

Statement of Environmental Effects

176 – 180 Condamine Street, Balgowlah

Various Properties

Under instruction from

Harvey Norman (Wadins Pty Limited ACN 064 715 288)

For the purpose of

Internal Alterations to Harvey Norman Store

Knight Frank Town Planning (Sydney)
Level 22, 123 Pitt Street,
SYDNEY NSW 2000

30 January 2020

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			
	Name	Date	Signature
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1. Introduction

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 internal alterations to a Harvey Norman store located at 176 – 180 Condamine Street, Balgowlah (“the site”). The site is made up of multiple parcels of land, with a legal description as follows:

- ◆ 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; and
- ◆ Lot 23 DP 518721.

The proposed internal alterations to the Harvey Norman store comprise the following components:

- ◆ Relocation of café to ground floor;
- ◆ Removal of the first floor café and conversion to retail floor space;
- ◆ Demolition works including the partial removal of mezzanine floor and new openings for café roller doors;
- ◆ Base build construction works comprising a new ceiling, new floor and fire rated walls;
- ◆ Fit-out works for the café; and
- ◆ Relocation of office space to the first floor.

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).

The assessments carried out in this SEE demonstrates that the proposed 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 improve 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. Subject Site

2.1 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 which occupies multiple parcels of land. Car parking is provided both at the ground floor and level 1. The building is occupied by Harvey Norman being a *specialised retail premises*.

The site is bounded by Condamine Street to the west and Roseberry Street to the east with multiple access points. The café is proposed internal to the Harvey Norman store on the ground floor adjoining the lobby area. The office space is proposed within level 1 at the north eastern corner of the building.

2.2 Aerial Photograph

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 generally smaller format shops including a salon, café and bakery. Further large format retail premises 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.

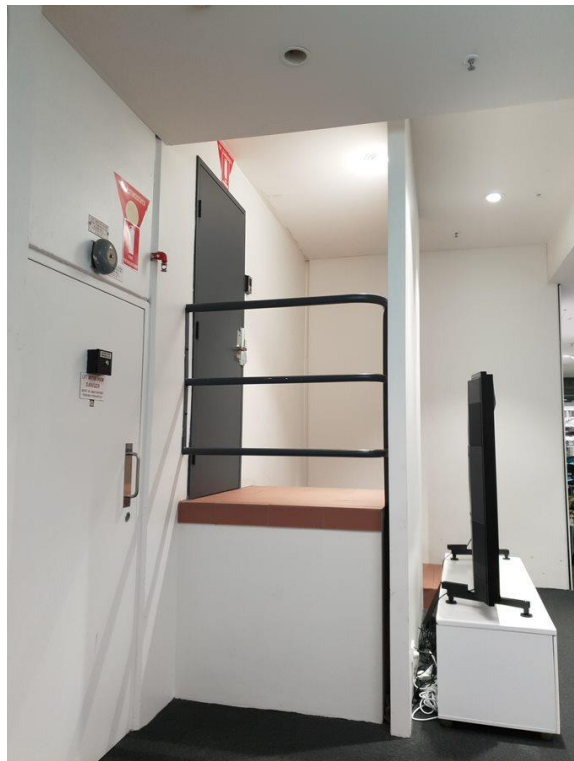
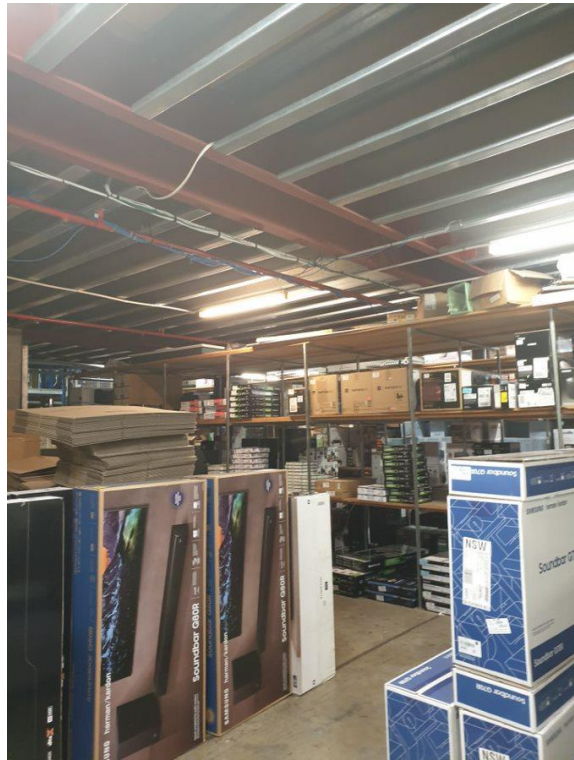
Located to the west of the site is medium density residential development comprising multi storey apartment buildings. Located some 100m to the south of the development site is generally medium density residential development.

