

9 December 2019

Northern Beaches Council
Attention: General Manager
PO Box 82
Manly, NSW 1655

To whom it may concern,

PROOF THAT THOMAS ROWE ARCHITECT DID NOT OWN, DESIGN OR BUILD ROSEVILLE COTTAGE

21 WHISTLER STREET, MANLY

1. Overview

On behalf of our client, URBAN PARTNERS, Heritage 21 makes the following submission to be urgently considered by Council in relation to the proposal to impose an IHO on the subject site, at the Council Meeting on 9 December 2019. In this submission, Heritage 21 comments below on the analysis of the heritage issues relating to the site contained in the Assessment of Heritage Significance of the Site conducted by Robertson and Hindmarsh (as part of a Heritage Report), 1 July 2019 (Appendix I). It is noted that Appendix I is contained in the documentation before Council for the meeting on 9 December 2019.

It is imperative to note that the above Assessment of Heritage Significance for the Site is based on the assumption that Thomas Rowe owned, designed and built 'Roseville'. We do not agree that is the case. To the best of our knowledge, no research into the heritage aspects of the Site has uncovered any evidence which corroborates the contention that 'Roseville' (the house and the outbuildings on Whistler Street) was owned, designed and built by Thomas Rowe. At the same time, it is noted that it is not in contention that Thomas Rowe stayed at 'Roseville' from time to time, around the time of his tenure as the first Mayor of Manly (c.1877 - 1879).

2. Primary Research Supporting the Assertion that Thomas Rowe did not Own or Design 'Roseville' at 21 Whistler Street, Manly

(a) Ownership of the Site 1875

We attach a letter dated 3 December 2019 with Schedule and Indenture (Appendix II), addressed to Pavilion Residences No. 3 Pty Ltd from O'Brien Connors & Kennett Lawyers. In the letter O'Brien Connors & Kennett Lawyers state that the Indenture sets out that on 21 May 1875 the Site was conveyed to:

'...Sydney Moore Green in its entirety, for the sum of 173.13 (pounds), which was paid to the vendors on 21 May 1875.'

Thus, the Indenture confirms that Thomas Rowe did not own the Site.

The same letter states that the Indenture of 21 May 1875 granted:

'...a right of residency to Charlotte Jane Rowe, granting her "sole and separate use" of the subject property during her life'.

Charlotte Jane Rowe was Thomas Rowe's wife on 21 May 1875 and according to O'Brien Connors & Kennett, the Indenture also states that upon her passing Sydney Moore Green or his heirs would take possession of the premises. The above references to Charlotte Rowe's 'sole and separate use' and to the ability for Sydney Green

to 'take possession of the premises' is a virtually irrefutable indication that there was a building on the land conveyed to Sydney Green, which included the Site, by May 1875.

(b) Design and Construction of 'Roseville'

As Thomas Rowe did not own the Site, it is hardly surprising that this primary source (the Indenture) implies that he did not design or build the house and outbuildings 'Roseville' and that they were already in situ by May 1875.

In addition to Rowe's wife being granted a life interest and separate use of the property in 1875, 'premises' are mentioned on the Site in the 1875 Indenture, which pre-dates Rowe's move into local politics in the Manly area. That would support the view that 'Roseville' was built by 1875 and a convenient address for Rowe to use as he planned his move to be involved in the formal establishment of the Manly township.

Advertisements in 1879, 1880, 1881, 1883 and 1885 (Appendix III) also support the assertion that 'Roseville' was not designed by Thomas Rowe. Published around the time Rowe vacated his Mayoral seat in Manly (c.1879), while Rowe continued to practise as a prominent Sydney architect, none of these advertisements reference or attribute the design of 'Roseville' to Thomas Rowe. Such attribution would surely have been an obvious marketing tool and selling point in these advertisements which refer to the sale or letting of 'Roseville' and/or the furniture and effect at 'Roseville'. This logically points to and corroborates the assertion that 'Roseville' was not designed by Thomas Rowe.

It is noted that the Obituaries for Thomas Rowe in The Sydney Morning Herald ,16 January 1899, and The Australian Town and Country Journal, 21 January 1899, make no mention of Rowe's architecture in the Manly context (Appendix IV).

3. Dimensions of building on the Site in relation to the 'Roseville' outbuildings

An inspection of the subject building was carried out as recently as 7 December 2019. The inspection was carried out by Paul Rappoport – Conservation Architect and Heritage Consultant. In particular, a close inspection of the brickwork and jointing used was inspected and found to be more akin to a 1920s construction typology and not that of an 1870s construction. The joints are wide and cementitious indicating materials only available by the 1920s and not of an earlier construction. Please refer to Appendix V of this report.

4. Modifications of the Existing Dwelling (on the site of the former 'Roseville' Outbuildings)

On 7 December 2019 Heritage 21 conducted a further site visit and physical analysis of the fabric on the Site. As a result of that visit Heritage 21 contends that there is no so-called 'original fabric' or 'remnant fabric' dating to the c.1870s within either the central rooms of the one storey former Service Wing, or any part of the Site. Heritage 21's inspection of the site reveals construction methodology (brickwork) closer to that of the 1920s than that of the 1870s. This is corroborated by the information contained in Appendix V of this report. Appendix V contains a letter from Norton Survey Partners dated 6 December 2019. The 1920 survey indicates that there was a stone building where the current building now stands, and the 1950 survey indicates a brick building where the current building now stands. This indicates that every remnant of Roseville cottage and its service wing was demolished sometime between 1920 and 1950. Accordingly, there cannot be any fabric remaining from the original 1870s construction of Roseville.

Perhaps add While Heritage 21 accepts that 'Roseville' was in all likelihood a local landmark before the Roseville homestead was demolished in the early 20th Century, this does not alter the fact that the extant building bears little/ or no relationship to the 'Roseville' outbuildings.

5. Comments on the Robertson and Hindmarsh Assessment of Heritage Significance for the Site dated 1 July 2019

The Robertson and Hindmarsh Assessment is based on an assumption which has not been established by primary or secondary sources that Thomas Rowe owned and designed 'Roseville'. For the reasons set out above, in the O'Brien Connors & Kennett Lawyers letter and Indenture, we refute the assertion that Thomas Rowe either owned or designed 'Roseville'.

It is unclear whether or not the author of the Assessment has visited the Site and conducted a fabric analysis.

Heritage 21 has visited that Site as recently as 7 December 2019, as described in paragraph 4 above.

Turning to the Robertson and Hindmarsh Assessment 1 July 2019:

Clause 7.1 Criterion (a) (Historical Significance)

In our opinion within the 'Discussion' it is spurious to mention Thomas Rowe's other houses such as 'Tresco' and 'Villa Caprera' and their listing on the State Heritage Register because 'Roseville' was not Rowe's design and the villa homestead was demolished over a Century ago. Also, the Site does not contain remnant fabric from 'Roseville' which can inform a reading of the Site as a substantial suburban villa and nor does it have any ability whatsoever to inform the viewer of the late 19th Century separation between villa and services block.

The Discussion mentions Rowe's work in the area of health and sanitation in relation to the Site and cites the separation of the kitchen, wash house and closet facilities as part of the 'underlying significance' of the site. However, as acknowledged by Robertson and Hindmarsh, the Site effectively contains no remnant fabric relating to the kitchen and wash house and there are no above ground remains of the earth closet (paragraph 4 under 'Discussion'). In addition, later in the Assessment, it is concluded that the Site does not meet the threshold for heritage significance under Criterion (e) (Research Potential) which includes potential archaeological remains and presumably the potential to unearth sanitation fabric. It is therefore confusing in this Assessment under Criterion (a), paragraph 4, where it states: 'Evidence may remain of the underground water tank/cistern'.

