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Statement of Environmental Effects

110 The Corso, Manly



**Prepared for Tamboran Resources
Submitted to the Northern Beaches Council**

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Executive Summary

This Statement of Environmental Effects (SEE) has been prepared by **Keylan Consulting Pty Ltd** (Keylan) on behalf of *Tamboran Resources* to accompany a DA for the change of use and fit-out of part ground level, and levels 1 and 2 of 110 The Corso, Manly.

This SEE has been prepared and is submitted to the Northern Beaches Council (Council) pursuant to the provisions of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The site and locality

The site is located at 110 The Corso, Manly, within the Northern Beaches LGA. It is located at the south-eastern corner of The Corso and South Steyne opposite Manly Beach. The site is legally described as Lot 4 DP39426.

The site has an area of 219.11m² with approximately 12.3 metres frontage to The Corso and 18.5 metres frontage to South Steyne. The site comprises of a 3-storey heritage listed building (I112) currently occupied by Starbucks on part of the ground floor (DA85/2014).

Surrounding land uses include commercial and retail uses which form part of the Manly Town Centre. The Corso is dominated by a variety of shops, restaurants and commercial uses, including a number of pubs/hotels. The Steyne Hotel is located directly opposite to the site on the north eastern corner of The Corso, forming the gateway into the Manly Town Centre from the beach.

The proposal

The proposal comprises:

- fit-out works on part of the ground floor
- a change of use from a restaurant / bar to office space on levels 1 and 2
- fit-out works on levels 1 and 2

Statutory Planning Framework

Section 4 of the SEE consider relevant State legislation and State and local environmental planning instruments, including:

- Section 4.15 of the EP&A Act;
- *State Environmental Planning Policies (SEPPs)*, including:
 - *State Environmental Planning Policy No.55 (Remediation of Land)*
 - *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*
 - *Draft State Environmental Planning Policy (Environment)*
- The DA has been assessed against the relevant clauses of the *Manly Local Environmental Plan (MLEP) 2013* and has been demonstrated to comply with these clauses.
- The proposal is also consistent with the *Manly Development Control Plan (DCP) 2013*.

Environmental Planning Assessment

A detailed assessment of the potential environmental impacts of the proposal is contained in Section 4. This section demonstrates that the proposal is of a minor nature that will have minimal environmental impact and is an appropriate use of the site and building.

Conclusion

This SEE provides a comprehensive environmental assessment of the proposal. The proposed development is an appropriate change of use and fit-out within an existing building in the Manly Town Centre. The proposal is an appropriate use of the heritage building, as minimal fit-out works are proposed and will have minimal environmental impact.

In conclusion, the proposal should be supported by Council and approved.

1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by **Keylan Consulting Pty Ltd** (Keylan) on behalf of *Tamboran Resources* to accompany a Development Application for the change of use and fit-out of part ground level and levels 1 and 2 of 110 The Corso, Manly.

This SEE has been prepared and is submitted to the Northern Beaches Council (Council) pursuant to the provisions of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposed development is for a change of use and fit-out within an existing building and comprises:

- a change of use from restaurant / bar and retail to office on levels 1 and 2
- associated fit-out works including:
 - the installation of a sink on the ground floor
 - rearrangement of toilet facilities and internal walls and removal of garbage and storage rooms on the first floor
 - removal of the garbage room and rearrangement of internal walls on the second floor

This SEE describes the site, its surroundings and the proposed DA and provides an assessment of the proposal in terms of the matters for consideration under section 4.15(1) of the EP&A Act.

This SEE demonstrates that the proposal is generally consistent with the relevant provisions of the:

- *State Environmental Planning Policy No.55 (Remediation of Land)*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*
- *Draft State Environmental Planning Policy (Environment)*
- *Manly Local Environmental Plan 2013*
- *Manly Development Control Plan 2013*

This SEE concludes that the proposal is an appropriate use of the building and will not result in any significant environmental impacts. The proposed works are internal only and will have a minimal impact on the heritage fabric.

This SEE should be read in conjunction with the following supporting documents:

Supporting documentation	Appendices
Architectural Plans	Appendix 1
Statement of Heritage Impact	Appendix 2
Manly DCP 2013 Compliance table	Appendix 3

Table 1: List of Appendices

1.1 Consent authority

The *cost of works* for the purpose of determining the DA fee for the proposal is calculated in accordance with Clause 255(1) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) at \$350,000 including GST

The DA will be determined by the Northern Beaches Council.

1.2 Pre-lodgement meeting with Council

A DA pre-lodgement was held with Council to discuss key issues associated with the development application.

This application has been prepared in accordance with the direction discussed at the development application pre-lodgement meeting.

2 The site and locality

2.1 Location and context

The site is located at 110 The Corso Manly, at the south-eastern corner of The Corso and South Steyne opposite Manly Beach. The surrounding land uses include 3 storey commercial and retail uses which form part of the Manly Town Centre. The Corso is dominated by a variety of shops, restaurants and commercial uses, including a number of pubs/hotels. The Steyne Hotel is located directly opposite the site on the north eastern corner of The Corso, forming the gateway into the Manly Town Centre from the beach.

