DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2024/0539	
Responsible Officer:	Lachlan Rose	
Land to be developed (Address):	Lot 1 DP 64558, 17 The Corso MANLY NSW 2095 Lot B DP 373583, 15 A The Corso MANLY NSW 2095	
Proposed Development:	Alterations and additions to an existing building (business premises) and signage	
Zoning:	Manly LEP2013 - Land zoned E1 Local Centre	
Development Permissible:	Yes	
Existing Use Rights:	No	
Consent Authority:	Northern Beaches Council	
Delegation Level:	NBLPP	
Land and Environment Court Action:	No	
Owner:	Hilrok Properties Pty Ltd	
Applicant:	Slr Consulting Australia Pty Ltd	

Application Lodged:	15/05/2024
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Commercial/Retail/Office
Notified:	22/05/2024 to 05/06/2024
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval
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Estimated Cost of Works:	\$ 876,000.00
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EXECUTIVE SUMMARY

The application seeks consent for alterations and additions to existing building and signage. The application proposes internal demolition and construction works to the floor layout, with external works to the front facade and signage for the co-location of St George and Westpac bank (business premises).

The application is referred to the Northern Beaches Local Planning Panel (NBLPP) as the proposal involves minor demolition works to a building that is a local heritage item. These minor demolition works have been considered by Council's heritage advisor and found to be acceptable subject to one condition.

The proposed application was notified between 22 May 2024 to 5 June 2024. No submissions were received during the notification period.

The relevant issue included non-compliances with signage. Council's Heritage Officer has provided support subject to one condition, requiring the removal of the illumination from the fascia signage. Therefore, the signage has been determined as being acceptable.

This report concludes with a recommendation that the NBLPP grant approval to the development application, subject to recommended conditions.

PROPOSED DEVELOPMENT IN DETAIL

The development specifically includes:

- Replacement of co-branded signage
 - illuminated fascia business identification signage (illumination proposed to be removed through a condition of consent)
 - illuminated top hamper business identification signage
 - illuminated under-awning business identification signage
- Installation of a new 65" digital advertising screen inside the shopfront relating to banking content only
- New tile finish to the walls including ATM surround
- Minor external works
- Demolition and construction works to the internal areas including walls, partitions, doors and fixtures

Make direct amendment to Detailed Description of Development

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 Local Environmental Plan 2013 - 6.11 Active street frontages Manly Local Environmental Plan 2013 - 6.13 Design excellence Manly Development Control Plan - 3.2 Heritage Considerations Manly Development Control Plan - 4.4.3 Signage

SITE DESCRIPTION

Property Description:	Lot 1 DP 64558, 17 The Corso MANLY NSW 2095
	Lot B DP 373583, 15 A The Corso MANLY NSW 2095
Detailed Site Description:	The subject site consists of two (2) allotments located on
	the northern-western side of The Corso.
	The site is regular in shape with a frontage of 13.6m along
	The Corso and a depth of 30m.
	The site is located within the E1 Local Centre zone and
	accommodates an existing commercial premises.
	The site has a north- western orientation and is a flat block
	with a primary front access from The Corso, and rear access to Market Place.
	Detailed Description of Adjoining/Surrounding
	Development
	Adjoining and surrounding development is characterised
	generally by commercial development. Manly Beach is
	located to the east, and Manly Wharf is located to the west.
Man	Make direct amendment to Site description

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 relevant history:

- DA0082/2009 Change of use to a bank/office, shop fitout, ATM's and signage Approved 24 August 2009.
- DA2018/1263- Demolition works and signage- Approved 24 September 2018.

Make direct amendment to Site History

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under 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. The NSW employment zones reforms have been made and came into force on 26 April 2023. These reforms will result in this property changing from a B2 Local Centre zone to a E1 Local Centre zone. The proposed use will remain permissible in the new zone.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	There are no current draft environmental planning instruments.

Section 4.15 Matters for Consideration	Comments
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)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2021	Part 4, Division 2 of the EP&A Regulation 2021 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent. Clause 29 of the EP&A Regulation 2021 requires the submission of a
(EP&A Regulation 2021)	design verification certificate from the building designer at lodgement of the development application. This documentation has been submitted.
	<u>Clauses 36 and 94</u> of the EP&A Regulation 2021 allow Council to request additional information. No additional information was requested in this case.
	<u>Clause 61</u> of the EP&A Regulation 2021 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent.
	<u>Clauses 62 and/or 64</u> of the EP&A Regulation 2021 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 of consent.
	<u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of consent.
	<u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of 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	(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.
	(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.
	(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.

