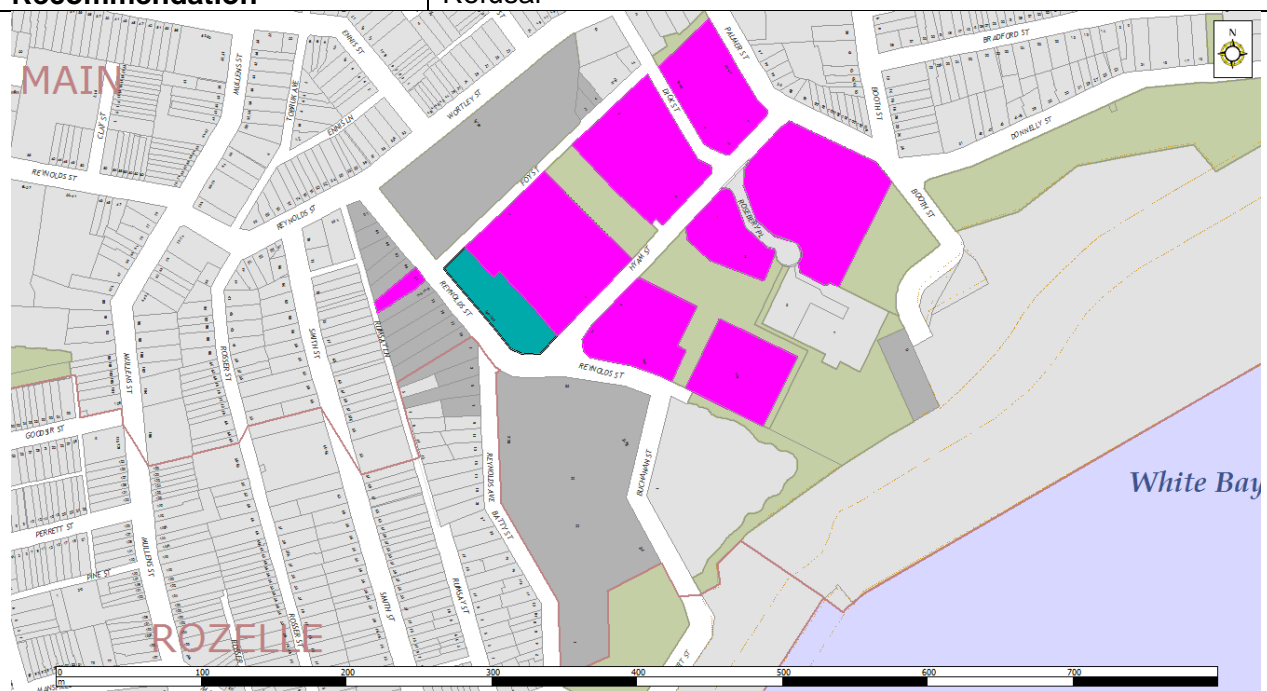




INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	D/2018/164
Address	100-104 Reynolds Street, Balmain
Proposal	Change of use ground floor retail tenancy to a residential unit and associated fit-out.
Date of Lodgement	6 April 2018
Applicant	Elton Consulting
Owner	Wentworth Equities Pty Ltd
Number of Submissions	3 objections. Issues raised related to loss of ground floor non-residential use and are valid grounds of objection that warrant refusal of the DA
Value of works	\$785,730
Reason for determination at Planning Panel	Development standard variation exceeds officer delegation
Main Issues	Heritage; Ground floor residential not permitted; FSR; Amenity
Recommendation	Refusal



LOCALITY MAP			
Subject Site		Objectors	
Notified Area		Supporters	

1. Executive Summary

This report is an assessment of the application submitted to Council for change of use from ground floor retail tenancy to a residential unit and associated fit-out at 100-104 Reynolds Street, Balmain. The application was notified to surrounding properties and three [3] submissions were received.

The main issues that have arisen from the application include:

- Heritage Conservation
- Clause 6.11A – Residential accommodation in the B1 Neighbourhood Zone
- Floor Space Ratio (FSR)
- Internal Amenity

The proposal results in adverse heritage impacts and is not supported on heritage grounds.

Therefore, given the pre-conditions of Clause 5.10(10) are not satisfied and the proposal is otherwise not permitted under Clause 6.11A, inconsistent with the objectives of the B1 Neighbourhood Centre zone, and non-compliant with FSR, the application cannot be determined by granting of consent and is recommended for refusal.

2. Proposal

The proposal seeks to change a 310sqm ground floor retail tenancy forming part of a mixed use development approved under D/2013/554 (as modified), comprising 23 residential units, 2 professional suites and 1 retail tenancy, to a residential apartment of 255sqm. The revised unit mix comprises 24 residential units and 2 'professional suites' and entails a 74.2% reduction of the approved non-residential Gross Floor Area equating to a proposed non-residential FSR of 0.046:1.

The originally approved development is the subject of a Conservation Management Plan that has already facilitated the conservation of the heritage item and would be the subject of ongoing future maintenance as a part of the overall strata scheme.

The proposed change of use for the purpose of residential accommodation on the ground floor is not permitted under Clause 6.11A of the Leichhardt Local Environmental Plan (LLEP) 2013. However, the proposal is accompanied with a 20-year costed maintenance plan and relies on the conservation incentives provision under Clause 5.10(10) to permit development that would otherwise not be allowed under LLEP 2013.

The works associated with the proposal involve the further alteration of the heritage item and removal of original fabric and include internal alterations to accommodate a new car space, kitchen, living and dining areas, 3 bedrooms, 2 bathrooms, toilet and laundry; new windows on the north-eastern façade for bedrooms 2 and 3; new entry door on the north-eastern façade; and new private courtyards with associated fencing to the south-eastern and south-western facades. Council's heritage advisor has reviewed the proposal and advises that the proposal is not supported due to adverse heritage impacts.

In addition, while the proposal results in a minor (55sqm) reduction of the overall approved FSR of 1.36:1, the change of ground floor use from non-residential to residential does not satisfy the active street frontage criteria for bonus FSR of 1.5:1 under Clause 4.4A of LLEP 2013. The resultant 36% variation to the maximum FSR of 1:1 under Clause 4.4 of LLEP 2013 is not supported on planning grounds due to inconsistency with the objectives of the zone and FSR standard and cannot be approved in the absence of a Clause 4.6 request.

Apart from the above threshold issues, the proposal results in the removal of the retail waste storage area with no provision for separate non-residential and residential waste areas. The proposed residential unit would also achieve unacceptable internal amenity in terms of insufficient solar access to living areas and private open space, poor visual privacy due to higher surrounding street footpath levels, inadequate private open space, and internal acoustic impacts to bedrooms and living areas adjacent to noisy areas (such as common driveway, pathways, garbage truck turning bay and car parking).

Extracts of the proposed plans and originally approved plans are shown in the figures below.

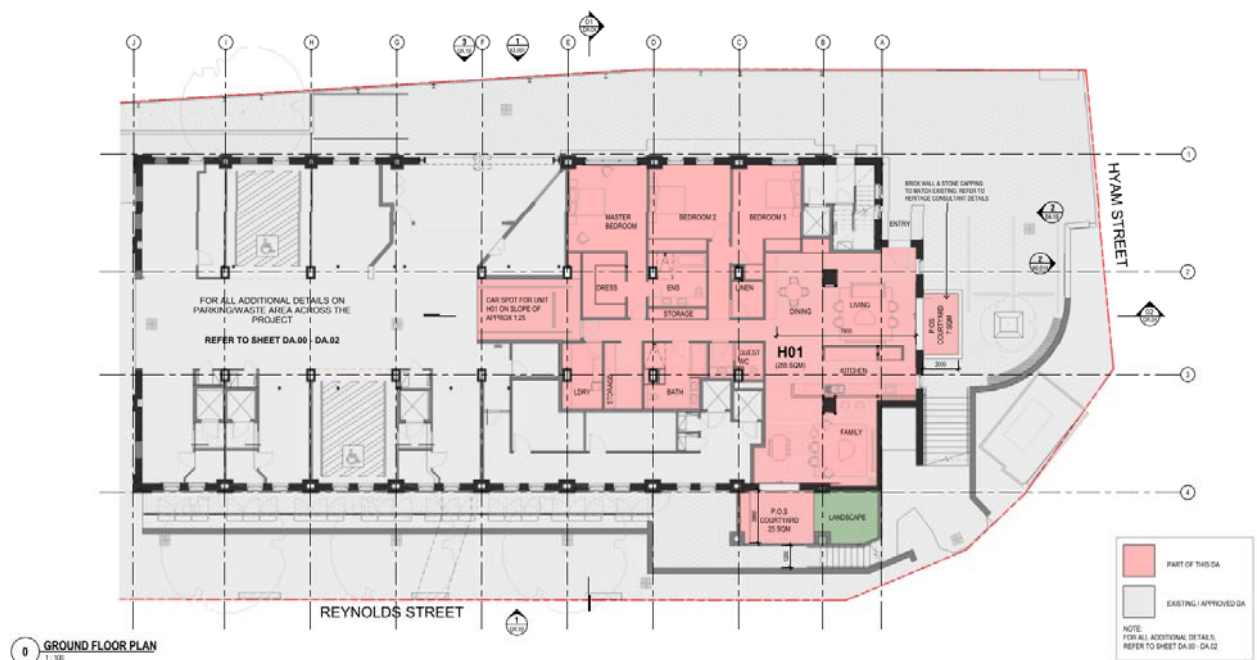


Figure 1: Proposed ground floor change of use from retail to residential at 100-104 Reynolds Street.

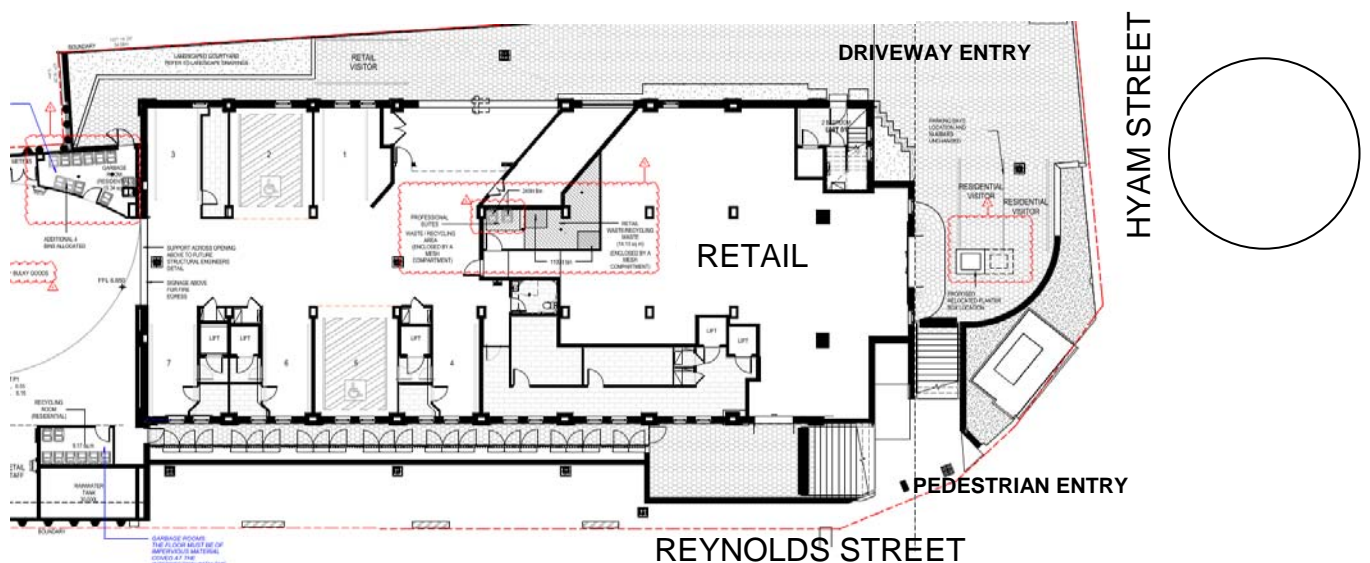


Figure 2: Currently approved retail tenancy at 100-104 Reynolds Street.

3. Site Description

The subject site is located on the northern side of Reynolds Street, between Foy Street and Hyam Street. The site consists of one allotment and is generally rectangular with a total area of 2,300sqm and is legally described as Lot 1 DP 801399.

The site has a frontage to Reynolds Street of 72.1 metres and secondary frontages of approximately 17.09 metres to Hyam Street and 20.78 metres to Foy Street.

The site supports a four storey mixed use building currently under construction. The adjoining properties support a mix of 3-storey residential flat buildings and one to two storey dwellings.

The subject site is listed as a heritage item of local significance (Item No. I302, the former Unilever administration building and fence, including interiors) and is located within 'The Valley' Heritage Conservation Area. The property is not identified as a flood prone lot.

4. Background

4(a) Site history

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

Subject Site

Application	Proposal	Decision & Date
PREDA/2012/54	Adaptive reuse of the existing heritage item as a residential flat building and construction of a new mixed use development with basement car parking.	Advice letter issued 22/05/2012
PREDA/2012/189	Adaptive reuse of the existing heritage item as a residential flat building and construction of a new mixed use development with basement car parking.	Advice letter issued 21/01/2013
D/2013/554	Mixed use development including conversion from offices to retail/commercial on the ground floor and residential above, additional residential flat building over existing carpark, new basement car parking and landscaping. Remediation of site.	Approved on appeal (LEC) 26/09/2014
M/2016/276	To change the approved roof material of the non-heritage component of the building.	Approved 28/03/2016
D/2017/133	Change of use of four (4) professional suites approved under D/2013/554 to dwellings (units 9, 10, 11, and 12).	Approved 23/08/2017

Surrounding properties

No applicable site history.

4(b) Application history

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

Date	Discussion / Letter/ Additional Information
4/5/2018	Council – Wrote to the Applicant requesting withdrawal of the DA due to: <ul style="list-style-type: none"> • Heritage conservation incentives • Permissibility and consistency with zone objectives • Non-compliance with FSR • Non-compliance with SEPP 65 • Unacceptable amenity • Waste storage • Accessibility and fire separation
18/5/2018	Applicant – Advised that the application would not be withdrawn and requested that their written response, dated 18/5/2018, be considered as a part of the final assessment.

