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# **STATEMENT OF ENVIRONMENTAL EFFECTS**

To accompany a Development Application

For the change of use to a restaurant with associated signage  
and minor internal works

**at No. 8/38-42 The Corso, Manly**

Issue A - January 2020

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## **1.0 INTRODUCTION**

This statement has been prepared to accompany a Development Application for the change of use to a restaurant with associated signage and minor internal works at No. 8/38-42 The Corso, Manly.

The purpose of this report is to describe the proposed change of use and review the relevant planning controls relating to the proposal. It provides an assessment of the proposed use in light of the provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979.

This report aims to demonstrate that the proposal is appropriate within its context and within the framework of the relevant planning policies.

This statement addresses issues arising from the change of use in light of the following city planning controls:

- Manly Local Environmental Plan 2013
- Manly Development Control Plan 2013
- Provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979

The assessment relies upon the following information:

- The subject land is zoned B2 Local Centre under the Manly Local Environmental Plan 2013 Land Zoning map
- The immediate context of the site and surrounding locality

## **2.0 SITE & CONTEXT ANALYSIS**

### **2.1 SUBJECT SITE DESCRIPTION**

The subject site is located at No. 8/38-42 The Corso, Manly and is legally identified as Lot 8 within SP 18046. The area of the subject site is approximately 100m<sup>2</sup>.

The subject unit is located on the southern side of The Corso, with primary frontage to Darley Road and Manly Beach located further east. Figure 01 illustrates the context of the site within the locality.

The unit is part of a larger rectangular allotment with frontage to The Corso and Darley Road. The unit has an effective width of 7.7 metres on Darley Road. The unit is oriented approximately east to west and is predominantly level.

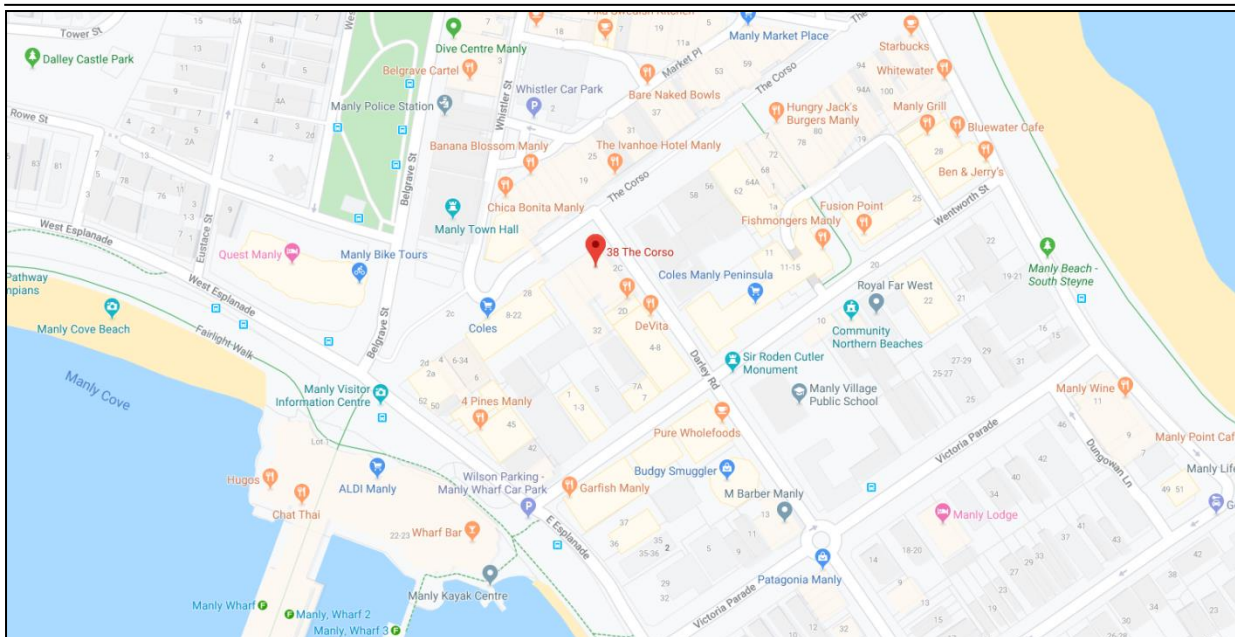


Figure 01: Map of site location (Google Maps, accessed 2020)

