

Statement of Environmental Effects

176 – 180 Condamine Street, Balgowlah

Under instruction from
Harvey Norman (Wadins Pty Limited ACN 064 715 288)

For the purpose of
Alterations and Additions to Harvey Norman Store

Prepared by
Knight Frank Town Planning Sydney

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Knight Frank Town Planning ref: 18-082

Qualifications

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This report is current at the date of the development application only.

This report is to be read in its entirety and in association with other documentation submitted as part of the Development Application.

Job Name	HN - Balgowlah		
Job Number	18-082		
Client	Harvey Norman		
Quality Management			
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Contents

1.	Executive Summary	2
2.	Introduction	3
	2.1 Proposal	3
	2.2 Background	3
	2.3 Proponent and Project Team	3
3.	Subject Site	4
	3.1 Site Location and Description	4
	3.2 Site Context	4
	3.3 Existing Site Photos	6
	3.4 Existing Site Plan	6
4.	Proposed Development	8
	4.1 Proposal	8
5.	Environmental Assessment	10
	5.1 Assessment of Planning Controls	10
	5.2.1 State Environmental Planning Policies	10
	5.2.1.2 State Environmental Planning Policy (Infrastructure) 2007	10
	5.2.1.3 State Environmental Planning Policy No.55 Remediation of Land	10
	5.2.2 Manly Local Environmental Plan 2013	11
	5.2.3 Development Control Plan	17
6.	Section 4.15 Considerations	28
	5.1 Section 4.15 (1)(a)(i) The Provisions of any Environmental Planning Instrument	28
	5.2 Section 4.15 (1)(a)(ii) The provisions of any Draft Environmental Planning Instrument	28
	5.3 Section 4.15 (1)(a)(iii) Any Development Control Plan	28
	5.4 Section 4.15 (1)(a)(iiia) Any Planning Agreement that has been entered into or any Draft Agreement	28
	5.5 Section 4.15 (1)(a)(iv) The Regulations	28
	5.6 Section 4.15 (1)(b) The likely impacts of that development	28
	6.8 Section 4.15 (1)(c) The Suitability of the Site for the Development	29
	6.9 Section 4.15 (1)(d) Any submissions made	29
	6.10 Section 4.15 (1)(e) The Public Interest	29
7.	Conclusion	30

APPENDICES

Appendix 1 – Architectural Drawings

Appendix 2 – BCA Capability Statement

Appendix 3 – Traffic Engineering Review

Appendix 4 – Waste Management Plan

1. Executive Summary

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) to Northern Beaches Council on behalf of Harvey Norman (Wadins Pty Limited ACN 064 715 288) for alterations and additions to a Harvey Norman store located at 176 – 180 Condamine Street, Balgowlah (“the site”).

It is proposed to refurbish and improve the existing store comprising an expansion to the ground floor lobby to improve the main pedestrian entrance; minor changes to car parking at ground level to accommodate the modified entrance; a minor increase in retail floorspace at the ground floor; refurbishment of amenities; and other minor alterations to improve the operation and appearance of the store. The proposal will modernise a well-established Harvey Norman store and contribute towards an improved customer experience.

This SEE and accompanying specialist documentation describes the proposed development at the site and provides an environmental assessment against the relevantly applicable Environmental Planning Instruments and Policies, pursuant to Section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979 (EP&A Act).

It is demonstrated within this Statement of Environmental Effects that the development:

- ◆ would remain consistent with the relevantly applicable Environmental Planning Instruments and Policies;
- ◆ would remain in the public interest by improving the customer experience and the overall functionality of the building;
- ◆ would contribute to the economic development of the Northern Beaches LGA and is consistent with the objectives of the B6 Enterprise Corridor zone; and
- ◆ is therefore worthy of Council’s approval.

2. Introduction

2.1 Proposal

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) to Northern Beaches Council on behalf of Harvey Norman (Wadins Pty Limited ACN 064 715 288) for alterations and additions to a Harvey Norman store located at 176 – 180 Condamine Street, Balgowlah (“the site”).

The proposed refurbishments comprise an expansion to the ground floor lobby to improve the main pedestrian entrance; minor changes to car parking at ground level to accommodate the modified entrance; a minor increase in retail floorspace at ground floor; refurbishment of amenities; and other minor alterations to improve the operation and appearance of the store. The proposal will modernise a well-established Harvey Norman store and contribute towards an improved customer experience.

This SEE and accompanying specialist documentation describes the proposed development at the site and provides an environmental assessment against the relevantly applicable Environmental Planning Instruments and Policies, pursuant to Section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979 (EP&A Act).

2.2 Background

Development Application No.2020/0081 was approved by Council on 16 March 2020. This approval provides for the relocation and expansion of an existing café among other minor works at the Harvey Norman store. It is no longer proposed to relocate the café to the ground floor as approved, rather this space will now be utilised as retail floor space and will be further expanded as part of this development application.

2.3 Proponent and Project Team

Knight Frank Town Planning has prepared this SEE on behalf of the landowner. This SEE should be read in conjunction with, and has relied upon, the supporting specialist documentation. The members of the project team who produced the specialist documentation are listed in the Table below.

Table 1 Project Team

Specialist Discipline	Project Team Member
Landowner’s Consent	Wadins Pty Ltd (t/a Harvey Norman)
Statement of Environmental Effects	Knight Frank Town Planning
Architecture	Giles Tribe Architects
BCA Consultant	McCarthy Consulting
Traffic Consultant	Henson Consulting

3. Subject Site

3.1 Site Location and Description

The site is located at 176-180 Condamine Street, Balgowlah, within a retail corridor being a B6 Enterprise Corridor zone. The site is improved by a two-storey commercial building and is occupied by Harvey Norman. The building currently comprises 11,580sqm of floorspace.

Car parking is provided both across the ground floor and level 1 comprising 215 formal car parking spaces. This includes 6 accessible parking spaces.

The site is bounded by Condamine Street to the west and Roseberry Street to the east with access points from both frontages. The site is made up of multiple parcels of land (see **Figure 1**), with a legal description as follows:

Lot and DP
Lot 22 DP 516006
Lot 101 DP 564655
Lot 7 Sec E DP 975160
Lot 8 Sec E DP 975160
Lot 21 Sec E DP 975160
Lot 25 Sec E DP 975160
Lot 26 Sec E DP 975160
Lot 23 DP 518721

3.2 Site Context

The site is located some 350m to the north of the Balgowlah Local Centre and 100m to the south of the Mona Vale Local Centre. Condamine Street to the west of the site provides access to Burnt Bridge Creek Deviation being a State Classified Road.

