



**Proposal: Change of use  
from Office Premises to  
Pilates Studio**

**Location: 70 The Corso,  
Manly**

**Applicant: Ryder Shop and  
Office Fitting Pty Ltd C/o  
PPlan**

**Date: 13 October 2022**



# Statement of Environmental Effects

## 1.0 REPORT SUMMARY

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### 1.1 Proposal

Proposal:	Change of use from Office Premises to Pilates Studio
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### 1.2 Site Details

Address:	70 The Corso, Manly
RPD:	Lot B on DP 321706
Site Area:	Approx. 74.5m <sup>2</sup>
Easements:	None applicable
LEP:	Manly Local Environmental Plan 2013
DCP:	Manly Development Control Plan 2013
Zone:	B2 – Local Centre Zone

### 1.3 Nature of Development Application

Type of Development:	Permitted with Consent
Approval Type:	Development Permit
Proposed Use as Defined:	Recreation Facility (Indoor)
Category of Assessment:	Permitted with Consent

### 1.4 Owner and Applicant Details

Applicant Name:	Ryder Shop and Office Fitting Pty Ltd
Owner:	Nasus Investments Pty Ltd
Contact Name:	PPLAN – Jeremy Hopkins
Phone:	07 3069 5795
Email:	town.planning@pplan.net.au



### 2.1 Aerial Photos



Site Locality (NearMaps – December 2021)



Streetview of the subject site from Rialto Lane towards the right with the scaffolding (NearMaps – December 2021)

### 2.2 Site Details

The subject site contains an existing double storey commercial building with frontage to The Corso and Rialto Lane, Manly. The building contains a ground floor retail space with pedestrian access from The Corso and Rialto Lane and three (3) first floor offices ranging in size between 38m<sup>2</sup> and 74.5m<sup>2</sup>. A recent fitout has been undertaken to the first floor tenancy and a new non-illuminated top hamper sign to Rialto Lane has been installed.

The recent internal layout to the first floor tenancy includes a reception area, and the Pilates Studio with thirteen (13) Pilates Reformers. The total gross floor area of the Pilates Studio is approximately 74.5m<sup>2</sup>.

The surrounding area is developed for commercial, entertainment and retail uses with a variety of buildings constructed predominantly during the first half of the twentieth century to present. Most buildings are two to three storeys in scale.

Manly Beach is located approximately 155m to the northeast of the subject site, whilst Manly Wharf is located approximately 300m to the southwest.

Development Application Ref: REV2019/0075 was approved on 2 April 2020 to extend the ground floor built form to the boundary and the first floor above with a separate dedicated entry point off Rialto Lane with the provision of two internal parking spaces accessed from Rialto Lane. These works have recently been completed.

### **2.3 Pedestrian Access**

The site has frontage to both The Corso and Rialto Lane with pedestrian access from both street frontages together with vehicular access from Rialto Lane. Pedestrian access to Level 1 is via Rialto Lane. Vehicular access into the existing building is via Rialto Lane.

### **2.4 Vegetation**

The site has been cleared for commercial purposes. Street tree planting and other landscaping is located within the pedestrian mall being The Corso.

### **2.5 Topography**

The site has a very gentle slope downwards towards the northeast.

### **2.6 Constraints**

The site is not identified as affected by Class 4 Acid Sulfate Soils and is heritage listed (Local significance for group of commercial buildings) and within the Town Centre Conservation area.