## 2.2 PRESENT & PREVIOUS USES

The use for the site is currently commercial. Under DA 142/2008, approval was granted for the fit-out of a new chicken shop known as Firebird to which no changes in use have been made since. At present, an unauthorised restaurant known as Fishbowl is operating, for which this application seeks approval.



Figure 02: Subject Site at No. 8/38-42 The Corso (Google Maps, accessed 2020)

## 2.3 DEVELOPMENT HISTORY

DA Number: DA142/2008  
Description: Shop fit-out, new shop façade including new colour scheme and signage and revised hours of operation  
Determination: 26 June 2008

DA Number: DA142/2008 – Section 96(1A) Modification  
Description: Shop fit-out, new shop façade including new colour scheme and signage and revised hours of operation – Section 96(1A) Modification  
Determination: 16 February 2009

## 2.4 NEIGHBOURING USES

### 2 Darley Road

Neighbouring the subject site to the south-east is a three storey mixed use building constructed primarily of brick finish with flat roofing. A commercial premise comprising a Thai restaurant is located on the ground and mezzanine levels, with a residential unit located above. Pedestrian access is via Darley Road.



Figure 03: Neighbouring property at No. 2 Darley Road (Google Maps, accessed 2020)

### 7/2C Darley Road

Neighbouring the subject site to the north-west is a four storey mixed use building constructed of brick finish with flat roofing. A public relations agency is located on the ground floor with residential units located on the floors above. Pedestrian access is via Darley Road.



Figure 04: Neighbouring property at No. 7/2C Darley Road (Google Maps, accessed 2020)

## 2.5 SURROUNDING AREA

### Locality

The subject site is located within a B2 Local Centre zone under the Manly Local Environmental Plan 2013. The site is located in Manly, a beach-side suburb in Northern Sydney 17km north-east of the Sydney central business district. The site is

located at the western periphery of Manly surrounded by predominantly residential and neighbourhood centre areas.

The locality of Manly is characterised by a variety of land uses. The locality is bounded by Fairlight, Manly Vale and Queenscliff.

#### Street pattern

The local centre in which the subject site is located is defined by a distinct grid pattern of streets with long narrow linear blocks with no predominant pattern.

The Corso is a pedestrian pathway which connects directly to North Steyne and South Steyne to the north, and Belgrave Street to the south.

### **3.0 THE DEVELOPMENT PROPOSAL**

#### **3.1 OVERVIEW**

This Development Application proposes a change of use from a take-away food and drink premises to a restaurant premises extending from the ground floor to the mezzanine level. It has been noted that under DA142/2008 – Section 96(1A) Modification, the use of the mezzanine level for the purpose of dining was approved. Signage and minor internal works associated with the change of use have also been proposed.

#### **3.2 DESCRIPTION OF WORKS**

This application proposes works as depicted on the architectural drawings prepared by Archispectrum:

- Reinstatement of mezzanine level as dining area (FFL +12.62)
- Installation of 1 x illuminated projecting wall sign (650mm x 650mm)
- Installation of new handrail on staircase
- Installation of emergency light above staircase
- Increase in patron seating capacity to 20

### **4.0 EVALUATION PURSUANT TO PLANNING INSTRUMENTS**

The application has taken into consideration relevant provisions of the Manly Local Environmental Plan 2013 and the Manly Development Control Plan 2013.

## 4.1 MANLY LOCAL ENVIRONMENTAL PLAN 2013

### Part 2 Permitted or prohibited development

#### Clause 2.1 Land use zones

##### Zone B2 Local Centre

###### 1 Objectives of zone

- 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.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- 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.

