



**RYAN**

PLANNING & DEVELOPMENT  
PTY LTD

**PROPOSAL DESCRIPTION-**

Statement of Environmental Effects –  
Mixed Use Development

**PROPOSAL REFERENCE NUMBER-**

J19464

**ADDRESS-**

47 The Corso Manly 2095





## QUALITY CONTROL

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## INTRODUCTION

This Statement of Environmental Effects has been prepared in support of a Development Application for the proposed development, made under Part 4 of the Environmental Planning and Assessment Act 1979.

A description of the proposed development is available in the appropriate sections of this report as well as through provided submission material. This report is to be considered holistically as such.

In accordance with Schedule 1 of the Environmental Planning and Assessment Act 1979, this Statement of Environmental Effects aims to clarify/indicate the expected circumstance with regards to

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*(a) the environmental impacts of the development,*

*(b) how the environmental impacts of the development have been identified,*

*(c) the steps to be taken to protect the environment or to lessen the expected harm to the environment,*

*(d) any matters required to be indicated by any guidelines issued by the Planning Secretary for the purposes of this clause.*

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These considerations are framed through a comprehensive assessment of the development proposal with respect to the relevant Environmental Planning Instruments and Development Control Plans including:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy (Housing) 2021
- Manly Local Environmental Plan 2013
- Manly Development Control Plan 2013





## SITE ANALYSIS

<b>Address</b>	47 The Corso Manly 2095
<b>Lot/Section/DP</b>	6/-/DP26171
<b>Environmental Planning Instrument/s</b>	<ul style="list-style-type: none"> <li>- State Environmental Planning Policy (Sustainable Buildings) 2022</li> <li>- State Environmental Planning Policy (Industry and Employment) 2021</li> <li>- State Environmental Planning Policy (Housing) 2021</li> <li>- Manly Local Environmental Plan 2013</li> </ul>
<b>Development Control Plan</b>	<ul style="list-style-type: none"> <li>- Manly Development Control Plan 2013</li> </ul>
<b>Precinct</b>	5.1.2 The Corso
<b>Zone</b>	E1: Local Centre
<b>Zone Objectives</b>	<ul style="list-style-type: none"> <li>• To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.</li> <li>• To encourage employment opportunities in accessible locations.</li> <li>• To maximise public transport patronage and encourage walking and cycling.</li> <li>• 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.</li> </ul>
<b>Site Area</b>	151m <sup>2</sup> (per survey)



