

# **14 South Steyne Manly**

## **Application for Signage**

Lot 501 DP 736679

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Statement of Environmental Effects

September 2021

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## Northern Beaches Local Government Area

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## **Appendix A**                      Heritage Impact Statement

### **Drawings**

DA60	Cover Sheet	NTS
DA61	Proposed Signage	1:100 @A3
DA62	Proposed Signage	1:100 @A3
DA63	Proposed Façade Signage	1:100 @A3
DA64	Proposed Façade Signage	1:100 @A3

## **1 INTRODUCTION**

### **1.1 Background**

This Statement of Environmental Effects has been prepared in support of a development application for signage on an existing commercial building at 14 South Steyne, Manly. The application is also supported by Architectural Drawings.

Northern Beaches Council is the Consent Authority for this application.

### **1.2 This application**

This report contains information of the proposed development and an assessment of the environmental effects as required by clause 2(1)(c) of Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*. The matters addressed in this Statement of Environmental Effects (SEE) and the accompanying plans include:

- Details of the site;
- A description of the proposed signage;
- A summary of the relevant planning instruments and legislative controls;
- An assessment of potential environmental impacts and actions proposed to ameliorate those impacts; and
- A conclusion.

### **1.3 Previous Development Application**

The current development consent (DA2021/0318) for alterations and additions to the current building and its use, was given by the Northern Beaches Council on the 26<sup>th</sup> July, 2021.

This development application proposed signage, which were supported on heritage grounds. However, condition 9 of the consent required the submission of a further development application for signage because of insufficient information on the final design. This application has therefore been brought forward to provide Council with information on the detailed design and location of the proposed signs.

### **1.4 Consultation with Council**

In preparing this application, and the related development application DA 2021/0318, Council's planning and heritage staff were consulted.

## 2 THE SITE AND PROPOSED DEVELOPMENT

### 2.1 The Site

The subject site is located at 14 South Steyne Manly 2095. The land is described as lot 501 in DP 736679 in the Northern Beaches Council Area.

The land is irregularly shaped with a total area of approximately 175.5m<sup>2</sup>. The property is a two-storey brick building, located on a corner block bounded on the north by Victoria Parade and on the east by South Steyne Street. Dungowan Lane is located on the western boundary as shown in Figure 1.

The building is heritage listed as a residential/commercial building of local significance.

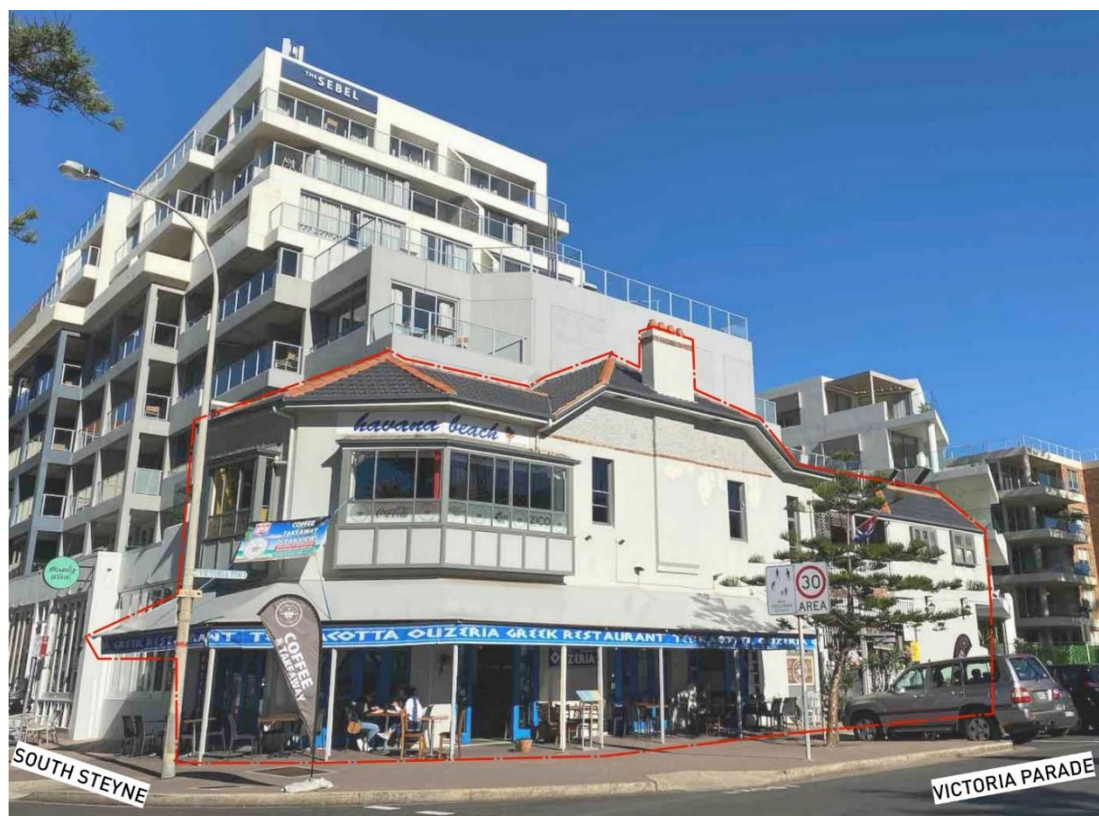
A cantilevered awning wraps around the facades to South Steyne and Victoria Parade and projects over the footpaths below. Vehicular access to the property is from Dungowan Lane for Council services, deliveries and staff access.



