DEN-AD DESIGN

ARCHITECTURE

This material has been produced and commuted to you on behalf of DEN-AD Design Architecture pursuant to Part V8 of the Copyright Act 1968 (The Act). The material in this communication is subject to copyright under the Act. Any further copying or communication of this material by you may be the subject of copyright protection under the Act.

STATEMENT OF ENVIRONMENTAL EFFECTS REPORT

ALTERATIONS AND ADDITIONS TO AN EXISTING HERITAGE LISTED BUILDING.

CHANGE OF USE FROM A CAFÉ AND ART GALLERY TO A CLASS 6 COMMERCIAL TASTING ROOM AND CLASS 4 PRIVATE RESIDENTIAL APARTMENT AND SEPERATED PRIVATE RESIDENTIAL STUDIO.

128 - 130 SWAN STREET MORPETH NSW 2321 LOTS 1 AND 2 /-/ DP26092222

DOCUMENT CONTROL SHEET

ISSUE #:	AMENDMENT:	DATE:	PREPARED BY:
A	ISSUE FOR DA - **DRAFT**	30.10.2025	A. Manns

COPYRIGHT

Statement

This statement has been prepared by DEN-AD Design Architecture in accordance with and for the purposes outlined in the scope of services agreed between DEN-AD Design Architecture and the Client.

The report is based on information supplied by the Client as well as the information provided by selected sub-contractors and current web-based information freely available on the Maitland City Council web page building and development.

Information provided by the client and selected sub-contractors has not been independently verified however it has been deemed that such information is current and fit for use. Whilst due diligence and care has been taken to provide an accurate Statement of Environmental Effects, DEN-AD Design Architecture bear no responsibility or will take liability for the consequences of its use

DEN-AD Design Architecture accepts no responsibility to any third party who may use or rely on this document or the information it contains. This document is solely for the use of the authorised recipient. It is not to be used or copied (either in whole or in part) for any other purpose other than that for which it has been prepared.

The Client should be aware that this report does not guarantee the approval of any application by Maitland City Council.

CONTENTS PAGE

1.0	INTRODUCTION	3
1.1	a, General – Introduction / brief description of the development	3
1.2	b, Planning / Statutory Controls Information	4
1.3	c, Property Details - Site Analysis & Existing Uses	6
1.4	d, Operational Details	8
1.5	e, Access and Traffic	9
1.6	f, Utility Services & Waste collection	9
1.7	g, Privacy, Views and Overshadowing	9
1.8	h, Flooding and Drainage	10
1.9	i, Erosion & Sediment Control Measures	11
1.10	j, Heritage Conservation	12
1.11	k, Other Environmental Impact	14
1.12	l, Other Impact /Mitigation Measures	14
2.0	Maitland City Council DCP 2011	15
2.1	DCP Sections and other Standards	15
2.2	Chapter 4 Heritage	15
2.3	Chapter 6 Residential Uses	15
2.4	Chapter 7 Commercial Uses	18
3.0	CONCLUSION	22
4.0	Appendix A – Heritage Impact Statement	23
5.0	Appendix B – Geotechnical / Contamination Investigation	23
6.0	Appendix C – Arborist Report	23
7.0	Appendix D – Structural Stability Advice Report	23
8.0	Appendix E – Fire Safety Report	23
9.0	Appendix G – Plan of Management: Eureka report	23
10.0	Appendix H – Social Impact Statement	23

COPYRIGHT

1.0 INTRODUCTION

1.1 a, General – Introduction / brief description of the development

This Statement of the Environmental Effects (SoEE) accompanies a Development Application (DA) for Alterations and Additions to an existing heritage listed building. The change of use from a café and art gallery to a class 6 commercial tasting room and class 4 private residential apartment and private studio. The site is located at 128 - 130 Swan Street Morpeth NSW 2321. (Lots 1 and 2 /-/ DP26092222).

This DA and accompanying Statement of Environmental Effects Report have been prepared on behalf of the applicant and addresses the matters referred to in Section 79C (1) of the Environmental Planning & Assessment Act 1979 (EP&A Act1979). Maitland Local Environmental Plan 2011 (pub. 16-12-2011) with amendments to the Draft 2025 DCP. It shall be read in conjunction with the supporting documentation and Architectural drawings submitted with this application.

The purpose of this Statement is to describe the existing environment to which the DA relates and the character of the surrounding area; describe the proposed development; outline the statutory planning framework within which the DA is assessed and determined; and assess the proposed development in considering the relevant heads of consideration.

This Statement of Environmental Effects (SoEE) has been prepared to accompany a Development Application (DA) to be submitted to Maitland City Council for the alterations and additions to an existing heritage listed building.

A Pre-DA meeting took place at Maitland City Council on Thursday the 4th of September 2025.
In attendance were Clare James – Heritage officer, Jarrid Beeton – Biodiversity and resilience officer, Adrian Quinn – Senior development planner, Maree Watt – Business support officer and the applicant attendees; Amanda Hinds – Heritage Architect from Origin Architecture, Adrienne Manns - Registered Architect from DEN-AD Design Architecture, Sharon King – Property Owner and Steve Blaxhall – Property Owner, as per the meeting record report, received on the 9th of September 2025.