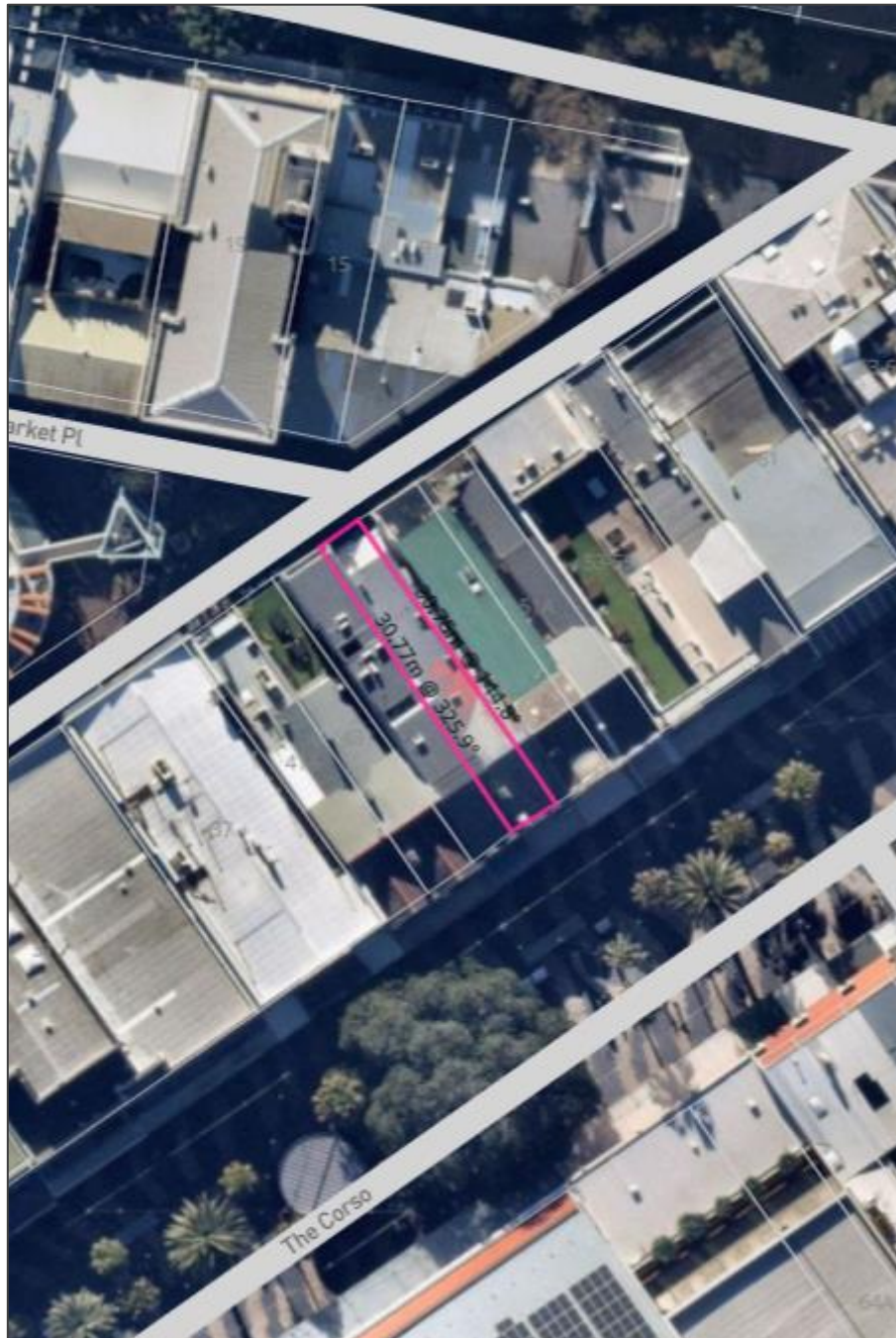


Figure 1 - Subject Site - Nearmaps - 01.08.23







*Figure 2 - Site Photo*





*Figure 3 - Site Photo*





## Manly Local Environmental Plan 2013 Mapping: (MAP Ref: 005)

<b>Zone:</b>	- E1: Local Centre
<b>Maximum FSR</b>	- 2.5:1
<b>Minimum Subdivision Lot Size:</b>	- N/A
<b>Maximum Building Height:</b>	- 10m
<b>Heritage</b>	<ul style="list-style-type: none"> <li>- Heritage Conservation Area</li> <li>- Heritage Item I108 (site)</li> <li>- Heritage Item I106 (Adjoinnig – either side – across the corso)</li> <li>- Heritage Item I109 (across the corso)</li> <li>- Heritage Item I104 (Corso)</li> </ul>
<b>Acid Sulfate Soils</b>	- Class 4
<b>Foreshore Scenic Protection Area Map</b>	- Mapped as applicable to the site
<b>Key Sites Map</b>	- Rear (Market) Lane mapped as applicable – “requirement for development control plan”
<b>Active Street Frontages Map</b>	- Mapped as applicable to the site

## Non-EPI & Misc. EPI Constraint Mapping:

<b>Biodiversity Values Map and Threshold Tool</b>	- Not mapped as BV land
<b>Coastal SEPP Mapping</b>	- N/A
<b>Bushfire Prone Land (Non-EPI)</b>	- N/A
<b>Northern Beaches Mapping – Flood</b>	- ¾ of north western end of site mapped as medium risk precinct.
<b>Northern Beaches Mapping – Stormwater</b>	- Stormwater Asset Buffer Zone mapped along The Corso





## PROPOSED DEVELOPMENT

### Description of Development:

The subject development application is seeking consent for alterations and additions to the existing structure at 47 The Corso, Manly (the Site) inclusive of demolitions as indicated on the submitted plans. Further proposed is the construction of a new storey, the proposed second floor, consisting of two residential units and a new retail tenancy facing Market Lane.

