



Ku-ring-gai Council

PLANNING PROPOSAL

To heritage list 207 Eastern Road, Wahroonga

February 2021

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INTRODUCTION

This Planning Proposal contains the justification for the proposed amendments to Schedule 5 of the *Ku-ring-gai Local Environmental Plan* ('KLEP 2015') to list 'Lavery House,' also identified as 207 Eastern Road, Wahroonga (Lot B, DP414327) as a local heritage item.

This Planning Proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the NSW Department of Planning, Industry and Environment's 'A Guide to Preparing Planning Proposals' (December 2018).

Council will request the plan making delegation under section 3.36 of the Environmental Planning and Assessment Act for this Planning Proposal.

This Planning Proposal includes:

- Existing site and surrounding context
- Existing planning controls applying to the site
- The objective of the amendment to the *Ku-ring-gai Local Environment Plan 2015*
- An explanation of provisions that are to be included in the amendment to the *Ku-ring-gai Local Environment Plan 2015*
- Justification for the objective and provisions to be included in the amendment to the *Ku-ring-gai Local Environment Plan 2015*
- Mapping for the heritage listing
- Community Consultation
- Project Timeline

Background

The property at 207 Eastern Road, Wahroonga ('the Site') was the subject of a Council commissioned Heritage Assessment by Robertson and Hindmarsh Pty Ltd in October 2020. The assessment concluded that the Site meets the threshold for local heritage listing on the grounds of historic, associative, aesthetic, social, research, rarity and representative values. The assessment concludes that the property demonstrates significance through its connection with the Laverty family and their strong links to the NSW Art movement, as well as its association with renowned Australian architect Sydney Ancher, as an intact example of the his work.

In September 2020, a group of architects first brought the subject property was first brought to Council's attention. The group communicated their concern for the property's vulnerability as an intact example of renowned Australian architect Sydney Ancher's work, which is located on a large allotment that was being advertised for sale. The property is not located within a Heritage Conservation Area ('HCA') nor is it within the immediate vicinity of any local or state heritage items.

On Tuesday, 8 September 2020, the potential vulnerability of the property was discussed with the Heritage Reference Committee ('HRC'), who agreed that an Interim Heritage Order ('IHO') should be invoked in this instance. A preliminary heritage assessment was then completed by Council officers on 9 September 2020 (See **Appendix A**).

Council has delegated authority under s.25 of the *NSW Heritage Act 1977* ('Heritage Act') to make an IHO on the property. The purpose of an IHO being to provide Council with time to undertake an independent heritage assessment of the property to establish if it warrants formal heritage listing.

On 22 September 2020, the matter was raised at the OMC. At this meeting, Council resolved:

"Council resolve to place an Interim Heritage Order under section 25 of the NSW Heritage Act 1977 on Laverty House, 207 Eastern Road Wahroonga, Lot B, DP414327, to enable a full and proper evaluation of the heritage significance and prevent any harm to the site in the interim. Once the Interim Heritage Order is in place, that a site inspection for Councillors be arranged as soon as practicable." (See **Appendix D**)

On 25 September 2020 the IHO came into effect. The wording of the IHO is as follows:

"This Interim Heritage Order will lapse six months from the date that it is made unless the local Council has passed a resolution before that date; and

- (i) *in the case of an item which, in the council's opinion, is of local significance, the resolution seeks to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; or*
- (ii) *In the case of an item which, in the Council's opinion, is of State heritage significance, the resolution requests the Heritage Council to make a recommendation to the Minister for Heritage under section 32(2) of the Heritage Act to include the item on the State Heritage Register.” (See **Appendix B**)*

Under the above conditions of the IHO, the order will lapse on 25 March 2021 unless Council passes a resolution to list the item on the Schedule 5 of the KLEP 2015 to protect and manage the item, or it nominates the item for inclusion on the State Heritage Register.

On Tuesday, 13 October 2020, a Councillor site inspection was undertaken with Council staff and Council's commissioned heritage consultant, Dr Scott Robertson of Robertson and Hindmarsh Pty. Ltd. On Thursday 22 October 2020, a draft heritage assessment was provided to Council staff for initial review and a final heritage assessment was provided on Thursday 29 November 2020 (See **Appendix C**).

A draft Heritage Inventory ('SHI') form for 207 Eastern Road, Wahroonga is included as **Appendix F** in support of the Planning Proposal.

On 17 November 2020, Council resolved to refer to this matter to the KLPP for advice.

On 14 December 2020, the draft Planning Proposal was referred to the Ku-ring-gai Local Planning Panel ('KLPP') for advice. The KLPP resolved unanimously to make a recommendation to Council that the Planning Proposal be submitted to the Department of Planning, Industry and Environment for a Gateway Determination, subject to Council giving consideration to whether the draft Schedule 5 description of the item should include the whole or any part of the dwelling house curtilage. The KLPP advice is included as **Appendix G**.

On 16 December 2020, Council adopted the Planning Proposal and resolved to forward the Planning Proposal to the Department of Planning, Industry and Environment for a Gateway Determination. The Council resolution is included as **Appendix H**.

Existing site and context

Laverty House is located at No. 207 Eastern Road, Wahroonga. The Site is identified as Lot B, DP414327.

Laverty House is full-brick construction with the exterior and the interior of the house finished in white-painted dry-pressed bricks and a roof sheeted with corrugated fibre cement roof sheets. The house is situated in the centre of the front two-thirds of the site which has a gradual slope from the front to the rear. The house originally comprised two short parallel wings separated by a paved courtyard. The subsequent additions have created a U-shaped plan form that is still centred on the original courtyard. The Main Bedroom at the front of the house protrudes from the base of the “U” and opens onto its own private, north-facing courtyard. One of the important aspects of the site and the setting of the house are the large trees that define the site and give it its bushland setting.

The original house was designed as a small, affordable nucleus for a later eastwards rear extension that would preserve the appearance of the house from the street. The original house provided the essential living and working accommodation for a young couple whose life centred around the production of art. The modest size of the house and rooms also reflected the period of post-war austerity where house sizes and use of materials were strictly controlled and restricted.⁹ In addition, such restrictions also modified people’s expectations with regard to house and room sizes.

The first two stages of the house were designed by Sydney Ancher but the third stage was commissioned and designed after Ancher retired from the firm. The third stage was designed by architect, Judith Ambler, within the firm of Ancher, Mortlock, Murray & Woolley.



Figure 1. 207 Eastern Road, Wahroonga site shaded blue (Source: Robertson & Hindmarsh Pty Ltd – see **Appendix C**)



Figure 2. 207 Eastern Road, Wahroonga October 2020 viewed from the driveway entrance showing the forms of the building (Source: Robertson & Hindmarsh Pty Ltd – see **Appendix C**)



Figure 3. 207 Eastern Road, Wahroonga October 2020 looking west into the Courtyard with the House wing on the left and the Studio wing on the right and the 1968 Living Room in the centre. The Courtyard has always been paved with bricks (Source: Robertson & Hindmarsh Pty Ltd see **Appendix C**)



Figure 4. 207 Eastern Road, Wahroonga October 2020 looking north from the current Entry into the current (1968 Stage 3) Living Room (Source: Robertson & Hindmarsh Pty Ltd see **Appendix C**)



Figure 5. 207 Eastern Road, Wahroonga October 2020 looking south from the current 1968 Living Room into the Entry (Source: Robertson & Hindmarsh Pty Ltd see **Appendix C**)



Figure 6. 207 Eastern Road, Wahroonga October 2020 1952 window wall and 1955 wardrobe in the 1955 Bedroom 2 (left photo and middle photo) and 1955 Bedroom 3 (right photo) (Source: Robertson & Hindmarsh Pty Ltd see **Appendix C**)



Figure 7. 207 Eastern Road, Wahroonga October 2020 interior of the 1952 Studio (Source: Robertson & Hindmarsh Pty Ltd see **Appendix C**)



Figure 8. 207 Eastern Road, Wahroonga October 2020 first section of the rear yard viewed from the Courtyard (left photo) and third section of the rear yard looking west back to the house (right photo) (Source: Robertson & Hindmarsh Pty Ltd see **Appendix C**)

Existing planning controls

The site is subject to existing planning controls within the KLEP 2015, relating to land zoning, height of building and minimum lot size. These are as follows:

	Land Use Zone	Height of Building	FSR
207 Eastern Road, Wahroonga	R2 Low Density Residential	9.5m	0.3

The Objectives for R2 Low Density Residential in the KLEP 2015 are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for housing that is compatible with the existing environmental and built character of Ku-ring-gai.

The Site is not located within a Heritage Conservation Area under the KLEP 2015. The Site is not currently listed as a State or local heritage item.

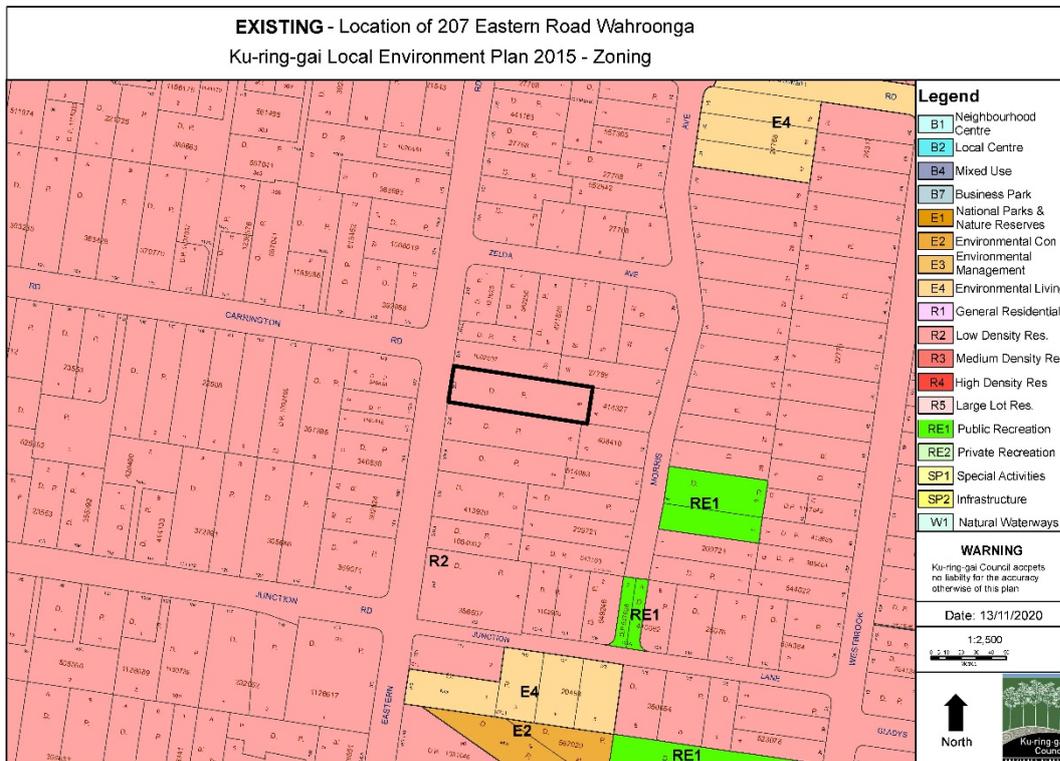


Figure 9. Map showing zoning 207 Eastern Road, Wahroonga

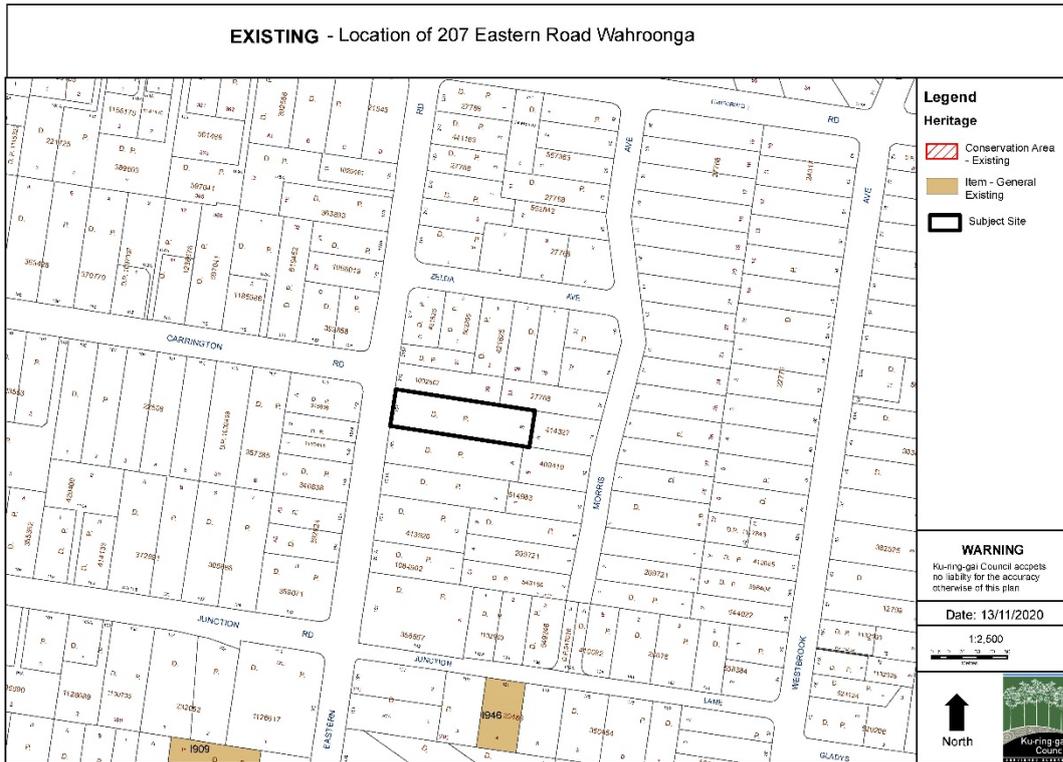


Figure 10. Map showing existing non-heritage listed status of 207 Eastern Road, Wahroonga and existing Heritage Items nearby

PART 1 – OBJECTIVE AND INTENDED OUTCOMES

A statement of the objectives and intended outcomes of the proposed instrument

The objective of the planning proposal is to amend Part 1 (Heritage items) under Schedule 5 (Environmental Heritage) of the KLEP 2015, to list *Laverty House*, also identified as 207 Eastern Road, Wahroonga, as a local heritage item. Heritage listing of this property will ensure recognition of its significance, as well as protection through ensuring any future modification proposals are assessed against heritage provisions in the KLEP 2015.

The existing R2 Low Density Residential zoning and existing development standards applying to the site are not proposed to change as a result of this Planning Proposal.

PART 2 – EXPLANATION OF PROVISIONS

An explanation of the provisions that are to be included in the proposed instrument

The Planning Proposal seeks to amend Schedule 5 Environmental Heritage of the KLEP 2015 to insert the following:

Suburb	Item Name	Address	Property Description	Significance	Item No.
Wahroonga	<i>Laverty House and interiors, 207 Eastern Road, Wahroonga.</i>	207 Eastern Road	Lot B, DP414327	Local	<i>To be confirmed</i>

The Planning Proposal seeks to make amendments to the following map:

Ku-ring-gai Local Environmental Plan 2015 – Heritage Map – Sheet HER_006 by colouring the Site so as to indicate a Heritage Item – General.

PART 3 - JUSTIFICATION

The justification for those objectives, outcomes and the process for their implementation

A. Need for the planning proposal

Q1. *Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?*

Yes. Following the making of the IHO, an independent heritage assessment was prepared by Robertson & Hindmarsh Pty Ltd (see **Appendix C**). The assessment maintains that 207 Eastern Road, Wahroonga warrants local listing on Schedule 5 of the KLEP 2015, satisfying the NSW Heritage Council's criteria for listing. The assessment considers that the property meets the threshold for local heritage listing on the grounds of historic, associative, aesthetic, social, research, rarity and representative values. The assessment concludes that the property demonstrates significance through its connection with the Lavery family and their strong links to the NSW Art movement, as well as its association with renowned Australian architect Sydney Ancher, as an intact example of the his work.

A heritage item is a place, which may include built structures, landscapes, moveable objects and relics, that have recognised cultural significance. In NSW, heritage items of local significance are assessed against 7 criteria:

- Historical significance – an item is important in the course, or pattern, of the cultural or natural history of the local area;
- Historical association significance – an item has strong or special association with the life or works of a person, or group of persons, of importance to the local area's cultural or natural history;
- Aesthetic significance – an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area;
- Social significance – an item has a strong or special association with a particular community or cultural group in the local area, for social, cultural or spiritual reasons;
- Technical/research significance – an item has potential to yield information that will contribute to an understanding of the local area's scientific, cultural or natural history;

- Rarity – an item possesses uncommon, rare or endangered aspects of the local area’s cultural or natural history; and
- Representativeness - an item is important in demonstrating the principal characteristics of a class of the local area’s cultural or natural places; or cultural or natural environments.

The comprehensive Statement of Significance prepared by Robertson and Hindmarsh Pty. Ltd. for 207 Eastern Road, Wahroonga, expounds this importance. It reads:

“The substantially intact Laverty House is a rare example of an artist’s residence still with its functioning and identifiable artist studio. The way of life of the Laverty Family is still clearly evident in the extant planning and fabric of the house and studio. The design of the house and studio is of exceptional interest when planned expansion of the house is understood in order to cater for young couples of modest financial means in the post-war years, of post-war frugality, and of their increasing wealth and family size through later additions and enlargement of the small house nucleus.

The Laverty House is of local historical significance in demonstrating the post-World War 2 process of suburban infill development in earlier subdivisions. The Laverty House is of local aesthetic significance as its design exhibits the hallmarks of the Modernism with its clean lines, simple form, and walls of glass. The Laverty House is one of a series of houses within the Ku-ring-gai municipality that demonstrate the emergence of modern architecture in New South Wales, of which the architect Sydney Ancher was a leading proponent.

The Laverty House is of local associative significance because of its strong association with renowned architect, Sydney Ancher and his firm, Ancher, Mortlock & Murray and also because of its association with two prominent Australian artists, Ursula and Peter Laverty, who was Head of the National Art School and later Director of the Art Gallery of NSW. In this regard the house is of historical significance as the site of a meeting that inaugurated the concept of the international art biennale for Sydney. The Laverty House has the potential to yield information about cultural history in NSW, through its association with the artistic world, which is strongly reflected through the extant building fabric, arrangement and composition of elements on the site, including a purpose-built artist studio.

The surviving architectural drawings and the completed Laverty House demonstrate the palette of materials and construction methods employed by the architectural firm

of Ancher, Mortlock and Murray that are recognised as forming a regional expression of modern architecture. The Lavery House demonstrates the key characteristics of the domestic work of the firm of Ancher, Mortlock and Murray in the 1940s, 1950s & early 1960s and demonstrates the firm's use of similar details in houses for young couples of modest means in the economically constrained period after World War II."

In conjunction with the proposed listing of Lavery House, the assessment identifies a suggested heritage curtilage, refers to the advantages of Clause 5.10.10 Heritage Incentive of the KLEP 2015 and identifies the development potential for the rest of the site from a heritage perspective, including the possible subdivision arrangement, all of which would be subject to a full planning approval.

A copy of the Heritage Assessment prepared by Robertson & Hindmarsh Pty Ltd in October 2020 is included at **Appendix C**. A draft Heritage Inventory ('SHI') form for 207 Eastern Road, Wahroonga is included at **Appendix F**.

Q2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. The Planning Proposal seeks to amend Part 1 (Heritage items) under Schedule 5 (Environmental Heritage) of the KLEP 2015, to list '*Lavery House*,' also identified as 207 Eastern Road, Wahroonga (Lot B, DP414327), as a local heritage item. The best and only means of achieving the objective to recognise the heritage significant and provide the Site with statutory protection is through the Planning Proposal process. The Site has been assessed as satisfying the NSW Heritage Council's Criteria for local heritage significance and a heritage listing will provide ongoing protection and recognition of the heritage significance of the Site. Other options such as adding site-specific objectives and controls to the *Ku-ring-gai Development Control Plan 2016* will not provide the same level of heritage protection and recognition.

B. Relationship to strategic planning framework**Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?**

Yes. The Planning Proposal is consistent with the relevant objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the relevant actions of the *North District Plan* (2018), as discussed below.

Greater Sydney Region Plan: A Metropolis of Three Cities

The Planning Proposal is consistent with the directions and objectives of the Plan, particularly Objective 13:

‘Environmental heritage is identified, conserved and enhanced’.

Heritage listing of *Laverty House* at 207 Eastern Road, Wahroonga will provide ongoing protection and recognition of the heritage significance of the item.

North District Plan

Yes. The Planning Proposal is generally consistent with the directions, priorities and objectives of the *North District Plan*, and more specifically with:

Planning Priority N6. Creating and renewing great places and local centres and respecting the District’s heritage

Action 21. Identify, conserve and enhance environmental heritage by:

- a. engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place
- b. applying adaptive re-use and interpreting of heritage to foster distinctive local places
- c. managing and monitoring the cumulative impact of development on the heritage values and character of places.

Action 55. Consider the following issues when preparing plans for tourism and visitation:

- e. protecting heritage and biodiversity to enhance cultural and eco-tourism

Action 67. Identify and protect scenic and cultural landscapes

Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Yes. The Planning Proposal is consistent with Ku-ring-gai's Community Strategic Plan 2038 (2018) ('CSP'). In particular, the Planning Proposal gives effect to the identified priority of '*protecting heritage buildings and historic places*'. In addition, the Planning Proposal will give effect to Theme 3 of the CSP, 'Places, spaces and infrastructure' which identifies the long-term objective '*Ku-ring-gai's heritage is protected, promoted and responsibly managed*'.

The Planning Proposal is consistent with Ku-ring-gai's Local Strategic Planning Statement (2020) ('LSPS') giving effect to a number of Ku-ring-gai Local Planning Priorities identified within the LSPS, including:

Local Character and Heritage

K12. Managing change and growth in a way that conserves and enhances Ku-ring-gai's unique visual and landscape character

K13. Identifying and conserving Ku-ring-gai's environmental heritage

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

The following table identifies the key applicable SEPPs and deemed SEPPs and outlines this Planning Proposal's consistency with those SEPPs.

SEPP	Comment on Consistency
SEPP 55 Remediation of Land	Consistent. There is no evidence to suggest that the subject site could be affected by contamination from past land uses or activities being carried out on the land. The Planning Proposal does not seek to rezone or change the use of the Site.
SEPP Exempt and Complying Development Codes 2008	Consistent. The Planning Proposal is consistent with the aims of the policy.
SEPP (Housing for Seniors or People with a Disability) – 2004	Consistent. The Planning Proposal is consistent with the aims of the policy.
SEPP Building Sustainability Index : Basix 2004	Consistent. The Planning Proposal is consistent with the aims of the policy.
SEPP Infrastructure 2007	Consistent. The Planning Proposal is consistent with the aims of the policy.
SEPP Affordable Rental Housing 2009	Consistent. The Planning Proposal is consistent with the aims of the policy.

SREPP	Comment on Consistency
SYDNEY REP 20 Hawkesbury-Nepean River	Consistent. The Planning Proposal is consistent with the aims of the policy and will have no adverse impacts on the Hawkesbury-Nepean River.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The following table identifies applicable section 9.1 Directions and outlines this Planning Proposal's consistency with those Directions.

Directions under s.9.1	Objectives	Consistency
2. ENVIRONMENT AND HERITAGE		
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental Heritage significance and indigenous heritage significance.	Consistent. The Planning Proposal is consistent with this direction and it will result in the conservation of a property that has satisfied the NSW Heritage Council's criteria for local heritage significance.
3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT		
3.1 Residential Zones	The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.	Consistent. The Planning Proposal relates to an established dwelling, and in this regard will have no effect on the housing choice, infrastructure or environment.
3.3 Home Occupations	The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	Consistent. The Planning Proposal does not preclude the carrying out of a home occupation.
6. LOCAL PLAN MAKING		
Approval and Referral Requirements	The objective of this direction is to ensure that	Consistent. The planning proposal does not contain a

Directions under s.9.1	Objectives	Consistency
	LEP provisions encourage the efficient and appropriate assessment of development.	provision which is contrary to the operation of this direction.
Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Consistent. This Planning Proposal is not for the purpose of facilitating a particular development proposal. It relates solely to the heritage listing of a new item of environmental heritage.
7. METROPOLITAN PLANNING		
7.1 Implementation of <i>A Metropolis of Three Cities</i> (2018)	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategy.	Applicable. The planning proposal is consistent with the objectives of <i>A Metropolis of Three Cities</i> , particularly Objective 13: Environmental heritage is identified, conserved and enhanced. Heritage listing of 207 Eastern Road, Wahroonga will provide ongoing protection and recognition of the heritage significance of the item.

C. Environmental, social and economic impact**Q7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?***

The Planning Proposal is for the purposes of retaining an existing building. As such, the Planning Proposal will not adversely impact any critical habitat, threatened species, populations or ecological communities, or their habitats as a result of the heritage listing.

Q8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

There are no environmental effects envisaged as a result of the heritage listing proposed by the Planning Proposal. Protection of the proposed item will be required if development is proposed for the Site or in the vicinity of the Site. Protection measures are not likely to result in environmental harm and will be managed through the development assessment process. The environmental sustainability benefits afforded by the retention and conservation of heritage places includes the substantial reduction in building demolition and new construction waste, and the conservation of embodied energy in the existing buildings.

Q9. *Has the planning proposal adequately addressed any social and economic effects?*

The Planning Proposal will result in positive social effects by facilitating the conservation of an item of local architectural and cultural heritage that has significance for the local community. The identification and protection of Ku-ring-gai's heritage places contributes to the ongoing conservation of Ku-ring-gai's community-valued historic landscape and garden suburbs. The Planning Proposal will not adversely impact on existing social infrastructure, such as schools and hospitals.

The Planning Proposal is not expected to result in adverse economic effects. A review of the numerous studies investigating the effect of designation (heritage listing and/or inclusion within a heritage precinct) on the value of houses has found the impact to be negligible. Other features including locational factors such as proximity to schools and access to public transport, and household attributes, such as number of bedrooms and parking spaces, have been shown to have greater influence on price than designation.

D. State and Commonwealth interests**Q10. *Is there adequate public infrastructure for the planning proposal?***

The planning proposal relates to the heritage listing of an established building and does not involve amendments to the planning controls that will facilitate intensified development. No additional demand for public infrastructure is anticipated as a result of this listing. The existing services that are available to the site are suitable for the proposal of a local heritage listing in a residential zone.

Q11. *What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

Should the Planning Proposal proceed to public exhibition, consultation with the relevant public authorities will be conducted. Council intends to notify Heritage NSW, Department of Premier and Cabinet during the public exhibition of the Planning Proposal. Any other authorities nominated by the Department of Planning, Industry and Environment as part of the requirements of the Gateway Determination will be consulted.

PART 4 - MAPPING

Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies

The land subject to the Planning Proposal is 207 Eastern Road (Lot B, DP414327). The Planning Proposal will require amendment to the following KLEP 2015 map sheet:

- **Ku-ring-gai Local Environmental Plan 2015 – Heritage Map – Sheet HER_006**

The subject Site will be coloured to indicate a Heritage Item – General.

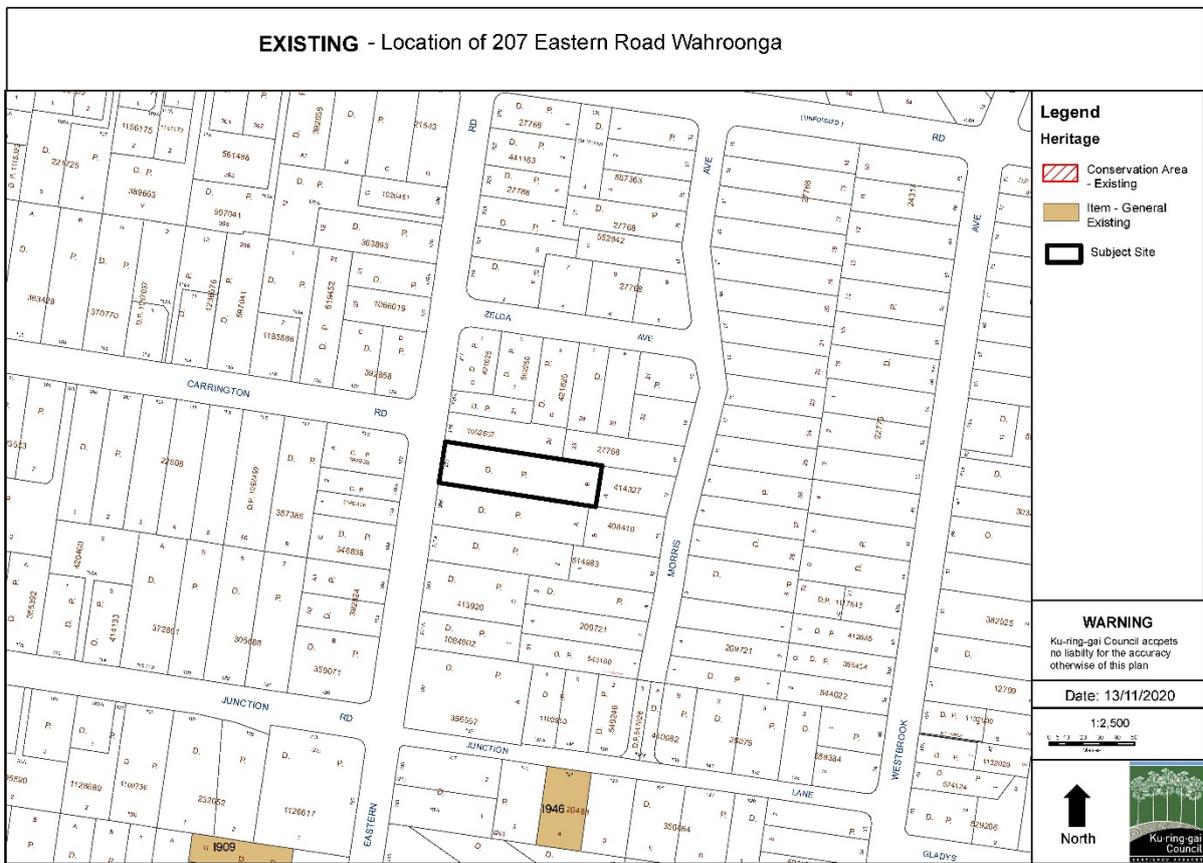


Figure 11. Map showing existing non-heritage listed status of 207 Eastern Road, Wahroonga and existing Heritage Items nearby

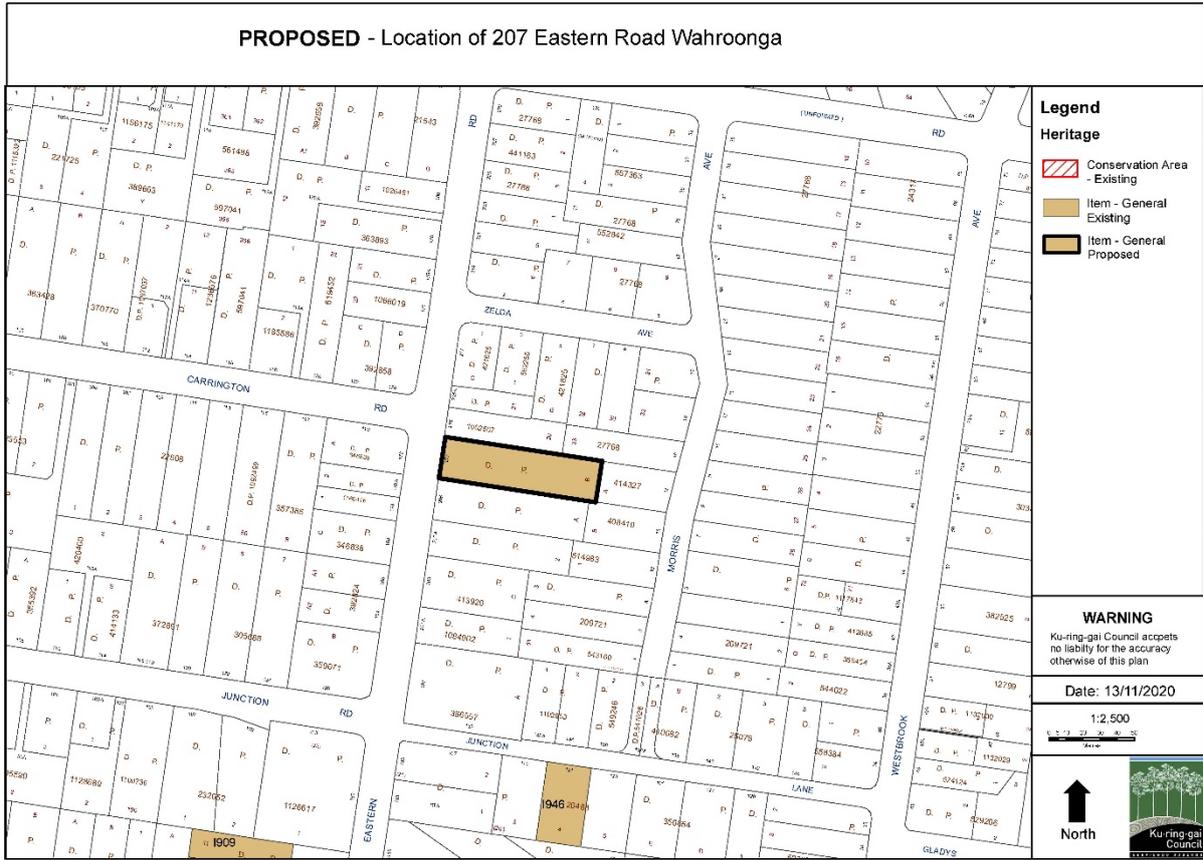


Figure 12. Draft map showing proposed amendment to heritage map showing 207 Eastern Road, Wahroonga shaded as Heritage Item – General

PART 5 – COMMUNITY CONSULTATION

Details of the community consultation that is to be undertaken on the planning proposal

Community Consultation for this Planning Proposal will be consistent with the requirements of the Gateway Determination, the requirements of the Act, the *Environmental Planning and Assessment Regulation 2000* and the consultation guidelines contained within the NSW Department of Planning, Industry and Environment's '*A Guide to Preparing Local Environmental Plans*' (December 2018).

