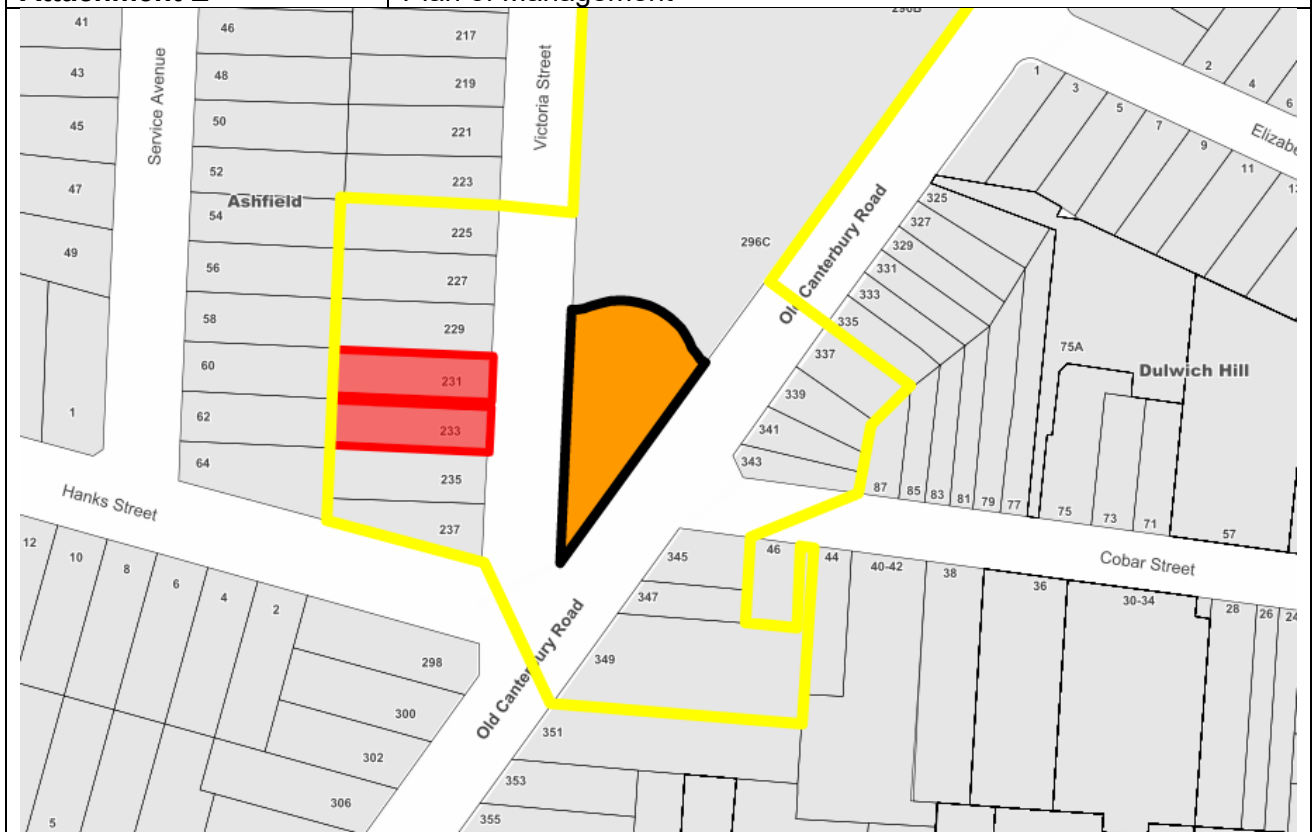






INNER WEST

DEVELOPMENT ASSESSMENT REPORT

Application No.	MOD/2022/0463
Address	230 Victoria Street ASHFIELD NSW 2131
Proposal	4.55 Modification to DA10.2016.053.1, modifications include changes to trading hours, new signage and construction of a new timber deck.
Date of Lodgement	15 December 2022
Applicant	Jessica Matson Architecture
Owner	Inner West Council
Number of Submissions	Two
Value of works	\$198,368.00
Reason for determination at Planning Panel	Council owned land
Main Issues	Heritage conservation
Recommendation	Approved with Conditions
Attachment A	Recommended conditions of consent, as amended
Attachment B	Proposed plans
Attachment C	Plans of building (Baby Health Centre) (BA 229/49)
Attachment D	Statement of Heritage Significance
Attachment E	Plan of Management



LOCALITY MAP

Subject Site		Objectors		↑ N
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application submitted to Council pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* to modify Determination No. DA10.2016.053.1 dated 26 June 2016.

The modification includes changes to trading hours, new signage and construction of a new timber deck and associated covered structure at 230 Victoria Street Ashfield.

The application was notified to surrounding properties and two (2) submissions were received in response to notification.

The main issues that have arisen from the application include:

- Loss of significant fabric as a result of the proposed demolition of the semi-circle portion of the concrete path adjoining the building
- Impacts to the heritage item as a result of the proposed pergola/awning structure on the principal façade of the building

Given the above, it was requested that amended plans be submitted to relocate the proposed covered awning structure to an area that would have lesser impacts and retain the semi-circular element. In response, the applicant submitted further justification in support of the proposed development as originally submitted.

The justification of the proposed development cannot be supported by Council, however, subject to the imposition of conditions included in the recommendation which requires deletion of the proposed covered structure and retention of the semi-circular portion of concrete path within the proposed deck, the application as modified, can be supported. Accordingly, the application is recommended for approval.

2. Proposal

The application seeks to modify DA10.2016.053.1, which approved the use of the building as a café. The modification includes the following:

- Extension of trading hours from 7:00AM – 6:00PM, seven days per week to 6:00AM – 10:00PM, seven days per week;
- Increase to seating capacity from 46 to 66 (34 external, 32 internal) patrons;
- Construction of a timber deck to the northern elevation including demolition to semi-circular portion of existing path;
- Construction of steel framed structure and polycarbonate roof to new deck;
- Retiling of existing concrete verandah;
- Signage facing Old Canterbury Road reading “OUTFIELD THE CAFÉ IN THE PARK”.



Figure 1: Artist's impression of proposed deck and structure (taken from Statement of Environmental Effects prepared by Jessica Matson Architecture).

3. Site Description

The subject site is located in the southern portion of Yeo Park, between the Old Canterbury Road and the southern junction of Victoria Street. The site is generally triangular in shape and is legally described as 230 Victoria Street Ashfield, or 296D Old Canterbury Road Summer Hill, known as Lot 11 in DP 1002099.

The site supports an existing single storey building, which operates as a cafe. Surrounding land uses are primarily residential, an educational institution is located to the north of Yeo Park. The subject site is listed as a heritage item, number I1650 namely *Former Baby Health Centre, including interiors*.

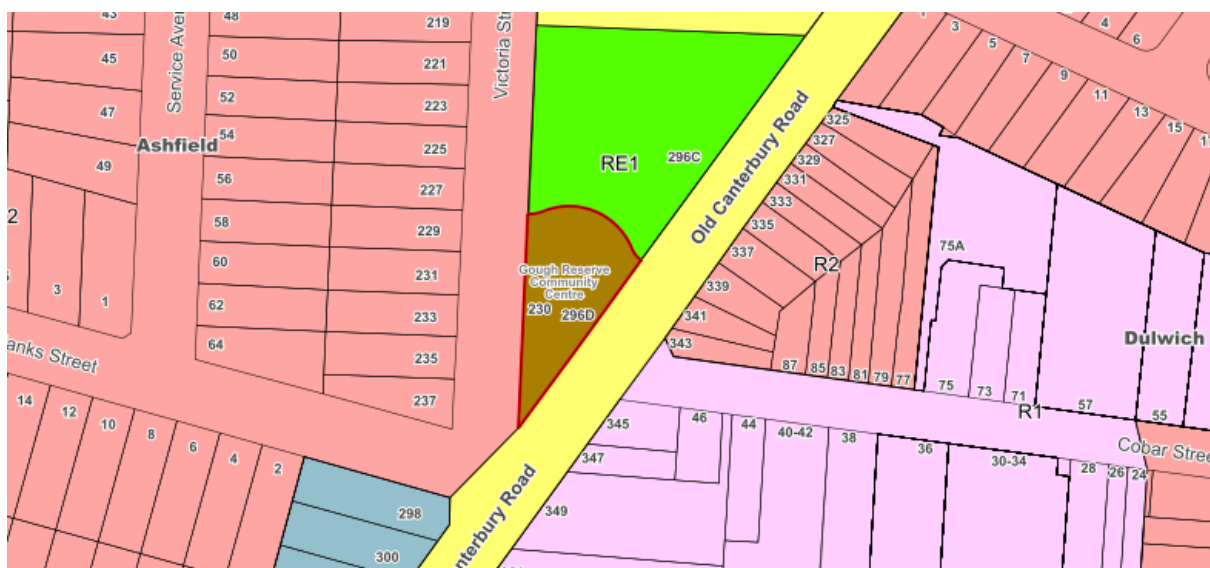


Figure 2: Zoning Map of subject site (highlighted red).



Figure 3: Site photo of existing building taken from Yeo Park.

4. Background

4(a) Site history

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

Subject Site

Application	Proposal	Decision & Date
DA10.2016.053.1	Alterations and addition to former Baby Health Centre building within Yeo Park and change of use to cafe	Approved - 26/07/2016
BA 229/49	Baby Health Centre	Approved – 28/07/1949

4(b) Application history

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

Date	Discussion / Letter / Additional Information
15/12/2022	Application lodged.
25/01/2023 - 08/02/2023	Application notified.
10/03/2023	Request for information (RFI) letter issued to the applicant requesting the following amendments/information: <ul style="list-style-type: none"> Relocation of the proposed covered structure to an alternative location away from the principal facade, such as to the western or eastern façade; Retention of the semi-circular concrete component of path, or suitable demonstration that the component is not original fabric;

	<ul style="list-style-type: none"> • Additional information regarding the proposed management of 'one-off special occasion evening events' sought through use of the extended trading hours.
30/03/2023	<p>The applicant submitted additional information in response to the RFI letter from Council. The submitted package did not amend the proposal, however included the following:</p> <ul style="list-style-type: none"> • Additional justification in support of the proposed deck and structure to the principal façade of the building; • Information to support the applicant's position that the semi-circular concrete component is not original fabric; • Information regarding the proposed management of 'one-off special occasion evening events'.

5. Section 4.55 Modification of Consent

The following is a summary of the assessment of the application in accordance with Section 4.55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979).

Section 4.55(2)

Section 4.55(2) of the *EP&A Act 1979* allows a consent authority to modify a development consent granted by it, if:

- “(a) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- (c) *it has notified the application in accordance with—*
- (i) the regulations, if the regulations so require, or*
- (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.”*

In considering the above:

- The essence of the development as modified is substantially the same as the original consent.
- The environmental impacts are minimal
- Does not require concurrence from any approval body.
- The application was notified to persons who made a submission against the original application sought to be modified.
- Submissions received have been considered.

6. Assessment

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

6(b) Environmental Planning Instruments

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

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*

The following provides further discussion of the relevant issues:

6(b)(i) *State Environmental Planning Policy (Resilience and Hazards) 2021*

Chapter 4 Remediation of land

Section 4.16 (1) of the SEPP requires the consent authority not consent to the carrying out of any development on land unless:

*“(a) it has considered whether the land is contaminated, and
 (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
 (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.”*

In considering the above, there is no evidence of contamination on the site.

There is also no indication of uses listed in Table 1 of the contaminated land planning guidelines within Council’s records. The land will be suitable for the proposed use as there is no indication of contamination.

6(b)(ii) *State Environmental Planning Policy (Industry and Employment) 2021*

Chapter 3 Advertising and Signage

The following is an assessment of the development under the relevant controls contained in the SEPP.

The application seeks consent for the following signage:

Location	Sign Type	Lettering	Dimension
East elevation	Balustrade sign	“OUTFIELD THE CAFÉ IN THE PARK”	3900mm x 1000mm

The proposed development is consistent with objectives set out in Section 3 (1) (a) and the assessment criteria specified in Schedule 5 as follows:

Criteria	Assessment
Character of the area	<ul style="list-style-type: none"> The signage is compatible with the desired future character of the area.
Special areas	<ul style="list-style-type: none"> The signage does not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas
Views and vistas	<ul style="list-style-type: none"> The signage does not obscure or compromise important views. The signage does not dominate the skyline.
Streetscape, setting or landscape	<ul style="list-style-type: none"> The scale proportion and form of the signage is appropriate to the streetscape and locality. The signage is of a simple design and will not contribute to visual clutter. The signage will not impact vegetation.
Site and building	<ul style="list-style-type: none"> The scale proportion and form of the signage is appropriate to the building on which the signage is to be located. The signage respects important features of the building.
Associated devices and logos with advertisements and advertising structures	<ul style="list-style-type: none"> All elements of the signage have been well integrated into the structure which displays the signage.
Illumination	<ul style="list-style-type: none"> The proposed signage does not include illumination.
Safety	<ul style="list-style-type: none"> The signage will not reduce safe of any public road, pedestrians, bicyclists and will not obscure sightlines from public areas.

