



# **Statement of Heritage Impact**


**Manly Wharf: Change of Use,  
Alterations and Additions to an  
Existing Tenancy**

**East and West Esplanade, Manly NSW 2095**

Submitted to Northern Beaches Council  
On Behalf of Artemus Group

AUGUST 2024

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*This report has been reviewed and approved for issue in accordance with City Plan's quality assurance policy and procedures.*

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## TABLE OF CONTENTS

<b>Exeuctive Summary .....</b>	<b>5</b>
<b>1. Background .....</b>	<b>6</b>
1.1. Introduction .....	6
1.2. The Site .....	6
1.3. Legal Description .....	6
1.4. Heritage listing .....	6
1.5. Proposal.....	8
1.6. Methodology .....	11
1.7. Constraints and limitations .....	12
1.8. Author Identification .....	12
<b>2. Site Context and Description .....</b>	<b>13</b>
<b>3. Historical Overview .....</b>	<b>18</b>
3.1. History of Manly Wharf .....	18
3.2. History of the Subject Site .....	23
<b>4. Significance of Manly Wharf .....</b>	<b>26</b>
4.1. Statement of Significance .....	26
4.2. Grading of Significance .....	26
<b>5. Heritage Impact Assessment .....</b>	<b>30</b>
5.1. Environmental Planning and Assessment Act 1979 and Heritage Act NSW 1977 .....	30
5.2. Manly Local Environmental Plan 2013 .....	30
5.3. Manly Development Control Plan 2013 .....	32
5.4. State Environmental Planning Policy (Biodiversity and Conservation) 2021 .....	37
5.5. Relevant Conservation Management Plan Policies .....	39
5.6. NSW Department of Planning and Environment Guidelines .....	46
5.6.1. General considerations when preparing a statement of heritage impact .....	46
5.6.2. Considerations for specific types of work .....	48
5.6.3. Matters for Consideration .....	51
<b>6. Conclusion and Recommendations .....</b>	<b>53</b>

## FIGURES

Figure 1: Manly Wharf (indicated in red) and its surrounds. ....	7
Figure 2: The subject site (indicated in red) within Manly Wharf proposed for alteration. ....	7
Figure 3: Cadastral Map of Manly, with Lot 1 DP 1170245 highlighted in yellow. Approximate area of subject site indicated in blue. ....	8

Figure 4: The subject site within the curtilage of the local heritage item I145 'Manly Wharf' .....	8
Figure 5: Demolition Plan: Ground Floor. ....	10
Figure 6: Proposed Plan: Ground Floor. ....	11
Figure 7: General view of empty retail tenancy space, where the new venue is proposed for. Refer to Figure 14 for location within the site. ....	14
Figure 8: View within existing empty retail space facing towards area proposed for a bar (with beer kegs in background). Refer to Figure 14 for location within the site. ....	14
Figure 9: View within existing retail space facing towards area proposed for a second bar and amenities room. Refer to Figure 14 for location within the site. ....	15
Figure 10: Stockroom proposed for installation of beer kegs. Refer to Figure 14 for location within the site. ....	15
Figure 11: Internal corridor leading from southern entry to proposed kitchen. Refer to Figure 14 for location within the site. ....	16
Figure 12: View of the southern half-paced staircase (intrusive element) and southern entry proposed to be reconfigured. Refer to Figure 14 for location within the site. ....	16
Figure 13: Manly Wharf tenancies, with the subject site highlighted in red. Source: TG Developments Pty Ltd. ....	17
Figure 14: Demolition Plan (ACME), with location of above images (with corresponding figures) indicated in green. ....	17
Figure 15: Photograph of Manly Wharf from 1890. ....	19
Figure 16: Photograph of Manly Wharf dated 23 May 1940. ....	21
Figure 17: Manly Wharf as captured in 1951 .....	21
Figure 18: Photograph of Manly Wharf and forecourt from 1898, before the construction of the retail arcade / eastern wing of the wharf. ....	22
Figure 19: Aerial photograph of Manly Wharf in 1989, prior to the construction of the retail arcade / eastern wing. ....	22
Figure 20: Graded Areas of Significance Map .....	29
Figure 21: Basic search of the AHIMS database indicates zero (0) registered Aboriginal sites within the subject site, nor within a 200-metre buffer around the subject site. ....	32
Figure 22: Figure showing the proposed upgrade to Manly Wharf 3, which would obscure views of the new works from the south. ....	36

## TABLES

Table 1: Historical Summary of Manly Wharf .....	23
Table 2: Applications lodged with Northern Beaches Council. ....	24
Table 3: Grading of Significance Table used by Architectural Projects to assess the significance of various elements of Manly Wharf. ....	27
Table 4: Schedule of Significant Fabric, extracted from the Manly Ferry Wharf CMP. ....	27

## EXECUTIVE SUMMARY

City Plan Heritage (CPH) were engaged to prepare a Statement of Heritage Impact to assess the likely impacts of the proposed change of use and alterations and additions to the existing vacant retail tenancy at Manly Wharf to accommodate a pub and microbrewery with ancillary food and drink and entertainment. This engagement is a requirement under the provisions of the NSW *Heritage Act 1977* and *Manly Local Environmental Plan (LEP) 2013* due to the site's listing as a heritage item of State and local heritage significance.

To inform the assessment of the proposed works, the relevant publications from the State of NSW and Department of Planning and Environment have been followed, including *Guidelines for Preparing a Statement of Heritage Impact, 2023*, and *Assessing Heritage Significance, 2023*. As well as this, the guidelines and processes of *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013* (Burra Charter) have also been considered.

The heritage significance of Manly Wharf is well understood. CPH have relied upon information provided within the *Manly Ferry Wharf Conservation Management Plan (CMP)*, prepared by Architectural Projects for the site in 2016, to understand the history of the wharf. Additional historical research was undertaken for the retail tenancy within the wharf that is subject to this development application. CPH have also relied upon Architectural Project's assessment of significant elements and spaces within the wharf through the significance gradings map and schedule of significant fabric table provided as part of the 2016 CMP.

It is concluded that the proposed works are acceptable from a heritage perspective and are consistent with the heritage provisions and controls contained within the *State Environmental Planning Policy (SEPP) (Conservation and Management) 2021*, *Manly LEP 2013* and the *Manly Development Control Plan (DCP) 2013*. The works are also consistent with the policies contained within the Manly Ferry Wharf CMP.

The proposed alterations and additions are entirely contained within the contemporary 1990 eastern retail wing of the Manly Wharf building. As this area of the wharf has no identified heritage significance, as per the gradings map and schedule of significant fabric table extracted from the 2016 CMP, the sympathetic alteration of this space is acceptable. The majority of the works are internal within the existing vacant retail space (formerly occupied by an Aldi supermarket) to accommodate the new proposed venue. These alterations are not visible from outside the tenancy space and thus are not considered to have any visual impacts on the setting or views and vistas of the State significant Manly Wharf, nor any heritage items to the north of the wharf.

Alterations to the southern façade of the retail wing, including the reconfiguring of the southern half-pace staircase and entryway, are all modifications that will improve the appearance of this non-significant area of the wharf. Most notably, the reconfiguring of the staircase to be straight run will remove the visually intrusive half-pace staircase and provide a simpler fenestration for the southern entry to the site. These alterations will not overwhelm the aesthetic qualities of Manly Wharf, nor will they impact on the heritage item (Former Fun Pier, item I146) to the south.

The change of use of the subject tenancy space to accommodate the new pub and microbrewery will improve the wharf as a whole, particularly by introducing an entertainment space within a previously vacant and disused space. The wharf will also be improved with the installation of new public amenities on the ground floor level, which will provide easier and safer access to amenities for all visitors to the wharf and not just the proposed venue.

Having reviewed and considered the applicable background documentation, drawings and statutory requirements, it is concluded that the proposal is consistent with the heritage provisions applicable to the site and is therefore recommended for approval.

## 1. BACKGROUND

### 1.1. Introduction

This Statement of Heritage Impact (SOHI) has been commissioned by Artemus Group to accompany an Integrated Development Application (IDA) under Division 4.8 of the *Environmental Planning and Assessment Act (EP&A Act) 1979* to Northern Beaches Council, who will refer to the Heritage Council of NSW for consideration. It relates to the proposal at Manly Wharf, East and West Esplanade, Manly NSW 2095 (subject site) for alterations to the existing vacant retail tenancy for use as a pub, and micro-brewery with ancillary dining and live performance.

The subject proposal has been assessed at *Section 6* in relation to the relevant controls and provisions contained within the *Manly Local Environmental Plan (LEP) 2013* and the *Manly Development Control Plan (DCP) 2013*, as well as the provisions of the *NSW Heritage Act 1977*, the *EP&A Act 1979* and *State Environmental Planning Policy (SEPP) (Biodiversity and Conservation) 2021*. The relevant policies within the *Manly Ferry Wharf Conservation Management Plan (CMP) 2016*, prepared by Architectural Projects, have also been considered in the assessment, as well as matters for consideration identified in the Department of Planning and Environment publication *Guidelines for preparing a statement of heritage impact, 2023*.

All recommendations are made in accordance with statutory requirements and cultural heritage best practice.

### 1.2. The Site

The subject site is a vacant retail tenancy located within Manly Wharf, which is situated at East and West Esplanade, Manly NSW 2095 (Figure 1). To the north of the wharf are a number of multi-storey mixed-use developments along East and West Esplanade, whilst the Manly Court House, Manly Police Station and Gilbert Park are situated along Belgrave Street to the north. To the east of the wharf is Manly Cove Beach and the Manly Yacht Club, while west of the wharf are located Cabbage Tree Beach, Manly Pavilion, and the Manly Art Gallery and Museum.

Manly Wharf services three public transport ferry links with Sydney; the City to Manly via Watson Bay line (CCWM), Manly line (F1) and Manly Fast Ferry line (MFF). An additional four bus stands are located outside the wharf and service the surrounding Manly area.

For a more detailed description of the site and its context, refer to *Section 2. Site Context and Description*.

### 1.3. Legal Description

The subject site is situated within Lot 1 DP 1170245, as per the records held by the NSW Land Registry Services (Figure 3).

### 1.4. Heritage listing

The subject site is listed as a heritage item under Part 1 of Schedule 5 of the *Manly LEP 2013* as 'Manly Wharf', East and West Esplanades (opposite The Corso, Harbour Side), Manly (item no. 1145).

The subject site is also listed on the State Heritage Register (SHR) as 'Manly Wharf', West Esplanade, Manly NSW 2095, SHR # 01434. It is also identified as a heritage item under Schedule 5 of the *SEPP (Biodiversity and Conservation) 2021* as 'Manly Wharf' (item no. 52). Finally, it is listed on the NSW Transport and Maritime Section 170 Heritage Conservation Register (listing no. 4920067).

The subject site is also located in proximity to the following heritage items:



## Environmental Planning and Assessment Act, 1979

### Manly LEP 2013, Part 1 Heritage items

- 'Pier (former Fun Pier), Manly Wharf', East and West Esplanades, item no. I146.
- 'Park/Reserve', East Esplanade, item no I143.
- 'All stone kerbs', Manly municipal area, item no. I2.
- 'Governor Phillip Monument', West Esplanade Reserve, item no. I248.
- 'Park', West Esplanade, item no. I251.
- 'Commercial and residential building', 53 East Esplanade, item no. I153.
- 'Commercial and residential building', 50 East Esplanade, item no. I152.

### Manly LEP 2013, Part 2 Heritage conservation areas

- 'Town Centre Conservation Area', item no. C2.



Figure 1: Manly Wharf (indicated in red) and its surrounds. Source: SIX Maps.



Figure 2: The subject site (indicated in red) within Manly Wharf proposed for alteration. Source: ACME, Site Plan, A.01.01 B.



Figure 3: Cadastral Map of Manly, with Lot 1 DP 1170245 highlighted in yellow. Approximate area of subject site indicated in blue. Source: Overlay of SIX Maps.

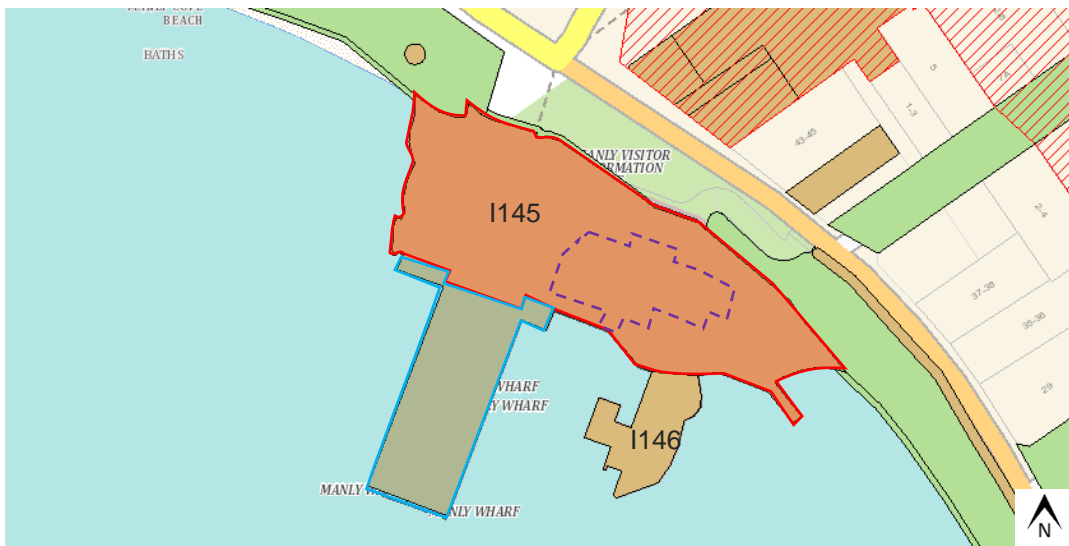


Figure 4: The subject site (general area indicated in purple) is within the curtilage of the local heritage item I145 'Manly Wharf', which includes Lot 1 DP 1170245 (indicated in red) and Lot 2 DP 1170245 (indicated in blue). Source: NSW Planning Portal Spatial Viewer, accessed February 2024.

## 1.5. Proposal

The proposed development seeks alterations to the existing vacant retail tenancy at Manly Wharf for use as a pub and micro-brewery with ancillary dining and live performance. Key features of the proposed development include:



- Change of use of vacant supermarket tenancy to a pub and micro-brewery with ancillary dining and live performance;
- Demolition of existing external staircase, office spaces, storage spaces, cool rooms, freezers, supermarket staff toilets and basement toilets and amenities;
- Internal fit-out including two bars, ancillary kitchen, small staff office, new toilets and amenities, servicing venue customers and staff;
- New publicly accessible toilets and amenities servicing customers and staff;
- An internal connection to provide controlled, secondary access for patrons who wish to make their way between the proposed venue and the existing Manly Wharf Hotel;
- Installation of micro-brewery equipment;
- Internal fit out works including new wall linings, floor coverings, ceilings and acoustic treatments;
- A new vestibule to provide entry to the premises, with direct connections to waterside wharf promenade, the basement via both lift and stair, and a secondary access link to the existing Manly Wharf Hotel;
- New secondary egress doors to the internal wharf concourse, in the location of the existing roller doors that served previous supermarket entry point;
- Intermittent and occasional weekend markets inside the new venue, four Saturdays a year during daytime trading hours;
- Hours of operation consistent with the Manly Wharf Hotel
  - 7am to 12 midnight Monday through Wednesday and Sunday, and;
  - 7am to 1am Thursday through Saturday).