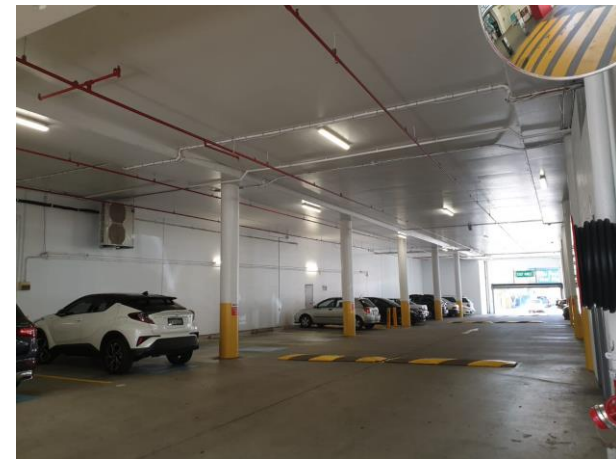
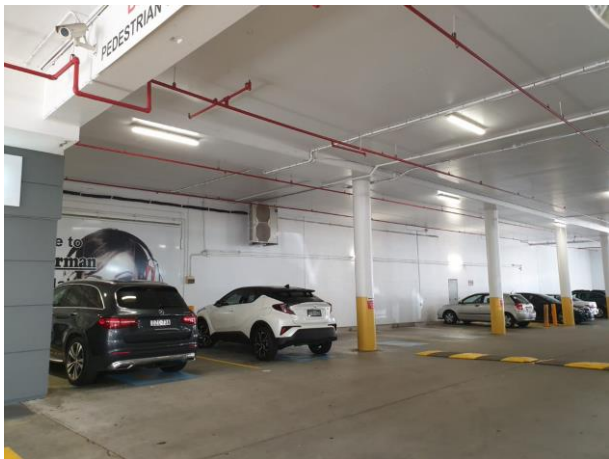
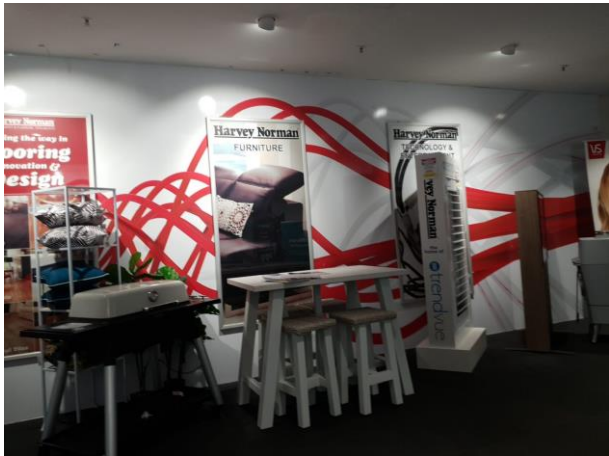


