



STATEMENT OF HERITAGE ISSUES

RESIDENTIAL REDEVELOPMENT
132 – 138 KILLEATON STREET
ST IVES

June 2010
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This report has been prepared under the guidance of the Expert Witness Code of Conduct in the Uniform Civil Procedure Rules and the NSW Land & Environment Court Practice Directions relating to the provision of evidence by expert witnesses. The opinions in the report represent the professional opinions of the author based on an assessment of the available information cited in the report.

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AMENDED STATEMENT OF HERITAGE ISSUES – OCTOBER 2011
FOR PROPOSED RESIDENTIAL REDEVELOPMENT 132 – 138
KILLEATON STREET ST IVES BY MERITON APARTMENTS

1.0 INTRODUCTION

This amended report updates the proposed conservation and adaptive re-use of the Farm Shed / Stables and former Monastery as part of an application under S75W of the *Environmental Planning and Assessment Act, 1979* to amend the approval under MP10_0057. This major project was approved under Part 3A of the Act, and amendments continue to be assessed under the provisions of the Act in force at the time of the approval in 2010.

Detailed provisions for the adaptation of the Farm Shed / Stables have been prepared by Meriton and are generally compatible with the guidelines established in 2003 for a previous approval for the site.

The site that is the subject of this application has previously been assessed for heritage and archaeological compliance for a number of development proposals to Ku-ring-gai Council. Proceedings in the NSW Land & Environment Court allowed for partial demolition of the existing buildings on the site and the undertaking of specific archaeological excavations to allow for a major residential redevelopment.

The present application by Meriton Apartments comprises a 300-unit development on the site including the retention and adaptive re-use of the remnant wing of the former Passionist Fathers' Monastic complex and an early agricultural shed / stables located in one corner of the site that reflects the rural use of the land in the Nineteenth Century.

The original Part 3A application to the Department of Planning received a condition under the Director General's Requirements that:

A Heritage and Archaeological report be prepared by a recognised professional to assess the heritage and archaeological potential on site and to identify strategies to retain and adaptively re-use any significant buildings or features, and the archaeological significance of the site.

This Statement, as amended, has been prepared in accordance with the standard guidelines of the NSW Heritage Branch to conform to the requirement for documents to accompany the Application as noted in Appendix B of the Environmental Assessment requirements of the Director General of Planning.

The site is not listed as an item of environmental heritage in the Ku-ring-gai Planning Scheme Ordinance, and there are no other heritage listings associated with the site. The provisions of the *Heritage Act* apply in relation to archaeological relics; parts of the site may contain the remains of the former Nancarrow Farm that occupied the site prior to the construction of the Monastic buildings.

The assessment of potential heritage impact has been undertaken by Robert Staas, Director / Heritage Consultant of NBRSPARTNERS Architects and updated by Brad Vale of NBRSPARTNERS Architects.

1.1 Heritage Listings

The site is not identified on any heritage register or schedule of Environmental Heritage Items.

1.2 Heritage Significance

The site has limited historic and social significance as a result of its agricultural use in the Nineteenth Century and use by the Passionist Fathers in the Twentieth Century. Their ownership of the site has ceased and much of the physical evidence of their occupation has been removed.

2.0 SITE HISTORY

The establishment of a Juniorate for the Passionist Fathers at St Ives occurred in 1935 when a rural land holding was purchased in Killeaton Street. In 1937 the St Pius X College was opened on the site. In 1976 with the closing of the college the site became the Provincialate and in 1979, the Noviciate for about 15 years until it was closed from lack of vocations in 1994. The Order moved to Marrickville in 2000 and the St Ives site was closed and sold in 2003.



Figure 1 — The opening of the St Pius X College in 1937 showing the front wing has been retained on the site and the former high wall on the western side that enclosed the former cloister. The building is a stripped form of Romanesque style architecture popular with the Catholic Church in the Inter War period and was designed by Architect Clement Glancy.



Figure 2 — The Kitchen Gardens on the western half of the site in the 1940s with fruit trees and vegetables tended by the Brothers. The rear wings have now been demolished.

The buildings comprised three wings around a central cloister with the western side closed off by a high wall later modified for the construction of a Chapel. While the front wing was considered to have potential for adaptation the eastern and southern wings were considered to have less potential for a viable use and the later Chapel on the western wall was adjudged to have no significant potential for re-use.

Demolition of a large part of the monastic complex has reduced the architectural character of the remnant portion and removed the enclosure of the former Cloister



Figure 3 — The Cloisters in the 1960s showing the buildings that have previously been demolished as part of the approved residential development of the site that did not proceed.



Figure 4 — The later, Post War Chapel structure that was erected on the western range of the cloister and has since been demolished.



Figure 5 — The complex from the western side prior to the demolition of the rear wings and chapel.

