



# Environmental Planning Committee Meeting

Monday 4 September 2023  
6.30pm

## Late Correspondence

Privacy Statement:

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# Memorandum

Date 4 September 2023

File No.

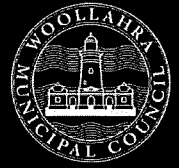
To The Mayor, Councillor Susan Wynne  
All Councillors  
Senior Staff

CC

From Governance

Subject LATE CORRESPONDENCE – ENVIRONMENTAL PLANNING  
COMMITTEE – 4 SEPTEMBER 2023

Woollahra  
Municipal  
Council



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Please find attached late correspondence relating to matters appearing on the Agenda for the Environmental Planning Committee to be held on Monday 4 September 2023. Correspondence received is listed below.

Item	Matter	Author	Page
R6	Heritage Listing 2C Dumaresq Road, Rose Bay	Barrie & Celia Towers	1
R6	Heritage Listing 2C Dumaresq Road, Rose Bay	Susan & Graham Bursill (3 pieces)	3

LATE CORRO Item: R6

Previously forwarded to Clrs Y / N

Meeting: R.P.

Date: 4 / 9 / 2023

**Carolyn Nurmi**

**From:** [REDACTED]  
**Sent:** Monday, 4 September 2023 8:48 AM

**To:** Records

**Subject:** RE Item R6 Heritage listing of Lapin House, 2C Dumaresq Road, Rose Bay, in Schedule 5 of the Woollahra LEP 2014 - 23/154047: EP 4 September

Dear Councillors,

**Re Item No: R6 Recommendation to Council Subject: HERITAGE LISTING OF LAPIN HOUSE, 2C DUMARESQ ROAD, ROSE BAY, IN SCHEDULE 5 OF THE WOOLLAHRA LEP 2014**

We have lived adjoining 2C Dumaresq in no [REDACTED] since 1971 and fully support the proposal to list the Lapin House as a local heritage item. It is a seminal example of the work of Neville Gruzman. We also support retaining the rock face and the height of the house as important and contributing factors to its heritage status.

We have fond memories of Mollie and Charles, and remember having discussions with Neville Gruzman following his aunt's passing. Charles had sadly passed away around a year before her.

Following the sale of the Lapin House to the Hon Justice Michael Kirby in 1976, he and his partner lived next door for 38 years; they understood and appreciated this fine example of significant architecture, by preserving its character as well as distinctive pool and surrounds. Kirby also drafted the garaging plan in 1990, benefiting the Lapin House as well as No 6 and us in 6A, an equitable solution recognised as a precedent in the area of easements and an integral element of the Lapin House and neighbouring properties, confirmed by three judges on the Court of Appeal: *Stolyar v Towers* [2018] NSWCA 6.

Therefore we support the Lapin House being listed as a heritage item.

Your sincerely,

Barrie and Celia Towers

[REDACTED]  
PS We refer to Page 339 of the Agenda:

**Community Engagement and / or Internal Consultation:** ....The owner, residents and applicant were subsequently informed in writing of the planning proposal and that a report was being presented to a meeting of the Woollahra LPP. .... No submissions have been received regarding this matter, and no one registered to address the members of the Woollahra LPP.

As residents living next to the planning proposal, we are baffled that we were not notified in writing of such meeting which we understand took place on August 17. Therefore, we had no opportunity to make a submission. In addition, we only heard about this September 4 meeting incidentally, via word of mouth.



**Carolyn Nurmi**

**From:**

**Sent:**

**To:**

**Subject:**

**Attachments:**

Sunday, 3 September 2023 9:28 PM

Records

Pls pass onto members of the Council Committee for the Meeting Agenda for 4 Sept 2023 6.30pm Re Council Ref : SC5746-23/160027 : Fwd; Ruth Daniell's Heritage Expert Report / Demolition Report 2B Dumaresq Road, Bursill House, Rose Bay  
Demolition\_Report\_2BDumaresqroadrosebay.pdf

LATE CORRO Item: Rb

Previously forwarded to Clrs Y/N

Meeting: EP

Date: 4, 9, 2023

Dealer Sir/ Madam,

Could you please pass this email and the attachment of Ruth Daniell's Heritage Expert Report / Demolition Report 2B Dumaresq Road, Rose Bay "Bursill House " onto members of the Council Committee for the Meeting 4th Sept 2023 6.30pm Re Agenda Meeting Council.

Dear Tristan and Members of the Local Planning Panel Committee,

RE Council Ref : SC5746-23/160027

We received your email letter yesterday afternoon.

We note that your letter states that our home, 2B Dumaresq Road was listed and discussed " in relationship with the Lapin House" in the meeting of 17 August.

We understand that no evidence regarding the design history of 2B Dumaresq Rd., Rose Bay "Bursill House" was given to the committee panel members before or at the meeting of 17 August 2023. We believe this information is crucial to be able to make or offer a fully informed recommendation or decision about whether 2B Dumaresq Rd., Rose Bay "is worthy of local or state heritage listing"

There is comprehensive factual and on file evidence in the Ruth Daniell's (Heritage Expert ) Demolition Report of 2B Dumaresq Road, Rose Bay attached below. This Report was submitted to Woollahra Council in December 2020.

The report by TDK Architects to Woollahra LLP does not reference any of this history or evidence that is outlined by Ruth Daniels in her report.

When TDK refer to the "Bursill House" in their report, the omission of this historical evidence of alterations and amendments by Bill Bursill to the " Bursill House" is crucial in being able to make a fully informed referral and or decision on the provenance of the history of design, alterations and amendments of 2B Dumaresq Rd "Bursill House" our home.

We would like to refer you to some key facts in the report below:

Page 9

2.6

### **Building Applications**

This details the original application 1951 and then the alterations and additions made by Bill Bursill and submitted to Woollahra Council. ( Source included )

Additions and Alterations are detailed below.

No 340/53

No 540/68

No 878/62

No 853/70.

Page 17

## **Alterations and Additions**

Page 19

Court Case Bursill V Lapin.

Bursill won the case.

Bill Bursill ( Builder) drew and submitted plans to Council. The house has been altered a number of times since 1952 A53/0340.

Submitted plans are included in the report below along with a chart of comparisons and changes from the original design, along with photographs and original drawings.

Source evidence provided in the report below.

Page 27

## **Conclusion**

**" The house is not listed as one of the projects in the Gruzman Archive in the State Library of NSW.**

**"**

"A visual comparison to the photographed houses in the book An Architect and His City, by Neville Gruzman & Philip Goad No. 2B does not exhibit the characteristics of his seminal Architectural works.... The proposed demolition of the building will not result in the loss of an item of environmental heritage."

Tristan, we kindly request that you and the members of the LLP committee review the report below before the meeting next Monday 3rd September 2023.

The Report by eminent Heritage Specialist Ruth Daniels. Her credentials are listed on page 4.

Kind Regards,

**Susan and Graham Bursill**



DEMOLITION REPORT  
2B DUMARESQ ROAD  
ROSE BAY

RUTH DANIELL  
B.Arch Hons (Syd) LLB

[REDACTED]  
[REDACTED]  
[REDACTED]  
ABN 71 575 099 221

2 DECEMBER 2020

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Annexure A - Floor Plans

Annexure B - Site and Context Photos

Annexure C- Survey Plan

Annexure D - Curriculum Vitae



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## EXECUTIVE SUMMARY

This Demolition Report has been prepared because there is a development application for demolition of the existing dwelling and the construction of a new dwelling.

Although the building is not a Heritage Item nor is it located in a Conservation Area, this report has been prepared to respond to the requirements of Woollahra Council, which requires a Demolition Report to accompany an application involving substantial demolition defined as more than 50% of a dwelling. This report addresses the requirements of Woollahra Council in the instance of the proposed demolition of the house at No. 2B Dumaresq Road Rose Bay.

The documentary evidence indicates that the house was designed c.1951 and an application for alterations was submitted in 1952.

The photographs in Annexure B show the house and the context.

This report confirms the current status of the building and provides an assessment of heritage significance. This assessment indicates that the house at No. 2B Dumaresq Road does not fulfil the criteria for heritage listing, and therefore its retention is not required. The heritage provisions of the Woollahra Local Environment Plan (LEP 2014) do not apply.

The recommendation of this report is that the demolition of No. 2B Dumaresq Road be approved as there will not be loss of an item of environmental heritage.

## 1.0 INTRODUCTION

### 1.1 Requirement for the Report

This Demolition Report has been prepared because there is a Development Application for demolition of the existing dwelling and the construction of a new residential dwelling. The report has been prepared at the request of the owner of the property.

Although the building is not a Heritage Item nor is it located in a Conservation Area, this report has been prepared to respond to the requirements of Woollahra Council for a Demolition Report to accompany an application involving substantial demolition defined as more than 50% of a dwelling.

### 1.2 Authorship

This report was prepared by Ruth Daniell. Ruth Daniell has extensive experience in cultural heritage management, including the preparation of heritage assessments and Demolition Reports. Ruth has worked for the NSW Heritage Office and Local Government in heritage positions. Ruth was the project co-ordinator and Author of the private domain section of the Paddington Development Control Plan for Woollahra Council, and headed the consultant team, which prepared the Imperial Avenue Development Control Plan for Waverley Council. Ruth has written academic papers and a book chapter on Architectural styles. Ruth Daniell holds a Bachelor of Laws degree.

