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27 August 2023

Dear Parishioners,

With my recent return from my trip overseas, I am very pleased to share with you the following update regarding our St Leonard's site, Naremburn development. This update follows the recent Parish consultation forum held on 7 June 2023 hosted by Fr Vincent on my behalf, with Fr Brian Moloney present at my invitation. Some of you may not have been able to attend that forum so this update will provide much of the detail outlined then as well as an update on what has occurred since that time. The presentation provided on the evening will be made available on the Parish website next week.

I would also like to convey my thanks and deep appreciation to many of you who attended the forum, and to all of you who wrote to me personally, indicating your continued very strong support for the development plans and your very strong support for appealing the Interim Heritage Order placed over the school site.

Historical context

As most in our Parish community will be aware, we have all been part of a long journey of consultation and discernment as we determined to develop St Leonard's, Naremburn. Initially led by Fr Brian, prior to him, Fr Rex, and now supported by me since my time as your Parish Priest. Our development plans were borne out of the desire to ensure our Parish sustainability and vitality. The objectives of the redevelopment project were to revitalise and reactivate this most important site and in doing so enable the Parish to continue to maintain and enhance our St Leonard's Church as well as deliver on our pastoral mission within the community into the future. Additionally, it was thought by parishioners this would be of great benefit of not only our Parish, but the broader community as well.

In the very early stages of this most current development planning, a Parish Working Committee was formed by Fr Brian in 2017 comprising both the Parish Finance Committee and Pastoral Mission Council. The consultation process commenced by Fr Brian, PFC and PMC then included four broader Parishioner forums held in 2019-2021. An independent financial feasibility review was undertaken in the context of Parish needs to work through what might be possible on the site. A "Parish Accommodation and Mission Brief" was then developed to identify the key mission ingredients for the Parish development – the whole Parish community was invited to take part in this process and voice their views on the site and possible development options, feedback was sought and obtained, checked and confirmed through a multi-faceted consultation process, spanning a few years.

Over the past four years, many of you have responded to the invitation to participate personally in the journey and I have been enormously encouraged by your willingness to share your hopes and dreams for the site and to contribute to the decision making along the way.

I have heard from you as well that there have been past attempts to develop the site, to no avail.

A summary of the key elements of our consultation program is below:

From 2017 to November 2021

Joint PFC and PMC meetings	At least 10 meetings held with the PFC and a member of the PMC
Parishioner forums	27 February 2019
	22 May 2019
	26 Nov 2019
	16 Mar 2020
	15 Mar 2021
Parishioner stakeholder discernment	Apr 2021 - Parish Hall design — which comprised parishioners providing feedback that would better respond to the mission through the design of the hall and precinct
One on one meetings at St Leonard's Naremburn	In 2019 two informal sessions held with parishioners after work and after Mass
Questionnaires inviting feedback	Via email and hard copies in St Leonard's and St Philip Neri Churches
Parish bulletins	 Dec 2018 17 Feb 2019 21 Apr 2019 Oct 2020 Nov 2020 28 Mar 2021

By the end of 2019, after extensive consultation, a clear mandate provided by the Parish community, with an overwhelming majority of people indicating strong support to develop the site – you provided valuable input on the type of development and type of facilities parishioners would like to see on the site. Some of those key ingredients for the Parish were:

- Parking and ingress/egress for cars;
- Modern multi-purpose Parish hall meeting rooms and facilities to invite people into the Parish and most importantly, providing opportunities to strengthen mission in our Parish;
- St Leonard's Church (an existing heritage item) to be restored and its curtilage to be retained the Church to be maintained as a place of invitation and open to all providing a stronger sense of community;
- A beautifully designed public forecourt and landscaped gardens;
- Feedback from some also strongly supported the desire to retain the current presbytery, with no attempts to demolish it for development. Fr Brian and the PFC listened to this and it was agreed the presbytery would be retained for adaptive reuse as a home;
- While there was a strong desire for support of aged care should an aged care operator be interested, it was acknowledged by you at the time, given the small scale for potential development, the Parish was unlikely to attract an aged cared operator.

