

# **PLANNING PROPOSAL**

**Local heritage listing  
48 Duxford Street, Paddington**

**February 2016**

**Version date 17 February 2016**



# Table of Contents

<b>Part 1 – Introduction .....</b>	<b>1</b>
<b>Part 2 – Site and context description.....</b>	<b>1</b>
2.1 Description.....	2
<b>Part 3 – Historical overview.....</b>	<b>2</b>
<b>Part 4 – Objectives of the planning proposal.....</b>	<b>4</b>
<b>Part 5 – Explanation of provisions.....</b>	<b>5</b>
<b>Part 6 – Justification .....</b>	<b>5</b>
Section A – Need for the planning proposal .....	5
Section B – Relationship to strategic planning framework .....	6
<b>Part 7 – Mapping .....</b>	<b>10</b>
<b>Part 8 – Community consultation .....</b>	<b>10</b>
<b>Part 9 – Project timeline .....</b>	<b>11</b>
<b>Attachment 1 Heritage assessment (heritage inventory sheet).....</b>	<b>12</b>
<b>Attachment 2 Woollahra LEP 2014 conservation clauses.....</b>	<b>22</b>
<b>Attachment 3 Report to Council’s Urban Planning Committee .....</b>	<b>25</b>
<b>Attachment 4 Consistency with state environmental planning policies .....</b>	<b>33</b>
<b>Attachment 5 Compliance with section 117 directions .....</b>	<b>37</b>

## Part 1 – Introduction

This planning proposal is made in relation to the local heritage listing of 48 Duxford Street, Paddington. The intention of the planning proposal is to provide for the on-going protection and recognition of the heritage significance of the property.

This planning proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and the two documents prepared by the NSW Department of Planning and Infrastructure titled *A Guide to Preparing Planning Proposals (October 2012)* and *A Guide to Preparing Local Environmental Plans (April 2013)*.

## Part 2 – Site and context description

The planning proposal applies to land shown in Figure 1, known as 48 Duxford Street, Paddington Lot 1 DP 918750.



Figure 1. Location of 48 Duxford Street, Paddington.

## 2.1 Description

The subject building is a two storey late Victorian Italianate terrace house with a decorative stucco façade and filigree detailing. It has an intact principal building form with balconies to the front and rear. The building displays features typical of its architectural style including Italianate stuccoed pilasters, architraves, corbelling and quoins to front façade, vermiculation to quoins and party wall corbels, decorative cast iron lace brackets, frieze with finials, balustrade and columns and timber dentils to front balcony/verandah. The rear wing remains intact with an irregular double hung window fenestration pattern. Internally the building has early 20th century skirting boards, modelled architraves, cornices, solid core timber doors, decorative plaster ceiling roses, hardwood floorboards and tile hearth fireplaces. A two storey timber building is located at the rear of site with a gable roof form, sawn weatherboard cladding and small sandstone block plinth.

There are mature plantings in the front yard behind a wrought iron palisade fence and gate. Mature plantings in front yard.



**Figure 2. Front façade of 48 Duxford Street, Paddington**



**Figure 3. The 'yellow room' at 48 Duxford Street, Paddington**

## Part 3 – Historical overview

The Cadigal people of the Eora Nation are the traditional inhabitants of the land from Sydney to South Head. Following European occupation, the Cadigal people were greatly affected by

the smallpox epidemic of 1789 and alienated from traditional food sources and land.<sup>1</sup> Oxford Street is a known Aboriginal track, which served as a trading route between farmed grassland and Cadigal coastal fishing areas.

In October 1832 William Lithgow, auditor general for the colony of New South Wales, received a grant of two allotments from Governor Bourke. No record of Lithgow having occupied the allotments has been uncovered. By 1839 a large house known as *Bradley Hall* had been constructed on the site and Thomas Barker, a successful Darlinghurst Miller, had taken possession of the grants. *Bradley Hall* was a six bedroom house with servant's quarters, cellar, enclosed yard, outbuildings including gardener's house and large circular drive. The house was sited in proximity to the centre of present day Stafford Street and the western arm of the circular drive intersected the land now known as 48 Duxford Street<sup>2</sup>. *Bradley Hall* was occupied by AB Smith Esquire from 1839 to 1844, when the then 4 acre property was offered for sale<sup>3</sup>.

In 1845 *Bradley Hall* was sold to William Stafford Broughton, a tailor, grazier and politician who served as Mayor of Sydney in 1846 and was elected to the Legislative Assembly in 1859. Broughton lived at *Bradley Hall* for over fifty years<sup>4</sup> until subdividing his estate in 1898 for residential development. As part of the subdivision Duxford Street was extended to the south, Stafford Street established and *Bradley Hall* demolished. The land now known as 48 Duxford Street was subdivided from the estate at this time and described as Section 1, Allotment 18 in the April 1898 Broughton's Estate Paddington Subdivision plan.

By 1901 a two storey late Victorian Italianate style terrace house fronting Duxford Street was constructed at the site (then known as 46 Duxford Street) owned and occupied by Mr David Flannery. By 1903, the property was in mixed use as a house and shop<sup>5</sup>. It is possible that the two storey weatherboard structure at the rear of the site dates from this time and was in operation as a shop. It is not known what sorts of wares were sold from the shop at this time. Mr Flannery retained occupation and ownership of the property until 1909, when John King Fraser purchased the property.

In 1930 the property was purchased by Mr Arthur Sharpe. By 1938 a 'Hat Renovator' was operating out of a two storey weatherboard building at the rear of the site<sup>6</sup>. It is possible that the Hat Renovator business had been in operation prior to the Sharpe's purchase of the land. The business is described as 'Hat Blocking Factory' in a 1952 building application for alterations to the building. The Sharpe family are believed to have owned and occupied the property until its sale to renowned Australian artist Margaret Hannah Olley in 1964.

Prior to the purchase of the Duxford Street property, Margaret Olley purchased another terrace house at 70 Paddington Street, Paddington. Olley did not consider the Paddington Street house an ideal place to paint and in late 1964 she purchased 48 Duxford Street, which she considered to be '*a better place for working than my other house in Paddington*'

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<sup>5</sup> 1903 *Paddington Rate Book*, Paddington Municipal Council

<sup>6</sup> *Building Inspectors Report October 1938* – Listing for Duxford Street, '1 Hat Renovator'



*Street*<sup>7</sup>. The artist kept two of the rooms in the house and the Former Hat Factory for her own use and rented out the rest of the house to individual tenants. A frequent traveller in her early and middle career, Margaret Olley spent extended periods of time away from her Duxford Street house and studio. In the early 1970s, on her return from working in Paris, Olley found Duxford Street too crowded with its various tenants and relocated to (then deceased) friend David Strachan's Paddington Street house to establish a new studio.

Margaret Olley returned to the Duxford Street house in the early 1970s, after Sam Hughes took up residency there. Olley and Hughes lived at the Duxford Street house until Hughes' passing in 1982. Within two years of Hughes death, Olley had relocated to a newly purchased house in Gurner Street Paddington. With age, Olley began to find the idiosyncrasies of the Gurner Street house, namely its steep staircase, prohibitive. In 1988, Olley again relocated to the Duxford Street house where she would live and work until her death in 2011. Olley accumulated a vast collection of objects which were showcased in the house and became the subject matter of her paintings. During her time at 48 Duxford Street the artist produced numerous interior and still life works for which she has been hailed '*one of Australia's most prized interior and still life painters*'<sup>8</sup>. The interior spaces of the terrace house at 48 Duxford Street form part of the subject of numerous paintings, some of these rooms remain recognisable from her artworks such as the yellow room and blue room.