COPYRIGHT

This Development Application seeks approval for the modification for the following:

Proposed new external works

- Improvements to the existing heritage paintwork and sandstone wall point-work. Improvements to the existing window and doorway finishes (heritage considerate)
- Improvements to the existing rear verandah structure.
- Improvements to the existing rear council retaining walls and garden facing the river.
- The introduction of a new pavilion building to the rear (river side) of the site, as a private residential studio to the basement (under-croft) level, with an open-air commercial alfresco deck area, with an accessible bridge link, to the Ground level above.
- ~~The removal of 2x non-significant trees.~~
- The introduction of a small balcony to the rear of the building on the upper first floor level existing external doorway.

Proposed new internal works

- The change of use of the existing café / gallery space into a gin and whisky tasting room.
- The removal of existing cooking facilities to the former food preparation café area.
- The introduction of a private residential (Class 4) apartment to the upper first floor level.
- The introduction of a loft / mezzanine sleeping area for the private residential apartment.
- The removal of the existing (non-heritage) staircase and the introduction of a new internal spiral staircase and separated stair compartment for the private residential apartment only.
- The amendment of 1x internal structural roof beam for the new residential loft level.

The site is zoned R1 - General Residential: (pub. 28-3-2025) and is located in a heritage significant site being the Former Bond Store Group, in the Morpeth Heritage Conservation Area. (Significance: Local).

1.2 b, Planning / Statutory Controls Information

The proposed development is compliant with the following standards and State policies.

- DCP Chapter 4 Heritage
- DCP Chapter 6 Residential Uses
- DCP Chapter 7 Commercial Uses
- Chapter 4 – State Environmental Planning Policy Housing 2021 (Housing SEPP)
- NSW Apartment Design Guide
- Maitland Local Environmental Plan 2011 (pub. 16-12-2011) (Maitland MLEP 2011)

COPYRIGHT

Land Zone - Zone R1 General Residential

The objectives of the land zone are as follows:

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day-to-day needs of residents.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Home-based child care; Home industries; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies.

COPYRIGHT

1.3 c, Property Details - Site Analysis & Existing Uses

A Site Analysis Plan accompanies this Development Application on architectural drawing sheet **A.01**

Property Address	**128 - 130 SWAN STREET MORPETH NSW 2321.** **LOTS 1 AND 2 /-/ DP26092222**
Zone	R1 - General Residential: (pub. 28-3-2025)
Acid Sulphates	Class 5
Site Area	LOT 1 129.5m² + LOT 2 115.6 m² (overall 245.1 m²)
Flood Prone	No. (Refer to Figures 3 and 4 - Flood Prone Mapping)
Bushfire Prone	No.
Heritage	Yes - Former Bond Store Group Significance: Local Morpeth Heritage Conservation Area Significance: Local
Basix	Yes - The proposal is estimated to be over $50,000.00

Social Impact

A Social Impact Statement has been prepared by the property owner. (Refer to **Appendix H**)

Site Context

The subject allotment sits within the R1 General Residential land zone on the high street of Morpeth's historical 'Swan Street'. It is located next to the State Heritage listed Morpeth Bridge, with views from the site building down to The Hunter River and across to the local Illaung Park.

The site lots are mostly rectangular in shape, and their long boundaries are orientated to the north and south. The topography of the site slopes steeply down to the northern boundary, which adjoins council land along the shore of The Hunter River. The existing building is a 3-storey building, with no on-site parking on the property. The site has a total combined lots 1+2 area of 245.1m².

The surrounding area consists of shop fronts and townhouses of similar size and bulk to this building,

Please refer to **Figure 1** for an aerial location of the site and to **Figure 2** (both on the next page) for a street view of the property and its neighbouring properties.

COPYRIGHT

Figure 1 – Location of the site (from Real Estate Marketing)

Figure 2 – Existing Street View of the Property (from Real Estate Marketing)

Existing uses of the site

Currently the site has just been sold to the current property owners, Sharon King and Steve Blaxhall and prior to this sale, was a former café and art gallery space (approved at Council for this use of a retail shop and café with courtyard dining in February 2002.)

A detailed Heritage Impact Statement is included by Origin Architecture to accompany this SoEE report and Development Application. This former Bond Store built in 1847 has a very rich history (outlined in the Heritage Impact Statement report – **Appendix A**).

See the Heritage Report and section 1.10 of this SoEE for Heritage Significance of the site.

1.4 d, Operational Details

Operational Details information received from the property and business owners 'Eureka';

- The type of activity involved and the equipment to be used
  – Spirits tasting, sinks and bar equipment (no cooking equipment).

- The number of employees – 2

- Hours of business/use – 11am to 5:30pm

- Maximum numbers of customers or clients expected at any one time – 20

- Type of goods / raw materials / finished products
  – Spirits – Vodka; gin; liquors; rum; whisky; brandy

- Areas set aside for storage and waste disposal whether internal or external to a building
  – small casks of whisky and rum storage in under croft; bottles to be stored in the bar.