- Ground Floor:
  - o Item 001. – Retail Space
  - o Item 002. – Storage
  - o Item 003. – Lobby/hallway
  - o Item 004. – Accessible Bathroom
  - o Item 005. – Commercial bin Storage
  - o Item 006. – Residential Bin Storage
  - o Item 007. – Water Closet
  - o Item 008. – Storage (café)
  - o Item 009. – Café
  - o Item 010. – Storage
- First Floor:
  - o Item 101. – Office 1
  - o Item 102. – Unisex Bathroom
  - o Item 103. – Landing/hall through to Item 105.
  - o Item 104. – Office 2
  - o Item 105. – Office 3
  - o Item 106. – Landing/foyer for Item 107.
  - o Item 107. – Dwelling/Residential Unit.
- Second Floor:
  - o Item 201. - Hall
  - o Item 202. to Item 205. – Dwelling/Residential Unit.
  - o Item 206. to Item 210. – Dwelling/Residential Unit.
- Third Floor:
  - o Rooftop Terrace.



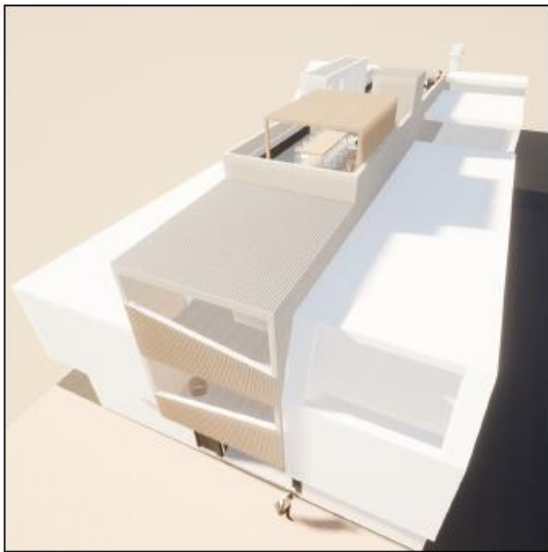


**PERSPECTIVE OF PROPOSED REAR ELEVATION  
(MARKET PLACE)**



**PERSPECTIVE OF PROPOSED REAR ELEVATION  
(MARKET PLACE)**

*Figure 4 - Plans Excerpt - 3D Diagram*



**PERSPECTIVE OF ROOFTOP TERRACE (NOT VISIBLE  
FROM THE CORSO)**



**PERSPECTIVE OF ROOFTOP TERRACE (NOT VISIBLE  
FROM THE CORSO)**

*Figure 5 - Plans Excerpt - 3D Diagram*





## EVALUATION

### *Environmental Planning and Assessment Act 1979 No 203*

#### *4.15 Evaluation (cf previous s 79C)*

*(1) Matters for consideration—general in determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application*

(I) ANY ENVIRONMENTAL PLANNING INSTRUMENT,

State Environmental Planning Instruments

*State Environmental Planning Policy (Sustainable Buildings) 2022*

#### **6 Buildings to which Policy applies**

**(1) This Policy applies to buildings arising from the following development:**

**(a) proposed BASIX affected development for which the regulations under the Act require a BASIX certificate to accompany a development application or an application for a complying development certificate or construction certificate,**

**(b) proposed BASIX optional development in relation to which a BASIX certificate accompanied a development application or an application for a complying development certificate, despite the fact that the regulations under the Act did not require a BASIX certificate,**

**(c) BASIX affected development and BASIX optional development the subject of a development consent, complying development certificate or construction certificate that, pursuant to the regulations under the Act, is subject to a BASIX commitment.**

**(2) This Policy also applies to buildings that become BASIX affected buildings because of development of the kind referred to in subclause (1).**

A current BASIX Certificate is understood to have been submitted with the subject Development Application.





State Environmental Planning Policy (Housing) 2021

Chapter 4 Design of residential apartment development		
Clause/Section:	Item:	Compliance Comment
144	Application of Policy	The subject policy is not seen to be applicable as - <ul style="list-style-type: none"><li>- The proposed development does not consist of –<ul style="list-style-type: none"><li>o “at least 4 or more dwellings” – Refer Subsection (3), (c).</li></ul></li></ul>