As you know, after an extensive public Expression of Interest campaign that followed Parish consultation, conducted by Colliers in late 2020, the preferred development partner, Metro Property Development, was agreed unanimously by Fr Brian, our PFC and a PMC member. The two best contenders and their designs from the EOI campaign were presented to the Parish community – including a summary of all other submissions and detailed reasons why those were unsuccessful. As a result of further feedback received from the Parish Community Forum, Metro was ultimately appointed as the Parish's development partner in April 2021.

History and decision to close the school

It was during this consultation time, that I know every consideration was again given to whether the school could be reopened, or if childcare might be a possibility on the site.

The school unfortunately closed in 1996 due to a lack of school enrolments. The rich Catholic history of St Leonard's, Naremburn Catholic Primary School is acknowledged and treasured. The decision to close the St Leonard's Naremburn Catholic Primary School in 1996 was only taken after deep consideration of its ongoing viability and sustainability.

At the time of its closure, following a protracted period, the school was determined unviable. At the time of its closure, enrolments had fallen to an all-time low of circa 80 students despite a concerted effort to reverse this trend. Inevitably, the reasons the school closed comprised the following dynamics:

- O Student numbers falling below a viable number appropriate for learning;
- o Inability to attract quality staff as a result of low student numbers;
- Dilapidated and outdated built structures that required significant renewal and redevelopment;
- Requirement for substantial financial support from other school communities;
- Well below desirable ratio per student of outdoor space.

The financial position of the school was further compromised by the withdrawal of the religious institutes, particularly the Sisters of St Joseph. While the school was established by the Sisters, and they were honoured for their involvement with the school, they could not continue to be involved and had to be replaced by paid staff. It is widely understood, for largely the same reasons, the local state public school also closed around this same time.

School viability

Even well after the difficult decision was made to close the school in 1996, in the time since, the Catholic Schools Broken Bay education system (which is responsible for the 44 schools that operate within the Diocese of Broken Bay) reconsidered whether the school should or could be re-established. In 2019, the Parish community requested the Diocesan School System revisit this historic decision about the school closure before it made vital future plans for the whole of the Parish site. This work was presented to the Parish community in 2019, with that analysis reviewed again more recently – verifying again that Diocese could not support reopening the school on this site. The reality is the school was forced to close because there was not enough student demand. The most recent data confirms this remains the case.

The key findings included:

- Demographic projections regarding the growth in the local school aged population do not support a local primary school.
- The local catchment is highly competitive in terms of primary school options, and a new school may simply shift enrolments from sister schools in the Parish, namely, St Thomas', Willoughby or St Philip Neri, Northbridge, or elsewhere entirely.
- The site is small and less than optimal in terms of playground space. It does not meet the current NSW Education Standards Authority's (NESA) regulatory/compliance requirements with regard to open place space or the function and operation as a school.
- The school would require significant works to comply with the accessibility requirements of the relevant disability regulations.
- The building is well below the Modern Building Codes and would require demolition and construction.

 There would be significant capital costs involved, diverting much needed funds from school infrastructure in areas of high demand in other parts of the Diocese and in neighbouring schools in Northbridge and Willoughby.

School building structure

In response to the aesthetics and physical aspects of the existing school building, such as the sprung timber floor of the current hall, the floor bears no significance to a modernised school facility and it would need to be removed entirely to function as a school.

As to whether there may have been an option to retain the existing school building for adaptive re-use, this was also considered and deemed unviable. The structure of the building does not lend itself to modernised learning and student enablement facilities, NSW Education Standards Authority compliance requirements. Even if the historic decision to close the school had been reversed, an application to demolish the current school building would still have had to be made to build an entirely new school facility. Adaptively re-purposing the current building would not be possible in in light of NSW Education Standards Authority requirements and parents and guardians expectations of school facilities for their children.

Development plans for St Leonard's, Naremburn

As part of the EOI campaign, from the outset as presented to parishioners, any development to take place on the site would need to be on the school footprint – which would require it to be demolished to make way for the development plans ultimately selected by the Parish.

Metro initially developed plans for the site which included demolition of the school building and annexe (used by CatholicCare at the time), construction of a multi-dwelling housing development with a new parish hall, a new presbytery (on top of the new hall), conversion of the existing presbytery to a dwelling and construction of a new adjacent dwelling to the current presbytery, plus underground car parking and a fully landscaped public forecourt. The development works were also to include significant conservation works to the heritage-listed Church and presbytery to improve the condition of the Church and the presentation to the wider public.

