

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2019/0119
Responsible Officer:	Catriona Shirley
Land to be developed (Address):	Lot A DP 304309, 64 The Corso MANLY NSW 2095 Lot B DP 304309, 60 - 62 The Corso MANLY NSW 2095
Proposed Development:	Modification of Development Consent DA2018/1927 granted for the fit out and use of the premises as a bank and the installation of signage
Zoning:	Manly LEP2013 - Land zoned B2 Local Centre Manly LEP2013 - Land zoned B2 Local Centre
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Sixty Four Corso Pty Ltd
Applicant:	Milestone (Aust) Pty Ltd
Application lodged:	22/03/2019
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Commercial/Retail/Office
Notified:	04/04/2019 to 18/04/2019
Advertised:	Not Advertised
Submissions Received:	0
Recommendation:	Approval

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest

- groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Manly Local Environmental Plan 2013 - 5.10 Heritage conservation
 Manly Local Environmental Plan 2013 - 6.9 Foreshore scenic protection area
 Manly Development Control Plan - 3.1 Streetscapes and Townscapes
 Manly Development Control Plan - 3.2 Heritage Considerations
 Manly Development Control Plan - 4.4.3 Signage

SITE DESCRIPTION

Property Description:	Lot A DP 304309 , 64 The Corso MANLY NSW 2095 Lot B DP 304309 , 60 - 62 The Corso MANLY NSW 2095
Detailed Site Description:	<p>The subject site is legally identified as Lots A and B DP 304309, and known as 60-64 The Corso, Manly. The site is located within the B2 Local Centre zone.</p> <p>The subject site consists of two (2) allotments located on the south-eastern side of The Corso.</p> <p>The site is irregular in shape with a frontage of 19.96m along The Corso and a depth of 47.55m. The site has a surveyed area of 952m². The shop front of the tenancy, subject to this application, is 9.2m wide.</p> <p>The site accommodates a two storey commercial building. The building is local heritage item under the Manly LEP: Item 109: Group of commercial buildings (46-64 The Corso)</p> <p>The area is characterised by commercial and mixed use development, typically financial, retail and food and drink premises.</p>

Map:



SITE HISTORY

The land has been used for commercial purposes for an extended period of time. A search of Council's records has revealed the following history relevant to the property:

- Development Application 208/2013- for Alterations to the existing shopfront, internal fitout and signage - O'Neill (Surf Apparel) was approved by Council on the 28 November 2013.
- Development Application 307/2008 for change of use to a bank, shop fit out including new facade and automatic teller machine (ATM) - BankWest was approved by Council on the 21 October 2008.
- Development Application 118/2008 for alterations to facade and advertising structure (signage) was approved by Council on 3 June 2008.
- Development Application 485/2007 for alterations and additions to existing building including relocation of the air conditioning and convert level 4 from Residential to commercial office space was approved by Council on the 26 March 2008.
- Development Application DA2018/1182 for alterations and additions to the existing commercial building was approved by Council on the 9 October 2018
- Development Application DA2018/1927 for the fit out and use of the premises as a bank, and the installation of signage was approved by Council on the 22 April 2019.

PROPOSED DEVELOPMENT IN DETAIL

The modification seeks the approval for the following amendments;

- Condition two is to be deleted as the amended plans reflect the following changes,
 - a) The illuminated wall sign (H-WL) is to be amended to a Commonwealth Bank non
 - b) The illuminated projecting wall sign (P_CL_500) is to be deleted from the proposal
- The approved illuminated under awning sign (2280mm wide, 450mm high and 2950mm above

- the ground level) is to be relocated to the centre of the yellow section of the entry bulkhead.
- The height of the glass shopfront and tile cladding is to be reduced by 330mm, therefore the amended shopfront height is 2500mm.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared and is attached taking into all relevant provisions of the Environmental Planning and Assessment Act 1979 and associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (up to the time of determination) by the applicant, persons who have made submissions regarding the application and any advice given by relevant Council / Government / Authority Officers on the proposal;

In this regard, the consideration of the application adopts the previous assessment detailed in the Assessment Report for DA2018/1927, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 4.55(1A) of the Environmental Planning and Assessment Act, 1979, are:

Section 4.55(1A) - Other Modifications	Comments
A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:	
(a) it is satisfied that the proposed modification is of minimal environmental impact, and	Yes The modification, as proposed in this application, is considered to be of minimal environmental impact.
(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and	The development, as proposed, has been found to be such that Council is satisfied that the proposed works are substantially the same as those already approved under DA2018/1927.
(c) it has notified the application in accordance with: (i) the regulations, if the regulations so require, or (ii) a development control plan, if the consent authority is a council that has made a development control plan under section 72 that requires the notification or advertising of	The application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, Manly Local Environment Plan 2011 and Manly Development Control Plan.