Section 4.15 Matters for Consideration	Comments
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.

Make direct amendment to Environmental Planning and Assessment Act 1979 - Section 4.15 Evaluation

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 application has been publicly exhibited from 22/05/2024 to 05/06/2024 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

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

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	Supported, subject to Conditions The application has been investigated with respects to aspects relevant to the Build Certification and Fire Safety Department. There are no objections to approval of development subject to inclusion of the attached conditions of approval and consideratio the notes below.
	<u>Note:</u> The proposed development may not comply with some requirements of the BCA the Premises Standards. Issues such as this however may be determined at Construc Certificate Stage.

Internal Referral Body	Comments
	Make direct amendment to Building Assessment - Fire and Disability upgrades
Strategic and Place Planning (Heritage Officer)	Supported, subject to Conditions Discussion of reason for referral The proposal has been referred to Heritage as the site is part of a group listed heritage item, being Item I106 - Group of commercial buildings - All numbers, The Corso. The site is also located within the C2 - Town Centre Conservation Area and in the vicinity c a number of heritage items: Item I113 - St Matthews Church and church hall - 44 The Corso (corner The Corso ar Darley Road) Item I104 - Street trees - The Corso (from Whistler Street to Sydney Road)
	Details of heritage items affectedDetails of the heritage items as contained within the Manly Heritage inventory are:Item I106 - Group of commercial buildingsStatement of significance:The streetscape and its special qualities are of major significance to the state. The Corsehas important historical links to the development of tourism and recreation which is stillpresent and likely to continue. It's role as the pedestrian link between harbour and ocearcity and sea - for the tourist, is fundamental to Manly's status as a resort.
	C2 - Town Centre Heritage Conservation Area <u>Statement of significance:</u> The Manly Town Centre Conservation Area (TCCA) 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 TCC as it is today. The physical elements of the TCCA reflect this early development and its continued use for recreational purposes, most notably the intact promenade quality of Th Corso and its turn of the century streetscape, as well as key built elements such as hote and remaining original commercial and small scale residential buildings.
	Item I113 - St Matthews Church and church hall Statement of Significance: The church is a well consistently detailed but sombre example of Interwar Gothic style. The interior detailing and fittings are of a high quality of design, exhibiting a contrasting lightness to the exterior. As this building is seen in the round, the spatial effect on the no eastern side is of significance and it makes an important landmark and identifies the junction of the Corso with Darley Road. It makes a major contribution to the Corso. Item I104 - Street trees Statement of significance: Part of earliest planting on The Corso c.1850's by H.G. Smith. Historic and aesthetic importance to the streetscape

Internal Referral Body	Comments		
	Other relevant heritage listi	<u> </u>	
	SEPP (Biodiversity and	No	
	Conservation) 2021		
	Australian Heritage	No	
	Register	NL-	
	NSW State Heritage	No	
	Register National Trust of Aust	No	
		INO	
	(NSW) Register RAIA Register of 20th	No	-
	Century Buildings of	NO	
	Significance		
	Other	No	
	Consideration of Application	า	
			rations and additions to an existing heritage listed
			e twentieth-century infill building at 17 The Corso. Th
	 subject site is in a highly prominent location. The proposal is for minor external works are internal partition works and the replacement of external signage and decals. The extern works are limited to the ground floor shopfront which has already been significantly altered. Internal alterations including the removal of a portion of the existing original was between 15A and 17 The Corso is considered acceptable. The proposed signage to replace the existing signage is required to be amended to remove the illumination from proposed fascia signage. Given the proposed external works are limited to the ground level - under the awning the additional impact of the proposal upon the significance of the HCA, heritage items and The Corso is considered manageable. Therefore, no objections are raised on heritage grounds, subject to one condition, requiring the removal of the illumination from the fascia signage. 		
	Consider against the provis Is a Conservation Manager Has a CMP been provided? Is a Heritage Impact Staten Has a Heritage Impact Stat	nent Plai ? No nent requ	n (CMP) Required? No uired? Yes
	Make direct amendment	to Stra	tegic and Place Planning (Heritage Officer)

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs 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 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 (Industry and Employment) 2021

Section 3.6 and 3.11 of Chapter 3 require Council to determine consistency with the objectives stipulated under Subsection 3.1 (1)(a) of the aforementioned SEPP and to assess the proposal against the assessment criteria of Schedule 5.