The proposal also includes external works located at the existing building entry adjacent the water-side public promenade, including

- Reconfiguration of the existing stair which provides secondary access to a single tenancy on the first floor;
- Reconfiguration of existing steps and ramp to the proposed venue to improve the building entry while maintaining equitable access from the public promenade adjacent the water's edge;
- Reconfiguration of existing glazing and entry doors to provide new double door entry to a new internal vestibule space;
- Refurbishment of the existing lift to provide patrons access from the basement level directly to the vestibula arrival space;
- New internal vestibule to enhance the arrival experience and assist with the management of patrons entering and exiting the premises. This space will have direct lift and stair access from the basement public parking and provide access through to the existing Manly Wharf Hotel

Finally, the proposal includes the installation of publicly accessible amenities on the ground floor in the space adjacent to the proposed venue. This will be accessible from the Manly Wharf concourse.

The following drawings prepared by ACME have been considered in preparation of this brief SOHI:

Drawing Title	Drawing No	Revision	Date
Site Plan	A.01.01	C	29.07.24
Location Plan: Ground Floor	A.01.02	D	29.07.24
Location Plan: Basement	A.01.02A	B	29.07.24
Location Plan: First Floor	A.01.02B	B	29.07.24
Existing Plan: Ground Floor	A.01.03	E	29.07.24

Drawing Title	Drawing No	Revision	Date
Existing Plan: Basement	A.01.03A	B	29.07.24
Existing Plan: First Floor	A.01.03B	B	29.07.24
Demolition Plan: Ground Floor	A.01.04	J	29.07.24
Demolition Plan: Basement	A.01.04A	C	29.07.24
Demolition Plan: First Floor	A.01.04B	B	29.07.24
Proposed Plan: Ground Floor Gross Floor Area	A.02.00	E	29.07.24
Proposed Plan: Ground Floor Fire Compartment Plan	A.02.00A	D	29.07.24
Proposed Plan: Ground Floor	A.02.01	J	29.07.24
Proposed Plan: Basement	A.02.01A	C	29.07.24
Proposed Plan: First Floor	A.02.01B	C	29.07.24
Proposed Elevations	A.05.01	C	29.07.24
Proposed Sections	A.05.02	C	29.07.24
Proposed Finishes	A.18.01	B	29.07.24
Proposed Internal Finishes	A.18.02	B	29.07.24

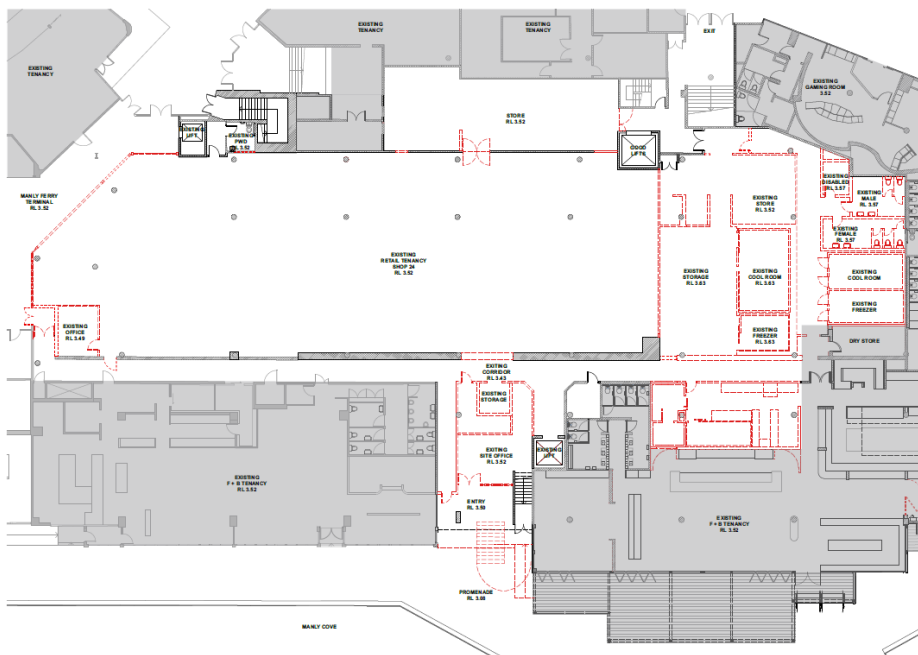


Figure 5: Demolition Plan: Ground Floor.

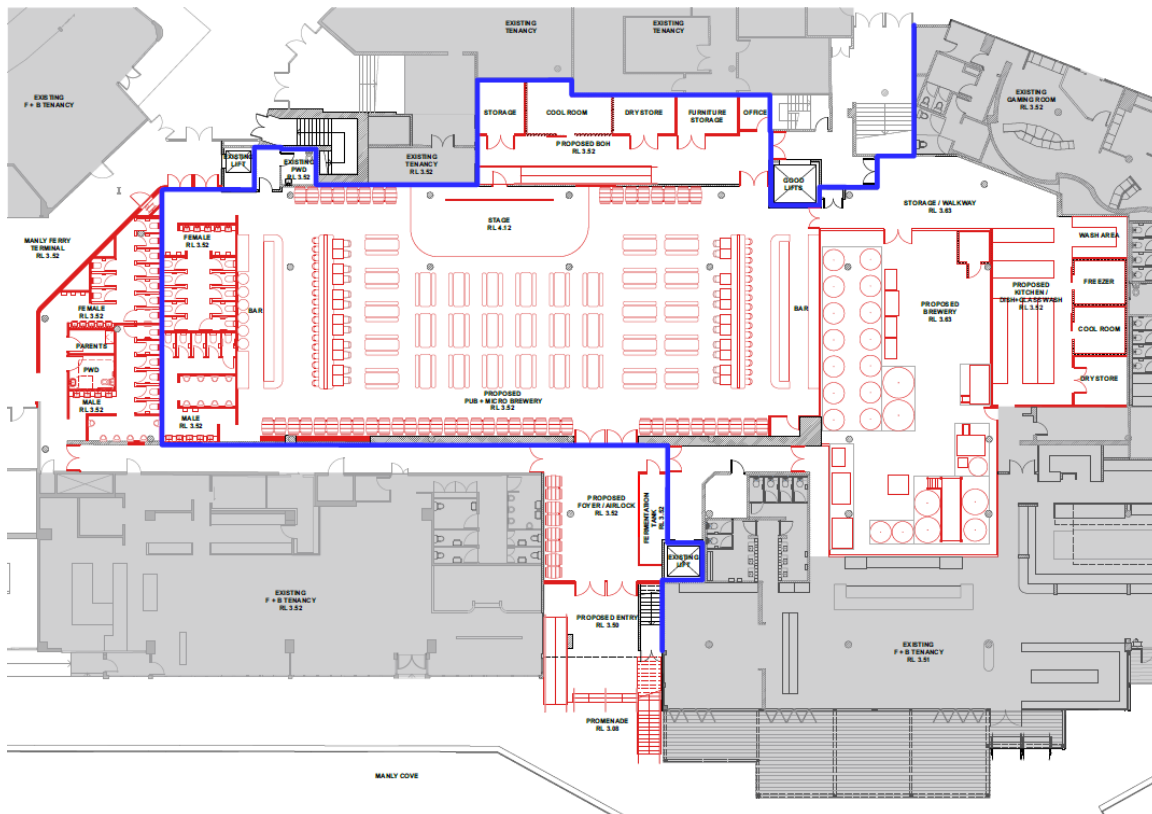


Figure 6: Proposed Plan: Ground Floor.

## Relevant Reports

The following previous studies and reports were reviewed during production of this report. Relevant information has been included where necessary:

- Architectural Projects, *Manly Ferry Wharf - Conservation Management Plan*, 2016.

## 1.6. Methodology

This SOHI relates to the alterations and additions to the existing vacant retail space within Manly Wharf. It has been prepared in accordance with the State of NSW and Department of Planning and Environment publications, *Guidelines for Preparing a Statement of Heritage Impact, 2023* and *Assessing Heritage Significance, 2023*. It is also guided by the philosophy and processes included in *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013* (Burra Charter).

The subject proposal has been assessed in relation to the relevant controls and provisions contained within the *Manly LEP 2013*, the *Manly DCP 2013* and the *SEPP (Biodiversity and Conservation) 2021*. It has also been assessed against the relevant policies contained within the Conservation Management Plan prepared for Manly Ferry Wharf by Architectural Projects. It forms one of a collection of specialist reports.

Research for this SOHI has adopted a two-stepped approach. Step 1 comprised a desktop assessment and Step 2 was a site survey. This document provides the combined findings and recommendations resulting from this approach.

### Step 1

Research into the early development of the site was undertaken to get a better understanding of the place. In addition, the Aboriginal Heritage Information Management System (AHIMS) was searched to establish the location and background information on any Aboriginal objects or Aboriginal Places that are known to have special significance with respect to Aboriginal culture. Further, the *Manly Ferry Wharf*

*Conservation Management Plan (CMP)*, prepared by Architectural Projects in October 2016, and the State Heritage Register (SHR) were examined to determine the known heritage values of Manly Wharf.

## Step 2

A site survey of Manly Wharf and the area proposed for the new venue was carried out by Kerime Danis (Director - Heritage) and Kurt Dixon (Heritage Consultant) on 5 April 2024 with the purpose of photographing and understanding the place. All results are presented in *Section 2 - Site Context and Description*.

## 1.7. Constraints and limitations

The following limitations are identified for this SOHI.

- Accurate measured drawings do not form part of this assessment
- This report does not include a heritage landscape assessment
- This report does not form part of the building consent process
- The assessment in this report relates to the proposed works and documentation described in *Section 1.5 Proposal* and *Section 1.6 Methodology*. It does not relate to any additional or revised documentation by any party.
- This report does not include for an archaeological assessment or opinions regarding such matters; neither does it form part of a Section 140 Application for an *Excavation Permit* or Section 144 *Application for an Excavation Variation Permit*.
- This report does not include an assessment of Aboriginal values. An assessment of the Aboriginal cultural significance of an area can only be made by Aboriginal communities.
- Only a visual assessment of the subject site was carried out. Intrusive methods were not employed.
- This report does not include the provision of a title search for the subject site.

## 1.8. Author Identification

The following report has been prepared by Kurt Dixon (Heritage Consultant) (BA (History), LLB). Kerime Danis (Director - Heritage) (BArch, MHeritCons (Hons), Associate RAIA, MICOMOS, ICOMOS AdCom) has provided input, reviewed and endorsed its content.

## 2. SITE CONTEXT AND DESCRIPTION

The Manly Wharf site comprises buildings from two periods of construction: the 1941 ferry wharf on the west, and the 1990 additions (including the retail arcade) to the east. The following physical description of the original wharf is taken from the SHI form for 'Manly Wharf' (listing no. 01434).

*A broad wharf supported on timber piers and with a concrete platform. The superstructure is constructed of steel and timber. The facade and side walls form an important architectural design, similar to the Circular Quay ferry terminals. (Blackmore, Ashton, Higginbotham, Rich, Burton, Maitland, Pike, 1985).*

*The original part of the wharf was built in a modernistic transport idiom, with typical stylistic features of era including play of circular and rectangular geometric terms, bayed facade to the water (marine connotations), wide arc plan at entrance, clock tower with "fins", flat roofing marked by wide fascia board. The current entrance was originally designed as a tram terminus and turning area. Timber clad framed structure opening and large internal spaces, concrete deck to west enclosed by "ship" railing. Some original shop fittings, signage etc. Subjected to major alterations to the wharf wings involving a T-shaped clerestorey (Stapleton, 1981).*

The following physical description of the retail arcade (where the works are located) is extracted from the Manly Ferry Wharf CMP prepared by Architectural Projects (2016):

*The eastern half of the building dates entirely from 1990. It required partial removal of the original 1941 curved ends. The lower level is below mean tide level, at AHD (Australian Height Datum) 0.550. The upper level is accessible from the western half of the building and, at AHD 3.600, is at approximately the same level as the ferry wharf and the surrounding ground level of East Esplanade. There is a small mezzanine level which contains the plant. It has a floor level at AHD 6.900. There are a number of other mezzanine floors above the ground floor level, which contain mechanical plant.*

*The eastern half of the building is a concrete slab structure, supported on concrete piles and some timber piles. The walls are faced externally in timber and fibre cement cladding. The building has skylights, and a flat, parapeted metal tray roof. The highest level of the parapet is AHD 10.5.*

The subject site itself is a vacant tenancy located within the retail wing of the Manly Wharf interior. This retail wing was part of contemporary additions to the wharf constructed in 1990 and are therefore not considered a significant space within the Manly Ferry Wharf CMP. The eastern portion of the subject site is enveloped by the Manly Wharf Hotel, while its northern section is adjacent to Manly Wharf's services areas (e.g. storage, goods lift and corridors). The western portion of the site served as the primary ingress / egress of the Aldi supermarket tenancy who was the last occupant of the subject site.

The southern elevation (exterior) of the subject site contains a half-paced staircase that provides access from the wharf to the tenancies above the subject site. This visually intrusive element disrupts the simple fenestration generally of the southern façade.



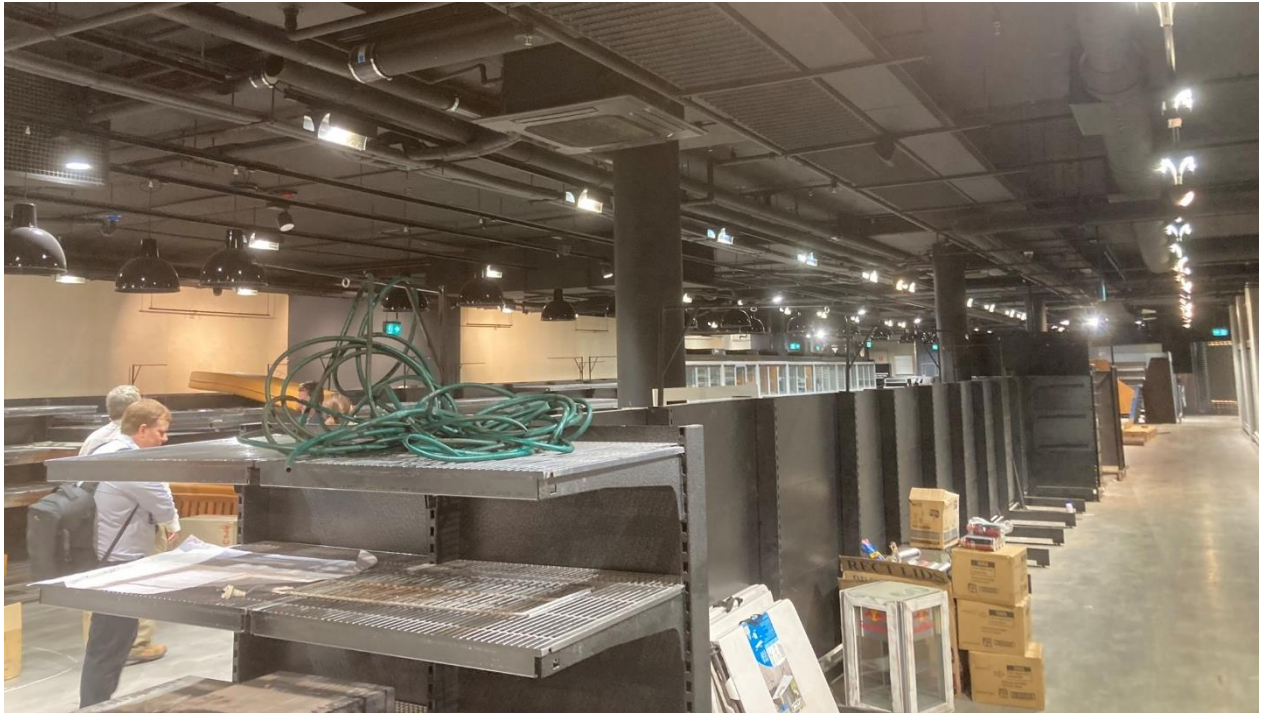


Figure 7: General view of empty retail tenancy space, where the new venue is proposed for. Refer to Figure 14 for location within the site.