Section 4.55(1A) - Other Modifications	Comments
applications for modification of a development consent, and	
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	See discussion on "Notification & Submissions Received" in this report.

Section 4.15 Assessment

In accordance with Section 4.55 (3) of the Environmental Planning and Assessment Act 1979, in determining an modification application made under Section 4.55 the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application.

The relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Manly Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider Prescribed conditions of development consent. These matters have been addressed via a condition in the original consent.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000, Council requested additional information and has therefore considered the number of days taken in this assessment in light of this clause within the Regulations. No Additional information was requested.</p> <p><u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition in the original consent.</p> <p><u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This matter has been addressed via a condition in the original consent.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the</p>

Section 4.15 'Matters for Consideration'	Comments
	consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition in the original consent.
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Manly Development Control Plan section in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the relevant Development Control Plan.

As a result of the public exhibition of the application Council received no submissions.

MEDIATION

No requests for mediation have been made in relation to this application.

REFERRALS

Internal Referral Body	Comments

Internal Referral Body	Comments
Strategic and Place Planning (Heritage Officer)	<p>Further to a review of available documents,</p> <p>The application is a S.96, for the deletion of condition two of the original approval. This condition relates to removal of two business signs.</p> <p>Without prejudice, it has been noted that applicants is aware that: (a) DCP allows maximum of two business signs per frontage, (ref. Modification Statement, HPRM Document 2019/167404), p.7) and (b) that they are proposing four signs (ibid.).</p> <p>The argument is based on precedent (apparently four signs were present on the earlier tenancy, However confirmation of this previously approved arrangement by Manly Council was not able to be confirmed).</p> <p>The assessment has taken into account the following key points:</p> <p>Northern Beaches Council is partly (but not completely) bound by decisions of the former Manly Council, being a new Local Government body. The refurbishing and change in tenancy is an opportunity to improve the streetscape in keeping with objectives and controls of the DCP. Alternatively, cumulative effect would eventually lead to a complete destruction of the identified values. Therefore, potential precedents (if any) are not applicable.</p> <p>It is fair to assess that impact of the current proposal will be closely similar to the impact of the previously assessed and conditionally approved DA.</p> <p>Based on the above, there are objections to this proposal from heritage perspective and deem that heritage reasons require that signage be aligned with the original approval. In conclusion, proposal is unacceptable.</p>

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for commercial purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the commercial land use.

SEPP 64 - Advertising and Signage

Clauses 8 and 13 of SEPP 64 require Council to determine consistency with the objectives stipulated under Clause 3(1)(a) of the aforementioned SEPP and to assess the proposal against the assessment criteria of Schedule 1.

The objectives of the policy aim to ensure that the proposed signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes.

In accordance with the provisions stipulated under Schedule 1 of SEPP 64, the following assessment is provided:

Matters for Consideration	Comment	Complies
1. Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	Generally this section of the Manly Corso is proliferated by signage from multiple business. The non-illuminated wall signage is consistent with other signage nearby and is compatible with the existing and desired future character of the Corso area.	YES
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The modified signage complements the approved signage for the site without being visually dominant.	YES
2. Special areas Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The non-illuminated wall signage has been designed to minimise potential impacts and sensitive receptors including residential areas, public open space and heritage items. There are also surrounding heritage items that currently contain business identification signage on the ground floor shopfronts. Given the scale of the signage and and that there is no illumination proposed, it is considered that the impacts upon the residential areas will be negligible. Residential accommodation in	YES