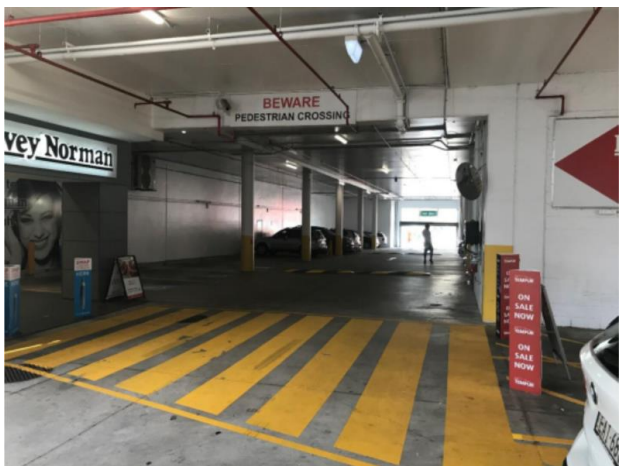
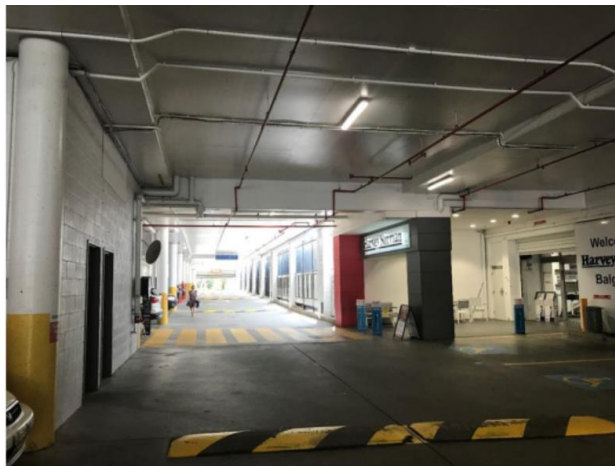
Adjoining the site to the south is a Bunnings Warehouse store and beyond are smaller format shops including a salon, café and bakery. Large format retailers are located to the east of the development site including Fantastic Furniture and Matt Blatt. To the north of the site are generally light industrial uses and a Woolworths store.

Located to the west of the site is medium density residential development comprising multi storey apartment buildings. Located some 100m to the south of the development site is generally medium density residential development.



Figure 1 – Aerial Photograph of Subject Site
Source: SixMaps

3.3 Existing Site Photos





3.4 Existing Site Plan

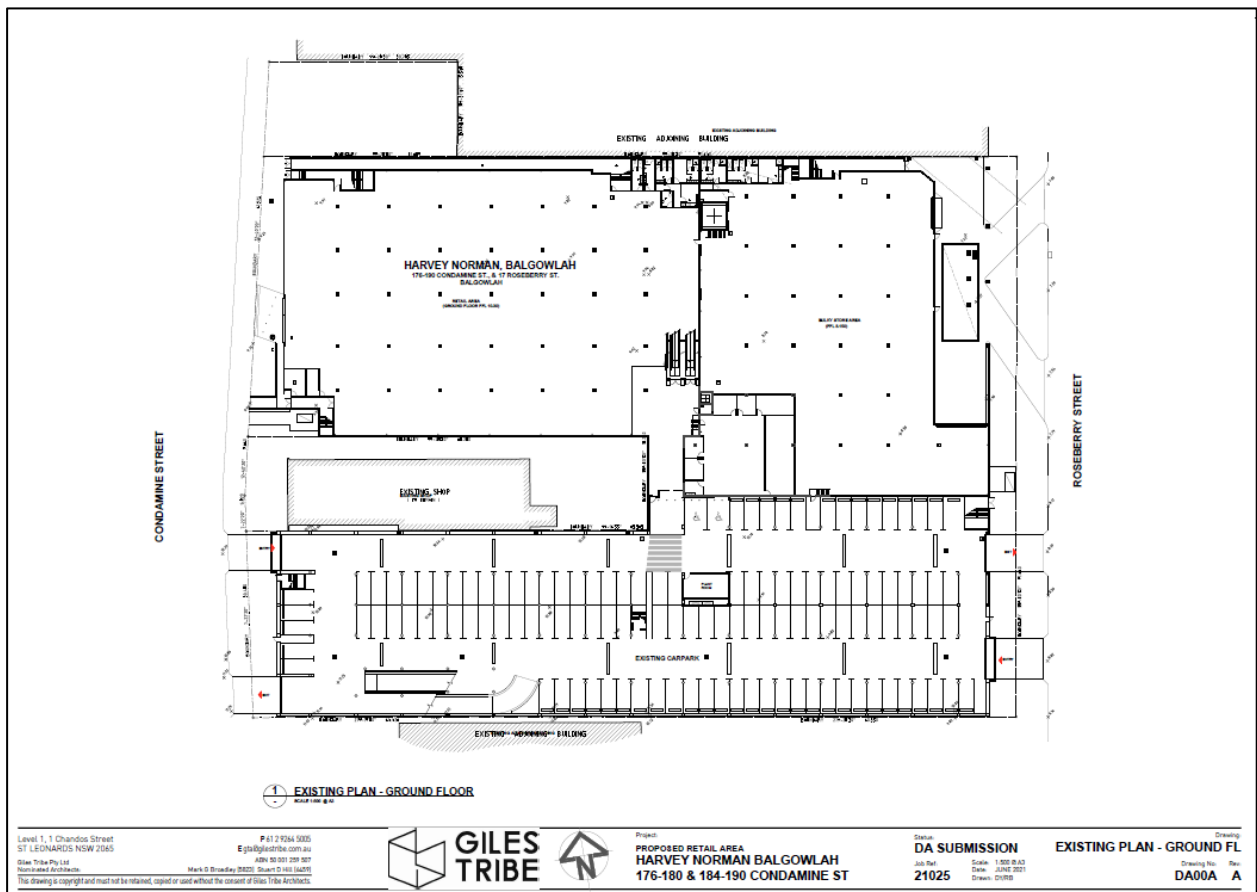


Figure 2 - Existing Site/Ground Floor Plan
Source: Giles Tribe

4. Proposed Development

4.1 Proposal

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) to Northern Beaches Council on behalf of Wadins Pty Ltd t/a Harvey Norman for proposed alterations and additions to an existing Harvey Norman store. The proposed development comprises the following specific works as differentiated between both the ground and first floor of the existing building. Refer to the set of architectural drawings prepared by Giles Tribe Architects for further detail, see **Appendix 1**.

Ground Floor

- ◆ Ground floor lobby extension, reconfiguration of accessible parking spaces and provision of pedestrian pathway (additional 33.3sqm floorspace);
- ◆ Conversion of ground floor mezzanine office area and warehouse floorspace to retail floor space and associated construction works (provide for 274.5sqm of retail floorspace as per architectural drawings);
- ◆ Removal of redundant fan room and conversion to three (3) parking spaces;
- ◆ Renew the existing glazing on Condamine Street and retain existing shutter to be utilised when the store is closed only;
- ◆ Upgrade the existing amenities; and
- ◆ Removal of fire swing doors on the ground floor and replacement with fire curtain.

First Floor

- ◆ Remove existing fire doors and concrete panels separating the retail areas and install fire shutter. Expand openings, install new window and drenchers;
- ◆ Provide full height glazing around escalator;
- ◆ Removal of existing plantroom at level 1 and conversion to retail floorspace (additional 23.8sqm of retail floorspace); and
- ◆ Upgrades to the existing amenities.

