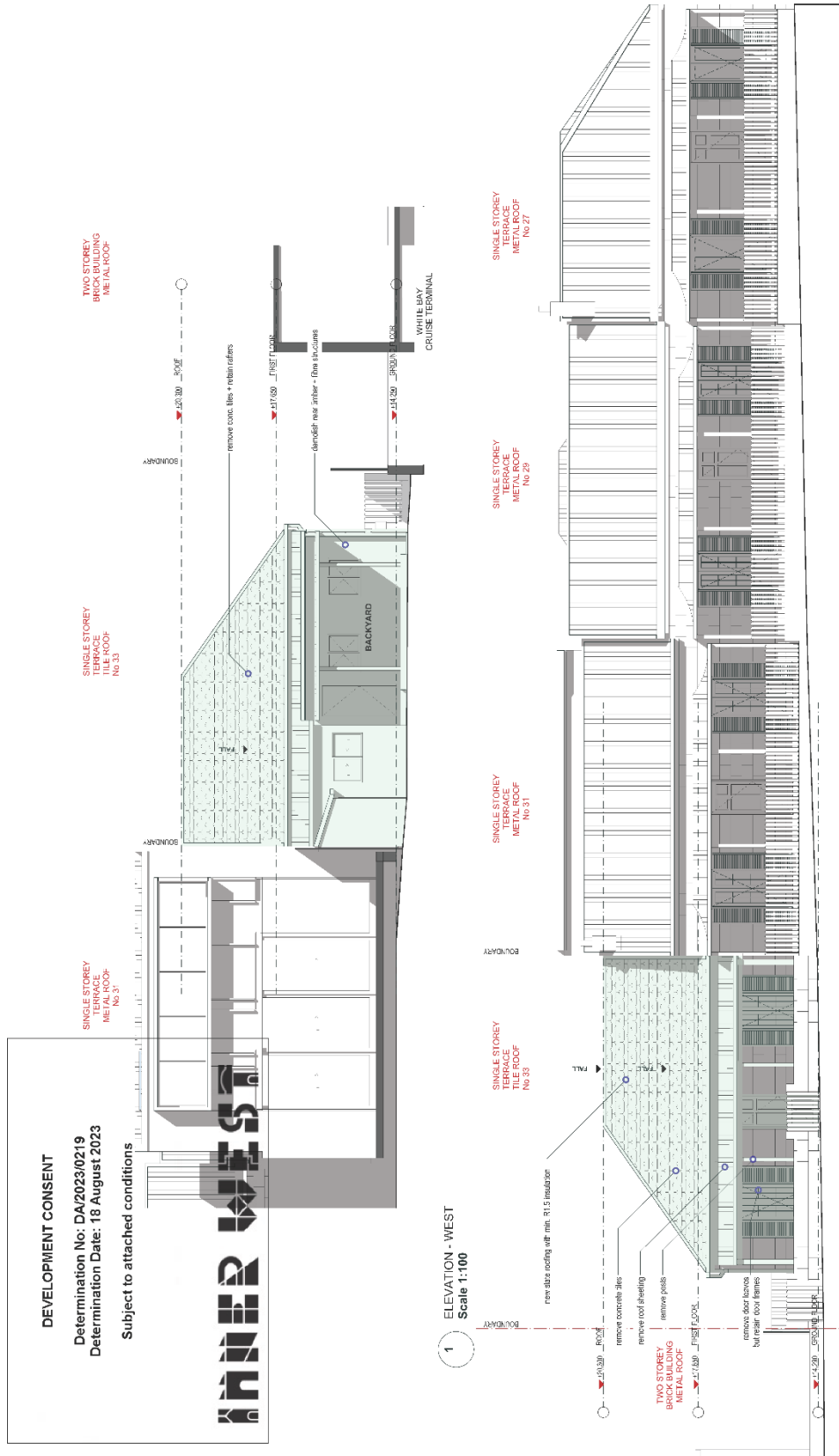
DEVELOPMENT CONSENT
 Determination No: DA/2023/0219
 Determination Date: 18 August 2023
 Subject to attached conditions



1
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2
 SECTION AA
 Scale 1:100

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	C ont: Rashmi Gupta & Sudhanshu Jaiswal Project: Alterations & Additions to 33 ADOLPHUS ST. BALMAIN	
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DEVELOPMENT CONSENT

Determination No: DA/2023/0219
 Determination Date: 18 August 2023

Subject to attached conditions



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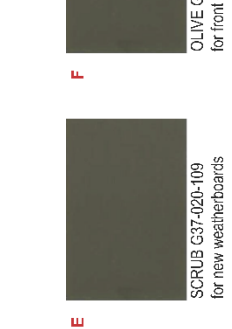
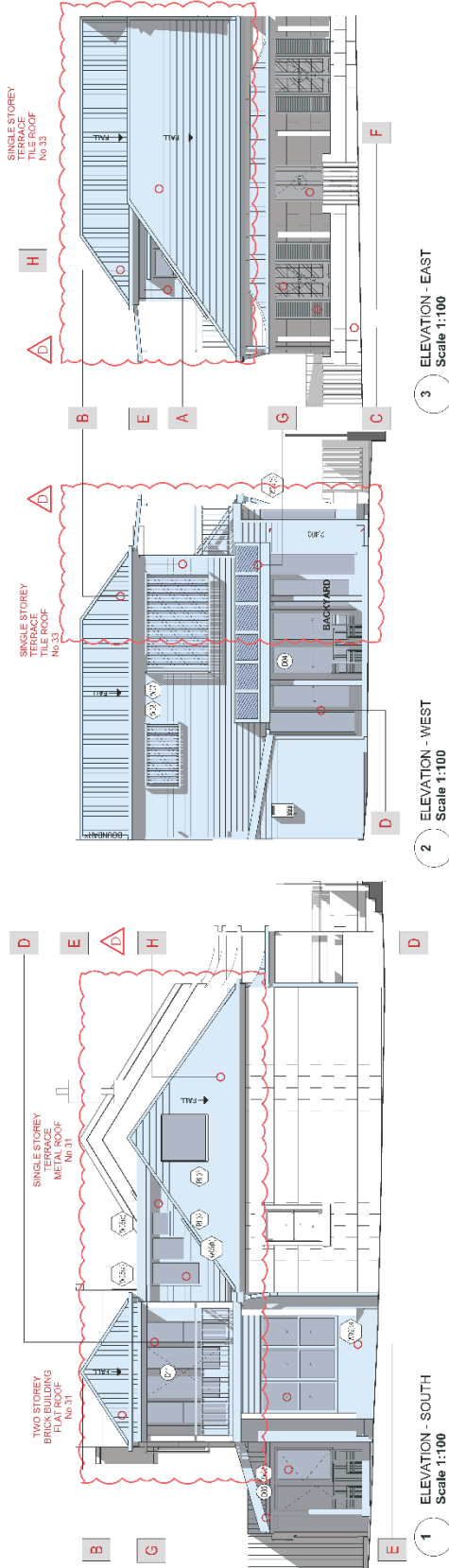
2 ELEVATION - EAST
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 Project: ELEVATIONS - E & W
 Client: Rashmi Gupta & Sudhanshu Jaiswal
 Alterations & Additions to
 33 ADOLPHUS ST. BALMAIN
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 Perce: 30/06/2023



DEVELOPMENT CONSENT
 Determination No: DA/2023/0219
 Determination Date: 18 August 2023
 Subject to attached conditions

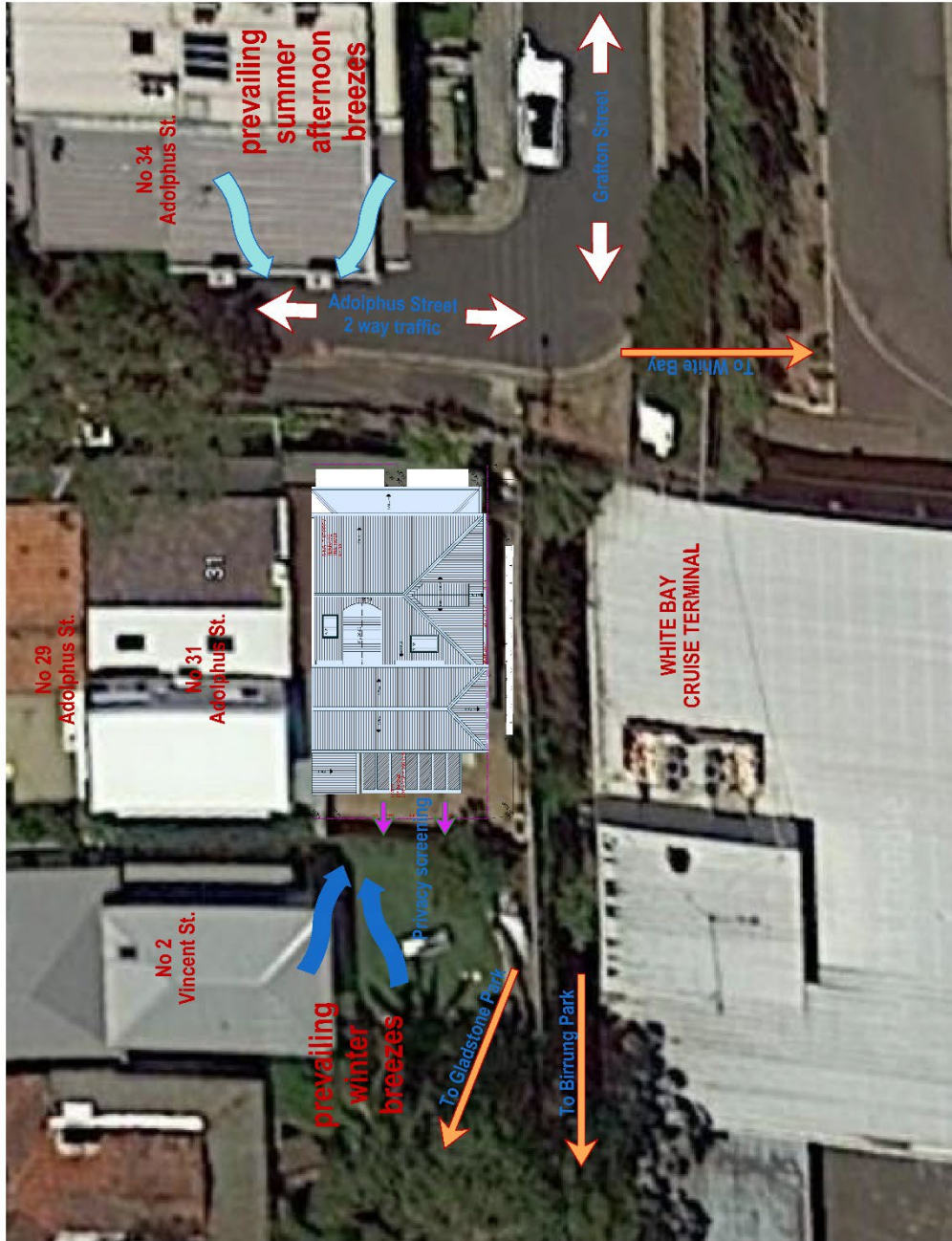
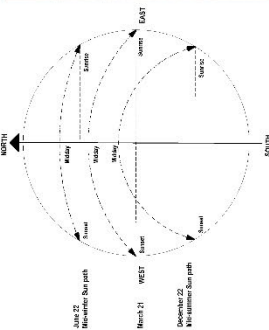
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INNER WEST
 Architects
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DA Issue	Description	Date
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C	Issued for Council RFI	
B	DA Issue B	
A	DA Issue	