**Figure 1 Site Location of 14 South Steyne Manly**

### 2.2 Surrounding Development

As shown in Figures 2 and 3, South Steyne Manly is dominated by mixed commercial and residential uses. Apartment buildings are located to the east and west of the property and the immediate locality. Significant street parking is located landward of Manly Beach.



**Figure 2** Frontage of existing building on the corner of South Steyne and Victoria Parade.



**Figure 3** Frontage to Victoria Parade

Existing signage is evident in Figures 2 and 3. An existing approval to use the footway for outdoor eating purposes, pursuant to the Section 125 of the Roads Act 1993, is linked to the property.

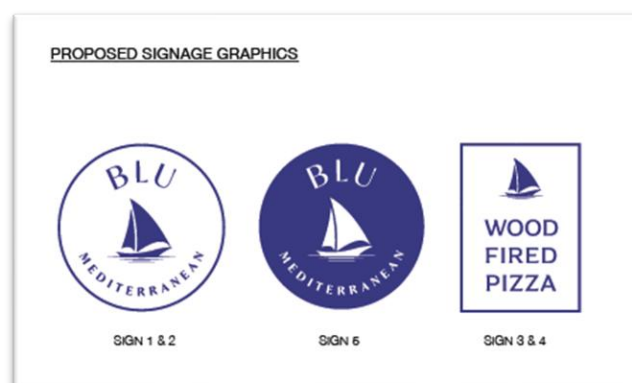
## 2.3 Proposed Signage

This section provides an outline of the proposed development which is more fully described in the accompanying architectural drawings.

The existing signage shown on Figures 2 & 3 will be replaced by signage shown on drawings DA61 to DA64. The signage includes hand painted signage on the external walls and a wall mounted sign. In summary, the proposed signs are:

- Sign 1.** Hand painted circular sign on the southwestern façade facing Dungowan Lane. The sign is 1.2m in diameter. This sign is not illuminated.
- Sign 2.** Hand painted circular sign on the northwestern façade facing Victoria Street. The sign is 1.2m in diameter. This sign is illuminated by a directional spotlight above.
- Sign 3.** Hand painted rectangular sign on the northern façade facing Victoria Street. The dimensions of the sign are 1.0m by 1.85m. This sign is illuminated by a directional spotlight above.
- Sign 4.** Hand painted rectangular sign on the corner façade to South Steyne and Victoria Streets. The dimensions of the sign are 0.85m by 2.0m. This sign is illuminated by a directional spotlight above.
- Sign 5** Double-sided wall mounted lightbox sign located on the eastern façade. The diameter of the sign is 0.5m.

The proposed signage graphic are shown in Figure 4.



**Figure 4**      **Signage Graphics**



It is further proposed that the illumination of the hand-painted signs will cease between the hours of 12.00 midnight and 6.00 am daily. The hand-painted wall signs will not be internally illuminated.

All external lighting will comply with AS4282-1997 Control of Obtrusive Effects of Outdoor Lighting.

### 3 RELEVANT STATUTORY APPROVALS AND THE PLANNING PROCESS

#### 3.1 Introduction

This section examines the local environmental plan and other relevant environmental planning instruments.