As part of our Parish plans to redevelop the site, it was always envisaged our history would be honoured, especially the history of the beloved Josephites. The proposed development with Metro considers the significance of our rich Catholic heritage and tradition – which we cherish and celebrate with great pride. The design plans place genuine significance on showcasing the historic aspects –envisaged to be proudly displayed throughout the site.

In support of those plans, Metro submitted as part of the DA application:

- An extensive "Statement of Heritage Impact" prepared by Heritage 21 which concluded that "Heritage 21 is therefore confident that the proposed development complies with pertinent heritage controls and would not engender a negative heritage impact on the heritage significance of the subject site and heritage items in the vicinity"; and
- a Schedule of Conservation Works outlining the methodology by which the heritage and significant aspects of the site – being the St Leonard's Church and Presbytery – would be conserved into the future.

After we received Willoughby Council's submissions objecting to the DA, Willoughby Council requested further review of the heritage aspects of the site. In its response providing additional information, Heritage 21 confirmed its assessment that neither the School nor the Annexe met the NSW Heritage criteria for assessing heritage significance. Importantly, in July 2022, Council's own Heritage Planner noted that the additional information provided by Heritage 21 "confirms that the school building does not appear to have enough significance...for identifying and recommending heritage listing and therefore the retention of the building cannot be enforced."

Notwithstanding this, in July 2022 the Council refused the DA.

Appeal against Council's DA refusal and conciliation conference

When considering this outcome with the PFC and others, a decision was made to appeal against Council's DA refusal. Metro, with Parish support, subsequently lodged an Appeal against Council's DA refusal in September 2022 and a Land and Environment Court conciliation conference was held with the Council and myself, Metro and Diocesan representatives in February 2023.

Part of the preparation for this Appeal and mediation with Council was the strong desire to demonstrate the genuine pride we take in our historic St Leonard's Church, illustrated through a beautiful and significant **Historical Interpretation Strategy** which involves honouring our history within the proposed new development and associated landscape. The Historical Interpretation Strategy developed has been designed to showcase:

- The entrance to a public Heritage Walkway (off Merrenburn Ave);
- A public Heritage Walkway leading into the Parish forecourt and surrounds;
- An Historical Timeline display throughout the Heritage Walkway;
- Historic displays incorporated within the Parish Hall Entry and Courtyard, including the western courtyard of the Parish Hall and at the Willoughby Road entry to the site;
- A Memorabilia Wall displayed within the new Parish Hall;
- Elements of the existing sprung timber floor within the new Parish Hall;
- Historical aspects on display throughout the gardens and established landscaping accessible by the public.

Emma McDonald presented the proposed Historical Interpretation Strategy to you at the recent forum and I will make this available on the website next week.

Additionally, we wished to demonstrate to Council and the Commissioner our very genuine commitment to the conservation by developing and committing to a **Conservation Management Plan** focussed on the Church and presbytery.

The Commissioner was minded to allow the conciliation process be continued into March 2023 given the concessions being made by the Parish in the hope of satisfying Council's concerns – but those discussions were ultimately terminated by the Council, despite the many concessions made by the Parish, which included:

- a commitment to the Historical Interpretation Strategy;
- a commitment to conservation works to the heritage-listed Church and as well as to the current presbytery - which would improve the condition of the Church and the presentation of the Church to the wider public;
- the removal of the proposed adjacent dwelling next to the Presbytery thus preserving the curtilage around it;
- removal of a further town house to secure the retention of a tree;
- addition of more mature landscaping in addition to the significant landscaping plans envisaged;
- a redesign of the Parish hall to ensure, from a visual perspective, it was better connected to the Church, rather than the adjacent townhouse development;
- a reduction of some car spaces.

In April, I made the further decision, with advice from my PFC, to maintain the current presbytery as a presbytery. This meant the proposed new presbytery on top of the new Parish hall was no longer required, and there was no longer a need to subdivide the current presbytery site from the Church lot. As a result, the current presbytery was removed entirely from the development plans.