We do not agree with the 'Conclusion' or that the Site meets the requisite standard under this criterion, as analysed. The Site has been so altered it can no longer provide significant evidence of the human activity and the particular historical phase which has been highlighted by Robertson and Hindmarsh as the basis for significance under Criterion (a).

Clause 7.2 Criterion (b) (Associational Significance)

The statement that the Site: 'was designed by architect, Thomas Rowe.' has not been supported by primary or secondary sources and we have set out above why we find the veracity of the statement to be unreliable if not false. Essentially, this statement appears to underpin the Robertson and Hindmarsh finding of significance under this criterion.

While we accept that Thomas Rowe championed the construction of a healthier environment in Manly, we do not accept that the Site can demonstrate the provision of a healthy urban environment as it has been modified and degraded beyond recognition and nor would this necessarily be a valid inclusion criterion under this Criterion (b).

While Thomas Rowe lived at 'Roseville' from time to time over an approximately three to four-year period, the connection of the site with Thomas Rowe is incidental within his life and work/designs.

We do not agree with the 'Conclusion' that the Site meets the requisite standard under this criterion.

Clause 7.2 Criterion (c) (Aesthetic Significance)

While we agree that Rowe was a talented architect/designer and instrumental in instituting Council by-laws relating to sanitation in Manly, we strongly reject the premise that Rowe designed 'Roseville'. Further, there is little or no remnant fabric from the c. 1870s at the Site, such that the Site is incapable of meeting the requisite threshold. Not only has the site lost its design and technical integrity, the speculative technical achievements of the site postulated by Robertson and Hindmarsh, if any, would not have been the design of Thomas Rowe in any event.

The numerous demolitions and modifications over time of the services outbuildings of 'Roseville' render the c. 1870s site more than temporarily degraded.

The Site may well have been the services wing of the residence of the first Mayor of Manly, Thomas Rowe, but as he did not design the place and there is no evidence of the early 'provision of healthy urban environments' at the Site, we do not agree that the Site demonstrates a significant technical achievement and **thus the Site does not meet requisite threshold under this criterion.**

Clause 7.2 Criterion (d) (Social Significance)

We agree that the Site does not meet the requisite threshold under this criterion.

Clause 7.2 Criterion (e) (Technical/Research Potential)

We agree that the Site does not meet the requisite threshold under this criterion.

Clause 7.2 Criterion (f) (Rarity)

In paragraph 2 above we have provided primary evidence that 'Roseville' was not owned and almost certainly not designed by Thomas Rowe as it was most likely built by May 1875. There is no primary evidence produced by Robertson and Hindmarsh that 'Roseville' was designed by Thomas Rowe. We believe that the fabric on the Site does not contain a coherent reading of a nineteenth century outbuilding because there is little or no original fabric remaining from the 1870s construction.

The Assessment by Robertson and Hindmarsh concludes under Criterion (a) that there are: '...no above-ground physical evidence remains of the earth closet. Evidence may remain of the underground water tank/cistern.'. Despite the statement regarding the potential for an underground water tank etc, Robertson and Hindmarsh find that Site has no research or archaeological potential under Criterion (e).

As the Site is denuded of c.1870s fabric, and has no research potential, it is our opinion that it cannot be rare under this criterion. We do not agree with the premise in this part of the Assessment that the Site can be deemed to be: '...the only large nineteenth century outbuilding surviving in the Manly Town Centre and is rare as a physical manifestation of a way of life that has been made redundant by the provision of piped water supply and piped sewerage service...'.

The Site does not meet the requisite threshold under this criterion.

Clause 7.2 Criterion (g) (Representativeness)

We agree that the Site does not meet the requisite threshold under this criterion.

Statement of Significance

The Statement of Significance is predicated on the basis that Rowe designed 'Roseville', notwithstanding the evidence we have produced today that Rowe did not own 'Roseville' and there were premises at the Site in May 1875, before Rowe moved to Manly to take up local politics there.

Every paragraph in the Statement of Significance refers to Rowe's design of 'Roseville' which we contend to be inaccurate and unsubstantiated.

Conclusion

Based on our Site visits on both 6 September 2018 and 7 December 2019, it is our view that in terms of retaining the heritage significance of the site, the horse has bolted. The cautious approach to the modification of a place advocated by the Burra Charter, to do as much as necessary to care for the place but otherwise change it as little as possible so as to retain its cultural significance, simply has not occurred at the Site and numerous modifications have been allowed by Council over time such that the integrity of the place is no longer coherent and incapable of constituting a criterion for local heritage listing.

It would appear that it is for this reason that the attached detail from a Schedule for the Site (Appendix VI), which we understand was prepared as part of the Report Manly's Sustainable Heritage, Clive Lucas Stapleton, 12 February 2008, states: 'A nineteenth century house...It has lost its domestic context'. While we do not agree that the Site contains a 19th Century house, in our view the place has clearly lost its context. Heritage 21 notes that the Site has never been listed, after careful consideration in the past including at the time of the Clive Lucas Stapleton 2008 review, because of its lack of legibility and context.

On the basis of our conclusion, based on primary evidence, that Thomas Rowe did not own or design 'Roseville' and that there is virtually no remnant fabric from the 'Roseville' era, we respectfully urge Council not to impose a heritage listing on the Site because in our view the integrity of the Site has been more than temporarily degraded. At least, we ask that Council allow more time for the divergent heritage conclusions to be further researched by an impartial party, as directed by Council.

Yours sincerely,



Paul Rappoport – Heritage Architect

Director

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Member of Society of Architectural Historians - SAHANZ

Member of Australia ICOMOS – M. Australia ICOMOS

Member of The Institute of Historic Building & Conservation - IHBC

Member of International Planning History Society – IPHS

Member of The Twentieth Century Heritage Society of NSW Inc.

Appendix I

Assessment of Heritage Significance of the Site Robertson & Hindmarsh, 1 July 2019



Further Investigation & Comparative Review
21 Whistler Street, Manly
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This comparative survey using the 1890 plans and the current aerial photographs of the area concluded that no large pre-1890 outbuildings, other than the subject building at 21 Whistler Street, remain in the Manly Town Centre. Small outbuildings, such as outhouses, may remain but they were too small to see on the current aerial photographs. In Manly there are very few listed buildings erected between the 1850s when the suburb was first laid out as a villa subdivision and 1875 when "Roseville" was built. The heritage listings include a pair of Gothic Revival style houses at 80-82 Pittwater Road, (1202 and 203), a Gothic Revival Style villa at 226 Pittwater Road (1212) and a large house (now subdivided) on land once owned by Rowe (possibly Dun Aros II 15). The architect of these buildings has not been identified on the listings, however, at least one of the buildings is probably Rowe's work. He may have sold the land he owned with a design. The semi-detached timber houses could be the work of Rowe but could also be designed by the architects Thornley and Smedley or Benjamin Backhouse who also undertook work in the area.

7.0 Assessment of Heritage Significance

The criteria used to assess the significance of this property are the criteria contained within the 2001 NSW Heritage Office publication, *Assessing Heritage Significance*, which were gazetted in April 1999. Contained within that publication are guidelines to assist in determining whether an item or place could be included or should be excluded from listing as a heritage item at either the State or Local levels.

7.1 Application of the Assessment Criteria to 21 Whistler Street, Manly

The following section analyses the elements of No. 21 Whistler Street that do and do not meet the NSW Heritage Council's criteria for heritage listing.

