



WILLOUGHBY
CITY COUNCIL

Memo To: Mark Bolduan
Memo From: Heritage Planner (Alice Stapleton)
Date: 18 July 2022
Address: 43 Donnelly Road, NAREMBURN NSW 2065.
Ref/File No.: DA-2021/340
Subject: **Heritage DA Referral**

Following a request for more information on the proposal, further analysis has been provided to clarify a number of heritage related concerns. The report, titled, *Heritage Letter in Response to Council's Request For More Information, 43 Donnelly Road, Naremburn*, by Heritage 21, dated 25 March 2022, has provided more analysis. Amended plans, dated March 2022 have also been submitted.

The following clarifications have been made:

School Building

On the question of whether the school building has any heritage significance, the following extra information was provided:

- The historical associations linked to the school building of people of note - and found there were only indirect associations which were not strong enough to support heritage protection under that category.
- The physical characteristics of the school building - and found it to be relatively unremarkable or unique. There are other buildings of this type in existence in the region. The timber sprung floor is of noteworthy importance and could be documented for its construction technique as part of an interpretation strategy following any DA approval. Likewise, the confirmation of the existence of a Foundation stone, which could form part of an Interpretation strategy to be retained and re-used within the complex.
- The history and development of the school building, along with the church itself – this information could be revised into a report for submission to Willoughby library as a record of its history.
- Analysis of other Catholic Church school buildings - this was only conducted on heritage items in Willoughby LGA. It would have been preferable to look at the wider North Sydney region - and not only heritage items, as there don't appear to be many school buildings listed in the LEP.

Heritage Response: The additional information provided confirms that the school building does not appear to have enough significance as required to be demonstrated in the NSW Heritage Guidelines for identifying and recommending heritage listing, and therefore the retention of the building cannot be enforced.

On the question of adaptive reuse of the school building, the submitted report states:

Adaptive reuse of the school for accommodating the above new uses within the existing building would most likely disrupt the integrity of the existing fabric of the school building. The existing building would require extensive alterations within its interiors for introducing new uses, in turn impact on the school building (Heritage 21, 25 March 2022, p10).

Heritage Response:

As the school building has been demonstrated to not enough significance to be heritage listed, there is still scope (and it may be a better outcome for the locality) to retain the main, significant components of the original building (external walls, windows and pitched roof form etc) for adaptive reuse. The existing building has character and contributes to the setting as part of a 'civic' precinct and is more complimentary to the surrounding heritage items, as opposed to a new, contemporary building in this locality. Adaptive re-use of the school building would be consistent with the development across the road at the Naremburn Public School buildings, which was adaptively repurposed for apartments. Retaining the main elements of the school building would allow the area to continue to be read in its context, as stated in the Significance for that place (see Appendix 1 for Statements of Significance), as having a 'civic focus'.

The basis of this recommendation is in objective b, Clause 5.10.1 of the Willoughby LEP:
(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views

There is some concern also that the replacement building containing townhouses and parish hall is in too close proximity, and is not sympathetic to the church. A limited response to this issue was provided in the return documentation, in terms of height and building envelope being aligned with the existing building.

The DCP policies relating to demolition in Part H.2.4 also need to be taken into account:

Objectives

To conserve both individually listed Heritage Items and the general building stock which contributes to the significance of the Heritage Conservation Area and to ensure that replacement development enhances the significance of the Heritage Conservation Area.

Requirements

In considering applications for the total or partial demolition of buildings or works which are either listed Heritage Items or occupy sites within Heritage Conservation Areas, Council will assess:

- 1. The heritage significance of the building or work, including its contribution to the streetscape in Heritage Conservation Areas; and*
- 2. The opportunities for adaptation and whether the building or work would be incapable of reasonable or economic use; and*
- 3. Whether the building or work constitutes a danger to its users or occupiers or to the public; and*
- 4. Whether, in the case of an application for total demolition, redevelopment is a reasonable alternative to retention.*

Also the following aims of Part H of the DCP are relevant:

- to ensure that new sustainable development respects the context and is sympathetic in terms of form, scale, character, bulk, orientation and setback, fabric, colours and*

textures and does not mimic or adversely affect the significance of Heritage Items and Heritage Conservation Areas and their settings;

- *to encourage a sustainable high quality of design for any new development in achieving compatibility with the heritage significance of individual Heritage Items and Heritage Conservation Areas;*

Recommendation: If it is deemed that the school building can't be retained for adaptive reuse and must be demolished and replaced with an entirely new building, the DCP policies require high quality of design in the new replacement building.

Considering the above DCP policies, the prominence of the site, the number of heritage items in the locality, the importance of this area as a civic focus, and the number of public submissions concerned with this development, it would be appropriate to examine in more detail the design of the proposed townhouses/parish hall to ensure that any replacement building is a high quality design that respects the heritage items surrounding it.