The objectives of this chapter 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 5 of Chapter 3, 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?	The proposed signage is compatible with the existing and desired future character of the area. The proposed signage will compliment the existing signage on the current building.	YES
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposal is consistent with theme of The Corso.	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 proposed signage does not detract from the amenity and visual quality of The Corso. The heritage item will be maintained where a condition of consent applies to remove of the illumination from the fascia signage as it is not acceptable in The Corso.	YES
3. Views and vistas Does the proposal obscure or compromise important views?	The proposal does not obscure or compromise important views.	YES
Does the proposal dominate the skyline and reduce the quality of vistas?	The signage will not dominate the skyline or reduce the quality of vistas.	YES
Does the proposal respect the viewing rights of other advertisers?	The proposed signage does not obscure viewing rights or any advertising.	YES
4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage has been noted on the plans to replace the existing like for like. Therefore, the scale, proportion and form of the new signage will maintain the current character to the	YES

	streetscape. It is considered appropriate for the commercial character of the area.	
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage will contribute to the visual interest of the site, streetscape and landscape in context of its local centre zoning.	YES
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage will not cause clutter. The signage will be replacing the existing like for like and no additional signage structures are proposed in this application. The length of the facade helps to simplify the design of the signage that integrates into the existing building.	YES
Does the proposal screen unsightliness?	The proposal does not screen unsightliness.	YES
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage meets the existing shopfront and does not extend beyond the built form.	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 signage will be constructed on the existing signage structures and has been designed to be compatible with the site characteristics.	YES
Does the proposal respect important features of the site or building, or both?	The proposal respects the important features of the building, specifically the heritage significance of the site.	YES
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed business identification signage will compliment the current business usage of the site.	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 displayed?	The proposed signage is to be constructed to the existing signage structures of the building. All fixtures have been designed to be compatible with the proposed signage.	YES
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?	A condition applies to this application where the proposed signage to replace the existing signage is required to be amended to remove the illumination from the proposed fascia signage as any illumination to the fascia signage is not acceptable in The Corso. Additionally, a condition will apply to eliminate unacceptable glare.	YES
Can the intensity of the illumination be adjusted, if necessary?	The brightness level of the display can be adjusted if necessary.	YES

Is the illumination subject to a curfew?	The signs will only operate in conjunction with the hours or operation of the premises.	YES
8. Safety Would the proposal reduce the safety for any public road, pedestrians or bicyclists?	The signage will not affect the safety for any public road, pedestrians or bicyclists.	YES
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signage will not affect the safety by obscuring 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 this chapter and its underlying objectives.

Make direct amendment to SEPP (Industry and Employment) 2021

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 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 sub-section 4.6 (1) (b) and (c) of this Chapter and the land is considered to be suitable for the commercial land use.

Make direct amendment to SEPP (Resilience and Hazards) 2021

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 Principle Development Standards under Part 4 that will be altered as part of this assessment.

Make direct amendment to 1.2 Aims of Plan

Compliance Assessment

Clause	Compliance with Requirements
5.8 Conversion of fire alarms	Yes
5.10 Heritage conservation	Yes

Clause	Compliance with Requirements
6.1 Acid sulfate soils	Yes
6.9 Foreshore scenic protection area	Yes
6.11 Active street frontages	Yes
6.12 Essential services	Yes
6.13 Design excellence	Yes
Schedule 5 Environmental heritage	Yes

Detailed Assessment

5.10 Heritage conservation

Refer to the Strategic and Place Planning (Heritage Officer) comments under the 'Referrals' heading. The Heritage Officer commented on the minor internal works, stating they are considered acceptable. Additionally, commenting that the minor external works raise no objection, subject to one condition, requiring the removal of the illumination from the fascia signage.

Make direct amendment to 5.10 Heritage conservation

6.9 Foreshore scenic protection area

The proposed works are minor changes to the existing premises and will result in no unreasonable impact on visual aesthetic amenity or views to and from the Pacific Ocean or Manly Foreshore. Make direct amendment to 6.9 Foreshore scenic protection area

6.11 Active street frontages

The proposed works are consistent with the relevant considerations of this Clause. The facade and signage design will continue to promote uses that attract pedestrian traffic along the street frontage. The proposal is consistent with the character of the building and broader E1 Local Centre Zone.