B	DA Issue B	16/02/23	Date
A	DA Issue A	13/02/23	Date
Amend. Description			



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Client: **Rashmi Gupta & Sudhanshu Jaiswal**
 Project: **Alterations & Additions to 33 ADOLPHUS ST, BALMAIN**

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 Drawing Title: **SITE ANALYSIS**
 Scale: 1:200@A3, 1:100@A2
 Date: 21/02/2023
 Drawing No: 2022/23/DA.08
 Plotted: 21/02/2023
 GF

Attachment C – Statement of Heritage Significance



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Statement of Environmental Effects & Heritage Impact Statement for Alterations & Additions to a Semi-Detached Row House at No. 33 Adolphus St Balmain

22nd February 2023
Project No. 2022/22
For Rashmi Gupta & Sudhanshu Jaiswal

(Version 2.0)



oikos - (An. Greek) meaning domestic house or house hold also *oikonomia* meaning domestic management and economy (*oikos* house + *nomia* to manage), see also **ecology**



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1.0 Introduction

1.1 Purpose of this Report

This combined Statement of Environmental Effects (SEE) and Heritage Impact Statement (HIS) is made to Inner West Council in support of a Development Application for alterations and additions to be carried out to "Glensyre", a sandstone row house at 33 Adolphus St Balmain. The place is a scheduled item of heritage under the Inner West Council LEP 2022. The combined HIS & SEE is prepared on behalf of the new owners of the property, Rashmi Gupta and Sudhanshu Jaiswal.

1.2 Author identification

This report has been prepared by Dr Raymond Stevens B.Arch, (Hons.), M.Arch, PhD, AIA, of Oikos Architects on behalf of the owner of the residence Rashmi Gupta and Sudhanshu Jaiswal.

1.3 Methodology of SOHI

The general principles established by the NSW Heritage Office in the NSW Heritage Manual have been adopted in the preparation of the SOHI component of this submission including:-

- *The Burra Charter*,
- *Assessing Heritage Significance* (2001),
- *Statement of Heritage Impact* (2001).

1.4 Planning Instruments

A requirement for lodgement of a Development Application under the LEP 2022 is that a Heritage Impact Statement be included. Part 5.10 (5) states that;

(5) *Heritage assessment*

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or*
- (b) on land that is within a heritage conservation area, or*
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

1.5 Documentary Evidence

The following sources have been used in the preparation of this SEE and HIS:-

General references;

- *Leichhardt Heritage Journal* (LHJ), No. 17. Published by the Balmain Association.
- Peter Reynolds, Balmain: *Half a Thousand Acres- The History of a Land Grant*, (Sydney: The Balmain Association, 1976).
- Max Solling and Peter Reynolds, *Leichhardt: On the Margins of the City* (St Leonards: Allen & Unwin, 1997).
- Richard Apperly, Robert Irving & Peter Reynolds, *A Pictorial Guide to Identifying Australian Architecture*. (Sydney: Angus & Robertson, 1994).
- Davidson, Yvonne, and Hamey, Kathleen, *Streets, Lanes and Places 1836-1996: An Index of the Origins of the Street Names of Balmain, Birchgrove and Rozelle. Balmain* (Balmain: The Balmain Association Inc., 2005).
- Inventory Listings for 27, 29, 31 & 33 Adolphus Street Balmain, Department of Planning & Environment: Heritage NSW.

- Andrew Starr and Associates Heritage Consultants, *Heritage Impact Assessment for 27 Adolphus Street Balmain*, May 2018.

Newspapers & Blogs;

- Various, refer to specific listings.

Planning Documents;

- Inner West council Local Environmental Plan 2022.
- Leichhardt Development Control Plan 2013.
- NSW Heritage Office: *Statement of Heritage Impact*.
- NSW Heritage Manual: *Assessing Heritage Significance Guidelines*.

1.6 Acknowledgments

The following individuals and organisations are gratefully acknowledged for their assistance in preparation of this document.

- Inner West Council records unit.
- State Library of NSW.

2.0 Background

The premises at No. 33 Adolphus Street currently is uninhabitable with no kitchen, laundry or bathroom. The rear rooms are dilapidated and only the front sandstone part of the house is in a less derelict state. The house requires significant reconstruction at the rear to make it a habitable dwelling. There is also the need for the owners to include additional accommodation and amenity to bring the place TO an acceptable standard. Other houses in the row of four have been similarly upgraded and expanded to provide contemporary living environments.

3.0 Proposal

The proposed new works include:

Ground floor

- 3.1 Reconstruction of the rear of the house for a new kitchen, dining room, bathroom and laundry.
- 3.2 New stair to upper floor addition.
- 3.3 Improved connection to outdoor living areas
- 3.4 Restoration of the front verandah and replacement of inappropriately detailed french doors.
- 3.5 Restoration of existing sandstone portion of the house including new floors, doors, and joinery.

1st floor

- 3.6 Additional upper floor at rear of the house for main bedroom with ensuite bathroom.
- 3.7 A 'tunnel access' into the roof attic space for dressing room, storage and study with dormer window to the southern roof plane.

External

- 3.7 Restoration of front verandah.
- 3.8 Replacement of concrete roof tiles with corrugated steel roofing.

4.0 Site & Adjoining Building Description

The subject site is known as No. 33 Adolphus Street Balmain and has been historically known as *Glennyre*. The title is that of Lot D of DP 107252. The site is the last house in the row of 4 and at the end of Adolphus Street. The site is a regularly shaped lot with a frontage width of 9.095m onto Adolphus Street having a depth of 18.29 m. The area of the site is 166.1 m². The site is orientated East/West.

There is a modest change in level of about 200 mm falling toward the rear boundary. The premises are built to the boundary on the northern boundary with a shared party wall with No. 31 Adolphus Street. The house is set back about 1200mm from the front boundary. There is a side setback on the southern side of approximately 400mm. However, there is an 1200mm of pathway that forms part of the retaining wall that steps down dramatically to the White Bay Terminal facility below. The rear of the lot backs onto the rear yard of No. 2 Vincent Street.

Adolphus Street is one of the more historic streets in Balmain and has a long history of development with many sandstone buildings mixed in with new development.



Image 2
Location plan for No.33 Adolphus Street shown in yellow and edged in red (Courtesy of Six Maps).

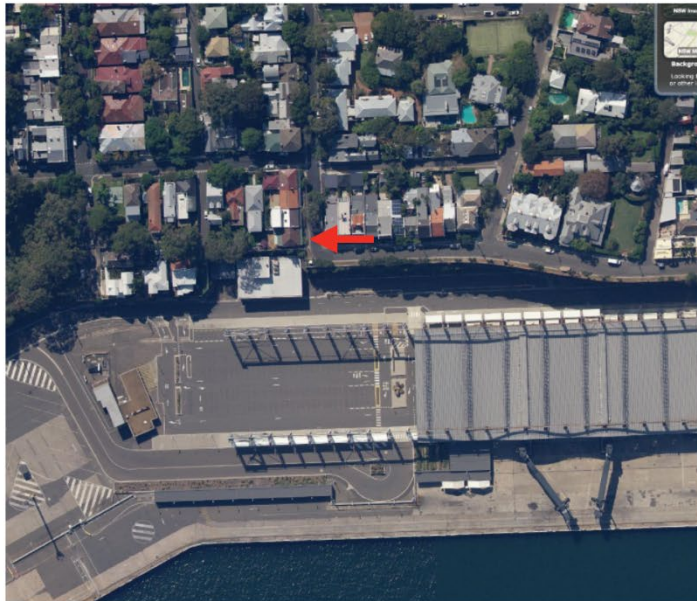


Image 3
Aerial view of No. 33 Adolphus Street Balmain indicated with a red arrow
(Courtesy of Six Maps).



Image 4
Aerial view of No. 27-33 Adolphus Street Balmain with No. 33 indicated
with a red arrow (Courtesy of Six Maps)

5.0 History of No. 33 Adolphus Street Balmain

5.1 The history of the site

According to the Inner West Council Inventory Listing for No. 1766 for 33 Adolphus Street¹:

Surgeon William Balmain was granted 550 acres and most of the area now encompassing Balmain in 1800. In 1801 the entire grant was transferred to fellow surgeon John Gilchrist. Gilchrist never actually lived in NSW and advertised the land for sale in 1823. However, the sale was not a success. He gave power of attorney to his Sydney-based agent and merchant, Frank Parbury, who commissioned Surveyor John Armstrong to subdivide part of the land. In 1836 22, 2-4 acres lots mostly about Balmain East were auctioned for sale by Parbury on behalf of the absentee landowner, Gilchrist.

