

## Item 8: Development

### 8.1 DA0246/2021 Dual Occupancy at 90A Louee Street, Rylstone (Lot 3 DP1239243)

REPORT BY THE TOWN PLANNER  
TO 04 AUGUST 2021 ORDINARY MEETING  
GOV400088, DA0246/2021

#### RECOMMENDATION

##### That Council:

- A. receive the report by the Town Planner on the DA0246/2021 Dual Occupancy at 90A Louee Street, Rylstone (Lot 3 DP1239243);
- B. refuse DA0246/2021 Dual Occupancy at 90A Louee Street, Rylstone (Lot 3 DP1239243) for the following reason:
  - A) The view corridor from Cox Street to the former Presbyterian Church will be blocked by the proposed development. This is contrary to the objectives of Section 5.10 "Heritage Conservation" of the Mid- Western Regional Local Environmental Plan 2012 in that the application does not conserve the heritage significance of the heritage conservation area or the heritage item.

#### Executive summary

OWNER/S	Matthew Cover and Melissa Craze
APPLICANT:	Matthew Cover
PROPERTY DESCRIPTION	90A Louee Street, Rylstone (Lot 3 DP 1239243)
PROPOSED DEVELOPMENT	Detached dual occupancy
ESTIMATED COST OF DEVELOPMENT:	\$90,000
REASON FOR REPORTING TO COUNCIL:	Application called up by two councillors
PUBLIC SUBMISSIONS:	Nil

Council is in receipt of Development Application DA0246/2021 that seeks approval for dual occupancy (detached), located at 90A Louee Street Rylstone NSW 2849, Lot 3 DP 1239243, received by Council on 3 February 2021.

The subject site is "T" shaped with frontage to Cox and Louee Streets and contains the former Presbyterian Church now approved for use as a dwelling. The proposal involves the construction of a new one bedroom dwelling and car port to the north side of the existing church building and fronting Cox Street.

The site is located within the Rylstone Heritage Conservation area and is also identified as Heritage Item I32R under Schedule 5 of the Mid-Western Regional Local Environmental Plan 2012 (MWRLEP 2012) being the former Presbyterian Church.

The application was advertised and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 26 February 2021. During the notification period, no submission/s were received.

The proposed development has been assessed in accordance with Council's Development Control Plan 2013 (DCP 2013) and the MWLEP 2012. The application includes one variation to Council's DCP which relates to the front setback of the new carport to Cox Street.

The application is recommended for refusal. The proposed development is considered to be inconsistent with the heritage controls under the MWLEP 2012 as the proposed new dwelling and car port will block views to the church building from Cox Street.

The application has been referred to Council for determination as two Councillors have called up the application in writing.

## Disclosure of Interest

Nil

## Detailed report

### Description of site and background

The subject site is identified as Lot 3 DP1239243 and is 1128m<sup>2</sup> in size. The lot is "T" shaped with frontage to Cox and Louee Streets, Rylstone. Figure 1 provides an aerial view of the site and surrounds and Figure 2 shows the subdivision layout of the area. The site contains the former St Andrews Presbyterian Church which is identified as Heritage Item I32R under Schedule 5 of the MWLEP and is also located within the Rylstone Heritage Conservation Area. Views to the church are currently retained from Cox Street and Louee Street.

Historically, the lot was part of a multi dwelling housing development and subdivision (DA0004/2015) consisting of the construction of five new dwellings and alterations and additions to the existing church building for use as a dwelling. The proposed dwellings and additions to the church have now been constructed and the land has also been subdivided in accordance with this consent. Of relevance to this application, the Statement of Heritage Impact submitted with DA0004/2015 noted the following in relation to the views to the church from Cox Street (in its "Summary" section):

*"The proposed new development includes 5 houses within the general setting of the former Presbyterian church, which will cause loss of historic view, both towards and away from the item. Generally, however the main view corridors are to be retained through careful planning so that the view of the church from the northern gateway in Cox Street and the view of the church from Louee Street, will be retained."*

Contrary to the above, the current proposal will block the view which the corridor was designed to provide, which was secured and approved, as part of the redevelopment of the site for multi dwelling housing.



Figure 1: Aerial view of subject site (Source: Google maps)

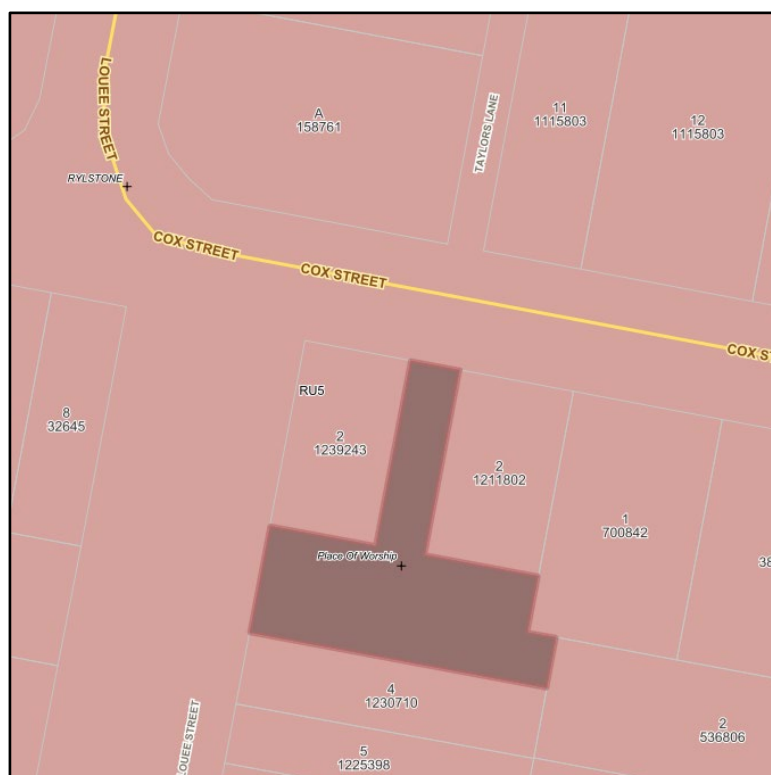


Figure 2: Subdivision layout (subject site highlighted)

### Proposed development

It is proposed to construct a single storey dwelling containing one bedroom and separate car port to front Cox Street. Private open space for the new dwelling will be located between the front of the carport and the dwelling. An extract of the proposed site plan is shown in Figure 3, a full set of plans can be found in Attachment 1.

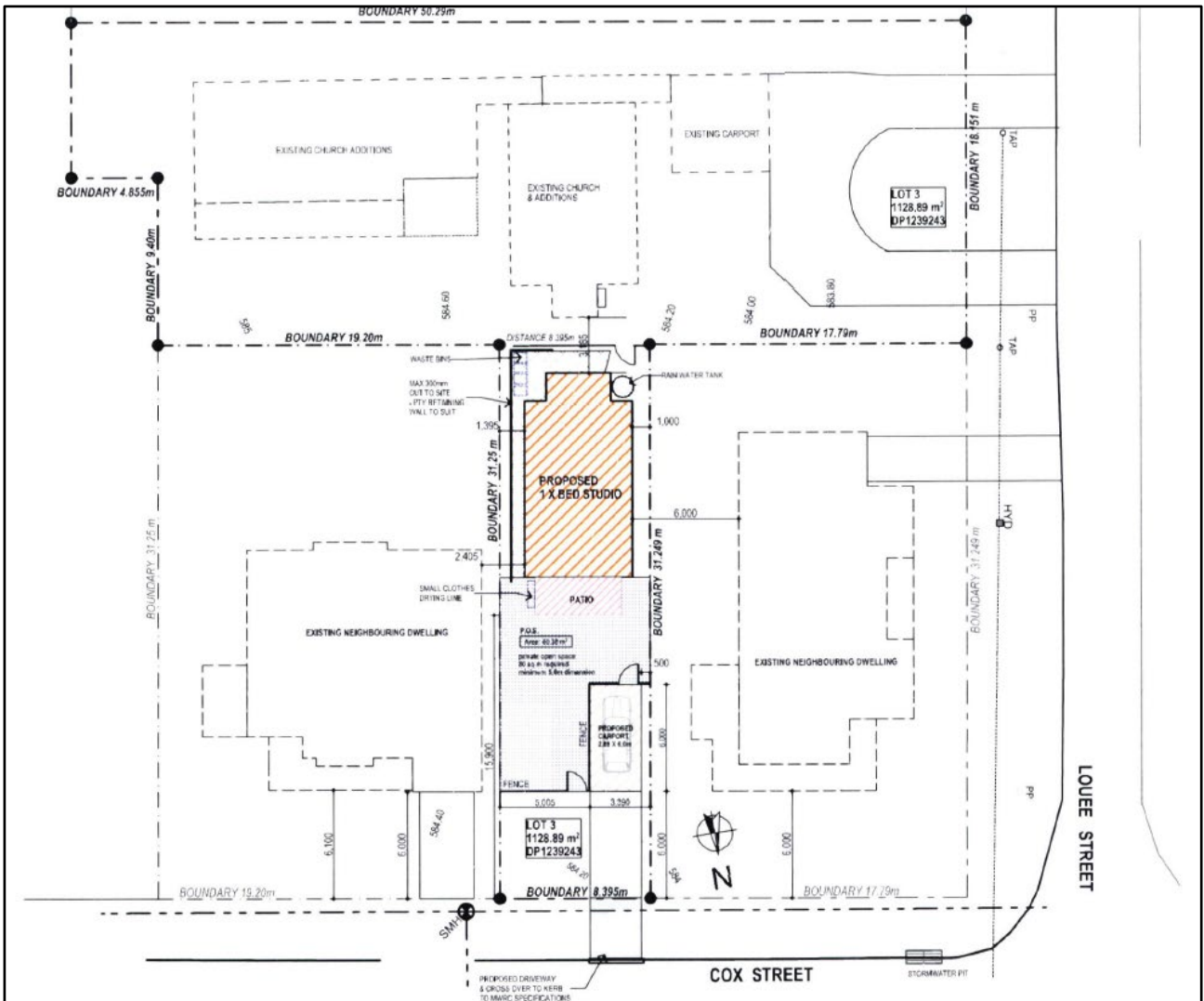


Figure 3: Extract from proposed site plan

### Assessment

#### REQUIREMENTS OF REGULATIONS AND POLICIES

#### Environmental Planning and Assessment Act 1979

#### Designated Development

The development proposal is not considered to be Designated Development, in accordance with Schedule 3 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regs).

## Integrated Development

The development proposal is not considered to be Integrated Development, in accordance with section 4.46 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The application has been assessed in accordance with **Section 4.15** of the *Environmental Planning & Assessment Act 1979*. The main issues are addressed below as follows.

### 4.15(1)(a) Requirements of Regulations and Policies

(i) *Do any environmental planning instruments (SEPP, REP or LEP) apply to the land to which the Development Application relates?*

#### State Environmental Planning Policy no 55 – Remediation of Land

A site inspection and a search of Council's records did not reveal any potentially contaminating activities upon the site. Accordingly, no further consideration is necessary.

#### State Environmental Planning Policy (Building Sustainability index: BASIX) 2004

The proposal involves development that requires the issue of a BASIX certificate. The applicant has provided the relevant BASIX certificate and a condition of consent may be included ensuring that the commitments be met as listed in the certificate, should the application be approved.

#### Mid-Western Regional Local Environmental Plan 2012 (MWRLEP 2012)

The following clauses of MWRLEP 2012 have been assessed as being relevant and matters for consideration in assessment of the Development Application.

##### Clause 1.2 Aims of Plan

The application is not contrary to the relevant aims and objectives of the plan.

##### Clause 1.4 Definitions

The proposal is defined in accordance with the MWRLEP 2012 as a:

***Dual Occupancy (detached)*** means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

The dual occupancy will consist of the existing modified church and the proposed one bedroom studio dwelling.

##### Clause 2.2 Zoning of Land to Which Plan Applies

The land is zoned RU5 Village and is therefore subject to the Plan.

##### Clause 2.3 Zone objectives and Land Use table

The land is zoned RU5 Village pursuant to MWRLEP 2012. The proposal, being a dual occupancy (detached) is permissible with consent in the zone and complies with the relevant objectives. The objectives of the zone and how the proposal satisfies the objectives is addressed below:

## RU5 Village

1. *To provide for a range of land uses, services and facilities that are associated with a rural village.*

**Comment** The proposal will result in a land use that is permissible with consent in the RU5 Village zone and in some aspects will contribute to the village of Rylstone.

2. *To promote development that is sustainable in terms of the capacity of infrastructure within villages.*

**Comment** The proposal is considered appropriate with regard to the infrastructure capacity of the village of Rylstone as discussed throughout this report.

### Clause 4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

This clause applies as the land is zoned RU5 and is in the village of Rylstone.

The **dual occupancy (detached)** is proposed on a site which is 1128m<sup>2</sup> which is greater than 800m<sup>2</sup> prescribed under this clause. Accordingly, the proposal complies with this development standard.

### Clause 4.3 Height of buildings

The subject site is mapped for a maximum height limit of 8.5 metres above existing ground level. The development is proposed at a height of 5.5 metres and therefore complies.

### Clause 5.10 Heritage Conservation

As the proposal includes works involving a heritage item, consideration must be given to the relevant heritage significance in accordance with Clause 5.10(4).

Specifically, the site is located within the Rylstone Heritage Conservation Area and identified as heritage item I32R under Schedule 5 of the MWRLEP 2012 being the former Presbyterian Church.

The relevant objectives of this clause are as follows:

- (a) To conserve the environmental heritage of Mid-Western Regional,
- (b) To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

The principle heritage impact of the development will be through the loss of views to the Church from Cox Street as a result of the construction of the dwelling and car port within the viewing corridor.