## Local Environmental Planning Instruments

<i>Instrument: Manly Local Environmental Plan 2013</i>		
Clause/Section:	Item:	Compliance Comment
Land Use Table	Zone E1 Local Centre	<ul style="list-style-type: none"> <li>- The proposed is seen to be a mixed-use development consisting of a number of primary land uses that are permissible with consent in the E1 zone               <ul style="list-style-type: none"> <li>o Commercial Premises –                   <ul style="list-style-type: none"> <li>▪ Retail Premise</li> <li>▪ Office Premise</li> </ul> </li> <li>▪ Permitted with Consent</li> </ul> </li> <li>o Shop Top Housing –                   <ul style="list-style-type: none"> <li>▪ Permitted with Consent</li> </ul> </li> </ul>
<p><b>2 Permitted without consent</b></p> <p><i>Home-based child care; Home businesses; Home occupations</i></p> <p><b>3 Permitted with consent</b></p> <p><i>Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Creative industries; Early education and care facilities; Electricity generating works; Entertainment facilities; Environmental protection works; Flood mitigation works; Function centres; Group homes; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Roads; Service stations; Shop top housing; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Waste or resource transfer stations</i></p> <p><b>4 Prohibited</b></p> <p><i>Any development not specified in item 2 or 3</i></p>		
<ul style="list-style-type: none"> <li>- <u>commercial premises</u> means any of the following—               <ul style="list-style-type: none"> <li>(a) business premises,</li> <li>(b) office premises,</li> <li>(c) retail premises.</li> </ul> </li> <li>- <u>office premises</u> means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.</li> </ul> <p><i>Note—</i>  <i>Office premises are a type of commercial premises—see the definition of that term in this Dictionary.</i></p> <ul style="list-style-type: none"> <li>- <u>food and drink premises</u> means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following—               <ul style="list-style-type: none"> <li>(a) a restaurant or cafe,</li> </ul> </li> </ul>		





- (b) take away food and drink premises,*
- (c) a pub,*
- (d) a small bar.*

**Note—**

*Food and drink premises are a type of retail premises—see the definition of that term in this Dictionary.*

- *mixed use development means a building or place comprising 2 or more different land uses.*
- *retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale),*
- *shop top housing means one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities.*

**Note—**

*Shop top housing is a type of residential accommodation—see the definition of that term in this Dictionary.*

4.3	Height of Buildings	<ul style="list-style-type: none"> <li>- The applicable maximum building height per HOB_005 is noted to be 10 metres</li> <li>- The maximum proposed building height is understood to be 12.55m</li> <li>- The proposed is seen to contravene the prescribed height standard under Clause 4.3 – The activation of Clause 4.6 is required for the subject consent.</li> <li>- Refer to Appendices in this report for details Clause 4.6 Report</li> </ul>
4.4	Floor Space Ratio	<ul style="list-style-type: none"> <li>- The applicable maximum floor space ratio per FSR_005 is noted to be 2.5:1</li> <li>- The plans reviewed for this assessment indicate an FSR of 2.36:1.</li> <li>- Compliant</li> </ul>
4.6	Exceptions to development standards	<ul style="list-style-type: none"> <li>- Refer to Appendices for separate Cl. 4.6 Report</li> </ul>





5.10	Heritage Conservation	<ul style="list-style-type: none"> <li>- Refer to the submitted Heritage Impact Statement prepared by Touring the Past ( 11 September 2023) –  <ul style="list-style-type: none"> <li>- <b><i>“This HIS determines that the proposed works broadly fulfil the statutory heritage management objectives of the MLEP and align with the heritage management strategies of MDCP. A refurbished and reactivated three-storey development with an amenity/liveability and tenancy potential boost would be achieved alongside the retention of all elements of core significance to the subject place and its group. The redevelopment would not place an undue burden on the significance of the site or its setting. It is recommended that the consent authority support the proposal on heritage grounds.”</i></b></li> </ul> </li> </ul>
5.21	Flood Planning	<ul style="list-style-type: none"> <li>- Refer to the submitted Flood Report prepared by MBR Consulting Engineers (Ref: MBR23160 - 19/02/2024)</li> </ul>
6.1	Acid Sulfate Soils	<ul style="list-style-type: none"> <li>- The subject site is noted to be mapped as potentially containing Class 4 Acid Sulfate Soils. At this time no works are proposed that infer interaction with such soils.</li> </ul>
6.2	Earthworks	<ul style="list-style-type: none"> <li>- The proposed is not known to consist of any significant earthworks.</li> </ul>
6.4	Stormwater	<ul style="list-style-type: none"> <li>- Attention is drawn to the submitted SW Plans prepared by MBR Consulting Engineers (Ref: 23160 - 19/02/2024)</li> </ul>
6.8	Landslide Risk	<ul style="list-style-type: none"> <li>- The proposed development is not considered to be associable with any adverse impacts with regard to landslide risk based on currently available information.</li> </ul>