###### 2 Permitted without consent

Home-based child care; Home occupations

###### 3 Permitted with consent

Amusement centres; Boarding houses; Boat sheds; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental protection works; Flood mitigation works; Function centres; Group homes; Health consulting rooms; Home businesses; Home industries; Hostels; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Shop top housing; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Water recycling facilities; Water supply systems

###### 4 Prohibited

Pond-based aquaculture Water treatment facilities; Any other development not specified in item 2 or 3

#### Comment

According to the Manly Local Environmental Plan 2013, a commercial premise is defined as any of the following:

- Business premises
- Office premises
- Retail premises

The proposed change of use to a restaurant is classified as a retail premises, and along with the proposed signage, is permitted with consent.

### Part 5 Miscellaneous provisions

#### Clause 5.10 Heritage conservation

(1) **Objectives** The objectives of this clause are as follows—

- (a) to conserve the environmental heritage of Manly,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) **Requirement for consent** Development consent is required for any of the following—

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—
  - (i) a heritage item,
  - (ii) an Aboriginal object,
  - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land—
  - (i) on which a heritage item is located or that is within a heritage conservation area, or
  - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land—
  - (i) on which a heritage item is located or that is within a heritage conservation area, or
  - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

### Comment

According to Schedule 5 of the Manly Local Environmental Plan 2013, the subject site has the following heritage status:

- Group of commercial buildings (I106)
- Town Centre Conservation Area (C2)

A Heritage Impact Statement has been prepared by Archispectrum and submitted alongside this application.

## **4.2 MANLY DEVELOPMENT CONTROL PLAN 2013**

### **Part 3 General principles of development**

#### **Clause 3.1 Streetscapes and townscapes**

##### **Sub-clause 3.1.3 Townscape (Local and neighbourhood centres)**

###### **Local role of the site**

a) The local role of the site and existing buildings should be determined, viewed from the following perspectives:

- (i) from a distance and along routes and from viewpoints leading towards the locality
- (ii) in relation to the adjacent spaces it borders and the need to define those spaces
- (iii) in relation to the adjacent buildings and the need to be complementary to those buildings in terms of height, scale and design detailing

###### **Townscape Principles Map**

b) All development involving the erection of a new building or external alterations to an existing building must be consistent with the townscape and streetscape and the principles and opportunities further illustrated in the Townscape Principles Maps at Schedule 2 of this plan. Having regard to the features located in the Townscape Principles Maps the following guidelines apply:

- i) Important corner sites shall be maintained, including strongly defined corner buildings. Ensure corner development has strong height and facade elements with building along the street frontage being set by these corner heights. Construct to boundary. Maintain and re-use existing development if it achieves objectives for these corner sites.
- ii) Important pedestrian links shall be maintained including existing public arcade links and encourage new through-block arcades which in turn should limit the size of parcels and the bulk of large buildings.
- iii) Important end of vista sites shall be acknowledged. Appearance of the street elevation requires special attention at the end of these vistas.

###### **Design Details**

c) Design details of proposed developments must complement adjacent building in the locality with particular reference to:

- (i) the scale, proportion and line of visible facades;
- (ii) the pattern of openings and the visual pattern of solids to voids on facades;
- (iii) both the overall wall and parapet height and the height of individual floors in relation to adjoining development and important corner buildings and the height of awnings; and



- (iv) materials, textures and colours;*
- (v) architectural style and the degree of architectural detail; and*
- (vi) the scale of the building footprint.*
- d) Proposed development must be designed to:*
  - i) maintain the optimum amount of sunlight into adjacent open space areas, including public open space; and*
  - ii) minimise other environmental factors such as adverse wind effects, reflectivity and maximise the permeability of surfaces*
- e) Exposed end or side walls must be treated in a consistent manner in terms of colour and materials, avoiding unattractive patterns of different structural and infill elements.*
- f) The ground floor level of premises and arcade links must be at footpath level generally in accordance with Figure 6 of this plan. Where changes in level are unavoidable, they will be made by ramps complying with accessibility requirements.*
- g) Lettable retail space is to comprise the optimum amount of ground floor frontages. Lettable spaces having a range of floor areas and characteristics to suit differing activities are preferred.*
- h) Street numbers and/or names of buildings must be clearly marked in the vicinity of the main entrance in accordance with section 124 Item 8 of the Local Government Act 1993.*
- i) Roof structures are to be designed as an integral part of the overall design of a building, and the surrounding townscape.*