Photos 1 and 2 show the existing views to the church from Cox Street and Louee Streets.

The applicant has provided a Statement of Heritage Impact (SoHI) to support their application and in its summary concludes that the development will have a minimal impact on the existing heritage item for the following reasons:

- *The principal address of the listed heritage item is now from Louee Street, and this view of the item will be unaffected by the proposed new development.*



- *The view from Cox Street is presently very restricted and distanced. It is not now the primary view of the church, but it will be affected by the new development. The proposed infill between the houses with a church like structure, simple rectangular with a gabled roof, is an interpretation of the church. It will become a visual reminder of the past structure and be closer to the view of a passing pedestrian.*

The application and the accompanying SoHI has been reviewed by Council's Heritage Advisor who has recommended refusal stating that:

- the proposed new dwelling will of course block the view which the corridor was designed to provide and consequently will diminish its heritage significance and its contributions to the significance of the conservation area.
- the argument in the SOHI that the studio will be an interpretation of the church is not accepted – interpretation means material introduced to a heritage site to assist in understanding its significance. The building will do the opposite. As the available views have been diminished, arguably too much so, the view to the original front elevation and entrance should be retained.

It should also be noted that a new carport and 1.8m fence will be located in front of the proposed dwelling resulting in the loss of any oblique views to the Church from Cox Street around the proposed dwelling.

In light of the above, the application is not considered to meet the objectives of Clause 5.10 as the proposal will significantly impact the Heritage Item and Heritage conservation area through the loss of views from Cox Street and is therefore recommended for refusal.

A full copy of Council's Heritage Advisors referral comments can be found in Attachment 2, with the applicant's SoHI found in Attachment 3.



Photo 2: Existing view to church from Cox Street



Photo 2: Existing view to church from Louee Street

Clause 6.1 Salinity

The proposal only involves minimal earthworks and is not expected to significantly affect the process of salinisation.

Clause 6.2 Flood planning

The site has a small corner that is affected by flood mapping (refer Figure 4 below). The footprint of the proposed dwelling is not located within flood mapped area and accordingly no further consideration is necessary.

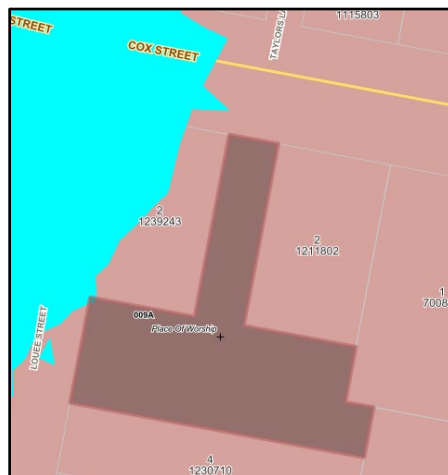


Figure 4: Flood Mapping



### Clause 6.3 Earthworks

The proposal involves only minor earthworks to prepare the site for the development. The works are not expected to generate any significant impacts as listed in Clause 6.3(3). Conditions of consent may be included should the application be approved to ensure any earthworks related activities are carried out appropriately and minimise impacts upon neighbouring properties.

### Clause 6.4 Groundwater vulnerability

The site is identified as groundwater vulnerable in accordance with Council's mapping. No broad excavation is needed to facilitate the proposal and no significant impacts upon those matters contained within clause 6.4(3) is expected as a result of the proposed development. Given the extent of excavation, it is considered that the development would not cause groundwater contamination, adversely affect any groundwater dependent ecosystems, will not cumulatively impact potable water supply, and therefore no special measures, or conditions of consent would be considered necessary.

### Clause 6.5 Terrestrial biodiversity

The proposal is not located in any area identified as 'Moderate or High Biodiversity Sensitivity'.

### Clause 6.7 Active street frontages

Not applicable. The site is not located within the area mapped as 'Active street frontage'.

### Clause 6.8 Airspace operations – Mudgee Airport

The proposal will not penetrate the relevant height limits for safe operation of the Mudgee Airport.

### Clause 6.9 Essential Services

All essential services that are relevant to the proposal are available or will be available as a result of the proposed development.

### Clause 6.10 Visually sensitive land near Mudgee

The land is not located within the area identified within the visually sensitive land map.

## 4.15(1)(a) Requirements of Regulations and Policies

### *(ii) Draft environmental planning instruments (EPI)*

No draft environmental planning instruments apply to the land to which the Development Application relates.

### *(iii) Any development control plans*

## **Mid-Western Regional DCP 2013**

An assessment is made of the relevant chapters and sections of this DCP. Those chapters or sections not discussed here were considered not specifically applicable to this application or are discussed elsewhere in this report.

### Part 3.1 Residential Development:

DEVELOPMENT CONTROL REQUIREMENT	COMMENT / COMPLIES
<b>Minimum lot size</b>	
Minimum lot size	Complies
Attached Dual Occupancy – Minimum 600m <sup>2</sup>	Not applicable.
Detached Dual Occupancy – Minimum 800m <sup>2</sup>	Complies – the lot is 1128.89m <sup>2</sup> .
<b>Note: Detached Dual Occupancy is prohibited in R2 Low Density Residential Zone.</b>	
DEVELOPMENT CONTROL REQUIREMENT	COMMENT / COMPLIES
<b>Building Setback from the street</b>	
RU5: 7.5m	Does not comply – the front setback to the car port is 6m from Cox Street. The applicant has requested a variation for the setback. This variation would likely have been supported by Council officers should the overall development been considered acceptable from a heritage perspective. The variation is further discussed at the end of this table.
<b>Building Side/Rear setback</b>	
RU5: BCA	Complies – The carport will be setback 500mm & 5.05m from the side boundaries The new dwelling will be set back 1m & 1.395m from the side boundaries.
<b>Building Secondary Frontage for corner lots setback</b>	
RU5: 3m	Not applicable
<b>Building height / design</b>	
Proposed buildings are single story	Complies
The design is not a mirror or duplication for the two dwellings when fronting streets.	Complies
75% of internal living areas shall receive at least three hours effective sunlight between the hours of 9.00am and 3.00pm on 21 June (Winter solstice)	Complies
Both dwellings have direct street frontage, i.e. battle-axe arrangements are not permissible	Complies
Minimum separation of 3 metres between buildings	Complies – there is a minimum separation of 3.185m between the proposed dwellings.
The garage door or carport does not exceed 45% of the front elevation	Complies – the carport will be 40.4% of the frontage.
All facades with street frontage contain windows	Complies
Street frontage elevations contain minimum 5% openings	Complies
Building is not a transportable or relocated dwelling	Complies
<b>Slope and cut and fill</b>	
The slope of the site does not exceed 15%	Complies
Cut is limited to 1m	Complies – minimal cut/fill is required to level the site for the development.
Fill is limited to 600mm and is made up of clean fill and is accompanied by a geo-technical assessment demonstrating compaction complies with Australian Standards.	Complies – minimal cut/fill is required to level the site for the development.
Any cut and fill has been provided with retaining wall including drainage and is set back a minimum 300mm from the allotment	Not applicable

DEVELOPMENT CONTROL REQUIREMENT	COMMENT / COMPLIES
boundary.	
Fill does not direct stormwater onto adjoining properties and drainage pits for overland flow paths have been provided.	Complies
Cut / fill is clear of any water or sewer easements.	Not applicable
<b>Open space</b>	
Private open space is located on the Northern or Eastern side of dwellings.	Complies New dwelling – POS located on north side between dwelling and carport. Existing church – POS located on north side of church additions.
Private open space has direct access from main living areas.	Complies
Each dwelling provides a Principal Private Open Space with a minimum of 80m <sup>2</sup> and a minimum dimension of 5 metres.	Complies - New Dwelling – 80.38m <sup>2</sup> provided with a minimum dimension of 5m Existing church –in excess of POS requirements is available on the north side of its extension.
If alfresco is to be counted as Principal Private Open Space, it must be: i) located at or near ground level ii) have direct northerly aspect iii) create no more than 25% of principal open space	Not applicable
Where Principal Private Open Space is located within front set back: i) located behind suitably landscaped area ii) minimum width of 1.5 metres to the front boundary	Complies – the POS will be located between the carport and the front of the proposed dwelling. The fence to the open space will be set back 6m in line with the front of the carport. Should the application be approved a condition could be included to ensure that this area is suitably landscaped.
75% of Principal Private Open Space shall receive a minimum of 3 hours sunlight between 9.00am and 3.00pm on 21 June	Complies
<b>Site coverage</b>	
Maximum site coverage of 50%	Complies – site coverage is 26.48%
<b>Parking</b>	
Each dwelling has two car parks with a minimum of one being a garage for each.	Complies – a car port with tandem car space is available to the new dwelling. The church will retain the existing carport accessed off Louee Street.
Parking and manoeuvring areas are hard stand	Complies
Driveways are located a minimum of 6m from any intersection	Complies
<b>Utilities</b>	
Buildings are located clear of utility infrastructure	Complies
Building is not located within an easement for the purpose of utility infrastructure	Complies
Structures are located a minimum of 1500mm from the centre of water and sewer main	Complies
Details of water supply and sewer reticulation have been provided:	
If available within 500m applicant has proposed connection to reticulated network	Complies
Where no water supply is available, applicant has provided a minimum 60,000 litres which includes a minimum of 20,000 litres reserved for firefighting purposes	Not applicable

<b>DEVELOPMENT CONTROL REQUIREMENT</b>	<b>COMMENT / COMPLIES</b>
Where no reticulated sewer is present, the applicant has proposed onsite disposal in accordance with Section 68 of the Local Government Act 1919	Not applicable
If reticulated services have not been proposed the site is a minimum of 5ha in size	Not applicable
All storm water flows to a gravity system	Complies
Buildings are not located in the path of overland flow	Complies
<b>Fencing</b>	
1.8 metre high fencing is provided between Principal Private open spaces	Complies
Front fences are open panel, do not exceed 1.2 metres in height and are not of Colorbond material construction	Complies
Side fences located in front of the building line are open panel or a combination of open panel and masonry columns to match the front fence and do not exceed 1.2 metres in height	Complies
Side and rear fences do not exceed 1.8 metres in height once behind the building	Complies
For corner allotments no fence, structure or landscaping in greater than 1 metre in height is located within the triangle formed by a sight line 12 metres x 6 metres from the intersection of the two street boundaries	Not applicable
Dividing fences do not affect the flow of surface water with the possibility of causing flooding.	Complies

### ***Variation to Standards:***

It is proposed to vary the front setback of the development to 6m, the required setback is 7.5m representing a variation of 20%. The applicant has provided the following justification for the variation:

“The minor variation to the front setback of the car port is being sought. The car port will align with the neighbouring dwellings from Cox Street and not encroach on the corner lot sightlines nor negatively impact the streetscape”

The above justification is considered satisfactory and the proposal is able to meet the objectives for “Building Setbacks” under the discretionary standards as such a variation of this standard would likely have been supported should the application have been approved.

### **Part 4.7 Tree Preservation Order**

No trees to be removed.

### **Part 5.1 Car Parking**

Car parking is provided in accordance with the requirements for parking under Part 2.2 Dual Occupancy Development under the DCP.

### **Part 5.3 Stormwater Management**

Council’s Development Engineer has provided comments and conditions concerning adequate disposal of stormwater.

### **Part 5.4 Environmental Controls**

All the relevant considerations have been discussed elsewhere in this report or dealt with through conditions of consent.

### Section 7.11 Contributions

Pursuant to Council's Contributions Plan 2019, the development is proposing residential accommodation comprising of 1 bedroom dwelling / studio outside the Mudgee catchment which requires the payment of a contribution in accordance with the plan as follows:

	<b>Total \$</b>
<b>Per 1 bed dwelling / studio outside Mudgee</b>	
Transport facilities	\$1,439
Recreation and open space	\$ 599
Community facilities	\$ 379
Stormwater management	\$0
Plan Administration	\$ 602
<b>TOTAL PAYABLE</b>	<b>\$ 3,019</b>

An appropriate condition may be included requiring payment of the contribution should the application be approved.

### Section 64 - Water/Sewer Developer Services Charges

In accordance with the Developer Servicing Plans for Water and Sewer (August 2008), the proposed development will require the payment of DC headworks charges calculated as follows:

#### Water Headworks

1 x Flat / Unit / Villa (large) >85m<sup>2</sup> @ 0.667 ET/unit  
 1 x Flat / Unit / Villa (small) <70m<sup>2</sup> = @ 0.333 ET/unit  
 = 1.0 ET /unit

Less 1 x Residential allotment (medium) 650m<sup>2</sup> – 1200m<sup>2</sup> = 1.000 ET/unit  
 = 0 ET/ units

**Total Water Headworks = Nil**

#### Sewer Headworks

1 x Flat / Unit / Villa (large) >85m<sup>2</sup> @ 1.0 ET/unit  
 1 x Flat / Unit / Villa (small) <70m<sup>2</sup> = @ 0.5 ET/unit  
 = 1.5 ET /unit

Less 1 x Residential allotment (medium) 650m<sup>2</sup> – 1200m<sup>2</sup> = 1.000 ET/unit  
 = 0.5 ET/ units @ \$3997 per ET/Unit = \$1,998.50

**Total Sewer Headworks = \$1998.50**

An appropriate condition may be included requiring payment of the headworks should the application be approved.

### 4.15(1)(a) Provisions of any Planning Agreement or Draft Planning Agreement – (1)(a)(iia)

No Planning Agreements are applicable.



**Regulations –4.15(1)(a)(iv)****Environmental Planning and Assessment Regulation 2000**

No matters prescribed by the Regulations impact determination of the Development Application.

