

## Heritage Referral Response

<b>Application Number:</b>	Mod2025/0476
<b>Proposed Development:</b>	Modification of Development Consent No. 85/153 granted for ten tennis courts, being a recreational facility and the floodlighting of the tennis courts
<b>Date:</b>	29/09/2025
<b>To:</b>	Adriana Bramley
<b>Land to be developed (Address):</b>	Lot 8 DP 1249992 , 163 Manning Street NORTH BALGOWLAH NSW 2093 Lot 1 DP 1249992 , 163 Upper Clontarf Street NORTH BALGOWLAH NSW 2093

### Officer comments

HERITAGE COMMENTS		
Discussion of reason for referral		
<p>This application has been referred to Heritage as the subject site is a State Heritage Item, being;  <b>SHR02073 - Manly Warringah War Memorial Park</b> - King Street, Manly Vale.  The subject site is also located within a heritage conservation area, being;  <b>C9 - Manly Dam and Surrounds Conservation Area</b> - King Street, Manly Vale.</p>		
Details of heritage items affected		
<p><b>SHR02073 - Manly Warringah War Memorial Park</b>  <u>Statement of Significance</u>  The Manly Warringah War Memorial Park is of State heritage significance as an urban cultural landscape rich in natural biodiversity and Gayamaygal sites, shaped by engineering and science as a result of the construction of the Manly Dam and its catchment. The Park includes extensive scenic bushland surrounds and the reservoir for Manly Dam, which compliments the Manly Dam State heritage listing.</p> <p><u>Physical Description</u>  Manly Warringah War Memorial Park is an area of approximately 375 hectares and comprises a large part of the 520 hectare catchment of Curl Curl Creek within parts of the Sydney suburbs of Manly Vale, North Balgowlah and Allambie Heights. It is predominantly a bushland reserve, dominated by Hawkesbury Sandstone vegetation, with six ecological communities plus some small areas of highly disturbed vegetation and an 18-hole golf course._</p> <p><b>C9 - Manly Dam and Surrounds Conservation Area</b> - King Street, Manly Vale.  <u>Statement of Significance</u>  A rare example of a water supply system which was erected prior to 1900. One of only 2 independent water supply schemes built in the Sydney region. Historically significant in the devt. of Sydney's water supply &amp; the provision of services for early devt._</p> <p><u>Physical Description</u>  Concrete dam structure which has been progressively raised (Max height of 19 metres and a length of 250 metres). It is located on Curl Curl Creek (and dams Curl Curl Creek) some 3 kms north west of Manly with a catchment area of about 520 ha extending to Frenchs Forest in the north. The Catchment area and stored water of the Dam are now used primarily for public recreation. The stored water is also utilised as a supply for the adjoining hydraulic investigation laboratories of Sydney Water, the Public Works Department, and the University of NSW._</p>		
Other relevant heritage listings		
SEPP (Biodiversity and Conservation) 2021	No	

Australian Heritage Register	No	
NSW State Heritage Register	Yes	SHR#02073
National Trust of Aust (NSW) Register	No	
RAIA Register of 20th Century Buildings of Significance	No	
Other	No	
<b>Consideration of Application</b>		
<p>The application seeks to modify the consent granted in DA1985/56. The proposed modification relates to the reconfiguration of two existing hardcourt tennis courts into three panoramic padel courts and two pickleball courts. Additional proposed works include the removal of the existing fencing, and the installation of new fencing and lighting. The subject site is located within a State heritage item. Under the Heritage Act, 1977, minor works may be exempt from needing approval under Standard or Site Specific Exemptions for a heritage item. Section 57(2) 2.9 of the Site Specific Exemptions for Manly Warringah War Memorial states that works and activities for minor alterations and additions to current and valid development consents are allowed if the proposed works are substantially the same as the development for which consent was originally granted. The proposed works must not impact the significant elements or characteristics of the cultural landscape or cultural heritage value of the park. The proposed modifications are considered minor alterations and additions. The reconfiguration of the existing tennis courts into padel and pickleball courts is substantially the same as the original approval for tennis courts, granted as part of DA1985/56, as it retains the existing footprint of the two tennis courts. The proposed works are not considered to impact the cultural landscape or cultural heritage of the Manly Warringah War Memorial Park, nor will it impact the significant elements or characteristics of the park.</p> <p>As such, the Site Specific Exemptions under Section 57(2) 2.9 for the Manly Warringah War Memorial apply to this proposal. Heritage raises no concern regarding this proposal, and requires no conditions.</p> <p>Consider against the provisions of CL5.10 of WLEP.</p> <p>Is a Conservation Management Plan (CMP) Required? No          Has a CMP been provided? No          Is a Heritage Impact Statement required? No          Has a Heritage Impact Statement been provided? No - Heritage addressed in <u>Section 4.55 Modification Report: Modification to Wakehurst Couvert Tennis Court - Smart Approvals.</u></p>		

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.