In accordance with the Guide, the public exhibition of a Planning Proposal is generally undertaken in the following manner:

- Notification in a newspaper that circulates the area affected by the Planning Proposal
- Notification on Council's website on the 'Have my say' exhibition page
- Notification in writing to the affected and adjoining landowners

During the public exhibition period, the following material is made available for viewing:

- The Planning Proposal
- The Gateway Determination
- Information and technical reports relied upon by the Planning Proposal

The Planning Proposal is considered a low impact proposal. Therefore, the Proposal will be exhibited for a minimum of 14 days.

At the conclusion of the public exhibition period, a report will be prepared and presented to Council to allow for the consideration of submissions received from the community during the exhibition period.

PART 6 – PROJECT TIMELINE

Stage	Timing
Anticipated commencement date (date of Gateway determination)	TBC
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	Run concurrently with exhibition period.
Commencement and completion dates for public exhibition period	TBC
Post exhibition review and reporting	TBC
Council meeting / consideration	TBC
Legal drafting of LEP	TBC
Anticipated date RPA will make the plan (if delegated)	TBC
Notification of Plan on Legislation website	TBC

**APPENDIX A – Preliminary Heritage Assessment of 207 Eastern Road,
Wahroonga – September 2020**

Preliminary Heritage Assessment: 207 Eastern Road, Wahroonga : September 2020

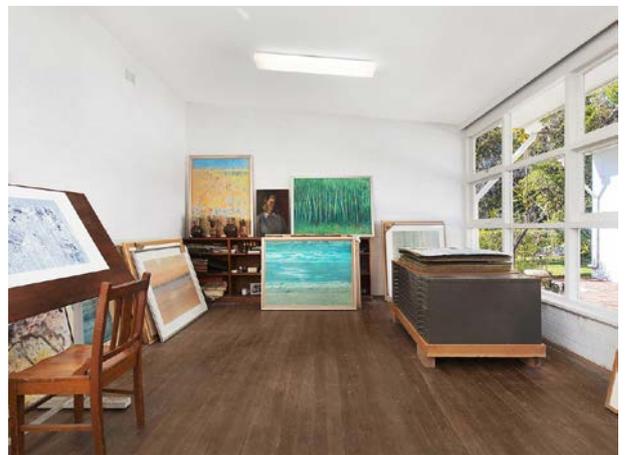
Description

Lot B DP414327

Zoned R2 under KLEP2015

207 Eastern Road, Wahroonga (also known as Laverty House) is a c1952 single-storey Modernist style residence designed by renowned Modernist architect Sydney Ancher.

The house was originally designed as a compact 10-square home for the newly married Mr Peter Laverty and Mrs Ursula Laverty, both prominent artists. The original modular footprint of the house— consisting of a living room, bedroom, bathroom and kitchen separated from a studio by a courtyard – was designed to expand over time to accommodate the need for more accommodation, required as a result of the birth of the Laverty's' three children, all of whom are now artists.



August 2020 real estate images from: <https://www.realestate.com.au/property-house-nsw-wahroonga-134130998>

History of the site

This land was part of an early crown grant of 2000 acres to John Terry Hughes in 1842. As the subdivision of this land was formalized in the 1880s and 1890s, the land containing the subject site became known lot 10, section 4 of the Big Island Estate. In May 1919, Philip Frederick Buwiss of Waitara, Railway Employee, obtained a 2 acre 2 rood portion of lot 10 containing the subject site. In February 1924 he transferred his property to Hardy Edmund Bird of Coogee, Painter. In February 1926, the property was transferred to Albert Edwin Farley of Coogee, Retired Merchant.

In October 1943, he transferred the land to Albert Edwin Farley of Griffith, farmer (assumed son). The 1943 aerials clearly indicate the subject site as empty, but show increasing development around the site.



In May 1946, the property was transferred to Thomas Ellis of Wahroonga, Clerk. In November 1951, the property passed via an application by transmission to Edith Elizabeth Ellis of Wahroonga, widow. Ellis began the process of subdividing the land, transferring a 3 rood, 18 $\frac{3}{4}$ perch portion of this land – representing the subject site – to Ursula Airlie Nathan of Killara, Spinster in October 1952. Shortly after, Ursula married Peter Phillip Laverty. The couple, both artists in their own right, had met whilst studying at the Winchester School of Art in Southampton after the war. Ursula had returned to Australia with her family in 1949, with Peter emigrating in 1951. Peter taught at the National Art School from 1954, becoming Head of the School in 1971. From 1971-1977, he was Director of the Art Gallery of New South Wales. In addition to these roles he served on committees like the International Society of Art Critics and the Sydney Biennale Committee, was a member of Sydney Printmakers and the Australia Watercolour Institute, a writer for art journals and judge on many competitions. Ursula, alike, was a Foundation and Life member of Sydney Printmaker, contributing to exhibits regularly from 1961 to 1986. Ursula designed the Station of the Cross Mosaics for the new Catholic Church in Pymble in 1992, published a book of her poetry in *Dreawings* in 1993, and curated the Hornsby Bestowed Collection in 2005.

An application (#841) was lodged by P Laverty in late 1952 for a brick dwelling in Eastern Road, Turramurra. A small, modernist home with skillion roof, floor-to-ceiling windows and a large studio was designed on the site for the Lavertys by prominent architect Sydney Ancher.

The house was featured in the Sunday Herald of 20 September 1953 (page 21) in an article titled "When Two Artists Plan A Home." The house is described in the article as "one of the most attractive small houses along Eastern Road, Wahroonga... [a] 10-square contemporary white brick home" that served as a "both a livable home and working studio for the Lavertys, a young couple who both paint in all their spare time."

Details are given of the house's original form:

"From the road, the house presents an interesting angle of two skillion roofs pitching down to the centre. The walls are white painted brick, with a yellow front door set beside a wall-screen of vertical timber boarding painted a bright blue-green.

The purpose of this screen wall is seen from the other side of the house, where a tall wattle tree grows in the centre of a completely private courtyard around which the entire house centres.

This makes a lovely sheltered place, warmed by sunlight during winter, yet cool and shady in summer because of deep roof overhangs.

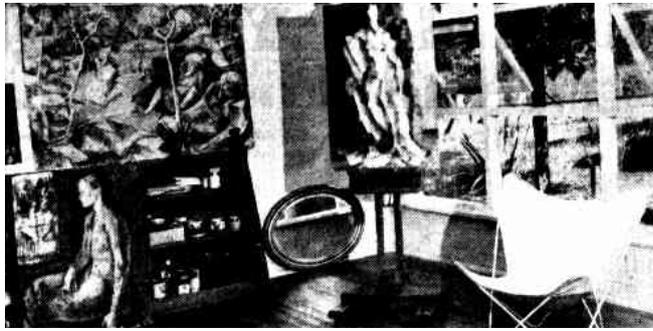
It has a pleasant view over an orchard and green paddocks, and, because it is so private, all the rooms open in to the courtyard through huge glass windows and doors...

The ten squares of the house are arranged so that maximum space is given to the living room, bedroom and studio. The utility rooms of kitchen, bathroom and laundry are small yet completely compact, and the entire house is designed to be easily and quickly care for, which is exactly as its owners wished.

The house really consists of two rectangles, joined by the timber screen wall. The main part is larger and contains the living, eating and sleeping areas; the other rectangle is given entirely to the studio..."

An original floorplan and several images of the house are printed with the article. A significant mention in the article is this: "Should the Laverty's want to add to their house, the architect [Ancher] has allowed for extra space to be built on to one wing of the house which will not alter its general appearance." Assumed to be in line with this modular design, in early 1955, P Laverty lodged another application (#662) for an "addition" to his dwelling in Eastern Road, Wahroonga.





Images from The Sunday Herald - Sun 20 Sep 1953 - Page 21: TO-DAY'S LIVING:

<https://trove.nla.gov.au/newspaper/article/18512013>

Council records also reveal BA1920/62 lodged in 1962 for a telescope shelter on the property.

In December 1958, she transferred a rear part of the lot to a new owner (lot A of current DP414327), leaving her with 2 roods and 9 $\frac{3}{4}$ perches (lot B of DP414327, the subject site. By the time her new certificate of title was issued in March 1960, she was reflected as being the wife of Peter Phillip Laverty of Wahroonga, confirming their residence in the suburb.

Mrs Laverty remains the owner of the property to the present day. Mr Peter Laverty passed away in 2013. Laverty's obituary noted of his time at the Wahroonga property: "*[Peter] enjoyed working in his bushland garden and photographing the night sky through a telescope. He also took great pleasure in designing and building furniture for the family.*"

Significance of the Architect

Sydney Ancher (1904-1979) is considered a pioneer of modern domestic architecture in Australia. Ancher's houses of the late 1940s and 1950s became examples of Ancher's innovative approaches towards architecture, focusing on functionality, subtlety, suitability to climate and the fluidity of space and lifestyle in a home. Qualifying as an architect in 1929, Ancher was awarded the Australian medallion and travelling scholarship of the Board of Architects of New South Wales the following year, allowing him to travel to London and gain significant exposure to the Modernist and International movements in Europe. Ancher returned to Australia in 1936, collaborating with Emil Sodersten and Reginald A de T. Prevost before the partnership of Prevost and Ancher was formalized in 1937. Ancher travelled to Europe again in January 1939, returning later in the year following the outbreak of WWII. He worked with the Commonwealth Government and John D Moore before being enlisted in June 1940. Ancher embarked for the Middle East in October 1940, being posted back in Australia in 1942 undertaking engineering and architectural duties. At the conclusion of the war Ancher returned to private practice, designing approximately ten houses a year until 1951, alongside other projects including hotels. In 1952, he partnered with two of his assistants forming the firm Ancher, Mortlock and Murray, working on a variety of domestic and commercial projects. In the 1960s the firm expanded to include council chambers, libraries and universities, and architect Ken Woolley joined the practice in 1964. Ancher retired from the firm in 1966, continuing to design predominately for himself.



1956 image of Sydney Ancher from *At Home in North Sydney*: <https://www.athomeinnorthsydney.com.au/sydney-ancher.html>

Preliminary heritage assessment against heritage listing criteria

Based on a initial assessment, the dwelling is considered to have high potential to meet the threshold for listing, based on the standard criterion for listing outlined by the Heritage Council of New South Wales. In particular, the house appears likely to have significant associational, aesthetic and social heritage values.

- a) an item is important in the course, or pattern, of NSW's cultural or natural history;

207 Eastern Road, appears likely to have historical significance for its ability to shed light on changing social and demographic patterns of the 1950s, as the house evolves over this decade from a small residence for a couple into a family home.

- b) an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history;

207 Eastern Road, Wahroonga appears highly likely to have significant associations with the artists Ursula and Peter Laverty, Director of the Art Gallery of New South Wales from 1971-1977, and with architect Sydney Ancher, its original designer.

- c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW;

207 Eastern Road, Wahroonga appears highly likely to have aesthetic significance as a fine, architecturally designed representative example of 1950s modernist architecture. The modular design, construction and materials are considered reflective of modernist architecture, which Ancher and his contemporaries pioneered in this period.

- d) an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons;

207 Eastern Road, Wahroonga appears highly likely to have social significance through its strong association with the NSW Art movement, because of its links with Peter Laverty, Director of the NSW Art Gallery and the Laverty family of artists.

- e) an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history;

The property has the potential to yield information about cultural history in NSW, through its association with the artistic world, which is strongly reflected through the extant building fabric, arrangement and composition of elements on the site, including a purpose-built artist studio.

- f) an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history;

At this stage, it is unknown whether the subject property is a unique or rare example of either 1950s modern architecture or Sydney Ancher design. However, at the time of its commission and construction, Ancher identified the scope for additional living quarters, should an extension be required. If it can be proven that the later additions were also designed by Ancher, or at least in accordance with his intent, it may demonstrate a unique degree of foresight in design at the time.

Further information about the furniture designed by one of the commissioning owners in association with the house may also indicate a degree of rarity associated with the house.

- g) an item is important in demonstrating the principal characteristics of a class of NSW's
 - cultural or natural places; or
 - cultural or natural environments.

207 Eastern Road, Wahroonga appears likely to be significant as a representative example of 1950s modernist architecture.

The site is currently listed for sale and is not identified as a heritage item or located within a Heritage conservation area . The property is being marketed as an "opportunity to sub-divide, develop or build your dream home (STCA)" and therefore its potential heritage value is considered vulnerable to demolition and/ or harm.

Preliminary statement of significance

Recognised by the Heritage Council of NSW in their thematic study focussing on the Modern Movement of NSW, the property at 207 Eastern Road, Wahroonga has the potential to reach the threshold for a number of the NSW criterion for the listing of heritage items. The property demonstrates a level of local or possibly state cultural significance through its historic association with architect Sydney Ancher and as a high-quality and representative example of 1950s Modern Architecture, designed by a prominent Sydney architect. The dwelling also has the potential to yield social significance, with both of its commissioning owners prominent within the art movement of NSW.

Recommendation

This property has the potential as a heritage item for its architectural significance as a fine example of 1950s modernist architectural style designed by renowned architect Sydney Ancher and for its strong association with the art movement in NSW. It is recommended an Interim Heritage Order is placed on the property to provide interim protection to the site from harm/demolition/redevelopment while Council undertakes a full heritage assessment of the property to determine if it warrants a heritage listing or not.

Sources / Further reading:

Richard E. Apperly and Peter Reynolds, 'Ancher, Sydney Edward Cambrian (1904–1979)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/ancher-sydney-edward-cambrian-9348/text16413> , published first in hardcopy 1993, accessed online 7 September 2020.

An Artist driven by his passions (Obituary – Peter Laverty). Published in the *Sydney Morning Herald*, 14 September 2013.

The Sunday Herald - Sun 20 Sep 1953 - Page 21 - TO-DAY'S LIVING: When Two Artists Plan A Home: <https://trove.nla.gov.au/newspaper/article/18512013>

'Chronology of Sydney Architecture 1945-1975' by Davina Jackson: <http://douglas-snelling.com/timeline/>

'Ursula Laverty' on *Artarmon Galleries*: <https://www.artarmongalleries.com.au/copy-of-john-henshaw-2>

APPENDIX B – NSW Gazette - Interim Heritage Order IHO – 207 Eastern Road, Wahroonga (Lavery House) 25 September 2020

Ku-ring-gai Council NSW Heritage Act 1977. Interim Heritage Order No 9.

Notice is hereby given, under Section 25 of the *Heritage Act 1977*, that Ku-ring-gai Council does by this order.

- i. make an interim heritage order to cover the item of the environmental heritage specified or described in Schedule "A"; and
- ii. declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in Schedule "B".

This Interim Heritage Order will lapse six months from the date that it is made unless the local Council has passed a resolution before that date; and

- (i) in the case of an item which, in the council's opinion, is of local significance, the resolution seeks to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; or
- (ii) In the case of an item which, in the Council's opinion, is of State heritage significance, the resolution requests the Heritage Council to make a recommendation to the Minister for Heritage under section 32(2) of the Heritage Act to include the item on the State Heritage Register.

John McKee
General Manager
Ku-ring-gai Council

Sydney 25 September 2020

Schedule "A"

The property known as Lavery House 207 Eastern Road, Wahroonga on land described in Schedule B.

Schedule "B"

All those pieces or parcels of land known as Lot B DP414327 in Parish of Gordon, County of Cumberland.

**APPENDIX C – Independent Heritage Assessment of 207 Eastern Road,
Wahroonga (Lavery House) – Robertson and Hindmarsh Pty Ltd
October 2020**

HERITAGE ASSESSMENT REPORT

Potential Heritage Item:

“Lavery House”

207 Eastern Road, Wahroonga



Lavery House, 207 Eastern Road, Wahroonga. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)

for
Ku-ring-gai Municipal Council

Prepared by
Robertson & Hindmarsh Pty Ltd
Architects

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Email: rharch@ozemail.com.au

29 October 2020

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1.0 Introduction

Robertson & Hindmarsh Pty Ltd, Architects was engaged by Ku-ring-gai Municipal Council on 28 September 2020 to undertake a heritage assessment of, and prepare a heritage assessment report for, the single family residence at 207 Eastern Road, Wahroonga, known as the Laverty House. The Real Property description of the subject site is Lot B DP 414327.

The scope of the project is to include:

- Review and assess the existing information on 207 Eastern Road, Wahroonga.
- Undertake any additional appropriate historical research as required.
- Undertake necessary site inspections (access subject to prior approval from owner).
- Undertake a detailed heritage assessment report assessing the heritage significance of the property against the criteria gazetted by the NSW Heritage Council and using its guidelines. This report is to include a comparative analysis and provision of final recommendations. An assessment of the significance of the garden may also be required depending on the development history of the property or properties and the need to define a suitable curtilage.
- The report is to include management recommendations that identify any opportunities for change within the property, as well as identifying significant parts of the property which require retention.

2.0 Report author

The author of this report is:

Dr Scott Robertson, BSc (Arch), BArch (Hons), M Built Environment (Building Conservation), PhD – Architect, Heritage Consultant

3.0 Referenced documents

This report is to be read in conjunction with the following documents in addition to the references listed in the Bibliography:

- Preliminary Heritage Assessment: 207 Eastern Road, Wahroonga: September 2020 prepared by Ku-ring-gai Municipal Council,
- Email from Ku-ring-gai Municipal Council dated 28 September 2020 with supplementary information.

4.0 Acknowledgements

Robertson & Hindmarsh Pty Ltd would like to thank the following people for their assistance in providing information:

The Lavertys' son, Piers Laverty, and their daughter, Fabia Tory, for their input into the report in terms of family history, memories of the house's development, the family photographs, and the copy of the 1968 architectural drawing,

Olivia Turner and Vanessa Holtham from Ku-ring-gai Council for their preliminary historical research,

Dale Swan of Conrad Gargett, Architects for providing copies of 1952 & 1955 working drawings of the Laverty House from the archives of Ancher, Mortlock, Murray & Woolley.¹

¹ The firm has been known by a number of names as members left or entered the firm. The firm later amalgamated with Queensland firm, Conrad Gargett:

1945-1952: Sydney Ancher, Architect

1952-1964: Ancher, Mortlock & Murray

1964-1976: Ancher, Mortlock, Murray & Woolley Pty Ltd

1976-c. 2013: Ancher, Mortlock & Woolley Pty Ltd

c. 2013-2017: Conrad Gargett Riddel Ancher Mortlock Woolley

c. 2017: Conrad Gargett

5.0 Documentary Evidence

5.1 History

207 Eastern Road, Wahroonga was part of an early crown grant of 2,000 acres (809ha) to John Terry Hughes in 1842. As the subdivision of this land was formalized in the 1880s and 1890s, the land containing the subject site became known as lot 10, section 4 of the Big Island Estate. The 1897 subdivision of a portion of the Big Island Estate, known as Wahroonga Heights East Estate (within DP 3464), contained the subject site as a part of Lot 1 of this estate (the unnumbered allotment to the north of Lot 2) (Figure 1).

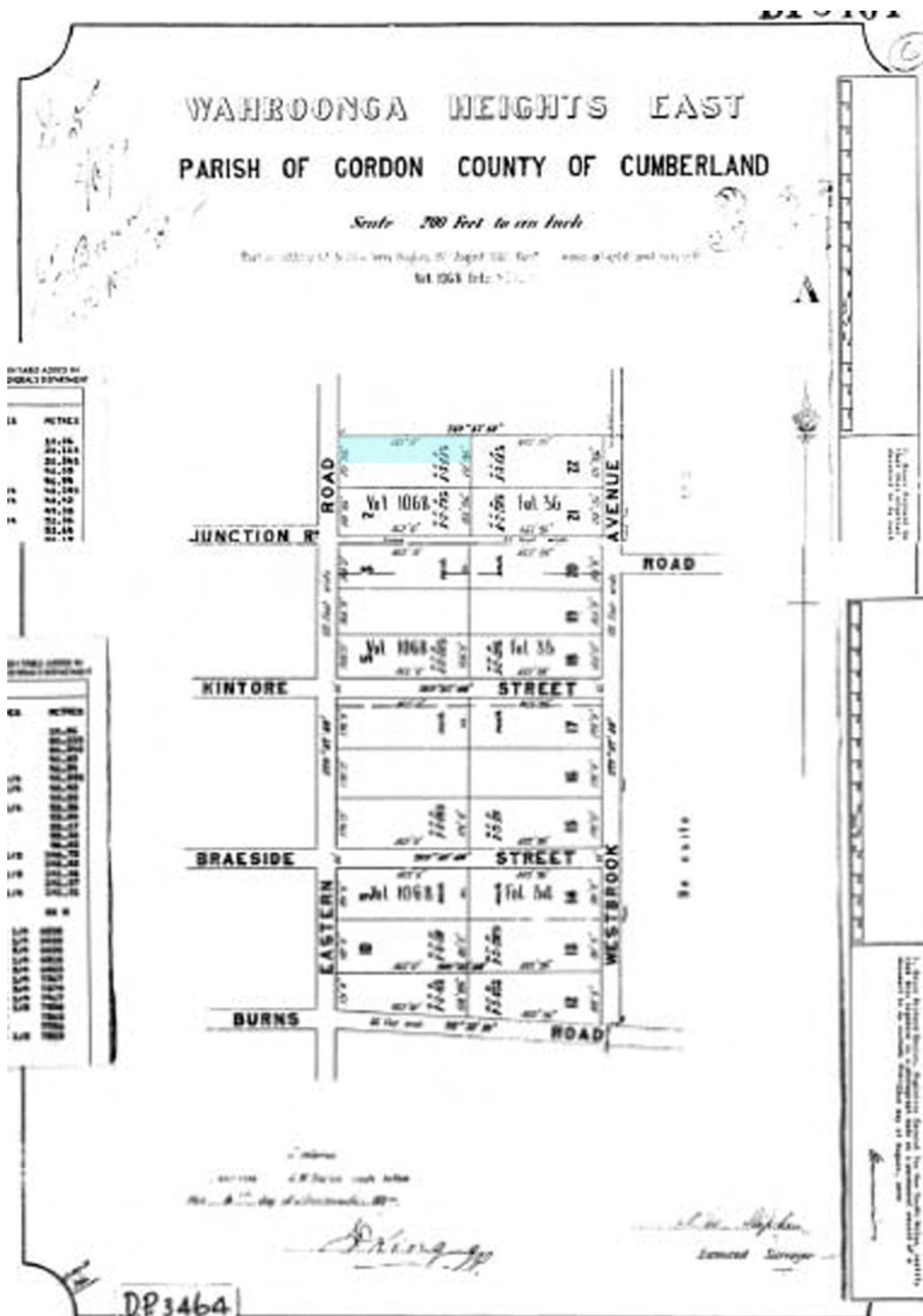


Figure 1: Wahroonga Heights East Estate, 1897, DP 3464. The approximate location of the subject site is shaded blue. (Source: Ku-ring-gai Municipal Council with Robertson & Hindmarsh P/L overlay October 2020)



Figure 2: 1943 aerial photograph with the approximate extent of the subject site in 1952 superimposed in blue. Note the sparse interwar housing in the vicinity and also the furrows remaining from the earlier orchards. The shed on the north boundary of the site remained on the site until it was demolished in 1968 (personal communication from Piers Laverty to Scott Robertson 14 & 21 October 2020). The shed appears to have been used as a garage by the house currently on the site south of the subject site (the current 205 Eastern Road). (Source: 1943 base layer of Six Maps with Robertson & Hindmarsh Pty Ltd overlay October 2020)

In May 1919, Philip Frederick Burriss of Waitara, Railway Employee, obtained a 2 acre 2 rood (1.01ha) portion of lot 10 Section 4 containing the subject site. In February 1924 he transferred his property to Hardy Edmund Bird of Coogee, Painter. In February 1926, the property was transferred to Albert Edwin Farley of Coogee, Retired Merchant. In October 1943, Farley transferred the land to Albert Edwin Farley of Griffith, farmer (assumed son). The 1943 aerial photograph clearly indicates the subject site as empty, but shows the sparse interwar housing development around the site (**Figure 2**). It also shows a shed on the north boundary which survived until 1968.

In May 1946, the property was transferred to Thomas Ellis of Wahroonga, Clerk. In November 1951, the property passed via an application by transmission to Edith Elizabeth Ellis of Wahroonga, widow. Edith Ellis began the process of subdividing the land, transferring a 3 rood, 18³/₄ perch (3,516m²) portion of this land – representing the original extent of the subject site stretching from Eastern Road to Morris Avenue (see **Figure 2**) – to Ursula Airlie Nathan, a 21-year old single woman of Killara, in October 1952.

Shortly after, Ursula Nathan married Peter Phillip Laverty. The couple, both artists in their own right, had met whilst studying at the Winchester School of Art in Southampton, UK after the war. Ursula had returned to Australia with her family in 1949, with Peter emigrating in 1951. Peter taught at the National Art School from 1954, becoming Head of the School in 1971. From 1971-1977, he was Director of the Art Gallery of New South Wales (AGNSW). In addition to these roles he served on committees such as the International Society of Art Critics and the Sydney Biennale Committee, was a member of Sydney Printmakers and the Australian Watercolour Institute, a writer for art journals and a judge for many competitions. After retiring from the AGNSW, Peter returned to full-time painting and exhibited regularly from 1977 until his death in 2013.

Ursula, alike, was a Foundation and Life member of Sydney Printmakers, contributing to exhibitions regularly from 1961 to 1986. Ursula Laverty designed the Station of the Cross Mosaics for the new Catholic Church in Pymble in 1992, published a book of her poetry and drawings in 1993 (*Counterpoint*), and established and curated the Hornsby Bestowed Collection in 2005 (assisted by artist Margaret Woodward). Ursula returned to full-time painting in 1986 and has continued to exhibit her paintings since then.

The Lavertys hosted a dinner party at which the concept of the Sydney Biennale was discussed. Franco Belgiomo-Nettis (1915-2006), James Gleeson (1915-2008) and John Coburn (1925-2006) were guests at the dinner party.²

An application (#841) was lodged by P. Laverty in late 1952 for a brick dwelling in Eastern Road, Turramurra (now a part of Wahroonga). Prominent Sydney Modernist architect, Sydney Ancher, was engaged to design a small house for the site that could be extended later. The first stage of the house comprised two parallel wings separated by a

² Personal communication from Piers Laverty to Scott Robertson, 14 October 2020

courtyard. The north wing was an artist's studio with floor to ceiling windows in the south wall and a skillion roof sloping from the north down to the south over the courtyard window wall. Across the courtyard was a small, north facing wing containing a Living/Dining space, a Bedroom, a Bathroom (containing the washing machine) and a small Kitchen (**Figure 3**). The skillion roof over this wing sloped down from the south to protect the north-facing window wall which opened onto the central courtyard. The walls of both wings were white-painted brick (**Figure 4**) and the roof was covered in Hardies Super Six corrugated asbestos cement sheets. The fibrous plaster ceilings followed the slope of the skillion roofs.