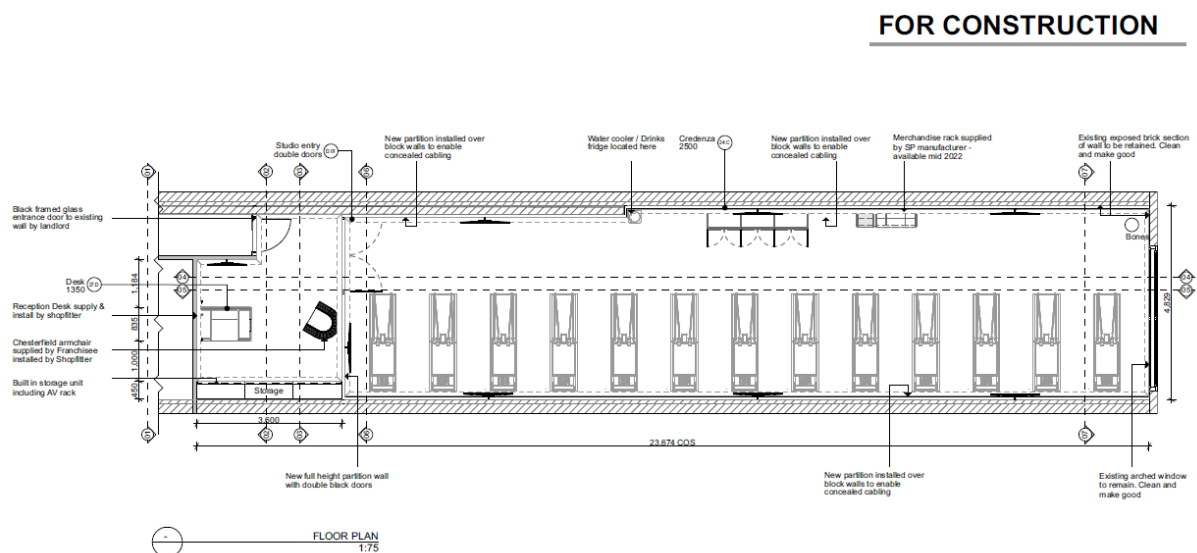
### 3.1 Use of the land for a Recreation Facility (Indoor)


The application proposes the change of use from Office Premises to a Pilates Studio, which is categorised under the *Manly Local Environmental Plan 2013* as a 'Recreation Facility (Indoor)'.

As detailed on the accompanying development application plans, the internal layout to the first floor tenancy includes a reception area, and the Pilates Studio with thirteen (13) Pilates Reformers. The total gross floor area of the Pilates Studio would be approximately 74.5m<sup>2</sup>.

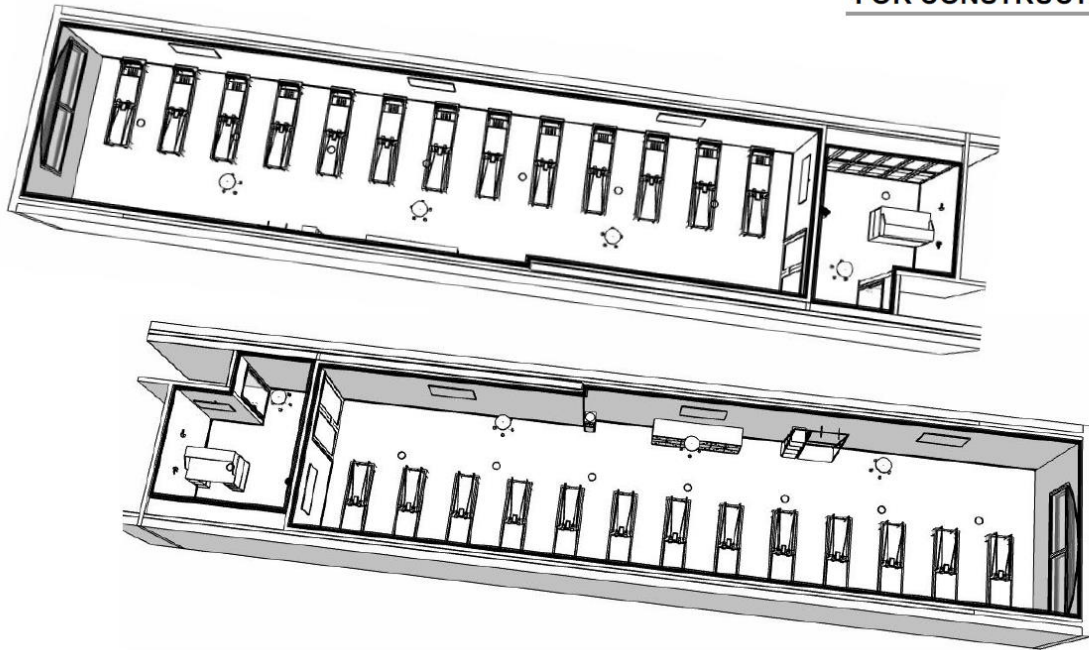
No alterations are proposed to the external elevations of the existing building, and the internal fitout for the Pilates Studio has already been undertaken.