3.0 COMPLIANCE WITH THE EARLIER APPROVALS

The site of the former Passionist Fathers' Monastery contains the following buildings:

- Farm shed / Stables, constructed c 1880
- Part of Monastery complex constructed 1937 (Clement Glancy Architect)

Neither building is identified as a heritage item under the following legislation, although the former farm shed is listed by the National Trust of Australia (NSW). We note listing by the Trust does not impose any statutory requirements on the owner of the subject site. The site does however include an area of archaeological potential, where Nancarrow Farmhouse used to be located.

NSW Heritage Act 1977

The Former Passionist Fathers' Monastery site is not listed as a heritage item on the *NSW State Heritage Register*. Relics located within the boundary of the site are however protected under *Heritage Act 1977*, which provides automatic statutory protection for "relics" preventing the excavation or disturbance of land for the purposes of discovering, exposing, or moving a

relic not subject to a conservation instrument, except in accordance with an excavation permit. The former Part 3A of the *Environmental Planning and Assessment Act, 1979* does not override the relics provisions of the *Heritage Act, 1977*.

The term “relic” is defined under the *Heritage Act* as “any deposit, object or material evidence:

- a) *which relates to the settlement of the area that encompasses New South Wales, not being Aboriginal settlement; and*
- b) *which is more than 50 years old.*

NSW Environmental Planning and Assessment Act 1979

The site is not listed as a heritage item by Ku-ring-gai Council under the Ku-ring-gai Planning Scheme Ordinance (as amended 17 March 2006), which is a planning instrument made under the *NSW Environmental Planning and Assessment Act 1979*, and protects nominated heritage items at the Local Government Level.

An original development proposal for the site, including substantial demolition of the existing buildings, was approved by the NSW Land and Environment Court. Development of the site has been under consideration for some years and a further application including retention of the remaining part monastery and adaptive re-use of it and the Farm Shed was approved by Council.

Ku-ring-gai Council previously took into consideration the floor area of the retained section of the Monastery and the Farm Shed, and allowed an increase in the overall development of the site. The report prepared by Ku-ring-gai Council Officers and included as Agenda Item 8 of the Council Environment and Planning Committee meeting (26 March 2002) stated ‘...*the monastery although not heritage listed has historical and aesthetic value and the retention of this building is of great benefit. The developer should therefore be given some “credit points” by excluding the stables and half the remaining monastery from the FSR calculation*¹.’

A number of archaeological reports and heritage assessments have been prepared at the request of Ku-ring-gai Council, and submitted to assist Council Officers in assessing the previous Development Application (Refer to Attachment A).

An archaeological excavation of the former Nancarrow Farmhouse site was carried out by HLA-Envirosciences Pty Limited with approval under Section 140 of the *NSW Heritage Act, 1977*. The findings were subsequently submitted to the NSW Heritage Office as a report titled *Phase 2 Archaeological Excavation of Nancarrow Farmhouse* (3 June 2003), which recommended ‘*no further archaeological works are recommended...at present, as the impacted archaeological remains of Nancarrow house have been salvaged...*’

Heritage Considerations Arising from the Proposed Development

The proposed scheme in this application involves redevelopment for multi unit residential use with the retention of existing Farm Shed and the main wing of

¹ Agenda Item 8, page 8/30 DA809/01, of the Council Environment and Planning Committee meeting (26 March 2002). Agenda paper prepared by G Hough, Team Leader St Ives Ward, and N Juradowitch, Director Environmental and Regulatory Services.

the former Passionist Fathers' Monastery building and the insertion of new uses in these structures.

The Farm Shed / Stable building is located at the south west corner of the site, and would be retained and made good, and adapted for a new use as part of the communal open areas for the site. New development will be separated from this structure to allow its scale and construction to be interpreted by visitors to the site. Its setting will be adapted to incorporate the structure into the landscaped setting of the overall residential development. Plans of the works are included in the Planning Report. Site interpretation will be installed that explains the history of the former land uses. This treatment is similar to that previously approved for the site and is appropriate to the significance of the retained structure.

The northern wing of the former Monastery would be retained and adapted to accommodate administration and recreational facilities including a pool and gym on the ground floor, with four apartments on the first floor. New development on the site would be located to allow a view between Killeaton Street and the main entrance of the former monastery, enabling the original building to be viewed by pedestrians in Killeaton Street.

Under the *Heritage Act 1977*, and in keeping with the recommendations of the 'Phase 2 Archaeological Excavation of the Nancarrow Farmhouse' prepared by HLA-Envirosciences Pty Limited, the excavation sites of this development have been assessed by a qualified archaeologist.