Make direct amendment to 6.11 Active street frontages

6.13 Design excellence

This Clause applies to the subject site. As such, the following is to be considered:

(3) Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.

(4) In considering whether development exhibits design excellence, the consent authority must give consideration to whether the development:

(a) contains buildings that consist of a form, bulk, massing and modulation that are likely to overshadow public open spaces, and

(b) is likely to protect and enhance the streetscape and quality of the public realm, and

(c) clearly defines the edge of public places, streets, lanes and plazas through separation,

setbacks, amenity, and boundary treatments, and

(*d*) minimises street clutter and provides ease of movement and circulation of pedestrian, cycle, vehicular and service access, and

(e) encourages casual surveillance and social activity in public places, streets, laneways and plazas, and

(f) is sympathetic to its setting, including neighbouring sites and existing or proposed buildings, and

(g) protects and enhances the natural topography and vegetation including trees, escarpments or other significant natural features, and

(h) promotes vistas from public places to prominent natural and built landmarks, and

(i) uses high standards of architectural design, materials and detailing appropriate to the building type and location, and

(*j*) responds to environmental factors such as wind, reflectivity and permeability of surfaces, and (*k*) coordinates shared utility infrastructure to minimise disruption at street level in public spaces.

The proposed development has been considered against the above objectives and will exhibit design excellence. The proposed changes to the ground floor facade and signage will protect and enhance the current streetscape along The Corso as the changes are directly related to the current use of the premises. Casual surveillance is maintained. The proposal is sympathetic to its setting and site context with no unreasonable or adverse impacts upon neighbouring sites or the topography of the site. The proposed development is minor in nature and will not detract from the current built form of the subject site. Considering the above Clause, the proposed development will satisfy the objectives and is determined to be acceptable in this instance.

Make direct amendment to 6.13 Design excellence

Manly Development Control Plan

Built Form Controls

Built Form Controls	Requirement	Proposed	Complies
4.4.3 Signage	2	4	No

There are no other changes to the existing built form of MDCP.

Make direct amendment to 3.1.3 Townscape (Local and Neighbourhood Centres)

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
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
3.4.2 Privacy and Security	Yes	Yes
3.8 Waste Management	Yes	Yes
3.9 Mechanical Plant Equipment	Yes	Yes
3.10 Safety and Security	Yes	Yes
4.2.5 Manly Town Centre and Surrounds	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
4.2.5.1 Design for Townscape	Yes	Yes
4.4.3 Signage	No	Yes
4.4.4 Awnings	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
Schedule 6 - The Corso: Site Specific Controls	Yes	Yes

Detailed Assessment

3.2 Heritage Considerations

The proposed development has been referred to Council's Heritage Officer for review and comment, with regard to the considerations prompted by Clause 5.10(4) of the MLEP.

Council's Heritage Officer has noted that the proposed internal alterations including the removal of a portion of the existing original wall between 15A and 17 The Corso is considered acceptable. The proposed signage to replace the existing signage is required to be amended to remove the illumination from the proposed fascia signage. Additionally, the Heritage Officer has stated that "the proposed external works are limited to the ground level - under the awning the additional impact of the proposal upon the significance of the HCA, heritage items and The Corso is considered manageable.". Therefore, Council's Heritage Officer has raised no objections on heritage grounds, subject to one condition, requiring the removal of the illumination from the fascia signage.

Make direct amendment to 3.2 Heritage Considerations

4.4.3 Signage

Description of non-compliance

Control 4.4.3.1 Controls for all Development Types states:

Maximum number of Signs

a) In relation to shopfronts, a maximum of 2 identification signs will be permitted per frontage (for example 1 fascia and 1 hamper sign), in any 2 of the following preferred locations:

- Under awning;
- Awning fascia;
- A transom sign above the door or shopfront (top hamper);
- Inside the display window;
- Below the window sill; and
- Flush wall signs.

This proposal is non-compliant with the above control. The application proposes to replace 3 existing signs including a fascia sign, illuminated top hamper sign and illuminated under-awning sign. The proposed 65 inch internal LCD screen behind the window glazing, will be included in the total number

of proposed signage. Resulting in 4 proposed signage structures, varying from the requirement of 2 identification signs per frontage.