The Pilates Studio will operate anywhere between the hours of 6am to 7pm Monday to Friday and 7am to 12pm Saturday and Sunday, with a maximum of two (2) employees on site at any given time and fifteen (15) clients. Please find below images of the floor plan, and internal perspective of the proposed Pilates Studio:



 <div style="display: inline-block; vertical-align: middle; margin-left: 10px;"> <p><b>studio pilates</b> INTERNATIONAL</p> </div>	<p>STUDIO PILATES INTERNATIONAL 246 HURTHORNE RD HURTHORNE, QLD 4171 australia@studiopilates.com</p>	<p><b>KEY :</b></p> <ul style="list-style-type: none"> <li> NEW/FULL HEIGHT PLASTER TO WALL</li> <li> EXISTING STRUCTURAL</li> <li> EXISTING MASONRY WALL</li> </ul>	<p><b>NOTES :</b></p> <p>DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS. ALL CHANGES TO BE CONFIRMED ORALTY PRIOR TO CONSTRUCTION. REPORT ALL DISCREPANCIES TO STUDIO PILATES PROJECT MANAGER. STRUCTURAL CERTIFICATE OF COMPLIANCE TO BE PROVIDED UPON COMPLETION.</p>	<p>DRAWING TITLE :</p> <h2 style="margin: 0;">FLOOR PLAN</h2> <p>Drawn: NP Date: 4/2/22</p> <p>Scale: 1:75 @ A3</p>	<p>DRAWING NO.</p> <h1 style="margin: 0;">01</h1> <p>REVISION NO.</p> <h1 style="margin: 0;">B</h1>	<p><b>STUDIO PILATES MANLY</b></p> <p>1/5 RIALTO LANE</p> <p>MANLY, NSW, 2096</p>
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### Proposed Floor Plan – Studio Pilates International



	<p>STUDIO PILATES INTERNATIONAL 236 WATKINS RD MANLY, NSW, 2095 manly@studiopilates.com</p>	<p>DRAWING TITLE: <b>ISOMETRIC VIEWS</b></p> <p>Drawn: NP      Date: 4/2/22</p>	<p>DRAWING NO. <b>00D</b></p> <p>REVISION NO. <b>B</b></p>	<p><b>STUDIO PILATES MANLY</b></p> <p>1/5 RIALTO LANE MANLY, NSW, 2095</p>
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**Internal Perspective – Studio Pilates International**

## 4.0 TOWN PLANNING FRAMEWORK

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### 4.1 *Environmental Planning and Assessment Act 1979*

The following matters must be taken into consideration pursuant to section 4 of the Act:

### 4.2 Any Environmental Planning Instrument

Instruments considered directly relevant to the proposal comprise the *Manly Local Environmental Plan 2013*. See section 5 of this Statement.

### 4.3 Any Draft Environmental Planning Instrument

None.

### 4.4 Any Development Control Plan

See section 6 of this Statement.

### 4.5 The Environmental Planning and Assessment Regulation 2000

No specific provisions apply.

### 4.6 The Likely Impacts of the Development on the Natural and Built Environments and Social and Economic Impacts

See section 7 of this Statement.

### 4.7 The suitability of the Site for the Development

See section 8 of this Statement

### 4.8 Any Submissions

See section 8 of this Statement.

### 4.9 The Public Interest

See section 8 of this Statement.



### 5.1 *Environmental Planning and Assessment Act 1979*

*State Environmental Planning Policy (Industry and Employment) 2021*

### 5.2 **Manly Local Environmental Plan 2013**

#### 5.2.1 **Land Use Table**

The land is zoned B2 Local Centre. The primary objectives is

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To minimise conflict between land uses in the zone and adjoining zones and ensure amenity for the people who live in the local centre in relation to noise, odour, delivery of materials and use of machinery.*

The proposed use is defined as a Recreation Facility (Indoor). Pursuant to the provisions of the *Manly Local Environmental Plan 2013*, a Recreation Facility (Indoor) is permitted with development consent. The premises has been used in the past also as an Office Premises.