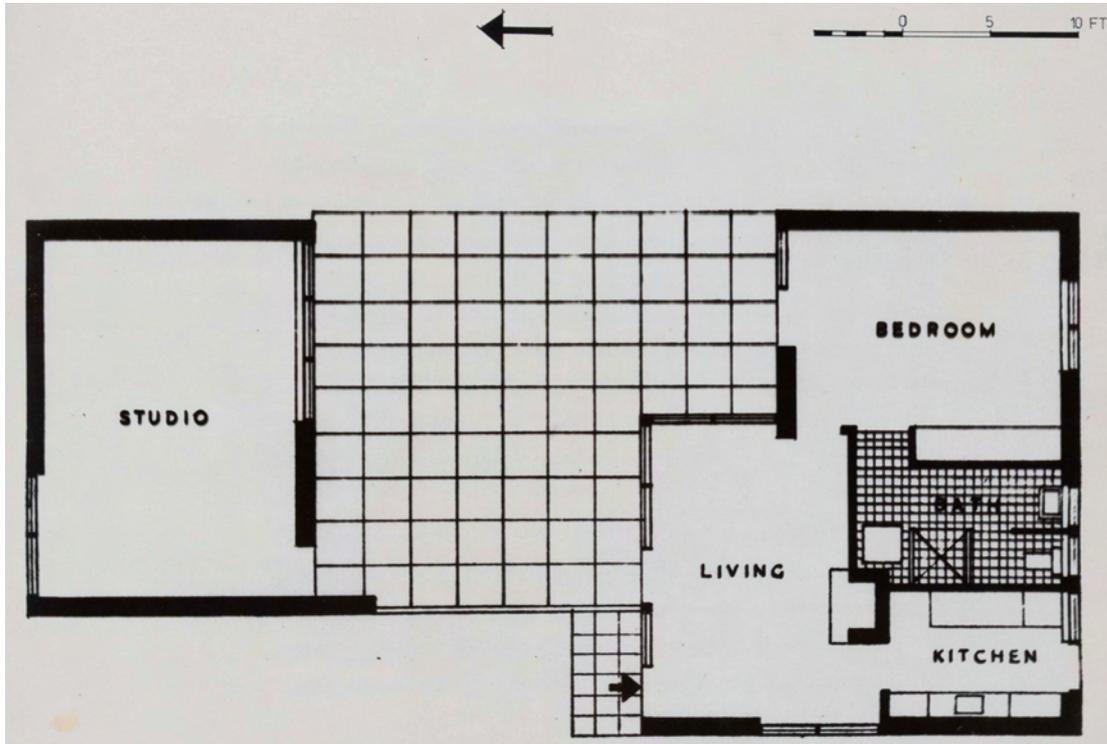


Figure 3: Plate XXXVI, Plan, Lavery House, Turrumurra [sic], 1952. (Source: C. Boesen, 1979, *Sydney Ancher: A Profile*, Volume 1 p.155)



Figure 4: Lavery House, Turrumurra [sic – now known as Wahroonga], 1952 (Source Max Dupain). This is the original west (front) façade of the house before the additions of 1968. The timber screen wall was painted bright blue and gave privacy to the courtyard between the two buildings. (Source: C. Boesen, 1979, *Sydney Ancher: A Profile*, Volume 3 Plate 54)

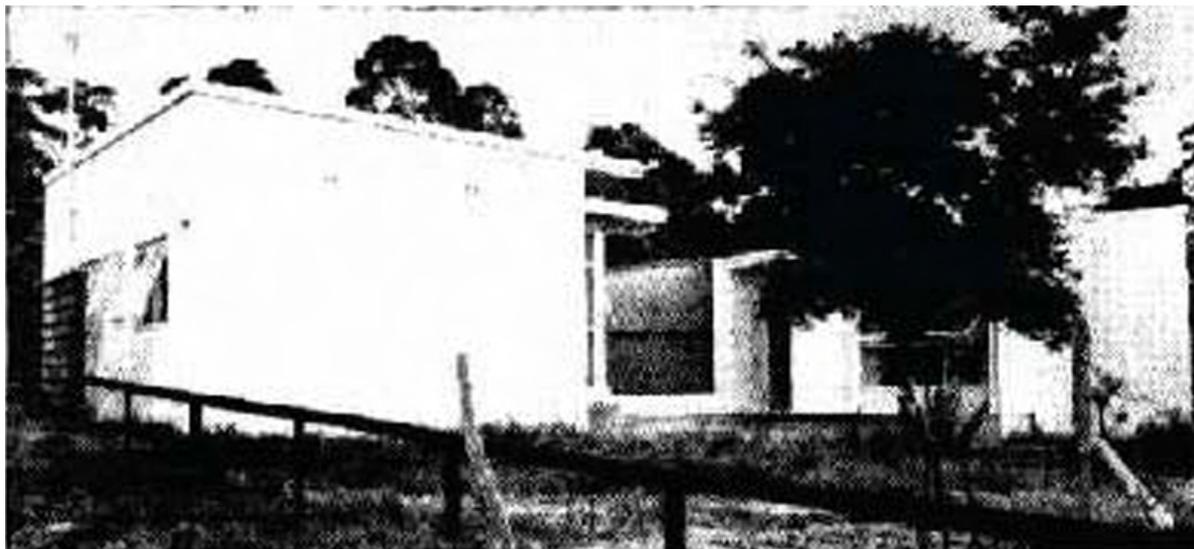


Figure 5: View of the rear of the house from the south-east. The tree in the photograph is cited in the original caption as a 'wattle tree' but it was, in fact, a Chinese Elm. The tree is no longer extant. (Source: "When Two Artists Plan a Home", *Sunday Herald*, 20 September 1953, p.21)

The house was featured in the *Sunday Herald* of 20 September 1953 (page 21) in an article titled "When Two Artists Plan A Home." The house is described in the article as "one of the most attractive small houses along Eastern Road, Wahroonga... [a] 10-square contemporary white brick home" that served as "both a livable home and working studio for the Lavertys, a young couple who both paint in all their spare time."

Details are given of the house's original form:

"From the road, the house presents an interesting angle of two skillion roofs pitching down to the centre. The walls are white painted brick, with a yellow front door set beside a wall-screen of vertical timber boarding painted a bright blue-green [Figures 4 & 5].

The purpose of this screen wall is seen from the other side of the house, where a tall wattle tree grows in the centre of a completely private courtyard around which the entire house centres³.

This makes a lovely sheltered place, warmed by sunlight during winter, yet cool and shady in summer because of deep roof overhangs.

It has a pleasant view over an orchard and green paddocks, and, because it is so private, all the rooms open in to the courtyard through huge glass windows and doors...

The ten squares [93m²] of the house are arranged so that maximum space is given to the living room, bedroom and studio. The utility rooms of kitchen, bathroom and laundry⁴ are small yet completely compact, and the entire house is designed to be easily and quickly cared for, which is exactly as its owners wished.

The house really consists of two rectangles, joined by the timber screen wall. The main part is larger and contains the living, eating and sleeping areas; the other rectangle is given entirely to the studio..."

An original floorplan and several images of the house are printed with the article (Figures 5-8). A significant sentence in the article is: "Should the Laverty's want to add to their house, the architect [Ancher] has allowed for extra space to be built on to one wing of the house which will not alter its general appearance."

³ There was never a wattle tree in the centre of the Courtyard. The Courtyard tree was located at the east end of the Courtyard (not in the centre) and was a Chinese Elm. There was, however, a Cootamundra Wattle planted in front of the house (personal communication from Piers Laverty to Scott Robertson, 14 October 2020).

⁴ Note: There was no Laundry in the first stage. The washing machine was in the Bathroom.



Figure 6: View of the Living & Dining Room of the house looking west through the front window. The sliding door to the Kitchen is to the left of the window. (Source: "When Two Artists Plan a Home", *Sunday Herald*, 20 September 1953, p.21)



Figure 7: View of the Living & Dining Room of the house looking east through the door to the only Bedroom in the first stage. (Source: "When Two Artists Plan a Home", *Sunday Herald*, 20 September 1953, p.21)

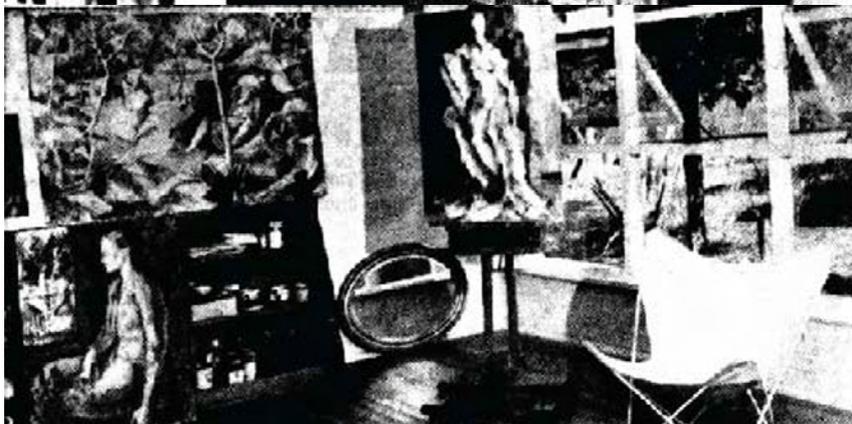


Figure 8: View of the east end of the Studio showing the windows in the south wall overlooking the Courtyard. (Source: "When Two Artists Plan a Home", *Sunday Herald*, 20 September 1953, p.21)



Figure 9: Lavery House under construction, nd (c. 1952). Studio wing in the background with brickwork complete. (Source: Lavery Family courtesy of Piers Lavery, October 2020)



Figure 10: Lavery House under construction, nd (c. 1952). Studio on the left, house on the right. (Source: Lavery Family courtesy of Piers Lavery, October 2020)



Figure 11: Lavery House under construction, nd (c. 1952). House wing viewed from the front garden. (Source: Lavery Family courtesy of Piers Lavery, October 2020)



Figure 12: View of the original street façade of the house. The timber screen was painted a bright blue colour.
(Source: Undated (c. 1952) photo from the Laverty Family courtesy of Piers Laverty, October 2020)



Figure 13: View of the original rear of the house at the completion of the first stage.
(Source: Undated photo from the Laverty Family courtesy of Piers Laverty, October 2020)



Figure 14: View of the original rear of the house showing the south façade of the Studio wing at the completion of the first stage.
(Source: Undated photo from the Lavery Family courtesy of Piers Lavery, October 2020)



Figure 15 (above): View of the east end of the Living area showing the original configuration of the north and east window walls.
(Source: Undated photo from the Lavery Family courtesy of Piers Lavery, October 2020)



Figure 16 (right): Ursula Lavery in the original Kitchen. Note the light coloured Living area walls.
(Source: Undated photo from the Lavery Family courtesy of Piers Lavery, October 2020)

In early 1955, P. Lavery lodged another application (#662) for an “addition” to his dwelling in Eastern Road, Wahroonga. This second stage followed Ancher’s original concept of adding to the east end of the south wing and maintaining the original front elevation of the house as shown in Figures 4 & 12. The second stage comprised the addition of two more Bedrooms and an eastwards extension to the small Living area. The original Bedroom was reconfigured to provide a common entrance to the bathroom which had, up until then, been an Ensuite to the original Bedroom.



Figure 17: Lavery House second stage under construction, nd (c. 1955). Eastern addition to the house wing. Windows of the original Bedroom and the east end of the Living area have been removed for re-use and the openings boarded up. Note also that the Chinese Elm has been effectively removed by being cut down to about 3 metres above the ground. (Source: Lavery Family courtesy of Piers Lavery, October 2020)



Figure 18: Lavery House second stage under construction, nd (c. 1955). Eastern addition to the house wing. Original Bedroom and Living area window walls re-used in the addition. (Source: Lavery Family courtesy of Piers Lavery, October 2020)



Figure 19: Lavery House second stage under construction, nd (c. 1955). Eastern addition to the house wing. (Source: Lavery Family courtesy of Piers Lavery, October 2020)

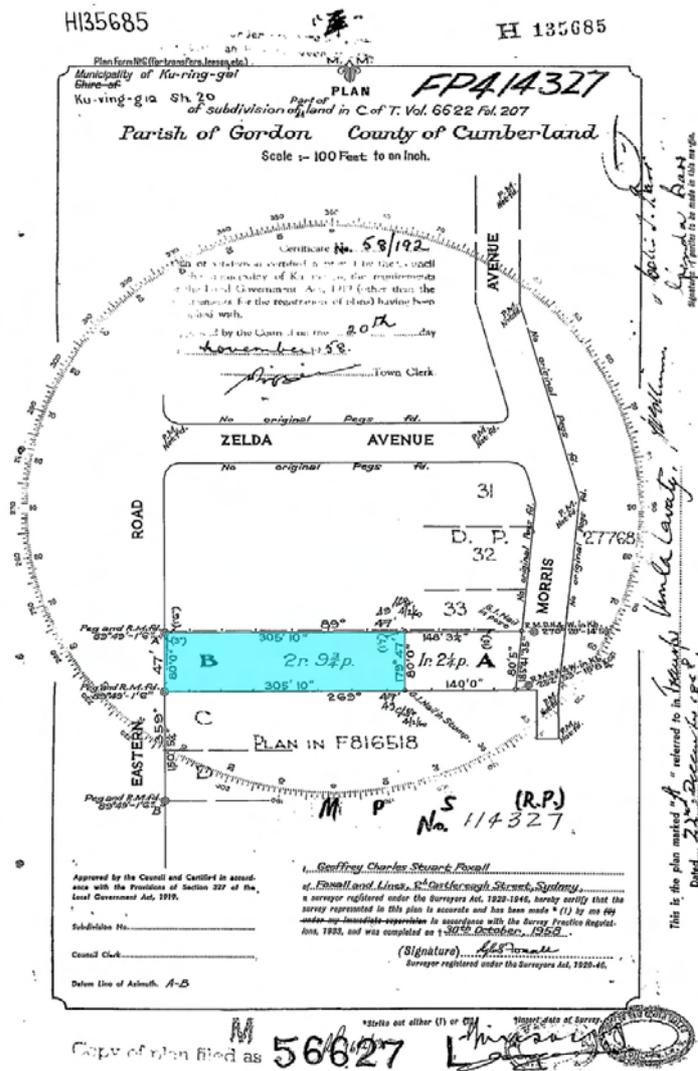


Figure 20: Subdivision of the original site into two allotments, 30 October 1958, DP 414327. The blue shaded site is the current (2020) site. (Source: Ku-ring-gai Municipal Council with Robertson & Hindmarsh P/L overlay October 2020)

On 22 November 1958, Ursula Laverty transferred a rear part of the lot to a new owner (lot A of current DP 414327), leaving her with 2 roods and $9\frac{3}{4}$ perches (lot B of DP 414327, the current subject site). By the time her new certificate of title was issued in March 1960, she was reflected as being the wife of Peter Phillip Laverty of Wahroonga, confirming their residence in the suburb.

Council records also reveal BA1920/62 lodged in 1962 for a telescope shelter on the property. The square concrete floor slab of this telescope shed remains extant to the east of the house, but no shed or telescope remain.

In December 1968 the office of Ancher, Mortlock, Murray & Woolley (AMMW) was engaged to design a third stage of additions. By this time Ancher had retired from the practice and the project was designed by architect, Judith Ambler within the AMMW office. The works included the addition of a new Main Bedroom, Walk-in-Robe and Ensuite, new large Living Room, Kitchen and Garage across the front of the house. The original Kitchen was converted into a Laundry (the original Bathroom having housed the original washing machine). Figure 21 illustrates the three stages of the construction of the house.

Ursula Laverty remains the owner of the property to the present day (October 2020). Peter Laverty passed away in 2013. Laverty's obituary noted of his time at the Wahroonga property: "[Peter] enjoyed working in his



Figure 21: Floor plan illustrating the three stages of the construction of the house: Stage 1 1952, Stage 2 1955, Stage 3 1968. (Source: 2020 McGrath real estate plan with Robertson & Hindmarsh P/L overlay October 2020)

bushland garden and photographing the night sky through a telescope. He also took great pleasure in designing and building furniture for the family.”⁵

5.2 The architects:

5.2.1 Sydney Ancher

Sydney Ancher (1904-1979) is considered a pioneer of modern domestic architecture in Australia. Ancher’s houses of the late 1940s and 1950s became examples of Ancher’s innovative approaches towards architecture, focusing on functionality, subtlety, suitability to climate and the fluidity of space and lifestyle in a home.

⁵ “An artist driven by his passions”, Obituaries *Sydney Morning Herald*, 14 September 2013

Ancher commenced the Architectural Diploma course at Sydney Technical College in 1924, a course which was a part-time course taken whilst being employed full-time in an architect's office. In his third year of the course Ancher obtained a position at the practice of Prevost, Synnot & Ruwald which undertook mostly domestic-scale work but also hotel design for Tooth and Co Ltd. The firm applied simple modern lines to their hotels and Ancher considered the firm was "producing the best work in Sydney at the time".⁶ In 1929 Ancher completed his architectural course and booked passage to England. In the same year he applied for, and was awarded, the Australian Medallion and Travelling Scholarship from the Board of Architects of New South Wales. His time in England allowed him to see Modern architecture first-hand, both in the UK and in Continental Europe. Ancher returned to Australia in 1936, collaborating with Emil Sodersten and Reginald Prevost before the partnership of Prevost and Ancher was formalized in 1937.

Ancher travelled to Europe again in January 1939, returning to Australia later in the year following the outbreak of WWII. He worked with the Commonwealth Government and John D. Moore before enlisting in June 1940. Ancher embarked for the Middle East in October 1940, being posted back in Australia in 1942 undertaking engineering and architectural duties.

At the conclusion of the war, Ancher returned to private practice, designing approximately ten houses a year until 1951, alongside other projects including hotels. In 1952, he partnered with two of his assistants forming the firm Ancher, Mortlock and Murray, working on a variety of domestic and commercial projects. In the 1960s the firm expanded the scope of its projects to include council chambers, libraries and universities, and architect Ken Woolley (1933-2015) joined the practice in 1964 to form Ancher, Mortlock, Murray & Woolley. Ancher retired from the firm in 1966, continuing to design a small series of houses for himself.

Ancher was one of the most significant early Modernist architects practising in Sydney before and immediately after the Second World War. When Viennese-born Harry Seidler (1923-2006) arrived in Sydney from Canada (via Brazil) in 1948 he stated that Sydney Ancher and Arthur Baldwinson (1908-1969) made him welcome and that they were the two best Modernist architects working in Sydney.

5.2.2 Judith Ambler

Judith Margery Haworth Ambler (nee Hill) (1929-2005) studied architecture at the University of Sydney 1946-50 where she was one of six women studying with 75 men. She practised as an architect with firms including McConnell, Smith and Johnson, and with Bill Lucas, before branching out on her own, designing houses, additions and alterations.

She moved to Cammeray in 1970 and was involved in the Residents Action Group opposing overdevelopment. Through that work Ambler was elected to North Sydney Council, serving from 1971-74, where her vision of a low-rise civic centre for North Sydney prevailed over the high rise 'Sabemo Scheme', and the Civic Park was opened in 1982. Civic Park is now the arena for festivals, markets, picnics and concerts, and this campaign was a defining moment in the history of North Sydney. After her death North Sydney Council named Judith Ambler Reserve in Cammeray, in recognition of her 35 years of community service as a councillor, volunteer bush regenerator and educator.⁷

⁶ Connie Boesen, 1979, *Sydney Ancher: A Profile*, Volume I p.11

⁷ This information on Judith Ambler was taken from ACT, Public Place Names (Taylor) Determination 2017 (no 3): Disallowable instrument DI 2017-24, 15 September 2017

5.3 Historical themes

The property falls within the following national and NSW historical themes.

National historical theme	State historical theme	How the historical theme is demonstrated in this building
4. Building settlements, towns and cities	Towns, suburbs and villages	Subdivision of larger estates creating closer settlement
4. Building settlements, towns and cities	Accommodation	Single family suburban house on large block
8. Developing Australia's cultural life	Creative endeavour	Work of a creative, much-awarded architect; Influence of international Modernist architects

5.4 Architectural Drawings

The following drawings were obtained from the AMMW microfilm drawing archive in the office of Conrad & Gargett (the successor firm to Ancher, Mortlock & Woolley):

1952 drawings:

Proposed Residence at Eastern Rd, Turramurra for Mr & Mrs Peter Laverty, [Site Plan, Plan, Elevations, Sections],
 Sydney Ancher FRAIA ARIBA Architect, 20 October 1952

1955 drawings:

Alterations to Residence at Eastern Rd, Turramurra for Mr & Mrs Peter Laverty, [Site Plan, Plan, Elevations, Section],
 Ancher Mortlock & Murray, Architects, January 1955

Copies of the above drawings are in **Appendix B** to this report.

The following Ancher, Mortlock, Murray & Woolley drawing was obtained from the Laverty Family as there were no copies in the microfilmed AMMW archive:

1968 drawings:

Alterations to 207 Eastern Road, Wahroonga for Mr & Mrs Peter Laverty, 1/8" Scale Working Drawings,
 Ancher Mortlock, Murray & Woolley, Architects, December 1968

A copy of the above drawing is in **Appendix B** to this report.

6.0 Physical Evidence

6.1 Description of the property

The exterior and interior of the property was inspected by Dr Scott Robertson on Tuesday 13 October 2020 in company with Mr Antony Fabbro, Ms Olivia Turner & Ms Vanessa Holtham (Ku-ring-gai Council), Mr Piers Laverty and a number of Councillors from Ku-ring-gai Council.

6.1.1 The site:

The site is located on the east side of Eastern Road immediately south of the intersection with Carrington Road. The site is rectangular with a frontage to Eastern Road of 25 metres and an area of 2,268m².



Figure 22: 207 Eastern Road, Wahroonga site shaded blue. (Source: Six Maps with Robertson & Hindmarsh P/L overlay October 2020)

The house is situated in the centre of the front two-thirds of the site which has a gradual slope from the front to the rear. There is a stand of tall trees in the front yard, giving the house the appearance of a bush setting that is accentuated by the gravel drive/bush track leading from the post and rail timber front fence to the attached double garage (see the photo on the **Cover** of this report). A tall pine once stood in the front yard but the storm of 1991 felled the tree. The rear yard is also defined by tall trees on or in close proximity to the boundaries as well as hedges that divide the rear yard into a series of discrete spaces or “rooms”.

The house is set back from the northern site boundary by approximately 5 metres, is approximately 900mm to 1.0m from the south site boundary, 22 metres to the front boundary and 48 metres to the rear boundary. The house originally comprised two short parallel wings separated by a paved courtyard. The subsequent additions have created a U-shaped plan form that is still centred on the original courtyard. The Main Bedroom at the front of the house protrudes from the base of the “U” and opens onto its own private, north-facing courtyard.

Behind the house is a small area that is partially separated from the next section of the yard by a hedge. The second section of the rear yard contains a small concrete slab that was the base of Peter Laverty’s telescope shed. Beyond the slab a low rubble stone garden wall runs across the entire site and behind that low wall is a tall hedge that conceals the final third section of the rear yard.

One of the important aspects of the site and the setting of the house are the large trees that define the site and give it its bushland setting. The front yard is landscaped as an Australian bush garden and this aspect should be maintained. The rear yard is a more manicured garden with spaces defined by tall hedges creating outdoor “rooms”. The rear yard groundcover is traditional lawn but there are significant tall native Australian trees defining the boundaries that should also be maintained (see **Figure 65**).

6.1.2 The house:

The house is full-brick construction with the exterior and the interior of the house finished in white-painted dry-pressed bricks and a roof sheeted with corrugated fibre cement roof sheets of the same dimensions as Hardies Super Six. Some of the roof sheets are still asbestos cement but the majority were replaced with fibre cement sheets in the late 1970s/early 1980s.⁸ The house ceilings are fibrous plaster and the floors are sheeted with clear-finished Tallowood hardwood boards (with the exception of the Entry with its quarry tile finish, the Laundry and Kitchen with their vinyl tile floor finishes, and the Ensuite & Bathroom with their ceramic tiles). The windows are white-painted timber-framed and in a combination of fixed glass panes and awning-hung opening sashes. The interior doors are clear-finished timber hollow core. Much of the original window and door hardware remains. The wet areas contain Raymor T4 taps, an award-winning Australian design, which are now rare. These design classics

⁸ Personal communication from Piers Laverty to Scott Robertson, 14 October 2020

probably date from the 1968 alterations and additions to the house as the T4 range of taps was designed in 1964 by Arthur Robinson. The T4 range was awarded the Design Institute of Australia Good Design Award in 1964.

The planning of the house is structured around the central Courtyard. The north side of the courtyard is defined by the studio with its south-facing windows that dates from the first stage of the house (see **Figure 21**). The south side is defined by the original residential wing of the house and the second stage extension of the house. The south wing contains three Bedrooms, the main Bathroom, the Laundry and a Living/Dining space that faces the Courtyard through the north-facing windows. The west side of the Courtyard is defined by the third stage of the house that contains the Kitchen, Ensuite, Walk-in-Robe, Main Bedroom, Living Room and double garage.

The original house (see **Figures 3 & 4**) was designed as a small, affordable nucleus for a later eastwards rear extension that would preserve the appearance of the house from the street. The original house provided the essential living and working accommodation for a young couple whose life centred around the production of art. The modest size of the house and rooms also reflected the period of post-war austerity where house sizes and use of materials were strictly controlled and restricted.⁹ In addition, such restrictions also modified people's expectations with regard to house and room sizes.

The first two stages of the house were designed by Sydney Ancher but the third stage was commissioned and designed after Ancher retired from the firm. The third stage was designed by architect, Judith Ambler, within the firm of Ancher, Mortlock, Murray & Woolley. The third stage logically placed the new Living Room and Main Bedroom suite at the front of the house which enabled guests to be accommodated near the house's entry and also allowed a zoning between the parents' and children's areas of the house. Whilst this third stage at the front of the house was not envisaged by Ancher when he designed the house to be extended at the rear, the third stage uses the same language and design details as Ancher's first two stages with slight modifications for the change in aesthetic taste. The third stage represents the increased prosperity of the 1960s with the desire for larger living spaces, the greater availability of materials, and the financial means with which to pay for those larger rooms.

The planning focus of the house is still on the Courtyard, and the rear yard, as the house presents blank walls to the street and creates a bold architectural statement with the counterpoised skillion roof geometries (one for the Living Room, Main Bedroom, and Garage in front and the other skillion roof behind belonging to the Studio) (see **Cover** photo and **Figures 23 & 24**).

⁹ Following the entry of Japan into World War 2 and their capture of South-East Asia and bombing of Darwin in 1942, the Commonwealth Powers Act was enacted on 30 June 1943. The Act controlled the production, sale, distribution and prices of all building materials and internal fixtures and removed any control by the states. In September 1952, NSW regained control of such powers but restrictions still continued (N.S. Pullan, 2018, *Just a Roof Over Their Heads: Temporary Dwellings on Sydney's Urban Fringe 1945 to 1960*, UNSW PhD Thesis, p.197)



Figure 23: Street (west) elevation of 207 Eastern Road, Wahroonga. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 24: Looking south to the timber screen around the 1968 Main Bedroom Courtyard. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 25: Looking south to the third stage (1968) front entry with the timber screen around the Main Bedroom Courtyard on the right. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 26: Looking west at the rear of the house from the rear yard. The concrete on the right is the base of the former telescope shed. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 27: The 1952 Studio wing viewed from the north-east. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 28: Looking north-west at the 1952 Studio wing and the Courtyard. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 29: Looking west into the Courtyard with the House wing on the left and the Studio wing on the right and the 1968 Living Room in the centre. The Courtyard has always been paved with bricks. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)

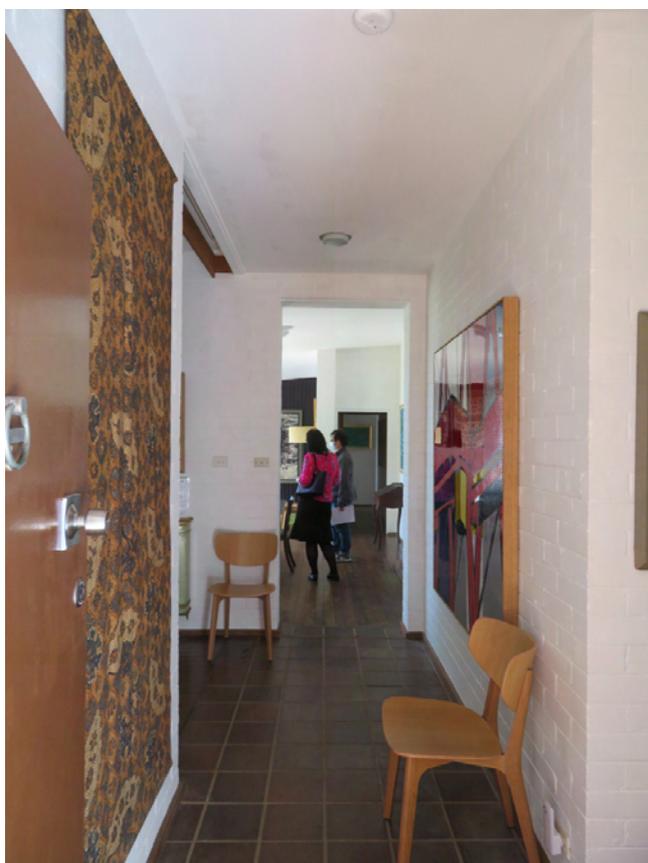


Figure 30: Looking east from the current 1968 front door through the Entry with its salt-glazed quarry tiles into the original (Stage I 1952) Living Room. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 31: Looking north from the current Entry into the current (1968 Stage 3) Living Room. The Courtyard is to the right through the window wall. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)

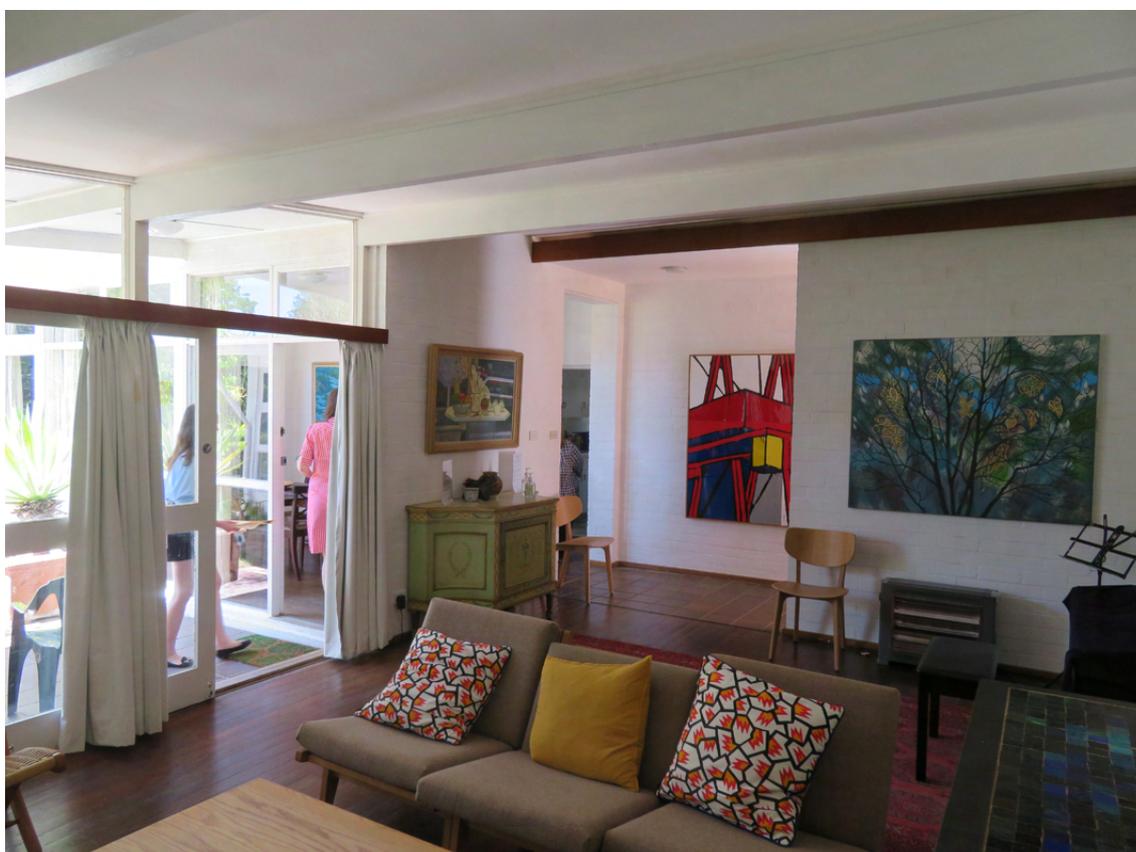


Figure 32: Looking south from the current 1968 Living Room into the Entry. The Courtyard is to the left through the window wall. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 33: Looking east in the original (1952 Stage 1) Living Room as extended in Stage 2 in 1955. Compare this with Figure 15 which shows the Stage 1 room from a similar viewing point. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)