Figure 8: View within existing empty retail space facing towards area proposed for a bar (with beer kegs in background). Refer to Figure 14 for location within the site.



Figure 9: View within existing retail space facing towards area proposed for a second bar and amenities room. Refer to Figure 14 for location within the site.

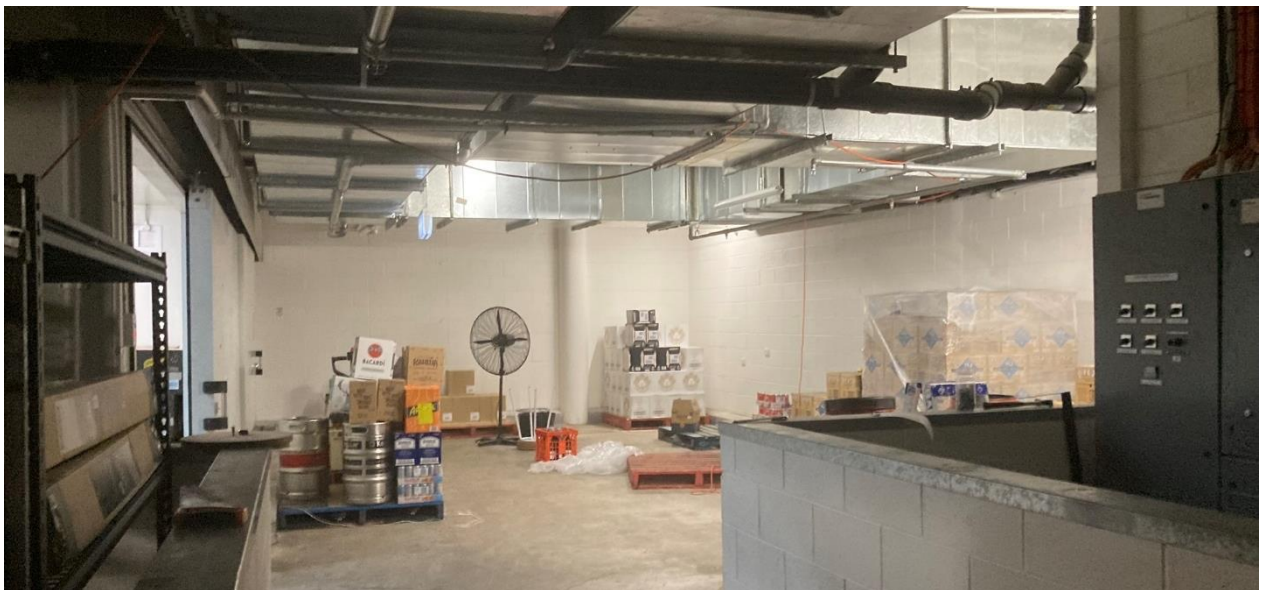


Figure 10: Stockroom proposed for installation of beer kegs. Refer to Figure 14 for location within the site.

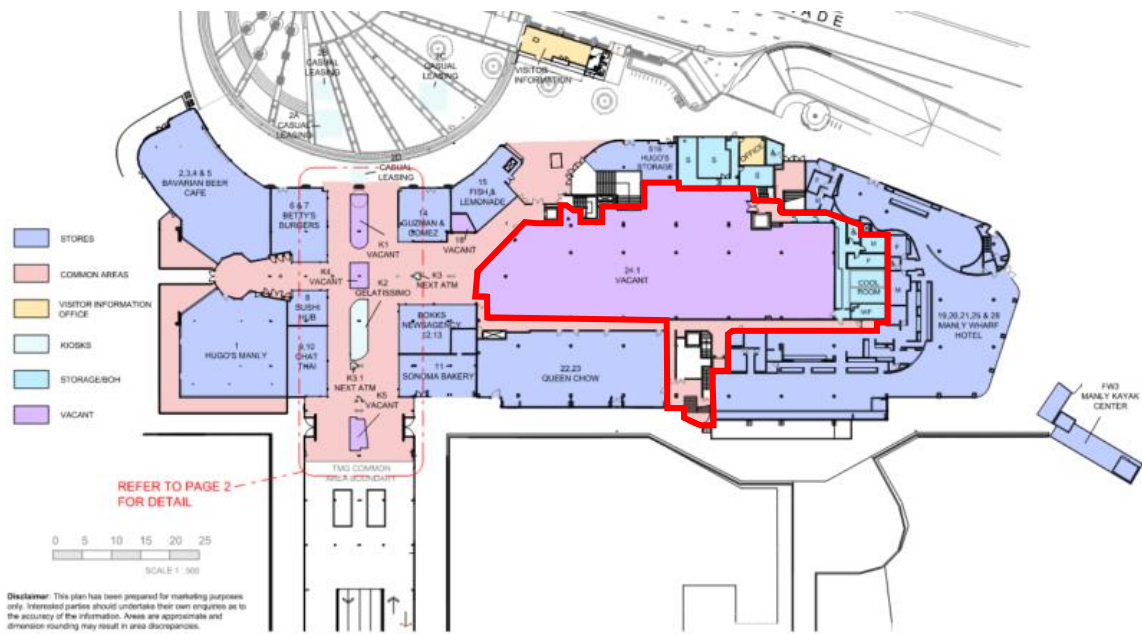




Figure 11: Internal corridor leading from southern entry to proposed kitchen. Refer to Figure 14 for location within the site.



Figure 12: View of the southern half-paced staircase (intrusive element) and southern entry proposed to be reconfigured. Refer to Figure 14 for location within the site.



### 3. HISTORICAL OVERVIEW

#### 3.1. History of Manly Wharf

The following history of Manly Wharf has been extracted from the CMP produced for the site in 2016.

##### 2.1.3 Early Development

*In May 1853 Henry Gilbert Smith bought twenty acres of land which had been granted to John Crane Porter 16 years earlier. The following year a sandstone residence was completed on the hill above the small Harbour Beach. Both the beach and the house were given the name "Fairlight". The estate was eventually divided in 1902 and Fairlight House was demolished in 1939 and replaced by nine blocks of flats.*

*In 1852 Henry Gilbert Smith decided to develop his one hundred and twenty acres, most of which lay on the slopes north of The Corso, where he built his home.*

*Gilbert Smith envisaged a new Brighton in Australia. A small jetty was constructed which has been continuously used as a ferry wharf ever since. At the same time he constructed the Pier Hotel which would be later replaced in the 1920s, by the Hotel Manly. Smith began a regular ferry service to and from Sydney. In 1856 he cleared the narrow, swampy street leading from the Harbour to the ocean which he called The Corso after the main street in Rome. Smith built a church in 1864 and a school house and public bath house. In the 1860's the first English-style bathing boxes on wheels appeared on the Ocean Beach sands.*

*The layout of the 1850's subdivision can still be evidenced today. Gilbert Park commemorates his role in the Town Plan. The Norfolk Island Pines that line the beach were planted by him. In his will Gilbert left most of Manly's present park reserves to future generations.*

*In 1876 much of the land west of The Corso to North Head was still held by the Wentworth family. Most of it was acquired by auction that year by the Anglo-Australian Investment Company. A second pier, west of the main pier, and at the foot of Stuart Street, was built.*

*Smith encouraged the growth of a ferry service to Manly. Excursion services to Manly were first advertised on Saturday 29 September 1855 as commencing the following Saturday 6 October. Ferries ran two or three times a week during 1855 and 1856. The first Manly Ferry Wharf was constructed in 1856 on the same site as the present wharf.*

##### 2.1.4 Incorporation of Manly Council

*In 1877 five hundred people were living between The Spit and Manly, a sufficient number to warrant the establishment of a Municipality. The first meeting of the new council was held in February that year. Manly was taking shape in "the village by the sea". The Harbour trip enabled Manly to be reached as part of the day's outgoing. The 112 km journey by road would take an entire day.*

...

*While the possibility of a rail link between St Ives and the northern beaches was discussed in the 1880's it was never realised. This ferry was the only form of transport for a number of years. Manly's popularity with weekend excursioners grew rapidly.*

*Gilbert Smith entered into arrangements to improve the service in 1860. In 1877 the Port Jackson Steam Boat Company began its regular ferry service to Manly from Woolloomooloo dock. Alterations to the Wharf occurred at the same time. In 1877 the Port Jackson Steam Boat Company constructed a small cabin on the jetty. In 1881 the company now renamed Port Jackson Steamship Company constructed a shelter shed. In 1888 a two storeyed Camera Obscura tower was built at the front of the wharf. However, after functioning for around four years, the facilities were turned to housing various shops and businesses. One photograph shows the tower with a third storey. These private developments were accompanied by a government development when, in 1866, the colonial government erected a cargo wharf alongside and to the east of the passenger wharf.*



... Further land subdivisions occurred on September 26, 1885. Free 5-year ferry steamer passes were offered to purchasers who erected homes on their land. The average cost of building a four room cottage in the mid 1880s was one thousand pounds (\$2,000).



Figure 15: Photograph of Manly Wharf from 1890. Source: State Library NSW, Hall & Co, 'Manly Wharf', FL1637720. Accessed 18 April 2024 via: <https://trove.nla.gov.au/work/15126075>.

### 2.1.5 The Federation Period: 1893 - 1918

In 1893 a new company, the Manly Co-operative Steam Ferry Company, was established but amalgamated with the Port Jackson Steamship Company in 1896, to form the Port Jackson and Manly Steamship Company. In that year around 1,400,000 people travelled to Manly on the ferry. The ferry proprietors also owned property in the district, and directly promoted the area's residential appeal.

Manly Ferry Wharf was an integral part of the facilities for coming to and leaving the resort. This importance was recognised further with major developments around the turn of the century. In 1900 the Port Jackson and Manly Steamship Company leased the Government cargo wharf, taking over its western side for company shipping and subleasing out the other side. Sheds and shelters proliferated and several businesses located themselves on the wharf. In 1903 the Sydney Harbour Trust reconstructed the passenger wharf. In the following year its Annual Report noted the provision of "new waiting rooms, offices, shops, and other conveniences.". By 1918 an Old English style half timbered false parapet and clock tower were constructed at the passenger wharf, and its two side facades were enclosed.

Improved technology extended the range of transport available. A steam tram service began operating in Manly in February 1903. Five months later this was replaced by a horse service. That lasted until 1906. A motor bus service to Newport was begun in 1906. In 1901 building blocks known as the Fairy Bower Estate were offered for sale to the public. In the days before World

War I increased subdivision, improved transport and the natural topography meant that Manly offered a variety of entertainment.

### **2.1.6 Interwar period developments: 1924 - 1933**

Manly thrived in the 1920s as new subdivisions opened and the building boom got under way. Places such as Balgowlah expanded quickly. During the 1920's folk discovered Manly was the ideal place to spend their holidays and many Hotels were constructed. The old Pier Hotel was rebuilt as the Hotel Manly and the era of the picnic gave way to the "refreshment room" such as the Royal, at the ferry end of The Corso; Easterbrook's Tea Room and The Brownie.

In December 1924 the first Spit Bridge opened to traffic and Manly's progress accelerated. In 1928 the twin ferries Curl Curl and Dee Why brought a new era in speed and comfort in Manly ferry travel. A number of private bus companies were formed in the 1920s but most of those routes were taken over by government buses in the following decade. November 1938 marked the beginning of the end for the Manly tramway system. In 1939, eight established bus routes fanned out from Manly Ferry Wharf to destinations in the Warringah Shire. The railway debate first discussed in the 1880's was revitalised during the building boom of the late 1920s. The opening of the Harbour Bridge in 1932 was seen as an opportunity to link Mosman with Manly with a railway line.

With the increased population new services were developed. The Manly Peace Hospital opened in 1931. In the 1930's there were five picture theatres in Manly. Even after the advent of television in 1956 three cinemas still survived. The Manly Art Gallery committee, the Manly Warringah and Pittwater Historical Society was formed in 1924. On Thursday, January 6, 1927, Manly held its Jubilee Celebrations. In 1928 St Matthews was demolished to make way for a widening of The Corso and St Matthew's opened on September 20, 1930.

The 1930's is the period of flat development in Manly. Manly reached its peak of popularity from the mid 1930s to the late forties. On Anniversary Day 1936 the ferries carried a record 100,000 passengers. By the end of the 1940s more than 10.1/2 million were travelling on the ferries annually.

Manly's status as a municipality was always closely linked to its waterfront. Manly swimming champion were well known in the 1920s and 1930s. They represented Australia at three Empire Games: Canada 1930, London 1934 and Sydney in 1938 and came fourth in the Los Angeles Olympics in 1932. The Manly Baths already thirty years old, were modernised in 1926. The baths again became somewhat outmoded in the mid 1940s when new rules regarding competitive swimming in tidal pools were introduced. In 1970s violent storms damaged the old baths.

In the late 1920's and early 1930's the Port Jackson and Manly Steamship Company initiated a number of other major developments. Manly's first shark aquarium, measuring approximately 60 by 22 feet, was constructed on the cargo wharf's western side in about 1928. In that year the cargo wharf was closed as a result of the loss of business caused by the opening of The Spit Bridge in 1924. The cargo wharf was reopened in 1931 as an amusement pier. During 1932 a raised timber walkway 1,000 feet in length was built between the western side of the passenger wharf and West Esplanade. It was netted to form a large shark-proof baths. A dressing pavilion at the western end of the promenade was opened in 1933. It incorporated a refreshment room, quarters for a caretaker, and lifesavers' rooms. The promenade was dismantled in 1974 after it was damaged beyond repair in a storm.

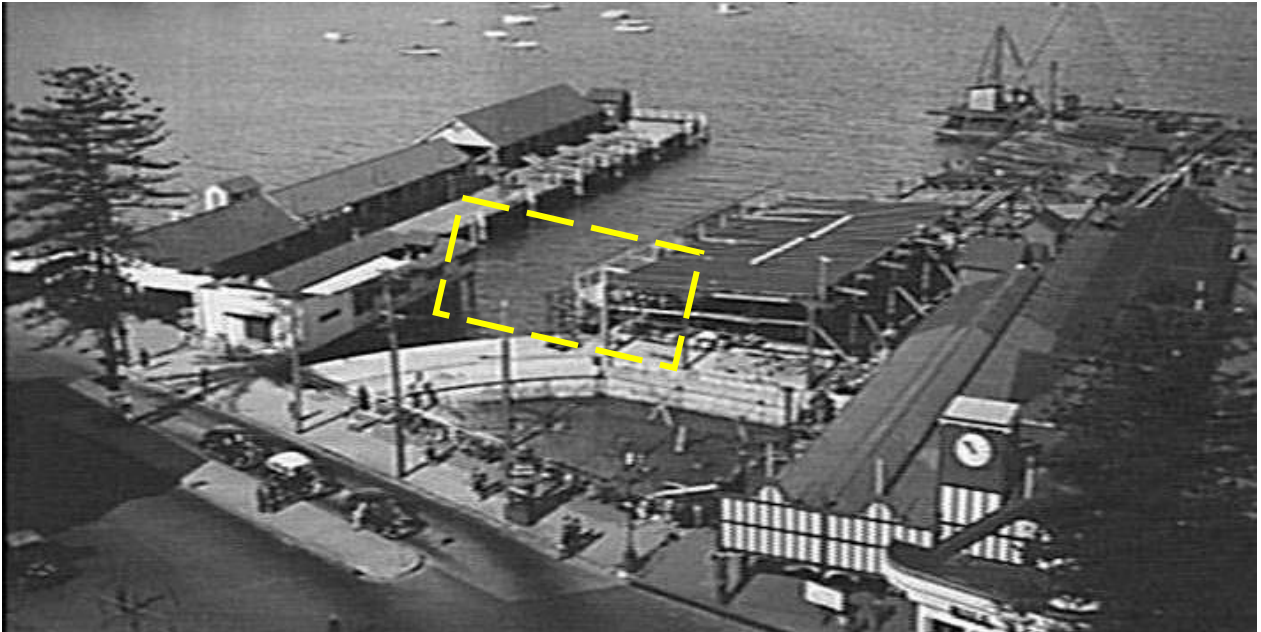


Figure 16: Photograph of Manly Wharf dated 23 May 1940. The front entrance to Manly Wharf is visible in the bottom right. The approximate area which would be developed in 1990 into the retail arcade (where the works are located) is indicated in yellow. Source: Northern Beaches Library, Record No. MWPHS/340-74. Accessed 18 April 2024 via <https://northernbeaches.recollect.net.au/nodes/view/44339>.

