

Item No:	R1 Recommendation to Council
Subject:	REQUEST FOR A PLANNING PROPOSAL - HERITAGE LISTING OF SUNNY BRAE AT 40 FITZWILLIAM ROAD, VAUCLUSE
Author:	Flavia Scardamaglia, Strategic Heritage Officer
Approvers:	Anne White, Manager - Strategic Planning Nick Economou, Acting Director Planning & Place
File No:	21/74156
Reason for Report:	To present the heritage significance assessment prepared by GBA Heritage for Sunny Brae at 40 Fitzwilliam Road, Vacluse. To recommend that Council resolves to prepare a planning proposal to list Sunny Brae, including interiors at 40 Fitzwilliam Road, Vacluse as a heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014.

Recommendation:

- A. THAT a planning proposal be prepared to list Sunny Brae, including interiors at 40 Fitzwilliam Road, Vacluse as a local heritage item in Schedule 5 of the *Woollahra Local Environmental Plan 2014*.
- B. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- C. THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.

1. Background

This request for a planning proposal is a proactive approach to heritage listing, facilitated by the owners of the site at 40 Fitzwilliam Road, Vacluse (the subject site).

On 24 February 2021, a pre-application meeting was held at the subject site with the owners, heritage consultant Graham Brooks and staff from the Strategic Planning Team. A pre-application consultation response was sent to the Applicant on 11 March 2021 (see **Annexure 3**).

On 28 April 2021, a request for a planning proposal was lodged by the Applicant team to list Sunny Brae, including interiors as a heritage item in Schedule 5 of the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014). The request for a planning proposal was accompanied by a Heritage Assessment prepared by GBA Heritage.

2. The Site

The subject site is described as 40 Fitzwilliam Road, Vacluse (Lot 1 DP 1112583 and Lot 2 DP 1254483). The subject site is located on the western side of Fitzwilliam Road in a battle-axe allotment, and the property on the site is accessed via a gate leading to a driveway which runs along the northern boundary of 40A Fitzwilliam Road. It has an irregular shape with an area of 1,078m² and a frontage of approximately 5m to Fitzwilliam Road.

The site is located on the top of a ridge, and the site slopes significantly (by approximately 10m) from the northern to the eastern corner.

The site contains a single storey dwelling with a pitched roof known as Sunny Brae built in the Federation Queen Anne style. The main features of the Federation Queen Anne style are:

- An asymmetrical form,
- Wraparound verandah with ornamental timber brackets,
- Complex roof form with timber gable ends and tall chimneys, and
- Leadlight doors and windows with coloured glass.

In the 1950s, an unsympathetic two-storey addition was built to the rear of Sunny Brae. This addition was demolished via approved development application 182/2019 and a two-storey contemporary addition was built to the design of David White Architects. The project won the Mayor's Award in the Woollahra Design Excellence Awards 2019.

3. Assessment of heritage significance

The assessment of heritage significance was undertaken in accordance with the document *Assessing heritage significance*, published by the NSW Heritage Office in 2001 by *GBA Heritage*. The assessment used the process and criteria set out in that document. There are seven criteria used in the process of assessing heritage significance.

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).

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).

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).

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.

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).

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).

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).*

Each criterion has inclusion and exclusion guidelines which are used to assist in the assessment process. If an item meets one of the seven heritage criteria at a local level, and retains the integrity of its key attributes, it can be considered to have local heritage significance. Meeting one of the criteria at State level makes an item eligible for nomination on the State Heritage Register (SHR).

A copy of the assessment report prepared by GBA Heritage dated 27 April 2021 is at **Annexure 1**. The assessment report concludes that the property meets six of the seven criteria for heritage listing at the local level and five of the seven criteria for listing at the State level. Accordingly, and consistent with this recommendation, GBA Heritage have prepared a heritage inventory sheet for listing Sunny Brae, including interiors on the Woollahra LEP 2014 (see **Annexure 2**).

Table 1 below provides a summary of the assessment of the heritage significance of 40 Fitzwilliam Road, Vacluse, including interiors, against the seven criteria at the local and State levels.

Table 1: NSW Heritage Assessment criteria summary

Criteria		Meets criteria for heritage listing and grading of significance	
		Local	State
(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).	√	√
(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).	√	√
(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).	√	√
(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.	√	√
(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).	x	x
(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).	√	x
(g)	An item is important in demonstrating the principal characteristics of a class of NSW's <ul style="list-style-type: none"> 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). 	√	√

The following statement of significance was provided for 40 Fitzwilliam Road, Vacluse:

“Sunny Brae”, the fine Federation house at 40 Fitzwilliam Road, Vacluse, designed by W Friederich and erected in 1910, has a high level of historic significance in Woollahra, as one of the first houses built high on the Vacluse headland, following the late 19th century subdivision of the expansive, early 19th century Wentworth Estate. It demonstrates a very specific aspect of the general subdivision and suburbanisation of the broader Vacluse locality, generated by improved transportation links with the older areas of Rose Bay, Edgecliff and Double Bay. Fitzwilliam Road is named after the son of William Charles Wentworth and reflects his role in the subdivision of the Vacluse portion of the family estate.