Additionally, the application includes a new vision strip to the internal side of the glazing, new vinyl decal to the internal of the glazing, new 600mm wide vinyl welcome decal, new Westpac and St George ATM surround to existing ATM's. These additions will not be included in the total number of signage as it is characterised as advertising content that is related to the building or goods sold on the premises.

Therefore, due to the non-compliance with the maximum number of signs, a merit assessment has been conducted against the objectives of the control below.

4.4.3.2 Signage on Heritage listed items and in Conservation Areas

This control specifies that:

Other Guidelines for Heritage Items and Conservation Areas c) In addition to the requirements for the particular zoning, and matters listed above, the following matters must be taken into consideration: i) Signs on shop windows should not exceed 25 percent of the window area;

The proposed 65 inch internal LCD screen behind the window glazing has an area of 1.2m2. The shop window where the LCD screen is displayed has a area of 6.6m2 and 25% of this area is 1.65m2. Therefore, the LCD screen will cover 18.18% of the window area, complying with the requirement. See figure 1 below:



Merit consideration:

Objective 1) 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 advertising proposed along the shopfront are proposed to replace the existing in the same locations and will not detract from the scenic beauty and amenity of the Municipality. The proposed LCD advertising sign is minor, when compared to other development and existing signage along The Corso. The signage will compliment the use of the current premises and thus, harmonises with the current building and the variety of uses along The Corso.

Objective 2) 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:

As detailed above, the proposed signage will replace the existing in the same location with the inclusion of one additional internal LCD advertising sign. In this instance, there is no increase to the structural signage along the existing storefront. The additional internal LCD sign is minor in nature and

will not degrade the existing quality of the premises. In this instance, the number of signs will not be unnecessary or cause visual clutter and confusion along The Corso.

Objective 3) 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 business identification signage will communicate the facilities, amenities, goods and services without interfering with the streetscape or amenity of residents.

Objective 4) 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 proposed signage will be commensurate with the urban character of the Manly locality. In this instance, there is no distinct change to the urban character of The Corso or scenic amenity of the Manly locality. Furthermore, as the LCD advertising sign will be located within the tenancy, there is no change to the external fabric of the building. The proposed changes to the external signage of the building are designed in sympathy with the current facade and will compliment the architectural styles and finishes to The Corso.

Objective 5) 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:

As detailed above, the proposed signage does not detract from the presentation of the heritage item or area to the general public on heritage items and conservation areas

Objective 6) To ensure all signage is of high standards of graphic and textural content.

Comment:

The proposed signage is of a high quality design and provides clear advertising and business identification for the purposes of St George and Westpac Bank.

Objective 7) To encourage co-ordinated advertising in the Industrial Zone by the use of appropriately sized street numbers and complex names, and the use of directory boards to identify multiple unit complexes, so as to reduce adverse impact on the streetscape and confusion to traffic.

Comment:

Not applicable. The subject site is located within the E1 Local Centre (previously known as the B2 Local Centre) Zone.

Make direct amendment to 4.4.3 Signage

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly affect 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

Northern Beaches Section 7.12 Contributions Plan 2022

The proposal is subject to the application of Northern Beaches Section 7.12 Contributions Plan 2022.

A monetary contribution of \$8,760 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 1% of the total development cost of \$876,000.

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 2021;
- 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

PLANNING CONCLUSION

This proposal, for alterations and additions to existing building and signage has been referred to the Northern Beaches Local Planning Panel (NBLPP) due as the proposal involves minor demolition works to a building that is a local heritage item.

The proposed application was notified between 22 May 2024 to 5 June 2024. No submissions were received during the notification period.

The critical assessment issue included signage which has been addressed to be acceptable.

Overall, the development is a high quality design that performs well against the relevant controls and will not result in unreasonable impacts on adjoining or nearby properties, or the natural environment. The proposal has therefore been recommended for approval.

