

## Heritage Referral Response

<b>Application Number:</b>	DA2019/0491
<b>To:</b>	Seth Dias
<b>Land to be developed (Address):</b>	Lot 8 SP 91322 , 8 / 11 - 15 Spring Cove Avenue MANLY NSW 2095

### Officer comments

Further to a review of available documents and a site visit

The application requires approval under the two NS Heritage Act. Note that in case of any inconsistency in assessment under EPA Act (Local council) and the Heritage Act (NSW OEH), in (heritage matters) the assessment under the Heritage Act will prevail to the extent of the inconsistency (refer to NSW Heritage Act, Clause 68 – Consistency of approvals: "An approval given by a consent authority to a prescribed application is, to the extent of any inconsistency with the Heritage Council's determination of the application, void.")

Therefore, Council cannot refuse this DA (note: on heritage grounds), and we will have to include NSW OEH opinions in the assessment process and include any conditions in the determination.

Kind Regards

Zoran Popovic| Heritage Advisor

### Recommended Heritage Advisor Conditions:

Nil.