Table 1 below details the change to the individual components of the building through the minor expansion of the ground floor lobby and the conversion of floor space on level 1 from a plantroom to retail floor space. This then confirms the resulting change in gross floor area for the building.

Area	Proposed Change
Ground Floor Retail	+307.8sqm (expanded retail floor space and lobby)
Ground Floor Warehouse	-274.5sqm (warehouse space becomes inhabitable sub-floor)
Mezzanine Office Area	-274.5sqm (mezzanine office demolished)
Level 1 Retail	+23.8sqm (mechanical plant room demolished)
Total	-217.4sqm reduction in gross floor area

The proposed development will result in a net reduction in the total gross floor area by -217.4sqm. This occurs as a result of the proposed expansion of the retail floorspace at ground level which removes both a mezzanine office level and warehouse floorspace below.

We understand that there is no change proposed to the current trading hours for the store.

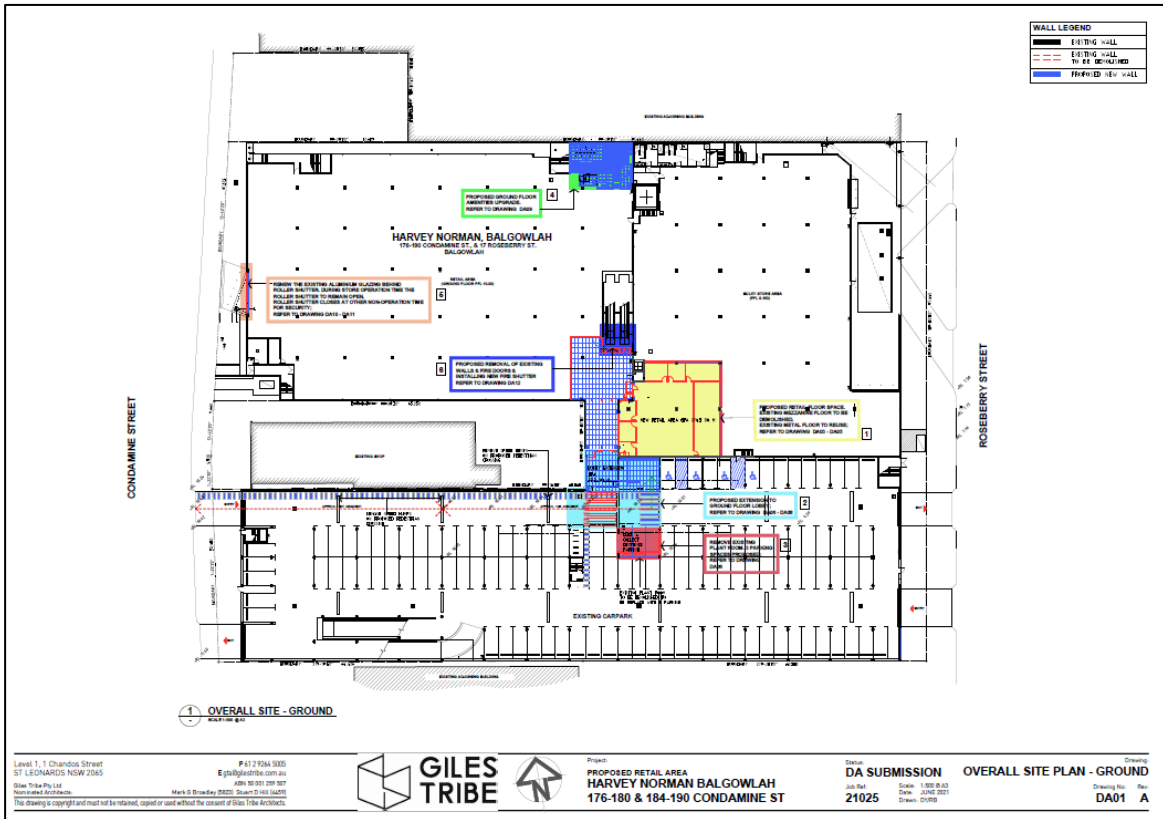


Figure 3 - Ground Floor Proposed (Source: Giles Tribe)

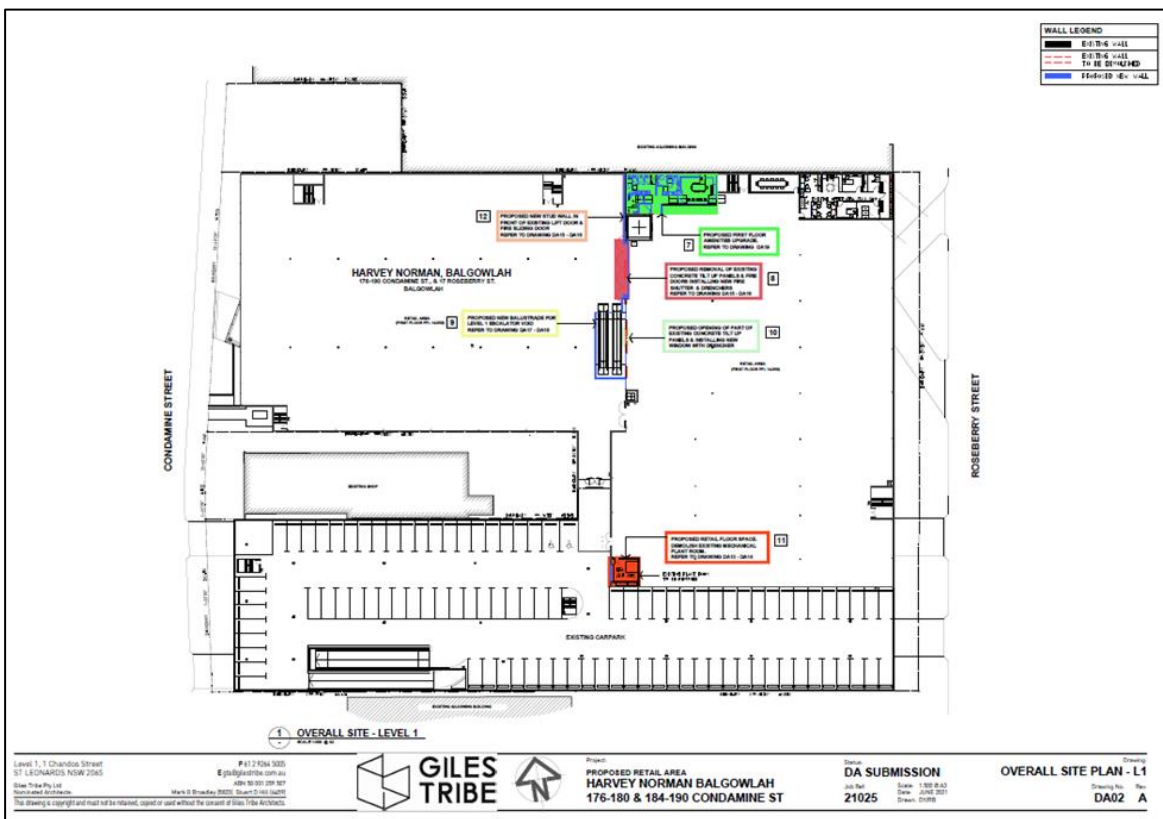


Figure 4 - First Floor Proposed (Source: Giles Tribe)

5. Environmental Assessment

Knight Frank Town Planning has undertaken an assessment of the proposal against the relevant environmental planning legislation and guidelines to identify potential environmental impacts and mitigation measures. These are discussed below.