As a result of Council terminating the conciliation process, the Appeal in the Land and Environment Court was set down to be heard around the end of August. The termination of the conciliation discussions by Council came as a surprise as we believed the concessions and design alterations made to the DA would have resolved Council's concerns, and unfortunately, our further attempts to mediate with Council were to no avail.

Summary of planning process to date

Nov 2021	Development Application for development of the St Leonard's site (DA) submitted to Council by Metro
Nov 2021 - Mar/Apr 2022	5 months of Council's "Request for Information" process
Jul 2022	Council's Local Planning Panel – DA determination (DA not approved)
Sep 2022	Metro - DA Appeal proceedings lodged with Land & Environment Court
Feb 2023	Land & Environment Court mediation commenced
Mar 2023	Revised plans submitted responding to Council's concerns
Apr 2023	Council terminated mediation process
30 May 2023	Council placed an Interim Heritage Order over the site
Aug 2023	Original DA Appeal - Land and Environment Court hearing – delayed pending the outcome of the IHO
25 & 26 Sep 2023	IHO Appeal Court hearing

Interim Heritage Order

In late May 2023, Willoughby Council released an Agenda for an Ordinary Council meeting which recommended making an Interim Heritage Order (IHO) over the St Leonard's former school building (and annexe) and presbytery. This came as a complete surprise.

Metro, along with Parish representatives, have spent more than one and a half years liaising with Council, during the DA and DA Appeal and has spent very significant sums of money in relation to the DA- at no point during this time did Council ever raise any potential heritage listing of the former School Building and Annexe.

The Motion to seek an IHO over the former St Leonard's school building (and annexe) and the presbytery was passed by Council so an IHO is now in place over the site. As conveyed at the June Parish forum, this has <u>very serious consequences</u> and as a result of the IHO:

- all development plans for the site are frozen for a period of up to 12 months while the heritage issue is further investigated by Council to determine whether the site should be listed as a Heritage Item within the Willoughby Local Environment Plan;
- the Parish cannot progress its DA Appeal in the Land and Environment Court as the Court cannot hear a matter concerning a property which is subject to an IHO - so the current DA Appeal (which was originally scheduled to be heard at the end of August) is on hold until the IHO matter is resolved.

The matter of the IHO was the subject of the recent Parish forum held in June. The forum had to be arranged urgently, in my absence while on leave, to obtain parishioner community input and reaction to the IHO and to ascertain if there was support to appeal against the IHO. While I was many thousands of miles away, I was on the phone daily during this time and in constant contact. The turnout on the night was very heartening, with around 50 people present notwithstanding the short notice we were able to provide.

Fr Vincent and Fr Brian, members of the PFC and parishioners (including those unable to attend the forum) let me know it was clear the Parish community <u>strongly</u> supported the Parish appealing the IHO. In this time, I received many emails from you in support of appealing the IHO, as well as

recommitting your support to the Metro development. With that support provided, I endorsed the Parish to lodge the Appeal against the IHO and the hearing for the Appeal has been scheduled in the Land and Environment Court for **25 and 26 September 2023**.

By appealing, the Parish will seek to have the **IHO removed over the existing school building (and annexe)** portion of the St Leonard's site. The **Parish is NOT appealing against the IHO placed over the <u>presbytery</u> - as it had determined earlier in the year that the presbytery would no longer form part of the development arrangements with Metro.**

In preparation for the Appeal, two separate "peer review" reports have been obtained from independent heritage experts. **Both reports** conclude that the **school building (including the annexe) does not have heritage significance sufficient to warrant its heritage listing**.

I, along with our PFC members, remain firmly of the view that without the Metro development, our site and in turn our community have much to lose. The Metro development plans speak to the revitalisation of the site and the community, allowing for renewal and opportunities for us and for our St Leonard's Church into the future. Additionally, if the IHO is allowed to stand, Metro will understandably need to walk away from the project and the past four years of time and investment, both theirs and ours, will have been for nothing. Indeed, if the former school building is included in an eventual heritage listing, the result will be dire, as the Parish cannot afford the upkeep and maintenance of the already dilapidated buildings and future development will be impossible. Sadly, the site has already been vandalised and the hall broken into. We held a big clean up recently, removing a considerable amount of rubbish left by people using our site for anti-social behaviour.

