

8 March 2023

Manager
Planning Assessment
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Attention Mr Isaac Toledano

DA/2023/59 – 278 Glebe Point Road Glebe 2037

Dear Mr Toledano

The property, originally known as “L’Aiglon”, is located in the Toxteth Heritage Conservation Area and is an individually listed heritage item [1757] on the 2012 City of Sydney Local Environment Plan. The listing includes the *interior and front fence*.

The house is one of a group of houses from 278 to 312 Glebe Point Road all of which, including their interiors, are listed on the LEP (1757, 1758, 1759 and 1760).

The Development Application proposes the demolition of over half of the internal walls to the original building of this listed Heritage Item in order to create one large open plan living space.

It involves the destruction of the listed interiors including:

- The room layout
- Skirtings and architraves
- Door leaves
- The relatively rare Edwardian pocket doors
- Transoms
- Door hardware
- Decorative plaster work
- Chimney pieces
- Chimney breasts
- Stained glass

The impact of the proposal can be gauged from Figs 1 to 10 below.

Some of the elements which will be removed



Figure 1 Decorative plaster



Figure 2 Edwardian transom lift



Figure 3 Pocket door



Figure 4 Marble chimney pieces



Figure 5 skirting boards and architraves



Figure 6 Stained glass



Figure 7 Chimney breasts and picture rails

The Principal Rooms



Figure 8 The sitting room



Figure 9 The hall



Figure 10 The dining room

The exterior



Figure 11 The front of the house

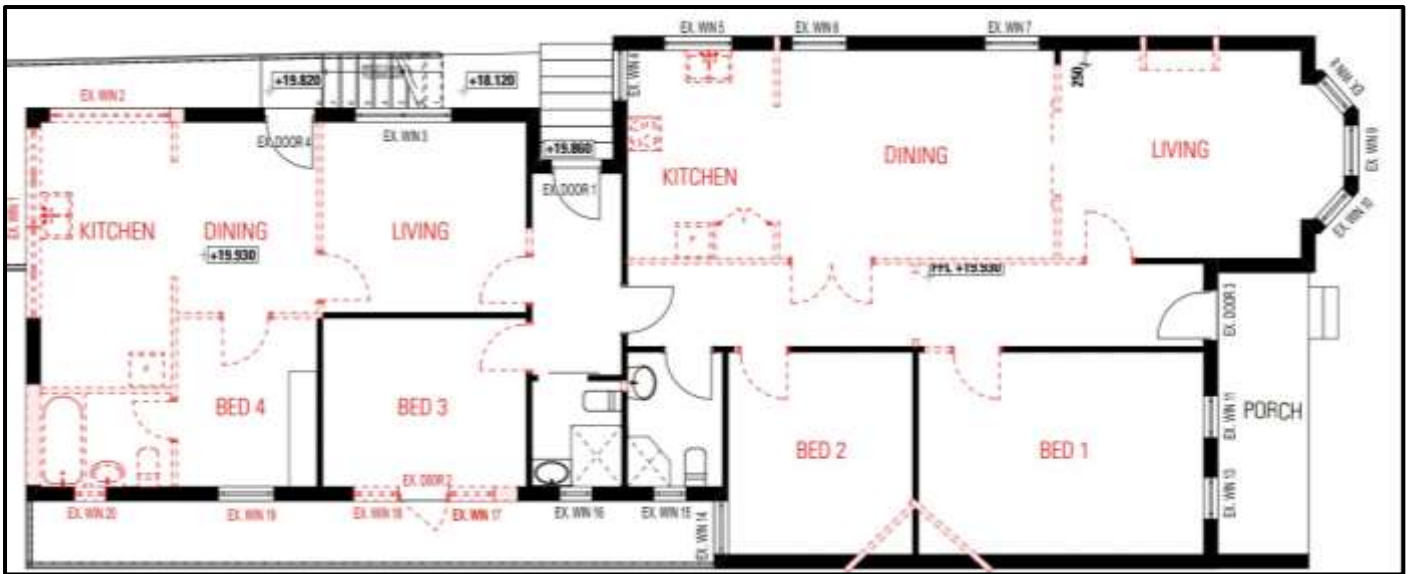


Figure 12 The demolition plan

The Heritage Inventory Assessment Report for the LEP listing states that the house is *highly intact*. This is confirmed by internal photographs of the property when it was sold in June 2022 - see Figs 1-10 above and [278 Glebe Point Road, Glebe, NSW 2037 - Property Details \(realestate.com.au\)](https://www.realestate.com.au/property/details/278-Glebe-Point-Road-Glebe-NSW-2037) or enter 278 Glebe Point Road Glebe in your search engine.