5.1 Assessment of Planning Controls

This SEE includes an assessment of the proposal in terms of the matters for consideration as listed under Section 4.15 Evaluation of the EP&A Act and should be read in conjunction with information annexed to this report as outlined on the contents page of this report.

5.2.1 State Environmental Planning Policies

5.2.1.2 State Environmental Planning Policy (Infrastructure) 2007

The subject site benefits from a dual frontage to Condamine Street and Roseberry Street. Condamine Street is a regional classified road and as such clause 101 Development with frontage to a classified road of the SEPP applies.

101 Development with frontage to classified road

(1) *The objectives of this clause are:*

- (a) *to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) *to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

(2) *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:*

- (a) *where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - (i) *the design of the vehicular access to the land, or*
 - (ii) *the emission of smoke or dust from the development, or*
 - (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The proposed development is minor in nature and will have no material impact on the operation and function of the access and car parking arrangement. Supporting this application is a traffic statement prepared by Henson Consulting which has considered the minor modification to the ground level car park. The proposal is consistent with the objectives of the SEPP and satisfies those matters as relevant pursuant to sub-clause 2.

5.2.1.3 State Environmental Planning Policy No.55 Remediation of Land

State Environmental Planning Policy 55 (the SEPP) was introduced as part of a package of reforms addressing the issue of land contamination and remediation throughout NSW. Under clause 7 of the SEPP Council must consider the potential for contamination within a site, if the land is contaminated whether it

is suitable in its current state for the proposed use and if the land requires remediation to be made suitable for the proposed use, that the remediation will occur prior to the proposed use.

Works proposed are largely internal to an existing building and no earthworks are required to facilitate the development. It is considered that the site is suitable in its current state for the proposed development, noting that all land uses currently operate within the site, what is proposed is essentially an internal reshuffling of those components.

5.2.2 Manly Local Environmental Plan 2013

The Manly Local Environmental Plan 2013 (LEP) is the relevant Environmental Planning Instrument that applies to development within the Northern Beaches Council Local Government Area.

The subject site is zoned B6 Enterprise Corridor, pursuant to the LEP. The following are the provisions of the zone:

1 Objectives of zone

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses).
- To maintain the economic strength of centres by limiting retailing activity.

2 Permitted without consent

Nil

3 Permitted with consent

Amusement centres; Business premises; Community facilities; Depots; Environmental facilities; Environmental protection works; Flood mitigation works; Garden centres; Hardware and building supplies; Helipads; Hotel or motel accommodation; Industrial retail outlets; Kiosks; Landscaping material supplies; Light industries; Markets; Mortuaries; Office premises; Oyster aquaculture; Passenger transport facilities; Plant nurseries; Recreation facilities (indoor); Restaurants or cafes; Restricted premises; Roads; Service stations; Sex services premises; Shops; Signage; **Specialised retail premises**; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Water recycling facilities; Water supply systems; Wholesale supplies

4 Prohibited

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

The proposal is for alterations and additions to an existing Harvey Norman store which is permitted with development consent within the zone being a *specialised retail premises*. There will be a minor increase in retail floorspace achieved through internal changes to the existing building, however there will be an overall decrease in gross floor area from the proposed development. The proposed alterations and additions will modernise the existing store contributing towards an improved customer experience.

The proposal is consistent with the objectives of the zone in that it will enhance and improve the functionality of an existing Harvey Norman store

The proposed development is assessed in detail against the relevant provisions of the LEP within the table below.

Table 2: Manly LEP 2013

LEP Clause	Provision	Response
<p>2.7 Demolition</p>	<p><i>The demolition of a building or work may be carried out only with development consent. Note. If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, as exempt development, the Act enables it to be carried out without development consent.</i></p>	<p>Demolition works are proposed to facilitate the development and are being sought as part of this application as detailed within the architectural drawings prepared by Giles Tribe.</p>
<p>4.3 Height of buildings</p>	<p><i>(1) The objectives of this clause are as follows—</i></p> <ul style="list-style-type: none"> <i>(a) to provide for building heights and roof forms that are consistent with the topographic landscape, prevailing building height and desired future streetscape character in the locality,</i> <i>(b) to control the bulk and scale of buildings,</i> <i>(c) to minimise disruption to the following—</i> <ul style="list-style-type: none"> <i>(i) views to nearby residential development from public spaces (including the harbour and foreshores),</i> <i>(ii) views from nearby residential development to public spaces (including the harbour and foreshores),</i> <i>(iii) views between public spaces (including the harbour and foreshores),</i> <i>(d) to provide solar access to public and private open spaces and maintain adequate sunlight access to private open spaces and to habitable rooms of adjacent dwellings,</i> <i>(e) to ensure the height and bulk of any proposed building or structure in a recreation or environmental protection zone has regard to existing vegetation and topography and any other aspect that might conflict with bushland and surrounding land uses.</i> <p><i>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</i></p>	<p>The site is mapped as having a maximum height of building of 11m, All proposed external works are within the maximum permitted building height.</p>
<p>4.4 Floor space ratio</p>	<p><i>(1) The objectives of this clause are as follows:</i></p> <ul style="list-style-type: none"> <i>(a) to ensure the bulk and scale of development is consistent with the existing and desired streetscape character,</i> <i>(b) to control building density and bulk in relation to a site area to ensure that</i> 	<p>The site has a maximum FSR of 1:1. The works proposed are largely contained within the footprint of the existing building. As detailed within the architectural drawings prepared by Giles Tribe Architects and within this</p>

LEP Clause	Provision	Response
	<p><i>development does not obscure important landscape and townscape features,</i></p> <p><i>(c) to maintain an appropriate visual relationship between new development and the existing character and landscape of the area,</i></p> <p><i>(d) to minimise adverse environmental impacts on the use or enjoyment of adjoining land and the public domain,</i></p> <p><i>(e) to provide for the viability of business zones and encourage the development, expansion and diversity of business activities that will contribute to economic growth, the retention of local services and employment opportunities in local centres.</i></p> <p><i>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</i></p> <p><i>(2A) Despite subclause (2), the floor space ratio for a building on land in Zone B2 Local Centre may exceed the maximum floor space ratio allowed under that subclause by up to 0.5:1 if the consent authority is satisfied that at least 50% of the gross floor area of the building will be used for the purpose of commercial premises.</i></p>	<p>statement of environmental effects, there will be an overall decrease in the gross floor area for the building by 217.4sqm.</p> <p>This occurs as a result of the proposed expansion of the retail floorspace at ground level which removes both a mezzanine office level and warehouse floorspace below.</p>
<p>6.1 Acid Sulfate Soils</p>	<p><i>(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</i></p> <p><i>(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</i></p> <p>...</p> <p><i>(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.</i></p>	<p>The site is mapped as containing both Class 4 and Class 5 acid sulfate soils (ASS). The development will not require the excavation of land. There is no potential to encounter ASS.</p>