#### 3.2 State Environmental Planning Policies

##### 3.2.1 State Environmental Planning Policy No. 64 - Advertising and Signage-2001

The primary aims and objectives of *State Environmental Planning Policy No 64 (Advertising and Signage)* are that signage:

- (i) is compatible with the desired amenity and visual character of an area, and*
- (ii) provides effective communication in suitable locations, and*
- (iii) is of high quality design and finish, and*

The policy does not regulate the content of signage. Schedule 1 of the Policy contains criteria for the assessment of signage. The proposed signage in this development proposal is considered in the following section of the report.

#### 3.3 Manly Local Environmental Plan 2013

##### 3.3.1 Land Use Controls

The *Manly Local Environmental Plan 2013* (MLEP) sets the basic planning controls for the site. The property is zoned R3 – Medium Density Residential and the uses permissible or prohibited in these zones are indicated in the following table.

**Table Permissible of Uses**

Land Use Zone	R3 Medium Density Zone
1. Objectives	<ul style="list-style-type: none"> <li>• <i>To provide for the housing needs of the community within a medium density residential environment.</i></li> <li>• <i>To provide a variety of housing types within a medium density residential environment.</i></li> <li>• <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i></li> <li>• <i>To encourage the revitalisation of residential areas by rehabilitation and suitable redevelopment.</i></li> <li>• <i>To encourage the provision and retention of tourist accommodation that enhances the role of Manly as an international tourist destination.</i></li> </ul>

<b>2. Permitted without Consent</b>	<i>Home-based childcare; Home Occupations</i>
<b>3. Permitted with Consent</b>	<i>Attached dwellings; Boarding houses; Boat sheds; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Flood mitigation works; Group homes; Home businesses; Home industries; Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Service stations; Shop top housing; Signage; Take away food and drink premises; Tank-based aquaculture; Tourist and visitor accommodation; Water recycling facilities; Water supply systems</i>
<b>4. Prohibited</b>	<i>Advertising structures; Farm stay accommodation; Pond-based aquaculture Water treatment facilities.</i>

A restaurant<sup>1</sup> is permissible with consent and meets the zone objectives, particularly through meeting the service needs of residents and tourists.

### 3.3.2 Development Standards

Part 4 of MLEP provides development standards. There are no development standards for signage.

### 3.3.3 Other Controls

The property is mapped as Foreshore Scenic Protection and the current building is of local heritage significance as a residential/commercial building (I1225). Accordingly, the provisions of Clauses 6.9 and 5.10 of MLEP respectively apply. A Heritage Impact Assessment is contained in Appendix A.

## 3.4 Manly Development Control Plan 2013 (MDCP 2013)

The Manly Development Control Plan 2013 (MDCP 2103) contains policies and numerical controls for development. As the development proposal relates to signage and not alterations and additions to the building, the built form controls are essentially satisfied. However, as discussed in the next section of the Report the following matters have been identified as issues to be addressed:

<sup>1</sup> restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

- Signage
- Heritage
- Colours

### **3.5 Conclusion**

From an examination of the site, its existing use, and the local planning controls, the current and proposed alterations and additions and use are permissible with consent. How the proposal responds to State and local controls is examined in the following section of this report.

## **4 SECTION 4.15 CONSIDERATIONS**

The relevant matters for consideration listed in Section 4.15 of the EP & A Act 1979 are outlined below.

### **4.1 State Environmental Planning Policies**

Schedule 1 of State Environmental Planning Policy No 64-Advertising and Signage (SEPP 643) contains assessment criteria for signage. The requirements of the policy are discussed in section 4.5 of this report.

### **4.2 Local Environmental Planning Instrument**

As discussed in section 3 of this report the proposed development is permissible with consent under the provisions of the Manly *Local Environmental Plan 2013 (MLEP)*. The land is within the R3 Medium Density Residential Zone and the development is consistent with the zone objectives.

#### **4.2.1 Heritage**

In terms of heritage considerations, the property is listed under MLEP as a local heritage item. Clause 5.10 (2) (a) & (b) requires that local heritage items require development consent, and the development must be accompanied by a heritage assessment.

Accordingly, a heritage impact assessment for this purpose is contained in Appendix B. The assessment report examines the significance of the item, the nature and condition of the existing building and its use and concludes, for the reasons given in the report, that the proposed development is compatible with the heritage significance of the place.