Criterion (a) An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for INCLUSION

- shows evidence of a significant human activity
- is associated with a significant activity or historical phase
- maintains or shows the continuity of a historical process or activity

Guidelines for EXCLUSION

- has incidental or unsubstantiated connections with historically important activities or processes
- provides evidence of activities or processes that are of dubious historical importance
- has been so altered that it can no longer provide evidence of a particular association

Discussion:

No. 21 Whistler Street, Manly dates from a significant phase in the development of New Brighton (later Manly), prior to the formation of the municipality, as a villa suburb, with the quality of the building stock controlled by the scale of the lots in the subdivision. This remnant of "Roseville" is a physical demonstration of the series of substantial speculative suburban villas set in large grounds designed and erected for professional men by Thomas Rowe within villa subdivisions during the 1860s and 1870s, including "Tresco" and "Villa Caprera" in Elizabeth Bay and "Roseville" at Manly. Thomas Rowe's examples at Elizabeth Bay are listed on the State Heritage Register.

This remnant of the New Brighton Estate is significant in terms of its rarity and for its historical significance as a physical remnant of this period of villa development in Manly.

The underlying significance of this remnant of "Roseville" is that the separation of the kitchen, washhouse and earth closet facilities in a separate wing, connected by a covered walkway to the main house, demonstrates the architect's, Thomas Rowe's, attention to the requirement for health and sanitation in an urban location that did not have any municipal services such as a piped water supply or a piped sewerage system. In order to ensure health, he eschewed the usual cesspit so that there was no cross-contamination between the contents of the cesspit and the underground water storage cistern that was required to ensure drinking and bathing water. Whilst such a separation may seem to be anachronistic it, in contrast, was very much concerned with the future health of the inhabitants of Sydney. As the first Mayor of Manly, Thomas Rowe drafted and introduced by-laws that enshrined the practice he pioneered at "Roseville" in banning cesspits and requiring the use of earth closets that had to be serviced from a rear street or service lane (and not through the house).

In addition, the separation of the kitchen from the main house not only kept cooking smells out of the house but also restricted any possible spread of fire from the Kitchen to the main house. However, no above-ground physical evidence remains of the earth closet and no evidence of the original Kitchen remains (other than the



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room volume, door, window, chimney breast, hearth and chimney). Likewise, no physical evidence of the Wash House remains other than the room volume. Evidence may remain of the underground water tank/cistern

Significance:

No. 21 Whistler Street, Manly is associated with a significant phase in the development of New Brighton (later Manly), prior to the formation of the municipality, as a villa suburb, with the quality of the building stock controlled by the scale of the lots in the subdivision. This remnant of the New Brighton Estate is of Local Significance in terms of its rarity and for historical significance.

The remnant of "Roseville" demonstrates the series of substantial speculative suburban villas set in large grounds designed and erected for professional men by Thomas Rowe within villa subdivisions during the 1860s and 1870s, including "Tresco" and "Villa Caprera" in Elizabeth Bay and "Roseville" at Manly.

Conclusion:

No. 21 Whistler Street meets the requirements for the criterion of historical significance because it:

- shows evidence of a significant human activity
- is associated with a significant activity or historical phase

Criterion (b): An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for INCLUSION

- shows evidence of a significant human occupation
- is associated with a significant event, person, or group of persons

Guidelines for EXCLUSION

- has incidental or unsubstantiated connections with historically important people or events
- provides evidence of people or events that are of dubious historical importance
- has been so altered that it can no longer provide evidence of a particular association

Discussion:

No. 21 Whistler Street, Manly was designed by architect, Thomas Rowe. Rowe was a prominent architect in the mid- to late-nineteenth century who championed the construction of healthier urban environments and the construction of urban service infrastructure such as piped water supply and piped sewerage services. After petitioning the government to establish the Municipality of Manly and, as the first Mayor of Manly, Rowe wrote and promulgated by-laws that encapsulated his pioneering work on health and sanitation. His house, "Roseville", incorporated these principles and was a working example of those principles. The remnant of "Roseville" at No. 21 Whistler Street is the physical manifestation of part of that important section of the house demonstrating Rowe's health and sanitation principles, (ie the separate kitchen, washhouse and earth closet facilities).

Thomas Rowe was also instrumental in the establishment of the Institute of Architects of NSW (the precursor of the Royal Australian Institute of Architects).

Significance:

No. 21 Whistler Street, Manly is associated with a significant human occupation (ie the provision of healthy urban environments) as well as with a significant person, Thomas Rowe, the first Mayor of Manly, and one of the founders of the Institute of Architects.

Conclusion:

No. 21 Whistler Street meets the requirements for the criterion of historical association significance because it:

- shows evidence of a significant human occupation
- is associated with a significant person



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Criterion (c): An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

Guidelines for INCLUSION

- shows or is associated with, creative or technical innovation or achievement
- is the inspiration for a creative or technical innovation or achievement
- is aesthetically distinctive
- has landmark qualities
- exemplifies a particular taste, style or technology

Guidelines for EXCLUSION

- is not a major work by an important designer or artist
- has lost its design or technical integrity
- its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded
- has only a loose association with a creative or technical achievement

Discussion:

Along with George Allen Mansfield, Thomas Rowe was one of the two leading designers of substantial residential buildings in Sydney during the 1870s, both of whose work had become known throughout the Pacific (Rowe having won the limited competition to design the royal palace in Honolulu for the Kingdom of Hawaii).

Rowe was known for housing improvements and as a designer of hospitals and for his concerns regarding fireproof construction, sanitation and water supply. He served as an Alderman on both Sydney and Manly Councils and as a member of the Metropolitan Water, Sewerage and Drainage Board. In particular, the sanitary improvements included in the 1875 design for "Roseville" such as earth closets and separate street or lane access for night soil removal was implemented throughout the Municipality via the by-laws drawn up by Thomas Rowe as Mayor of Manly. Normally the sanitary arrangements of a residence are not of significance, however, in this case Rowe implemented reforms in Sydney (overhead cisterns) and in Manly (earth closets in place of cesspits) aimed at limiting the spread of disease. This remnant of "Roseville" still has the ability to demonstrate how the residence functioned in an urban environment without the usual urban infrastructure.

For its contribution to the streetscape and as a remnant of a well-known landmark property in Manly, the residence of the first Mayor of Manly, Thomas Rowe, from 1877-78 is a significant remnant of a distinct architectural phenomenon (Victorian villas for professional men). Prior to the formalisation of street numbers, the villas subdivision to the north was referred to as being near Thomas Rowe's residence. The majority of the surviving residential buildings on the flat land at Manly are small workers cottages or semi-detached houses or terraces.

Almost no trace of the mid-1850s to 1870s villa subdivisions of New Brighton survives. Although it is only the outbuilding that survives, this appears to be the largest surviving remnant in the Manly Town Centre area, demonstrating the subdivision alignment and the villas erected thereon and can be correlated to the Charles Kerry photograph held in the Powerhouse Museum.

Significance:

No. 21 Whistler Street, Manly is associated with a significant technical achievement (ie the provision of healthy urban environments in the absence of an urban services infrastructure) as well as with a significant person, Thomas Rowe, the first Mayor of Manly and one of the founders of the Institute of Architects.

Conclusion:

No. 21 Whistler Street meets the requirements for the criterion of technical significance because it:

- shows or is associated with, creative or technical innovation or achievement
- is the inspiration for a creative or technical innovation or achievement

Criterion (d): An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

Guidelines for INCLUSION

- is important for its associations with an identifiable group
- is important to a community's sense of place

Guidelines for EXCLUSION

- is only important to the community for amenity reasons
- is retained only in preference to a proposed alternative



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No. 21 Whistler Street does not meet the guidelines for inclusion under Criterion (d).