LEP Clause	Provision	Response
	<p><i>(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if:</i></p> <p><i>(a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and</i></p> <p><i>(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.</i></p> <p><i>(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):</i></p> <p><i>(a) emergency work, being the repair or replacement of the works of the public authority, required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,</i></p> <p><i>(b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),</i></p> <p><i>(c) minor work, being work that costs less than \$20,000 (other than drainage work).</i></p> <p><i>(6) Despite subclause (2), development consent is not required under this clause to carry out any works if:</i></p> <p><i>(a) the works involve the disturbance of less than 1 tonne of soil, and</i></p> <p><i>(b) the works are not likely to lower the watertable.</i></p>	
<p>6.3 Flood Planning</p>	<p><i>(1) The objectives of this clause are as follows:</i></p> <p><i>(a) to minimise the flood risk to life and property associated with the use of land,</i></p> <p><i>(b) to allow development on land that is compatible with the land's flood hazard,</i></p>	<p>The site is mapped as being within the Flood Planning Level. Council's mapping indicates that the site is flood affected under the Manly Lagoon Floodplain Risk Management Study & Plan, dated October 2018.</p>

LEP Clause	Provision	Response
	<p><i>taking into account projected changes as a result of climate change,</i></p> <p><i>(c) to avoid significant adverse impacts on flood behaviour and the environment.</i></p> <p><i>(2) This clause applies to land at or below the flood planning level.</i></p> <p><i>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:</i></p> <p><i>(a) is compatible with the flood hazard of the land, and</i></p> <p><i>(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</i></p> <p><i>(c) incorporates appropriate measures to manage risk to life from flood, and</i></p> <p><i>(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</i></p> <p><i>(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.</i></p> <p><i>(4) A word or expression used in this clause has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.</i></p> <p><i>(5) In this clause:</i></p> <p><i>flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.</i></p>	<p>The proposal will result in a minor increase in the retail floorspace at the ground floor level adjoining the existing lobby entrance. The retail floorspace is located entirely within the existing footprint of the commercial building. The ground floor lobby area will also be expanded and refurbished.</p> <p>The existing storage/warehouse area has a Finished Floor Level (FFL) of 8.15. It is proposed to raise the floor area to be level with the existing commercial development at FFL 10.30. This results in a consistent FFL between the retail floorspace and the adjoining lobby area. There are also minor works proposed at the ground level comprising the demolition of a redundant fan room and replacement with at grade car parking spaces.</p> <p>With regard to the matters listed at sub-clause 3, the following is noted:</p> <p>a) Council's mapping indicates that the site is within a low to medium risk flood precinct. The increase in retail floor space is internal to the existing building. The proposal is considered to be compatible with the flood hazard of the land.</p> <p>b) The development is largely contained within an existing building. There are some minor works proposed external to the building including an extension to the main entrance (increase of GFA by 33sqm) and the demolition of an existing fan room, both of which are located within the ground floor car park. The works are minor in nature and will not significantly affect flood behaviour.</p> <p>c) The proposed works constitute minor alterations and additions to an existing two storey commercial</p>

LEP Clause	Provision	Response
		<p>building, largely internal to the existing building footprint. No new land use is being introduced to the building and only a minor increase in retail floorspace proposed. The proposal is not considered to alter the risk to life from a flood.</p> <p>d) There will be no significant impact upon the environment as the development is largely contained within the existing building footprint and is located a substantial distance from the nearest watercourse.</p> <p>e) The refurbishments are largely internal to the existing building footprint with only minor works proposed within the existing undercroft car park. The proposal will not burden the community in any form.</p>
<p>6.4 Stormwater management</p>	<p><i>(1) The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters.</i></p> <p><i>(2) This clause applies to all land in residential, business, industrial and environmental protection zones.</i></p> <p><i>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</i></p> <p><i>(a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and</i></p> <p><i>(b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and</i></p> <p><i>(c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.</i></p>	<p>The proposed development is for alterations and additions to an existing commercial development. Works proposed are largely internal to the building envelope. There is not change proposed to the amount of permeable surfaces. The existing stormwater management practices remain appropriate for the site.</p>

5.2.3 Development Control Plan

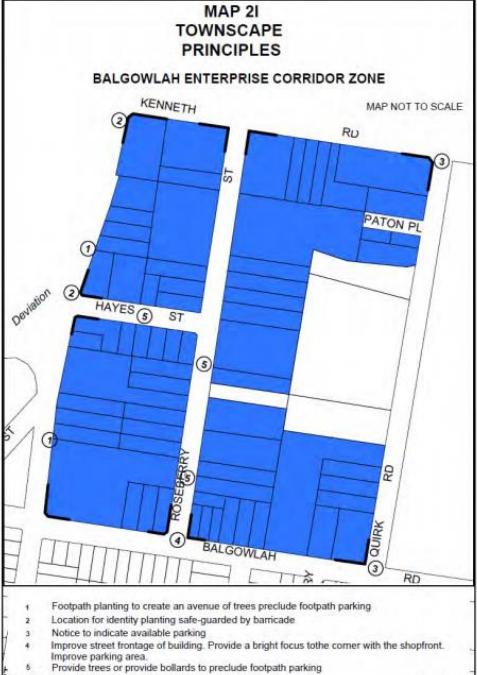
The Parts of the Manly Development Control Plan 2013 that are relevant to the proposed development and have been addressed within Table 3 below, include:

- Part 3 General Principles of Development;
- Part 4 Development Controls and Development Types; and
- Part 5 Special Character Precincts, Areas and Sites.

Table 3 Manly DCP 2013

Performance Criteria	Development Controls	Response
Part 3 General Principles of Development (relevant provisions)		
3.1.2 Streetscape Improvement in LEP Zone B6 Enterprise Corridor		
3.1.2.1 Streetscape	Development is to be of a high visual quality, particularly at corner locations.	Minor works are proposed that will be visible from the public domain. Glazing will be renewed along the Condamine St frontage consistent with the existing.
3.1.2.4 Security Fencing	Security fencing should be set back from any road frontage and integrated with landscaped areas.	N / A
3.1.2.5 Frontages to Condamine Street	Frontages to Condamine Street form important 'entrances' to Manly. A higher standard of finish to development is promoted along these frontages, in terms of building and landscaping.	Minor works are proposed to the frontage on Condamine St with the renewal of the existing glazing. No change is otherwise proposed to the appearance of the façade/ frontage. It is proposed to retain the existing roller shutter which will only be utilised outside of hours of operation for security purposes.
3.1.2.6 Design for Townscape	Development is to have regard to the principles in the Townscape Principles Map at Schedule 2 of this plan	We note that there are only very minor external works proposed, which are largely within an existing car park, The development remains consistent with Map I in Schedule 2.
3.1.3 Townscape (Local and Neighbourhood Centres)		
3.1.3.1 Design Principles	The following design principles and requirements at paragraphs 3.1.3.1.a) to i) should be achieved in all development involving the erection of a new building or external alterations to an existing building in order to: <ul style="list-style-type: none"> • maintain and enhance the townscape of the former Manly Council area's LEP Business Zones: 	Only very minor works are proposed external to the building footprint. The majority of these changes are located internal to the site within the undercroft car park. For this reason, there is no material impact on the existing streetscape.