Four lots containing about 38 acres were sold by Gilchrist at the second major sale of the Balmain Estate in August 1837. Included in this land was a 33 foot wide road, later named Adolphus Street. Robert Blake, Sheriff of NSW purchased Lot 1, the area roughly to the east of Adolphus Street to Cameron's Cove. The remaining 30 acres, Lots 2-4 were purchased by Thomas Hyndes. Hyndes mortgaged Lots 2-4 in early 1840 to John Terry Hughes who in the same year mortgaged it to Adolphus William Young. Young subsequently acquired the land, subdivided and began to sell the various allotments from the late 1840s.

Balmain poultterer, William Henry purchased Lot 10 from Young in 1855 and subdivided it into lots A-C. Ireland sold lot C to Catherine West in February 1855. John West called tenders in March 1855 for four stone cottages (Nos. 27-33 Adolphus Street) close to Cook's Steam Ferry Wharf. West called himself a builder and advertised for carpenters to help with construction in May and July 1855, and for stonemasons in August and October. With the help of these workers West was able to offer the four cottages for sale in October 1855.

No. 27 was listed as "Austinray" from 1855 to 1891 and No. 31 was known as "Aorangi" and No. 33 was known as "Gleneyre". John and Catherine West rented out the houses (Nos. 27-33) until they were sold in 1877 to a Sydney publican, Frederick Tidswell. Tidswell sold to William Ariell in 1881 who sold to Alfred Mott in 1937 who sold to Joseph Thruswell in 1939. After Thruswell's death Nos. 27-33 were sold separately in 1960.

John Armstrong's survey included Darling Street which was already an established track that followed the ridge along the Balmain Peninsula with lots running perpendicular down to the water's edge. Balmain East, due to its potential for deep mooring and water access developed first. The 33' wide road reserve later to be called Adolphus Street is shown on Armstrong's survey (Image 5) and extended from Darling Street down to Johnston's Bay. The survey shows the lots 2 and 3 of Armstrong's subdivision either side at the time owned by Thomas Hyndes.

Thomas Hyndes was a sentenced criminal and transported to Sydney aboard the *Glutton* in 1803. Hyndes had some education and after landing at Sydney, Governor King appointed him clerk to the Superintendent and Overseer of Jail Gangs. He married Charlotte Green who also was transported to Sydney at St Philip's in 1806 when they were both aged 26. Governor Macquarie granted Thomas a full pardon in 1812 and Charlotte in 1814.²

¹ Inventory Listing No. I109 included in Appendix B.

² LHJ 17, p. 15.



Image 4
Part of the Armstrong's subdivision of William Balmain's landholding in 1852. The red box is included below (Image 6).³

³ Balmain Estate lots 1 to 22: original grant and subdivision: Darling Road: Parish of Petersham. Courtesy of the State Library of NSW, c016710001h.jpg.



Image 5
 Thomas Hyndes lots 2 & 3 with the 33' road reserve later to be called Adolphus Street. The future location of No. 33 is indicated with a red arrow.

In January 1840 Hyndes mortgaged lots 2-4 to John Terry Hughes, a partner in the Sydney firm of Hughes & Hosking, for £1,000 per year during "the joint lives of [himself] and his wife Charlotte". Hughes mortgaged the property to Adolphus William Young in February 1840 for £3,000.⁴

Young was born in 1814 at Hare Hatch House, Berkshire, England, the son of John Adolphus Young. After training in law he migrated to Sydney. In December 1837 he became a director of the Australian Gaslight Co, the third police magistrate and a Justice of the Peace. Resigning the magistracy in 1838, he joined Carr & Rogers as an attorney. His directorship of the Gas Co led in October 1839 to a charge of corrupt practice by selling land which he owned to the company at a profit and he resigned from the board. In October 1842 Young was appointed sheriff of New South Wales and was sworn in on 2 July 1843. In 1844 he became a director of the Australian Colonial and General Life Assurance Co and was elected to the Legislative Council.

Young subdivided the 1837 lots 2-4 into lots 1-63 and lots A-S. Surveyor Armstrong laid out the allotments in a grid pattern, dealing with the topography as best he could. The subdivision features four main cross streets, Adolphus, Stephen, Ann and Jane Streets, with Darling Street as the northern boundary (Image 6).⁵

⁴ LHJ 17, p.15

⁵ LHJ 17, p.16.



Image 6
Surveyor Armstrong's subdivision of Adolphus Young's land laid out the allotments in a grid pattern with the four main cross streets, Adolphus, Stephen, Ann and Jane Streets.



Image 7
Part of Armstrong's subdivision showing the subject site. Ireland's lot 10 is indicated with a red arrow.

According to the LHJ No. 17, Balmain poulterer William Henry Ireland bought lot 10 from Adolphus Young in February 1855 for £250. Ireland's lot fronted Vincent Street and Adolphus Street. Ireland sold his lot C to Sydney widow Catherine West in February 1855 for £250 making a substantial profit. In July 1869 Catherine West settled the property on her cabinetmaker son John West of Elizabeth Street, Sydney.⁶

On 16 March 1855 John West called tenders for four stone cottages 'close to Crook's Steam Ferry Wharf' and gave his address as near that wharf West, calling himself a builder, advertised for carpenters to help with construction in May and July 1855, and for stonemasons in August and October. With the help of these workers and the well-sinkers that he sought in October 1855, West was able to offer for sale the four cottages "with abundance of good water" on 24 January 1856. The wells were in the passage from Vincent Street servicing the rear of the houses.⁷ The name J West is noted on the *Plan of the Town and Municipality of Balmain*, which documented houses extant at the time (Image 8).

It appears that neither Catherine nor her son John lived in any of the houses and the houses were rented out. According to the LHJ No. 17: The row was sold to a Sydney publican, Frederick Tidswell, in May 1877. Tidswell sold in January 1881 to William Harris Ariell, of Swallow & Ariell the biscuit manufacturers, who bought them as an investment for his wife Louisa. She died on 2 April 1931 and her family sold the houses in December 1937 to Herbert Alfred Mott, a Drummoyno engineer. He sold to Joseph Henry Thrussell, a plumber of St Peters, in December 1939 and after his death No 33 was sold separately in 1962. The site survey included in Thrussell's primary application for the land is included in Image 9. In a later survey at the time, the houses were separated on individual lots, as is included in Image 10.

⁶ LHJ 17, p.23.

⁷ LHJ No. 17, p.24.



Image 8
Part of Plan of the Town and Municipality of Balmain. J West's row of four stone row houses is indicated with a red arrow on lot 10.

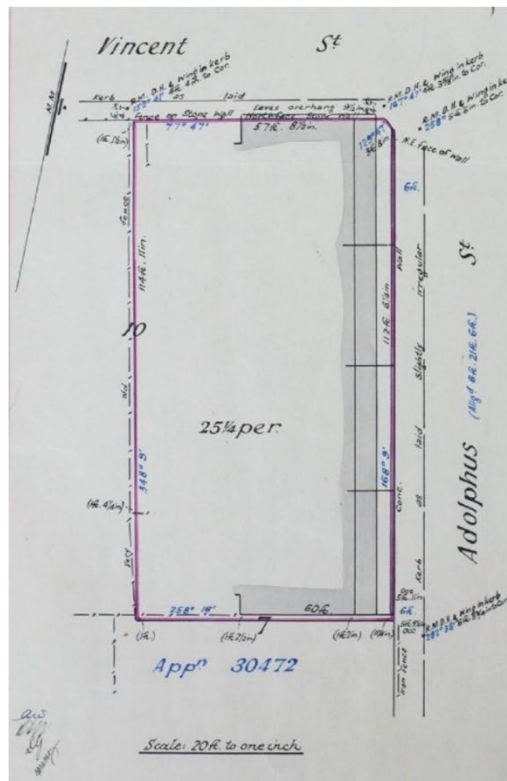


Image 8
Survey included in Joseph Henry Thrussell's primary application for the row of four houses (Vol. 5357 Fol. 157).

Statement of Environmental Effects & Heritage Impact Statement for Alterations & Additions to "Glenyre" a Semi-Detached Row House No. 33 Adolphus St Balmain

22nd February 2023

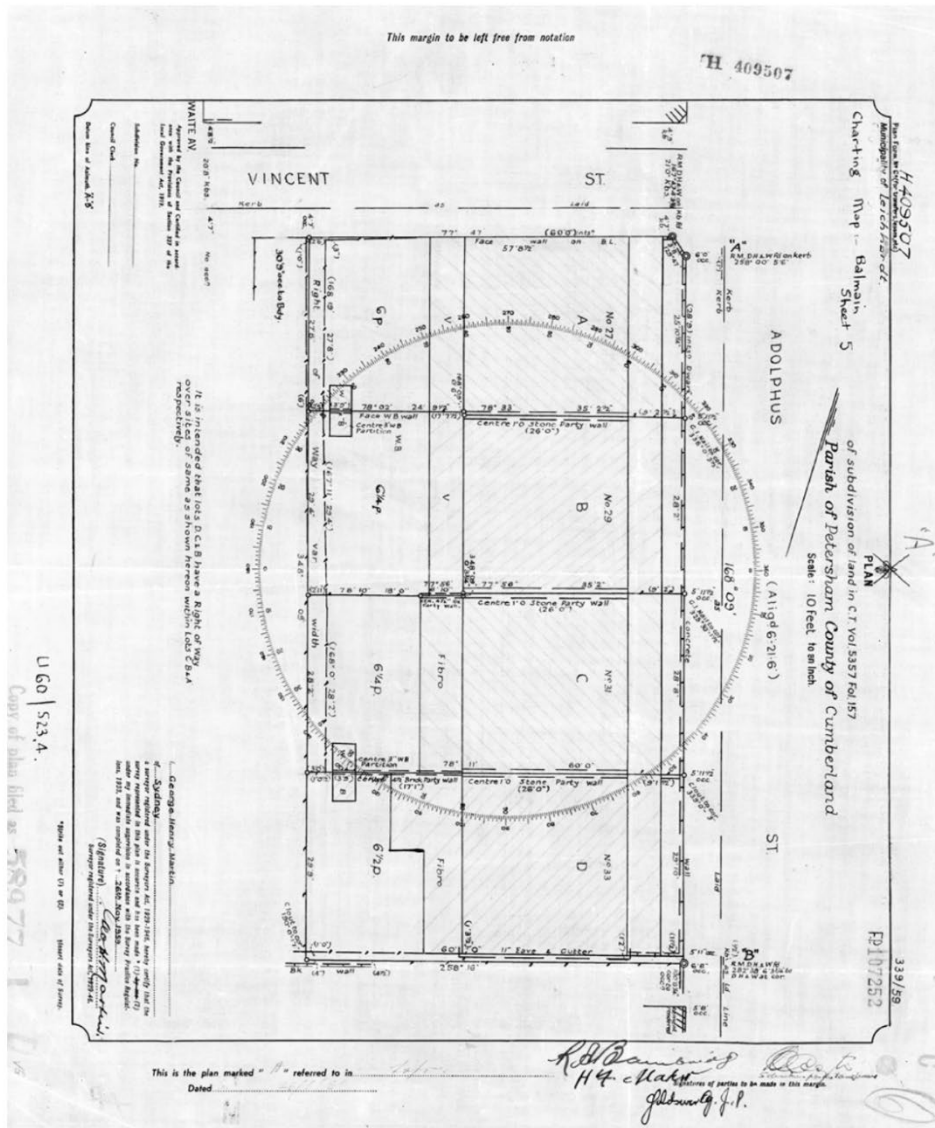


Image 10
Survey plan of the four houses at the time they were separated on individual lots (FP 107252).

