Heritage Impact Assessment

NEW RESIDENCE, LOT 13 SPRING COVE | ST PATRICK'S ESTATE | MANLY



December 2015

Prepared by Zoltan Kovacs Architect

42 Starling Street Lilyfield NSW 2040 **T** (02) 9660 8629 **E** yzkovacs@iinet.net.au

Contents

10	Appendix	20
9	Bibliography	19
8	Recommendations	18
7.4	CONCLUSIONS	17
	STATUTORY COMPLIANCE	15
	HERITAGE IMPACT ASSESSMENT	14
7.1	INTRODUCTION	14
7	Heritage Impact of the Development	14
	DOCUMENTS	13
	PROPOSED DEVELOPMENT	13
	INTRODUCTION	13
6	Proposed Development	13
5.3	NATIONAL TRUST	12
5.2	MANLY LOCAL ENVIRONMENTAL PLAN 2013	12
5.1	NSW HERITAGE ACT	11
5	Planning Context	11
4.2	STATEMENT OF SIGNIFICANCE	10
4.1	PRINCIPLES	10
4	Significance of the Place	10
3.3	PHOTOGRAPHS	5
	DEVELOPMENT SITE	
3.1	CONTEXT	
3	Physical Description of the Development Site	5
2	Historical Outline	2
1.5	SITE IDENTIFICATION	·
	SOURCES	1
	AUTHORSHIP	1
	METHODOLOGY	1
1.1	BACKGROUND	1
1	Introduction	1

Introduction

1.1 BACKGROUND

The architects for this project - Tobias Partners Architects - have engaged the author to assess the heritage impact of the new development on the cultural significance of the St. Patrick's Estate, Manly, which is a heritage item. The development is for a new residence located within the heritage precinct in an area earmarked for similar development. The heritage precinct is managed under the policies of the 'St Patrick's Estate, Darley Road, Manly - Conservation Management Plan (CMP)' and this report assesses the new development in terms of the cultural framework and adopted policies of the CMP; and propose appropriate actions, if necessary.

1.2 METHODOLOGY

The methodology and terminology used in the preparation of this report has been drawn from the Australian ICOMOS Burra Charter, the NSW Heritage Manual 2001 Update, and J. S Kerr's Conservation Plan (rev. edn National Trust of Australia [NSW], Sydney, 1996). References to architectural styles, where used, are based on the identifications provided by Apperly, R.; Irving, R. and Reynolds, P A Pictorial Guide to Identifying Australian Architecture (Sydney, 1989).

This Heritage Impact Assessment has been prepared in accordance with the requirements of the Manly Local Environmental Plan 2103 and the NSW Heritage Guide.

1.3 AUTHORSHIP

This report has been prepared by Zoltan Kovacs, Architect & Heritage Consultant with all the photographs, unless otherwise identified, taken by the author. The author is a conservation architect with over twenty-seven years experience in heritage conservation.

1.4 SOURCES

This heritage report relies on the 'St Patrick's Estate, Darley Road, Manly - Conservation Management Plan' for historical background and assessment of cultural significance. The relevant contemporary photographs of the place were taken by the author in November 2015, specifically for the preparation of this report.

1.5 SITE IDENTIFICATION

The development site is located in Manly in the south-west corner of 'St Patrick's Estate, at Darley Road, Manly. The development site is within an area designated for residential development located at the end of Wood Street.

The allotment is identified as Lot 13 DP 1189590.

Historical Outline¹

Prior to European settlement the land around Manly formed part of the territory of the Guringai people. The land was covered with open forest in the valleys and coastal heath on higher ground. Evidence for aboriginal occupation sites include rock engravings and paintings, shell middens, open camp site, burials and stone arrangements. Despite introduced diseases and conflict with settlers Aboriginal groups persisted in the camps (around Whistler Street) until the mid 1870s.