6.9	Foreshore scenic protection area	<ul style="list-style-type: none"> <li>- The subject site is mapped as within the Foreshore Scenic Protection Area.</li> <li>- Based on an assessment of the currently available information no adverse impacts are envisaged with regard to – <ul style="list-style-type: none"> <li>o The visual amenity of the harbour or coastal foreshore, including overshadowing of the foreshore and any loss of views from a public place to the foreshore,</li> <li>o Scenic qualities of the coastline</li> <li>o The foreshore</li> <li>o Land-based and water-based coastal activities</li> </ul> </li> </ul>
6.11	Active street frontages	<ul style="list-style-type: none"> <li>- The proposed is seen to maintain and enhance the activation of the frontage to The Corse, as well as to Market Place.</li> </ul>
6.12	Essential services	<ul style="list-style-type: none"> <li>- The subject site is understood to have existing access to all essential services relevant to the proposed functions.</li> </ul>
6.13	Design excellence	<ul style="list-style-type: none"> <li>- N/A – the subject site is not known to be – <ul style="list-style-type: none"> <li>o <b><i>“(a) on land identified as “Gross Floor Area for Certain Commercial Premises” on the Key Sites Map, and</i></b></li> <li>o <b><i>(b) on land to which clause 6.19 applies.”</i></b></li> </ul> </li> </ul>





## Local Development Control Plan

Instrument: Manly Local Environmental Plan 2013		
Clause/Section:	Item:	Compliance Comment
<b>5 Special Character Areas and Sites</b>		
<b>5.1.1 General Character</b>		
<p>The Manly Town Centre Conservation Area is of local heritage significance as a reflection of the early development of Manly as a peripheral harbor and beachside village in the fledgling colony of New South Wales. This significance is enhanced by its role as a day-trip and holiday destination during those early years, continuing up to the present time, and its association with H G Smith, the original designer and developer of the Manly Town Centre Conservation Area as it is today. The physical elements of the Manly Town Centre Conservation Area reflect this early development and its continued use for recreational purposes, most notably the intact promenade quality of The Corso and its turn of the century streetscape, as well as key built elements such as hotels, and remaining original commercial and small scale residential buildings.</p>		
<p>The beautiful natural setting of the Manly Town Centre Conservation Area has provided a solid foundation for its picturesque qualities. The cultural landscape, including plantings, monuments and open spaces, reflects the continued enhancement of the Manly Town Centre Conservation Area over time, in order to attract and sustain visitors to the area, which in turn has provided great support to the local economy. The many historic vistas which remain to this day enhance the visitor experience of the Manly Town Centre Conservation Area and assist with providing an interpretation of the Manly Town Centre Conservation Area as it has changed over time.</p>		
<p>The Manly Town Centre Conservation Area maintains a high level of social significance, as a popular destination for local, national and international tourists, as well as through its encapsulation of the Australian beach culture.</p>		
<p>The development as proposed is considered to be compatible with the general character of the locality as described above. In particular attention is drawn to the submitted Heritage Impact Statement prepared by Touring the Past ( 11 September 2023) –</p> <ul style="list-style-type: none"> <li>- <i>“This HIS determines that the proposed works broadly fulfil the statutory heritage management objectives of the MLEP and align with the heritage management strategies of MDCP. A refurbished and reactivated three-storey development with an amenity/liveability and tenancy potential boost would be achieved alongside the retention of all elements of core significance to the subject place and its group. The redevelopment would not place an undue burden on the significance of the site or its setting.</i></li> </ul> <p><i>It is recommended that the consent authority support the proposal on heritage grounds.”</i></p>		