5.3 Owners and residents

A title search of the NSW Land Registry Services records has produced the following records.⁸

Subject Premises: 33 Adolphus Street, Balmain (Lot D in DP107252).

The title to the subject premises has evolved as follows:

- 26/4/1800 Crown Grant of 500 acres in the District of Petersham Hill granted to William Balmain (Serial 3 Page 38).
- 7/7/1801 Bargain & Sale Book K No. 260 to John Gilchrist (later known as John Borthwick Gilchrist).
- 9/8/1837 Release (Sale) Book Q No. 374 to Thomas Hyndes
- 7/1/1840 Lease & Release (Sale) Book Q No. 530 to John Terry Hughes also George John Rogers (his Trustee).
- 3/2/1855 Conveyance Book 36 No. 13 to William Henry Ireland of Balmain, Poulterer.
- 21/2/1857 Conveyance Book 36 No. 417 to Catherine West of Sydney, Widow.
- 6/7/1869 Conveyance Book 152 No. 462 to William John March as Trustee for Catherine West for her natural life and after her decease to the use of John West of Sydney, Cabinet Maker for ever.
- 29/5/1877 Conveyance Book 169 No. 881 to Frederick Tidswell of Sydney, Licensed Victualler
- 3/1/1881 Conveyance Book 236 No. 902 to John Williamson as Trustee for Louisa Ariel, wife of William Harris Ariel of Balmain, Merchant.
- 7/12/1937 Conveyance Book 1807 No. 160 to Herbert Alfred Mott of Drummoyno, Engineer
- 27/12/1939 Conveyance Book 1863 No. 974 to Joseph Henry Thrussell of St. Peters, Plumber.
- 17/7/1940 Primary Application No. 34540.
- 23/12/1942 Issue of Cert. of Title Vol. 5357 Fol. 157 in the name of Joseph Henry Thrussell
- 15/1/1959 Transmission Application H78897 by Richard Alfred Bainbridge & Henry Francis Maher.
- 26/5/1959 DP107252 prepared — filed with Transfer H409507
- 12/2/1962 Transfer J27276 to Elizabeth Van Laarhoven of Blakehurst, Married Woman
- 9/5/1963 Issue of Cert. of Title Vol. 8445 Fol. 192
- 13/11/1964 Transfer J829698 to Charles Davis of Balmain, Clerk
- 5/2/1965 Transfer J904330 to George Ronald French of Balmain, Salesman & Edna Eileen French, his wife.
- 2/12/1970 - Transfer M98942 to Edward John Reuter of Balmain, Shipwright & Violet Lillian Reuter his wife.
- 31/10/1980 - Notice of Death 5123136 — Violet Lillian Reuter surviving joint tenant
- 10/11/1989 - Folio D/107252 created
- 12/9/2020 Transmission Application AQ388348 by Robert Edward Reuter & Sharyn Martin as Beneficiaries of the Will of Violet Lillian Reuter as joint tenants (tenancy altered in Transfer AR64268)
- 18/11/2022 Transfer AS644028 to Sudhanshu Jaiswal & Rashmi Gupta (CURRENT OWNERS).

⁸ Search carried out By Robert Williamson Title Researcher.

5.3 The development of the adjoining waterfront

The southern side of the Balmain peninsula faces onto Johnston's Bay called after Major George Johnston. In the early development of Balmain several large estates with grand marine villas were established including *Ewenton* (earlier *Blake Vale*), *Hampton Villa*, *Heathfield* and *Bleak House* but at the same time various waterfront industry was developing (Image 11).



Image 11

Watercolour painting by Samuel Elyard of Johnston's Bay c.1865.⁹ *Ewenton* (earlier *Blake Vale*) is to the right *Hampton Villa* is on top of the hill on Grafton Street and *Heathfield* to the left.

To the south of West's row of cottages, Adolphus Street continued down the hill and then swept to the east and Punch's Wharf providing road access to the waterfront. Directly behind Ireland's original lot was a large narrow lot that extended to Johnston's Bay. The lot was known as lot 7A. The lot was originally purchased from Young by William Clarke, cabinet-maker in 1853 but was sold to the Balmain ferry proprietors Henry Perdriau, Joseph Hunt and Alexander Buchan. Perdriau eventually gained sole ownership of the waterfront site in 1872. Henry's son Harold Perdriau established a larger engineering company on the site in 1885 known as the Balmain Engineering Co. The workshops contained expensive machinery and included a foundry, wharf and a floating dock capable of taking vessels of 500 tons. Engine blocks were cast there, boilers made, new vessels built elsewhere were engined, steel silt barges were built, and fitting, turning, foundry work carried out on coasters, tugs and ferries. In later years the site became Howard Smith Ltd, Ship Repair Workshops.

The waterfront land supplied good access to various marine related industrial sites the largest being John Booth's Steam Saw Mill at Booth Street and below Donnelly Street. At the same time major docking facilities developed at Darling Harbour and Pyrmont. A grand masterplan for proposed wharfage was prepared for the waterfront west of Dawes Point by the Sydney Harbour Trust in 1912 (Image 12 & 13). The masterplan was never fully realised. However, large wharves were constructed at White bay and extended along to Cameron's Cove. In 1966 the Maritime Services Board drew up a ten-year plan for the development of new container berths. With powers to override local government planning determinations, and despite strong protests from residents, blasting to cut the rocky hillside down, almost to water level, removed the Bald Rock and many other natural features and also the southern extension of Adolphus Street. Many homes were damaged as a consequence. The facility opened in 1969 yet the wharfage lacked back-up space for truck movements. This contributed to the decision to relocate the terminal to Botany Bay.¹⁰

⁹ Courtesy of the State Library of NSW, <https://collection.sl.nsw.gov.au/record/YezdqNo9>.

¹⁰ *The Dictionary of Sydney*, entry for White Bay by Dr Peter Reynolds. https://dictionaryofsydney.org/entry/white_bay#ref-uuid=c336346c-7777-07e0-9cab-2a3c79174c90

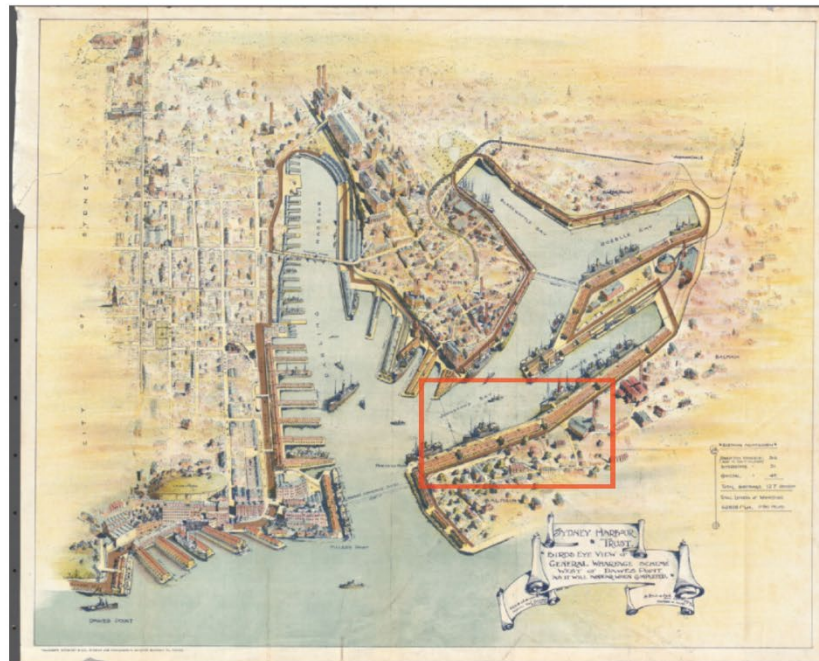


Image 11
Birdseye View of the General Wharfage Scheme West of Dawes Point As it will Appear When Completed. By the Sydney Harbour Trust dated 1912.¹¹

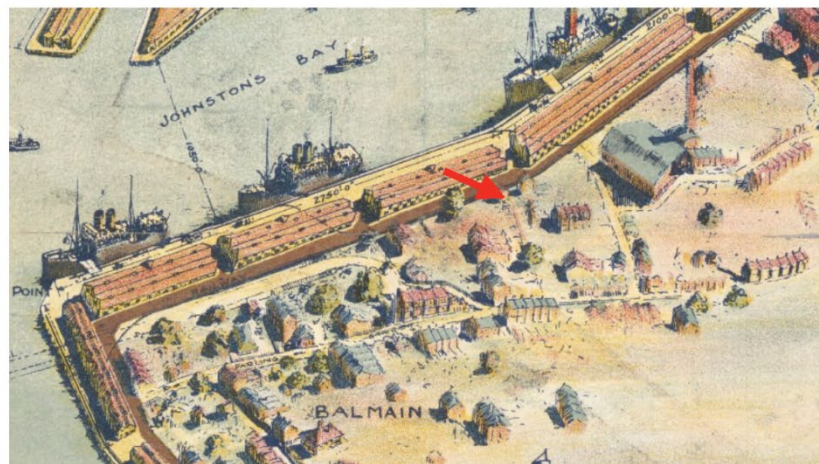


Image 14
Detail for the masterplan above with the approximate location of No. 33 Adolphus Street shown with a red arrow.

