

Heritage Referral Response

Application Number:	DA2022/2281
Proposed Development:	Formalisation of the use of premises as a restaurant (Pilu at Freshwater) including ancillary use as a function centre, increased patron numbers and extended hours of operation
Date:	24/08/2023
To:	Phil Lane
Land to be developed (Address):	Lot B DP 329073 , 80 Undercliff Road FRESHWATER NSW 2096

Officer comments

HERITAGE COMMENTS		
Discussion of reason for referral		
This application has been referred as it is a listed heritage item, being Item 176 - "Freshwater" Restaurant, 80 Undercliff Road, Freshwater , listed in Schedule 5 of WLEP 2011.		
Details of heritage items affected		
Details of this heritage item, as contained within the heritage inventory, are: Item 176 - "Freshwater" Restaurant, 80 Undercliff Road, Freshwater <u>Statement of Significance</u> A building with great social & historical significance as an early meeting place & recreation venue for the first settlers in Freshwater. Representative of the federation style, with high integrity. Prominent local landmark located above Freshwater Beach. <u>Physical Description</u> Two storey building of residential form. Timber weatherboard walls and tiled multi-gabled roof. Gables contain a variety of detail from timber shingles & timber battened trim to a variety of window types. Wide segmented verandah, infilled with glazing.		
Other relevant heritage listings		
SEPP (Biodiversity and Conservation) 2021	No	
Australian Heritage Register	No	
NSW State Heritage Register	No	
National Trust of Aust (NSW) Register	No	
RAIA Register of 20th Century Buildings of Significance	No	
Other	No	
Consideration of Application		
Updated Comments - 24 August 2023 This application seeks to formalise use of the site for events ancillary to the restaurant and also seeks approval for unapproved structures, namely the "Pilu Pavilion" and the "Wedding Ceremony Umbrella" located within the garden area of the existing heritage building. The application also proposes to update the restaurants operating hours. These structures are used for weddings and other events and are located to the east of the main heritage building, within the garden setting. The application states that these structures were in		

existence (without consent) when Pilu began operating from the site in 2004. No physical works are proposed as part of this application.

As this application is seeking approval for structures within the curtilage of a heritage building, which have never been approved, it was considered that the application should have included an assessment of the impact of these existing structures on the heritage significance of the item. This Heritage Impact Statement (HIS) was requested on 1 May 2023 and has now been submitted.

The submitted HIS, prepared by Urbis dated 16 May 2023 has been reviewed. The report concludes that the two structures, "Pilu Pavilion" and the "Wedding Ceremony Umbrella", have no adverse impact upon the heritage significance of the heritage item and their continued use will ensure that the heritage building maintains its contribution as a meeting place and restaurant into the future.

These conclusions are agreed with. The structures are lightweight and easily reversible should they be not needed in the future. They do not attach to any original fabric and are low scale in nature, thereby not interfering with views to or from the heritage building. Therefore, the impact of these structures within the curtilage of the heritage building, is considered acceptable.

Therefore, no objections are raised on heritage grounds and no conditions required.

Further Comments

Consider against the provisions of CL5.10 of WLEP 2011:

Is a Conservation Management Plan (CMP) Required? No Has a CMP been provided? N/A

Is a Heritage Impact Statement required? **YES** Has a Heritage Impact Statement been provided?

YES

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Heritage Advisor Conditions:

Nil.