### 1.3 Research and Acknowledgements

Research has been undertaken in the Woollahra Local History Library, which contains development and building files, the Sands Directory and Council Rates lists held by the Woollahra Local History Centre.

### 1.4 Report Material

- A background history
- Subdivision history
- Construction date
- Name of original Architect/Designer/Builder where known
- A4 copy of original plans (where available)
- Owners and Occupants, and noting any historical importance
- A description of the site and its context
- Coloured post card sized photos, of the building and other structures, site elements and buildings adjoining the site
- Report conclusions
- The report will include the name of the Author, qualifications and experience with the signature of the Author on each numbered page and the date of the report

### 1.5 Site Location

The subject site is located approximately 10 kms from the Sydney CBD. The legal lot description is Lot 3 DP 365945 and Lot B 33652.



Figure 1. Location Plan. Source: Six Maps.





Figure 2. Aerial photograph showing the subject site. Source: Six Maps.

## 2.0 Documentary Evidence – The History of the Property

### 2.1 Pre European Settlement

The traditional owners of the locality were the Cadigal clan, while the harbour area around Watson's Bay and South Head was inhabited by the Birrabirragal clan. Both the Cadigal and Birrabirragal clans belonged to the coastal Dharug language group.<sup>1</sup>

### 2.2 Early Land Grants Rose Bay

Bellevue Hill is one of Sydney's wealthiest suburbs, and stands on what were once the traditional lands of the Cadigal people. They occupied the South Head peninsula, managing the vegetation, and fishing and collecting shellfish from the surrounding rock platforms and waters. When Europeans arrived in 1788, South Head was the site of a number of meetings between groups of the old inhabitants and the new arrivals, and more sustained interaction took place after the establishment of the signal station at Signal Hill in 1790.



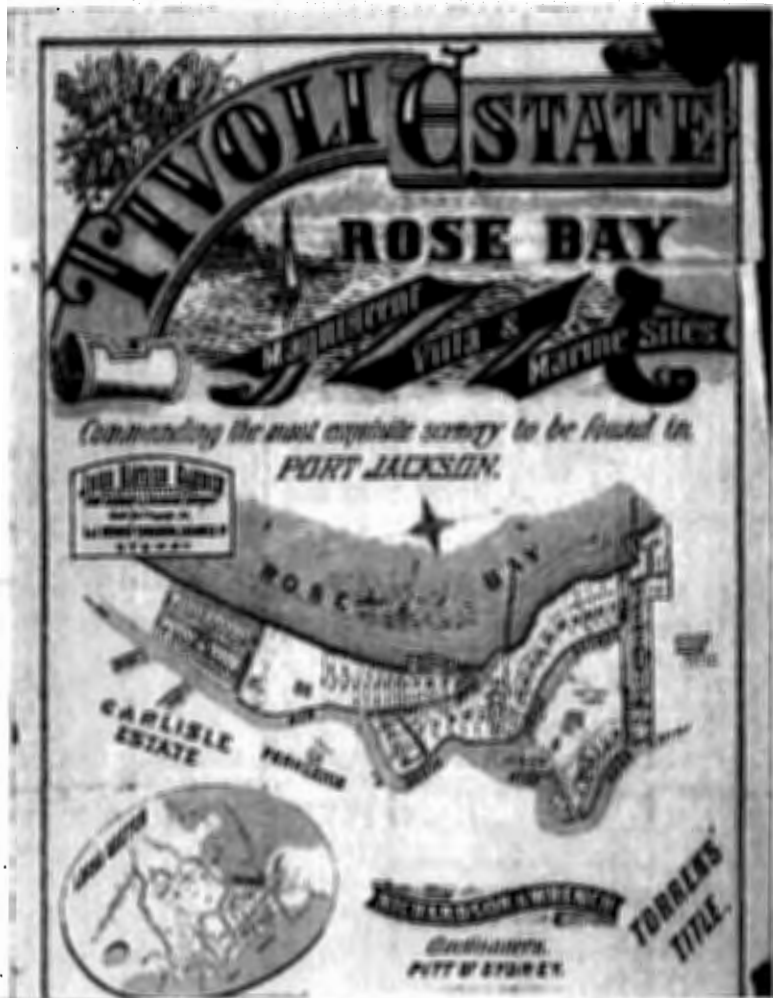
Samuel Breakwell was formally issued with a crown grant of sixty acres on 8 March 1831. Breakwell was an Irish 'dealer' who had originally been designated with the grant on 25 August 1812.<sup>2</sup> Breakwell has arrived in Australia as a free settler, travelling from Cork on board the Atlas and arriving in Sydney in 1802. Breakwell named his grant Tivoli, likely after a stately home situated in Cork overlooking the River Lee.<sup>3</sup>

Breakwell's grant passed to Thomas Horton James in 1831, following which it was subdivided. Peter Haydon purchased the land parcel in which Tivoli House would be constructed. Captain William John Dumaresq purchased the lot in 1840, and was responsible for the construction Tivoli House in 1841. Tivoli House was designed by John Horbury Hunt. The Dumaresq family owned the Tivoli Estate until 1881. The estate then passed to Morrice A. Black, who added an additional storey to Tivoli House, and later Joseph Pearce in 1892. James R. Love owned the site prior to the purchase of Tivoli House by the Kambala School in 1913.

### 2.3 Subdivision and Sale of the Early Land Grants

The subject site stands on land subdivided from Tivoli House as the Tivoli Estate.

An advertisement for the subdivision of the Tivoli Estate appears in 1904. Notwithstanding that there were multiple iterations of the subdivision of the Tivoli Estate advertised post 1904, the subject site does not appear in the proposed subdivision plan until 1907.



Source: Richardson & Wrench, & Cardew, John Haydon, & Gibbs, Shallard & Co. (1907). Tivoli estate, Rose Bay magnificent villa & marine sites commanding the most exquisite scenery to be found in Port Jackson.

Source: Richardson & Wrench, & Cardew, John Haydon, & Gibbs, Shallard & Co. (1907).

<http://nla.gov.au/nla.obj-230464520>.

2B DUMARESQ ROAD ROSE BAY

Demolition Report



Detail from the above map. The arrow shows the subject site, which is part of Lot 2.



The aerial photographs from 1943 shows the site undeveloped.



#### 2.4 No. 2B Dumaresq Road Rose Bay

The relevant information for the property is set out below and on the following pages.

#### 2.5 Date of Construction

The Green card series indicate that an application for a house in 1951. The owner was W. Bursill.

#### 2.6 Building Applications

The following building applications are in the yellow card series at the Woollahra Local History Library.

BUILDING APPLICATIONS		
LOCATION	2 DUMARESQ ROAD, ROSE BAY	
APPLICATION N°	OWNER	TYPE OF WORK
203/51	W. Bursill	Dwelling
340/53	W. Bursill	Additions
540/68	Dumaresq Investments	Additions

BUILDING APPLICATIONS		
LOCATION	2B DUMARESQ ROAD, ROSE BAY	
APPLICATION N°	OWNER	TYPE OF WORK
878/62	W. Bursill	Alterations
853/70	Bursill Enterprises	Inclinators

The Green Card Series showing the original application for the house in 1951, Additions in 1953 and additions in 1968.

### Owners and Occupants

The house has had one owner until recently. There are no entries in the Australian Dictionary of Biography for W. Bursill, who was the occupant until his death. It is now owned by family members.

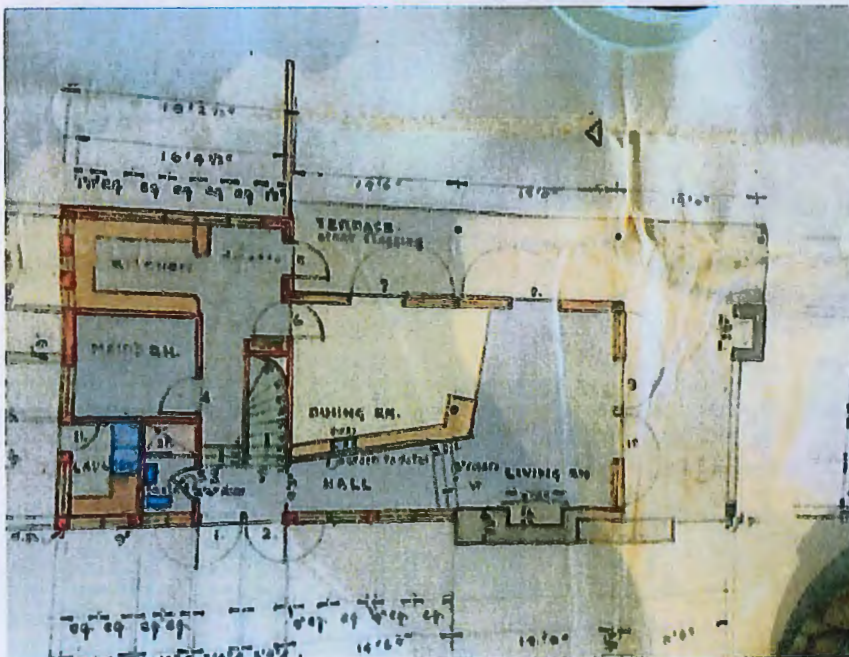
### 3.0 Description of the Context

The surrounding development is residential. The houses which are one or two storey vary in style and date of construction. The houses are located on large blocks of land and in landscaped garden settings.