Figure 1 – Aerial Photograph of Subject Site

Source: SixMaps

2.3 Existing Site Photos





2.4 Site Layout

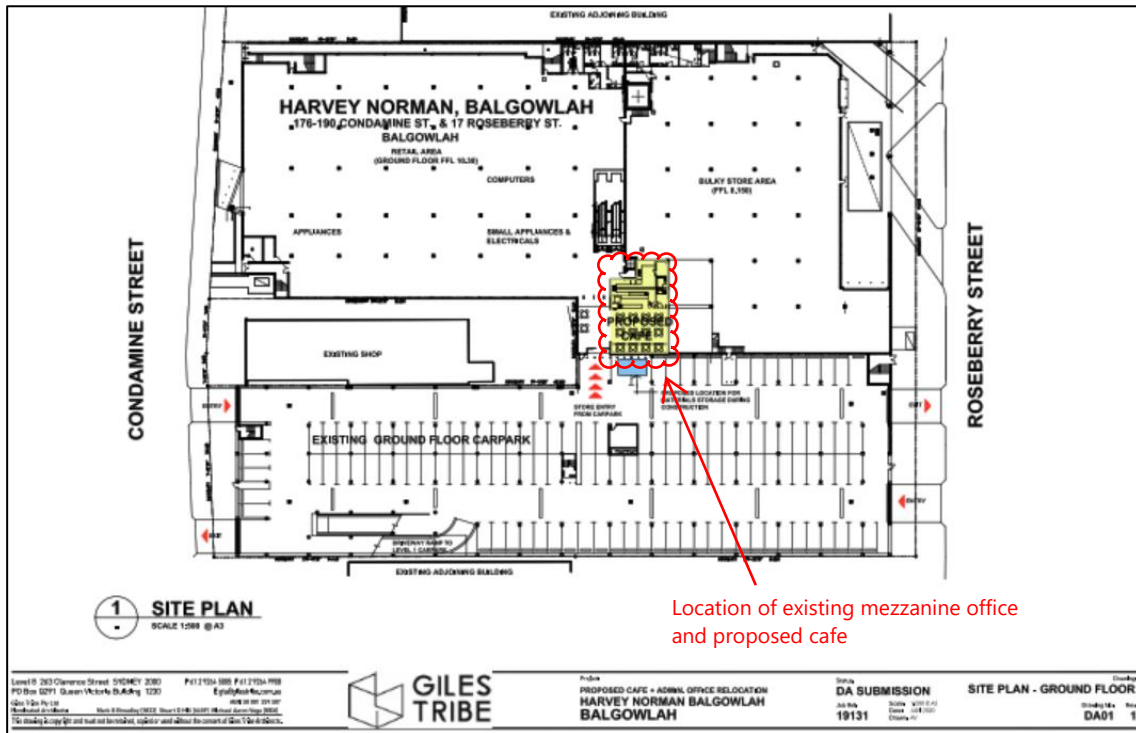


Figure 2 –Site Plan Ground Floor

Source: Giles Tribe

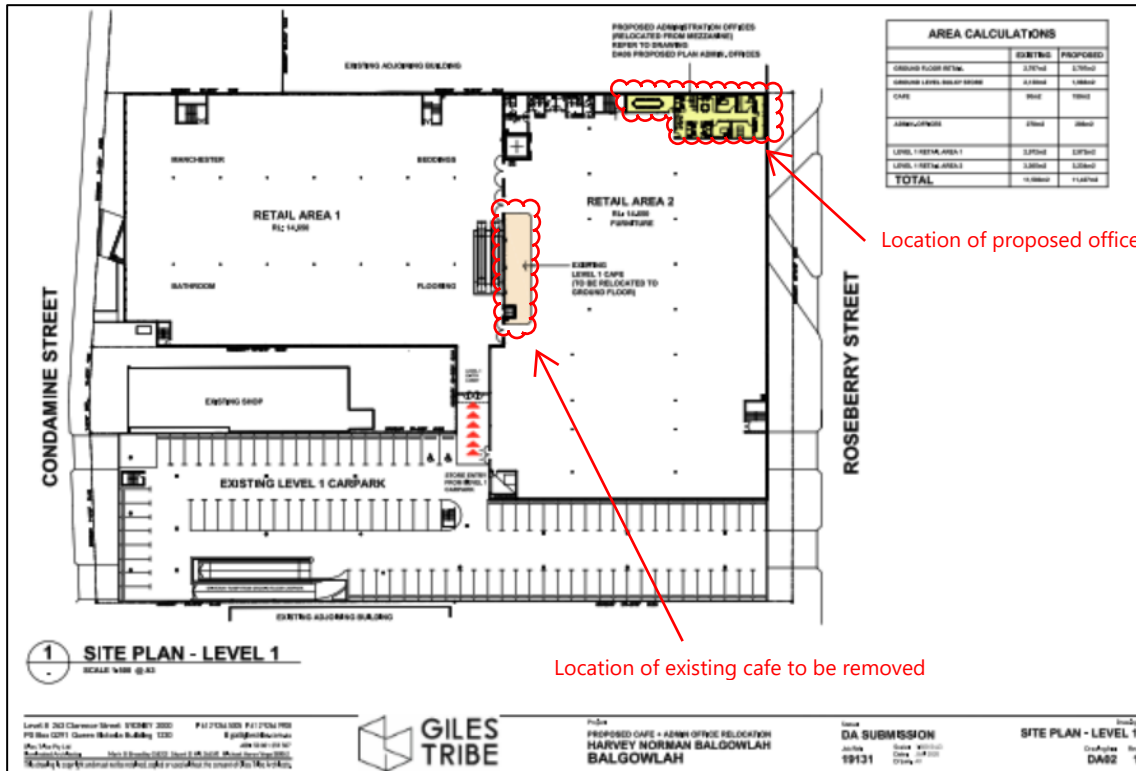


Figure 3 - Site Plan Level 1

Source: Giles Tribe

2.5 Land Use Zoning

The subject site is zoned B6 Enterprise Corridor, pursuant to Manly Local Environmental Plan 2013 (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 proposed development is appropriately characterised as *restaurants or cafes* which is permitted within the zone with development consent. The relocation of the café to a more convenient location for customers will ensure it continues to complement the existing Harvey Norman store through providing greater offerings for customers. *Office premises* are permitted within the zone with development consent.

It is noted that the proposed development remains ancillary and supportive of the dominant use of the site as a *specialised retail premises*. The proposal is consistent with the objectives of the zone which complements and reinforces the dominant use of the site and will have no impact on the economic strength of centres within the LGA.

3. Proposed Development

3.1 Background

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 internal alterations to the Harvey Norman store. The development comprises the following components:

- ◆ Relocation of café to ground floor;
- ◆ Removal of the first floor café and conversion to retail floor space;
- ◆ Demolition works including the partial removal of mezzanine floor and new openings for café roller doors;
- ◆ Base build construction works comprising a new ceiling, new floor and fire rated walls;
- ◆ Fit-out works for the café; and
- ◆ Relocation of office space to the first floor.

Architectural drawings prepared by Giles Tribe are appended to this report and provide details of the proposed works, see **Appendix 1**.

Relocation of Cafe

It is proposed to relocate the existing café on level 1 of the building to the ground floor. At the proposed location there is currently storage/warehouse space on the ground floor and a mezzanine office above as detailed within the Mezzanine Plan Dwg No.DA04 and the Proposed Elevation & Section – Café DWG No.DA05 prepared by Giles Tribe Architects.