6(b)(iii) State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

Development with frontage to classified road

In considering Section 2.118(2) of *SEPP (Transport and Infrastructure) 2021*:

Vehicular access to the land is provided by Old Canterbury Road, a classified road and Victoria Street and this is considered practical and safe. The design will not adversely impact the safety, efficiency, and ongoing operation of the classified road.

6(c) Inner West Local Environmental Plan 2022 (IWLEP 2022)

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

- Section 1.2 – Aims of Plan
- Section 2.3 - Land Use Table and Zone Objectives
- Section 4.3 – Height of buildings
- Section 4.4 – Floor space ratio

- Section 5.10 – Heritage conservation
- Section 5.21 - Flood planning
- Section 6.2 – Earthworks
- Section 6.3 – Stormwater management

Section 1.2 Aims of the Plan

The proposal is considered capable of satisfying the aim to conserve and maintain the built and cultural heritage of Inner West, subject to the recommended design change conditions as discussed in detail later in this report.

Section 2.3 Land Use Table and Zone Objectives

The site is zoned RE1 Public Recreation under the *IWLEP 2022*. The application proposes alterations and additions to an existing *food and drink premises*, which is permissible with consent in the RE1 zone. The development meets the objectives of the zone.

Section 4 Principal Development Standards

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

Standard	Proposal	Complies
Height of Buildings Maximum permissible: not defined	3.3m	N/A
Floor Space Ratio Maximum permissible: not defined	No change	N/A

Section 5.10 Heritage Conservation

The subject site is listed as a heritage item, number I1650 namely *Former Baby Health Centre, including interiors*.

The statement of significance for the building reads as follows:

This is a very good example, indeed one of the earliest, of professionally designed post-World-War II International-style architecture in Ashfield. It was designed by a respected firm of architects, still extant, which has also worked with other Sydney councils. It is an unusual built example of a corroboration between three municipalities and the NSW Health Department. As well, it is an excellent and early example of a purpose-built Baby Health Centre. The building and its setting also form an attractive component of an Ashfield site that has intense historical significance, demonstrating the interactions of private ownership, development, education and municipal and State interest.

Whilst the deck to the northern façade can be supported in principle, the proposed covered structure, located across the principal façade of the former Baby Health Centre is considered to disrupt the key elevation of the building and its features and disrupts the overall setting and visual qualities of the building and the landscaped environment of Yeo Park, to which it belongs.

Further, the proposed demolition of the semi-circular component to the footpath results in loss of significant fabric and would impact the significance of the item. The applicant has provided information to purport that the semi-circular component of path is not original fabric. However, Council’s records indicate that the semi-circle formed part of the original layout and design of

the building as evident in the plans for the Baby Health Centre (BA 229/49, included as Attachment C).

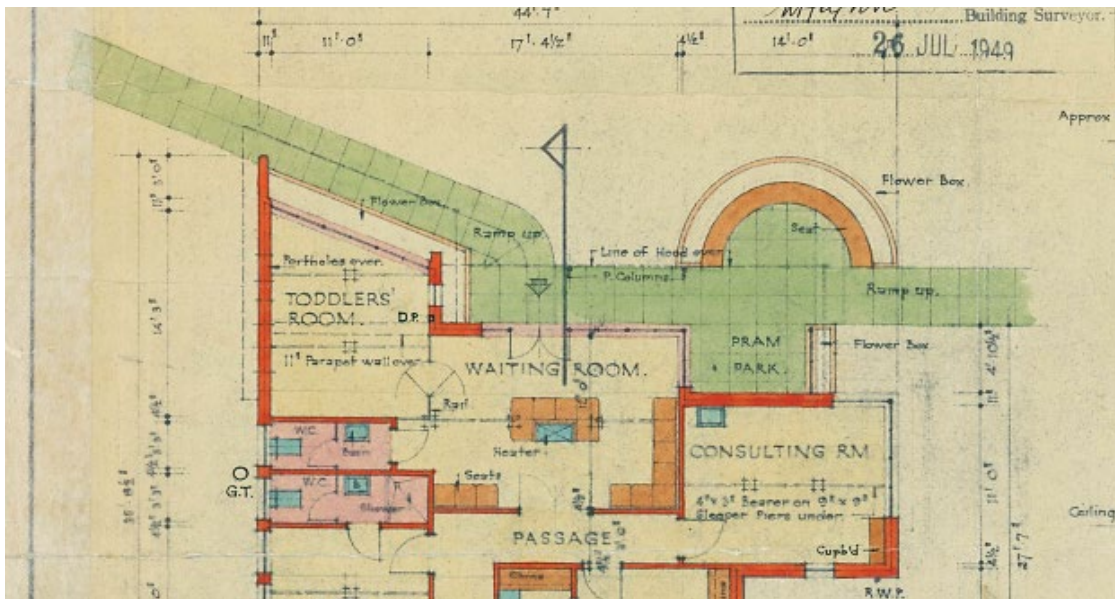


Figure 4: Detail of floor plan for A Baby Health Centre (BA 229/49) showing semi-circular component of concrete path.

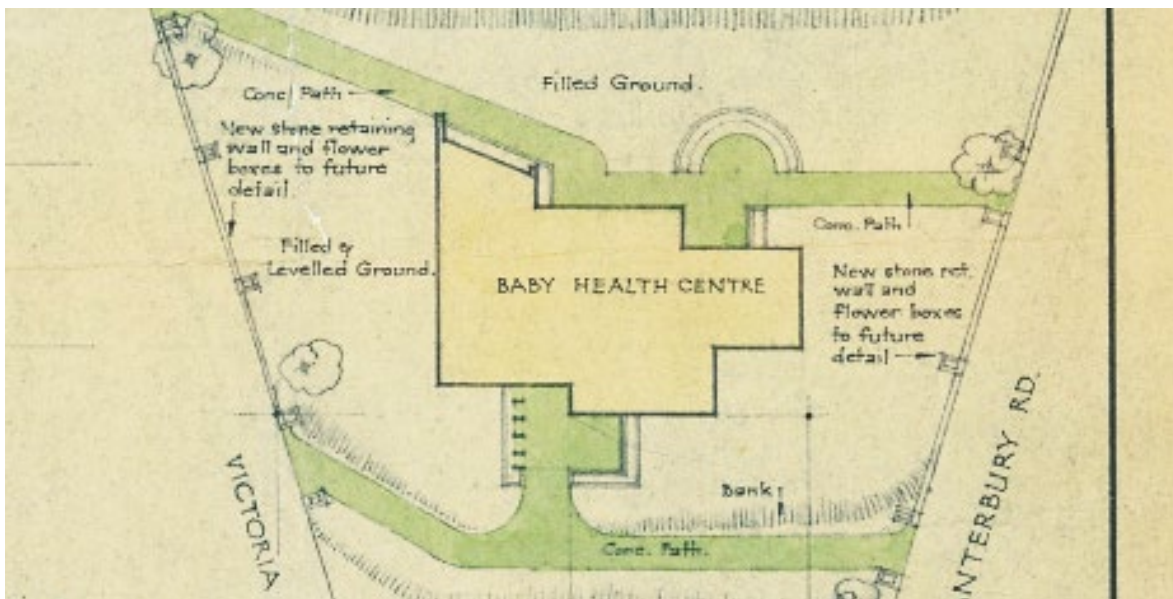


Figure 5: Detail of site plan for A Baby Health Centre (BA 229/49) showing semi-circular component of concrete path.

The above plans for the Baby Health Centre indicate that the path and semi-circle were concrete, and as such, retention of the materiality of these original features is preferred. However, as the previous application (DA10.2016.053.1) approved the retiling of the path, new tiles can be utilised, subject to a condition specifying the colour and style of tile.

Accordingly, the proposed works to the building are capable of preserving the significance of the item, subject to condition requiring deletion of the covered structure and retention of the semi-circular component within the proposed timber deck.

6(d) Development Control Plans

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

IWCDCP 2016	Compliance
Section 1 – Preliminary	
B – Notification and Advertising	Yes
Section 2 – General Guidelines	
A – Miscellaneous	
1 - Site and Context Analysis	Yes
10 - Signs and Advertising Structures	Yes
15 - Stormwater Management	Yes
E1 – Heritage Items and Conservation Areas (Excluding Haberfield)	
2 – Heritage Items	Yes, subject to conditions – see discussion
8 - Demolition	Yes, subject to conditions – see discussion

Part 2 – Heritage Items

The proposed development to the building is inconsistent with the controls (C) C1, C4, C5, C6 of Part 2.2 External Form and Setting of IWCDCP 2016. The controls seek to retain significant fabric, features and parts of heritage items, to locate alterations and additions away from original and intact areas of heritage items and maintain and retain the integrity of the building form so as to be clearly discernible when viewed from the public domain.

The proposed construction of a covered structure to the principal façade of the building will disrupt the key elevation of the building and its original features and disrupts the overall setting and visual qualities of the building when viewed from the public domain. Further, the proposed demolition of the semi-circular component of path would result in the loss of significant fabric, reflective of the significance and key period of the heritage item.

Accordingly, the proposed building works for the purpose of a timber deck is capable of complying with the above heritage provisions, subject to condition requiring deletion of the covered structure and retention of the original semi-circular component of path.

Part 8 – Demolition

The proposal seeks partial demolition to the semi-circular component of the existing path to the north of the building to facilitate the proposed deck. The information provided by the applicant to claim that the semi-circular component is not original fabric and therefore not significant to the heritage item is disputed by Council staff. Accordingly, the proposed demolition of the semi-circular component is inconsistent with C3 of Part 8.1 Demolition Affecting Heritage Items of IWCDCP 2016 cannot be supported.

As such, the application is recommended for approval, subject to recommended design change conditions requiring that the semi-circular component be retained, and the timber deck be formed around the feature to articulate and retain the significance of the fabric to the item.

6(e) The Likely Impacts

Extension to trading hours

The previous consent (DA10.2016.053.1) approved the use of the café for trading between 7:00AM to 6:00PM, seven days per week.

The modified proposal seeks to extend the approved trading hours to 6:00AM to 10:00PM, seven days per week.

The proposed earlier trading is considered appropriate to the use of the site as a café. The application included information which indicates that the proposed later trading sought under this modification, from 6:00PM to 10:00PM is to allow the site to be used for 'small private functions' or 'special occasion evening events'. A Plan of Management (POM) for the revised operation of the café has been submitted to support the increased operating hours.

The POM is considered sufficient to manage the revised operation and extended trade of the café. However, a condition of consent is included with the recommendation to approve the extended trading hours on a trial basis of twelve months. At the conclusion of the twelve month period, a further application can be lodged to continue the extended operating hours, allowing Council the opportunity to review the performance of the operation and consider any community feedback.

Increase to seating capacity

DA10.2016.053.1 limited the seating capacity of the café to not exceed 46 people comprising 32 indoor and 14 outdoor seats and limited tables and chairs for outdoor dining to a maximum of three tables and fourteen chairs.

The proposal as modified seeks to increase the maximum number of outdoor patrons, seats and tables to 66 patrons (an additional 20 outdoor seats). The proposed increase to seating capacity is considered acceptable.

The assessment of the modified development application demonstrates that, subject to the recommended conditions, the proposal will have minimal impact on the locality.

6(f) The suitability of the site for the development

Provided that any adverse effects on adjoining properties are minimised by way of amendments in the recommended conditions, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

6(g) Any submissions

The application was notified in accordance with the Community Engagement Strategy for a period of fourteen days to surrounding properties. Two submissions were received in response to notification.

The following issues raised in submissions have been discussed in this report:

- The potential impacts resultant from extended trading – see Section 6(e)

In addition to the above issues, the submissions raised the following concerns which are discussed under the respective headings below:

Issue: Loss of open space due to commercialisation of park.
Comment: The proposal seeks to continue the approved use of the site as a café per DA10.2016.053.1 and does not seek to expand the area nominated under the license with Council within the park.