¹¹ Courtesy of the National Library of Australia, nla.obj-232418156-1.jpg.

6.0 Physical & other documented evidence

6.1 Physical description of the house.¹²

The main part of the house known as *Gleneyre* is the last house in a row of similar 'double fronted' sandstone cottages. The row is built in the "Victorian Georgian style".¹³ The house plan would have been the typical 2+2 layout with central hallway and door. There is a full-width verandah with timber framed verandah beam and timber square posts and pitched verandah. The roof is hipped on the southern side but had a gable-end on the northern side up against No. 31. The roof of No. 33 is tiled with concrete tiles; No. 31 is roofed with slate (at the front); and No. 29 & 27 have terracotta roof tiles. The sandstone is a natural dressed coursed finish and is un-plastered. There are a pair of french doors either side of the central doorway which are not original. The front door is a six panel modern solid-core door but the fanlight above appears to be original.

The construction at the rear is timber framed with fibro cladding. The frame has no internal linings. The northern room has been stripped out and was the kitchen and the southern room was a bathroom but has also been stripped out including the timber floor framing. There is extensive termite damage in various parts of the stud framing. The roof to the rear rooms is a skillion roof of corrugated steel and there is a lower Alsynite rear verandah. There is a laundry and separate WC at the rear which have also been stripped out of their fittings and linings.

The front living room has the remains of a fireplace and hearth. The flooring is particle-board and there is evidence that the hallway wall on the north side has been removed. There is an arched brick wall dividing the rooms on the party wall side and it is not original. There is an incomplete modern stud frame with no linings dividing the two southern rooms. There is no original joinery and the internal doors are flush doors with non-original architraves. The ceilings are modern plasterboard with a coved cornice.

At the front of the house there is a low sandstone wall and a small planting bed in front of the paved verandah. The other three houses in the row have picket fences. The southern side of the house has a concrete pathway that extends 1200mm past the title boundary and there is a high chainwire fence giving security to the White Bay former container terminal below. The rear yard is almost entirely paved with bricks and there is no planting or trees.

6.2 Other evidence

The Sydney Metropolitan Series of Drawings (SMSD) prepared by the NSW Department of Lands for Balmain and Rozelle, prior to the sewer system being developed, provide a comprehensive and very accurate snapshot of development at the time. Sheet 25 show houses located along Adolphus, Vincent Grafton Streets including the extension of Adolphus Street down to several wharves (Image 15 & 16).

¹² Refer also to the images in Appendix B and included measured drawings.

¹³ Using the style indicators of Richard Apperly, Robert Irving & Peter Reynolds, *A Pictorial Guide to Identifying Australian Architecture*. (Sydney: Angus & Robertson, 1994).

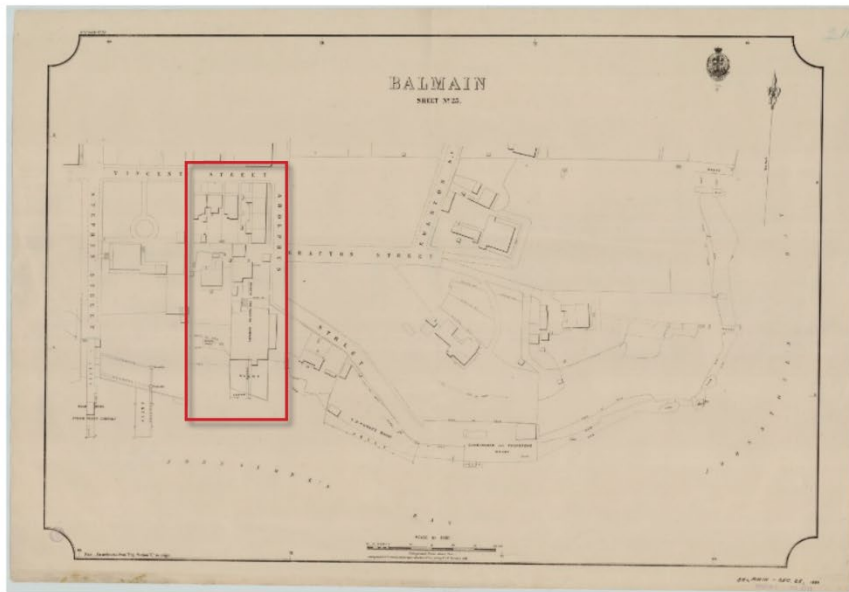
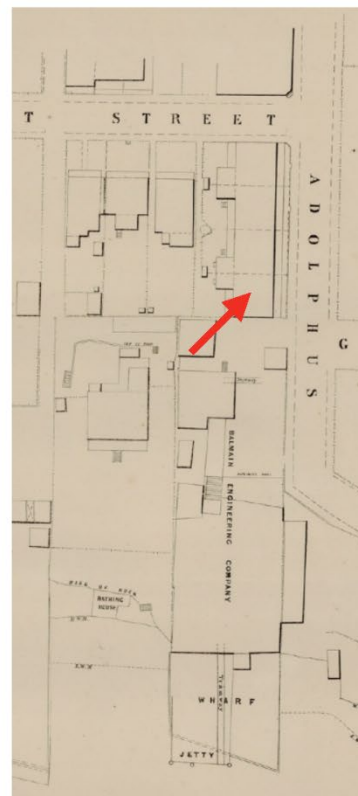


Image 17 (above)
Part Sheet No. 25 of The Sydney Metropolitan Series of Drawings for Balmain (SMSD) prepared by the NSW Department of Lands. The plans show the development in 1888.

Image 18 (right)
Part of Sheet 25 of SMSD survey with No. 33 Adolphus Street indicated with a red arrow.



The survey drawings indicated an easement or footway along the rear of No. 27, 29 and 31 ending at No. 33. The circle on the boundary with No. 29/31 indicates the location of the common well for the houses noted above. The right of way is indicated also on the survey of the four houses (Image 10). The Balmain Engineering Co. works can also be seen to the south of the row.

The earliest photograph of the row discovered to date is in the background of a view across Johnston's Bay from Walsh Bay (Image 19 & 20).

Image 19
View across
Johnston's Bay to
Balmain.¹⁴

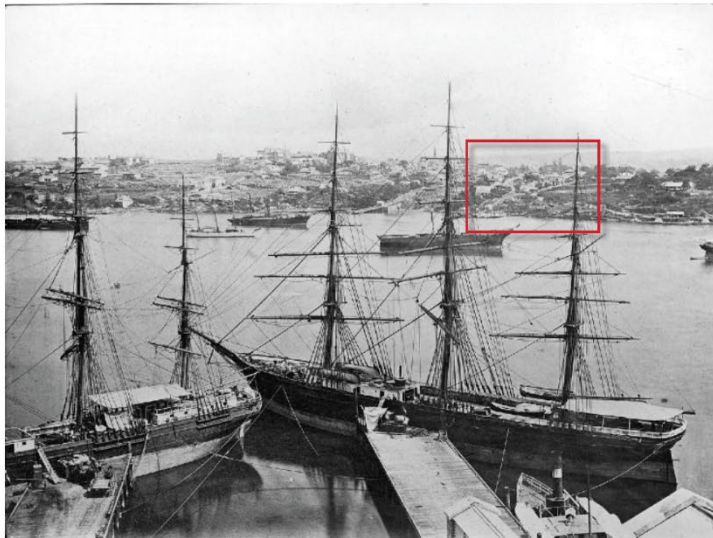
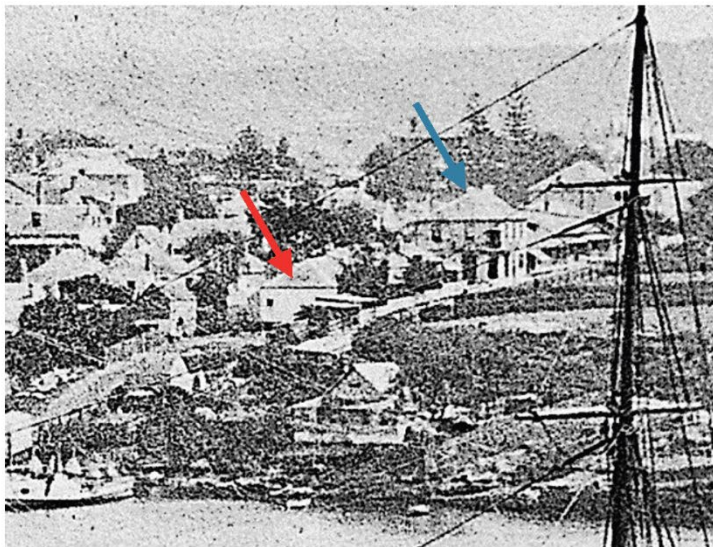


Image 20
Extract from the photo
above. No. 33
indicated with a red
arrow. The former Rob
Roy Hotel on the
corner of Vincent and
Adolphus Street is
indicated with a blue
arrow.



The row can be seen with the adjoining engineering works prior to the establishment of the White Bay Container Terminal in the 1943 aerial survey of Sydney (Image 21) and also in several of the aerial views of industrial sites by Milton Kent around 1948.¹⁵

¹⁴ Courtesy of the State Library of NSW

¹⁵ Courtesy of the State Library of NSW, SLNSW_FL6805258.jpg

Image 21
Part of the 1943 aerial survey of Sydney. No. 33 Adolphus Street is indicated with a red arrow.



Image 21
Part of an aerial photograph of Balmain's Industrial sites taken by Milton Kent around 1948. No. 33 Adolphus Street is indicated with a red arrow.