### 3.1 Description of No. 2B Dumaresq Road Rose Bay

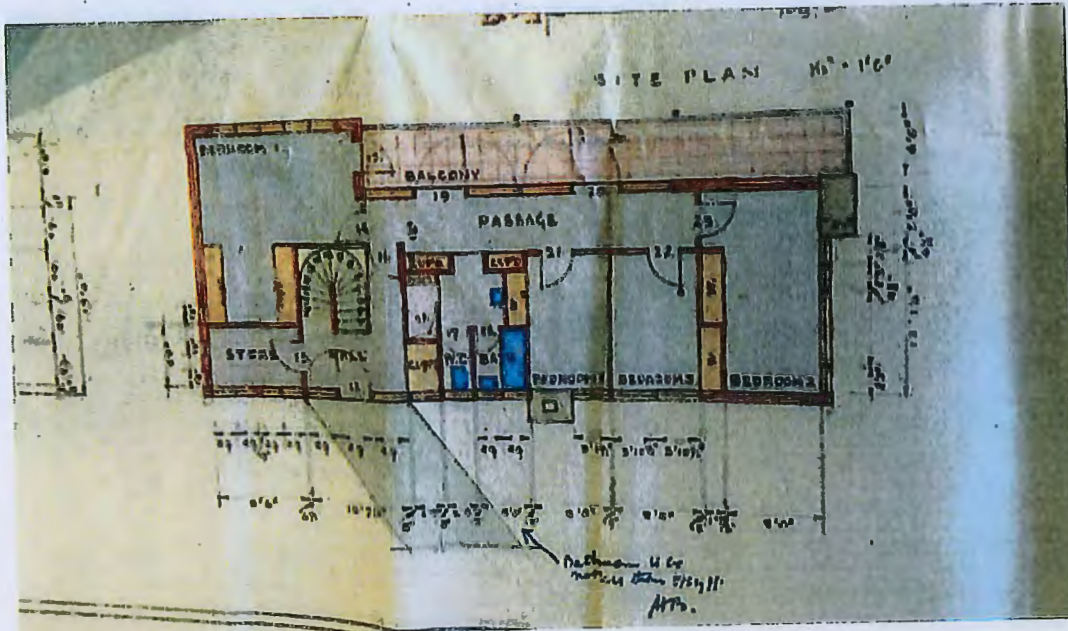
The house was built in c. 1952. The house is a two level house that is part masonry construction, and part glazed aluminium framed sliding doors. It has a series of steel pipe columns providing structural support on the ground and first floor levels. The house is orientated towards the harbour, and incorporates large areas of glazing on this side.

The original drawings are contained in the file 203/51 and the relevant plans and elevations are set out below.

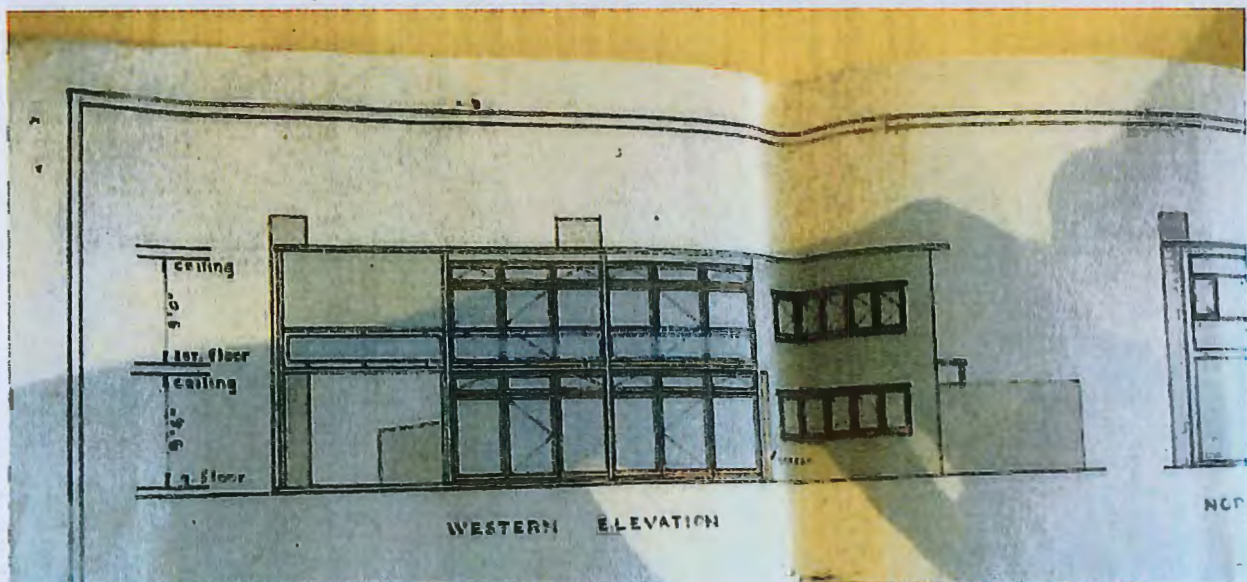


*The original floor plan, showing the extent of the house as designed.*

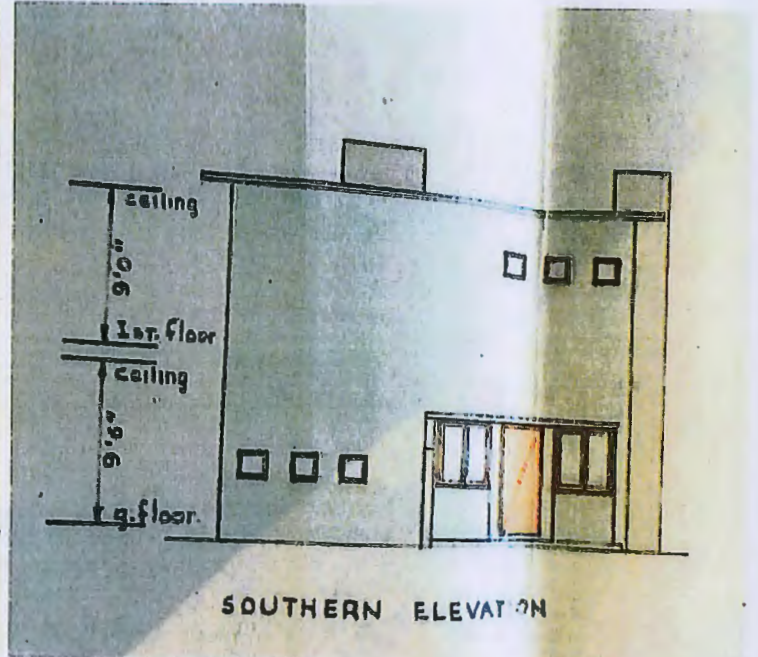
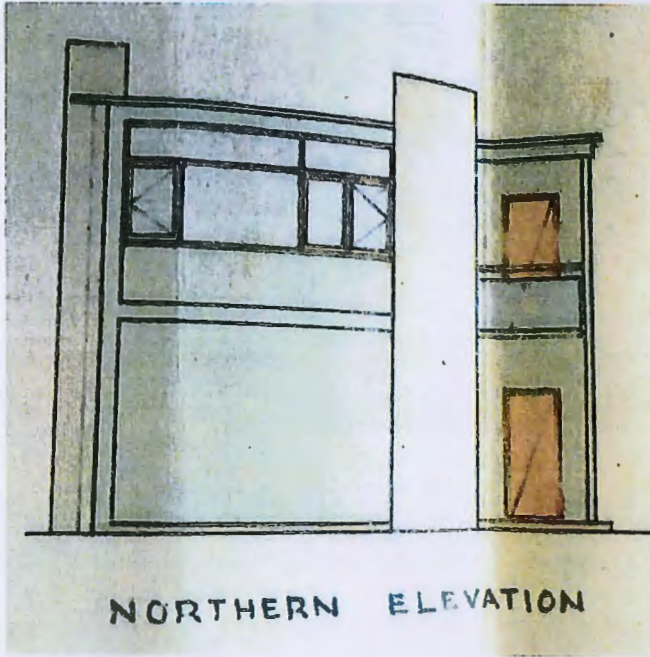