Criterion (e): An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for INCLUSION

- has the potential to yield new or further substantial scientific and/or archaeological information
- is an important benchmark or reference site or type
- provides evidence of past human cultures that is unavailable elsewhere

Guidelines for EXCLUSION

- the knowledge gained would be irrelevant to research on science, human history or culture
- has little archaeological or research potential
- only contains information that is readily available from other resources or archaeological sites

No. 21 Whistler Street does not meet the guidelines for inclusion under Criterion (e).

Criterion (f): An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for INCLUSION

- provides evidence of a defunct custom, way of life or process
- demonstrates a process, custom or other human activity that is in danger of being lost
- shows unusually accurate evidence of a significant human activity
- is the only example of its type
- demonstrates designs or techniques of exceptional interest
- shows rare evidence of a significant human activity important to a community

Guidelines for EXCLUSION

- is not rare
- is numerous but under threat

Discussion:

No. 21 Whistler Street is the only remaining large service outbuilding remaining in the Manly Town Centre from the villa phase of development in Manly. It is rare as a service wing from the mid- to late-nineteenth century that demonstrates the pattern of urban settlement at a period when urban services had not been provided and it demonstrates the requirement to separate toilet facilities from the habitable rooms of the main house, the requirement to collect earth closet waste via a "night soil" lane, and the necessity of separating the toilet facilities from the water collection and storage infrastructure.

Furthermore, it demonstrates at a domestic scale, the attention to fire-proofing that architect, Thomas Rowe, incorporated into his projects by virtue of physically separating the fire-prone kitchen area from the main house.

Significance:

No. 21 Whistler Street, Manly is rare as the only large nineteenth century outbuilding surviving in the Manly Town Centre and is rare as a physical manifestation of a way of life that has been made redundant by the provision of piped water supply and piped sewerage service to urban areas.

Conclusion:

No. 21 Whistler Street meets the requirements for the criterion of rarity because it:

- provides evidence of a defunct custom, way of life or process with regard to the provision of water and the removal of waste
- is the only example of its type remaining in the Manly Town Centre area

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Criterion (g): An item is important in demonstrating the principal characteristics of a class of NSW's
– cultural or natural places; or
– cultural or natural environments

(or a class of the local area's
– cultural or natural places; or
– cultural or natural environments).

<p>Guidelines for INCLUSION</p> <ul style="list-style-type: none"> • is a fine example of its type • has the principal characteristics of an important class or group of items • has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity • is a significant variation to a class of items • is part of a group which collectively illustrates a representative type • is outstanding because of its setting, condition or size • is outstanding because of its integrity or the esteem in which it is held <p>Guidelines for EXCLUSION</p> <ul style="list-style-type: none"> • is a poor example of its type • does not include or has lost the range of characteristics of a type • does not represent well the characteristics that make up a significant variation of a type

No. 21 Whistler Street does not meet the guidelines for inclusion under Criterion (g).

7.1.2 Statement of Significance (No 21 Whistler, former Kitchen Wing of "Roseville")

The surviving kitchen wing of Thomas Rowe's "Roseville" is of at least local significance as a remnant of one of the series of gentlemen's residences designed and erected by Rowe in villa subdivisions in Manly and Elizabeth Bay and occupied by his family namely "Tresco" (1869), "Roseville" (1875) and "Caprera" (c. 1877, occupied c.1880-1884). In contrast to the other two residences, it is the service wing that remains in this case and the surviving physical and documentary evidence indicates the sanitary reforms that Rowe would subsequently implement across the entire Municipality of Manly during his term as the first Mayor.

Rowe's "Roseville" was a well-known local landmark and the vestige that remains in Whistler Street is one of the few remaining physical reminders of the intended villa development of New Brighton which was developed from the mid-1850s until the mid-1870s. The alignment to Whistler Street provides evidence of the lots created for the villa subdivision of New Brighton, which fronted East Promenade. Prior to the implementation of planning controls the villa subdivisions were controlled by the size of the lots and the architectural scale and character of the residential architecture.

The surviving portion of "Roseville" in Whistler Street, Manly is a remnant of the extensive body of residential architecture by Thomas Rowe that included both residences for professional men and terraces built as investments. The full extent of his body of residential work, including the houses he designed on a speculative basis, has not yet been examined in detail. Rowe's involvement as an Alderman developing and implementing reforms in sanitation and building standards in Sydney and Manly sets his work apart from that of his main contemporaries.

This remnant example is the only 1870s residence designed by Rowe that has been identified in which the service wing remained separate for health reasons, indicating the lack of town water and sewerage that existed prior to the formation of the municipality and the public and civil engineering works for which successive mayors, starting with Rowe, agitated.

The design of "Roseville" was a model of how water could be collected for domestic use and sanitary arrangements made in the absence of reticulated water supply and piped sewerage. The location of the service wing on the lane is indicative of the need for night soil collection to be undertaken without passing through the residence. At Rowe's insistence, cesspits were banned by municipal by-law and the surviving plans of "Roseville" demonstrate the use of earth closets which were permitted as an improvement on cesspits.



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8.0 Conclusion and Recommendations

The previous rationale for not listing the building in 2007 was an assessment of its physical fabric, without picking up the association with the first Mayor of Manly, Thomas Rowe, or that it formed part of the outbuilding complex of a large villa he designed for his family that faced Belgrave Street and the park. Very little survives of Rowe's body of work in Manly undertaken between c. 1868 and 1890.

It is our opinion that No. 21 Whistler Street (the former outbuilding of "Roseville", later "Restormel") meets the criteria for listing as a Local item of environmental heritage under the Northern Beaches LEP under the following criteria:

- Historical significance
- Associative significance
- Aesthetic/Technical significance
- Rarity

As part of the listing process, a more thorough history should be prepared utilising the Rate Books and Building Application Registers to determine the sequence of buildings on the site and owners of the site.

In addition, we recommend that further research be undertaken regarding the interwar building fronting Belgrave Street as it was an integral part of the site until 1950 when the site was subdivided into its current form of two allotments. This building also has the potential to be a heritage item, as it demonstrates the intensification of development and expansion of the commercial centre of Manly.

Dr Scott Robertson
for
Robertson & Hindmarsh Pty Ltd

Appendix II

Legal Advice as to Ownership of Roseville

OUR REFERENCE: RHW:CW:190054

YOUR REFERENCE:



3 December 2019

Pavilion Residences No.3 Pty Ltd
PO Box 1640
NORTH SYDNEY NSW 2059

Dear Sir/Madam

Historical records and searches
Property: 21 Whistler Street, Manly

We have reviewed the indenture, together with the historical index search with respect to the abovementioned property.

The two documents should be read in conjunction with one another, whereby the historical index search shows that the property was conveyed on 21 May 1875 jointly to John Dawson, Eliza Zuccani and John Charles Lovell as to the first part, Thomas Rowe as to the second part, Charlotte Jane Rowe of the third part and Sydney Moore Green as to the fourth part.

The indenture was entered into this same day, duly executed by all of the abovementioned proprietors, whereby they then conveyed the property to Sydney Moore Green in its entirety, for the sum of £173.13, which was paid to the vendors on 21 May 1875.

The terms of the indenture also granted a right of residency to Charlotte Jane Rowe, granting her 'sole and separate use' of the subject property during her life. The deed establishes that upon her passing, the purchaser, Sydney Moore Green, or his heirs or executors would then take possession of the premises.

I enclose copy of the indenture together with the historical search records, confirming the abovementioned details.

Should you have any queries, please do not hesitate to phone me.