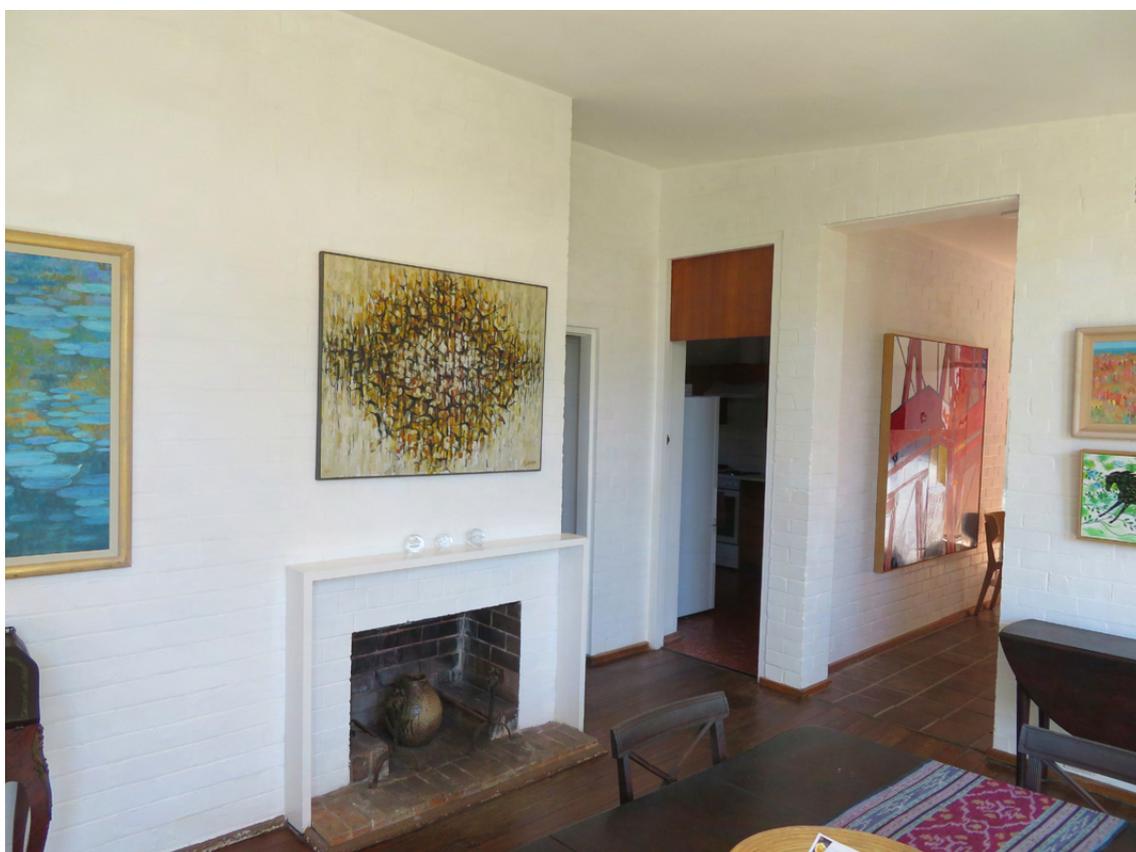


Figure 34: Looking south-west in the original 1952 Living Room towards the Kitchen door (left) and the Entry (right). (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 35: Looking west in the original 1952 Living Room showing the original front door and the window wall to the Courtyard. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 36: Looking south in the Laundry (original 1952 Kitchen). Note the original 1952 cupboards below the 1968 cupboards. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 37: Looking south in the 1968 Kitchen with its original cupboards. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 38: Looking west in the 1968 Main Bedroom. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)

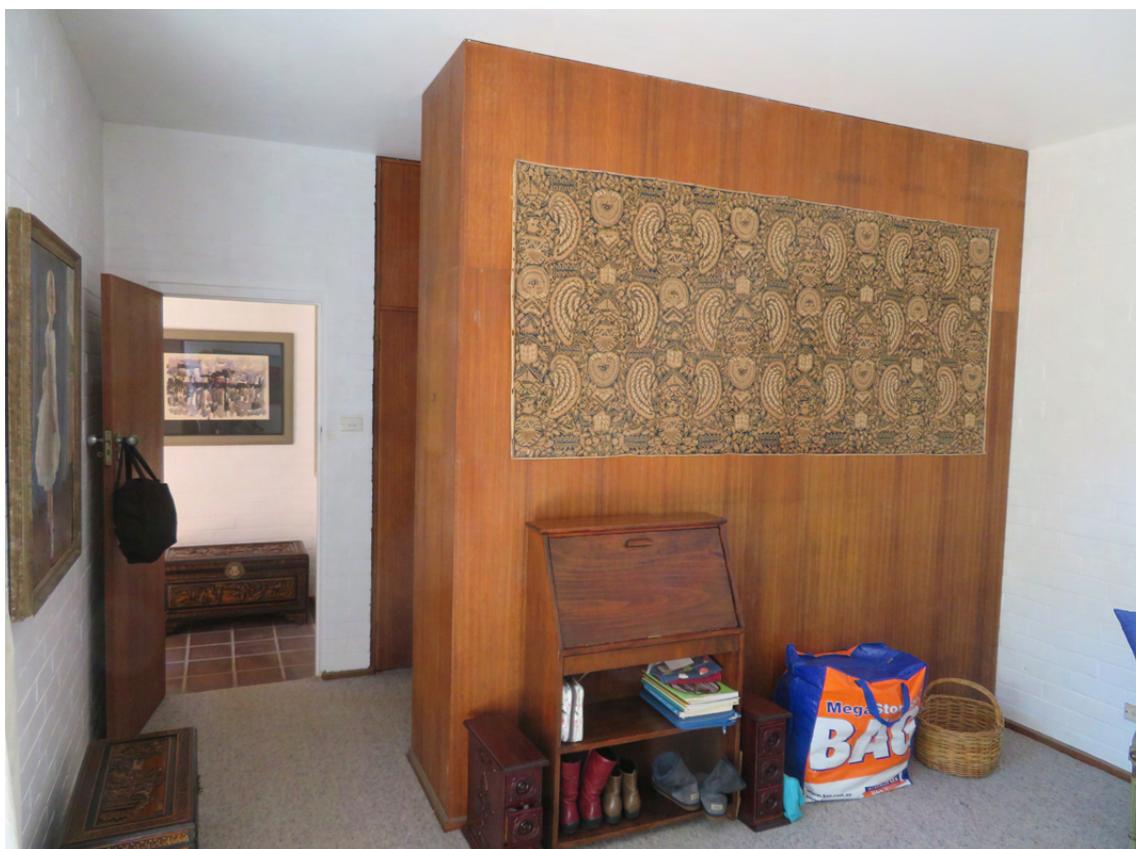


Figure 39: Looking east in the 1968 Main Bedroom to the freestanding cupboard unit that conceals other cupboards and the Ensuite and forms a Walk-in-Wardrobe. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 40: Looking north in the 1968 Main Bedroom through to the private Bedroom Courtyard.
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 41: Looking south into the 1968 Walk-in-Wardrobe and the doorway to the Ensuite.
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 42: Looking into the 1968 Ensuite from the Walk-in-Wardrobe.
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)

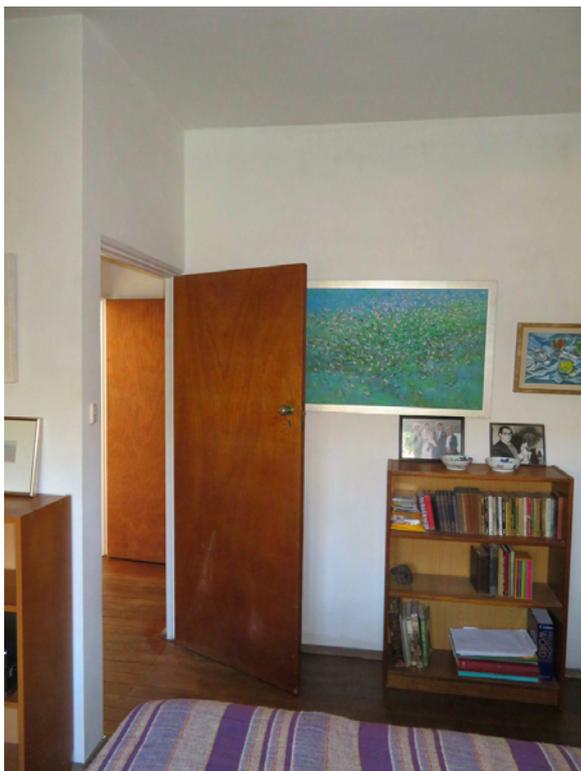


Figure 43: 1955 entry configuration into the original 1952 Main Bedroom (now Bedroom 4).
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)

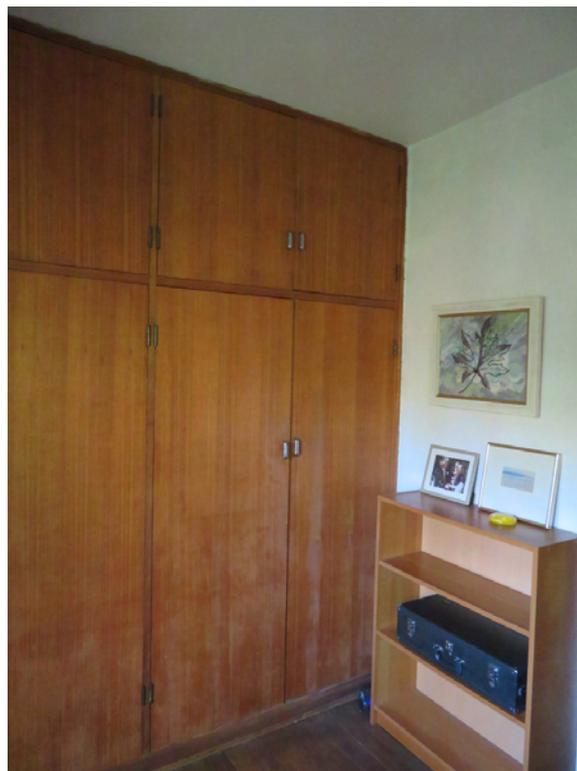


Figure 44: 1952 wardrobes in the original 1952 Main Bedroom (now Bedroom 4).
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 45: 1952 window wall in the 1955 Bedroom 2.
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 46: 1955 wardrobe in the 1955 Bedroom 2.
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 47: 1955 Bedroom 3.
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)

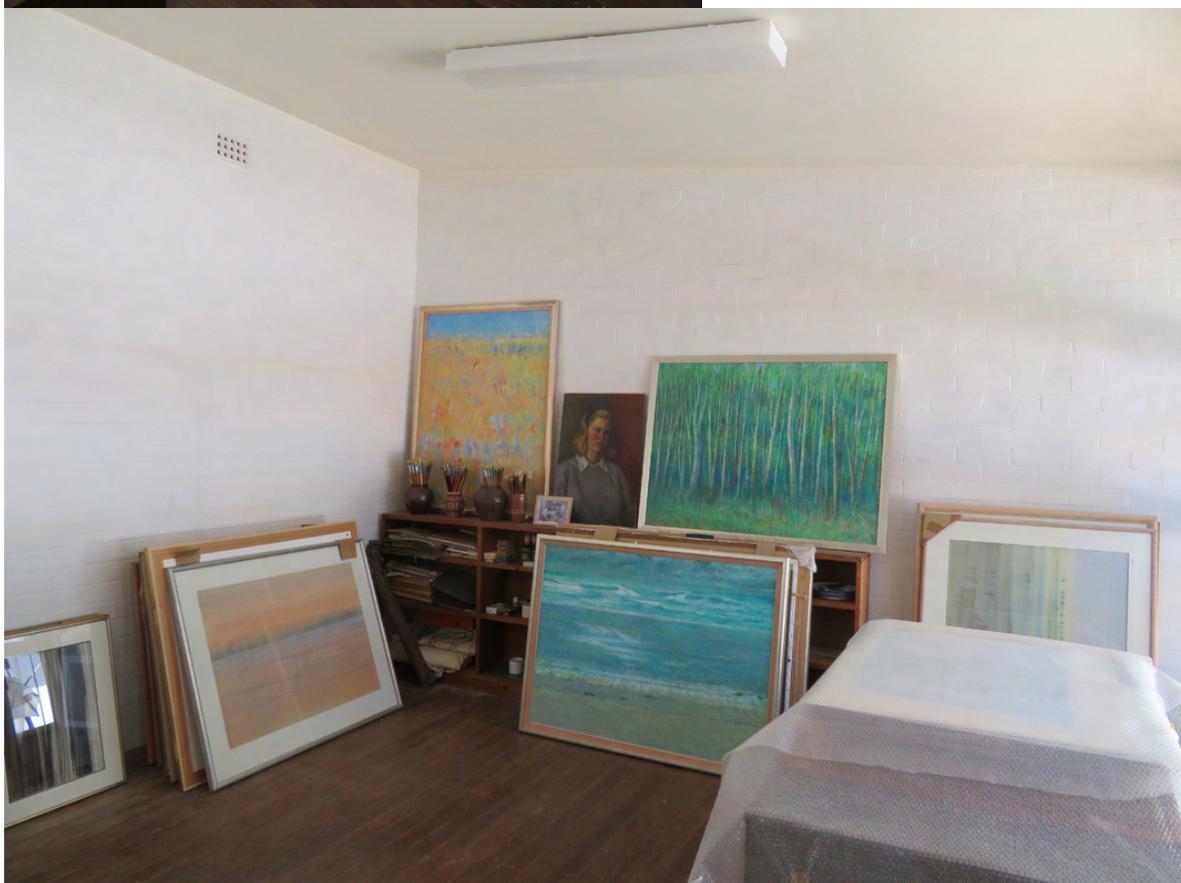


Figure 48: Interior of the 1952 Studio. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 49: First section of the rear yard viewed from the Courtyard.
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 50: Second section of the rear yard with telescope shed slab.
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 51: Second section of the rear yard with low stone wall.
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 52: Third section of the rear yard looking east.
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 53: Third section of the rear yard looking north.
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)



Figure 54: Third section of the rear yard looking west back to the house.
(Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)

7.0 Comparative Analysis

7.1 Sydney Ancher-designed houses:

Published assessments of the work of Ancher, Mortlock, Murray & Woolley have tended to concentrate on the larger-scale works by the firm and not the commissions for the many individual houses. The selected list of works in the 1999 monograph, *Ken Woolley and Ancher Mortlock & Woolley*, lists only a few of the houses designed by the firm in the period from when Woolley joined the firm in 1964 and gives scant mention of the firm's extensive work before 1964.

Ancher's earliest houses were roofed with pitched roofs as many Councils refused to approve flat roofs on aesthetic grounds. His first (Sulman Award-winning) house for himself, 3 Maytone Avenue, Killara (1945), located on the lower side of the road, was constructed with a highly visible pitched slate roof. In contrast, the Hamill House at 2 Maytone Avenue (1947), which was constructed on top of a rock outcrop on the high side of the street, had an extremely low-pitched tile roof concealed by a small parapet. The iconic photographs of the Hamill House portray the house as a modernist flat-roofed house growing out of its rock outcrop and the tile roof only really becomes visible from above in the rear garden.

In 1947, Ancher's flat-roofed design for the Farley House at North Curl Curl (known as "Windy Dropdown") was refused by Warringah Shire Council and Ancher appealed the decision. The NSW Land & Valuation Court overturned Council's decision and the house was built with a flat roof and without a parapet. Only two years later in 1949, Ancher was able to construct a flat-roofed house, the Spencer English House, in St Ives (see **Figure 55**) and continued designing flat-roofed houses such as the Ancher House III in Bogota Avenue, Neutral Bay (1956) and the Dwyer House in Mosman (1959) and yet, in 1949, Ancher designed a gable-roofed house for Mrs Theo Cox roofed in slates (see **Figure 56**).

Ancher was also fascinated by the Australian traditional verandah as an expression of an architecture that suited the climate and Australian way-of-life in terms of mediating between the exterior and interior of the house. In 1956 he wrote "many country houses are really only simple box shapes that have character because of their wide verandahs ... The first architecture in Australia was the Early Colonial and there was no doubt that it had a unity of purpose that is rather refreshing. While it is obvious that we would never consider returning to the structures erected to suit those days of 150 years ago, we can endeavour to capture something of their dignity, charm and refinement."¹⁰ This interest in the verandah manifested itself in a number of his houses as Modern Movement peristyles, columns/posts supporting roofs or pergolas over terraces. The use of terraces as an extension of the interior space went further than the traditional verandah as they were wider (to enable groupings of furniture) and often were backed by glass window walls of the house rather than windows punctuating solid walls. In this regard, Ancher prefigures the later work of Glenn Murcutt (b. 1936) who used gauzed verandah rooms as intermediate interior/exterior spaces. Murcutt worked at Ancher, Mortlock, Murray and Woolley from 1965 to 1970. Examples of Ancher's roofed, columnated terraces are the Hamill House (1947), Killara (see **Figure 57**), Ancher House II (1947), Killara, the Hamilton House (1948), Killara, the English House (1949), St Ives (see **Figure 55**), the Macdougall House (1954), Lindfield, Ancher House III (1956), Neutral Bay, the Lewers House (1956), Emu Plains, the Dwyer House (1959), Mosman, and the Derschow House (1959), Turramurra.

The Laverty House at Wahroonga (1952) took a middle path between the early pitched-roof houses and the flat-roofed houses that followed the 1947 Farley House court case. The Laverty House was one of the early mono-pitch (or skillion) roofed houses designed by Sydney Ancher. The Laverty House was also one of Ancher's small, economical houses for people of modest means.

An early skillion-roofed house was the O'Reilley House (1950), Pymble where the skillion roof followed the stepped floor of the house as it followed the small cross-site slope (see **Figure 58**). The roof was, like the Laverty House, a Hardies Super Six corrugated asbestos cement roof. The house also was characterised by a large timber window wall. Another early, but larger, skillion-roofed house was the Dunkerley House of 1955 which had a courtyard separating the carport from the house but the two wings were integrated by a pergola that continued the slope of the skillion roof of the house down over the carport (see **Figure 59**). This long skillion is an aesthetic precedent for the long skillion roof of architect Judith Ambler's sympathetic third stage of the Laverty House.

Perhaps the closest house to the Laverty House in time, size and design is the equally diminutive house Ancher designed for another artist couple, Frank and Margel Hinder. The Hinder House (1949) in Gordon was a small two-bedroom house located across a courtyard from a pre-existing artist studio (see **Figures 60 & 61**). The Hinder House and the Laverty House, in their initial iterations, were small houses centred on a courtyard that

¹⁰ *Construction*, February 15, 1956, p.2



Figure 55:
English House, St Ives, 1949.
(Source: C. Boesen, 1979, *Sydney Ancher: A Profile*, Volume 3 Plate 26)



Figure 56:
Cox House, St Ives, 1949.
(Source: C. Boesen, 1979, *Sydney Ancher: A Profile*, Volume 3 Plate 21)

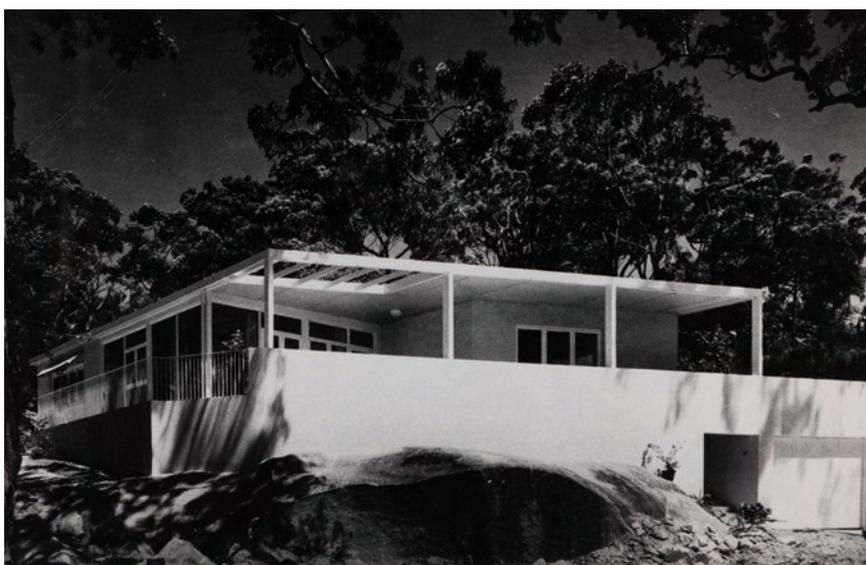


Figure 57:
Hamill House, Killara, 1947.
(Source: C. Boesen, 1979, *Sydney Ancher: A Profile*, Volume 3 Plate 9)



Figure 58:
O'Reilly House, Pymble, 1950.
(Source: C. Boesen, 1979, *Sydney Ancher: A Profile*, Volume 3 Plate 40)

Demolished

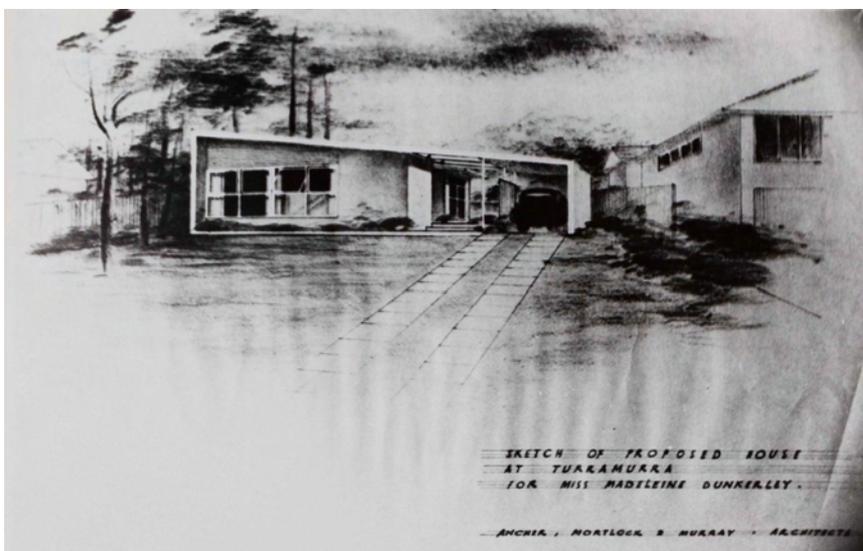


Figure 59:
Dunkerley House, Turramurra, 1955. (Source: C. Boesen, 1979, *Sydney Ancher: A Profile*, Volume 3 Plate 19)



Figure 60:
Hinder House, Gordon, 1949.
(Source: C. Boesen, 1979, *Sydney Ancher: A Profile*, Volume 3 Plate 53)

Demolished

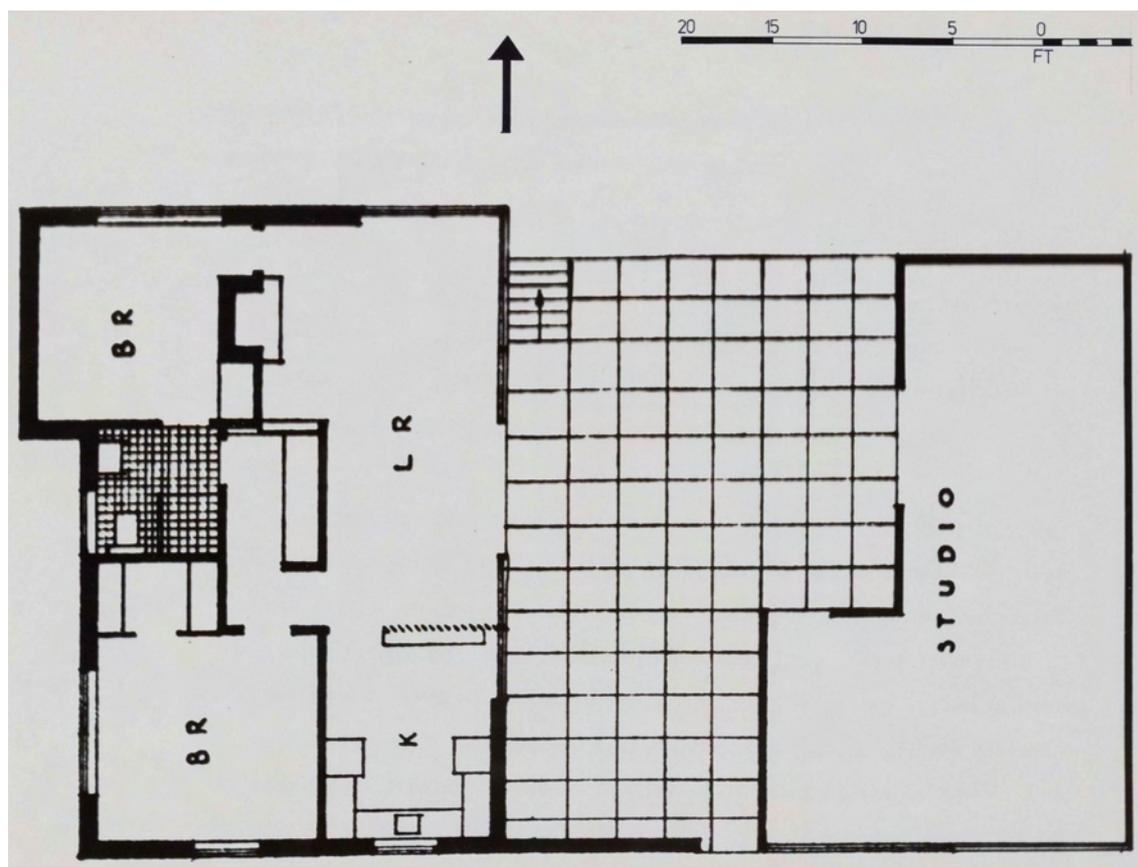


Figure 61: Hinder House, Gordon, 1949. (Source: C. Boesen, 1979, *Sydney Ancher: A Profile*, Volume I Plate XXXV)

separated their living and work spaces and that relied on the courtyard as an extended living area to counteract the small internal spaces.

Like the O'Reilly House, the Hinder House has been demolished. The Lewers House at Emu Plains (1956) was another early house that utilised a courtyard, onto which the major rooms opened. The Lewers House courtyard did not separate sections of the house but was located along the house's north side, visible through the white-painted timber posts of the wide verandah.

The Laverty House is cited in the Heritage Council of NSW's 2013 study, *The Modern Movement in NSW: A Thematic Study and Survey of Places*. The section in the study on the Laverty House cites a contemporary magazine article on the house regarding the supposed tall wattle tree in the centre of the Courtyard being an example of "the notion of indoor/outdoor living with large glass windows and doors and the use of indigenous trees are the most consistent aspect of articles concerning modern houses during the 1950s."¹¹ Piers Laverty has corrected the record regarding the wattle tree as it was actually a non-native Chinese Elm tree at the east end of the courtyard and the Laverty House courtyard is not accessed through large doors but through single doors. The indoor/outdoor connection is visual more than physical.

7.2 Laverty House drawings:

Only the drawings of the original house of 1952 and the Sydney Ancher-designed additions of 1955 remain in the Ancher, Mortlock, Murray & Woolley archives at successor firm, Conrad Gargett. There are no drawings of the 1968 additions in the AMMW archives but the Laverty Family has a copy of the drawings.

Sydney Ancher was the project architect for the first two stages of the house and architect Judith Ambler was the project architect within the firm of Ancher, Mortlock, Murray & Woolley for stage 3.

¹¹ HeriCon Consulting, 2013, *The Modern Movement in NSW: A Thematic Study and Survey of Places*, commissioned by the Heritage Council of NSW, p.120

The drawings clearly represent what was built and the physical evidence on site supports this. The only difference between what was documented and what exists on site in October 2020 is the garage door. The 1968 drawings indicated a timber boarded garage door and panel above. The existing metal door and panel has a similar appearance to the proposed timber door. Piers Laverty has confirmed that the metal door has always been there so it appears to have been a change to the design during construction.

8.0 Assessment of Heritage Significance

The criteria used to assess the significance of this property are the criteria contained within the 2001 NSW Heritage Office publication, *Assessing Heritage Significance*, which were gazetted in April 1999. Contained within that publication are guidelines to assist in determining whether an item or place could be included or should be excluded from listing as a heritage item at either the State or Local levels. Those guidelines are for guidance and are not prescriptive.

The application of the criteria should be based on the physical and documentary evidence, informed by the comparison of buildings and places of a similar type, or by the same architect. The step from the evidence to the conclusions regarding significance is conditioned by either lay or professional opinion and is often conditioned by the level of experience of the person making the assessment. It is important that professional opinion is based on the appropriate experience of the professional assessor (ie buildings assessed by architects, archaeological sites assessed by archaeologists, etc). Multi-disciplinary teams making assessments is the best way of obtaining a comprehensive, balanced assessment of significance.

8.1 Application of the Assessment Criteria to 207 Eastern Road, Wahroonga

The following section analyses the elements of No. 207 Eastern Road, Wahroonga that do and do not meet the NSW Heritage Council's criteria for heritage listing.

Criterion (a) An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area). [Historical Significance]

Guidelines for INCLUSION

- shows evidence of a significant human activity
- is associated with a significant activity or historical phase
- maintains or shows the continuity of a historical process or activity

Guidelines for EXCLUSION

- has incidental or unsubstantiated connections with historically important activities or processes
- provides evidence of activities or processes that are of dubious historical importance
- has been so altered that it can no longer provide evidence of a particular association

Discussion:

The post-World War 2 period was characterised by material shortages due to war-time restrictions on materials and the size of new dwellings as well as by a series of economic downturns and recessions. Such restrictions often resulted in small houses constructed as the first stage of a hoped-for larger house.

The single family residence that was constructed on the site reflected the historical preference for separate family houses in the suburbs that had large gardens and space for further development. This particular house also provided an artist studio for the two artists who commissioned the house, Peter & Ursula Laverty.

In addition to hosting the working and private lives of the Lavertys the house was the site of a dinner party discussion that launched the concept of an international art biennale in Sydney.

The brick walls of the house reflected the historical phenomenon of the long-established "brick covenant" areas that estate developers had created to maximise the size and quality of houses erected on their estates. This maintained the price of the land for subsequent land purchases from the estate developer.

Significance:

The Laverty House is of local historical significance in demonstrating the post-World War 2 process of suburban infill development in earlier subdivisions and as an illustration of post-war frugality and shortages necessitating small houses that could form the nucleus of later, larger houses that could also accommodate growing families.

The house is of local historical significance as the site of a meeting that inaugurated the concept of an international art biennale for Sydney.

Conclusion:

No. 207 Eastern Road, Wahroonga meets the requirements for the criterion of historical significance because it:

- shows evidence of a significant human activity
- is associated with a significant activity or historical phase

Criterion (b): An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area). [Associative Significance]

Guidelines for INCLUSION

- shows evidence of a significant human occupation
- is associated with a significant event, person, or group of persons

Guidelines for EXCLUSION

- has incidental or unsubstantiated connections with historically important people or events
- provides evidence of people or events that are of dubious historical importance
- has been so altered that it can no longer provide evidence of a particular association

Discussion:

The Laverty House was an early post-WWII work by architect Sydney Ancher that explored the themes of small houses that could be expanded, of houses centred on outside spaces (a courtyard in this case), that created private outdoor spaces, and houses that were roofed with low-pitched skillion roofs.

The Laverty House was the site of work for important artists Peter Laverty and Ursula Laverty and was the site of their creative endeavour.

Significance:

The house is of local associative significance because of its strong association with renowned architect, Sydney Ancher and his firm, Ancher, Mortlock & Murray.

The house is of at least local (and probably of state) associative significance for its association with two prominent Australian artists, Ursula and Peter Laverty, Head of the National Art School and Director of the Art Gallery of NSW.

Conclusion:

No. 207 Eastern Road, Wahroonga meets the requirements for the criterion of historical association significance because it:

- shows evidence of a significant human occupation
- is associated with a significant person

Criterion (c): An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area). [Aesthetic Significance]

Guidelines for INCLUSION

- shows or is associated with, creative or technical innovation or achievement
- is the inspiration for a creative or technical innovation or achievement
- is aesthetically distinctive
- has landmark qualities
- exemplifies a particular taste, style or technology

Guidelines for EXCLUSION

- is not a major work by an important designer or artist
- has lost its design or technical integrity
- its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded
- has only a loose association with a creative or technical achievement

Discussion:

The planning of the Lavery House separates the areas into functional areas of family living and parental work, separated by the courtyard. The planning and orientation of the house acknowledge the importance of relating to northern sunshine for the living section and cool south light for the artist studio.

The simple lines of the house with white-painted brick walls, white-painted timber windows and window walls and low-pitched skillion roofs create a modernist aesthetic of geometric simplicity.

The small area of the house is treated by Ancher as an opportunity to create a sense of a larger space by visually borrowing exterior space from the Courtyard through the large window walls of both the house and the studio. The courtyard thus becomes a visual and physical additional living area that connects the two separate buildings of the original house. The bright blue timber screen, that defined the western edge of the courtyard and linked the two wings of the building, introduced colour into the otherwise monochromatic composition which was also a Modernist element that was used by architects in the interwar period and also after the war. By the time architect Judith Ambler added the third stage across the front of the house the aesthetic had changed to stained brown (usually "Mission Brown") timber as evidenced by the timber paling fence around the Main Bedroom courtyard.

Significance:

The Lavery House is of local aesthetic significance as its design exhibits the hallmarks of Modernism with its clean lines, simple form, and walls of glass.

