



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF MEETING

RE: WOOLLEY TOWNHOUSE – REQUEST FOR ADVICE ON PROPOSED LISTING ON STATE HERITAGE REGISTER

PROPERTY OWNER MEETING

PANEL: DUNCAN MARSHALL (CHAIR)
SIMON SMITH

OFFICE OF THE IPC: KENDALL CLYDSDALE
TAHLIA HUTCHINSON

PROPERTY OWNER: TIMOTHY CASEY

LOCATION: ZOOM VIDEOCONFERENCE

DATE: 10:35AM – 11:09PM
TUESDAY, 26 AUGUST 2025

MR DUNCAN MARSHALL: Okay, excellent, good, good. Well, I might begin, and I've got a little opening statement that is protocol for these sorts of inquiries. So, let me read through that.

5 So, good morning and welcome. Before we begin, I would like to acknowledge that I am speaking to you from Ngunnawal land, I'm actually in Canberra. Noting that there are other people and families with connections to this country, and I acknowledge the traditional owners of all the lands from which we virtually meet today and pay my respects to their Elders past and present.

10 So, welcome to the meeting today to discuss the proposed listing of the Woolley Townhouse at 8A Cooper Street, Paddington, New South Wales, on the State Heritage Register, which is currently before the Independent Planning Commission for review.

15 My name is Duncan Marshall, and I am the Chair of this Commission Panel. And I am joined by my fellow commissioner, Simon Smith. Perhaps, Simon, say something, hello, so that we can check that your audio is getting through to Mr Casey.

MR SIMON SMITH: Sure. Good morning, Mr Casey, how are you?

20 **MR TIMOTHY CASEY:** Very well, thank you.

MR SMITH: Nice to meet you.

25 **MR MARSHALL:** To continue. We are also joined by Kendall Clydsdale and Tahlia Hutchinson from the Office of the Independent Planning Commission. And perhaps, Tahlia or Kendall, could you speak so that we can check the audio is working for Mr Casey?

30 **MR KENDALL CLYDSDALE:** Sure. Good morning.

MRS TAHLIA HUTCHINSON: Morning.

MR CASEY: Good morning, all.

35 **MR MARSHALL:** Good, that worked. In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being recorded, and a complete transcript will be produced and made available on the Commission's website.

40 Any personal and/or commercially sensitive information discussed today may be redacted from the transcript at the discretion of the Commission Panel, if considered appropriate to do so. And Mr Casey, if there is any sensitive or confidential information that you do not wish included in the transcript, it would be helpful if you could indicate that perhaps at the time or at the end or afterwards.

45 This meeting is one part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its

advice. It is important for commissioners to ask questions of attendees and to clarify issues whenever it is considered appropriate.

5 If you are asked a question and you are not in a position to answer, please feel free to take the question on notice and provide any additional information in writing afterwards, which we will then put up onto the Commission's website.

10 I request that all members here today introduce themselves before speaking for the first time – although we're relatively small, so it's somewhat less of an issue – introduce themselves before speaking for the first time, and for all members to ensure that they do not speak over the top of each other, to ensure accuracy of the transcript.

15 So, we will now begin the main substance of the stakeholder meeting. And we have an agenda for today's meeting, and I believe, Mr Casey, that's been shared with you?

MR CASEY: Yes, it has, thank you.

20 **MR MARSHALL:** All right. And there are five dot-points there, and this provides a framework for our conversation today, just to make sure that we cover off on some matters. But of course, if we need to discuss other matters which don't easily fit under one of those headings, then of course that's completely acceptable as well.

Is there anything on that agenda that you would like to change or add to, Mr Casey?

25 **MR CASEY:** No, I'm okay with the agenda, thank you.

30 **MR MARSHALL:** Okay, thank you very much. I wondered as we begin, whether Mr Casey you have an opening statement or some opening comments that you might like to make in relation to the inquiry?

35 **MR CASEY:** Ah, no, look, not in particular. There has been history through Woollahra Council of recent times, and as you're probably aware, a renovation or restoration and renovation took place a few years ago. That was managed by my architect who also happens to be my brother-in-law, just for openness, Rob Brown. And it was the subject of three different Land and Environment Court hearings, all of which were successful in our part.

40 And I think – I would just say that I found the process of dealing with Woollahra Council very expensive in regards to the Land and Environment Court hearings, and some of those matters were, in our view, relatively minor, such as installing a gutter along the front terrace to drain away water and avoid mould and issues around that.