Yours faithfully
O'BRIEN CONNORS & KENNETT
per: 

With:

David Marinc
& Associates

Lesley Dingley
Solicitors & Lawyers

Lawyers

Robert H Warren
Principal

Peter D Kennett
Special Counsel

Clare Wainwright
Associate

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ABN: 126 126 153 53

We advise that this office will be closed from 12.00 pm on Friday, 20th December 2019
and will re-open at 9.00 am on Tuesday, 2nd January 2020
We take this opportunity to wish you a Merry Christmas and a Happy New Year.

Website: www.ock.com.au

Liability limited by a scheme approved under Professional Standards Legislation and by our Terms of Appointment. Employed legal practitioners and directors of Legaleez Pty Limited ABN 12 612 615 353 are incorporated legal practices trading as O'Brien Connors & Kennett are members of that scheme

(TO BE SIGNED BY APPLICANT)

*For the particulars which this Schedule must comprise, see concluding part of Declaration, to which particular attention is directed, as any omission or misstatement will render signant liable to the penalties of false Declaration.

Each of the Deeds and Documents as are in applicant's possession or control, must be deposited with the application. Counterpart leases must be included, but these will be returned, if required.

If any deposited Deeds relate also to property not brought under the Act, they may be returned after partial cancellation; but of all these, abstracts or copies for retention should be furnished, and the desire for the return of the originals noted.

1. ABSTRACT OFFICE of Henry Gilbert Smith
2. ABSTRACT of POWER of ATTORNEY of Henry Gilbert Smith to Messrs. Street and Thomas
3. ABSTRACT of TITLE of Trustees of the Will of Emilio Zuccani
4. CONVEYANCE 21st. May 1875 John Dawson Eliza Zuccani and John Charles Lovell 1st. part Thomas Rowe 2nd part and Charlotte Jane Rowe 3rd. part and Sydney Moore Green 4th part registered No. 433 Book 150 -
5. CONVEYANCE 1st. June 1875 John Dawson Eliza Zuccani and John Charles Lovell one part and Arthur Croft other part registered No. 645 Book 150
6. MORTGAGE 7th March 1876 Charlotte Jane Rowe and Thomas Rowe one part Henry Hudson and Charles Bown Trustees of the Equitable Benefit Building land and Savings Institution other part registered No. 502 Bk 157
7. FURTHER CHARGE 18th April 1879 Thomas Rowe of one part Henry Hudson and Charles Bown of the other part Reg. No. 235 Book 190
8. DISCHARGE 13th November 1883 of above Mortgage of 7th March 1876 registered No. 70 Book 280
9. DISCHARGE of 13th November 1883 of above Further Charge of 18th April 1879 registered No. 71 Book 280
10. CONVEYANCE 13th September 1876 Arthur Croft to Thomas Rowe Reg. No. 444 Book 162
11. CONVEYANCE 21st. December 1883 Thomas Rowe 1st. part Sydney Moore Green second part and Francis Wagstaff 3rd. part reg. No. 122 Book 281
12. MORTGAGE 21st. December 1883 Francis Wagstaff one pt and the very Rev. Patrick Joseph Mahoney and Eyre Goulburn Ellis of the other part Reg. No. 123 Book 281
13. DISCHARGE of last mentioned mortgage 20th March 1885 Reg. No. 158 Book 307
14. CONVEYANCE 20th March 1885 Francis Wagstaff one pt Samuel Bennett Bailey of the other part Reg. No. 159 Book 307
15. MORTGAGE 21st. March 1885 Samuel Bennett Bailey one part and the very Rev. Patrick Joseph Mahoney and Eyre Goulburn Ellis of the other part Reg. No. 160 Book 307
16. TRANSFER of MORTGAGE 21st. June 1885 the very Rev. Patrick Joseph Mahoney and Eyre Goulburn Ellis of one part and Jane Frances Coveny and Constance Mary Coveny other part registered No. 176 Book 313
17. RECONVEYANCE 18th June 1886 Jane Frances Coveny and Constance Mary Coveny one part Samuel Bennett-Bailey other part No. 847-Book-342
18. CONVEYANCE 7th July 1886 Samuel Bennett Bailey 1st part Emma Frances Bailey 2nd part Frederick William Bailey 3rd. part registered No. 97 Bk 343
19. MORTGAGE 9th July 1886 Samuel Bennett Bailey and Emma Frances Bailey one part Christopher Rolleston the Hon. Henry Mort and the Hon. Edward Knox Trustees of the Liverpool and London and Globe Insurance Company registered No. 98 Book 343
20. MORTGAGE 24th February 1887 Samuel Bennett Bailey and Emma Frances Bailey of the one part and the Land Mortgage Loan and Discount Company reg. No. 244 Book 359
21. DISCHARGE of last Mortgage 27th of February 1888 registered No. 754 Bk 382
22. CONVEYANCE of Equity of Redemption 28th February 1888 Samuel Bennett Bailey and Emma Frances Bailey one part Alfred Bennett other part registered No. 286 Book 387
23. RECONVEYANCE 9th April 1890 the Hon. Edward Knox the Hon. Henry Mort and Walter Cumming Watt of the one part and Alfred Bennett of the other part registered No. 699 Book 441
24. MORTGAGE 16th May 1893 Alfred Bennett to Alexander Burnett Heinrich registered No. 133 Book 515
25. CONVEYANCE of Equity of Redemption Alfred Bennett one part and Emily Bennett of the other part reg. No. 621 Book 580
26. RECONVEYANCE 16th September 1896 Alexander Burnett Heinrich of the one part and Emily Bennett of the other part registered No. 51 Book 586 -
27. Plan and Declaration by Mr. Surveyor William Henry Howard
28. STATUTORY DECLARATION of Applicant

WITNESS

29. That Use of oil - as to adjoining property

30 Concern of appearance
(2) 1/2 pint of H. Rowe. as property. 10:10:13

(32) 29.11.12 Printed Cont. for sale by Hards & Norman do.

(33) 3-7-74 Detroit/Milley & C. Zuccani
FILL IN ALL BLANKS BEFORE SIGNING.
Don't leave conversation open.

51-1120
35-
Seals by appt. for J. N. Rosenthal & J. Guccini do
EX-100

the Roadster-generel] /BIC:RASTER /Ref:RBAK1EET-generelX-1000 /

Appendix III

Extract from Heritage 21 Statement of Heritage Impact

September 2018

3.2 21 Whistler Street

3.2.1 Roseville Cottage

The site is situated on the former allotment of “Roseville” cottage, a one storey dwelling (refer to Figures 9 and 10) that holds considerable associative significance to the early development of Manly. It is our assessment that the siting of the current subject dwelling responds to the floor plan of the domestic building to the rear of the original dwelling (refer to Figure 9).

As depicted below, *Roseville* cottage was owned by Thomas Rowe during his tenure as Manly’s first Mayor. Rowe, a celebrated architect in his own right, was elected to office in February 1877 and would go on to oversee the first laying-out of the town, serving as an alderman until 1880.³ The cottage was then the residential dwelling of Alfred Hilder, the second Mayor of Manly.

The original “*Roseville*” cottage appears to have been demolished between 1917 and 1939 and was replaced with the two-storey mixed commercial and residential structure that now fronts Belgrave Street.



