



Architectural Projects[®]

2208

33-35 Fairlight Street & 10-12 Clifford
Avenue, Fairlight

Heritage Impact Statement for DA
submission for new residential buildings

Prepared by: Architectural Projects

Prepared for: Allen Group Developments
Pty Ltd

December 2024

V.03

2208 – 33-35 FAIRLIGHT ST & 10-12 CLIFFORD AVE, FAIRLIGHT – HERITAGE IMPACT STATEMENT

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1. INTRODUCTION

1.1. BACKGROUND

Architectural Projects were commissioned by Allen Group Developments Pty Ltd to prepare this Heritage Impact Statement (HIS) in October 2024 in association with a Development Application for demolition of existing structures and construction of new residential buildings containing 15 apartments.

The sites are not listed as heritage and are not within any Conservation Area however, the sites adjoin a heritage listed item, being Item I2 "All stone kerbs" in Schedule 5 Environmental Heritage of the Manly Local Environmental Plan 2013 (LEP).

Refer Figure 1.1 Location Plan and Figure 1.2 Aerial Photograph.
Refer Figure 1.3 Heritage Map and Figure 1.4 Heritage Map detail.

This HIS assesses how the proposed works may impact the heritage significance of the I2 "All stone kerbs" which is located in the vicinity. This HIS is prepared in accordance with the NSW Department of Planning and Environment "Guidelines for preparing statement of heritage impact", 2023.

1.2. SITE DESCRIPTION

The sites have individual dimensions as followings:

33 Fairlight Street (Lot 9/B/DP 3742)
35 Fairlight Street (Lot 8/B/DP3742)
10 Clifford Avenue (Lot 20/B/DP3742)
12 Clifford Avenue (Lot CP/-/SP20752).

The site of 33-35 Fairlight Street and 10-12 Clifford Avenue provide a large block comprising 4 lots that fall approximately 21m from Fairlight Street to Clifford Avenue.

Heritage listed Item I2 "All stone kerbs" are located on the kerb from Hilltop Crescent to Woods Parade.

Figure 1.1 | 2024 | Location Plan | SIX Maps



Figure 1.2 | 2024 | Aerial Photograph | SIX Maps

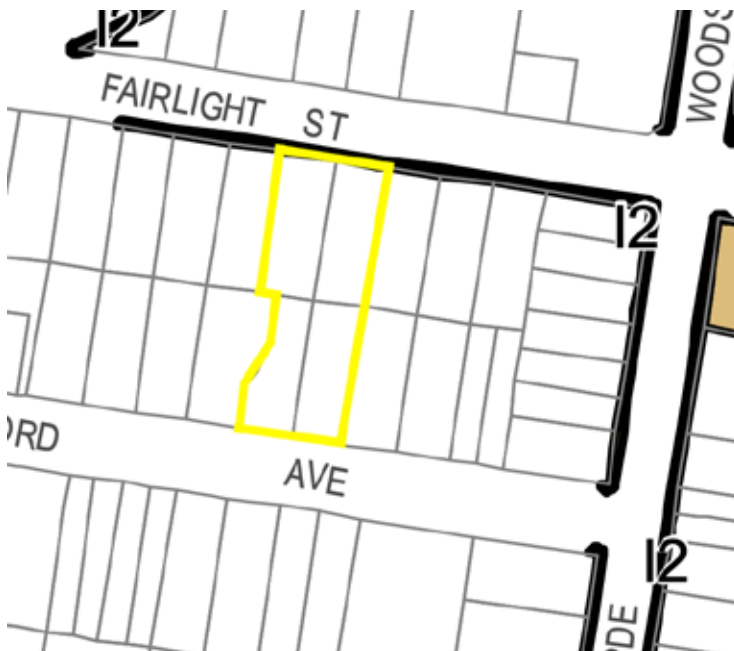


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Figure 1.3 | 2018 | Heritage Map | Manly LEP 2013



Figure 1.4 | 2018 | Heritage Map detail | Manly LEP 2013



2. SITE HISTORY

2.1. HISTORICAL CONTEXT OF THE SITE – TIMELINE

YEAR	DATE	DESCRIPTION
1857	23 Dec	Crown Grant to Peter Ellery.
1858		Ellery sold 5 adjoining grants to Henry Gilbert Smith.
1859-1860		Henry Gilbert Smith built Fairlight House on the Estate.
1880		Henry Gilbert Smith sold Fairlight House to John Woods. The Woods family, under name of The Fairlight Land Building and Investment Company subdivided the Fairlight Estate.
1886	1 May	Fairlight Estate including Fairlight House were offered for sale by Richardson and Wrench.
1898	June	Fairlight Land Building and Investment Company Limited lodged a Primary Application No. 10263.
1902	1902	Further sales of lots in the Fairlight Estate were advertised by Raine and Horne.
1904	29 Feb	Lots 5 and 6 Section A was sold to Harry Shelley.
1910-1915		Shelley sold the lots individually. The lots were subject to fencing covenants.
1911	Aug	Lot 9 (No. 33 Fairlight Street) was sold to George Louis Richardson.
1912	Mar	Lot 8 (No. 35 Fairlight Street) was sold to Henry Mellifont Cowdroy.

2.2. HISTORICAL CONTEXT OF THE SITE - THE FAIRLIGHT ESTATE

The site is part of a Crown Grant of two acres one rood thirty perches to Peter Ellery 23 December 1857. (Figure 2.1-1857) Peter Ellery was the operator of the Spit Punt. Ellery sold his 5 adjoining grants to Henry Gilbert Smith in 1858. Smith consolidated Ellery's grant into his Fairlight Estate. He built Fairlight House on the Estate in 1859-1860, to the design of Edmund Blacket. Fairlight was the name of the village where Smith's first wife came from near Hastings, Sussex, UK. (Figure 2.2-1859)¹

The Fairlight Estate thus comprised 5 grants to Peter Ellery dated 23 December 1857 and part of a 20 acre grant to John Crane Parker on 12 April 1837.

Smith sold Fairlight House and its extensive grounds to John Woods in 1880. The Woods family, under name of The Fairlight Land Building and Investment Company Ltd, subdivided the Fairlight Estate.

On 1 May 1886, the Fairlight Estate allotments including Fairlight House, were offered for sale by Richardson and Wrench. (Figure 2.3 - 1886)

The Fairlight Land Building and Investment Company Limited lodged a Primary Application No. 10263 for the land in June 1898.

¹ MacRitchie, John, Fairlight, Dictionary of Sydney, 2008

Figure 2.1	c1857	Detail of Parish Map of Manly Cove, Sheet 4, showing Ellerys 5 Grants	Historical Land Records Viewer
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Figure 2.2	1859	Fairlight House.	Manly, Warringah and Pittwater Historical Society
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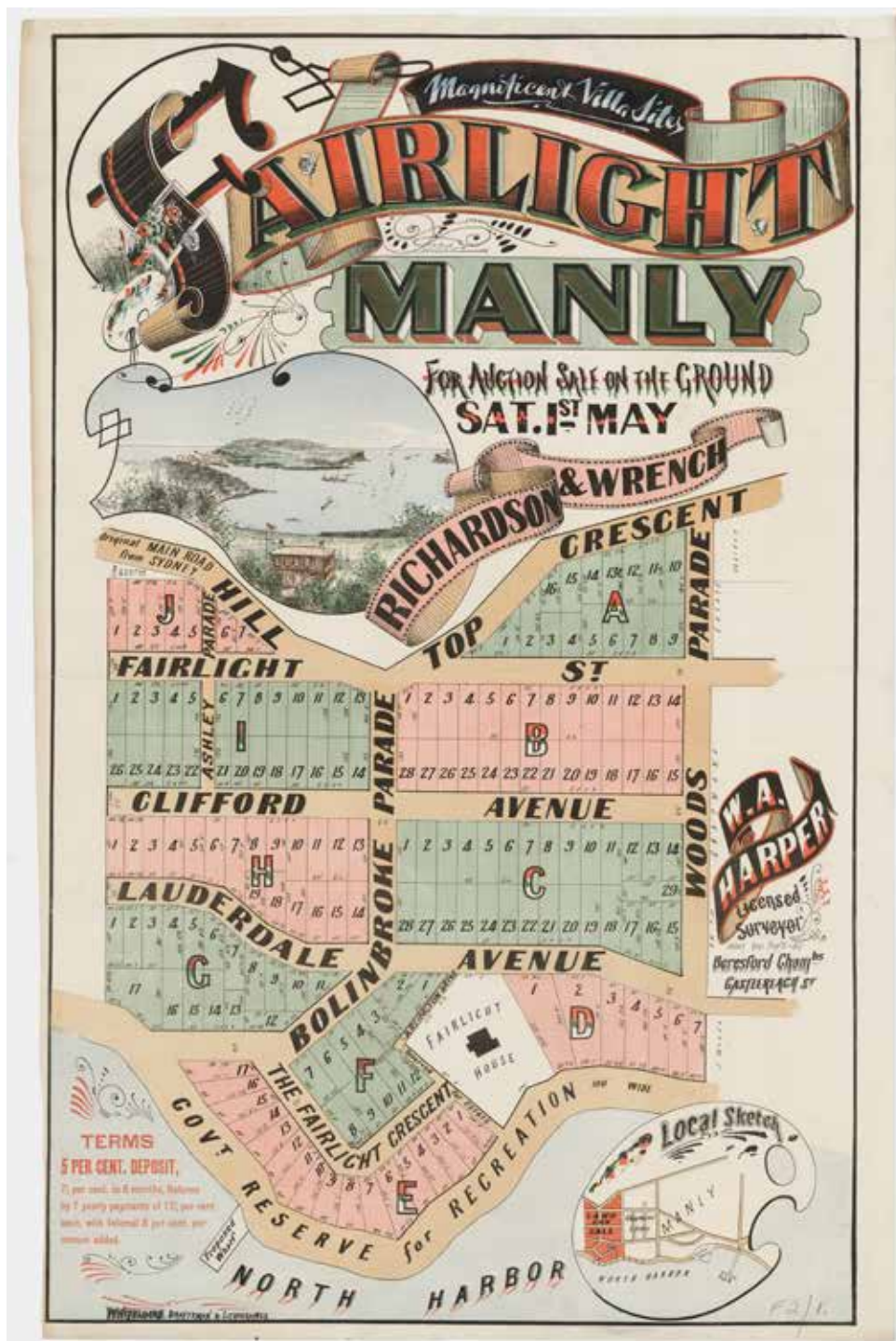