Therefore, proposal should be reviewed and assessed by Council's Urban Designer for feedback and advice to ensure that the replacement building and the surrounding landscaped area respects the context, character and setting of the heritage item and the surrounding civic precinct.

Presbytery

Further analysis of the use of the Presbytery was provided in the response by Heritage 21, and states that:

The current proposal involves minor alterations to the presbytery within the interiors. However, these alterations have been designed respecting the heritage fabric and the proposed partial demolition of the internal walls would retain ribs and spandrels ensuring the original floor layout of the presbytery remains legible. The presbytery would retain its existing presentation with the streetscape.

Repurposing this dwelling in a dual occupancy format would require significant alterations to the form as well as significant internal fabric of the existing premises in order to comply with the relevant provisions of the DCP for dual occupancies as well as compliance with the BCA (Heritage 21, 25 March 2022. p14).

Heritage Response: The Presbytery appears to be in very good, original condition, with later additions being minimal and easily reversible. It is unknown by this author why this building was not included as part of the listing in the *Willoughby LEP*, along with the Church building at that time. Retaining this building as proposed, is supported. Minimal disturbances to the original/significant fabric is encouraged. The applicant has submitted a schedule of conservation works for both the Church building and the Presbytery. A Heritage Conservation Plan (CMP), outlining future conservation and maintenance schedules should be required as part of any approval. The CMP should include more detailed Heritage Specifications of the building and Conservation works consistent with the NSW Heritage Guidelines for CMPs.

There is also concern that the demolition of the contributory garage structure and replacement with a new dwelling (proposed Lot 3) addressing Donnelly Road will negatively impact on the setting of the place and the pattern of development in the vicinity of the Church. **Part H.2.1.A Planning and Design Principles - Setting** of the DCP includes the following objectives:

1. To provide an appropriate visual setting for heritage items and buildings within heritage conservation areas, including landscaping, fencing and carparking;
2. To maintain and enhance the existing heritage significance of the streetscape and the vicinity; and
3. To ensure that new development respects the established patterns in the streetscape, including setbacks, siting, landscaped settings, carparking and fencing.

B. Scale

To ensure that the scale of new development is in harmony with the streetscape and does not dominate or compete with existing heritage items, nor reduce their contribution and importance to their context, nor destroy an existing pattern of development.

The proposed new dwelling in proposed Lot 3 has also been located in close proximity to the neighbouring house at No. 41 Donnelly Road (zoned R2) and does not follow the pattern of development along the street. The addition of this dwelling into the subject site would impact on the open space and landscaped qualities of the site and is therefore not supported on heritage grounds.

Further, it is unclear whether the conservation incentives in Clause 5.10.10 of the *Willoughby LEP* actually apply to this site, as it is not located on the land of the heritage item. The land on which the heritage item has been identified is an area around the church (not only the footprint of the Church) but it does not extend to the land on which the presbytery sits.



Map 1: Close up heritage overlay showing subject site (circled in red). The Church (and its surrounding land) is identified as a heritage item in the *Willoughby LEP 2012*. There are many other heritage items in this locality which contribute to the character of the area. (Source: NSW Heritage Spatial Mapping)

Recommendation: That the new house proposed between the Presbytery and No. 41 Donnelly Road be deleted from the proposal to allow for an appropriate visual setting and landscaped area, including deepsoil landscaping, suitable to the landmark qualities of the Church building and its associated presbytery building.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate.

1. Reuse and recycling of significant elements

The reuse and recycling of significant elements, such as windows and doors, wall decorations, ceiling roses and timber joinery etc. of the existing buildings is required. The recycling is to occur, preferably on site and/or to suitable professional recycling yards specialising in the recycling of historic building materials. Demolition and storage of these materials is to be carefully carried out by workers and specific stockpile area is to be designated and protected. An experienced heritage practitioner is to submit details of the above requirements to Council prior to the issue of Construction Certificate.

(Reason: Preservation of heritage & cultural resources)

2. Colours and Finishes

All external building materials shall be in colours and textures which are compatible with the heritage character of the locality. In this regard, the Schedule of Colours and Finishes submitted with the application generally satisfies this requirement, provided no change to original finishes to the front façade of the heritage item.

(Heritage Conservation)

3. Face Bricks to new additions

The external face brick work of any new additions is to match, as closely as possible, the original brickwork of the existing listed heritage item. Details are to be shown on the Construction Certificate plans prior to the issue of the Construction Certificate.

(Reason: Heritage conservation)

4. Heritage - Photographic Survey

Prior to the issue of the Construction Certificate, a photographic survey is to be lodged with Willoughby City Council for its historical archives. The photographic survey is to be submitted in a report format, and shall include:

- (a) A front cover marked with:
 - (i) the name/location of the property;
 - (ii) the date of the survey;
 - (iii) the name of the company or persons responsible for the survey.
- (b) A layout plan of the existing building and site; identifying rooms and features shown in the photographs.
- (c) Photographs of the interior, exterior, grounds and a streetscape view of the building, labelled to indicate their location in relation to the layout plan. Photographic records of each elevation and each room and any architectural/ decorative features or finishes are to be included. Where colour is a feature of the building (for example, the building features stained glass, leadlight or polychrome brickwork), additional colour photographs are to be included in the photographic survey report.