In 1879 the Catholic Church was granted 60 acres of land on North Head, removed from the Quarantine reserve on the condition that the Church build an education institution on the grant. Cardinal Moran, an Irish Catholic priest, who was Cardinal from 1885 until 1911, became the driving force in the establishment of St Patrick's seminary. Cardinal Moran saw the expansion of the Catholic Church in Australia as imperative; as was raising the international profile of the Australian Catholic Church within international Catholicism. He saw the establishment of what was to become the largest seminary in Australasia as a critical component of this plan.

The establishment of St Patrick's began with the construction of the Archbishop's residence, known colloquially as the "Cardinal's Palace", between 1884 and 1886. Designed by architects Sheerin and Hennessy and oriented with a south westerly aspect, apparently towards St Mary's Cathedral, the sandstone for its construction was sourced locally.

Sheerin and Hennessy also designed the main college building - Moran House - in 1885. Moran's influence over the project is evident in the use of his initials and insignia through the detailing of the building. The stone for the building's construction was sourced from a different location due to the poor quality of that used in the Archbishop's Residence.

A Recreation Centre was constructed to the rear of Moran House in 1910, and was the first of many sporting facilities built on site. Other facilities included the harbor pool (1880 and 1923), oval (1910), the basketball and handball courts (1910), the tennis courts (1927/1937), and the swimming pool (1957).

The seminarians were also responsible for many of the landscaping works throughout the grounds, possibly reflecting the influence of the fledgling localised Australian culture and environment over the predominantly Irish ideology of the Catholic Church in Australia at that time, which generally saw manual labour as below the Priesthood.

In 1914, the Church partitioned the NSW Government to be allowed to lease portions of the granted land to assist with raising income for the upkeep of the buildings and grounds. The Church divided some of the land to at the north of the property (located on what is now Bower Street and Montpelier Place), and in 1915 raise £40,000 in a very successful sale/100 year lease.

It was around the same time that the defence force required the construction of the extension of Darley Road in order to access facilities on North Head, effectively dividing the

1 Largely drawn from the Inventory Sheet of the St. Patrick's Estate http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2020527 site in two. The grounds for the road extension were actually dedicated in 1887, however the road was not constructed until World War 1 due to renewed activity at the adjoining defence lands. As a consequence of this, the large sandstone walls along the new Darley Street frontages were constructed.

In 1926, the decision was made to relocate the nuns from the Order of Our Lady Help of Christians to St Patrick's to undertake the domestic management and service at the seminary. 1935 saw the opening of the Cardinal Cerretti Memorial Chapel, the final element of Moran's plan for St Patrick's, some 20 years after his death. The building was named after the first Papal delegate to visit Australia in 1915, and was designed by Hennessey, Hennessey and Co.

In 1954 Kelly House was constructed to the north-east of Moran House to accommodate the growing number of seminarians.

Gilroy House (demolished in 2005), was built in 1961 to the south-west of the Archbishop's Residence to house the new post-graduate programs being offered, which were opened up for the first time to lay people, including women, and Christians of other denominations.

By the mid 20th Century, the prominence of St Patrick's as an institution within the Catholic Church began to wane due to the establishment of other seminaries throughout the country.

The mid-1970s saw the Church commence a 20 year attempt to subdivide the site for residential development. This was finally achieved in the mid-1990s. In 1993, Cardinal Clancy made the decision to relocate clerical studies to Strathfield, thus ending over 100 years of seminary activities on the site. At that time, the Catholic Church commenced plans to lease Moran House to be adaptively reused as an international hotel school, and entered into a partnership with Lend Lease to redevelop certain parts of the site.

Since that time, various areas of the site have been redeveloped, including the construction of Bear Cottage, and residential development along the northern boundary, the southeastern corner, along the north western boundary and south-west of the Archbishop's Residence down towards Spring Cove.

The demolition of Gilroy House and remediation of the land around it were completed in 2005. In 2008 a Development Application was approved for the subdivision of the land into individual 22 residential lots and public domain lots; 16 apartment sites; construction of individual residences and associated civil and landscape works for gardens, access roads, paths, drainage and underground car parking.