Margaret Olley's contribution to the artistic community was formally acknowledged in 1991 when she was made a member of the Order of Australia in 1991, and again in 2006 as a Companion of the Order 'for service as one of Australia's most distinguished artists, for support and philanthropy to the visual and performing arts, and for encouragement of young and emerging artists'.

At the artist's bequest, a substantial collection of items was relocated from 48 Duxford Street to The Margaret Olley Art Centre, Tweed River Art Gallery. There Olley's studio space has been 'reconstructed' using building fabric taken from the lean-to structure that linked the terrace house to the Former Hat Blocking Factory.

## Part 4 – Objectives of the planning proposal

The objectives of the planning proposal are:

1. to recognise the local heritage significance of the property;
2. to provide statutory protection of the property as a local heritage item;
3. to provide for the conservation of the property.

The former residence and studio of Margaret Olley, at 48 Duxford Street, Paddington, has been identified as having local heritage significance. This has been established through an assessment using seven criteria contained in the document titled *Assessing Heritage Significance* produced by the NSW Heritage Office in 2001, part of the NSW Heritage Manual.

A copy of the assessment is contained in **Attachment 1**.

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<sup>7</sup> Stewart, M (2005) *Margaret Olley, Far From a Still Life*, Random House

<sup>8</sup> *The Australian Women's Register*, Olley, Margaret - [www.womenaustralia.info/biogs/PR00468b.htm](http://www.womenaustralia.info/biogs/PR00468b.htm)

## Part 5 – Explanation of provisions

The objectives of the planning proposal will be achieved by:

1. Listing 48 Duxford Street, Paddington as a heritage item in Woollahra Local Environmental Plan 2014 (WLEP 2014), and
2. Utilising the heritage conservation provisions in WLEP 2014.

Listing of a heritage item occurs within Schedule 5 of the WLEP 2014. The listing will identify the site by its suburb. The listing will also contain a brief description of the item. The heritage conservation map will be amended to colour the site, thereby identifying land on which a heritage item is located.

In accordance with the Standard Instrument LEP the listing will be in the form set out below:

Suburb	Item name	Address	Property description	Significance	Item no
Paddington	Late Victorian Terrace House and Former Hat Blocking Factory (Buildings, interiors and grounds)	48 Duxford Street	Lot 1 DP 918750	Local	TBC

The heritage conservation provisions are contained in clause 5.10 of Woollahra LEP 2014.

**Attachment 2** contains an extract from Woollahra LEP 2014 showing the conservation clauses.

## Part 6 – Justification

### Section A – Need for the planning proposal

#### 1. Is the planning proposal a result of any strategic study or report?

Yes. The planning proposal is the result of a decision of the Council to investigate the heritage significance of 48 Duxford Street, Paddington. The study was undertaken by Council's Strategic Planning Department and reported to Council's Urban Planning Committee in November 2015. A copy of this report is contained in **Attachment 3**.

The heritage significance of 48 Duxford Street, Paddington, has been assessed in accordance with the ICOMOS Burra Charter and NSW heritage best practice guidelines. The property fulfils five of the heritage assessment criteria for local heritage listing. The property has historical, historic association, aesthetic and social significance, and is a representative example of Late Victorian Italianate terrace houses built in Paddington at the end of the 19th Century.

The heritage significance of the property is demonstrated through significant spaces associated with one of Australia's most celebrated artists, Margaret Olley, including the yellow room and Hat Factory, and significant fabric such as fireplaces, skirtings, room proportions and configuration, which also reflect characteristic features of the Late Victorian Italianate architectural style.



At its meeting of 16 November 2015, Council resolved that a planning proposal be prepared to heritage list 48 Duxford Street, Paddington, in the Woollahra LEP 2014.

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

Yes. The planning proposal is the best means of achieving the objectives because statutory protection for 48 Duxford Street, Paddington, as a local heritage item can only be obtained in a local environmental plan.

**Section B – Relationship to strategic planning framework**

**3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

Yes. The planning proposal is consistent with the relevant objectives and actions contained in A Plan for Growing Sydney (December 2010) and the Draft East Subregional Strategy (July 2007). Each document is addressed below.

A Plan for Growing Sydney (December 2010)	
<p>This plan contains:</p> <ul style="list-style-type: none"> <li>• A vision for Sydney</li> <li>• 4 goals, 3 planning principles and 22 directions</li> <li>• Priorities for Sydney’s 6 subregions.</li> </ul> <p>A Plan for Growing Sydney is a high level, strategic planning document. Only a very small part of the Plan’s content has relevance to the planning proposal. The relevant parts of the Plan are listed below.</p>	
Goal	Comment on consistency
<p>3. A great place to live with communities that are strong, healthy and well connected. The Plan states in part, The Plan builds on Sydney’s reputation of a vibrant cosmopolitan culture by requiring quality public spaces, green spaces, sports facilities and precincts that engage people and reflect the city’s heritage and history.</p>	<p>The planning proposal will help meet this goal by recognising and protecting part of Sydney’s heritage.</p>
Directions	
<p>A set of 22 directions are listed for the four goals of <i>A Plan for Growing Sydney</i>. Each direction has been considered, but many are not related to this planning proposal. The relevant planning direction is addressed below.</p>	
Direction	Comment on consistency
<p>3.4 Promote Sydney’s heritage, arts and culture.</p>	<p>The planning proposal is the result of a local heritage study in accordance with best practice guidelines in the ICOMOS Burra</p>

### A Plan for Growing Sydney (December 2010)

	Charter and the NSW Heritage Manual. The study identified the property as having local heritage significance.
<b>Central Sub-region priorities</b>	<b>Comment on consistency</b>
<p>The priorities for the Central Sub-region are:</p> <ul style="list-style-type: none"> <li>▪ A competitive economy</li> <li>▪ Accelerate housing supply, choice and affordability and build great places to live</li> <li>▪ Protect the natural environment and promote its sustainability and resilience</li> </ul>	None of these priorities are applicable to the planning proposal.

### Draft East Subregional Strategy (July 2007)

The Draft East Subregional Strategy provides a strategic planning framework for Sydney's eastern subregional. It provides an intermediate step between the higher level metropolitan strategy (A Plan for Greater Sydney) and local plans. The relevant parts of the Draft Strategy are listed below.

#### Strategy E – Environment, Heritage and Resources

Under this strategy, the Draft Strategy highlights the rich cultural history of the subregion demonstrated through historic areas, places and cultural features.

