

Future Use of the Sanctuary Working Group report to YM24

The group was founded at the end of May 2023 and was comprised of Rose Griffith, Wies Schuiringa and John Baker. We were asked to submit our report for consideration by Yearly Meeting 2024.

The report was completed and submitted to the Yearly Meeting Treasurer, Jonathan Benyei, early January 2024.

THE POTENTIAL SALE OF “THE SANCTUARY”

Background

Hanna and Rudi Lemberg were refugees from Nazi Germany. In 1953 they built “The Sanctuary” in North Wahroonga.

Initially, small Quaker Meetings were held in their house. In 1966 following prize money Rudi received from the Encyclopaedia Britannica, the property was sub-divided and the current Meeting House was built. Ownership of the Meeting House and the land on which it stands was transferred to New South Wales Regional Meeting.

In 1975, Rudi died, and Hanna continued to live in the house until her death in 1998. In Hanna's will, “The Sanctuary” was left to the Australia Yearly Meeting, who still own the property. The will did not specify how the property was to be used, nor were there conditions or restrictions on the gift.

Over the years, several committees were appointed to consider the future of the property. The last committee submitted a report to Australian Yearly Meeting approximately fifteen years ago. The report concluded with a recommendation to retain ownership of the property and to consider its sale at some future time when an effective Quaker use of the funds generated was discerned.

Current Considerations

Recently, Australian Yearly Meeting has undergone changes to become Quakers Australia, with a new operational structure requiring, at this time, an increase in operational funding of up to sixty thousand dollars per annum. As a lot of this additional money relates to staff costs, it is likely that the increased expenditure per annum will increase. Much of the current funding for our national body comes from voluntary quotas from our Meetings. In most cases, the recommended contributions are significant, particularly for an ageing membership on fixed incomes. One option to raise the amount that is required would be to increase the amount that we all contribute. This is considered to be undesirable.

Quakers Australia is looking at its assets to see what other funding options may exist. “The Sanctuary” is a major asset. Unfortunately, the residential rental return on the property does not meet the funds needed, and the possibility of selling the property and investing the proceeds to fill the financial shortfall, and to fund additional Quaker causes, is now being considered

Paramount in considering the sale of the property is the influence it could have on the Wahroonga Meeting House, and this has been the prime consideration of the present committee.

Since the time of the last report, a comprehensive heritage report recommending heritage classification of the house was prepared by Perumal Murphy Alessi Heritage Consultants. A copy of this report is annexed to this document.

In order to check the heritage classification, we contacted Ku-ring-gai Council and received advice confirming their heritage classification of the house. There is no heritage classification of a bush garden, however Council has a very restrictive policy relating to the pruning or removal of trees and because of the heritage status of the house a development application is required before such work could be instigated. Copies of the emails relating to this matter, and a copy of the tree preservation paper, are annexed to this document.

To limit, or even eliminate, the impact of the sale of "The Sanctuary" on the Meeting House, it is possible to place a covenant on the property at the time of sale. Legal advice from Blackwell Short Solicitors has been obtained and is annexed to this document.

It is noted that the covenants would be enduring, relating also to any subsequent sale of the property. The covenants would be imposed by Quakers Australia and could only be changed or removed by Quakers Australia. The covenants would remain in place while ever the Quaker Meeting House is in use and in the ownership of New South Wales Regional Meeting. A covenant would prevent any subdivision of the property. A second single residence covenant, would mean that as the property is zoned "Residential" there could be no commercial activity.

A third covenant requiring that alterations or additions to the house could only be instigated after consultation with a recognised Architect having heritage experience and approved by Quaker Australia. It is also recognised by law that such work would also require Council approval by way of a Development Application, taking into account Council's Heritage classification.

The nature of the covenants would be finalised prior to any sale and could include any additional restraints that Quakers deem appropriate and would likely be condensed into one single covenant

Conclusion

If "The Sanctuary" is sold with an appropriate covenant in place, then the influence on the Wahroonga Meeting House would likely be minimal, with the bush garden remaining as it now is. There could be no subdivision of the land, and the house would remain a single residence protected by heritage requirements.

It is noted that Section 5.6.4 Property in the Handbook of Quaker Practice and Procedure in Australia 2022 was considered and we note that traditional ownership of the land by local First Nations Peoples was examined at the time of the previous report into the future of The Sanctuary and that no connection was then discovered.