Issue: The current use of the café impacts upon nearby residential amenity.
Comment: The use of the café was approved under DA10.2016.053.1. Notwithstanding, impacts to residential areas nearby should be managed through the existing and recommended conditions of consent relating to the ongoing use of the premises.

Issue: The proposed late trading for events will mean that alcohol will be served.
Comment: The premises does not serve alcohol within the indoor and outdoor areas of the café under the existing consent. The subject application for modification to this consent does not alter this.

Issue: The café does not currently operate as per their conditions of consent.
Comment: Council has record of one formal complaint regarding noise relating to waste removal in the period between 2019 to date. Any issues relating to the operation of the premises and non-compliance with the conditions of consent should be made to Council for further investigation. The trial period for the extended hours will help Council review any concerns relating to the extended hours should these occur.

6(h) The Public Interest

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

The proposal is considered to be in the public interest, subject to the recommended conditions of consent.

7 Referrals

7(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 – Council’s heritage officer raised several objections to the proposed built works to the heritage item, as discussed within this report. Accordingly, design change conditions are included with the recommendation for approval to retain the heritage significance of the building.
- Development Engineer – no objections to the proposal, subject to additional conditions included with the recommendation.
- Resource Recovery – no amendments required to previously imposed waste collection conditions.

8. Section 7.11 Contributions/7.12 Levy

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

9. Conclusion

The proposal is capable of complying with the aims, objectives and design parameters contained in *Inner West Local Environmental Plan* and Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill, subject to conditions as discussed within this report.

Subject to the imposition of the recommended conditions, the development will not result in any significant impacts on the amenity of the adjoining properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

10. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to MOD/2022/0463 which seeks to modify Determination No DA10.2016.053.1 dated 26 June 2016 under s4.55(2) of the *Environmental Planning and Assessment Act 1979* so as to increase trading hours, provide new signage and construct a new timber deck at 230 Victoria Street, ASHFIELD subject to the amended conditions listed in Attachment A.

Attachment A - Recommended conditions of consent, as amended

Attachment A – Recommended conditions of consent, as amended

A. Modify the following Conditions to read as follows:

A General Conditions

(1) Approved plans stamped by Council

The development must be carried out only in accordance with the plans and specifications set out in the table below and stamped as approved by Council, and in any supporting documentation received with the application, except as amended by the conditions specified hereunder.

No.	Revision	Title	Prepared by	Amendment Date
DA01	B	Site and Roof Plan	Graham Bakewell	15/3/16
DA02	A	Plan including stormwater drainage.	Graham Bakewell	18/2/2016
DA02	B	Plan	Graham Bakewell	15/3/2016
DA03	B	Elevations	Graham Bakewell	15/3/2016
DA04	A	Elevations	Graham Bakewell	18/2/2016
DA05	B	Section	Graham Bakewell	15/3/2016
DA06	A	Site analysis Plan	Graham Bakewell	18/2/2016
DA07	A	Erosion and sediment control	Graham Bakewell	18/2/2016
S4.55-01	A	<i>Site and Roof Plan</i>	<i>Jessica Matson Architecture</i>	29/11/2023
S4.55-03	A	<i>Proposed Floor Plan</i>	<i>Jessica Matson Architecture</i>	29/11/2023
S4.55-04	A	<i>Seating Plan</i>	<i>Jessica Matson Architecture</i>	29/11/2023
S4.55-05	A	<i>Elevations</i>	<i>Jessica Matson Architecture</i>	29/11/2023
S4.55-06	A	<i>Sections</i>	<i>Jessica Matson Architecture</i>	29/11/2023
S4.55-07	A	<i>Materials & Finishes Schedule</i>	<i>Jessica Matson Architecture</i>	29/11/2023
-	-	<i>Signage Details</i>	<i>Jessica Matson Architecture</i>	29/11/2023

Note: The architectural plans take precedence in respect of the built form. Should there be any inconsistency between the built form shown on the architectural and the engineering or landscape plans, the architectural plans take precedence.

(Amended by MOD/2022/0463 dated 9 May 2023)

B Design Changes

nil

(1) **Prior to the issue of a Construction Certificate, the Certifying Authority is to be provided evidence that amended plans have been submitted, to the satisfaction of the Council's Heritage Specialist demonstrating the following:**

- (a) **The steel pergola over the timber deck is to be deleted.**
- (b) **The semi-circular area of concrete to the north of the building is to be retained and the timber deck constructed around the semi-circular component.**
- (c) **The tiles to the path should be pale grey in colour to match the existing concrete path.**

(Amended by MOD/2022/0463 dated 9 May 2023)

(6) Maximum number of patrons, seats and tables

- (a) The seating capacity of the premises is not to exceed ~~46~~ 66 people comprising 32 indoor and ~~14~~ 34 outdoor seats.
- (b) The number of tables and chairs which can be used for outdoor dining is a maximum of ~~3~~ 12 tables and ~~44~~ 38 chairs.
- (c) **All outdoor tables and chairs are to remain unfixated and removed and stored as specified in Conditions No. H(9) and H(20).**

(Amended by MOD/2022/0463 dated 9 May 2023)

(11) Amplification of music

The amplification of music ~~or any other noise (such as spruiking)~~ internal or external of the building is ~~not~~ permitted, **in accordance with the submitted Plan of Management dated 30 March 2023. The music shall not give rise to any offensive noise or vibration from the premises within the meaning of the Protection of the Environment Operations Act 1997.**

(Amended by MOD/2022/0463 dated 9 May 2023)

B. Add the following Conditions to read as follows:

H Conditions that are ongoing requirements of development consents

(5A) Trial Hours

- (a) **For a period of not more than twelve (12) months from this issue of the Final Occupation Certificate for the deck and signage approved in this consent**

(MOD/2022/0463), the hours of operation of the premises must not exceed 6am to 10pm seven days per week.

(b) A continuation of the extended trading hours will require a further application under the Environmental Planning and Assessment Act 1979.

(Amended by MOD/2022/0463 dated 9 May 2023)