	<p>A summary of the Applicant's written response is provided with town planning comment below.</p> <ul style="list-style-type: none"> <i>The proposed change of use of the ground floor retail lot to residential is permissible with consent given the retail unit does not have frontage to Reynolds Street due to substantial level difference and Clause 5.10(10) enables the grant of consent where the conservation of the heritage item is facilitated.</i> <p><u>Comment:</u></p> <ul style="list-style-type: none"> The proposal results in adverse heritage impacts and as such, the pre-conditions of Clause 5.10(10) are not satisfied. Further, the original DA approval under D/2013/554 is already the subject of a Conservation Management Plan prepared by Rappoport Pty Ltd that facilitates the conservation of the heritage item. The relationship of the ground floor retail use with Reynolds Street and Hyam Street was considered as a part of the approval under D/2013/554, which required all floor space at the ground floor or street level to be used for non-residential purposes. The ground floor retail tenancy has frontage to both Reynolds Street and Hyam Street with a prominent direct pedestrian entry off Reynolds Street that reflects the historical position of the pedestrian gate. Based on the existing topography of the site and adjoining road, which have falls of 5m to 5.5m, the identified ground floor retail area as shown on the approved plans with a finished floor level (FFL) of RL6.65 is properly considered to be on the ground floor of the building at the lower south-eastern portion of the site for the purposes of active street frontage to Reynolds Street, which falls to RL7.29 at the southern splayed corner street frontage of Reynolds Street. This is not predominantly below existing ground level and the floor level immediately above is more than 1m above existing ground level. In this regard, it is also noted that the two remaining ground floor small scale 'professional suites' (FFL10.17) on the north-western portion of the site have a similar relationship with Reynolds Street, being substantially below the adjacent higher street level (RL11.28). Therefore, it is considered that the proposal results in the deletion of non-residential use on the ground floor of the building on the primary street frontage facing Reynolds Street, and as such, is not permitted pursuant to Clause 6.11A pursuant to Leichhardt LEP 2013. Given the above, the proposal also fails to satisfy the provisions of Clause 4.4A to enable a FSR of 1.5:1. Thus, the proposal does not comply with Clause 4.4 pursuant to Leichhardt LEP 2013, which prescribes a maximum FSR of 1:1 where the provisions of Clause 4.4A are not met. No Clause 4.6 request to vary the standard has been submitted and as such, consent cannot be granted. The proposal results in a 74.2% reduction in non-residential GFA equating to a proposed non-residential FSR of 0.046:1 to provide a ground floor residential apartment of 255sqm, which is considered to be inconsistent with the objectives of the B1 Neighbourhood Centre zone pursuant to Leichhardt LEP 2013. <i>The maximum FSR applicable is 1.5:1 given:</i> <ul style="list-style-type: none"> <i>a. the two existing small scale business units facing Reynolds Street are being retained;</i> <i>b. the subject retail lot does not alter the active street frontage</i>
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	<p><i>to Reynolds Street as it is substantially below ground level; and</i></p> <p><i>c. Clause 5.3 enables the ground floor portion of land fronting Hyam Street to adopt the adjoining residential zoning to be used for residential purposes – removing the need for a non-residential active street frontage.</i></p> <p><u>Comment:</u></p> <ul style="list-style-type: none"> As noted above, the relationship of the ground floor retail use with Reynolds Street and Hyam Street was considered as a part of the approval under D/2013/554, which required all floor space at the ground floor or street level to be used for non-residential purposes. The ground floor retail use is properly considered to be on the ground floor of the building on the primary street frontage. In this regard, it is also noted that the remaining ground floor small scale 'professional suites' have a similar relationship with Reynolds Street, being substantially below the adjacent higher street level. The additional proposed reliance upon Clause 5.3 pursuant to Leichhardt LEP 2013 to permit the residential use of the ground floor facing Hyam Street despite the B1 Neighbourhood zoning is not supported in this instance given it is not considered that the proposal provides a "more logical and appropriate development of the site". On the contrary, the proposal is considered to result in adverse heritage and streetscape impacts and unacceptable internal amenity. <i>The proposal is generally consistent with the ADG and SEPP 65 and will achieve an acceptable level of amenity notwithstanding non-compliance with solar access.</i> <p><u>Comment:</u></p> <ul style="list-style-type: none"> The proposed residential unit will not achieve satisfactory amenity in accordance with the provisions of SEPP 65 and the Apartment Design Guide in terms of solar access to living areas and private open space, visual privacy due to higher surrounding street footpath levels, and internal acoustic impacts to bedrooms and living areas adjacent to noisy areas (e.g. common driveway, pathways, garbage truck turning bay and car parking). The proposal results in the removal of the retail waste storage room for the remaining two 'professional' suites and no information has been submitted to indicate how retail waste would be managed separately from residential waste under the modified scheme. Council's Building Section has raised concerns in relation to accessibility for the proposed unit and notes that fire separation would be required between the car park and proposed unit and no information has been submitted in relation to these matters.
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5. Assessment

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

5(a) Environmental Planning Instruments

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

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development
- Leichhardt Local Environmental Plan 2013

The following provides further discussion of the relevant issues:

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

A BASIX Certificate was submitted with the application.

5(a)(ii) State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development

The development is subject to the requirements of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65). SEPP 65 prescribes nine design quality principles to guide the design of residential apartment development and to assist in assessing such developments. The principles relate to key design issues including context and neighbourhood character, built form and scale, density, sustainability, landscape, amenity, safety, housing diversity and social interaction and aesthetics.

A statement from a qualified Architect was submitted with the application verifying that they designed, or directed the design of, the development. The statement does not provide an explanation that verifies how the design quality principles are achieved within the development. While the statement addresses Part 4 of the Apartment Design Guide (ADG), it does not demonstrate how the objectives in Part 3 of the guide have been achieved.

Given the application fails on key threshold issues and cannot be determined by granting of consent, a limited merit based assessment has been undertaken. However, the development is not acceptable having regard to the nine design quality principles of SEPP 65 and the inadequate Design Verification Statement submitted with the application.

The proposal results in the loss of ground floor non-residential use, adverse heritage and streetscape impacts, and unacceptable internal amenity and as such, the design of the proposal fails to:

- provide a “well designed building that responds to and enhances the qualities and identity of the area” in accordance with Principle 1: Context and neighbourhood character;
- achieve “an appropriate built form in terms of the manipulation of building elements and does not “appropriately define the public domain or contribute to the character of streetscapes” in accordance with Principle 2: Built form and scale;
- “positively influence internal and external amenity for residents”, “contribute to positive living environments”, or provide “appropriate access to sunlight, outlook, visual and acoustic privacy, and outdoor space” in accordance with Principle 6: Amenity; and
- “optimise safety and security within the development and the public domain” or “maximise passive surveillance of public and communal areas” in accordance with Principle 7: Safety.

Apartment Design Guide

The Apartment Design Guide (ADG) contains objectives, design criteria and design guidelines for residential apartment development. In accordance with Clause 6A of the SEPP certain requirements contained within LDCP2013 do not apply. In this regard the objectives, design criteria and design guidelines set out in Parts 3 and 4 of the ADG prevail.

The proposed ground floor residential unit is not appropriate in the B1 Neighbourhood Centre context, will not achieve satisfactory amenity given insufficient solar access to living areas and private open space, inadequate private open space, provides poor visual privacy and public domain interface due to higher surrounding street footpath levels, and results in internal acoustic impacts to bedrooms and living areas adjacent to noisy areas (e.g. common driveway, pathways, garbage truck turning bay and car parking).

Therefore, the proposed unit fails to satisfy the following objectives and requirements of the Apartment Design Guide:

- Section 3A Site Analysis, Objective 3A-1 'Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context'.
- Section 3C Public domain interface, Objective 3C-1 'Transition between private and public domain is achieved without compromising safety and amenity'.
- Section 3F Visual privacy, Objective 3F-2 'Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space'.
- Section 4A Solar and daylight access, Objective 4A-1 'to optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space'.
- Section 4E Private open space and balconies, Objective 4E-1 'Apartments provide appropriately sized private open space and balconies to enhance residential amenity' and ground floor apartments provide a private open space with a minimum area of 15sqm and minimum depth of 3m.
- Section 4H Acoustic privacy, Objective 4H-1 'Noise transfer is minimised through the siting of buildings and building layout'.
- Section 4L Ground floor apartments, Objective 4L-2 'Design of ground floor apartments delivers amenity and safety for residents'.
- Section 4S Mixed use, Objective 4S-1 'Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement'.

5(a)(iii) Leichhardt Local Environment Plan 2013 (LLEP 2013)

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

- Clause 1.2 – Aims of the Plan
- Clause 2.3 – Zone objectives and Land Use Table
- Clause 4.4 – Floor Space Ratio
- Clause 4.4A – Floor Space Incentives for active street frontages
- Clause 4.5 – Calculation of floor space ratio and site area
- Clause 5.10 – Heritage Conservation
- Clause 6.11A – Residential accommodation in Zone B1 and Zone B2
- Clause 6.13 – Diverse housing

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

Standard (maximum)	Proposal	% of non compliance	Compliance
Floor Space Ratio Required: [1:1]	1.36:1 345m ²	36%	No
Diverse Housing	33%	14.29%	No

Max. 30% of dwellings with 3+ bedrooms = 7	8 out of 24 units		
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Clause 4.4A Exception to maximum floor space ratio for active street frontages

Clause 4.4A(3) provides that despite the maximum Floor Space Ratio of 1:1 identified on the Floor Space Ratio (FSR) Map under Clause 4.4, a maximum FSR of 1.5:1 applies if the consent authority is satisfied that:

- (a) *the building comprises mixed use development, including residential accommodation, and*
- (b) *the building will have an active street frontage, and*
- (c) *the building is compatible with the desired future character of the area in relation to its bulk, form, uses and scale.*

It is noted that Council has previously permitted the change of use of 4 ground floor professional suites off Foy Street to 4 dwellings under D/2017/133, which resulted in the retention of 2 professional suites and the retail tenancy facing Reynolds Street and a total of 23 residential units. This was considered acceptable given these professional suites were oriented either away from the street or solely off Foy Street and the non-residential uses on the ground floor of the building facing Reynolds Street were being retained.

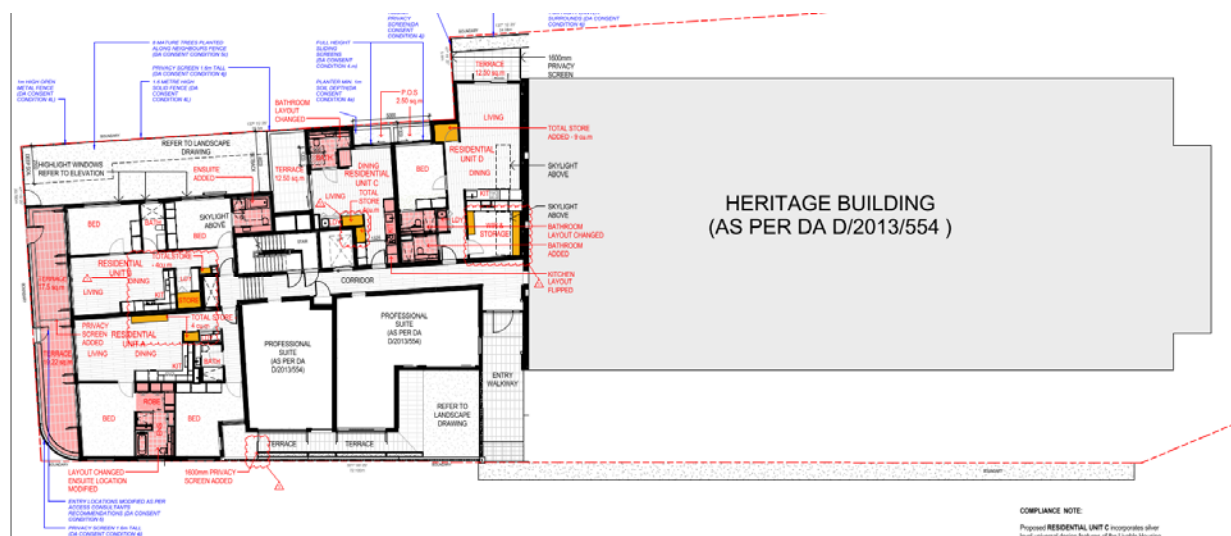


Figure 3: Approved ground floor under D/2017/133 at 100-104 Reynolds Street.

However, the current proposed change of use of the ground floor retail tenancy to a dwelling and associated works results in the loss of active street frontage facing Reynolds Street and Hyam Street. Refer to further discussion under Clause 6.11A.

Therefore, the proposal no longer benefits from an FSR of 1.5:1 and would result in a 36% variation of the maximum FSR of 1:1, which is not supported given the significant reduction of non-residential ground floor space is not consistent with the objectives of the B1 Neighbourhood Centre zone.

Clause 5.10(10) Heritage Conservation

No Clause 4.6 requests to vary the above development standards were submitted with the application as the proposal seeks to rely on the conservation incentives provision under Clause 5.10(10) to permit development that would otherwise not be allowed under LLEP 2013.

However, notwithstanding the accompanying costed 20-year maintenance plan, the proposal will result in adverse heritage impacts and as such, fails to satisfy Clause 5.10(10) (a) and (e) of LLEP 2013. The proposed alterations to the building, including the provision of enclosed private courtyards fronting both Reynolds Street and Hyam Street and the compartmentalisation of the open plan internal space, fail to facilitate the conservation of the heritage item and would adversely affect the significance of the heritage item, including its setting. Further, the originally approved mixed use development under D/2013/554 is the subject of a Conservation Management Plan that has already facilitated the conservation of the heritage item and would be the subject of ongoing future maintenance as a part of the overall strata scheme.

Therefore, as the pre-conditions of Clause 5.10(10) are not satisfied and the proposal is otherwise not permitted under Clause 6.11A, inconsistent with the objectives of the B1 Neighbourhood Centre zone, and non-compliant with FSR, the application cannot be determined by grant of consent even if a Clause 4.6 request was lodged.

Clause 6.11A Residential accommodation in Zone B1 and Zone B2

Clause 6.11A(3) states that development consent must not be granted for the purpose of residential accommodation on land within the B1 Neighbourhood Centre Zone unless the consent authority is satisfied that:

- (a) the building comprises mixed use development, including residential accommodation, and*
- (b) the building will have an active street frontage, and*
- (c) the building is compatible with the desired future character of the area in relation to its bulk, form, uses and scale.*

In this instance, the proposal retains the two 'professional commercial suites' facing Reynolds Street within the mixed use development, which entails a 74.2% reduction (310sqm) of the approved non-residential Gross Floor Area equating to a proposed non-residential FSR of 0.046:1. While the building technically comprises mixed use development albeit with a minor non-residential component, it is considered that the change of ground floor retail use to a dwelling will not provide an active street frontage nor provide a building that is compatible with the desired future character of the area in relation to its form and uses.

The applicant contends that the change of use will not affect the active street frontage of the building to the primary street frontage (being Reynolds Street) given the retention of the two remaining professional suites on Reynolds Street. The applicant further contends that the existing retail tenancy for which the change to residential is sought does not have a frontage to Reynolds Street as it has a ground floor level that is substantially lower than the adjacent level of Reynolds Street.

As noted previously, the relationship of the ground floor retail use with Reynolds Street and Hyam Street was considered as a part of the approval under D/2013/554, which required all floor space at the ground floor or street level to be used for non-residential purposes.

Based on the existing topography of the site, the identified ground floor retail area as shown on the approved plans is properly considered to be the ground floor of the building for the purposes of active street frontage to Reynolds Street given it is not predominantly below existing ground level and the floor level immediately above is more than 1m above existing ground level. It is also noted that the remaining ground floor small scale 'professional suites' have a similar relationship with Reynolds Street, being substantially below the adjacent higher street level of the primary street frontage. Refer to Figure 4 below.

