



## Conservation Comments - PDS

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To: Nicola Reeve  
From: Lisa Trueman  
Date: 6 October 2010  
Re: DA 265 /10: 40 Ridge Street North Sydney – St Mary's Church: **FINAL COMMENTS**

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### 1. Heritage status and significance

- The entire property is listed as a heritage item of local significance listed in NSLEP 2001.
- The site contains St Mary's Church '*the prime Catholic church in North Sydney and the direct successor to the original Catholic church on this site. An impressive and remarkable building of monumental scale in a prominent location*' and St Mary's Presbytery: '*Substantial late-nineteenth century building, extensively altered which has been the presbytery for the adjacent church since built in 1885. It provides evidence of the church's long association with this site. The earliest building of the church/school complex at this site, though much enlarged.*'
- In the vicinity of heritage items at 242 – 248 Miller Street, 47 Ridge Street, and North Sydney Oval
- The property is not located in a Conservation Area.

### 2. The Property

The property was inspected internally and externally in November 2009 and September 2010. The property contains St Mary's Parish Church, St Mary's School, a Presbytery and a Monastery, plus car parking and ancillary structures.

### 3. Proposal

The proposal is for the demolition of an existing Monastery building, the construction of a new 'Parish Centre' with underground parking, and substantial alterations and additions to an existing Presbytery building.

### 4. Heritage Assessment

An assessment of the proposed works at No. 40 Ridge Street has been undertaken in relation to Clause 44 and 48 (Heritage Items), Clause 49 (Conservation Areas) Clause 50 (development in the vicinity of Heritage Items) of the North Sydney LEP 2001 and Section 8.8 (Heritage Items and Conservation Areas) of the North Sydney DCP 2002.

The property, in its entirety, is listed as a heritage item within the NSLEP 2001. The proposal involves the complete demolition of the Monastery Building, which has been assessed as having aesthetic, historic and social heritage significance, and the construction of a new 'Parish Centre' building in its place. The proposal also involves major works to the highly significant Presbytery building.

The various components of the application have been assessed, with the following conclusion:

#### A. Demolition of the Monastery Building

The Monastery building is located within the boundaries and curtilage of the St Mary's church precinct, which is listed as a heritage item in Schedule 3 of NSLEP 2001 and associated maps.

NSLEP 2001 gives the following definition for **heritage item**:

*'Heritage item means:*

- a) land shown coloured orange on the map, including buildings, works, places, fixtures and tress on that land, or*
- b) any building, work, place, fixture, or tree listed in Schedule 3 (Heritage Items)'*

The applicant has stated, in the Heritage Impact Statement, that the building is not heritage listed, because it is not specifically noted in Schedule 3. This argument is not concurred with. The Monastery Building exists on an area coloured orange on the LEP maps. As such, it is considered to be a heritage item under the LEP definition

Furthermore, the Heritage Impact Statement lodged with the application indicates that the original part of the Monastery building has social and historic significance for its association with the Marist Brothers who have occupied the site continuously since 1888. The building also has aesthetic significance as a good and intact example of a Federation Romanesque building. The building clearly contributes to the significance of the site.

Pre-lodgement conservation advice on the possibility of demolition of the Monastery buildings was sought in November 2009. That advice stated '*should you wish to pursue demolition, we would require you to provide thorough research into its historical and social significance, and provide strong justification for the demolition. It would also be appropriate to demonstrate what the implications are if the original part of the building is retained, with only the later sections demolished.*'

The Heritage Impact Statement lodged with the application does not provide the required detail and states simply that the retention of the Monastery building has been tested but does not satisfy the brief. Further details have been requested, but no further justification or demonstration of alternatives, or the impact of retaining the original section of the Monastery, has been provided.

LEP Clause 48 requires that a structural report be provided for applications involving the demolition of a heritage item. The submitted structural report concludes: '*It has been determined that the structure is generally in good condition and its condition is documented in the following photographs. VDM has concluded that, at the time of the inspection, no major issues concerning the buildings structural integrity are present.*' As such, there is no structural requirement for the demolition of the building.

It is understood that the building is to be demolished in order to excavate for underground parking. It is not considered appropriate that a building of this significance be demolished to provide underground parking, when it would appear that alternatives exist on the site and a public car park is located across the road.

**NSLEP Clause 48 (Heritage Items) states:**

*'(1) Heritage item objectives:*

*The specific objectives of the heritage item controls are to :*

- a) prevent the demolition of heritage items*
- b) provide specific criteria to be considered when determining an application in respect of a heritage item*
- c) ensure heritage items are conserved and maintained'*

**The documentation provided does not justify the demolition of the original part of the Monastery building, which is a heritage item. The proposal to demolish the listed building clearly goes against the objectives of NSLEP Clause 48**

NSLEP Clause 48(5) relates to proposals involving the demolition of heritage items:

*(5) Consideration of proposed development involving complete demolition of a heritage item*

*Consent must not be granted to development involving the complete demolition of a heritage item, until the consent authority has considered:*