Attachment B - Plans of proposed development

**SECTION 4.55
MODIFICATION
APPLICATION**

**NEW EXTERIOR
SEATING AREA**

AT
**230 VICTORIA ST
ASHFIELD**

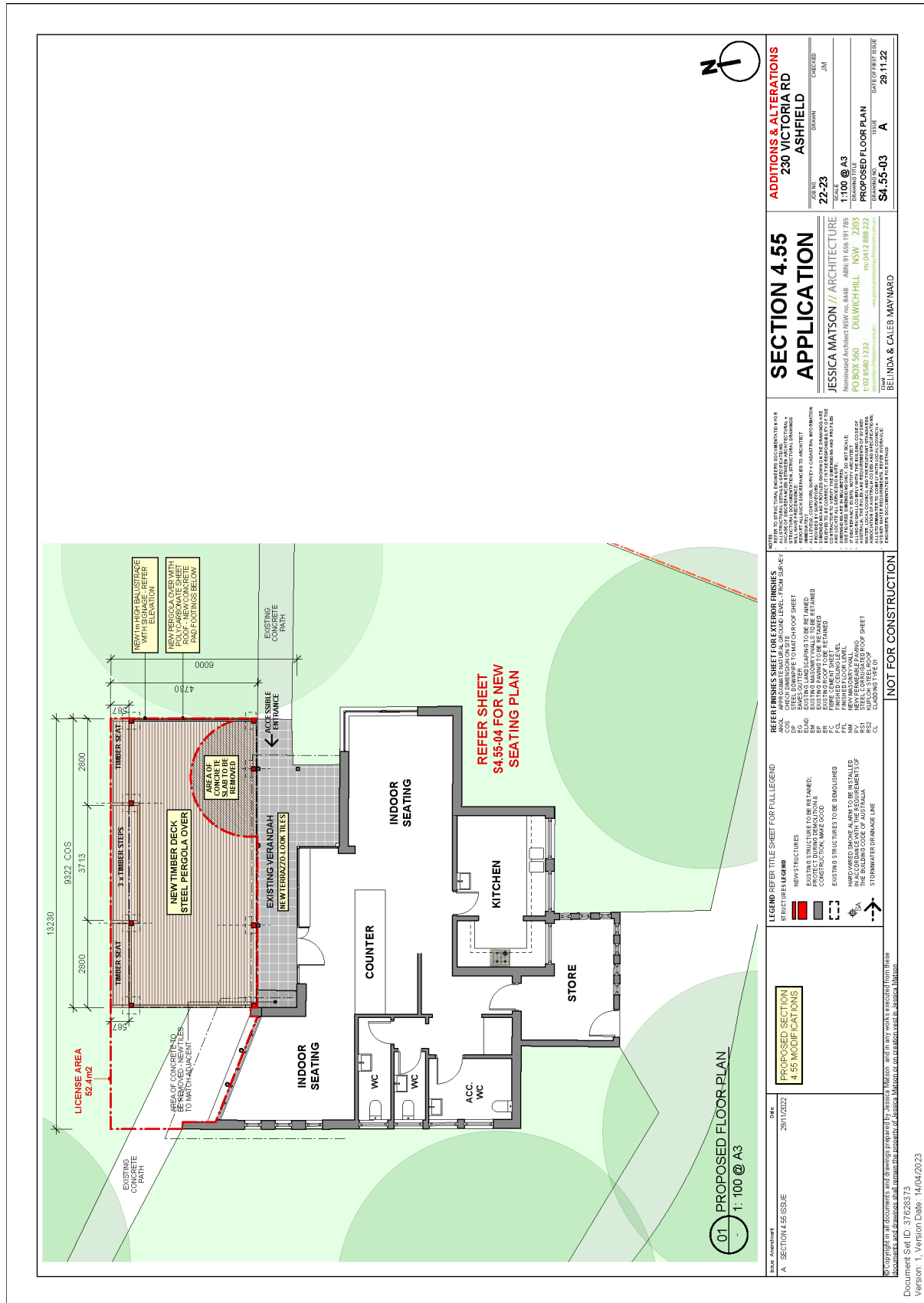
FOR
OUTFIELD CAFE

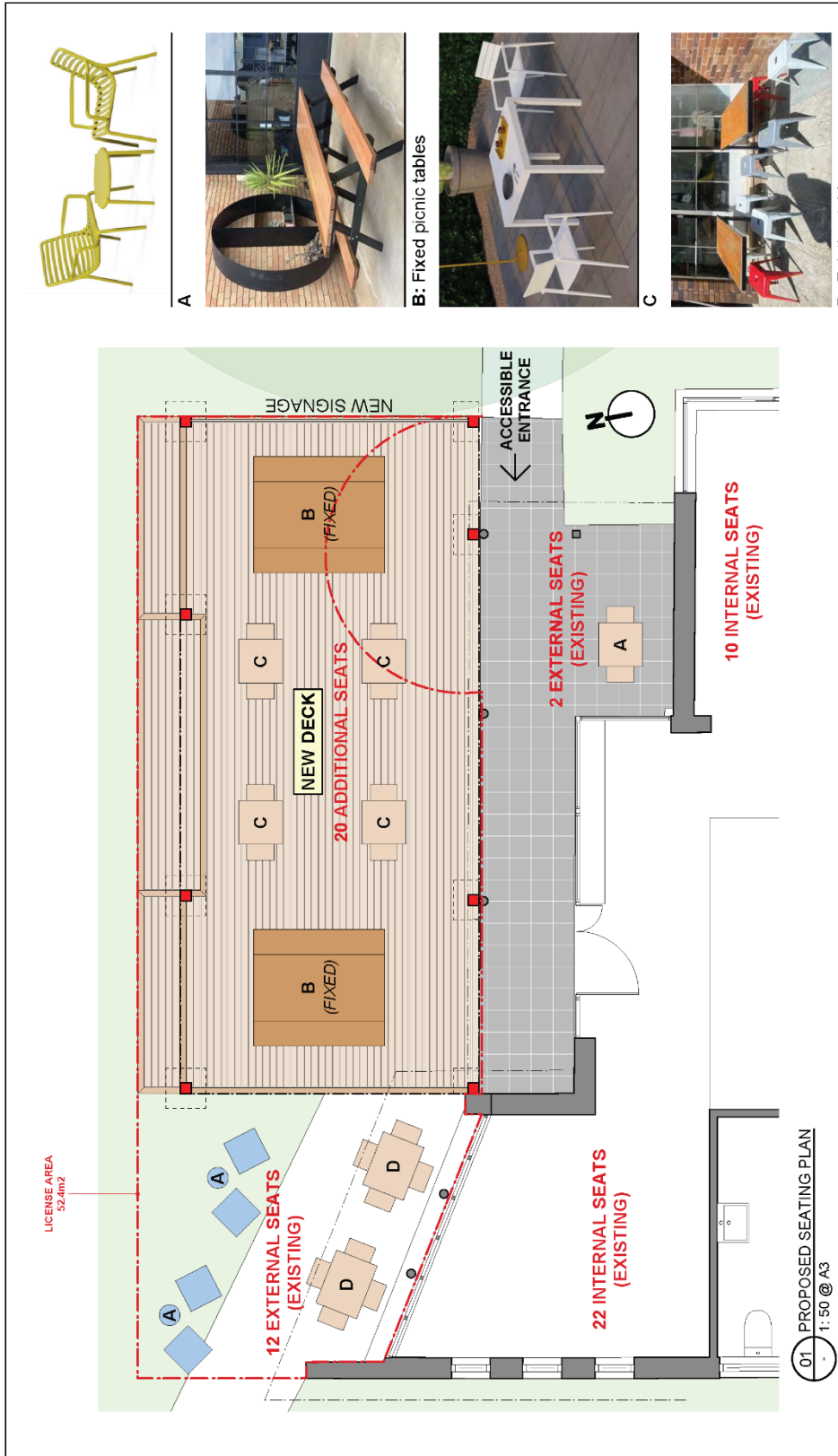
ISSUE DATE: 29.11.22

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LOCATION PLAN NOT TO SCALE	SUBJECT SITE
<p>NOTES:</p> <p>GENERAL:</p> <ul style="list-style-type: none"> - TO BE IN ACCORDANCE WITH RELEVANT CONTROLS WITHIN INNER WEST COUNCIL'S PLANNING INSTRUMENTS, THE NATIONAL CONSTRUCTION CODE AND ALL APPROPRIATE REGULATIONS. - DIMENSION OF A RELEVANT STANDARD BELOW DOES NOT IMPLY THAT ACHIEVEMENT TO THIS STANDARD IS NOT REQUIRED. - ALL FINISHES/DIMENSIONS TO GENUINE UNLESS OTHERWISE NOTED. - ALL DIMENSIONS/LEVELS GIVEN ARE PRELIMINARY. - ALL DIMENSIONS/LEVELS MUST BE CHECKED AND VERIFIED IN ACCORDANCE WITH RELEVANT APPLICABLE STANDARDS. - REFER TO ARCHITECTURAL AND STRUCTURAL DRAWINGS FOR CLARIFICATION. - EXISTING STRUCTURE TO BE RETAINED. - CONSTRUCTION TO BE SUITABLY AND STRUCTIONALLY UNSOUND, OR A RISK TO THE HEALTH AND SAFETY OF FUTURE OCCUPANTS OF THE DWELLING. THIS STRUCTURE IS TO BE DESTROYED. - CONSTRUCTION TO BE IN ACCORDANCE WITH ALL APPLICABLE STANDARDS. - ALL EXISTING STRUCTURES TO BE DEMOLISHED AND REBUILT IN ACCORDANCE WITH RELEVANT APPLICABLE STANDARDS. - CONSTRUCTION WORKS THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL NECESSARY PERMITS AND APPROVALS ARE OBTAINED. - ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED AND VERIFIED IN ACCORDANCE WITH RELEVANT APPLICABLE STANDARDS. - REFER TO ARCHITECTURAL AND STRUCTURAL DRAWINGS FOR CLARIFICATION. - FINISHES AND LEVELS TO BE CHECKED AND VERIFIED IN ACCORDANCE WITH RELEVANT APPLICABLE STANDARDS. - REFER TO ARCHITECTURAL AND STRUCTURAL DRAWINGS FOR CLARIFICATION. - REFER TO ARCHITECTURAL AND STRUCTURAL DRAWINGS FOR CLARIFICATION. <p>PROTECTION OF EXISTING STRUCTURES:</p> <ul style="list-style-type: none"> - ALL EXISTING STRUCTURES TO BE DEMOLISHED AND REBUILT IN ACCORDANCE WITH RELEVANT APPLICABLE STANDARDS. - CONSTRUCTION WORKS THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL NECESSARY PERMITS AND APPROVALS ARE OBTAINED. - 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REFER TO ARCHITECTURAL AND STRUCTURAL DRAWINGS FOR CLARIFICATION. 	<p>LEGEND:</p> <ul style="list-style-type: none"> ANER APPROXIMATE NATURAL GROUND LEVEL - FROM SURVEY DATA B9 STEEL ROOF CLUTTER C20 CHECK DIMENSION ON SITE C20R CHECK DIMENSION ON SITE C20R CHECK DIMENSION ON SITE FAVOUR GUTTER - FINISH SEE DETAIL OF TYPE IS SHOWN ON ARCHITECTURAL DRAWINGS TO BE MAINTAINED RISK OF BACKFLOW, SUCH AS SLOTTED FRONT EDGE - FINISH SEE DETAIL ELMD FINISHED CEILING LEVEL FSL FINISHED FLOOR LEVEL FSL FINISHED FLAG LEVEL <p>FINISHES:</p> <ul style="list-style-type: none"> BM EXISTING MASONRY WALLS TO BE RETAINED ERK EXISTING ROOF TO BE RETAINED CL LIGHTWEIGHT CLADDING RSB STEEL KUP/OX/ROZ FC FIRE CEMENT CLADDING - PAINT FINISH <p>Q₁ SMOKE ALARMS TO BE INSTALLED IN ACCORDANCE WITH RELEVANT APPLICABLE STANDARDS OF INSTALLATION REQUIREMENTS OF THE BUILDING CODE OF AUSTRALIA</p> <p>GUIDE TO STRUCTURES:</p> <ul style="list-style-type: none"> NEW STRUCTURES EXISTING STRUCTURE TO BE RETAINED PROTECTED DEMOLISHED STRUCTURE WITH CONSTRUCTION MARKS 66500 ADJACENT STRUCTURES SURROUNDING SUBJECT CONSTRUCTION IMMEDIATE <p>LEVELS:</p> <ul style="list-style-type: none"> NEW STRUCTURES EXISTING STRUCTURE TO BE RETAINED PROTECTED DEMOLISHED STRUCTURE WITH CONSTRUCTION MARKS 66500 ADJACENT STRUCTURES SURROUNDING SUBJECT CONSTRUCTION IMMEDIATE <p>PROPERTY BOUNDARIES, PROPERTY BOUNDARIES:</p> <ul style="list-style-type: none"> EXISTING PROPERTY BOUNDARIES TO BE MAINTAINED NEW PROPERTY BOUNDARIES TO BE MAINTAINED EXISTING PROPERTY BOUNDARIES TO BE MAINTAINED NEW PROPERTY BOUNDARIES TO BE MAINTAINED <p>STORMWATER:</p> <ul style="list-style-type: none"> STORMWATER NEW STORMWATER TO DRAIN TO MUNICIPAL STORMWATER DRAINAGE SYSTEM IN ACCORDANCE WITH COUNCIL REQUIREMENTS STORMWATER NEW STORMWATER TO DRAIN TO MUNICIPAL STORMWATER DRAINAGE SYSTEM IN ACCORDANCE WITH COUNCIL REQUIREMENTS <p>LEVELS:</p> <ul style="list-style-type: none"> EXISTING STRUCTURE TO BE RETAINED NEW STRUCTURES TO BE MAINTAINED DEMOLISHED STRUCTURE WITH CONSTRUCTION MARKS 66500 ADJACENT STRUCTURES SURROUNDING SUBJECT CONSTRUCTION IMMEDIATE <p>ADJUSTMENTS:</p> <ul style="list-style-type: none"> MINOR DESIGN ADJUSTMENTS MAY BE REQUIRED TO ACCORDANCE WITH RELEVANT APPLICABLE STANDARDS ADJUSTMENTS TO BE CHECKED AND VERIFIED IN ACCORDANCE WITH RELEVANT APPLICABLE STANDARDS ADJUSTMENTS TO BE CHECKED AND VERIFIED IN ACCORDANCE WITH RELEVANT APPLICABLE STANDARDS ADJUSTMENTS TO BE CHECKED AND VERIFIED IN ACCORDANCE WITH RELEVANT APPLICABLE STANDARDS





<p>PROPOSED SECTION 4.55 MODIFICATIONS</p>	<p>DATE 29/11/2023</p>	<p>SECTION 4.55 APPLICATION</p>	<p>ADDITIONS & ALTERATIONS 230 VICTORIA RD ASHFIELD</p>
<p>NAME A. SECTION 4.55 (B) FILE</p>	<p>DRAWN JM</p>	<p>JESSICA MATSON / ARCHITECTURE PO BOX 5502 DULFORTH HILL NSW 2203 TEL: 02 9580 1232 WWW.JESSICAMATSON.COM.AU</p>	<p>JOB NO. 22-23</p> <p>DATE 20/11/2023</p> <p>PROJECT TITLE SEATING PLAN</p> <p>PROJECT NO. S4-55-04</p> <p>DATE OF PREPARED 25.11.22</p>
<p>LEGEND REFERS TO SHEET FOR FULL LEGEND</p> <p>WORK TO BE DONE REPAIRS TO EXISTING FRACTURED CONCRETE CONSTRUCTION WORK TO BE DONE EXISTING TO BE DEMOLISHED EXISTING TO BE REINSTALLED THE BUILDING CODE OF AUSTRALIA STRIKETHROUGH INDICATES LINE</p>			
<p>NOT FOR CONSTRUCTION</p>			

NOTES:
1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE LOCAL GOVERNMENT'S REQUIREMENTS FOR SEATING AREAS.
2. SEATING AREAS MUST BE MAINTAINED IN A SAFE AND SOUND CONDITION AT ALL TIMES.
3. SEATING AREAS MUST BE MAINTAINED IN A SAFE AND SOUND CONDITION AT ALL TIMES.
4. SEATING AREAS MUST BE MAINTAINED IN A SAFE AND SOUND CONDITION AT ALL TIMES.
5. SEATING AREAS MUST BE MAINTAINED IN A SAFE AND SOUND CONDITION AT ALL TIMES.

EXISTING BRICK WALLS TO BE RETAINED & PROTECTED

POLYCARBONATE SHEET ROOFING FIXED TO INNER BATTENS

BAYS CUTTER DOWNPIPE BEYOND

EXISTING CONCRETE AWNING TO BE PROTECTED

EXISTING BRICK BUILDING TO BE PROTECTED THROUGHOUT CONSTRUCTION WORKS

NEW STEEL FLASHING OVER AWNING

EXISTING NON-ORIGINAL TILES TO BE REPLACED

NEW CONCRETE PAD FOOTINGS TO ENGINEERS SPECIFICATION

NEW 100% POLYURETHANE WITH GROUNDWATER PROTECTION

NEW CONCRETE OVER FLOORING AND TYPING OF EXISTING BRICK GABLE BUILDING

3222

2400

1500

443

595

6000

NEW CONCRETE OVER FLOORING AND TYPING OF EXISTING BRICK GABLE BUILDING

NEW 100% POLYURETHANE WITH GROUNDWATER PROTECTION

NEW CONCRETE PAD FOOTINGS TO ENGINEERS SPECIFICATION

EXISTING BRICK BUILDING TO BE PROTECTED THROUGHOUT CONSTRUCTION WORKS

EXISTING CONCRETE AWNING TO BE PROTECTED

BAYS CUTTER DOWNPIPE BEYOND

POLYCARBONATE SHEET ROOFING FIXED TO INNER BATTENS

EXISTING BRICK WALLS TO BE RETAINED & PROTECTED

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BAYS CUTTER DOWNPIPE BEYOND

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EXISTING CONCRETE AWNING TO BE PROTECTED

BAYS CUTTER DOWNPIPE BEYOND

POLYCARBONATE SHEET ROOFING FIXED TO INNER BATTENS

EXISTING BRICK WALLS TO BE RETAINED & PROTECTED

NOT FOR CONSTRUCTION

LEGEND REFER TO SHEET FOR FULL LEGEND

PROPOSED SECTION 4.55 MODIFICATIONS

NEW STRUCTURES

PROTECT DURING DEMOLITION

CONSTRUCTION MAKE GOOD

EXISTING STRUCTURES TO BE DEMOLISHED

IMPROVED SMOKE ALARMS TO BE INSTALLED IN THE BUILDING CODE OF AUSTRALIA

STORMWATER DRAINAGE LINE

REFER DRAWING SHEET FOR EXISTING FINISHES AND APPROXIMATE LEVELS (FROM SAKI)

