

10<sup>th</sup> August 2023

J5016\_02

**Attention:**                      **General Manager**

Northern Beaches Council

PO Box 82

Manly NSW 1655

**Re:**                                      **Response to RFI – DA2022/2199**  
**Nos 17-19 Sydney Road, Manly**

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This letter has been prepared in conjunction the Heritage Referral Response received from Northern Beaches Council in relation to DA2022/2199 for the site at 17-19 Sydney Road, Manly. The site is identified as Lot 20 of D.P. 235980. This letter should be read in conjunction with architectural plans by MHNDUNION and structural report by Northwood Consulting Engineers.

Within the Heritage Referral Response Council made the following commentary regarding demolition of the façade:

*Council will not approve the demolition of the front facade unless it would not be technically feasible to retain it.*

Consequently, the proponent has produced a Structural Engineering report by Northwood Consulting Engineers. The report summarised that the second-floor 'Market Place' façade has severely corroded steel lintels that need replacement. The first-floor façade also requires replacement of fly ash lintels due to structural inadequacy, while the ground floor fly ash lintels suffer from concrete deterioration. The Sydney Road façade's parapet experiences cracking and ongoing maintenance needs, with its fly ash lintels and corbels also showing signs of concrete issues. Both facades lack structural support for new internal features and are susceptible to moisture intrusion due to movement-related cracking, containing inappropriate materials and exhibiting poor structural conditions. The report concluded that *these facades should be not be retained in any future development due to their poor structural condition and significant maintenance and strengthening costs if retained.*

Due to the existing building's compromised structural state and the impracticality of adapting its façade for integration into a new development, it is deemed suitable to opt for its removal and replacement with a modern design that respects its historical context. The anticipated maintenance plan outlined by the structural engineer implies a significant

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removal of original elements and necessitates more intrusive stabilisation methods, ultimately resulting in a structure with severely compromised integrity and a limited ability to contribute meaningfully to the HCA.

## **Heritage Assessment:**

The *Helou v Strathfield Municipal Council* (2006) 144 LGERA 322; [2006] NSWLEC 66 sets out the requirements for the demolition of a contributory item in a conservation area was proposed. The court asked the following six questions:

1. ***What is the heritage significance of the conservation area?***

The Manly Town Centre Conservation Area holds local heritage importance as a reflection of the early development of Manly, a harbor and beachside village in the early days of New South Wales. This significance is strengthened by its historical role as a day-trip and vacation destination, its connection with H G Smith who shaped its current form, and its physical features like The Corso's well-preserved promenade and period streetscape, along with hotels and original commercial and residential buildings. The natural beauty of the area has provided a foundation for its scenic appeal, with its cultural landscape, including plantings, monuments, and open spaces, evolving over time to attract visitors and support the local economy. The preserved historic vistas enhance the visitor experience, portraying the changing nature of the area. With its enduring popularity among tourists and its embodiment of Australian beach culture, the Manly Town Centre Conservation Area remains socially significant.

2. ***What contribution does the individual building make to the significance of the conservation area? The court noted that the starting point for answering this question is the Statement of Significance for the conservation area.***

No. 17-19 Sydney Road in Manly is a modest commercial building from the Inter-War period, displaying a moderate level of external integrity, which is perceived as having a "neutral" impact on the HCA. The building's original Inter-war Free Classical style has been compromised by the addition of an extra level after 1951, and internal modifications have resulted in a limited degree of internal integrity. The rear of the building contributes neutrally to the Market Place streetscape due to its unembellished design, aligning with the unpretentious form and proportions of neighbouring structures to the east and west.

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- 3. Is the building structurally unsafe? The court emphasised that an affirmative answer to this question is not necessarily determinative as other factors (especially the building's contribution to the conservation area) are relevant.***

While the building is not currently hazardous, if included in a future development, the existing façade cannot be seamlessly integrated without substantial intervention and reconstruction. This process would further erode the limited remaining integrity of the building.

- 4. If the building is or can be rendered structurally safe, is there any scope for extending or altering it to achieve the development aspirations of the applicant in a way that would have a lesser effect on the integrity of the conservation area than demolition? The costs of remediation/rectification works is relevant to this question.***

The accompanying structural engineering report concludes the facades should not be retained in any future development due to their poor structural condition and significant maintenance and strengthening costs if retained.

- 5. Are these costs so high that they impose an unacceptable burden on the owner of the building? Are the costs (i.e. of conserving the site and incorporating it in the proposed development) so high as to be so unreasonable that demolition should be permitted?***

*See above.*

- 6. Is the replacement of such quality that it will fit into the conservation area? If not, it should be retained until appropriate infill development is approved.***

The planned new building is contemporary style while maintaining reverence for the architectural elements, proportions, and materials within the HCA. The chosen materials and finishes are compatible with the area's character, effectively distinguishing it as a modern addition within the Conservation Area. Dark brick, reminiscent of the Inter-war period's accent bricks, is selected to complement the prevailing face brick in the vicinity. The third-level setback enhances the building's form and façade articulation, establishing a more appropriate relationship with the surrounding HCA. Due to this setback and the site's topography, the building is discreet from Sydney Road and surrounding streets, blending well with the varying roof heights of the area. The proposed through-site connection integrates the structure into the neighbouring fine-grain layout of the HCA. Importantly, the

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proposal maintains existing view corridors along Sydney Road and does not significantly alter the significant streetscape.

Considering the above factors concerning the building's compromised structural integrity and in light of the principles outlined in *Helou v Strathfield Municipal Council (2006)*, the proposition to demolish the façade and introduce a sympathetic modern infill is considered to have an acceptable impact on the HCA.

Please do not hesitate to contact us on 02 8076 5317 if you have any questions.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'James Phillips', with a stylized flourish at the end.

**James Phillips** | Director