Compared with the more enclosed low level foreshore topography in which Vacluse House is sited, the ridgeline on which “Sunny Brae” is located was a favourite elevated lookout for William Charles Wentworth called “Parsley Hill” where he wanted to be buried. Once subdivided, the site was deliberately chosen by John Taylor Cooke for its fine and expansive outlook over Watsons Bay, the Gap, Manly and the nearby dynamic topography that characterises the southern shores of the outer Harbour. Cooke was a keen sailor, as were his descendants, and views from their house gave them a ready appreciation of their favourite recreation. Cooke’s newly married daughter, Lily and her husband Henry Pfeiffer, moved into the freshly constructed house, with her parents. Successive members of the Pfeiffer family continued to live in the house for almost a century.

The highly complex architectural composition of the two storey Federation Queen Anne “Sunny Brae” house has a high level of aesthetic significance in Woollahra, for its deliberate north-east orientation and asymmetrical composition designed to capture the remarkable views from its elevated ridgeline site. Both internally and externally, the original components of the house, demonstrate a high degree of design and craftsmanship, which are strongly expressed in its complex roof composition, wrap-around front verandah, bay windows, fine joinery, dramatic main staircase and finely detailed plaster ceilings and spatial composition. Recent alterations and additions have replaced an unsympathetic wing (on the north-west side of the building) from the 1950s with carefully designed, complementary two-storey extension that extends the original architectural language, enhances family amenity and responds to its expansive visual curtilage.

The hilltop location of the site and the thoughtful design and construction of the original house on the highest part of the overall site, provided an extensive harbour views and made the original house visible from Fitzwilliam Road. Despite the progressive subdivision of its original site and the erection of surrounding residential buildings, “Sunny Brae” retains the qualities of its expansive early hill-top setting, qualities that are reflected in the origins of its Scottish Gaelic name.

The ridge-top location and subsequent housing development on surrounding lots meant that “Sunny Brae” has almost become imperceptible to the general public from the surrounding streetscape in Fitzwilliam Road and from further afield.

“Sunny Brae” has rarity value as one of a relatively small number of first quality Federation Queen Anne style houses erected in spectacular topographic locations across Woollahra. Its finely executed and complex architectural design places the original house as a significant representative example of the broader Federation housing styles from one of the most widely spread periods of domestic and suburban architecture in Sydney’s Eastern Suburbs.

The contemporary additions to 'Sunny Brae', designed by David White Architects, have added to the significance of the building by applying a traditional style of architecture, compatible with the Federation style of the original house.

(GBA Heritage: Heritage Assessment report, 27 April 2021, p. 50)

4. Recommendations of the Assessment of Heritage Significance report

The Heritage Assessment report recommends the listing of:

- Sunny Brae, including interiors be listed as an item of local heritage significance in Schedule 5 of the Woollahra LEP 2014;
- Sunny Brae, including interiors be nominated for inclusion on the State Heritage Register (SHR) as an item of State significance;
- The curtilage of the item is Lot 2 DP 1254483 and Lot 1 DP 1112583.

Council staff support the recommendation to list Sunny Brae, including interiors at 40 Fitzwilliam Road, Vacluse as a local heritage item in the Woollahra LEP 2014.

5. Woollahra Local Planning Panel advice

Section 2.19 of the *Environmental Planning and Assessment Act 1979* (the Act) sets out the functions of local planning panels. One of those functions is “to advise the council on any planning proposal that has been prepared or is to be prepared by the council under section 3.33 and that is referred to the panel by the council”.

Additionally, the *Local Planning Panel Direction – Planning Proposals* which was issued by the Minister for Planning on 27 September 2018 identifies the types of planning proposals that are to be referred to a local planning panel for advice prior to a planning proposal being sent to the *Department of Planning, Industry and Environment* for a gateway determination.

Under the terms of the Direction, the planning proposal to list Sunny Brae, including interiors at 40 Fitzwilliam Road, Vacluse, as a local heritage item must be referred to the Woollahra LPP for advice. This step will be undertaken at the next available meeting of the Woollahra LPP should the Council decide to prepare a planning proposal.

6. Next steps

If Council supports the recommendation of this report, the next steps in the listing process are to:

- Prepare a planning proposal under section 3.33 of the Act to list Sunny Brae, including interiors at 40 Fitzwilliam Road, Vacluse as an item of local heritage significance in the Woollahra LEP 2014.
- Refer the draft planning proposal to the Woollahra LPP for advice.
- Report the advice received from the Woollahra LPP to the Environmental Planning Committee.

With regards to the State Listing, as this is a proactive owner initiated heritage listing, we recommend that the Applicant progresses this element and is responsible for making a SHR nomination to *Heritage NSW*.

7. Conclusion

The heritage significance of Sunny Brae, including interiors at 40 Fitzwilliam Road, Vacluse, has been assessed by GBA Heritage in accordance with the NSW Heritage guidelines. The assessment concludes that the subject site at 40 Fitzwilliam Road, Vacluse has local and State heritage significance and it should be listed in Schedule 5 of the Woollahra LEP 2014 and on the SHR.

It is therefore recommended that Sunny Brae, including interiors at 40 Fitzwilliam Road, Vacluse, is listed as a heritage item in Schedule 5 of the Woollahra LEP 2014.

To facilitate the listing at the local level, a planning proposal should be prepared to amend Schedule 5 of the Woollahra LEP 2014 by adding Sunny Brae, including interiors at 40 Fitzwilliam Road, Vacluse as a local heritage item. The planning proposal should be referred to the Woollahra LPP for advice.

Annexures

1. Heritage Assessment by GBA Heritage dated 27 April 2021
2. Heritage Inventory Sheet by GBA Heritage - 27 April 2021
3. Pre-application response - 11 March 2021