FORMER PASSIONIST FATHERS MONASTERY SITE 132-138 KILLEATON STREET, ST IVES NSW 2071		
SUMMARY OF HERITAGE REPORTS PREPARED FOR THE SITE TO DATE		
Date	Item	Comments
1997	<i>'Preliminary Heritage Assessment: Passionist Fathers Monastery Chapel & Residential Retreat and Conference Centre'</i> (September 1997) prepared by Tanner & Associates for Raine & Horne Bondi Junction	
21 Dec 2000	Letter from Australian Heritage Commission to Ku-ring-gai Council confirming the site may have heritage significance at the local level.	
26 Mar 2001	Report prepared by HLA-Envirosciences 'An archaeological assessment of the Passionist Fathers Monastery, St Ives' to accompany application under Section 140 of the <i>Heritage Act 1977</i> .	
14 Jun 2001	Heritage Statement prepared by NBRS.	
29 Jun 2001	DA lodged with Ku-ring-gai Council. (DA 809/01).	
31 Aug 2001	Excavation Permit approved by NSW Heritage Office Application No. 2001/S40/037.	
2001	Appeal No: 11027 of 2001, Conditions of Consent Annexure A (NBRS&P v. Ku-ring-gai Council) Heritage requirements: Archaeological excavation & recording of former farmhouse site Lodge copy of report with Ku-ring-gai Council	Completed (see Note A) Completed and lodged 3 Jun 2003 (see Note B).

	(47) a photo record of buildings to be demolished and vegetation on site to be submitted to Council for archival purposes.	Completed (see Note C)
24 Jan 2002	Ku-ring-gai Heritage Advisor requests confirmation the proposed development does not impact on the potential archaeological site.	HLA-Envirosciences confirms 30/01/02
25 Jan 2002	Additional Heritage Information (<i>Clement Glancy (sic) and the Inter War Romanesque Style</i>) issued by NBRS.	
17 Apr 2002	Letter from Howard Tanner confirming heritage assessment outlined in his preliminary assessment dated 1997.	
12 Jun 2002	HLA - Envirosciences commissioned to undertake excavations at the former Nancarrow House.	
30 Sept 2002	Excavation Permit issued by NSW Heritage Office.	

NOTE A: Phase 2 Archaeological Excavation of Nancarrow Farmhouse. 3 June 2003. HLA-Envirosciences Pty Limited. Unpublished report prepared for Noel Bell Ridley Smith & Partners.

NOTE B: Farm Shed / Stables Interpretative Strategy & Conservation Works. February 2003. Noel Bell Ridley Smith & Partners. Report prepared as partial fulfilment of Conditions of Consent attached to the Development Approval issued by the Land & Environment Court. This report was updated in August 2010 and October 2011

NOTE C: Photographic Archival Recording. February 2003. Noel Bell Ridley Smith & Partners. Report prepared as partial fulfilment of Conditions of Consent attached to the Development Approval issued by the Land & Environment Court.

These reports and studies have adequately addressed the heritage issues associated with the site and meet the requirements under the NSW *Heritage Act* and comply with the Relics Requirements of the Act. No further studies are required.

Additionally documentation of the proposed conservation works and interpretation of the two remaining structures on the site form part of the present application.

4.0 THE PROPOSAL

The proposal in this application is shown in the drawings prepared by Meriton Apartments Pty Limited and comprises 5 blocks placed on the site set over underground parking that avoids interference with the two retained structures. Deep soil planting is retained around the perimeter of the site and surrounding the former monastery building. The apartment buildings comply with the standards of Ku-ring-gai Council in regards to scale, articulation, height and setbacks. The layout on the site maintains the existing avenue planting on the eastern boundary and an open view to the former Monastery building from Killeaton Street, which were previously considered desirable for this site.

The retained Farm Shed / Stables are to be conserved and adapted for communal use as part of the common open space. The building will become common property offering sheltered open space.

The remnant Monastic building will be conserved and adapted for administrative and communal facilities on the ground floor including a gym, toilets and indoor pool, as well as four apartments on the first floor. These works will include appropriate interpretation of the former use of the site.

5.0 HERITAGE IMPACT ASSESSMENT

5.1 Introduction

The following assessment is based on the guidelines set out by the NSW Heritage Council publication 'Statements of Heritage Impact', 2002.

The following aspects of the proposal respect or enhance the heritage significance of the item for the following reasons:

There is no heritage item in the vicinity, however the setting and visibility of the retained Monastery building and the retention and interpretation of the former farm shed / stables are favourable outcomes in the approved development.

The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:

The proposal will involve some change to the historic character of the remnant portion of the Monastery and in particular no interpretation of the former cloister that has been demolished. Changes inside the monastery will remove some of the original administrative spaces but will maintain the internal central circulation spaces and the external appearance of the building when viewed from the public domain.

The following sympathetic solutions have been considered and discounted for the following reasons:

The current application is similar to others that have been approved for the site. Alternatives for development are not required in this circumstance.

I consider that the application meets the desired treatment for this site that will maintain some association with the previous use through the conservation and adaptation of the former administration block of the Monastery and the retention and interpretation of the former Farm Shed / Stables for communal use. The heritage aspects of the site have been previously addressed and no further study is required.



ROBERT STAAS
Director – Heritage Consultant