#### **4.2.2 Scenic Protection**

The site is in the Foreshore Scenic Protection Zone under MLEP. The objective of clause 6.9 is to protect visual aesthetic amenity and views to the Pacific Ocean and the foreshore of Manly. From the architectural drawings of the proposed signage, and the heritage assessment, it is apparent that the proposal will not be detrimental to the visual amenity of the foreshore. This conclusion is reinforced through the proposed placement and use of crafted, hand-painted wall signs.

In summary, the response to the requirements of Clause 6.9 of the Manly LEP are:

Requirement	Response
(a) <i>impacts that are of detriment to the visual amenity of harbour or coastal foreshore, including overshadowing of the foreshore and any loss of views from a public place to the foreshore,</i>	The location and size of the proposed signs will not create impacts that will be detrimental to the visual amenity of the foreshore.
(b) <i>measures to protect and improve scenic qualities of the coastline,</i>	The redeveloped building will be improved by the proposed signage and so will make a positive contribution to the scenic qualities of the coastline.
(c) <i>suitability of development given its type, location and design and its relationship with and impact on the foreshore,</i>	The continued use of the site as a restaurant is desirable given its proximity to the foreshore. The proposed signage has been carefully designed to identify and character of the restaurant.
(d) <i>measures to reduce the potential for conflict between land-based and water-based coastal activities.</i>	The existing restaurants are long standing feature of the locality. No potential conflict between land-based and water based coastal activities are envisaged.

### 4.3 Local Development Control Plan

The Manly Development Control Plan 2013 (MDCP) provides policies and controls for development in the Manly area of the Northern Beaches local government area. The relevant elements of MDCP are addressed in the following sections.

#### 4.3.1 Streetscapes and Townscapes

The overall objectives are to minimise negative impacts of walls, fencing and parking on the streetscape and to complement the identified streetscape.

As illustrated in the accompanying architectural drawings, attention has been given to minimising potential impacts of the proposed alterations and additions through such measures such as maintaining the heritage features of the building (through new windows, doors and colour scheme) and by introducing new acoustically treated fencing and screens. These measures all complement aspects dominant in the locality and the prevailing character of the surrounding townscape.

The proposed design achieves Council design principles for commercial development in residential areas in terms of the treatment of the roof, windows, fences, screens enclosing the plant and equipment, accessways, and waste management areas etc.

### 4.3.2 Heritage Considerations

The subject building is a heritage item listed under the MLEP – 1225 as a Residential/Commercial Building. The heritage requirements of the proposed alterations and additions, including signage, was independently assessed in accordance with the requirements of Clause 3.2 of the MDCP as part of the recently approved DA2021/0318. A copy of this assessment against the relevant heritage controls is contained in Appendix A.

The conclusion of the assessment, with respect of the proposed signage, is that the proposed development is compatible with the heritage significance of the place as the original detailing will be enhanced.

### 4.4 Signage

SEPP 64 requires that consent to signage must satisfy the following aims and objectives of the Policy:

- (i) is compatible with the desired amenity and visual character of an area, and
- (ii) provides effective communication in suitable locations, and
- (iii) is of high quality design and finish, and

Based on the information provided in the architectural drawings and this report, it is evident that:

- the proposed signage is compatible with the desired amenity and character of this area,
- the locations of the signs on the building are suitable for the intended purpose,
- the signs will effectively communicate identity and the nature of the business and services offered, and
- The proposed signs are innovative and will be of a high quality and finish as evident from the architectural drawings submitted with the application.

The proposed signage, illustrated in Drawings DA61 to DA64 respond to the criteria listed in Schedule 1 of SEPP 64 in the following table.

Criteria	Assessment
<b>1 Character of the area</b> <ul style="list-style-type: none"> <li>• <i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i></li> <li>• <i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i></li> </ul>	<p>Yes</p> <p>Not applicable</p>