Also refer to the 'Plan of Management: Eureka Distilling Tasting Room' report, dated 18th of October 2025. Prepared By: Stephen Blaxhall. (**Appendix G**)

COPYRIGHT

1.5 e, Access and Traffic

Provide details on: • location, number and dimensions of car parking bays • access arrangements including driveways, and footway crossovers • details of any street features such as trees, footpaths, pipes and drainage pits, etc., should be shown • For major traffic generating proposals a traffic and parking impact assessment report prepared by a consulting traffic engineer is likely to be required. The impact on pedestrian movements, and access for disabled persons should be considered Note: Where development requires construction of a driveway across Council's footpath, a separate application for the footway crossing is required. This can be found at Application to Construct Private Works on Footway I Maitland City Council

There is no proposed change to the existing car parking numbers, access and traffic to this Development Application.

There is currently adequate off-street parking for the 2x residential occupants and their predicted visitors to the 'Eureka' tasting rooms.

1.6 f, Utility Services & Waste collection

Treatment and disposal arrangements need to be identified. Where amplification of utility services is required, details of arrangements/consultation with relevant public authorities should be included.

There is no proposed change to the existing utility services and waste collection on this site property to this Development Application.

A Waste Management Plan accompanies this Development Application.

1.7 g, Privacy, Views and Overshadowing

You need to demonstrate how your building/proposal will relate to your neighbour's buildings. Issues to consider include: • Visual privacy – positioning of windows, views between living areas and private adjoining spaces. • Acoustic privacy - noise transmission into the development and the need for separation from noise sources and the need to mitigate noise sources from your proposal. • Views - impact of the development on views from adjoining properties as well as views from the proposed development. • Overshadowing - where overshadowing is possible or likely you should provide diagrams where the shadows will be cast. Such diagrams need to be done accurately and properly indicate shadows cast onto walls and windows, not just those falling on the ground.

The proposed alterations to the existing Bond Store building will not affect the current privacy, views and overshadowing.

The proposed new pavilion 'studio building' has been designed to ensure significant view sightlines down to the river and towards the bridge are maintained.

There will be no overshadowing to neighbouring buildings and there is a planting privacy screen proposed to the ground floor open alfresco deck area, in consideration of the neighbours to the east at 126 Swan Street.

COPYRIGHT

1.8 h, Flooding and Drainage

This site is NOT listed as being a flood prone property so a flood certificate in NOT included as part of this Development Application.

Refer to **Figure 3** (below) and **Figure 4** (and on the following page), showing the flood prone zone just clear of the bottom northeastern corner of this property address, but not affecting this site.

We do not foresee the probable maximum flood extent being an issue for this site, given that the existing building and property site boundary RL, is approximately 4.5m above the Hunter River shoreline RL and has never been affected by other major flood events.

Provide details on how your proposal is compatible with flooding and justification that the proposed design will not adversely affect either downstream, or upstream flooding. Council also requires information on the proposed stormwater management controls for water entering, within and leaving the site. If relevant, calculations prepared by a consulting engineer should be included.

Stormwater Management has been discussed in the structural stability advice report, completed by – AES Architectural Engineering Solutions, which accompanies this Development Application. (**Appendix D**)