45 I'm not sure if any of you have actually physically seen the house yet. But I assume you may have seen photos or other records of the restoration that's taken place. And I think in our case we're quite proud and we believe we have restored and, I guess, enhanced the property by completing the lower basement area.

We did go to Council and retrieve the original DA documents that Ken had lodged. And in some instances, such as the timber ceiling on the top floor, we actually removed what had been installed and re-installed what Ken had originally documented on his DA.

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MR MARSHALL: Okay.

MR CASEY: My only – when contacted about this, my only real concerns were, one, any dealings on future improvements, renovations, whatever we might want to put in place. And two, matters – well, one particular matter is the additional cost of insurance. And I guess the third matter that I’ve thought about more recently is the issues around privacy, in other words, people coming through the house. I guess they’re my main concerns and I’m happy to put those on the table upfront.

MR MARSHALL: Okay, all right, thank you. Just to foreshadow that perhaps towards the end of this meeting, we might have a further conversation with you about the suggested site inspection and see whether that’s possible and what the character of that might be. So, we’ll come back to that issue at the end of our meeting today.

20 Just in terms of the comments you made there, I just wonder what your relations are like with the Woollahra Council at the moment. I mean, you obviously have gone through a series of processes, but I just wonder what the current situation and current relationship with the Council might be.

MR CASEY: Oh, look, there’s no outstanding issues, as far as I’m aware. One of the issues that we were concerned about was, and I guess there’s no way of saying it rather than quite bluntly, was the lack of qualifications of people dealing with this property from a heritage perspective. That was a real frustration for us. And I think Rob, my brother-in-law, is one of the better-regarded heritage architects, he initially trained as a heritage architect. He actually worked in his early times for NSW Heritage back in the ‘80s.

35 So, yes, my opinion was we had a very well-qualified architect dealing with these matters, and to be questioned on that by unqualified staff at Woollahra Council in the area of heritage, we consider was an expensive, put bluntly, waste of time.

MR MARSHALL: Okay. We have in the documentation provided to the Commission seen a range of documentation including the submissions that were made as part of the – an earlier phase of the proposed State Heritage listing, which included comments you made of a similar nature to the ones you’ve just made then. Can I just check whether you are still concerned with the proposed registration listing or whether any of the issues previously raised have been resolved or not?

MR CASEY: Look, I don’t think any of those issues have been resolved. I think there’s a cost impost in terms of insurance, Chubb are the insurance providers on that property; there is an additional premium payable. And I guess the second issue is my concern around, and I don’t know if this is an issue or not, around any potential requirement to open the property to the public.

MR MARSHALL: Hmm, okay.

5 **MR SMITH:** Mr Casey, are you able to share with us the additional premium estimate that Chubb's provided?

MR CASEY: Yes, in the order of [redacted]. That's on the current estimate we have.

10 **MR SMITH:** Right. And did they say to you, explain why the heritage listing would lead to a higher premium?

MR CASEY: Yes, because of costs and difficulties associated with potential reinstatements and issues of that nature.

15 **MR SMITH:** Okay. Thank you.

MR MARSHALL: Sorry, my audio was a bit fuzzy there. Could you just repeat that last clarification please, Mr Casey?

20 **MR CASEY:** Yes. My understanding is it relates to any potential costs of rectification in the event of damage, and, you know, issues around reinstatement in line with heritage requirements.

25 **MR SMITH:** And so that's not a change to the sum insured, that's just a change to the rate, the premium rate?

MR CASEY: Correct. Look, it could become a future issue around the sum insured, but I haven't really gone to that level of detail at this stage.

30 **MR SMITH:** Yes, okay. So, Duncan, I'm just wondering whether it now might be a good moment to just explain how we've been asked to consider the cost impost.

MR MARSHALL: Yes, sure, Simon, do you want to do that?

35 **MR SMITH:** Sure, yes. So, Mr Casey, my understanding – so, essentially, we've been asked to give advice back to the Minister; the Minister is the decision maker in this case. And the matters we've been asked to advise include to look into whether the listing causes an undue financial hardship or other kind of hardship to the property owner. And so, I'm wondering, we'll just ... So, basically it seems as though there is
40 an increase in cost for you, that's a slightly different question to whether an undue hardship has been imposed.

45 So, I'm just wondering if you would like to make any comment that would guide us in making that assessment – we don't need to know all of your personal financial situation or whatever, but we would like to know if you believe that this would be an undue financial hardship in your case.