**Likely impacts of the development – 4.15(1)(b)****a) Context and Setting**

The proposal is considered to be inappropriate to its context and setting, particularly with regard to the Heritage Item and the Heritage Conservation area as it will block views to the Church building from Cox Street.

**(b) Access, Transport and Traffic**

The implications of additional traffic and suitable access are discussed throughout this report. The proposal is considered appropriate.

**(c) Public Domain**

The development will not impact the public domain in terms of recreation opportunities, the amount, location, design, use and management of public spaces, or pedestrian linkages between public spaces.

**(d) Utilities**

All relevant utilities are available or can be made readily available to the site.

**(e) Heritage**

As discussed previously in this report, the proposal is considered to be inappropriate to the existing Heritage Item and Heritage Conservation area as it will block the viewing corridor to the Church from Cox Street.

**(f) Other Land Resources**

No impact expected on the conserving and the use of valuable land, such as productive agricultural land, mineral or extractive resources, or water supply catchments.

**(g) Water**

No significant impact expected.

**(h) Soils**

No significant impact expected. The land is not known to be affected by subsidence, slip or mass movement, subject to contamination, and will not result in significant soil erosion or degradation.

**(i) Air and Microclimate**

The development is not expected to impact air quality or microclimatic conditions.

**(j) Flora and Fauna**

Not applicable.

**(k) Waste**

Waste service available.

**(l) Energy**

Not applicable.

**(m) Noise and Vibration**

Not applicable.

**(n) Natural Hazards**

The development site is not identified as bushfire prone or flood prone and there are no known subsidence, slip or mass movement issues.

**(o) Technological Hazards**

There are no known risks to people, property or the biophysical environment, resulting from technological or industrial hazards, or building fire risk.

**(p) Safety, Security and Crime Prevention**

Increased passive surveillance as a result of the proposed development.

**(q) Social Impact in the Locality**

Generally positive.

**(r) Economic Impact in the Locality**

Generally positive.

**(s) Site Design and Internal Design**

Adequate as discussed throughout this report.

**(t) Construction**

To comply with the BCA where relevant.

**(u) Cumulative Impacts**

Nil. There are no known impacts that have the potential to act in unison, in terms of space or time, or owing to their repetitive nature, that would produce an effect greater or different than the sum of the separate parts.

**Suitability of Site for Development – 4.15(1)(c)****(a) Does the proposal fit in the locality?**

Yes. There are no hazardous land uses or activities nearby, there are no constraints posed by adjacent developments and there are adequate utilities and transport facilities in the area available for the development.

**(b) Are the Site Attributes conducive to Development?**

Yes. The site is not subjected to any natural hazards, and the project will not impact any critical habitat, threatened species, populations, ecological communities or endangered habitats on the site.

**Submissions made in accordance with Act or Regulations – 4.15(1)(d)****(A) Public Submissions**

The application was advertised and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 26 February 2021. During the notification period, no submission/s were received.

**(b) Submissions from Public Authorities**

No submissions were sought or received from public authorities.

**The Public Interest – 4.15(1)(e)****(a) Federal, State and Local Government interests and Community interests**

No significant issues in the interests of the public are expected as a result of the proposed development.

**Consultations****(a) Health and Building**

Council's Health & Building Surveyor has not raised any concerns with the proposal, subject to standard conditions.

**(b) Technical Services**

Council's Development Engineer has not raised any concerns with the proposal subject to standard conditions.

**(c) Heritage Advisor**

Council's Heritage Advisor has recommended refusal of the proposal, making the following comment:

*“The former Presbyterian/Uniting Church on the subject site is listed as an item of environmental heritage in Schedule 5 of the LEP, and lies within the Rylstone Heritage Conservation Area. It has historical, aesthetic and social significance as a largely intact simple Victorian Gothic church built in 1902 of local stone, providing evidence of the growth of the town in the 1880s as a result of the construction of the railway line, and demonstrating the place of religion in the life of the town from the Victorian period.*”

*The church was a landmark, set well back on its original large site. The site was subdivided in 2014, leaving the church on a T-shaped lot. Additions were built to the east of the church and a large carport has recently been added to the west, while houses were built on the remaining lots. Views to the church are retained, the entrance being visible from Cox Street, and the western side from Louee Street. The view corridor from Cox Street is narrow, but the eye is nevertheless drawn to the church.*

*The proposal is to build a one-bed studio in this view corridor, designed in a contemporary style to reflect the church. It is supported by a professionally written Statement of Heritage Impact. This will of course block the view which the corridor was designed to provide, and consequently diminish its heritage significance and its contribution to the significance of the conservation area. The argument in the SOHI that the studio will be an interpretation of the church is not accepted. Interpretation means material introduced to a heritage site to assist in understanding its significance. The building will do the opposite. As the available views have been diminished, arguably too much so, the view to the original front elevation and entrance should be retained.*

*There may be an opportunity to provide some additional accommodation within the recently built carport.*

*It is recommended that the application be refused.*

## Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Vibrant towns and villages
Strategy	Respect and enhance the historic character of our Region and heritage value of our towns

## Strategic implications

### Council Strategies

Not applicable

### Council Policies

Mid-Western Regional Development Control Plan 2013  
Mid-Western Regional Contributions Plan 2019  
Mid-Western Regional Community Participation Plan 2019

### Legislation

Environmental Planning and Assessment Act 1979  
Environmental Planning and Assessment Regulation 2000  
Mid-Western Regional Local Environmental Plan 2012

## Financial implications

Nil

## Associated Risks

Should Council refuse the Development Application, the applicant may seek a further review of this decision or appeal through the Land and Environment Court.

SARAH HOPKINS  
TOWN PLANNER

JULIE ROBERTSON  
DIRECTOR DEVELOPMENT

23 July 2021

- Attachments:*
1. Proposed development plans.
  2. Council's Heritage Advisor referral comments.
  3. Applicant's Statement of Heritage Impact (SoHI).

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## ARCHITECTURAL DOCUMENTATION

**PROJECT:** PROPOSED 1 X BEDROOM STUDIO  
**FOR:** COVER CONSTRUCTIONS  
**SITE:** 90 A LOUEE STREET RYLSTONE NSW 2849  
Lot 3 DP 1239243



**DRG No:** SHEET DESCRIPTION

- 1 SITE PLAN
- 2 SITE - EROSION CONTROL PLAN
- 3 FLOOR PLAN , ROOF PLAN
- 4 ELEVATIONS
- 5 SECTIONS, CARPORT ELEVATIONS
- 6 WINDOW & DOOR LIST
- 7 BASIX COMMITMENTS
- 8 GENERAL NOTES



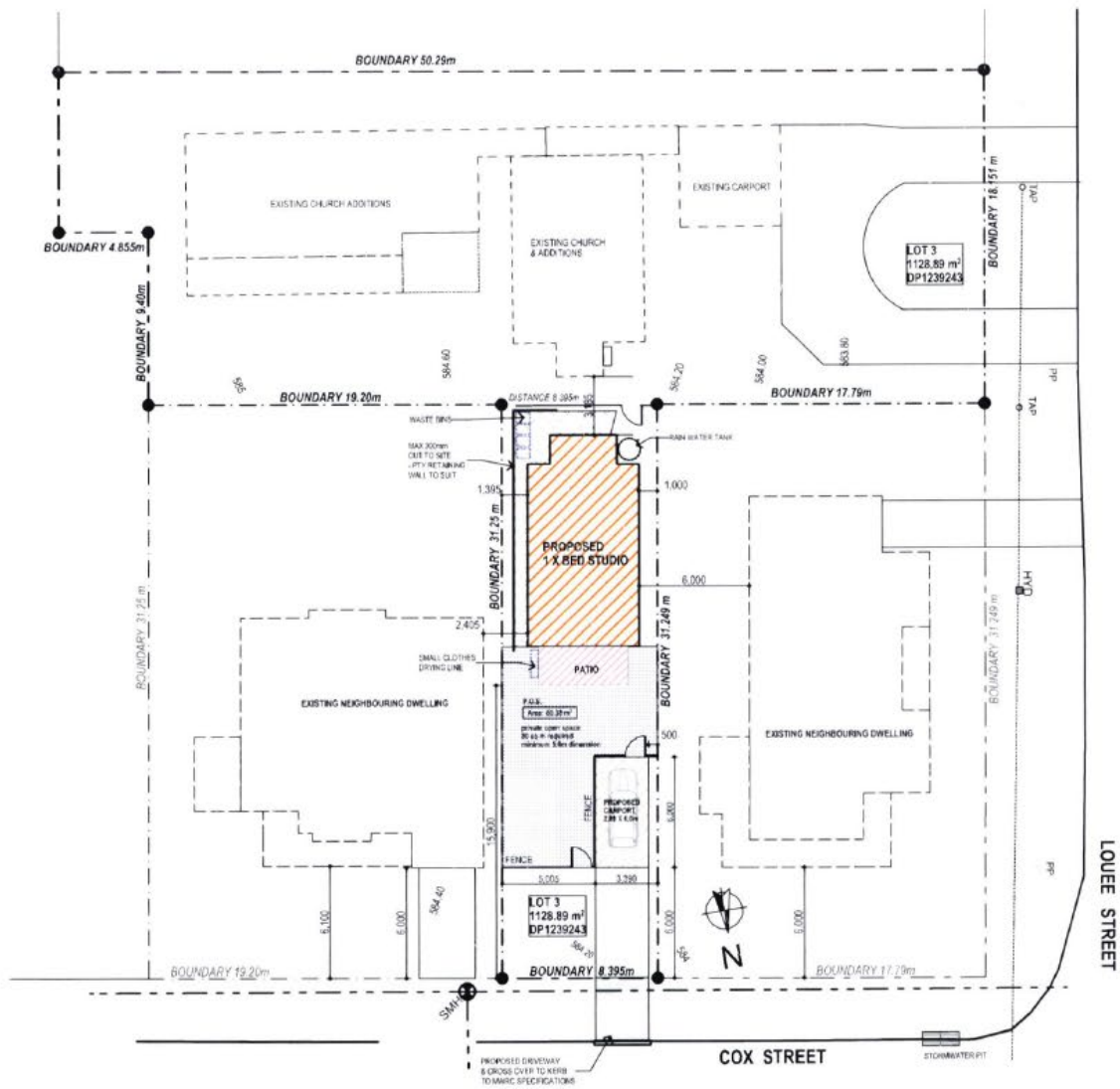
**Preferred Design  
& Drafting**  
30 Lewis Street  
Mudgee NSW 2850  
ph: 0815724387 Mob: 0429600190  
email: mrian@preferredesign.com.au



ACCREDITED CHARTERED MEMBER OF BUILDING DESIGNERS AUSTRALIA  
- ACCREDITATION No: 6077

**CLIENT:** COVER CONSTRUCTIONS  
**PROJECT:** PROPOSED DUAL OCCUPANCY  
**SITE ADDRESS:**  
90A LOUEE STREET RYLSTONE 2849

**PROJECT No:** 116.20



-2. SITE PLAN  
1:250

SITE CALCULATIONS	
LOT 3	1128.89 m <sup>2</sup>
EXISTING CHURCH & ADDITIONS	185.66m <sup>2</sup>
EXISTING CARPORT	30.25m <sup>2</sup>
PROPOSED STUDIO	65.72m <sup>2</sup>
PROPOSED CARPORT	17.34 m <sup>2</sup>
<b>TOTAL AREA</b>	<b>298.97m<sup>2</sup></b>
<b>SITE COVERAGE</b>	<b>26.48%</b>

**NOTE:**  
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Notify any errors, discrepancies or omissions to the Designer. Refer to within dimensions only. Do not scale drawings. Drawings shall not be used for construction purposes until issued for construction. This drawing to be used only for the site for as noted.  
All boundaries and contours are subject to survey. All levels to RFD.  
It is the contractor's responsibility to confirm all measurements on site and locations of any services prior to work on site.  
All documents are subject to Austlian Copyright Laws.