- (a) whether the heritage significance of the heritage item is insufficient to warrant its retention, and*
- (b) whether the heritage item is reasonably capable of conservation, and*
- (c) whether the heritage item is not in a structurally sound condition, and*
- (d) whether the character, design and aesthetics of any proposed replacement building or work and its relationship to the character of the surrounding buildings and works is appropriate.*

Assessing the application against these requirements, the following comments are made:

- a) The heritage significance of the Monastery building is demonstrated to be sufficient to warrant its retention
- b) The heritage item is reasonably capable of conservation
- c) The building is structurally sound
- d) The character, design and aesthetics of the proposed replacement building is not appropriate to the character of the surrounding buildings, which are also heritage listed

**As demonstrated above, the proposal to demolish the Monastery building is not permissible under Clause 48 of the NSLEP 2001. Accordingly, strong objections to the demolition of the Monastery building are raised on heritage grounds and it is recommended that the original section of the Monastery building be retained.**

## **B. Proposed New Parish Centre Building**

As discussed above, the demolition of the Monastery building is not supported and therefore the construction of any new building in its place is also not supported.

However, in the case that the demolition of the Monastery building ultimately be approved, an assessment of the proposed new building has been undertaken.

As noted above, **NSLEP Clause 48 (Heritage Items) Part 5** relates to the consideration of development involving the complete demolition of a heritage item, stating, in part:

- d) The character, design and aesthetics of the proposed replacement building is not appropriate to the character of the surrounding buildings, which are also heritage listed*

The proposed new Parish Centre is not considered to be appropriate to the character of the surrounding buildings, being the St Mary's Church, the St Mary's Presbytery and St Mary's Primary School, which are also listed as heritage items. Whilst the height and bulk of the new building are considered acceptable, the architectural character is not. The proposed building has a generic institutional character that does not reflect the significance of the heritage listed church site. A more appropriate solution would be for a contemporary building that reflects the ecclesiastical character of this precinct, making reference to the character of the surrounding buildings, which are of a very high significance strongly associated with the development of the Catholic Church in northern Sydney.

The design is inconsistent with the intent and specific controls of NSDCP Section 8.8 (Heritage Items and Conservation Areas) h, i, l, m, and o.

**As such, objections to the proposed new building are raised on heritage grounds, due to its non-compliance with NSLEP and NSDCP, and its detrimental impact on the surrounding heritage items. The building is not appropriate to the character of surrounding buildings and therefore not permissible under the NSLEP.**

## **C. Alterations and Additions to the Presbytery Building**

The Presbytery building has been assessed as having individual significance as a '*substantial late-nineteenth century building, extensively altered which has been the presbytery for the adjacent church since built in 1885. It provides evidence of the church's long association with this site. The earliest building of the church/school complex at this site, though much enlarged*'. It is proposed to undertake substantial alterations and additions to this listed building.

The heritage impact statement lodged with the application addressed only the impact of the demolition of the Monastery and the new Parish Centre building. The applicant was requested to submit a detailed Heritage Impact Statement addressing the impact of the works to the Presbytery. This was subsequently submitted and a detailed inspection of the building was undertaken on 22 September 2010.

It is noted that the applicant's heritage consultant has raised a number of major concerns with the proposal in his Heritage Impact Statement, and recommended changes to the design which have not been reflected in the application, as submitted. The Heritage Impact Statement does not support much of the proposed works.

The proposed works at the presbytery have not respected the heritage significance of the building, as noted in the applicant's own Heritage Impact Statement. The proposal involves unnecessary removal of original significant fabric and large areas of internal reconfiguration. In some of the most significant rooms, such as the chapel, it is proposed to remove original detail and fabric, in order to convert the rooms to accommodation. Original fireplaces, doors, ceilings, joinery, and decorative elements are required to be removed.

The proposed new addition has not been designed in such a way as to minimise the impact on the heritage item and insufficient details have been submitted. Although insufficient detail has been lodged to properly assess the new addition, it would appear that the architectural language of the extension does not reflect the heritage significance of the building.

Further, Lucinda Varley has made detailed comments regarding the fire safety upgrade of the building and its heritage impact, noting that '*The submitted documentation for the fire upgrade of the Presbytery by Environet Consultancy Pty Ltd does not adequately document the proposed changes and the impact to the heritage building.*'

**The proposed works to the St Mary's Presbytery building are not supported on heritage grounds, due to the excessive removal of original and significant fabric. The works, as proposed, will have a major detrimental impact on the heritage item.**

It is recommended that the application either be refused, or that the applicant be requested to re-think the design of the works to have far greater regard for the significance of the building. At a minimum, the recommended amendments of the applicants own Heritage Impact Statement must be incorporated into the design. It is recommended that the applicants heritage consultant closely guide the re-design, to ensure that the works have minimal impact on the significance of the item, as required by Council controls.

## **5. Conclusion and recommendations**

For reasons outlined above, objections are raised to the proposal on heritage grounds. The proposed works are not permissible under the NSLEP and will have an unacceptable detrimental impact on the various heritage items.

As the application cannot be supported on heritage grounds, it is recommended that it be withdrawn or refused. The amount of amendment necessary for the proposal to be acceptable on heritage grounds would likely require the submission of a new development application.