### Comment

The only external works proposed with this application are for the installation and illumination of a projecting wall sign. Similar illuminated signage can be found at the following addresses:

- 2A The Corso
- 8-28 The Corso
- 5-7/8-28 The Corso
- 1-4/8-28 The Corso
- 30 The Corso
- 32 The Corso
- 38 The Corso
- 1/41 The Corso
- 2 Darley Road
- 7/2C Darley Road
- 1B/4-8 Darley Road
- 3/4-8 Darley Road
- 4-8 Darley Road

### **Clause 3.2 Heritage considerations**

*This section applies to:*

- *Heritage Items and Conservation Areas listed in the LEP;*
- *development in the vicinity of heritage; and*
- *other development which may have potential heritage significance. If the property has merit as a potential heritage item the heritage controls and considerations of this plan will apply.*

*Relevant DCP objectives in relation to heritage in this plan include the following:*

*Objective 1) To retain and conserve environmental heritage and cultural significance of Manly including:*

- *significant fabric, setting, relics and view associated with heritage items and*
  - *conservation areas; the foreshore, including its setting and associated views; and*
  - *potential archaeological sites, places of Aboriginal significance and places of natural significance.*
- Objective 2) To ensure any modification to heritage items, potential heritage items or buildings within conservation areas is of an appropriate design that does not adversely impact on the significance of the item or the locality.*

*Objective 3) To ensure that development in the vicinity of heritage items, potential heritage item and/or conservation areas, is of an appropriate form and design so as not to detract from the significance of those items.*

*Objective 4) To provide infrastructure that is visually compatible with surrounding character and locality/visual context with particular regard to heritage buildings/areas and cultural icons.*

Objective 5) To integrate heritage management and conservation into the planning development process including incentives for good heritage management, adaptive reuse, sustainability and innovative approaches to heritage conservation.

### Comment

The subject site is identified as part of Heritage Item 1106 and Heritage Conservation Area C2. A Heritage Impact Statement has been prepared by Archispectrum and submitted alongside this application.

## **Part 4 Development controls and development types**

### **Clause 4.2 Development in business centres (B1 neighbourhood centres and B2 local centres)**

#### **Sub-clause 4.2.4.3 Loading bays**

- a) Loading bays must be provided in sufficient number to meet anticipated demand. This demand is related to the total amount of floor space, the intensity of use and the nature of the activity.
- b) The minimum dimensions for a loading bay are 7.6m length, 3m width and 3.4m height.
- c) Access is to be provided to and from the loading bay areas in such a manner that there is sufficient room for trucks to manoeuvre. Greater head-height may be required, in consultation with NSW Roads Services (previously RTA) Guidelines, should this seem warranted by the nature of the development. Council will also have regard to the NSW Roads Services guidelines when assessing the required number and dimensions of loading bay facilities.
- d) Off street loading facilities are to be provided to service the entire development in the LEP Business Zones considering the uses proposed on the site and to overall townscape considerations and in other LEP zones where the use requires regular servicing by commercial vehicles.
- e) Where a residential building may require regular servicing by commercial vehicles, off street loading facilities must be provided with least 1 complying loading bay.

### Comment

An existing loading zone servicing the subject site is located along Darley Road between the hours of 6am - 6pm.