BUILDING CLASSIFICATION: 14



**Preferred Design & Drafting**

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ph: 0263724387 Mob: 0429603160  
email: marian@preferred-design.com.au



D.P. NUMBER: DP 1239243  
SITE AREA: 1128.89 sq m  
DATE: 26.11.20  
DRAWN: M Palmer  
SCALE: 1:100, 1:200, UMD  
DRAWING No: 1  
PROJECT No: 116.20

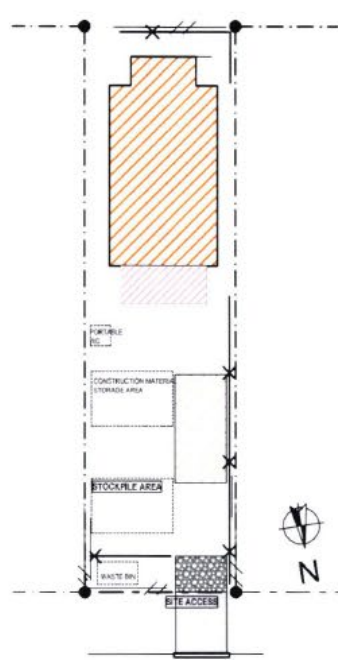
CLIENT: COVER CONSTRUCTIONS  
PROJECT: PROPOSED DUAL OCCUPANCY  
SITE ADDRESS:  
90A LOUIE STREET RYLSTONE 2849  
SHEET DESCRIPTION:  
SITE PLAN

A 26.11.20 DEVELOPMENT APPLICATION  
ISSUE DATE DESCRIPTION

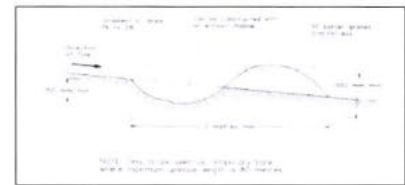
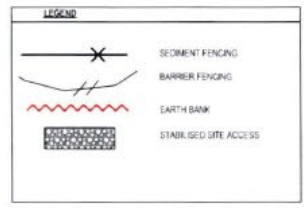


BUILDING DESIGNERS AUSTRALIA

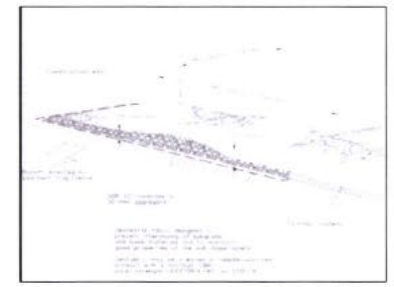
ACCREDITED CHARTERED MEMBER OF BUILDING DESIGNERS AUSTRALIA - ACCREDITATION No: 6877



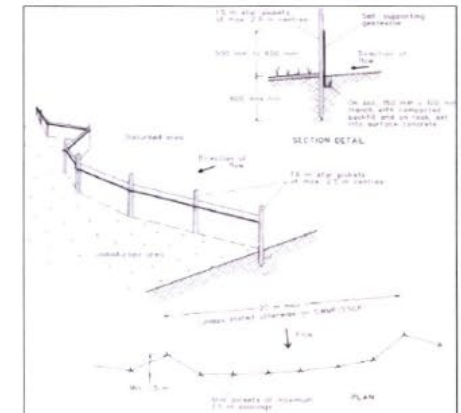
-2-  
 EROSION CONTROL PLAN  
 1:250



EARTH DIVERSION BANK



TEMPORARY CONSTRUCTION ACCESS



- Construction Notes**
1. Construct sediment fences as close as possible to being parallel to the contours of the site but with small ridges as shown on the drawing to limit the catchment area of any one section. The catchment area should be small enough to limit water flow if concentrated at one point to 30 litres per second in the design storm event, suitable for 10-year event.
  2. Use a 150mm deep trench along the top edge of the fence for the bottom of the fabric to be entrenched.
  3. Drive 1.0 metre long steel pickets into ground at 2.5 metre intervals (max) at the downstream edge of the trench. Secure any also pickets are filled with water, concrete.
  4. The self-supporting geotextile to the outside side of the grade ensuring it goes to the base of the trench. Fix the geotextile with wire ties as recommended by the manufacturer. Only use geotextile specifically produced for sediment fencing. The use of chain cloth for this purpose is not satisfactory.
  5. Use sections of fabric on a support post with a 150mm diameter.
  6. Backfill the trench over the base of the fabric and compact it thoroughly over the geotextile.

SEDIMENT FENCE

- NOTE:**
1. Site works are not to start until the erosion and sediment control measures are installed and functional.
  2. Entry and departure of vehicles is to be confined to the stabilised site access.
  3. Topsoil is to be stripped and stockpiled for later use in revegetating the site. Topsoil is to be re-spread and all disturbed areas rehabilitated (turfed) within 20 working days of completion.
  4. The footprint other than the stabilised site access is not to be disturbed, including stockpiling of materials. Where essential works (eg. drainage) are required the footprint is to be rehabilitated (turfed) as soon as possible.
  5. Drive way to be provided for building waste and arrangements are to be made for regular collection and disposal.
  6. Storm gutters to be connected to the stormwater system as soon as practicable.
  7. All erosion controls are to be checked daily (at a minimum weekly) and after all rain events to ensure they are maintained in fully functional condition.

- EROSION CONTROL NOTES:**
1. ALL EROSION AND SEDIMENT CONTROL DEVICES ARE TO BE PLACED PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION WORKS, AND ALL SITE TRAILS ARE TO HAVE DEPOSITED TO BE REMOVED REGULARLY DURING CONSTRUCTION.
  2. ALL TRAILS ARE TO BE MAINTAINED BY APPROPRIATE UNLESS INDICATED OTHERWISE. EXISTING GRASS COVER SHALL BE MAINTAINED EXCEPT IN AREAS CLAIMED FOR BUILDINGS, PAVEMENTS, ETC.
  3. INSTALL TEMPORARY SEDIMENT BARRIERS TO ALL INLET THIS LIKELY TO COLLECT SETTLER WATER TO COUNCIL'S STANDARDS.
  4. SET SEDIMENT FENCING DETAILS SHOWN IN THE CONTRACTORS SOLE RESPONSIBILITY TO ENSURE THAT ALL SITE ACTIVITIES COMPLY WITH THE REQUIREMENTS OF THE CLEAN WATER ACT.
  5. TOPSOIL SHALL BE STRIPPED ON STOCKPILES OUTSIDE HAZARD AREAS SUCH AS DRAINAGE LINES. THIS TOPSOIL IS TO BE RE-SPREAD LATER ON AREAS TO BE RE-VEGETATED.
  6. THE CONTRACTOR SHALL REGULARLY MAINTAIN ALL SEDIMENT AND EROSION CONTROL DEVICES AND REMOVE ACCUMULATED SOIL FROM SUCH DEVICES. ALL SOIL REMOVED SHALL BE DISPOSAL OF AS DIRECTED BY THE SUPERINTENDENT.
  7. THE PERSONS FOR MAINTAINING THESE DEVICES SHALL BE UNITE ALL DISTURBED AREAS ARE RE-VEGETATED AND FURTHER AS MAY BE DIRECTED BY THE SUPERINTENDENT OR COUNCIL.

DRAWING TO SCALE ON A3 SIZE SHEET FORMAT ONLY

**NOTE:**  
 (a) Refer to check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the Designer. Refer to written dimensions only. Do not scale drawings. Drawings shall not be used for construction purposes until issued for construction. The drawing to be used only for the site kit as noted.  
 (b) All boundaries and contours are subject to survey. All levels to AHD.  
 (c) It is the contractor's responsibility to confirm all measurements on site and locations of any services prior to work on site.  
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0 1 2 3 4 5		
A	25.11.20	DEVELOPMENT APPLICATION DOCUMENTS
ISSUE	DATE	DESCRIPTION

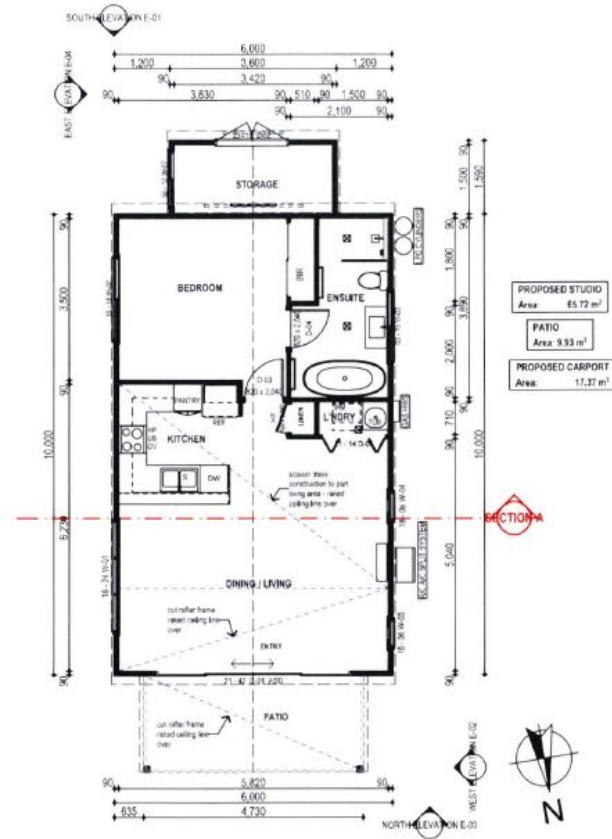
BUILDING CLASSIFICATION: 1a



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 email: thomas@preferred-design.com.au  
 ACCREDITED CHARTERED MEMBER OF BUILDING DESIGNERS AUSTRALIA - ACCREDITATION No. 6677

D.P. NUMBER: DP 1239243  
 SITE AREA: 1128.89 sq m  
 DATE: 25.11.20  
 DRAWN: M/Palmer  
 SCALE: 1:100, 1:200, UNO  
 DRAWING No: 2  
 PROJECT No: 116.20

**CLIENT:** COVER CONSTRUCTIONS  
**PROJECT:** PROPOSED DUAL OCCUPANCY  
**SITE ADDRESS:**  
 90A LOJEE STREET RYLSTONE 2849  
**SHEET DESCRIPTION:**  
 SITE EROSION CONTROL PLAN

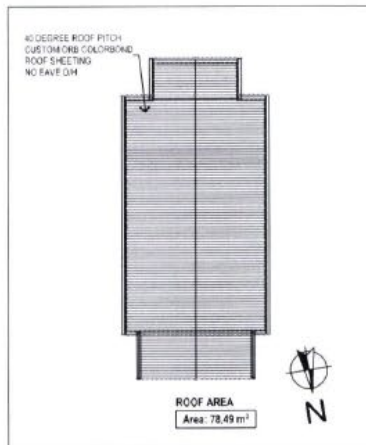


PROPOSED STUDIO  
Area: 85.72 m<sup>2</sup>

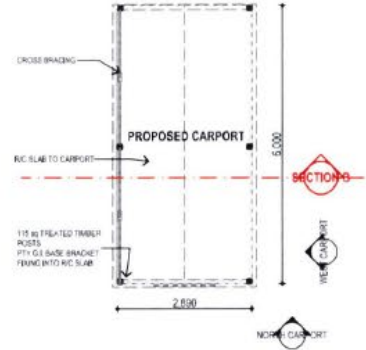
PATIO  
Area: 9.93 m<sup>2</sup>

PROPOSED CARPORT  
Area: 17.37 m<sup>2</sup>

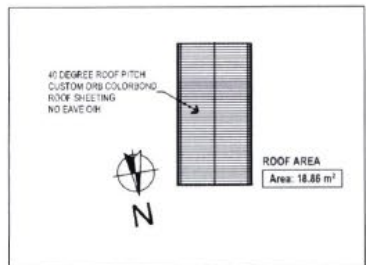
0. FLOOR PLAN - STUDIO  
1:100



1. ROOF PLAN - STUDIO  
1:200



0. CARPORT - FLOOR PLAN  
1:100



1. ROOF PLAN - CARPORT  
1:200

**NOTE:**  
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Notify any errors, discrepancies or omissions to the Designer. Refer to written dimensions only. Do not scale drawings. Drawings shall not be used for construction purposes until issued for construction. This Drawing to be used only for the site kit as noted.  
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It is the contractor's responsibility to confirm all measurements on site and locations of any services prior to work on site.  
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BUILDING CLASSIFICATION: 1a

ISSUE DATE	DESCRIPTION
A 26.11.20	DEVELOPMENT APPLICATION



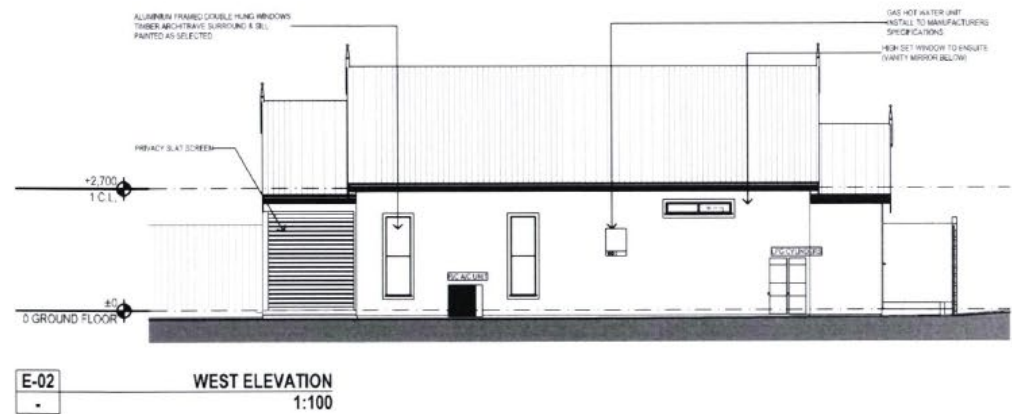
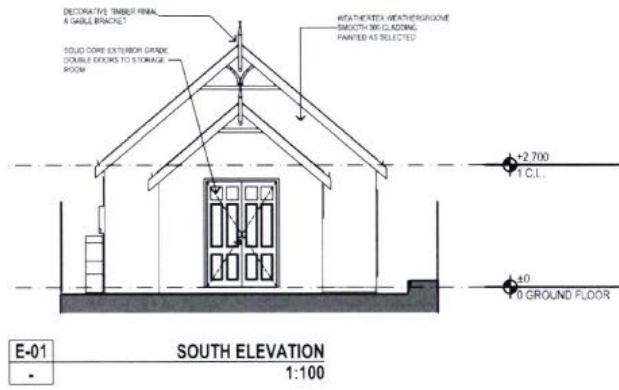
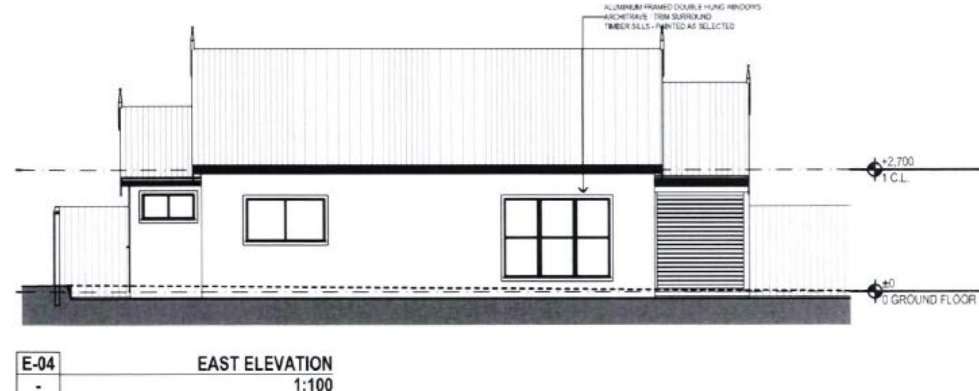
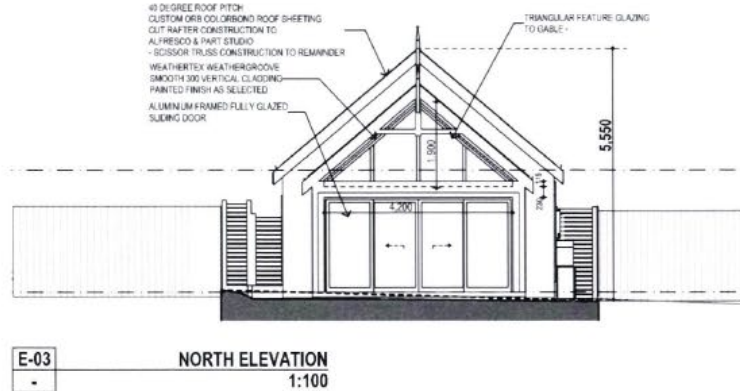
**Preferred Design & Drafting**  
30 Lonsdale Street  
Melbourne VIC 3000  
ph: 0837243387 Mob: 0429603160  
email: marian@preferred-design.com.au