The surviving architectural drawings and the completed Lavery House demonstrate the palette of materials and construction methods employed by the architectural firm of Ancher, Mortlock and Murray that are recognised as forming a regional expression of modern architecture.

The Lavery House is one of a series of houses within the Ku-ring-gai municipality that demonstrate the emergence of modern architecture in New South Wales, of which the architect Sydney Ancher was a leading proponent.

Conclusion:

No. 207 Eastern Road, Wahroonga meets the requirements for the criterion of aesthetic significance because it:

- shows or is associated with, creative or technical innovation or achievement
- is the inspiration for a creative or technical innovation or achievement

Criterion (d): An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons. [Social Significance]

Guidelines for INCLUSION

- is important for its associations with an identifiable group
- is important to a community's sense of place

Guidelines for EXCLUSION

- is only important to the community for amenity reasons
- is retained only in preference to a proposed alternative

Discussion:

Peter Laverty is important to the art community of NSW for his artistic output as well as his contribution to the development of art museums and exhibitions in NSW during his Directorship of the Art Gallery of NSW. Sydney Ancher is held in high regard by the architectural profession for his pioneering Modernist buildings.

Significance:

The Laverty House has social significance at least at a local level through its strong association with the NSW Art movement, because of its links with Peter Laverty, Director of the NSW Art Gallery and the Laverty family of artists as well as its association with the initiation of the Biennale of Sydney. The Laverty House also has social significance at least at a local level through its strong association with architectural profession because of the high regard in which architect Sydney Ancher is held.

Conclusion:

No. 207 Eastern Road, Wahroonga meets the requirements for the criterion of social significance because it:

- is important for its associations with an identifiable group

Criterion (e): An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area). [Research Significance]

Guidelines for INCLUSION

- has the potential to yield new or further substantial scientific and/or archaeological information
- is an important benchmark or reference site or type
- provides evidence of past human cultures that is unavailable elsewhere

Guidelines for EXCLUSION

- the knowledge gained would be irrelevant to research on science, human history or culture
- has little archaeological or research potential
- only contains information that is readily available from other resources or archaeological sites

Discussion:

The house/studio combination was an unusual combination at a time when the norm was for the breadwinner to work in an office or workshop, etc. Working from home was rare, except for the primary child carer/parent, although artists often worked from a home studio/workroom and architects starting out in private practice were also known to work from home. However, working from home is now seen as an acceptable lifestyle choice, even more so in this period of isolation and social distancing necessitated by the prevention of the spread of the novel coronavirus, COVID-19. The model of a separate studio/home office separated from the living accommodation portions of the house by a courtyard was used by Ancher in the Hinder House and can be seen as a prototype for future dwellings.

Significance:

The Laverty House has the potential to yield information about cultural history in NSW, through its association with the artistic world, which is strongly reflected through the extant building fabric, arrangement and composition of elements on the site, including a purpose-built artist studio.

The house also is a physical manifestation of the small post-war houses that were constructed for people of modest means during times of material shortage and which were then added to and enlarged as conditions improved.

Conclusion:

No. 207 Eastern Road, Wahroonga meets the requirements for the criterion of research significance because it:

- is an important benchmark or reference site or type.

Criterion (f): An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area). [Rarity]

Guidelines for INCLUSION

- provides evidence of a defunct custom, way of life or process
- demonstrates a process, custom or other human activity that is in danger of being lost
- shows unusually accurate evidence of a significant human activity
- is the only example of its type
- demonstrates designs or techniques of exceptional interest
- shows rare evidence of a significant human activity important to a community

Guidelines for EXCLUSION

- is not rare
- is numerous but under threat

Discussion:

The Laverty house and studio shows evidence of significant human activities; working from home in a dedicated, separate space, and production of art by an artist couple. This is still clearly demonstrated by the separate artist studio.

Significance:

The substantially intact Laverty House is a rare example of an artist's residence still with its functioning and identifiable artist studio. The way of life of the Laverty Family is still clearly evident in the extant planning and fabric of the house and studio. The design of the house and studio is of exceptional interest when planned expansion of the house is understood in order to cater for young couples of modest financial means.

Conclusion:

No. 207 Eastern Road, Wahroonga meets the requirements for the criterion of rarity because it:

- shows accurate evidence of a significant human activity
- demonstrates designs of exceptional interest

Criterion (g): An item is important in demonstrating the principal characteristics of a class of NSW's – cultural or natural places; or – cultural or natural environments

(or a class of the local area's – cultural or natural places; or – cultural or natural environments). [Representativeness]

Guidelines for INCLUSION

- is a fine example of its type
- has the principal characteristics of an important class or group of items
- has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity
- is a significant variation to a class of items
- is part of a group which collectively illustrates a representative type
- is outstanding because of its setting, condition or size
- is outstanding because of its integrity or the esteem in which it is held

Guidelines for EXCLUSION

- is a poor example of its type
- does not include or has lost the range of characteristics of a type
- does not represent well the characteristics that make up a significant variation of a type

Discussion:

The work of Ancher has a strong following within the architectural community of NSW as evidenced by the awards given to him and his firm throughout his architectural career. In addition to awards, Ancher is recognised as one of the early exponents of Modernism in the interwar period who carried through to the post-war period.

His Modernist buildings in the post-war period are representative of the post-war Modernist houses constructed by a number of architects.

Significance:

The Laverty House demonstrates the key characteristics of the domestic work of the firm of Ancher, Mortlock and Murray in the 1940s, 1950s & 1960s and demonstrates the firm's use of similar details in houses for young couples of modest means in the economically constrained period after World War II.

8.2 Statement of Significance

The substantially intact Laverty House is a rare example of an artist's residence still with its functioning and identifiable artist studio. The way of life of the Laverty Family is still clearly evident in the extant planning and fabric of the house and studio. The design of the house and studio is of exceptional interest when planned expansion of the house is understood in order to cater for young couples of modest financial means in the post-war years, of post-war frugality, and of their increasing wealth and family size through later additions and enlargement of the small house nucleus.

The Laverty House is of local historical significance in demonstrating the post-World War 2 process of suburban infill development in earlier subdivisions. The Laverty House is of local aesthetic significance as its design exhibits the hallmarks of Modernism with its clean lines, simple form, and walls of glass. The Laverty House is one of a series of houses within the Ku-ring-gai municipality that demonstrate the emergence of modern architecture in New South Wales, of which the architect Sydney Ancher was a leading proponent.

The Laverty House is of local associative significance because of its strong association with renowned architect, Sydney Ancher and his firm, Ancher, Mortlock & Murray and also because of its association with two prominent Australian artists, Ursula and Peter Laverty, who was Head of the National Art School and later Director of the Art Gallery of NSW. In this regard the house is of historical significance as the site of a meeting that inaugurated the concept of the international art biennale for Sydney. The Laverty House has the potential to yield information about cultural history in NSW, through its association with the artistic world, which is strongly reflected through the extant building fabric, arrangement and composition of elements on the site, including a purpose-built artist studio.

The surviving architectural drawings and the completed Laverty House demonstrate the palette of materials and construction methods employed by the architectural firm of Ancher, Mortlock and Murray that are recognised as forming a regional expression of modern architecture. The Laverty House demonstrates the key characteristics of the domestic work of the firm of Ancher, Mortlock and Murray in the 1940s, 1950s & early 1960s and demonstrates the firm's use of similar details in houses for young couples of modest means in the economically constrained period after World War II.

9.0 Significance of Elements, Spaces, Materials and Finishes

9.1 Exterior

9.1.1 Important elements:

The form of the house (with its two original wings dating from 1952 & 1955) with opposing skillion roofs and the later 1968 skillion-roofed front wing, should not be altered by additions to the house or alterations to the roof forms, heights and shapes. The modulation of the plan with the central courtyard introduces south light into the artist studio and is an important element that must be retained. The current form of the house is an important part of the design and, therefore, its significance.

The materials of the exterior of the house (white-painted brickwork and white-painted timber windows) should not be altered. However, the corrugated fibre cement roof sheets could be replaced by using a large profile corrugated steel roof sheeting with suitable blanket and batt insulation to compensate for the loss of thermal insulation afforded by the existing fibre cement roofing.

The external form of the house and the materials with which it is constructed is of Exceptional significance.

The front yard stand of trees and the rear yard trees bordering the property boundary trees have aesthetic significance as a screen to the house.

The extant tall trees are of Exceptional significance and should be retained.

The courtyard has always been brick-paved and the original bricks were re-used in more recent repaving of the courtyard to remove uneven surface levels.

The Courtyard space is of Exceptional significance and should be maintained.

9.1.2 Unsympathetic elements:

The metal garage door, and panel above is currently the major jarring, unsympathetic visual element in the house, although, according to Piers Laverty, the door and panel have always been metal. However, the original design intent was a timber slatted door as shown in the 1968 working drawings. Replacement of the garage door and panel above with a slatted timber door in accordance with the original working drawings would be a sympathetic alteration to the fabric of the house.

9.2 Interior

The interior of the house has different types and degrees of significance. It should be noted that the interior spaces have been modified as the additional stages were added to the house.

9.2.1 Room volumes and originality:

- The volumes of the rooms (with the exception of the original Bedroom – now Bedroom 4 – which was reduced in Stage 2 to create the corridor to Bedrooms 2 & 3 and to create access to the Bathroom, and the original Living Room which was expanded in Stage 2) have remained as they were when constructed.
- The uses of rooms have remained constant with the exception of the current Laundry which was the original Kitchen.
- The original Bathroom contained the washing machine adjacent to a shower recess. When the 1968 additions were made to the house the original Kitchen was converted to a Laundry and the washing facilities were removed from the Bathroom. The current (October 2020) bath was installed in 1968 and the unusual location of the shower head and taps is an indication of the original shower recess. The shelf adjacent to the bath and the vanity unit were also installed in 1968. The Raymor T4 taps were definitely installed in the 1968 additions and alterations.
- The two fireplaces are original to their dates of construction (1952 & 1968).

The original and altered room volumes are of Exceptional significance and should be retained to preserve the significance of the architecture.

9.2.3 Finishes

Certain interior finishes are also those intended by Ancher based on the documentation.

- The vinyl tiles of the Laundry and the Kitchen are original to their year of construction. The possible presence of asbestos fibres in the vinyl tiles should be managed with care. If the tiles are ever removed they must be removed by a certified asbestos contractor.
- The white-painted interior brickwork and the white-painted timber window joinery are original.
- The fibrous plaster ceilings are original.
- The clear-finished Tallowood hardwood floorboards are original.
- The ceramic floor and wall tiles of the Bathroom and the Ensuite are original to their period of construction (square wall tiles in the Bathroom and rectangular wall tiles in the Ensuite).
- The clear-finished interior doors are original as are the wardrobe doors.
- The salt-glazed quarry tiles in the 1968 Entry are original.
- The door and window furniture is largely original.

The above finishes are of Exceptional significance and should be retained with the exception of vinyl tiles containing asbestos.

10.0 Future Development of the Site

The site is rectangular with a frontage to Eastern Road of 25 metres, a depth of 93 metres and an area of 2,268m² which, under the Ku-ring-gai LEP is large enough for subdivision into two allotments (the minimum allotment area after subdivision being 930m²). The studio and garage elements of the house are approximately 5 metres from the north site boundary and the rear of the house is approximately 48.5 metres from the existing rear boundary.

Subdivision of the site into one (rear) allotment of 930m² and a second (front) allotment of 1368m² would determine a subdivision boundary approximately 11 metres from the rear wall of the existing house. This location would alienate most of the rear yard, including the slab of Peter Laverty's former telescope shed, from the house.

A suitable curtilage must retain the illusion of space behind the house that served, and could still serve, as a back yard in which to relax and in which children could play. This would have to be greater than 11 metres. There is currently a tall hedge that divides the final third of the site visually and physically from the site immediately accessible from, and behind, the house (see **Figures 50 & 51**).

As with any development, once submitted to Council, a proposal for this site would be subject to a full planning assessment including consideration of drainage and overshadowing, for instance. This assessment would extend to the consideration of any likely impacts of the proposed development on the surrounding properties.

An 88B Instrument may be used as a method to ensure the appropriate qualities of the heritage curtilage are protected following the subdivision, eg. defining fencing, easements, trees on the rear allotment that form part of the setting, etc.

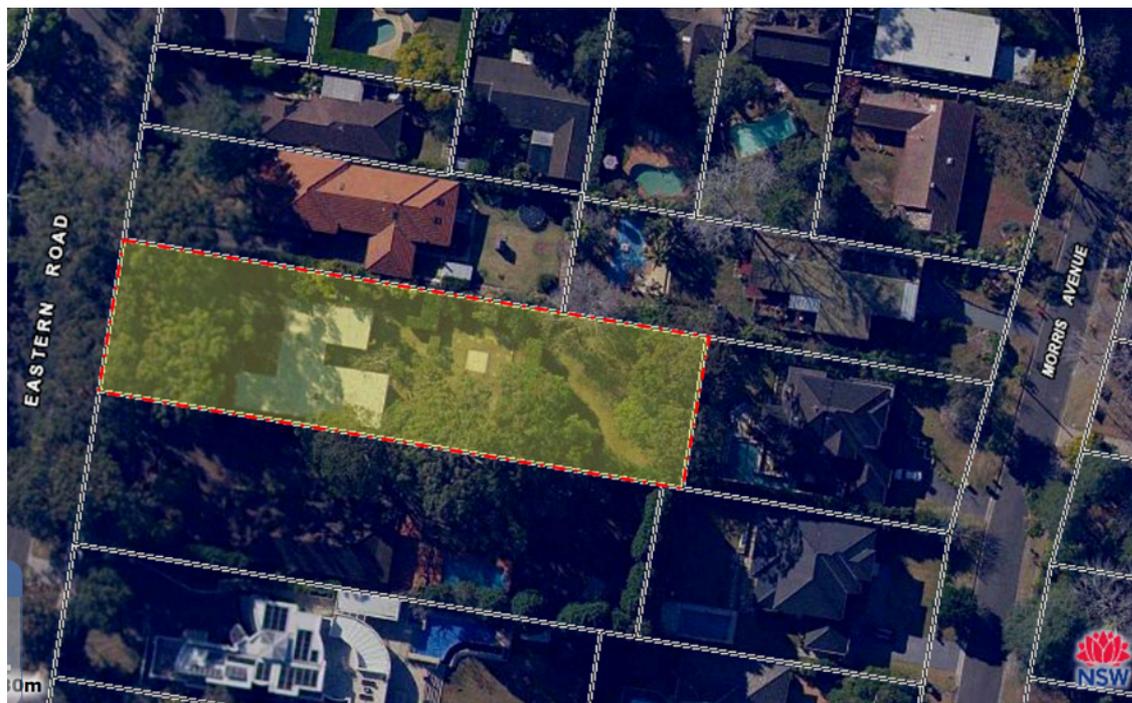


Figure 62: The existing site of 207 Eastern Road, Wahroonga. (Source: Six Maps with Robertson & Hindmarsh Pty Ltd overlay 2020)

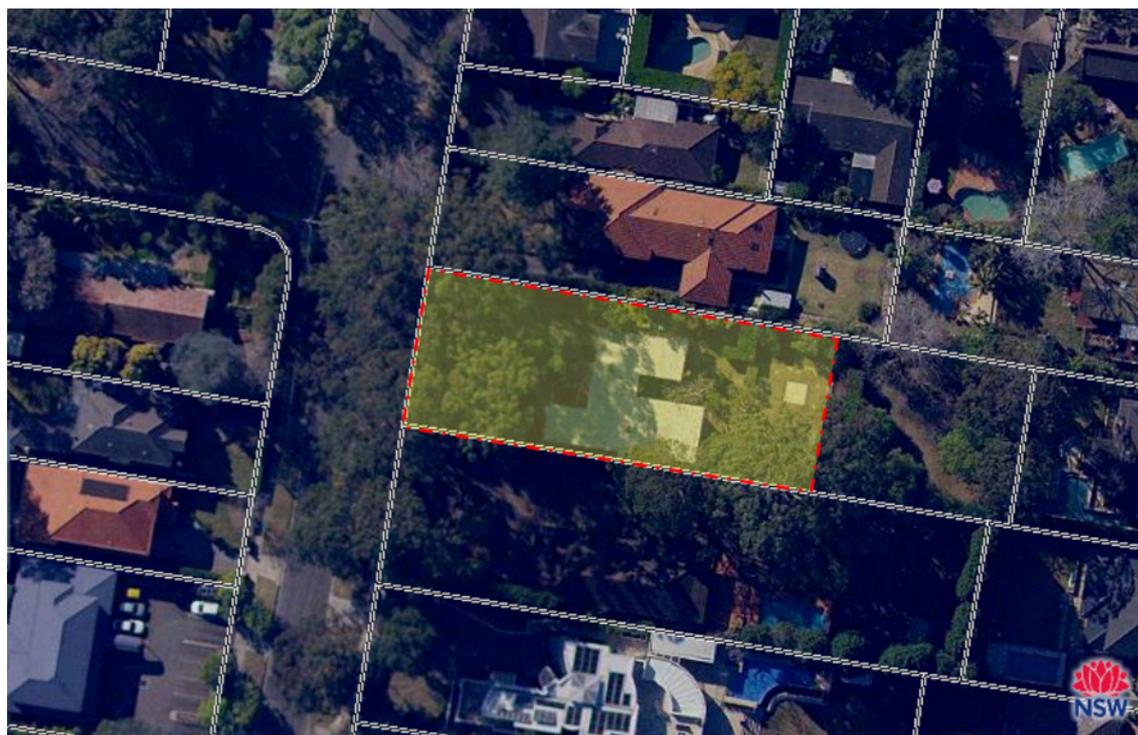


Figure 63: Possible subdivision of the site creating a front allotment that has a curtilage around the existing house that maintains its heritage significance. Subdivision boundary aligns with the existing low stone wall that crosses the rear yard. (Source: Six Maps with Robertson & Hindmarsh Pty Ltd overlay 2020)



Figure 64: Possible subdivision of the site creating a rear allotment that has minimal impact on the heritage significance of the existing house and garden. Subdivision boundary aligns with the existing low stone wall that crosses the rear yard. (Source: Six Maps with Robertson & Hindmarsh Pty Ltd overlay 2020)

A suitable location for subdivision that maintains a visual and physical curtilage behind the house would be the existing tall hedge and stone wall that defines the rear third of the site (see **Figures 50, 51 & 63**). Such a location is approximately 30 metres from the rear boundary. This would create a rear allotment of approximately 715m² (see **Figure 64**). Whilst this is smaller than the minimum lot size permitted for the area, it would be more than adequate for a house to be constructed and to preserve the large trees around the boundary of the site (see **Figure 65**).



Figure 65: Shaded areas of the site represent locations of significant native trees that are important components of the setting of the house.
(Source: Six Maps with Robertson & Hindmarsh Pty Ltd overlay 2020)

The non-compliance with regard to minimum site area is justified in order to preserve the heritage significance of the Lavery House and the non-compliance is permitted under the Heritage Incentive clause (Clause 5.10 (10) of the Ku-ring-gai LEP:

Clause 5.10

(10) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

Access to the rear allotment would be along the north edge of the site behind the Studio wing (see **Figure 66**). There is a number of possible alternative title arrangements for the access drive. From a heritage point-of-view it would be preferable for the drive to remain on the title of the front allotment with right-of-access for the owner of the rear allotment. This would allow the preservation of an open, bush garden setting as the front setting for the Lavery House without constructing a fence between an axe handle access to the rear site and the front yard of the Lavery House.



Figure 66: Possible 3 metre wide access right-of-way from Eastern Road to a rear allotment at 207 Eastern Road, Wahroonga. The driveway could be 3 metres wide which leaves approximately 1 metre for a path along the north side of the Studio and a 1 metre wide area for landscaping along the site north boundary. (Source: Six Maps with Robertson & Hindmarsh Pty Ltd overlay 2020)

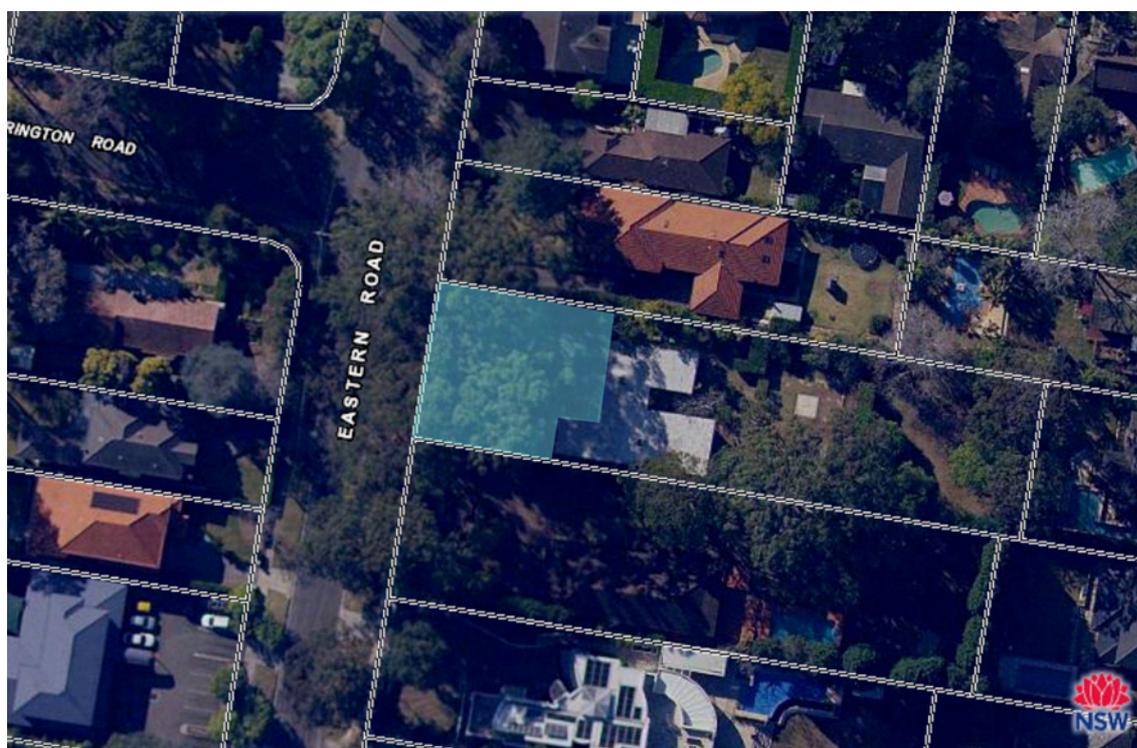


Figure 67: Area of the site of 207 Eastern Road, Wahroonga where no development should be permitted. (Source: Six Maps with Robertson & Hindmarsh Pty Ltd overlay 2020)

At the front of the house no development should be permitted in order to preserve the tall stand of trees (see **Figure 67**). In addition, the front wall of the Main Bedroom is approximately in line with the interwar houses on either side of the subject site so any development forward of the prevailing setback should be discouraged.

11.0 Conclusion and Recommendations

It is our opinion that No. 207 Eastern Road, Wahroonga meets the criteria for listing as a Local item of environmental heritage under the Ku-ring-gai LEP under the following criteria:

- Historical significance
- Associative significance
- Aesthetic significance
- Social significance
- Research significance
- Rarity
- Representativeness

The original exterior materials and finishes should be retained. However, with elements such as the corrugated fibre cement roof sheets alternative materials such as large pitch corrugated steel may be used with attention being paid to the insulation of the roof to maintain or improve thermal comfort.

The interior volumes of the existing rooms and ceiling, wall, joinery and floor finishes should be retained. Modification of the Kitchen and Bathrooms could be undertaken to upgrade facilities and increase water and energy efficiency, however, most of the bathroom finishes date from the construction of the house and the 1968 Raymor T4 taps are rare survivors.

12.0 Bibliography

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Background material held by the AIA (NSW Chapter) including the microfilmed list of projects



Dr Scott Robertson
B Sc (Arch), B Arch (Hons), M B Env (Blg Conservation), PhD

Appendix A:

Buildings by Sydney Ancher in the Ku-ring-gai Local Government Area

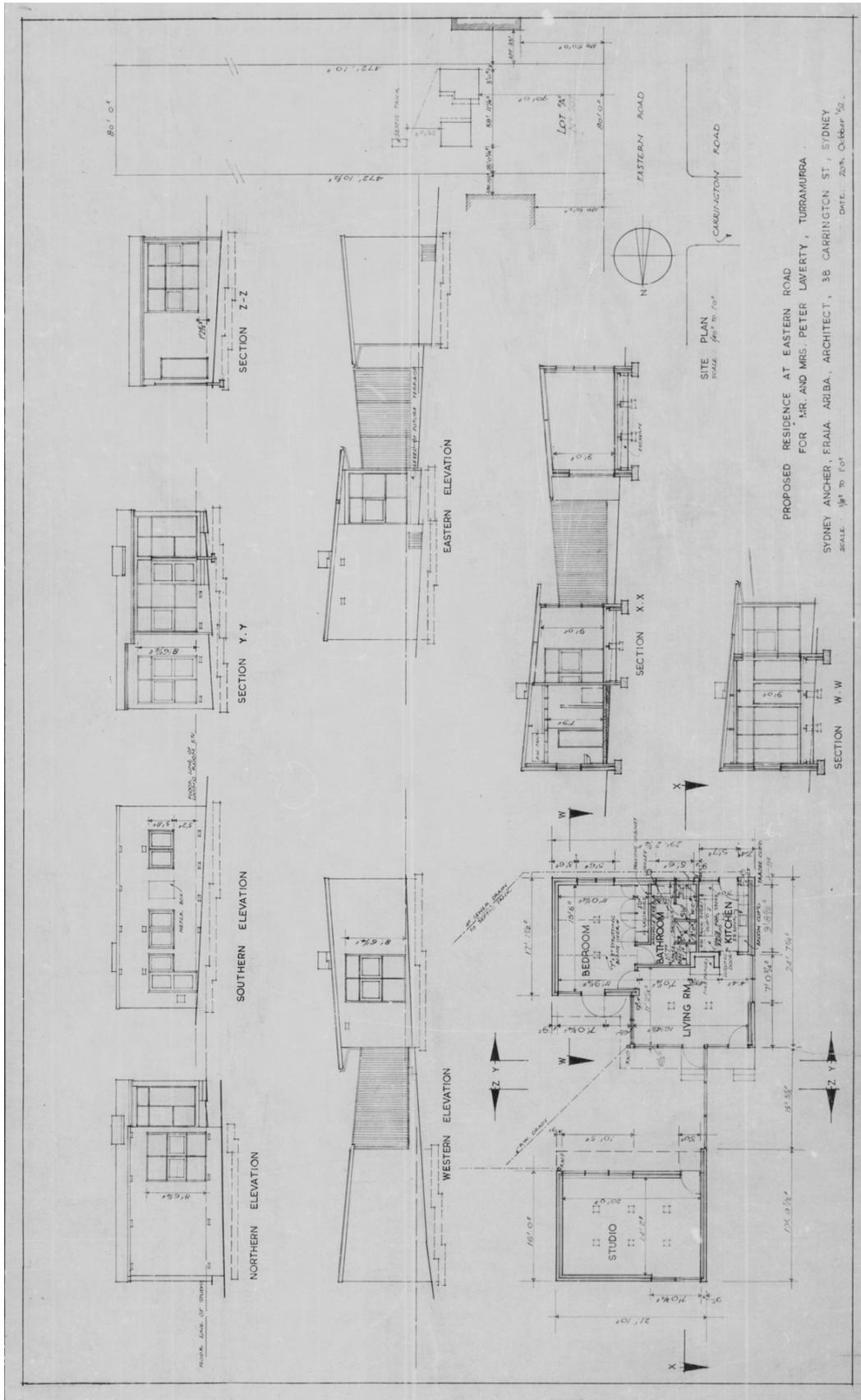
Extracted from the Appendix to BSc (Arch) (Hons) thesis by Connie Boesen, 1979, Sydney Ancher: A Profile (University of Sydney)

Note: The column on Listed?/Status? has been added by Robertson & Hindmarsh Pty Ltd, October 2020 and does not appear in the original thesis.