*In the 1940s it was believed Manly's famous Norfolk Island Pines would serve as a landmark for enemy naval bombardment. After one was removed the public outcry was so extensive that no more trees were touched.*

*In 1940s Manly Wharf was upgraded in parallel with Circular Quay Wharf [so that] both [would achieve] a similar design.*

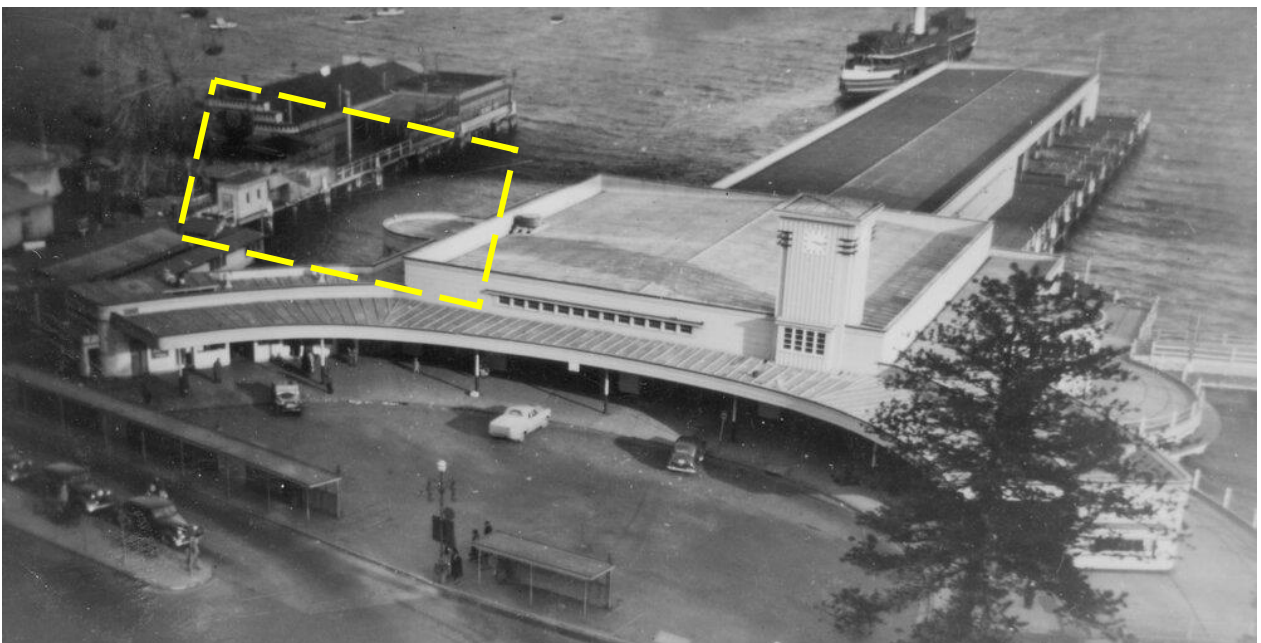


Figure 17: Manly Wharf as captured in 1951, showing the welcoming arms and front elevation of the Manly Wharf. The approximate area where the works are located is indicated in yellow. Source: Northern Beaches Library, Record No. LH000589, accessed 18 April 2024 via <https://northernbeaches.recollect.net.au/nodes/view/51656>.



*Manly fell into a decline as a tourist and recreational destination, for a considerable period.*

*In 1972 Brambles took over the Manly Ferry Services. In 1974 the company attempted to wind down the ferry service which attracted much public protest resulting in the continuation of the service. In 1978 the State Government restored a three-boat service running at half-hourly intervals to Manly.*

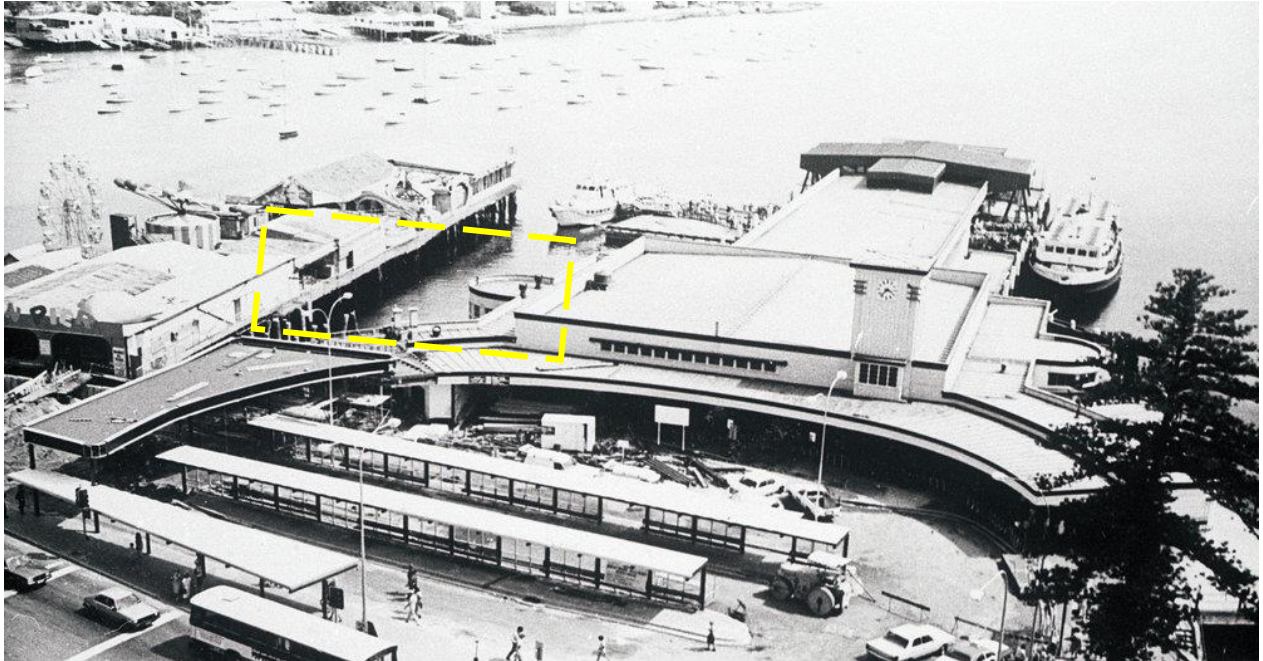


Figure 18: Photograph of Manly Wharf and forecourt from 1898, before the construction of the retail arcade / eastern wing of the wharf. The approximate area where the works are located is indicated in yellow. Source: Northern Beaches Library, Record No. MML/2629, accessed 18 April 2024 via <https://northernbeaches.recollect.net.au/nodes/view/44892>.



Figure 19: Aerial photograph of Manly Wharf in 1989, prior to the construction of the retail arcade / eastern wing. Source: Northern Beaches Library, Record No. MML/1832, accessed 18 April 2024 via <https://northernbeaches.recollect.net.au/nodes/view/44334>.

### 2.1.7 Recent Redevelopment

*In 1990 the wharf was redeveloped again to provide a retail complex (Festival Market Place) adjacent to the Wharf. The fun pier was demolished and a retail arcade built in its place. There were also numerous alterations to the passenger wharf building. The development infilled the land between Manly Ferry Wharf and the second Wharf.*

Table 1: Historical Summary of Manly Wharf (extracted from the 2016 CMP prepared by Architectural Projects).

Year	Event
1940	Baldwinson's designs for the renovation of both Circular Quay and Manly Ferry Wharves.
1972	Brambles took over the Manly Ferry Services.
1974	The company attempted to wind down the ferry service.
1978	The State Government restored a three-boat service.
1988	Manly Ferry Wharf is listed as a heritage item on the NSW State Heritage Register of the NSW Heritage Council.
1990	The wharf was redeveloped again (Festival Market Place). The development infilled the land between Manly Ferry Wharf and the second Wharf significant upgrade and reinstatement of 1941 wharf.
2007	Significant upgrade and reinstatement of 1941 wharf.

## 3.2. History of the Subject Site

The subject site where the works are proposed was established in the 1990 eastern addition to the wharf. The retail space was occupied by Bayswiss Emporium, a coffee shop and homewares chain store<sup>1</sup> which, at Manly Wharf, also provided fruit and vegetables.<sup>2</sup> This was replaced in 2004 by the Aldi supermarket chain, with refurbishments approved under DA 369/2004. The Aldi supermarket was extended into an adjoining tenancy in 2013 as part of DA 150/2013. It was announced in September 2022 that Aldi were not renewing its lease at Manly Wharf, with the store subsequently closed on 15 September 2022.<sup>3</sup>

The following table recounts previous development applications for the Manly Wharf Hotel and existing vacant retail tenancy that are relevant to the proposed works (works to the vacant retail tenancy space are emphasised).

<sup>1</sup> *Intelligent Investor*, 20 September 2002, 'Fantastic vs Freedom Furniture.' Accessed 18 April 2024 via: <https://www.intelligentinvestor.com.au/recommendations/fantastic-vs-freedom-furniture/51673>.

<sup>2</sup> *Sydney Morning Herald*, 23 August 2003, 'Tender Hearts'. Accessed 18 April 2024 via <https://www.smh.com.au/lifestyle/tender-hearts-20030823-gdha35.html>.

<sup>3</sup> Kim Smee, 5 September 2022, 'Goodbye ALDI, Hello Gelato Messina', *Manly Observer*. Accessed 18 April 2024 via <https://manlyobserver.com.au/goodbye-aldi-hello-gelato-messina/>.



Table 2: Applications lodged with Northern Beaches Council.

DA	Applications
DA 238/2002	Fit out for a hotel, interior alterations, external seating and servery Rotunda - Manly Wharf Hotel
DA 20/2003	Exterior Signage - Manly Wharf Hotel
S96 238/2002	Section 96 to modify approved Fit out for a hotel, interior alterations, external seating and servery Rotunda - Manly Wharf Hotel
DA 505/2003	Enclosure of Deck of Eastern side of the Wharf Hotel from 10.00pm
<b>DA 369/2004</b>	<b>Refurbishment of an existing retail to new retail Aldi-(Old Bay Swiss)</b>
S96 238/2002	S.96 Mod. to add blinds to 3 external umbrellas at Manly Wharf Hotel
S96 238/2002	Section 96 to modify hours of operation for the Manly Wharf Hotel
S96 238/2002	Section 96 to modify approved closing hours of the Manly Wharf Hotel restaurant deck and south facing deck from 10.00pm extended to 12.00midnight Monday to Sunday
DA 135/2012	Alterations to the Manly Wharf Hotel including the conversion of part of the existing Lounge Bar into an indoor and partially outdoor Gaming Room area and revise entrance on the northern side of the hotel - Manly Wharf
DA 216/2012	AMENDED PLANS - Alterations and additions to the existing Manly Wharf Hotel including the extension of the awning to the eastern verandah, roll up blinds and the extension of operational hours of the eastern deck to midnight (12.00am)
DA 149/2013	Alterations and additions to the existing Manly Wharf Hotel including new stairs to the deck
<b>DA 150/2013</b>	<b>Internal alterations to the existing Aldi Store - Manly Wharf - Shop 24A</b>
<b>DA 265/2013</b>	<b>Extension of the existing Aldi store into an adjoining retail tenancy with internal alterations - Shops 24 and 24A - Manly Wharf</b>
<b>CC 150/2013</b>	<b>Internal alterations to the existing Aldi Store - Manly Wharf - Shop 24A</b>
<b>DA 59/2015</b>	<b>Removal and replacement of the existing mechanical plant equipment within the existing mechanical plant room - Aldi - Manly Wharf</b>
<b>S96 625/2013</b>	<b>Section 96 to modify approved Extension of the existing Aldi store into an adjoining retail tenancy with internal alterations – Shops 24 and 24A – involving reconfiguration of the internal areas and alterations to the service corridor and illuminated signage - Part 2</b>
<b>CC 131/2015</b>	<b>Expansion of the existing Aldi store into the adjoining tenancy and internal alterations</b>
<b>CC 59/2015</b>	<b>Removal and replacement of the existing mechanical plant equipment within the existing mechanical plant room - Aldi - Manly Wharf</b>

DA	Applications
CC 29/2017	Construction of two staff locker rooms and one disabled bathroom at the back of house - Manly Wharf Hotel
<b>CDC 2018/1124</b>	<b>Minor internal alterations to the existing Aldi Store - 18/3098/01</b>

## 4. SIGNIFICANCE OF MANLY WHARF

To aid in the assessment of the potential heritage impact the proposed works would have on Manly Wharf heritage item, it is important to understand the significance of the site, as well as the areas within the wharf that have particular significance.

### 4.1. Statement of Significance

The following Statement of Significance has been extracted from the State Heritage Inventory form for Manly Wharf:

*Of environmental significance as a visually prominent man-made feature. Of historical significance for its associations with the maritime activities at Manly as a tourist destination and suburb of Sydney, dependent on the ferry link to the CBD. (Anglin 1990:2033)*

*Together with Circular Quay, the wharf is the only substantial older style ferry wharf surviving in Port Jackson: association with Manly's history as a recreational centre. (Blackmore, Ashton, Higginbotham, Rich, Burton, Maitland, Pike 1985)*

The following Statement of Significance has been extracted from the *Conservation Management Plan for Manly Ferry Wharf*, prepared by Architectural Projects in October 2016:

*The Manly Ferry Wharf is significant as the gateway to Manly, and for its association with thousands of tourists who hold memories of the ferry trip and first impressions of Manly.*

*The Manly Ferry Wharf is significant for its age and association with the development and continuation of Manly as a seaside resort of Sydney from the earliest days of European settlement. The low sweeping form has significance for its contribution to the context of the sweeping beach and line of the trees which is now an integral part of this mainland view of Manly. The Manly Ferry Wharf is significant for the positive contribution of the low building scale to the topographical setting of Manly Cove. The Wharf is enhanced by its visual relationship with the curved lines of the beaches, seawalls, and pavement promenades of East and West Esplanades.*

*The Manly Ferry Wharf in association with the fun pier is significant, for its ability to reflect the long continuous history of Manly Ferry Wharf as the location of retail, transport and recreation.*

*The Manly Ferry Wharf has historical significance as a major project by an important Sydney Modernist Architect Arthur Baldwinson. The main (north) facade composition, with its clocktower, flat parapets and curved awning is mostly intact. The grooved weatherboard cladding and timber frame windows are features which give the exterior much of its distinctive period character.*

*The Manly Ferry Wharf is significant as the site of the redevelopment of the area and wharf facilities in particular during Manly's second boom period as a resort (c 1910-1940), when both Circular Quay and Manly Ferry Wharf were constructed for the Maritime Services Board. The Manly Ferry Wharf is significant as a reflection of developments in urban transport and infrastructure in that period.*

*Manly Ferry Wharf is significant as a rare surviving working example of a maritime building designed in the Modernist style of the mid Twentieth Century. It is a rare example of maritime architecture.*

### 4.2. Grading of Significance

The following grading of significance for the Manly Wharf heritage item has been extracted from the Conservation Management Plan (CMP) produced for the site by Architectural Projects in October 2016. This table provides justification for and informs each grading level.