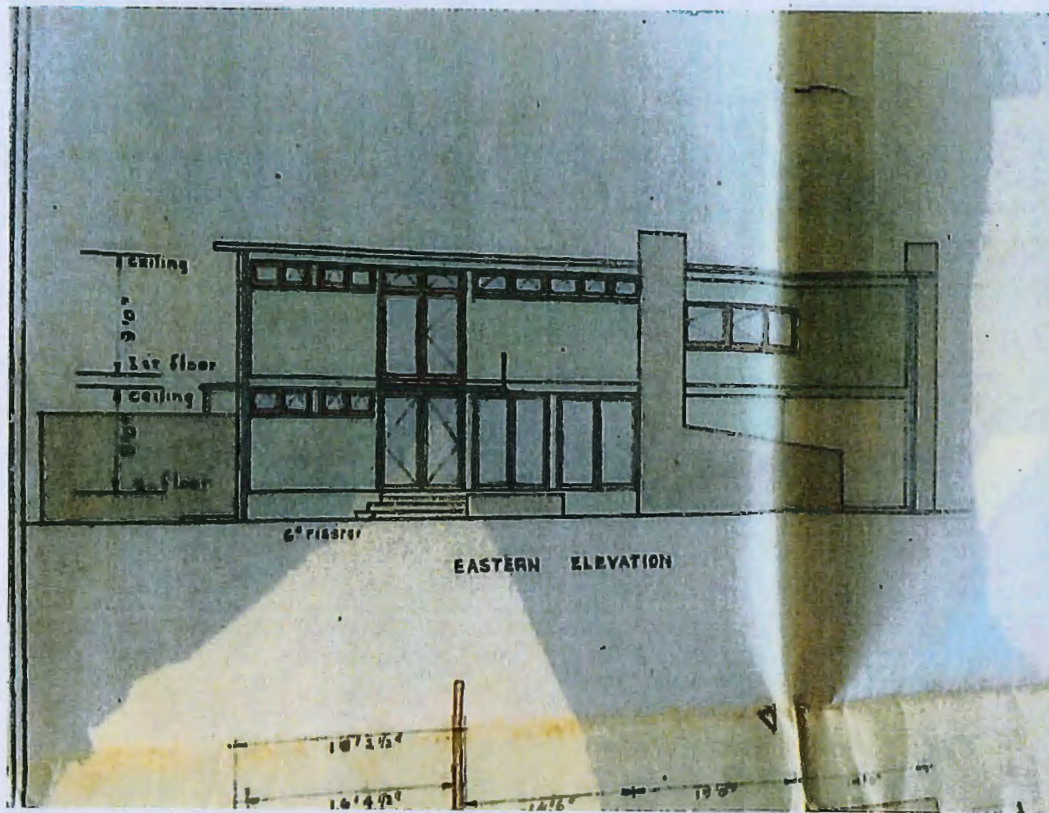
The first floor plan from the original drawings.



View of the western elevation as shown in the original drawings.



































View of the eastern elevation from the original drawings

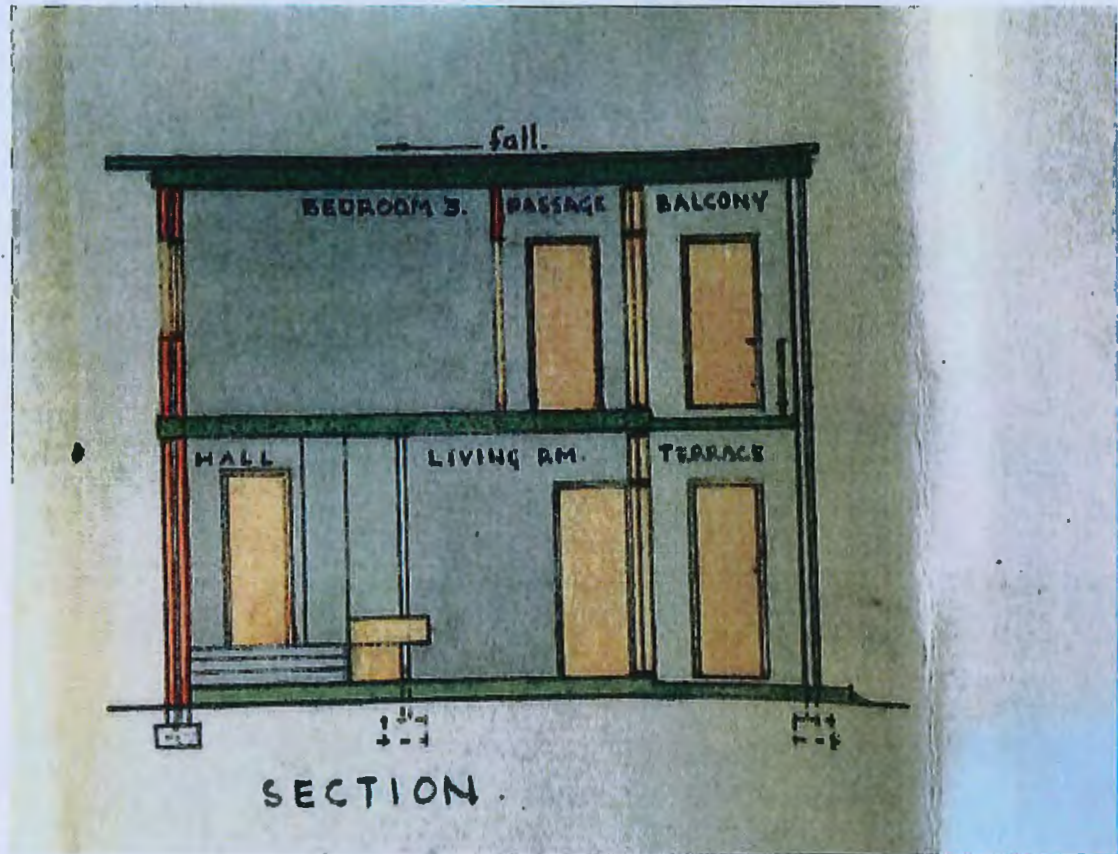
2B DUMARESQU ROAD ROSE BAY

Demolition Report

MATERIALS					
		MAGNASITE			CONCRETE
		JOINERY			METAL
		WOOD FLOORS			TILE
		STONE			ASPHALT TILE
		BRICK			PLASTER
		CEMENT			

	BRICK		
	CEMENT		
<p>FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALING. CONTRACTORS MUST VERIFY ALL DIMENSIONS AT THE JOB BEFORE COMMENCING ANY WORK OR MAKING ANY SHOP DRAWINGS.</p>			
JOB NO. 101/6			
<p>RESIDENCE 2 DUMARESQU R.D. ROSE BAY Mr. &amp; Mrs. W. BURSILL</p>			
WORKING DRAWING.			
SCALES $1/8" = 1'0"$			
H.B. GRUZHMAN ARCHT. 80 HUNTER ST SYDNEY.		DATE 17/3/51	





Section from the original drawings showing the concrete slabs for the floors and roof.

Date: 25th May. 1971.

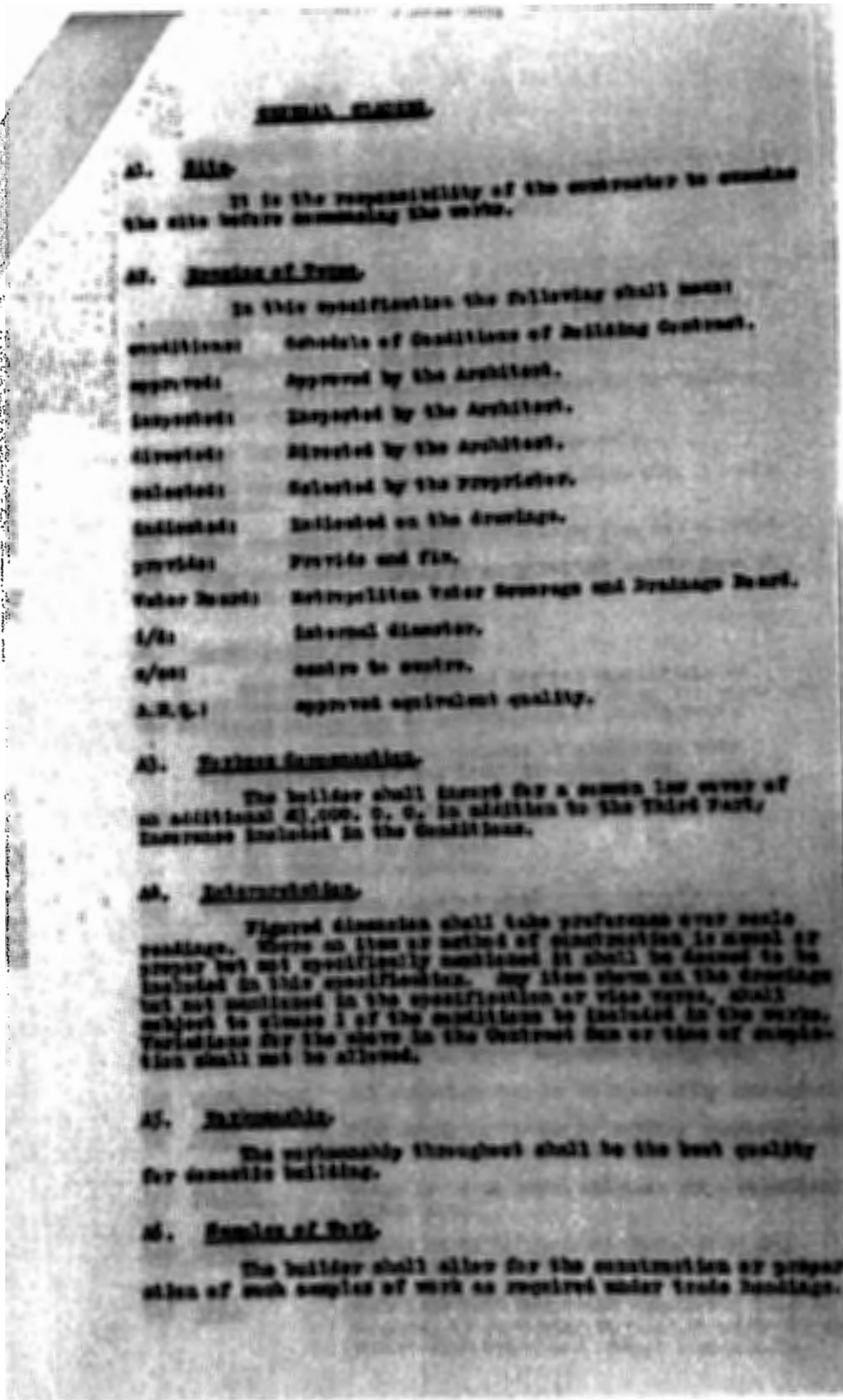
APPROVED BY THE COUNCIL OF THE MUNICIPALITY OF WOOLLAHRA SUBJECT TO THE PROVISIONS OF ORDINANCE 71 AND THE UNDERMENTIONED REQUIREMENTS:

- (1) Forty-eight (48) hours' notice to be given prior to the covering in of (a) trenches, before foundations are laid, (b) foundations, before trenches are filled in, and (c) drains.
- (2) Before permitting any person to use or occupy any uncompleted building, and forthwith upon completion of any unoccupied building, the person by or in consequence of whose order the building is being erected shall give notice in writing to the Council.
- (3) STREET LIGHTS TO BE OBTAINED FROM THE COUNCIL'S ENGINEER BEFORE COMMENCING BUILDING OPERATIONS.