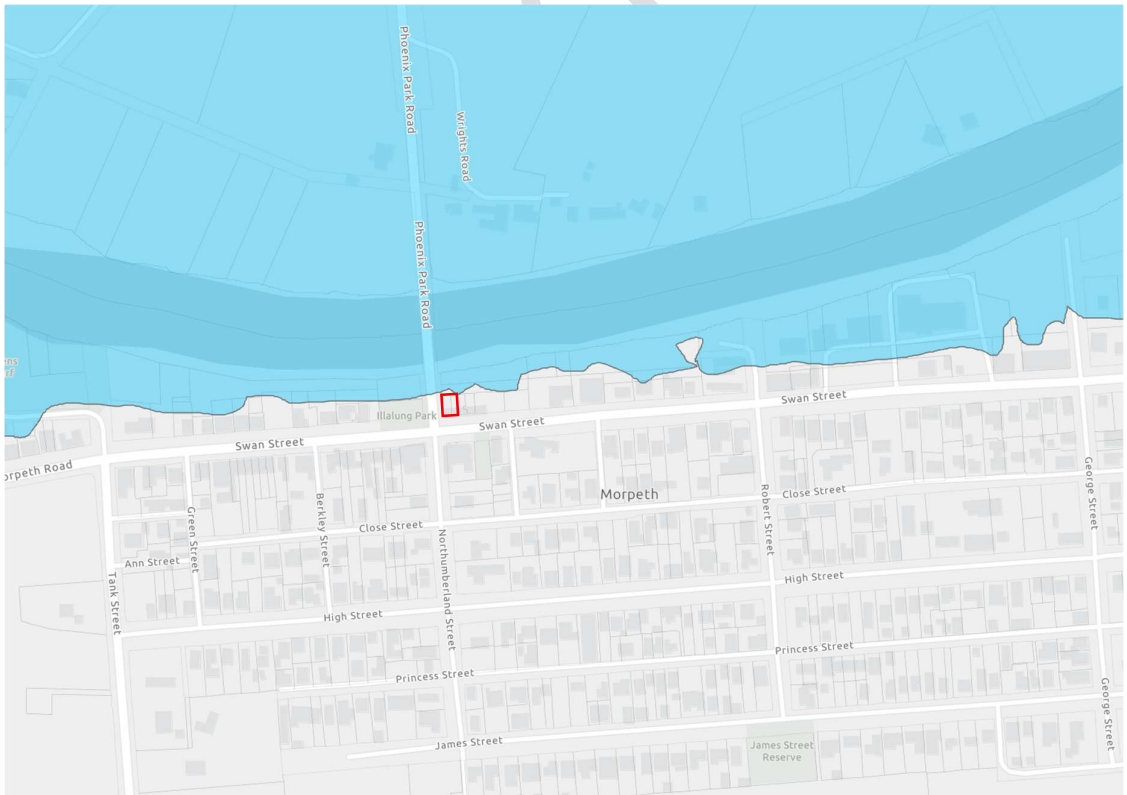

Figure 3 – Flood Planning Map – Maitland City Council.

https://maitlandcc.maps.arcgis.com/apps/instant/basic/index.html?appid=b61a00a49c134ee5b714007e19d123aa

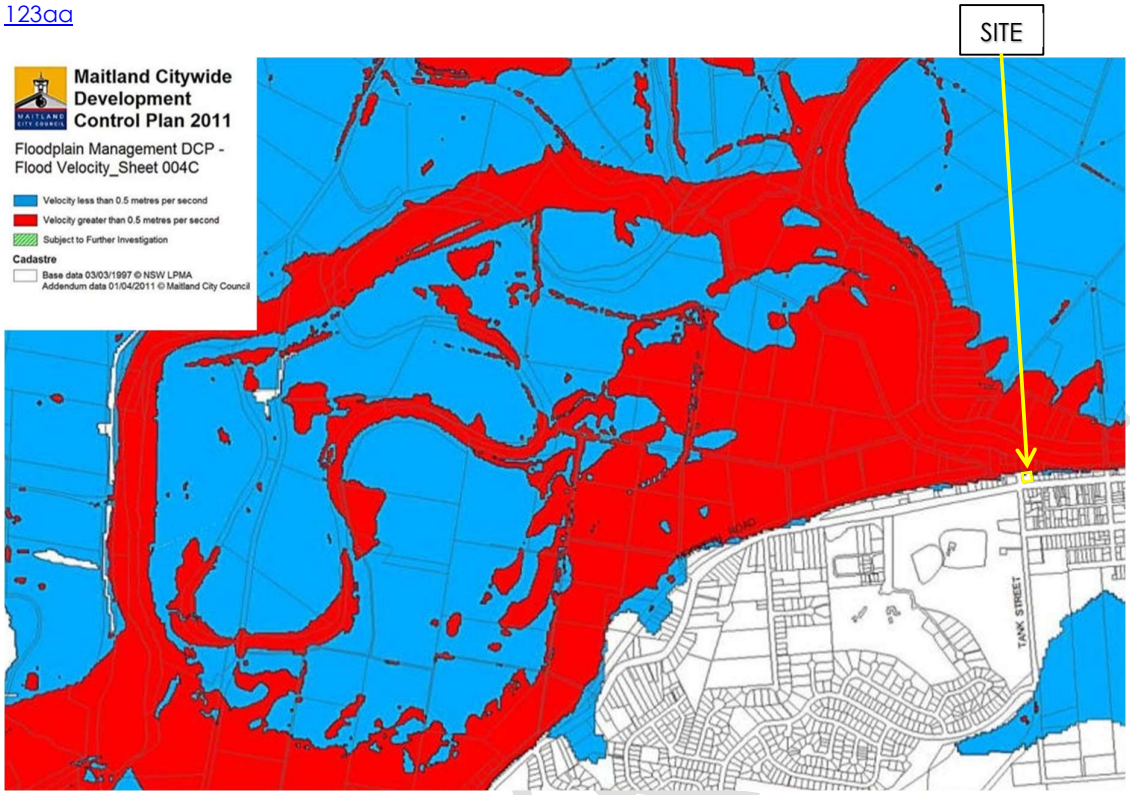

Figure 4 – Maitland Citywide Development Control Plan 2011 Flood Velocity Map 004C.

1.9 i, Erosion & Sediment Control Measures

For a general erosion and sediment control strategy, including the proposed construction sequence, critical areas that require special management and proposed rehabilitation measures and on-going maintenance are to be included.

Maitland City Council has identified possible contamination issues from the former Petrol Station at number 11 Swan Street – Now residential townhouses.