D.P. NUMBER: DP 1234243  
SITE AREA: 1128.88 sq m  
DATE: 26.11.20  
DRAWN: M Palmer  
SCALE: 1:100, 1:200, LIND  
DRAWING No: 3  
PROJECT No: 116.20

CLIENT: COVER CONSTRUCTIONS  
PROJECT: PROPOSED DUAL OCCUPANCY  
SITE ADDRESS:  
90A LOUEE STREET RYLSTONE 2849  
SHEET DESCRIPTION:  
FLOOR PLAN, ROOF PLAN





**DRAWING TO SCALE ON A3 SIZE SHEET FORMAT ONLY**

**NOTE:**  
 Draftsman to check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the Designer. Refer to written dimensions only. Do not scale drawings. Drawings shall not be used for construction purposes until issued for construction. This drawing to be used only for the site kit as noted.  
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BUILDING CLASSIFICATION: 1a



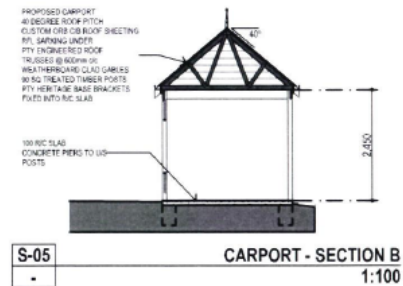
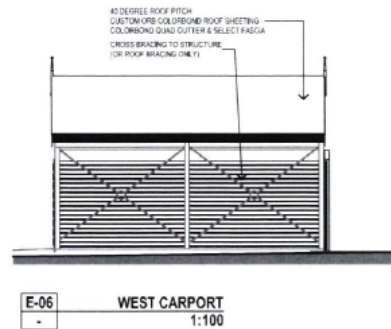
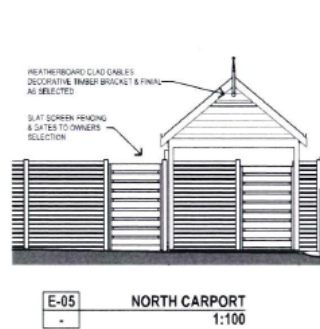
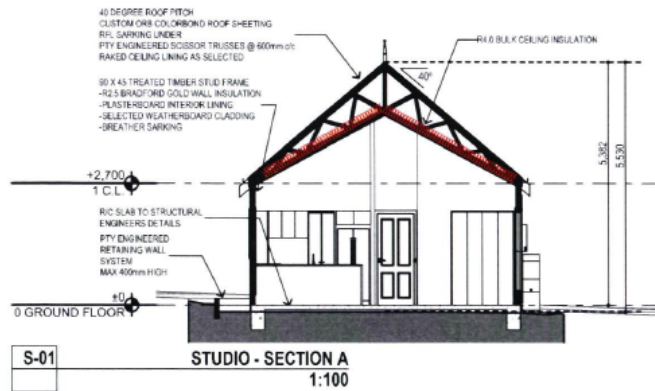
**Preferred Design & Drafting**  
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 Mudgee NSW 2850  
 ph: 0263724367 Fax: 0429600190  
 email: mwanan@preferred-design.com.au  
 ACCREDITED CHARTERED MEMBER OF BUILDING DESIGNERS AUSTRALIA - ACCREDITATION No: 6077

D.P. NUMBER: DP 123943  
 SITE AREA: 1128.89 sq m  
 DATE: 26.11.20  
 DRAWN: M Palmer  
 SCALE: 1:100, 1:200, UNO  
**DRAWING No: 4**  
 PROJECT No: 116.20

**CLIENT:** COVER CONSTRUCTIONS  
**PROJECT:** PROPOSED DUAL OCCUPANCY  
**SITE ADDRESS:**  
 90A LOJEE STREET RYLSTONE 2849  
**SHEET DESCRIPTION:**  
 ELEVATIONS - STUDIO

ISSUE	DATE	DESCRIPTION
A	26.11.20	DEVELOPMENT APPLICATION DOCUMENTS





**DRAWING TO SCALE ON A3 SIZE SHEET FORMAT ONLY**

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0 1 2 3 4 5		
A	26.11.20	DEVELOPMENT APPLICATION DOCUMENTS
ISSUE	DATE	DESCRIPTION

BUILDING CLASSIFICATION: 1a



**bda** BUILDING DESIGNERS AUSTRALIA

**Preferred Design & Drafting**  
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Mudgee NSW 2850  
ph: 0263724957 Mob: 0429800190  
email: marian@preferred-design.com.au



ACCREDITED CHARTERED MEMBER OF BUILDING DESIGNERS AUSTRALIA  
-ACCREDITATION No: 6477

D.P. NUMBER: DP 1229243  
SITE AREA: 1128.89 sq m  
DATE: 26.11.20  
DRAWN: M Fildner  
SCALE: 1:100, 1:200, UNO  
DRAWING No: 5  
PROJECT No: 116.20

**CLIENT:** COVER CONSTRUCTIONS  
**PROJECT:** PROPOSED DUAL OCCUPANCY  
**SITE ADDRESS:**  
90A LOUËE STREET RYLSTONE 2849  
**SHEET DESCRIPTION:**  
SECTIONS, CARPORT ELEVATIONS

DOOR LIST					
ID	Height	Width	Nominal W x H Size	ELEVATION	COMMENTS
D-01	2,100	4,200	4,200x2,100		
D-02	2,340	1,540	1,540x2,340		
D-03	2,040	820	820x2,040		
D-04	2,040	820	820x2,040		
D-05	2,100	1,400	1,400x2,100		
D-06	2,040	620	620x2,040		

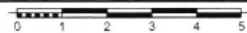
DOOR LIST

WINDOW LIST					
ID	Height	Width	Nominal W x H Size	ELEVATION	COMMENTS
W-01	1,800	2,400	2,400x1,800		
W-02	1,000	1,800	1,800x1,000		
W-03	300	1,500	1,500x300		
W-04	1,800	600	600x1,800		
W-05	1,800	600	600x1,800		
W-06	1,900	4,200	4,200x1,900		
W-07	600	1,200	1,200x600		

WINDOW LIST

**DRAWING TO SCALE ON A3 SIZE SHEET FORMAT ONLY**

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ACCREDITED CHARTERED MEMBER OF BUILDING DESIGNERS AUSTRALIA  
 - ACCREDITATION No: 6077

D.P. NUMBER: DP 1229243  
 SITE AREA: 1120.89 sq.m  
 DATE: 26.11.20  
 DRAWN: M Palmer  
 SCALE: 1:100, 1:200, UNO  
**DRAWING No: 6**  
**PROJECT No: 116.20**

**CLIENT:** COVER CONSTRUCTIONS  
**PROJECT:** PROPOSED DUAL OCCUPANCY  
**SITE ADDRESS:**  
 30A LOUEE STREET RYLSTONE 2849  
**SHEET DESCRIPTION:**  
 DOOR & WINDOW LIST

## Water Commitments

### Fixtures

The applicant must install showerheads with a minimum rating of 3 star (i.e. < 4.5 but >= 6 L/min) in all showers in the development.

The applicant must install a toilet flushing system with a minimum rating of 4 star in each toilet in the development.

The applicant must install taps with a minimum rating of 4 star in the kitchen in the development.

The applicant must install basin taps with a minimum rating of 4 star in each bathroom in the development.

### Alternative water

#### Rainwater tank

The applicant must install a rainwater tank of at least 5000 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.

The applicant must configure the rainwater tank to collect rain runoff from at least 90.75 square metres of the roof area of the development (excluding the area of the roof which drains to any stormwater tank or private dam).

The applicant must connect the rainwater tank to:

- all toilets in the development.
- at least one outdoor tap in the development. (Note: NSW Health does not recommend that rainwater be used for human consumption in areas with potable water supply.)

Construction	Additional insulation required (R-Value)	Other specifications
floor - concrete slab on ground	nil	
external wall - framed (weatherboard, fibre cement, metal clad)	2.20 (or 2.60 including construction)	
ceiling and roof - raked ceiling / pitched or skillion roof framed	ceiling: 4 (up); roof: foil/sarking	framed: light (solar absorbance < 0.475)

## Energy Commitments

### Hot water

The applicant must install the following hot water system in the development, or a system with a higher energy rating: gas instantaneous with a performance of 5 stars.

### Cooling system

The applicant must install the following cooling system, or a system with a higher energy rating, in at least 1 living area: ceiling fans + 1-phase airconditioning. Energy rating: 5 star (cold zone).

The applicant must install the following cooling system, or a system with a higher energy rating, in at least 1 bedroom: ceiling fans + 1-phase airconditioning. Energy rating: 5 star (cold zone).

### Heating system

The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 living area: 1-phase airconditioning. Energy rating: 5 star (cold zone).

The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 bedroom: 1-phase airconditioning. Energy rating: 5 star (cold zone).

### Ventilation

The applicant must install the following exhaust systems in the development:

At least 1 Bathroom: individual fan, not ducted. Operation control: manual switch on/off.

Kitchen: individual fan, not ducted. Operation control: manual switch on/off.

Laundry: individual fan, not ducted. Operation control: manual switch on/off.

### Artificial lighting

The applicant must ensure that the "primary type of artificial lighting" is fluorescent or light emitting diode (LED) lighting in each of the following rooms, and where the word "dedicated" appears, the fittings for those lights must only be capable of accepting fluorescent or light emitting diode (LED) lamps:

- at least 1 of the bedrooms / study.
- at least 1 of the living / dining rooms.
- the kitchen.

## Energy Commitments

- all bathrooms/toilets.

- the laundry.

- all hallways.

### Natural lighting

The applicant must install a window and/or skylight in 1 bathroom(s)/toilet(s) in the development for natural lighting.

### Other

The applicant must install a gas cooktop + electric oven in the kitchen of the dwelling.

The applicant must construct each refrigerator space in the development so that it is "well ventilated", as defined in the BASIX definitions.

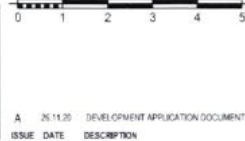
The applicant must install a fixed outdoor clothes drying line as part of the development.

## DRAWING TO SCALE ON A3 SIZE SHEET FORMAT ONLY

### NOTE:

Builder to check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the Designer. Refer to earlier dimensions only. Do not scale drawings. Drawings shall not be used for construction purposes until issued for construction. This drawing to be used only for the site lot as noted.  
All boundaries and contours are subject to survey. All levels to MGD. It is the contractor's responsibility to confirm all measurements on site and locations of any services prior to work on site.  
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BUILDING CLASSIFICATION: 1a



### Preferred Design & Drafting

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ACCREDITED CHARTERED MEMBER OF BUILDING DESIGNERS AUSTRALIA  
- ACCREDITATION No: 6477

D.P. NUMBER: DP 123043  
SITE AREA: 1128.89 sq m  
DATE: 26.11.20  
DRAWN: M Palmer  
SCALE: 1:100, 1:200, 1:50  
DRAWING No: 7  
PROJECT No: 116.20

**CLIENT:** COVER CONSTRUCTIONS  
**PROJECT:** PROPOSED DUAL OCCUPANCY  
**SITE ADDRESS:**  
30A LOUEE STREET RYLSTONE 2849  
**SHEET DESCRIPTION:**  
BASIX COMMITMENTS



**General Notes**

**ALL WORKS** shall be carried out in accordance with the NCC Building Code of Australia, Australian Standards, Local Council requirements, guidelines and all other relevant by laws and authorities, in particular refer Australian standards:

- AS 1298 - GLASS IN BUILDINGS - SELECTION & INSTALLATION
- AS 1592 - DESIGN & INSTALLATION OF SHEET ROOF & WALL CLADDING
- AS 1684 - RESIDENTIAL TIMBER FRAMED CONSTRUCTION
- AS 2047 - INSTALLATION & SELECTION OF WINDOWS
- AS 2075 - RESIDENTIAL SLABS & FOOTINGS
- AS 2081 - CAMP PROOF COURSES AND FLASHINGS
- AS 3509 - PLUMBING & DRAINAGE
- AS 3600 - CONCRETE STRUCTURES
- AS 3690 - TENANT MANAGEMENT
- AS 3740 - WATERPROOFING OF DOMESTIC WET AREAS
- AS 3796 - SMOKE ALARMS
- AS 4255 - WIND LOADING FOR HOUSING
- AS 4678 - EARTH RETAINING STRUCTURES
- AS 5148 - REINFORCED AUTOCLAVED AERATED CONCRETE

**CONSULTANTS:**  
Drawings shall be read in conjunction with engineers drawings and computations. All structure to Engineers design  
All drawings to be co-validated with consultant documentation prior to construction.