#### E6 – Conserve Sydney's cultural heritage

<b>Objective and action</b>	<b>Comment on consistency</b>
<p>E6.1 Provide a consistent approach to identify and protect Sydney's cultural heritage.</p> <p>EA E6.1.1 Australian heritage agencies will develop standard criteria and threshold values</p>	<p>The heritage assessment that informed this planning proposal was carried out in accordance with the principles of the ICOMOS Burra Charter and the NSW Heritage Manual.</p>
<p>E6.2 Recognise where Sydney's cultural heritage contributes to its unique character and quality and manage change appropriately to reinforce local distinctiveness.</p>	<p>This planning proposal seeks to formally recognise the cultural significance of 48 Duxford Street, Paddington, by listing it as a local heritage item.</p>

## Draft East Subregional Strategy (July 2007)

E6.3 Interpret and promote Sydney's cultural heritage.	Local heritage listing of the property will provide for its ongoing protection and recognition. 48 Duxford Street is a representative example of a Late Victorian Italianate terrace house associated with one of Australia's most prized artists, Margaret Olley. By recognising and protecting the property, this planning proposal promotes and interprets an important part of Woollahra's cultural heritage.
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### **4. Is the planning proposal consistent with the council's local strategy or other local strategic plan?**

Yes. The planning proposal is consistent with the Council's Community Strategic Plan titled *Woollahra 2025 – our community, our place, our plan*. Notably, the planning proposal meets the following strategy within Goal 4 (Well planned neighbourhood) under the theme Quality places and spaces.

4.3 Protect local heritage and residential amenity, including protection of significant architecture and the natural environment.

### **5. Is the planning proposal consistent with applicable state environmental planning policies?**

A table addressing the applicability of all SEPPs and the consistency of the planning proposal is provided at **Attachment 4**. Based on this assessment, Council has concluded that the planning proposal is consistent with all applicable SEPPs.

### **6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

A table addressing the applicability of all s.117 directions and the consistency of the planning proposal is provided at **Attachment 5**.

## **Section C – Environmental, social and economic impact**

### **7. 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 proposal does not apply to land, or is in the vicinity of land, that has been identified as containing critical habitats or threatened species, populations or ecological communities, or their habitats.

**8. 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 likely environmental effects arising from listing 48 Duxford Street, Paddington as a local heritage item. Protection measures are not likely to result in environmental harm. On the contrary, protection measures will assist in reducing harm to the item. Protection will be managed through the development assessment.

**9. How has the planning proposal adequately addressed any social and economic effects?**

It is not anticipated that the planning proposal will have any negative social and economic effects which need to be addressed as part of the proposal.

**Section D – State and Commonwealth interests**

**10. Is there adequate public infrastructure for the planning proposal?**

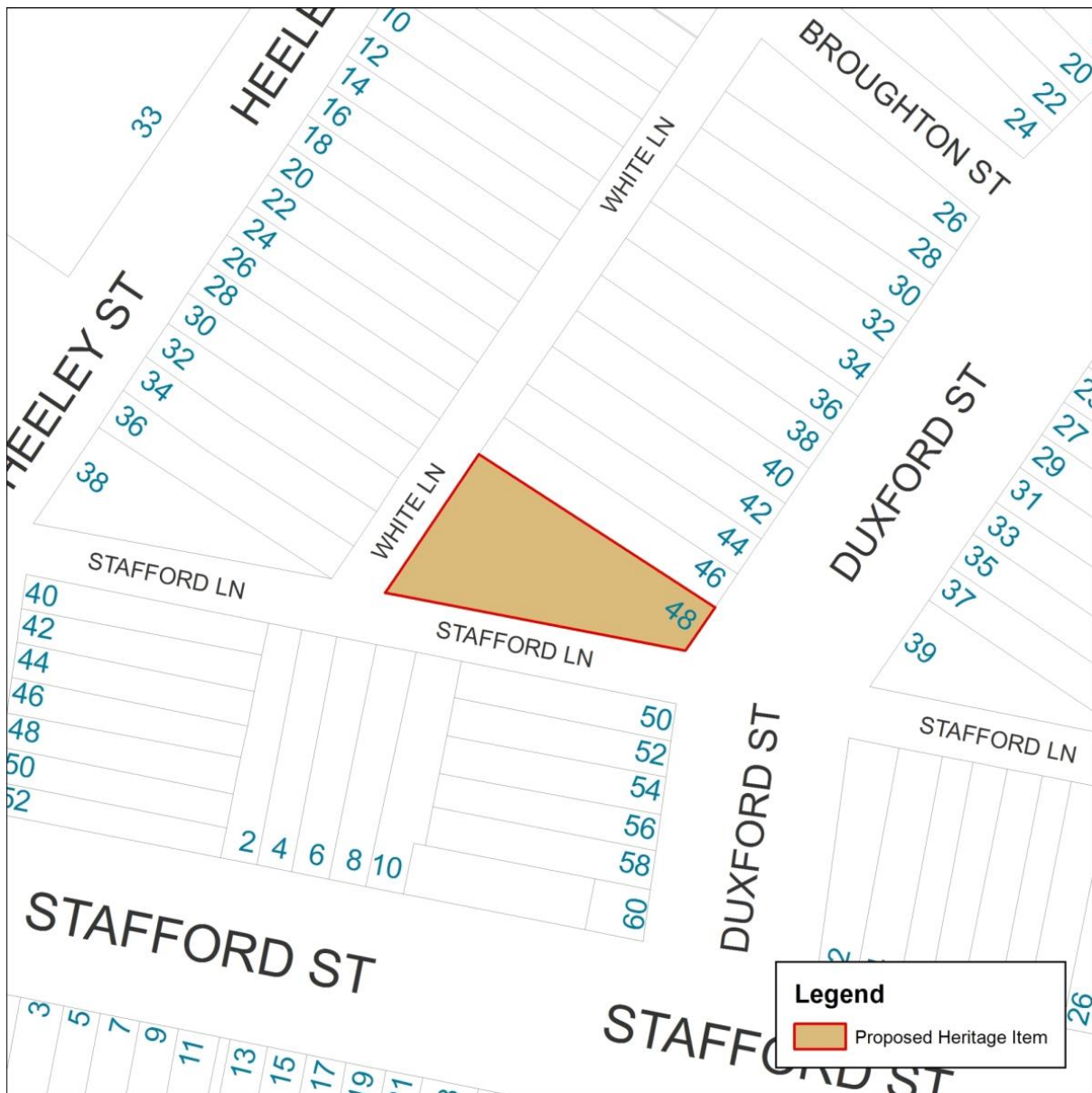
Not applicable.

**11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

Not applicable.

## Part 7 – Mapping

An extract from the proposed Woollahra LEP 2014 maps is shown below:



## Part 8 – Community consultation

An exhibition period of 28 days is intended. This is consistent with part 5.2 of *A guide to preparing local environmental plans*.

Public notification of the exhibition will comprise:

- A weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period;
- A notice on Council's website;

Consultation will also have regard to the requirements set down in the gateway determination issued by the Director-General of the NSW Department of Planning and Environment.

During the exhibition period, the planning proposal, gateway determination and other relevant documentation will be available at Council's Customer Service Centre and on Council's website.