Documentary evidence from the applicant confirming lodgement is to be provided to the Registered Certifier.

(Reason: Heritage conservation)

5. Prepare Heritage Specification and Schedule of Conservation Works

To ensure a commitment to the conservation of the significant fabric and character of the item, a Heritage Specification and Schedule of Conservation Works is to be prepared, to be consistent with the Burra Charter and the principle of doing as little as possible, and is to identify specific actions required to achieve the nominated Conservation Works as identified and detailed.

The Heritage Specification and Schedule of Conservation Works must address:

- any work required under the consent
- the results and specific actions arising from any inspection, investigation or other assessment referred to in the approved Specification and Schedule.
- explanation of terms noted on the architectural or engineering drawings, such as “inspect and refurbish”, “carry out an inspection”, “rectification works”, or where other similar phrases are used. The specific detail must include the outcome of such inspections and the scope of work identified for appropriate heritage refurbishment.
- further detail on notes such as “make good” or “match the original” (or similar), to include the specifics of the original material being referenced.
- clarification of any discrepancies are identified within and between the Architectural Plans and the approved Specifications and Schedule.

These specific actions are to be prepared by an experienced heritage architect or heritage consultant (and experienced heritage builder where necessary), and submitted to and approved by Council's Heritage Officer prior to the issue of any Construction Certificate.

The conservation works must be implemented to the satisfaction of Council prior to the issue of the Occupation Certificate.

PRIOR TO OCCUPATION OF THE DEVELOPMENT

The following conditions of consent must be complied with prior to the issue of an occupation certificate.

6. Certify Front Portion of Building

Prior to issue of any Occupation Certificate, a qualified architect with experience in heritage conservation must provide satisfactory evidence, in writing, to the Certifying Authority, that the Heritage Item and Presbytery (including details, materials and finishes) has been retained without alteration, in accordance with the original design and the development consent.

A copy of the written evidence shall also be submitted to Council, for record keeping, prior to issue of any Occupation Certificate.

(Reason: Heritage conservation and Ensure compliance)

ONGOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land, and relevant legislation.

7. Heritage – Maintain Portion of Existing Building – Church and Presbytery

No approval is given or implied for removal and/or rebuilding of any portion or element of the existing Church or Presbytery buildings which are shown to be retained.

Prior to the issue of the Construction Certificate a qualified architect with experience in heritage conservation must provide evidence, satisfactory to the Certifying Authority, that the proposed works are in compliance with the development consent.

Should any portion of the existing building which is indicated on the approved plans to be retained be damaged, all the works on-site are to cease and written notification given to Council. No work is to resume until the written approval of Council is obtained.

(Reason: Heritage conservation and Ensure compliance)

**Alice Stapleton
Heritage Planner**



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Appendix 1 – Statement of Significance for heritage items in the vicinityⁱ

The Statement of Significance for the *St Leonards Church* is as follows:

The church has historic importance and architectural and aesthetic significance, within Naremburn and the Diocese. It also has and social significance to the Diocesan Catholic community, and is a landmark building within the surrounding area. It is an extremely fine Late Edwardian period church with a very good interior and which is significantly[sp] intact. (dated 30/10/2007)

The Statement of Significance for the adjacent *Naremburn Public School* is as follows:

The original Naremburn Public School Building has some significance relating to its association with 100 years of public school education and its architectural evolution. The use of the internal central hall and lantern are unusual.

The first Infant's School is considered unusual in its use of the domestic Arts and Crafts style with functional school layout. Several large trees are significant. The former Girls School is a substantial largely intact representative example of 1920's school architecture.

*The scale and location of the buildings **compliments the nearby St Leonards School and Church, and together they form a civic focus to the area.** (Significance dated 12/11/2003)*

The Statement of Significance for the *Naremburn School – Building B00A* is as follows:

*Established in 1887, Naremburn School is historically significant locally because it provides evidence of the growth and development of the locality during the last quarter of the nineteenth century. It also has historical significance because it is a very early example of a public school building reflecting the reforms in education initiated by the 1902 Royal Commission and the investigations of Peter Board. This is particularly evidenced by the integrated assembly hall around which classrooms are organised. The school is associated with the architectural branch of the Department of Public Instruction and the Government Architects Branch of the Department of Public Works, which was responsible for the 1908 additions. Naremburn School is representative of school buildings designed by the Department of Public Works in the second half of the 1900s, following educational reforms established earlier that decade. Despite modifications the building has retained a relatively high level of integrity. **The school is likely to have social significance for the residents of Naremburn and for former staff and pupils.** (TKD Architects 2016)*