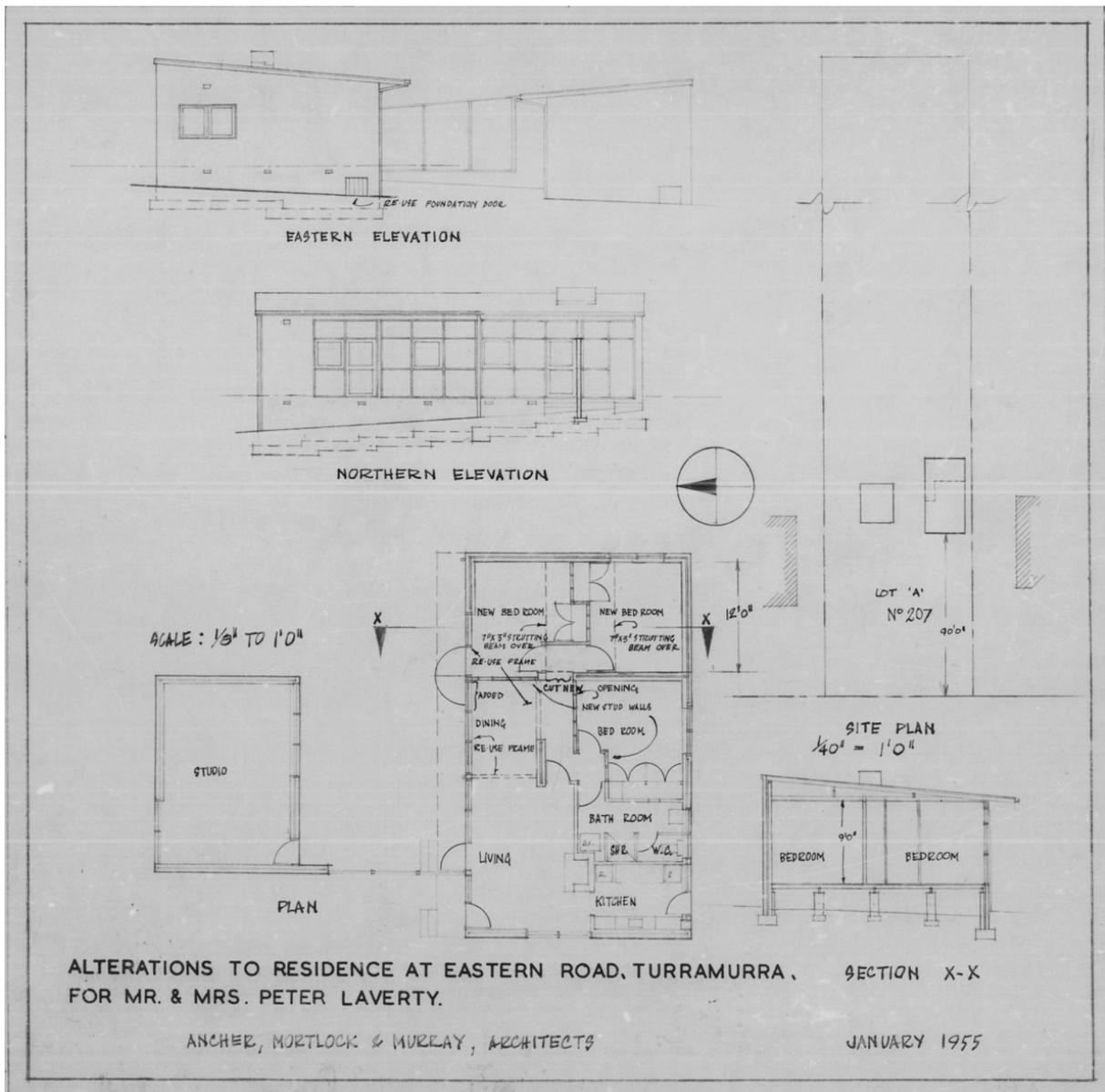
YEAR	JOB NAME	CLIENT	LISTED?/STATUS?
1945	House, No. 3 Maytone Avenue, Killara	Sydney Ancher	Listed: Local I 330
1946	House, [No. ?] Roland Avenue, Wahroonga	Mr & Mrs Bain	
1947	House, No. 4 Maytone Avenue, Killara	W.R. Hamill	Listed: Local I 331
1947	House, No. 2 Maytone Avenue, Killara	Sydney Ancher	Listed: Local I 329
1948	House, No. 6 Maytone Avenue, Killara	W. Hamilton	Listed: Local I 332
1948	House, Lot 3 [No. ?] Stanhope Road, Killara	S.R. Goldsborough	
1949	House, 32 Fox Valley Road, Wahroonga	Misses McDougall & Doyle	Demolished?
1949	House, 34A Nelson Road, Gordon	Frank Hinder	Demolished
1949	House, [No. ?] Killeaton Street, St Ives	H.S. English	
1949	House, 6 Arden & Allawah Roads, Pymble	Mrs Theo Cox	Listed: Local I 499
1949	House, 11 Roland Avenue, Wahroonga	E. Grainger	
1950	House, No. 8 Maytone Avenue, Killara	Kennedy	Project
1950	House, 6 Ada Avenue, Wahroonga	F. Williams	Demolished?
1950	House, 36 Catalpa Crescent, Turramurra	Gilbert Jenkin	Extant?
1950	House, 381 Boundary Road, Wahroonga	J.M. Bristow	Correct address or should it be No. 96?
1950	Alterations & additions, 53 McIntosh Street, Gordon	Dr A. Watts	
1950	House, 92 Springdale Road, Killara	F. Bagnall	Demolished?
1950	House, 62 Merrivale Road, Pymble	Mrs B.J. O'Reilly	Demolished?
1951	House, 49 Illeroy Avenue, Killara	B.F. Israel	Extant?
1952	House, 68 Fox Valley Road, Wahroonga	Peter Desborough	Extant?
1952	House, 207 Eastern Road, Turramurra [sic] (now Wahroonga)	Peter Laverty	Extant
1954	House, 10 Beaconsfield Parade, Lindfield	Jim Macdougall	Demolished
1955	House, [No. ?] Killeaton Street, St Ives	Dr D.C. Hinder	

YEAR	JOB NAME	CLIENT	LISTED?/STATUS?
1955	House, 45 Catalpa Crescent, Turramurra	Miss M. Dunkerley	Extant
1956	House, 36 Fox Valley Way, Wahroonga	Mrs M. Leslie	Demolished?/altered?
1957	House, 23 Turramurra Avenue, Turramurra	John Kaplan	Demolished?/altered?
1957	West Pymble Shopping Centre	Ku-ring-gai Council	Extant
1957	House, [No. ?] Horace Street, St Ives	Dr A.A. Palmer	
1958	House, [No. ?] Rosedale Road, St Ives	W.M. Farley	
1958	East Lindfield Shopping Centre	Ku-ring-gai Council	Extant
1959	House, 2 Curagul Road, Turramurra	J.J. Derschow	Extant?
1960	Rebuilding Council Chambers	Ku-ring-gai Council	Altered
1960	Gordon Public Golf Links	Ku-ring-gai Council	
1961	Baby Health and Amenities Centre, Lindfield	Ku-ring-gai Council	
1961	Clubhouse, Roseville Park Tennis Courts	Ku-ring-gai Council	
1962	Extensions Works Depot, Gordon	Ku-ring-gai Council	
1963	House, [No. ?] Richmond Avenue, St Ives	Dr D. Stewart	
1963	House, 10 Lynbarra Avenue, St Ives	Emery	Correct address?
1964	Library, Gordon	Ku-ring-gai Council	Demolished?
1965	Library, Turramurra	Ku-ring-gai Council	Extant/altered?
1965	Parking station, Gordon	Ku-ring-gai Council	Extant
1965	House, No. 8 Maytone Avenue, Killara	H.C.A. Cairns	Listed: Local I 333
1965	Miscellaneous council jobs	Ku-ring-gai Council	
1966	Baby Health Centre, West Pymble	Ku-ring-gai Council	

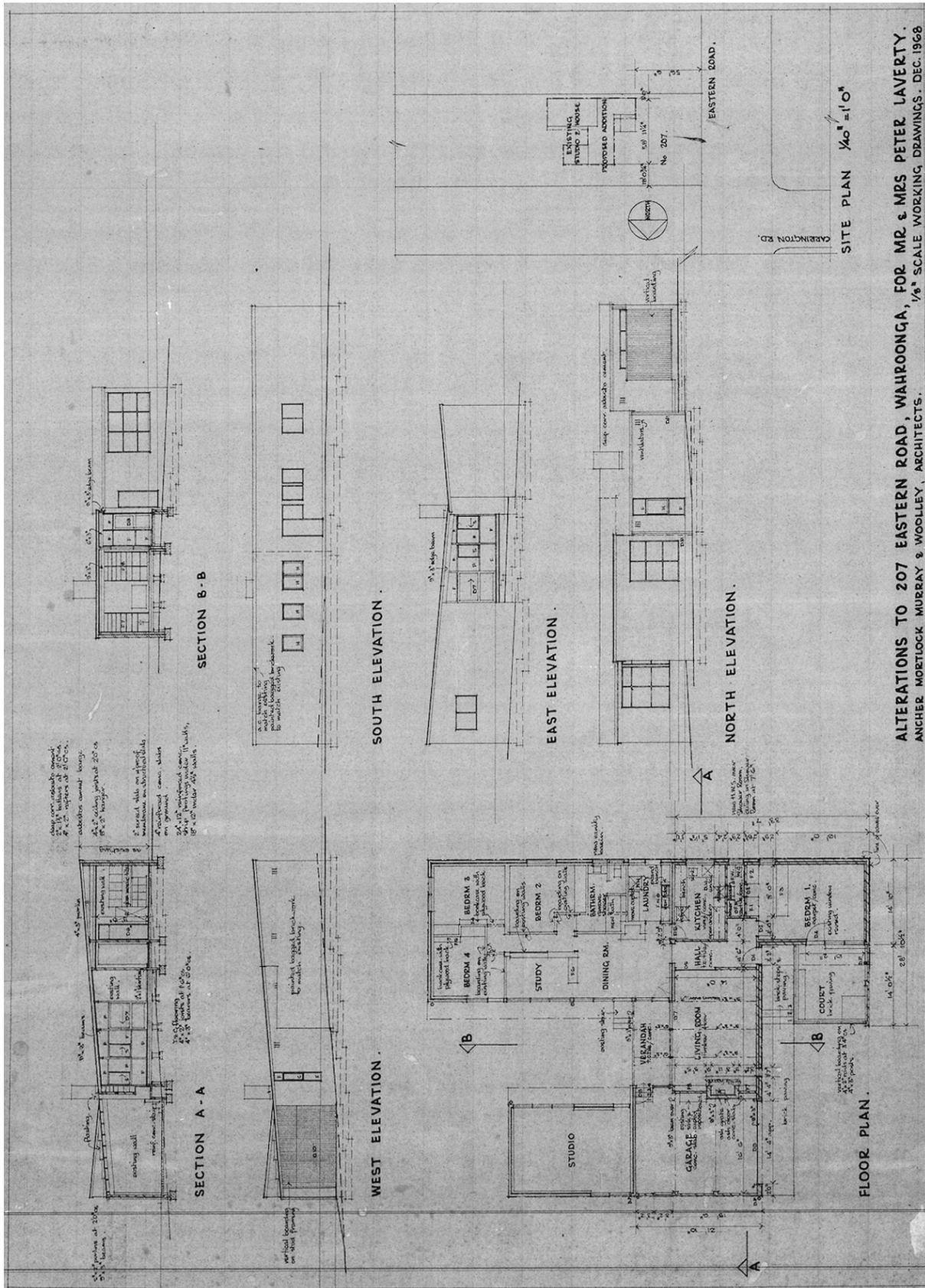
Appendix B:
Ancher, Mortlock, Murray & Woolley drawings of the Laverty House



Appendix figure B1: Proposed Residence at Eastern Rd, Turrumurra for Mr & Mrs Peter Laverty, [Site Plan, Plan, Elevations, Sections], Sydney Ancher FRAIA ARIBA Architect, 20 October 1952 [AMMW aperture card Drawing 5209/1] (Courtesy: Conrad Gargett, Architects)



Appendix figure B2: Alterations to Residence at Eastern Rd, Turramurra for Mr & Mrs Peter Laverty, [Site Plan, Plan, Elevations, Section], Ancher Mortlock & Murray, Architects, January 1955 [AMMW aperture card Drawing 5502/1] (Courtesy: Conrad Gargett, Architects)



Appendix figure B3: Alterations to 207 Eastern Road, Wahroonga for Mr & Mrs Peter Laverty, 1/8" Scale Working Drawings, Ancher Mortlock, Murray & Woolley, Architects, December 1968 (Courtesy: Laverty Family)

APPENDIX D - Council resolution OMC 22 September 2020

FOR ACTION

ORDINARY MEETING OF COUNCIL – 22/09/2020

TO: Governance Support Officer (Srbinovska, Rebecca)

Subject: OMC188 - 207 Eastern Road, Wahroonga
Minute Number: 188
Notes:
File Reference: S10066

188 **207 Eastern Road, Wahroonga**

File: S10066
Vide: BWN1

Councillor M Smith put forward the following to Council:
It has been brought to my attention there is a property with heritage value potentially at risk at 207 Eastern Road, Wahroonga. A heritage assessment has been done. Currently the property is not listed as a heritage item or located within a Heritage Conservation Area (HCA). The property is currently listed for sale as having a potential to subdivide develop or build your dream home. There was a preliminary heritage assessment. It is a circa 1952 single story modernist style residence designed by renowned modernist architect Sydney Anchor. The big risk is it this isn't located in a HCA or a heritage listed property. We are asking for an Interim Heritage Order to be placed on the property to give Council time to review the heritage significance .

Resolved:

(Moved: Councillors Smith/Clarke)

That the matter be considered at this meeting due to the reasons outlined above.

For the Resolution: The Mayor, Councillor Anderson, Councillors
Clarke, Greenfield, Smith and Szatow

Against the Resolution: Councillors Ngai, Pettett, Spencer, Kelly and Kay

The voting being EQUAL, the Mayor exercised her Casting Vote
IN FAVOUR of the MOTION

The Mayor ruled that the matter was of great urgency in accordance with Clause 9.3 of Council's Code of Meeting Practice.

MOTION:

(Moved: Councillors Smith/ Szatow)

That:

- A. Council resolve to place an Interim Heritage Order under section 25 of the NSW Heritage Act 1977 on Laverty House, 207 Eastern Road Wahroonga, Lot B, DP414327, to enable a full and proper evaluation of the heritage significance and prevent any

harm to the site in the interim.

- B. Once the Interim Heritage Order is in place, that a site inspection for Councillors be arranged as soon as practicable.

AMENDMENT:

(Moved: Councillors Ngai/Kelly)

That further consideration of the matter be deferred to an Extraordinary Meeting of Council next week and Council Staff provide Councillors with more information on the matter.

The Amendment was put and declared LOST

For the Amendment: Councillors Kay, Kelly, Ngai, Pettett and Spencer.

Against the Amendment: The Mayor, Councillor Anderson, Councillors Clarke, Greenfield, Smith and Szatow.

The voting being EQUAL, the Mayor exercised her Casting Vote AGAINST the Amendment.

Debate resumed on the original Motion.

The Motion was put and declared CARRIED.

Resolved:

(Moved: Councillors Smith/ Szatow)

That:

- A. Council resolve to place an Interim Heritage Order under section 25 of the NSW Heritage Act 1977 on Lavery House, 207 Eastern Road Wahroonga, Lot B, DP414327, to enable a full and proper evaluation of the heritage significance and prevent any harm to the site in the interim.
- B. Once the Interim Heritage Order is in place, that a site inspection for Councillors be arranged as soon as practicable.

For the Resolution: The Mayor, Councillor Anderson, Councillors Clarke, Greenfield, Smith and Szatow.

Against the Resolution: Councillors Kay, Kelly, Ngai, Pettett and Spencer.

The voting being EQUAL, the Mayor exercised her Casting Vote IN FAVOUR of the Resolution

APPENDIX E – Council report and resolution OMC 17 November 2020

PROPOSED HERITAGE LISTING OF 207 EASTERN ROAD, WAHROONGA

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To have Council consider the proposed heritage listing of Laverty House, the property known as 207 Eastern Road, Wahroonga, on Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015 ('KLEP 2015').

BACKGROUND:

On 22 September 2020 Council resolved to make an Interim Heritage Order ('IHO') for 207 Eastern Road, Wahroonga using delegated authority and requested that a Councillor site inspection be undertaken as soon as practicable. The IHO was gazetted on 25 September 2020 and a Councillor site inspection undertaken on Tuesday, 13 October 2020.

COMMENTS:

Council has commissioned architect and heritage consultant, Dr Scott Robertson of Robertson and Hindmarsh Pty. Ltd. to prepare a heritage assessment for the property known as 207 Eastern Road, Wahroonga. The assessment considers that the property meets the threshold for local heritage listing on the grounds of historic, associative, aesthetic, social, research, rarity and representative values. The assessment concludes that the property demonstrates significance through its connection with the Laverty family and their strong links to the NSW Art movement, as well as its association with renowned Australian architect Sydney Ancher, as an intact example of his work.

RECOMMENDATION:

That a Planning Proposal be referred to the Ku-ring-gai Local Planning Panel ('KLPP') for the listing of Laverty House, the property known as 207 Eastern Road, Wahroonga, as an item of local heritage significance on Schedule 5 of the KLEP 2015.

PURPOSE OF REPORT

To have Council consider the proposed heritage listing of Laverty House, the property known as 207 Eastern Road, Wahroonga, on Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015 ('KLEP 2015').

BACKGROUND

On Thursday, 3 September 2020 the property known as 207 Eastern Road, Wahroonga was brought to the attention of Council officers by a group of architects. The group communicated their concern for the property's vulnerability as an intact example of renowned Australian architect Sydney Ancher's work, which is located on a large allotment that was (and still is) being advertised for sale. The property is not located within a Heritage Conservation Area ('HCA') nor is it within the immediate vicinity of any local or state heritage items.

On Tuesday, 8 September 2020, the potential vulnerability of the property was discussed with the Heritage Reference Committee ('HRC'), who agreed that an Interim Heritage Order ('IHO') should be invoked in this instance. A preliminary heritage assessment was then completed by Council officers on 9 September 2020 [See **Attachment A1**].

Council has delegated authority under s.25 of the *NSW Heritage Act 1977* ('Heritage Act') to make an IHO on the property. The purpose of an IHO being to provide Council with time to undertake an independent heritage assessment of the property to establish if it warrants formal heritage listing.

On 22 September 2020, the matter was raised at the OMC. At this meeting, Council resolved:

"Council resolve to place an Interim Heritage Order under section 25 of the NSW Heritage Act 1977 on Laverty House, 207 Eastern Road Wahroonga, Lot B, DP414327, to enable a full and proper evaluation of the heritage significance and prevent any harm to the site in the interim. Once the Interim Heritage Order is in place, that a site inspection for Councillors be arranged as soon as practicable." [See **Attachment A2**].

On 25 September 2020 the IHO came into effect. The wording of the IHO is as follows:

"This Interim Heritage Order will lapse six months from the date that it is made unless the local Council has passed a resolution before that date; and

- (i) in the case of an item which, in the council's opinion, is of local significance, the resolution seeks to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; or*
- (ii) In the case of an item which, in the Council's opinion, is of State heritage significance, the resolution requests the Heritage Council to make a recommendation to the Minister for Heritage under section 32(2) of the Heritage Act to include the item on the State Heritage Register."* [See **Attachment A3**].

Under the above conditions of the IHO, the order will lapse on 25 March 2021 unless Council passes a resolution to list the item on the Schedule 5 of the KLEP 2015 to protect and manage the item, or it nominates the item for inclusion on the State Heritage Register. A flowchart of the IHO process can be viewed at **Attachment A4**.

COMMENTS

Following the gazettal of the IHO, the property owner's representative made contact with Council officers to arrange a meeting to discuss the process. This meeting was held at Council Chambers in person on Thursday, 8 October 2020. The owner's representative was generally supportive of heritage listing the property however, expressed reservations about the IHO process and any likely impacts that this would have (or continue to have) on the property's sale campaign. During the meeting, the style and approach to the Council commissioned heritage assessment was discussed, with the possible inclusion of a heritage curtilage review, reference to the advantages of Clause 5.10.10 *Heritage Incentives* of the KLEP 2015 and any potential for development in this regard.

The property owner's representative requested that the processes be expedited as much as possible to limit impacts on their current sale campaign. However, it was discussed that the report would not commence until after the site inspection, which was scheduled for Tuesday, 13 October of the following week, and therefore unlikely to make the agenda for the November OMC.

An inspection of the property including the internals of the house was undertaken on Tuesday, 13 October 2020 with Councillors, Council's commissioned heritage consultant and Council staff. The property owner's representative and their Real Estate Agent were present and assisted during the inspection. After the inspection, Council's commissioned heritage consultant was requested to commence their extended heritage assessment and complete as soon as they were able.

The NSW Heritage Assessment Criterion

A heritage item is a place, which may include built structures, landscapes, moveable objects and relics, that have recognised cultural significance. In NSW, heritage items of local significance are assessed against seven (7) criterion:

- A. Historical significance – an item is important in the course, or pattern, of the cultural or natural history of the local area;*
- B. Historical association significance – an item has strong or special association with the life or works of a person, or group of persons, of importance to the local area's cultural or natural history;*
- C. Aesthetic significance – an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area;*
- D. Social significance – an item has a strong or special association with a particular community or cultural group in the local area, for social, cultural or spiritual reasons;*
- E. Technical/Research significance – an item has potential to yield information that will contribute to an understanding of the local area's scientific, cultural or natural history;*
- F. Rarity – an item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history; and*
- G. Representativeness – an item is important in demonstrating the principal characteristics of a class of the local area's cultural or natural places; or cultural or natural environments.*

207 Eastern Road – Heritage Assessment

The full heritage assessment has now been completed for Lavery House, the property known as 207 Eastern Road, Wahroonga, by Robertson and Hindmarsh Pty. Ltd. Dr Scott Robertson of this firm is a registered architect, who specialises in Post-war and Modern architecture. The final draft heritage assessment was provided to Council officers on 29 October 2020 (See **Attachment A5**). The assessment found that the property is of at least local heritage significance and should be included as a heritage item on Schedule 5 of the KLEP 2015.

Item GB.11

S10066

The heritage assessment considers that the property meets the threshold for local heritage listing on the grounds of historic, associative, aesthetic, social, research, rarity and representative values. The assessment concludes that the property demonstrates significance through its connection with the Laverty family and their strong links to the NSW Art movement, as well as its association with renowned Australian architect Sydney Ancher, as an intact example of the his work.

The comprehensive Statement of Significance prepared by Robertson and Hindmarsh Pty. Ltd. for 207 Eastern Road, Wahroonga, expounds this importance. It reads:

"The substantially intact Laverty House is a rare example of an artist's residence still with its functioning and identifiable artist studio. The way of life of the Laverty Family is still clearly evident in the extant planning and fabric of the house and studio. The design of the house and studio is of exceptional interest when planned expansion of the house is understood in order to cater for young couples of modest financial means in the post-war years, of post-war frugality, and of their increasing wealth and family size through later additions and enlargement of the small house nucleus.

The Laverty House is of local historical significance in demonstrating the post-World War 2 process of suburban infill development in earlier subdivisions. The Laverty House is of local aesthetic significance as its design exhibits the hallmarks of the Modernism with its clean lines, simple form, and walls of glass. The Laverty House is one of a series of houses within the Ku-ring-gai municipality that demonstrate the emergence of modern architecture in New South Wales, of which the architect Sydney Ancher was a leading proponent.

The Laverty House is of local associative significance because of its strong association with renowned architect, Sydney Ancher and his firm, Ancher, Mortlock & Murray and also because of its association with two prominent Australian artists, Ursula and Peter Laverty, who was Head of the National Art School and later Director of the Art Gallery of NSW. In this regard the house is of historical significance as the site of a meeting that inaugurated the concept of the international art biennale for Sydney. The Laverty House has the potential to yield information about cultural history in NSW, through its association with the artistic world, which is strongly reflected through the extant building fabric, arrangement and composition of elements on the site, including a purpose-built artist studio.

The surviving architectural drawings and the completed Laverty House demonstrate the palette of materials and construction methods employed by the architectural firm of Ancher, Mortlock and Murray that are recognised as forming a regional expression of modern architecture. The Laverty House demonstrates the key characteristics of the domestic work of the firm of Ancher, Mortlock and Murray in the 1940s, 1950s & early 1960s and demonstrates the firm's use of similar details in houses for young couples of modest means in the economically constrained period after World War II."

In conjunction with the listing of *Laverty House*, the report identifies a suggested heritage curtilage, refers to the advantages of Clause 5.10.10 *Heritage Incentive* of the KLEP 2015 and identifies the development potential for the rest of the site from a heritage perspective, including the possible subdivision arrangement, all of which would be subject to a full planning approval.

In support of the recognised heritage value, it is recommended that Council prepare a planning proposal to include Laverty House - 207 Eastern Road, Wahroonga on Schedule 5 of the KLEP 2015. To support the Planning Proposal a State Heritage Inventory form will also be prepared.

INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
Ku-ring-gai's heritage is protected, promoted and responsibly managed.	Strategies, plans and processes are in place to effectively protect and preserve Ku-ring-gai's heritage assets.	Implement, monitor and review Ku-ring-gai's heritage planning controls including the development of a heritage strategy.

GOVERNANCE MATTERS

This report addresses the first stage in obtaining a Gateway Determination for a Planning Proposal which seeks to list an item of local heritage significance under an amendment to Schedule 5 of the KLEP 2015. If the Planning Proposal is supported by the Department, the Planning Proposal will be placed on exhibition seeking further State agency and stakeholder feedback prior to being reported back to Council to decide if the property should be formally listed.

The process for the preparation and implementation of planning proposals is governed by the provisions of the *Environmental Planning and Assessment Act, 1979*. Council will seek the plan-making delegation under Section 3.36(2) of the EP&A Act to finalise the Planning Proposal.

RISK MANAGEMENT

There is a community expectation that places of heritage significance within the Ku-ring-gai Council LGA will be identified and protected. There is a strategic risk of damaging the reputation of Council if these culturally significant places are not identified and considered for protection.

FINANCIAL CONSIDERATIONS

The cost of preparing this report is covered by the Ku-ring-gai draft Principal Local Environmental Plan - Urban Planning & Heritage Budget – Strategy and Environment Department.

SOCIAL CONSIDERATIONS

The identification and protection of Ku-ring-gai's heritage places contributes to the ongoing conservation of Ku-ring-gai's community-valued historic landscape and garden suburbs.

ENVIRONMENTAL CONSIDERATIONS

The retention and conservation of heritage places has an important role in protecting the environment. The environmental sustainability benefits afforded by the retention of heritage places includes the substantial reduction in building demolition and new construction waste, and the conservation of embodied energy in the existing buildings.

COMMUNITY CONSULTATION

As part of making the Interim Heritage Order for the site, the IHO was published in the NSW Government Gazette on 25 September 2020. Council advised the property owner on 25 September 2020 that the order had been approved and published in the NSW Government Gazette.

The purpose of the IHO was to enable a full assessment of the property's heritage significance to be conducted. Council representatives and Dr Scott Robertson visited the property and met with the representatives of the property owner's representative on 13 September 2020.

The property owner's representative was notified of this report going before Council and will be further notified and have the opportunity to provide feedback if Council supports its listing in a planning proposal during the formal exhibition period.

Should the Planning Proposal receive a favourable Gateway Determination, it will be exhibited in accordance with the Department's Gateway Determination requirements and with explanatory heritage information. This will involve appropriate notification and receipt of submissions on the draft Planning Proposal from the relevant State agencies and the general community, and a further report back to Council regarding this matter.

INTERNAL CONSULTATION

Consultation with relevant Departments of Council has taken place in preparing this report, in particular, Development and Regulation. In addition, Council's Heritage Reference Committee has reviewed the proposed heritage item and moved a unanimous decision to support the listing.

SUMMARY

An assessment of heritage significance supports the findings that Laverty House - 207 Eastern Road, Wahroonga is worthy of inclusion on Schedule 5 of the KLEP 2015. The purpose of this report is to instigate Council's commencement of a Planning Proposal in relation to this listing.

RECOMMENDATION:

That:

- A. Council proceed to prepare a Planning Proposal to amend KLEP 2015 to include Laverty House - 207 Eastern Road, Wahroonga [Lot B, DP414327] as a local heritage item on Schedule 5 of the KLEP 2015.
- B. The Planning Proposal is referred to the Ku-ring-gai Local Planning Panel ('KLPP') for advice in accordance with the Local Planning Panel Direction – Planning Proposals.
- C. A report be brought back to Council following the advice from the KLPP for Council to consider whether or not to forward the Planning Proposal for a Gateway Determination under section 3.34 of the Environmental Planning & Assessment Act 1979.

Vanessa Holtham
Heritage Planner Specialist

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Attachments:	A1 	Final Preliminary Heritage Assessment - 207 Eastern Road Wahroonga	2020/285398
			
	A2 	Council Resolution - OMC188 - 207 Eastern Road, Wahroonga	2020/319606
			
	A3 	NSW Gazette - Interim Heritage Order IHO - 207 Eastern Road Wahroonga (Lavery House)	2020/319169
			
	A4 	Heritage NSW - Interim heritage orders process flowchart	2020/229568
			
	A5 	Robertson and Hindmarsh - Heritage Assessment - 207 Eastern Road (Lavery House)	2020/321901
			

223 **Proposed Heritage Listing of 207 Eastern Road, Wahroonga**

File: S10066

Vide: GB.11

To have Council consider the proposed heritage listing of Lavery House, the property known as 207 Eastern Road, Wahroonga, on Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015 ('KLEP 2015').

Resolved:

(Moved: Councillors Spencer/Pettett)

That:

- A. Council proceed to prepare a Planning Proposal to amend KLEP 2015 to include Lavery House - 207 Eastern Road, Wahroonga [Lot B, DP414327] as a local heritage item on Schedule 5 of the KLEP 2015.
- B. The Planning Proposal be referred to the Ku-ring-gai Local Planning Panel ('KLPP') for advice in accordance with the Local Planning Panel Direction – Planning Proposals.
- C. A report be brought back to Council following the advice from the KLPP for Council to consider whether or not to forward the Planning Proposal for a Gateway Determination under section 3.34 of the Environmental Planning & Assessment Act 1979.

CARRIED UNANIMOUSLY

224 **Adoption of the revised Ku-ring-gai Community Participation Plan 2020**

File: S12564/2

Vide: GB.1

For Council to consider the finalisation of the revised Community Participation Plan following public exhibition

Resolved:

APPENDIX F – Draft Heritage Inventory Sheet (SHI form) for 207 Eastern Road, Wahroonga

Heritage Data Form

ITEM DETAILS					
Name of Item	Lavery House				
Other Name/s Former Name/s	207 Eastern Road, Wahroonga				
Item type (if known)	Built				
Item group (if known)					
Item category (if known)					
Area, Group, or Collection Name					
Street number	207				
Street name	Eastern Road				
Suburb/town	Wahroonga		Postcode	2076	
Local Government Area/s	Ku-ring-gai				
Property description	Lot B DP 414327.				
Location - Lat/long	Latitude		Longitude		
Location - AMG (if no street address)	Zone		Easting		Northing
Owner	Ursula Lavery				
Current use	Residential dwelling				
Former Use	Residential dwelling and Artist studio				

Heritage Data Form

Statement of significance	<p>The substantially intact Lavery House is a rare example of an artist's residence still with its functioning and identifiable artist studio. The way of life of the Lavery Family is still clearly evident in the extant planning and fabric of the house and studio. The design of the house and studio is of exceptional interest when planned expansion of the house is understood in order to cater for young couples of modest financial means in the post-war years, of post-war frugality, and of their increasing wealth and family size through later additions and enlargement of the small house nucleus.</p> <p>The Lavery House is of local historical significance in demonstrating the post-World War 2 process of suburban infill development in earlier subdivisions. The Lavery House is of local aesthetic significance as its design exhibits the hallmarks of Modernism with its clean lines, simple form, and walls of glass.</p> <p>The Lavery House is one of a series of houses within the Ku-ring-gai municipality that demonstrate the emergence of modern architecture in New South Wales, of which the architect Sydney Ancher was a leading proponent. The Lavery House is of local associative significance because of its strong association with renowned architect, Sydney Ancher and his firm, Ancher, Mortlock & Murray and also because of its association with two prominent Australian artists, Ursula and Peter Lavery, who was Head of the National Art School and later Director of the Art Gallery of NSW. In this regard the house is of historical significance as the site of a meeting that inaugurated the concept of the international art biennale for Sydney. The Lavery House has the potential to yield information about cultural history in NSW, through its association with the artistic world, which is strongly reflected through the extant building fabric, arrangement and composition of elements on the site, including a purpose-built artist studio.</p> <p>The surviving architectural drawings and the completed Lavery House demonstrate the palette of materials and construction methods employed by the architectural firm of Ancher, Mortlock and Murray that are recognised as forming a regional expression of modern architecture. The Lavery House demonstrates the key characteristics of the domestic work of the firm of Ancher, Mortlock and Murray in the 1940s, 1950s & early 1960s and demonstrates the firm's use of similar details in houses for young couples of modest means in the economically constrained period after World War II.</p>	
Level of Significance	State <input type="checkbox"/>	Local <input checked="" type="checkbox"/>

Heritage Data Form

DESCRIPTION	
Designer	Sydney Ancher
Builder/ maker	
Physical Description	<p>The site is located on the east side of Eastern Road immediately south of the intersection with Carrington Road. The site is rectangular with a frontage to Eastern Road of 25 metres and an area of 2,268m².</p> <p>The house is situated in the centre of the front two-thirds of the site, which has a gradual slope from the front to the rear. There is a stand of tall trees in the front yard, giving the house the appearance of a bush setting that is accentuated by the gravel drive/bush track leading from the post and rail timber front fence to the attached double garage. A tall pine once stood in the front yard but the storm of 1991 felled the tree. The rear yard is also defined by tall trees on or in close proximity to the boundaries as well as hedges that divide the rear yard into a series of discrete spaces or "rooms".</p> <p>The house is set back from the northern site boundary by approximately 5 metres, is approximately 900mm to 1.0m from the south site boundary, 22 metres to the front boundary and 48 metres to the rear boundary. The house originally comprised two short parallel wings separated by a paved courtyard. The subsequent additions have created a U-shaped plan form that is still centred on the original courtyard. The Main Bedroom at the front of the house protrudes from the base of the "U" and opens onto its own private, north-facing courtyard.</p> <p>Behind the house is a small area that is partially separated from the next section of the yard by a hedge. The second section of the rear yard contains a small concrete slab that was the base of Peter Laverty's telescope shed. Beyond the slab a low rubble stone garden wall runs across the entire site and behind that low wall is a tall hedge that conceals the final third section of the rear yard.</p> <p>One of the important aspects of the site and the setting of the house are the large trees that define the site and give it its bushland setting. The front yard is landscaped as an Australian bush garden and this aspect should be maintained. The rear yard is a more manicured garden with spaces defined by tall hedges creating outdoor "rooms".</p> <p>The rear yard groundcover is traditional lawn but there are significant tall native Australian trees defining the boundaries that should also be maintained.</p> <p>The house</p> <p>The house is full-brick construction with the exterior and the interior of the house finished in white-painted dry-pressed bricks and a roof sheeted with corrugated fibre cement roof sheets of the same dimensions as Hardies Super Six. Some of the roof sheets are still asbestos cement but the majority were replaced with fibre cement sheets in the late 1970s/early 1980s.⁸ The house ceilings are fibrous plaster and the floors are sheeted with clear finished Tallowwood hardwood boards (with the exception of the Entry with its quarry tile finish, the Laundry and Kitchen with their vinyl tile floor finishes, and the Ensuite & Bathroom with their ceramic tiles). The windows are white-painted timber-framed and in a combination of fixed glass panes and awning-hung opening sashes.</p> <p>The interior doors are clear-finished timber hollow core. Much of the original window and door hardware remains. The wet areas contain Raymor T4 taps, an award-winning Australian design, which are now rare. These design classics probably date from the 1968 alterations and additions to the house as the T4 range of taps was designed in 1964 by Arthur Robinson. The T4 range was awarded the Design Institute of Australia Good Design Award in 1964.</p> <p>The planning of the house is structured around the central Courtyard. The north side of the courtyard is defined by the studio with its south-facing windows that dates from the first stage of the house. The south side is defined by the original residential wing of the house and the second stage extension of the house. The south wing contains three Bedrooms, the main Bathroom, the Laundry and a Living/Dining space that faces the Courtyard through the north-facing windows. The west side of the Courtyard is defined by the third stage of the house that contains the Kitchen, Ensuite, Walk-in-Robe, Main Bedroom, Living Room and double garage.</p>

Heritage Data Form

	<p>The original house was designed as a small, affordable nucleus for a later eastwards rear extension that would preserve the appearance of the house from the street. The original house provided the essential living and working accommodation for a young couple whose life centred around the production of art. The modest size of the house and rooms also reflected the period of post-war austerity where house sizes and use of materials were strictly controlled and restricted.⁹ In addition, such restrictions also modified people's expectations with regard to house and room sizes.</p> <p>The first two stages of the house were designed by Sydney Ancher but the third stage was commissioned and designed after Ancher retired from the firm. The third stage was designed by architect, Judith Ambler, within the firm of Ancher, Mortlock, Murray & Woolley. The third stage logically placed the new Living Room and Main Bedroom suite at the front of the house which enabled guests to be accommodated near the house's entry and also allowed a zoning between the parents' and children's areas of the house. Whilst this third stage at the front of the house was not envisaged by Ancher when he designed the house to be extended at the rear, the third stage uses the same language and design details as Ancher's first two stages with slight modifications for the change in aesthetic taste. The third stage represents the increased prosperity of the 1960s with the desire for larger living spaces, the greater availability of materials, and the financial means with which to pay for those larger rooms.</p> <p>The planning focus of the house is still on the Courtyard, and the rear yard, as the house presents blank walls to the street and creates a bold architectural statement with the counterpoised skillion roof geometries (one for the Living Room, Main Bedroom, and Garage in front and the other skillion roof behind belonging to the Studio).</p>					
Physical condition and Archaeological potential						
Construction years	Start year	1952	Finish year		Circa	<input checked="" type="checkbox"/>
Modifications and dates	1955 – Additional bedrooms added. 1968 - Additional living wing and garage.					
Further comments						

Heritage Data Form

HISTORY

Historical notes

207 Eastern Road, Wahroonga was part of an early crown grant of 2,000 acres (809ha) to John Terry Hughes in 1842. As the subdivision of this land was formalized in the 1880s and 1890s, the land containing the subject site became known as lot 10, section 4 of the Big Island Estate. The 1897 subdivision of a portion of the Big Island Estate, known as Wahroonga Heights East Estate (within DP 3464), contained the subject site as a part of Lot 1 of this estate (the unnumbered allotment to the north of Lot 2).