DATE 9/7/81

TOWN ENGINEER

The stamped approval from Woollahra council for the original plans.



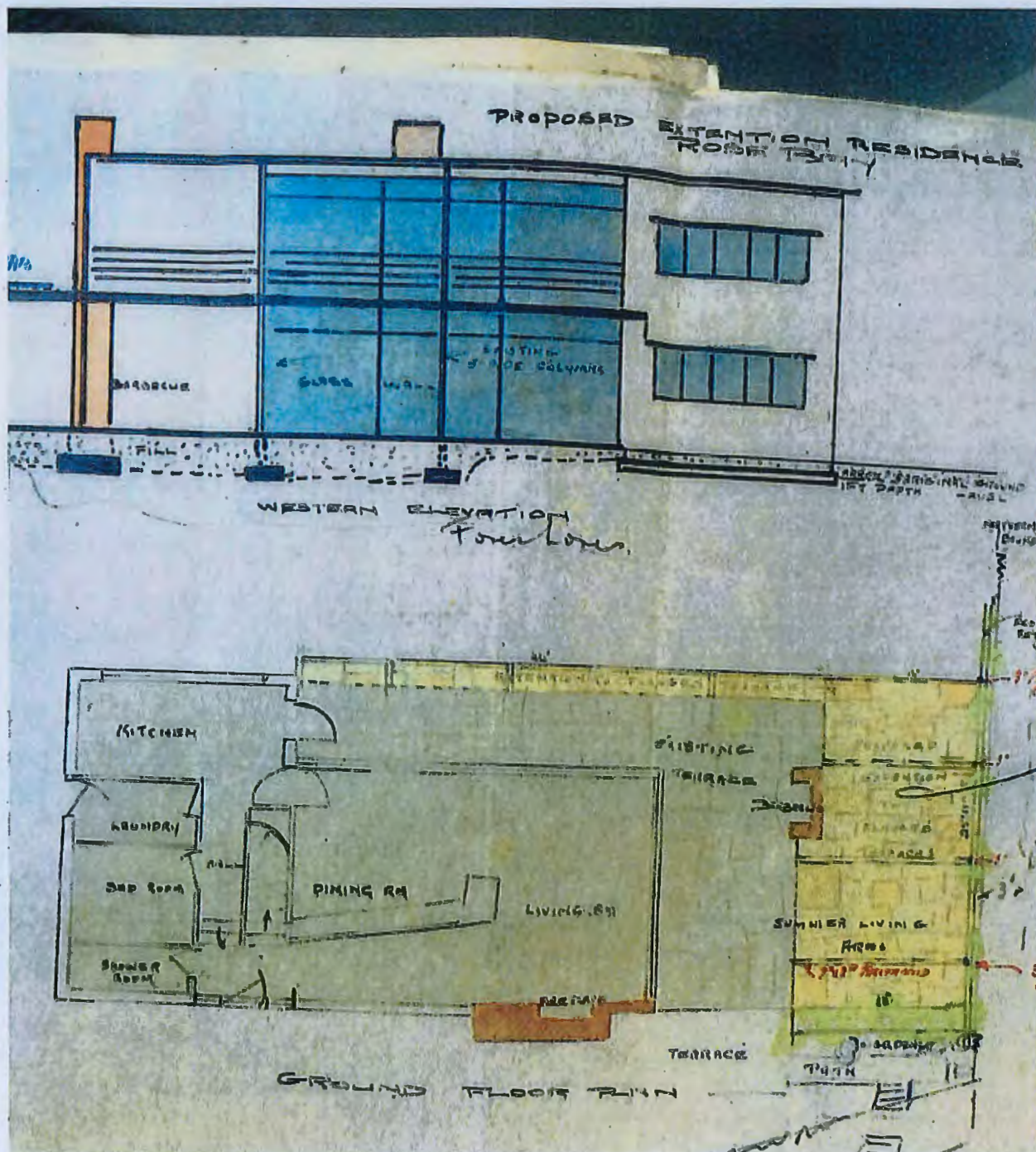
A page from the specification. As documented in this report the Architect and the client had a falling out and the Architect had no involvement in the project.



### Alterations and Additions

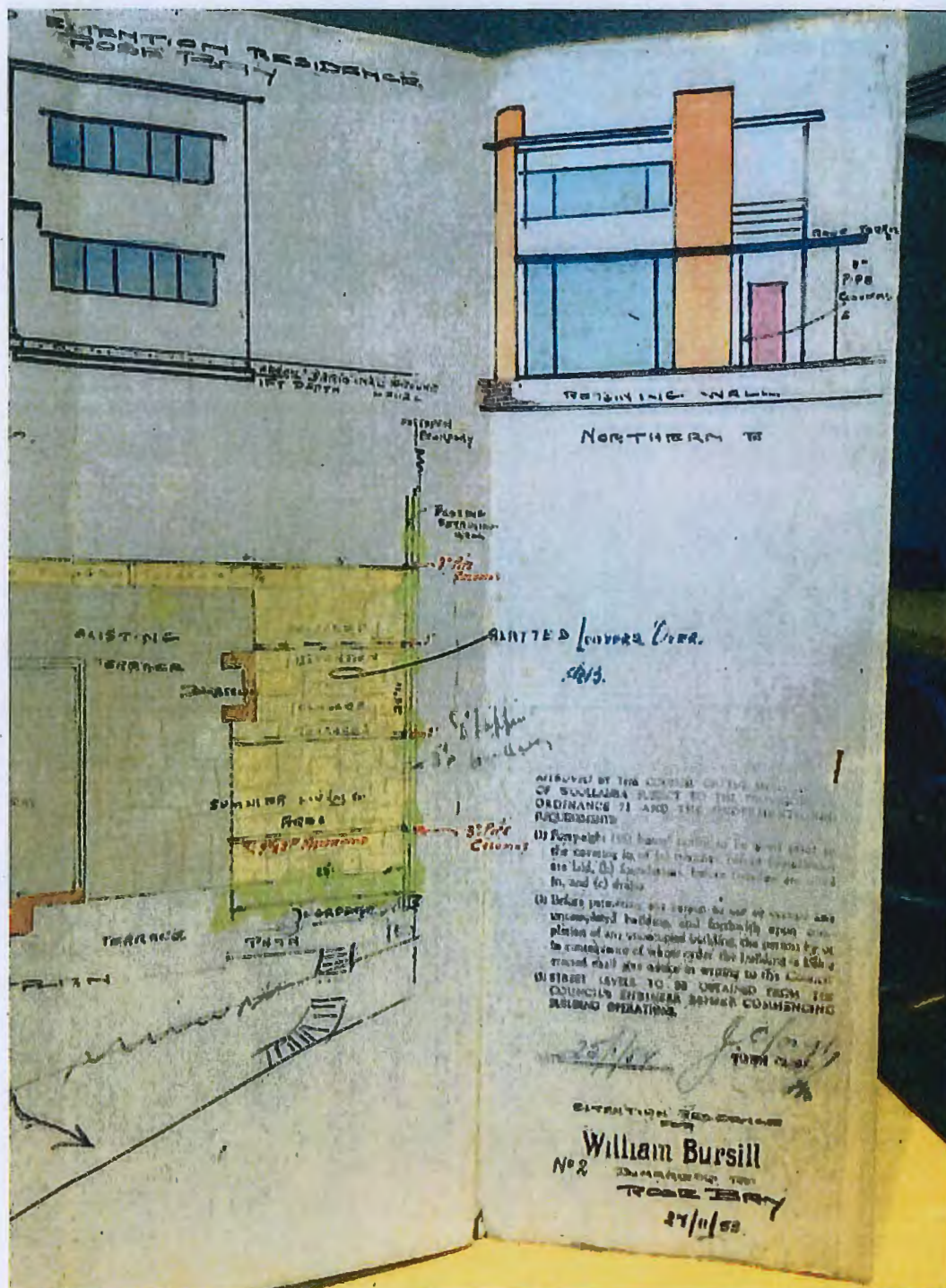
William Bursill lodged an application BA 53/0340 in 1952 for alterations to the original drawings. The drawings differ in style from the original drawings and may indeed have been drawing by Bursill. Alterations and additions

The drawings are reproduced below and on the on the following pages.