To facilitate the café at this new location it is proposed to remove a portion of the mezzanine and construct a new floor that is level with the existing retail area and lobby along with a new ceiling for the proposed café. The café will measure 150m².

Relocation of Office Space

In turn, part of the office space currently located within the mezzanine floor will be relocated to level 1 in the north eastern corner and will have a proposed gross floor area of 161m². This will comprise a meeting room, managers office, admin managers office, server, general office space, tearoom and archive room.

Existing Cafe

As a result of the relocation of the café to the ground floor, the existing café currently located at Level 1 will be removed and converted back to retail floor space.

Reduction in Floor Area

As a result of the proposed development there will be a decrease in the amount of gross floor area by 153m² due to the reduction in storage/warehouse space and retail floor space at level 1 as detailed within the calculations at **Table 1**.

Table 1 Gross Floor Area Calculations

Use	Existing GFA	Proposed GFA	Net Change
Ground Floor Retail	2,797m ²	2,797m ²	0m ²
Ground Level Storage/Warehouse	2,138m ²	1988m ²	-150m ²
Café	90m ²	150m ²	+60m ²
Offices	278m ²	286m ²	+8m ²
Level 1 Retail Area 1	2,972m ²	2,972m ²	0m ²
Level 1 Retail Area 2	3,305m ²	3,234m ²	-71m ²
Total	11,580m²	11,427m²	-153m²

The café is expected to employ between 3-4 staff members on site at any one time and will operate in conjunction with the Harvey Norman store. Hours of operation will be generally consistent with the operation of the Harvey Norman store; however, the café will open slightly earlier as follows:

- ◆ Monday, Tuesday, Wednesday and Friday – 8:00am-5:30pm;
- ◆ Thursday – 8:00am-9:00pm; and
- ◆ Saturday and Sunday – 8:00am-5:00pm.

The hours of operation will assist staff with the preparation and setting up of the café. It will also enable the café to cater for staff arriving prior to the opening of Harvey Norman store to the general public.