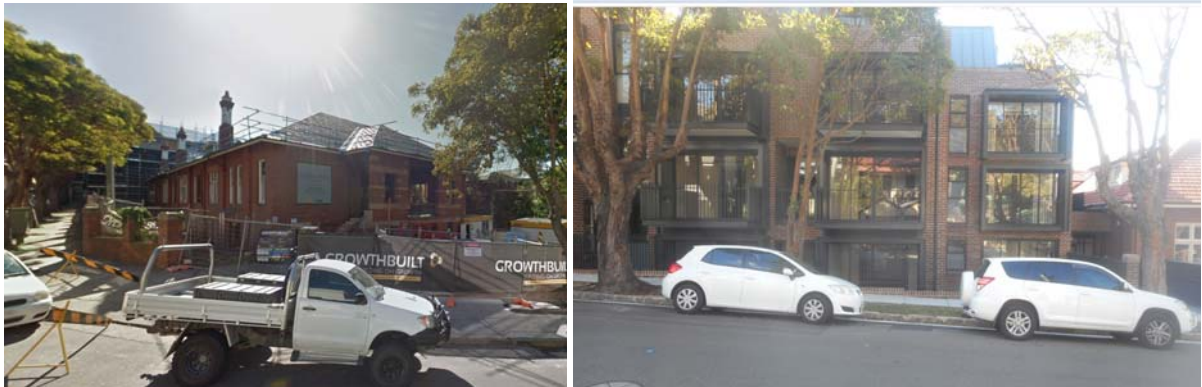


Figure 4: Relationship of retail tenancy (left) and professional suites (right) with street at 100-104 Reynolds Street.

In this instance, the ground floor retail tenancy has frontage to both Reynolds Street and Hyam Street with a prominent pedestrian entry on the primary street frontage off Reynolds Street and represents the predominant component of the current non-residential use on the ground floor of the building. Noting the desired future character of the area seeks to promote the engagement of the ground floor with the street with non-residential uses and retain the heritage significance of the building within a B1 Neighbourhood Centre context, the proposed change of use and associated works are considered to be antipathetic to the desired future character of the area in terms of building form and uses.

Therefore, it is considered that the proposed change of use and associated works for the purpose of residential accommodation proposal in the B1 Neighbourhood Zone does not satisfy the relevant criteria and as such, consent cannot be granted.

5(b) Draft Environmental Planning Instruments

There are no relevant Draft Environmental Planning Instruments.

5(c) Development Control Plans

Given the application fails on key threshold issues and cannot be determined by granting of consent, a limited merit based assessment has been undertaken.

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

Part	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	No
B1.1 Connections – Objectives	No – the proposed deletion of the ground floor retail results in reduced opportunities for social connections and detracts from the identity and character of the area
B2.1 Planning for Active Living	No – the proposal deletes active street frontage and retail

	facing the street in proximity to residents
Part C	
C1.0 General Provisions	No
C1.1 Site and Context Analysis	No
C1.2 Demolition	N/A
C1.3 Alterations and additions	No
C1.4 Heritage Conservation Areas and Heritage Items	No - The proposal results in adverse heritage impacts given the additional removal of original fabric and detracts from the setting of the item.
C1.5 Corner Sites	No
C1.6 Subdivision	N/A
C1.7 Site Facilities	N/A
C1.8 Contamination	N/A
C1.9 Safety by Design	No
C1.10 Equity of Access and Mobility	N/A
C1.11 Parking	Yes
C1.12 Landscaping	Yes
Part C: Place – Section 2 Urban Character	
Suburb Profile	
C2.2.2.4 The Valley 'Balmain' Distinctive Neighbourhood, Balmain	No
Part C: Place – Section 4 – Non-Residential Provisions	
C4.1 Objectives for Non-Residential Zones	No
C4.2 Site Layout and Building Design	No
C4.3 Ecologically Sustainable Development	Yes
C4.4 Elevation and Materials	No
C4.5 Interface Amenity	Yes
C4.15 Mixed Use	No – the proposal fails to achieve the objectives of providing an acceptable level of residential amenity or ensuring that residential uses are complementary to the primary role of centres for commercial activity
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	No
D2.1 General Requirements	No
D2.2 Demolition and Construction of All Development	Yes
D2.5 Mixed Use Development	No – separate areas for retail and residential waste have not been provided

Part E: Water	N/A

5(d) The Likely Impacts

The assessment of the Development Application demonstrates that the proposal will have an adverse impact on the locality in terms of heritage, streetscape, and active street frontage.

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

The site is zoned B1 – Neighbourhood Centre and pursuant to Clause 6.11A of the Leichhardt LEP the proposed residential use of the ground floor is not permitted. It is considered that the proposal will have an adverse impact in terms of heritage and streetscape considerations, result in the loss of active street frontage, and provide inadequate internal amenity. 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 Council's Policy for a period of 14 days to surrounding properties. A total of 3 submissions were received.

The following issues raised in submissions warrant refusal of the proposed and have been discussed in this report:

- The loss of ground floor non-residential use – see Sections 4(b) and 5(a)(iii)

In addition, whilst traffic and car parking was raised as a concern, the proposed change of the existing retail tenancy to an additional dwelling is not considered likely to result in adverse traffic or parking impacts.

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

6(a) Internal

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

- Heritage Officer
- Building Officer
- Development Engineer

Council's Heritage and Building Officer have raised concerns with the application, which have not been satisfactorily addressed as discussed within this Report and warrant refusal of the application.

6(b) External

The application was not required to be referred externally.

7. Section 7.11 Contributions

Section 7.11 contributions are payable for the proposed additional dwelling if the proposal is determined by grant of consent.

8. Conclusion

The proposal fails on key threshold issues and does not comply with the aims, objectives and design parameters contained in Leichhardt Local Environmental Plan 2013, SEPP 65, the Apartment Design Guide, and Leichhardt Development Control Plan 2013. The development will result in adverse impacts in terms of heritage and the streetscape. The application is considered unsupportable and in view of the circumstances, conditions are not provided and refusal of the application is recommended.

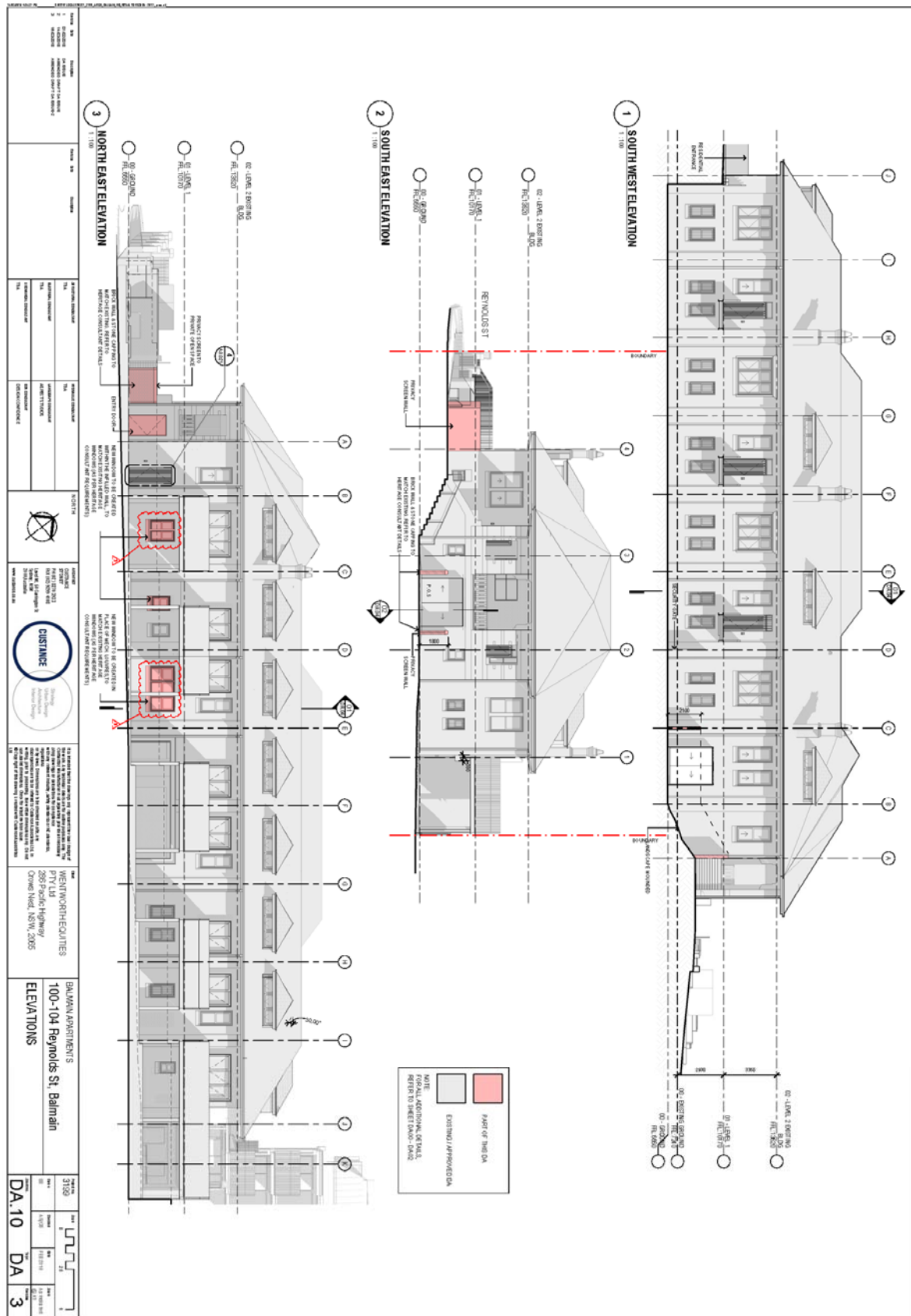
9. Recommendation

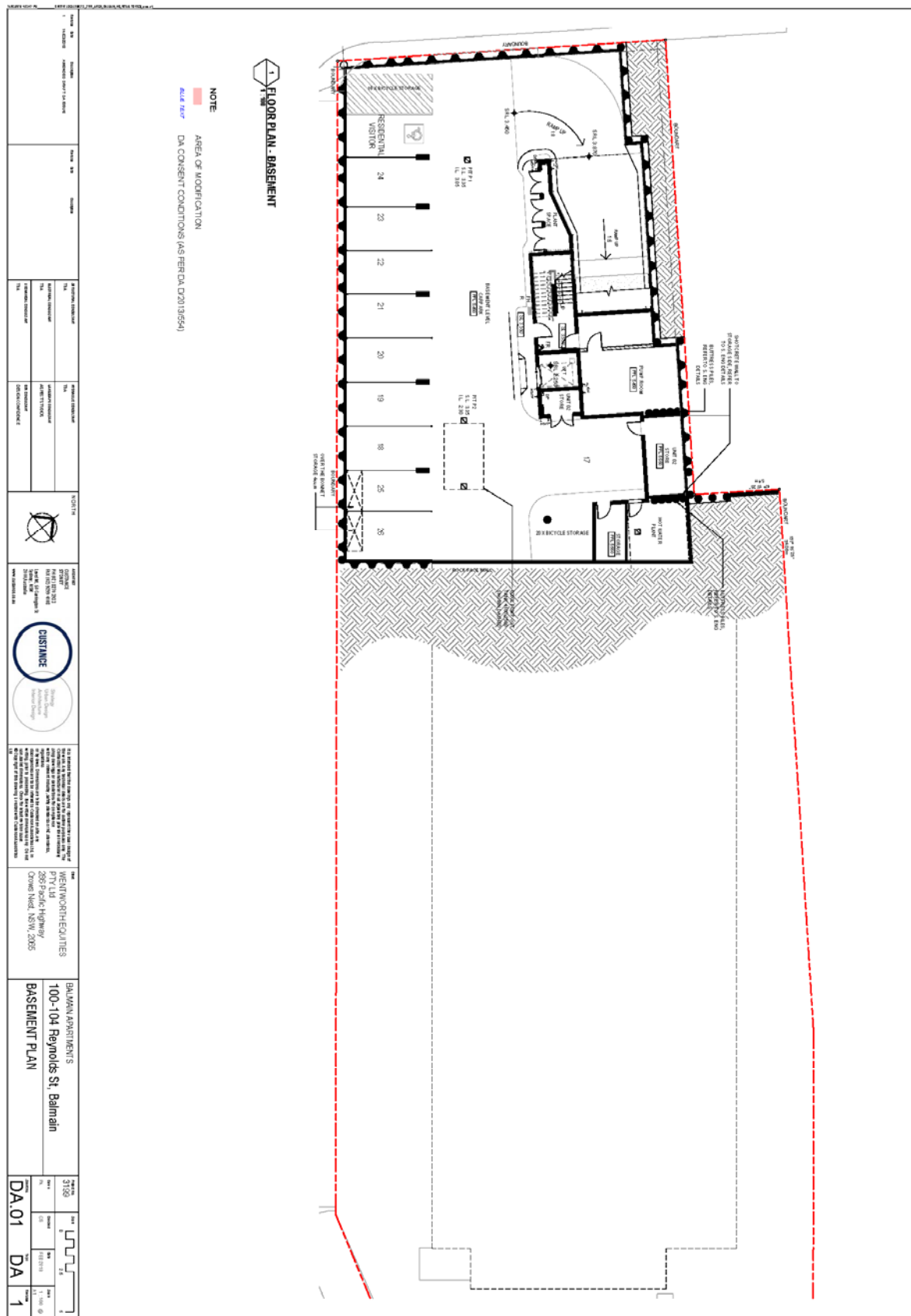
That the Panel, as the consent authority pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, refuse the Development Application No. D/2018/164 for the change of use of the ground floor retail tenancy to a residential unit and associated fit-out at 100-104 Reynolds Street, Balmain for the following reasons:

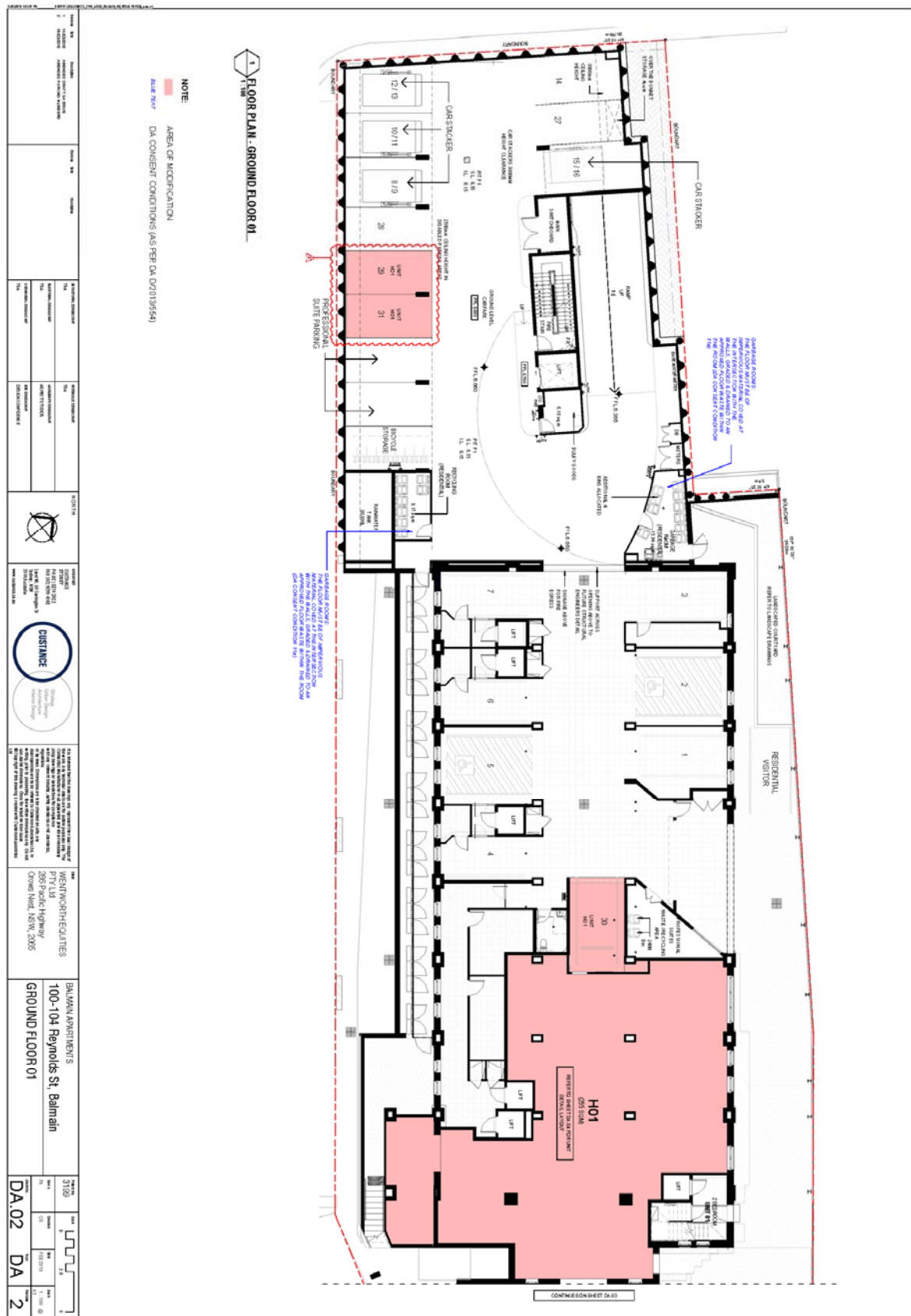
1. The proposed development is inconsistent and / or has not demonstrated compliance with the design quality principles of State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development, pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979.
2. The proposed development is inconsistent and / or has not demonstrated compliance with the Apartment Design Guide in accordance with Clause 28(2)(c) of State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development, pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979.
3. The proposed development is inconsistent and / or has not demonstrated compliance with the Leichhardt Local Environmental Plan 2013, pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979:
 - a) Clause 1.2 of the Leichhardt Local Environmental Plan 2013 – Aims of the Plan;
 - b) Clause 2.3 - Zone objectives and Land use Table;
 - c) Clause 4.4 – Floor Space Ratio;
 - d) Clause 4.4A – Exception to maximum floor space ratio for active street frontages;
 - e) Clause 4.6 – Exceptions to development standards;
 - f) Clause 5.3 – Development near zone boundaries;
 - g) Clause 5.10 – Heritage conservation;
 - h) Clause 6.11A – Residential accommodation in Zone B1 and Zone B2; and
 - i) Clause 6.13 – Diverse Housing.
4. The proposed development cannot be approved as it breaches the maximum FSR of 1:1 by 36% and the number of 3 or 4 bedroom units by 14.1% as stipulated by Clause

- 4.4 and Clause 6.13, respectively, and has not been accompanied with a Clause 4.6 request to vary these standards under Leichhardt Local Environmental Plan 2013.
5. The proposed development cannot be approved as it fails to achieve the preconditions of Clause 5.10(10) under Leichhardt Local Environmental Plan 2013 to enable the grant of consent for a purpose that would otherwise not be allowed. It does not facilitate the conservation of the heritage item as it removes original fabric and detracts from the setting of the heritage item contrary to Clause 5.10(10)(a) and would adversely affect the heritage significance of the item contrary to Clause 5.10(10)(d).
 6. The proposed development cannot be approved as it results in the loss of active street frontage contrary to Clause 6.11A under Leichhardt Local Environmental Plan 2013, pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979.
 7. The proposed development is inconsistent and / or has not demonstrated compliance with the following provisions of Leichhardt Development Control Plan 2013, pursuant to Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979:
 - a) Clause B1.1 – Connections Objectives;
 - b) Clause B2.1 – Planning for Active Living;
 - c) Clause C1.0 – General Provisions;
 - d) Clause C1.1 – Site and Context Analysis;
 - e) Clause C1.4 – Heritage Conservation Areas and Heritage Items;
 - f) Clause C1.5 – Corner Sites;
 - g) Clause C2.2.2.4 – The Valley ‘Balmain’ Distinctive Neighbourhood;
 - h) Clause C4.1 – Residential General Provisions;
 - i) Clause C4.2 – Site Layout and Building Design;
 - j) Clause C4.4 – Elevations and Materials; and
 - k) Clause C4.15 – Mixed Use.
 8. The proposed development is inconsistent and / or has not demonstrated compliance with the Regulations given a valid application has not been made in the absence of an adequate design verification statement addressing the design quality principles of SEPP 65 and Parts 3 and 4 of the Apartment Design Guide, or Statement of Environmental Effects explaining how the design quality principles of SEPP 65 area addressed and the objectives of the Apartment Design Guide are achieved in accordance with Clause 50 of the Regulations, pursuant to Section 4.15 (1)(a)(iv) of the Environmental Planning and Assessment Act 1979.
 9. The proposal will result in adverse environmental impacts in the locality, pursuant to Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979.
 10. The adverse environmental impacts of the proposal mean that the site is not considered to be suitable for the development as proposed, pursuant to Section 4.15 (1)(c) of the Environmental Planning and Assessment Act 1979.
 11. The public submissions raised valid grounds of objection and approval of this application is considered contrary to the public interest, pursuant to Section 4.15 (1)(d) and (e) of the Environmental Planning and Assessment Act 1979.

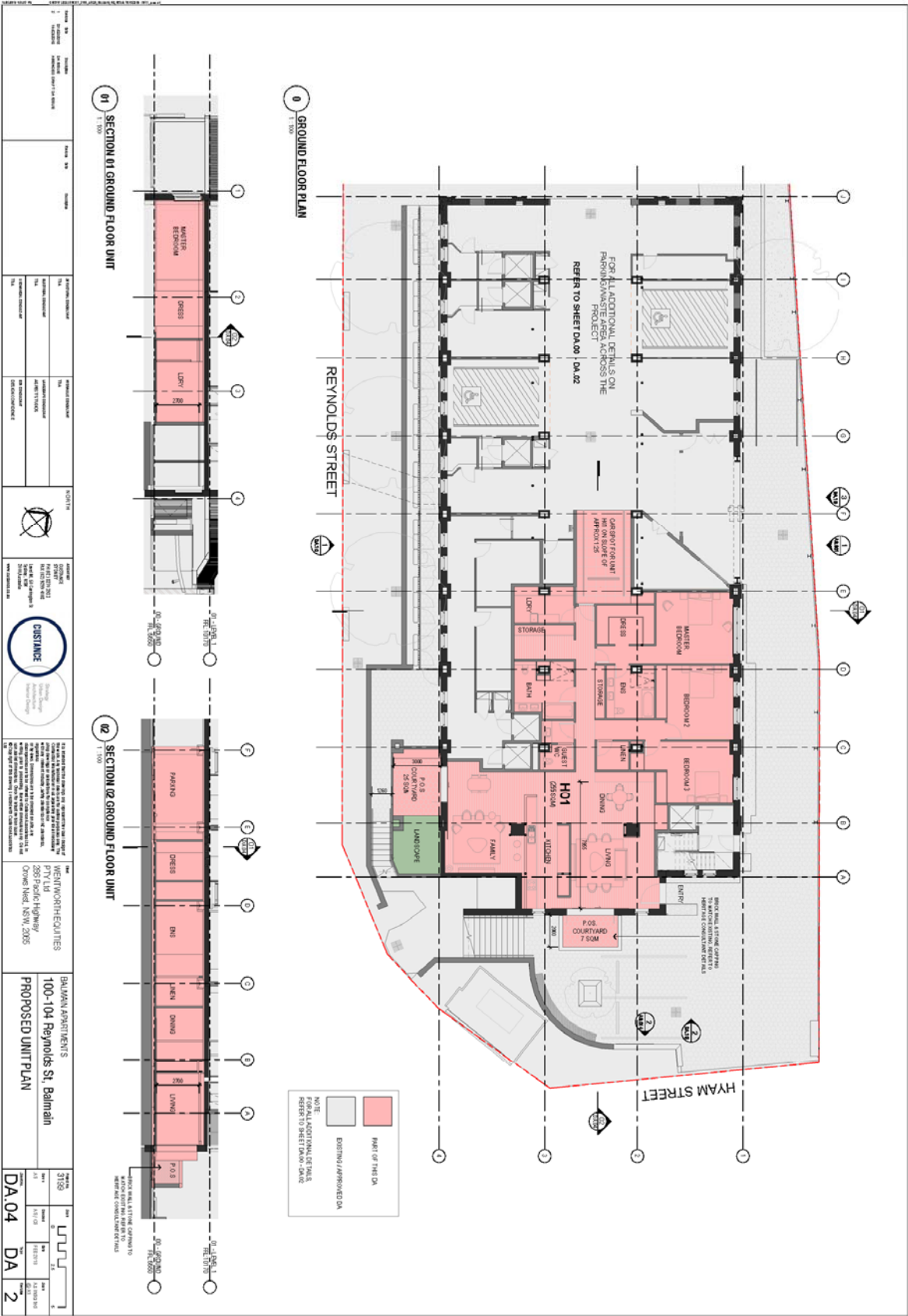
Attachment A – Plans of proposed development







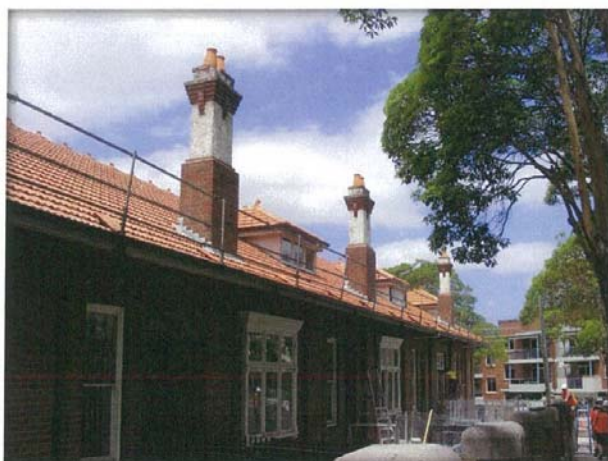




20-YEAR COSTED MAINTENANCE PLAN

100-104 Reynolds Street

Balmain



Job no. 8006
March 2018

Heritage21
CULTURAL BUILT HERITAGE IN THE 21ST CENTURY

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20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

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Cover page: Subject site at 100 Reynolds Street, Balmain, as conservation and retro-fitting nears completion (Source: Heritage 21, 10.01.18)

The following table forms part of the quality management control undertaken by Heritage 21 regarding the monitoring of its intellectual property as issued.

Issue	Description	Date	Written by	Reviewed by	Issued by
1	Draft report (D1) issued for comment.	16.01.18	GK	PR	KM
2	Report issued (R1) for development application.	13.03.18	GK	AK	AK
3	Revised report issued (R12) for development application.	22.03.18	GK	AK	AK

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Job No. 8006 – R12

1.0 INTRODUCTION

1.1 Background & Purpose

This 20-Year Costed Maintenance Plan (or 'report') has been prepared on behalf of the owner of proponent in the context of alterations and change of use at 100-104 Reynolds Street, Balmain ('the site'), a locally-listed heritage item (see Section 1.3 below) which is currently being converted from office space to strata units. This document details the costs required over a 20-year period to maintain the heritage significant elements of the listed heritage item.

Non-heritage elements may be noted in general, but are considered to be outside the scope of this report, as is the new development located within the northwest section of the site.

1.2 Site Identification

The subject site is located at 100 Reynolds Street, Balmain, which falls within the boundaries of the Inner West local government area (Formerly Leichhardt Council). The site comprises Lot 1, DP801399. The location of the subject site is shown in Figure 1 below.

The site consists of a lot aligned and falling north-west to south-east, with a two-storey brick and tile federation-style building occupying the south-eastern two thirds and new development located within the north-western third. The immediate neighbourhood is primarily residential in character, with some shops opposite the south-eastern end of the subject site and a public park to its north.



Figure 1. Aerial view of locality with the subject site outlined in red (Source: NSW Land and Property Information, 'Six Maps', n.d., <http://maps.six.nsw.gov.au/>).

1.3 Heritage Context

1.3.1 Heritage Listing

The table below details the statutory heritage listing which apply to the site:

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20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

Heritage register	Item name	Significance	Item no.
Leichhardt Local Environmental Plan 2013	Former Unilever administration building and fence, including interiors	Local	I302

1.3.2 Statement of Significance

The following Statement of Significance is available for the subject site, the *Former Unilever Building*, on the State Heritage Inventory:¹

The former Unilever Administration Building at No. 100-104 Reynolds Street is of local historic, aesthetic and social significance as part of an early subdivision and early 20th century period of development of the local area and expansion of the former Unilever soapery.

The building was constructed in 1914 as a purpose built administration and office building and was in continuous use by the company until the 1980s. Despite some additions and modifications, the building retains its original form and Federation period character and details including red face brick facades, rendered and stone details, hipped roof form and clerestory vents, chimneys, pattern of openings and timber framed windows. The building occupies a prominent corner site and faces a busy intersection. It is enhanced by the red brick fence, open area around the building and mature street trees along the street frontages and makes a positive contribution to the Reynolds and Hyam Streets streetscapes.

1.3.3 Heritage Conservation Area

The site is located within The Valley Heritage Conservation Area ('HCA'), as listed in Schedule 5 of the Leichhardt Local Environmental Plan 2013 ('LLEP').

Properties located within a HCA fall into one of the three following classifications:

- Contributory Item – the property makes a positive contribution to the character and heritage significance of the HCA.
- Neutral Item – the property does not contribute nor detract from the character and heritage significance of HCA.
- Non-Contributory Item – the property detracts from character and heritage significance of HCA.

As well as being a listed item in Schedule 5 of the LLEP, it is the assessment of Heritage 21 that the subject site is a contributory item to the HCA.

¹ NSW Office of Environment and Heritage, 'State Heritage Inventory', Search for NSW Heritage, n.d., <http://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx>.

20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain



Figure 2. Detail of Heritage Map HER_007, showing subject site (indicated by blue arrow), heritage items (shaded tan), and HCA (hatched red) (Source: NSW Legislation Online, <https://legislation.nsw.gov.au/#/view/EPI/2013/758/maps>).

1.4 Authors

This 20-Year Costed Maintenance Plan has been prepared by Graeme King and overseen by Paul Rappoport, of Heritage 21, heritage consultants.