Figure 1 | *Moran House in 1894* (Source: Power House Museum Photographic Collection)



Figure 2 | Aerial view of St. Patrick's College by Frank Hurley (Source: National Library, nla-pic-an23817281)

Physical Description

3.1 CONTEXT

St Patrick's Estate is a complex cultural landscape comprising significant buildings, grounds, gardens and landscape features, which include not only remnant native ecological communities but also man-made walls, pathways and significant planted trees. It is magnificently sited on the northern slopes of North Head between Shelly Beach (Cabbage Tree Bay) and Spring Cove overlooking both Manly Beach and parts of Sydney Harbour. Moran House with its Gothic Revival turreted form located prominently on the headland is a striking landmark in the Manly area and one of the iconic local features. The isolated cliff top area, located at the north-eastern extremity of the site remains undeveloped consisting of native coastal heath, which is identified as a significant Bandicoot habitat.

The Estate is divided by Darley Road into two unequal segments. The northern part of the estate is occupied by the International College of Tourism & Hotel Management centered on Moran House. This larger northern part also includes the Ceretti Chapel, Kelly House and St. Therese's Convent. A small portion of the site in its north-western corner was given over to residential developments.

The smaller southern segment, which looks towards Spring Cove, includes the former Archbishop's Residence and St. Paul's College. Gilmore House which was located roughly in the centre of the segment has been demolished. Since 2008 this part of the Estate has been the subject of development at a furious pace and the newly created suburban lots near Wood Street and Osborne Road have been mostly developed. The subject site is one of the last remaining undeveloped greenfield sites. The estate is flanked on the west by suburban development typical of Manly comprising detached residences and residential flat buildings ranging from Inter-war three storey walk-ups to multi-storey Modernist towers. To the east the estate adjoins Manly Hospital and the Military Reserve surrounded by the bushland setting of Sydney Harbour National Park.

3.2 DEVELOPMENT SITE

The development site is an irregular allotment created in 2008 at the south-western corner of the estate designated for residential redevelopment. The allotment is located at the end of Wood Street, but it is only accessible through the private road commencing at the Osborne Road gate.

The land has been cleared and it now features a sandstone base partially covered with grasses. The land gently falls towards the bay. There is no evidence of significant landscape features - such as steps and walls - on the land. The land is backed by new large residential developments, all executed in the currently fashionable Modernist Revival style.

3.3 PHOTOGRAPHS

The photographs on the following pages describe the site in its setting.



Figure 3 *View of private road leading to the development site*



Figure 4 | *View of new developments above the subject site*



Figure 5 *View of the entry to the development site looking south-west*



Figure 6 | View towards the development site from the public park at Spring Cove



Figure 7 *View from the site looking north towards recently completed residences*



Figure 8 | View of the site towards Spring Cove



Figure 9 | View from the site looking west



Figure 10 | View of the site from the public park below

Assessment of Significance

4.1 PRINCIPLES

The concept of 'cultural significance' or 'heritage value' recognizes the value of a place or item, which cannot be expressed in monetary terms. Assessment of cultural significance attempts to establish the foundations on the basis of which a place or an item is valued by the community. Cultural significance is embodied in the fabric of the place, in its setting and its relationship to other items, the records associated with the place and the response that the place evokes in the community. Both the Burra Charter of Australia ICOMOS and its Guidelines for Assessment of Cultural Significance; and the NSW Heritage Manual prepared by the NSW Heritage Office recommends that significance be assessed in categories such as aesthetic, historic, scientific and social significance. The NSW Heritage Manual includes two additional criteria for assessing the comparative significance of an item.

Since the preparation of the NSW Heritage Manual, the NSW Heritage Act 1977 was amended in 1999, and again in 2000. Under this amendment the NSW Heritage Council has adopted revised criteria for assessment of heritage significance. The evaluation of cultural significance is based on the adopted approach and the results of the assessment are incorporated into a statement of significance, which is usually included in the inventory sheet of a heritage item.