MR CASEY: No, look, it won't cause me any hardship, it's just an additional cost.

MR SMITH: I understand, okay, that's very helpful to know that. Yes, because, I mean, just the question about there have been, you know, some of our preliminary research indicates some people saying, "No, no, the heritage listing alone should not increase the premium." So, it's just interesting to hear that in fact it does for you with this property.

MR CASEY: Correct.

MR MARSHALL: And just to be absolutely clear, you mentioned the figure of I assume that's an annual premium increase?

MR CASEY: Yes. That was the figure I was quoted by [redacted] when I raised this issue as a potential matter last year. The insurance is due for renewal, [redacted] I think, on that property in [redacted] so I guess I could ask the question again then.

MR MARSHALL: Okay. And have you thought of shopping around, of checking other potential insurance providers?

MR CASEY: I have, but I've been with [redacted].

MR MARSHALL: Right. Okay.

MR SMITH: So, one of other criteria we have to look at is whether the listing would interfere with the economic or reasonable use of the property. I suppose part of that could be the concern you've expressed about whether you might be required to allow strangers to come and view the property at some point. Has the Heritage Commission spoken to you about whether that might be something that happens in the future?

MR CASEY: No, they haven't. It's just one of the thoughts I've been wrestling with over the last couple of weeks, I would assume, I suppose, since this meeting was scheduled.

MR SMITH: Yes, because I'm gathering from what you've said, which is that you want to continue to enjoy the house as a private home and be left alone, essentially.

MR CASEY: Yes, that's the current [unintelligible 00:15:52].

MR CLYDSDALE: Excuse me, Chair, if you don't mind, I could probably add a little bit of comment around that.

MR MARSHALL: Yes.

MR CLYDSDALE: So, look, it's my understanding that a State listing wouldn't facilitate that kind of situation. Look, the National Trust, which is a separate organisation, they have their various open houses where people who have significant buildings or listed buildings do open their own homes or buildings under their own fruition. So, but in terms of a State Heritage item, it is my understanding that it's still

your private property and that the listing wouldn't mean that you have then an obligation per se.

5 **MR CASEY:** I'm happy to hear that. Thank you.

MR SMITH: So, if it were the case that – because we're going to be meeting tomorrow with the people from the Heritage Commission, if it was absolutely a hundred per cent certain that there would be no requests or imposition of visitation or whatever, would there – I assume that would be good, that would be a relief, based on
10 what you've just said. But are there any other concerns you've got about being able to continue to enjoy, to make the reasonable use of the home for the purpose that you've – for any purpose that's lawful that you want?

MR CASEY: No, I don't think so. And frankly, if there was any additional work I
15 wanted to do in the future, I'd be much happier to deal at a state level than a local government level.

MR SMITH: Right, okay. Yes, because in some of the material it said that, made
20 reference to the difficulties you've experienced with dealing with the Council, but that you had expressed a view after discussion that you thought that perhaps it would be easier to deal with more qualified and professional heritage people. I just wanted to ask you if that's the case?

MR CASEY: Yes, that is the case, and I have had experience in that area of a state
25 level before.

MR SMITH: Okay, that's really helpful.

MR MARSHALL: Can I just clarify, I mean, I have only seen photographs – we,
30 from the Commission's side, have only seen photographs of the house. And it is very distinctive in the streetscape, even though it's a small street and not a presumably well-trafficked street. But, I mean, the house also seems to have attracted a degree of media attention, either at points of sale or otherwise. And I just wonder whether that degree
35 of publicity about the house already means that you have a degree of public interest, you know, people stopping in the street, knocking on your door, ringing doorbells, you know, that sort of thing. Is any of that sort of thing happening at the moment, or is it fairly quiet on that front?

MR CASEY: Look, to be frank, [redacted]. I have had instances where I've had
40 overseas architectural students knocking on the door. And, you know, I'm quite happy in some cases, if I believe they're genuine, to show them the house [redacted]. I think there is in particular one individual who will remain nameless [redacted].

[redacted].

45 Look, I don't know where this interest has come from. There was a flurry of phone calls last week and the week before from someone in the press. I ended up asking Rob Brown to talk to them, and I think he may have seen an article in the *Herald*, or

someone would have seen an article in the *Herald* paper last week on the house. Yes, it did mention my name, I'm grateful for that. But I don't wish to seek any publicity. Yes, I understand the house is of interest but there's a lot of houses in Paddington that may have been of interest, including Don Gazzard's old house.

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MR MARSHALL: Yes.