## Part 9 – Project timeline

Assuming Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979*, the proposed timeline for completion is as follows:

Plan-making step	Estimated completion
Urban Planning Committee recommends proceeding	November 2015
Council resolution to proceed	November 2015
Gateway determination	January 2016
Completion of technical assessment	None anticipated
Public exhibition period	February 2016 (28 days)
Submissions assessment	March 2016
Council assessment of planning proposal post exhibition	March 2016
Submission of planning proposal to the DPE finalising the LEP	N/A – if subject to delegation
Council decision to make the LEP amendment (if delegated)	March 2016
Forwarding of LEP amendment to DPE for notification	March 2016
Notification of the approved LEP	April 2016



## Attachment 1 Heritage assessment (heritage inventory sheet)

ITEM DETAILS			
<b>Name of Item</b>	Late Victorian Terrace House and Former Hat Blocking Factory (Buildings, Interiors and Grounds)		
<b>Former name</b>	<i>'Carbiona'</i>		
<b>Item type</b>	Built		
<b>Address</b>	Number <b>48</b>	Street <b>Duxford Street</b>	Suburb <b>Paddington</b>
<b>Property description</b>	Lot <b>1</b>		DP <b>918750</b>
<b>Owner</b>	Name <b>Mrs G D Greenberg</b>		Address <b>46-48 Duxford Street</b>
<b>Use</b>	Current <b>Residential</b>		Former <b>Residential/Industrial</b>
<b>Statement of significance</b>	<p>No. 48 Duxford Street, Paddington, is the former home and studio of Margaret Hannah Olley, one of Australia's most prized interior and still life painters. It has a special association with the life and works of a person of importance to the Woollahra Local Government Area.</p> <p>With intact building form and detailing, including a finely detailed stucco masonry façade and decorative cast iron lacework, the residence at 48 Duxford Street is a representative example of a Late Victorian Italianate terrace house.</p> <p>The physical fabric of the terrace house demonstrates association with the substantial collection of speculative built terrace housing constructed in Paddington between 1870 and 1905 to accommodate the middle class, providing important evidence of the suburbanisation of Paddington during the period.</p> <p>The Former Hat Blocking Factory located at the rear of the property, forms part of a collection of timber clad industrial buildings constructed in Paddington, which provide important evidence of local goods production and trade in the local area over the course of the late 19th and early 20th century.</p> <p>As the former home of the late Margaret Olley, a well-known local personality and active member of the local artistic community, 48 Duxford Street is held in high regard by the Paddington community.</p>		
<b>Level of significance</b>	Local		
<b>Heritage listings</b>			
DESCRIPTION			
<b>Designer</b>	Unknown		
<b>Builder</b>	Unknown		

<b>Construction years</b>	c.1900
<b>Physical Description</b>	Two storey late Victorian Italianate terrace house with decorative stucco façade and filigree detailing. Intact principal building form with front and rear balconies. Italianate stuccoed pilasters, architraves, corbelling and quoins to front façade. Vermiculation to quoins and party wall corbels. Decorative cast iron lace brackets, frieze with finials, balustrade and columns and timber dentils to front balcony/verandah. Intact rear wing with irregular double hung window fenestration pattern. Early 20 <sup>th</sup> century skirting boards, modelled architraves, cornices, solid core timber doors, decorative plaster ceiling roses, hardwood floorboards and tile hearth fireplaces to interior.  Wrought iron palisade fence and gate to front and part side boundary. Mature plantings in front yard. Two storey timber building at rear of site with gable roof form, sawn weatherboard cladding and small sandstone block plinth.
<b>Physical condition</b>	Exterior generally in good condition, some damage to front verandah iron lacework and timber dentils.  Interior in moderate to good condition.
<b>Modification and Dates</b>	1900 – Building application for the construction of a two storey terrace house  1952 – Building application to raise roof to Former Hat Blocking Factory rear lean-to structure, Old lean-to section demolished  1952 – Building application to ‘made-good’ old weatherboarding to Former Hat Blocking Factory  1967 – Building application for a new brick fence erected on laneway alignment (for Margaret Olley)  1967 – 2011 – Piecemeal alterations and additions to rear lean-to  2014 – Development application for demolition of rear lean-to structure and minor alterations to Former Hat Blocking Factory approved
<b>Archaeological potential</b>	Archaeological relics associated with <i>Bradley Hall</i> house and grounds may be uncovered at the site.  Archaeological relics associated with the industrial use of the rear of the site during the early 20 <sup>th</sup> century, namely the Former Hat Blocking Factory, may be uncovered at the site.

## HISTORY

### Historical notes

The Cadigal people of the Eora Nation are the traditional inhabitants of the land from Sydney to South Head. Following European occupation, the Cadigal people were greatly affected by the smallpox epidemic of 1789 and alienated from traditional food sources and land.<sup>1</sup> Oxford Street is a known Aboriginal track, which served as a trading route between farmed grassland and Cadigal coastal fishing areas.

In October 1832 William Lithgow, auditor general for the colony of New South Wales, received a grant of two allotments from Governor Bourke. No record of Lithgow having occupied the allotments has been uncovered. By 1839 a large house known as *Bradley Hall* had been constructed on the site and Thomas Barker, a successful Darlinghurst Miller, had taken possession of the grants. *Bradley Hall* was a six bedroom house with servant’s quarters, cellar, enclosed yard, outbuildings including gardener’s house and large circular drive. The house was sited in proximity to the centre of present day Stafford Street and the western arm of the circular drive intersected the land now known as 48 Duxford Street<sup>2</sup>. *Bradley Hall* was occupied by AB Smith Esquire from 1839 to 1844, when the then 4 acre property was offered for sale<sup>3</sup>.

In 1845 *Bradley Hall* was sold to William Stafford Broughton, a tailor, grazier and politician who served as Mayor of Sydney in 1846 and was elected to the Legislative Assembly in 1859. Broughton lived at *Bradley Hall* for over fifty years<sup>4</sup> until subdividing his estate in 1898 for residential development. As part of the subdivision Duxford Street was extended to

the south, Stafford Street established and *Bradley Hall* demolished. The land now known as 48 Duxford Street was subdivided from the estate at this time and described as Section 1, Allotment 18 in the April 1898 Broughton's Estate Paddington Subdivision plan.

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Prior to sale of the Duxford Street property, Margaret Olley purchased another terrace house at 70 Paddington Street, Paddington. Olley did not consider the Paddington Street house an ideal place to paint and in late 1964 she purchased 48 Duxford Street which she considered to be '*a better place for working than my other house in Paddington Street*<sup>7</sup>'. The artist kept two of the rooms in the house and the Former Hat Factory for her own use and rented out the rest of the house to individual tenants. A frequent traveller in her early and middle career, Margaret Olley spent extended periods of time away from her Duxford Street house and studio. In the early 1970s, on her return from working in Paris, Olley found Duxford street too crowded with its various tenants and relocated to (then deceased) friend David Strachan's Paddington Street house to establish a new studio.

Margaret Olley returned to the Duxford Street house in the early 1970s, after Sam Hughes took up residency there. Olley and Hughes lived at the Duxford Street house until Hughes' passing in 1982. Within two years of Hughes death, Olley had relocated to a newly purchased house in Gurner Street Paddington. With age Olley began to find the idiosyncrasies of the Gurner Street house, namely its steep staircase, prohibitive. In 1988, Olley again relocated to the Duxford Street house where she would live and work until her death in 2011. Olley accumulated a vast collection of objects which were showcased in the house and became the subject matter of her paintings. During her time at 48 Duxford Street the artist produced numerous interior and still life works for which she has been hailed '*one of Australia's most prized interior and still life painters*<sup>8</sup>'.