A statement from the geotechnical / contamination consultant regarding these possible contamination issues is included as part of this Development Application. (**Appendix B**)

The project engineer from AES Architectural Engineering Solutions, has discussed the suitability of the existing riverbank stability and building foundations, erosion and sediment control and stormwater management in a structural stability advice report, as part of this Development Application. (**Appendix D**)

COPYRIGHT

1.10 j, Heritage Conservation

You should identify if there is any heritage significance associated with the land or any buildings located upon it, or if your proposal will have any impact on other heritage buildings in the locality.

If your proposal involves alterations to a heritage building or is located within a Heritage Conservation area you will need to demonstrate design measures that will retain the heritage significance of the site. It is recommended that you consult with Council's Heritage Adviser or the Duty Town Planner. If your proposal involves a heritage item of State or Regional Significance a conservation plan prepared by a professional heritage architect will generally be required.

A detailed Heritage Impact Statement is included by Origin Architecture to accompany this SoEE report and Development Application. This former Bond Store built in 1847 has a very rich history (outlined in the Heritage Impact Statement report – **Appendix A**).

The Architect has been considerate of the heritage significance of the building and site, and all new proposed additions and alterations have been designed to enhance the building and compliment the heritage significance.

The new proposed pavilion studio building to the lower ground (basement) level, is proposed to be constructed of sandstone veneer to compliment the main building and not detract from it. The new windows and doors are to be built in the same style and colour (timber painted black) to match the windows and doors of the main building and other terraces in this building row. The only modern features will be the glass balustrades to the new open air alfresco area and the Juliette balcony to the first-floor residential apartment. Any framing to these glazed balustrades will be powder coated in black to match the windows and doors. This glazing will be introduced so that these areas height and bulk are not detracting from the main building's historical features.

COPYRIGHT

Figure 5 – Historical Photo of the former Bond Store Building at 128-130 Swan Street.

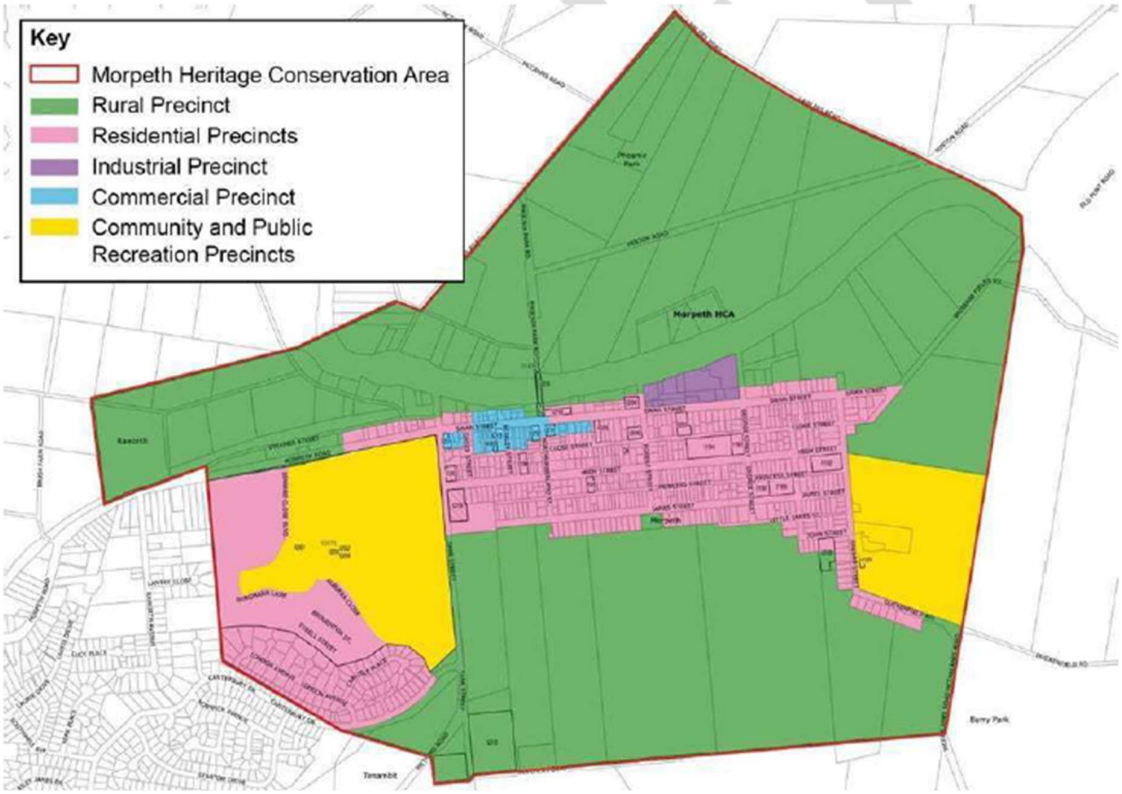

Figure 6 – Precincts within the Morpeth Heritage Conservation Area – Source Maitland DCP 4-12:

1.11 k, Other Environmental Impact

Specify any other matter that has the potential to impact upon air or water quality, native flora, fauna or habitats, the local community, public health or safety, the local economy, soil or groundwater contamination or existing noise levels.