Figure 2.3

1886

Fairlight Estate Manly

State Library NSW
c041400001



In 1898, a Certificate of Title was issued to The Fairlight Land Building and Investment Company in Liquidation for Lots in Section A, B, C, E, F, G, H and I of the Fairlight Estate, including the subject site Lots 8, 9, 20 and 21 in Section B in DP 3742. (Vol 1250-Fol 77) (Figure 2.4 - 1898)

Further sales of lots in the Fairlight Estate were advertised in 1900 by Raine and Horne. (Figure 2.5 - 1902)

The subject lots 8 and 9 were part of a parcel of land comprising Lots 1-12, Lots 5 and 6 Section A, which was eventually sold by The London Bank of Australia Limited, (the mortgagee exercising power of sale), to Harry Shelley on 29th February 1904. (Vol 1250-Fol 77)

On 30 March 1904, a Certificate of Title for Lots 1-12 Section B, Lots 5 and 6 Section A in DP 3742, was issued to Harry Mansfield Shelley, merchant of Sydney. (Refer Figure 1904) Shelley sold the lots individually from 1910-1915. The lots were subject to fencing covenants. Lot 9 (No. 33 Fairlight St) was sold in August 1911 to George Louis Richardson, and Lot 8 (No. 35 Fairlight St) was sold in March 1912 to Henry Mellifont Cowdroy. (Figure 2.6 - Vol 1525-Fol 163)

The subject lot 21 (12 Clifford Avenue) was part of a parcel of land comprising Lots 21-22 Section B, which was eventually sold by The London Bank of Australia Limited (the mortgagee exercising power of sale), to Louisa Emma Williams in 1903².

The subject lot 20 (10 Clifford Avenue) was sold to Ann Williams in August 1906³.

2.3. SITE AND BUILDING TIMELINE

YEAR	DATE	DESCRIPTION
33 FAIRLIGHT STREET: 9/B/DP3742		
1911	12 Sep	Certificate of Title for Lot 9 Section B DP 3742 was issued to George Louis Richardson. The transfer included a fencing covenant.
1912	24 Feb	George Richardson sold to Annie Constance Harders, wife of Andreas Harders.
1913		The house appeared in the Sands Directory, which list Andreas Harders at 'Rostherne'.
1915-1917		'Rostherne' was numbered 45.
1918	16 May	The house now at 33 Fairlight purchased by Luise Mathilde Brewer.
1961	27 Sep	Luise Brewer died and was buried at Manly Cemetery.
1962	25 Jul	Luise's son Birrell Hunter Brewer became the registered proprietor of 33 Fairlight Street.
1968	27 Jan	Birrell Brewer died.

² Certificate of Title Vol 1486 Fol 212, Historical Land Records Viewer, NSW Land Registry Services

³ Certificate of Title Vol 1865 Fol 208, Historical Land Records Viewer, NSW Land Registry Services

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Figure 2.4	1898	Certificate of Title Vol 1250 Folio 77	Historical Land Records Viewer
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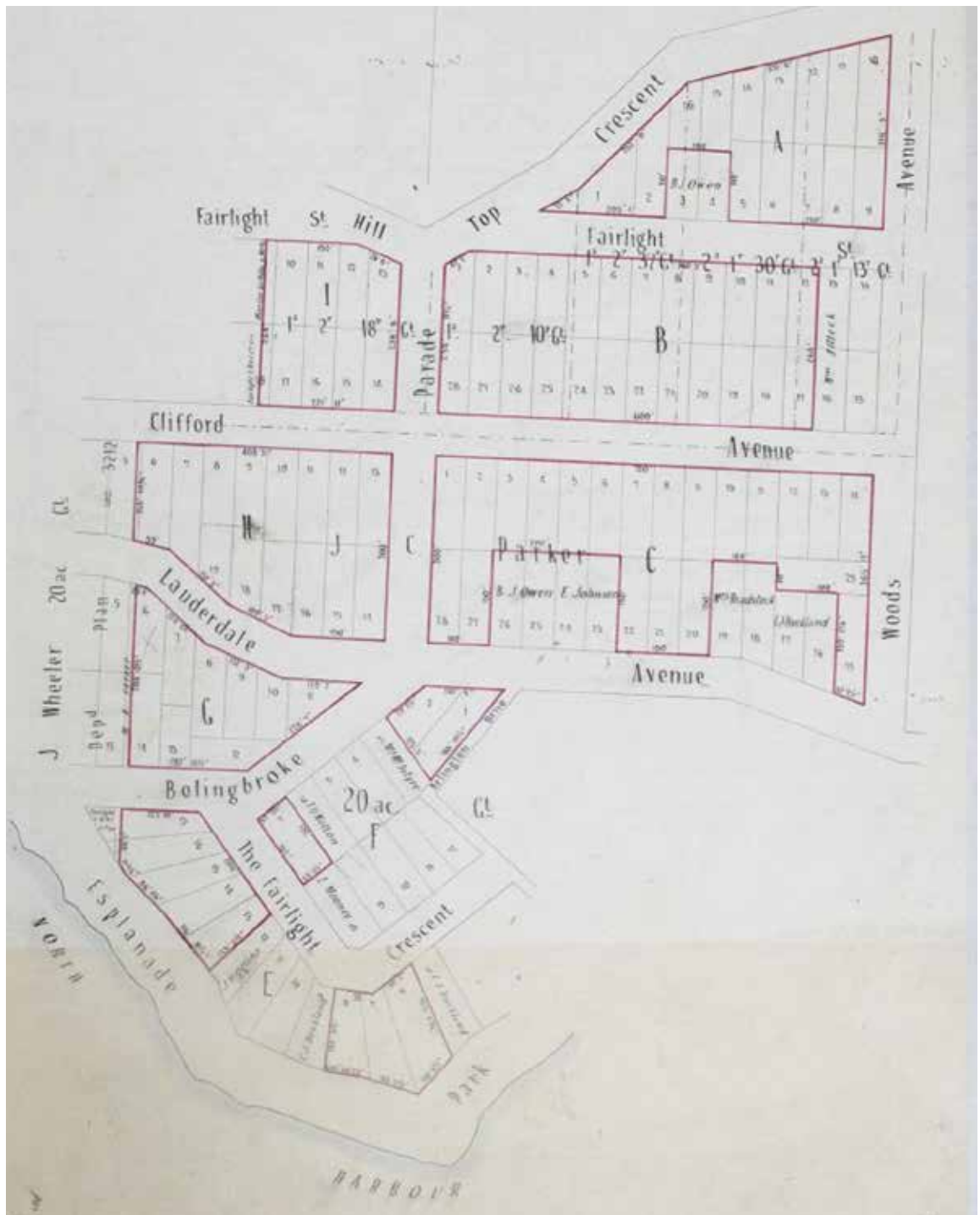
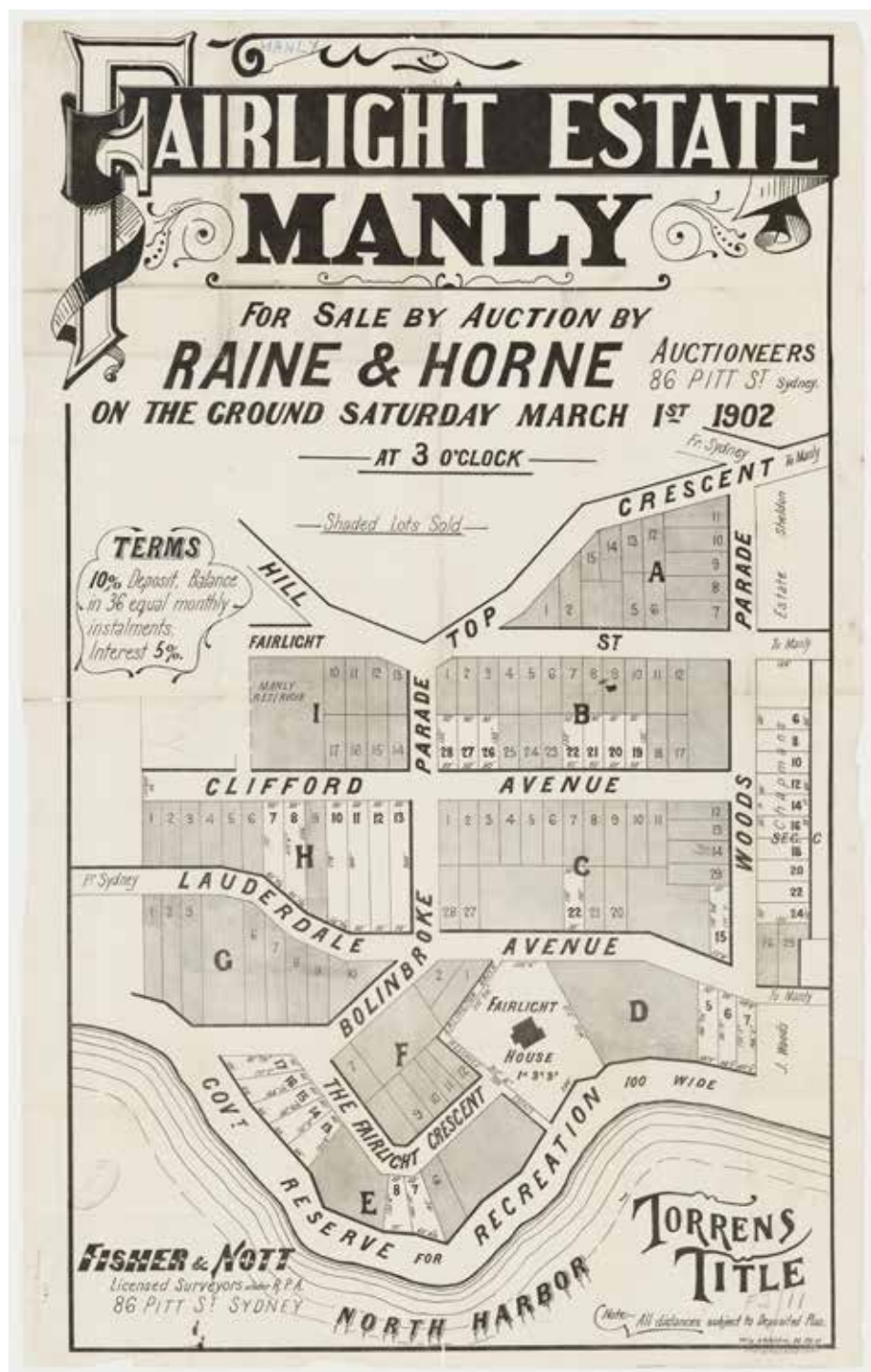