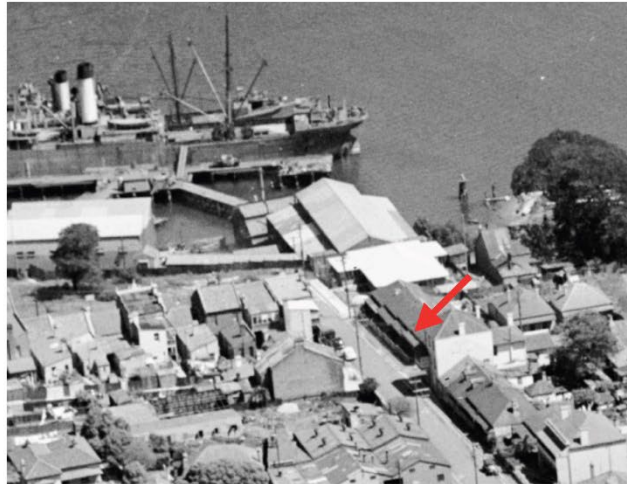
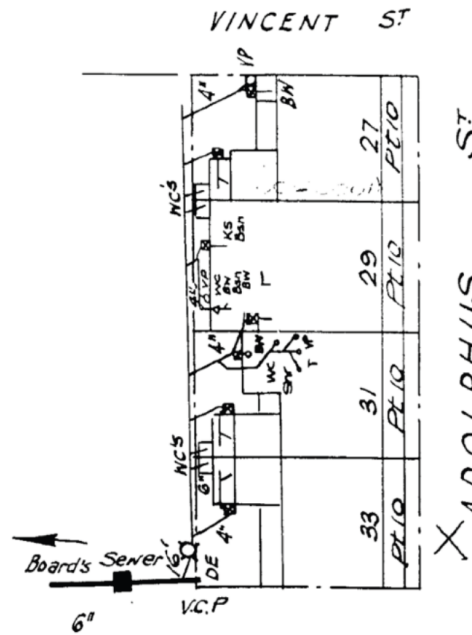


Image 21
Part of an aerial photograph of Balmain's Industrial sites taken by Milton Kent around 1948. No. 33 Adolphus Street is indicated with a red arrow



Sydney Water sewer service diagrams also provide useful information particularly when they have not been updated. Image 22 shows the row of four connected to a joint sewer line. Also indicated is the open verandah on the southwestern corner. The sewer diagrams are not always accurate and in this case the depth of the lots seems incorrect and most likely does not include the right of way at the rear of 27, 29, and terminating at No. 33.

Image 24
Sydney Water sewer service diagram for the row of four houses.



7.0 Discussion on Available Material

7.1 The rear easement

It appears that the easement that continued along the rear of No. 27, 29 and 31 has been dissolved. This leaves No. 29, 31 and 33 with no backyard access.

7.2 Date of the internal changes

No records have been found to indicate when the internal changes had been carried out. It is likely they may have been progressive changes over time. The arched opening looks to be around 1960's. The rebuilding and re-roofing could have been done at that time also. The rear kitchen and bathroom have recent drainage installed. However no approval seems to have been gained for this work. Similarly some of the internal wall reconstruction work seems to have been abandoned. The changes most likely would have been done by Edward and Violet Reuter.

7.3 The side access to No. 33

The retaining wall on the southern side of the house provides good side and rear access to the house even though technically it is on the land of White Bay terminal. It is likely that the pathway was located in such a way as to be fully on the White Bay terminal land and also not to disturb the footings of No. 33 at the time.

7.4 The front verandah & fence

There is evidence to indicate that the front verandah has been rebuilt with a simple pitched roof. The others in the row have a shallow concave profile and have hipped returns at the ends. The floor finish is slate tiles. The french doors are a clumsy modern standard copy of what would have been slender stiles and asymmetric glazing bars. Fortunately No. 27 still retains its sandstone flagging and original french doors and entry door. The verandah of No. 33 would ideally be restored to match those details retained at No. 27.

None of the discovered photographs are clear enough to determine if the front fence of No. 33 was a timber picket fence or, unlike the others, had a low stone wall. The former is most likely. The sandstone wall is not recent but could have been constructed from reclaimed local sandstone.

7.5 Paired chimneys

The row of four houses are built as two pairs as is evident in the original sewer diagrams. No. 33 is a mirrored plan of No. 31 and No. 29 is a mirrored plan of No. 27. The fireplaces would have originally been back to back. This makes it difficult for the chimney flue to penetrate the roofs when the chimney straddles both sides of the party wall when the roof ridges are stepping down with fall in the street. This problem seems to have been overcome with shifting the chimney to the high side of the party wall. So the double chimney for No. 29 and 27 is on the higher side of No. 27 and the double chimney for No. 33 and 31 is on the side of No. 31. Such complicated flue transitions are more easily resolved when built in brickwork and that is what we see with the paired chimneys being built in brickwork and not stone.

7.6 Internal walls

There is no evidence that the arched wall was originally brick. In fact it is most likely the interior walls were stud framed with laths and plastered. Access and examination of the other houses in the row could confirm this as they seem to have retained the 2 + 2 configurations in part or in full.

8.0 Statement of Heritage Significance

8.1 Discussion of Significance

The inventory listing for 33 Adolphus Street Balmain states that;

No. 33 Adolphus Street is of local historic and aesthetic significance as a representative example of a single storey Victorian Georgian style semi-detached dwelling constructed in c.1855-56. The building retains its original scale, form and character including open verandah and detailing and together with Nos 27, 29 and 31 makes a positive contribution to the Adolphus Street streetscape.

Criteria a)**Historical Significance**

The site and dwelling is of local historic significance as part of an early subdivision and residential development constructed in c. 1855-56.

*Criteria c)**Aesthetic/Technical Significance*

The building is of local aesthetic significance as a good example of a single storey Victorian Georgian style dwelling. The building retains its original scale, form and details including open front verandah and detailing. With the adjoining group it makes a positive contribution to the Adolphus Street streetscape.

*Criteria g)**Representative*

The building is a representative example of single storey with attic stone Victorian Georgian style semi-detached residence constructed in the 1850s.

*Integrity/Intactness**Medium-high*

The description as: "*single storey with attic*", would seem to be incorrect as there is no evidence of an attic. Other than this error, no additional statements or changes are recommended.

9.0 Heritage Impact Statement

1.2 Discussion of impact of proposal

The following discussions of the impact of the proposed changes to No. 33 Adolphus Street Balmain are based upon the table of NSW Heritage Office - Statement of Heritage Impact (Table 1). The works proposed include;

Ground floor

- 3.1 Reconstruction of the rear of the house for a new kitchen, dining room, bathroom and laundry.
- 3.2 New stair to upper floor addition.
- 3.3 Improved connection to outdoor living areas
- 3.4 Restoration of the front verandah and replacement of inappropriately detailed french doors.
- 3.5 Restoration of existing sandstone portion of the house including new floors, doors, and joinery.

1st floor

- 3.6 Additional upper floor at rear of the house for main bedroom with ensuite bathroom.
- 3.7 A 'tunnel access' into the roof attic space for dressing room, storage and study with dormer window to the southern roof plane.

External

- 3.7 Restoration of front verandah.
- 3.8 Replacement of concrete roof tiles with corrugated steel roofing.

9.3 Table of assessment issues

#	Issue	Discussion
1.0	Minor partial Demolition (including internal elements)	
1.1	Is the demolition essential for the heritage item to function?	In regard to demolition; The rear timber stud portion is partially demolished already and is in a very poor dilapidated condition. There is evidence of severe termite damage to this area. The removal of the front verandah and french doors involves removal of non-original fabric. The removal of the arch partition is removal of a faux brick partition that is not original. The removal of a part partition is required to make the kitchen operational. Part of the wall shall remain as will a bulkhead line above at ceiling level. This minor removal retains more semblance of the original layout than has been approved at 31 Adolphus Street. Partial removal of the section of the roof to allow the stair and attic access is required. This is relatively minor and is not seen from the public domain.
1.2	Are particular features of the item affected by the demolition (e.g. fireplaces in buildings)?	No features of the original premises will be removed.
1.3	Is the resolution to partially demolish sympathetic to the heritage significance of the item?	All work proposed is sympathetic to the ongoing use of the place as a residence and only non-original fabric will be changed.
1.4	If the partial demolition is a result of the condition of the fabric, is it certain that the fabric cannot be repaired?	Their removal is to ensure the proposed use as a contemporary dwelling residence.
2	Minor alterations & additions	
2.1	How is the impact of the addition on the heritage significance of the item to be minimised?	The major changes are limited to the rear and will not easily be seen from Adolphus or Grafton Street. The changes may be seen from the White Bay terminal but from a long distance.
2.2	Can the additional area be located within an existing structure? If not, why not?	No, additional rooms need to be created at the rear to replace those in a dilapidated state and to add additional needed accommodation.
2.3	Will the additions visually dominate the heritage item?	The rooms are created to the rear and not easily seen from the street.

2.4	Is the addition sited on any known, or potentially significant archaeological deposits? If so, have alternative positions for the additions been considered?	No there are no known significant archaeological deposits.
2.5	Are the additions sympathetic to the heritage item? In what way (e.g. form, proportions, design)?	The new rear addition shall be readily interpreted as sympathetic additions to the existing heritage fabric being built in horizontal weatherboards. The additions are a simple form with a hipped roof, and is consistent to the original front part of the house.
2.0	New services (e.g. air conditioning, plumbing)	
2.1	How has the impact of the new services on the heritage significance of the item been minimised?	There are no original services to be removed. Service pipe work and wiring will be located in the new stud walls or from below the floor and the original walls will not need to be chased. Lighting will be installed in already modified ceiling spaces.
2.2	Are any of the existing services of heritage significance? In what way? Are they affected by the new work?	None of the services to be replaced are original or of any heritage significance. If old gas light pipes are found they will be retained.

9.4 Assessment of impact

The following summary discussion of the impact of the proposed changes to No. 33 Adolphus Street BALmain are based upon the model summary of *NSW Heritage Office - Statement of Heritage Impact guidelines*.

