

Northern Beaches Council
PO Box 82
MANLY NSW 1655

By email: daplanningportal@northernbeaches.nsw.gov.au

Dear Council Planner

**HERITAGE COUNCIL OF NSW – GENERAL TERMS OF APPROVAL
INTEGRATED DEVELOPMENT APPLICATION**

Address: West Esplanade, Manly
SHR item: Manly Wharf
Proposal: Extension of south western deck of Manly Wharf and minor modifications to the façade of Hugo’s restaurant to modify existing windows. New deck furniture and planter boxes. An additional 66 outdoor seats associated with Hugo’s are proposed.

IDA application no: IDA/2020/113, received 20 October 2020

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above integrated development application. In accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the following general terms of approval are granted:

APPROVED DEVELOPMENT

1. Development must be in accordance with:
 - a. Architectural drawings, prepared by Squillace as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: Hugos Manly			
DA- 000	Cover Sheet	09.07.20	A
DA-001	Existing Site Plan	09.07.20	A
DA-002	Existing Ground Floor and Demolition Plan	09.07.20	A
DA-100	Proposed Ground Floor Plan	12.06.20	P9
DA-201	Existing/Proposed External Elevation	09.07.20	A
DA-301	Existing/Proposed Section	09.07.20	A
DA-901	Shadow Diagrams	21.07.20	B
DA-902	Shadow Diagrams	21.07.20	B
DA-903	3D perspectives	09.07.20	A
DA-904	3D Perspectives	09.07.20	A
DA-905	3D Perspectives	09.07.20	A

DA-906	Finishes Schedule	09.07.20	A
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- b. Brief Heritage Impact Statement for Proposed Exterior Decking Extension, Hugos Manly, Manly Wharf, 1 East Esplanade, Manly, NSW, prepared by City Plan Heritage P/L dated 13 July 2020.

EXCEPT AS AMENDED by the following general terms of approval:

WORKS NOT APPROVED

2. The proposed extension of the existing (triangular) upper deck to the north which incorporates a section of the lower western deck and the proposed straightening of the curvilinear lower deck is not approved.
Reason: To ensure that the proposed northern extension does not reduce the publicly accessible area of the lower deck and does not introduce insensitive additions to compensate for this loss. The proposed lower deck extension is unsympathetic to the curvilinear characteristic of Baldwinson design of the public space around the wharf.
3. The new planters, both on the western lower deck and the southern promenade are recommended not to be approved.
Reason: The proposed lower deck planter box contributes to the visual separation between the lower deck and the upper triangular deck. It unnecessarily takes up the public space and highlights the physical and visual separation between the public and private space and are in contrast to the Baldwinson design that encouraged visual and physical openness along the promenade. The proposed planters to the south add to the clutter and unnecessarily divide the public promenade.
4. The heaters as proposed are not approved. Heaters that can be removed and stored must be used.
Reason: The proposed heaters fixed to the deck are visually distracting and add significantly to the visual clutter.

HERITAGE CONSULTANT

5. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.
Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

SITE PROTECTION

6. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.
Reason: To ensure significant fabric including vegetation is protected during construction.

PHOTOGRAPHIC ARCHIVAL RECORDING

7. A photographic archival recording of the areas proposed to be modified must be prepared prior to the commencement of works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). The digital copy of the archival record must be provided to Heritage NSW, Department of Premier and Cabinet.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

8. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.

COMPLIANCE

9. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

SECTION 60 APPLICATION

10. An application under section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

Advice

Section 148 of the *Heritage Act 1977* (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of Appeal

If you are dissatisfied with this determination, section 70A of the Act gives you the right of appeal to the Land and Environment Court.

If you have any questions regarding these general terms of approval, please contact Vibha Upadhyay, Senior Heritage Assessment Officer, at Heritage NSW, on 9873 8587 or vibha.upadhyay@environment.nsw.gov.au.

Yours sincerely



Katrina Stankowski

Senior Team Leader

Regional Heritage Assessment, North

Heritage NSW

Department of Premier and Cabinet

As Delegate of the Heritage Council of NSW

4 December 2020