Figure 2.5

1902

Fairlight Estate Manly

State Library NSW
c041400011



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Figure 2.6 | 1904 | Harry Shelley's purchase, Certificate of Title Vol1525 Folio 163 | Historical Land Records Viewer

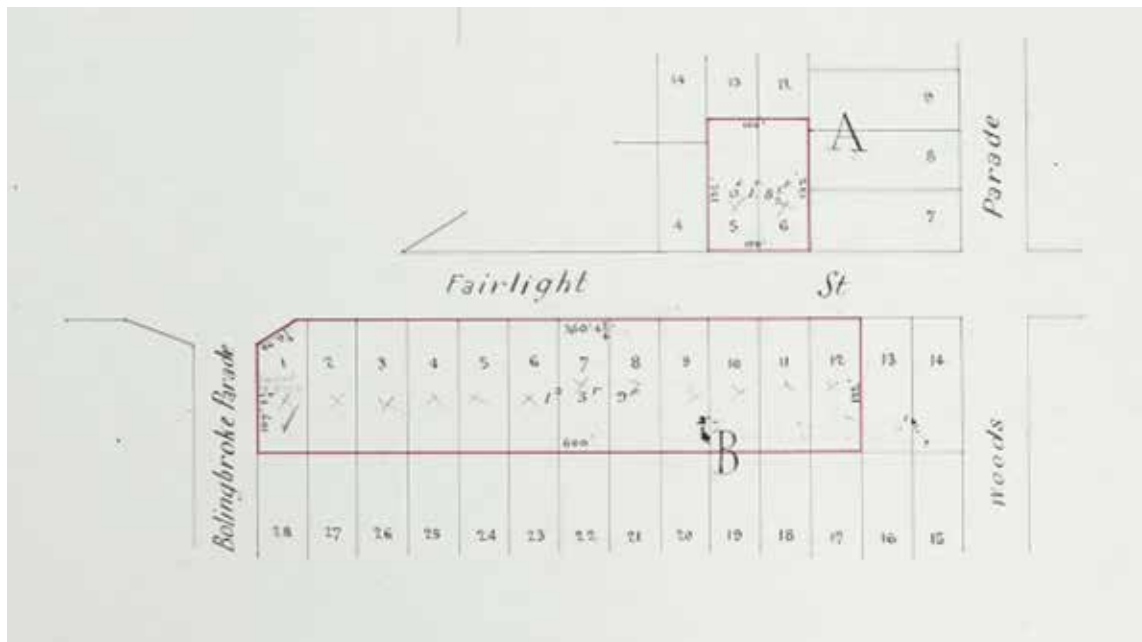
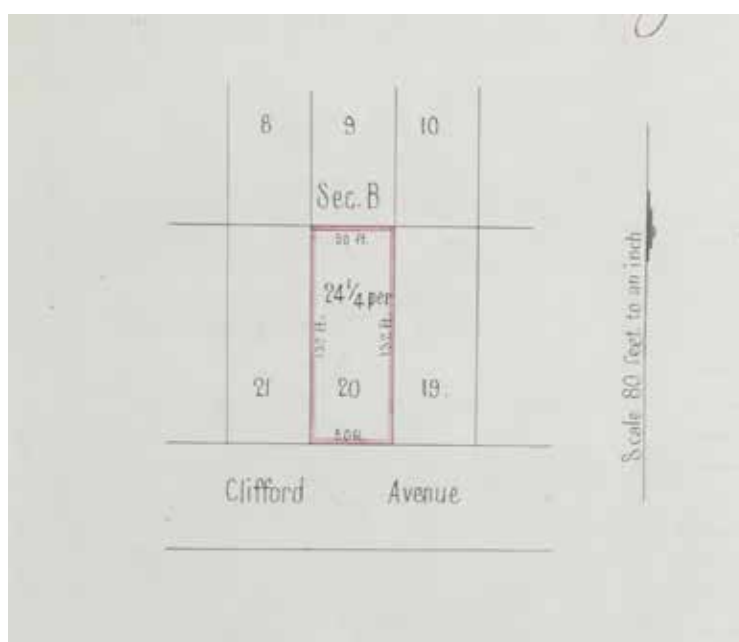


Figure 2.7 | 1908 | 10 Clifford, Lot 8 purchased by Ann Williams, Certificate of Title Vol1865 Folio 208 | Historical Land Records Viewer



1968 1 Oct The house was transmitted to his widow Gladys Lillian Linda Brewer of Fairlight.

35 FAIRLIGHT STREET: 8/B/DP3742

1912 2 Apr Certificate of Title for Lot 8 Section B DP 3742 was issued to Henry Mellifort Cowdroy.

1912 15 Nov The property at 35 Fairlight Street was mortgaged.

1916 The house was listed in the Sands Directory.

1917 Sands Directory lists Henry Cowdroy at 'Minjarrah' and was numbered 45 Fairlight Street.

1922 Dec Minjarrah was offered for rent, furnished, by Henry Mellifort Cowdroy.

1955 15 Jul 35 Fairlight Street was transmitted to Geoffrey Mayo Webb.

1962 Apr 35 Fairlight Street was transferred to Thorp Clive Cowdroy.

1969 35 Fairlight Street was purchased by Dorothy Marion Collingridge of Fairlight.

1973 Marjorie Iren Gliddon, a Real Estate agent, became the registered proprietor of 35 Fairlight.

10 CLIFFORD AVENUE, FAIRLIGHT: 20/B/2742

1908 7 Apr Certificate of Title for Lot 20 in Section B DP 3742 was issued to Ann Williams

1912 16 Oct The land was transferred to Frances Edna Williams

1929 2 May Robert Miles, a builder from Brookvale, acquired the site of 10 Clifford Avenue

1929 July Miles subsequently took out a mortgage on the property

1931 March Miles was discharged of the mortgage and sold the land to Dora Maud Mutton

1942 Dora Maud Mutton died

1943 Aerial photograph shows the original building footprint

1950 August The property was transferred to her two sons, Oswald Ernest Mutton and Nicholas James Mutton as joint tenants before it was purchased by May Stewart Grimley

2007 29 Jan A Section 82A Review to refused Development Application was approved for demolition and erection of a four (4) level house with internal lift, basement car parking for four (4) cars, swimming pool and landscaping

2007 12 Oct Construction Certificate was subsequently approved by a Private Certifier

12 CLIFFORD AVENUE :CP/-/SP20752

1903 8 Sept A Certificate of Title for Lots 21 and 22 of Section B DP 3742 was issued to Louisa Emma Williams. Part of Lot 21 being the site of 12 Clifford Avenue.

1906 January A mortgage was transferred to Henrietta Lucy Tunncliffe, wife of John Alfred Tunncliffe

1907	July	The land was transferred to William Fitzwalter Butler of Dulwich Hill, Land Agent
1908	August	George Wagstaff Booth acquired the land
1918	July	The land was sold it to George Duncan Ross Jr
1932		George Duncan Ross died
1933		George Duncan Ross' son Spencer Lyle Ross took over the ownership
1935		Spencer sold Lot 20 and part of Lot 21 (now 14 Clifford) to Rebecca Lucy Grotefent
1935		Spencer retained ownership of the remainder of Lot 21 now known as the subject site 12 Clifford Avenue. A new Certificate of Title was issued to reflect this, Volume 4680 Folio 236
1948		new Certificates of Title were issued to members of Ross' family as tenants in common
1971		The property was purchased by De Brett Models Pty Limited

2.4. HISTORY OF THE SITE AND BUILDING

33 FAIRLIGHT STREET: 9/B/DP3742

A Certificate of Title for Lot 9 in Section B DP 3742 was issued to George Louis Richardson of Manly, Estate Agent on 12 September 1911. (Vol 2182-Fol 71) The transfer included a fencing covenant. (Figure 2.8 - 1911)

On 24 February 1912, George Richardson sold to Annie Constance Harders, wife of Andreas Harders of Manly, Customs Officer. A mortgage was taken out on the property in September 1912. The house first appears in the 1913 Sands directory which list Andreas Harders at 'Rostherne' Fairlight Street, Manly. This suggests a construction date of circa 1912, most likely by Andreas Harders. 'Rostherne' is numbered 45 in 1915 and 1917 Sands.

On 16 May 1918, 33 Fairlight St was purchased by Luise Mathilde Brewer, wife of Henry Birrell Brewer of Manly, Civil servant. Luise Brewer died on 27 September 1961, and was buried at Manly Cemetery. On 25 July 1962, Luise's son Birrell Hunter Brewer of Balgowlah became registered proprietor of 33 Fairlight St. Birrel (Bon) Brewer died in 27 January 1968, and on 1 October 1968, the house was transmitted to his widow Gladys Lillian Linda Brewer of Fairlight.