This drawing is from the proposed Alterations and Additions to the house in 1952 in A 53/0340. It the ground floor alterations and the alterations.





*This drawing is from the proposed Alterations and Additions to the house in 1952 in A 53/0340. Shows an extension to the northern side, including pipe columns and slatted louvres over. It shows an addition to the terrace*

### William Bursill

William Bursill grew up in Campbelltown. The family had a general store in Campbelltown. The store suffered greatly during the Depression and the family closed the doors in the 1930s.

Bill was given incentives by the family to open the doors in 1932. The store later assisted him to obtain building materials after the War when they were in scarce supply. Bill began to concentrate more and more on building and development.

Bill purchased 8 blocks of the land before the second world war and commenced building 5 cottages in Campbelltown. The War intervened. In 1945 after the war ended, Bill completed the construction of the cottages. Bill was a self taught Builder watching the tradesmen during the construction of the cottages.

In the 1940s Bill answered an advertisement in the SMH from a "desperate vender" who had 4 blocks of land for sale on the Rose Bay Beach. The land was down a steep slope and almost inaccessible. Bill decided that the development potential of the land would include a block of flats and two houses.

The apartment block was constructed first with a loan from the CBC Bank. The bank called in the loan and Bill was forced to sell the 10 flats.

Bill's own house was to be built on two blocks of land. The final block of land was sold with a promise that he would build a house for the owner of that land. However the owner and Neville Gruzman (then an Architectural student) were instantly creating difficulties for Bill "wanting something for nothing" all of the time. At one stage over an issue, Gruzman demanded "Do it or else". Bill took the option and walked off the site leaving the house almost, but not quite finished.

The matter went to Court as it involved 20,000 pounds and Bill won. The animosity between the owner, Mr Lapin and Bill Bursill continued.

The original plans to No. 2B were drawn by Gruzman. However, Bill submitted alterations and addition to the house in 1952. The plans do not have the mark of an Architect and it is likely that Bill Bursill drew the plans. A small note of the file for the 1952 alterations says "Lapin v Bursill. Checked Identity."

It is clear that Neville Gruzman had no further involvement with Bursill, provided no details and did not supervise the work.

The house has been altered since the 1952 plans with changes that have moved away from the original concept for the house.

Bill Bursill continued as a Builder/property developer with projects including a ski lodge at Thredbo and coastal development at Port Douglas and Hinchinbrooke.

As a Builder and developer, Bill was interested in alternative construction techniques to solid brickwork. As well known person in construction industry, Bill was selected by the Federal Government as a member of the Australian Building Industry Productivity Team and in 1954 went overseas as part of a group of 21 high level people in the building industry.

### Design Changes Since the Original Design

The following table sets out some of the design changes to the house.

Original plans	As built surviving today
Ground floor Interior	
Plans included the maids room, laundry and bathroom.	The house has a more open configuration.
The living area as designed was smaller. On the northern side the design proposed an open terrace with a bar-b-que located in a stone chimney	The living area extends to incorporate the northern fireplace which was originally designed as a bar-b-que.
The northern wall of the living room as designed as a lightweight framed wall with a pair of double doors.	<p>The design of the northern wall has a steel pipe frame structure and aluminium framed glazing. The stone fireplace is with the line of the northern wall.</p> <p>There is a small wall section near the north eastern corner.</p> <p>The northern elevation has been changed from the original design.</p>
The design of the western wall of the living had 2 single doors and a greater proportion of wall facing west. The windows and doors were shown a timber framed windows and doors.	<p>The western wall has a steel pipe structure with sliding aluminium framed doors with aluminium framed hi-light windows over.</p> <p>Two large awnings and their supporting structure of steel poles sit in front of the western elevation.</p>
The western wall as designed is set back behind a terraces.	The first floor western wall has to the front of the original terrace. There is no balcony or terrace on the western side.



Original plans	As built surviving today
<p>The living room floor was shown as magnesite which was applied over concrete slabs.</p> <p>Note: <b>Magnesite</b>, which was commonly used as a floor topping or levelling product, contains glue. When <b>magnesite</b> absorbs water, the glue can leach into concrete floors and corrode steel reinforcement bars, causing the concrete to expand. ...</p> <p>"There are thousands of <b>buildings</b> built in that era with <b>magnesite</b> floor topping.</p> <p>"These expansive forces rupture the concrete, lifting the concrete just as a tree root lifts a footpath as the roots expand," he said.</p>	<p>The floor of the northern end of the living room is terrazzo with a large scale matrix and is not part of the original palette of materials.</p> <p>The living room dining room is currently carpeted. It is not possible to view the affect of the magnesite on the concrete structure.</p>
The First Floor	
<p>The plan has a normal sized corridor on the western side. The bedrooms accessed from the corridor had a solid wall to the west and windows facing the east.</p>	<p>The balcony has been infilled, the corridor widened to create a first floor living area facing the view.</p>
<p>The eastern elevation had a series of high hopper windows</p>	<p>The windows have been altered and are larger windows.</p>



View of No. 2B Dumaresq Road from the water.

#### 4.0 Heritage Status

No. 2B Dumaresq Road is not listed as a Heritage Item in the LEP 2014 nor is it located in a Conservation Area.

#### 5.0 Assessment of Significance & Statement of Significance

The concept of 'cultural significance' or 'heritage value' recognises the value of a place or item, which cannot be expressed in monetary terms. Assessment of cultural significance attempts to establish the foundations on the basis of which a place or an item is valued by the community. Cultural significance is embodied in the fabric of the place, in its setting and its relationship to other items, the records associated with the place and the response that the place evokes in the community.

Both the Burra Charter of Australia ICOMOS and its Guidelines for Assessment of Cultural Significance, and the NSW Heritage Manual prepared by the NSW Heritage Office

recommends that significance be assessed in categories such as aesthetic, historic, scientific and social significance. The NSW Heritage Manual includes two additional criteria for assessing the comparative significance of an item.

Since the preparation of the NSW Heritage Manual, the NSW Heritage Act 1977 was amended in 1999, and again in 2000. Under this amendment the NSW Heritage Council has adopted revised criteria for assessment of heritage significance. The evaluation of cultural significance is based on the adopted approach and the results of the assessment are incorporated into a statement of significance, which is usually included in the inventory sheet of a Heritage Item.

### Assessment of Significance 2B Dumaresq Road

#### A. HISTORICAL SIGNIFICANCE

An item is important in the course, or pattern, of the cultural or natural history of NSW; or of the local area's cultural or natural history.

The house at No. 2B Dumaresq Road is an altered Inter War House built on the Amphi Theatre Estate.

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	
X	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 well

#### B ASSOCIATIVE SIGNIFICANCE

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 of importance in the local area's cultural or natural history.

There are no relevant entries for Owners of the of the property have been found in the Australian Dictionary of Biography, ANU, 2006, [www.adb.online.anu.edu.au/adbonline.htm](http://www.adb.online.anu.edu.au/adbonline.htm) or A Biographical Register 1788-1939 ed. H.J. Gibbney and Ann Smith, 1987, Canberra, ADB.

<b>Guidelines for Inclusion</b>	
	Shows evidence of a significant human occupation
	Is associated with a significant event, person or group of persons
<b>Guidelines for Exclusion</b>	
	Has incidental or unsubstantiated connections with historically important people or events
X	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

No. 2B Dumaresq Road fails to meet this criterion, as it is not directly or substantially associated with historically important persons in NSW.

#### CAESTHETIC SIGNIFICANCE

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW, or in the local area.

No. 2B Dumaresq Road is not the work of a prominent Architect or Architectural practice. It does not exhibit an important technical achievement as it employs standard construction techniques.

<b>Guidelines for Inclusion</b>	
	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
<b>Guidelines for Exclusion</b>	
X	Is not a major work by an important Designer or Artist or Architect
X	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

No. 2B Dumaresq Road fails to meet this criterion.

**D. SOCIAL SIGNIFICANCE**

An item has strong or special associations with a particular community or cultural group in NSW; or in the local area for social, cultural or spiritual reasons.

The building is an ordinary residence in a Sydney Harbour suburb without associations to particular community groups or cultural groups.

<b>Guidelines for Inclusion</b>		
	Is important for its associations with an identifiable group	
	Is important to a community's sense of place	
<b>Guidelines for Exclusion</b>		
	Is important to the community for amenity reasons	
<b>X</b>	Is retained only in preference to a proposed alternative	

**E RESEARCH POTENTIAL**

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history; or of the local area's cultural or natural history.

No. 2B Dumaresq Road is a standard type of construction and will not yield new or important information that is not available elsewhere.

<b>Guidelines for Inclusion</b>		
	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	
<b>Guidelines for Exclusion</b>		
	The knowledge gained would be irrelevant to research on science, human history or culture	
	Only contains information that is readily available from other resources or archaeological sites	
<b>X</b>	Has little archaeological or research potential	



**F RARITY**

An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history; or of the local area's cultural or natural history.

No. 2B Dumaresq Road is not a rare example of its kind locally or in NSW.

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
<b>X</b>	Is not rare
	Is numerous, but under threat

**G REPRESENTATIVE**

An item is important in demonstrating the principal characteristics of a class of NSW's; or of the local area's cultural or natural places; or cultural or natural environments.