**Lisa Trueman**  
**CONSERVATION PLANNER – PDS**



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**To:** Lisa Trueman  
**From:** Lucinda Varley  
**Date:** 23 September 2010  
**Re:** DA 265/10 – St Marys Presbytery and St Marys Church – Fire Upgrade and other BCA Issues  
**Documentation received 16 July 2010**

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An assessment of the proposal, with reference to Section 8.8 of the North Sydney DCP 2002 has been made with the following element of the DCP being of note with regard to the proposal:

*q. Fire Safety Upgrade – Upgrading of fire safety should have no detrimental impact on the heritage significance of the building.....*

The submitted documentation for the fire upgrade of the Presbytery by Environet Consultancy Pty Ltd does not adequately document the proposed changes and the impact to the heritage building. It is also noted that not only does the Presbytery require an upgrade but the St Marys Church storeroom does as well. There are however, no plan details submitted as to the location of this room in the Church. The Statement of Environmental Effects also states incorrectly on p4 that there are no proposed works to the Church.

The following further information is required:

1. Floor plans of the existing layout that give each room a number and a letter for each proposed room such that the details of each fire safety component can be easily located and identified, particularly with regard to the retention of heritage fabric such as ceilings when walls are to be relocated.
2. Location of proposed exit signs and direction signs. These are to be located and designed sympathetically.
3. Location of automatic fire detection and alarm systems.
4. Location of any sprinklers.
5. Proposed floor coverings to satisfy critical radiant flux not less than 2.2. Floor tiles are not recommended.
6. Treatment to the underside of the First Level floor to achieve 60 minute fire resistance to the incipient spread of fire to the First Level. A suspended fire-rated false ceiling is not to be used. (It is noted that corridor heights are to only be 2.1m height.) Intumescent paint on the ceilings or the use of early warning systems are preferred options as the ceilings have heritage significance. Ceiling roses in the 1884 component of the building and batted ceilings in the Arts and Crafts section are to be retained with their cornices.
7. Detail for the modification of the Arts and Crafts style main stair balustrade to satisfy the BCA.
8. Details of the proposed modification of the doors. Many of the existing doors are original doors and include glazed panes that provide secondary light to the otherwise dark hallways. Retention of the original doors is sought. Many of the existing doors are likely to be 35mm hardwood doors and may already satisfy the fire upgrade requirements. The application of a fire panel on the interior side is not considered a satisfactory heritage solution for the glazed doors and alternatives measures are to be investigated. This is being achieved at 59 Upper Pitt St Kirribilli in an Inter-War apartment building with glazed apartment entry doors to each apartment.
9. Detail of the glazed doors on the Ground Level within the Hallway. Frameless glazing is preferred. Does this have a fire upgrade function?
10. Location of the tactile indicators and the product proposed.
11. Location of necessary plumbing and wiring for the fire upgrade. All new services are to be concealed.
12. Location of fire hose reels and fire hydrants preferably within a cabinet/s designed to be sympathetic to the architecture of the building.
13. Location of the fire panel.
14. Whether the front door is to be modified to open outwards.
15. Detail of the lift design and confirmation that no lift over run will be required outside the roof.
16. Location of the single unisex sanitary facility to satisfy the BCA.
17. Design of the proposed ramp entry structures to the front door or preferably a less intrusive access via the verandah side entry with a redesign of the proposed bedroom.
18. Details of any mechanical ventilation, including location of the condenser units, floor or ceiling registers and the like.
19. Notations on the plan drawings for all original fireplaces, mantelpieces, ceilings, cornices, picture rails, joinery, glazing and other original features to be retained or removed.

20. Details of proposed fire upgrade to the storeroom of St Marys Church and a plan location.

It is recommended that a meeting be arranged to discuss each room separately with the architect, heritage architect and fire consultant. The documentation should locate fire fighting equipment, egress and detection system items sympathetically with regard to the character of the heritage-listed building. Fire regulations, notices and signs are also to be located sympathetically whilst having proper regard to the fire regulations. Electrical and plumbing services are to be concealed. Minimal impact should occur to the original decorative features such as the ceiling roses, batted ceilings, cornices and joinery.

Following the satisfactory submission of the above information, I would still recommend the following condition be applied.

**Heritage Architect to be Commissioned**

C16. An experienced heritage architect shall be commissioned to assist the design development, contract documentation and overseeing of construction works on the site for their duration by undertaking regular inspections of the works in progress and providing advice in relation to heritage matters.

Written details of the engagement of the experienced heritage architect must be submitted by the Applicant to the Certifying Authority prior to the issue of the Construction Certificate.

(Reason: To ensure that all matters relating to significant fabric and spaces are resolved and recorded using best practice for heritage conservation)

The project is not dissimilar to that of the fire safety upgrade of the three levels of the heritage-listed Crows Nest Hotel. The applicant in this instance was very co-operative in submitting the necessary information; however a list of heritage conditions was also imposed to ensure that the heritage fabric is retained.

**Lucinda Varley**  
**CONSERVATION PLANNER – PDS**