35 FAIRLIGHT STREET: 8/B/DP3742

On 2 April 1912 a Certificate of Title issued to Henry Mellifort Cowdroy of Sydney, Advertising Agent for Lot 8 in Section B DP 3742, the site of 35 Fairlight Street. (Vol 2240-Fol 244) (Figure 2.9 - 1912)

On 15 November 1912 the property at 35 Fairlight St was mortgaged. However, the house is not listed in the Sands Directory until 1916 suggesting a construction date of circa 1915. The 1917 Sands

Figure 2.8	1911	33 Fairlight, Lot 9 Certificate of Title Vol 2182 Folio 71	Historical Land Records Viewer
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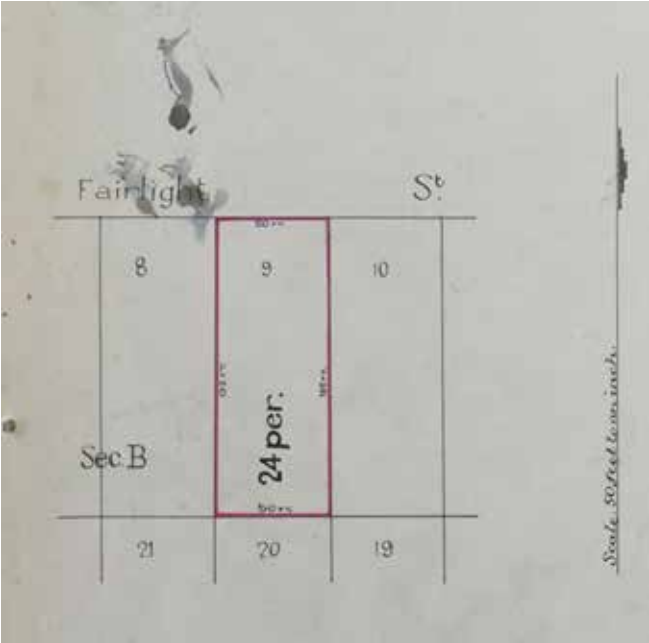
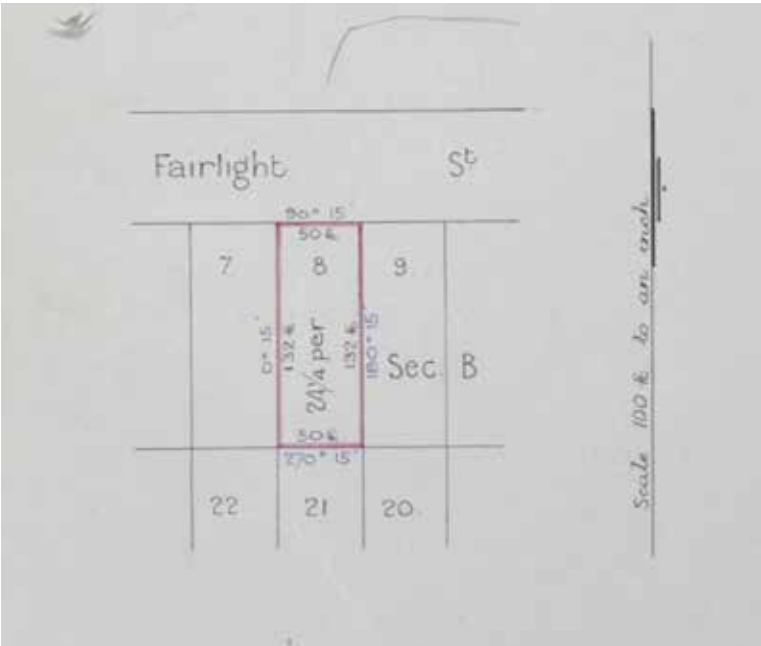


Figure 2.9	1912	Henry Cowdroy, Certificate of Title Vol 2240 Folio 244	Historical Land Records Viewer
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Directory lists Henry Cowdroy at 'Minjarrah' 45 Fairlight Street, Manly. Minjarrah was offered for rent, furnished, by HM Cowdroy in December 1922.⁴

Henry Mellifont Cowdroy was born in Broulee, NSW in 1869. He and his wife Laeta Clara were to have four children Thorp, Marie, John, and Bonnie. Eldest son Thorp was born at Manly in 1911, before the purchase of the site, while youngest daughter Bonnie was born in 1918. Henry Cowdroy died in November 1954 aged 84 at Lawson.⁵ On 15 July 1955, 35 Fairlight St was transmitted to Geoffrey Mayo Webb, Barrister husband of Bonnie Cowdroy, and resident of Balgowlah. In April 1962, 35 Fairlight St was transferred to Thorp Clive Cowdroy.

In 1969, 35 Fairlight St was purchased by Dorothy Marion Collingridge of Fairlight, widow. In 1973, Marjorie Iren Gliddon of Balmain East, Real Estate agent became the registered proprietor of 35 Fairlight St.

10 CLIFFORD AVENUE :20/B/DP3742

On 7 April 1908, a Certificate of Title was issued to Ann Williams, wife of Charles Andrew Williams, a Sydney locksmith for Lot 20 in Section B DP 3742, the site of 10 Clifford Avenue⁶. (Fig 2.7 - 1908)

On 16 October 1912, the land was transferred to Frances Edna Williams⁷.

On 2 May 1929, Robert Miles, a builder from Brookvale, acquired the site of 10 Clifford Avenue⁸. Miles subsequently took out a mortgage on the property in July⁹. He was discharged of the mortgage in March 1931, and shortly after, he sold the land to Dora Maud Mutton.

In 1942, Dora Maud Mutton died at 72 years of age, and at the time survived by her husband, Mr. N. Mutton, two sons, Messrs. O.E. and N. Mutton, and two daughters, Mrs. R. N. Meldrum and Miss Susie Mutton¹⁰.

1943 aerial photograph shows the original building footprint at the time prior to its demolition. (Fig 2.10 - 1943)

The property was transferred to her two sons, Oswald Ernest Mutton and Nicholas James Mutton as joint tenants, before it was purchased by May Stewart Grimley in August 1950.

Northern Beaches Council's record indicates that on 29 January 2007, a Section 82A Review to refused Development Application was approved for demolition and erection of a four (4) level house with

⁴ Sydney Morning Herald Wed 20 Dec 1922, Page 5, Advertising

⁵ Australian Death Notices, 1860-2019

⁶ Certificate of Title Vol 1865 Fol 208, Historical Land Records Viewer, NSW Land Registry Services

⁷ Certificate of Title Vol 1865 Fol 208, Transfer No. 684391, Historical Land Records Viewer, NSW Land Registry Services

⁸ Certificate of Title Vol 1865 Fol 208, Transfer No. B821014, Historical Land Records Viewer, NSW Land Registry Services

⁹ Certificate of Title Vol 1865 Fol 208, Mortgage No. B846679, Historical Land Records Viewer, NSW Land Registry Services

¹⁰ Mrs. N. Mutton, Daily Advertiser (Wagga Wagga, NSW), Wed 2 Sep 1942, page 2, NLA Trove

internal lift, basement car parking for four (4) cars, swimming pool and landscaping¹¹. Construction Certificate was subsequently approved by a Private Certifier on 12 October 2007¹². Between 2008 and 2009, various modification applications related to 10 Clifford Avenue were recorded.

12 CLIFFORD AVENUE :CP/-/SP20752

On 8 September 1903, a Certificate of Title was issued to Louisa Emma Williams, wife of Charles Daniel Williams, a Petersham insurance inspector for Lots 21 and 22 of Section B DP 3742¹³. Part of Lot 21 being the site of 12 Clifford Avenue.

Various mortgages were taken on the property from 1903 until January 1906 when it was transferred to Henrietta Lucy Tunnicliffe, wife of John Alfred Tunnicliffe, a Marrickville stenographer¹⁴.

In July 1907, the land was transferred to William Fitzwalter Butler of Dulwich Hill, Land Agent¹⁵.

In August 1908, George Wagstaff Booth, a Sydney grazier, acquired the land, and he retained his ownership for 10 years, before he sold it to George Duncan Ross Jr. in July 1918.

Following George Duncan Ross' death in 1932, his son Spencer Lyle Ross took over the ownership of the land in 1933¹⁶.

In 1935, Spencer sold Lot 20 and part of Lot 21 (now 14 Clifford) to Rebecca Lucy Grotefent containing 28 perches, and he retained ownership of the remainder of Lot 21 now known as the subject site 12 Clifford Avenue, Fairlight. (Figure 1935 CoT 4680-236) A new Certificate of Title was issued to reflect this, Volume 4680 Folio 236¹⁷.

In 1948, new Certificates of Title were issued to members of Ross' family as tenants in common.

In 1971 the property was purchased by De Brett Models Pty Limited.

2.5. ABILITY TO DEMONSTRATE THEMES

The site has been assessed in comparison to the Historic Themes devised by the former Office of Environment and Heritage now Heritage NSW, Department of Premier and Cabinet. Given the low level of significance, no themes identified.

¹¹ DA121/2006, Northern Beaches Council Development Tracking

¹² CC121/2006, Northern Beaches Council Development Tracking

¹³ Certificate of Title Vol 1486 Fol 212, Historical Land Records Viewer, NSW Land Registry Services

¹⁴ Certificate of Title Vol 1486 Fol 212, Transfer No. 423861, Historical Land Records Viewer, NSW Land Registry Services

¹⁵ Certificate of Title Vol 1486 Fol 212, Transfer No. 467571, Historical Land Records Viewer, NSW Land Registry Services

¹⁶ Certificate of Title Vol 1486 Fol 212, Application by Transmission No. C164107, Historical Land Records Viewer, NSW Land Registry Services

¹⁷ Certificate of Title Vol 4680 Fol 236, Historical Land Records Viewer, NSW Land Registry Services

Figure 2.10	1935	12 Clifford_Spencer Ross Certificate of Title Vol 4680 Folio 228	Historical Land Records Viewer
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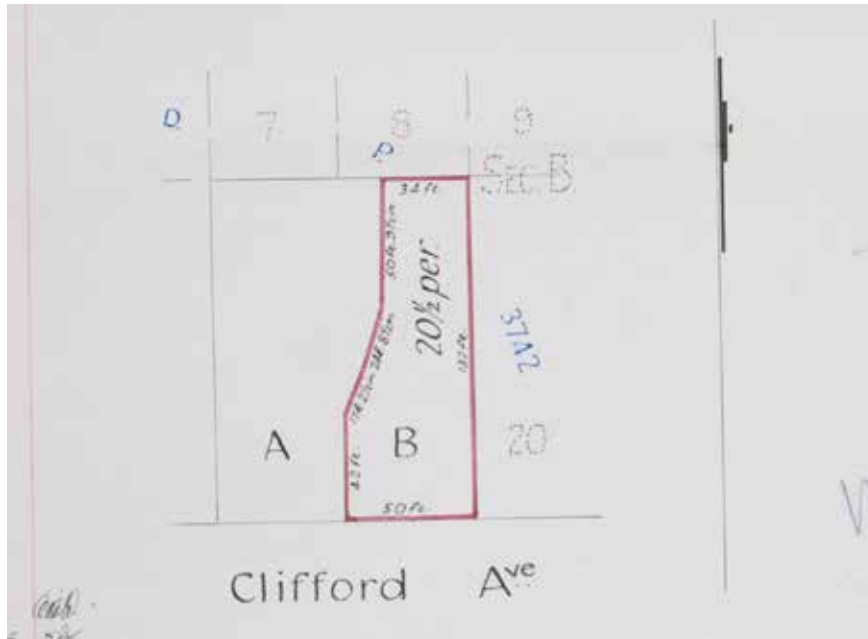


Figure 2.11	1943	Aerial photograph showing the original building footprint of 10 Clifford Ave	SIX Maps
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3. PHYSICAL ANALYSIS

3.1.1. THE CONTEXT

The streetscape is largely defined by mixed residential environment that is typified by medium, high density and low-density housing forms of varying age, scale and design including detached dwellings, semi-detached dwellings, dual occupancies and large residential flat buildings.