*Table 3: Grading of Significance Table used by Architectural Projects to assess the significance of various elements of Manly Wharf.*

	Grading	Justification	Status
A	Exceptional	Rare or outstanding element directly contributing to an item's local and State significance	Fulfills 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.	Fulfills 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.	Fulfills 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

The following Schedule of Significant Fabric table identifies the assessment attributed to each element of the Manly Wharf, as determined by Architectural Projects in 2016. Areas of the wharf that are relevant to this proposal are emphasised. Refer to Figure 20 for visual depiction of these significant fabric.

*Table 4: Schedule of Significant Fabric, extracted from the Manly Ferry Wharf CMP.*

Schedule of Significant Fabric	
The Exterior	
The Manly Ferry Wharf	
The South Elevation to the Wharf	B (High)
The East Elevation to the Wharf	B (High)
The West Elevation to the Wharf	B (High)
The Clerestory	
The East Elevation to the Clerestory	C (Moderate)
The West Elevation to the Clerestory	C (Moderate)
The Corso Façade	
The North Elevation of the Clerestory	A (Exceptional)
The Welcoming Arms	A (Exceptional)
The Clock Tower	A (Exceptional)

Schedule of Significant Fabric	
The Interior	
The Manly Ferry Wharf	
South Glazed Waiting Area	A (Exceptional)
Transit Space	B (High)
The Clerestory	
Main Space	A (Exceptional)
<b>Remnant Service Areas</b>	<b>C/D (Moderate / Little)</b>
The Welcoming Arms	A (Exceptional)
<b>Service Areas</b>	<b>C (Moderate)</b>
Under Awning Space	A (Exceptional)
KEY PHASES ADDITIONS	
The Exterior	
North Façade (1941)	A (Exceptional)
South Façade Wharf 1941	B (High)
<b>East Façade 1990</b>	<b>C (Moderate)</b>
West Façade 1990	C (Moderate)



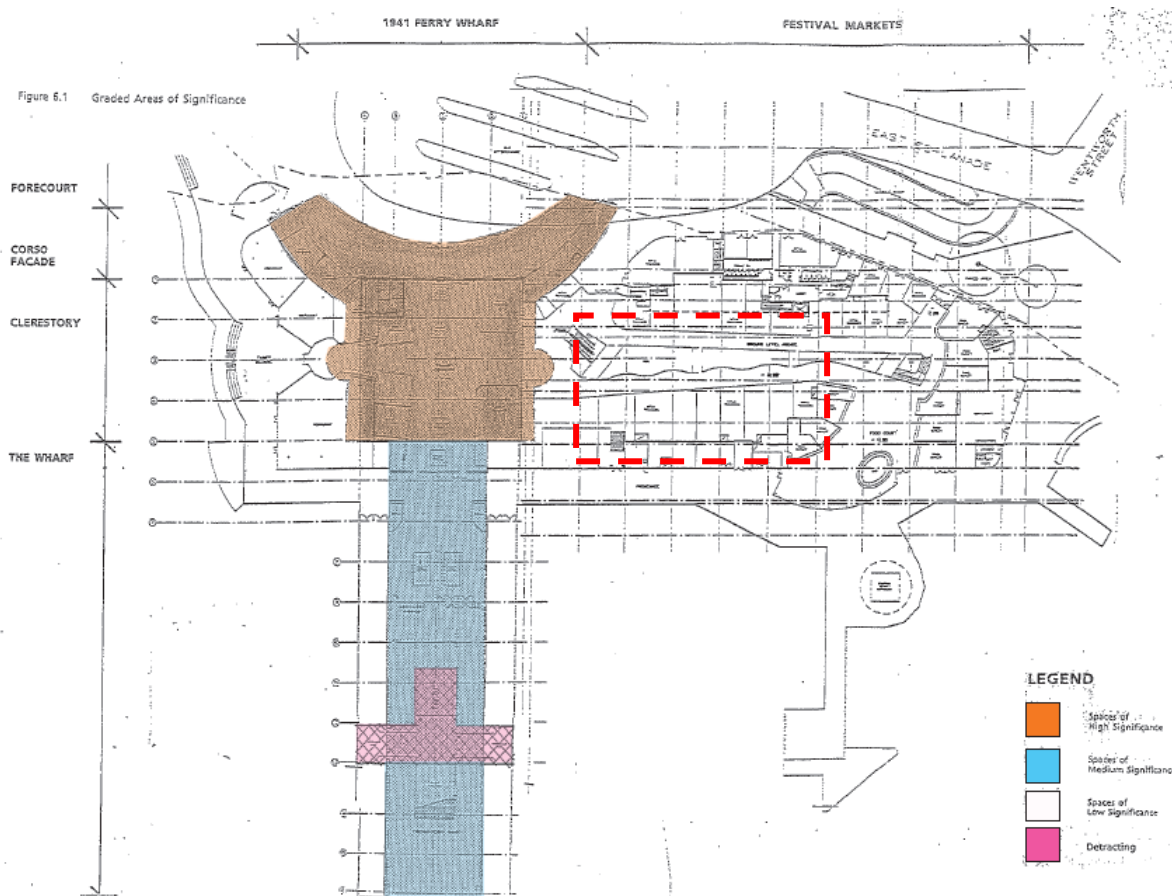


Figure 20: Graded Areas of Significance Map, with overlay of general area of the subject site (red). The significant areas are associated with the 1941 ferry wharf, with the 1990 retail wing (festival market) identified as not having significance.

## 5. HERITAGE IMPACT ASSESSMENT

Due to the known heritage values of the subject site, the proposal is subject to the following heritage provisions contained within the *Heritage Act NSW 1977*, the *Environmental Planning and Assessment Act 1979*, the *Manly LEP 2013* and the *Manly DCP 2013*. They are also subject to the clauses of the *SEPP (Biodiversity and Conservation) 2021*, as well as the policies laid out in the *Manly Ferry Wharf Conservation Management Plan*, prepared by Architectural Projects in October 2016.

### 5.1. Environmental Planning and Assessment Act 1979 and Heritage Act NSW 1977

Under Section 4.46 of the *EP&A Act*, integrated development is defined as development (other than state significant or complying development) that requires development consent as well as approval under the *Heritage Act 1977* in respect of the doing or carrying out of an act referred to in section 57(1).

#### 57 Effect of interim heritage orders and listing on State Heritage Register

*(1) When an interim heritage order or listing on the State Heritage Register applies to a place, building, work, relic, moveable object, precinct, or land, a person must not do any of the following things except in pursuance of an approval granted by the approval body under Subdivision 1 of Division 3-*

...

*(e) carry out any development in relation to the land on which the building, work or relic is situated, the land that comprises the place, or land within the precinct*

*(f) alter the building, work, relic or moveable object*

As the proposal involves the additions and alterations to the Manly Wharf State heritage item (s 57 (1) (f)), the proposal requires approval under the *Heritage Act 1977* and development consent under the *EP&A Act 1979*, thus it is treated as integrated development.

### 5.2. Manly Local Environmental Plan 2013

Only the relevant subsections of the *Manly LEP 2013* have been extracted below.

#### 5.10 - Heritage Conservation

##### (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*

...

*(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*

##### (3) When consent not required

*However, development consent under this clause is not required if-*

*(a) the applicant has notified the consent authority that 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..., and*

### 5.10 - Heritage Conservation

*(ii) would not adversely affect the heritage significance of the heritage item...*

#### **(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)*

#### **(5) Heritage assessment**

*The consent authority may, before granting consent to any development-*

*(a) on land on which a heritage item is located*

*(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.*

#### **(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...)-*

*(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.*

### **Discussion:**

As per Section 5.10 (4) and 5.10 (5), Northern Beaches Council require a heritage management document to be prepared to assess the proposed development against the heritage significance of the 'Manly Wharf' heritage item. As per the Dictionary for the Manly LEP 2013, a heritage management document is defined as:

- *(a) a heritage conservation management plan,*
- *(b) a heritage impact statement, or*
- *(c) any other document that provides guidelines for the ongoing management and conservation of a heritage item, Aboriginal object, Aboriginal place of significance or heritage conservation area.*

This SOHI (formerly known as a heritage impact statement) has been prepared to address this subclause, with this SOHI finding that the works have little to no impacts on the heritage significance of the heritage item.

In terms of the LEP provisions concerning archaeology, Sections 3.4.1 and 3.4.2 of the *Many Ferry Wharf CMP* found:

*Given the history of site disturbance from the Interwar period, the site is unlikely to reveal archaeological / Aboriginal remains.*

Further, a basic search of the AHIMS database found zero (0) registered Aboriginal sites of heritage significance located within the curtilage of Lot 1 DP 1170245, nor any Aboriginal sites within a 200-metre buffer of the subject site (Figure 21).

None of the proposed works involve penetration of the subsurface beneath the basement level. A new goods lift proposed to be installed will not impact the ground surface, thus there are no assessed impacts to archaeology in the proposal.



Figure 21: Basic search of the AHIMS database indicates zero (0) registered Aboriginal sites within the subject site, nor within a 200-metre buffer around the subject site.

### 5.3. Manly Development Control Plan 2013

Only relevant controls from the *Manly DCP* have been extracted below.

#### 3.2.1 Heritage Consideration

##### 3.2.1 Consideration of Heritage Significance

LEP Clause 5.10(4) requires that Council consider the effect of the proposed development on the heritage significance of a heritage item or heritage conservation area. LEP Clause 5.10(5)(c) further requires that the development of land in the vicinity of Heritage Items or Conservation Areas may require further assessment into the effect on the heritage significance of the item/area.

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

- (a) In addition to ... LEP Schedule 5, this DCP requires that consideration of the effect on heritage significance for any development in the vicinity of a heritage item or conservation area.
- (b) Proposed development in the vicinity of a heritage item... must ensure that:
  - (i) it does not detract or significantly alter the heritage significance of any heritage items...;
  - (ii) the heritage values or character of the locality are retained or enhanced; and
  - (iii) any contemporary response may not necessarily seek to replicate heritage details or character of heritage buildings in the vicinity, but must preserve heritage significance and

### 3.2.1 Heritage Consideration

*integrity with complementary and respectful building form, proportions, scale, style, materials, colours and finishes and building/street alignments*

- (c) *The impact on the setting of a heritage item or conservation area is to be minimised by:*
- (i) *providing an adequate area around the building to allow interpretation of the heritage item;*
  - (ii) *retaining original or significant landscaping (including plantings with direct links or association with the heritage item)*
  - (iii) *protecting (where possible) and allowing the interpretation of any archaeological features; and*
  - (iv) *retaining and respecting significant views to and from the heritage item*

### 3.2.2 Alterations or Additions to Heritage Items or Conservation Areas

#### 3.2.2.1 Complementary Form and Scale that Distinguishes Heritage Significance

- (a) *Alterations or additions to heritage items... will not necessarily seek to replicate, overwhelm, dominate or challenge heritage details of the building or structure of heritage significant buildings. However, a contemporary response which complements and respects the form and scale of the original buildings may be considered if the heritage significance is retained.*

#### 3.2.2.2 Retaining Significant Features and Landscape Setting

**Note:** *Significant features in relation to this paragraph include roofs, detailing, brickwork, colours and original windows (size, proportion and type)*

*Alterations or additions to heritage items... must:*

- (a) *retain original and traditional roof form, roof pitch with any alterations to the roofs to be sympathetic to the style of the heritage item...;*
- (b) *retain original architectural detailing such as barge board, finial trim, window awnings and front verandas. New detailing must be complementary to the character of the item or place;*
- (c) *retain original wall treatments and original cladding...*
- (d) *not render or paint original face brickwork...*
- (e) *where surfaces are not originally face brickwork:*
  - (i) *any appropriate use of cement render is complementary to and consistent with the heritage architectural style and colour schemes and repainting must be articulated in the same manner as the original colour rendering of the building;*
  - (ii) *external colour schemes are to be in keeping with the original character of the heritage building based where possible on physical or documentary evidence in keeping with the architectural style and period of the building;*
  - (iii) *contemporary colours are not discouraged, but should be combined in a complimentary way; and*
  - (iv) *single colour sections are not permitted.*
- (f) *avoid removal of original fabric in order to retain the integrity of the heritage item...*

### 4.4.3 Signage

#### 4.4.3.1 Controls for all Development Types

*Schedule 1 of SEPP No 64 - Advertising and Signage details assessment criteria in the regulation of signage to ensure it is compatible with the desired amenity and visual character of an area and*



#### 4.4.3 Signage

*considered special areas, views and vistas, streetscape, setting or landscape, the site and building, associated devices and logos, illumination and safety.*

##### (a) Maximum Number of Signs

*In relation to shopfronts, a maximum of 2 identification signs will be permitted per frontage in any 2 of the following locations:*

- *Under awning*
- *Awning fascia*
- *A transom sign above the door or shopfront (top hamper)*
- *Inside the display window*
- *Below the window sill*
- *Flush wall signs*

##### (b) Excessive Signage

*Excessive signage usually has an opposite effect to its original intention. The clustering causes visual pollution and confusion to the observer...*

##### (c) Advertising Content

*Advertising content must relate to the building or goods sold on the premises to which it is attached...*

##### (d) Design Integration

- (i) *The design of signs is to be integral to the architectural style and finishes of the building to which they are attached, rather than a "tack on" appearance. In this regard, above awning signs level of a projecting nature are restricted.*

##### (e) Streetscape

*Signs must not have an adverse impact on the streetscape in terms of unobtrusive design, colour, height, size and scale in proportion to building and other urban elements...*

##### (f) Maintenance

- (i) *Building facades should not be visually spoiled by electrical conduits to illuminated signs or sport lights, and should therefore be taken directly into the building or otherwise concealed by chasing into external walls.*
- (ii) *Signs should be located at a height level which avoids impact from footpath maintenance vehicles and discourages vandalism.*

##### (g) Safety

- (i) *Council will give due attention to all applications with respect to possible distractions of motorists due to illumination, position, colours, design and proximity to traffic lights.*
- (ii) *Signs must be maintained in good condition and subsequent repair and in a clean and tidy condition at all times. Council will not favour signs which are prone to deterioration in appearance and condition, and may order removal of objectionable or unsightly advertisements.*

##### (h) Illumination

- (i) *In considering the illumination of signage care is to be given to avoid nuisance from glare and spillage of light which may impact on both residents, particularly in the Residential LEP Zones (including E3 & E4) as well as to passing traffic. Depending on the location, and its relationship to residential premises, Council may require that illumination be controlled by automatic time clocks extinguishing illumination between 10pm and 6am, or as appropriate in the circumstances.*

#### 4.4.3 Signage

- (ii) A floodlit sign which projects over a public road must not be illuminated by a lighting medium which is less than 3.6m above the ground. Lighting must not cause distraction or nuisance to neighbouring properties or traffic.