### 5.1.2 The Corso

The existing positive qualities of The Corso, comprising both the public area of the roadway and the private properties that front it all contribute to making it a special street. Although some more recent development, and some maintenance practices on older buildings, are unsympathetic to these qualities, the overall integrity of the structure - and hence significance - of the street continues. This significance has been recognised via listings as Items of the Environmental Heritage in the LEP including the listing of all buildings as whole, individual and groups of buildings with additional individual merit as well as various streetscape elements such as parks and monuments. These listings place a responsibility on Council, land owners and applicants to maintain the significance of the 'greater whole' of both The Corso and the Manly Town Centre Conservation Area. The LEP Heritage Items for The Corso include:

- All commercial buildings fronting The Corso (item 106)
- Various individual or group of commercial buildings at street numbers 36 (item 107), 41 – 45 (item 108); 46 – 64 (item 109); & 102 – 108 (item 112) The Corso;
- New Brighton Hotel at 69 – 71 The Corso (item 110);
- Hotel Steyne at 75 The Corso (item 111);
- St. Matthew's Church and Church Hall at 44 The Corso (item 113);
- St. Matthew's Rectory at the corner of Darley Road and The Corso (item 118);
- Street Trees from Whistler St to Sydney Rd, The Corso (item 104);
- Unnamed Triangular Park at the corner of the Corso & Belgrave St, Council Chambers (item 105);
- Cast Iron Pedestals - former Street Lights between The Esplanade and Darley Rd (item 102);
- Monument – War Memorial Cenotaph (item 103); and
- Cast Iron Letter Box at corner of The Corso and Whistler St (item 114).

a)	Statement of Heritage Significance for The Corso	- Attention is drawn to the submitted Heritage Impact Statement prepared by Touring the Past ( 11 September 2023)
b)	The Corso Guidelines	- Refer below
5.1.2.1	Most existing buildings are significant and are to be conserved, not redeveloped	<p>a) It is noted that the subject site is referenced in Schedule 6</p> <p>- The Corso: Site Specific Controls. Specific controls include</p> <p>–</p> <p style="margin-left: 40px;">a. reinstate slate roofing.</p> <p style="margin-left: 40px;">b. colour of façade to match that at No 45.</p> <p>b) The proposed has retained the existing street façade</p> <p>- Attention is drawn to the submitted Heritage Impact Statement prepared by Touring the Past ( 11 September 2023)</p>





5.1.2.2	Internal changes are important	<p>a) <i>“The spaces and activities within the building give meaning to that building. In addition, internal building fabric may be significant even if not seen from the street. The heritage assessment will advise on the significance of any internal fabric.”</i></p> <p>b) <i>Where internal alterations are proposed:</i></p> <p>c) i) <i>floor levels and the layout of activities are to retain a logical relationship with the window, door and balcony openings of the street façade;</i></p> <p>d) ii) <i>floor levels are to be maintained adjacent to first floor windows and other openings; and</i></p> <p>e) iii) <i>architectural organisation of interiors must relate to the building facade.</i></p> <p>- Attention is drawn to the submitted Heritage Impact Statement prepared by Touring the Past (11 September 2023)</p>
5.1.2.3	Significance is more than the depth of a façade: thus new development is to be to the rear.	<p>- It is seen that the proposed has retained the existing facade and suitably maintained the heritage significance of the structure.</p>
5.1.2.4	Parapets to be read against the sky	<p>- It is seen that the proposed has retained the existing facade and suitably maintained the heritage significance of the structure.</p>
5.1.2.5	Critical Views to be Kept Open	<p>- The proposed development is largely in keeping with the existing scale of development on the site and is not known to be associable with any adverse impacts with regards to views.</p>
5.1.2.6	New buildings to maintain and express the existing narrow fronted subdivision pattern	<p>- N/A</p>
5.1.2.7	New buildings, where permitted, to have vertical and generally flat but finely detailed facades	<p>- N/A</p>