In working with Metro, and yourselves over the years, I believe we have a design which is sympathetic and celebrates our St Leonard's Church history and life into the future that:

- Further enhances the life of the Parish and ensures it continues its rich tradition of serving the local community.
- Takes into account the significance of our heritage listed Church, ensuring it remains the heart of the site.
- Retains the current Presbytery site as part of the Church site to be listed as a heritage item.
- Ensures both the former school and Parish history will be honoured, cherished and on visible display. More so than what it is currently.
- Ensures the site will be reactivated and welcoming to the wider local Community achieved through:
 - A newly built Parish hall aesthetically designed and clearly visible and accessible by both the Parish and wider local community;
 - activating a public plaza and ensuring a greater amount of accessible landscaped areas;
 - creating off-street parking;
 - ensuring financial proceeds raised will be invested in the future the site and the Parish.

The future sustainability of the Parish depends most vitally on this proposed development with Metro. Should it not proceed the site will remain derelict. The Parish's ability to maintain and conserve the heritage Church and presbytery will be seriously diminished as the funds to support it were to be derived from the townhouse development.

Above all, you continue to convey to me your wishes to continue to sustain a vibrant pastoral space for the community. This will not be possible, if we lose the Appeal against the Interim Heritage Order.

Community support – the Parish needs your help!

To support our Appeal, I would like to call on you once again. You can assist by **writing to Council** to make clear to Council your support in appealing the Interim Heritage Order and why you are against an Interim Heritage Order being placed over the former school site. I ask you to also convey your support for the proposed Metro development. The reason I make this request of you, many of you have asked what you can do. Some of you have already conveyed your concerns direct to Council about the Interim Heritage Order. It also has appeared to me that Council questions our parishioner community's overwhelming support for the Metro development, for development of the site more generally and for our concern about the placement of an Interim Heritage Order over the former school site.

Some guidelines and a template letter of support have been developed to assist you which are enclosed with this update. They will be made available on the Parish website and Dionne and Ursula will also email you early next week. Ideally, all submissions to Council should be lodged by Tuesday, 5 September 2023. If you can write to Council, could you please copy me in the email if you are emailing Council, or send me a copy of the letter if you are sending it physically to Council.

I would also like to invite you to another Parish forum to be held on **Wednesday, 6 September 2023** at the **St Leonard's Church Hall, Naremburn from 7.30pm**. This will provide a further opportunity to gather once more to discern this update more fully and to share with you the latest developments and to hear from you again. Please could you RSVP your attendance either by phone by contacting **Ursula Ohare or Dionne Soares, Parish Secretary on 99588846** or by registering via Trybooking at https://www.trybooking.com/CIWVU or via this QR Code:



I thank you again for your continued support, advice and prayers for our Parish community. Yours sincerely in Christ,

Fr Jose Philip Parish Priest - Lower North Shore Parish

Enclosures: Guidelines and a template letter of support

GUIDELINES FOR PARISHIONERS

If you would like to support the Parish by sending a letter to Willoughby Council, following are some guidelines for your letter of support.

- 1. Use the addressees listed in the sample letter there are 15 addressees which comprise the Mayor, Council CEO, the Planning and Infrastructure Director and all Councillors
- 2. If you are sending this letter by email, please send to:

email@willoughby.nsw.gov.au

3. If you are sending your letter by mail, please send to:

Willoughby City Council PO Box 57 Chatswood NSW 2057

4. Use the subject line in the letter or refer to the proposed development.

For example: This letter concerns the development application relating to the proposed development at 43 Donnelly Road Naremburn

5. At the beginning of the letter introduce yourself by providing some details about your connection with the Naremburn site.

For example: I have been a parishioner of the St Leonard's Catholic Church for the last 20 years.

6. Include details of your association/relationship with the parish over the years.

For example: attending daily or weekly mass, parish events, volunteering etc.

7. Consider the possible topics/issues listed in the sample letter and provide your personal views on those matters relevant to your support for the proposed development.

PLEASE provide your personal views/opinions in your own words.

Apart from the list of addresses and the subject line, PLEASE do not copy the information from the sample letter.