- The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:
 - a) Reinstating the front verandah and French doors to more authentic detail is a positive contribution.
 - b) replacement of the concrete tiles with galvanised corrugated steel is a positive contribution.
 - c) The rear additions restore the house to a habitable state where currently the place is non-habitable and unoccupied.
 - d) This HIS records and consolidates what is known about the place and row to date.
- The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimize impacts:
 - a) The additions could be reinstated in the same configuration as they current however this would compromise the house and its potential for occupation. The house has prime view opportunities. Openings to take advantage of the southern views have been approached with the consideration of traditional fenestration for windows and doors rather than broad flat openings with non-traditional proportions.

10.0 Assessment

In order to comply with Section 79C of the Environmental Planning and Assessment Act 1979, the following matters related to this development application are addressed.

The Provisions of any LEP, DCP or Proscribed Matter Considerations under the new draft LEP and DCP are discussed as follows:-

10.1 Leichhardt LEP 2022

The following relevant provisions under LEP 2022 are discussed below.

Part 2 Land use zones

The site is within a Residential R1 zone. The proposal as a residence is a permissible form of development within the residential zone R1.

4.3A (3)(a) Landscaped area

The site area is	166.0 m ²
Proposed landscaped area	20.52 m ²

% landscaped area	12.4%
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The landscaped area is slightly below the standard of 15% and hence a Clause 4.6 Objection is included.

(3)(b) Site cover

Proposed site cover area	109.17 m ²
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% site cover	65.7%
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The site cover is above the standard of 60% and hence a Clause 4.6 Objection is included.

4.4 Floor space ratio

Proposed gross floor area

- ground floor 99.75 m²
- first floor 48.7 m²

Total	148.45 m ²
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Proposed FSR	0.89:1
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The proposal is below the standard set in the LEP of a maximum of 0.9:1 for sites between 150-299.9 m².

4.5 Exemption to development standards

An exemption is sought to vary the following development standards in regard to No. 33 Adolphus Street:-

- Landscaped area – Clause 4.3C(3)(a) of LEP 2022
- Site cove – Clause 4.3C(3)(b) of LEP 2022

The key objectives of clause 4.6 states:-

(1) The objectives of this clause are as follows:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to a particular development,
- (b) to achieve better outcomes for and from the development by allowing flexibility in particular circumstances.

The general objectives of the Residential R1 zoning are:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide residential development that maintains the character of built and natural features in the surrounding area.

To meet the objectives of clause 4.6 for design flexibility and to achieve better design outcomes in the particular circumstances, it is necessary to test the proposal in terms of the objectives for residential development in order to justify the contravention of the development standard.

In regard to clause Clause 4.3C(3)(a), provides that "if the lot size is 235 m2 or less— 15% of the site area". The proposed development has a landscaped area of 12.4%.

In regard to clause Clause 4.3C(3)(b), provides that "the site coverage does not exceed 60% of the site area". The proposed development has a landscaped area of 65.7%.

What are the environmental planning grounds that justify contravening the development standard?

Zoning objectives

In regard to justification in meeting general objectives of the Residential R1 zoning it is argued that;

"To provide for the housing needs of the community"

The development proposal meets the housing needs of the owners and the community at large. It allows improved and contemporary housing and accommodation options on the site within the confines of a dwelling that is a scheduled item of heritage and within a conservation area.

"To provide for a variety of housing types and densities"

The proposal provides a contemporary design solution to an existing residential use.

"To improve opportunities to work from home"

The additional accommodation will allow the owners to carry on their business from home.

"To provide housing that is complementary to and compatible with, the character, style, orientation and pattern of surrounding buildings, streetscapes, works and landscaped areas."

The changes are compatible with surrounding development and the conservation area in general.

What are the environmental planning grounds that justify contravening the site cover standards?

In regard to justification in meeting the general objectives of the site cover, it is argued that:

- the exceedance is relatively minor and it is only numeric with no real impact on impact on the objectives of the standard,
- the houses historically have never complied and other houses in the row of four have been allowed to exceed the site cover,
- the site cover and landscaped area is consistent with other houses in the row and provides a higher degree of landscaping,
- there is a 1.2m wide strip of land on the Southern side of the site that while not being shown on the title, has historically been part of the site since the port facility was constructed. The site has all the benefits of this land albeit not on the title of the place. If the area of this strip was included the site area would be 192 m², giving a landscaped area of 26% and a site cover of 57%.
- the site enjoys this additional land and in terms of perception from the street the strip of land is part of the site and no one would know the ownership is not part of the site. For all intents and purposes, the landscaped area and site cover would comply except for the question of ownership of the land.
- the landscaped area is currently only 4% and the proposal for 12% is a threefold increase.

"to provide landscaped areas that are suitable for substantial tree planting and for the use and enjoyment of residents"

The front area is the area for the planting of a tree. The concrete at the rear will be removed to allow landscaping as will the side.

"to maintain and encourage a landscaped corridor between adjoining properties"

There is no landscaped corridor due to the small lots and high density.

"to ensure that development promotes the desired future character of the neighbourhood"

The design is consistent with the desired future character of the neighbourhood under the DCP and the heritage significance has been respected.

"to encourage ecologically sustainable development by maximising the retention and absorption of surface drainage water on site and by minimising obstruction to the underground flow of water"

This is will be achieved.

"to control site density"

There is an increase from 2 to three bedrooms which is of no real significance in terms of increased site density.

"to limit building footprints to ensure that adequate provision is made for landscaped areas and private open space"

The footprint is largely maintained by the proposal.

Other considerations

In support of the exceedance of the landscaped area and site cover standards, the following arguments are proposed:

Historic topologies vs Contemporary LEP: The row of four semi-detached houses were built in 1856 more than 160 years earlier than the LEP 2023. The LEP does not discriminate on FSR, landscape areas and site cover applied to varied historic building typologies all of which produce different outcomes. In this regard it deals only with generalities and 'averages' not specific typologies. These 'averages' are logically applied to new development but can sometimes be problematic when dealing with historic building typologies and alterations to them. Some flexibility needs to be allowed and No. 33 Adolphus Street is a case in point.

'Adaptive re-use' of historic residential property: The term 'adaptive re-use' is commonly understood when applied to a building type that is being converted to another type such as a warehouse building converted into residential use. In a similar way some of the same principles and flexibility need to be applied when converting a small sandstone workers cottage built in 1856 to a viable contemporary dwelling. The flexibility needs to be applied to such generalised quantitative numerics of site cover and landscaped area. What is important is not quantitative outcomes but qualitative outcomes.

Public interest

The proposed development shall be in the public interest because it will be consistent with the objectives of the development standards and with those of the R1 Residential zone for the reasons stated above. It will also allow reasonable flexibility in the application of numeric controls to achieve a benefit for the property owners and community and to sustain the heritage character of the place.

Conclusion

The proposed application is consistent with the objectives of the development standard for site cover and strict compliance to the stated standards would hinder attainment of the objectives specified in Section 5(a)(i) and (ii) of the EP & A Act for the;

- (i) proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment.
- (ii) the promotion and co-ordination of the orderly and economic use and development of land.

The application will allow the occupants to develop the land in accordance with objectives of the EP&A Act and in compliance to the objectives of the LEP and strict compliance to a numeric control is unreasonable or unnecessary in the circumstances of the case.

Part 5 Miscellaneous provisions

5.9 Preservation of trees and vegetation

No trees are proposed for removal .

5.10 Heritage conservation

The site is within the *Balmain/Rozelle* Conservation Area. In regard to the objectives clause 5.10(1) states:-

- (a) *to conserve the environmental heritage of Leichhardt,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) *to conserve archaeological sites,*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The application meets these objectives by;

- minimising changes largely to the rear of the heritage item,
- improving the heritage significance of the place by restoring the front verandah and
- general restoration work to the front verandah of the place.

The adjoining semi-detached houses at No. 27, 29 & 31 Adolphus Street are also listed in LEP 2022 as items of heritage (I106, I107 & I108 respectively).

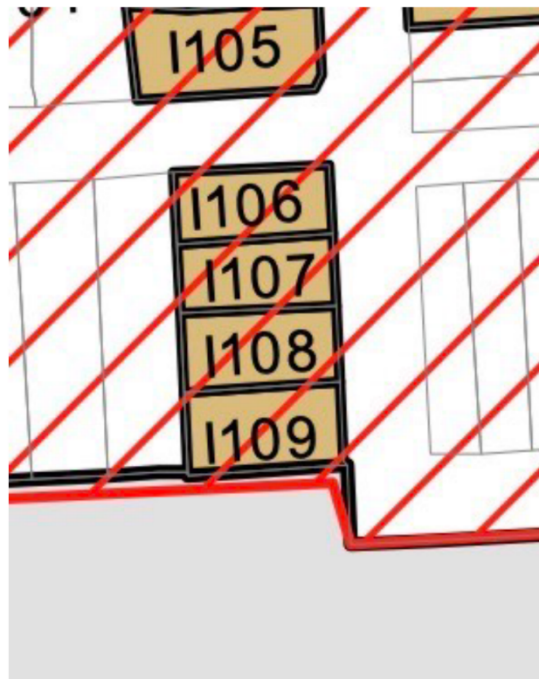


Image 28
Part plan of Leichhardt Conservation Area for the Southern end of Adolphus Street precinct showing scheduled items in the vicinity.

The four houses in the row all have the same significance and all are reasonably intact examples of their type when seen from Adolphus Street. All have varied rear additions that have been carried out at different times. What is proposed is not seen from Adolphus street

and will have impact on the the significance of the row. The restored verandah and roof replacement will enhance the street scape.

In regard to the recommended Management Summary the following comments are met

'the existing scale and character of the building including face stone front facade, roof form, open front verandah and pattern of openings on the front façade should be retained and conserved';

Comment: No changes to the opening on the front façade are proposed. The non-original cement tiles will be replaced with barrel rolled galvanised sheet steel. The dormer to the south roof face will not be easily seen from Adolphus Street and only glimpsed from Grafton Street. In any event, the dormer is a typical period style dormer and is not intrusive. The roof is lower than that approved at the rear of No. 31 and is hipped and a more traditional form than the flat roof of No. 31 recently approved by Council.