REASON FOR DETERMINATION

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

RECOMMENDATION

THAT the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority grant Development Consent to DA2024/0539 for Alterations and additions to an existing building (business premises) and signage on land at Lot 1 DP 64558, 17 The Corso, MANLY, Lot B DP 373583, 15 A The Corso, MANLY, subject to the conditions printed below:

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

1. Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

Approved Plans				
-	Revision Number	Plan Title	Drawn By	Date of Plan
1.2	A	EXISTING / DEMOLITION PLAN	Greater Group	9/4/2024
1.3	A	CONSTRUCTION PLAN	Greater Group	9/4/2024
1.4	A	PROPOSED FLOOR PLAN	Greater Group	9/4/2024
1.5	A	SHOPFRONT ELEVATIONS	Greater Group	9/4/2024
1.6	A	DOOR SCHEDULE	Greater Group	9/4/2024

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
Fire Safety Schedule	-	Abate Fire Protection Services	23 January 2024
Statement of Heritage Impact	-	SLR Consulting	10 May 2024
Waste Management Plan	-	SLR Consulting	April 12 2024

In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. Limitation of Development Consent for Signage

Pursuant to the provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021 this development consent will expire 15 years after the date on which this Development Consent becomes effective and operates

Reason: Statutory requirement under State Environmental Planning Policy (Transport and Infrastructure) 2021.

3. Prescribed Conditions

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifier for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
 - (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative requirement.

4. General Requirements

- (a) Unless authorised by Council:
 - Building construction and delivery of material hours are restricted to:
 - 7.00 am to 5.00 pm inclusive Monday to Friday,
 - 8.00 am to 1.00 pm inclusive on Saturday,
 - No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

• 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) Construction certificate plans are to be in accordance with all finished levels identified on approved plans. Notes attached to plans indicating tolerances to levels are not approved.
- (c) Should any asbestos be uncovered on site, its demolition and removal must be carried out in accordance with WorkCover requirements and the relevant Australian Standards.
- (d) At all times after the submission of the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of an Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (e) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area

affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.

- (f) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (g) Prior to the release of the Construction Certificate, payment of the following is required:
 - Long Service Levy Payment should be made to Service NSW (online or in person) or alternatively to Northern Beaches Council in person at a Customer Service Centre. Payment is not required where the value of the works is less than \$250,000. The Long Service Levy is calculated on 0.25% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
 - ii) Section 7.11 or Section 7.12 Contributions Plan Payment must be made to Northern Beaches Council. Where the subject land to which the development is proposed is subject to either a Section 7.11 or 7.12 Contributions Plan, any contribution to which the development is liable under the respective plan that applies is to be paid to Council. The outstanding contribution will be indexed at time of payment in accordance with the relevant Contributions Plan.
 - iii) Housing and Productivity Contribution Payment must be made on the NSW
 Planning Portal for development to which this contribution applies. The amount payable is subject to indexation at the time of payment.
- (h) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (i) No skip bins, building materials, demolition or excavation waste of any nature, and no hoist, plant or machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (j) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (k) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.), on the land to be developed, or within adjoining properties, shall be removed or damaged during excavation or construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (I) Prior to the commencement of any development onsite for:
 - i) Building/s that are to be erected
 - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
 - iii) Building/s that are to be demolished
 - iv) For any work/s that is to be carried out
 - v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

- (m) A "Road Opening Permit" must be obtained from Council, and all appropriate charges paid, prior to commencement of any work on Council property. The owner/applicant shall be responsible for all public utilities and services in the area of the work, shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.
- (n) The works must comply with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice.
- (o) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.
 - (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:

- (i) Swimming Pools Act 1992
- (ii) Swimming Pools Amendment Act 2009
- (iii) Swimming Pools Regulation 2018
- (iv) Australian Standard AS1926 Swimming Pool Safety
- (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
- (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
- (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
- (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewered areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.
- (4) Swimming pools and spas must be registered with the Division of Local Government.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

FEES / CHARGES / CONTRIBUTIONS

5. Policy Controls

Northern Beaches Section 7.12 Contributions Plan 2022

A monetary contribution of \$8,760.00 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan (as amended).

The monetary contribution is based on a development cost of \$876,000.00.

The total amount payable will be adjusted at the time the payment is made, in accordance with the provisions of the Northern Beaches Section 7.12 Contributions Plan (as amended).

Details demonstrating compliance, by way of written receipts issued by Council, are to be submitted to the Certifier prior to issue of any Construction Certificate or, if relevant, the Subdivision Certificate (whichever occurs first).

A copy of the Contributions Plan is available for inspection at 725 Pittwater Road, Dee Why or on Council's website at Northern Beaches Council - Development Contributions.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

6. Security Bond

A bond (determined from cost of works) of \$2,000 and an inspection fee in accordance with Council's Fees and Charges paid as security are required to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection).