Some buildings from the key period 1890-1916 remains.

Minimal views of the building due to site fall/vegetation.

3.1.2. THE SITE AND SETTING

Lot 8 Section B DP 3742 (35 Fairlight Street) has an approximate area of 623m² (approx.)

According to the Deposited Plan, the land has dimensions 15m x 41m.

Lot 9 Section B DP 3742 (33 Fairlight Street) has an approximate area of 615m² (approx.)

According to the Deposited Plan, the land has dimensions 15m x 41m.

Both sites fall approximately 6 metres to the rear.

Lot 20 Section B DP3742 (10 Clifford Avenue) has an approximate area of 613.18m² (approx.)

According to the Deposited Plan, the land has dimensions 15.24m x 40.235m.

Lot CP SP20752 (12 Clifford Avenue) has an approximate area of 512.82m² (approx.)

According to the Deposited Plan, the land has dimensions 15.24m x 40.235m.

The site has a steep fall of 12 metres to the street.

The streetscape is largely defined by mixed residential environment that is typified by medium, high density and low-density housing forms of varying age, scale and design including detached dwellings, semi-detached dwellings, dual occupancies and large residential flat buildings.

Some buildings from the key period 1886-1912 remains.

Minimal views of the building are available due to the site fall and extent of vegetation.

3.1.3. DESCRIPTION OF THE BUILDING/S

33 Fairlight Street dates from circa 1912.

The house is a single-storey house set well below the street with a ½ floor at lower ground due to the site levels. The house has been divided into three (3) flats, two (2) on the ground floor and one (1) on the lower ground floor.

The roof form is a simple hip with a side gable. The verandah has been infilled. An open carport garage has been added to the north which cuts into the existing roof and obscure the northern elevation. To the rear, the south elevation verandah has been infilled. East elevation verandah has been infilled. Some original features remain such as the corner window and bay window, but these are representative.

35 Fairlight Street dates from circa 1915.

The house is a single-storey house set well below the street with a ½ floor at lower ground due to the site levels. The house has been divided into three (3) flats, two (2) on the ground floor and one (1) on the upper level.

The roof form is a simple hip with a smaller side gable. The verandah has been infilled. To the rear, the south elevation verandah has been infilled. East elevation verandah has been infilled. The building has a stone base. Some original features are typical.

10 Clifford Avenue is a 2-3 storey flat building dating 1908.

The site 10 Clifford Avenue is accessed from Clifford avenue. The site falls southeast.

It is characterised by a strong horizontal terrace element and vertical vision of windows which extend across the façade.

The plan is generally rectangular with minor extensions and out

12 Clifford Avenue is a 1-2 storey building with a stone basement dating from 1903.

It is characterised by articulation of the façade into 2 bays each with a horizontal window with a wide central bay and 2 outer windows.

Figures 3.1 – 3.4 Street views

Figure 3.1

2020

Street view of 33 Fairlight Street

Google Streetview



Figure 3.2

2020

Street view of 35 Fairlight Street

Google Streetview



Figure 3.3

2020

Street view of 10 Clifford Avenue

Google Streetview



Figure 3.4

2020

Street view of 12 Clifford Avenue

Google Streetview



4. SIGNIFICANCE

4.1. STATEMENT OF SIGNIFICANCE

Neither 33 & 35 Fairlight Street or 10 & 12 Clifford Avenue reach the threshold for listing due to their representative quality and their low level of intactness. The modifications and addition obscure their original character. No heritage constraints apply.

4.2. GRADING OF SIGNIFICANCE

The area of proposed works is not identified in the Statement of Significance.

	GRADING	JUSTIFICATION	STATUS
A	EXCEPTIONAL	Rare or outstanding element directly contributing to an item's local and State significance.	Fulfils criteria for local or State listing
B	HIGH	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.	Fulfils criteria for local or State listing.
C	MODERATE	Elements of typical representative quality. Altered or modified elements. Elements with little heritage value, but which contribute to the overall significance of the item.	Fulfils criteria for local or State listing.
D	LITTLE	Alterations detract from significance. Difficult to interpret.	Does not fulfil criteria for local or State listing.
E	INTRUSIVE	Damaging to the item's heritage significance.	Does not fulfil criteria for local or State listing.

Schedule of Significant Fabric

The schedule of existing fabric notes the relevant area and its level of significance.

A	EXCEPTIONAL	No fabric identified
B	HIGH	No fabric identified
C	MODERATE	No fabric identified
D	LITTLE	33 Clifford Avenue 35 Clifford Avenue 10 Fairlight Street 12 Fairlight Street
E	INTRUSIVE	No fabric identified

5. **THE PROPOSAL**

The proposal is described in Drawings DA.0000-DA.5700 dated 5th December 2024, Revision A, prepared by Platform Architects.

The proposal involves the following scope of works:

- Demolition of existing structures on 33 & 35 Fairlight Street and 10 & 12 Clifford Avenue.
- Construction of new residential buildings containing 15 apartments.
- Basement carpark with access from Clifford Avenue.

6. ASSESSMENT OF HERITAGE IMPACT

6.1. ASSESSMENT OF HERITAGE IMPACT USING THE DPE (2023) GUIDELINES

The Department of Planning and Environment provides the following guidelines as a prompt to assess the impact of a proposed development.

Matters for Consideration

6.1.1. Fabric and spatial arrangements

The proposed new development will have no impact upon significance fabric as no fabric has been identified as significant in the highly altered buildings. The fabric of the stone kerbs to Fairlight Street are not impacted upon as any new vehicular or pedestrian crossings that would impact the integrity of the stone kerbs are located at Clifford Avenue which minimises the risk of impact upon the stone kerbs.

The development therefore will not impact upon any fabric or spatial arrangements.

6.1.2. Setting, views and vistas

Due to the nature of the heritage item in the vicinity and location on the street kerb, no views and vistas would be impacted by the new development.

6.1.3. Landscape

There is no significant landscape features identified on the sites.

Due to the nature of the heritage item in the vicinity, no landscape elements contribute to its significance and therefore no landscape impacts are foreseen.

6.1.4. Use

The buildings which are not heritage items are proposed for demolition. The use of the new building will be residential use continuing the historic use.

Due to the nature of the heritage item in the vicinity, the proposal will have no impact upon the item.

6.1.5. Demolition

Demolition of all existing buildings and ancillary structures is proposed.

As identified in section 4 of this report, the existing dwellings do not reach the threshold to be listed as heritage items and do not possess significant fabric worthy of their retention.

No demolition of any stone kerbing to Fairlight Street is proposed as part of this Development Application. Therefore, the heritage item in the vicinity is retained and conserved.

6.1.6. Curtilage

No existing curtilage for the dwellings are in place.

The identified curtilage of the stone kerb related to the street rather than the site.

The subject is not listed as a heritage item but sits within the vicinity of heritage-listed stone kerbing to Fairlight Street. The curtilage of the stone kerbs is not impacted upon.

6.1.7. Moveable heritage

No moveable heritage has been identified.

6.1.8. Aboriginal cultural heritage

The heritage listing of the stone kerbs does not identify Aboriginal cultural heritage values.

6.1.9. Historical archaeology

The development is not sited on any known, or potentially significant archaeological deposits.

6.1.10. Natural heritage

The heritage listing of the stone kerbs does not identify as a place of natural heritage values.

6.1.11. Conservation areas

The subject site is not located within a Conservation Area or within the vicinity of a Conservation Area.

6.1.12. Cumulative impacts

There are no foreseen cumulative impacts upon the heritage item in the vicinity due to the location of the proposed development and the nature of the heritage item.

6.1.13. Conservation Management Plan

A conservation management plan has not been required or prepared for the site.

6.1.14. Other heritage items in the vicinity

The proposed works will not have any direct or indirect impacts to the significance of the heritage item in the vicinity, the stone kerbs, because the area of the proposed works is beyond the curtilage of the heritage item. No proposed works to remove any portion of the stone kerb is proposed and therefore no impact is foreseen.

6.1.15. Commonwealth/National heritage significance

Not applicable.

6.1.16. World Heritage significance

Not applicable.

6.2. ASSESSMENT OF HERITAGE IMPACT AGAINST THE RELEVANT HERITAGE POLICIES IN THE CONSERVATION MANAGEMENT PLAN (CMP)

A conservation management plan has not been required or prepared for the site.

6.3. ASSESSMENT OF HERITAGE IMPACT USING COUNCIL HERITAGE CONTROLS

6.3.1. Manly Local Environmental Plan 2013

Clause 5.10 Heritage conservation

Note—

Heritage items *(if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.*

(1) Objectives The objectives of this clause are as follows—

(a) to conserve the environmental heritage of Manly,

(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.*

Response:

Complies, the proposal will have no impact upon the stone kerbs to Fairlight Street as no works are proposed to remove or alter the kerbing. The proposed residential development will be accessed via Clifford Avenue through a pedestrian walkway and a vehicular access driveway whilst Fairlight Street is accessed via a pedestrian walkway which does not extend to the stone kerb. Clifford Avenue does not have heritage-listed stone kerbs and therefore vehicle access via Clifford Avenue does not impact upon the heritage significance of the stone kerbs. The proposed residential flat building development is consistent with the area and complies with other non-heritage controls.