There were 2x trees proposed to be removed at the Pre-DA meeting with Maitland City Council in September. It has now been determined that if these trees can survive the construction of the new pavilion studio building, (with footings and new structure less than 1m into the existing natural ground line) then the property owners are happy to retain these 2x trees.

This is as per the Arborist Report included with this Development Application. (**Appendix C**)

1.12 l, Other Impact /Mitigation Measures

Where your proposal is likely to impact upon the environment, provide details of the measures that will be undertaken to mitigate these impacts. Where these impacts are likely to be significant, a report from a professional consultant will be required. Such reports may include an acoustic assessment, preliminary hazard analysis or a flora & fauna assessment.

As the outside commercial area is changing from a café seating area, into an outdoor tasting area, an acoustic report, assessing changes relative to existing outdoor dining noise impacts, has not been included in this Development Application. This is because there will be no change in noise levels from this area's previous use.

As the building will be changing Building Classes and require fire separation to the following:
A letter from a fire safety engineer - Affinity Fire Engineering, containing draft fire safety measures is included in this Development Application. (**Appendix E**)

Proposed Building Classifications

Class 7b	under croft basement storage.
Class 6	commercial to the ground floor and external deck area only.
Class 4	private residential to the first floor and loft and the separated private 'pavilion' residential studio, with open deck above.

COPYRIGHT

2.0 Maitland City Council DCP 2011

The proposed alterations and additions development has been designed in accordance with the following provisions of the Maitland DCP 2011: (and Maitland DCP Draft 2025) and other relevant overriding design guidelines.

2.1 DCP Sections and other Standards

- DCP Chapter 4 Heritage
- DCP Chapter 6 Residential Uses
- DCP Chapter 7 Commercial Uses
- Chapter 4 – State Environmental Planning Policy Housing 2021 (Housing SEPP)
- NSW Apartment Design Guide
- Maitland Local Environmental Plan 2011 (pub. 16-12-2011) (Maitland MLEP 2011)

2.2 Chapter 4 Heritage

This section has been covered in the detailed Heritage Impact Statement by Origin Architecture to accompany this SoEE report and Development Application. (**Appendix A**).

2.3 Chapter 6 Residential Uses

(numbering from the Maitland City Council DCP)

6.2.3 Solar Access and Cross Ventilation

The new proposed addition is only 1-storey high and will not overshadow neighbouring buildings. Cross ventilation is maintained to the main building and has been considered for the proposed new pavilion studio building.

6.2.4 Visual and acoustic privacy

Objectives

O.12 To balance the need for views and outlook with the need for privacy.

O.13 To encourage the sharing of views whilst not restricting the reasonable development potential of a site.

O.14 To maximise visual and acoustic privacy both within a development lot and between a development and its neighbours.

O.15 To ensure that development does not cause unreasonable overlooking of habitable rooms and principal private open spaces of dwellings.

O.16 To ensure that the siting and design of development minimises the impacts of noise transmission between properties.

COPYRIGHT

The visual and acoustic privacy has been considered in the proposed alterations and additions development. The main building has no significant external changes to the location of existing windows and doors. The proposed new pavilion private residential studio does not overlook any neighbouring properties, and the proposed new open alfresco deck area will have privacy screen planting to the eastern side for privacy of the residents at No.126 Swan Street.

Regarding acoustic privacy, an acoustic report assessing changes relative to existing outdoor dining noise impacts, has NOT been included in this Development Application. This is because the introduction of the open-air alfresco gin-tasting area will not be any different in noise levels, to the acoustic noise created by the previous café outdoor seating noise. If anything, this outdoor area with a predicted max 20x visitors at a time will create significantly less acoustic disturbance than the previous outdoor dining café area used to create.

6.2.5 Open Space

From the Apartment Design Guide for Top-shop Housing;
Private open space – 1 bedroom apartment min 8m² (Studio apartment 4m²)
This has been achieved with the existing verandah areas (16m²).

6.2.6 Landscape Area

We note there is no change in landscaping area calculations from the previous existing site landscaping areas. Existing hardstand areas will be utilised for the new pavilion building with minimal disturbance of existing landscaped areas.

6.2.7 Impervious Area

We note that for Top-shop housing this hard stand site area can be 100% as per the NSW Apartment Design Guide.

6.2.8 Setbacks

The rear and side setbacks for the proposed new pavilion studio building are as per Section 6.11 ancillary structures, at 900mm. All other building setbacks remain unaltered by these prosed new building works.

6.2.9 Building Heights

The overall height of the main building does not change in this Development Application.

COPYRIGHT

The proposed new pavilion studio building maintains a similar height and scale to the existing external marquees in this current area and is as per the allowances of Section 6.11 ancillary structures, at max height 3.6m.

6.2.10 Fencing and Walls

The proposed new fence relocation to the rear of the site property will be in-keeping with the existing white picket fences already around the site.
The western side 'metal tub' fencing is proposed to be replaced with fencing of the same height as the existing, replaced with a more heritage considerate fence type in secure timber lapping or similar.

6.2.11 Driveways, Parking and Garages

N/A for this development type.

6.2.13 Development incorporating existing dwellings

Objectives

O.48 To ensure that the streetscape character is retained and incorporated into new development where possible.