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, and details demonstrating payment are to be submitted to the Certifier prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.northernbeaches.nsw.gov.au).

Reason: To ensure adequate protection of Council's infrastructure.

BUILDING WORK – BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

7. Fascia signage

The proposed facia signage, referenced 1 COILFA STG, is not to be illuminated.

Details demonstrating compliance with this condition are to be submitted to the Council prior to the issue of the construction certificate.

Reason: To preserve the significance of the Heritage Conservation Area and The Corso.

8. Compliance with Standards

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards.

9. Sydney Water "Tap In"

The approved plans must be submitted to the Sydney Water Tap in service, prior to works commencing, to determine whether the development will affect any Sydney Water assets and/or easements. The appropriately stamped plans must then be submitted to the Certifier demonstrating the works are in compliance with Sydney Water requirements.

Please refer to the website www.sydneywater.com.au for:

- "Tap in" details see http://www.sydneywater.com.au/tapin
- Guidelines for Building Over/Adjacent to Sydney Water Assets.

Or telephone 13 000 TAP IN (1300 082 746).

Reason: To ensure compliance with the statutory requirements of Sydney Water.

DURING BUILDING WORK

10. **Removing, Handling and Disposing of Asbestos**

Any asbestos material arising from the demolition process shall be removed and disposed of in accordance with the following requirements:

- Work Health and Safety Act;
- Work Health and Safety Regulation;
- Code of Practice for the Safe Removal of Asbestos [NOHSC:2002 (1998)];
- Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998);
- Clause 42 of the Protection of the Environment Operations (Waste) Regulation 2005; and
- The demolition must be undertaken in accordance with Australian Standard AS2601 The Demolition of Structures.

Reason: For the protection of the environment and human health.

11. **Demolition Works - Asbestos**

Demolition works must be carried out in compliance with WorkCover Short Guide to Working with Asbestos Cement and Australian Standard AS 2601 2001 The Demolition of Structures.

The site must be provided with a sign containing the words DANGER ASBESTOS REMOVAL IN PROGRESS measuring not less than 400 mm x 300 mm and be erected in a prominent visible position on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site and disposed to a lawful waste disposal facility.

All asbestos laden waste, including flat, corrugated or profiled asbestos cement sheets must be disposed of at a lawful waste disposal facility. Upon completion of tipping operations the applicant must lodge to the Principal Certifier, all receipts issued by the receiving tip as evidence of proper disposal.

Adjoining property owners are to be given at least seven (7) days' notice in writing of the intention to disturb and remove asbestos from the development site.

Reason: To ensure the long term health of workers on site and occupants of the building is not put at risk unnecessarily.

12. Waste Management During Development

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

Details demonstrating compliance must be submitted to the Principal Certifier.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

BEFORE ISSUE OF THE OCCUPATION CERTIFICATE

13. Fire Safety Matters

At the completion of all works, a Fire Safety Certificate will need to be prepared which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and Fire and Rescue NSW.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of a part Occupation Certificate or Occupation Certificate. Each year the Owners must send to the Council and Fire and Rescue NSW, an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

Reason: Statutory requirement under Parts 10, 11 & 12 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

- 14. Hours of Operation for Illumination of signs and LCD Advertising Signage The hours of operation for the illumination of signage and LCD advertising are to be restricted to:
 - Monday to Sunday– 7am to 7pm

Material presented on the LCD screen to only relate to banking services offered by the occupant.

Upon expiration of the permitted hours, illumination of signage, including the approved LCD Advertising Sign at the subject premises shall cease.

Reason: To ensure that residential premises are not affected by inappropriate or excessive illumination, and the amenity of the surrounding locality is maintained.

15. Illumination Intensity and design

The level of illumination and/or lighting intensity used to illuminate the signage is to be minimised and the design is to be such to ensure that excessive light spill or nuisance is not caused to any nearby premises.

Reason: To ensure appropriate forms of signage that are consistent with Council's controls and

those that are desired for the locality, and do not interfere with amenity of nearby properties.

16. Commercial Waste Collection and Delivery Hours

Waste and recyclable material, generated by this premises and deliveries, must not be undertaken between the hours of 10pm and 6am on any day.

Reason: To protect the acoustic amenity of surrounding properties.