1.5 Limitations

- This 20-Year Costed Maintenance Plan is limited to the required maintenance actions, cycles and required costs over a 20-year period of the element, as assessed by Heritage 21.
- This 20-Year Costed Maintenance Plan is based on the physical evidence found on site as inspected on 10.01.2018 for the preparation of this report.
- This report only assesses the original footprint of the building, looking in detail at the heritage fabric. The additions and other non-significant fabric are outside of the scope of this report.
- This 20-Year Costed Maintenance Plan is based upon an assessment of the heritage issues only and does not purport to have reviewed or in any way endorsed decisions or proposals of a planning or compliance nature. It is assumed that compliance with non-heritage aspects of Council's planning instruments, the BCA and any issues related to services, contamination, structural integrity, legal matters or any other non-heritage matter is assessed by others.
- All care has been given to provide an accurate assessment of the extant materials and conditions of the site in its current presentation; however, should there be any discrepancies in between this 20-Year Costed Maintenance Plan and the qualified trade experts' findings, the heritage architect should be consulted before any modifications are made to the specifications prescribed in this report.
- All costings are approximate and for reference only, and are based on the expertise of Heritage 21 in managing heritage sites at the time of writing (March 2018). Building maintenance and rates costs are subject to change over time.

2.0 METHODOLOGY

2.1 Preamble

The methodology used by Heritage 21 in this report is consistent with Assessing Heritage Significance published by the Heritage Branch of the NSW Office of Environment & Heritage and has been prepared in accordance with the principles contained in the most recent edition of *Australia ICOMOS Burra Charter*.

2.2 Significance Assessment

This 20-Year Costed Maintenance Plan incorporates a fabric analysis of the significance and condition of the components of the area of works, and recommendations for maintenance, maintenance cycles and the estimated costs for each of these elements over a 20-year period.

The methodology used to assess the heritage significance of the components is based on the *NSW Heritage Manual: Assessing Heritage Significance* which determines that there are five grades of significance: exceptional; high; moderate; little and intrusive.² This system can be used as a planning tool as the various grades of significance generate different requirements for retention and conservation of individual spaces (refer to Section 2.2 below). Based on the same guidelines, the fabric is also graded in terms of condition, of which there are also five grades: very good; good; fair; poor; and, very poor. The approach taken to the grading of the condition and significance of the fabric elements of the subject site is as shown in the Condition Grading Key and the Significance Grading Key below.

CONDITION GRADING KEY	
CONDITION	EXPLANATION
VERY GOOD	Little or no deterioration.
GOOD	Stable fabric unlikely to require much attention in the next 5 years other than regular inspections and maintenance as required.
FAIR	Fabric of less stable integrity requiring monitoring in the next 5 years. Likely to require sundry repairs/conservation.
POOR	Fabric identified as having lost its essential structural integrity on the basis of observed deterioration. Likely to require essential maintenance and repair in the immediate to medium term.
VERY POOR	Fabric requiring immediate attention due to its observed dilapidation.

² NSW Office of Environment and Heritage, 'Assessing Heritage Significance' (NSW Heritage Office, 2001), NSW Heritage Manual, <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/listings/assessingheritagesignificance.pdf>.

20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

SIGNIFICANCE GRADING KEY		
SIGNIFICANCE	EXPLANATION	GENERAL CONSERVATION ACTION / COMMENT
EXCEPTIONAL	Rare or outstanding element directly contributing to an item's local and/or State significance.	Loss or alteration of these elements would detract from the heritage significance of the place.
HIGH	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.	Elements should generally be retained, restored and conserved in situ. Minor intervention into fabric including adaption and alteration, as defined by the <i>Burra Charter</i> , is permissible provided that the level of significance of each element is retained, giving preference to changes which are reversible.
MODERATE	Altered or modified elements. Elements with little heritage value, but which contribute to the overall significance of the item.	Building fabric and relationships which are supportive of the overall significance of the item and have some heritage value, but do not make an important or key contribution to the identified heritage values of the place. A greater level of intervention is permissible. Adaption and alteration is permissible, provided that it protects the identified heritage values of the place.
LITTLE	Alterations detract from significance. Difficult to interpret.	Includes fabric which detracts from the heritage value of the item or fabric related to unsympathetic alteration. These are components generally of neutral impact on the significance of the place. These elements are generally not regarded as essential to the major aspects of significance of a building or place. Both retention and removal are acceptable options. Any major interventions to the item are best confined to the areas where the fabric is of little significance.
INTRUSIVE	Existing fabric which is damaging to the item's heritage significance.	Includes elements and features which adversely affect the significance of the place. Removal of these elements would directly increase the overall heritage value of the item.

2.3 Maintenance Recommendations

2.3.1 Types of Maintenance

Maintenance is defined by *The Burra Charter* as the continuous protective care of the fabric, contents and setting of a place. Regular expenditure on simple maintenance works is cost effective in the long

term as problems are identified and treated early, negating the need for expensive major works. The information below has been primarily sourced from the *Maintenance Series* of publications available online through the NSW Office of Environment & Heritage website. The *Maintenance Series* provides maintenance advice on materials and elements found in heritage buildings as well as information on common problems. The publication divides maintenance types into three categories as follows:

Corrective maintenance: improve the condition

- This is work necessary to return an element to a stable condition or bring a building to an acceptable standard.
- Where funding is not presently available for corrective maintenance, planned maintenance should recurrently be carried out to stabilise the condition and prevent further deterioration.

Planned maintenance: maintain the condition

- This is recurring work carried out in order to prevent predictable deterioration and failure of building components, such as cleaning of gutters.
- Planned maintenance should aim to maintain a stable condition of fabric in the long term after corrective maintenance has been carried out where necessary.

Emergency corrective maintenance: respond to unexpected damage

- This is work that is not predictable and is required to be carried out immediately for reasons of health, safety or to prevent rapid deterioration of the structure if not performed.
- Emergency corrective maintenance is excluded from the maintenance guidelines provided in this report. A response system detailing who is responsible for urgent repairs should be prepared and implemented by the owners.

2.3.2 Significance Gradings and Maintenance

For the purpose of providing maintenance guidelines, the following general recommendations are made for the maintenance of fabric and elements of differing significance gradings:

- Fabric of exceptional and high significance should be **retained and conserved**

It should be noted that all the internal elements of identified heritage significance (fenestration, joinery, fixtures, columns & fireplace) will fall under this category; the exception being the basement floor, which Heritage 21 considers may be modified (as no original fabric remains exposed) with the support and advice of Heritage 21, - the purpose being to accommodate improved services and natural lighting to benefit the approved development from office space to strata units. All exteriors, (chimneys, fenestration, walls, roof, perimeter fence, etc.) should equally be treated as demonstrating exceptional or high significance.

- Fabric of moderate and little significance may be **retained and conserved** or may be **modified or removed**, if such change is appropriate for the ongoing conservation of the place or to enable the re-instatement of more appropriate features (such as original or traditional features of the period).

Note that the heritage item has been undergoing intensive restoration and retro fitting to a very high standard, with the involvement of Heritage 21. Most modifications, including the integration of old and new, has been undertaken or is in the process of completion. There remains, however, the completion of modifications to the basement floor to accommodate improved service and one additional strata unit.

- Intrusive fabric should be **removed**

Note that all intrusive elements have been removed as part of the adaptive reuse works being undertaken at the site.

2.4 Structure of 20-Year Costed Maintenance Plan

The Statement of Significance provided in Section 1.3 of this report, has found that the subject property has historic, aesthetic, and representative heritage values. These values are embodied not only in the building history but also within the physical fabric of the place. It is therefore important to consider the heritage significance and physical condition of the different fabric elements of the subject site and the necessary maintenance to ensure the retention of their significance.

This 20-Year Costed Maintenance Plan is limited to maintenance and maintenance cycles for areas of heritage significance only, constituting the original footprint of the main building and the significant curtilage/setting. The later extensions outside of the original footprint, as well as the later works to the grounds and interiors, have been largely excluded from this analysis, as are the internal spaces of the sub-floor, of which no elements of significance are apparent.

The 20-Year Costed Maintenance Plan below follows on from an assessment of the significance and condition of the heritage item and its surrounds as previously prepared by Heritage 21. A site inspection was undertaken by Heritage 21 on 10.01.18 in preparation for this report.

The maintenance tables provided in Section 3.0 below have divided the area of maintenance works proposed to the subject site into six categories: Building Exterior; Building Interior; Curtilage and Setting; Building Services and Pest Control, and Urgent Maintenance.

3.0 20-YEAR COSTED MAINTENANCE PLAN

3.1 Building Exterior

3.1.1 Roofing

DESCRIPTION	<ul style="list-style-type: none">• Hipped roof in Federation style.• Red terracotta tiles newly laid, to replicate the original roof covering.• The tiling and flashings have been completed.• Temporary PVC rainwater goods, to be replaced with Colorbond.• Eaves still to be completed, with some repair of the brickwork to follow.• Colorbond steel gutters line the roof of the building, including the dormers and lanterns.• Note the internal downpipes (white leaders into the brickwork). These are temporary and are to be replaced with Colorbond.										
	SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE					
CONDITION	VERY GOOD	GOOD	FAIR	POOR	VERY POOR						
MAINTENANCE ACTION			MAINTENANCE CYCLE								
Roof tiles <ul style="list-style-type: none">• Inspect for loose or raised tiles and cement cracks. Flashings <ul style="list-style-type: none">• Inspect for loose or raised fixings, sheet edges and surfaces that are deformed. Look for rust stains around fixings, where sheets are lapped and around flashings.• Inspect flashings around roof penetrations for lifting. Gutters <ul style="list-style-type: none">• Inspect for bent or squashed gutters from ladders and for gutters that are over-strapped.• Check that gutters do not dip at edges or pool water. Generally (A) <ul style="list-style-type: none">• Inspect gutter and downpipe joints for cracks. Check for drips to the underside.• Identify any loose or missing brackets to gutters and downpipes.• Growth, moss or stains surrounding downpipes can indicate blockages. Note particularly the internal guttering.• Look for downpipes that are squashed or damaged and restrict water flow. Generally (B) <ul style="list-style-type: none">• Inspect gutter guards regularly for damage• Clear gutters including guards if installed, sumps and rainwater heads of leaves and rubbish each autumn, trim overhanging trees.• Check if gutters are sagging and water falls to outlets.			Roof tiles <p>It may be assumed that roof tiles will have, at minimum, a 50-year life cycle if well maintained</p> Flashings <p>Annually</p> Gutters <p>5 years</p> Generally (A) <p>Annually</p> Generally (B) <p>Every 6 months</p>								
<table><tr><th colspan="2">MAINTENANCE COST</th></tr><tr><td>ANNUAL COST</td><td>AU\$6,000</td></tr><tr><td>20-YEAR COST</td><td>AU\$120,000</td></tr></table>						MAINTENANCE COST		ANNUAL COST	AU\$6,000	20-YEAR COST	AU\$120,000
MAINTENANCE COST											
ANNUAL COST	AU\$6,000										
20-YEAR COST	AU\$120,000										

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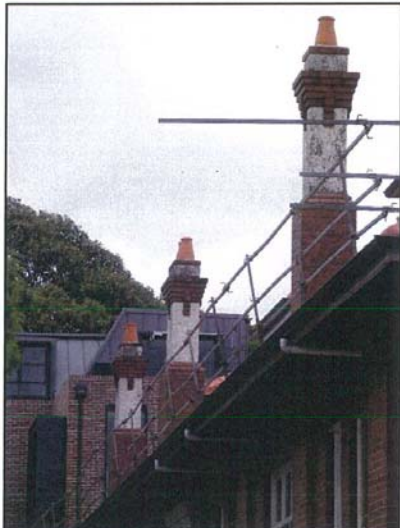
- Ensure leaf guards to outlets, rainwater heads and sumps sit correctly and are clear of debris.
- Check whether birds are nesting on downpipe offsets and polluting the building, or whether bird proofing, if installed, is adequate and sound.

IMAGES





20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

3.1.2 Chimneys

DESCRIPTION	<ul style="list-style-type: none">• A series of sculptural and ornate brick chimneys with roughcast upper section and corbelling. Three on Reynolds St side, one on NE side.• Still undergoing conservation works.• Two cylindrical terracotta chimney posts rest on the crown. New flashing surrounds the base of the plinth.										
SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE						
CONDITION	VERY GOOD	GOOD	FAIR	POOR	VERY POOR						
MAINTENANCE ACTION			MAINTENANCE CYCLE								
Chimneys <ul style="list-style-type: none">• Remove rubbish or leaves, check chimneys/ vent pipes for missing/damaged chimney pots, and birds nesting.• Inspect for loose, fretted, broken or missing mortar joints and bricks.• Identify any inappropriate mortar used in joints.• Check brickwork for crumbling or surface salts; this can indicate a moisture problem. Flashings <ul style="list-style-type: none">• Inspect for loose or raised fixings, sheet edges and surfaces that are deformed.• Inspect flashings around roof penetrations for lifting.• Look for rust stains			Chimneys Every 6 months Flashings Annually <table><tr><th colspan="2">MAINTENANCE COST</th></tr><tr><td>ANNUAL COST</td><td>AU\$1,000</td></tr><tr><td>20-YEAR COST</td><td>AU\$20,000</td></tr></table> <p>Note that the above costs include both the internal and external fabric associated with the chimneys, including fireplaces.</p>			MAINTENANCE COST		ANNUAL COST	AU\$1,000	20-YEAR COST	AU\$20,000
MAINTENANCE COST											
ANNUAL COST	AU\$1,000										
20-YEAR COST	AU\$20,000										
IMAGES											
											



20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

3.1.3 Dormers and Lanterns

DESCRIPTION	<ul style="list-style-type: none">• Dormers and lanterns provide light and amenity to the internal spaces, and enliven the external roof line.• Partially restored, with many original elements, the dormer and lanterns are of timber construction, with original (in most cases) fenestration, tiled roof and guttering.										
SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE						
CONDITION	VERY GOOD	GOOD	FAIR	POOR	VERY POOR						
MAINTENANCE ACTION			MAINTENANCE CYCLE								
Roof tiles <ul style="list-style-type: none">• Inspect for loose or raised tiles and cement cracks. Flashings <ul style="list-style-type: none">• Inspect for loose or raised fixings, sheet edges and surfaces that are deformed.• Inspect flashings around roof penetrations for lifting.• Look for rust stains around fixings, where sheets are lapped and around flashings Dormer construction, sub roof and guttering (including fenestration) <ul style="list-style-type: none">• Inspect for peeling paint, which may indicate falling damp. Windows and surrounds <ul style="list-style-type: none">• Inspect for loose or damaged frames and architraves, and weathered sills• Inspect for damaged or broken glazing Generally <ul style="list-style-type: none">• Inspect areas for grime, growth from joints, bird excretion, etc.• Identify any signs of termite or pest infestation.• Check for any signs of wet or dry rot.			Roof tiles 5 years (life expectancy of 50+ years) Flashings Annually Windows and surrounds Annually Generally 5 years <table><tr><th colspan="2">MAINTENANCE COST</th></tr><tr><td>ANNUAL COST</td><td>AU\$3,000</td></tr><tr><td>20-YEAR COST</td><td>AU\$60,000</td></tr></table>			MAINTENANCE COST		ANNUAL COST	AU\$3,000	20-YEAR COST	AU\$60,000
MAINTENANCE COST											
ANNUAL COST	AU\$3,000										
20-YEAR COST	AU\$60,000										
IMAGES											
											