MR CASEY: And I worked with Don for many years and have a lot of respect for him. I have noted that that house hasn't been listed. And I ... So, yes, look, the interest in this house ... Well, I'm not sure, I don't know why this house has attracted the attention it has of recent times.

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MR MARSHALL: Can I – I mean, I'm just stepping back from the publicity side of things. I mean, do you have any thoughts or comments about the heritage values that the Heritage Council has proposed in this case?

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MR CASEY: No, not in particular, other than to say I'm very familiar, working in heritage spaces, being it commercial buildings or residential buildings. I mean, you know, 10 years ago, I redeveloped the old Blood Bank Building in Clarence Street. And that was a State Heritage listed building. I renovated The Mint in Macquarie Street. That's just two that I've been principally involved in. So, I'm not a novice in the area I guess is what I'm saying.

20

MR MARSHALL: Okay. One of the other questions that we have to consider, or that the Minister has to consider and we're providing advice on, is whether the long-term conservation of the townhouse is necessary. I wonder whether you have any thoughts or reflections on that consideration.

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MR SMITH: Sorry Duncan, can I just clarify, I think you meant whether listing is necessary to achieve the conservation.

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MR MARSHALL: Yes, sorry, yes, thank you, Simon. Mr Casey?

MR CASEY: My assumption, and I think I'm correct, is that if it's listed on the Woollahra Heritage List, then that's almost a given anyhow, I would have thought. Is that not correct?

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MR SMITH: No, I think that's correct.

MR CASEY: So, I guess, from my point of view the question becomes, okay, yes, there's a financial impost, it's not going to cause me hardship. But if I did want to do something to the property in the future, it might mean I would have much uncertainty in terms of dealing at a state level than a council level.

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MR SMITH: Yes, it makes sense, thank you.

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MR MARSHALL: But I mean, just reflecting on the fact that at the moment it's on the Woollahra List, it's proposed for the State Heritage Register. I mean, do you have

any thoughts or comments, I mean, you've reflected a little bit there about the fact that it's already locally listed. I just wonder whether you have any – apart from dealing with Woollahra Council – any thoughts about the sort of local level listing issues as some recognition of heritage.

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MR CASEY: No, not in particular, not other than the views I've already expressed. No, not really.

10 **MR MARSHALL:** Okay. All right. I wonder whether – you've presumably seen the Heritage Council's overall assessment report or I think it's the State Heritage Register Committee's report to the Heritage Council – I think that's been provided to you? Ooh.

[Technical issue with Mr Casey's audio and visual – 00:24:34, resumed – 00:25:09]

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MR MARSHALL: Mr Casey, welcome back.

MR CASEY: My apologies, yes.

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MR MARSHALL: No problems at all. No problems at all. I guess, I was just checking that you had seen the State Heritage Register Committee's report to the Heritage Council. I just wondered whether you – I mean, apart from the many comments that you've already made, I just wondered whether there were any other comments or issues that you wanted to raise in regard to that report.

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MR CASEY: No, Duncan, I think I've been through that already and, yes, I have read the report.

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MR MARSHALL: Okay. All right. And that committee looked at the range of submissions that were made to that register process, including some comments that you made. Again, you've already touched on this, but that report responded, I guess, to the issues and concerns that you were raising, or at least two of them. The issue of dealing with either Woollahra Council or Heritage NSW, and the insurance cost issue. Do you have any thoughts on the way in which the State Heritage Register Committee responded to those points?

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MR CASEY: No, no, I thought it was reasonably fair and level.

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MR MARSHALL: All right. Good, good. I think I've probably covered most of the matters that I was going to raise. Simon, do you have any other points or questions?

MR SMITH: No, I have no other questions, thank you.

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MR MARSHALL: Okay. I might just check with Commission staff, Tahlia and Kendall. Now, have we covered matters satisfactorily in terms of the issues?

MR CLYDSDALE: Yes, I believe so, Commissioner, nothing further from the Office.

MR MARSHALL: Okay.

5 **MR SMITH:** I did just have one other thing I've just thought of. Mr Casey, remember that Duncan said at the beginning that if there's anything commercially or personal that you wanted to keep confidential, I did note that you mentioned that [redact] Would you like us to redact references to those pieces of information?

10 **MR CASEY:** Yes, please, that would be much appreciated.

MR MARSHALL: And I guess also the [redacted] – I don't know whether you would like us to consider redacting that information as well.

15 **MR CASEY:** Look, I'd prefer not to see a specific figure.