5.1.2.8	Windows and balconies open to the street	<ul style="list-style-type: none"> <li>- The proposed is seen to be compliant to the extents suitable under the circumstances of the case</li> </ul>
5.1.2.9	Building heights determined by site-specific requirements in addition to the established numerical requirements	<p><b>a) While building heights are contained in the LEP Height of Building Map, considerations of the appropriate height and exceptions under LEP clause 4.6 will also consider:</b></p> <p><b>i) the provision requiring parapets to be read against the sky;</b></p> <p><b>ii) any need to retain existing long views;</b></p> <p><b>iii) the need to maintain a visual continuity between floor levels on adjoining buildings (mezzanine levels may provide a means to relate lower contemporary floor to ceiling heights with the greater heights in existing older buildings);</b></p> <p><b>iv) any need to relate to specific detailing on adjoining buildings; and</b></p> <p><b>v) any opportunity, presented by development of the site, to hide unsympathetic views of development in other streets as seen over the top of existing buildings in The Corso.</b></p> <ul style="list-style-type: none"> <li>- Noted – refer Clause 4.6 Report prepared as an appendices to this SoEE</li> </ul>
5.1.2.11	Footpath Awnings	N/A – no changes to the existing proposed.
5.1.2.12	Street Level Uses to Encourage Activity	<p>a) No changes to the existing forward (southern) commercial space proposed in the context of the objectives of the subject section.</p> <p>b) As above</p>
5.1.2.13	Shop-fronts are to be Reinstated	<ul style="list-style-type: none"> <li>- Attention is drawn to the submitted Heritage Impact Statement prepared by Touring the Past (11 September 2023)</li> </ul>
5.1.2.16	New residential development to be constrained and to incorporate noise abatement measures	<ul style="list-style-type: none"> <li>- Suitable outcomes seen to be available in the subject regard.</li> </ul>





5.1.2.17	External details for plant, exhausts, ducts and other services as part of the overall building structure	<p><b><i>“A number of buildings are already disfigured by the addition of air conditioners, other mechanical services, kitchen exhausts, downpipes and the like without adequate thought as to their integration. All DAs are to include provision for such services and show how they are to be integrated into the overall structure and/or disguised from public view.”</i></b></p> <ul style="list-style-type: none"> <li>- Details were not observed with regard to proposed locations for plant, exhausts, ducts or other services in the material reviewed for this report. Compliance is assumed at this time.</li> </ul>
5.1.2.18	The impact of new development on rear lane-ways and on adjacent development is important	<p><b><i>“Development to the rear of properties fronting The Corso will also have an impact on the character and pedestrian scale of either Market Lane or Rialto Lane. The design of such development is to be consistent with the relevant provisions of the Manly Town Centre Urban Design Guidelines.”</i></b></p> <ul style="list-style-type: none"> <li>- Attention is drawn to the submitted Heritage Impact Statement prepared by Touring the Past (11 September 2023)</li> </ul>
5.1.2.19	Site specific controls	<ul style="list-style-type: none"> <li>- Attention is drawn to the submitted Heritage Impact Statement prepared by Touring the Past (11 September 2023)</li> </ul>
5.1.2.14	New buildings to have a clear contemporary design idiom	<ul style="list-style-type: none"> <li>- Attention is drawn to the submitted Heritage Impact Statement prepared by Touring the Past (11 September 2023)</li> </ul>
5.1.2.15	External building colours are important to the overall presentation of The Corso	<ul style="list-style-type: none"> <li>- Attention is drawn to the submitted Heritage Impact Statement prepared by Touring the Past (11 September 2023)</li> </ul>





5.4 Environmentally Sensitive Lands		
5.4.3	Flood Prone Land	<ul style="list-style-type: none"> <li>- Refer to the submitted Flood Report prepared by MBR Consulting Engineers (Ref: MBR23160 - 19/02/2024)</li> </ul>
Part 3		
3.1 Streetscapes and Townscapes		
N/A	N/A	<ul style="list-style-type: none"> <li>- The objectives and controls of this section are seen to be addressed/superseded by 5 Special Character Areas and Sites.</li> </ul>
3.2 Heritage Considerations		
N/A	N/A	<ul style="list-style-type: none"> <li>- The objectives and controls of this section are seen to be addressed/superseded by 5 Special Character Areas and Sites.</li> <li>- Attention is drawn to the submitted Heritage Impact Statement prepared by Touring the Past (11 September 2023)</li> </ul>
3.3 Landscaping		
N/A	N/A	<ul style="list-style-type: none"> <li>- The subject site is seen to present 100% site coverage. No landscape plan was made available for review.</li> </ul>
3.4 Amenity (Views, Overshadowing, Overlooking /Privacy, Noise)		
3.4.1.2	Maintaining Solar Access into Living Rooms of Adjacent Properties	<ul style="list-style-type: none"> <li>- The submitted Shadow Diagrams indicate the additional overshadowing from the proposed impart no impact to adjoining living rooms</li> </ul>
3.4.1.3	Overshadowing Solar Collector Systems	<ul style="list-style-type: none"> <li>- The submitted Shadow Diagrams do not indicate any adverse impacts in the subject regard.</li> </ul>
3.4.1.4	Overshadowing Clothes Drying Areas	<ul style="list-style-type: none"> <li>- The submitted Shadow Diagrams do not indicate any adverse impacts in the subject regard.</li> </ul>
3.4.1.5	Excessive Glare or Reflectivity Nuisance	<ul style="list-style-type: none"> <li>- No adverse impacts are known to be likely in regard to glare or reflectivity from the development</li> </ul>
3.4.1.6	Sunlight Access to Communal Living Areas	<ul style="list-style-type: none"> <li>- The submitted Shadow Diagrams indicate the additional overshadowing from the proposed impart no impact to adjoining communal living area</li> </ul>