The building demonstrates very limited representative characteristics of an Inter War house, because of the extensive alterations internally and externally. It does not satisfy this criteria.

Guidelines for Inclusion	
	Is a fine example of its type
	Has the principal characteristics of an important class or groups 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

<b>Guidelines for Inclusion</b>	
	Is outstanding because of its setting, condition or size
	Is outstanding because of its integrity or the esteem in which it is held
<b>Guidelines for Exclusion</b>	
	Is a poor example of its type
<b>X</b>	Does not include or has lost the range of characteristics that make up a significant variation of its type

#### STATEMENT OF SIGNIFICANCE

No. 2B Dumaresq Road does not satisfy the heritage assessment criteria for heritage listing as it fails to demonstrate importantly an important historic pattern of development, significant historic associations, or social significance, and does not have important aesthetic or technical attributes and is neither rare or representative.

#### CONCLUSION

The house is post WW 2 house built by William Bursill who was a Builder and property developer post 1950. The analysis both documentary and physical, and the assessment of significance using the NSW Heritage Office Criteria has not determined sufficient cultural significance to indicate that the property is worthy of heritage listing at a local level which as a consequence would require its retention in full or in part.

While the original plans were by Neville Gruzman, Architect student, the dispute with the Lapin house, which Bursill built, soured the relationship and Bursill took over incorporating his own design amendments, including an extensive glazed wall on the western side. The house is not listed as one of the projects in the Gruzman Archive in the State Library of NSW. A visual comparison to the photographed houses in the book *An Architect and His City*, by Neville Gruzman & Philip Goad No. 2B does not exhibit the characteristics of his seminal Architectural works.

This is confirmed by Council's research and heritage studies, which has not identified the house as a Heritage Item.

The proposed demolition of the building will not result in the loss of an item of environmental heritage. It is recommended that the demolition be approved, sandstone blocks recycled and this report forms the recording made of the house.



## ANNEXURE A SITE AND CONTEXT PHOTOGRAPHS



1. View of the western facade of the house from the harbour side of the swimming pool.



2. View of the western elevation.





3. View of the houses to the north of No. 2B.



4. View of the glass pool fence on the harbour side of the swimming pool.





5. View of the upper level of the western facade.



6. View of the north west corner of the house. This photograph shows the infill in the original open western verandah and the extension to the living room on the western side.



7. View of part of the eastern facade of the house.





8. View of the eastern wall of the living room.



9. View of the southern wall of the living room showing the aluminium framed sliding doors on the western elevation.





10. View of the entry hall.



11. View of the northern end of the living room.



12. View of the kitchen looking towards the southern wall.



13. View of the laundry looking towards the eastern wall of the house.





14. View of the front door.



15. View of the external chimney on the eastern elevation.

16. View of the entry on the eastern wall of the house.







17. View of the eastern elevation of the house.



18. View of the stair from the first level.





19, View of the living area on the first floor.



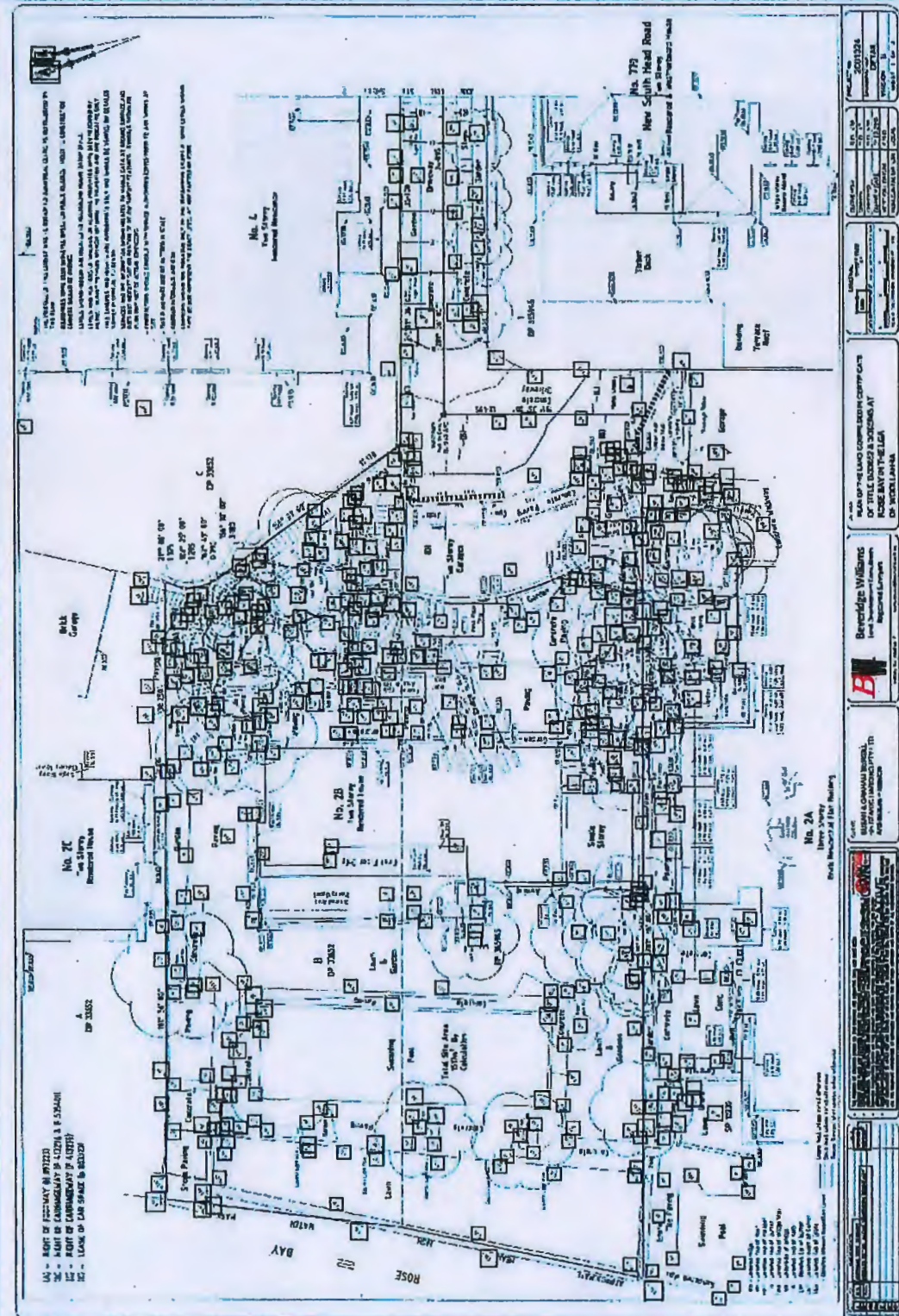
20. View of the driveway looking towards Dumaresq Road.



21. View of the garage. Three spaces belong to No. 2B.



Annexure C- Survey Plan





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## ANNEXURE D - CURRICULUM VITAE

### Curriculum vitae

## Ruth Elizabeth Daniell

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### Qualifications

Bachelor of Science (Architecture) 1976

Bachelor of Architecture (Hons) University of Sydney 1979

Bachelor of Laws UNSW 2016

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### Additional Study

The Conservation of Historic Structures

Institute of Advanced Architectural Studies University of York, United Kingdom, 1977

Certificate of Horticulture I & II Ryde TAFE 1987-1988

MARC 99 - The Conservation of Modern Architecture - Helsinki 1999 - ICCROM and the Helsinki University of Technology

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### Heritage Practice

2000 to Current - Private Practice as a heritage consultant

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### Heritage Positions - Local Government

Heritage Officer, Woollahra Municipal Council 1996-1998

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### Heritage Positions - State Government

Senior Heritage Officer, Heritage Office of New South Wales  
1999 - 2000

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### Heritage Advisory Positions

Coolamon Shire Council, Urana Shire Council, Bland Shire Council, and Culcairn Shire Council  
1993-1997

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### Heritage Studies

Narrandera Town Heritage Study 1995

20<sup>th</sup> Century Riverina Homesteads 1992-1998

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### Conservation Management Plans

Bonegilla Conservation Management Plan for the Commonwealth Department of Defence, CMP Eveleigh Locomotive Workshop (in conjunction with Otto Cserhalmi) 2002,

Conservation Management Plan for the Infants Home Ashfield, Old Government House

Parramatta (updated) CMP 2001 for the National Trust, and St Vincent's College, Potts Point CMP 2010, St Michaels Church Group Conservation Plan, 2013.

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#### Community Consultation and Workshops

Narrandera Heritage Study, *Imperial Avenue DCP* Community Workshop for Waverley Council, 2004 and *Reuse Options Workshop* for Block 19 Bonegilla, Department of Defence and the Australian Heritage Commission.

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#### Strategic Planning Documents

*The Paddington Development Control Plan* for Woollahra Council, 1998-1999 (Author and project director).

*Imperial Avenue DCP*, 2004 for Waverley Council 1999 (Author and project director).

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#### Awards

The Leslie Wilkinson Prize for Architectural History 1975

RAPI (Royal Australian Planning Institute) Commendation Award for Excellence in Planning for the *Paddington DCP* 1999

Woollahra Conservation Award (2006, 2008 and 2011) - 'Taj Mahal' Wiston Gardens, Double Bay for conservation work involving preservation, restoration; 'Grove House', Woollahra for a new building in a Conservation Area; and No. 64 Paddington Street, Paddington - Alterations and Additions in a Conservation Area.