As well as destroying the listed interiors the removal of most of the internal walls could compromise the structural integrity of the house itself. The cost estimate of \$25,000 to undertake the entire works seems implausible.

Recommendation

The house is a listed item in the 2012 City of Sydney Local Environment Plan. It is highly intact and has significant interiors. The development proposal involves the demolition of many internal walls and the removal of much of the fabric of the house including door leaves, skirtings, architraves, chimney pieces, chimney breasts, decorative plaster work and stained glass.

The development application should be rejected.

There are many other parts of the LEP and DCP which support rejection of the DA. These are set out below.

City of Sydney Local Environment Plan 2012 LEP

The applicable clauses of the LEP are listed with responses below.

Clause 5.10 Heritage Conservation

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

(b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*

The listing of this heritage item is very clear in its inclusion of the interior as a significant fabric to the dwelling.

(4) Effect of proposed development on heritage significance *The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.*

Demolition of over 50% of the internal fabric of this listed item together with the removal of all existing fireplaces and chimneys can only have a detrimental effect on the heritage significance of the item.

City of Sydney Development Plan 2012 DCP

The applicable clauses of the DCP are listed with responses below.

3.9.1 Heritage Impact Statements

(3) *A Heritage Impact Statement is to be prepared by a suitably qualified person such as a heritage consultant.*

The author of the Heritage Impact Statement has not identified the suitably qualified heritage consultant engaged to prepare that Statement.

- (4) The Heritage Impact Statement is to address
(b) The options that were considered when arriving at a preferred development and the reasons for choosing the preferred option

Given that the rear extension building is to be substantially demolished internally, it follows that it could be utilized as the open plan kitchen, dining and living area that is otherwise proposed for greater than 50% of the listed item. A kitchen already exists in this rear extension.

The Applicant should be required to document this other option and clarify why the internal demolition and reconfiguration of the rear extension should not be the preferred option.

Also refer to the commentary below in relation to guidelines of the NSW Heritage Division for Statements of Heritage Impact.

3.9.5 Heritage Items

- (1) *Development affecting heritage items is to*
(i) ensure that any changes to the original/significant room configuration is evident and can be interpreted
The architectural drawings indicate the proposal is to create one large open plan living space that includes the complete removal of the internal hallway and room dividing walls, such that it would not be possible to identify the significant room configuration after the removal of all elements.

3.9.7 Contributory Buildings

- (3) *Alterations and additions to a contributory building are to*
(d) retain and, and where possible reinstate significant features and building elements including
.....chimneys...
The proposal seeks to remove 3 fireplaces with the implication that the chimney structure within each room will also be removed. This is against the intentions of this planning control.
- (5) *Foyers and other significant features, including hallway detailing...designed to be visible from the street are to be retained...*
The architectural drawings confirm the proposal is to completely remove the entry foyer/hallway wall on one side, together with its decorative arch and convert it into the proposed open plan living space. This space will be visible to the street, immediately at the front door.

Statements of Heritage Impact

Guidelines of the NSW Heritage Division

The applicant has incorrectly responded to the following question in relation to a “minor partial demolition” of a locally listed heritage item, as detailed in the Guidelines of the NSW Heritage Manual for “Statements of Heritage Impact”.

Is the demolition essential for the heritage item to function?

The proposed is for the listed item to continue to function as a residential dwelling. The dwelling can equally function as a residential dwelling with the large open plan living space inserted into the existing rear extension, where there is an existing kitchen.

The Glebe Society is firmly of the view that this is not a minor partial demolition and in any case the answer to the question is NO.

SUMMARY AND RECOMMENDATIONS

The following represents the numerous non-compliant items with the obligations and requirements that apply pursuant to the provisions of the Planning Controls.

*Heritage Inventory Assessment Report for the HCA.

*Section 5.10 Heritage clauses (1) and (4) in relation to the significance of the interior fabric to this listed item.

Development Control Plan 2012 DCP

*Section 3.9.1(3) The author of the Heritage Impact statement has not been confirmed their suitable qualifications as a Heritage consultant.

*Section 3.9.1(4) Other options for the creation of an open plan living space have not been tabled.

*Section 3.9.5 (1) The proposal to create an open plan living space by removing ALL features removes the ability to interpret the original and significant room configuration and embellishments.

*Section 3.9.7(3)(d) The proposal is not to retain 3 chimneys as required by this clause.

*Section 3.9.7(5) The proposal to remove the entry foyer and hallway including its decorative arch opening up into one large open plan living space will be visible to the street, immediately from the front door.

Guidelines of the NSW Heritage Division The applicant has not satisfied the question that the internal demolition is necessary for the listed item to function as a residential dwelling.

As stated above the application should not be approved.

Yours sincerely



Ian Stephenson
President