4.2 STATEMENT OF SIGNIFICANCE

For consideration of heritage impacts within the St. Patrick's Estate, its statement of significance offers a detailed conceptual framework:

"St Patrick's Estate is a site of national heritage significance. The unparalleled grandeur of the cultural landscape, including its setting, buildings and landscape components, as well as the history it embodies, reflects a unique physical manifestation of the Catholic Church in Australia, not seen in any other location in the country. The site exemplifies an important period in the Church's history in Australia, as well as the vision of Cardinal Moran, and for that reason has great significant to Australian Catholics, as well as the broader community.

The built elements, particularly Moran House with its Gothic Revival architectural style, reflect both the romanticism of Cardinal Moran's vision for the Australian Catholic Church, as well as the austere nature of the Church at that time. Sited on the prominent northern side of North Head, overlooking Manly and the surrounding area, St Patrick's has become a landmark recognised by locals and visitors alike. Despite recent redevelopments of parts of the site, and the adaptive reuse of the key buildings, the site has retained its integrity and still presents as a cohesive whole."

Planning Context

The St. Patrick's Estate is affected by a number of statutory and non-statutory controls, guidelines and lists that are relevant to this assessment of heritage impacts. They are as follows:

- ◆ NSW Heritage Act 1997
- Manly Local Environmental Plan 2013
- National Trust of Australia (NSW) Register

5.1 NSW HERITAGE ACT 1977

5.1.1 State Heritage Register

The State Heritage Register is a list of heritage items of particular importance to the people of NSW. It includes items and places of state heritage significance endorsed by the Minister on the recommendation of the Heritage Council. It came into effect on 2 April 1999 and it was created under the Heritage Amendment Act 1998 and replaces the previous system of Permanent Conservation Orders as a means of protecting items of State significance.

Currently the State Heritage register includes all items formerly protected by Permanent Conservation Orders and items identified as having State significance in heritage and conservation registers prepared by State Government agencies received by the NSW Heritage Office prior to 2 April 1999. Items on the State Heritage Register require approval from the Heritage Council of NSW for certain works.

'St. Patrick's Estate' is included in the State Heritage Register as item No. 01724, however the development site is affected by a number of exemptions established under Section 57(2) of the Act which are listed on the Inventory Sheet.

5.1.2 Interim Heritage Orders

Interim Heritage Orders can be made under Part 3 of the Heritage Act either by the Minister or, where authorised, a Local Government Council. Interim Heritage Orders replace the previous Interim Conservation Orders and orders made under Section 130. They are effective for a maximum period of twelve months.

The subject site within the 'St. Patrick's Estate' is not affected by any Interim Heritage Orders.

Conservation Management Plans

Section 38A of the Heritage Act provides for endorsement of a conservation management plan prepared for a place included on the SHR. Endorsement of a CMP by the Heritage Council of NSW facilitates assessments of development proposals and their approval. They also allow for site-specific exemptions to be put in place for certain works that are consistent with the CMP. The current CMP for St Patricks Estate, prepared in 2002 by Tanner Architects, was endorsed by the Heritage Council on 2 April 2003. I note that the endorsement expired on 2 April 2008.

5.1.3 Archaeological 'Relics'

Under Section 57(1) of the Heritage Act, a permit is required for the excavation of relics, unless there is an applicable gazetted exemption. Pursuant to Clause 139 of the Heritage Act, an excavation permit is required where excavation is proposed and there is reasonable knowledge or likelihood that disturbance or excavation of the land will result in a relic being discovered, exposed, moved, damaged or destroyed.

The St Patricks Estate site has been identified as having potential to contain historical archaeological relics of local heritage significance, however the subject development site is located on recently cleared disturbed land.

