

Heritage Referral Response

Application Number:	Mod2025/0424
Proposed Development:	Modification of Development Consent DA2024/0946 granted for Use of the premises as a restaurant
Date:	24/09/2025
To:	Alex Keller
Land to be developed (Address):	Lot B DP 329073 , 80 Undercliff Road FRESHWATER NSW 2096

Officer comments

HERITAGE COMMENTS		
Discussion of reason for referral		
This application has been referred as the site is a listed heritage item, being Item 176 - "Freshwater Restaurant" - 80 Undercliff Road, Freshwater , listed in Schedule 5 of Warringah LEP 2011.		
Details of heritage items affected		
Details of the heritage item, as contained within the Heritage Inventory, are: Item 176 - "Freshwater Restaurant" - 80 Undercliff Road, Freshwater <u>Statement of Significance</u> A building with great social & historical significance as an early meeting place & recreation venue for the first settlers in Freshwater. Representative of the federation style, with high integrity. Prominent local landmark located above Freshwater Beach. <u>Physical Description</u> Two storey building of residential form. Timber weatherboard walls and tiled multi-gabled roof. Gables contain a variety of detail from timber shingles & timber battened trim to a variety of window types. Wide segmented verandah, infilled with glazing.		
Other relevant heritage listings		
SEPP (Biodiversity and Conservation) 2021	No	Comment if applicable
Australian Heritage Register	No	
NSW State Heritage Register	No	
National Trust of Aust (NSW) Register	No	
RAIA Register of 20th Century Buildings of Significance	No	
Other	No	
Consideration of Application		

This application proposes to modify consent DA2024/0946, which formalised the use of the use of the site as a restaurant. Specifically this application proposes that *Condition 24 - Noise Management* be amended to extend the permissible hours that amplified music can be used, both internally and externally. This also necessitates an update of the approved Plan of Management. It is noted that the heritage report submitted with the application was a previous heritage letter prepared for the building in 2023, and does not address the changes proposed by this modification application.

However, it is considered that the extended use of amplified music in the building is not a heritage issue as there will be no impact upon the physical fabric or setting of the heritage item. As a result, this proposal will not have an adverse impact on the heritage significance of the heritage item.

Therefore, no objections are raised on heritage grounds, and no conditions required.

Consider against the provisions of CL5.10 of WLEP 2011:

Is a Conservation Management Plan (CMP) Required? No Has a CMP been provided? N/A

Is a Heritage Impact Statement required? Yes Has a Heritage Impact Statement been provided? 2023 heritage letter

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Heritage Advisor Conditions:

Nil.