**DIMENSIONS:**  
Do not scale off drawings - use figured dimensions only. Contractor shall verify all dimensions on site prior to construction. Any discrepancies or errors shall be referred to the builder and client prior to installation or manufacture of any works. Confirm levels and AL to on site prior to commencement of work.

**SETOUT:**  
Contractor to confirm exact siting and orientation prior to construction setout. All building setout and confirmation of setbacks and height to be carried out by a Licensed Surveyor. No footing or wall to encroach the title boundary.

**TERMINAL PROTECTION:**  
Terminal protection to be in accordance with A.S. 3860.1 and installed in strict accordance with current manufacturers specifications.

**STRUCTURAL STEEL:**  
Unless noted otherwise all exposed structural steel anchor bolts and other attachments shall be hot dip galvanized. A cold gal painted finish shall be applied to any field welding to existing or new steelwork. All steel work cast in concrete footings or slab shall have a bitumen finish applied to full extent of cast in concrete steel. Check all dimensions on site prior to fabrication of elements.

**RETAINING WALLS:**  
All retaining walls to ply engineered manufacturers specifications or to structural engineers details. Provide suitable backfill and egg drainage to all retaining walls. Builder to provide banking if or where required.

**SLAB & FOOTINGS:**  
All footings to structural engineers details. A moisture barrier shall be installed under any habitable concrete slab to BCA, Australian Standards and manufacturer's requirements.

**EROSION CONTROL:**  
All building works to comply with local authorities Erosion and Sediment control standards.

**WATERPROOFING:**  
All wet areas and walls to be waterproofed in accordance with the NCC BCA Part 3.8.1 & AS 3740. Wall finishes shall be expensive for a minimum height of 1800mm above floor level to shower enclosures and minimum 100mm above baths, basins & sinks. Builder to provide certificate of installation and compliance.

**CONCEALMENT OF SERVICES:**  
All services shall be concealed in walls or ducts. Where services are exposed they must be confirmed and approved on site prior to installation unless otherwise noted.

**LICENSED TRADESPERSONS:**  
All services to be installed by licensed tradespersons in accordance with local authority and with current manufacturers specifications.

**ALL PRODUCTS:**  
To be installed to manufacturers requirements and to be in accordance with manufacturers requirements for suitable exposure levels.

**PROPRIETARY ITEMS:**  
Identification of a proprietary item does not necessarily imply exclusive preference for the item so identified, but includes the necessary protection of the item. If alternatives are proposed, confirm selections with owner including available technical information, reasons for proposed substitutions and cost.

**TILES:**  
Exposure: sheets, walls, 5mm. Floors 5mm. Fill both with silicone rubber. Grout for epoxy based midline resistant. Grout for floor prepared grout to seal resistant. All wall tiles to have a substrate.

**GLAZING:**  
Glazing shall be installed to a size type & thickness to comply with NCC BCA Part 3.8 for Class 1 & 10 buildings within a design wind speed of not more than N3.

Safety glass to be used in the following cases:  
i) All rooms - within 500mm vertical of the floor  
ii) Bathrooms - within 2000mm of the floor  
iii) Laundry - within 1500mm vertical from floor and / or within 300mm horizontal from all doors  
iv) Doorways - within 300mm horizontal from doors  
Shower Enclosures shall be Grade A Safety Glass

**INTERNAL PAINTING:**  
Unless noted otherwise paint system to be Dulux approved 3 coat system - low sheen finish. Colours to be supplied by owner during contract and applied as per Dulux's recommendations and guidelines.

**JOINERY ITEMS SHALL INCLUDE:**  
Manufactured casework items, including: cabinets and cupboards.

**APPLIANCES & EQUIPMENT:**  
Builder to co-ordinate all appliance and equipment locations on site and with joiner. Installation and final connection by the contractor.

**DOCUMENTATION:**  
The contractor shall carry out works in accordance with the signed drawings and specifications and anything reasonable inherent, said with the Conditions of Contract. The drawings and specifications shall be considered complementary, and any work and/or materials absent from one but present or implied in the other shall be furnished as if they were present in both.

**GENERAL NOTES - CONTINUED**

**THE DOWN AND BRACING:**  
The contractor must ensure that all fittings, brackets and the like are compatible materials prior to procurement / installation. All bracing and tie down connections are in accordance with AS 1684 and any other relevant codes and legislation, and to nominated trade & frame manufacturer's engineered documentation and specifications.  
Refer to AS 1684 for tie down framing type as nominated (concrete or steel).  
All fittings and bracings that are used for bracing purposes must be fixed according to the manufacturer's requirements to achieve the nominated bracing requirements.

**EXISTING SITE CONDITIONS:**  
All existing elements have been shown individually. The Contractor shall inspect the site to fully understand the scope of works. Contractors are to inform themselves of existing site conditions and services. The Contractors Tender amount shall be deemed to include the cost of dealing with existing conditions and services. The evidence of which was ascertainable from the appropriate authority, or from visual inspection on or adjacent to the site or which are shown on the Drawings or described in the Specifications.

**PRESERVATIVES AND TREATMENT:**  
Existing timbers to be treated with suitable preservatives and to an appropriate hazard level for their intended environment which will meet the required design life expectancy of 30 years.

**FINAL CERTIFICATE:**  
At completion of work. Builder to obtain and supply an Occupier Certificate from Principal Certifying Authority.

**Excavation Notes**

**FOOTING EXCAVATION:**  
Excavation to commence immediately prior to excavation. All earthworks in accordance with NCC BCA Part 3.1.1

**EXTENT:**  
Excavation and cut & fill as noted on the Architectural Drawings for Proposed Dwelling. Site cut & levels indicated are preliminary only and to be checked on site before work commencement. Retaining walls required.

**SITE SURFACE:**  
Excavate over the site to correct levels and profiles as the basis for construction, paving, filling, landscaping and the like. Make allowance for compaction and settlement.

**FILLS:**  
Grade to minimum fall of 1:20 away from buildings within 1200 of building perimeter and 1:100 elsewhere unless noted otherwise. Negate surface water run-off on to neighbouring properties.

**REQUIREMENT OF DETAILED EXCAVATION:**  
Elements to the Contract depth and extent necessary to accommodate all foundation elements and any formwork, blinding concrete, working spaces and waterproofing processes.

**LANDSCAPING:**  
Landscaping scope of works and finishes to be confirmed by client prior to final quotation.

**TRIM:**  
Trim bottom of all excavations to the required levels, grades and profiles of the finished work.

**BATTERS:**  
In accordance with NCC BCA Part 3.1.

**Hydraulic Notes**

**ALL WORKS** shall be carried out in accordance with the following requirements:

- The Plumbing and Drainage Act 2002
- AS 5007 - 2003
- The Local Authority

Any other authority have jurisdiction over any part of the works.  
All stormwater services to be located prior to construction.

**EXISTING SITE CONDITIONS:**  
The Contractor shall attend to existing services. Contractors are to inform themselves of existing site conditions and plumbing services before work commencement.

**DESIGN LEVELS:**  
Design Levels shall be confirmed on site, prior to commencing installation of any pipework. Levels shown on drawings are recommended only. It shall be the Contractors responsibility to ensure that correct grades are achieved at site.

**RAINWATER DRAINAGE:**  
Allow to connect to new rainwater drainage downpipes etc. to the existing stormwater drainage system.

**RAINWATER GOODS:**  
Refer to documentation for specification and finish.  
Unless otherwise noted, new roofing sheeting, roof casings and valley flashings shall be metal with a colorbond finish. Downpipes to be metal colorbond (min 0.5mm gauge)  
Unless otherwise noted, new gutters, gully covers, large coils, new metal wall cladding, associated flashings and casings shall be metal with any "optional" finish nominated by the builder.

**MATERIALS:**  
Water services shall be in accordance with Australian Standards.

**COVER PLATES:**  
Provide Cover Plates at all wall & floor penetrations.

**SANITARY PLUMBING:**  
Sanitary plumbing shall be UPVC Class HD with solvent weld joints and shall be laid at a minimum grade of 1:40 unless noted otherwise. Colored sanitary plumbing to council sewer in accordance with authority requirements.

**INSULATION:**  
All hot water lines shall be fully insulated.

**DO NOT BEFORE YOU DIG:**  
It is the contractors responsibility to contact "Dig Before You Dig" Phone 1109 for the location of existing public utilities prior to excavation.

**ENCASING OF UNDERGROUND SERVICES:**  
All underground water and fire services shall be encased in 100mm of sand.

**Hydraulic Notes**

**AUTHORITIES FEES AND CHARGES:**  
The Contractor shall allow to pay all authorities fees & charges associated with new connections.

**CONTRACTOR:**  
To provide necessary flashings to windows and openings. Plumbing to be aimed by allocated plumber and in accordance with the requirements of local authorities. The contractor shall be responsible for all permits and approvals. All hot water lines shall be fully insulated. Sanitary Plumbing shall be connected to existing system with materials approved by the local authority. Builder and Sub-contractor to ensure all stormwater drains and sewer pipes are located at a sufficient distance from any building footings unless side edge beams to prevent moisture penetration, compression, weakening or undermining to the structure.

**HOT WATER SUPPLY:**  
All domestic hot water to basins, showers and baths to have maximum temperature of 50° C. Allow to supply and install necessary valves where required, as nominated in the NCC BCA and relevant standards.

**Electrical Notes**

**SUPPLY:** Electrical contractor to provide phased supply to main switchboard and assess maximum demand to AS3000.

**DISTRIBUTION BOARD:** Provide new distribution board if required. All electrical outlets shall be protected by overcurrent earth leakage circuit breakers in accordance with Australian Standards.

**WIRING:** Electrical conductors and wiring used for electrical services shall be in accordance with NCC BCA and Australian standards. All wiring shall be concealed where possible. Where exposed wiring is unavoidable, wiring must be concealed within suitable conduit.

**ARTIFICIAL LIGHTING:** Provide a system of artificial lighting to comply with AS 1600 to all rooms not naturally lit.

**LIGHTING:** All luminaires shall be being mounted unless otherwise required by owner. If provided, refer to the schematic electrical plan for mounting heights of ceiling or wall mounted luminaires and layout of luminaires as indicated on reflected ceiling drawing. All recessed lights shall be cool white unless requested otherwise.

**FINAL LOCATIONS:** If provided, refer to drawings for specific locations of accessories.

**ELECTRICAL INSTALLATION:** includes  
- installation of distribution switchboard (if required)  
- light and power installation  
- light fittings, sub-circuit wiring and lighting accessories  
- socket outlets, special purpose power and sub-panel cabling  
- installation of ducts to air conditioning  
- installation of ducts and connection of all equipment (eg kitchen equipment)  
- supply and installation of new outlet wiring to meet mounted to antennas.

**ELECTRICAL ACCESSORIES:** includes switches and powerpoints, unless otherwise noted all controls, switches and powerpoints shall be "type where" light switches - 120V above floor level unless noted otherwise OR listed as per electrical layout OR to owners specification.

**ROOF TOP ANTENNA:** All new relevant outlets to be wired to internet.

**NETWORK & DATA:** All phone networks and data points to be run cat5 cable connected to wall sockets. Cable runs to be concealed. If provided refer to electrical layout for locations.

**SWITCHES:** Some light switches may require dimmers. Confirm with client prior to final quotation.

**Joinery Notes**

**JOINERY ITEMS SHALL INCLUDE:** Manufactured casework items, including: cabinets and cupboards.

**APPLIANCES & EQUIPMENT:** Builder to co-ordinate all appliance and equipment locations on site and with joiner. Installation and final connection by the contractor. Joiner to confirm all appliance and equipment tolerances and requirements in policy prior to fabrication.

**SITE MEASURE:** All joinery to be site measured once fittings are in place. Confirm any discrepancies prior to fabrication.

**Fire Safety**

**GENERAL:** Fire safety in accordance with part 3.7 of the NCC BCA.

**SMOKE ALARMS:** In accordance with part 3.7.6 of the BCA & A 5.3786 to be hard-wired to consumer supply. Smoke detectors to be of the type with alarm tested together and having a battery back-up.

**FIRE ALARM INSTALLATION:** Install smoke detection, in the area affected by the works, to suit the requirements of AS1670 and the BCA. Provide any additional cabling to areas to allow for compliance with AS1670 and the NCC BCA.

**BUILDER:** To provide electricians installation certificate.

**Energy Efficiency**

**WORKS:** In accordance with BCA Environmental guidelines.

**LUMINAIRES:** All lighting luminaires shall be energy efficient lamps to suit specific luminaires.

**EXTERNAL WALL:** In accordance with BCA Environmental guidelines, installed as per manufacturers instructions. All external walls to have vapour permeableanking.

**Waterproof walls to all external doors.**

**NEW ROOF:** In accordance with NCC BCA Environmental guidelines, installed as per manufacturers instructions.

**TIMBER FLOORS:** (Where applicable) In accordance with NCC BCA Environmental guidelines, installed as per manufacturers instructions. All exposed timber floors to have required insulation to underside as per Bata Certificate.