(2) Requirement for consent *Development consent is required for any of the following—*

- (a) *demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—*
 - (i) *a heritage item,*
 - (ii) *an Aboriginal object,*
 - (iii) *a building, work, relic or tree within a heritage conservation area,*
- (b) *altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,*
- (c) *disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,*
- (d) *disturbing or excavating an Aboriginal place of heritage significance,*
- (e) *erecting a building on land—*
 - (i) *on which a heritage item is located or that is within a heritage conservation area, or*
 - (ii) *on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*
- (f) *subdividing land—*
 - (i) *on which a heritage item is located or that is within a heritage conservation area, or*
 - (ii) *on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

Response:

This heritage impact statement forms part of a Development Application submitted to Northern Beaches Council. The proposal complies with this provision.

(3) When consent not required *However, development consent under this clause is not required if—*

- (a) *the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—*
 - (i) *is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and*

- (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or*
- (b) the development is in a cemetery or burial ground and the proposed development—*
 - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and*
 - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or*
 - (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or*
 - (d) the development is exempt development.*

Response:

Not applicable. The proposal seeks development consent.

(4) Effect of proposed development on heritage significance *The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).*

Response:

This heritage impact statement considers the impact of the proposed development on the heritage significance of the heritage item in the vicinity and the potential significance of the existing buildings. This report concludes that there is no foreseen impact upon the heritage item in the vicinity as it will be retained in its existing form. This report concludes that the dwellings do not meet the threshold for heritage listing and therefore are not required to be retained.

The proposal complies with this provision.

(5) Heritage assessment *The consent authority may, before granting consent to any development—*

- (a) on land on which a heritage item is located, or*
- (b) on land that is within a heritage conservation area, or*
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*

require a heritage management document to be prepared 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.

Response:

This heritage impact statement assesses the extent of the proposed development to be carried out and the impact of that work. The proposal complies with this provision.

(6) Heritage conservation management plans *The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.*

Response:

A conservation management plan has not been required or prepared for the site.

(7) Archaeological sites *The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the [Heritage Act 1977](#) applies)—*

- (a) notify the Heritage Council of its intention to grant consent, and*
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

Response:

The heritage listing nor the additional research does not identify any known, or potentially significant archaeological deposits.

(8) Aboriginal places of heritage significance *The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—*

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and*
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.*

Response:

The heritage listing, nor the additional research does not identify Aboriginal cultural heritage values.

(9) Demolition of nominated State heritage items *The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—*

- (a) notify the Heritage Council about the application, and*
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

Response:

Not applicable. The building is not a nominated State heritage item is proposed.

(10) Conservation incentives *The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—*

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and*

- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and*
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and*
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and*
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.*

Response:

No conservation incentives are requested.

6.3.2. Manly Development Control Plan 2013

PART 3 – GENERAL PRINCIPLES OF DEVELOPMENT

3.2 Heritage Considerations

3.2.1 Consideration of Heritage Significance

This report has deemed the existing dwellings at 33-35 Fairlight Street and 10-12 Clifford Avenue do not meet the threshold for heritage listing. The proposed scope of works for demolition of all existing buildings and ancillary structures is therefore supported from a heritage perspective.

The development aims to respect the heritage item in the vicinity and retain its appearance. No proposed works to remove any portion of the stone kerb is proposed and therefore no impact is foreseen. The proposed development has been considered against LEP clause 5.10 and is concludes that no impact is foreseen.

Due to the location of the proposed development, it does not detract from the significance of the heritage item along Fairlight Street and is consistent with the surrounding character and locality.

3.2.1.1 Development in the vicinity of heritage items, or conservation areas

Complies, the development aims to respect the heritage item in the vicinity and retain its appearance. No proposed works to remove any portion of the stone kerb is proposed and therefore no impact is foreseen.

7. CONCLUSION

This report has deemed the existing dwellings at 33-35 Fairlight Street and 10-12 Clifford Avenue do not meet the threshold for heritage listing. The proposed scope of works for demolition of all existing buildings and ancillary structures is therefore supported from a heritage perspective.

The overall impacts to the heritage significance of the heritage item in the vicinity, the stone kerbs, is considered to be negligible. The proposed works occur on an adjacent site and there is no cumulative impacts.

The proposed works will have a neutral impact on the heritage significance of the item in the vicinity due to the nature of the heritage item and the nature of the proposed development does not lead to any changes on the stone kerbing. It is considered that the proposal is consistent with the surrounding development in terms of residential developments in the locality.

Accordingly, the Development Application warrants approval from a heritage perspective.

8. **BIBLIOGRAPHY**

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Northern Beaches Council Development Tracking

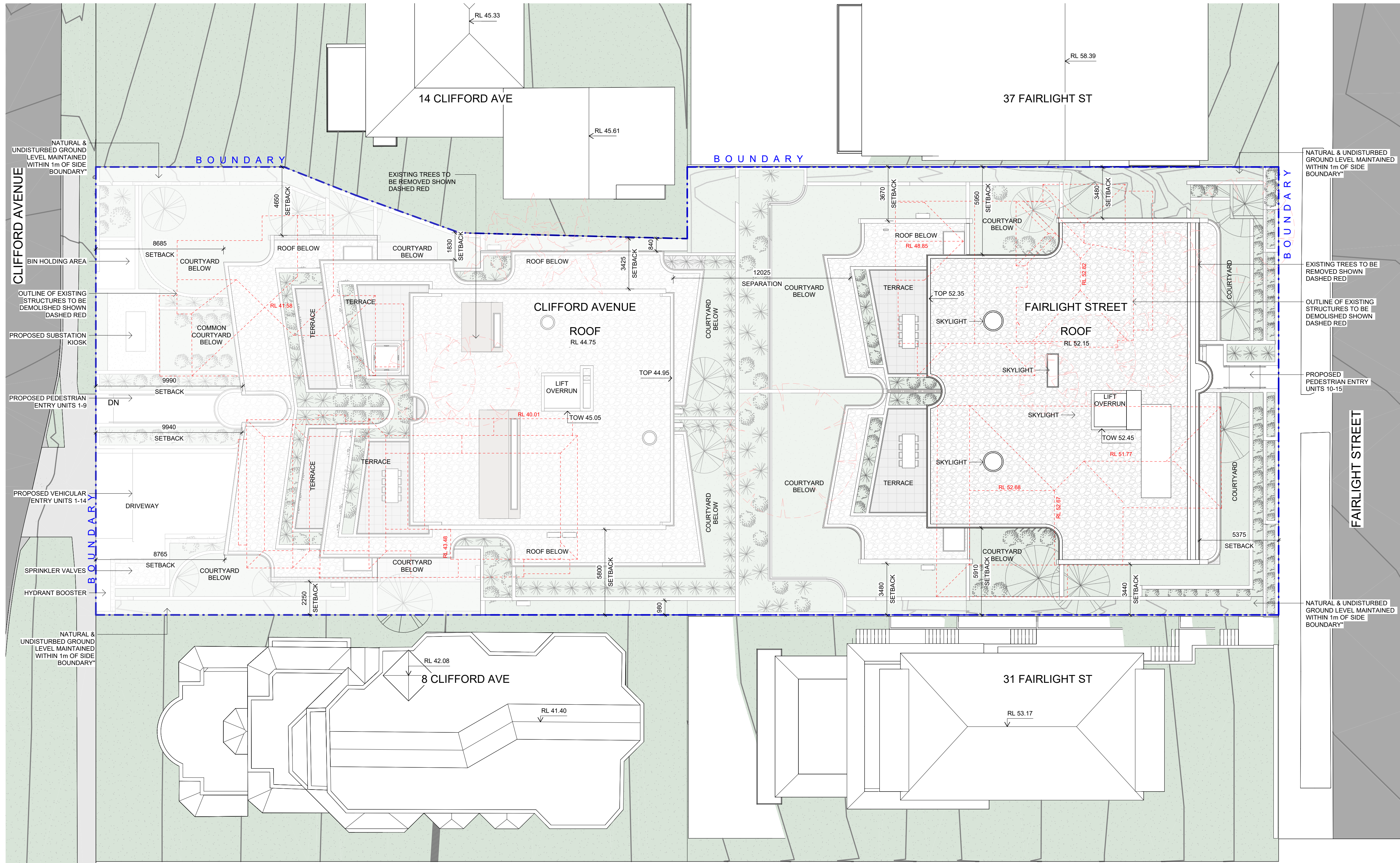
Sands Sydney Directory, online at City of Sydney Archives

9. LIST OF ILLUSTRATIONS

FIGURE NO.	DATE	DESCRIPTION	SOURCE
Figure 1.1	2024	Location Plan	SIX Maps
Figure 1.2	2024	Aerial Photograph	SIX Maps
Figure 1.3	2018	Heritage Map	Manly LEP 2013
Figure 1.4	2018	Heritage Map detail	Manly LEP 2013
Figure 2.1	c1857	Detail of Parish Map of Manly Cove, Sheet 4, showing Ellerys 5 Grants	Historical Land Records Viewer
Figure 2.2	1859	Fairlight House.	Manly, Warringah and Pittwater Historical Society
Figure 2.3	1886	Fairlight Estate Manly	State Library NSW c041400001
Figure 2.4	1898	Certificate of Title Vol 1250 Folio 77	Historical Land Records Viewer
Figure 2.5	1902	Fairlight Estate Manly	State Library NSW c041400011
Figure 2.6	1904	Harry Shelley's purchase, Certificate of Title Vol1525 Folio 163	Historical Land Records Viewer
Figure 2.7	1908	10 Clifford, Lot 8 purchased by Ann Williams, Certificate of Title Vol1865 Folio 208	Historical Land Records Viewer
Figure 2.8	1911	33 Fairlight, Lot 9 Certificate of Title Vol 2182 Folio 71	Historical Land Records Viewer
Figure 2.9	1912	Henry Cowdroy, Certificate of Title Vol 2240 Folio 244	Historical Land Records Viewer
Figure 2.10	1935	12 Clifford_Spencer Ross Certificate of Title Vol 4680 Folio 228	Historical Land Records Viewer
Figure 2.11	1943	Aerial photograph showing the original building footprint of 10 Clifford Ave	SIX Maps
Figure 3.1	2020	Street view of 33 Fairlight Street	Google Streetview
Figure 3.2	2020	Street view of 35 Fairlight Street	Google Streetview
Figure 3.3	2020	Street view of 10 Clifford Avenue	Google Streetview
Figure 3.4	2020	Street view of 12 Clifford Avenue	Google Streetview

10. LIST OF APPENDICES

APPENDIX A	Architectural Drawings No. DA.0000-DA.5700 dated 5 th December 2024, Revision A, prepared by Platform Architects.
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FOR DEVELOPMENT
APPLICATION