In May 1919, Philip Frederick Burriss of Waitara, Railway Employee, obtained a 2 acre 2 rood (1.01ha) portion of lot 10 Section 4 containing the subject site. In February 1924 he transferred his property to Hardy Edmund Bird of Coogee, Painter. In February 1926, the property was transferred to Albert Edwin Farley of Coogee, Retired Merchant. In October 1943, Farley transferred the land to Albert Edwin Farley of Griffith, farmer (assumed son).

The 1943 aerial photograph clearly indicates the subject site as empty, but shows the sparse interwar housing development around the site. It also shows a shed on the north boundary which survived until 1968. In May 1946, the property was transferred to Thomas Ellis of Wahroonga, Clerk. In November 1951, the property passed via an application by transmission to Edith Elizabeth Ellis of Wahroonga, widow. Edith Ellis began the process of subdividing the land, transferring a 3 rood, 18¾ perch (3,516m²) portion of this land – representing the original extent of the subject site stretching from Eastern Road to Morris Avenue – to Ursula Airlie Nathan, a 21-year old single woman of Killara, in October 1952. Shortly after, Ursula Nathan married Peter Phillip Laverty.

The couple, both artists in their own right, had met whilst studying at the Winchester School of Art in Southampton, UK after the war. Ursula had returned to Australia with her family in 1949, with Peter emigrating in 1951. Peter taught at the National Art School from 1954, becoming Head of the School in 1971. From 1971-1977, he was Director of the Art Gallery of New South Wales (AGNSW). In addition to these roles he served on committees such as the International Society of Art Critics and the Sydney Biennale Committee, was a member of Sydney Printmakers and the Australian Watercolour Institute, a writer for art journals and a judge for many competitions. After retiring from the AGNSW, Peter returned to full-time painting and exhibited regularly from 1977 until his death in 2013.

Ursula, alike, was a Foundation and Life member of Sydney Printmakers, contributing to exhibitions regularly from 1961 to 1986. Ursula Laverty designed the Station of the Cross Mosaics for the new Catholic Church in Pymble in 1992, published a book of her poetry and drawings in 1993 (*Counterpoint*), and established and curated the Hornsby Bestowed Collection in 2005 (assisted by artist Margaret Woodward). Ursula returned to full-time painting in 1986 and has continued to exhibit her paintings since then.

The Lavertys hosted a dinner party at which the concept of the Sydney Biennale was discussed. Franco Belgiorno-Nettis (1915-2006), James Gleeson (1915-2008) and John Coburn (1925-2006) were guests at the dinner party. An application (#841) was lodged by P. Laverty in late 1952 for a brick dwelling in Eastern Road, Turramurra (now a part of Wahroonga).

Prominent Sydney Modernist architect, Sydney Ancher, was engaged to design a small house for the site that could be extended later. The first stage of the house comprised two parallel wings separated by a courtyard. The north wing was an artist's studio with floor to ceiling windows in the south wall and a skillion roof sloping from the north down to the south over the courtyard window wall. Across the courtyard was a small, north facing wing containing a Living/Dining space, a Bedroom, a Bathroom (containing the washing machine) and a small Kitchen. The skillion roof over this wing sloped down from the south to protect the north-facing window wall which opened onto the central courtyard. The walls of both wings were white-painted brick and the roof was covered in Hardies Super Six corrugated asbestos cement sheets. The fibrous plaster ceilings followed the slope of the skillion roofs.

The house was featured in the *Sunday Herald* of 20 September 1953 (page 21) in an article titled "When Two Artists Plan A Home." The house is described in the article as "one of the most attractive small houses along Eastern Road, Wahroonga... [a] 10-square contemporary white brick home" that served as "both a livable home and working studio for the Lavertys, a young couple who both paint in all their spare time."

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Details are given of the house's original form:

"From the road, the house presents an interesting angle of two skillion roofs pitching down to the centre. The walls are white painted brick, with a yellow front door set beside a wall-screen of vertical timber boarding painted a bright blue-green.

The purpose of this screen wall is seen from the other side of the house, where a tall wattle tree grows in the centre of a completely private courtyard around which the entire house centres. (There was never a wattle tree in the centre of the Courtyard. The Courtyard tree was located at the east end of the Courtyard (not in the centre) and was a Chinese Elm. There was, however, a Cootamundra Wattle planted in front of the house).

This makes a lovely sheltered place, warmed by sunlight during winter, yet cool and shady in summer because of deep roof overhangs. It has a pleasant view over an orchard and green paddocks, and, because it is so private, all the rooms open in to the courtyard through huge glass windows and doors... The ten squares [93m²] of the house are arranged so that maximum space is given to the living room, bedroom and studio. The utility rooms of kitchen, bathroom and laundry⁴ are small yet completely compact, and the entire house is designed to be easily and quickly cared for, which is exactly as its owners wished.

The house really consists of two rectangles, joined by the timber screen wall. The main part is larger and contains the living, eating and sleeping areas; the other rectangle is given entirely to the studio..." An original floorplan and several images of the house are printed with the article. A significant sentence in the article is: "Should the Laverty's want to add to their house, the architect [Ancher] has allowed for extra space to be built on to one wing of the house which will not alter its general appearance."

In early 1955, P. Laverty lodged another application (#662) for an "addition" to his dwelling in Eastern Road, Wahroonga. This second stage followed Ancher's original concept of adding to the east end of the south wing and maintaining the original front elevation of the house. The second stage comprised the addition of two more Bedrooms and an eastwards extension to the small Living area. The original Bedroom was reconfigured to provide a common entrance to the bathroom which had, up until then, been an Ensuite to the original Bedroom.

On 22 November 1958, Ursula Laverty transferred a rear part of the lot to a new owner (lot A of current DP 414327), leaving her with 2 roods and 9¼ perches (lot B of DP 414327, the current subject site). By the time her new certificate of title was issued in March 1960, she was reflected as being the wife of Peter Phillip Laverty of Wahroonga, confirming their residence in the suburb. Council records also reveal BA1920/62 lodged in 1962 for a telescope shelter on the property. The square concrete floor slab of this telescope shed remains extant to the east of the house, but no shed or telescope remain.

In December 1968 the office of Ancher, Mortlock, Murray & Woolley (AMMW) was engaged to design a third stage of additions. By this time Ancher had retired from the practice and the project was designed by architect, Judith Ambler within the AMMW office. The works included the addition of a new Main Bedroom, Walk-in-Robe and Ensuite, new large Living Room, Kitchen and Garage across the front of the house. The original Kitchen was converted into a Laundry (the original Bathroom having housed the original washing machine). Figure 21 illustrates the three stages of the construction of the house.

Ursula Laverty remains the owner of the property to the present day (October 2020). Peter Laverty passed away in 2013. Laverty's obituary noted of his time at the Wahroonga property: "[Peter] enjoyed working in his bushland garden and photographing the night sky through a telescope. He also took great pleasure in designing and building furniture for the family." (An artist driven by his passions", *Obituaries Sydney Morning Herald*, 14 September 2013).

Sydney Ancher

Sydney Ancher (1904-1979) is considered a pioneer of modern domestic architecture in Australia. Ancher's houses of the late 1940s and 1950s became examples of Ancher's innovative approaches towards architecture, focusing on functionality, subtlety, suitability to climate and the fluidity of space and lifestyle in a home.

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Ancher commenced the Architectural Diploma course at Sydney Technical College in 1924, a course which was a part-time course taken whilst being employed full-time in an architect's office. In his third year of the course Ancher obtained a position at the practice of Prevost, Synnot & Ruwald which undertook mostly domestic-scale work but also hotel design for Tooth and Co Ltd. The firm applied simple modern lines to their hotels and Ancher considered the firm was "producing the best work in Sydney at the time".⁶ In 1929 Ancher completed his architectural course and booked passage to England. In the same year he applied for, and was awarded, the Australian Medallion and Travelling Scholarship from the Board of Architects of New South Wales. His time in England allowed him to see Modern architecture first-hand, both in the UK and in Continental Europe. Ancher returned to Australia in 1936, collaborating with Emil Sodersten and Reginald Prevost before the partnership of Prevost and Ancher was formalized in 1937.

Ancher travelled to Europe again in January 1939, returning to Australia later in the year following the outbreak of WWII. He worked with the Commonwealth Government and John D. Moore before enlisting in June 1940. Ancher embarked for the Middle East in October 1940, being posted back in Australia in 1942 undertaking engineering and architectural duties. At the conclusion of the war, Ancher returned to private practice, designing approximately ten houses a year until 1951, alongside other projects including hotels. In 1952, he partnered with two of his assistants forming the firm Ancher, Mortlock and Murray, working on a variety of domestic and commercial projects. In the 1960s the firm expanded the scope of its projects to include council chambers, libraries and universities, and architect Ken Woolley (1933-2015) joined the practice in 1964 to form Ancher, Mortlock, Murray & Woolley. Ancher retired from the firm in 1966, continuing to design a small series of houses for himself.

Ancher was one of the most significant early Modernist architects practising in Sydney before and immediately after the Second World War. When Viennese-born Harry Seidler (1923-2006) arrived in Sydney from Canada (via Brazil) in 1948 he stated that Sydney Ancher and Arthur Baldwinson (1908-1969) made him welcome and that they were the two best Modernist architects working in Sydney.

Judith Ambler

Judith Margery Haworth Ambler (nee Hill) (1929-2005) studied architecture at the University of Sydney 1946-50 where she was one of six women studying with 75 men. She practised as an architect with firms including McConnell, Smith and Johnson, and with Bill Lucas, before branching out on her own, designing houses, additions and alterations. She moved to Cammeray in 1970 and was involved in the Residents Action Group opposing overdevelopment. Through that work Ambler was elected to North Sydney Council, serving from 1971-74, where her vision of a low-rise civic centre for North Sydney prevailed over the high rise 'Sabemo Scheme', and the Civic Park was opened in 1982. Civic Park is now the arena for festivals, markets, picnics and concerts, and this campaign was a defining moment in the history of North Sydney. After her death North Sydney Council named Judith Ambler Reserve in Cammeray, in recognition of her 35 years of community service as a councillor, volunteer bush regenerator and educator. (This information on Judith Ambler was taken from ACT, Public Place Names (Taylor) Determination 2017 (no 3): Disallowable instrument DI 2017-24, 15 September 2017).

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THEMES	
National historical theme	4. Building settlements, towns and cities
State historical theme	Towns, suburbs and villages
National historical theme	4. Building settlements, towns and cities
State historical theme	Accommodation
National historical theme	8. Developing Australia's cultural life
State historical theme	Creative endeavour

Heritage Data Form

APPLICATION OF CRITERIA	
Historical significance SHR criteria (a)	<p>The Lavery House is of local historical significance in demonstrating the post-World War 2 process of suburban infill development in earlier subdivisions and as an illustration of post-war frugality and shortages necessitating small houses that could form the nucleus of later, larger houses that could also accommodate growing families.</p> <p>The house is of local historical significance as the site of a meeting that inaugurated the concept of an international art biennale for Sydney.</p>
Historical association significance SHR criteria (b)	<p>The house is of local associative significance because of its strong association with renowned architect, Sydney Ancher and his firm, Ancher, Mortlock & Murray.</p> <p>The house of at least local (and probably of state) associative significance for its association with two prominent Australian artists, Ursula and Peter Lavery, Head of the National Art School and Director of the Art Gallery of NSW.</p>
Aesthetic significance SHR criteria (c)	<p>The Lavery House is of local aesthetic significance as its design exhibits the hallmarks of Modernism with its clean lines, simple form, and walls of glass.</p> <p>The surviving architectural drawings and the completed Lavery House demonstrate the palette of materials and construction methods employed by the architectural firm of Ancher, Mortlock and Murray that are recognised as forming a regional expression of modern architecture.</p> <p>The Lavery House is one of a series of houses within the Ku-ring-gai municipality that demonstrate the emergence of modern architecture in New South Wales, of which the architect Sydney Ancher was a leading proponent.</p>
Social significance SHR criteria (d)	<p>The Lavery House has social significance at least at a local level through its strong association with the NSW Art movement, because of its links with Peter Lavery, Director of the NSW Art Gallery and the Lavery family of artists as well as its association with the initiation of the Biennale of Sydney. The Lavery House also has social significance at least at a local level through its strong association with architectural profession because of the high regard in which architect Sydney Ancher is held.</p>
Technical/Research significance SHR criteria (e)	<p>The Lavery House has the potential to yield information about cultural history in NSW, through its association with the artistic world, which is strongly reflected through the extant building fabric, arrangement and composition of elements on the site, including a purpose-built artist studio.</p> <p>The house also is a physical manifestation of the small post-war houses that were constructed for people of modest means during times of material shortage and which were then added to and enlarged as conditions improved.</p>
Rarity SHR criteria (f)	<p>The substantially intact Lavery House is a rare example of an artist's residence still with its functioning and identifiable artist studio. The way of life of the Lavery Family is still clearly evident in the extant planning and fabric of the house and studio. The design of the house and studio is of exceptional interest when planned expansion of the house is understood in order to cater for young couples of modest financial means.</p>
Representativeness SHR criteria (g)	<p>The Lavery House demonstrates the key characteristics of the domestic work of the firm of Ancher, Mortlock and Murray in the 1940s, 1950s & 1960s and demonstrates the firm's use of similar details in houses for young couples of modest means in the economically constrained period after World War II.</p>
Integrity	

Heritage Data Form

HERITAGE LISTINGS

Heritage listing/s	Interim Heritage Order dated 25 September 2020.

INFORMATION SOURCES

Include conservation and/or management plans and other heritage studies.

Type	Author/Client	Title	Year	Repository
Report	Dr Scott Robertson of Robertson Hindmarsh Pty Ltd for Ku-ring-gai Council	Heritage Assessment Report: Potential Heritage Item: "Lavery House" 207 Eastern Road, Wahroonga	2020	Ku-ring-gai Council

RECOMMENDATIONS

Recommendations	See <i>Heritage Assessment Report: Potential Heritage Item: "Lavery House" 207 Eastern Road, Wahroonga (2020)</i> by Dr Scott Robertson of Robertson Hindmarsh Pty Ltd for Ku-ring-gai Council for detailed management recommendations.
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SOURCE OF THIS INFORMATION

Name of study or report	Heritage Assessment Report: Potential Heritage Item: "Lavery House" 207 Eastern Road, Wahroonga for Ku-ring-gai Council	Year of study or report	2020
Item number in study or report			
Author of study or report	Dr Scott Robertson of Robertson Hindmarsh Pty Ltd for Ku-ring-gai Council		
Inspected by	VH		
NSW Heritage Manual guidelines used?			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
This form completed by	VH	Date	2020

Heritage Data Form

IMAGES - 1 per page

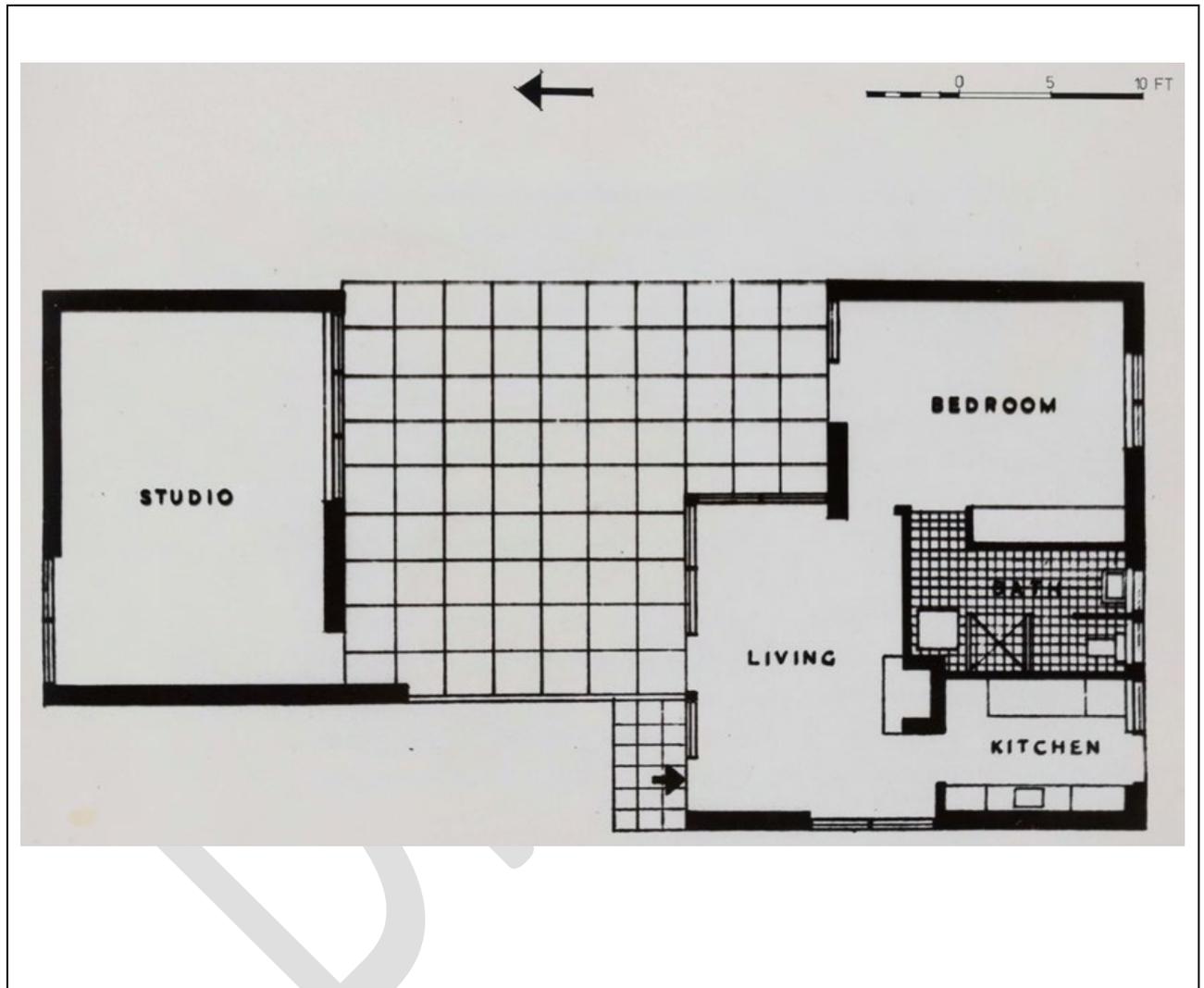
Image caption	Lavery House, Turramurra [sic – now known as Wahroonga], 1952 (Source Max Dupain). This is the original west (front) façade of the house before the additions of 1968. The timber screen wall was painted bright blue and gave privacy to the courtyard between the two buildings. (Source: C. Boesen, 1979, <i>Sydney Ancher: A Profile</i> , Volume 3 Plate 54).				
Image year	1952	Image by	C. Boesen	Image copyright holder	C. Boesen



Heritage Data Form

IMAGES - 1 per page

Image caption	Plate XXXVI, Plan, Lavery House, Turramurra [sic], 1952. (Source: C. Boesen, 1979, <i>Sydney Ancher: A Profile</i> , Volume 1 p.155).				
Image year	1952	Image by	C. Boesen	Image copyright holder	C. Boesen



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IMAGES - 1 per page

Image caption	View of the original street façade of the house. The timber screen was painted a bright blue colour. (Source: Undated (c. 1952) photo from the Lavery Family courtesy of Piers Lavery, October 2020).				
Image year	1952	Image by	Piers Lavery	Image copyright holder	Piers Lavery



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IMAGES - 1 per page

Image caption	View of the original rear of the house showing the south façade of the Studio wing at the completion of the first stage. (Source: Undated photo from the Lavery Family courtesy of Piers Lavery, October 2020)				
Image year	1952?	Image by	Piers Lavery	Image copyright holder	Piers Lavery



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IMAGES - 1 per page

Image caption	Looking west into the Courtyard with the House wing on the left and the Studio wing on the right and the 1968 Living Room in the centre. The Courtyard has always been paved with bricks. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020).				
Image year	2020	Image by	Robertson & Hindmarsh Pty Ltd	Image copyright holder	Robertson & Hindmarsh Pty Ltd



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IMAGES - 1 per page

Image caption	Street (west) elevation of 207 Eastern Road, Wahroonga. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)				
Image year	2020	Image by	Robertson & Hindmarsh Pty Ltd	Image copyright holder	Robertson & Hindmarsh Pty Ltd



Heritage Data Form

IMAGES - 1 per page

Image caption	Looking west at the rear of the house from the rear yard. The concrete on the right is the base of the former telescope shed. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)				
Image year	2020	Image by	Robertson & Hindmarsh Pty Ltd	Image copyright holder	Robertson & Hindmarsh Pty Ltd



APPENDIX F – Draft Heritage Inventory Sheet (SHI form) for 207 Eastern Road, Wahroonga

Heritage Data Form

ITEM DETAILS						
Name of Item	Lavery House					
Other Name/s Former Name/s	207 Eastern Road, Wahroonga					
Item type (if known)	Built					
Item group (if known)						
Item category (if known)						
Area, Group, or Collection Name						
Street number	207					
Street name	Eastern Road					
Suburb/town	Wahroonga			Postcode	2076	
Local Government Area/s	Ku-ring-gai					
Property description	Lot B DP 414327.					
Location - Lat/long	Latitude			Longitude		
Location - AMG (if no street address)	Zone	Easting		Northing		
Owner	Ursula Lavery					
Current use	Residential dwelling					
Former Use	Residential dwelling and Artist studio					

Heritage Data Form

Statement of significance	<p>The substantially intact Lavery House is a rare example of an artist's residence still with its functioning and identifiable artist studio. The way of life of the Lavery Family is still clearly evident in the extant planning and fabric of the house and studio. The design of the house and studio is of exceptional interest when planned expansion of the house is understood in order to cater for young couples of modest financial means in the post-war years, of post-war frugality, and of their increasing wealth and family size through later additions and enlargement of the small house nucleus.</p> <p>The Lavery House is of local historical significance in demonstrating the post-World War 2 process of suburban infill development in earlier subdivisions. The Lavery House is of local aesthetic significance as its design exhibits the hallmarks of Modernism with its clean lines, simple form, and walls of glass.</p> <p>The Lavery House is one of a series of houses within the Ku-ring-gai municipality that demonstrate the emergence of modern architecture in New South Wales, of which the architect Sydney Ancher was a leading proponent. The Lavery House is of local associative significance because of its strong association with renowned architect, Sydney Ancher and his firm, Ancher, Mortlock & Murray and also because of its association with two prominent Australian artists, Ursula and Peter Lavery, who was Head of the National Art School and later Director of the Art Gallery of NSW. In this regard the house is of historical significance as the site of a meeting that inaugurated the concept of the international art biennale for Sydney. The Lavery House has the potential to yield information about cultural history in NSW, through its association with the artistic world, which is strongly reflected through the extant building fabric, arrangement and composition of elements on the site, including a purpose-built artist studio.</p> <p>The surviving architectural drawings and the completed Lavery House demonstrate the palette of materials and construction methods employed by the architectural firm of Ancher, Mortlock and Murray that are recognised as forming a regional expression of modern architecture. The Lavery House demonstrates the key characteristics of the domestic work of the firm of Ancher, Mortlock and Murray in the 1940s, 1950s & early 1960s and demonstrates the firm's use of similar details in houses for young couples of modest means in the economically constrained period after World War II.</p>	
Level of Significance	State <input type="checkbox"/>	Local <input checked="" type="checkbox"/>

Heritage Data Form

DESCRIPTION	
Designer	Sydney Ancher
Builder/ maker	
Physical Description	<p>The site is located on the east side of Eastern Road immediately south of the intersection with Carrington Road. The site is rectangular with a frontage to Eastern Road of 25 metres and an area of 2,268m².</p> <p>The house is situated in the centre of the front two-thirds of the site, which has a gradual slope from the front to the rear. There is a stand of tall trees in the front yard, giving the house the appearance of a bush setting that is accentuated by the gravel drive/bush track leading from the post and rail timber front fence to the attached double garage. A tall pine once stood in the front yard but the storm of 1991 felled the tree. The rear yard is also defined by tall trees on or in close proximity to the boundaries as well as hedges that divide the rear yard into a series of discrete spaces or "rooms".</p> <p>The house is set back from the northern site boundary by approximately 5 metres, is approximately 900mm to 1.0m from the south site boundary, 22 metres to the front boundary and 48 metres to the rear boundary. The house originally comprised two short parallel wings separated by a paved courtyard. The subsequent additions have created a U-shaped plan form that is still centred on the original courtyard. The Main Bedroom at the front of the house protrudes from the base of the "U" and opens onto its own private, north-facing courtyard.</p> <p>Behind the house is a small area that is partially separated from the next section of the yard by a hedge. The second section of the rear yard contains a small concrete slab that was the base of Peter Laverty's telescope shed. Beyond the slab a low rubble stone garden wall runs across the entire site and behind that low wall is a tall hedge that conceals the final third section of the rear yard.</p> <p>One of the important aspects of the site and the setting of the house are the large trees that define the site and give it its bushland setting. The front yard is landscaped as an Australian bush garden and this aspect should be maintained. The rear yard is a more manicured garden with spaces defined by tall hedges creating outdoor "rooms".</p> <p>The rear yard groundcover is traditional lawn but there are significant tall native Australian trees defining the boundaries that should also be maintained.</p> <p>The house</p> <p>The house is full-brick construction with the exterior and the interior of the house finished in white-painted dry-pressed bricks and a roof sheeted with corrugated fibre cement roof sheets of the same dimensions as Hardies Super Six. Some of the roof sheets are still asbestos cement but the majority were replaced with fibre cement sheets in the late 1970s/early 1980s.⁸ The house ceilings are fibrous plaster and the floors are sheeted with clear finished Tallowwood hardwood boards (with the exception of the Entry with its quarry tile finish, the Laundry and Kitchen with their vinyl tile floor finishes, and the Ensuite & Bathroom with their ceramic tiles). The windows are white-painted timber-framed and in a combination of fixed glass panes and awning-hung opening sashes.</p> <p>The interior doors are clear-finished timber hollow core. Much of the original window and door hardware remains. The wet areas contain Raymor T4 taps, an award-winning Australian design, which are now rare. These design classics probably date from the 1968 alterations and additions to the house as the T4 range of taps was designed in 1964 by Arthur Robinson. The T4 range was awarded the Design Institute of Australia Good Design Award in 1964.</p> <p>The planning of the house is structured around the central Courtyard. The north side of the courtyard is defined by the studio with its south-facing windows that dates from the first stage of the house. The south side is defined by the original residential wing of the house and the second stage extension of the house. The south wing contains three Bedrooms, the main Bathroom, the Laundry and a Living/Dining space that faces the Courtyard through the north-facing windows. The west side of the Courtyard is defined by the third stage of the house that contains the Kitchen, Ensuite, Walk-in-Robe, Main Bedroom, Living Room and double garage.</p>

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	<p>The original house was designed as a small, affordable nucleus for a later eastwards rear extension that would preserve the appearance of the house from the street. The original house provided the essential living and working accommodation for a young couple whose life centred around the production of art. The modest size of the house and rooms also reflected the period of post-war austerity where house sizes and use of materials were strictly controlled and restricted.⁹ In addition, such restrictions also modified people's expectations with regard to house and room sizes.</p> <p>The first two stages of the house were designed by Sydney Ancher but the third stage was commissioned and designed after Ancher retired from the firm. The third stage was designed by architect, Judith Ambler, within the firm of Ancher, Mortlock, Murray & Woolley. The third stage logically placed the new Living Room and Main Bedroom suite at the front of the house which enabled guests to be accommodated near the house's entry and also allowed a zoning between the parents' and children's areas of the house. Whilst this third stage at the front of the house was not envisaged by Ancher when he designed the house to be extended at the rear, the third stage uses the same language and design details as Ancher's first two stages with slight modifications for the change in aesthetic taste. The third stage represents the increased prosperity of the 1960s with the desire for larger living spaces, the greater availability of materials, and the financial means with which to pay for those larger rooms.</p> <p>The planning focus of the house is still on the Courtyard, and the rear yard, as the house presents blank walls to the street and creates a bold architectural statement with the counterpoised skillion roof geometries (one for the Living Room, Main Bedroom, and Garage in front and the other skillion roof behind belonging to the Studio).</p>				
Physical condition and Archaeological potential					
Construction years	Start year	1952	Finish year		Circa <input checked="" type="checkbox"/>
Modifications and dates	1955 – Additional bedrooms added. 1968 - Additional living wing and garage.				
Further comments					

Heritage Data Form

HISTORY

Historical notes

207 Eastern Road, Wahroonga was part of an early crown grant of 2,000 acres (809ha) to John Terry Hughes in 1842. As the subdivision of this land was formalized in the 1880s and 1890s, the land containing the subject site became known as lot 10, section 4 of the Big Island Estate. The 1897 subdivision of a portion of the Big Island Estate, known as Wahroonga Heights East Estate (within DP 3464), contained the subject site as a part of Lot 1 of this estate (the unnumbered allotment to the north of Lot 2).

