



northern
beaches
council

PRELODGE MENT ADVICE

Application No: PLM2018/0237

Meeting Date: 23 October 2018

Property Address: 1/21-23 The Corso Manly

Proposal: Alterations and additions to a pub

Attendees for Council: Rodney Piggott (Manager, Development Assessment)
Claire Ryan (Planner)

Attendees for applicant: Tim Peterson (Owner)
James Lidis (Planner)
Paul Kelly (Architect)

General Comments/Limitations of these Notes

These notes have been prepared by Council on the basis of information provided by the applicant and a consultation meeting with Council staff. Council provides this service for guidance purposes only. These notes are an account of the specific issues discussed and conclusions reached at the pre-lodgement meeting. These notes are not a complete set of planning and related comments for the proposed development. Matters discussed and comments offered by Council will in no way fetter Council's discretion as the Consent Authority. A determination can only be made following the lodgement and full assessment of the development application.

In addition to the comments made within these notes, it is a requirement of the applicant to address ALL relevant pieces of legislation including (but not limited to) any SEPP and any applicable clauses of the Manly LEP 2013 and the Manly DCP 2013 within the supporting documentation of a development application including the Statement of Environmental Effects.

You are advised to carefully review these notes. If there is an area of concern or non-compliance that cannot be supported by Council, you are strongly advised to review and reconsider the appropriateness of the design of your development for your site and the adverse impacts that may arise as a result of your development prior to the lodgement of any development application.



MANLY LOCAL ENVIRONMENTAL PLAN 2013 (MLEP 2013)

Note: MLEP 2013 can be viewed at the [NSW Government Legislation website](#).

Zoning and Permissibility	
Definition of proposed development: (ref. MLEP 2013 Dictionary)	Pub means licensed premises under the Liquor Act 2007 the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.
Zone:	B2 Local Centre
Permitted with Consent or Prohibited:	Permitted with consent

Principal Development Standards:	
Clause 4.3 Height of Buildings	
Standard	Proposed
11m	9.5m
Comment Complies. Note: Building heights are measured from existing ground level.	
Clause 4.4 Floor Space Ratio	
Standard	Proposed
2.5:1 (approx. 2530sqm)	Unable to calculate based on plans.
Comment It is understood the proposal results in a reduction of gross floor area, due to the inclusion of voids. Demonstration of total gross floor area on floor plans is required at development application stage. An application to vary a development standard is required if the development results in a floor space ratio greater than that allowed under Clause 4.4 of the Manly LEP 2013, even if the works result in a reduction of the non-compliance. Any variation is to address the Clause 4.6 requirements of the Manly LEP with particular attention given to Court decisions on what has to be addressed in a Clause 4.6 variation.	



MANLY DEVELOPMENT CONTROL PLAN 2013 (MDCP 2013)

Note: The MDCP 2013 can be accessed via [Council's website](#).

Part 3: General Principles of Development
Heritage Considerations
Comment Council's Heritage Advisor is satisfied with the proposal, subject to submission of a sufficient Statement of Heritage Impact. See the section of these notes relating to Specialist Advice for further information.
Other
Social Impact Statement
Comment The Statement of Environmental Effects submitted with any subsequent development application is to address the matters that would ordinarily be detailed in a Social Impact Statement, unless there is an increase in the number of gaming machine proposed. In that case, a full Social Impact Assessment is required. The required documentation must also address visibility of the internal gaming room from the street.
Annotation of Plans
Comment As discussed in the meeting, the ground floor is intended for use as the gaming room, and the first floor is intended for storage. Architectural plans submitted with any subsequent development application must clearly identify these proposed floor uses. Intention to use the first floor for a purpose more intense than storage is subject to further assessment.
Orderly Development of Land
Comment Any subsequent development application must address how this application achieves orderly development of land, considering the pub use is proposed across several individual lots of land. Clear demonstration of how the property will be managed at and after the conclusion of the lease over No. 29 The Corso is to be provided (e.g. clearly outline which elements of the existing pub will be closed/surrendered etc.). Draft conditions relating to the orderly partial surrender of the pub use are to be provided for consideration.



Parking Requirements / Development Contributions in Lieu of Parking

Comment

The proposed development proposes a use (pub) that requires greater parking provision than the existing use (retail premises). The existing floor area and use requires 6 parking spaces, at a rate of 1 space per 40sqm of gross commercial floor area. The proposed floor area and use requires 25 spaces, at a rate of 1 space per 4sqm of licensed floor area. This details a shortfall of 19 spaces. Any subsequent development application is to be supported by a Traffic and Parking Report detailing a comparison of the retail and pub uses, and how the proposed development will actually be used. Should the traffic engineer detail that parking would be required, a development contribution is payable in lieu of the spaces, as the site is located on a pedestrianised thoroughfare.

Please also refer to Clause 4.2.5.4 Car Parking and Access of the Manly DCP 2013 and to the Manly Development Contributions Plan 2004.

Specialist Advice

Referral Body	Comments
Environmental Health	Council's Environmental Health Officer has reviewed the application, and has raised no objections to the proposal.
Heritage	<p>Council's Heritage Advisor has commented on the proposal, summarised as follows:</p> <p><i>The main site of proposed development (23 The Corso) is part of a listed heritage item and part of the Town Centre Conservation Area.</i></p> <p><i>The proposal appears to generally comply with the provisions of the Manly DCP. The building No. 23 is deemed suitable for redevelopment. A comparison of historical aerials (from LTO/LPI NSW web page) indicates that c.1943 a building on this site was closely similar to that still present at 21 The Corso.</i></p> <p><i>Any development application needs to include a Statement of Heritage Impact that addresses the impact of the proposal on the identified significance of the heritage item (Item I106 – All numbers The Corso), the conservation area (Item C2 – Town Centre Conservation Area) and the adjoining heritage item (Item I104 – Street Trees, The Corso). It should also include full details of colours and materials, particularly those proposed on The Corso façade.</i></p>

Relevant Council Policies

You are advised to view Council's Development Assessment Management Policy available at [Council's website](#).



Documentation to accompany the Development Application

- Electronic copies (USB)
- Statement of Environmental Effects
- Request to vary a development standard (if required)
- Cost of works estimate/ Quote
- Site Plan
- Floor Plan
- Elevations and sections
- A4 Notification Plans
- Survey Plan
- Site Analysis Plan
- Demolition Plan
- Waste Management Plan (Construction & Demolition)
- Waste Management Plan Ongoing
- Energy Performance Report
- Schedule of colours and materials
- Statement of Heritage Impact
- Advertising Structure / Sign Plan
- Acoustic Report
- Traffic and Parking Report
- Access Report
- Fire Safety Measures Schedule
- Social Impact Statement (can be addressed in the Statement of Environmental Effects)
- Plan of Management

Please refer to Development Application Checklist for further detail.

Concluding Comments

These notes are in response to a pre-lodgement meeting held on 23 October 2018 to discuss alterations and additions to a pub at 23 The Corso, Manly. The notes reference preliminary plans prepared by Paul Kelly Design dated 23 August 2018.

The proposal is acceptable and may be supported.

Based upon the above comments you are advised to satisfactorily address the matters raised in these notes prior to lodging a development application.