

**From:** "Roslyn Pollard" <rpollard@rmb213.com>  
**Sent:** 21/12/2020 5:53 AM  
**To:** "Council@shoalhaven.nsw.gov.au" <Council@shoalhaven.nsw.gov.au>  
**Subject:** Wedding Venue at Mananga, Berry  
**Attachments:** Berry Historical Society.PDF

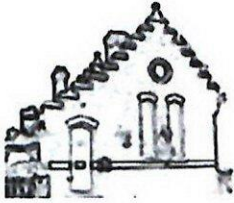
**ATTENTION Stephen Dunshea, CEO**

Dear Mr. Dunshea,

Please find attached the letter from the Berry and District Historical Society regarding the **DA20/2172**.

Thank You. Yours faithfully,

Roslyn Pollard



## Berry and District Historical Society

Berry Museum  
PO Box 153 BERRY NSW 2535  
TEL: 02 4464 3097

135 Queen St BERRY NSW 2535  
[www.berryhistory.org.au](http://www.berryhistory.org.au)  
[berrymuseum@bigpond.com](mailto:berrymuseum@bigpond.com)

General Manager  
Shoalhaven City Council  
PO Box 42  
Nowra NSW 2541  
21 December 2020

Dear Sir,

**Re: DA20/2172 – “Alterations & additions & use of existing 'Mananga Homestead' for use as a Function Centre for the conducting of weddings and events”**

The above Development Application (DA) has been drawn to our attention. The mission and object of the Berry & District Historical Society (BDHS), amongst others, is to promote knowledge of the history of Berry and District and advocate for the preservation of objects and sites of historic interest - and in so doing protect our heritage. We are concerned that the preservation of Mananga and its farm complex has been severely compromised by previous alterations and developments by the applicant. Moreover, the basis of DA20/2172 is disingenuous in that the applicants claim to need approval for a wedding business in order to preserve its historical setting and heritage, much of which they have already erased.

### **Mananga's significance**

“Mananga” holds a prime position at the entrance to our town and has views across the farms and hills of the South Coast. Designed by noted Sydney architect, Howard Joseland, the Mananga homestead plays a significant role in Berry's heritage. It is closely associated with the early private town of Broughton Creek.

The first homestead stood next to the road bridge over the mill race cutting, below the old milk bails building. The mill race, which joined Broughton Mill Creek and Broughton Creek, supplied power to a sawmill. The contours of the land show the location of this race.



The first Post Office in Broughton Creek was established in 1861 on the site of the original Mananga house leased from the Berry Estate by Donald Stewart, the first Post Master. The site of the original house was defined by the camelia tree and old milk bails, the latter which were removed in 2020 by the applicant, supposedly to be rebuilt.

The present “Mananga” homestead is an estate home, built by John Hay, the estate manager, for the Stewart family in 1894. This was done, no doubt, in appreciation of the town spirit of the family who were prominent members of the community – first postmaster, first JP, auctioneer, business people and newspaper reporter of local events. It was still owned by the Stewart family up until 1992.

Mananga is listed as a Heritage Item in Schedule 5 of the Shoalhaven LEP as “Mananga—Berry Estate manager’s farm complex”. (This is incorrect in that none of the Stewarts were Estate Managers – but John Hay was).

Mananga is adjacent to the Pulman Street Heritage Conservation Area. The BDHS regards the Pulman Street Conservation Area, the location of the town in the 19th century, as one of the most significant sites of Berry’s early history.

#### **Reliance on cl 5.10.10**

In submitting their DA for a function centre, the applicants have relied on cl 5.10 of the Shoalhaven LEP, the objectives of which are set out in subsection (1):

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

Specifically, the applicants have relied on cl 5.10.10, rather than cl 2.8 which provides for the temporary use of a property for a function centre. Recently, applications under cl 2.8 for wedding businesses have failed because applicants were unable to establish that a wedding venue would not adversely impact on any adjoining land or the amenity of the neighbourhood. These applications were for properties out of town, not on the edge of a residential area such as the Pulman Street Heritage Conservation Area.

Clause 5.10.10 allows for consent to development for any purpose, even though that purpose would not otherwise be allowed, if conservation of the property is facilitated by the granting of consent. The applicants claim that they are “compelled” to conduct an enterprise in order to conserve the property in its original state, and that the annual cost of conserving the heritage items on the land (homestead, gardens, silo, shed, Norfolk Pine) will be \$145,000 per year (see *Heritage Management report*, Attachment G).