MR MARSHALL: Yes, okay. All right. Well, I think we've covered off matters pretty much from our side, although there are a few final things to say. But Mr Casey, are there other matters or issues that you would like to raise with us that you've not otherwise been able to express so far?

20 **MR CASEY:** No, I think we've covered it pretty well, thank you very much.

MR MARSHALL: Okay, good, good. Well, before – well, perhaps I should do the – no, I'll leave the little closing piece that I have to say. So, one of the things we wanted to test with you was this suggestion that the Panel might make a brief inspection of the property at a time that's convenient. Kendall, do you want to talk through that matter?

30 **MR CLYDSDALE:** Sure, thanks, Chair. So, Mr Casey, I understand you're out of Sydney until the 10th of September. The Panel and the Office are quite flexible in terms of when we could possibly take a look at the property. And in terms of the extent of that, it's completely up to you, if you're not comfortable on letting Panel members and Office members inside, that's perfectly fine. But just part of the process, it's prudent for the Panel just to undertake an inspection. So, a date and time suitable to you, if you're amenable to that, and the extent of the inspection, yes, we'll leave it in your hands. But is there a particular time and ...?

35 **MR CASEY:** I think there was a suggestion that it was – was it Tuesday next week at 10:30?

40 **MR CLYDSDALE:** That was initially – we were looking at that, but understanding you're out until later, we can certainly push it back till after the 10th.

MR CASEY: No, look, I'm happy for it to go ahead. I just wanted to see if Rob Brown or my sister could attend.

45 **MR SMITH:** That'll be fine.

MR CASEY: If I can come back to whoever on that and confirm that 10:30 next Tuesday is still suitable for the group, then I'll try and make sure that we can do that.

MR MARSHALL: Okay.

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MR CLYDSDALE: Thank you. We'll come back to you just to confirm if that's available and suitable, and if not, we can work out a date from there. Yes.

MR CASEY: All right. I'll do my best to make sure that we can get you through.

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MR CLYDSDALE: Thank you.

MR MARSHALL: And just to clarify from, I think, Simon and my self's point of view, this is a very general and relatively quick look at the property. It's not a forensic deep dive, you know, we're not looking in every room and every cupboard and every whatever, you know, this is just to get a good general impression from the outside from the street, an impression of significant spaces within the property, and perhaps a view of the property or the house from the backyard. So –

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MR CASEY: Duncan, I have no objection to this group going through.

MR MARSHALL: Yes, yes. And, you know, I would have thought, you know, the whole time on site either outside in the street, in the house, in the backyard, you know, this is an hour or less maximum, I would have thought.

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MR CASEY: I understand, I understand. I think if Rob can be there, he'd probably quite like to be there.

MR MARSHALL: Yes, that would be super helpful, particularly as I understand that he made some changes as you've outlined. Well, with that, I might just move to a few closing words. So, that brings us to the end of today's meeting, and I'd like to thank you, Mr Casey, for your time today in obviously difficult travelling circumstances.

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MR CASEY: It's not difficult, Duncan, I'm just travelling back from the site of the farm.

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MR MARSHALL: So, thank you for your time today meeting with the Commission Panel to discuss the proposed listing of the Woolley Townhouse on the State Heritage Register. And just to remind, there is a deadline for written submissions which is 5 p.m. on Wednesday, 10 September. And further details about that can be found on the Commission's website. So, we would very much welcome any written submission that you would care to make.

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I'm not sure that we have left you with any dangling questions that you are going to respond to, but if you would like to clarify or amend any of your answers arising from today, then we would be very happy to receive that in due course and certainly before or by the 10th of September.

45

So, with that, if there are no further comments or questions from you, Mr Casey, or from my fellow commissioner or from staff of the Commission.

5 **MR SMITH:** I would just say that you don't need to put in writing whatever you've told us today on the call.

MR MARSHALL: No, no.

10 **MR SMITH:** All that is written down and taken as put in writing, so there's ...

MR CASEY: No, I'm very comfortable with the discussion we've had. Thank you.

MR SMITH: Very good, thank you. Great.

15 **MR MARSHALL:** All right. Well, thank you, everyone. Thank you again, Mr Casey, and we may see you in due course at the house or perhaps not, if that doesn't prove to be convenient. But thank you again for your time.

20 **MR CASEY:** No, thank you all, good talking to you.

MR SMITH: Okay, thanks, goodbye.

MR CASEY: Goodbye, all.

25 **>THE MEETING CONCLUDED**