Figure 5. Advertisement for “*Roseville*” cottage (Source: The Sydney Morning Herald. Sydney, New South Wales. Australia. Saturday, May 24, 1879)

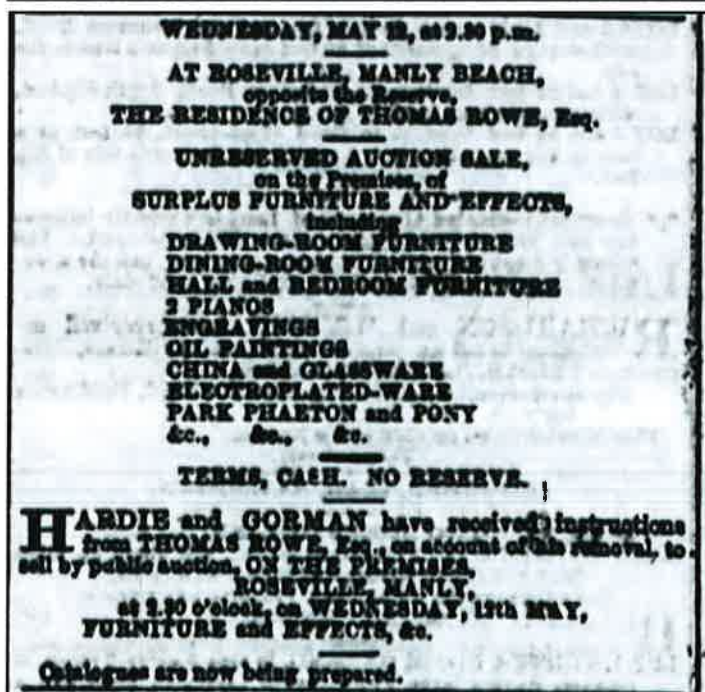


Figure 6. Advert for “*Roseville*”, 1880. Note residence of Thomas Rowe. (Source: The Sydney Morning Herald. Sydney, New South Wales, Australia. Saturday, May 8, 1880)

³ Wikipedia. Thomas Rowe. N.d. Retrieved from: https://en.wikipedia.org/wiki/Thomas_Rowe

"ROSEVILLE," MANLY,
at present occupied by A. Hilder, Esq., J.P.
ex-Mayor of Manly.

An extremely pretty and well-built VILLA RESIDENCE, opposite the PARK RESERVE, with streets on 3 sides made, kerbed and guttered, containing the following accommodation :-

DRAWING and DINING ROOMS with folding doors and Library, all well corniced

The **HALL** is well arranged, arched with spaces for Statuary, China closet at end with ornamental door

The best **Bedroom** has triplet window with bathroom off, handsomely corniced. There are three other bedrooms, also a second pantry, detached kitchen with paved covered way, trellised, &c.

Laundry, Man's Room, Wood and Coal House
Coachhouse and Stable.

Large Water Supply and perfect drainage arrangements.

One of the choicest little properties in Manly, built of brick on stone foundations, and cemented, slated roof, and containing every convenience and comfort.

The grounds are very tastefully laid out, and the whole property is in first-class order.

HARDIE and GORMAN will sell by public auction, at their Rooms, Pitt-street, at 11.30 o'clock, **THIS DAY, 13th APRIL,**

"ROSEVILLE," MANLY BEACH, very convenient to the steamers' wharf, opposite the PARK RESERVE, and occupying about the premier position in this **FAVOURITE WATERING PLACE.**

ROSEVILLE is beautifully situated in the most sheltered part of Manly, receiving all the benefits of the sea without the exposure to the westerly winds. It is surrounded by main roads kerbed and guttered on three sides, having

160 feet frontage to **PITTWATER ROAD**
101 feet frontage to **RAGLAN-STREET**
160 feet frontage to **WHISTLER-STREET.**

PHOTOGRAPH OF ROSEVILLE IS ON VIEW AT THE ROOMS.

Figure 7. Roseville advert noting current occupant, the second mayor of Manly. (Source: The Sydney Morning Herald. Sydney, New South Wales, Australia. Wednesday, April 13, 1881)

THURSDAY, 13th March.

UPPER COTTAGE RESIDENCE
and
LARGE BLOCK OF LAND.
Or will be divided.

THE COTTAGE AND LAND,
with 30 feet frontage to
EAST PROMENADE,
with a depth of
101 feet to Whistler-street,
and
FOUR ALLOTMENTS of LAND
with frontages to
EAST PROMENADE, RAGLAN and WHISTLER STREETS.

TITLE, FREEHOLD.

MILLS and PILE have received instructions from Captain Wagoner to sell by auction, at their Mart, 150, Pitt-street, on **THURSDAY, the 13th day of March, at half-past 11 o'clock,**

That
SUBSTANTIALLY-BUILT COTTAGE,
ROSEVILLE,
with
A LARGE BLOCK OF LAND,
having frontages of 100 feet to East Promenade, 101 feet to Raglan-street, and 100 feet to Whistler-street; suitable for building site, or another villa residence.

THE COTTAGE is built, in a most substantial manner, of brick on stone foundations, with slated roof, and is replete with every convenience for a family, and within easy distance of the steamers. It contains drawing-room 18.5 x 15 feet, dining-room 13.5 x 19 feet, vestibule, inner hall and corridor, library, 6 bedrooms, bathroom, pantry, storeroom; and from the house, connected by a covered way, large kitchen, wash-house, 3 sheds, &c., large underground tank and plenty of water, good garden, lawn, &c.

Or

THE COTTAGE will be **SOLD,**
with 30 feet frontage to the
EAST PROMENADE,
by a depth of 101 feet to
WHISTLER-STREET;
and
THE LAND
in
FOUR ALLOTMENTS:
2 having 30 feet each to the East Promenade
1 having 30 feet to East Promenade, by a depth of 30 along Raglan-street; and
1 allotment having 21 feet frontage to Raglan-street, by a depth along Whistler-street of 30 feet; or in
ONE LOT of 60 x 101, with THREE FRONTAGES.

THIS IS REALLY A FIRST-CLASS PROPERTY, either as an investment or for private residence.

MANLY is the **PREMIER SUBURB** of Sydney, and the only acknowledged **WATERING PLACE** for the COLONY. The Cottage is now let furnished at £5 per week, and will readily let unfurnished at over £100 per annum. Land is in demand in such a position, and increasing in value.

TERMS of SALE.

Cards to view and full particulars can be obtained at the Rooms, 150 Pitt-street.

Figure 8. Advertising for the sale of Roseville cottage residence, 1885. (Source: The Sydney Morning Herald (NSW: 1842 - 1954), p. 13. Retrieved September 10, 2018, from <http://nla.gov.au/nla.news-article13586617>)

Appendix IV

The Sydney Morning Herald ,16 January 1899
& Australian Town and Country Journal, 21 January 1899

The Sydney Morning Herald, Monday 16 January 1899
(New South Wales, Australia)