#### **Heritage erased**

It appears the applicants have not endeavoured to conserve the property in its original state - significant development has already occurred which has actually erased much of its historical setting and heritage. They have certainly not satisfied one of the objectives of cl 5.10. 1(b), to



*conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views (cl 5.10.1(b)).*

For example:

- extensions to the shed have erased its original form
- the milk bails building has been removed altogether in 2020, apparently to be rebuilt, and
- the applicant has made extensive changes to the heritage gardens which now seem to bear no resemblance to their original form

### **Claim of anticipated costs is inflated and disingenuous**

The BDHS believes that the claim of anticipated costs to preserve heritage is disingenuous and inflated because:

- the bulk of the anticipated costs relate to the garden
- the DA mentions lawnmowing and hedge clipping as ongoing maintenance costs – which do not require considerable funds and which all owners of large gardens in the area manage to meet without such a development as a wedding venue
- the applicants refer to “new expenditure to be funded from function centre” which indicates plans to further alter the gardens, shed and silo from their original form
- the applicants’ discretionary spending of over \$1m redoing the house and landscaping occurred before submitting this DA so they have already covered those costs
- the advertisement for the sale of the property in 2018 indicated that it has been “sympathetically restored” and that it includes “the original dairy featuring rustic hand-hewn timbers”
- when the applicant bought the property the previous owner had done a considerable amount of maintenance work, including roofing, plumbing etc
- based on current pricing in the Berry area, this proposed wedding business could generate an income of \$200,000 - \$400,000 per year, at a minimum - far in excess of what is needed to maintain the property
- the cabins currently under construction will be a source of income for the maintenance of the property
- should the applicants choose to reside in the homestead from time to time they should meet the cost of its maintenance from personal means, as do residents of any private property, and
- as stated above, much of the heritage of Mananga has been erased by the applicants.

### **“No specific conservation work is required”**

Furthermore, the Statement of Environmental Effects and Planning Report prepared by Cowman Stoddart states that *“No specific conservation work is required or identified in this heritage management document. The maintenance required to Mananga is consistent with the care necessary for any residence, but particularly a building of this age. This maintenance, including regular painting, prevention of water penetration and dispersal of stormwater away from the building, should be carried out in accordance with Heritage Council guidelines”* – p 41.



### **Heritage consultant's recommendations**

The applicants appear not to have complied with the recommendations contained in the *Assessment Report Heritage* (D20/117415), prepared for Council by heritage consultant, Mr Robin Graham, dated 19 March 2020 in relation to tourist cabins at Mananga (DA19/2134). Mr Graham recommended that the cabins be clad in iron so as to “more closely resemble the farm buildings”, that certain changes be made to the milk bails building, and other amendments. This report was referred to the applicants. Instead, the cabins appear to be clad in timber, the milk bails have been removed (presumably to be rebuilt) and the gardens do not comply with Mr Graham’s recommendations. It therefore appears that, in its approval of the DA for the tourist cabins on 2 June 2020, Council has not taken account of these recommendations from a heritage expert, and not made them a condition of consent. This decision on Council’s part does not sit well with approval of a wedding business in order to preserve heritage.

### **No assessment of effect on the Pulman Street Heritage Conservation Area**

Clause 5.10.5(c) allows the Council, before granting consent on land within the vicinity of land within a conservation area, to require a heritage management plan that “*assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned*”. Although such a heritage management document has been submitted, prepared by Edmiston Jones, which does refer to the Pulman Street Heritage Conservation Area, it does not address the effect on the Pulman Street Heritage Conservation Area of the proposed wedding business. (Nor was such an assessment provided in relation to the construction of the cabins.)

In addition, cl 5.10.10 (e) provides that consent cannot be provided if the proposed development has “any significant adverse effect on the amenity of the surrounding area”. The BDHS is concerned that a function centre adjacent to the Pulman Street Heritage Conservation Area would have a significant adverse impact on the precinct as a whole in that it would reduce its authenticity as the site of early European settlement at Broughton Creek, later known as Berry.

### **In conclusion**

As mentioned above, one of the objectives of cl 5.10 is:

- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views”.*

The BDHS believes that approval of this application would have a negative impact on the heritage significance of both the Mananga homestead and farm complex, and the Pulman Street Heritage Conservation Area.

The BDHS is concerned that these heritage provisions in the LEP are being used as a loophole by applicants who claim that a highly profitable business is required in order to maintain heritage items, when most of the anticipated costs would arise because of the nature of their business rather than the ongoing conservation of the property.

More importantly, it was not anticipated that cl 5.10.10 would allow for the conduct of weddings with all the attendant noise and disruption in such an important conservation area, supposedly in order to preserve heritage items, when in fact the heritage items that the applicants claim to be preserving have already been removed or contaminated.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'R Pollard'.

Roslyn Pollard

President

The Berry & District Historical Society Inc