	surrounding buildings is located at a first floor level and above. All proposed signage is located at ground floor level and will be illuminated at an appropriate intensity to ensure that residential amenity will not be impacted.	
3. Views and vistas Does the proposal obscure or compromise important views?	No views will be obstructed by the conditioned signage.	YES
Does the proposal dominate the skyline and reduce the quality of vistas?	No, the signage changes do not dominate the skyline or reduce the quality of vistas.	YES
Does the proposal respect the viewing rights of other advertisers?	Yes, the changes in the signage respect the viewing rights of other advertisers.	YES
4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The wall signage is appropriate for the predominant style of the area, the heritage value of the area, and is consistent with the desired future character.	YES
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The wall signage is to be used to provide an identity with the site and is integrated with the built form without becoming a visually dominant feature.	YES
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The modification changes are consistent with surrounding signage.	YES
Does the proposal screen unsightliness?	No, there is no unsightliness to be screened.	YES
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No, the proposed changes in the signage do not protrude above the buildings, or structures located on the Corso.	YES
5. Site and building Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The wall signage is of a scale and proportion that is relative to the subject building and will enhance the amenity as a result of contemporary technology and design. It is therefore considered consistent with the character of the site.	YES
Does the proposal respect important features of the site or building, or both?	The changes in the signs will not become the dominant visual feature of the building. The design, position and colours integrate with the building structure. The signage respects the heritage values of the site.	YES
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The wall signage will be logically positioned to identify the site, to develop its profile and integrate with the façade treatments.	YES
6. Associated devices and logos with advertisements and advertising structures Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be	The wall signage predominately comprises the Commonwealth Banks logo and wording, which is consistent with national branding. This is consistent with other signage in the vicinity.	YES

displayed?		
7. Illumination Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any residence or other form of accommodation?	The wall signage as part of this modification proposes no illumination and will therefore not detract from the amenity of any residence or other form of accommodation.	YES
Can the intensity of the illumination be adjusted, if necessary?	No illumination is proposed for the wall sign. The illumination on previously approved illuminated signs can be adjusted if required.	YES
Is the illumination subject to a curfew?	The previously approved illuminated signs are not subject to a curfew. It is not proposed for illumination to be subject to a curfew as the signage is proposed to provide safety for customers using the ATMs after hours. 24 hour, seven day a week illumination will also discourage crime and vandalism. The modified wall sign contains no illumination.	YES
8. Safety Would the proposal reduce the safety for any public road, pedestrians or bicyclists?	There is no impact on the safety of pedestrians, vehicles or aircraft as a result of changes in the signage.	YES
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The conditioned signage will not cause disruption of any sightlines from public areas.	YES

Accordingly, the proposed signage is considered to be of a scale and design suitable for the locality. The proposal is therefore deemed to be consistent with the provisions of the SEPP and its underlying objectives.

SEPP (Infrastructure) 2007

Ausgrid

Clause 45 of the SEPP requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

Manly Local Environmental Plan 2013

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	Yes
zone objectives of the LEP?	Yes

Principal Development Standards

There are no relevant Principle Development Standards contained within Part 4 of the Manly LEP 2013 (as amended) to consider as part of this assessment.

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
5.10 Heritage conservation	Yes
6.9 Foreshore scenic protection area	Yes
6.11 Active street frontages	Yes
Schedule 5 Environmental heritage	Yes

Detailed Assessment

5.10 Heritage conservation

The modification will have no unreasonable impact on the Manly Town Centre Heritage conservation area.

6.9 Foreshore scenic protection area

The proposed modification will have no unreasonable impacts on visual aesthetic amenity or views to or from Sydney Harbour.

Manly Development Control Plan

Built Form Controls

There is no change proposed to the built form controls.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
3.1 Streetscapes and Townscapes	Yes	Yes
3.1.3 Townscape (Local and Neighbourhood Centres)	Yes	Yes
3.2 Heritage Considerations	Yes	Yes
3.4 Amenity (Views, Overshadowing, Overlooking /Privacy, Noise)	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
3.4.2 Privacy and Security	Yes	Yes
4.2 Development in Business Centres (LEP Zones B1 Neighbourhood Centres and B2 Local Centres)	Yes	Yes
4.2.5 Manly Town Centre and Surrounds	Yes	Yes
4.2.5.1 Design for Townscape	Yes	Yes
4.4.3 Signage	Yes	Yes
5 Special Character Areas and Sites	Yes	Yes
5.1.1 General Character	Yes	Yes
5.1.2 The Corso	Yes	Yes
5.4.1 Foreshore Scenic Protection Area	Yes	Yes

Detailed Assessment

3.1 Streetscapes and Townscapes

Merit consideration:

The development is considered against the underlying Objectives of the Control as follows:

- To ensure that all parking provision is designed and sited to respond to and respect the prevailing townscape. To minimise any negative visual impact of walls, fences and carparking on the street frontage.*

Comment:
The proposed modification does not impact upon existing parking provisions.
- To assist in maintaining the character of the locality.*

Comment:
The proposed shop front changes will not have any unreasonable impact upon the locality. The proposed shop front windows are consistent the surrounding and neighbouring shop fronts along The Corso area.
- To recognise the importance of pedestrian movements and townscape design in the strengthening and promotion of retail centres.*

Comment:
The proposed modification works will not have an impact upon pedestrian movement along the Corso. The works are consistent with the existing townscape features in The Corso.
- To minimise negative visual impact, in particular at the arterial road entry points into the Council area and the former Manly Council area, so as to promote townscape qualities.*

Comment:
The modified shop front façade will not have an negative impact upon the Manly Townscape.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of MDCP and the objectives specified in section 1.3(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

3.2 Heritage Considerations

The site of proposed modification is part of a heritage item listed as I-113 in Manly LEP 2013, and is located in immediately adjoining identified heritage items, and is within The Corso heritage conservation area.

The subject building comprises of no internal fabric of heritage interest, and therefore the proposed internal alterations are acceptable from a heritage perspective.

However, there are visual changes to the exterior of the building, via the proposed signage for the Commonwealth Bank.

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To retain and conserve environmental heritage and cultural significance of Manly including:*
 - *significant fabric, setting, relics and view associated with heritage items and*
 - *the foreshore, including its setting and associated views; and*
 - *potential archaeological sites, places of Aboriginal significance and places of*

Comment:

The business signage will be used to identify the Commonwealth Bank and is designed to be integrated with the overall design and built form of the property. The non-illuminated wall logo sign is considered to be compatible with the scale, proportion and location characteristics of the site and surrounding area.

Therefore, the proposed external signs are generally consistent with the existing appearance of the building, is located below the awning area and will not unreasonably impact the presentation of the heritage item.

- *To ensure any modification to heritage items, potential heritage items or buildings within conservation areas is of an appropriate design that does not adversely impact on the significance of the item or the locality.*

Comment:

The non-illuminated wall logo signage is considered appropriate given the location of the site within the Corso area of Manly, the scale, proportion and form of the proposed signage, and the consistency with the character of the area. Therefore, the heritage values of the site will be maintained.

- *To ensure that development in the vicinity of heritage items, potential heritage item and/or conservation areas, is of an appropriate form and design so as not to detract from the significance of those items.*

Comment:

The non-illuminated wall logo identification sign is consistent with the surrounding business signage of the Corso. Surrounding heritage items also contain the existence of business identification signage on the ground floor shopfronts. Therefore, as a result of this being the predominant style of signage in the immediate vicinity, the character of the area and heritage values will be maintained.

- *To provide infrastructure that is visually compatible with surrounding character and locality/visual context with particular regard to heritage buildings/areas and cultural icons.*

Comment:

The non-illuminated wall logo identification sign will not adversely impact the heritage significance of the surrounding heritage items by virtue of the existence of business identification signage on the ground floor shopfronts of adjoining and nearby heritage items.

- *To integrate heritage management and conservation into the planning development process including incentives for good heritage management, adaptive reuse, sustainability and innovative approaches to heritage conservation.*

Comment:

All original heritage fabric has been removed from the ground floor. Therefore, the location of the non-illuminated wall sign below the awning level will have no impact on the heritage significance of the building. The business signage is capable of being removed to return the tenancy to its current condition if required. Therefore, the design of the business signage is an innovative approach to the heritage conservation of the property.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of MLEP 2013 / MDCP and the objectives specified in section 1.3(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported in this particular circumstance.

4.4.3 Signage

The application proposes 1 piece of signage consisting of the following:

- 1 x wall sign 1200mm wide and 1200mm high. The sign content comprises the Commonwealth Bank logo

Sign	Requirement	Proposed	Variation	Complies
Wall Sign	Must not have an advertising area, in square metres, greater than 3 times the distance (to the nearest whole metre) between the lowest part of the sign and the ground. From Ground Level: 2.6m	1.2m width x 1.2m height x 0.08 projection From Ground Level: 0.8m	Ground Height Level	No

Therefore, the height of the non-illuminated Logo wall sign, sign when measures from the ground level is non-compliant with the signage requirements.