#### 5.2.2 **Development Control Plan**

The Manly Development Control Plan 2013 is applicable to the proposed development. The following components are applicable:

- Part 3.2 – Heritage Considerations – See Section 6 of this Statement.
- Part 3.6 – Accessibility – See Section 6 of this Statement.
- Part 3.8 – Waste Management – See Section 6 of this Statement.
- Part 4.2 – Development in Business Centres – See Section 6 of this Statement.
- Part 4.4 – Other Development – See Section 6 of this Statement.
- Part 5.1 – Manly Town Centre Heritage Conservation Area – See Section 6 of this Statement.

#### 5.2.3 **Miscellaneous Provisions**

*Development within the Coastal Zone*

The land is not affected.

*Preservation of Trees or Vegetation*

No vegetation will be removed as the site is clear of any vegetation.

*Heritage Conservation*

The land is listed (Local significance for group of commercial buildings) and within the Town Centre Conservation area.

*Acid Sulfate Soils*

The land is affected by Class 4 Acid Sulfate Soils.

*Bushfire Hazard*

The land is not affected.

*Flooding*

The land is not affected.



### 6.1 Manly Development Control Plan 2013

The Manly Development Control Plan 2013 is applicable to the proposed development. The following components are applicable:

- Part 3.2 – Heritage Considerations
- Part 3.6 – Accessibility
- Part 3.8 – Waste Management
- Part 4.2 – Development in Business Centres
- Part 4.4 – Other Development
- Part 5.1 – Manly Town Centre Heritage Conservation Area

#### Response to relevant provisions of Part 3.2 – Heritage Considerations

	Provisions	Planning Response
3.2.1	Consideration of Heritage Significance	The application is for the change of use to Recreation Facility (indoor) for a Pilates Studio, which will not adversely impact on the significance of any nearby heritage items or conservation areas. It is also noted that the recent additions and alterations to the existing building has been carried out in accordance with Development Application Ref: REV2019/0075, and the subject tenancy has recently been fitted out and signage installed for the proposed use.
3.2.2	Alterations or Additions to Heritage Items or Conservation	The application is for the change of use to Recreation Facility (indoor) for a Pilates Studio, which will not adversely impact on the significance of the heritage place. It is noted that the recent additions and alterations to the existing building has been carried out in accordance with Development Application Ref: REV2019/0075, and the subject tenancy has recently been fitted out and signage installed for the proposed use.
3.2.3	Fences for Heritage Items and Conservation Areas	N/a.
3.2.4	Setbacks of Garages and Carports for Heritage Items and Conservation Areas	N/a.
3.2.5	Exceptions to Parking Requirements and FSR Development Standards for Heritage Developments	N/a.

#### Response to Part 3.6 – Accessibility

	Provisions	Planning Response
3.6.1	Application of Legislation for Accessibility	The pedestrian access and internal layout has been designed to comply with AS 1428 Design for Access and Mobility and the BCA Clause 3.1.
3.6.2	Consideration of Exceptions and Standards to Access Requirements	N/a.

3.6.3	Certain Design Criteria	The pedestrian access and internal layout has been designed to comply with AS 1428 Design for Access and Mobility and the BCA Clause 3.1.
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### Response to Part 3.8 – Waste Management

	Provisions	Planning Response
3.8.1	Waste and Recycling Storage Areas	A waste management plan accompanies the development application and a private waste contractor collects the waste from the subject site.
3.8.2	Demolition and Construction Waste Management	No demolition work is proposed. A recent fitout of the tenancy has been undertaken in anticipation of the development application being approved for the change of use for a Pilates Studio.
3.8.3	Composting	N/a. No green waste or food scrapes will be generated as part of the intended use.
3.8.4	Management of Commercial Waste	Council to review and condition accordingly.