<b>3.4.2</b>	<b>Privacy and Security</b>	<ul style="list-style-type: none"> <li>- The proposed is not seen to be likely to impart any unreasonable impacts with regard to privacy and security outcomes.</li> </ul>
<b>3.4.3</b>	<b>Maintenance of Views</b>	<ul style="list-style-type: none"> <li>- The objectives and controls of this section are seen to be addressed/superseded by 5 Special Character Areas and Sites.</li> </ul>
<b>3.5</b>	<b>Sustainability - (Greenhouse Energy Efficiency, Thermal Performance, and Water Sensitive Urban Design)</b>	<ul style="list-style-type: none"> <li>- N/A – the subject considerations are addressed via the State Environmental Planning Policy (Sustainable Buildings) 2022</li> </ul>
<b>3.7</b>	<b>Stormwater Management</b>	<ul style="list-style-type: none"> <li>- Attention is drawn to the submitted SW Plans prepared by MBR Consulting Engineers (Ref: 23160 - 19/02/2024)</li> </ul>
<b>3.8</b>	<b>Waste Management</b>	<ul style="list-style-type: none"> <li>- Attention is drawn to the submitted Waste Management Plan prepared by Auswide Consulting (Ref: PLM2022/0223 - May 2023)</li> </ul>
<b>4.2</b>	<b>Development in Business Centres (LEP Zones B1 Neighbourhood Centres and B2 Local Centres)</b>	<ul style="list-style-type: none"> <li>- N/A - the subject considerations are addressed via the State Environmental Planning Policy (Sustainable Buildings) 2022</li> </ul>





## CONCLUSION

The proposed development has been considered against Section 4.15 'Evaluation' of the Environmental Planning and Assessment Act 1979 No 203. Specifically, the proposed is considered suitable for consent with respect to the following considerations;

- |   |  |
|---|--|
| <b>(i) any environmental planning instrument, and</b>   | - The proposed is not known to conflict with any applicable environmental planning instruments or draft environmental planning instruments. Noting the application has been submitted with the support of a Clause 4.6 Variation Report.   |
| <b>(iii) any development control plan</b>   | - The proposed is not known to conflict in any significant way with the applicable development control plan.   |
| <b>(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4</b> | - The subject site, the proposed, nor the applicant is not known to be associable to any such agreements.  |
| <b>(iv) the regulations</b>   | - No conflict between the proposed and the Regulations has been identified.  |
| <b>(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality</b>  | - The proposed has not been determined as likely to have any significant adverse impacts with regards to both the natural and built environments, and social and economic impacts in the locality  |
| <b>(c) the suitability of the site for the development</b>  | - The proposed has demonstrated compatibility with the subject site as well as careful design responsiveness to the circumstances of the site.   |
| <b>(d) any submissions made in accordance with this Act or the regulations,</b>   | - The proposed is not envisaged to attract significant community scrutiny or concern. Where appropriate submissions are made the applicant will consider and duly respond.   |
| <b>the public interest.</b>   | - The proposed is deemed to be in the public interest as demonstrated through compliance with the publicly approved statutory planning framework surrounding it. Primarily the proposed will act toward the supply of housing in the locality and contribute to the local economy through the utilisation of local tradespeople and materials as well as a revitalisation/activation of the commercial ground floor. |





## APPENDIX 1: CLAUSE 4.6 VARIATION REPORT

REFER TO SEPARATE REPORT