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#### Publications

*Imported Styles*, a book chapter in *The Early Canberra House*, ed P. Freeman pub. Federal Capital Press 1996.

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#### Expert Witness

Land and Environment Court NSW

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#### Recent Projects

*Bathurst Courthouse Security and Amenities Upgrade* 2019-2020

*Orange Courthouse Security and Amenities Upgrade* 2019

*Goodmans Building Anriandale* Restoration Works 2020

*10 Jack Street Riverstone* Review of Curtilage and Heritage Listing 2020

*72-28 Foveaux Street Surry Hills* Heritage Impact Statement for the Refurbishment of a 1970s high rise building in the context of a Conservation Area 2019-2020

**Carolyn Nurmi**

LATE CORRO Item: R6- 47  
Previously forwarded to Clrs Y / N  
Meeting: EP-  
e: 4 / 9 / 2023

**From:**

**Sent:**

Sunday, 3 September 2023 1:27 PM

**To:**

**Subject:**

Fwd: Letter from Woollahra Council to us rec'd Thursday pm re meeting for Monday 4 Sept with the link details to the website be able to register via zoom an or in person

**Attachments:**

Letter - Notification to owner of 2B Dumaresq Road of EPC Meeting - 2C Dumaresq Road, Rose Bay (Lapin House) - 31 August 2023 (1).pdf

Dear all,

Please see the letter attached.

If you go on the Woollahra Council website details listed here on the letter to follow, there is a form you must complete and either email to the email address supplied or drop off to Woollahra Council before 10 am tomorrow.

You can speak oin the night or via zoom online.

You can send an email written correspondence now and again before 10am tomorrow which might be a good idea to do.

We have already sent an email about the report we had done by a Heritage Specialist in Dec 2020 which Council have on file but have not furnished to the Committee members.

We have sent this report via email to the Council.

I have registered to speak re our [REDACTED] property.

The 2C matters that will be decided on tomorrow night.

The vote tomorrow night by the Council is being held for 2C Dumaresq Road to be listed as a local heritage property.

This will save your car spaces if it is listed as a local heritage property.

You can vote online on the registration form to support or object to motion re 2C Dumaresq Road i.e. the "Lapin House" to be listed and thereby preserved as per the condition listed in the report, one of which states keeping the rock face i.e. next to/under your car spaces and the height of the house etc which would mean the moving of your car spaces is protected.

This is an opportunity for you to mention your easement and car spaces affected by their DA to move your car spaces and anything else you wish to state.

Claudia, you may want to advise your neighbour/s you spoke of as they probably are unaware of the meeting and this is an opportunity to if they wish support for it to be a local heritage listing. For each to decide.

Happy to discuss.

Kind Regards,

**Susan Bursill**



Council Ref: SC5746 - 23/160027  
Your Ref:

Woollahra  
Municipal  
Council



31 August 2023

Mr G J & Mrs S Bursill



Dear Mr G J & Mrs S Bursill

**Notification of Environmental Planning Committee meeting of 4 September 2023 –  
Heritage listing of Lapin House, 2C Dumaresq Road, Rose Bay**

I write to advise you that a report on the planning proposal (including the advice of the Woollahra Local Planning Panel) to list *Lapin House*, at 2C Dumaresq Road, Rose Bay, as a local heritage item in Schedule 5 and on the Heritage map of the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) will be considered by the Woollahra Environmental Planning Committee, **on Monday 4 September 2023 at 6.30pm.**

I note for your information that, at its meeting of 17 August 2023, the Local Planning Panel also advised Council to investigate whether the house at 2B Dumaresq Road, Rose Bay, "Bursill House" (Lot B DP 33652, Lot 3 DP 365945) is worthy of local or state heritage listing, including its relationship with Lapin House. The minutes of this meeting are available from the [WLPP Agendas, Audio Recordings and Minutes](#) page on Council's website.

Please note that no proposal to heritage list this property is being considered at this meeting. However, Council may decide to proceed with an investigation into the possibility, based on the Local Planning Panel's advice.

Woollahra Council will be holding this Committee meeting as a **hybrid meeting** to be held on site and also accessible using online conferencing technology:

The meeting will take place in the Thornton Room at Council Chambers - 536 New South Head Road, Double Bay.

Members of the public and government agencies are invited to watch the meeting live (either in person or via Council's website) and/or register to address the Committee.

- **To register to address the meeting (register by 10.00am, Monday 4 September 2023)**
  - Complete a Committee Registration Form, available from the [Forms and Checklists](#) page on Council's website and email it to [records@woollahra.nsw.gov.au](mailto:records@woollahra.nsw.gov.au).
  - Once registered, if joining online, we will provide you with a link, phone number and code to enable you to join the meeting. This will be emailed to you on the day of the meeting.
  - There is a limit of 4 minutes per speaker and each speaker must register individually.

Council Chambers  
536 New South Head Road  
Double Bay NSW 2028

Correspondence to:  
PO Box 61  
Double Bay NSW 1360

t: (02) 9391 7000  
f: (02) 9391 7044  
e: [records@woollahra.nsw.gov.au](mailto:records@woollahra.nsw.gov.au)

[woollahra.nsw.gov.au](http://woollahra.nsw.gov.au)  
ABN 32-218 483 245



- **To submit late written correspondence (submit by 10.00am, Monday 4 September 2023)**
  - o Email your submission to [records@woollahra.nsw.gov.au](mailto:records@woollahra.nsw.gov.au)
- **To watch the meeting live (from 6.30pm)**
  - o Watch the meeting live via the link which will be available from the Environmental Planning Committee Agendas, Audio Recordings and Minutes page on Council's website.

The Committee's Agenda, including reports and associated annexures, will be available on Council's website from 3.00pm on **Thursday 31 August 2023**.

An audio recording of the meeting will be available on Council's website by 5.00pm the day following the Committee meeting.

Please note, by addressing the Committee meeting, members of the public consent to their voice and personal information (including name and address) being recorded and publicly available on Council's website. Members of the public are advised that meeting are being lived streamed, accessible via a link from Council's website. Accordingly; please ensure your address to Council is respectful and that you use appropriate language and refrain from making any defamatory statements or discriminatory comments. Woollahra Council does not accept any liability for statements, comments or actions taken by individuals during a Council or Committee meeting.

If you have any questions about this matter, please do not hesitate to contact Tristan Ryan, Council's Senior Strategic Heritage Officer, at [Tristan.Ryan@woollahra.nsw.gov.au](mailto:Tristan.Ryan@woollahra.nsw.gov.au) or on (02) 9184 1030.

For any technical assistance, please contact Council's governance team on (02) 9391 7001.



Director – Planning & Place



**Carolyn Nurmi**

LATE CORRO Item: R6 50

Previously forwarded to Clrs Y / N

**From:** [REDACTED] g: EP  
**Sent:** Monday, 4 September 2023 1:26 AM  
**To:** Records; Tristan Ryan  
**Cc:** [REDACTED]  
**Subject:** Re: Agenda Item R6 E Council Meeting 4 Sept 2023 "Bursill House" 2B Dumaresq Road., Rose Bay - more information

Date: 4 / 9 / 2023

Dear Committee Members,

Re: Agenda Item R6 E Council Meeting 4 Sept 2023 "Bursill House" 2B Dumaresq Road., Rose Bay.

Woollahra Council Heritage Officers Charlotte Simons and Kristy Wellfare made a site visit on the 12th Feb 2021 to inspect the interior and exterior of 2B Dumaresq Road "Bursill House" Rose Bay. Council would have a copy of this Report on file.

We kindly request that this Report (as well as Ruth Daniell's Report ) is furnished to all voting Committee members before tomorrow night's meeting, so that all members are able to make a completely informed decision on the Bursill House.

The photographs from your own internal report, as well as the photos supplied in Ruth Daniell's Demolition Report, show the Bursill house with all its alterations and additions made by Bill Bursill from 1951 on. The report and photos show and state a vastly different house from the original design.

The photos shown by TDK Architects, when referencing "Bursill House" in their Report on the "Lapin House" provided to the LLP (and listed in the Agenda for the 4 Sept 2023 meeting ) have not included current photos of the Bursill house nor listed all the alterations and additions made since 1951.

After the site visit of the 12 Feb 2021 by the two Woollahra Council Heritage Officers, the Dec 2020 Demolition Report by Ruth Daniells Heritage Expert Consultant of was agreed upon and approved by Woollahra Council, with our DA 502/2020/1 being approved by Woollahra Council on 16 May 2022.

Since receiving the Council's Approval of our DA DA 502/2020/1 last year, we have invested and spent considerable sums of money and time in preparation of the next steps of our project for our new home.

Before making a decision re Agenda R6 point E Bursill House please review both these Reports and the photographs of the Bursill House and the photos of the view from the foreshore, as these show how different the house is from the original design and why Neville Gruzman himself disowned and disassociated himself from the Bursill house and why "The house is not listed as one of the projects in the Gruzman Archive in the State Library of NSW " excerpt from Heritage Expert Consultant Ruth Daniell's Demolition Report December 2020.

Kind Regards,

**Susan and Graham Bursill**  
[REDACTED]