**LIGHT & VENTILATION:** In accordance with parts 3.8.4 and 3.8.6 of the NCC BCA plus relevant A.S.

**SOUND:** Insulation in accordance with part 3.8.6 of the NCC BCA.

**DRAWING TO SCALE ON A3 SIZE SHEET FORMAT ONLY**

**NOTE:**

Builder to check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the Designer. Refer to written dimensions only. Do not scale drawings. Drawings shall not be used for construction purposes until issued for construction. This drawing to be used only for the site set as noted.  
All boundaries and contours are subject to survey. All levels to AHD.  
It is the contractors responsibility to confirm all measurements on site and locations of any services prior to work on site.  
All documents are subject to Australian Copyright Laws.  
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**BUILDING CLASSIFICATION:** 1a



**Preferred Design & Drafting**  
31 Louis Street  
Mudgee NSW 2850  
ph 0263724291 Mob 0429600160  
email: training@preferred-design.com.au



**D.P. NUMBER:** DP 1238343  
**SITE AREA:** 1128.89 sq m  
**DATE:** 28.11.20  
**DRAWN:** M Wiener  
**SCALE:** 1:100, 1:200, UNO  
**DRAWING No:** 8  
**PROJECT No:** 116.20

**CLIENT:** COVER CONSTRUCTIONS  
**PROJECT:** PROPOSED DUAL OCCUPANCY  
**SITE ADDRESS:** 90A LOUIE STREET RYLSTONE 2849  
**SHEET DESCRIPTION:** GENERAL NOTES

**MID-WESTERN REGIONAL COUNCIL  
HERITAGE MEMORANDUM**

**TO:** SARAH HOPKINS  
**FROM:** HERITAGE ADVISER  
**REF:** DA 0246/2021 - 90A LOUEE ST, RYLSTONE  
**DATE:** 3 MARCH 2021

The former Presbyterian/Uniting Church on the subject site is listed as an item of environmental heritage in Schedule 5 of the LEP, and lies within the Rylstone Heritage Conservation Area. It has historical, aesthetic and social significance as a largely intact simple Victorian Gothic church built in 1884 of local stone, providing evidence of the growth of the town in the 1880s as a result of the construction of the railway line, and demonstrating the place of religion in the life of the town from the Victorian period.

The church was a landmark, set well back on its original large site. The site was subdivided in 2014, leaving the church on a T-shaped lot. Additions were built to the east of the church and a large carport has recently been added to the west, while houses were built on the remaining lots. Views to the church are retained, the entrance being visible from Cox Street, and the western side from Louee Street. The view corridor from Cox Street is narrow, but the eye is nevertheless drawn to the church.

The proposal is to build a one-bed studio in this view corridor, designed in a contemporary style to reflect the church. It is supported by a professionally written Statement of Heritage Impact.

This will of course block the view which the corridor was designed to provide, and consequently diminish its heritage significance and its contribution to the significance of the conservation area. The argument in the SOHI that the studio will be an interpretation of the church is not accepted. Interpretation means material introduced to a heritage site to assist in understanding its significance. The building will do the opposite. As the available views have been diminished, arguably too much so, the view to the original front elevation and entrance should be retained.

There may be an opportunity to provide some additional accommodation within the recently built carport.

It is recommended that the application be refused.

New Studio Apartment at 90A Louee Street Rylstone

Presbyterian Church Rylstone

## Statements of Heritage Impact (SOHI)

This statement has been prepared for a Dual Occupation Development at 90A Louee Street Rylstone.

The proposal is to add a studio apartment between two existing houses and adjacent to the heritage listed item: The Presbyterian Chapel of St. Andrew.

By 'Impact' the report covers any effect that may alter the historic significance of a place. It can be a visual or physical effect. It can be a small effect or large. Having an 'impact' on a heritage item or place does not mean that such a proposal cannot proceed. The description of the impact will enable council staff to determine whether to approve such a development, and if the impact is acceptable.

### Listing

The former presbyterial church is a listed item on the MWRC LEP2012

Rylstone	Former Presbyterian Church	90A Louee Street	Lot 3, DP 1239243	Local	I32R
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However, the listing is not shown as yet on the State Heritage Inventory. The following statement of significance was adapted from the SoHI report by heritage adviser Barbara Hickson in 2014, when two houses were constructed in the vicinity of the church.



FIGURE 1 THE PRESBYTERIAN CHURCH OF ST ANDREWS; NOW A CHAPEL AND CHRISTIAN BOOK SHOP. FROM LOUEE ST.



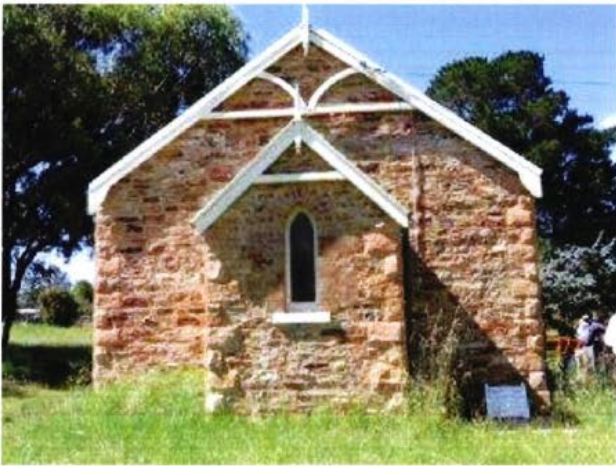


FIGURE 2 HISTORIC IMAGES (JANUARY 2014) OF ST ANDREWS CHURCH

**Statement of significance for the former Presbyterian Church Rylstone**

*This is a good example of a small country stone church constructed in the early federation year of 1902, which served the Presbyterian community as a church for about 75 years and later as a part time place of worship for the Uniting Church. The church was constructed of local stone, random rubble with dressed stone quoins and brick quoined framing the nine lancet windows. A simple corrugated iron clad gabled roof has timber finials and modest fretwork. An entry porch faces Cox Street. One lead - lite window and three memorials adorn the inside of the church, which has a timber lined mansard style ceiling, timber flooring and rendered walls.*

*Although not used as a church (in 2014) the building has remained an item of local cultural significance and is something of a landmark for the village. Today (2020) the church has rediscovered its traditional purpose as a chapel and Christian bookshop, while its additions are used for accommodation.*

*The building is well maintained with an external interpretation sign. It is an important contributor to the Rylstone Conservation Area and its visual focus is Louee Street forming an important part of that historical streetscape.*

New Studio Apartment at 90A Louee Street Rylstone

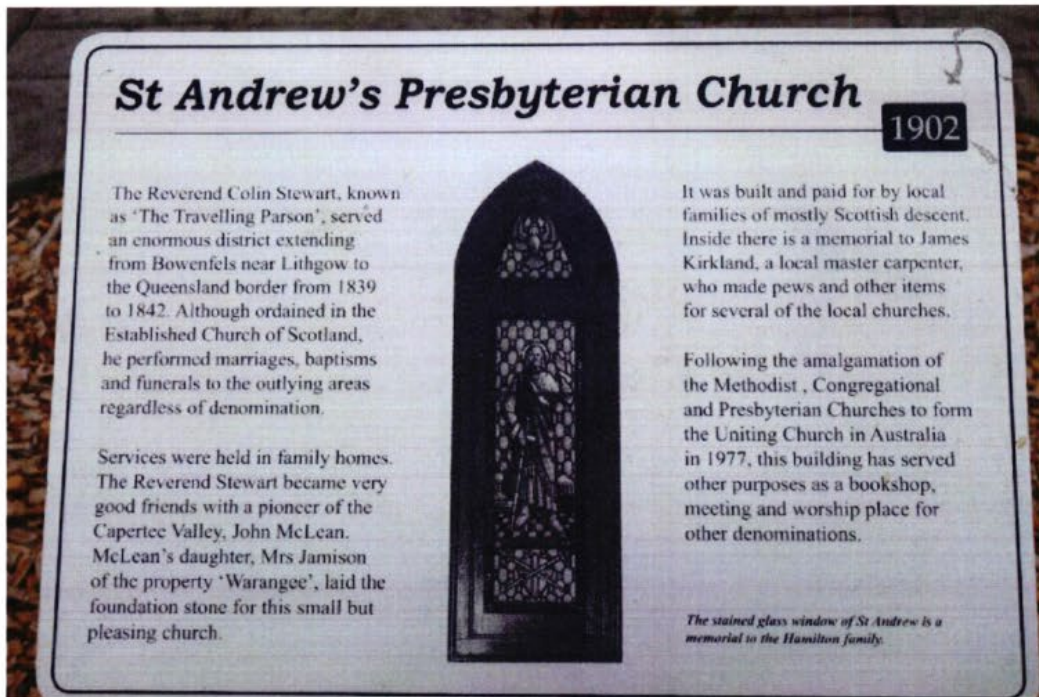


FIGURE 3 INTERPRETATION SIGN INSTALLED AT THE FRONT OF THE SITE IN LOUEE STREET RYLSTONE.

#### HISTORY

The village of Rylstone was possibly named after Rylstone in England. (It had a physical similarity with shepherding by a stream). The village was laid out in 1842 by surveyor Davidson. It was established to serve the surrounding pastoral area. The area was attractive to pastoralists from Bathurst who in the 1820s and 1830s established very large properties in the district (John Fitzgerald, Edward Cox, John Thompson, William Lee, Samuel Marsden, John Jamison, John Nevell and James Vincent, John McLean, James Walker and others.

The town developed slowly from about 1849 as just a few buildings. Marble and stone resources were nearby which gave rise to early sandstone and random marble rubble buildings such as initial stores buildings and the courthouse. An early 'slab' catholic church was replaced in stone in 1875.

Policing arrived in the 1850's. The saddler JW Jackson arrived in 1864 and built a stone barn and slab timber home in Louee Street and later built a string of 5 stores at the corner of Louee and Cudgong. Government buildings constructed in stone developed along one block during the 1870s-1890s: Constables House and Lock Up, Courthouse, Sergeant's House, Post and Telegraph Office. The stone Bridge Hotel opened in 1872 followed by the stone Globe Hotel in 1880. Four stone churches were built to service the village and district including the Presbyterian church in 1902.

The 1880s brought the rail and significant growth in the village and substantial growth in shops and hotels. The depression of the 1890s brought economic downturn, with the Bridge Hotel repossessed and repurposed as a bank for the next 60 years.

With the Federation period there was further growth especially with the advent of motorised transport. Interest in public education and entertainments lead to the improved hall facilities,



picture facilities and the Memorial Hall and Small Hall, where dances and card nights were held. A Council chambers were built, and telephone services established.

Another wave of prosperity followed on WWI until the late 1920s with some redevelopments, expansions, and new building constructions.

Tenders for the construction of the presbyterian church of St. Andrew's were called early 1902. The church construction commenced in July, and it was built and opened in the same year, free of debt, to serve local Scottish presbyterian families.

The opening of the church in July 1902 was an auspicious occasion:

New Presbyterian Church at Rylstone.<sup>1</sup>

*Laying the Foundation Stone.*

*Wednesday last, the 30th July, will be a historic day in connection with Presbyterianism in Rylstone, the occasion being the laying of the foundation stone of the now church. Mrs. Jamieson, of Narrango, performed the ceremony. Flags and bunting and other ceremonial tokens were in evidence.*

*At 3 o'clock the Rev. A. D. Robertson opened the proceedings, and, in the course, a brief address expressed delight at the fact of the Presbyterians of Rylstone having decided to build a church of their own.*

*Hitherto they (the Presbyterians) were dependent upon their Methodist friends for a building in which to worship. He understood that his predecessor, Mr. Thorpe, had made effort to have a church built, and though he failed, the good work attempted was bearing fruit to-day. He thanked the friends who had helped in this effort. There was now £68 to the credit of the fund, while a further £74 had been promised.*

*Mrs. Jamieson then performed the ceremony of laying the stone, which she declared well and truly laid. She was presented with a silver trowel as a token of the occasion.*

*The Rev. E. C. Thomas, of the Methodist church, who addressed the gathering, said that these special occasions were generally taken as opportunities to express the friendliness of one denomination towards another.*

*It was a thousand pities that any misunderstanding should arise by which such friendship is doubted. In that town many seem to have the idea that the several branches of the Christian churches were necessarily in antagonism with one another, as if the good work which was being done by one another. He had regarded the several denominations as different regiments in the grand army of the cross, fighting, not against one another, but unitedly, against the great evils of society."*

The moderator then was the Rev. A. D. Robertson, and there were 27 founding members on the roll.<sup>2</sup>

Around 1977 the church fell into disuse as the amalgamation of the Presbyterian and Methodist churches into the Uniting Church, making it somewhat surplus to needs. It was still used in minor ways such as occasional meetings.

Eventually, by 2013/4, it was sold into private ownership. In recent years the church has regained some of its social significance in that it is now used again for church purposes as a Presbyterian Chapel and bookshop. Following on the previous development of two new houses on the site (2014), subdivision of the land, and extensions to the church, the building has been repaired and is well maintained.