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).

3.2 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 2 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
BCA Consultant	McCarthy Consulting

4. 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.

4.1 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.

4.2.1 State Environmental Planning Policies

4.2.1.2 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. The proposed development is minor in nature and has no impact on the operation and function of the access and car parking arrangement, noting that the relocation of the café and office space will result in a reduction in retail floor space and overall reduction in gross floor area. The proposal is consistent with the objectives of the SEPP and satisfies those matters under sub-clause 2.

4.2.1.3 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.

All works proposed are internal to an existing building as such 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.

4.2.2 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 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
2.7	<i>Demolition requires development consent The demolition of a building or work may be carried out only with development consent.</i>	Demolition works are proposed to facilitate the relocation of the café and are being sought as part of this application as detailed within the architectural drawings prepared by Giles Tribe.

LEP Clause	Provision	Response
	<p><i>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>4.4</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 development does not obscure important landscape and townscape features,</i> <i>(c) to maintain an appropriate visual relationship between new development and the existing character and landscape of the area,</i> <i>(d) to minimise adverse environmental impacts on the use or enjoyment of adjoining land and the public domain,</i> <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><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>The site has a maximum FSR of 1:1. All proposed works are wholly contained within the footprint of the existing building and, as detailed within the architectural drawings prepared by Giles Tribe Architects, there will actually be a reduction in the overall gross floor area by 153m².</p>

LEP Clause	Provision	Response
<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><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>The site is mapped as containing both Class 4 and Class 5 acid sulfate soils (ASS). The development will not involve the excavation of land with the floor of the café to be suspended consistent with the existing level of the lobby. There is no potential to encounter ASS.</p>

LEP Clause	Provision	Response
	<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, 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>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> <p>It is proposed to relocate the café to the ground floor adjoining the existing lobby entrance. The café is located entirely within the existing floor plan of the development and there is no increase in the gross floor area.</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 café and the adjoining lobby area.</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 café is to be relocated within existing floor area as part of the Harvey Norman Store. The development will result in a café measuring 150m² with a greater FFL than the existing storage/warehouse. The proposal is</p>

LEP Clause	Provision	Response
	<p>(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.</p> <p>(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.</p> <p>(5) In this clause: flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.</p>	<p>compatible with the flood hazard of the land.</p> <p>b) The development is wholly contained within an existing building and will not significantly adversely affect flood behaviour.</p> <p>c) Results in an increase in the FFL from 8.15 to 10.30 consistent with existing commercial floor space. The proposal is minor in nature and will not alter the existing risks.</p> <p>d) There will be no significant impact upon the environment noting the development is wholly contained within an existing building a substantial distance from the nearest watercourse.</p> <p>e) The development is for the relocation of an existing café to the ground floor of the building, level with existing commercial floor space. The proposal will not burden the community in any form.</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 of)		
3.1.2 Streetscape Improvement in LEP Zone B6 Enterprise Corridor		
3.1.2.1 Streetscape	<i>Development is to be of a high visual quality, particularly at corner locations.</i>	There will be no impact on the streetscape. All works are internal.
3.1.2.2 Car parking	<i>Car parking in the LEP Zone B6 Enterprise Corridor is not to be located between the street frontage and the building alignment.</i>	N / A – no change proposed to the car parking arrangement.
3.1.2.3 Landscaping	<i>Landscaped areas are to be maintained to the Council's</i>	N / A – no change proposed to the landscaping.

Performance Criteria	Development Controls	Response
	<i>satisfaction throughout the life of the development.</i>	
3.1.2.4 Security Fencing	<i>Security fencing should be set back from any road frontage and integrated with landscaped areas.</i>	N / A
3.1.2.5 Frontages to Condamine Street	<i>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.</i>	The location of the café adjoining the lobby will improve and reinforce the presence of the entrance.
3.1.2.6 Design for Townscape	<i>Development is to have regard to the principles in the Townscape Principles Map at Schedule 2 of this plan</i>	The development is consistent with Map I in Schedule 2.
3.6 Accessibility		
Objectives	<p><i>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.</i></p> <p><i>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.</i></p> <p><i>Objective 3) To highlight consideration of access issues early in the development design process.</i></p> <p><i>Objective 4) To continue improving understanding and awareness of access issues for people with disabilities though a commitment to implementation of best practice.</i></p> <p><i>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.</i></p>	The proposed development will improve accessibility through the new café which is at grade with the existing lobby. The location of the office within level 1 will improve the accessibility of the space noting it is currently located on a mezzanine level of the building,
3.6.2.2 General DA Requirements for Access	<i>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</i>	Supporting the application is a BCA statement prepared by McCarthy Consulting which details that the proposal is capable of achieving

Performance Criteria	Development Controls	Response
	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.	compliance with the performance requirements of the BCA 2019.
3.8 Waste Management		
Objectives	<p>Objectives</p> <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 • 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>	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.