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## HISTORICAL THEMES

Australian Theme	NSW Theme	Local Theme
4. Building settlements, towns and cities	Towns, suburbs and villages	Late Victorian era subdivision pattern Late Victorian era streetscape Late Victorian/early 20 <sup>th</sup> century housing Early 20 <sup>th</sup> century industry
4. Building settlements, towns and cities	Accommodation	Terrace housing
8. Developing Australia's cultural life	Creative endeavour	Late Victorian Italianate style
9. Marking the phases of life	Persons	Residence of person of importance

## HERITAGE SIGNIFICANCE ASSESSMENT

<p><b>Historical significance</b> SHR criterion (a)</p>	<p>The physical fabric of the terrace house at 48 Duxford Street is evidence of the suburbanisation of Paddington during the late 19<sup>th</sup> and early 20<sup>th</sup> century.</p> <p>The allotment proportions, setback, siting and building alignment of the terrace house demonstrate the Late Victorian era subdivision pattern established by the 1898 sale of the Broughton Estate.</p> <p>The building form of the terrace house demonstrates association with the collection of speculative built terrace housing built in Paddington over the course of the late 19<sup>th</sup> early 20<sup>th</sup> century to accommodate the middle class.</p> <p>The physical fabric of the Former Hat Blocking Factory at 48 Duxford Street is evidence of late 19<sup>th</sup> and early 20<sup>th</sup> century laneway industry in Paddington.</p> <p>The building form and siting of the Former Hat Blocking Factory demonstrate association with the collection of timber clad factory buildings constructed throughout Paddington over the course of the late 19<sup>th</sup> and early 20<sup>th</sup> century to meet demand for local goods production and trade.</p>
<p><b>Historical association significance</b> SHR criterion (b)</p>	<p>No. 48 Duxford Street has a special association with the life and works of renowned Australian painter Margaret Hannah Olley. One of Australia's finest still life and interior's painters, Margaret Olley is a person of importance to Paddington, the Woollahra Local Government Area, the State of NSW and Australia.</p> <p>The interior spaces within the terrace house and Former Hat Blocking Factory make numerous appearances in the interior and still life paintings produced by Margaret Olley between 1970 and 2011.</p> <p>Although Olley's possessions have been removed from the site, the physical fabric of the terrace house and Former Hat Blocking Factory continues to provide important evidence of Olley's occupation of the site as a home and artist's studio. Some of the rooms in the terrace house remain recognisable from her artworks.</p>

<b>Aesthetic significance</b> SHR criterion (c)	The terrace house at 48 Duxford Street is exemplar of the Late Victorian Italianate architectural style. The decorative stuccoed façade, Italianate stucco pilasters and filigree cast iron lace work are finely detailed and distinctive aesthetic attributes typical of the architectural style.			
<b>Social significance</b> SHR criterion (d)	No. 48 Duxford Street has a special association with the Paddington community. As the former home of the late Margaret Olley, a well-known local personality and respected artist, 48 Duxford Street is esteemed by the Paddington community.			
<b>Technical/Research significance</b> SHR criterion (e)	No. 48 Duxford Street has potential to yield archaeological information associated with <i>Bradley Hall</i> that may contribute to an understanding of the local area's cultural or natural history.			
<b>Rarity</b> SHR criterion (f)	48 Duxford Street does not possess uncommon, rare or endangered aspects of the local area's cultural or natural history.			
<b>Representativeness</b> SHR criterion (g)	Taking stylistic cues from the adjoining terrace group at 26-46 Duxford Street, the terrace house at 48 Duxford Street is a representative example of the Late Victorian Italianate terrace houses built in Paddington at the end of the 19 <sup>th</sup> century.			
<b>Integrity</b>	Terrace house: Very High. The original building form is largely intact and no major modifications to the detailing have been undertaken.  Hat Blocking Factory: High. The Hat Blocking Factory has been modified over the course of the mid to late 20 <sup>th</sup> century. Some of the modifications were for Margaret Olley.			
<b>RECOMMENDATIONS</b>				
<b>Recommendations</b>	It is recommended that 48 Duxford Street, Paddington be listed as a heritage item in Woollahra Local Environmental Plan 2014.			
<b>INFORMATION SOURCES</b>				
<b>Type</b>	<b>Author/Client</b>	<b>Title</b>	<b>Year</b>	<b>Repository</b>
Plans	Various	Subdivision Plans	Various	Woollahra Local Studies Collection

Record	Paddington Municipal Council	Building Inspectors Report October 1938	1938	Woollahra Local Studies Collection
Record	Woollahra Municipal Council	Rates Book Records	Various	Woollahra Local Studies Collection
Paper	Watters, L	Paddington Heritage: Listed sites within the Woollahra Local Government Area	2004	Woollahra Municipal Council
Book	Bowd, H	'Broughton Thomas Staggord (1810-1901) Australian Dictionary of Biography Volume 3	1969	State Library of New South Wales
Book	Stewart, M	Margaret Olley, Far From a Still Life	2005	Woollahra Local Studies Collection
Website	Various	The Australian Women's Register, Olley, Margaret	2014	<a href="http://www.womenaustralia.info">www.womenaustralia.info</a>
Website	Heiss, A, Gibson MJ	Barani Sydney Aboriginal History	2014	<a href="http://www.sydneybarani.com.au">www.sydneybarani.com.au</a>
Map	NSW Dept. of Lands	Metropolitan Details Series Plan - Paddington Sheet 18, 1888	2014	State Library New South Wales Maps of Sydney Collection



**IMAGES**

**Image Caption**

48 Duxford Street, Duxford Street Elevation




**Image Year**

2015

**Image author and Copyright Holder**

Woollahra Municipal Council

<b>Image Caption</b>	48 Duxford Street, Interior Yellow Room		
			
<b>Image Year</b>	2011	<b>Image author and Copyright Holder</b>	Steven Alderton

<b>Image Caption</b>	48 Duxford Street, Interior Yellow Room		
			
<b>Image Year</b>	2015	<b>Image author and Copyright Holder</b>	Woollahra Municipal Council

**Image Caption**

48 Duxford Street, view from the rear yard to the terrace



**Image Year**

2015

**Image author and Copyright Holder**

Woollahra Municipal Council

**Image Caption**

48 Duxford Street, view to the former hat factory



**Image  
Year**

2015

**Image author and  
Copyright Holder**

Woollahra Municipal Council

**AUTHOR**

**Name**

Kate Harrison, Heritage Officer - Woollahra Municipal Council

**Date**

December 2014



## Attachment 2 Woollahra LEP 2014 conservation clauses

### 5.10 Heritage conservation

**Note.** Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

#### (1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Woollahra,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

#### (2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
  - (i) a heritage item,
  - (ii) an Aboriginal object,
  - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land:
  - (i) on which a heritage item is located or that is within a heritage conservation area, or
  - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land:
  - (i) on which a heritage item is located or that is within a heritage conservation area, or
  - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

#### (3) When consent not required

However, development consent under this clause is not required if:

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:
  - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
  - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development:
  - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
  - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
- (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
- (d) the development is exempt development.

**(4) Effect of proposed development on heritage significance**

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

**(5) Heritage assessment**

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

**(6) Heritage conservation management plans**

The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

**(7) Archaeological sites**

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the [Heritage Act 1977](#) applies):

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.



**(8) Aboriginal places of heritage significance**

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

**(9) Demolition of nominated State heritage items**

The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

**(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.

## Attachment 3 Report to Council's Urban Planning Committee

<b>Item No:</b>	R1 Recommendation to Council
<b>Subject:</b>	<b>HERITAGE LISTING MARGARET OLLEY'S HOUSE: 48 DUXFORD STREET, PADDINGTON</b>
<b>Author:</b>	Amelia Parkins, Strategic Heritage Officer
<b>Approvers:</b>	Chris Bluett, Manager – Strategic planning Allan Coker, Director – Planning & Development
<b>File No:</b>	15/137100
<b>Reason for Report:</b>	To respond to Council's resolution of 24 August 2015 to investigate a local heritage listing for 48 Duxford Street, Paddington.