### **Clause 4.2.5 Manly town centre and surrounds**

#### **Sub-clause 4.2.5.4 Car parking and access**

<b>Land use</b>	<b>Minimum car parking spaces</b>
Restaurant	1 space per 40m <sup>2</sup> serviced area

#### **Exceptions to parking rates/ requirements in Manly Town Centre**

- a) In exceptional circumstances and having regard to the merits of the application, Council may be prepared to allow a reduction in the any parking rate/ requirements in Manly Town Centre (including residential and commercial) where the applicant has demonstrated that:
  - i) in the case of all uses other than dwellings, the dimensions or topography of the site would physically prevent the provision of some or all of the required spaces;
  - ii) the required access interferes with the continuity of retail frontage or interrupts the frontage of the property in other ways such that there would be a conflict with any other provisions of this DCP in particular the townscape objectives; or
  - iii) the movement of vehicles to and from the site would cause unacceptable conflict with pedestrian movements, special servicing arrangements for pedestrianized areas or contribute to congestion at key intersections

### Comment

As the tenancy accommodates for approximately 54m<sup>2</sup> of serviced area on the ground and mezzanine levels, 1 car parking space is required. However, given that the subject tenancy is part of a larger building hosting attached commercial

premises along the ground floor, the required access for the provision of parking would interfere with the continuity of retail frontages along Darley Street.

The open space to the rear of the tenancy is currently used as a communal staff area shared between various tenancies in the vicinity for waste storage and employee bathrooms. As a result, this space is considered detrimental to pedestrian safety and inappropriate for customer parking due to the use of the area, and its only point of access within the subject tenancy being from the kitchen.

#### **Clause 4.4 Other development (all LEP zones)**

##### **Sub-clause 4.4.2 Alterations and additions**

*Manly Council promotes the retention and adaptation of existing buildings rather than their demolition and replacement with new structures.*

*Extent to which this Plan Applies to Alterations and Additions*

*a) This paragraph defines alterations and additions in respect of how much of the building is to be demolished. If alterations and additions involve demolition of more than half of the building then the development will be assessed as new work and the controls of this plan will apply to the whole building i.e. to both existing and new development.*

*b) In paragraph a) above, the extent of demolition is calculated as a proportion of the existing external fabric being demolished including the surface area of the walls, the roof measured in plan form and the area of the lowest habitable floor.*

#### Comment

This application proposes retention of a large majority of the existing tenancy, with minor internal works comprising the installation of an emergency light and new handrail along the existing staircase.

##### **Sub-clause 4.4.3 Signage**

*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.*

*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.*

*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.*

*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.*

*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.*

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

*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.*

##### **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.

### **Excessive signage**

b) Excessive signage usually has an opposite effect to its original intention. The cluttering causes visual pollution and confusion to the observer. Having fewer, but clearer advertising assists not only the advertiser, but also the appearance of the building and the overall streetscape. Excessive signage tends to have a "domino effect", by competing with neighbouring premises in order to gain the advantage in exposure.

### **Advertising Content**

c) Advertising content must relate to the building or goods sold on the premises to which it is attached. Any third party advertising of goods sold on the premises must not dominate the advertising of the building or premises. Where the maximum number of signs is achieved in locations in accordance with a) above, further signs, particularly above the awning are not permitted. d) Design Integration

i) The design of signs is to be integral to the architectural style and finishes of the building to which they are attached, rather than a "tack on" appearance. In this regard, above awning signs level of a projecting nature are restricted.

ii) Applicants designing new buildings or alterations and multi-tenant buildings refurbishment of existing buildings are strongly encouraged to take into account advertising requirements at an early stage, as an integral part of the building. In this regard a Sign Concept Plan is required for the co-ordinated identification and advertising for the development with the DA.

### **Streetscape**

e) Signs must not have an adverse impact on the streetscape in terms of unobtrusive design, colour, height, size and scale in proportion to building and other urban elements. Not only should a sign be simple, clear and efficient (with a reasonable degree of visibility), but a well-designed sign inspires and promotes confidence in the business or product advertised without impacting on the streetscape.

### **Maintenance**

f) i) Building facades should not be visually spoiled by electrical conduits to illuminated signs or spot lights, and should therefore be taken directly into the building or otherwise concealed by chasing into external walls.

ii) Signs should be located at a height which avoids impact from footpath maintenance vehicles and discourages vandalism.