Performance Criteria	Development Controls	Response
	<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. 	
<p>3.8.1 Waste and Recycling Storage Areas</p>	<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 not 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>Ample room is provided within the kitchen and washing area of the café to cater for the daily waste management requirements. The development is expected to generate the following waste:</p> <ul style="list-style-type: none"> - 100l of general waste per day; and - 100l of recyclable materials per day. <p>Collections per week are unlikely to change from the existing waste/recycling collection arrangement for the site, noting that the café is being relocated from level 1 and the size is only increasing slightly from 90m² to 150m².</p>
<p>3.8.2 Demolition and Construction Waste Management</p>	<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</p>	<p>Waste is to be appropriately managed during demolition and construction consistent with DCP requirements.</p>

Performance Criteria	Development Controls	Response
	<p>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>	
<p>3.8.4 Management of Commercial Waste</p>	<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>	<p>There will be no change to the waste management arrangement for the site noting that the proposed café is minor in nature and will have no material impact upon the existing arrangement.</p>
<p>4.2 Development in Business Centres</p>		
<p>4.2.4 Car parking, Vehicular Access and Loading Controls for all LEP Business Zones including B6 Enterprise Corridor</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>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> <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</p>	<p>It is proposed to relocate an existing café and existing office space within an existing commercial building. As per the area calculations prepared by Giles Tribe Architects, the following points are noted regarding the changes to the gross floor area for the development:</p> <ul style="list-style-type: none"> - Retail floor space will reduce by 71m²; - The café will increase by 60m²; - Office space will increase by 8m²; and - There will be an overall decrease in GFA by 153m². <p>The development essentially represents the reshuffling of existing components of the development that will have no material impact on car parking or traffic generation for the site. The café is proposed to be located in a more</p>

Performance Criteria	Development Controls	Response
	<p><i>developments have car parking demands which peak at different times;</i></p> <p><i>(ii) where visitors are likely to use more than one facility per trip;</i></p> <p><i>(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</i></p> <p><i>(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</i></p>	<p>convenient location adjoining the lobby at the ground floor, as a consequence the office space will be relocated to level 1 which will result in an overall reduction in retail floor space.</p> <p>It is considered that the proposed development has no material impact on traffic generation for the site or car parking requirements and that the existing car parking arrangement is adequate.</p>
Part 4 Development Controls and Development Types		
4.3 Development in LEP Zone B6 Enterprise Corridor		
Objectives	<p><i>Relevant DCP objectives in this plan to be met in relation to these paragraphs include:</i></p> <p><i>Objective 1) To minimise negative visual impact of development by limiting the size and scale of buildings and having regard to suitable landscaping.</i></p>	Complies
4.3.2 FSR and Height	<p><i>a) Variation in relation to the FSR and Building Height standards in the LEP may be considered having regard to:</i></p> <p><i>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;</i></p> <p><i>ii) the design and integration of roof top plant equipment including lift overruns; or</i></p> <p><i>iii) reduced bulk and scale in the vicinity of lower density residential streetscapes.</i></p>	The site has a maximum FSR of 1:1. All proposed works are wholly contained within the footprint of the existing building and, as detailed within the architectural drawings prepared by Giles Tribe Architects, there will actually be a reduction in the overall gross floor area by 153m ² .
4.3.3 Allotment Sizes	<p><i>Note: No LEP development standards exist in terms of allotment size in LEP Zone B6. Assessment of land subdivision applications</i></p>	No change is proposed to the allotment size or layout.