Due to these non-compliance's a merit assessment has been completed below.

Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To ensure that advertising does not detract from the scenic beauty and amenity of the Municipality; harmonises with its surroundings and the buildings to which they are attached.*

Comment:

The due to the proposed bank being over two (2) sites (60-62 The Corso), and with the long length of the shop front of the building being 9.2m, it is considered the non-illuminated wall sign height is not excessive, is consistent with surrounding properties, the general character of the streetscape, and surrounding Corso locality.

Therefore, signage is of a scale, design and location that does not detract from the Corso area and is in harmony with the surroundings and the building which it is attached.

- *To minimise the visual impact by encouraging fewer more effective signs that may otherwise degrade the existing and likely future quality of residential environments or result in excessive, unnecessary signage, visual clutter and confusion caused by a proliferation of signs in local and neighbourhood centres.*

Comment:

Surrounding commercial properties within the Corso area have multiple business identification signs, all at ground level.

The proposed signage scheme ensures customers can easily identify the Commonwealth Bank branch from a distance.

Given that the shopfront is large at 9m in width, the non-illuminated wall sign not considered to be excessive, and are appropriate to identify the Commonwealth Bank. Therefore, the proposal is acceptable.

- *To permit building and business identification signs which communicate the facilities (including tourist facilities), amenities, goods and services in local and neighbourhood centres which do not interfere with the streetscape or amenity of residents.*

Comment:

The proposed colours and lettering are Commonwealth Bank standard design. As the signage is proposed at and below the awning level where all heritage elements have been removed, the use of heritage colours and lettering is not considered essential in this instance. The awning fascia, top hamper, under awning and shopfront are all traditional signage locations. Surrounding commercial properties have at similar business identification signs in similar locations.

Therefore, signage is of a scale, design and location that allows does not detract from the Corso area and is in harmony with the surroundings and the building which it is attached.

- *Signs should enhance the distinctive urban character and scenic amenity of the Municipality and contribute to the atmosphere of the streets in local and neighbourhood centres and should be designed in sympathy with both the building to which it is attached and any adjoining buildings, taking into account the architectural styles and finishes of buildings in local and neighbourhood centres.*

Comment:

The wall sign uses colours and signage which are standardised across all Commonwealth Bank branches.

The proposed signage complements the proposed use of the tenancy and the surrounding uses. The architectural heritage features of the building above the awning level will be unaffected by the proposal.

Therefore, signage is of a scale, design and location that allows does not detract from the Corso area and is in harmony with the surroundings and the building which it is attached.

- *To prevent signage from impacting on the presentation of the heritage item or area to the general public on heritage items and conservation areas.*

Comment:

The wall sign is proposed to be located at ground floor level on the modern shopfront where all heritage fabric has already been removed. No signage is proposed to be installed above awning level where the heritage fabric is retained. The signage is deemed to be appropriate for proposed development, and will not result in adverse impacts on heritage items.

- *To ensure all signage is of high standards of graphic and textural content.*

Comment:

The proposed colours and lettering are Commonwealth Bank standard design. As all heritage elements have been removed at the ground floor level and a modern shopfront is existing and proposed, the use of modern signage is considered to be acceptable in this instance. The content of the advertising relates directly to the banking services offered on the site. Therefore, the graphic and textural content is considered reasonable.

An assessment of the application has also found the development to be consistent with the requirements of State Environmental Planning Policy No. 64 - Advertising and Signage.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly effect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Manly Section 94 Development Contributions Plan

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Manly Local Environment Plan;
- Manly Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant approval to Modification Application No. Mod2019/0119 for Modification of Development Consent DA2018/1927 granted for the fit out and use of the premises as a bank and the installation of signage on land at Lot A DP 304309,64 The Corso, MANLY, Lot B DP 304309,60 - 62 The Corso, MANLY, subject to the conditions printed below:

A. Add Condition No.1A - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Proposed Shopfront Elevation A3.01	11/03/2019	Parkes
CBA Signage Details A5.01	11/03/2019	Parkes
CBA Signage Details A5.02	11/03/2019	Parkes

b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

B. Delete Condition No.2 - Amendments to the Approved Plans that reads as follows:

Deleted

In signing this report, I declare that I do not have a Conflict of Interest.

Signed



Catriona Shirley, Planner

The application is determined on 26/04/2019, under the delegated authority of:



Phil Lane, Acting Development Assessment Manager