DS STEEL DOWNPIPE

EM EXISTING BRICK WALLS TO BE RETAINED

EM EXISTING ROOF TO BE RETAINED

FR FINISHED FLOOR LEVEL

FLL FINISHED CEILING LEVEL

NN NEW PASSEY WALL

NS NEW CONCRETE OVER FLOORING AND TYPING OF EXISTING BRICK GABLE BUILDING

RSI STEEL CORRUGIATED ROOF SHEET

CL CLADDING TYPE 01

NOTE

ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED IN THE DRAWING ARE IN METRES TO NEAREST MILLIMETRE

ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED

ALL DIMENSIONS TO CENTER UNLESS OTHERWISE SPECIFIED

ALL DIMENSIONS TO CORNER UNLESS OTHERWISE SPECIFIED

ALL DIMENSIONS TO EDGE UNLESS OTHERWISE SPECIFIED

ALL DIMENSIONS TO SURFACE UNLESS OTHERWISE SPECIFIED

ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE SPECIFIED

ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE SPECIFIED

REVISIONS & ALTERATIONS

230 VICTORIA RD

ASHFIELD

22-23

1:50 @ A3

SECTION 4.55 MODIFICATIONS

REVISION NO

DESCRIPTION

DATE

DESIGNED BY

CHECKED BY

DRAWN BY

SECTION 4.55 APPLICATION

JESSICA MATSON // ARCHITECTURE

PO BOX 560 DOUGLICH HILL NSW 2103

PH (02) 8960 1332

WWW.JESSICAMATSON.COM.AU

PHONE

EMAIL

ADDRESS

STATE

POSTAL CODE

COUNTRY

DATE OF PART ISSUE

REVISION NO

DESCRIPTION

DATE

01 SECTION A

1:50 @ A3

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Version: 1.1

Version Date: 14/04/2023



01 ARTIST'S IMPRESSION
NOT TO SCALE

① POLYCARBONATE SHEET ROOFING FIXED TO BATTENS



② STEEL PERGOLA PAINT FINISH COLOUR TO MATCH EXISTING POSTS & RAINWATER GOODS



③ NEW TIMBER DECK & STEPS



ADDITIONS & ALTERATIONS
230 VICTORIA RD
ASHFIELD

JOB NO. **22-23**
 DRAWN: JH
 DATE: **22-23**

NOT TO SCALE
MATERIALS & FINISHES SCHEDULE
S4-56-07
 DATE: **25.11.22**

SECTION 4.55 APPLICATION

JESSICA MATSON // ARCHITECTURE
 10/256/1232 **BULLHILL NSW 2157**
 PHONE: 02 9345 4200

BELINDA & CALEB MAYNARD

NOT FOR CONSTRUCTION

LEGEND: ESCR - TILE SHEET FOR FALL LEGEND
 HATCH - NEW TERRACE
 HATCH - NEW PERGOLA
 HATCH - PERGOLA STRUCTURE TO BE OBTAINED
 HATCH - PERGOLA STRUCTURE TO BE OBTAINED

PROPOSED SECTION 4.55 MODIFICATIONS

Date: 20/11/2023

Issue: A SECTION 4.55 ISSUE

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Document Ref: ID: 37628373
 Version: 1.1, Version Date: 14/04/2023

JESSICA MATSON // ARCHITECTURE
 Nominated Architect NSW no. 8448 ABN: 91 656 191 785
 PO BOX 560 DULWICH HILL NSW 2203
 t: 02 8580 1232 m: 0412 888 222
jess@jarchitecture.com.au www.jessicamatsonarchitecture.com.au

29/11/2022

SIGNAGE DETAILS

At 230 Victoria Street, Ashfield, the proposal seeks to erect new signage which will be attached to the eastern side of the proposed external semi-permanent pergola structure. No new signage is proposed to be attached to any existing structure on the site.

The pergola signage will be made from a weatherproof cloth/canvas and will have the dimensions of 3.9m x 1m and will span the width between the pergola corner posts.

The sign will have 'OUTFIELD – THE CAFE IN THE PARK' written on it. None of the sign will have internal lighting or neon lighting.

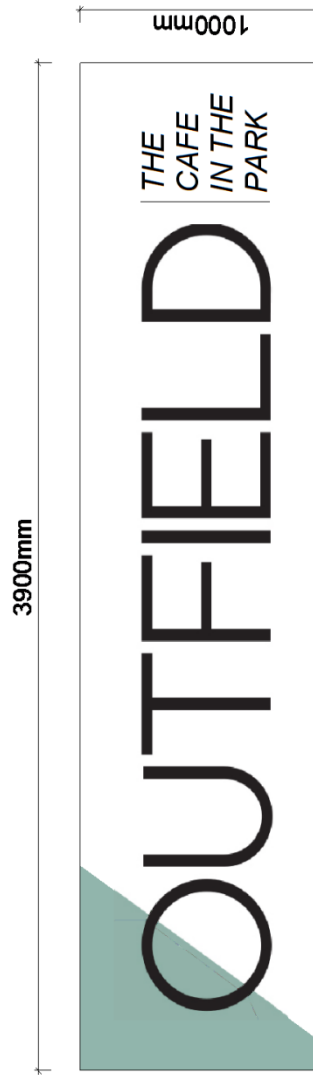


IMAGE 01:
 Image of proposed signage and dimensions

Attachment C - Plans of building (Baby Health Centre)

COUNCIL COPY
ASHFIELD MUNICIPAL COUNCIL
BUILDING APPLICATION NO. 2227
ASSESS. NO. 1216 - WARD EAST

REAR ELEV. N.
SCALE: 1/100' - 1/4"

FRONT ELEV. S.
SCALE: 1/100' - 1/4"

SIDE ELEV. E.
SCALE: 1/100' - 1/4"

SIDE ELEV. W.
SCALE: 1/100' - 1/4"

DETAIL OF SEAT TO N. ELEV.
SCALE: 1/100' - 1/4"

SECTION
NO. TIMBER USED IN THIS STRUCTURE SHALL CARRY BORER SUSCEPTIBLE SAPIWOOD

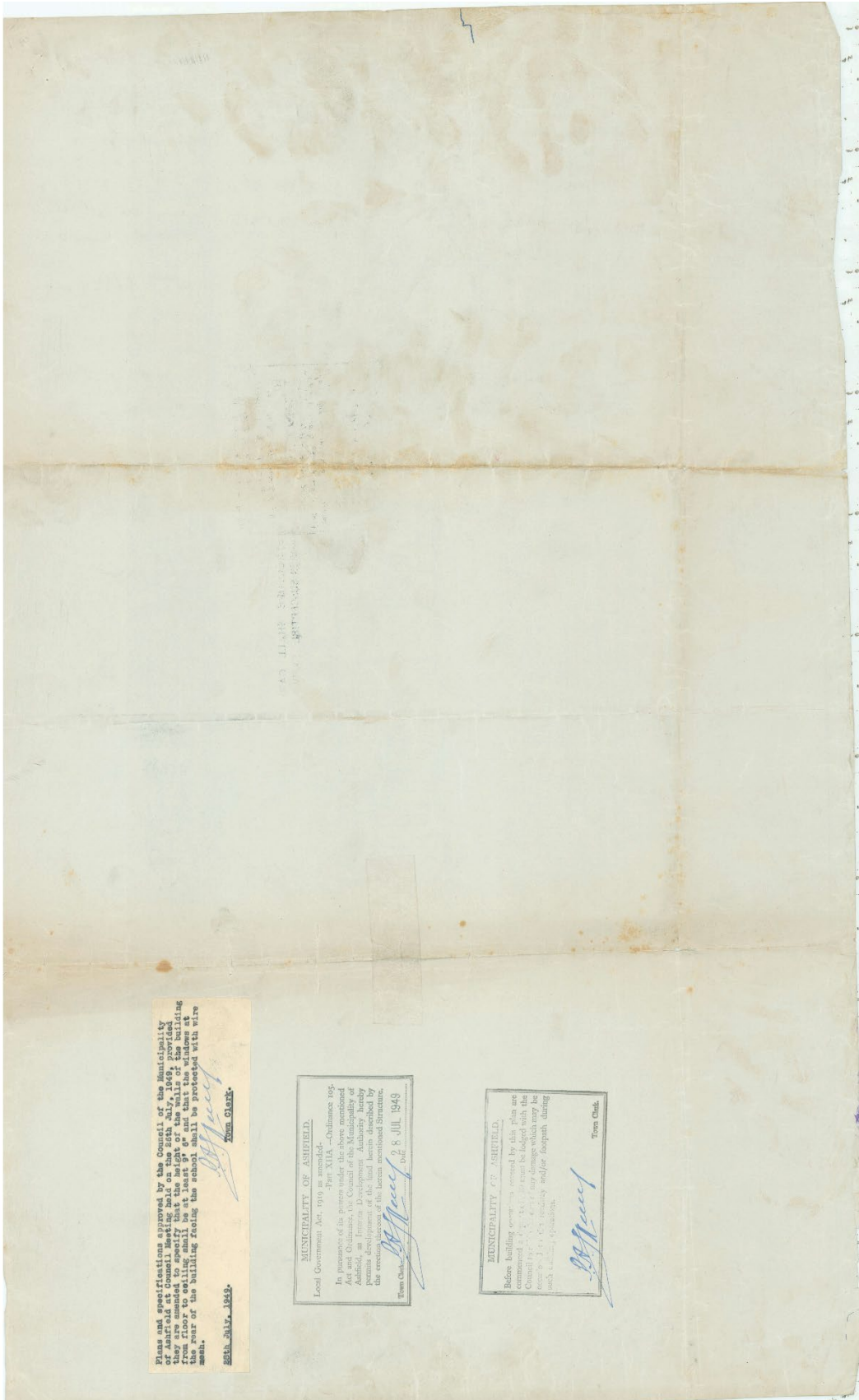
BLOCK PLAN
SCALE: 1/100' - 1/4"

FLOOR PLAN
Scale: 1/100' - 1/4"

MUNICIPALITY OF ASHFIELD
24 Hours notice must be given to the Building Supervisor that:-
1. Plans are ready for construction.
2. Foundations are complete and damp-proofed.
3. This building is complete.
4. Certs are applied for their purpose.
5. Certs must be obtained and for paid before making any portion of the deposit or instalment.

NOTE: Contractor to check all dimensions on the job. Any discrepancies to be notified for the Architect's immediate attention. No work to be undertaken until approved by the architect.

PROPOSED BABY HEALTH CENTRE CNR. VICTORIA ST. & OLD CANTERBURY RD. FOR ASHFIELD MUNICIPAL COUNCIL.
DAVEY & BRINDLEY
60 Hunter St. Sydney NSW 2000.
SCALE: 1/8" = 1'-0"
JOB NO. 4833
DRAWN: M.K.D.
AMENDED: 2.14.47.
DATE:



Plans and specifications approved by the Council of the Municipality of Ashfield at Council Meeting held on the 28th July, 1949, provided these are amended to specify that the height of the walls of the building shall be as shown on the plans and specifications and that the rear of the building facing the school shall be protected with wire mesh.

[Handwritten Signature]
TOWN CLERK

MUNICIPALITY OF ASHFIELD
Local Government Act, 1919 as amended.
In pursuance of the provisions of the above mentioned Ordinance No. 10 of 1949, the Council of the Municipality of Ashfield, an Urban Development Authority hereby certifies that the plans and specifications submitted to the Council in accordance with the provisions of the said Ordinance, and the execution thereof, shall be deemed to be in accordance with the provisions of the said Ordinance.

[Handwritten Signature] 9 8 JUL 1949
TOWN CLERK

MUNICIPALITY OF ASHFIELD.
Before building operations commenced by this site, the Council has been notified of any damage which may be caused to the site by the operations and/or stoppage during such building operations.

[Handwritten Signature]
TOWN CLERK

Attachment D - Statement of Heritage Significance

Graham Hall and Partners

Architects and Heritage Consultants

263 Trafalgar Street Annandale NSW 2038

Mobile 0408 869 209 e-mail: hallct@ozemail.com.au ABN 90 440 643 480

28 March 2023

To the Planning Panel

Dear members

MOD/2022/0462: 230 VICTORIA STREET, ASHFIELD

This assessment is submitted in response to the following aspects of Inner West Council's request for information. It is intended to be read in conjunction with the Statement of Heritage Impact submitted with the application.