There is no evidence or likelihood that excavation of the subject land within the 'St. Patrick's Estate' may disturb relics as defined by the Act. The endorsed Archaeological Zoning Plan prepared by Casey & Lowe in 2004 has identified the subject land as having 'No' archaeological significance, therefore a standard exemption under Section 57(2) of the Act applies to it.

5.2 MANLY LEP 2013

The Manly Local Environmental Plan 2013 is a statutory plan adopted by Manly Council. The objectives of this plan are to identify heritage items and heritage conservation areas and to provide measures for their protection, conservation and enhancement; and to ensure that new development is undertaken in a manner consistent with their cultural significance.

'St. Patrick's Estate' is listed as a heritage item (Item 131) under Schedule 5 of the LEP. Section 6.19 of the LEP contains specific provisions for development within the St. Patrick's Estate. The land is identified as being within Precinct 12 of the Key Sites Map (Map 006A).

5.3 NATIONAL TRUST

The National Trust of Australia (NSW) is a community-based conservation organisation. The Trust has assembled a Register of heritage items and conservation areas through the assessment work of its expert committees. While the Trust has no legal status, it is considered to be an authoritative guide to heritage significance, and the Trust acts a lobby group for heritage conservation.

'St. Patrick's Estate' is classified by the National Trust of Australia (NSW) as Item 9926.



Proposed Development

6.1 INTRODUCTION

The proposed development was prepared in a manner consistent with the cultural significance of the Estate to ensure that its cultural heritage remains undiminished, while meeting the reasonable expectations of its designers.

Advice was sought from a heritage consultant at an early stage and extensive consultation was undertaken between the architect and the consultant. The design development incorporated relevant conservation advice and the proposal before council reflects a satisfactory resolution of any raised heritage issues.

6.2 PROPOSED DEVELOPMENT

The development, which is minor in its impact in terms of heritage conservation issues consists of a number of interrelated elements, as follows:

- construction of a new free standing two storey dwelling on a greenfield site consisting of a two storey wing connected to a single storey garage/service wing by a glazed link; and
- associated site landscaping with a swimming pool.

No work is undertaken affecting culturally significant elements of the Estate.

6.3 DOCUMENTS

The development is also described and documented in drawings prepared by Tobias Partners Architects Pty Ltd. This heritage assessment was based on the plans submitted as aprt of a development application.

Heritage Impact of Development

7.1 INTRODUCTION

St. Patrick's Estate' is listed as a heritage item under the existing statutory controls of the Manly Local Environmental Plan. It is also on the State Heritage Register and it is managed by an endorsed site specific Conservation Management Plan (CMP).

The development site is Lot 13 located within Precinct 12 of the LEP, which formed part of Area A - Spring Cove identified under the CMP as suitable for residential development. The area has already been the subject of intense redevelopment since 2008, when the precinct was subdivided. There are no heritage issues, which are still relevant for the development site.

7.2 HERITAGE IMPACT ASSESSMENT

Does the proposed development affect the view cone from the Archbishop's Residence?

The proposed development is located at the most distant extremity of the Estate. It is the last allotment in the greenfield subdivisions to propose construction. The proposed dwelling bulk is markedly smaller than surrounding development.

The proposed development will not affect the significant view cone from the Archbishop's Residence.

Is the proposed development within 10 metres from land in Zone E1 National Parks and Nature Reserves?

The proposed development is located well outside land in Zone E1.

The requirement is satisfied.

The CMP has identified a number of policies for new development in Area A (it generally corresponds to Precinct 12) under Section 6.8.2 Conservation Guidelines which need to be met, as follows:

Architectural Considerations:

Planning: To preserve visual glimpses to and from the Archbishop's Residence in accordance with Fig 6.1.

The relatively small bulk of the development and its low level location ensure that there is no impact on the view cone.

The policy is satisfied.

Height: New construction should retain and conserve glimpses of the Harbour from the Archbishop's Residence. Maximum height of 9.5 metres above natural ground line. Generally, buildings are not to exceed 2 storeys wholly above ground level.