<p><b>2 Special areas</b></p> <ul style="list-style-type: none"> <li>• 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?</li> </ul>	<p>No. The proposed signs will contribute to the visual quality of the locality</p>
<p><b>3 Views and vistas</b></p> <ul style="list-style-type: none"> <li>• Does the proposal obscure or compromise important views?</li> <li>• Does the proposal dominate the skyline and reduce the quality of vistas?</li> <li>• Does the proposal respect the viewing rights of other advertisers?</li> </ul>	<p>No No Yes</p>
<p><b>4 Streetscape, setting or landscape</b></p> <ul style="list-style-type: none"> <li>• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</li> <li>• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</li> <li>• Does the proposal reduce clutter by rationalising and simplifying existing advertising?</li> <li>• Does the proposal screen unsightliness?</li> <li>• Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</li> <li>• Does the proposal require ongoing vegetation management?</li> </ul>	<p>Yes Yes Yes No No No</p>
<p><b>5 Site and building</b></p> <ul style="list-style-type: none"> <li>• 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?</li> <li>• Does the proposal respect important features of the site or building, or both?</li> <li>• Does the proposal show innovation and imagination in its relationship to the site or building, or both?</li> </ul>	<p>Yes – See Drawing DA61-DA64  Yes – consistent with Heritage values. Yes</p>
<p><b>6 Associated devices and logos with advertisements and advertising structures</b></p> <ul style="list-style-type: none"> <li>• 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?</li> </ul>	<p>Yes – See details and description provided in Drawings DA61-DA64.</p>
<p><b>7 Illumination</b></p> <ul style="list-style-type: none"> <li>• Would illumination result in unacceptable glare?</li> <li>• Would illumination affect safety for pedestrians, vehicles or aircraft?</li> <li>• Would illumination detract from the amenity of any residence or other form of accommodation?</li> <li>• Can the intensity of the illumination be adjusted, if necessary?</li> <li>• Is the illumination subject to a curfew?</li> </ul>	<p>No The proposed Illumination is focused on the signage and designed to avoid light spill. No  No – glare is controlled by the design and placement of the proposed lighting.</p>



	Yes – hours of operation of the light are proposed
<b>8 Safety</b> <ul style="list-style-type: none"> <li>• <i>Would the proposal reduce the safety for any public road?</i></li> <li>• <i>Would the proposal reduce the safety for pedestrians or bicyclists?</i></li> <li>• <i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i></li> </ul>	No No No

The proposed signage respects the public domain, is not excessive, is appropriately located on the building façade, and will assist in identifying the building and the services provided.

The proposed signage is also in keeping with the heritage values of the heritage item.

Illumination of the signage will not detract from the character of the streetscape or raise amenity issues for residents.

#### 4.5 Matters Prescribed by the Regulations

Clause 92 of the *Environmental Planning and Assessment Regulations 2000* does not prescribe any additional matters.

#### 4.6 Likely Impacts

In terms of the likely impacts of the proposed development it assessed that there will not be any additional impacts. This is for two reasons. Firstly, the existing building had illuminated lighting which did not have negative impacts. Secondly, as indicated in the attached architectural drawings, the environmental impacts such as light spill and glare have been significantly mitigated by the design, placement and hours of illumination proposed.

#### 4.7 Suitability of the Site for the development

The site is in a tourist precinct opposite Manly Beach and close to Manly Surf Life Saving Club. The site is highly visible and will continue to attract clientele from tourists and local residents. Accordingly, the site is highly suitable for its approved use, and signage is an integral part of the overall development and use of the premises.

#### 4.8 Public Interest

The proposed development is in the public interest for the following reasons:

- The proposed development accords with the relevant planning controls and objectives for the site.

- The proposed design satisfies the heritage conservation requirements for a heritage listed property; and
- The proposed development will improve the amenity and contribute to the revitalisation of an important tourist precinct.

## 5 CONCLUSION.

The following is apparent from the previous discussion in this report:

1. The current use of the property at 14 South Steyne is permissible with consent under the local environmental planning instrument.
2. The proposed development in the form of replacement signage following approved alterations and additions to an existing building used for commercial purposes (restaurant) is permissible with consent under the provisions of *State Environmental Planning Policy 64 (Advertising and Signage)*; and
3. The proposed development adequately addresses statutory foreshore scenic protection, heritage conservation, amenity and sustainability matters required to be addressed by the *Manly Development Control Plan 2013*.

The SEE is accompanied by appropriate architectural plans and consultant report. Based on the assessment of the development in this SEE the development responds positively to the existing planning controls and is consistent with the heritage values of the building, enhances to the streetscapes, and the proposed mitigation measures will maintain the amenity for residents and visitors. The proposed development is in the public interest.

It is recommended that Council give development consent to the application as submitted.