1 Introduction

Council provided the following advice, inter alia, to the architect for MOD/2022/0462 in its letter dated 10 March 2023:

Whilst a covered structure to support the use of the site as a café can be contemplated for the site, the proposed structure to the principal facade of the subject building is considered to disrupt the key elevation of the building and its features, and the overall setting and visual qualities of the building and surrounding Yeo Park, to which it belongs. In this regard, the location and design of the structure should be carefully considered and located in a place so as to not obscure the setting of the place or the fine grain character and architectural qualities of the building.

The semi-circular concrete component proposed for removal should be retained, or suitable evidence be provided to demonstrate that this component is not an original feature of the design of the building.

2 Proposed shade structure

We ask Council to reconsider the observation that the shade structure will disrupt the key elevation.

It is not connected to the existing hood, but stands a little apart. It is at once minimalist – a simple plane supported on slim posts – and sympathetic to the simple horizontal lines of the original design.



Graham Hall B Arch, M Bldg Sc, MBA, Grad Cert Herit Cons, FRAIA
Nominated Architect (Architects Registration Board No. 2600)
Heritage Consultant

Cheryl Hall BA
Historian



One aesthetic advantage of the proposal is that it will avoid the need for large umbrellas, which are presently used (with no requirement for consent) and which certainly disrupt the key elevation.

The fall in the roof is intended to reduce the apparent size of the soffit when viewed from lower down the slope, being generally parallel to an observer's line of sight.

It is recommended that the structure be approved as designed. However if Council or the consent authority would find a horizontal element more acceptable, it is suggested that this change could be a condition of consent.

3 Semi-circular concrete paved area

The area might be thought to be an echo of the circular windows on the west of this 1949 Post-war International style building. At that time such a feature would almost certainly have had a concrete finish. The variegated tiles which were present in 2016 would not have been available in 1949.

In any case, further investigation since the SOHI was written demonstrates that the semi-circle is not original, for the following reasons:

1. There appears to be no logical function it could have had in association with a baby health centre.
2. There is little architectural logic in its precise location: the centre of the semicircle is slightly offset from the most easterly pipe column. This detail is inconsistent with the standards of accomplished practitioners such as Davey & Brindley. Please refer the analysis plan on page 04 of this document.
3. The attached overlays of aerial photographs taken in 1982, 1986 and recently indicate that the semi-circular element was not present when the earlier images were taken.

1

The foregoing responds to Council's request for evidence that the semi-circular area of paving is not original. It is recommended that the removal of this element be approved.

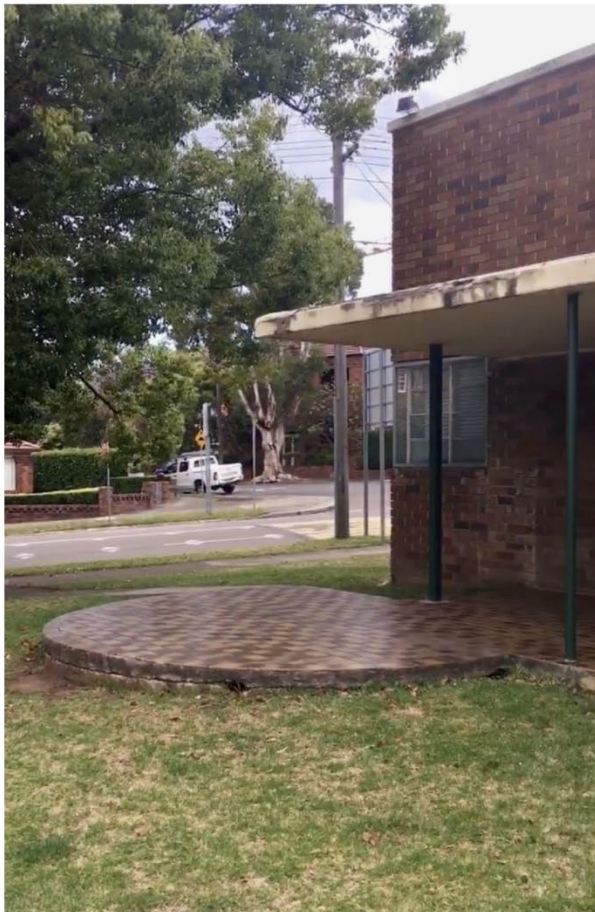
Yours sincerely



Graham Hall

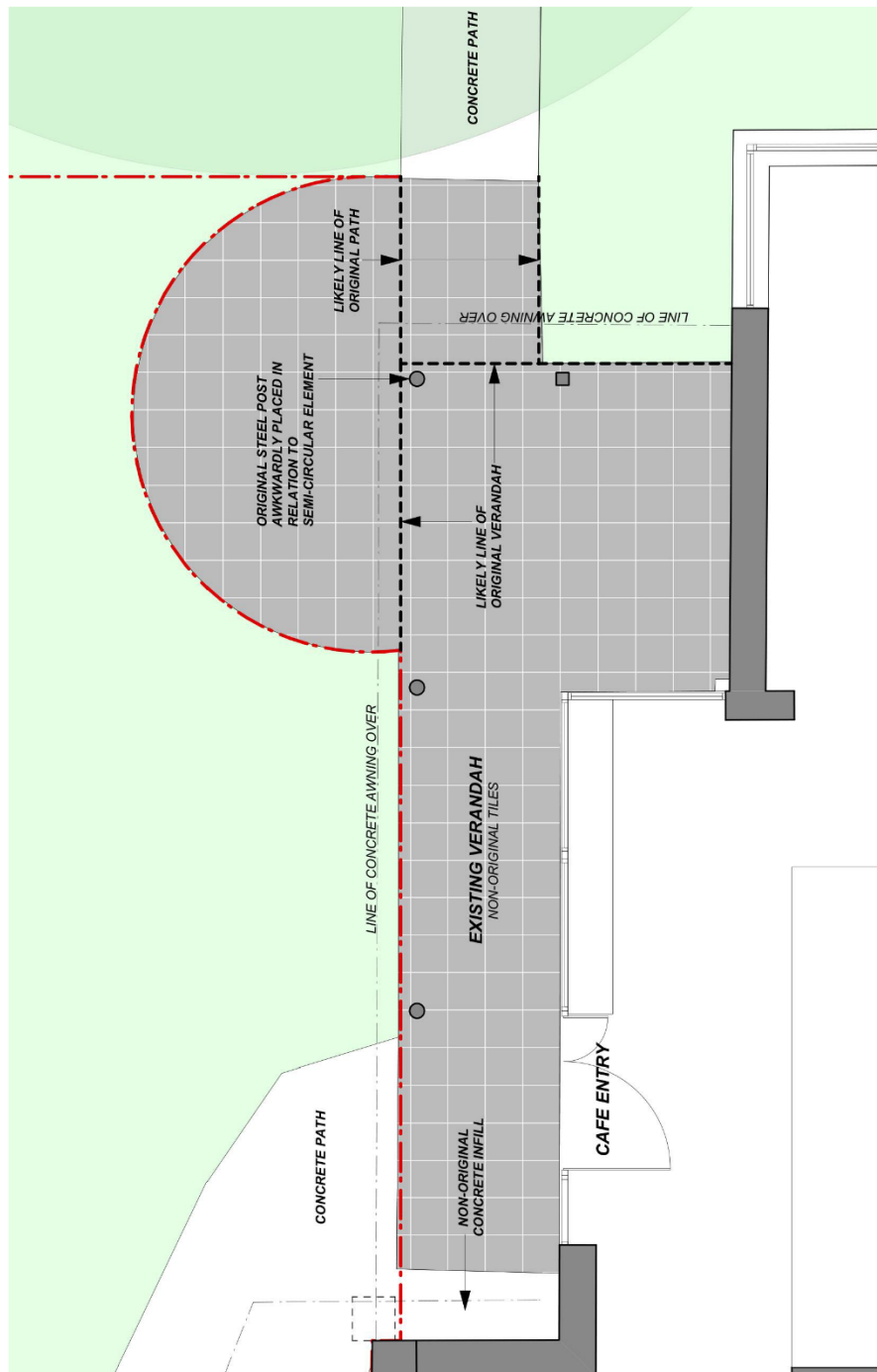


Umbrellas disrupt the main elevation



Semi-circular area paved with tiles in 2016

2



Analysis of likely original verandah configuration – NOT TO SCALE

Document Set ID: 37628375
Version: 1, Version Date: 14/04/2023

**STATEMENT OF HERITAGE IMPACT FOR
ALTERATIONS AND ADDITIONS TO
THE FORMER BABY HEALTH CENTRE
YEO PARK, ASHFIELD**



Graham Hall

B Arch, M Bldg Sc, MBA, Grad Cert Herit Cons, FRAIA
Nominated Architect (ARB No. 2600)

**Graham Hall and Partners
Architects and Heritage Consultants**

263 Trafalgar Street Annandale NSW 2038
Mobile: 0408 869 209 e-mail: hallct@ozemail.com.au

NOVEMBER 2022

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Cover: The building from the north. Photo: Jessica Matson Architecture

Statement of Heritage Impact, Alterations to former Baby Health Centre, Yeo Park © Graham Hall 2022

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Version: 1, Version Date: 14/04/2023

1 INTRODUCTION

1.1 Purpose

This report was commissioned by Mr. C. and Ms. B. Maynard, lessees of the former Baby Health Centre, now a cafe, in Yeo Park, Ashfield. It is intended to assist Inner West Council, its professional advisers and interested members of the public when considering a Development Application for alterations and additions to the building designed by Jessica Matson Architecture.

The basis of assessment is the ICOMOS *Burra Charter* and the *NSW Heritage Manual (Heritage Assessments and Statements of Heritage Impact)*.

1.2 Authorship

The author is Graham Hall, who is registered as an architect by the Architects Registration Board of New South Wales (No. 2600), and listed as a Conservation Architect and Heritage Consultant by Heritage NSW.

He is or has been Heritage Adviser to several metropolitan and country councils since 2002, advising on development applications, conservation work and grant applications. He has co-ordinated community-based heritage studies in Fairfield, Walgett and Moree; undertaken assessments of numerous potential heritage items, notably for the City of Parramatta and the National Parks and Wildlife Service; and written Conservation Management Plans and schedules of conservation work for the Coonamble Museum, the State-listed Old Dubbo Gaol and various other items.

2

Photographs are by Graham Hall unless otherwise noted.

1.3 Copyright

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1.4 Site identification

The site known is shown in Schedule 5 of the LEP as 296 Old Canterbury Road, Summer Hill, comprising Lot 11 in DP 1002099. However SIXmaps and the NSW Planning Portal both gives the address as 230 Victoria Street, Ashfield. Its location is shown on the maps overleaf.

1.5 Planning instruments

The relevant planning instruments are the Inner West Local Environmental Plan 2022 ("the LEP") and the Comprehensive Development Control Plan 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill ("the DCP").

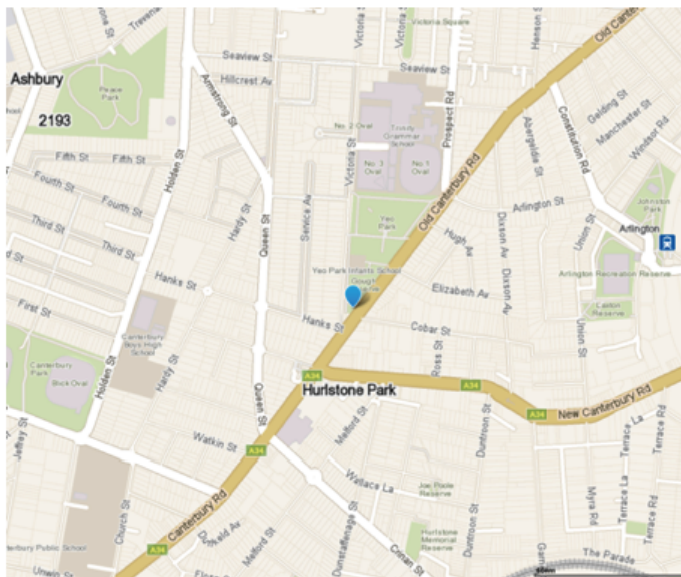
Statement of Heritage Impact, Alterations to former Baby Health Centre, Yeo Park © Graham Hall 2022

1.6 Heritage status and proximity to heritage items

The building is listed as Item 1650 in Schedule 5 of the Inner West Local Environmental Plan. It is in the vicinity of a listed house at 229 Victoria Street and of the Service Avenue Heritage Conservation Area.

1.7 Consultation

The architects consulted with the author from the early stages of the project.