The maximum height of the development is 6.96 metres above finished ground level. Only part of the building is two storeys.

The policy is satisfied.

Density: Precinct 10: 24 dwellings maximum.

This policy is not relevant for the subject development.

Built Form and Materials:

Residential built forms should step up the site, envelope acknowledging its natural topography. Finishes should sit comfortably with the bushland surrounds. The form of the building is articulated and sited across the land contour. The predominant use of timber cladding acknowledges the bushland setting. The policy is satisfied.

7.3 STATUTORY COMPLIANCE

7.3.1 Heritage Act

The proposals are consistent with the provisions of the Heritage Act.

7.3.2 Manly Local Environmental Plan 2013

The St. Patrick's Estate is a listed heritage item under the LEP. The relevant causes of the plan provide under Part 5.10 Heritage conservation:

(1) Objectives

The objectives of this clause are as follows:

- to conserve the environmental heritage of Manly, (a)
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- to conserve Aboriginal objects and Aboriginal places of heritage significance. (d)

(2) Requirement for consent

Development consent is required for any of the following:

- demolishing or moving any of the following or altering the exterior of any of the (a) following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- disturbing or excavating an Aboriginal place of heritage significance, (d)
- (e) erecting a building on land:

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

.....

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- on land on which a heritage item is located, or (a)
- (b) on land that is within a heritage conservation area, or
- on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Furthermore, the Plan provides generally under 6.19 and specifically for Precinct 12 the following:

6.19 Development in St Patrick's Estate

- (1) The objectives of this clause are as follows:
 - (a) to protect the heritage significance, including the archaeological, natural and cultural heritage values, of St Patrick's Estate,
 - (b) to ensure that development does not detract from the heritage significance of Moran House, Cerretti Chapel, St Therese's Convent and the Archbishop's Residence,
 - (c) to ensure that any new buildings or structures in St Patrick's Estate are sympathetic in scale and built form to the heritage items that are situated in St Patrick's Estate.
- (2) This clause applies to land in St Patrick's Estate.
- (3) Development consent must not be granted to development on land in:

(j) "Precinct 12", as identified on the Key Sites Map, unless the consent authority is satisfied that the development will not involve the erection of a building within 10 metres of land in Zone E1 National Parks and Nature Reserves,

The foregoing has demonstrated that the development is compatible with the cultural significance of the heritage item and it meets the specific provisions of the LEP.

The development complies with the heritage provisions of the LEP.

7.4 CONCLUSION

Having examined the heritage impact of the development on the cultural significance of the heritage item under the guidance of the Conservation Management Plan, the following can be concluded:

- The proposed development generates negligible impacts in terms of the Estate and therefore the environmental and European cultural heritage of Manly is not affected.
- The proposed development represents a work of high architectural merit and it will provide a new layer of cultural value to the built environment of Manly.

Recommendations

Having assessed the significance of the place and the heritage impact of the proposed development the following are recommended:

- that Council should consent to the development in recognition of its lack of adverse heritage conservation impacts.
- that Council should take into consideration that an EXEMPTION NOTIFICATION FORM - S.57(2) NSW Heritage Act was lodged with the Heritage Office when assessing this application.

Signed

ZOLTAN KOVACS B. Arch (Hons)

ARCHITECT

Bibliography

Apperly, R.; Irving, R.; and Reynolds, P 'A Pictorial Guide to Identifying Australian Architecture' (Sydney, 1989)

Kerr, J. S'Conservation Plan' (rev. edn National Trust of Australia [NSW], Sydney 1996)

Tanner Architects 'St Patrick's Estate, Darley Road, Manly - Conservation Management Plan; Vol 1 & Vol. 2' (October 2010)

Manly Local Environmental Plan 2013

'The Australian ICOMOS Burra Charter' (November 1999 update)

'The NSW Heritage Manual 2001 Update' (rev. edn. NSW Heritage Office, Sydney 2001)

10 Appendix