##### 4.4.3.2 Signs on heritage Items

(a) Advertising signs should be designed and located in a manner which preserves and enhances Heritage listed items and Conservation Areas.

(b) Sign locations

Signs should be discreet and should compliment the building and surrounding uses. The architectural features of the building or listed item should always dominate. Advertising should preferably be placed in locations on the building or item which would traditionally have been used as advertising areas. Opportunities for advertising, therefore, may be somewhat illuminated, Generally sign panels can be determined by dividing a building into a grid and identifying locations on:

- (i) a solid parapet above a cornice
- (ii) the horizontal panel below a cornice
- (iii) verandas or awning fascia
- (iv) ground floor windows
- (v) notice boards or plaques on ground floor piers
- (vi) small signs on individual architectural elements such as rendered blocks
- (vii) under awning signs
- (viii) small not illuminated free standing pole signs and
- (ix) side walls (carefully considered)

(c) Other Guidelines for Heritage Items and Conservation Areas

In addition to the requirements for the particular zoning and matters listed above, the following matters must be taken into consideration:

- (i) Signs on shop windows should not exceed 25% of the window area
- (ii) As the external colours applied in different historical periods varied, and were more muted in range than today, it is wise to research appropriate colour ranges for buildings in heritage areas. Generally however, the following dark or muted colours are suggested: Maroon, dark green, terracotta, brown, charcoal, etc. highlighted with creams, ochres, pinks and earth tones.
- (iii) Heritage lettering styles may involve shared letters, the mixing of sizes and styles of letters, and ornamental scrolls relevant to the period of the building
- (iv) Signs are preferably illuminated by floodlighting, with the source of the illumination being suitably concealed
- (v) Modern standardised "trademarks" advertising will not usually be appropriate. This however could be compromised by placing the modern sign in a panel with a perimeter margin and surrounding wall surface, printed in sympathetic heritage colours.

#### Discussion:

##### Control 3.2.1 - Heritage Significance

The section of the Manly Wharf where the works are proposed is not assessed as having significance as per the Schedule of Significant Fabric table in the 2016 CMP (extracted at Table 3). This is because it is within the retail wing which was added to the Manly Wharf in the early 1990s as part of an upgrade to the site. As a result, the existing interior and exterior of this retail wing is not assessed as having heritage significance, thus the works to fitout the internal vacant retail space and the minor alterations to the southern façade are not deemed as impactful to the heritage significance.

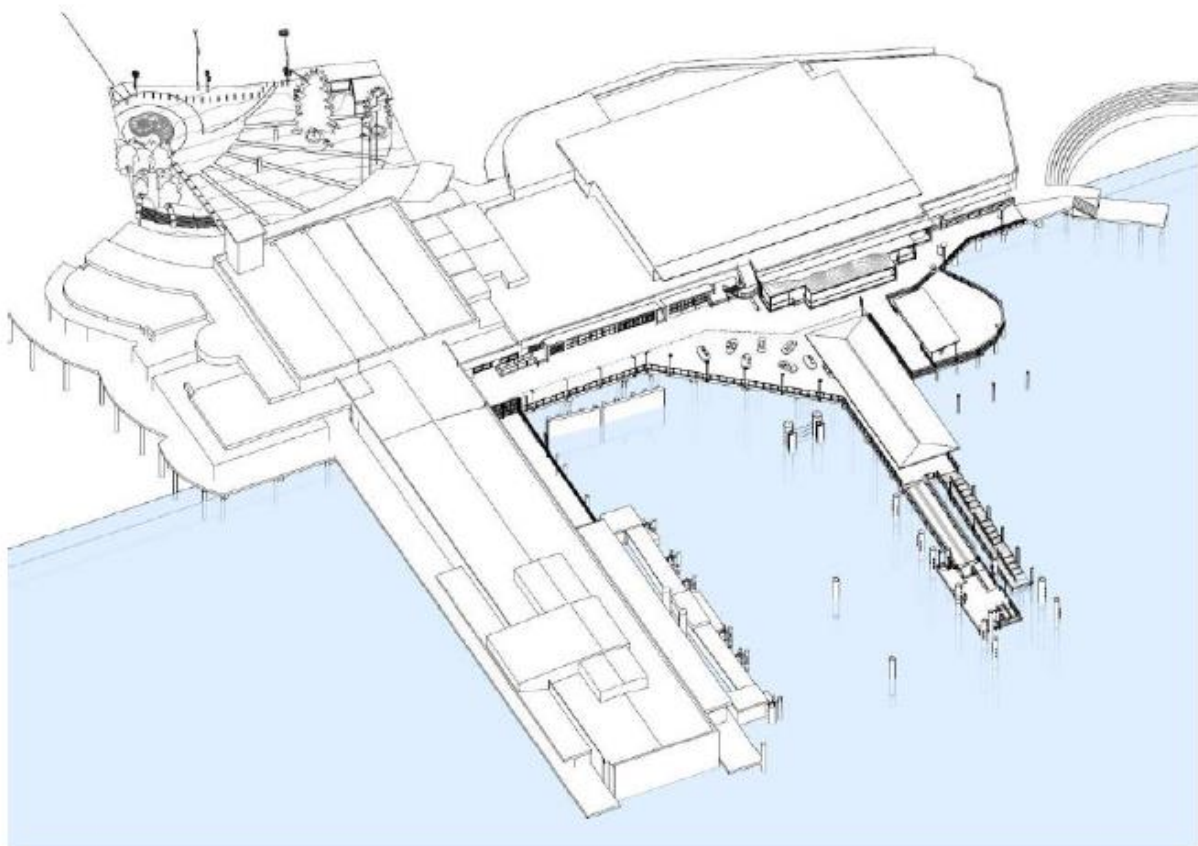
The proposed works do not seek to replicate, overwhelm or dominate the Manly Wharf heritage item, nor do they propose to alter any significant features or elements of the wharf.

### Control 3.2.2 - Heritage Items in the Vicinity

The works proposed for the existing vacant retail tenancy space at Manly Wharf are primarily internal works which will have no physical or visual impacts on any heritage items in the vicinity to the subject site. The only external alterations to the subject site will be the reconfiguration of the front entrance to the new pub, and the reconfiguration of the existing external staircase to the upper floor tenancy of the Manly Wharf Hotel. These works will tidy and simplify the southern façade of the eastern retail wing of Manly Wharf, which will improve the overall setting and appearance of the southern elevation of the hotel wing. The works will have no visual impact on any heritage items to the north of the wharf as there will be no sightlines between them and the works, and the works will also not alter any significant view to and from the former Fun Pier (heritage item I146) to the south. The works will ultimately enhance the non-significant area of the Manly Wharf with a contemporary fitout and additions that will not be detracting or impacting to any heritage items in the vicinity. It is also noted that the proposed works would be visually obscured from the south by the potential upgrade of Manly Wharf 3, as per the plans publicly exhibited by Transport for NSW (TfNSW) (Figure 22).

### Control 4.4.3 - Signage:

The proposal does not include the installation of any new business identification signage for the site either internally or externally. A separate application for business signage will be submitted at a later date.



**Figure 3.3 View of proposal from above**

Figure 22: Figure showing the proposed upgrade to Manly Wharf 3, which would obscure views of the new works from the south.  
Source: Transport for NSW, Manly Wharf 3 Upgrade - Review of Environmental Factors, November 2022 (p. 28).

## 5.4. State Environmental Planning Policy (Biodiversity and Conservation) 2021

As Manly Wharf is listed as a heritage item under the *SEPP (Biodiversity and Conservation) 2021*, the following heritage provisions have been extracted from this *SEPP* and utilised in the assessment of the proposal.

### 6.52 Heritage development

*In this part – heritage development means development that involves one or more of the following-*

- (a) *demolishing or moving, or altering the exterior, including by changing the detail, fabric, finish or appearance of a building, of-*
  - (i) *a heritage item, or*
  - (ii) *...*
  - (iii) *a building, work, relic or tree within a place or site that is a heritage item.*
- (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, the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,*
- (d) *...*
- (e) *...*
- (f) *development near a heritage item, including development that-*
  - (i) *may have an impact on the setting of the heritage item, including by affecting a significance view to or from the item or by overshadowing, or*
  - (ii) *may undermine or otherwise cause physical damaged to the heritage item, or*
  - (iii) *will otherwise have an adverse impact on the heritage significance of the heritage item.*

### 6.53 Requirement for development consent

*(1) Heritage development may be carried out only with development consent.*

*(3) The consent authority may, before work is carried out, give written notice to an applicant for development consent for heritage development that development consent is not required if the consent authority is satisfied the development-*

- (a) *is of a minor nature, or is for the maintenance of-*
  - (i) *a heritage item, or*
  - (ii) *a building, work, relic, tree or place on a site that is a heritage item, or*
  - (iii) *an Aboriginal object, or*
  - (iv) *an archaeological site, and*
- (b) *will not adversely affect the heritage significance of the item, object or site.*

*(4) In deciding whether to grant development consent to heritage development, the consent must consider the effect of the development on the heritage significance of the item, object or site.*

*(5) In considering the effect of heritage development under subsection (4), the consent authority must consider the following-*

- (a) *the heritage significance of the item, object or site as part of the environmental heritage of the land to which this Part applies,*



### 6.53 Requirement for development consent

- (b) *the impact of the development on the heritage significance of the item, object or site and its setting, including landscape or horticultural features,*
- (c) *the measures proposed to conserve the heritage significance of the item, object or site and its setting,*
- (d) *whether an archaeological site will be adversely affected by the development,*
- (e) *the extent to which the development will affect the form of historic subdivisions,*
- (f) *other matters the consent authority considered relevant.*

### 6.54 Aboriginal places of heritage significance

- (1) *This section applies to heritage development that is-*
  - (a) *is an Aboriginal place of heritage significance, or*
  - (b) *likely to have an impact on an Aboriginal place of heritage significance.*

### 6.55 Archaeological sites

- (1) *Development consent must not be granted to heritage development that is on an archaeological site unless the consent authority has*
  - (a) *notified the Heritage Council of the heritage development, and*
  - (b) *considered any submissions made by the Heritage Council within 28 days after the notice is given.*
- (2) *This section does not apply to land-*
  - (a) *listed on the State Heritage Register under the Heritage Act 1977, or*
  - (b) *to which an interim heritage order under the Heritage Act 1977 applies.*

### 6.57 Conservation Incentives

- (1) *This section applies to development that-*
  - (a) *involves a building that is a heritage item,*
- (2) *Development consent may be granted to the development to which this section applies, even if the development would otherwise be prohibited under this Chapter, if the consent authority is satisfied of the following-*
  - (a) *the conservation of the heritage item or Aboriginal place of heritage significance will be facilitated by the granting of development consent,*
  - (b) *if a heritage management document or other document approved by the consent authority contains guidelines for the ongoing management and conservation of, or proposals to minimise the impact of development on, the heritage item or Aboriginal place of heritage significance – the development will be consistent with the guidelines or proposals,*
  - (c) *the development will not adversely affect the heritage significance of-*
    - (v) *the heritage item, including its setting, ...*
  - (d) *the development will not have a significance adverse effect on the amenity of the surrounding area.*

## Discussion:

No demolition of the Manly Wharf heritage item is proposed in the works. Only non-significant elements of the site, including the external southern half-pace staircase and interiors of the eastern wing of the wharf are proposed to be removed. Both the vacant tenancy space and the southern façade are considered non-significant elements of the heritage item, being contemporary additions to the site (1990 onwards). The removal of these elements and their replacement with a new fitout will have no impact on the heritage item's significance, setting or any significant views to and from the heritage item. The half-pace staircase is also considered as an intrusive element within this area of the wharf as it disrupts the simple fenestration of the southern façade. As such, the reconfiguration of this staircase to be a straight run will improve the visual presentation of the southern façade of the retail wing.

As established, the majority of the works are internal within the retail wing of the wharf. The siting of these works within the non-significant area of the wharf means that there will be no impacts on the setting, amenity, character or aesthetic values of the Manly Wharf heritage item.

The works are subject to the approval of the Northern Beaches Council through the integrated development application process. This SOHI has been prepared to assist the Council in understanding the potential heritage impact of the works, which this SOHI has identified there will be minimal to no impacts to the established heritage significance of Manly Wharf.

As identified previously, the subject site does not have any identified Aboriginal heritage values or archaeological potential. As the works will not involve any ground disturbance (being a ground floor fitout and some external works), there will be no impacts to any potential archaeology beneath the site. It is noted that the Manly Wharf 2016 CMP does not identify any archaeological sites or archaeological potential.

The proposal is consistent with the conservation management policies produced for Manly Wharf as part of the *Manly Ferry Wharf Conservation Management Plan*, 2016, as discussed below.

## 5.5. Relevant Conservation Management Plan Policies

The proposed works are entirely focused within the contemporary 1990 eastern retail wing of the wharf and not the original wharf structure. As a result, only policies within the 2016 *Manly Wharf CMP* relevant to this proposal have been extracted and considered.

### 7.1 GUIDELINES FOR DEVELOPMENT

#### 7.1.1 Guidelines for Development

*The retail extension to the 1941 Manly Ferry Wharf should be modified to create visually separate parts and provide different architectural character. This would reduce the scale of the development and the uninterrupted horizontality of the present extensions.*

*New development should encourage mixed use and active street level uses at street level.*

*New development should locate non active uses above street level e.g. upper floor or below street level e.g. parking.*

*Facades should not be cluttered but simple and streamlined so as not to detract from 1941 wharf structure.*

*Large extent of curtain wall and mirror glass should be avoided or set back to avoid reflection.*

*Colours should be predominantly light.*

*Existing public access to the waterside internally and externally should not be reduced by any new work.*

*The continual Avenue of Norfolk Pines linked to original Gilbert Smith planting should be reinforced.*

## 7.1 GUIDELINES FOR DEVELOPMENT

### 7.1.1 Guidelines for Development

*A sophisticated building volume which responds to the urban design controls should be developed for the site.*

*Scope exists for a building volume above the 10.5 limit if the volume was significantly smaller and setback from the existing building edge so that it would not be visible at close views and would merge with horizontals at distant views.*

The proposed works are entirely located within the retail extension to Manly Wharf, which is a contemporary 1990 addition to the heritage item. The majority of the works are internal, with those external works (new door, reconfigured staircase) all reinforcing a different architectural character than that of the original 1941 wharf while also not being an overwhelming or detracting element to the site as a whole. These external works, which are simplifying the southern façade of the retail wing by reconfiguring the intrusive staircase, are in keeping with the CMP guidelines for Manly Wharf whilst improving the setting of the heritage item.

## 7.3 REQUIRED APPROVALS FOR STATE HERITAGE ITEMS

### 7.3 Policy - Approval

*Before doing work to any part of the building or lodging a development application or a Section 60 application, the proponent should liaise with heritage architect from the relevant authority.*

### 7.3.2 Policy - Archaeology Approval

*A Section 60 application for an archaeological investigation is required prior to any excavation.*

The works have been raised with the relevant heritage advisory committee of Northern Beaches Council as part of pre-DA discussions, with opportunities and constraints with the proposal identified. The works have also been considered by a built heritage specialist as being compatible with the heritage item.

