

# THE DARLING POINT SOCIETY INC

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ABN 88 141 102

Attn: Ms Sarah Soliman

29th October, 2021

Re: DA 408/2021 for 41 Etham Avenue, Darling Point

Alterations & additions to existing dwelling, including new swimming pool, cabana & loggia.

The Darling Point Society strongly objects to this DA proposal to significantly alter the original 1902 form of 41 Etham Avenue, which is a major element of a Heritage Item Group with two other houses that are heritage listed and sit at the entrance to the heritage listed Etham Avenue Heritage Conservation Area.

With Craigievar, thought to be designed by prominent Sydney architect Balfour Clamp, at 32 Etham Avenue, on the opposite corner, they mark the entrance to the elegant serpentine avenue, which was the driveway to Etham House mansion.

Eminent heritage consultant, Clive Lucas has described these three houses at 41, 39 and 37 as quintessential examples of Sydney Edwardian Federation Queen Anne Style.

The proposed demolition of the western section of the main house and of the whole single storey original rear wing involves demolition of significant fabric and will have a highly negative impact on No 41 as a heritage item. It will also negatively impact on the adjacent heritage items at No 39 and 37 Etham Avenue, which were together the first houses erected when the Etham Estate was subdivided around 1900, and as such are historically significant as evidence of the earliest sub-division of this part of Darling Point.

Heritage architect, Hugh Fraser, a recognised expert on Federation period architecture and who was commissioned by Woollahra Municipal Council in 2000 to assess 37, 39 and 41 for heritage listing, recommended that they be listed and that Etham Avenue be scheduled as a HCA. He considered that it was rare for 41, a Federation period house of this nature, to retain its original service wing.

His report also identified the importance of the rear streetscape views of the houses at 37-41 Etham Avenue, which are gained from the south-western leg of Etham Avenue. He stated that the views of the side and rear elevations were, and still are, important. All three houses have original & intact fencing.

**He also stated that an important streetscape quality of the sites is the way they can be appreciated from the southern portion of Etham Avenue where they present an 'interesting juxtaposition of rear and side roofscape, plus associated walls and landscape setting'. He also said that 'existing houses need to remain framed by their garden and that they need to retain a landscape curtilage which is in proportion to their size.' He further stated that the garden setting of the original site contributes to the significance of the three houses.**

This proposed new development would leave little landscaped area at the rear of No. 41.

41 Etham is also within 100 metres of other heritage items, including Babworth House and its curtilage, three extant gateway pillars of Etham House and having three elevations to the public domain, being the east, the south and the south-west. There are also seven other houses nearby with heritage listing in Etham Avenue and Sutherland Crescent as well as many contributory heritage houses.

**This proposal at 41 Etham will change the fabric to the public domain on three sides, significantly alter its northern face by demolishing an original service wing of the 1902 house, infill a courtyard, construct a new full brick two-storey wall and having a new extended roofline with a wall of second storey height clerestory windows. It includes a new chimney that is of excessive height and bulk. It is noted that the proposal breaches numerous DCP controls to set backs, floor plate, building height, building inclined plane and deep soil landscaping.**

An omission from the proposer's documents is any reference to DA398/2000 submitted in respect of earlier proposed structures in the grounds of No 41. This DA was refused because of its negative impact on 39 Etham and a claim that the rear of the house and particularly the single storey rear wing were not original was disproved and therefore the extent of original heritage fabric to be demolished was exposed. The current proposal involves more demolition than was proposed in the refused 2000 DA.

The deep excavation for the proposed swimming pool and its slab footing also risks the health of several significant trees and in particular a camphor laurel of about 150 years maturity at No 39 Etham. It will also leave the remaining areas of deep soil porosity well below the DCP requirement. An arborist's report states that the tree's Structural Root Zone (SRZ) and Tree Protection Zone (TPZ) will both be significantly affected by the construction. [The applicant's proposal does not mention if checks have been done for the presence of aquifers or springs being present in the area.] This camphor laurel is listed as an historic tree and considered to be part of the landscaping of Etham House Mansion from before its estate was subdivided. [We note that it is not even referred to in the documents submitted by the applicant.] The tree is a prominent landscape feature of high value, and being 25 metres high with a canopy of 20 metres, it provides a significant amount of privacy to 4 houses and two tall apartment buildings.

**The bulk and scale of this alteration work will have an outstanding adverse impact on 39 Etham for, as a heritage semi-detached building, almost its entire living and sleeping aspect is to the south - and facing this proposed overwhelmingly heightened and radically altered elevation of 41 Etham.**

The owners of 39 Etham inherited a house that has had sympathetic alterations done in 1997 which are highly respectful of the original 1902 heritage house. It's original built form has remained intact. Several enhancements were made that included reinstating a dismantled original brick & stone fence pillar that involved having handmade bricks produced, commissioning two large wrought iron front gates in the original design - that had been removed and lost. All these respectful alterations were designed by award-winning architect James Grose, principal of leading architect practice BVN. His slender glass modern rear overhang addition allowed - at ground

level - light to enter the rear section of the main living areas, which face entirely south.

The modernist garden that embraces 39 Etham was designed by surrealist Vladimir Sitta, an eminent landscape architect who also designed the garden of the National Museum of Australia in Canberra. This garden's aspect will be adversely affected by the proposed development at 41 Etham.

Recently a plaque was installed by Woollahra Council outside 39 Etham as an historical tribute to former resident Doug Watson, a war artist and twice winner of the Wynne Prize for Landscape art. This HCA is riddled with historic references to prominent Sydney personalities who've lived in Etham Avenue.

**The DPSociety considers this DA to be totally inappropriate and damaging to heritage items in a HCA and be significantly detrimental to the amenity of neighbouring heritage property and should be refused.**

We attach pictures of the three heritage listed houses from the East, the South and the prominent South-West rear.

A surveyor's sub-division plan showing the 1902 footprint of the original u-shaped service wing (arrowed).

An overlay sketch outlining the existing house at 41 Etham against the proposed additions.

Any questions or requests that you may have regarding anything in this submission, would you kindly address them to Barbara Rooke, who is the Founder and Life Member of the Society and is across our areas of Heritage concern.

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Many thanks for your attention to these matters.

Sincerely,

Charlotte Feldman  
President  
Darling Point Society