### Recommendation:

- A. THAT a planning proposal be prepared to list 48 Duxford Street, Paddington as a heritage item in the Woollahra Local Environmental Plan 2014.
- B. THAT when requesting a gateway determination for the planning proposal at point A above, the Council seek delegation of the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.

### 1. Introduction

The subject property at 48 Duxford Street, Paddington, is located on the northwest corner of Duxford Street and Stafford Lane. The property contains a two storey Late Victorian Italianate terrace adjacent to a pair of similarly styled terrace houses and a two storey weatherboard industrial building. The terrace displays features characteristic of its architectural style including stuccoed façade with decorative Italianate pilasters, window reveals and corbelling, and filigree cast iron balustrade, fringe and frieze.

The property is the former home of esteemed Australian painter Margaret Olley (1923-2011). During the period of Olley's occupation the property comprised the terrace house, a two storey weatherboard building described as a Hat Blocking Factory and a single storey infill structure providing a link between the Hat Factory and the terrace house. The southeast portion of the site was a heavily planted garden.

Following Margaret Olley's death in 2011, her executors and trustees set in train a process to establish an exhibition and gallery space at the Tweed River Art Gallery in Murwillumbah. This involved the re-creation of part of her former studio from the Hat Factory at 48 Duxford Street, Paddington.

In 2012 Council staff, including two heritage officers, conducted a site inspection with the executors and trustees of Olley's estate and the architect involved in creating the reconstruction. The site inspection revealed that the doors and windows proposed to be taken to the Murwillumbah gallery were not original to the site but were recycled elements installed by Olley. The inspection also confirmed that a series of works had been undertaken during

Olley's occupation of the site, without approval. For these reasons the removal of the doors and windows to be used in the recreated studio space in Murwillumbah was considered to be acceptable and replaced by similar doors and windows.

Once the cataloguing and recording of the contents of the house and studio were complete a collection was transported to Murwillumbah to be used in the re-creation, now known as the Margaret Olley Art Centre. Olley's executors and trustees then placed the property on the market.

## **2. Recent history of development on the site**

### **2.1. Tree preservation order application**

On 17 December 2013 the new owner of 48 Duxford Street lodged an application to remove seven Bangalow Palms and one Kentia Palm. The assessment carried out by Council's Trees Officer noted:

- Garden is in general very neglected and over-planted;
- Palm clumps are causing damage to a boundary wall and Council's pathway;
- Palm clumps are close to a wall of the house with potential to damage the structure; and
- A Magnolia tree and other palms are to be retained.

Consent was granted to the application on 5 February 2014 subject to conditions requiring the replacement of shrubs.

### **2.2. Development applications**

On 5 June 2014 a development application (DA 228/2014) was lodged proposing extensive alterations to the existing terrace house and large scale additions to the side and rear of 48 Duxford Street, Paddington. The applicant was advised that the proposal was unsatisfactory and inconsistent with the Paddington HCA DCP. Subsequently the application was withdrawn and the property placed on the market again.

An informal pre-DA was held with the new owner, where issues associated with the previous DA we raised.

On 19 September 2014 the new (current) owners lodged a development application for minor alterations to the existing terrace house and garden. The application involved:

- Demolition of the single storey infill structure linking the terrace and the Hat Factory;
- Internal alterations to the terrace house including two new bathrooms, a stair to the attic and first floor, attic conversion including a dormer window to the rear roof plane of the principal building form and retention of all fireplaces, chimney breasts, windows, skirting boards, flooring and ceilings;
- Repair of existing cast iron balustrade, fringe and timber frieze to the front verandah and balcony;
- Demolition of the external stair to the Hat Factory;

- Internal and external alterations to the Hat Factory including demolition of the existing window in the first floor, enlargement of the ground level opening, installation of new double doors and a Juliet balcony, construction of an internal stair and new doors in the eastern elevation;
- Repair of the existing boundary fence;
- Landscape works including demolition of the existing garden beds, installation of paving and steps into a lower courtyard, turf to the upper courtyard, and retention of a large Magnolia, Frangipani, Kentia Palm and a Hibiscus.

This application resolved the bulk, scale and intervention associated with the previous application and was granted a development consent under delegated authority on 6 November 2014.

On 24 August 2015 Council adopted the following notice of motion:

*THAT heritage staff prepare a report to consider listing the late Margaret Olley's house at 48 Duxford Street, Paddington as a local heritage item.*

This report responds to this notice of motion.

### **3. Margaret Olley**

Margaret Hannah Olley is one of Australia's most prized interior and still life painters. She was born in Lismore in 1923 and was the eldest of three children. In 1925 the family moved to Tully in far north Queensland, where her brother and sister were born. In c.1931 the Olley family moved back to northern NSW buying a sugar cane farm on the outskirts of Murwillumbah where Margaret and her siblings went to a local primary school. These early years contributed to Margaret Olley's strong link with the Tweed Valley.

In 1935 the family moved to Brisbane and then back to Tully, but Olley remained at school in Brisbane boarding at Somerville House. After high school Olley enrolled in art school. She moved to Sydney to complete an art diploma at East Sydney Technical College, graduating in 1945. During this time Olley became very involved in Sydney's post-war art scene befriending artists such as Donald Friend, William Dobell, Russell Drysdale, Sidney Nolan and David Strachan.

In 1948 Olley held her first solo exhibition. The following year she departed on her first international trip. In 1953 Margaret Olley's father died and she returned to her mother's home in Brisbane where she lived for ten years. From 1955 Margaret Olley's artistic career began to gain momentum and her success allowed her the independence to continue painting, travelling and to buy property in Newcastle and Sydney<sup>9</sup>.

In 1962 Olley bought her first property in Paddington Street, Paddington. In 1964 she bought the subject property at 48 Duxford Street, Paddington, a two storey late Victorian Italianate terrace with a two storey former Hat Factory at the rear. Olley made a series of changes to the property including the single storey infill structure between the terrace and the Hat Factory.

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<sup>9</sup> Tweed Regional Gallery, The Margaret Olley Centre, Biography (<http://artgallery.tweed.nsw.gov.au/MargaretOlleyArtCentre/AboutMargaret>)

From the 1970s, when they weren't travelling overseas, Olley and her partner Sam Hughes lived in the room behind the yellow room (sometimes referred to as the blue room)<sup>10</sup> and then the Hat Factory until Sam's death in 1982.

In 1988 Olley moved into the Duxford Street home permanently. She continued to live and work from the Duxford Street residence until her death in 2011. The Duxford Street terrace was notoriously cluttered, and the subject of many of her paintings<sup>11</sup>. Margaret Olley's paintings of the interiors of the Duxford Street terrace (in particular the yellow room, Hat Factory and single storey infill structure) were the subject of an exhibition at the Museum of Sydney from 10 November 2012 to 2 April 2013<sup>12</sup>.

In 2006 Margaret Olley opened Stage 2 of the Tweed River Art Gallery in Murwillumbah. In March 2014 the third and final stage, the Margaret Olley Art Centre, was opened. The recreation of part of her studio and the Hat Factory is on permanent display as a tribute to Margaret Olley and the importance of the work she created in the Duxford Street terrace.