Performance Criteria	Development Controls	Response
	<ul style="list-style-type: none"> • achieve the townscape objectives of this plan; and • consider that the development exhibits design excellence in accordance with considerations of LEP clause 6.13(4) (as a statutory consideration for land in Zone B2 Local Centre and as a DCP consideration in other zones) 	<p>Existing landscaping and established trees will be retained along the Condamine Street and Rosebery Street frontages. We consider that the building as proposed to be modified remains consistent with the Townscape Principles.</p>
	<p>Townscape Principles Map</p> <p>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.</p> <p>Having regard to the features located in the Townscape Principles Maps the following guidelines apply:</p> <p>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.</p> <p>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.</p>	

Performance Criteria	Development Controls	Response
	<p>iii) Important end of vista sites shall be acknowledged. Appearance of the street elevation requires special attention at the end of these vistas.</p> <p>Schedule 2 - Map 1 – Balgowlah Enterprise Corridor Zone</p>  <p>1 Footpath planting to create an avenue of trees preclude footpath parking 2 Location for identity planting safe-guarded by barricade 3 Notice to indicate available parking 4 Improve street frontage of building. Provide a bright focus to the corner with the shopfront. 5 Improve parking area. 6 Provide trees or provide bollards to preclude footpath parking</p>	

3.6 Accessibility

Objectives	<p>Objective 1) To ensure equitable access within all new developments and ensure that any refurbishments to existing buildings provide improved levels of access and facilities for people with disabilities.</p> <p>Objective 2) To provide a reasonable proportion of residential units that should be designed to be adaptable and easily modified to promote 'ageing in place' and for people with disabilities.</p> <p>Objective 3) To highlight consideration of access issues early in the development design process.</p> <p>Objective 4) To continue improving understanding and awareness of access issues for people with disabilities through a commitment to implementation of best practice.</p>	Supporting the application is a BCA Capability Statement prepared by McCarthy Consulting, which confirms that the proposal is capable of achieving compliance with the performance requirements of the BCA 2019.
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Performance Criteria	Development Controls	Response
	Objective 5) To ensure that the public domain, including public domain in new developments provides connectivity, legibility, flexibility and consistency to allow for equitable and safe access for all people.	
3.6.2.2 General DA Requirements for Access	All development that is subject to this plan must have an access checklist and/or access statement and as detailed at Council's Administrative Guidelines (Lodgement Requirements). The checklist is to confirm that the proposed development complies with relevant access requirements and an Access Statement is lodged to deal with any variation to provisions.	
3.8 Waste Management		
Objectives	<p>Objective 1) Minimise overall environmental impacts of waste in accordance with regional waste plans and Federal and State Government waste minimisation targets.</p> <p>Objective 2) Encourage environmentally protective waste management practices on construction and demolition sites which include:</p> <ul style="list-style-type: none"> • sorting of waste into appropriate receptors (source separation, reuse and recycling) and ensure appropriate storage and collection of waste and to promote quality design of waste facilities; • provision of design standards that complement waste collection and management services offered by Council and private service providers; • building designs and demolition and construction management techniques which maximises avoidance, reuse and recycling of building materials and which will minimise disposal of waste to landfill; and 	<p>Supporting the application is a Waste Management Plan that has been prepared in accordance with the DCP requirements, addressing waste management during demolition and construction and for the ongoing use.</p> <p>With regard to the ongoing use of the site we do not envisage that the minor alterations and addition will materially affect the existing waste management practices.</p>

Performance Criteria	Development Controls	Response
	<ul style="list-style-type: none"> appropriately designed waste and recycling receptors are located so as to avoid impact upon surrounding and adjoining neighbours and enclosed in a screened off area. <p>Objective 3) Encourage the ongoing minimisation and management of waste handling in the future use of premises.</p> <p>Objective 4) Provide advice to intending applicants on:</p> <ul style="list-style-type: none"> matters to be considered when assessing the waste implications of DAs; sound waste management practices and requirements for the preparation of waste management plans; and the reduction and handling of waste during the demolition and construction phase. 	
3.8.1 Waste and Recycling Storage Areas	<p>a) Garbage storage areas must be of sufficient size to store the number of bins required by Council, being:</p> <p>...</p> <p>iv) For commercial developments: Council does not provide a waste collection service for commercial developments. It is recommended that private waste contractors are consulted early in the development process to ensure that garbage storage areas are adequately designed.</p> <p>b) Any waste storage facility must be architecturally designed to reflect the design style of the proposed /existing building and not detract from the visual amenity and streetscape character in the immediate vicinity. And should also be wholly contained within the property and note placed on any leased or Council land. In this respect, the storage facility must be screened from the street frontage in a manner that improves the streetscape appearance of the facility.</p>	<p>Collection frequencies will not change from the existing waste management practices for the site, noting there will only be a relatively minor increase in overall retail floorspace, and a reduction in the overall GFA for the site.</p> <p>The existing waste management practices are considered to remain appropriate for the store.</p>

Performance Criteria	Development Controls	Response
3.8.2 Demolition and Construction Waste Management	<p>Requirements for the management of wastes, particularly in relation to the demolition of buildings are as follows:</p> <p>a) Footpaths, public reserves, street gutters are not used as places to store demolition waste or materials of any kind without Council approval;</p> <p>b) Any material moved off-site is to be transported in accordance with the requirements of the Protection of the Environment Operations Act 1998;</p> <p>c) Demolition and construction waste dockets demonstrating lawful disposal of waste must be retained onsite and kept readily accessible for inspection by regulatory authorities such as Council, the Environmental Planning Authority or Work Cover NSW;</p> <p>d) Waste is only to be disposed of at an appropriately licensed facility;</p> <p>e) Production, storage and disposal of hazardous waste are only conducted in accordance with any applicable Planning Authority guidelines.</p>	Waste is to be appropriately managed during demolition and construction consistent with DCP requirements.
3.8.4 Management of Commercial Waste	<p>Council may impose conditions on a DA to encourage waste minimisation such as the following:</p> <p>a) Businesses operating from the premises must engage a contractor to collect their waste and recycling separately.</p> <p>b) Consider providing alternatives to plastic bags for the purposes of carrying items purchased from the premises.</p>	There will be no change to the waste management practices for the site noting that the proposed increase in retail floorspace is minor in nature and will have no material impact upon the existing arrangement.
3.10 Safety and Security		
3.10.1 Safety	The principle of 'safety in design', is to be considered for all development in relation to the design and assessment of DAs to ensure developments are safe and secure for residents, all other occupants and visitors.	The proposed development provides for an improved pedestrian access within the ground floor car park to the lobby. The lobby area is to be expanded and improved making it more easily identifiable for customers. The plant room at the ground floor is proposed to be demolished which will improve