O.49 To ensure that new and existing dwelling(s) are complimentary and provide a high standard of amenity and privacy.

A schedule of colours, materials and finishes accompanies this Development Application.
This is on drawing sheet **A.35** of the architectural drawings.
The proposed new developments are in keeping with the objectives of this DCP.

6.10 Residential Flat Buildings and Shop-Top Housing

As per this section, we note that as this is a top-shop housing development, the NSW Apartment Design Guide and Housing SEPP take precedence over other sections of the local DCP listed above.

COPYRIGHT

DEN - AD Design Architecture. ABN 85805025883 NOMINATED ARCHITECT NSW 8643

6.11 Ancillary Structures

The proposed private residential studio complies with the following guidelines for the R1 land zone.

Category	Guideline	Proposed
Maximum building site coverage	10%	14% – with sunken special consideration.
Maximum Floor area	72 m²	35m²
Maximum eave height	3m	n/a
Total Overall Height	3.6m	2.7m FFL deck + 900mm balustrades
Minimum Font setback	1m	n/a (behind main building)
Minimum side and rear setback	900mm	900mm
Minimum secondary setback	3m	n/a

2.4 Chapter 7 Commercial Uses

(numbering from the Maitland City Council DCP)

7.2 Scale and Bulk

As this is an existing building, this section is n/a to this Development Application.

7.2.2 Ceiling Height

As this is an existing building, this section is n/a to this Development Application.

7.2.3 Overshadowing and Privacy

As per the Residential DCP Section 6.2.4, the new outdoor commercial open alfresco deck area will have proposed privacy screen planting to the eastern side for privacy of the residents at No.126 Swan Street.

7.2.4 Setbacks

The main building setbacks do not change for the commercial part of these proposed new building works.

7.3 Built Form

As this is an existing building, this section is n/a to this Development Application.

7.3.2 Facades

As this is an existing building, this section is n/a to this Development Application.

COPYRIGHT

7.3.3 Awnings

As this is an existing building, this section is n/a to this Development Application.

7.3.4 Roofing

The roof to the main building will be maintained and are not part of these proposed new building works.

The roof to the new pavilion studio building is designed to be a flat alfresco deck area (timber decking to a waterproofed membrane slab - with compliant accessible and drainage falls).

7.3.5 Sustainable Design

As this is an existing building, this section is n/a to this Development Application.

7.4 Place Activation

In this proposed alteration and additions development, the following guidelines are all maintained from the existing – 7.4.1 Active Street frontages, 7.4.2 Public Domain, 7.4.3 Landscaping and 7.4.5 Lighting.

7.4.4 Fencing

The new proposed fencing to rear studio, rear boundary line and to the western boundary line is as per Residential DCP Section 6.2.10 Fencing and Walls.

We note that secure fencing is required for this proposed new tenancy type – with the storage and service of alcohol as per the Social Impact Statement has been prepared by the property owner. (Refer to **Appendix H**)

7.4.6 Signage

The property owners have advised that there is a flagpole that they will use to raise an 'Eureka' flag. (their business name). There is also a holder for a pole in the garden bed and two holders on the front balcony for small flags. These will be for temporary signage when we are open.

The remainder of the commercial signage will be inside.

Insert 'Eureka' signage logo here

Figure 8 – 'Eureka' business signage for new flags.

COPYRIGHT

7.5 Servicing

7.5.1 Utilies

Objectives

O.42 To reduce visual clutter and visual bulk of development by appropriately locating, orientating and screening services such as substations, hydrant boosters, plant equipment and mailboxes.

The new commercial tenancy plans to utilise and/or improve the existing external service locations and any new services required for the first-floor private residential top-shop housing will be located internally and/or out of sight with the existing building services. There is no required substation for this development.

Any plant equipment and/or air conditioning to the ground level or on structures are to be screened from the street, public domain and neighbouring buildings by elements such as landscaping, fencing or walls, in a manner that reduces its visual dominance and reflects the desired charter of the area.

If a new rainwater tank and/or other external air conditioning units are required for the new pavilion private residential studio, we are anticipating that these would be located in a hidden (out of visual sight) service area between the new security fence and western external wall of this building at basement level. (Refer to **Figure 8** below)