#### **4. Cultural significance**

##### **4.1. Australia ICOMOS Burra Charter, 2013**

To respond to the notice of motion the assessment of cultural significance of 48 Duxford Street was carried out in accordance with the Australia ICOMOS Burra Charter<sup>13</sup> (Burra Charter). The Burra Charter is a guide to making good decisions about heritage places. The Burra Charter process describes the steps involved in identifying and managing the cultural significance of a place. This process is summarised below:

##### **Step One: Understand significance**

- Investigate the place
- Assessment of significance

##### **Step Two: Develop policy**

- Identify all factors and issues
- Develop policy
- Prepare a management plan

##### **Step Three: Manage in accordance with policy**

- Implement the management plan
- Monitor the results and review the management plan

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<sup>10</sup> Stewart, M (2005) *Margaret Olley, Far From a Still Life*, Random House

<sup>11</sup> *ibid*

<sup>12</sup> Phillip Bacon Galleries, Margaret Olley: Home Interiors at Duxford Street

<sup>13</sup> The Burra Charter, 2013, The Australia ICOMOS Charter for Places of Cultural Significance

Cultural significance is the sum of the qualities or values that a place<sup>14</sup> has, including the five values described in Article 1.2 of the Burra Charter- aesthetic, historic, scientific, social and spiritual. In NSW these values have been expanded to the seven criteria identified in the document *Assessing Heritage Significance*<sup>15</sup>.

The identification of the place as either having or not having cultural significance occurs in step one of the Burra Charter process. This is also known as an assessment of significance or heritage assessment. For a place to reach the threshold for heritage listing it needs to satisfy one or more of the seven criteria.

#### **4.2. Assessment of significance**

The subject property was assessed in accordance with the Burra Charter process and using the NSW Heritage Office publication *Assessing Heritage Significance*. The assessment can be found in the draft heritage inventory sheet prepared for the property (**annexure 1**). The statement of significance found in the draft inventory sheet provides an overview of the cultural significance of the property:

*No. 48 Duxford Street, Paddington, is the former home and studio of Margaret Hannah Olley, one of Australia's most prized interior and still life painters. It has a special association with the life and works of a person of importance to the Woollahra Local Government Area.*

*With intact building form and detailing, including a finely detailed stucco masonry façade and decorative cast iron lacework, the residence at 48 Duxford Street is a representative example of a Late Victorian Italianate terrace house.*

*The physical fabric of the terrace house demonstrates association with the substantial collection of speculative built terrace housing constructed in Paddington between 1870 and 1905 to accommodate the middle class, providing important evidence of the suburbanisation of Paddington during the period.*

*The Former Hat Blocking Factory located at the rear of the property, forms part of a collection of timber clad industrial buildings constructed in Paddington, which provide important evidence of local goods production and trade in the local area over the course of the late 19th and early 20th century.*

*As the former home of the late Margaret Olley, a well-known local personality and active member of the local artistic community, 48 Duxford Street is held in high regard by the Paddington community.*

The assessment found that the property reaches the threshold for local heritage listing under the criteria for historical, historic association, aesthetic and social significance.

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<sup>14</sup> Place is defined in the Burra Charter as: *a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.*

<sup>15</sup> *Assessing Heritage Significance*, NSW Heritage Office 2001 (Heritage Manual Update)

## 5. Consultation with landowner

On 14 September 2015 the landowner was advised of Council’s resolution to prepare a report on the potential heritage listing of 48 Duxford Street, Paddington. On 21 September 2015 Council’s Manager Strategic Planning and Strategic Heritage Officer inspected the site with the landowner. On 2 October 2015, following the site inspection, the draft heritage inventory sheet was amended and provided to the landowner for comment.

The following table summarises comments received from the landowners on the heritage inventory sheet:

Landowner comments	Staff response
<p><i>‘In 1988, Olley again relocated to the Duxford Street house where she would live and work until her death in 2011.’ - [Draft inventory sheet]</i></p> <p>Beyond the Hat Factory, Margaret spent most of her final decades in her 1970s additions - the "rear lean-to structure[s]" - which were removed in 2014 with Council approval. She did not live in the terrace except for a short while decades ago.</p>	<p>Margaret Olley occupied different parts of the property at different times. The influence of the property on her and her subject matter are evidenced through her paintings. Despite primarily sleeping and entertaining in the single storey infill structure between the Hat Factory and terrace, her paintings provide evidence that she worked from other rooms within both the terrace and Hat Factory.</p>
<p>The three rooms from 48 Duxford St that are most relevant to Margaret Olley were reproduced at The Margaret Olley Arts Centre, after taking anything and everything of worth from 48 Duxford St, including doors and window[s] from the Hat Factory.</p>	<p>There are elements of the physical fabric remaining at the property that continue to provide a link to the time Margaret Olley occupied the house.</p> <p>The two storey timber structure of the former Hat Blocking Factory is substantially retained as are the internal configuration of rooms in the terrace along with a large amount of significant internal fabric, such as fireplaces, chimney breasts, flooring, skirtings and windows.</p> <p>One of the main reasons Olley preferred the Duxford Street terrace for working was because of the quality of light. This is a result of architectural features such as room layouts and window locations. These attributes remain, particularly in the terrace building.</p>
<p>Heritage significance assessment – criteria (e):</p> <p><i>‘No. 48 Duxford Street has potential to yield</i></p>	<p><i>Bradley Hall</i> was an early estate with a large house constructed in 1839 in the middle of present day Stafford Street. The property at 48 Duxford Street is located on part of what</p>

<p><i>archaeological information associated with Bradley Hall that may contribute to an understanding of the local area's cultural or natural history.</i> ' - [Draft inventory sheet]</p> <p>'potential to yield' info on <i>Bradley Hall</i> is a stretch.</p>	<p>was the original estate. There is evidence that the western arm of the circular drive associated with <i>Bradley Hall</i> intersected the land now known as 48 Duxford Street. Therefore there is the potential for archaeological evidence from that period to be uncovered at 48 Duxford Street.</p>
<p>Heritage significance assessment – criteria (g):</p> <p><i>'Taking stylistic cues from the adjoining terrace group at 26-46 Duxford Street, the terrace house at 48 Duxford Street is a representative example of the Late Victorian Italianate terrace houses built in Paddington at the end of the 19th century.'</i> - [Draft inventory sheet]</p> <p>Terrace at 48 Duxford St is not particularly special - one of many.</p>	<p>The building at 48 Duxford Street is a good example of Late Victorian Italianate terraces that were built in Paddington, as such it is representative of this style. The fact that there may be other examples is not a reason to exclude it from a heritage listing.</p>

## 6. Next steps

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

- Notify the landowner of Council's decision;
- Prepare a planning proposal to list the property as a heritage item in the Woollahra LEP 2014 (WLEP);
- Submit the planning proposal to the Department of Planning and Environment (including a request for delegation of the plan-making steps);
- Receive a gateway determination from the Department;
- Carry out public consultation in accordance with the gateway determination (this will include notification letters to landowners and adjoining properties and notification published on a weekly basis in the Wentworth Courier. The public consultation period includes an opportunity for the landowner to make a further submission regarding the planning proposal);
- Report the findings of the public exhibition to the Urban Planning Committee (the landowner will be notified and will be invited to address the committee);
- Notify the landowner of Council's decision;
- Subject to Council's decision on whether to proceed, request the Parliamentary Counsel to prepare a draft LEP to amend the Woollahra LEP 2014;
- Council makes (approves) the LEP, subject to obtaining delegations from the Minister, otherwise the Minister makes the LEP;
- Gazettal of the LEP.