Performance Criteria	Development Controls	Response
	<p>a) Vehicular Access is to be designed and located to achieve safety by:</p> <p>i) locating car park entry and access on secondary streets or lands where available;</p> <p>ii) minimising the number and width of vehicle access points;</p> <p>iii) providing clear sight lines at pedestrian and vehicular crossings; and</p> <p>iv) separating pedestrian and vehicular access. This separation is to be distinguishable and design solutions in this regard may include changes in surface materials, level changes and use of landscaping for separation.</p>	<p>sightlines through the car park and minimise the opportunity for concealment.</p> <p>Vehicular access is otherwise to be retained in its current state.</p>
<p>3.10.2 Security (Casual Surveillance)</p>	<p>In order to promote safety and security, all development is to be designed to maximise opportunities for passive surveillance of public and communal areas by:</p> <p>a) orientating some rooms to the street;</p> <p>b) providing sight lines to the street frontage from the window(s) of at least one habitable room unobscured by trees or any other object;</p> <p>c) ensuring the design of fences, walls and landscaping minimise opportunities for concealment and encourage social interaction; and</p> <p>d) preferring double glazing on windows in areas of high street noise rather than the high fences or walls as a sound attenuation measure.</p>	<p>The proposed works are largely internal to the existing commercial building. There are some minor external works including the demolition of an existing plant room within the ground floor car park which will improve surveillance within the car park and from the lobby area.</p>
<p>Part 4 Development Controls and Development Types</p>		
<p>4.2 Development in Business Centres</p>		
<p>4.2.4 Car parking, Vehicular Access and Loading Controls for all LEP Business</p>	<p>Relevant DCP objectives in this plan to be met in addition to LEP clause 1.2(2)(d) and relevant LEP Zone Objectives in the Land Use Table include the following:</p>	<p>In support of the application is a Traffic Engineering statement prepared by Henson Consulting which has considered the proposed refurbishment of the Harvey Norman</p>

Performance Criteria	Development Controls	Response
<p>Zones including B6 Enterprise Corridor</p>	<p>Objective 1) To ensure there is adequate provisions for car parking access and loading in future development and redevelopment in all business zones.</p> <p>Objective 2) To minimise conflicts between pedestrian and vehicular movement systems within the business areas.</p> <hr/> <p>4.2.4.1 Car Parking</p> <p>a) The Council may be prepared to allow exceptions to the parking rate/requirements required in this DCP in the following circumstances:</p> <p>(i) where it can be demonstrated that particular activities in mixed use developments have car parking demands which peak at different times;</p> <p>(ii) where visitors are likely to use more than one facility per trip;</p> <p>(iii) considering available car parking in the surrounding area, except in relation to Manly Town Centre where more particular exceptions are provided at paragraph 4.2.5.4 of this plan; or</p> <p>(iv) where it is satisfied that reduced number of parking spaces will facilitate conservation of an item of the environmental heritage in accordance with LEP clause 5(10). See also paragraph 4.2.5.4.b. regarding section 94 Contributions for onsite parking requirements in Manly Town Centre. 4.2.4.2 Vehicular Access</p> <p>Bulky goods premises:</p> <ul style="list-style-type: none"> - 1 parking space for every 50sqm of gross floor area for industrial use or retailing of bulky goods, and - 1 parking space for every 100sqm of gross floor area for warehousing and storage of bulky goods. <p>Note: Additional car parking may be required for Bulky goods premises which</p>	<p>store and associated modifications to the car park. The report confirms that the car parking and motorcycle parking spaces remains sufficient for the development and has been confirmed with surveys of the site in March 2020 and June 2021.</p>

Performance Criteria	Development Controls	Response
	<p>have a high component of ancillary retailing /showroom or office functions, or a need for on-site truck parking with reference to Roads and Maritime Services (RMS) Design Reference Documents.</p> <p>Commercial Premises (including business, offices and retail premises) not elsewhere referred to in this Schedule *: 1 parking space for every 40sqm of gross floor area. Note: Where Commercial Premises that are subject to this rate are located in Manly Town Centre, paragraph 4.2.5.4 Car Parking and Access also applies (particularly in relation to section 94 Contributions).</p> <p>*Note: Commercial Premises elsewhere specifically referred to in this schedule and subject to a different requirement to that of the standard rate for commercial premises includes Pubs and Supermarkets. Restaurant or Cafes and Take Away Food and Drink Premises are subject to a similar rate but are only calculated on the basis of the serviced area for the development.</p>	
4.3 Development in LEP Zone B6 Enterprise Corridor		
Objectives	<p>Relevant DCP objectives in this plan to be met in relation to these paragraphs include:</p> <p>Objective 1) To minimise negative visual impact of development by limiting the size and scale of buildings and having regard to suitable landscaping.</p>	<p>Minor external works are proposed however this is confined to within the ground floor car park. There is limited opportunity to view from the public domain.</p>
4.3.2 FSR and Height	<p>a) Variation in relation to the FSR and Building Height standards in the LEP may be considered having regard to:</p> <p>i) whether Council is satisfied in relation to compliance with other controls in this DCP and the need to provide usable industrial floor space with good access to loading dock facilities and provision of the required on-site car parking;</p>	<p>The site has a maximum allowable FSR of 1:1. The works proposed are largely contained within the footprint of the existing building. As detailed within the architectural drawings prepared by Giles Tribe Architects and within this statement of environmental effects, there will be an overall decrease in the gross floor area for the site by 217.4sqm.</p>

Performance Criteria	Development Controls	Response
	ii) the design and integration of roof top plant equipment including lift overruns; or iii) reduced bulk and scale in the vicinity of lower density residential streetscapes.	
4.3.4 Access, Loading and Parking	a) A minimum of 1 loading bay is required for each industrial unit. Industrial loading bays may require greater head-height in consultation with NSW Roads Services guidelines should this seem warranted by the nature of the development. Similarly, Council will also have regard to NSW Roads Services Guidelines applying the minimum number and dimensions of loading bays. b) Parking is not permitted in the area between the street frontage and the building alignment. See also paragraph 3.1 Streetscape and Townscape. c) The minimum driveway width should be 5m and any driveway ramps to roof-top parking are to be of sufficient width to promote easy use.	There will be no modification to the loading bay arrangement or access. Loading and servicing is currently achieved via a dedicated access from Roseberry Street.
4.4 Other Development (all LEP Zones)		
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. See also paragraph 3.2.2 Alterations and Additions to Heritage Items and Conservation Areas. See also paragraph 4.1.7 First Floor and Roof Additions (for Residential Development). See also paragraph 4.4.1 Demolition.	The proposed development seeks to modernise the existing Harvey Norman building through the general refurbishment of the store and improvements to its layout and functionality. The proposal is consistent with Council's planning controls in that it will improve and maintain an existing commercial use which remains permitted within the zone and consistent with the zone objectives.
Part 5 Special Character Precincts, Areas and Sites		
5.4.3 Flood Prone Land		
Requirements	a) The purpose of this paragraph is to guide development in accordance with the objectives and processes set out in the NSW Government's Flood Prone Land	The site is mapped as being within the Flood Planning Level. Council's mapping indicates that the site is flood affected under the Manly Lagoon