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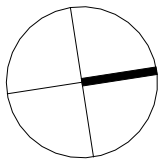
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REVISION NOTES



2/40 East Esplanade
Manly, NSW 2095 Australia
Phone: 02 8385 9759
Nominated Architect:
Bridie Gough 8280

MULTI-RESIDENTIAL DEVELOPMENT
33-35 Fairlight Street
10-12 Clifford Ave
Fairlight NSW 2094
ALLEN GROUP DEVELOPMENTS



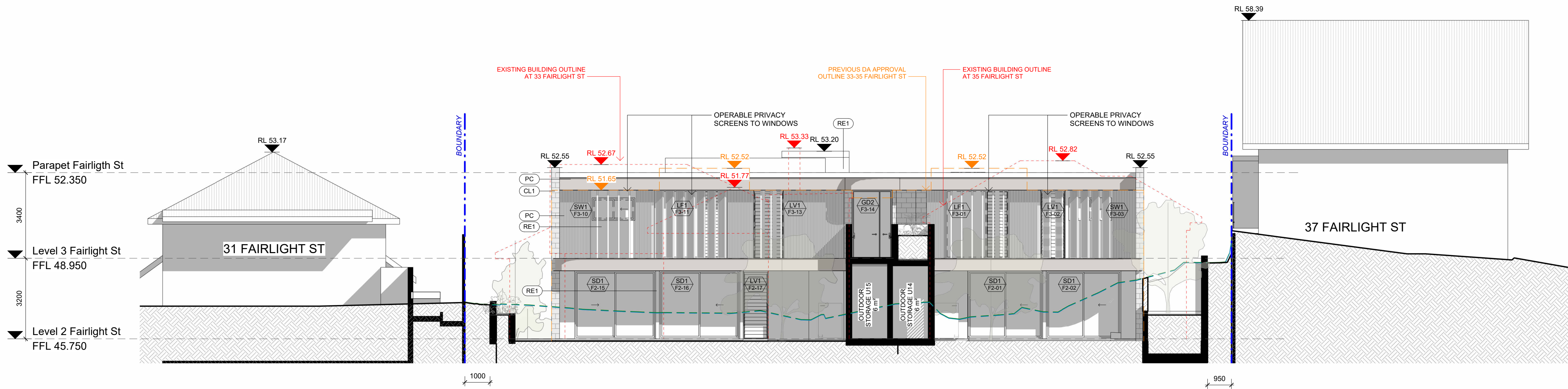
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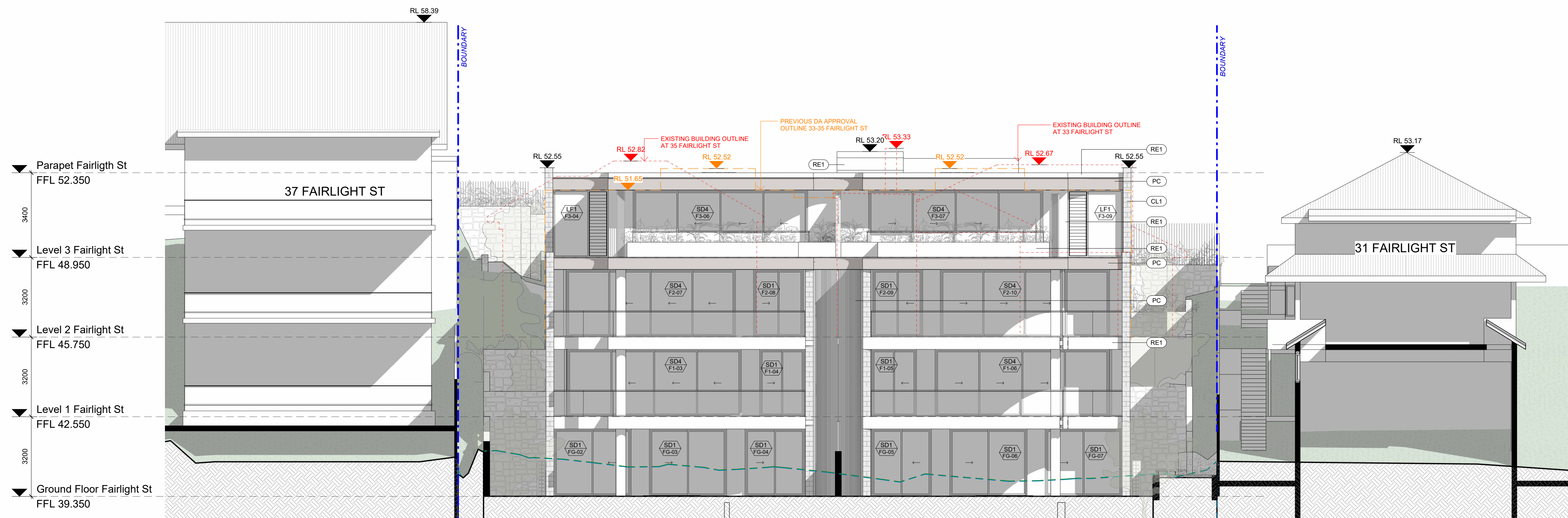
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PROJECT
FSF2
REVISION
A



2 NORTH ELEVATION FAIRLIGHT STREET PAVILION
1 : 100



1 SOUTH ELEVATION FAIRLIGHT STREET PAVILLION
1 : 100

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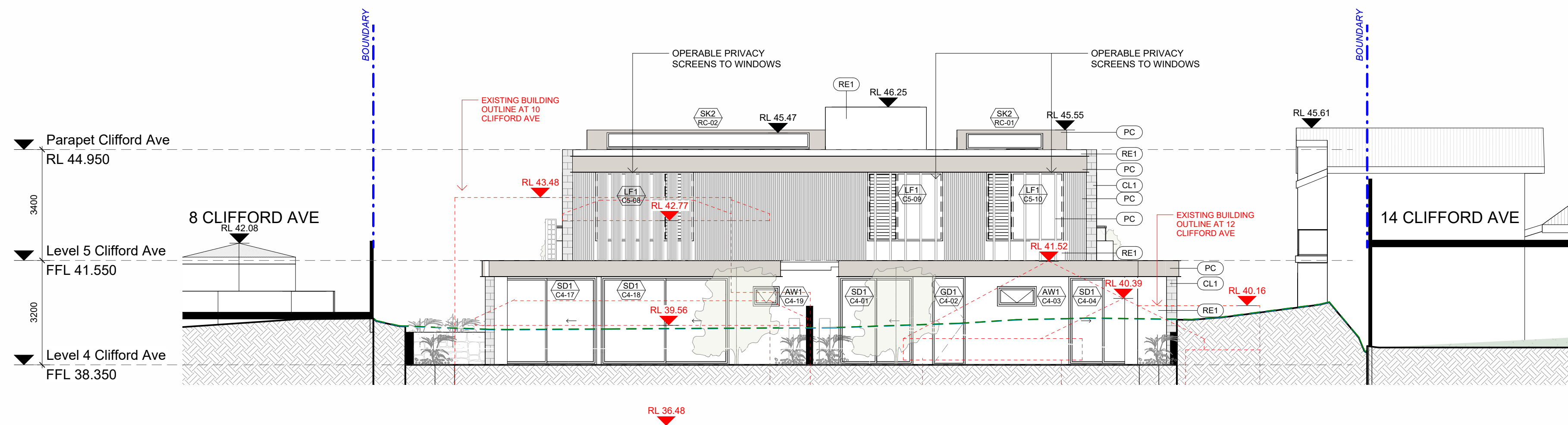
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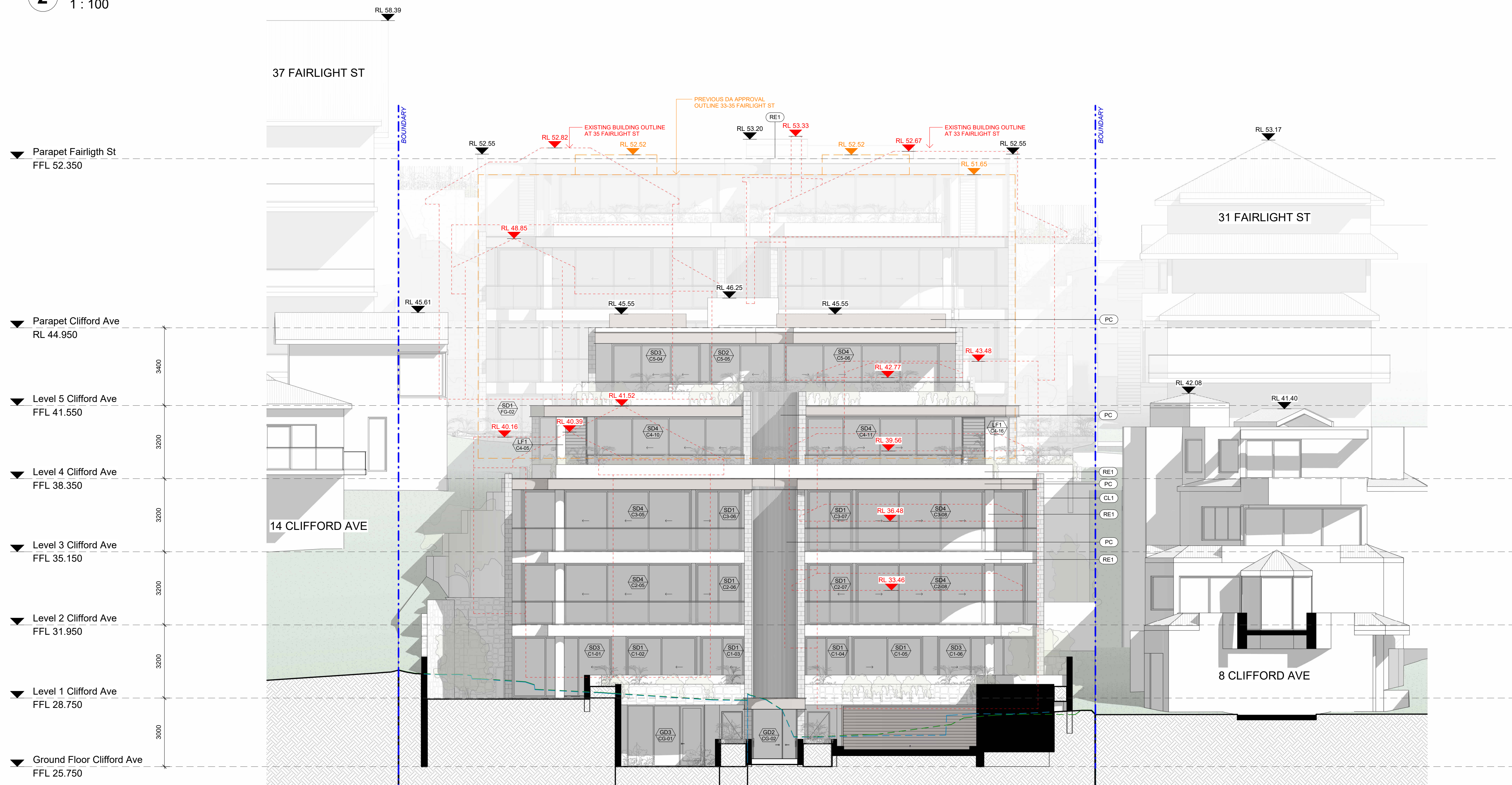
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2 NORTH ELEVATION CLIFFORD AVE
1 : 100