## **7. Conclusion**

The heritage significance of 48 Duxford Street, Paddington has been assessed in accordance with the Burra Charter and NSW heritage best practice guidelines. The property fulfils five of the heritage assessment criteria for local heritage listing. The property has historical, historic association, aesthetic and social significance, and is a representative example of Late Victorian Italianate terrace houses built in Paddington at the end of the 19<sup>th</sup> Century.

The heritage significance of the property is demonstrated through significant spaces associated with one of Australia's most celebrated artists, Margaret Olley, including the yellow room and Hat Factory, and significant fabric such as fireplaces, skirtings, room proportions and configuration, which also reflect characteristic features of the Late Victorian Italianate architectural style.

## **Annexures**

1. Draft heritage inventory sheet – 48 Duxford Street, Paddington (version October 2015)  
(Note: see Attachment 1 of this planning proposal above)

## Attachment 4 Consistency with state environmental planning policies

State Environmental Planning Policy	Comment on consistency
SEPP No 1 - Development Standards	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No.14 - Coastal Wetlands	Not applicable
SEPP No 15 - Rural Landsharing Communities	Not applicable
SEPP No 19 - Bushland in Urban Areas	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 21 - Caravan Parks	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 26 - Littoral Rainforests	Not applicable
SEPP No 29 - Western Sydney Recreation Area	Not applicable
SEPP No 30 - Intensive Agriculture	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 32.- Urban Consolidation (Redevelopment of Urban Land)	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 33 - Hazardous and Offensive Development	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 36 - Manufactured Home Estates	Not applicable
SEPP No 39 - Spit Island Bird Habitat	Not applicable
SEPP No 44 - Koala Habitat Protection	Not applicable
SEPP No 47 - Moore Park Showground	Not applicable.

State Environmental Planning Policy	Comment on consistency
SEPP No 50 - Canal Estate Development	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable.
SEPP No 55 - Remediation of Land	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 59 - Central Western Sydney Regional Open Space and Residential	Not applicable
SEPP No 62 - Sustainable Aquaculture	Not applicable
SEPP No 64 - Advertising and Signage	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 65 - Design Quality of Residential Flat Development	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 70 - Affordable Housing (Revised Schemes)	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 71 - Coastal Protection	Not applicable
SEPP (Affordable Rental Housing) 2009	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Building Sustainability Index: BASIX) 2004	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Exempt and Complying Development Codes) 2008	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.

State Environmental Planning Policy	Comment on consistency
SEPP (Housing for Seniors or People with a Disability) 2004	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Infrastructure) 2007	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	Not applicable
SEPP (Kurnell Peninsula) 1989	Not applicable
SEPP (Major Development) 2005	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Miscellaneous Consent Provisions) 2007	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Penrith Lakes Scheme) 1989	Not applicable
SEPP (Rural Lands) 2008	Not applicable
SEPP (Transitional Provisions) 2011	Not applicable
SEPP (State and Regional Development) 2011	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Sydney Drinking Water Catchment) 2011	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Sydney Region Growth Centres) 2006	Not applicable

State Environmental Planning Policy	Comment on consistency
SEPP (Three Ports) 2013	Not applicable
SEPP (Urban Renewal) 2010	Not applicable
SEPP (Western Sydney Employment Area) 2009	Not applicable
SEPP (Western Sydney Parklands) 2009	Not applicable

Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies	Comment on consistency
SREP No 8 (Central Coast Plateau Areas)	Not applicable
SREP No 9 - Extractive Industry (No 2 - 1995)	Not applicable
SREP No 16 - Walsh Bay	Not applicable
SREP No18 - Public Transport Corridors	Not applicable
SREP No 19 - Rouse Hill Development Area	Not applicable
SREP No 20 - Hawkesbury- Nepean River (No 2 - 1997)	Not applicable
SREP No 24 - Homebush Bay Area	Not applicable
SREP No 26 - City West	Not applicable
SREP No 30 - Street Marys	Not applicable
SREP No 33 - Cooks Cove	Not applicable
SREP (Sydney Harbour Catchment) 2005	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.

## Attachment 5 Compliance with section 117 directions

Compliance with section 117 directions		
Direction	Applicable/comment	
<b>1</b>	<b>Employment and resources</b>	
1.1 - 1.5	Directions 1.1-1.5	Not applicable.
<b>2</b>	<b>Environment and heritage</b>	
2.1	Environment protection zones	Not applicable. The planning proposal does not apply to land within an environmental protection zone or land identified for environmental protection.
2.2	Coastal protection	Not applicable. The planning proposal does not apply to land within the coastal zone.
2.3	Heritage conservation	Applicable. The planning proposal aims to list 48 Duxford Street, Paddington, as a local heritage item. This will involve an amendment to Schedule 5 of Woollahra LEP 2014. The existing heritage provisions in Woollahra LEP 2014 will not be altered and will assist in the conservation of the proposed item.
2.4	Recreation vehicle areas	Applicable. The planning proposal will not allow land to be developed for a recreation vehicle area.
<b>3</b>	<b>Housing, infrastructure and urban development</b>	
3.1	Residential zones	Applicable. The planning proposal will not reduce the provision of housing in the residential zone.
3.2	Caravan parks and manufactured home estates	Applicable. However, the planning proposal does not propose caravan parks or manufactured home estates.
3.3	Home occupations	Applicable. However, the planning proposal does not affect home occupations in dwelling houses.
3.4	Integrating land use and transport	Not applicable
3.5	Development near licensed aerodromes	Not applicable. The planning proposal does not apply to land near a licensed aerodrome.
3.6	Shooting ranges	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.
<b>4</b>	<b>Hazard and risk</b>	
4.1	Acid sulfate soils	Applicable. Existing acid sulfate soils provisions will not be altered by the planning proposal.
4.2	Mine subsidence and unstable land	Not applicable. The planning proposal does not apply to land within a proclaimed Mine Subsidence District or to land identified as unstable.

<b>Compliance with section 117 directions</b>		
<b>Direction</b>		<b>Applicable/comment</b>
4.3	Flood prone land	Not applicable. The planning proposal will not create, remove or alter a zone or provision that affects flood prone land.
4.4	Planning for bushfire protection	Not applicable. The planning proposal does not apply to land mapped as bushfire prone land.
<b>5</b>	<b>Regional planning</b>	
5.1 - 5.9	Strategies 5.1-5.9	Not applicable. These strategies do not apply to the Woollahra LGA.
<b>6</b>	<b>Local plan making</b>	
6.1	Approval and referral requirements	Applicable. The proposal does not include provisions that require development applications to be referred externally and is not related to designated development.
6.2	Reserving land for public purposes	Applicable. The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.
6.3	Site specific provisions	Not applicable. The planning proposal does allow a particular development to be carried out.
<b>7</b>	<b>Metropolitan Planning</b>	
7.1	Implementation of A Plan for Growing Sydney (Dec 2014)	Applicable. The planning proposal aims to recognise, protect and conserve a part of Woollahra's cultural heritage. The planning proposal is consistent with A Plan for Growing Sydney, in particular direction 3.4 of the Plan.