Performance Criteria	Development Controls	Response
	<p>Policy as outlined in the NSW Government, Floodplain Development Manual, 2005.</p> <p>b) Development to which this paragraph applies must comply with the performance criteria set out in paragraph 5.4.3.1 Performance Criteria.</p> <p>c) Forms A and A1 (see Attachment A of Northern Beaches Council's Guidelines for preparing a Flood Management Report) are to be completed and submitted to Council.</p> <p>d) Development that satisfies the prescriptive controls in paragraph 5.4.3.2 Prescriptive Controls is deemed to have satisfied paragraph 5.4.3.1 Performance Criteria.</p>	<p>Floodplain Risk Management Study & Plan, dated October 2018.</p> <p>The proposal will result in a minor increase in the retail floorspace at the ground floor level adjoining the existing lobby entrance. The retail floorspace is located entirely within the existing footprint of the commercial building. The ground floor lobby area will also be slightly expanded and refurbished.</p> <p>The existing warehouse area has a Finished Floor Level (FFL) of 8.15. It is proposed to raise the floor area to be level with the existing commercial development at FFL 10.30. This results in a consistent FFL between the retail floorspace and the adjoining lobby area. There are also minor works proposed at the ground level comprising the demolition of a redundant fan room and replacement with three (3) at grade car parking spaces.</p> <p>The proposed works constitute minor alterations and additions to an existing two storey commercial building, largely internal to the existing building footprint. No new land use is being introduced to the building and only a minor increase in retail floorspace proposed. The proposal is not considered to alter the risk to life from a flood.</p>

6. Section 4.15 Considerations

The following *Matters for Consideration* are to be taken into consideration by a consent authority when determining a development application, pursuant to Section 4.15 *Evaluation* of the *Environmental Planning and Assessment Act 1979*.

5.1 Section 4.15 (1)(a)(i) The Provisions of any Environmental Planning Instrument

The relevantly applicable provisions of Council's LEP have been examined above in this SEE and the proposal is considered to be consistent with those provisions. The proposed refurbishment will modernise the layout of an existing Harvey Norman store, improving the functionality and customer experience. The proposal remains permitted with development consent within the zone and is consistent with the zone objectives.

5.2 Section 4.15 (1)(a)(ii) The provisions of any Draft Environmental Planning Instrument

There are no draft Environmental Planning Instruments of relevance to the proposed development.

5.3 Section 4.15 (1)(a)(iii) Any Development Control Plan

The relevantly applicable provisions of the Manly Development Control Plan 2013 have been examined above in this SEE and the proposal is consistent with those provisions.

5.4 Section 4.15 (1)(a)(iiia) Any Planning Agreement that has been entered into or any Draft Agreement

There is no relevant Planning Agreement that has been entered into nor any Draft Agreement.

5.5 Section 4.15 (1)(a)(iv) The Regulations

Those relevant matters under clause 92 of the Regulations have been considered and there are no matters that warrant further consideration.

5.6 Section 4.15 (1)(b) The likely impacts of that development

Context and Setting

There are a range of minor alterations and additions proposed to the existing store which seek to modernise and improve its functionality. The works proposed are largely internal to the building footprint or within the undercroft car park. For these reasons, there is little interface with the public domain. The development remains compatible with the character of the area associated with a range of large format retail uses and finer grain shops.

Traffic and Parking

The proposed refurbishment involves the reshuffling of existing uses within the Harvey Norman store and minor changes to the car park arrangement. In support of the Development Application is a Traffic Engineering Review which has considered the potential impact of the development on the operation of the access and parking arrangement. The report confirms that peak traffic generation is not expected to significantly change from the existing as surveyed on two separate occasions in March 2021 and June 2021. Furthermore, that the proposed car parking and motorcycle parking remains sufficient for the development as modified, noting that the quantum of car parking will be retained albeit with minor adjustments.

Building Code of Australia (BCA)

Supporting the Development Application is a BCA Capability Statement prepared by McCarthy Consulting. It outlines that the proposal is capable of achieving compliance with the performance requirements of the

BCA 2019. Also submitted is a Fire Safety Schedule which confirms the existing fire safety measures for the building.

Waste Management

The proposed refurbishment of an existing commercial premises will not materially alter the existing waste management arrangements and practices of the store. Supporting this application is a Waste Management Plan which considers the type and quantity of waste that will be generated during the demolition and construction phase.

Economic impact

The proposed refurbishment to the Harvey Norman store will provide for a minor increase in the dedicated retail floorspace and generally improve the layout and functionality of the store. With a commitment to continuous improvement and investment, the existing customer base would be retained and continue to grow.

6.8 Section 4.15 (1)(c) The Suitability of the Site for the Development

The proposed refurbishment will improve the functionality and otherwise generally modernise the existing Harvey Norman store, which remains permitted within the zone and is consistent with the zone objectives. For these reasons the site is considered to be suitable for the proposed development.

6.9 Section 4.15 (1)(d) Any submissions made

Any submissions made to Council during the notification and advertising period would be evaluated during the DA assessment phase. Knight Frank Town Planning would welcome the opportunity to be able to respond to any issues that may be raised.

6.10 Section 4.15 (1)(e) The Public Interest

As detailed within this statement of environmental effects and the supporting specialist reports, the proposed refurbishment of an existing Harvey Norman store will not give rise to any adverse environmental, amenity or streetscape impacts and is considered to be in the public interest.

7. Conclusion

The relevant matters for consideration under Section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979 have been addressed in this Statement of Environmental Effects and the proposed development has been found to be consistent with the objectives and requirements of the relevant planning provisions. It is considered that the proposed development is suitable for the following reasons:

- The proposed development complies with all relevant State and local planning instruments and controls. In particular, the proposed works are consistent with the objectives and intent of the zone;
- The works will result in an improvement to the functionality and amenity of the existing commercial building for staff and customers; and
- The works proposed will not have any adverse environmental impact on the design of the existing building or the surrounding locality.

In light of its merits and in the absence of any significant adverse environmental, social or economic impacts, we recommend that the application be approved subject to standard conditions of consent.

Appendix A

Architectural Plans prepared by Giles Tribe

Appendix B

BCA Capability Statement

Appendix C

Traffic Engineering Review

Appendix D

Waste Management Plan