

## Heritage Referral Response

<b>Application Number:</b>	Mod2023/0716
<b>Proposed Development:</b>	Modification of Development Consent DA2019/0081 granted for Demolition Works and construction of residential accommodation
<b>Date:</b>	06/03/2024
<b>To:</b>	Jordan Davies
<b>Land to be developed (Address):</b>	Lot 1 DP 115705 , 12 Boyle Street BALGOWLAH NSW 2093 Lot D DP 335027 , 307 Sydney Road BALGOWLAH NSW 2093

### Officer comments

<b>HERITAGE COMMENTS</b>
Discussion of reason for referral
<p>The proposal has been referred to Heritage as the site includes a heritage item at 307 Sydney Road, being a part of the Group listed houses; <b>Item I24 - Group of houses</b> - 303–307 Sydney Road, Balgowlah as listed in Schedule 5 of Manly LEP 2013. The subject site also includes a contributory building 12 Boyle Street and within the vicinity of two heritage items:</p> <p><b>Item I6 - House, “Camden”</b> - 2 Boyle Street, Balgowlah</p> <p><b>Item I23 - House, “Edinboro”</b> - 297 Sydney Road, Balgowlah</p>
Details of heritage items affected
<p>Details of the heritage items, as contained within the Manly Heritage Inventory are:</p> <p><b>Item I24 - Group of houses</b> <u>Statement of significance:</u> Major significance as a fine example of thirties modern style architecture. Example of P&amp;O style modern functionalist style. <u>Physical description:</u> Generally intact example of modern style architecture in rendered brick with flat roof. Significant and typical elements include the strong horizontal elements, notably bands of render; original glazing in fine ledlight; curvilinear form; entry porch and low front fence.</p> <p><b>Item I6 - House, “Camden”</b> <u>Statement of significance:</u> The house at 2 Boyle Street Balgowlah is of significance for the local area for historical, aesthetic and associative reasons, as a fine representative example of Federation Queen Anne style on a large scale, and as a rare example of this style on such large scale in the local area. The house, built c. 1910, is readily identifiable as part of the historic building stock of the local area that demonstrates architectural tastes and practices of highest quality building 100 years ago. The house makes a major contribution to the streetscape and area character, particularly in Boyle Street. <u>Physical description:</u> A two storey brick Federation Queen Anne style residence with sandstone foundations, oriel windows and bay windows, timber framed casement windows and slate gabled roof. Sandstone arch over entry at side. Sandstone fence with wrought iron gates.</p>

**Item I23 - House, “Edinboro”**

Statement of significance:

Edinboro is significant at a local level as the earliest surviving building in Balgowlah and one of the oldest in the Manly area. Still owned by the family whose descendants built it, Edinboro is a good local example of a Georgian Style Victorian cottage, constructed from sandstone quarried on the site. Its association with Andrew Mercer also connects it with the incorporation of Manly Municipality in 1877.

Physical description:

Edinboro is a single-storey “Victorian Georgian” style sandstone cottage. It has a symmetrical front façade, medium pitched, hipped roof clad in corrugated galvanised iron, with a verandah to the front (northern) elevation and two chimneys.

The front elevation has squared ashlar blocks of Sydney sandstone, reputedly quarried on site. The remaining elevations have been rendered in recent years.

**Other relevant heritage listings**

SEPP (Biodiversity and Conservation) 2021	No	
Australian Heritage Register	No	
NSW State Heritage Register	No	
National Trust of Aust (NSW) Register	No	
RAIA Register of 20th Century Buildings of Significance	No	
Other	No	

**Consideration of Application**

The proposal seeks consent seeks to modify a Land & Environment Court Consent (Proceedings 2020/53946) - [DA2019/0081](#). The proposed modifications include changes to the driveway profile and the basement car parking layout reducing excavation on the Boyle Street portion of the development; reconfiguration of the floor plans/internal layout and replacing the town houses with 2 level apartments in Building 3; and the removal of the rounded façade treatments, which is considered to be acceptable to distinguish the heritage item from the new works.

This application also proposes the deletion of Condition 9, suggesting that it is no longer applicable, however it is considered that it is vital to retain this condition in order to preserve the heritage values of the subject site. It is noted that the approved reconstructed portion of the drystone wall has now been significantly increased and the following clauses of Condition 9 have been disregarded in this application, which are not acceptable by Heritage, as the imposition of these clauses of Condition 9 is to prevent any further damage to the drystone wall, and to respect the heritage values of the subject site:

- Condition 9 - (j) requires a setback to the western wall of the living area and the adjoining balcony of Unit 3 - Building 4 to align with the bedroom a.t the northern end.
- Condition 9 - (k) requires a 300mm reduction to the overall building height of Building 3.
- Condition 9 - (l) requires the stair along the west side of Building 4 to be constructed as a cantilevered structure, with required supporting piers/wall being set back a minimum 500mm from the west edge of the stair tread.

To the contrary of Condition 9 - (I) the proposal involves the building envelope be increased towards the drystone wall at the western boundary "*to accommodate a new stair and communal lift*" and "*to rationalize plan*" as stated in the SEE. This increase towards the western boundary is not supported by Heritage, it is required to comply with Condition 9 to minimise the impact upon the heritage significance of the drystone wall.

The application also proposes the deletion of Condition 15 as stated in the SEE: "*This condition can be deleted as this application is accompanied by a Structural Integrity Methodology Report prepared by Adams.*" although the submitted report does not include a detailed report and drawings with the construction methodology, and the design of the basement and all excavated works.

The existing dwelling at 12 Boyle Street is a Federation cottage of the 1920s, with high aesthetic values, maintaining both internal and external intact heritage fabric, therefore, the imposition of Condition 19 - Heritage Photographic Survey is required.

The abovementioned conditions of the consent should be incorporated in the proposed modification, proposing the deletion of these conditions is not acceptable.

The proposed charcoal colour for the privacy screens are considered to be too dark and not appropriate in this heritage context - in close proximity to a heritage listed property.

Therefore, Heritage require amendments to the proposal.

Consider against the provisions of CL5.10 of MLEP 2013.

Is a Conservation Management Plan (CMP) Required? Yes

Has a CMP been provided? No

Is a Heritage Impact Statement required? Yes

Has a Heritage Impact Statement been provided? No

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

**Recommended Heritage Advisor Conditions:**

Nil.