In May 1919, Philip Frederick Burriss of Waitara, Railway Employee, obtained a 2 acre 2 rood (1.01ha) portion of lot 10 Section 4 containing the subject site. In February 1924 he transferred his property to Hardy Edmund Bird of Coogee, Painter. In February 1926, the property was transferred to Albert Edwin Farley of Coogee, Retired Merchant. In October 1943, Farley transferred the land to Albert Edwin Farley of Griffith, farmer (assumed son).

The 1943 aerial photograph clearly indicates the subject site as empty, but shows the sparse interwar housing development around the site. It also shows a shed on the north boundary which survived until 1968. In May 1946, the property was transferred to Thomas Ellis of Wahroonga, Clerk. In November 1951, the property passed via an application by transmission to Edith Elizabeth Ellis of Wahroonga, widow. Edith Ellis began the process of subdividing the land, transferring a 3 rood, 18¾ perch (3,516m²) portion of this land – representing the original extent of the subject site stretching from Eastern Road to Morris Avenue – to Ursula Airlie Nathan, a 21-year old single woman of Killara, in October 1952. Shortly after, Ursula Nathan married Peter Phillip Laverty.

The couple, both artists in their own right, had met whilst studying at the Winchester School of Art in Southampton, UK after the war. Ursula had returned to Australia with her family in 1949, with Peter emigrating in 1951. Peter taught at the National Art School from 1954, becoming Head of the School in 1971. From 1971-1977, he was Director of the Art Gallery of New South Wales (AGNSW). In addition to these roles he served on committees such as the International Society of Art Critics and the Sydney Biennale Committee, was a member of Sydney Printmakers and the Australian Watercolour Institute, a writer for art journals and a judge for many competitions. After retiring from the AGNSW, Peter returned to full-time painting and exhibited regularly from 1977 until his death in 2013.

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The Lavertys hosted a dinner party at which the concept of the Sydney Biennale was discussed. Franco Belgiorno-Nettis (1915-2006), James Gleeson (1915-2008) and John Coburn (1925-2006) were guests at the dinner party. An application (#841) was lodged by P. Laverty in late 1952 for a brick dwelling in Eastern Road, Turramurra (now a part of Wahroonga).

Prominent Sydney Modernist architect, Sydney Ancher, was engaged to design a small house for the site that could be extended later. The first stage of the house comprised two parallel wings separated by a courtyard. The north wing was an artist's studio with floor to ceiling windows in the south wall and a skillion roof sloping from the north down to the south over the courtyard window wall. Across the courtyard was a small, north facing wing containing a Living/Dining space, a Bedroom, a Bathroom (containing the washing machine) and a small Kitchen. The skillion roof over this wing sloped down from the south to protect the north-facing window wall which opened onto the central courtyard. The walls of both wings were white-painted brick and the roof was covered in Hardies Super Six corrugated asbestos cement sheets. The fibrous plaster ceilings followed the slope of the skillion roofs.

The house was featured in the *Sunday Herald* of 20 September 1953 (page 21) in an article titled "When Two Artists Plan A Home." The house is described in the article as "one of the most attractive small houses along Eastern Road, Wahroonga... [a] 10-square contemporary white brick home" that served as "both a livable home and working studio for the Lavertys, a young couple who both paint in all their spare time."

Heritage Data Form

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"From the road, the house presents an interesting angle of two skillion roofs pitching down to the centre. The walls are white painted brick, with a yellow front door set beside a wall-screen of vertical timber boarding painted a bright blue-green.

The purpose of this screen wall is seen from the other side of the house, where a tall wattle tree grows in the centre of a completely private courtyard around which the entire house centres. (There was never a wattle tree in the centre of the Courtyard. The Courtyard tree was located at the east end of the Courtyard (not in the centre) and was a Chinese Elm. There was, however, a Cootamundra Wattle planted in front of the house).

This makes a lovely sheltered place, warmed by sunlight during winter, yet cool and shady in summer because of deep roof overhangs. It has a pleasant view over an orchard and green paddocks, and, because it is so private, all the rooms open in to the courtyard through huge glass windows and doors... The ten squares [93m²] of the house are arranged so that maximum space is given to the living room, bedroom and studio. The utility rooms of kitchen, bathroom and laundry⁴ are small yet completely compact, and the entire house is designed to be easily and quickly cared for, which is exactly as its owners wished.

The house really consists of two rectangles, joined by the timber screen wall. The main part is larger and contains the living, eating and sleeping areas; the other rectangle is given entirely to the studio..." An original floorplan and several images of the house are printed with the article. A significant sentence in the article is: "Should the Laverty's want to add to their house, the architect [Ancher] has allowed for extra space to be built on to one wing of the house which will not alter its general appearance."

In early 1955, P. Laverty lodged another application (#662) for an "addition" to his dwelling in Eastern Road, Wahroonga. This second stage followed Ancher's original concept of adding to the east end of the south wing and maintaining the original front elevation of the house. The second stage comprised the addition of two more Bedrooms and an eastwards extension to the small Living area. The original Bedroom was reconfigured to provide a common entrance to the bathroom which had, up until then, been an Ensuite to the original Bedroom.

On 22 November 1958, Ursula Laverty transferred a rear part of the lot to a new owner (lot A of current DP 414327), leaving her with 2 roods and 9¼ perches (lot B of DP 414327, the current subject site). By the time her new certificate of title was issued in March 1960, she was reflected as being the wife of Peter Phillip Laverty of Wahroonga, confirming their residence in the suburb. Council records also reveal BA1920/62 lodged in 1962 for a telescope shelter on the property. The square concrete floor slab of this telescope shed remains extant to the east of the house, but no shed or telescope remain.

In December 1968 the office of Ancher, Mortlock, Murray & Woolley (AMMW) was engaged to design a third stage of additions. By this time Ancher had retired from the practice and the project was designed by architect, Judith Ambler within the AMMW office. The works included the addition of a new Main Bedroom, Walk-in-Robe and Ensuite, new large Living Room, Kitchen and Garage across the front of the house. The original Kitchen was converted into a Laundry (the original Bathroom having housed the original washing machine). Figure 21 illustrates the three stages of the construction of the house.

Ursula Laverty remains the owner of the property to the present day (October 2020). Peter Laverty passed away in 2013. Laverty's obituary noted of his time at the Wahroonga property: "[Peter] enjoyed working in his bushland garden and photographing the night sky through a telescope. He also took great pleasure in designing and building furniture for the family." (An artist driven by his passions", Obituaries *Sydney Morning Herald*, 14 September 2013).

Sydney Ancher

Sydney Ancher (1904-1979) is considered a pioneer of modern domestic architecture in Australia. Ancher's houses of the late 1940s and 1950s became examples of Ancher's innovative approaches towards architecture, focusing on functionality, subtlety, suitability to climate and the fluidity of space and lifestyle in a home.

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Ancher commenced the Architectural Diploma course at Sydney Technical College in 1924, a course which was a part-time course taken whilst being employed full-time in an architect's office. In his third year of the course Ancher obtained a position at the practice of Prevost, Synnot & Ruwald which undertook mostly domestic-scale work but also hotel design for Tooth and Co Ltd. The firm applied simple modern lines to their hotels and Ancher considered the firm was "producing the best work in Sydney at the time".⁶ In 1929 Ancher completed his architectural course and booked passage to England. In the same year he applied for, and was awarded, the Australian Medallion and Travelling Scholarship from the Board of Architects of New South Wales. His time in England allowed him to see Modern architecture first-hand, both in the UK and in Continental Europe. Ancher returned to Australia in 1936, collaborating with Emil Sodersten and Reginald Prevost before the partnership of Prevost and Ancher was formalized in 1937.

Ancher travelled to Europe again in January 1939, returning to Australia later in the year following the outbreak of WWII. He worked with the Commonwealth Government and John D. Moore before enlisting in June 1940. Ancher embarked for the Middle East in October 1940, being posted back in Australia in 1942 undertaking engineering and architectural duties. At the conclusion of the war, Ancher returned to private practice, designing approximately ten houses a year until 1951, alongside other projects including hotels. In 1952, he partnered with two of his assistants forming the firm Ancher, Mortlock and Murray, working on a variety of domestic and commercial projects. In the 1960s the firm expanded the scope of its projects to include council chambers, libraries and universities, and architect Ken Woolley (1933-2015) joined the practice in 1964 to form Ancher, Mortlock, Murray & Woolley. Ancher retired from the firm in 1966, continuing to design a small series of houses for himself.

Ancher was one of the most significant early Modernist architects practising in Sydney before and immediately after the Second World War. When Viennese-born Harry Seidler (1923-2006) arrived in Sydney from Canada (via Brazil) in 1948 he stated that Sydney Ancher and Arthur Baldwinson (1908-1969) made him welcome and that they were the two best Modernist architects working in Sydney.

Judith Ambler

Judith Margery Haworth Ambler (nee Hill) (1929-2005) studied architecture at the University of Sydney 1946-50 where she was one of six women studying with 75 men. She practised as an architect with firms including McConnell, Smith and Johnson, and with Bill Lucas, before branching out on her own, designing houses, additions and alterations. She moved to Cammeray in 1970 and was involved in the Residents Action Group opposing overdevelopment. Through that work Ambler was elected to North Sydney Council, serving from 1971-74, where her vision of a low-rise civic centre for North Sydney prevailed over the high rise 'Sabemo Scheme', and the Civic Park was opened in 1982. Civic Park is now the arena for festivals, markets, picnics and concerts, and this campaign was a defining moment in the history of North Sydney. After her death North Sydney Council named Judith Ambler Reserve in Cammeray, in recognition of her 35 years of community service as a councillor, volunteer bush regenerator and educator. (This information on Judith Ambler was taken from ACT, Public Place Names (Taylor) Determination 2017 (no 3): Disallowable instrument DI 2017-24, 15 September 2017).

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THEMES	
National historical theme	4. Building settlements, towns and cities
State historical theme	Towns, suburbs and villages
National historical theme	4. Building settlements, towns and cities
State historical theme	Accommodation
National historical theme	8. Developing Australia's cultural life
State historical theme	Creative endeavour

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APPLICATION OF CRITERIA	
Historical significance SHR criteria (a)	<p>The Lavery House is of local historical significance in demonstrating the post-World War 2 process of suburban infill development in earlier subdivisions and as an illustration of post-war frugality and shortages necessitating small houses that could form the nucleus of later, larger houses that could also accommodate growing families.</p> <p>The house is of local historical significance as the site of a meeting that inaugurated the concept of an international art biennale for Sydney.</p>
Historical association significance SHR criteria (b)	<p>The house is of local associative significance because of its strong association with renowned architect, Sydney Ancher and his firm, Ancher, Mortlock & Murray.</p> <p>The house of at least local (and probably of state) associative significance for its association with two prominent Australian artists, Ursula and Peter Lavery, Head of the National Art School and Director of the Art Gallery of NSW.</p>
Aesthetic significance SHR criteria (c)	<p>The Lavery House is of local aesthetic significance as its design exhibits the hallmarks of Modernism with its clean lines, simple form, and walls of glass.</p> <p>The surviving architectural drawings and the completed Lavery House demonstrate the palette of materials and construction methods employed by the architectural firm of Ancher, Mortlock and Murray that are recognised as forming a regional expression of modern architecture.</p> <p>The Lavery House is one of a series of houses within the Ku-ring-gai municipality that demonstrate the emergence of modern architecture in New South Wales, of which the architect Sydney Ancher was a leading proponent.</p>
Social significance SHR criteria (d)	<p>The Lavery House has social significance at least at a local level through its strong association with the NSW Art movement, because of its links with Peter Lavery, Director of the NSW Art Gallery and the Lavery family of artists as well as its association with the initiation of the Biennale of Sydney. The Lavery House also has social significance at least at a local level through its strong association with architectural profession because of the high regard in which architect Sydney Ancher is held.</p>
Technical/Research significance SHR criteria (e)	<p>The Lavery House has the potential to yield information about cultural history in NSW, through its association with the artistic world, which is strongly reflected through the extant building fabric, arrangement and composition of elements on the site, including a purpose-built artist studio.</p> <p>The house also is a physical manifestation of the small post-war houses that were constructed for people of modest means during times of material shortage and which were then added to and enlarged as conditions improved.</p>
Rarity SHR criteria (f)	<p>The substantially intact Lavery House is a rare example of an artist's residence still with its functioning and identifiable artist studio. The way of life of the Lavery Family is still clearly evident in the extant planning and fabric of the house and studio. The design of the house and studio is of exceptional interest when planned expansion of the house is understood in order to cater for young couples of modest financial means.</p>
Representativeness SHR criteria (g)	<p>The Lavery House demonstrates the key characteristics of the domestic work of the firm of Ancher, Mortlock and Murray in the 1940s, 1950s & 1960s and demonstrates the firm's use of similar details in houses for young couples of modest means in the economically constrained period after World War II.</p>
Integrity	

Heritage Data Form

HERITAGE LISTINGS	
Heritage listing/s	Interim Heritage Order dated 25 September 2020.

INFORMATION SOURCES				
Include conservation and/or management plans and other heritage studies.				
Type	Author/Client	Title	Year	Repository
Report	Dr Scott Robertson of Robertson Hindmarsh Pty Ltd for Ku-ring-gai Council	Heritage Assessment Report: Potential Heritage Item: "Lavery House" 207 Eastern Road, Wahroonga	2020	Ku-ring-gai Council

RECOMMENDATIONS	
Recommendations	See <i>Heritage Assessment Report: Potential Heritage Item: "Lavery House" 207 Eastern Road, Wahroonga (2020)</i> by Dr Scott Robertson of Robertson Hindmarsh Pty Ltd for Ku-ring-gai Council for detailed management recommendations.

SOURCE OF THIS INFORMATION			
Name of study or report	Heritage Assessment Report: Potential Heritage Item: "Lavery House" 207 Eastern Road, Wahroonga for Ku-ring-gai Council	Year of study or report	2020
Item number in study or report			
Author of study or report	Dr Scott Robertson of Robertson Hindmarsh Pty Ltd for Ku-ring-gai Council		
Inspected by	VH		
NSW Heritage Manual guidelines used?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
This form completed by	VH	Date	2020

Heritage Data Form

IMAGES - 1 per page

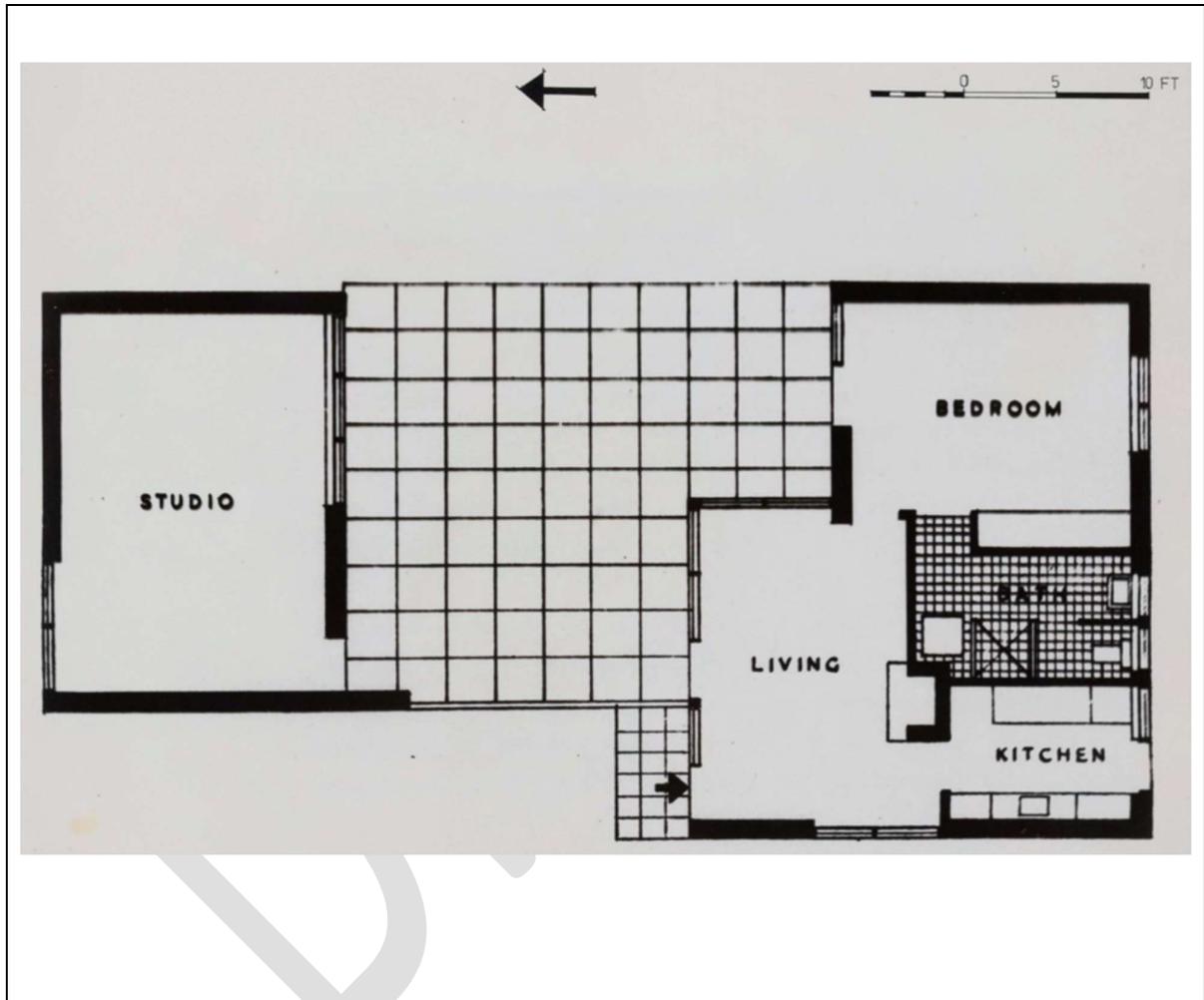
Image caption	Lavery House, Turramurra [sic – now known as Wahroonga], 1952 (Source Max Dupain). This is the original west (front) façade of the house before the additions of 1968. The timber screen wall was painted bright blue and gave privacy to the courtyard between the two buildings. (Source: C. Boesen, 1979, <i>Sydney Ancher: A Profile</i> , Volume 3 Plate 54).				
Image year	1952	Image by	C. Boesen	Image copyright holder	C. Boesen



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Image caption	Plate XXXVI, Plan, Lavery House, Turramurra [sic], 1952. (Source: C. Boesen, 1979, <i>Sydney Ancher: A Profile</i> , Volume 1 p.155).				
Image year	1952	Image by	C. Boesen	Image copyright holder	C. Boesen



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Image caption	View of the original street façade of the house. The timber screen was painted a bright blue colour. (Source: Undated (c. 1952) photo from the Lavery Family courtesy of Piers Lavery, October 2020).				
Image year	1952	Image by	Piers Lavery	Image copyright holder	Piers Lavery



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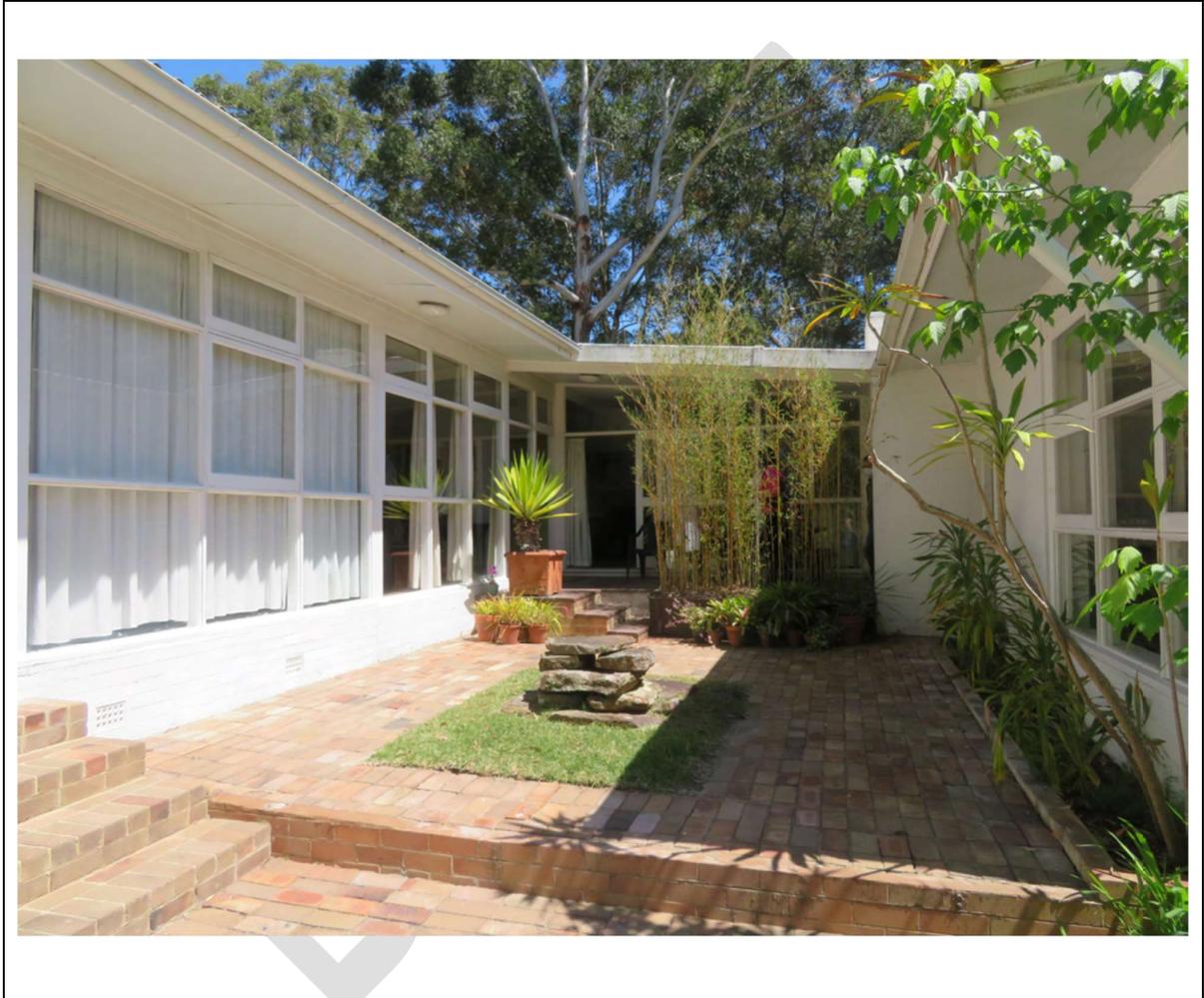
Image caption	View of the original rear of the house showing the south façade of the Studio wing at the completion of the first stage. (Source: Undated photo from the Lavery Family courtesy of Piers Lavery, October 2020)				
Image year	1952?	Image by	Piers Lavery	Image copyright holder	Piers Lavery



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Image caption	Looking west into the Courtyard with the House wing on the left and the Studio wing on the right and the 1968 Living Room in the centre. The Courtyard has always been paved with bricks. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020).				
Image year	2020	Image by	Robertson & Hindmarsh Pty Ltd	Image copyright holder	Robertson & Hindmarsh Pty Ltd



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Image caption	Street (west) elevation of 207 Eastern Road, Wahroonga. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)				
Image year	2020	Image by	Robertson & Hindmarsh Pty Ltd	Image copyright holder	Robertson & Hindmarsh Pty Ltd



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IMAGES - 1 per page

Image caption	Looking west at the rear of the house from the rear yard. The concrete on the right is the base of the former telescope shed. (Photo: Robertson & Hindmarsh Pty Ltd, 14/10/2020)				
Image year	2020	Image by	Robertson & Hindmarsh Pty Ltd	Image copyright holder	Robertson & Hindmarsh Pty Ltd



APPENDIX G – Ku-ring-gai Local Planning Panel advice 14 December 2020

MINUTES OF KU-RING-GAI LOCAL PLANNING PANEL MEETING HELD ON MONDAY, 14 DECEMBER 2020

- Present: Chairperson (The Hon. Robert Neville (Angus) Talbot)
Expert Panel Member (Sandra Robinson)
Expert Panel Member (Gregory Flynn)
Community Member (Elaine Malicki)
- Staff Present: Director Development & Regulation (Michael Miocic)
Development Assessment Services Manager (Shaun Garland)
Planning Panels Coordinator (Kerry Frair)
- Others Present: Team Leader – Development Assessment (Adam Richardson)
Executive Assessment Officer (Brodee Gregory)
Executive Assessment Officer (Scott McInnes)
Team Leader – Development Assessment (Selwyn Segal)
Executive Assessment Officer (Stuart Ratcliff)
Senior Development Officer (Stuart Wilson)
Team Leader – Engineering Assessment (Brian O’Connell)
Senior Development Engineer (Ross Guerrera)
Senior Landscape Development Officer (Geoff Bird)
Senior Landscape Development Officer (Robyn Askew)
Senior Landscape Development Officer (Fiona Ambrosino)
Heritage Advisor (Leona Goldstein)
Heritage Advisor (Alin Almasan)
Independent Consultant (Kerry Hunter)
Independent Consultant (Michael Zanardo)

The Public meeting commenced at 12:30PM

Update - changes to Local Planning Panels

As of August 2020, the NSW Government made changes to the way Local Planning Panels work to make them more efficient and to improve the assessment and determination times of development applications and maintain panel oversight of sensitive and contentious applications.

These changes were made as part of the Planning Acceleration Program to support the state’s immediate and long-term economic recovery from the COVID-19 crisis.

The changes will speed up panel determinations by:

- ***reducing the need to conduct public panel meetings for non-contentious matters by applying a ‘10-or-more’ objection trigger for public meetings***
- ***reducing the amount of modifications going to panels***

- *obliging panel chairs to more actively manage development applications (DAs) coming to the panels to reduce panel deferrals and assessment timeframes*
- *allowing chairs to bring forward determination on DAs that are experiencing unreasonable delays of over 180 days from lodgement*
- *introducing panel performance measures.*

(Please note: Due to changes to Local Planning Panels, 1 August 2020 - Items GB.3, GB.4 and GB.5 went to the Public Meeting. All items were deliberated on and decided upon following the Public Meeting on, 14 December 2020)

DECLARATIONS OF INTEREST

The Chair advised of the necessity for the panel members and staff to declare a Pecuniary Interest/Conflict of Interest in any item on the Business Paper.

No interest was declared.

ADDRESSES TO THE PANEL

GB.3 – 8 Ray Street, Turrumurra

Rod Lemon
Stuart Gelder

GB.4 – 5 & 7 Beaconsfield Parade, Lindfield

Howard Moutrie
Tina Christie
Jodie Wauhope
Michael Heenan

GB.5 – 1183 & 1185 Pacific Highway, Turrumurra

Andre Mulder
Garry Chapman

The Public meeting closed at 1:20PM

The Panel adjourned to deliberate

GENERAL BUSINESS**KLPP30 Proposed Heritage Listing of 207 Eastern Road, Wahroonga**

File: S10066

Vide: GB.1

To present the proposed heritage listing of Laverty House, 207 Eastern Road, Wahroonga, on Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015 to the Ku-ring-gai Local Planning Panel for advice.

The Panel Advised:

A. Decision: That the Ku-ring-gai Local Planning Panel makes a recommendation to Council that the Planning Proposal to include Laverty House - 207 Eastern Road, Wahroonga [Lot B, DP414327] as a local heritage item on Schedule 5 of the KLEP 2015, be submitted to the Department of Planning, Industry and Environment for a Gateway Determination, subject to the Council giving consideration to whether the draft schedule 5 description of the item should include the whole or any part of the dwelling house curtilage.

B. Date of the decision: 14 December 2020

Voting: unanimous

KLPP31 23 Bangalla Street, Warriewee - Alterations and additions, including double garage, pool, driveway and crossover and landscaping works

File: DA0110/20

Vide: GB.2

The Panel Resolved:**A. Decision**

The Ku-ring-gai Local Planning Panel, as the consent authority, being satisfied that the proposed development will be in the public interest, grants development consent to DA0110/20 for alterations and additions, including double garage, pool, driveway and crossover and landscaping works at 23 Bangalla Street, Warriewee, subject to conditions as per the development assessment report. Pursuant to Section 4.53 of the Environmental Planning and Assessment Act 1979, this consent lapses if the approved works are not physically commenced within five years of the date of the Notice of Determination.

B. Date of the decision: 14 December 2020

C. Reasons for the decision: The development proposal, subject to conditions,

APPENDIX H – Council resolution OMC 16 February 2021

Having declared an interest in Item GB.12, the Manager Urban and Heritage Planning withdrew from meeting for the following matter.

25 **Heritage Reference Committee Meeting Minutes - 22 October 2020**

File: CY00413/8

Vide: GB.12

To have Council consider the minutes from the Heritage Reference Committee ('HRC') meeting held on 22 October 2020. These minutes were confirmed by the HRC at the HRC meeting held on 26 November 2020.

Resolved:

(Moved: Councillors Greenfield/Smith)

That Council receive and note the Heritage Reference Committee minutes relating to 22 October 2020.

CARRIED UNANIMOUSLY

The Manager Urban and Heritage Planning returned to the meeting after debate on Item GB.12 concluded.

26 **Proposed Heritage Listing of 207 Eastern Road, Wahroonga**

File: S13065

Vide: GB.13

To present the proposed heritage listing of Lavery House, 207 Eastern Road, Wahroonga and its interiors, on Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015 ('KLEP 2015') following the advice of the Ku-ring-gai Local Planning Panel ('KLPP').

Resolved:

(Moved: Councillors Greenfield/Szatow)

That:

- A. Council adopt the planning proposal to amend the KLEP 2015 to include the allotment described as Lot B, DP414327 containing Lavery House - 207 Eastern Road, Wahroonga as a proposed heritage item in Schedule 5 and on the Heritage Map.
- B. The Planning Proposal be forwarded to the Department of Planning and Environment for a Gateway Determination in accordance with the provisions of the EP&A Act and Regulations.

- C. Upon receipt of a Gateway Determination, the exhibition and consultation process is carried out in accordance with the Gateway Determination and requirements of the Environmental Planning and Assessment Act, 1979.
- D. A report be brought back to Council after the exhibition period.

CARRIED UNANIMOUSLY

Having declared an interest in Item GB.11, Councillors Smith and Szatow withdrew from debate on the following matter.

27 **Site specific DCP - Part 62, 64-66 Pacific Highway, Roseville**

File: S12030

Vide: GB.11

To have Council consider an amendment to the Ku-ring-gai Local Centres Development Control Plan (DCP) to include site specific controls to support the Planning Proposal for part 62, 64-66 Pacific Highway, Roseville.

MOTION:

(Moved: Councillors Ngai/Spencer)

That:

- A. Council endorse, for the purpose of public exhibition, the amendments to the Ku-ring-gai Local Centres Development Control Plan (DCP) to include site specific controls to support the Planning Proposal for part 62, 64-66 Pacific Highway, Roseville.
- B. The draft site specific DCP amendment be placed on public exhibition concurrently with the Planning Proposal for part 62, 64-66 Pacific Highway, Roseville.
- C. A report be brought back to Council at the conclusion of the exhibition period for Council to consider any submissions made.
- D. Council acknowledge that part of the development at 62, 64-66 Pacific Highway assumes the divestment of 156.80sqm of Roseville Town Centre community land.
- E. Council acknowledge that on page 58 of Attachment A1 of GB19 of the OMC dated 22 October 2019, there appears to be a tentative price of \$225,000 for the community land mentioned in point D above. Council also notes that there are members of the community who believe that \$225,000 is not a satisfactory outcome for ratepayers, especially when considering that it results in a reduction of scarce community parking space while also allowing the developer to support an extra 3 dwellings on the site.