



Our Ref: DOC19/770551
Your Ref: s4.55/2019/014

Mr David Auster
Development Assessment Officer
Northern Beaches Council
PO Box 82
MANLY NSW 1655
council@northernbeaches.nsw.gov.au

Dear Mr Auster

**HERITAGE COUNCIL OF NSW — AMENDED GENERAL TERMS OF APPROVAL
SECTION 4.55 MODIFICATION TO INTEGRATED DEVELOPMENT APPLICATION**

Site: 25 Spring Cove Avenue Manly
St Patrick's Estate, SHR No.1724

Proposal: Modification of Development Consent DA38/2016 granted for construction of a new part one (1) and two (2) storey dwelling house with attached triple garage driveway swimming pool and landscape

S4.55 Application No: s.4.55/2019/35, received 29 September 2019

Additional information requested: No

As delegate of the Heritage Council of NSW, I have considered the above modification to the integrated development application. In accordance with section 4.47 of the *Environmental Planning and Assessment Act 1979*, the following amended terms of approval are proposed to be granted (changes in ***bold italics***):

1. APPROVED DEVELOPMENT

Development must be in accordance with:

- a. Architectural drawings, prepared by Tobias Partners as listed below:

Dwg No	Dwg Title	Date	Rev
PROJECT NAME: 25 SPRING COVE AVENUE MANLY – Section 4.55			
1.102	Site plan	3/04/19	M
1.108	Open space calculations	3/04/19	D
2.101	Elevations : north + south	3/04/19	J
2.102	Elevations: east + west	3/04/19	J

- b. Landscape drawings, prepared by Volker Klemm Landscape Design as listed below:

Dwg No	Dwg Title	Date	Rev
PROJECT NAME: 19 Spring Cove Ave MANLY			
L1	Landscape Plan S4.55	05/19	D

- c. *Statement of Environmental Effects (SOEE)*, prepared by Boston Blyth Fleming, dated 3 April 2019
- d. *Modified Statement of Heritage Impacts for Revised Development* prepared by Zoltan Kovacs Architect, dated 13 March 2019

EXCEPT AS AMENDED by the following conditions of this approval:

2. EXTERNAL FINISHES

Submit with the Section 65 Application amended elevations showing details of external paint finishes for assessment and approval in accordance with Section 60 approval.

Reason: Insufficient details of external paint finishes provided.

3. LANDSCAPE DESIGN

Submit with the Section 65 Application amended Landscape Plan showing substitution of three (3) *Omalanthus populafolius* located within the front setback to Spring Cove Avenue with three (3) *Callistemon citrinus* or similar evergreen planting that can attain 3 metres in height, for assessment and approval in accordance with Section 60 approval.

Reason: To retain existing bushland setting.

4. ARCHAEOLOGY

a) The Applicant must ensure that if intact archaeological deposits and/or State significant relics are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified in accordance with Section 146 of the *Heritage Act 1977*. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

b) Should any Aboriginal objects be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment & Heritage (Enviroline 131 555) is to be notified in accordance with Section 89A of the *National Parks and Wildlife Act 1974* (NPW Act). Aboriginal objects in NSW are protected under the NPW Act. Unless the objects are subject to a valid Aboriginal Heritage Impact Permit, work must not recommence until approval to do so has been provided by the Office of Environment & Heritage.

Reason: These are standard condition to inform applicants of their obligations under the respective Acts.

5. COMPLIANCE

a) Officers of the Office of Environment and Heritage, Heritage Division are to be permitted entry to the site at any time as a condition of this approval and may photograph, take samples or request records in relation to any aspects of the approved activity.

b) The Applicant and the nominated Heritage Consultant may be required to participate in random audits of Heritage Council approvals to confirm compliance with conditions of consent at any time.

Reason: This is a standard condition to inform the applicant of compliance audits.

9. SECTION 65a APPLICATION

An application under section 65a of the Heritage Act 1977 must be submitted to and approved by the Delegate of the Heritage Council of NSW prior to work commencing.

Reason: To comply with legislation

ADVICE

Section 148 of the *Heritage Act 1977* 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

If you have any questions regarding this s4.55 assessment for 25 Spring Cove Avenue Manly, please contact Tempe Beaven, Senior Heritage Assessment Officer at the Heritage NSW, Community Engagement, Department of Premier and Cabinet, on 9873 8629 or Tempe.Beaven@environment.nsw.gov.au.

Yours sincerely



20/11/2019

Katrina Stankowski

Senior Team Leader, Regional Heritage Assessments, North
Heritage NSW, Community Engagement
Department of Premier and Cabinet

As Delegate of the Heritage Council of NSW