20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

3.1.4 Fascia and Veranda Joinery

DESCRIPTION	<ul style="list-style-type: none">• A painted timber fascia runs along the eaves of the building.• Original and partially reconstructed joinery is apparent on this open projection from the SE façade.• Note also the sandstone lintels, courses and insets, brickwork and PVC downpipe (to be replaced with Colorbond).• Timber balustrade, spandrel and oversized brackets in Federation style.• Timber sash windows to lower floor.• Ornate joinery complements the brickwork and sandstone, serving a decorative and, (to a lesser extent) structural purpose.										
	SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE					
	CONDITION	VERY GOOD	GOOD	FAIR	POOR	VERY POOR					
	MAINTENANCE ACTION			MAINTENANCE CYCLE							
<p>Generally</p> <ul style="list-style-type: none">• Check for dampness in members.• Identify signs of termite infestation or wet or dry rot.• Check members are secure and true.• Inspect for further movement of fascia.• Inspect connections. <p>Painting finish</p> <ul style="list-style-type: none">• Inspect for deterioration, peeling, bubbling or cracking on panelling that may indicate water entry.			<p>Generally</p> <p>5 years</p> <p>Painting finish</p> <ul style="list-style-type: none">• Inspect every 2.5 years• Repaint when necessary, using like-for-like colours <p>All works are to be undertaken by a suitably-qualified carpenter with heritage experience.</p> <p>Avoid:</p> <ul style="list-style-type: none">• Inappropriate paint colours• Inappropriate paint types <table><tr><th colspan="2">MAINTENANCE COST</th></tr><tr><td>ANNUAL COST</td><td>AU\$3,000</td></tr><tr><td>20-YEAR COST</td><td>AU\$60,000</td></tr></table> <p>See <i>Pest Control</i> in Section 3.5.2 below for termites and rot. This applies to all timber elements.</p>			MAINTENANCE COST		ANNUAL COST	AU\$3,000	20-YEAR COST	AU\$60,000
MAINTENANCE COST											
ANNUAL COST	AU\$3,000										
20-YEAR COST	AU\$60,000										
IMAGES											
											



20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

3.1.5 Walls (including veranda)

DESCRIPTION	<ul style="list-style-type: none">• Red face brick with sandstone courses, rendered concrete lintels.• Veranda protruding from main plan, under subsidiary hipped roof.• Timber balustrade, spandrel and oversized brackets in Federation style (see previous).• Timber sash windows to lower floor.										
SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE						
CONDITION	VERY GOOD	GOOD	FAIR	POOR	VERY POOR						
MAINTENANCE ACTION			MAINTENANCE CYCLE								
<p>Generally</p> <ul style="list-style-type: none">• Repointing and the repair of damaged brickwork is currently being undertaken.• Soft lime mortar to be used, should the sandstone require repair or repointing.			<p>Generally</p> <p>Inspect every 2.5 years</p> <p>All works are to be undertaken by a suitably-qualified mason with heritage experience.</p> <p>Avoid:</p> <ul style="list-style-type: none">• Painting surfaces never intended for painting, such as stone or face brick.								
			<table><tr><th colspan="2">MAINTENANCE COST</th></tr><tr><td>ANNUAL COST</td><td>AU\$2,000</td></tr><tr><td>20-YEAR COST</td><td>AU\$40,000</td></tr></table>			MAINTENANCE COST		ANNUAL COST	AU\$2,000	20-YEAR COST	AU\$40,000
MAINTENANCE COST											
ANNUAL COST	AU\$2,000										
20-YEAR COST	AU\$40,000										
IMAGES											
											

20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

3.1.6 Windows (including hardware and painted finishes)

DESCRIPTION	<ul style="list-style-type: none">On each elevation of the building are a variety of openings and fenestration types, these being sash and hinged (note the casement windows), all within wooden frames.Examples of sub floor north-east facing windows, and south-east facing windows.Note the introduced, elevated 'bridging' between the entry points to the units and the footpath and rear, elevated terraces.										
	SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE					
CONDITION	VERY GOOD	GOOD	FAIR	POOR	VERY POOR						
MAINTENANCE ACTION			MAINTENANCE CYCLE								
Windows <ul style="list-style-type: none">Inspect for loose or damaged mouldings, architraves, decayed stiles at sill level, weathered sills, sashes that bind, noisy pulley wheels that need to be oiled, and sash cords that are decayed or broken.Inspect strength by raising weight by hand and dropping – if cord is sound it will carry weight at bottom of drop.Inspect for damaged or broken glazing.Inspect for loose or decayed sash joints and broken or cracked glass or putty.Check internal faces around windows for stains that can indicate failed flashing.All windows to be eased; check sash boxes and counterweights to ensure that the upper and lower sashes slide fully up and down.All windows, whether original, original with replaced glass, or reconstructions of the originals, are to be treated as highly significant. Should replacement be required, this must be done as 'like for like'.			Windows <p>Annually (life expectancy of 10-15 years)</p> Painting finishes <p>2.5 years</p> <p>All works are to be undertaken by a suitably-qualified carpenter with heritage experience.</p> Avoid: <ul style="list-style-type: none">Installing fans or air conditioners in windowsReplacing with hardware not in keeping with the buildingRemoving original hardwarePainting surfaces never intended for painting (namely hardware and glazing)Inappropriate paint coloursInappropriate paint types								
Painting finishes <ul style="list-style-type: none">Inspect for paint deterioration, failure or damage, and grime generally.Inspect for peeling, bubbling, or cracking of paint, which may indicate water entry.Repaint as necessary.			<table><tr><th colspan="2">MAINTENANCE COST</th></tr><tr><td>ANNUAL COST</td><td>AU\$3,000</td></tr><tr><td>20-YEAR COST</td><td>AU\$60,000</td></tr></table> <p>See <i>Pest Control</i> in Section 3.5.2 below for termites and rot. This applies to all timber elements.</p>			MAINTENANCE COST		ANNUAL COST	AU\$3,000	20-YEAR COST	AU\$60,000
MAINTENANCE COST											
ANNUAL COST	AU\$3,000										
20-YEAR COST	AU\$60,000										
IMAGES											
											

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reception@heritage21.com.au
Job No. 8006 – R12

20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain



3.1.7 Doors (including hardware)

DESCRIPTION	• Entrances to heritage item										
SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE						
CONDITION	VERY GOOD	GOOD	FAIR	POOR	VERY POOR						
MAINTENANCE ACTION			MAINTENANCE CYCLE								
Doors <ul style="list-style-type: none">Inspect for loose jambs, decay at the threshold, or damage from locks being forced.Identify if threshold secure, decayed, excessively worn or broken.Check mouldings or stops are secure, and that the door operates satisfactorily.Check that doors operate satisfactorily.Check door joints are firm.Check if the door requires a stop to prevent damage to the door or walls when opened.Check condition of doors, frames and architraves. Hardware <ul style="list-style-type: none">Check whether hardware operates properly, or is loose, inadequate or damaged.Ensure the hardware is operational; check that the catches catch and the locks lock.Identify if the furniture is secure or missing and defective. Painting finishes <ul style="list-style-type: none">Inspect for paint deterioration, failure or damage, and grime generally.Inspect for peeling, bubbling, or cracking of paint, which may indicate water entry.Repaint as necessary.			Doors and hardware Annually (life expectancy of 10-15 years) Painting finishes 2.5 years All works are to be undertaken by a suitably-qualified carpenter with heritage experience. Avoid: <ul style="list-style-type: none">Painting surfaces never intended for painting (namely hardware and thresholds)Inappropriate paint coloursInappropriate paint types								
			<table><tr><th colspan="2">MAINTENANCE COST</th></tr><tr><td>ANNUAL COST</td><td>AU\$1,000</td></tr><tr><td>20-YEAR COST</td><td>AU\$20,000</td></tr></table> <p>See <i>Pest Control</i> in Section 3.5.2 below for termites and rot. This applies to all timber elements.</p>			MAINTENANCE COST		ANNUAL COST	AU\$1,000	20-YEAR COST	AU\$20,000
MAINTENANCE COST											
ANNUAL COST	AU\$1,000										
20-YEAR COST	AU\$20,000										
IMAGES											
											

20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain



3.2 Building Interior

3.2.1 Internal Window Joinery

DESCRIPTION	<ul style="list-style-type: none">Victorian-style single hung windows with timber joinery, partial reconstructions and new joinery in placesWindows at dormers and lanterns						
SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE		
CONDITION	VERY GOOD	GOOD	FAIR	POOR	VERY POOR		
MAINTENANCE ACTION			MAINTENANCE CYCLE				
Windows <ul style="list-style-type: none">Inspect for loose or damaged mouldings, architraves, decayed stiles at sill level, weathered sills, sashes that bind, noisy pulley wheels that need to be oiled, and sash cords that are decayed or broken.Inspect strength by raising weight by hand and dropping – if cord is sound it will carry weight at bottom of drop.Inspect for damaged or broken glazing.Inspect for loose or decayed sash joints and broken or cracked glass or putty.Check internal faces around windows for stains that can indicate failed flashing.All windows to be eased; check sash boxes and counterweights to ensure that the upper and lower sashes slide fully up and down.All windows, whether original, original with replaced glass, or reconstructions of the originals, are to be treated as highly significant. Should replacement be required, this must be done as ‘like for like’. Painting finishes <ul style="list-style-type: none">Inspect for paint deterioration, failure or damage, and grime generally.Inspect for peeling, bubbling, or cracking of paint, which may indicate water entry.Repaint as necessary.			Windows <p>Annually (life expectancy of 10-15 years)</p> Painting finishes <p>2.5 years</p> Termites and rot <p>Inspect annually</p> <p>All works are to be undertaken by a suitably-qualified carpenter with heritage experience.</p> Avoid: <ul style="list-style-type: none">Installing fans or air conditioners in windowsReplacing with hardware not in keeping with the buildingRemoving original hardwarePainting surfaces never intended for painting (namely hardware and glazing)Inappropriate paint coloursInappropriate paint types				
			<table><tr><td>MAINTENANCE COST</td></tr><tr><td>As indicated in Section 3.1.6 above.</td></tr></table> <p>See <i>Pest Control</i> in Section 3.5.2 below for termites and rot. This applies to all timber elements.</p>			MAINTENANCE COST	As indicated in Section 3.1.6 above.
MAINTENANCE COST							
As indicated in Section 3.1.6 above.							
IMAGES							
							

20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

3.2.2 Columns and Fireplace

DESCRIPTION	• Original iron columns, both freestanding and retained within new walls • Brick fireplace										
SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE						
CONDITION	VERY GOOD	GOOD	FAIR	POOR	VERY POOR						
MAINTENANCE ACTION			MAINTENANCE CYCLE								
Generally <ul style="list-style-type: none">• Very little maintenance should be required, save for general periodic cleaning. Fireplace <ul style="list-style-type: none">• To be retained and conserved.• Exposed brickwork not to be painted			Inspect and clean periodically. It is presumed that cleaning and maintenance will be the responsibility of the owners / tenants of the individual strata units.								
			<table><tr><th colspan="2">MAINTENANCE COST</th></tr><tr><td>ANNUAL COST</td><td>Nil</td></tr><tr><td>20-YEAR COST</td><td>Nil</td></tr></table>			MAINTENANCE COST		ANNUAL COST	Nil	20-YEAR COST	Nil
MAINTENANCE COST											
ANNUAL COST	Nil										
20-YEAR COST	Nil										
IMAGES											
											

3.2.3 Original Flooring

DESCRIPTION	• The original timber floor is extant underneath a new floating floor of composite timber.										
SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE						
CONDITION	VERY GOOD	GOOD	FAIR	POOR	VERY POOR						
MAINTENANCE ACTION			MAINTENANCE CYCLE								
<p>Generally</p> <ul style="list-style-type: none">• Check for dampness in timber boards, joists and beams, especially where built into walls.• Identify any signs of termite infestation or wet or dry rot.• Check that members are secure and true.• Check adequacy of sub-floor ventilation.			<p>Generally</p> <p>5 years</p> <table><tr><th colspan="2">MAINTENANCE COST</th></tr><tr><td>ANNUAL COST</td><td>Nil</td></tr><tr><td>20-YEAR COST</td><td>Nil</td></tr></table> <p>See <i>Pest Control</i> in Section 3.5.2 below for termites and rot. This applies to all timber elements.</p>			MAINTENANCE COST		ANNUAL COST	Nil	20-YEAR COST	Nil
MAINTENANCE COST											
ANNUAL COST	Nil										
20-YEAR COST	Nil										

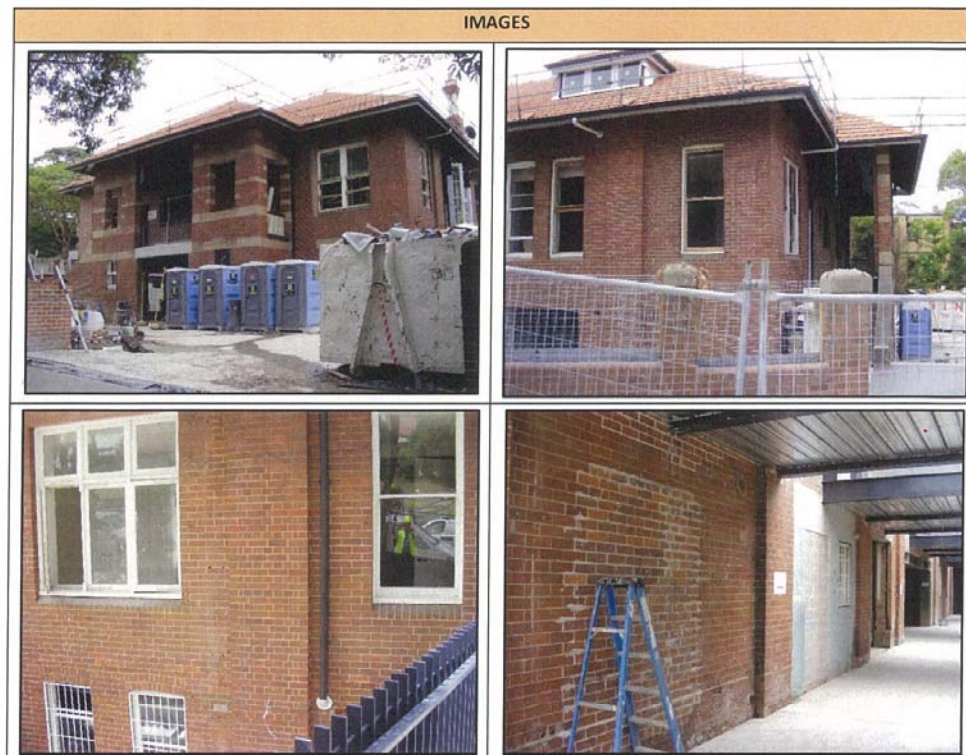
20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