Map showing the location of the subject building www.whereis.com

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Part of the Inner West heritage map with Item 1650, centre

2 HISTORICAL EVIDENCE

2.1 Aboriginal occupation and early land grants

The original inhabitants of the former Municipality of Ashfield were the Gadigal and Wangal bands of the Eora people. After the British penal colony was established at Port Jackson in 1788, successive governors made grants of land to soldiers, officials, emancipated convicts and free settlers. Most grants became large country estates. Where the land was thought to be suitable, farms were established.



Early map of the Parish of Petersham with Haven's grant outlined in blue
 NSW Land and Property Information

LPI

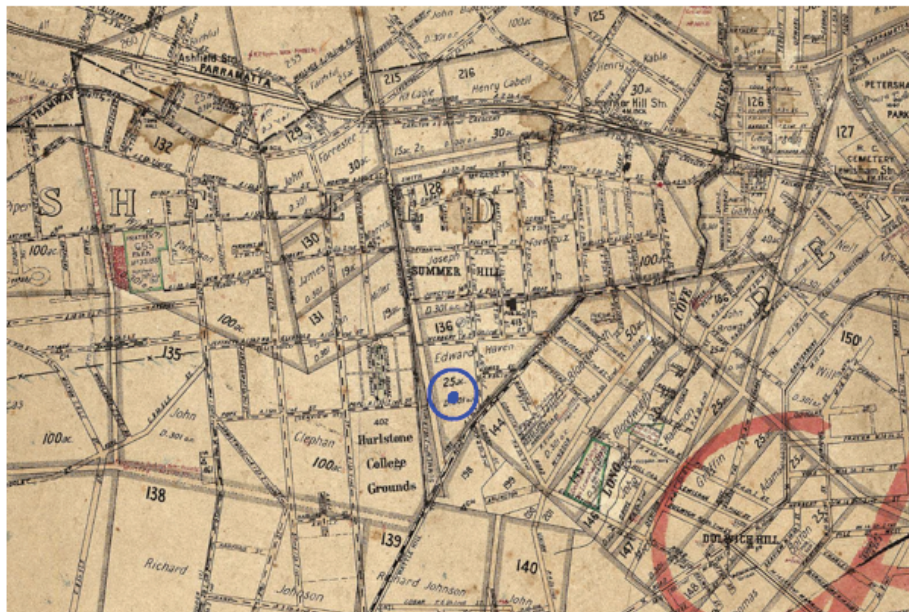
4

The first land grant in what was to become the Municipality of Ashfield, 100 acres north of Cook's River, was made in 1793 to Rev. Richard Johnson, who became a particularly successful farmer. A prominent free settler, Henry Cable/Cabell/Kable received three grants, of 15, 30 and a further 30 acres, (each marked with a different spelling of his name on the map above on the southern side of Parramatta Road. Abutting these on the south was a single grant of 100 acres to Captain (later Major) Joseph Foveaux made in 1794, as was a similar grant further west to Lt.-Col. William Paterson. Other large grants were made to Thomas Moore, master boat builder, and Robert Campbell, a prominent merchant and one of the largest landholders in the colony. Adjoining Foveaux's grant on the south was a triangular shaped 25 acre grant to Sergeant Edward Haven. The subject site lies within this grant.

Edward Haven arrived in NSW aboard the *Pitt* in 1792. In June 1800 he was living in Sydney with one servant. In July 1800 he travelled to Norfolk Island aboard the *Hunter* with Joseph Foveaux's company of the NSW Corps and in 1808 he was promoted to Pay Master Sergeant. Haven returned to Sydney with Foveaux in April 1810 and subsequently returned to England. He may have disposed of the grant before his departure.

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Later parish map showing the street layout. Location of subject site ringed in blue LPI

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2.2 Settlement of Ashfield

By 1810 all the land in the Ashfield LGA had been granted, and by 1820 the grants had been consolidated into four large estates: *Ashfield Park* (between Liverpool and Parramatta Roads), *Dobroyde Farm* (present day Haberfield), *Kable's Farm* (the northern part of Summer Hill, extending south to Smith Street), and the Robert Campbell's *Canterbury Estate* (the southern part of Summer Hill and Ashfield) which included Haven's grant.

The village of Ashfield developed from a subdivision of lots of the Ashfield Park Estate in 1841. The opening of the railway to Granville in 1855, with a station at Ashfield, gave a major boost to closer settlement. New stations at Croydon Park in 1875 and Summer Hill in 1879 provided a further stimulus.

Through the Victorian and Federation periods the area was subdivided for residential development. Many but by no means all of the boundaries of the original grants were obliterated. By the outbreak of the Second World War most of the former Ashfield Municipality had been developed, and much of the building stock remains, as the maps overleaf demonstrate.



Aerial photograph from 1943 showing the site vacant but the suburb fully developed LPI

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Recent aerial photograph with the building visible LPI

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2.3 The Baby Health Centre

The grants in the area around the subject site were consolidated by Rev. John Graham, who sold them to John Kinloch in 1874. Kinloch, a Scot born in Dublin, was one of the first graduates of Sydney University, and played cricket for NSW. A tutor of matriculation students, he set up his own school, Hurlstone College in 1878 on the site of what is now Trinity grammar school. The college failed financially within two years.

The entry for the subject building in the State Heritage Inventory contains the following detailed history:

On the 1883 Higinbotham & Robinson map of Ashfield, the land on which this building now stands is shown at the tip of the large trapezium-shaped site which had been resumed by the State Government for a Training College and which at that time contained John Kinloch's [sic] Hurlstone College. The tiny triangle at the point was then separated from the main College land by a small creek. By 1925 about half the land south of the College's acreage had been resumed and dedicated as Yeo Park.

The other half, extending to the south corner, was vested in the Department of Education for the erection of Hurlstone Park Infants School. The creek was undergrounded as a drain. In 1935, all the area south of the school site was excised and granted to Ashfield Council in a Permissive Occupancy Agreement, in which the Council agreed to pay rent of £1 per year. Most of this became Gough Reserve.



Detail from map overleaf

The rest, the southernmost point, was the subject of a 1947 agreement making it available to the Health Department as the location of a Baby Health Centre. A conference of representatives from Ashfield, Canterbury and Petersham councils agreed that these three councils should contribute half of the capital cost of the proposed building.

The respected firm of architects Davey & Brindley was commissioned to design the Baby Health Centre and the building application was approved in 1949. The estimated cost of the work was £6,000. In the event the building was erected by Ashfield, Canterbury and Marrickville Councils in conjunction with the Department of Public Health; the foundation stone was laid in 1951.

Eventually the building ceased to operate as a baby health centre. By 2017 it was vacant and its condition was deteriorating. Ashfield Council engaged Graham Bakewell, architect, to design alterations to allow it to be adaptively re-used as a café. The work was carried out by Spik Services with assistance from Graham Hall, conservation architect.



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Map of Ashfield, 1886-88, Higinbotham & Robinson, with the location of the subject site arrowed Dictionary of Sydney

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3 PHYSICAL EVIDENCE

3.1 Description

The building faces north over a site which falls has red-brown face brick walls and concrete roofs. It is of one storey, irregular in plan, and comprises a series of interlocking shapes with flat roofs of different heights. Most of the envelope is quite high, having high parapet walls, and most of the forms are rectilinear. A lower projecting wing on the north-west has one fully glazed splayed wall and a cantilevered roof. There is also a lower flat-roofed veranda on the north, its concrete roof supported on steel posts, and a low service wing at the rear, on the south.

The windows are steel-framed glazed, with multiple horizontally proportioned sashes. There is one corner window. Several walls are fully glazed in similar materials. The service area is lit by a series of glass brick panels.



The building from the north-east



The building from the north

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The building from the east



The building from the south. The walls above the rear service rooms have been painted since 2017, apparently by a Council contractor in an attempt to deal with damp issues.



The building from the south-east

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Facing east at the front of the building.



Facing west at the front of the building



View towards the infants' school to the north

3.2 Style

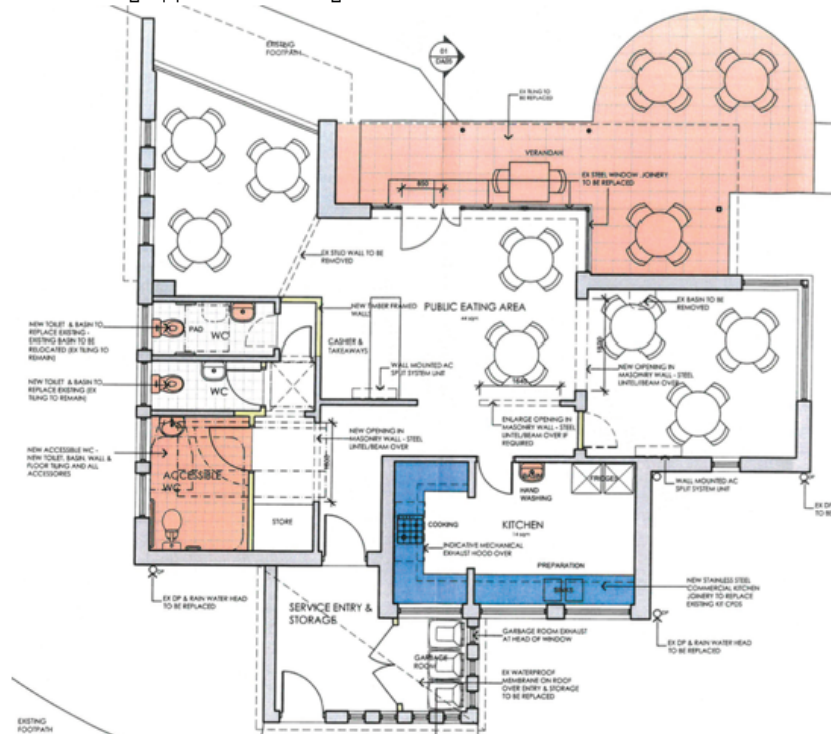
The definitive framework for identifying architectural styles in Australia is that of Apperly, Irving and Reynolds.¹ These authors provide a perceptive account of what a style is. They are mainly concerned with "high" or "contrived" architectural styles rather than "popular" styles, or the vernacular. Using this framework the building is classified as being in the Post-war International style.

3.3 Alterations

The adaptive re-use required few changes, as the plan below shows. Some openings were made in internal walls, and the toilets were upgraded to provide disabled access. Much of the work was concerned with conserving the fabric. The steel windows were severely rusted and had to be replaced. New membranes were installed to waterproof the roofs. Security grilles had been fitted to all the windows and glazed walls, and these were removed from the walls. A semi-circular projection from the veranda slab had been added and both it and the slab had been tiled. These areas were re-tiled.

3.4 Condition

The building appears to be in good condition.



PLAN FOR ADAPTIVE RE-USE AS A CAFÉ GRAHAM BAKEWELL, ARCHITECT

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¹ Apperly, Richard, Robert Irving and Peter Reynolds, *A Pictorial Guide to Identifying Australian Architecture*, Angus and Robertson, Sydney, 1994

4 HERITAGE CONCEPTS

4.1 Values

Heritage may be defined as *valuable things from the past*. Heritage can be seen broadly as including many aspects of culture – such as art, music, dance, language, literature, philosophy, religion, political institutions – as well as aspects of the physical environment, with which this report is concerned. The physical environment in turn comprises the *natural landscape* – untouched by man – and the *cultural landscape* – any place that has been modified by human activity.

Buildings are the most obvious examples of places in the cultural landscape, but streetscapes, engineering structures, movable items and rural landscapes are other examples. (In practice, the cultural and natural landscapes are not always easily distinguished, at least until a place has been studied in some depth.)

If our environmental heritage comprises *valuable* places or items that remain from the past, it follows that they should be conserved, so that present and future generations may understand and enjoy them. But we all have different *values*. If we did not, there would be no need for heritage controls.

4.2 The Burra Charter

Although values are individual and subjective, there is a rigorous method or framework for considering them: the *Burra Charter*.² This has been developed by Australia ICOMOS (International Council on Monuments and Sites, linked to UNESCO). The key concept is an item's *significance*. What does this item *signify*, what *sign* does it make, what *signal* does it send to us about our past - about why our culture and physical environment are as they are? The *Burra Charter* gives five bases of significance. An item may be significant in one or more of these ways.³

Historical significance arises when an item is important in the course of an area's history or has strong associations with a historical figure or event.

An item can have aesthetic significance if it has visual appeal or demonstrates a particular architectural style.

Scientific value is present if the item yields, or has the potential to yield, technical information useful in research, for example about history, anthropology, construction techniques, or the natural world.