### **Safety**

g) i) Council will give due attention to all applications with respect to possible distraction of motorists due to illumination, position, colours, design and proximity to traffic lights. Signs facing roads with high traffic volumes, traffic lights or major intersections may be referred to other relevant authorities such as the NSW Roads Agency for comment.

ii) Signs must be maintained in good and substantial repair and in a clean and tidy condition at all times. Council will not favour signs which are prone to deterioration in appearance and condition, and may order removal of objectionable or unsightly advertisements.

### **Illumination**

h) i) In considering the illumination of signage care is to be given to avoid nuisance from glare and spillage of light which may impact on both residents, particularly in the Residential LEP Zones (including E3 & E4) as well as to passing traffic. Depending on the location, and its relationship to residential premises, Council may require that illumination be controlled by automatic time clocks extinguishing illumination between 10pm and 6am, or as appropriate in the circumstances.

ii) A floodlit sign which projects over a public road must not be illuminated by a lighting medium which is less than 2.6m above the ground. Lighting must not cause distraction or nuisance to neighbouring properties or traffic.

### Comment

This application proposes a projecting wall sign which is to be illuminated during operating hours. The addition of the projecting wall sign, together with the existing fascia sign will result in 2 identification signs assigned to the shopfront. Considering there are several illuminated signs along The Corso and Darley Road, the proposed illumination is deemed appropriate within the streetscape and is not considered to adversely impact the amenity of the vicinity.

### **Sub-clause 4.4.3.2 Signage on heritage listed items and in conservation areas**

a) Advertising signs should be designed and located in a manner which preserves and enhances Heritage listed items and Conservation Areas

#### **Sign locations**

b) Signs should be discreet and should complement the building and surrounding uses. The architectural features of the building or listed item should always dominate. Advertising should preferably be placed in locations on the building or item which would traditionally have been used as advertising areas. Opportunities for advertising, therefore, may be somewhat limited. Generally sign panels can be determined by dividing a building into a grid and identifying locations on: i) a solid parapet above a cornice; ii) the horizontal panel below a cornice; iii) verandas or awning fascia; iv) ground floor windows; v) notice boards or plaques on ground floor piers; vi) small signs on individual architectural elements such as rendered blocks; vii) under awning signs; viii) small not illuminated free standing pole signs; and ix) side walls (carefully considered).

#### **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;
- ii) As the external colours applied in different historical periods varied, and were more muted in range than today, it is wise to research appropriate colour ranges for buildings in heritage areas. Generally however, the following dark or muted colours are suggested: Maroon, dark green, terracotta, brown, charcoal, etc. highlighted with creams, ochres, pinks and earth tones;
- iii) Heritage lettering styles may involve shaded letters, the mixing of sizes and styles of letters, and ornamental scrolls relevant to the period of the building;
- iv) Signs are preferably illuminated by floodlighting, with the source of the illumination being suitably concealed;
- v) Modern standardised "trademarks" advertising will not usually be appropriate. This however, could be compromised by placing the modern sign in a panel with a perimeter margin and surrounding wall surface, printed in sympathetic heritage colours.

#### Comment

A Heritage Impact Statement addressing the suitability of the illuminated signage has been prepared by Archispectrum and submitted alongside this application.

### **Sub-clause 4.4.3.3 Controls for particular development types**

#### **Projecting wall signs (vertical)**

Where the height of a projecting wall sign is not less than its width, the projecting wall sign:

i) may project from the wall to which it is attached in accordance with the following scale:

<u>Lowest part of sign above ground level:</u>	<u>Maximum allowable projection:</u>
• 2.6m and not more than 3.7m	0.8m
• Exceeding 3.7m and not more than 4.6m	0.9m
• Exceeding 4.6m and not more than 5.5m	1.2m
• Exceeding 5.5m	1.5m

ii) must not project above the top of the wall to which it is attached;

iii) must be at least 2.6m above the ground;

iv) unless the council otherwise approves, must not extend or project beyond a point 0.6m within the vertical projection of any kerb alignment;

v) must have a front face which is parallel to the building alignment and which does not exceed in width one third of the maximum allowable projection of the sign as determined in accordance with paragraph i) above where:

- advertisements appear on three faces of the sign; and
- the front face is not movable.

vi) where the sign rotates on its vertical axis, must have rotating surfaces each of which does not exceed in width the maximum allowable projection of the sign as determined in accordance with paragraph (a);

vii) must not have an advertising area in square metres, greater than 3 times the distance measured in metres between the lowest part of the sign and the ground; and  
viii) where the advertising area in the sign occupies more than three faces of the sign, will have faces of equal dimensions.