## 7.4 CONSERVATION OF BUILDING FABRIC

### 7.4.1 Policy - Fabric Conservation

*No significant item identified in this plan should be despoiled and/or removed from the building prior to understanding the significance of the item and its contribution to the significance of the place.*

*The grading of significance of the various elements of the building is a valuable planning tool, and it assists in developing a consistent approach to the treatment of different elements. The various grades of significance generate different requirements for retention and conservation of individual spaces and their various elements.*

*Surviving building fabric nominated in this document as being of high significance shall be retained and conserved and shall only be considered for removal or alteration where there is no appropriate alternative. Any work which affects the building fabric or spatial arrangement graded in this category should be confined to preservation, restoration or reconstruction, as defined by the Burra Charter.*

*Where fabric of high significance is removed or altered a thorough recording of the original form and detail should be made. Removed items should be catalogued and stored safely for possible future reinstatement.*

*Fabric of moderate significance should generally be retained. Adaptation or alteration may be acceptable if assessed and appropriate within framework that protects the significance of the whole place. Surviving building fabric nominated in this conservation plan as being of little significance can*

## 7.4 CONSERVATION OF BUILDING FABRIC

*be either retained or removed if required as either option does not intrude on the significance of the building.*

*The building should exemplify and reflect the principal period of its development from the key period of significance.*

*Significant fabric should be preserved. The existing building, in particular, the significant façades and building elements, should be retained.*

*This includes the following building elements:*

*The Welcoming Arms – fascia ceiling, and bulkhead,*

*The remnant curved sections,*

*The original wharf loading,*

*The high volume clerestory space.*

### 7.4.2 Policy - Significance

*Fabric identified in Section 5.10 having exceptional significance (A) must be retained and conserved.*

*Fabric identified in Section 5.10 as having high significance (B) should be retained, conserved and/or preserved where possible.*

*Fabric identified in Section 5.10 as having moderate significance (C) – retention and preservation is desirable but not essential.*

*Fabric identified in Section 5.10 as having little significance (D) may be retained or removed as required subject to practical considerations.*

*Fabric identified in Section 5.10 as intrusive elements (E) should be removed or modified to a less intrusive form, wherever the opportunity arises.*

### 7.4.4 Policy - Finishes

*It is desirable that finishes never intended for painting should continue to be appropriately maintained. Investigation should be undertaken to establish whether the removal of later paint finishes is possible. Surfaces intended for painting should continue to be painted in appropriate colours. Contemporary descriptions identify the original colours. Paint scraping should occur to confirm the original colours.*

The retail wing of the Manly Wharf was identified in the CMP Grading of Significance table (Table 3) as having moderate significance ('C'), with service areas within this area identified as having moderate - little significance ('C' and 'D'). As a result, alterations to these areas of the wharf are acceptable if assessed as not having an adverse impact on the significance of the site as a whole. The proposal is assessed as having little to no impact to the heritage significance of Manly Wharf due to its primarily internal location and involving modifications to a non-significant area of the wharf. The external works to simplify the southern façade of the retail wing consistent with the existing plain architectural style are considered acceptable from a heritage perspective as they do not impact on any significant elements or views of the original Manly Wharf.

## 7.7 INTEGRATION OF SERVICES

### 7.7.1 Policy - Removal of Inappropriate Services

*The provision of new services should consider the removal of inappropriate services.*

### 7.7.2 Policy - Installation of Services



## 7.7 INTEGRATION OF SERVICES

*The extension or alteration of existing services in the building is acceptable in the context of re-use, but should not have a detrimental impact on the significance of the building components as a whole.*

### 7.7.3 Policy – Ventilation

*Appropriate ventilation and climate control that enabled retention of long-term tenants.*

### 7.7.4 Policy – Upgrading of Services

*Any proposed upgrading of services should be carefully planned. Brackets or fixings for services that are more visible and do not damage significant fabric are preferred.*

Services within the contemporary retail wing are proposed to be altered with the change of use of the space from a vacant retail space to a pub and micro-brewery. The location of these services has been carefully considered so as to not visually or physically detract from the significance of the site. No significant spaces or fabric will be impacted with the installation of new services and the removal of old services.

## 7.8 SETTING URBAN DESIGN

### 7.8.1 Policy - Urban Design

*The architectural impact of the building derives from its form, facades and landmark quality. Key views of the building available from Manly Cove should be preserved. No further additions should occur to the footprint of Manly Ferry Wharf.*

*Given the building's location with a backdrop of higher buildings scope exists for some addition to the 1990 building in line with previous council approvals.*

### 7.8.2 Policy - Detracting External Additions

*Any new work should reduce the impact of detracting external additions. New development should be controlled so as not to detract from the significance of the place. Therefore additions to the building should be located away from and be visually separated from The Welcoming Arms.*

The proposed works do not diminish or overwhelm any significant views of Manly Wharf from Manly Cove, nor do they propose an extended footprint to the wharf. The works are primarily internal within an existing retail space and service corridors, which will not involve an increase to the building footprint. The works to clean up the southern façade, including the reconfiguration of the intrusive half-pace staircase, will improve the amenity and appearance of this area of the wharf, which itself is visually and physically separate from the Welcoming Arms section of the wharf.

## 7.9 EXTERIOR

### 7.9.1 Policy - Exterior Appearance

*The overall 1941 building form should be preserved. All remaining intact fabric on significant facades, as identified in Section 5.10, should be retained and conserved. The existing form, external surfaces, materials and finishes of the façade should be preserved. It is desirable that 1941 door and window openings should be enlarged to a consistent size and maintain retention of the weather board. No new work should compromise the original significant facades.*

### 7.9.2 Policy - Façade Modification

## 7.9 EXTERIOR

*It is desirable that where it is necessary to modify the façade, changes to the facade should reinforce the composition of the original facade.*

### 7.9.3 Policy - Façade Additions

*Additions of little significance that detract from an appreciation of the original building detail as identified in Section 5.10 should be removed. Scope exists to modify the 1990's alterations particularly if they allow a better appreciation of the original building.*

### 7.9.4 Policy - Façade Changes

*The interpretation of the building would benefit by a better understanding of the original construction phase of the 1941 wharf and 1990 additions as modified in 2007.*

The original 1941 section of the wharf is to be retained in its entirety, with the works solely confined to the small portion of the contemporary 1990 retail addition of the wharf. The changes to the southern façade of the retail wing would simplify the elevation by modifying the half-pace staircase to be a straight run staircase. This would establish a less visually intrusive element and blend in within the plain fenestration of the façade. The approach and southern doors will also be modified, but they will not compromise the southern façade of the retail wing. Instead, these modifications will allow for the identification of the proposed venue while also allowing for safer and designated access to the pub.

The roller doors that previously provided entry to the retail space from the Manly Wharf concourse are also to be removed and replaced with egress doors. As these roller doors were likely installed as early as 2004 as part of the refurbishment works to accommodate the Aldi store (DA 369/2004), and the CMP policies allow for modifications to contemporary façade elements, the erection of new egress doors to replace these roller doors are acceptable from a heritage perspective. The decision to install egress doors will result in the primary entry point to the site being redirected from the wharf concourse to the reconfigured southern entry of the retail wing.

## 7.10 INTERIOR

### 7.10.1 Policy - Interior Elements

*Generally, the retention of the following elements and finishes described in Section 5.10 is desirable.*

### 7.10.2 Policy - Interior Spaces

*The spatial qualities of the building is large volume space contributing to its significance and interpretation and therefore should be conserved, as part of the on-going use, on-going management and any future development strategy.*

### 7.10.3 Policy - Impact on Façade

*Internal work should not compromise the significant 1941 facades of the buildings.*

### 7.10.4 Policy - Low Integrity Interiors

*As the interiors of the building have been extensively modified with numerous further modification could occur to the interior fitout. The character defined by the original interiors that create the high spatial quality of the clerestory should be preserved.*

The internal works to fitout the previous retail space would not compromise or affect any of the significant interiors of the Manly Wharf structure. This is because, as detailed throughout this report, these works are located within the areas of the wharf that were part of the 1990 addition to the site, graded as having

moderate - little significance in the 2016 CMP (Table 3). The reconfiguring of the retail space and surrounding service areas and kitchens will not impact on the significant interior spaces of the wharf, like that of the clerestory.

## 7.11 TENANCY FITOUT GUIDELINES

### 7.11.1 Policy - Tenancy Fitout

*All tenants of the building should be made aware of the cultural significance of the item.*

*Tenancies should only be selected on the basis that the proposed or future uses are compatible with the significance, and the sensitive fabric and spaces, and can be installed and removed without impact.*

#### *Background*

*To prevent the gradual loss of cultural significance through incremental change, a mechanism for controlling any modifications undertaken by tenants to the significant fabric needs to be established.*

#### *Guidelines*

*Tenants shall adopt the guidelines of this Conservation Management Policies in their planning and design.*

*The impact of proposed modifications to significant fabric should be adequately assessed, prior to the granting of owner's consent.*

### 7.11.2 Policy - Incremental Changes

*All incremental changes should be seen as an opportunity to recover the original significance.*

The proposed installation of the venue is a compatible use for the tenancy and is in keeping with existing licensed premises within the site (like the Manly Wharf Bar). The proponents of this IDA are the owners of the entire site, and who are aware of and appreciate the heritage significance of the site. This awareness is evidence from the fact that no significant fabric within the wharf is proposed to be modified by the proposal, with all alterations and the fitout to occur within the non-significant retail wing of the wharf. The proposal to introduce public amenities to the ground floor of the wharf adjacent to the new venue demonstrates this awareness of the site's significance and their desire to introduce a safer and better public space for visitors of the wharf.

## 7.12 SIGNAGE AND EXTERNAL LIGHTING

### 7.12.1 Policy - Original Signage

*The existing original signage should be retained.*

### 7.12.2 Policy – Additional Signage

*Investigations should occur to uncover evidence of any earlier signage.*

### 7.12.3 Policy – Signage and External Lighting

*Signs and external lighting must be consistent with the relevant signage and lighting policies of the Manly Ferry Wharf.*

### 7.12.4 Policy – Co-ordinated Signage

## 7.12 SIGNAGE AND EXTERNAL LIGHTING

*Coordinated signage should be designed for the building that complements the appearance of original fabric and the overall character of the place and is sufficiently flexible to allow for changes in occupancy.*

The proposal does not alter, remove or impact any original signs of Manly Wharf, with no new business identification signage yet proposed for the site. This will be addressed in a later and separate application for the site.

## 7.14 FUTURE USE

### 7.14.1 Policy - Future Use

*The future use of the building should be compatible with its conservation and ideally remain as wharf with some retail activity.*

*The policies set out in this document should be applied irrespective of the uses that occupy the building.*

### 7.14.2 Policy - Incremental Changes of Use

*Proposed changes of use to any part of the building should only be considered in the context of a coordinated plan for the whole building.*

The proposed pub use of the site is in keeping with the existing retail activity of the wharf. It has been considered in the context of a coordinated approach to the entire wharf as the proponents, Artemus Group, are owners of the wharf. This coordinated approach is seen in the introduction of public toilets on the ground floor level next to the proposed pub. This new toilet and amenities block will provide safer and easily accessible public amenities, which will benefit and continue the retail activity and usage of the wharf. The proposed use will complement the existing entertainment uses that were introduced in the 1990s to the wharf's historical ferrying cargo and peopling activities.

The proposal also seeks to incorporate a former historic usage of the site as an entertainment place. Adjacent to the ferry wharf was a former fun pier, which provided entertainment to travellers visiting the suburb between 1930s - 1980s. The proposed development looks to reinstate this usage which was familiar to the site during its history.

## 7.15 ARCHAEOLOGY MONITORING

### 7.15.1 Policy - Archaeology Permit

*In accordance with the Heritage Act 1977, any excavation where relics may be disturbed, requires an excavation permit.*

### 7.15.2 Policy - Archaeology

*All work involving excavation areas of a site that has archaeological potential should be carried out under archaeological supervision by a qualified archaeologist.*

### 7.15.3 Policy - Archaeology

*Based on the significance of the site it is the recommendation of the Conservation Management Plan that any ground disturbance on the property in the future be subject to further archaeological monitoring.*



The proposal does not involve any archaeological disturbance as all the proposed alterations and additions are above the ground surface. The new goods lift that is proposed to be installed within the site will not penetrate the subsurface beneath the basement level, thus there will be no impacts to any potential archaeology. It is acknowledged that if the works were to include subsurface penetrations, the *Manly Ferry Wharf CMP 2016* found that site disturbance overtime meant that there were "unlikely to reveal archaeological remains."

## 5.6. NSW Department of Planning and Environment Guidelines

The following questions to be answered have been extracted from the NSW Department of Planning and Environment's, *Guidelines for Preparing a Statement of Heritage Impact, 2023*. Responses have been provided in relation to the proposed development.

### 5.6.1. General considerations when preparing a statement of heritage impact

General considerations	This proposal relates to these matters as follows:
<b>Section 1 - The Heritage Item</b>	
1.1 Site description <ul style="list-style-type: none"> <li>Is the location of the proposed works area clearly identified?</li> </ul>	<ul style="list-style-type: none"> <li>The subject site where the works are proposed are clearly identified in the architectural plans produced by ACME. These drawings are identified at <i>Section 2.5 Proposal</i>.</li> </ul>
<b>Section 2 - Significance Assessment</b>	
2.1 Statement of significance <ul style="list-style-type: none"> <li>Is the significance of the heritage item well documented and understood?</li> <li>Have all the criteria of the heritage item's significance been considered?</li> </ul>	<ul style="list-style-type: none"> <li>The significance of the site is well understood, with the statement of significance for the Manly Wharf heritage item extracted from both the SHR and the CMP produced for the site. These are extracted at <i>Section 5</i> of this SOHI.</li> </ul>
<b>Section 3 - Proposed Works</b>	
3.1 The proposal <ul style="list-style-type: none"> <li>Is there enough information available about the proposed works to determine how they may impact the heritage item and its significance?</li> </ul>	<ul style="list-style-type: none"> <li>The proposed works, as identified at <i>Section 2.5</i> of this SOHI, make clear the alterations and additions to be made to the Manly Wharf heritage item. There is enough information available to sufficiently assess the heritage impact of the proposed works.</li> </ul>
3.2 Background <ul style="list-style-type: none"> <li>Will the proposed works be the best conservation solution for the heritage item?</li> <li>Will the works promote the ongoing use and upkeep of the item?</li> </ul>	<ul style="list-style-type: none"> <li>The proposed works are considered beneficial to the heritage item as they encourage the usage of a currently vacant space at the wharf. This refit of the former Aldi space into a pub will increase attendance to the wharf, which will enable patrons to engage with the heritage item.</li> </ul>
<b>Section 4 - Heritage Impact Assessment</b>	
4.1 Matters for consideration <ul style="list-style-type: none"> <li>Do the proposed works include removal of unsympathetic alterations and</li> </ul>	The proposed works seek to alter the existing vacant retail space within the retail arcade of the wharf, itself a contemporary addition to the heritage item Manly Wharf. The works are primarily internal and so there