DEATH OF COLONEL ROWE
A WORTHY COLONIST

We have to record the death of Colonel Rowe, J.P., Fellow of the Royal Institute of British Architects, and president of the Water and Sewerage Board, which took place at his late residence, Mona, Darling Point, at an early hour on Saturday morning, after a somewhat protracted illness. He was in his seventieth year. The principal cause of death was gastric catarrh, followed by internal hemorrhage, the latter having been caused by an accident to a cab in which the deceased was seated about five weeks ago. Colonel Rowe's name was well known in New South Wales owing to the many important positions he had filled. Born in Penzance (Cornwall) England, on July 20, 1829, he was the eldest son of Mr. Richard Rowe, whose wife Ursula Crudge, was a descendant of the ancient Godolphin family, who, for some centuries, governed and owned by lease the Scilly Islands. His father was a builder and contractor in Penzance in large practice, and designed all the work carried out by the firm. After passing through Barnes Academy he entered his father's office, and soon showed considerable ability as a draftsman, and a strong desire to master the practical as well as theoretical part of the profession he had chosen, and he was thus enabled to obtain an experience that proved most advantageous to him in a new country. Arriving in New South Wales in the year 1857 (*sic*), he shortly afterwards proceeded to the Victorian goldfields, which were then in full swing. He visited various goldfields, where he met with considerable success. After this excitement he settled down to speculative building and contracting, but finding this opposed to his more artistic taste, he commenced to practice as an architect in Sydney in the year 1856. He had as his first partner Mr. Green, the name of the firm being Messrs. Rowe and Green, the style being subsequently changed to that of Messrs. Rowe, Campbell, and Spain. For many years past the business has been carried on under the style of Rowe and Spain. Amongst the many prominent buildings in the city of Sydney and suburbs that have been designed and carried out by the deceased might be mentioned the Hon. E. Vickery's two handsome stone blocks of buildings having a frontage of 250ft. to Pitt-street, Messrs. Perry Brothers warehouses, the Angel Inn, Messrs. S. Hoffnung and Co.'s warehouses, with a frontage of 160ft., to a height of six stories, exclusive of basement; Messrs Harris and Ackman's premises, The George Hotel, Messrs. Henry Bull and Co.'s premises, Messrs. Wright Heaton and Co.'s, the Royal Arcade, Messrs. Washington H. Soul and Co.'s, the Young Men's Christian Association Hall, the Sydney Hospital, the Thomas Walker Convalescent Hospital, Messrs. Elliott Brothers, Limited (O'Connell-street), Newington College (Stanmore), Messrs. W. Gardiner and Co.'s, the Wesleyan Centenary Hall (York-street). In ecclesiastical designs that of St. George's Church, Castlereagh-street, and the Jewish Synagogue, Elizabeth-street, are amongst those carried out by the deceased. Colonel Rowe also took an active part in municipal matters, and was elected an alderman for Bourke Ward in 1872, and returned without opposition in 1874, and during the four years he was in office he worked many reforms. Through his energy a great and lasting improvement was made in the water supply.

Having taken a very active part in the renaming of the streets of the city, his brother aldermen, in recognition of his services, called a street between Pitt and Castlereagh streets by his name.

Mr. Rowe did not remain long out of municipal harness; he had removed to Manly, and early in 1877 Manly was incorporated a municipality. Mr. Rowe was elected the first Mayor, and re-elected the following year without opposition. With his previous aldermanic experience he advised the newly-formed council to work the municipality as one ward, and, largely in consequence, Manly has proved a model municipality. Mr.

Rowe was the founder of the Institute of Architects in New South Wales, and had always taken a deep interest in the welfare of the profession. He was president of the institute for many years, and endeavoured to stimulate the study and action of the articled pupils in the various architects' offices by offering gold medals for prize designs. He was elected fellow of the Royal Institute of Architects in 1884. He also founded the United Service Institute. Although a busy man, the claims of the young were not overlooked in his work. He endeavoured to use his leisure time for the good of the rising generation, having been for 20 years a Sunday-school superintendent. During the busy life of architect, with aldermanic duties added, Mr. Rowe still found time to take an active part in the military defence of the colony. In 1872 he received a commission as first-lieutenant in the then newly-formed Engineer Corps, and was promoted to be captain in 1874. The Volunteer Force was disbanded, and reorganised in 1878, and Captain Rowe was recommissioned a captain-commanding in "The Defence Force," made major in 1880, and raised to rank of brevet lieutenant-colonel in 1886, and commanded the corps of Engineers on the return to England of Colonel Renny Tailyour, R. E., until the time of his retirement (June 30, 1898). Colonel Rowe was at the same time a member of the Defence Commission.

Colonel Rowe was appointed under the Parkes Government as president of the Metropolitan Water and Sewerage Board in the year 1888. The deceased up to the time of his death was a life governor of the Sydney Hospital, chairman of the Rushcutter Bay Park trust, and was one of the two last surviving trustees. In religious matters also the deceased was most active, and he was a warden of St. Mark's Church, Darling Point.

Colonel Rowe's name was recently brought most prominently before the military authorities as the inventor of a shovel-shield for use in the force, a trial of which was held a few months ago, with evident satisfaction. It was the intention of the Colonel to have made the invention still more perfect, which unfortunately he was unable to do through his illness.

The deceased was conscious to the end, and on the morning previous to his death partook of the Sacrament, and joined in the prayers offered by the Rev. A. E. J. Ross, M.A., curate of St. Mark's, after which he bade the members of his family good-bye. He subsequently passed away peacefully. Amongst his last wishes were that he should be accorded a military funeral; and also that the family mourning should consist of a crape band worn around the arm only.

The Australian Town and Country Journal

Saturday 21 January 1899

(Sydney, New South Wales, Australia)

The Late Colonel Rowe

(Photo, by J. Hubert Newman, Sydney.)

Colonel Thomas Rowe, F.R.I.B.A., one of the leading architects of Sydney, and the president of the Metropolitan Board of Water Supply and Sewage, died at about 4 o'clock on Saturday morning, at his residence, Mona, Darling Point.

Colonel Rowe, who was in his 70th year, has for many years been a prominent figure in the professional and in the public life of the colony. Born in Penzance on July 20, 1829, he was the eldest son of Mr. Richard Rowe, whose wife was a descendant of the ancient Godolphin family, who, for centuries, governed and owned by lease the Scilly Islands. His father was a builder and architect, and after passing through the Barnes Academy, the son entered his office, where, besides becoming a proficient draughtsman, he obtained an intimate knowledge of practical work, which afterwards proved invaluable in a new country like New South Wales. In 1849 young Rowe reached this colony, and upon the outbreak of the various gold rushes he followed the life of a gold miner with considerable success. After a short period of speculative building, he started, in 1856, to practise as an architect



in Sydney. His first ecclesiastical building was St. George's Church, Castlereagh-street. Structures designed by him or by the firm of Rowe and Green, of which he was principal, are now to be seen in every quarter of Sydney, and to enumerate them all would not be possible in such a brief notice as this. In Pitt-street alone he built Lord's warehouses, the Hon. E. Vickery's two handsome blocks, Perry Brothers' warehouse, the Angel Inn, the artistic stone warehouses of Messrs. H. Bull and Company (destroyed by fire in 1890), the immense premises of S. H. Hoffnung and Company, Harris and Ackman's

auction rooms (on the site of the old Victoria Theatre), the George Hotel, Wright, Heaton, and Company's spacious block known as the "Commercial Buildings," the handsome edifice now occupied by the Masonic Club, Washington Soul's branch warehouse, the Royal Arcade, and the fine hall of the Young Men's Christian Association. Among his other works are the Jewish Synagogue in Elizabeth-street, the King-street Arcade, Elliott Brothers' warehouse in O'Connell-street, Newington College, the Centenary Hall, Gardiner and Company's warehouse, York and Clarence street, and many leading buildings in Bathurst, Goulburn, and other country towns. He also drew the plans from which Sydney Hospital was built. In 1872 the deceased gentleman was elected alderman for Bourke Ward, which he represented in the City Council for four years. Through his agency during that period several reforms, both sanitary and economic, were worked in connection with the water supply. Rowe-street, which runs from Pitt-street to Castlereagh-street, was at that time named after him by his brother aldermen. In 1877 he was elected first Mayor of Manly, being re-elected afterwards without opposition, and he took a prominent part in laying out the suburb, making it the model municipality which it now is. Mr. Rowe was the founder, and for many years president, of the New South Wales Institute of Architects, and was elected a Fellow of the Royal Institute in 1884. He was the founder of the William-street Sunday School, of which he was for nearly twenty years superintendent. In military matters he also took an active interest. Receiving a commission in the newly-formed Engineer Corps in 1872, he was promoted to the rank of captain in 1874, recommissioned captain commanding in the defence force in 1878, made major in 1880, and raised to the rank of brevet-lieutenant-colonel in 1886. During a European tour in 1887 he visited Aldershot, Chatham, Enfield, and Woolwich, in search of information relating to defence matters. Later on he designed several entrenching tools for the use of the engineers corps, as well as a bullet-proof shovel, which has successfully stood severe tests. He was the founder of the Naval and Military Institute. Last January he retired from active work in connection with military matters, but still held the full rank of colonel. Colonel Rowe was chairman of the Rushcutter's Bay Park committee. In 1888 the late Sir Henry Parkes appointed Colonel Rowe president of the Water and Sewerage Board, which he vigorously re-organised with beneficial results. He has remained in that position ever since, with the exception of twelve months in 1892, when Mr. C. Darley presided, Colonel Rowe then occupying a seat upon the board. The great leaps and bounds by which the department has progressed, and its present state of efficiency, bear ample testimony to the capability of his administration. Colonel Rowe was naturally a man of strong and vigorous constitution, but a year ago he fell a victim to a painful internal malady, which