### Comment

The lowest part of the projecting wall sign is located 2.62 metres above ground level, and has a projection of 650mm. The sign does not project above the top of the wall to which it is attached and its front face is situated parallel to the building alignment.

## **Part 5 Special character areas and sites**

### **Clause 5.1 Manly town centre heritage conservation area and The Corso**

#### **Sub-clause 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)

### Comment

A Heritage Impact Statement addressing Heritage Item 106 has been prepared by Archispectrum and submitted alongside this application.

#### **Sub-clause 5.1.2.2 Internal changes are important**

a) 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.

b) Where internal alterations are proposed:

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;

ii) floor levels are to be maintained adjacent to first floor windows and other openings; and

iii) architectural organisation of interiors must relate to the building facade.

### Comment

There are no changes proposed to the existing floor levels within the subject tenancy, however an extension of use is proposed to the mezzanine level. It is noted that under DA142/2008 – Section 96(1A) Modification, the use of the

mezzanine level for dining was approved, which this application proposes to reinstate.

The mezzanine is consistent with the existing window openings facing Darley Street. The internal works proposed are considered minor in the form of a handrail and emergency light, and are not considered to adversely impact the heritage significance of the subject site.

### Schedule 6 The Corso: Site specific controls

#### 38-42 The Corso

To The Corso frontage:

- existing open balconies should not be enclosed.
- retain stucco and fenestration detailing to the balconies.










To the Darley Rd frontage:




- strip-back painted brickwork at No. 2 Darley Road.
- retain existing doorway treatment to ground floor.

#### Comment

The proposed change of use with associated internal works all respect the original detailing of the building, and do not propose any changes to the external envelope. The illuminated signage is considered appropriate to the streetscape, where it has been designed with similarity to neighbouring tenancies along The Corso and Darley Road.

## 5.0 COMPLIANCE TABLE

Planning Instrument	Clause	Complies
Manly Local Environmental Plan 2013	<b>Clause 2.1</b> Land use zones	
Manly Local Environmental Plan 2013	<b>Clause 5.10</b> Heritage conservation	
Manly Development Control Plan 2013	<b>Sub-clause 3.1.3</b> Townscape (Local and neighbourhood centres)	
Manly Development Control Plan 2013	<b>Clause 3.2</b> Heritage considerations	
Manly Development Control Plan 2013	<b>Sub-clause 4.2.4.3</b> Loading bays	
Manly Development Control Plan 2013	<b>Sub-clause 4.2.5.4</b> Car parking and access	Justification provided
Manly Development Control Plan 2013	<b>Sub-clause 4.4.2</b> Alterations and additions	
Manly Development Control Plan 2013	<b>Sub-clause 4.4.3</b> Signage	
Manly Development Control Plan 2013	<b>Sub-clause 4.4.3.2</b> Signage on heritage listed items and in conservation areas	
Manly Development Control Plan 2013	<b>Sub-clause 4.4.3.3</b> Controls for particular development types	

Manly Development Control Plan 2013	<b>Sub-clause 5.1.2</b> The Corso	
Manly Development Control Plan 2013	<b>Sub-clause 5.1.2.2</b> Internal changes are important	
Manly Development Control Plan 2013	<b>Schedule 6</b> The Corso: Site specific controls	

## 6.0 CONCLUSION

The proposed change of use to a restaurant with associated signage and minor internal works at No. 8/38-42 The Corso, Manly is consistent with the objectives and relevant provisions of Northern Beaches Council planning instruments.

From this statement it is concluded that the proposal is compatible with the existing and desired future character of the area and will positively impact the streetscape whilst not adversely impacting the amenity of any residences in the locality.

In this regard the council is requested to review the application favourably and grant the development consent.