- 8. In your final paragraph, reiterate your support for the development.
- 9. If you would like assistance or additional information, please contact the parish office.

TEMPLATE LETTER OF SUPPORT

TO:	
Tanya Taylor Debra Just Hugh Phemister Robert Samuel Sarkis Mouradian Angelo Rozos, Georgie Roussac Nic Wright Anna Greco Hugh Eriksson John Moratelli Roy McCullagh Craig Campbell Jam Xia Brendon Zhu Willoughby City Council PO Box 57 Chatswood NSW 2057	
43 Donnelly Rd, Naremburn NSW Development Application 2021/3	
I amexample, a parishioner of the St L your association where relevant).	(INSERT details of your association with the site. For eonard's Catholic Church and/or a local resident. Expand on

I am writing in support of the Development Application No. DA 2021/340 for the proposed redevelopment of 43 Donnelly Road, Naremburn including the demolition of the existing school buildings and construction of a new parish hall and meeting rooms, underground car parking, a fully landscaped public forecourt and new town house development. The development works also include significant conservation works to the heritage-listed Church and presbytery to improve the condition of the Church and the presentation to the wider public.

I understand that an Interim Heritage Order has been issued in relation to the existing school buildings and Presbytery, and that if the buildings are listed as heritage items, the Development Application will not be able to proceed.

I believe _____ (INSERT details on the reasons behind your support for the development. Some suggested topics or points are provided below.

The intention is for you to expand on one or more of these points and provide your personal view/opinion. **Please do not copy** the information below. Please use your own words.

Suggested topics:

Existing School Building

• The former school and now Parish hall is in disrepair and currently sits vacant. If no development is approved, the site will continue to sit vacant and will serve no purpose to the Parish community. A vacant site has already attracted anti-social behaviour and vandalism.

- The former school building does not satisfy current building codes and it would require significant capital investment to bring it up to compliance with modern day standards. The Parish does not possess this capital.
- Demographic projections regarding growth in the local school aged population does not support the reopening of a primary school on the site.
- An option to retain the existing school building for adaptive re-use is not viable and would require the investment of significant capital of which the parish does not have.

Proposed New Parish Hall and Townhouses

- As part of the Parish plans to redevelop the site, the school history will be honoured, cherished and on visible display.
- The needs and mission requirements of the Parish are reflected in the design of the new Parish hall and the overall proposed redevelopment with the objective of revitalising and reactivating our St Leonard's site, which will also be of great benefit to the wider community. The existing former school buildings do not reflect the needs of our Parish. In this regard, several parish consultation meetings were held for parishioners to ensure the design was developed in line with the requirements of the Parish.
- The proposed new modern-day hall facility will meet the needs of the Parish and help to revitalise Parish life of the St Leonard's Catholic Community. Specific aspects of the hall are:
 - a large multipurpose space which can be used for a variety of Parish mission activities
 - Semi-commercial kitchen will enable us to cater for events for up to 200 people
 - A new public Forecourt / plaza area, including new landscaped gardens to the north of the Church will facilitate gatherings after Mass and community bbqs.
 - The glazed mezzanine on the upper floor of the Hall lends itself as a quieter space for activities such as the children's liturgy and parish meetings and smaller gatherings.
- The design of the townhouses is sympathetic to the current site and respects the existing heritage-listed St Leonard's Church.
- The proposed development plans place genuine significance on showcasing the historic aspects of the school and Church which are highlighted through the proposed Heritage Interpretation Strategy.
- The sale of the townhouses will assist in providing much needed funds for the Parish. The Parish will put these funds towards future conservation works of the St Leonard's Church and presbytery and will also direct these funds towards the revitalisation of Parish life.
- The Parish's future depends most vitally on this proposed development. If the former school building becomes a heritage-listed item the site may well remain derelict for generations and the Parish will not have the funds from the development to maintain and conserve the heritage Church nor the current presbytery.
- The demolition of the former school buildings and construction of a new modern facility would enhance engagement with the community, revitalising Parish life and activities within the Church precinct.

For the reasons above, I support the Development Application and hope to see its approval. In turn, I do not support the Council's issuing of the Interim Heritage Order or future heritage listing of the former school buildings.

Your sincerely	
Name	
Date	