Social significance means that people hold a place in particular esteem: it is a focus of community sentiment: there would be a sense of loss if it were no longer there.

Spiritual significance was introduced as a distinct category in the 1999 revision of the Burra Charter. It relates to places that have meaning at a spiritual level.

² Australia ICOMOS, *The Burra Charter (The Australia ICOMOS charter for places of cultural significance)*, 2013.

³ Author's wording. The *Burra Charter* itself does not define these terms, but they are explored in Australia ICOMOS, *Practice Note: Understanding and assessing cultural significance*, Nov.2013

4.3 Nature, degree and level of significance

The above terms define the *nature* of an item’s significance. Another dimension is the *degree* of significance. On this dimension, an item may be significant because it is rare or representative, or sometimes both. Rarity means signifying a rare, endangered or unusual aspect of history or the environment. Representativeness means being a fine example of an important class of items.

A third dimension is the *level* of significance. It should be noted that the level is not a hierarchy of importance, but is concerned with the geographical spread of the people to whom an item is significant, e.g. local, state.

Expert studies over the years have relied on this three-dimensional matrix, or variations of it. It is particularly appropriate for complex items and heterogeneous sets of items. The significance of conservation areas should also be assessed on against such criteria.

4.4 The NSW Heritage Assessment Procedure

The *Heritage Act 1977* defines *heritage significance* as the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item. The NSW Heritage Council has used its powers under the Act to gazette the following seven *criteria*: They are clearly derived from the Burra Charter. An item that satisfies at least one of the criteria is *significant*. It is then assessed to determine whether it is significant at local or at the State level.

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Historical significance SHR criteria (a)	An item is important in the course, or pattern, of NSW’s or the area’s cultural or natural history
Historical association SHR criteria (b)	An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW’s or the area’s cultural or natural history.
Aesthetic significance SHR criteria (c)	An item is important in demonstrating aesthetic characteristics &/or a high degree of creative or technical achievement in NSW or the area
Social significance SHR criteria (d)	An item has strong or special association with a particular community or cultural group in NSW or the area for social, cultural or spiritual reasons.
Technical/Research significance SHR criteria (e)	An item has potential to yield information that will contribute to an understanding of NSW’s or the area’s cultural or natural history.
Rarity SHR criteria (f)	An item possesses uncommon, rare or endangered aspects of NSW’s or the area’s cultural or natural history.
Representativeness SHR criteria (g)	An item is important in demonstrating the principal characteristics of a class of NSW’s or the area’s cultural or natural places or cultural or natural environments.

This framework is the basis of the *NSW heritage assessment procedure*⁴, in which rigorous, though necessarily subjective, *guidelines* for inclusion or exclusion are set down.

⁴ NSW Heritage Office, NSW Heritage Manual, *Assessing Heritage Significance*, 2001, p. 6. Statement of Heritage Impact, Alterations to former Baby Health Centre, Yeo Park © Graham Hall 2022

4.5 Gradings of significance

A potential heritage item is either significant (against at least one criterion) or it is not. It cannot have “high” or “low” significance. But as the Heritage Manual states,

Different components of a place may make a different relative contribution to its heritage value. Loss of integrity or condition may diminish significance. In some cases it may be useful to specify the relative contribution of an item or its components. While it is useful to refer to the following table when assessing this aspect of significance it may need to be modified to suit its application to each specific item.

Grading	Justification	Status
EXCEPTIONAL	Rare or outstanding element directly contributing to an item’s significance.	Fulfils criteria for local or State listing.
HIGH	High degree of original fabric. Demonstrates a key element of the item’s significance. Alterations do not detract from significance.	Fulfils criteria for local or State listing.
MODERATE	Altered or modified elements. Elements with little heritage value, but which contribute to the overall significance of the item.	Fulfils criteria for local or State listing.
LITTLE	Alterations detract from significance. Difficult to interpret.	Does not fulfil criteria for local or State listing.
INTRUSIVE	Damaging to the item’s heritage significance	Does not fulfil criteria for local or State listing.

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4.6 Conservation areas

A heritage conservation area is more than a collection of individual heritage items. It is an area in which the historical origins and relationships between the various elements create a sense of place that is worth keeping. A heritage area is identified by analysing its heritage significance and the special characteristics which make up that significance. These may include the subdivision pattern, the consistency of building materials or the common age of its building stock. The least important characteristic is the “look” of the place, although the commonly held community view is that this is the determining factor.⁵

Heritage significance is embodied in the actual fabric or physical remains of an item or place, its relationship with its setting, and the photographs public records and associated documents which help to tell the story. Historic significance underlies most of the other values...An area might reveal the cultural, political or economic development of a precinct, suburb..... or the nation.⁶

Individual buildings may be defined and/or mapped as being contributory to the area’s significance, neutral or intrusive depending on their construction date and the extent to which they remain recognisable (or some similar framework.) The process is analogous to the grading of components of an individually listed item.

⁵ Heritage Office and Department of Urban Affairs and Planning, *Conservation Areas*, 1996, p.3

⁶ Ibid pp. 7, 8.

5 HERITAGE ASSESSMENTS

5.1 Heritage significance of the Item

The following Statement of Significance is taken from the State Heritage Inventory:

This is a very good example, indeed one of the earliest, of professionally- designed post-World-War II International-style architecture in Ashfield. It was designed by a respected firm of architects, still extant, which has also worked with other Sydney councils. It is an unusual built example of a corroboration between three municipalities and the NSW Health Department. As well, it is an excellent and early example of a purpose-built Baby Health Centre. The building and its setting also form an attractive component of an Ashfield site that has intense historical significance, demonstrating the interactions of private ownership, development, education and municipal and State interest

It might be noted that the photograph in the SHI is not of the item but of an unidentified house.

5.2 Heritage significance of the Service Avenue Conservation Area

The following Statement of Significance is taken from the DCP, p.157:

The area is of historical significance as an area developed from a group of circa 1900 subdivisions with housing developed from circa 1900 into the inter-war period. The area is of aesthetic significance for its consistent streetscapes of predominantly face brick, single storey Federation to Inter-war period detached housing.

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The key period of significance is identified as 1903-1930s.

5.3 The proposal

The proposal is fully described in the drawings.

Like its antecedent Inter-war Functionalist style, the Post-war Functionalist style was rooted in a response to the functional requirements of the brief. The design of the Baby Health Centre was not only an accomplished sculptural form but also a rational response to the needs of its users.

The building's adaptive re-use as a café has required remarkably little intervention, but one need that it does not meet is provision for shaded outdoor dining. The veranda on the north is quite narrow. From here the site falls away, and patrons sit on the grass under market umbrellas on folding chairs.

To provide level, covered seating, it is proposed to build a timber deck abutting the front veranda, covered with a pergola with translucent polycarbonate roofing. This structure will abut the existing building but will read as structurally separate.

The translucent roof will be supported on steel pots, as is the existing concrete veranda. The tiles on the veranda, which are to be replaced, are not original, but date from 2017 when they replaced previous but non-original tiles. The veranda slab most likely had a wood-float or steel-trowelled finish originally. The semi-circular addition will be removed and the timber decking will re-establish the lines of the original veranda/entry path.

5.4 Impact on the significance of the item

The pergola is a confident, sympathetic addition to the principal elevation. Like the irregular brick forms which comprise the item, it is rectilinear, but it is light and open, defining an outdoor space. The main elevation will not be obscured. Indeed its lines will be more easily seen as the irregular row of umbrellas will not be needed.

The significant view from the item, to the north over the park, will be enhanced when the umbrellas are gone.

Every care will be taken in both documentation and construction to ensure that there is no damage to the building.

5.5 Impact on the significance of the Service Avenue Conservation Area

The subject building is very different in style, though not in scale, from the Federation and inter-war houses in its visual catchment on the far side of Victoria Street. However it stands apart from them, on its own expansive site, and is so far from them that the relationship is distant as well as complementary. The proposed pergola is a small addition, sympathetic to the item; so that the relationship between the item and the HCA will not be altered.

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5.6 Impact on the significance of the listed house at 229 Victoria Street

For the reasons stated in 5.5, the proposal will have no impact on the listed house within the Conservation Area at 229 Victoria Street.

6 CONCLUSION

The proposal will have a minimal and acceptable impact on the heritage significance the former Baby Health Centre, and no impact at all on that of the Service Avenue Heritage Conservation Area.

7 REFERENCES

Apperly, Richard, Robert Irving and Peter Reynolds, *A Pictorial Guide to Identifying Australian Architecture*, Angus and Robertson, Sydney, 1994.

Australia ICOMOS, *The Burra Charter (The Australia ICOMOS charter for places of cultural significance)*, 2013.

Inner West Council, *Yeo Park and Gough Reserve Plan of Management*, December 2018

NSW Heritage Office, NSW Heritage Manual, *Assessing Heritage Significance*, 2001

NSW Heritage Office, NSW Heritage Manual, *Statements of Heritage Impact*, 1996

Pollon, Frances, *The Book of Sydney Suburbs*, Collins/Angus and Robertson, Sydney, 1990.

Attachment E - Plan of Management

Details of any music and/or entertainment to be provided on site:

1. The cafe may explore the option of providing live music within these trading hours with local artists engaged by the café to add to the ambience and in keeping with community spirit.
2. The volume of the music will be considerate of neighbours, and only be in operation during our trading hours and meet our current lease terms amplified music (via existing speakers will be kept to a reasonable volume per current operation) Music outside will be in keeping with existing terms of small group, non-amplified music except in the case when a larger event is pre-organised by the school or council (such as inner west music fest or school movie night).

Guidelines for staff for using the site facilities and equipment:

1. All staff will be trained on the proper use and maintenance of all site facilities and equipment.
2. Staff will be responsible for ensuring that all site facilities and equipment are kept clean, tidy, and in good working order.

Deliveries and loading/unloading:

1. No change will be made to our current delivery and loading/unloading schedule.
2. We will reiterate to all our suppliers that deliveries, loading/unloading should all be taking place from the Canterbury Rd side of the café to and be conducted in a safe and efficient manner to minimise disruption to neighbours.

Managing of customers or patrons, including patronage numbers:

1. Outfield will implement a booking system to manage patronage within the café during evening trading.
2. Outfield will continue to monitor patronage numbers and manage this within the hours of operation.

Security details, including lighting plan for proposals with extended:

1. The cafe will implement a security plan to ensure the safety of all customers and patrons during the extended hours. This will supplement the security system that is currently inside the café with an additional camera installed at the front door of the cafe.
2. Existing lighting will be utilised, we will explore the option of additional lighting utilising subtle solar powered fairy lights added to the decking area for evening trade use.

By implementing this Plan of Management, Outfield will be able to provide a safe and enjoyable environment for customers and patrons during the extended trading hours and special occasion evening events. This will help promote the park and cafe as a community-focused space.

Plan of Management for extended trading hours and special occasion evening events at Outfield Café in Yeo Park. ISSUE DATE: 30.03.23

Objectives:

1. To provide a safe, welcoming and enjoyable environment for the local community and our customers during evening events. The area currently lacks alternatives for evening dining option with the closest alternatives McDonalds and Canterbury Bankstown RSL Club.
2. To promote the park and cafe as a community-focused space that fosters health, happiness, and well-being. These are the three key priorities as outlined by the IWC and Yeo Park Plan of Management.
3. To aid in the recovery of revenue for the cafe post Covid via extending trading hours and allowing for special occasion evening event such as pasta nights or set menu event.
4. To explore the potential of small private functions as a means of diversifying the cafe's revenue stream.

Operational details:

1. The extended trading hours to 10pm will initially be utilised for special occasion evening events will only take place during daylight savings.
2. The cafe will initially test the market by opening on Friday and Saturday nights only initially during daylight savings and if it proves to be financially viable, we will seek to make it more regular.
3. The cafe will operate with a set menu and pre-booking options to manage the flow of customers and staffing requirements.
4. Private functions and small catered events will be explored as a means of further diversifying the cafe's revenue stream.
5. The cafe will establish the most viable options for operating during the extended trading hours and special occasion evening events.

Hours of operation:

1. The change of hours request is from 6am to 10pm
2. Initially, we will trial operating during the extended trading hours on Fridays and Saturdays only during daylight savings.
3. The cafe may consider extending into these new trading hours further based on customer demand and feedback and if this extension of hours proves to be financially viable.

Staffing details:

1. Additional staff will be required during the extended trading hours. We estimate 4 to 6 staff to be onsite of an evening when the café is operating.
2. Staff will be trained to provide excellent customer service and ensure the safety of all customers and patrons.