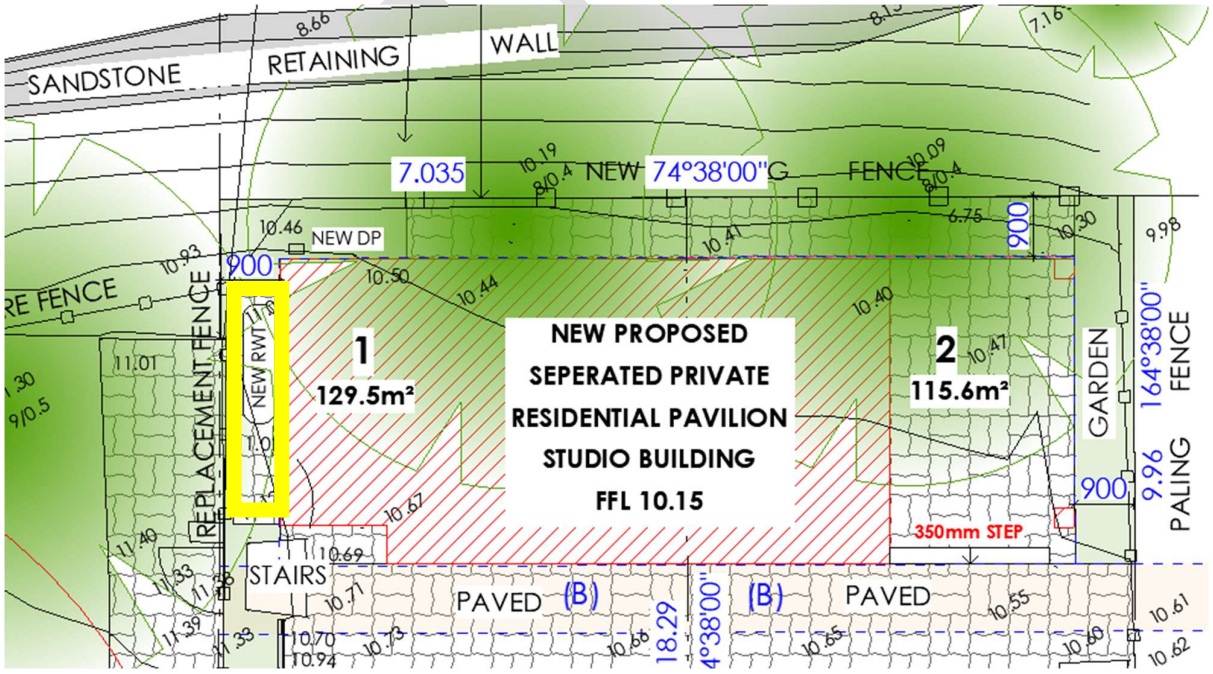

Figure 8 – Site location of hidden service area.

7.5.2 Waste Management and circular economy

There is no proposed change to the existing waste management on this site property to this Development Application.

A Waste Management Plan accompanies this Development Application.

COPYRIGHT

3.0 CONCLUSION

The proposed alterations of this existing heritage listed building include the following;

Proposed new external works

- Improvements to the existing heritage paintwork and sandstone wall point-work. Improvements to the existing window and doorway finishes (heritage considerate)
- Improvements to the existing rear verandah structure.
- Improvements to the existing rear council retaining walls and garden facing the river.
- The introduction of a new pavilion building to the rear (river side) of the site, as a private residential studio to the basement (under-croft) level, with an open-air commercial alfresco deck area, with an accessible bridge link, to the Ground level above.
- ~~The removal of 2x non-significant trees.~~
- The introduction of a small balcony to the rear of the building on the upper first floor level existing external doorway.
-

Proposed new internal works

- The change of use of the existing café / gallery space into a gin and whisky tasting room.
- The removal of existing cooking facilities to the former food preparation café area.
- The introduction of a private residential (Class 4) apartment to the upper first floor level.
- The introduction of a loft / mezzanine sleeping area for the private residential apartment.
- The removal of the existing (non-heritage) staircase and the introduction of a new internal spiral staircase and separated stair compartment for the private residential apartment only.
- The amendment of 1x internal structural roof beam for the new residential loft level.

The above alterations and additions have been carefully designed and considered to be sensitive to the existing bulk, heritage and streetscape character of the area.

The application for development seeks assessment and consent under the provisions of section 4.15 of the Environmental Planning and Assessment Act 1979. The development is a permissible use of the land under the Newcastle Local Environmental Plan 2012 and displays compliance to all the objectives and controls of the Newcastle Development Control Plan 2023.

It is requested that this proposed alterations and additions to an existing heritage listed building development be given favourable consideration by Council and be approved as submitted.

COPYRIGHT

The following list of separated Appendix Reports are to be referred to, with this SoEE Report, the architectural drawings, other consultant documentation of this Development Application.

4.0 Appendix A – Heritage Impact Statement

Prepared by: Amanda Hinds at Origin Architecture
Dated: xxx

5.0 Appendix B – Geotechnical / Contamination Investigation

Prepared by: RCA
Dated: xxx

6.0 Appendix C – Arborist Report

Prepared by: Stephen Williams at Hunter Agricultural Services
Dated: 24th June 2025

7.0 Appendix D – Structural Stability Advice Report

Prepared by: Chris Coppard AES Architectural Engineering Solutions
Dated: xxx

8.0 Appendix E – Fire Safety Report

Report Reference: 252170_DA_01
Prepared by: Shane Edmonds at Affinity Fire Engineering
Dated: 13th October 2025

9.0 Appendix G – Plan of Management: Eureka report

Report Reference: Plan of Management: Eureka Distilling Tasting Room
Prepared By: Stephen Blaxhall
Dated: 18th of October 2025

10.0 Appendix H – Social Impact Statement

Prepared By: Stephen Blaxhall
Dated: xxx

COPYRIGHT