1 SOUTH ELEVATION CLIFFORD AVE PAVILION
1 : 100

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Clifford Ave Pavilion

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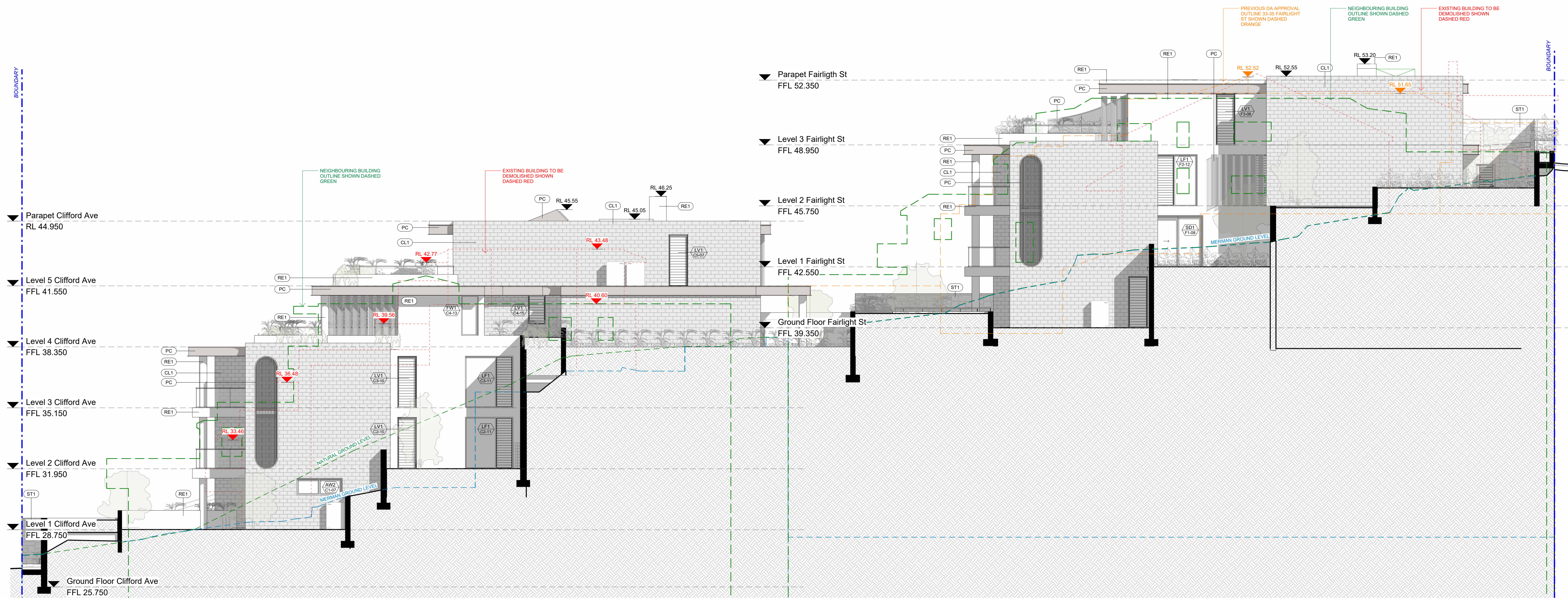
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LEGEND - ELEVATIONS

- EXISTING BUILDINGS TO BE DEMOLISHED
- APPROVED BUILDING ENVELOPE - 33-35 FAIRLIGHT ST
- NEIGHBOURING BUILDINGS
- MERMAN GROUND LEVEL



1 EAST ELEVATION

1 : 100

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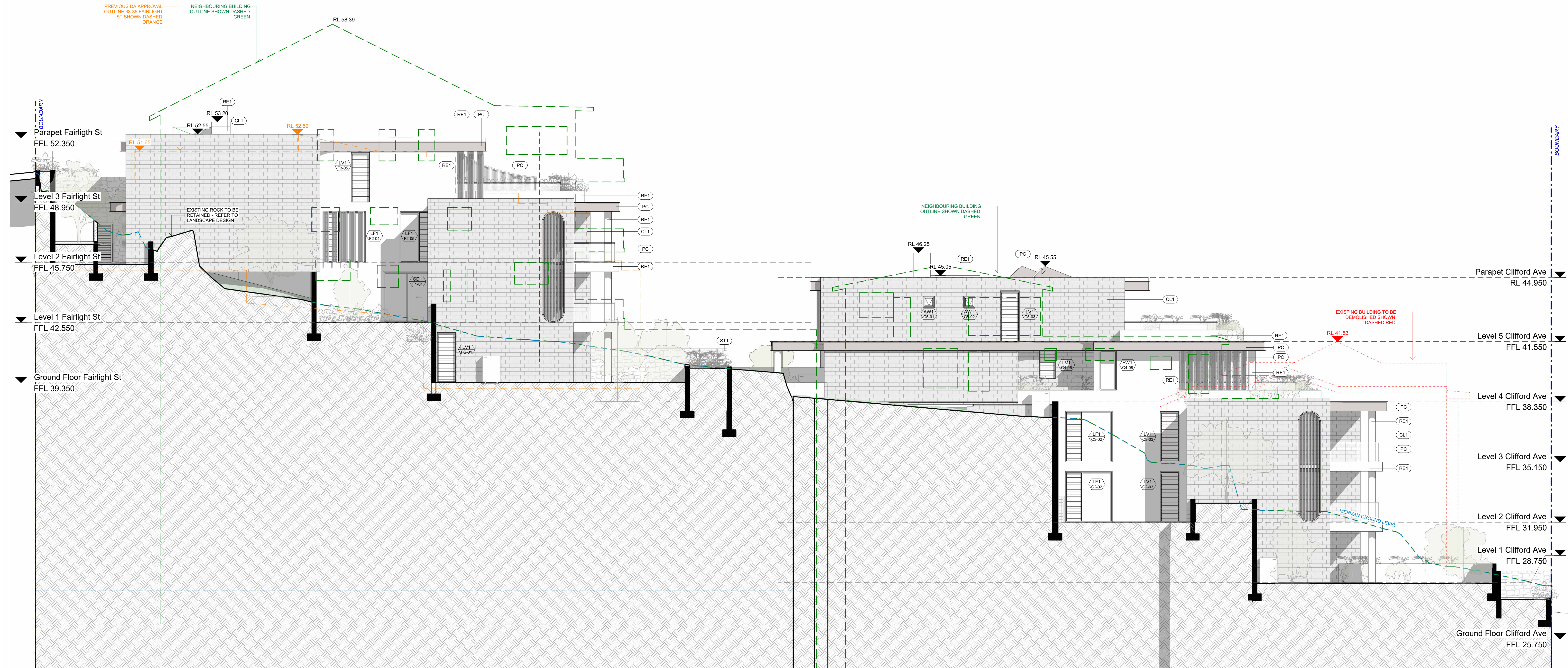
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LEGEND - ELEVATIONS

- EXISTING BUILDINGS TO BE DEMOLISHED
- APPROVED BUILDING ENVELOPE - 33-35 FAIRLIGHT ST
- NEIGHBOURING BUILDINGS
- MERMAN GROUND LEVEL



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West Elevation

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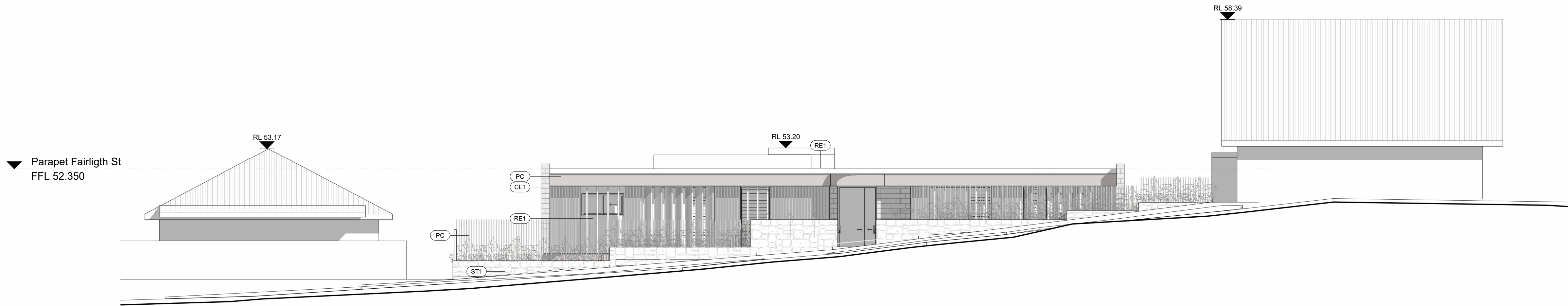
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LEGEND - ELEVATIONS

- EXISTING BUILDINGS TO BE DEMOLISHED
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- NEIGHBOURING BUILDINGS
- MERMAN GROUND LEVEL



2 DA2002 - SOUTH ELEVATION - STREETSCAPE
1 : 100



1 DA2001 - NORTH ELEVATION - STREETSCAPE
1 : 100

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DRAWING TITLE
Streetscape View

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