General considerations	This proposal relates to these matters as follows:
<i>additions? How does this benefit or impact the heritage item and its significance?</i>	will be no impacts to the significance of the heritage item. The works also include the reorientation of the external half-pace stairs to first floor of the Manly Wharf Bar, with this reorientation altering a previously intrusive element of the site. The new stairs simplify the façade while also decluttering the new entrance to the proposed venue, establishing a simpler fenestration and elevation.
<ul style="list-style-type: none"> <li>Do the proposed works affect the setting of the heritage item, including views and vistas to and from the heritage item and/or a cultural landscape in which it is sited? Can the impacts be avoided and/or mitigated?</li> </ul>	The significant views and vistas of the heritage item 'Manly Wharf' are not impacted by the proposed works as they are primarily internal alterations and additions. Works to the southern façade of the eastern c.1990 retail wing (waterside) will not detract or obstruct any significant views from the water towards the wharf, particularly as these works are located within the non-significant area of the site and away from the key approach of the Circular Quay ferry. The current waterside setting of the wharf will be retained, with the proposed additions and alterations to be unobstructive and non-dominant to the aesthetic qualities of the wharf.
<ul style="list-style-type: none"> <li>Are the proposed works part of a broader scope of works?</li> <li>Does this proposal relate to any previous or future works? If so, what cumulative impact (positive and/or adverse) will these works have on the heritage significance of the item?</li> </ul>	TfNSW are currently proposing to undertake significant upgrade works at Manly Wharf No. 3 (south of the subject site where the works are proposed) According to the Review of Environmental Factors report published by TfNSW in November 2022, these works consider introducing a wider southern wharf promenade which will be fitted with canopies and small structures (Figure 22). Should this design be implemented, this would ultimately mean that the subject proposed works to the southern exterior of the eastern wing will be physically obstructed when viewed from the south, meaning there is even lesser impact to the setting and amenity of site.
<ul style="list-style-type: none"> <li>Are the proposed works to a heritage item that is also significance for its Aboriginal cultural heritage values? If so, have experts in Aboriginal cultural heritage been consulted?</li> <li>Has the applicant checked if any other approvals or a separate process to evaluate the potential for impacts is required?</li> </ul>	There are no Aboriginal sites of heritage significance identified within the site or within a 200-metre buffer, as per the results of a basic AHIMS search of Lot 1 DP 1170245. Further, the CMP prepared for Manly Ferry Wharf in 2016 identified at section 3.4.2: "Given the history of site disturbance from the Interwar period, the site is unlikely to reveal aboriginal remains." As such, there are no identified Aboriginal cultural heritage values attached to the site. None of the alterations and additions to the site as part of these works involve the penetration of the ground surface, thus there is no impact on any potential Aboriginal heritage values.
<ul style="list-style-type: none"> <li>Do the proposed works trigger a change of use classification under the National construction code that may result in prescriptive building requirements? If so,</li> </ul>	The change of use from a retail supermarket space to a pub and microbrewery, with ancillary food and drink and entertainment requires various additional services to be provided to be compliant with the National Construction Code. This includes, for example, the

General considerations	This proposal relates to these matters as follows:
<i>have options that avoid impact on the heritage values been investigated?</i>	provision of additional toilets and access ramps. These additional services can be installed within the subject site without impacting, penetrating or altering any significant fabric of the wharf. This is because the existing vacant retail site is a non-significant addition to the heritage item. No significant fabric of Manly Wharf would need to be impacted for the change of use of the site from a supermarket to a pub and restaurant.
<ul style="list-style-type: none"> <li><i>If the proposed works are to a local heritage item, are the requirements of the development control plans or any local design guidelines that may apply to the site considered?</i></li> </ul>	The controls of the <i>Manly DCP</i> 2013 have been extracted and considered above at <i>Section 6.3</i> of this SOHI.
<ul style="list-style-type: none"> <li><i>Will the proposed works result in adverse heritage impact? If so, how will this be avoided, minimised or mitigated?</i></li> </ul>	The works will not result in adverse heritage impacts as they are all to contemporary fabric that do not have any identified heritage significance. The majority of the works are internal to reconfigure the existing empty retail space, with this area of the wharf not having any identified heritage values. Likewise, the external works to the southern elevation are not deemed to have any heritage impact on the site as they are alterations to the contemporary eastern wing addition (not original fabric). The works will have no impact on the heritage significance of the Manly Wharf heritage item.

### 5.6.2. Considerations for specific types of work

#### Alterations and Additions

The following table addresses the proposal in relation to relevant 'questions to be answered' relating to alterations and additions.

Questions to be answered	This proposal relates to these matters as follows:
<ul style="list-style-type: none"> <li>Do the proposed works comply with Article 22 of The Burra Charter, specifically Practice note article 22 - new work (Australia ICOMOS 2013b)?</li> </ul>	<ul style="list-style-type: none"> <li>The proposed alterations and additions comply with the articles of the Burra Charter as they respect the heritage significance of the Manly Wharf heritage item. This is because none of the significant spaces or fabric are to be modified in the proposed works, with the works entirely within the non-significant retail wing addition of the heritage item. The new work will be readily identifiable and not imitate the significant appearance and features of the heritage item.</li> </ul>
<ul style="list-style-type: none"> <li>Are the proposed alterations/additions sympathetic to the heritage item? In what way (e.g. form, proportion, scale, design, materials)?</li> </ul>	<ul style="list-style-type: none"> <li>The proposed alterations are sympathetic to the heritage significance of the Manly Wharf heritage item as they all involve the alteration of non-significant fabric and spaces within the wharf. The proposal primarily alters the internal configuration of the former vacant retail tenancy space, which is not identified in the CMP as being a significant</li> </ul>

Questions to be answered	This proposal relates to these matters as follows:
	space within the wharf. The new additions and alterations to the southern elevation of the retail wing (reconfiguring the staircase, altered entrance) are also deemed sympathetic as they do are not physically overwhelming or bulky. These external works will clean up the southern façade of this retail wing, which will ultimately improve the setting and amenity of the heritage item.
<ul style="list-style-type: none"> <li>Will the proposed works impact on significant fabric, design or layout, significant garden setting, landscape and trees or on the heritage item's setting or any significant views?</li> </ul>	<ul style="list-style-type: none"> <li>No significant fabric, room layouts, elements or features of the historic wharf will be impacted by the proposal. This is because the works are all located in the non-significant area of the wharf - the retail wing addition. This area was assessed in the 2016 CMP as not being of heritage significance, thus the proposed works are considered sympathetic and respectful to the significant spaces and elements of the heritage item.</li> </ul>
<ul style="list-style-type: none"> <li>How have the impact of the alterations/additions on the heritage item been minimised?</li> </ul>	<ul style="list-style-type: none"> <li>The works will not impact the heritage significance of the heritage item as they are designed to be sympathetic and respectful to the heritage values of the wharf. Alterations to the southern façade have been kept to a minimum, with the reconfiguring works necessary to safely accommodate and identify the new space.</li> </ul>
<ul style="list-style-type: none"> <li>Are the additions sited on any known or potentially significant archaeological relics? If yes, has specialist advice from archaeologists been sought? How will the impact be avoided or mitigated?</li> </ul>	<ul style="list-style-type: none"> <li>N/A - the CMP for the site identified that the site does not contain any potential archaeological significance. Additionally, no ground penetrative works are included in the proposal.</li> </ul>

## Change of Use

The following table addresses the proposal in relation to relevant 'questions to be answered' relating to the change of use of a building or structure.

Questions to be answered	This proposal relates to these matters as follows:
<ul style="list-style-type: none"> <li>Does the existing use contribute to the significance of the heritage item? Why is the change of use proposed?</li> </ul>	<ul style="list-style-type: none"> <li>The change of use will not impact on the significance of the heritage item and will be in accordance with existing usages at the site (like the Manly Wharf Hotel) that were introduced in the 1990s to the historical ferrying of cargo and people activities of Manly Wharf. The change of use is proposed as it activates a currently vacant retail space within the wharf with a new pub that will engage the site.</li> </ul>
<ul style="list-style-type: none"> <li>Will the change of use have an impact on the significance of the heritage item?</li> </ul>	<ul style="list-style-type: none"> <li>The change of use to a pub will not detract or diminish the heritage significance of the site. The change of use will increase attendance to the wharf, which will allow patrons to access and enjoy the heritage item.</li> </ul>
<ul style="list-style-type: none"> <li>Will the change of use require changes to the fabric or significance elements?</li> </ul>	<ul style="list-style-type: none"> <li>No changes to significant fabric or elements of the Manly Wharf heritage item are required with the</li> </ul>



Questions to be answered	This proposal relates to these matters as follows:
How does that impact significance of the heritage item?	change of use of the vacant retail space to a pub. The existing vacant space is within the non-significant retail wing of the wharf; thus the change of use will not alter or diminish any significance spaces or fabric within the heritage item.

### Access

The following table addresses the proposal in relation to relevant 'questions to be answered' relating to access.

Questions to be answered	This proposal relates to these matters as follows:
<ul style="list-style-type: none"> <li>Will the heritage item be accessed by the public? If so, has the advice of an access consultant been sought to investigate options of Disability Discrimination Act compliant access that may have least impact on the heritage item?</li> </ul>	<ul style="list-style-type: none"> <li>The site will be accessible by the public and thus they have been informed by the appointed accessibility consultant MGAC. An example of a modification to the site that has been made to accommodate greater access is the reconfiguring of the external spiral staircase into a straight run staircase. This will open up the primary entry to the subject site.</li> </ul>

### Works Adjacent to Heritage Items or within the heritage conservation area

The following table addresses the proposal in relation to relevant 'questions to be answered' relating to works adjacent to a heritage item or within the heritage conservation area (listed on an LEP).

Questions to be answered	This proposal relates to these matters as follows:
<ul style="list-style-type: none"> <li>Will the proposed works affect the heritage significance of the adjacent heritage item or the heritage conservation area?</li> </ul>	<ul style="list-style-type: none"> <li>The proposed works will not affect the heritage item in the vicinity to the subject site. The former Fun Pier to the south of the heritage item (item I146) will not be visually or physically impacted by the tidying up of the southern elevation of the retail wing. All internal works to the currently vacant retail space will have no impacts on any heritage items outside the wharf.</li> </ul>
<ul style="list-style-type: none"> <li>Will the proposed works affect views to, and from, the heritage item? If yes, how will the impact be mitigated?</li> </ul>	<ul style="list-style-type: none"> <li>No views to or from the heritage item to the south of the subject site will be impacted by the proposed alterations and additions to the Manly Wharf.</li> </ul>
<ul style="list-style-type: none"> <li>Will the proposed works impact on the integrity or the streetscape of the heritage conservation area?</li> </ul>	<ul style="list-style-type: none"> <li>There are no impacts to the streetscape of East and West Esplanade as no works are visible from these streets. The works are mostly internal, with some alterations to the southern elevation of the retail wing not visible from the streetscape. Regardless, the site is not within or in immediate proximity to a heritage conservation area.</li> </ul>

### **5.6.3. Matters for Consideration**

#### **Fabric and Spatial Arrangements**

The alterations to Manly Wharf primarily affect the vacant retail space, which will be modified to accommodate a new pub and hotel. The existing vacant space and fabric within this space are not considered to be of heritage significance as the subject site is part of the contemporary 1990 retail wing addition to the heritage item. As such, there are no significant fabric or spaces within Manly Wharf that will be altered by the proposed works.

#### **Settings, views and vistas**

The settings and views of the heritage item will not be altered by the proposal. This is because the majority of the works are internal within the vacant retail space, where no significant views or vistas are situated. The southern elevation of the retail wing of the wharf will be altered, with the staircase, entrance and doorway reconfigured. As well as this, the former roller doors on the wharf concourse elevation of the retail tenancy will be removed and replaced with egress doors. These alterations and additions will not impact and significant views or vistas of the Manly Wharf heritage item, nor of the heritage item in the vicinity (like that of the former Fun Pier (item I146)).

#### **Landscape**

The proposal will not impact the landscape values of the site.

#### **Use**

The change of use of the site to a pub and microbrewery, with ancillary food and drink and entertainment is consistent with existing uses within Manly Wharf's retail area, like that of the adjacent Manly Wharf Hotel. This change of use will activate the currently vacant space (formerly retail) and encourage attendance at the wharf, which in turn will enable appreciation of the site.

#### **Demolition**

There are demolition works proposed to non-significant elements within the subject site. Demolition works include internal supermarket, office and storage partitions, staff amenities, the existing goods lift, mechanical plant and equipment located on level 1 outdoor area and entry roller doors on the wharf concourse. The area of the wharf where all these demolition works are located is not considered significant as per the grading of significance table for the CMP (see Figure 20). No areas of significance within Manly Wharf will be demolished.

#### **Curtilage**

The proposed works will not alter the identified heritage curtilage of the Manly Wharf heritage item.

#### **Moveable heritage**

No moveable heritage is impacted by the proposed works.

#### **Aboriginal cultural heritage**

There are no impacts to any Aboriginal cultural heritage by the proposed works.

### **Historical archaeology**

The works will not impact any historical archaeology due to no ground surface penetrations occurring in the fitout.

### **Natural heritage**

The subject site within Manly Wharf does not have any identified natural heritage values. The natural heritage values of Sydney Harbour itself in the vicinity will not be impacted by the proposal as works are entirely above the water level and no below ground surface penetrations are proposed.

### **Conservation areas**

The subject site is not situated within a heritage conservation area.

### **Cumulative impacts**

TfNSW are currently considering the upgrade of Manly Wharf No. 3 (to the south of the subject site). According to the Review of Environmental Factors report published by TfNSW in November 2022, these works look at potentially introducing a wider southern wharf promenade which would be fitted with canopies and small structures (Figure 22). Should these upgrade works be undertaken, this would ultimately mean that the proposed works to the southern exterior of the eastern wing (the subject of this DA) would be physically obstructed when viewed from the south, meaning there is even lesser impact to the setting and amenity of site.

### **The conservation management plan**

The proposed works have been assessed against the relevant policies of the *Manly Ferry Wharf Conservation Management Plan (CMP)*, produced by Architectural Projects in 2016. This assessment can be seen in *Section 6.5* of this SOHI. In general, the proposed works are all in compliance with the policies of the CMP and are considered sympathetic to the heritage values for the site.

### **Other heritage items in the vicinity**

The proposed works are primarily internal fitout works which will have no physical or visual impacts on any heritage items in the vicinity to the subject site. The only external alterations to the subject site will be the reconfiguration of the front entrance to the new pub and the reconfiguration of the existing external staircase to the Manly Wharf Hotel. These works will tidy the southern façade of the eastern retail wing of Manly Wharf, which will improve the overall setting and appearance of the southern elevation of the wharf.

The works will also have no visual impact on any heritage items to the north of the wharf as there are no direct sightlines between these heritage items and the works to the existing space, including the egress doors to replace the roller doors and the new amenities block. Likewise, the works will also not alter any significant view to and from the former Fun Pier (heritage item I146) to the south.

### **Commonwealth / National heritage significance**

The site does not have any identified national heritage significance.

### **World heritage significance**

The site does not have any identified world heritage significance.

## 6. CONCLUSION AND RECOMMENDATIONS

In conclusion, it is considered by CPH that the proposed works are deemed acceptable from a heritage perspective and are consistent with the heritage objectives and provisions of the *Manly LEP* 2013, the *Manly DCP* 2013 and the *SEPP (Biodiversity and Conservation)* 2021, as well as the relevant policies contained in the *Manly Ferry Wharf Conservation Management Plan*, 2016.

The works are entirely within the contemporary c.1990 eastern retail wing of Manly Wharf and thus no significant fabric or spaces of Manly Wharf will be impacted by the proposal. The majority of the works are interior fitout works within the existing vacant retail space which will not be visible from the public domain (East and West Esplanade or the Manly Cove). The works to the southern elevation (reconfigured stairs, reconfigured access and doorway) will have little to no impact on the heritage significance of Manly Wharf, nor will it impact any heritage items in the vicinity. In fact, the external works to the southern façade of the eastern retail wing will provide an improved and more simplified fenestration in keeping with the overall plain presentation of this part of the wharf. Additionally, the installation of public amenities on the ground floor level of the wharf within the non-significant space next to the proposed venue will provide safer and easier access for visitors at the wharf, which will improve the usage of the site.

We trust the above brief SOHI will satisfy both Heritage NSW and Northern Beaches Council's requirements for the assessment of the proposed alterations to the vacant retail tenancy at Manly Wharf associated with its adaptive reuse as a pub and micro-brewery with ancillary dining and live performance.

CITY PLAN HERITAGE

AUGUST 2024