### Response to Part 4.2 – Development in Business Zones

	Provisions	Planning Response
4.2.1	FSR (Consideration of Exceptions including Arcades)	N/a. No changes to the floor space ratio are proposed.
4.2.2	Height of Buildings	N/a. No changes to the existing building height are proposed.
4.2.3	Setbacks Controls in LEP Zones B1 and B2	N/a. No changes to the existing siting or setbacks are proposed.
4.2.4	Car Parking, Vehicular Access and Loading Controls for all LEP Business Zones including B6 Enterprise Corridor	The recent development approval (Development Application Ref: REV2019/0075) provides two ground floor internal tandem car parking spaces for the subject site. No additional car parking spaces are capable of being provided on site.
4.2.5	Manly Town Centre and Surrounds	N/a. No external alterations to the existing building are proposed and it is noted that new signage fronting Rialto Lane has recently been installed. It is also noted that the recent additions and alterations to the existing building has been carried out in accordance with Development Application Ref: REV2019/0075.
4.2.6	Balgowlah Local Centre	N/a.
4.2.7	Seaforth Local Centre	N/a.
4.2.8	Neighbourhood Centres	N/a.

### Response to Part 4.4 – Other Development

	Provisions	Planning Response
4.4.1	Demolition	N/a. No demolition is proposed.
4.4.2	Alterations and Additions	N/a. No external alterations and additions are proposed.
4.4.3	Signage	N/a. No signage forms part of the application. However, it is noted that one (1) top hamper sign fronting the Rialto Lane frontage has recently been installed, which includes content of the intended business. The sign has been integrated into the architectural elements of the building, does not project greater than 80mm beyond the building alignment and

		does not extend below the level of the head of the doorway. The recently installed sign is not illuminated.
4.4.4	Awnings	N/a. No new awnings or alterations to the existing awning is proposed.
4.4.5	Earthworks (Excavation and Filling)	N/a. No earthworks are proposed.
4.4.6	Child Care Centres	N/a.
4.4.7	Telecommunication Facilities	N/a.
4.4.8	Subdivision	N/a. No subdivision
4.4.9	Boarding Houses	N/a.

#### **Response to Part 5.1 – Manly Town Centre Heritage Conservation Area and The Corso**

	<b>Provisions</b>	<b>Planning Response</b>
5.1.1	General Character	The application is for the change of use to Recreation Facility (indoor) for a Pilates Studio only. A recent internal fitout and associated signage has been undertaken in a manner so as not to adversely impact on the character of Manly or the Manly Town Centre Conservation area.
5.1.2	The Corso	The application is for the change of use to Recreation Facility (indoor) for a Pilates Studio only. A recent internal fitout with associated signage has been undertaken in a manner so as not to adversely impact on the existing positive qualities of The Corso.

#### **6.2 Notification and Public Participation**

The proposed change of use from Office Premises to Recreation Facility (Indoor) for a Pilates Studio should not require public notification as the intensity of the use is minor by virtue of a maximum of 15 clients only on site at any given time, the local centre zoning of the land and as the proposal complies with the requirements of the Manly Development Control Plan 2013 and would not result in any amenity impacts.

## 7.0 LIKELY IMPACTS OF THE DEVELOPMENT

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The land is zoned for local centre purposes and the new Pilates Studio is submitted to be consistent with the intended use of the land. Hours of operation are seen as appropriate, and the intensity of the use will not adversely impact on car parking demand within the vicinity and the proposed use will contribute towards activation of the laneway.



## 8.0 OTHER MATTERS

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### 8.1 Suitability of the site for development

The site has been developed for commercial purposes. The proposed change of use from Office Premises to a Recreation Facility (Indoor) for a Pilates Studio is consistent with the intended purpose, as well as the zoning of the land. The Pilates Studio supports the objectives of the Local Centre to provide a range of retail, business, entertainment and community uses that serve the needs of people who live, work in and visit the local area.

### 8.2 Public Interest

The change of use is consistent with the intended purpose of the zone and the standards contained in the Manly Development Control Plan 2013.

### 8.3 Public Notification

Council will address as part of the assessment of the development application.



# PPLAN

P: 1300 185 347  
PO Box 340, HAMILTON CENTRAL, QLD 4007