

Rebecca Englund
Northern Beaches Council
PO Box 82
MANLY NSW 1655

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

Dear Ms Englund

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

Address: West Esplanade, MANLY NSW 2095

SHR Item: Manly Wharf, SHR no. 01434

Proposal: Revised plans for the deck area associated with customer seating for Hugos.

Section 4.55 application no: HMS ID 96, received 08/06/2021

IDA modified: IDA/2020/113

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

APPROVED DEVELOPMENT

1. Development must be in accordance with:
 - a. Architectural drawings, prepared by Squillace as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: Hugos Manly			
DA- 000	Cover Sheet	31.03.21	B
DA-001	Existing Site Plan	31.03.21	B
DA-002	Existing Ground Floor and Demolition Plan	31.03.21	C
DA-100	General Arrangement Plan Proposed	31.03.21	P13
DA-201	Existing/Proposed External Elevation	31.03.21	C
DA-301	Existing/Proposed Section	31.03.21	C
DA-906	Perspectives and Finishes Schedule	31.03.21	B

- b. Brief Heritage Impact Statement for Proposed Exterior Decking Extension, Hugos Manly, Manly Wharf, 1 East Esplanade, Manly, NSW, prepared by City Plan Heritage P/L dated 13 July 2020.
- c. Brief Heritage Impact Statement, Section 4.55 To Amend Development Application DA 2020/0962, For Exterior Decking Extension at Hugo's Manly, Manly Wharf, 1 East Esplanade, Manly NSW, prepared by prepared by City Plan Heritage P/L dated 12 April 2021.

NOTE

It is understood that the two existing planters shown on the lower deck on the plans are not part of this development application and therefore they are not a part of this consent. The planter boxes must be removed from the drawings to be submitted with the section 60 application.

EXCEPT AS AMENDED by the following general terms of approval:

HERITAGE CONSULTANT

2. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, 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.

SITE PROTECTION

3. 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.

PHOTOGRAPHIC ARCHIVAL RECORDING

4. A photographic archival recording of the areas proposed to be modified must be prepared prior to the commencement of works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). The digital copy of the archival record must be provided to Heritage NSW, Department of Premier and Cabinet.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

5. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified.

Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.

COMPLIANCE

6. 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

7. 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 Vibha Upadhyay, Senior Heritage Assessment Officer, at Heritage NSW on 9873 8587 or Vibha.Upadhyay@environment.nsw.gov.au.

Yours sincerely



22/07/2021

Katrina Stankowski
Senior Team Leader, Regional Heritage Assessments North
Heritage NSW
Department of Premier & Cabinet
As Delegate of the Heritage Council of NSW