gradually caused him to grow worse, until the end came, as stated. He leaves a widow, seven sons, and five daughters. The eldest son, Mr. E. Rowe, is a cadet in the department over which his father presided. At the time of his death the deceased gentleman was a partner in the well-known firm of Rowe and Spain, architects.

Contributed by Bob Bolitho

Appendix V

Survey Information from 1920s onwards

NORTON SURVEY PARTNERS

SURVEYORS & LAND TITLE CONSULTANTS



Our Ref: 53011
6th December, 2019

Urban Partners
Suite 202, 349 Pacific Highway
NORTH SYDNEY NSW 2060

Attn: Ted Byrne

Re: 21 Whistler Street, Manly – Lot B D.P.368451

As discussed, we have carried out further title searches at Land Registry Services (LRS) in regard to the above property. In the course of those searches we have obtained a copy of D.P.10228. This is a subdivision plan prepared in July 1920 by Surveyor Nott.

From our investigations we can advise that the northern boundary of the land in DP10228, specifically Lot 1 therein, is contiguous with the southern boundary of the land in D.P.368451, i.e. it is a common boundary line.

D.P.10228 shows the position of various occupations (fences and buildings) close to the perimeter boundaries of the land and, where those occupations are buildings, it also includes a description of the main material of construction. Showing such information was an important survey requirement of the Registrar General at that time and this has carried through to the present day.

To demonstrate this point, I have included below an extract from Clause 63 (1) of the current Surveying and Spatial Information Regulation 2017:

(1) A survey plan must:

- (e) show the description and location (including the age, nature, construction material and relationship to the boundary) of any substantial structure (including any fence):
 - (i) that is within 1 metre of the boundary of the land surveyed, or
 - (ii) that is otherwise relevant to the boundary definition,

At the north east corner of Lot 1, D.P.10228 shows a building described as "stone" adjacent to the north boundary and situated within the south east corner of what is now Lot B D.P.368451. We note the south east corner of Lot B is currently occupied by a brick building. This indicates that the brick building was erected some time after July 1920, the date of preparation of D.P.10266.

Further to the above we note that DP10288 shows the stone building as standing 4 inches (100mm) clear of the north boundary of Lot 1 and 3 inches (75mm) inside the Whistler St boundary. D.P.368451 (dated July 1950) displays a building (of unidentified material) upon Lot B and shows this building 3½ inches (90mm) clear of the north boundary of Lot 1 and 7 inches (180mm) inside the Whistler St boundary.

While the difference between the plans in setbacks to the north boundary is inconsequential, the difference in setbacks to Whistler St is substantial in a survey context, being 4 inches (105mm). This places the building shown in D.P.368451 in a different position to that shown in D.P.10288 which indicates they are not the same building.

We attach copies of D.P.10288 & D.P.368451 for reference.

NORTON SURVEY PARTNERS PTY LTD

Per: 
Chris Norton
Registered Surveyor

NORTON SURVEY PARTNERS PTY LTD ABN 22 618 980 475
1/670 Darling Street Rozelle NSW 2039
PO Box 289 Rozelle NSW 2039

Ph: (02) 9555 2744
office@nspartners.com.au

Plan Form No. 2 (for Deposited Plans)

Municipality of Manly

~~Shire of~~

A623728 7-10-20

PLAN

DP 10228

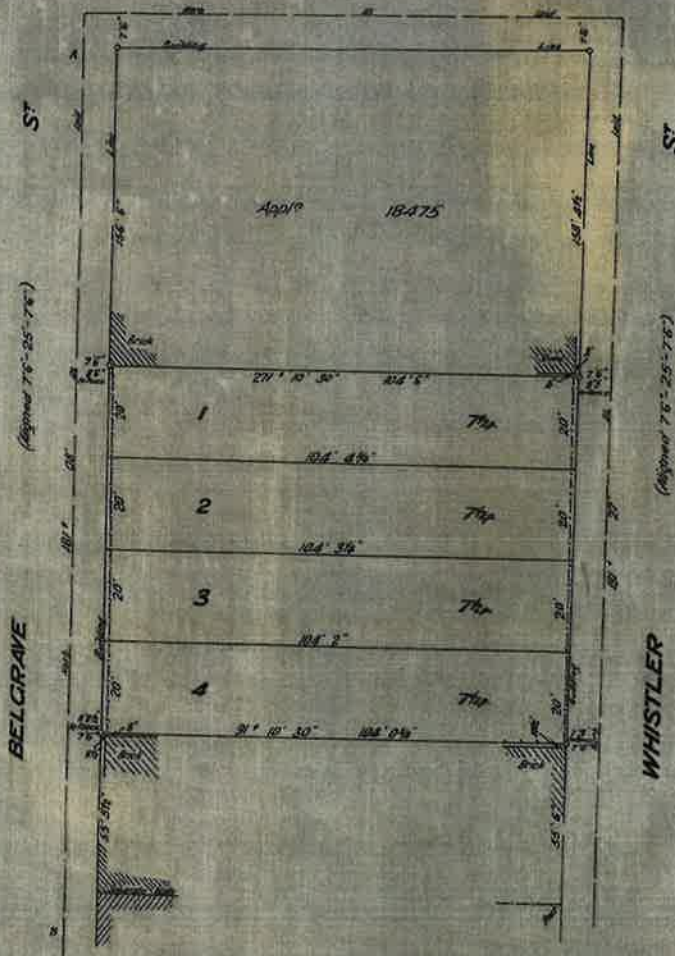
of land in Certificate of Title Vol. 249 Fa 22

PARISH OF MANLY COVE COUNTY OF CUMBERLAND

Scale 20 Feet to an inch



RAGLAN (Signed 76° 25' 76") ST



Emma Jane MacKenzie

Philip Sydney Nott 64 Pitt St Sydney

I, the undersigned, being a Licensed Surveyor, do hereby certify that the above is a true and correct copy of the original plan as deposited in the office of the Registrar-General, and that the same has been examined and found to be correct.

Philip Sydney Nott

Licensed Surveyor

Witness my hand and seal this 7th day of August 1920

Date of Survey July 1920

Appendix VI

Clive Lucas Stapleton & Parties
Heritage Assessment, 2007

form a set. Should the owners could be considered for listing

Rugby Union Club. Listed in this review under its correct address.

Not of sufficient architectural distinction.

Low intactness. Recent work not of sufficient quality to be assessed in its own right.

A nineteenth century house. The roof form, some joinery and wall rendering appear to be intact. It has had major additions and appears to in fair condition. It has lost its domestic context.

Not intact.

Demolished

Altered and not intact.

A well kept standard Sydney house of the 1950s, but not sufficiently important in its context to be listed.

Of historic interest, but architecturally odd.