3.3 Structural Elements

3.3.1 Masonry

DESCRIPTION	<ul style="list-style-type: none">• Load-bearing walls at south-eastern façade are brick masonry laid in English bond. Sandstone courses complement the veranda at this elevation.• Flemish bond is employed at the other three façades of the building.• Some damage where intrusive fixtures have been removed.										
SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE						
CONDITION	VERY GOOD	GOOD	FAIR	POOR	VERY POOR						
MAINTENANCE ACTION			MAINTENANCE CYCLE								
Brick masonry <ul style="list-style-type: none">• Inspect for loose, fretted, broken or missing mortar joints and bricks. Has an appropriate mortar been used in joints?• Check if the brickwork is crumbling or has surface salts; this can indicate a moisture problem.• Check for ventilators that are blocked or covered over with soil.• Identify if the original ventilators been replaced with an inappropriate type, e.g. terracotta instead of cast iron. If inappropriate ventilators have been used to increase sub-floor ventilation, replace with appropriate type and add additional ventilators. Mortar and pointing <ul style="list-style-type: none">• Inspect masonry joints for missing or powdery mortar, or deposits of mortar on the ground.• Check if poor condition relates to leaks in gutters or downpipes, etc. Structural <ul style="list-style-type: none">• Identify any leaning walls. If walls appear to lean, check with a long straight edge and spirit level to gain an idea of movement. May be whole wall or localised poor construction – check several parts.• Check for bulges in the brick masonry. Shine a strong light on the surface and look for shadows.• Inspect for changes in colour of materials, bubbling or powdering of finishes or a ‘tide line’ around the building that may indicate rising damp.• Inspect for vegetation growing against building or areas of damp on walls relating to plantings.• Identify any signs of structural distress (movement, cracking) which a structural engineer should inspect. Generally <ul style="list-style-type: none">• Inspect areas for grime, growth from joints, bird excretion, and graffiti.• Identify any signs of termite or pest infestation.• Check for any signs of wet or dry rot.			Brick masonry 5 years (life expectancy of 40-75 years) Mortar and pointing 5 years Structural 5 years Generally Every 6 months Foundations 5 years Structural investigation / assessment may require specialist contractors / engineers. Avoid: <ul style="list-style-type: none">• Covering wall ventilators and damp-proof courses with soil or rubbish• Applying to stonework anti-graffiti or protective coatings, the effectiveness of which have not been proven• Inappropriate cleaning of masonry, e.g. strong water jet cleaning or detergents that can damage the masonry								
			<table><tr><th colspan="2">MAINTENANCE COST</th></tr><tr><td>ANNUAL COST</td><td>Nil</td></tr><tr><td>20-YEAR COST</td><td>Nil</td></tr></table> <p>The costings for masonry maintenance have been addressed above.</p>			MAINTENANCE COST		ANNUAL COST	Nil	20-YEAR COST	Nil
MAINTENANCE COST											
ANNUAL COST	Nil										
20-YEAR COST	Nil										

20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain



3.3.2 Foundations

DESCRIPTION	• The design of the foundations is unknown, but may follow the shape of the plinth.										
SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE						
CONDITION	Unknown.										
MAINTENANCE ACTION			MAINTENANCE CYCLE								
Generally <ul style="list-style-type: none">• Inspect for movement or differential settlement.• Look for cracks in walls internally or externally, particularly near corners of the building. Cracks are often diagonal and go through the corners of window and door openings.• Look for sections of joinery or masonry that are moving apart, doors sticking, or locks not matching.• Inspect for settling of ground, leaking drains or pipes, or wetness on the ground.• Ensure garden beds/ trees have been kept away from walls and not built up against them.• Check that the ground slopes away from the building.			Generally 5 years Structural investigation / assessment may require specialist contractors / engineers.								
			<table><tr><th colspan="2">MAINTENANCE COST</th></tr><tr><td>ANNUAL COST</td><td>Nil</td></tr><tr><td>20-YEAR COST</td><td>Nil</td></tr></table> Accounted for above.			MAINTENANCE COST		ANNUAL COST	Nil	20-YEAR COST	Nil
MAINTENANCE COST											
ANNUAL COST	Nil										
20-YEAR COST	Nil										


20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

3.4 Curtilage and Setting

3.4.1 Landscaping

DESCRIPTION	• At the time of preparing this report, the landscaping was yet to be completed.										
SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE						
CONDITION	N/A										
MAINTENANCE ACTION			MAINTENANCE CYCLE								
<p>Generally</p> <ul style="list-style-type: none">• All new landscaping is to be sympathetic and subordinate to the building.• Trim any trees overhanging the original footprint of the building or which block significant views from the public domain.• Ensure no new trees are planted within close proximity of the original building.			<p>Annually</p> <p>Avoid:</p> <ul style="list-style-type: none">• Planting trees within close proximity of the original building. <table><tr><td colspan="2">MAINTENANCE COST</td></tr><tr><td>ANNUAL COST</td><td>AU\$4,000</td></tr><tr><td>20-YEAR COST</td><td>AU\$80,000</td></tr></table>			MAINTENANCE COST		ANNUAL COST	AU\$4,000	20-YEAR COST	AU\$80,000
MAINTENANCE COST											
ANNUAL COST	AU\$4,000										
20-YEAR COST	AU\$80,000										

3.4.2 Perimeter Fence

DESCRIPTION	<ul style="list-style-type: none"> Red brick fence and piers with sandstone capping. Conservation of fence to be completed prior to landscaping works. 										
SIGNIFICANCE	EXCEPTIONAL	HIGH	MODERATE	LOW	INTRUSIVE						
CONDITION	VERY GOOD	GOOD	FAIR	POOR	VERY POOR						
MAINTENANCE ACTION			MAINTENANCE CYCLE								
<ul style="list-style-type: none"> To be maintained in the same fashion as other masonry elements (refer to Section 3.3.1 above). 			Inspect periodically								
			<table border="1"> <tr> <th colspan="2">MAINTENANCE COST</th> </tr> <tr> <td>ANNUAL COST</td> <td>AU\$1,500</td> </tr> <tr> <td>20-YEAR COST</td> <td>AU\$30,000</td> </tr> </table>			MAINTENANCE COST		ANNUAL COST	AU\$1,500	20-YEAR COST	AU\$30,000
MAINTENANCE COST											
ANNUAL COST	AU\$1,500										
20-YEAR COST	AU\$30,000										
IMAGES											
											

20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

3.5 Building Services and Pest Control

3.5.1 Building Services

ITEM							
Fire services							
MAINTENANCE ACTION	MAINTENANCE CYCLE						
<ul style="list-style-type: none"> Check operation of equipment. Ensure building is fitted with code-compliant smoke detectors and fire-prevention and/or firefighting equipment. 	Annually <table border="1"> <tr> <th colspan="2">MAINTENANCE COST</th></tr> <tr> <td>ANNUAL COST</td><td>AU\$3,000</td></tr> <tr> <td>20-YEAR COST</td><td>AU\$60,000</td></tr> </table> Includes annual fire safety certificate.	MAINTENANCE COST		ANNUAL COST	AU\$3,000	20-YEAR COST	AU\$60,000
MAINTENANCE COST							
ANNUAL COST	AU\$3,000						
20-YEAR COST	AU\$60,000						

ITEM							
Security							
MAINTENANCE ACTION	MAINTENANCE CYCLE						
<ul style="list-style-type: none"> Inspect for broken or defective locks and latches, replacement of keys or lock cylinders, and electronic back to base system. 	As they occur <table border="1"> <tr> <th colspan="2">MAINTENANCE COST</th></tr> <tr> <td>ANNUAL COST</td><td>T.B.C.</td></tr> <tr> <td>20-YEAR COST</td><td>T.B.C.</td></tr> </table>	MAINTENANCE COST		ANNUAL COST	T.B.C.	20-YEAR COST	T.B.C.
MAINTENANCE COST							
ANNUAL COST	T.B.C.						
20-YEAR COST	T.B.C.						

3.5.2 Pest Control

ITEM							
Pest control							
MAINTENANCE ACTION	MAINTENANCE CYCLE						
<ul style="list-style-type: none"> An inspection of the heritage building should be undertaken annually by a specialised contractor in order to ascertain the presence of any pest activity and recommend appropriate treatment. 	General inspection Annually <table border="1"> <tr> <th colspan="2">MAINTENANCE COST</th></tr> <tr> <td>ANNUAL COST</td><td>AU\$3,000</td></tr> <tr> <td>20-YEAR COST</td><td>AU\$60,000</td></tr> </table> Cost excludes any treatment for pest infestation, which would be applied as required. The cost given is for inspection only.	MAINTENANCE COST		ANNUAL COST	AU\$3,000	20-YEAR COST	AU\$60,000
MAINTENANCE COST							
ANNUAL COST	AU\$3,000						
20-YEAR COST	AU\$60,000						

20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

3.6 Urgent Maintenance

3.6.1 General

The table below provides a non-exhaustive list of issues that could arise from time to time. These issues should be considered in the context of the general maintenance of the building.

MAINTENANCE ACTION	MAINTENANCE CYCLE
Blocked or broken storm water and sewer lines that require clearing or repair.	As issue arises
Clearing of blocked gutters and downpipes.	As issue arises
Broken water service or leaking faucets and toilet cisterns.	As issue arises
Storm damage to grounds or building fabric, especially roofs and hanging tree branches that may drop.	As issue arises
Vandalism, graffiti or break and enter damage to windows and doors.	As issue arises
Broken or defective locks and latches, replacement of keys or lock cylinders.	As issue arises
MAINTENANCE COST	
ANNUAL COST	AU\$3,000
20-YEAR COST	AU\$60,000

It will be essential for the future management of the site that the responsible party for repair costs is identified and communicated to all stakeholders. Generally, the street (public domain) side of service meters is the responsibility of the supplier. The lessor or lessee is generally responsible for the building (private) side.

Other issues to consider include:

- Are repair costs claimable against insurance?
- Have the appropriate authorities been advised?

4.0 CONCLUSION

4.1 Costs Summary

The table below provides a summary of the approximate costs involved in maintaining the heritage item annually and over a period of 20 years:

AREA	ANNUAL COST	20-YEAR COST
Building exterior	AU\$19,000	AU\$380,000
Building interior	Nil – costs either incorporated in external elements, or borne by private owners / tenants as necessary	
Curtilage and Setting	AU\$5,500	AU\$110,000
Building Services and Pest Control (does not include security or any pest control treatment)	AU\$6,000	AU\$120,000
Urgent Maintenance	AU\$3,000	AU\$60,000
TOTAL	AU\$33,500	AU\$670,000

4.2 Hypothecated Funds

The total estimated costs shown in the table above indicate that the approximate costs required for the ongoing maintenance of the heritage item – as related to fabric and elements of heritage significance – would total **AU\$670,000** over a **20-year** period (excluding security and any pest control measures as recommended by a specialist contractor).

Pursuant to Clause 5.10(10) of the *Leichhardt Local Environmental Plan 2013*, Heritage 21 has calculated that the management of the property would need to allow for approximately **AU\$33,500 per year** in order to adequately cover maintenance costs for the property under its approved use as strata units.

Heritage 21 recommends that a hypothecated fund – which could be based on the findings of this report – be factored into any future management plan for the site so as to adequately maintain and conserve the heritage item.

20-Year Costed Maintenance Plan • 100-104 Reynolds Street, Balmain

5.0 SOURCES

- Australia ICOMOS. 'The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance'. Australia ICOMOS, 2013. <http://australia.icomos.org/publications/charters/>.
- NSW Office of Environment and Heritage. 'Assessing Heritage Significance'. NSW Heritage Office, 2001. NSW Heritage Manual. <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/listings/assessingheritagesignificance.pdf>.
- . 'State Heritage Inventory'. Search for NSW Heritage, n.d. <http://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx>.

Attachment B – Applicant's Letter



18 May 2018

Our Ref: HSK:JLH:LEN005/4002

The General Manager
Inner West Council
PO Box 14
Petersham 2049

By Email: eltin.miletic@innerwest.nsw.gov.au

Attention: Eltin Miletic

Dear Eltin

Development Application No: D/2018/164 (DA)
100 – 104 Reynolds Street, Balmain NSW 2041 (Property)

- 1.1 We act on behalf of Leda Design and Construction Pty Ltd in relation to the DA. We refer to your letter dated 4 May 2018 addressed to the DA applicant, Elton Consulting (**Letter**) and respond to the legal matters raised therein.
- 1.2 We make this submission alongside the submission made by Elton Consulting dated 17 May 2018 (**Elton Submission**) and the submission made by Heritage 21 dated 17 May 2018 (**Heritage 21 Submission**); copies of which are **enclosed** with this correspondence.
- 1.3 In our view, Council is obliged to consider the matters raised in this submission, as well as the matters raised in the Elton Submission and the Heritage 21 Submission prior to determining the DA and in advance of any request for the applicant to withdraw the DA. A failure to do so may lead the Council into legal error.
- 1.4 The DA seeks a change of the approved ground floor retail lot to residential.
2. **Permissibility**
 - 2.1 The Property is listed on the NSW Office and Environment and Heritage State Heritage Register as the "*Former Unilever Administration building and fence*". It is also listed as item 1302 in Schedule 5 of *Leichhardt Local Environmental Plan 2013 (LLEP 2013)*.
 - 2.2 The Property is zoned B1 pursuant to LLEP 2013.
 - 2.3 Clause 6.11A(3) of LLEP 2013 provides that development consent must not be granted to development for the purpose of residential accommodation on B1 zoned land unless the consent authority is satisfied that:
*"(a) the building comprises mixed use development, including residential accommodation, and
(b) the building will have an active street frontage, and
(c) the building is compatible with the desired future character of the area in relation to its bulk, form, uses and scale."*

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Inner West Council

18 May 2018

- 2.4 Adopting the definition of "active street frontage" in clause 6.11A(4), the development proposed by the DA complies with clause 6.11A(3) for the reasons set out in the Elton Submission; namely that the existing unit for which the change to residential is sought does not have a frontage to the primary street frontage (being Reynolds Street) as it is substantially below street level. As such, the building continues to have an active street frontage because of the remaining professional suites on the primary street frontage.
- 2.5 However, in any event, the proposed development is permissible pursuant to clause 5.10(10) of LLEP 2013, which provides that the Council may grant consent to development of a building that is a heritage item which is otherwise not permissible pursuant to LLEP 2013 if the Council is satisfied of specified conditions.
- 2.6 In our view, the Council is able to be satisfied in respect of each condition. We set out the applicable conditions below, along with an explanation as to how each condition is satisfied.
- (a) *"the conservation of the heritage item....is facilitated by the granting of consent"* (clause 5.10(10)(a))
- The conservation of the heritage item is facilitated as a result of the 20-year Costed Maintenance Plan prepared by Heritage 21 lodged as part of the DA. Whether a Conservation Management Plan has already been prepared in relation to the Property is irrelevant; the question relates to this DA and has been satisfied.
- In any event, the 20-year Costed Maintenance Plan goes well beyond the Conservation Management Plan in terms of making commitments to the long term conservation of the heritage item by deliberately allocating funds on an annual basis for ongoing maintenance, as set out in the Heritage 21 Submission.
- (b) *"the proposed development is in accordance with a heritage management document that has been approved by the consent authority"* (clause 5.10(10)(b))
- The proposed development is generally in accordance with the Conservation Management Plan prepared by Rappaport Pty Ltd approved by Council in respect of Development Application No. D/2013/554 (**Conservation Management Plan**).
- (c) *"the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out"* (clause 5.10(10)(c))
- This condition is also satisfied by virtue of the approved Conservation Management Plan and the 20-year Costed Maintenance Plan.
- (d) *"the proposed development would not adversely affect the heritage significance of the heritage item, including its setting"* (clause 5.10(10)(d))
- In this regard, we refer to the Statement of Heritage Impact prepared by Heritage 21 dated March 2018 and submitted with the DA. This report concludes that: *"the proposed change of use which forms the scope of the current application would engender a further positive heritage impact on the site"*.
- (e) *"the proposed development would not have any significant adverse effect on the amenity of the surrounding area"* (clause 5.10(10)(e))
- The effects of the development on the amenity of the surrounding area will be reduced as a result of the change of the ground floor retail lot to residential. This is addressed by the Elton Submission, which states that: *"The proposed change of*

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use will reduce amenity impacts to surrounding neighbours where it seeks a dwelling which is a less intensive use when compared to the approved retail unit, which will have reduced impacts on parking, traffic, noise, fumes, vibration etc."