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<sup>1</sup> Mudgee Guardian 7 August 1902

<sup>2</sup> Mudgee Guardian 20 Nov 1902

New Studio Apartment at 90A Louee Street Rylstone

**Condition:** The building is in good to excellent condition; and in current use.

The Presbyterian Church is located within the **Rylstone Conservation area:**

**The statement of Significance for the Rylstone Conservation area:**

*Rylstone, a picturesque village set along the banks of the Cudgegong River, originally began as a service town to surrounding pastoral pursuits, particularly sheep and wool production, and reminiscent of its namesake Rylstone in England. Some street names link to that past.*

*Laid out in 1842 by surveyor Davidson, the village developed and grew in periods of general prosperity. The Victorian and Federation periods are well represented in the construction of houses, hotels, stores and government buildings and the later 1930s is represented too. Early pre-1900 buildings constructed of stone and random rubble are an important link to local materials of sandstone and marble. While post 1900 buildings often used concrete from nearby Kandos cement works.*

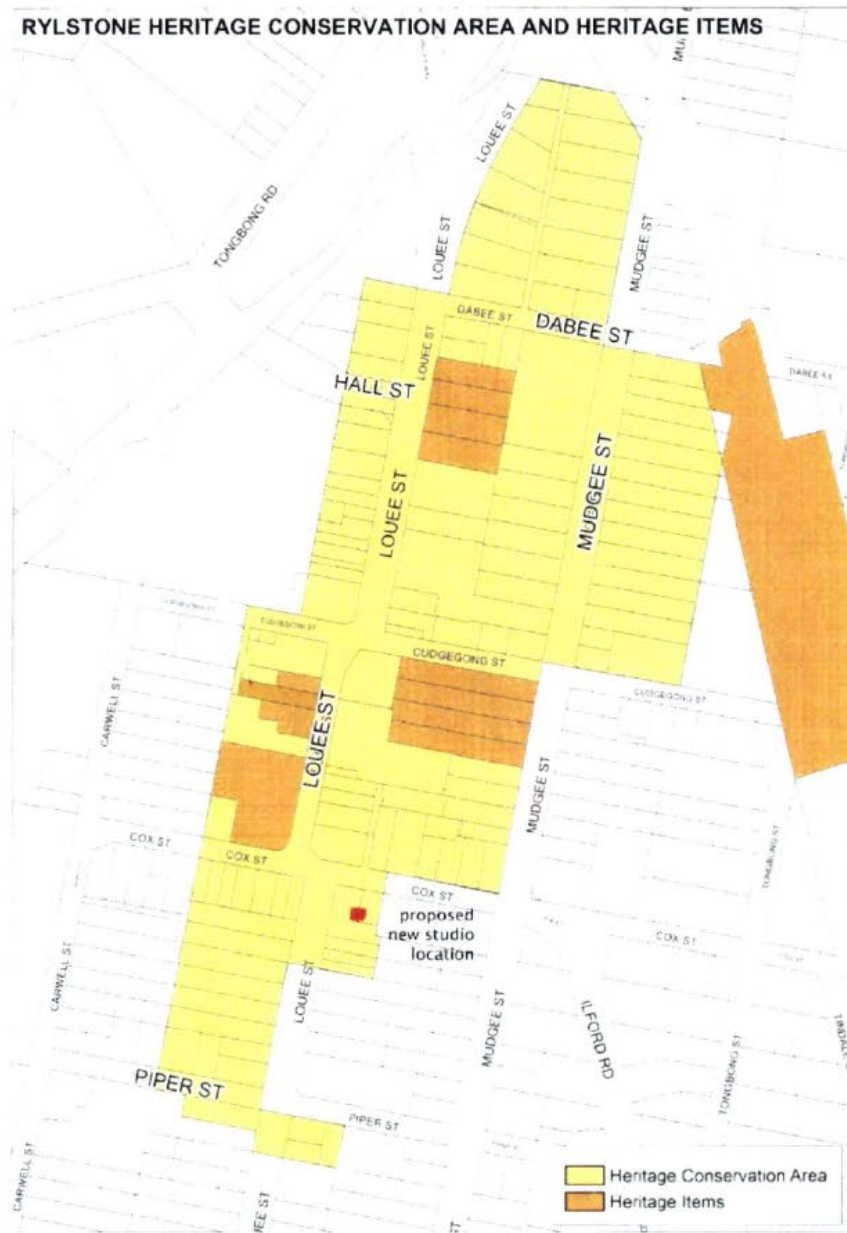
*The town retains fabric and remembrance of early storekeepers, publicans and builders such as Goodwin Spires Hall, George Holland, John Purvis, Edward H Nash, John Hardwick and John Wesley Jackson.*

*The village has a particular country cultural landscape due to its close proximity to the river, tall London Plane trees planted in the 1930s and eucalyptus trees in Louee Street beside the catholic church, and many trees planted along residential streets. Views throughout the town are of surrounding hills and rugged landscape.*

St Andrews church is a good example of the local use of 'stone and random rubble' as noted above.



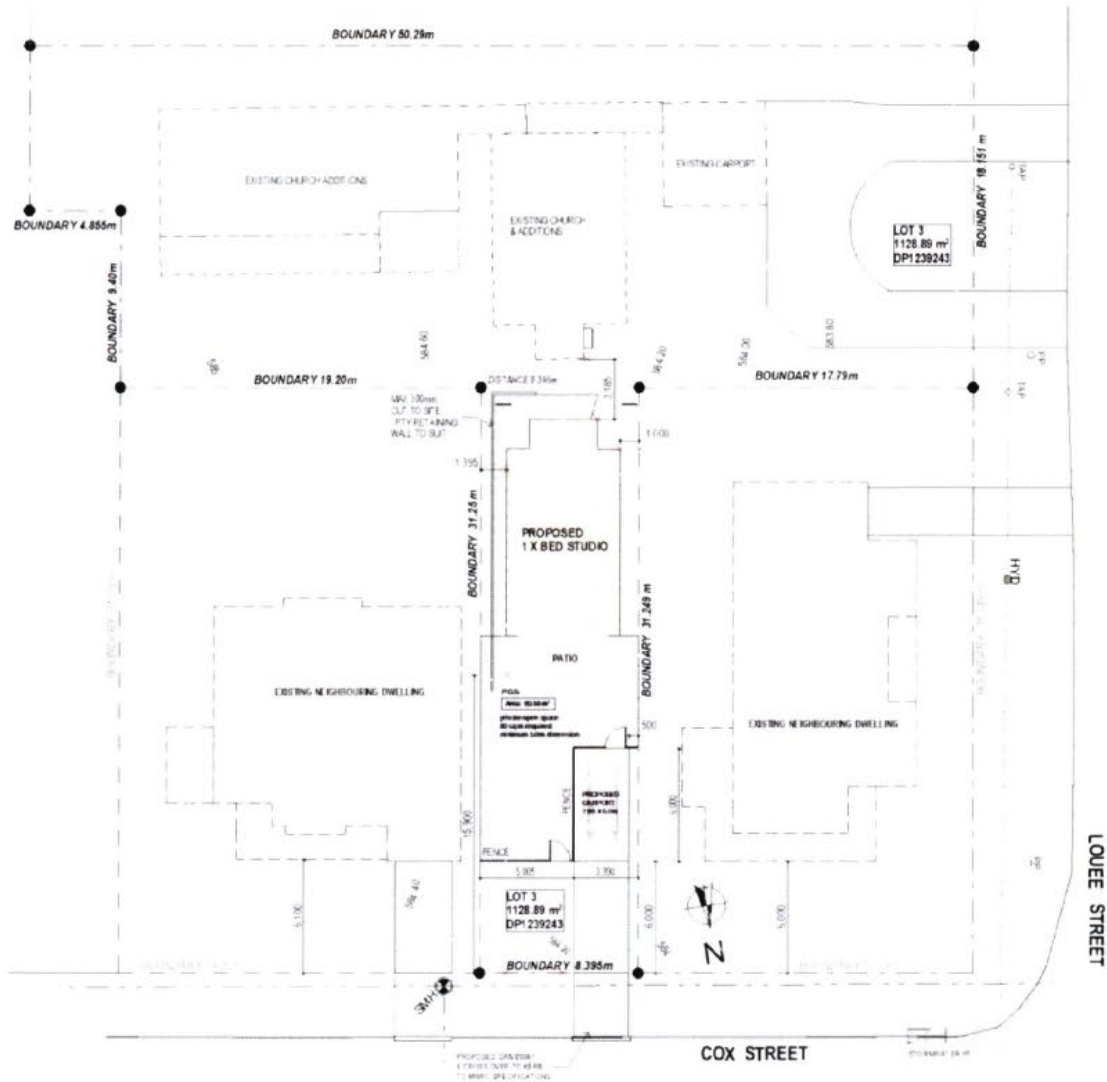
FIGURE 4 HISTORICAL IMAGE ALONG LOUEE STREET FROM CUDGEGONG STREET LOOKING NORTH C. 1900



**FIGURE 5** PLAN OF THE RYLSTONE CONSERVATION AREA SHOWING THE LOCATION OF THE PROPOSED NEW STUDIO APARTMENT ADJACENT TO THE PRESBYTERIAN CHURCH.



New Studio Apartment at 90A Louee Street Rylstone



**Proposed Current Development application.**

The proposed development of a new studio between the houses facing Cox Street will remove the view of the original church from Cox Street. This is however not a strong view corridor as the church is well set back on the land and Cox Street is part of the main road or highway. The view of the church is the space between forward set houses. The developments of 2014 however changed the main view of St Andrew to the view from Louee Street, a residential road.

The new studio apartment is designed to echo the design character of the church, with a similar footprint and similar shape and style with a gable roof, bringing the building envelop closer to the



pedestrian view from Cox Street. The south elevation facing the church also mirrors the church in many ways.

The new building is in effect an interpretation of the original church, infilling between the houses.



FIGURE 7 FLOOR PLAN AND ELEVATION OF THE PROPOSED STUDIO.



FIGURE 8 ARTISTS VIEW OF THE PROPOSED STUDIO

New Studio Apartment at 90A Louee Street Rylstone



FIGURE 9 IMAGE IN 2014 OF THE CHURCH

STATEMENT OF HERITAGE IMPACT

**SUMMARY AND DESCRIPTION OF THE PROPOSAL.**

The proposed works includes the construction of a new studio apartment facing Cox Street Rylstone and located between two dwelling constructed in 2014/15.

The new studio is located adjacent to a listed heritage item: The Presbyterian Church of St Andrew, and within the Rylstone HCA. The effect of the proposed new infill building facing Cox Street in Rylstone will have a minimal impact on the existing heritage item, the Presbyterian Church.

- The principal address of the listed heritage item is now from Louee Street, and this view of the item will be unaffected by the proposed new development.
- The view from Cox Street is presently very restricted and distanced. It is not now the primary view of the church, but it will be affected by the new development. The proposed infill between the houses with a church like structure, simple rectangular with a gabled roof, is an interpretation of the church. It will become a visual reminder of the past structure and be closer to the view of a passing pedestrian.
- One of the house yards on Cox Street presently impinges on the streetscape of the Rylstone Conservation Area. All development should be kept behind the building line. The existing party fence that is full height (1500-1800m) should be removed, back to the building line.
- It would also be preferable, as there is an aesthetic intrusion into the Rylstone Conservation Area, if the 3 houses had front fences: preferably low brick with piers as per the original fence shown below, or a 'post and wire', hedge or 'timber picket' similar to others in the vicinity, and no higher and 1000mm.



FIGURE 10 HISTORIC IMAGE OF CHURCH SHOWING THE ORIGINAL BRICK FENCE.

**Address and property description:** of the Proposed development

90A Louee Street Rylstone. Lot 3 DP 1239243

**Prepared by:**

Barbara Hickson Heritage Adviser and Architect, Mudgee

**Owner of the proposed development site**

Cover Construction, Mudgee.

**STATEMENT OF HERITAGE IMPACT Page 2**

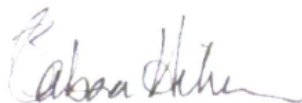
<p><b>1. why the item is of heritage significance</b></p>	<p><i>The church of St. Andrew is good example of a small country stone church constructed in the early federation year of 1902, which served the Presbyterian community as a church for about 75 years and later as a part time place of worship for the Uniting Church, and now chapel. The church was constructed of local stone, random rubble with dressed stone quoins and brick quoined frames to nine lancet windows. A simple corrugated iron clad gabled roof has timber finials and modest fretwork. An entry porch faces Cox Street and north. One lead -lite window and three memorials adorn the inside of the church, which has a timber lined mansard style ceiling, timber flooring and rendered walls.</i></p> <p><i>The building remains an item of local cultural, aesthetic and spiritual significance and is something of a local landmark.</i></p>
<p><b>2. what positive impact will the proposed works have on its significance.</b></p>	<p>The new building may help frame the existing listed item in an appropriate way and produce a visual improvement to Cox Street provided fencing recommendations are included.</p> <p>The listed item is well maintained with an external interpretation sign describing its significance. It is an important contributor to the Rylstone Conservation Area and its visual focus is Louee Street which forms an important part of that historical streetscape will not change.</p>
<p><b>3. what negative impact will the proposed works have on its significance.</b></p>	<p>The original church will, no longer, be visible from Cox Street.</p>
<p><b>4. what measures are proposed to mitigate the negative impacts</b></p>	<p>The infill building houses is a church like interpretation; a simple rectangular building with a gabled roof. It will become a visual</p>

New Studio Apartment at 90A Louee Street Rylstone

	<p>reminder of the past structure and be closer to the view of a passing pedestrian in Cox Street.</p> <p>The existing party fence that is full height (1500-1800m) should be removed, back to the building line.</p> <p>Front fences: preferably low brick with piers as per original fence shown below or 'post and wire', hedge or 'timber picket' no higher than 1000mm should be constructed.</p>
<b>5. why were more sympathetic solutions not viable.</b>	This is a sympathetic solution respectful of the church building.
<b>6. Has the advice of a heritage consultant been sought</b>	Yes.
<b>7. Demolition</b>	None
<b>8. Change of use</b>	No
<b>9. Landscape</b>	No change to the heritage item.
<b>10 Signage</b>	NA
<b>11. Previous relevant work on this item</b>	In recent years the church has regained some of its social significance in that it is now used again for church purposes as a Presbyterian Chapel and bookshop. Following on the previous development of two new houses on the site (2014), subdivision of the land and extensions to the church, the building has been repaired and is maintained and is excellently presented to Louee Street.

References:

- Site Inspection by Heritage Adviser 22 October 2020



24 October 2020