

Northern Beaches Council
PO Box 82
MANLY NSW 1655

By email: daplanningportal@northernbeaches.nsw.gov.au

Dear Council

**HERITAGE COUNCIL OF NSW – GENERAL TERMS OF APPROVAL
INTEGRATED DEVELOPMENT APPLICATION**

Address: West Esplanade MANLY NSW 2095
SHR item: Manly Wharf, SHR no. 01434
Proposal: The proposal comprises the erection of a part retractable, part fixed awning structure over part of the southern deck and the associated installation of transparent roll-up PVC blinds around the periphery of the new awning.
IDA application no: HMS ID 1099, received 11/05/2022

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above integrated development application. In accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the following general terms of approval are granted:

APPROVED DEVELOPMENT

1. All work shall comply with the information contained within:
 - a) Architectural drawings, prepared by A & Co. as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: MANLY WHARF BAR, East Esplanade Manly NSW, 2095			
DA-DXX-011	ZONE 01 - BAR TROPIC GENERAL ARRANGEMENT PLAN - ROOF	21.02.2022	A
DA-EXX-011	ZONE 01 - GROUND FLOOR - EXTERNAL ELEVATION	21.02.2022	A
DA-FXX-001	ZONE 01 - GROUND FLOOR - OVERALL SECTIONS	21.02.2022	A

- b) Report: *Statement of Heritage Impact, Proposed Development at Lot 1, DP 1170245, Wharf Bar, Manly, prepared by Heritage 21, dated February 2022.*

EXCEPT AS AMENDED by the conditions of this approval:

AWNING

2. The Awning structure and related materials, colours and finishes should be sympathetic to the heritage values of the Manly Wharf site and not distract from the aesthetic value of the item.

Reason: The appropriate selection of these details is considered essential in order to obtain a good heritage outcome.

HERITAGE CONSULTANT

3. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design of the awning, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

SPECIALIST TRADESPERSONS

4. All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice.

SITE PROTECTION

5. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

ABORIGINAL OBJECTS

6. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the *National Parks and Wildlife Act 1974*. Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

COMPLIANCE

7. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

SECTION 60 APPLICATION

8. An application under section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

Advice

Section 148 of the *Heritage Act 1977* (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of Appeal

If you are dissatisfied with this determination, section 70A of the Act gives you the right of appeal to the Land and Environment Court.

If you have any questions about this correspondence, please contact Tim Olliver, Senior Assessments Officer, at Heritage NSW on 9873 8587 or tim.olliver@environment.nsw.gov.au

Yours sincerely

Michael Ellis.

Michael Ellis
Manager Assessments
Heritage NSW
Department of Planning & Environment
As Delegate of the Heritage Council of NSW
30 August 2022