2.7 Whether a previous DA applicable to the Property has also relied upon clause 5.10(10) does not prohibit the current DA from also doing so.

2.8 For those reasons, the Council is therefore able to grant consent to the development.

3. Maximal applicable floor space ratio (FSR)

3.1 Clause 4.4A of LLEP 2013, applies to the Property pursuant to the Floor Space Ratio Map, which identifies the Property as being within "Area 1". Clause 4.4A allows a maximum FSR of 1.5:1 if the Council is satisfied that:

- (a) *"the building will have an active street frontage, and*
- (b) *the building comprises mixed use development, including residential accommodation, and*
- (c) *the building is compatible with the desired future character of the area in relation to its bulk, form, uses and scale".*

3.2 In our opinion, the Council can be satisfied of the above conditions for the following reasons.

- (a) The building has an active street frontage because of the two units of small scale business uses facing Reynolds Street. As set out in paragraph 2.4 above, the change of the subject lot to residential does not alter the active street frontage as it is located substantially below ground level.
- (b) The building comprises mixed use development as it comprises both commercial and residential uses.
- (c) The building is compatible with the desired future character of the area in relation to its bulk, form, uses and scale as set out in the Elton Submission. In summary:
 - (i) The DA provides an adaptive reuse of the heritage building with very minimal intrusion and essentially retains the existing façade.
 - (ii) The new opening will have minimal visibility from Hyam Street, within a narrow-modulated section of the wall which does not face the public domain.
 - (iii) The change of use will not adversely impact on the heritage significance of the building.

4. Conclusion

4.1 In light of the above, and for the reasons set out in the Elton Submission and the Heritage 21 Submission, the DA should be approved as the issues raised in the Letter have been appropriately addressed.

4.2 We look forward to your determination of the DA in due course and please do not hesitate to contact us if we can assist further in the meantime, or should you require any further information. As set out in paragraph 1.3 above, Council should consider and address this

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submission, together with the Elton and Heritage 21 Submissions prior to determining the DA.

Yours sincerely



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17 May 2018

Eltin Miletic
Development Assessment Officer
Inner West Council
7-15 Wetherill Street
LEICHHARDT NSW 2040



Dear Eltin,

100-104 Reynolds Street Balmain – Request to Withdraw application

I am writing in relation Council's request for withdrawal letter dated 4 May 2018. We wish to respond and address the concerns raised in each point of Council's letter as follows;

1. Inconsistency with objectives of the B1 Neighbourhood Centre zone pursuant to LLEP 2013

Comment: the proposal achieves the objectives of the zone as follows;

- » *To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.*
 - > The proposal retains two units of small scale business uses (professional suites) which addresses the primary frontage of Reynolds Street and provides a mixed-use development compatible in the area which is characteristically residential and cannot sustain such a large scale (255sqm) retail use.
- » *To ensure that development is appropriately designed to minimise amenity impacts*
 - > The proposed change of use will reduce amenity impacts to surrounding neighbours where it seeks a dwelling which is a less intensive use when compared to the approved retail unit, which will have reduced impacts on parking, traffic, noise, fumes, vibration etc characteristic of such large-scale retail uses to the surrounding residential properties. The proposed change of use will not adversely impact upon the amenity of neighbouring properties and constitutes a less intensive use than the approved retail unit.
- » *To allow appropriate residential uses to support the vitality of neighbourhood centres.*
 - > The proposal comprises a mixed-use development consistent of both commercial and residential uses including a range of 1, 2 and 3 bedroom units provided in a highly-sought after area to support greater housing choice and revitalise the surrounding business uses in the area. The residential uses will support the retail and commercial uses in vicinity of the subject site (i.e along Buchanan Street to the south).



2. The proposal does not comply with Clause 4.4 pursuant to Leichhardt LEP 2013, which prescribes a maximum FSR of 1:1 where the provisions of Clause 4.4A are not met.

Comment: The requirements of clause 4.4A are met as follows;

- a) *the building will have an active street frontage*
 - » Active street frontage is achieved by way of the approved professional suites to the Reynolds Street primary frontages
 - b) *the building comprises mixed use development, including residential accommodation*
 - » the proposal retains the mixed use of the development where it provides both residential and commercial uses on the site
 - c) *the building is compatible with the desired future character of the area in relation to its bulk, form, uses and scale*
 - » As outlined in the Heritage Conservation Management Plan (CMP) provided with the application (dated 22 Feb 2018 by Heritage 21), the proposal provides an adaptive reuse of the heritage building with very minimal intrusion which is a positive long-term conservation outcome for the building.
 - » The revised CMP and accompanying Heritage Impact Statement(HIS) concludes that the proposal will not adversely impact upon the heritage item. The proposal essentially retains the existing façade with only very minor intrusions (i.e new entry to access the dwelling from the north-eastern elevation) and no additional demolition to the internal of the building.
 - » Care has been taken to ensure the new opening is of similar vertical proportions to the existing window above and will have minimal visibility from Hyam Street where it is located within a narrow-modulated section of the wall which does not face the public domain.
 - » The change of use will not adversely impact on the heritage significance of the heritage listed building at the site or the surrounding heritage items in the vicinity and heritage conservation area of which the site is located within.
 - » The proposed recommendations for heritage management are able to be complied with without compromise the amenity for future occupants of the dwelling.
 - (5) *In this clause, a building has an active street frontage if all floor space on the ground floor of the building facing the street is used for a purpose other than residential accommodation.*
 - » In this case, the proposal relies on the provisions of Clause 5.3 of the LEP 2013 – Development near zone boundaries. The objective of this clause is; -
 - ...to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.
- This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 10 meters. The ground floor retail is within 10m of adjoining residential zoning and associated uses where the objectives of the clause are satisfied as follows;
- (a) *the development is not inconsistent with the objectives for development in both zones;*
 - and
 - » As discussed above, the proposal is not inconsistent with the objectives of the B1 zone.



(b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land

- » The proposed change of use from large scale retail to a three-bedroom residential unit is considered to be more compatible with the development and the overall context of the surrounding residential area and will result in a more viable and sustainable use of the land, where a retail tenancy of this scale is not viable in the area and constitutes a more logical and appropriate use of the site. The change of use will also have a lesser impact in terms of surrounding residential amenity and heritage conservation (refer to letter provided by Heritage 21 dated 17 May 2018 for detailed comments in relation to heritage conservation).



3. **Reliance on Clause 5.10(10) – Heritage Conservation Incentives of LLEP 2013 not supported**

Comment: The Clause is intended to facilitate the conservation and maintenance of heritage items while at the same time permitting the owners of such heritage items development opportunities which would otherwise be prohibited. It is considered that the proposal achieves this key objective.

Refer to accompanying letter provided by Heritage 21 dated 17 May 2018 for detailed discussion in relation to this matter.

4. **The proposal results in the deletion of non-residential use on the ground floor of the building on the primary street frontage to allow for a private residential courtyard facing Reynolds Street, contrary to Clause 6.11A of LLEP 2013**

Comment: It is contested that the existing unit which is the subject of the change of use does not have a frontage to Reynolds Street, where it is substantially below street level. The unit has no street presence/access from the public domain, thus not achieving the objective of the Clause.

5. **The proposal is inconsistent with the objectives and controls under Section 4.15 Mixed Use of Leichhardt DCP 2013.**

Comment: the objectives are reproduced below;

- » *O1 To ensure that development for the purpose of mixed use:*
 - a. enhances the vibrancy of centres;*
 - b. ensures that residential uses are complementary to the primary role of centres for commercial activity;*
 - c. provides an acceptable level of residential amenity;*
 - d. provides for a wide range of housing types; and*
 - e. improves environmental performance by locating jobs close to homes.*
- » Many existing buildings in Leichhardt are potentially suitable for adaptive reuse to mixed use buildings. Due to existing built form, it is not possible to comply with all controls in this part. Notwithstanding, it has been demonstrated that the proposed change of use is in fact, consistent with the objectives of the part as follows;
 - > Provides additional housing in an accessible location improving environmental performance
 - > Will not increase land use conflicts or result in any further adverse impacts on the environment
 - > Units are well designed and achieve an acceptable level of residential amenity and will not adversely affect the amenity of the surrounding neighbourhood.
 - > Residential uses will support the remaining professional suites (commercial) on the site
- » *C1 The ground floor street frontage is used for small scale, active commercial uses.*
 - > This control is inconsistent with the LEP which requires commercial uses to the primary street frontage. The development has three street frontages and the proposal has been designed to address the relationship between proposed commercial uses and the need to maintain an active frontage to the primary frontage, in this instance considered to be



Reynolds Street being the longer of the three frontages. Residential dwelling at the ground floor is considered more viable on the site. Commercial uses will be retained at Level 1 addressing Reynolds Street thus the proposal still constitutes a mixed-use development by definition.

- » C8 Dwellings are provided with an acceptable level of residential amenity in terms of:
 - a) access to sunlight to main living areas and adjoining main areas of private outdoor
 - b) recreation space such as courtyards and balconies;
 - c) access to daylight to all habitable rooms;
 - d) natural ventilation either in the form of cross ventilation or the stack effect; and obtaining visual privacy.
 - e) Compliance with Part C3.8 – Private open space, C3.9 – Solar access, C3.10 – Views, C3.11 – Visual privacy and C3.12 – Acoustic privacy of this Development Control Plan
- » The proposed residential unit is well designed and will have acceptable level of amenity in terms of privacy and ventilation however will result in a noncompliance in terms of solar access to courtyards and internal living areas due to the constraints of the heritage building however this is considered acceptable given the constraints of the heritage listed building and on balance, considered a good outcome for the overall development of the site.

6. Two submissions have been received objecting to the proposed change of use on the grounds of loss of retail uses serving the needs of the surrounding neighbourhood

Comment: The submissions in objection have been reviewed and addressed as follows;

- » *I am writing in referral to notice of application - D/2018/164 - 100-1-4 Reynolds St, Balmain 2041. The application is to develop the ground floor from a retail tenancy to a residential unit.*

I oppose this application. I am a resident on Hyam St and feel that our community have been lied to from the start about the intention for this to be a retail outlet. The plan as we were told for it to be a cafe. The community needs more retail outlets and in particular a cafe not more residential apartments which will add to the parking problem and congestion.

Furthermore, it makes me question council's intention. Have they advised the developer to apply originally for a retail outlet, so that the whole development was approved, and then to change the plans at the last moment? Is council taking funding from the developer to give this advice and then to approve the change? It definitely lowers my faith in the council and a fear of what is to come regarding development in our suburb. I note that most of us in the vicinity agree and oppose the change in original development to this site.

- > The above submission received seeks a café use, which is not consistent the approved use which is retail. Thus, the objection is irrelevant to the subject proposal.
- » *I'd like to object to this application as the development is already substantial and this retail space is the only thing that is being contributed to the local amenity. They have already been allowed to build over the vast majority of the land and revert the ground floor of the extension from commercial to residential against local planning guidelines. I would like this to be rejected - it is one too many dwellings in an already crowded area.*
- > The second objection concerns overpopulating the area as result of the change of use. It is considered that the proposed three-bedroom residential unit will have a far less impact



on the amenity of the surrounding neighbourhood, particularly in terms of traffic, parking, noise etc and constitutes a less intensive use than the 255sqm retail tenancy.

7. Non-compliance with SEPP 65

Comment: The approved mixed-use development D/2013/554 was assessed against SEPP 65 and the former Residential Design Flat Code.

Notwithstanding the above, the proposed additional residential unit has been assessed against the Apartment Design Guideline and SEPP 65. In summary, the proposed unit is generally consistent with the Design Quality Principles in SEPP 65 and Objectives and Design Criteria in the ADG. See accompanying SEPP 65 ADG assessment and Sun-eye view diagrams.

8. Accessibility for the proposed unit and notes that fire separation would be required between the car park and proposed unit. Insufficient information has been provided in relation to these matters.

Comment: It is considered that these matters can be satisfactorily addressed by additional information by way of an amended BCA report and standard conditions of consent.

In light of the above,

We appreciate reconsideration of council's request for information in light of the matters addressed above.

Yours sincerely

Linda Rodriguez
Project Manager – Urban and Regional Planning
linda.rodriquez@elton.com.au



17 May 2018

Attn: Eltin Miletic
Inner West Council
Ph: 9392-5528

Dear Etlin,

Heritage 21 – Response to Request for Withdrawal re D/2018/164

100-104 REYNOLDS STREET, BALMAIN

We respond to your letter dated 4 May 2018, in which you advise Elton Consulting Inter alia that the proposed reliance up on Clause 5.10 (10) pursuant to Leichhardt LEP 2013 to permit the residential use of the ground floor is not supported given that the original DA approval D/2013/554 is already the subject of a Conservation Management Plan prepared by Rappoport Pty Ltd.

As the appointed heritage architects for the project, we have been involved in the subject development for the past 4 years and we believe that notwithstanding the B1 Neighbourhood zoning; insofar as the heritage aspects of the building are concerned, the outcome of a residential unit at the ground floor would present less of an impact compared with a retail use.

In support of this contention, we point out that the impact to the fabric at ground floor level would be far less intrusive were there to be a residence on the ground floor compared to the high impact that a retail use would have upon the heritage fabric of the building. A retail use would involve a lot of signage which would disrupt the neighbourhood character of Balmain. It would also increase the amount of incoming traffic to the area and increase the amount of deliveries and truck movements thus generating more noise and traffic than it would compared with a much more sedate residential use.

Further, we point out that only one new opening would have to be made to the ground floor fabric in order to facilitate entry to the unit. Otherwise, all existing windows and fabric would remain intact. The new door entry opening would be aligned with the balcony opening immediately above and therefore would be symmetrically arranged with minimal impact to the existing elevations of the building.

Additionally, reliance upon the 5.10 (10) Clause has generated the production of a 20-year costing maintenance plan which, in our opinion, brings greater certainty to the ongoing conservation management of the building compared with the current arrangement which does not specifically bind the future owners corporation to any conservation works. This added level of protection would ensure that the heritage component of the development is maintained through the deliberate allocation of funds on an annual basis for ongoing maintenance.

Heritage21

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100-104 Reynolds Street, Balmain

In conclusion, the increased conservation management brought about through the reliance upon the 5.10 (10) Clause combined with minimal impact to the heritage fabric of the building leads us to firmly believe that a residential use at the ground of the building would in fact be superior, in heritage terms, to that of retail currently approved.

Yours sincerely,



**Paul Rappoport – Heritage Architect
Director**

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Master of Urban & Regional Planning (Hons) - MURP
Member of Society of Architectural Historians - SAHANZ
Member of Australia ICOMOS – M. Australia ICOMOS
Member of The Institute of Historic Building & Conservation - IHBC
Member of International Planning History Society – IPHS
Member of The Twentieth Century Heritage Society of NSW Inc.

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