Performance Criteria	Development Controls	Response
	<p><i>will include consideration of whether the size or shape of the resultant land parcels are appropriate for future industrial development in terms of required floor plan areas and access arrangements. Preferred depth to frontage ratio is between 2:1 and 3:1.</i></p>	
<p>4.3.4 Access, Loading and Parking</p>	<p><i>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.</i></p> <p><i>b) Parking is not permitted in the area between the street frontage and the building alignment.</i></p> <p><i>See also paragraph 3.1 Streetscape and Townscape.</i></p> <p><i>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.</i></p>	<p>There will be no modification to the loading bay arrangement or access.</p>
<p>4.4.2 Alterations and Additions</p>	<p><i>Manly Council promotes the retention and adaptation of existing buildings rather than their demolition and replacement with new structures.</i></p> <p><i>See also paragraph 3.2.2 Alterations and Additions to Heritage Items and Conservation Areas.</i></p> <p><i>See also paragraph 4.1.7 First Floor and Roof Additions (for Residential Development).</i></p> <p><i>See also paragraph 4.4.1 Demolition.</i></p>	<p>The proposed development seeks to improve the layout of the building and experience for customers through the relocation of the café to the ground floor and the relocation of office space to level 1. This is consistent with Council's controls regarding the retention of existing building.</p>
<p>Part 5 Special Character Precincts, Areas and Sites</p>		
<p>5.4.3 Flood Prone Land</p>		
<p>Requirements</p>	<p><i>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 Policy as</i></p>	<p>The site is mapped as being within the Flood Planning Level. It is proposed to convert an existing storage/warehouse</p>

Performance Criteria	Development Controls	Response
	<p><i>outlined in the NSW Government, Floodplain Development Manual, 2005.</i></p> <p><i>b) Development to which this paragraph applies must comply with the performance criteria set out in paragraph 5.4.3.1 Performance Criteria.</i></p> <p><i>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.</i></p> <p><i>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.</i></p>	<p>and office area into a café being a commercial use.</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 floor space at FFL 10.30. This results in a consistent FFL between the café and the adjoining lobby area.</p> <p>Council's mapping indicates that the site is within a medium risk flood precinct. The proposed café is located within existing floor area as part of the Harvey Norman Store. The development will result in a café measuring approximately 150m² with a FFL that is greater than the existing. The proposal is compatible with the flood hazard of the land.</p> <p>The development is wholly contained within an existing building and will not significantly adversely affect flood behaviour.</p>

5. 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 proposal will result in the relocation of the café and office space within an existing commercial building that is compatible with its dominant use as a *specialised retail premises* and remains consistent with the objectives of the zone.

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)(iiiia) 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

The café is to be relocated to the ground floor of the Harvey Norman store adjacent the lobby area. This revised location will provide greater convenience for customers of the premises. The café will not be viewable from a public place.

Traffic and Parking

The proposed development essentially involves the reshuffling of existing uses within the Harvey Norman store and is not considered to materially affect the access and car parking arrangements for the site. There will be a reduction in the gross floor area dedicated to retail sales and an overall reduction in the gross floor area for the building. For these reasons the car parking and access arrangement are adequate for the development in its current form.

Building Code of Australia (BCA)

Supporting the Development Application is a BCA statement prepared by McCarthy Consulting. It outlines that the proposal is capable of achieving compliance with the performance requirements of the BCA 2019.

Waste Management

The café is minor in nature and will not substantially alter the existing waste management arrangements. There is ample space within the layout for the café for the temporary storage of waste, which would then be transferred to the main waste storage area within the Harvey Norman site.

Economic impact

By relocating the café to a more convenient location within the building and expanding its size, the cafe will continue to support the commercial viability of the Harvey Norman store through an improved customer experience. Additional staff will be employed to manage the expanded café.

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

The proposed café will provide greater convenience and offerings to the customers of the Harvey Norman store consistent with the objectives of the zone. 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

The proposal will not give rise to any adverse environmental, amenity or streetscape impacts and is considered to be in the public interest.

6. 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.

The proposal is permitted within the B6 Enterprise Corridor zone and is consistent with the zone objectives. The relocation of the café and office space within the building will improve its functionality for staff and the experience for customers, ultimately supporting the commercial viability of the Harvey Norman store.

The site is therefore suitable for the proposed development which will positively contribute to the area. For reasons outlined in this Statement of Environmental Effects the proposed development is considered worthy of being granted development consent.

APPENDICES

APPENDIX 1

Architectural Drawings

APPENDIX 2

BCA Statement

APPENDIX 3

Waste Management Plan