

### 6.3 Heritage Compliance Statement

The subject site at 152-154 Sydney Road Fairlight is identified on Manly Local Environmental Plan 2013 Heritage Map HER\_003 as being a Heritage Item General and listed as item I-65 under Manly LEP 2013 Schedule 5 Environmental Heritage Local. Schedule 5 describes the item as *2 commercial buildings, including the Rose Building*. Its significance is stated as *“An unusually intact representative example of Inter War Spanish Mission style commercial development.”*

The 2x retail shops, shop top housing and awnings facing Sydney Road are generally either intact or sympathetic to the original style of the building which is understood to have been constructed in 1934. The facade displays elements of expressed rendering with ornamental recesses and projections. The proud ornamental tiling elements display curved barrel forms consistent with Mediterranean roof tiles. The timber windows are double hung and have small rectangular fenestrations. The parapet is painted and steps up to a curved arch at the top of the parapet which provides symmetry balance & a focus or fulcrum to the Sydney Road building façade.

The Spanish mission style façade elements continue along William Street and the facade increases in height as the footpath & ground level descend towards the north. At approximately 3/5<sup>th</sup> of the façade length an additional Level 1 retail story is revealed below the Sydney Road Fairlight shops level referred to as Level 2 for this development proposal. The William Street façade also increases in height to accommodate a 4<sup>th</sup> residential floor level at a height consistent with the adjoining property at number 150 Sydney Road. Even though there is no obvious joint in the façade rendering, the 4<sup>th</sup> level residential floor is understood to have been built in 2 subsequent stages as additions to the original building. No searches of Council records have been undertaken to confirm the history for any approvals including any subsequent staged building works.

Similar to the Sydney Road façade, the William street façade also includes a curved arch but also features projecting bay windows and a balcony with textured spandrel tiles. The windows are generally similar double hung timber with inconsistent north west aluminium windows likely to have been added at a later stage & proposed to be replaced as part of this Development Application. The Level 4 awning which provides rain protection to the exposed roof terrace 02 can be seen from William Street. The northern facade and inner courtyard walls are finished in face brickwork.

		
Spanish Mission Style Elements Corner of Sydney Road & William Street Fairlight	Spanish Mission Style Elements Northern Corner of William Street Fairlight with inconsistent windows & Increased building bulk	Face Brick elements within the internal courtyard

There are no works included in the Development Application proposed for the existing retail shops, other than required BCA upgrades. The proposed internal maintenance and or replacement works to units 2 3 & 4 include all new floor wall and ceiling finishes along with new joinery and new kitchen & bathroom fixtures & fittings. Unit 1 internal finishes are to generally remain intact with only BCA required upgrade works to be undertaken. The William Street retail shop awnings are proposed to be replaced with new awnings that are similar and complement the existing building.

The proposed works to unit 4 being the new deck & glazing are only visible from within the rear courtyard and will not have any significant impact upon the heritage item. The new glazed timber doors will have materials and proportions that complement the existing *desirable* window fenestration.

The proposed new retail Bin Store on Level 1 will be a small detached element that is only visible from the rear courtyard and screened by new landscaping and will not detract from the heritage significance of the building.

The proposed works to unit 2 being a refurbishment & upgrade of the existing apartment are generally internal works which will not have any significant visual impact upon the heritage item. There are no significant changes to the existing skyline or building bulk. The proposed new unit 2 glazed timber windows and doors will have materials and proportions that complement the existing *desirable* window fenestration as per email correspondence with NBC Northern Beaches Council's Heritage Advisor dated 02 December 2012. The unit 2 refurbishment works will include new glazed balustrades fitted inside of the existing Level 4 Terraces 01 & 02, as required to provide safety & balustrade heights compliant with the requirements of the Building Code of Australia. To minimise any visual impact from the proposed new works as seen from the street approximately 10m below, the construction of the new balustrades are proposed to be mounted inside of the existing parapets and shall be of frameless glass to minimise the visibility of the new elements. The proposed frameless glass balustrade height of 1.4m exceeds the minimum BCA prescribed height to provide additional life safety protection with a potentially fatal fall risk. The increased balustrade height will also act as a wind break to Terraces 01 & 02 up on the crest of Fairlight Hill.

The new awning to Terrace 02 is proposed to provide shelter & be retractable to reduce the visible impact upon the streetscape and the Heritage significance of the building.

The proposed curved form of the new stepped roof to common stair 04 is designed to complement the gentle curve of the existing adjacent parapet. The roof element will be positioned inside of the existing masonry parapet to appear as a secondary element to the original façade and minimise any impact to the streetscape and heritage significance of the building. Refer to the additional section provided as drawing 03/A26 in response to NBC's Heritage Advisors email dated 02 December 2022 demonstrating that minimal head rooms are proposed within the stair well, whilst providing the new stair with compliant stair flights & landings replacing the previously BCA non-compliant stair flight and roof covering. The bulk and visual impact of the new stair 04 roof form has been mitigated.

The majority of the *Rose Building's* facade shall remain untouched with generally only minor works visible from the streetscape. A new neutral paint finish will be applied to upgrade and respect the building.

The objectives of LEP Heritage Conservation clause 5.10 are to conserve the environmental heritage of Manly and the significance of any heritage items. With the proposed considered design & careful selection of new building elements as demonstrated within this development application & with good building practices undertaken by a reputable & licensed builder, the objectives of LEP Heritage Conservation Clause 5.10 to conserve the Heritage significance of the "Rose Building" can be met.

#### 6.4 Acid Sulphate Soils Compliance Statement

The subject site is identified on Manly Local Environmental Plan 2013 Acid Sulphate Soils Map CL1\_003 as being land within Acid Sulphate Soils Class 5. The objectives of LEP Acid Sulphate Soils Clause 6.1 are to ensure that development does not disturb, expose or drain acid sulphate soils and cause environmental damage.

The existing 4 storey Mixed Use Building is understood to have been constructed in 1934 and the new footings for the proposed new retail Bin Store include cut and fill of approximately 1.2m to the existing landscaped courtyard @ RL 51.9m, resulting in ground level disturbances to approx. RL