'the face stone should remain face stone and surfaces that have been previously painted such as timber work should continue to be painted in appropriate colours'

Comment: No stone surfaces are proposed to be painted. Timber work shall be painted traditional colours.

'the front verandah should remain open'

Comment: There is no proposal to enclose the verandah.

'any further additions should be restricted to the rear of the building and are not to dominate the form of the original building.'

Comment: The additions are located to the rear and occupy a similar footprint to those approved for No. 31 with the roof being a significant improvement on the box like form and flat roof of No. 31.

10.2 DCP 2013

The following relevant issues of the DCP 2013 are discussed below.

Part C Place

C1.3

- C1 The proposal is consistent with the Building Topologies.
- C2 The proposed restoration of the verandah and French doors will reinstate authentic detailing consistent with the row.
- C3 The rear is setback 500mm from the alignment of the main wall at the ground floor with a projecting bay window. The ground floor rear addition is not seen. On the upper floor where it is seen, the setback is 1.5m to the wall with a side verandah. The intent of the control is to articulate the addition as a separate structure. This is achieved with a change also of materials and colour. It should also be considered that the southern elevation can only be seen from the White Bay terminal which is 50m away and 12m lower.
- C9 The objectives are generally met. The rear two storey addition is below the sightline projected from the opposite side of Adolphus Street and will be less visible than that approved at No. 31 Adolphus Street.

- C10 The roof of the additions are sympathetic to the main roof being a hipped roof form.
- C12 The conditions are generally met and there is visual separation by virtue of massing material and colours.
- C15 The front hipped roof form is repeated at the rear for the additions (unlike No. 31).
- C16 The roof link complies and is the width of the stair. It has been kept to the northern side to reduce its visibility. It comprises approximately 25% of the roof width which is half the 505 stated in the control.
- C1.4 Conservation areas & heritage items**
The house is an item of heritage and is within a conservation area. The issue of it being a scheduled item is addressed in the HIS above.
- C1 The proposal is consistent with the Building Topologies.
- C2 A fabric analysis has been undertaken.
- Restoration of the verandah is proposed.
 - The stonework will be subject to minor repairs as required.
 - Restoration of the verandah is proposed..
 - In regard to the re-cladding at the sides, '*suitable replacement materials*' are '*based on original material*'.
- C3 A fabric analysis has been undertaken.
- The internal arched wall proposed for demolition is not original and is a negative element. The minor removal of the wall for the kitchen is a compromised wall and has little significance. Notwithstanding, the wall shall still have interpretative significance.
 - The rear additions are not easily seen from Adolphus Street.
- C5 The proposed roof to the addition is consistent in form and materiality.
- C6 The main roof form is retained with the exception of the roof link which is allowed as discussed above.
- C7 The roof link complies.
- C1.12 Landscaping**
Areas of concrete paving shall be removed to increase the landscaped area.
- C2.2 Suburb Profiles**
The site lies within the Gladstone Park Distinctive Neighbourhood in that;
- there is minimal change to the 'front' form of the premises other than reconstructing the verandah which enhances its historic presence within the streetscape and
 - the additions are located to the rear.
- C3.1 Residential general provisions**
- C1 The provisions for protection of the amenity and cultural significance are met.
- C2 The additions are located toward the 'rear' of the house and are not easily seen from Adolphus Street.
- C3.2 Site layout and building design**
In regard to the controls of C3.2 it is stated that:-
- C1 The site has capacity for the additions as the proposal is located in a high density area of Balmain. There are numerous buildings of a similar height, scale and bulk

in the area and many are larger. The application is similar in bulk and scale to that recently approved at No. 31 Adolphus Street.

C2 The local character is maintained.

C3 The BLZ is established by No. 31 Adolphus Street as there is no adjoining house to the south. The rear setback is 150mm greater than that of No. 31 and hence complies.

C5 The BLZ is established by No. 31 Adolphus Street.

C7 The side setbacks do not comply to Figure C129: Side Boundary Setbacks Graph.

C8 This clause allows for a site specific examination for consideration of breeches of the side setback control under five heads of consideration:

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

Comment: The rear addition is designed as an annexed 'pavilion form' and complies to the design intent in the Building Typologies.

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

Comment: The houses 27, 29, 31 and 33 are row houses built to the boundary with party walls. As such the existing houses do not comply to Control C8 by virtue of their topology. The addition to No. 31 recently approved by Council extends to the boundary and hence there would be no planning or heritage benefit to require a setback on the northern side.

The rear addition is not seen from Adolphus Street and is considerably lower than that approved at No. 31 Adolphus Street in terms of ridge levels but even more so when seen from across the street.

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

Comment: The floor levels are consistent with those approved at No. 31 and are designed to be level with those of the attic floor level.

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

Comment: There is no unreasonable overshadowing impacts toward No. 32 Vincent Street. The additional overshadow of The additional overshadowing of the White Bay Terminal is inconsequential. Privacy to No. 2 Vincent Street has been maintained.

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

Comment: The maintenance to the adjoining house is not impaired..

C3.3 Elevation & materials

In regard to the controls of C3.3 it is stated that:-

C4 The objectives are generally met.

C11 Weatherboards are proposed for the rear addition but fixed vertically to enhance interpretation of the new from the old parts of the house.

C3.4 Dormer windows

C1 The dormer window facing south complies.

C2 The existing houses do not have dormer windows facing Adolphus Street. However No. 33 being the end house in the row has the opportunity to have a dormer window facing south. This dormer has limited exposure from Adolphus Street, but even when glimpsed from Grafton Street is not out of context in the conservation area which has many similar dormer windows.

- C4 The 300mm set down from the ridge complies.
- C6 The dormer window is compatible with the construction period and architectural style of the existing dwelling.
- C7 The dormer complies.
- C8 The dormer complies.
- C9 The dormer complies.
- C3.7 Environmental performance**
The controls are generally met and the design is subject to a BASIX Certificate.
- C3.9 Solar access**
Shadow diagrams in plan have been included for midwinter from 9:00am , noon and 3:00pm showing the extent of solar access and overshadowing. There is no additional overshadowing at 9:00am as the rear of No. 2 Vincent Street is already in shadow. As the sun rises and swings north there would be some minor impacts around 10:30 but by 11:00 am there will be no impact at all.
- C3.10 Views**
There will be some minor impact on the view from the rear of the upper floor balcony off the upper floor bedroom of No. 2 Vincent Street. The view from the rear verandah is across the rear of No. 33 Adolphus Street. The view will only be reduced by a small percentage and still is retained across the rear of No. 2 Vincent Street.
- C3.11 Visual privacy**
There will be no issues with visual privacy arising from the proposal. Side privacy louvres are proposed to protect amenity to the side windows of No. 2 Vincent Street.
- E1.1.1 Water management statement**
In regard to the water management statement;
- water conservation measures: No additional measures are proposed.
 - stormwater management: All stormwater from roof areas is collected by gutters and connected to the Council's stormwater system.
 - stormwater management: No additional measures are proposed.
 - other waste water measures: No other measures are proposed.
 - OSD: No onsite detention is required as there is no increase in impervious surfaces exceeding 40 sqm. In fact impervious surfaces will be reduced
 - flood risk management: The site is not in a flood affected zone.

APPENDIX A: General images of the place & context.



Image A1
No. 33 Adolphus Street from the front with No. 31 to the right. The rear addition will not be seen above the ridge line similar to that of No. 31.



Image A2
View looking South down the row with No. 27 to the right on the corner of Vincent Street, then 29, 31 and 33 at the far left.



Image A3
A view looking north east from the front corner of No. 33 showing the side pathway which allows access to the rear but is not part of the site title.



Image A4
Telephoto view from lower down on the parking area of the White Bay Terminal. The box like addition to No. 31 recently approved by Council will largely be hidden by the proposed additions to No. 33 which has less bulk.



Image A5 (top right)
View looking east over the top of the old administration building of the White Bay Terminal from the far end of Waite Avenue.



Image A6
View looking east from the rear yard of No. 33 Adolphus Street.

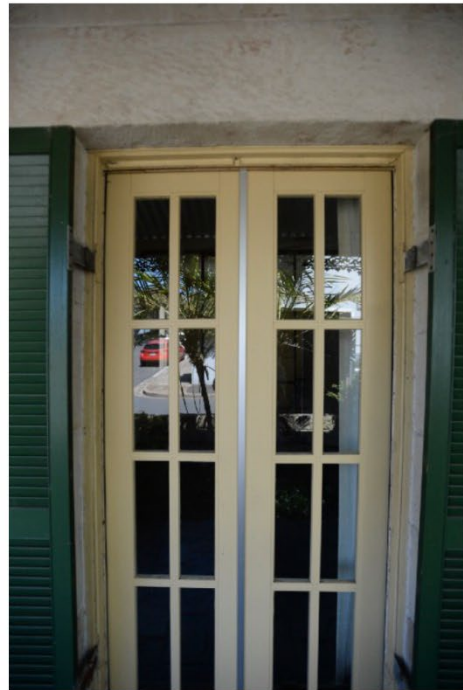


Image A7 (above left)
View looking along the front verandah.

Image A8 (above right)
View of the verandah front doors to be replaced and to match those on No. 27 which are original. The existing opening at the rear from the sandstone section of the house will remain.

Image A9 (left)
View looking south from the front living room. The faux brick arched wall will be removed and the original entry hallway reinstated.



Image A10
View looking south at the dilapidated kitchen. The condition of the house is as the owners recently purchased it. The illegal work was done by the previous owners.



Image A11
View from the rear kitchen looking south toward the dilapidated bathroom. .



Image A12
View of the rear of the bathroom looking back toward the kitchen. The existing door opening will remain.



Image A13

View of the rear yard looking back at the recently approved additions to No. 31. What is proposed has less bulk and is a solution more respectful of the conservation status of the row.



Image A14 (above left)

View of the rear yard looking back over the chain wire fence that bounds the White Bay Terminal.



Image A15 (left)

View of the internal roof cavity. The concrete tiles have no sarking or insulation and are proposed to be replaced with barrel rolled galvanised roof sheeting.