South Steyne is characterised by 3 storey shops, restaurants and bars stretching along South Steyne adjacent to the beach front and associated areas of public domain.

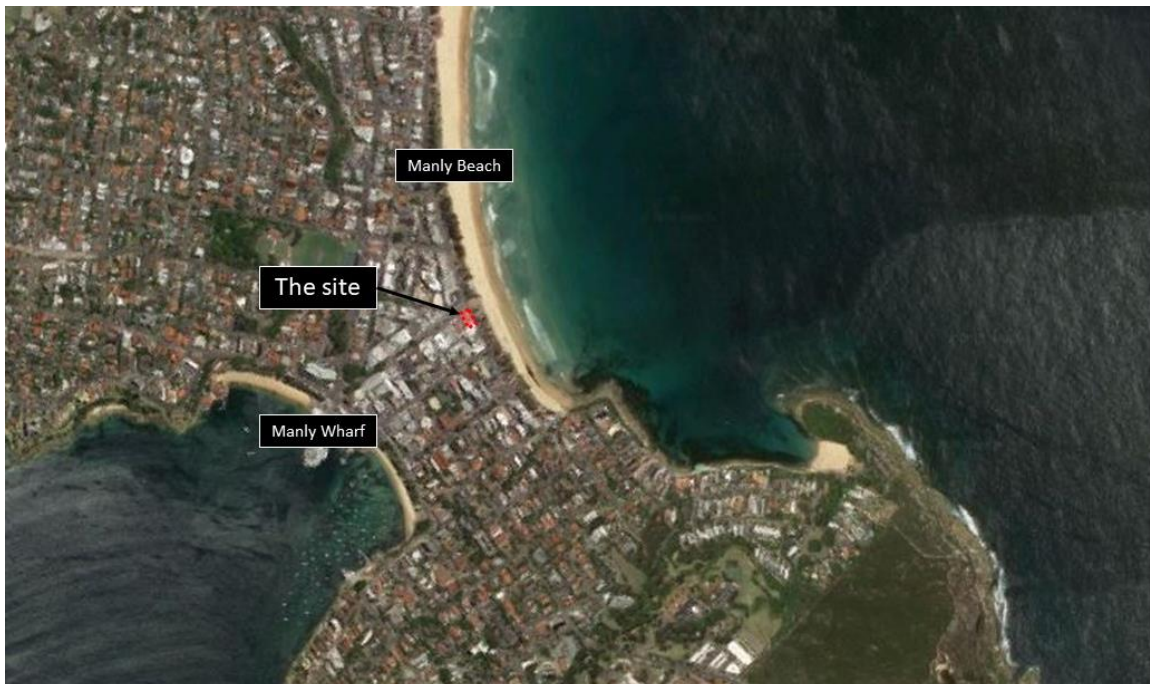


Figure 1: Location of the site (Base Source: Google Maps)

The site is located within the Manly strategic centre as identified in the North District Plan. It benefits from access to the following existing public transport services:

- Buses
- Manly F1 ferry lane connecting directly to Circular Quay
- Manly Fast Ferries connecting to Double Bay, Watsons Bay, Barangaroo and Circular Quay

The site is well located relative to key open spaces and recreational facilities. In particular, the site is located:

- With direct frontage to The Corso and South Steyne
- 25m from Manly Beach
- 500m from East Manly Cove Beach
- 800m from Manly Oval

- In close proximity to a number of walking tracks such as Marine Parade and the Shelly Beach Walking Track



Figure 2: Aerial view of the site and its surroundings (Base Source: Google Maps)

The site has an area of 219.11m² with approximately 12.3 metres frontage to The Corso and 18.5 metres to South Steyne. The site comprises a 3-storey heritage building which is currently being used as a Starbucks cafe on part of the ground floor (as per DA85/2014). The first and second floors have approval to operate as a restaurant / bar (as per DA85/2014). The site does not have any on-site parking or vehicle entry points.

There is no vegetation on the site. The site has a relatively flat topography and is not flood or bushfire affected.

The site is a local heritage item (I112) and is located within a heritage conservation area.

3 The proposal

The proposed developed is described in the table below:

Address/Property	110 The Corso, Manly
Description	Three Storey heritage listed building on the corner off South Steyne and The Corso
LGA	Northern Beaches
Zoning	B2 Local Centre
Permissibility	Permissible
Project	<p>The proposed development comprises:</p> <ul style="list-style-type: none"> Fit-out of part of the ground level for an approved retail food outlet (DA85/2014) (this area will remain the entry foyer for Levels 1 and 2) The change of use and fit-out of level 1 and 2 of the building from restaurant/bar and retail to office premises <p>The proposal involves the following per floor:</p> <p>Ground floor:</p> <ul style="list-style-type: none"> fit-out of entry foyer reinstate existing doors along South Steyne with foyer/café and associated outdoor seating, with existing lift servicing Levels 1 & 2 installation of a sink <p>Level 1:</p> <ul style="list-style-type: none"> a change of use from a restaurant / bar to office space fitout for office uses rearrangement of toilet facilities (including accessible toilet) and internal walls <p>Level 2:</p> <ul style="list-style-type: none"> change of use from a restaurant / bar to office space fitout for office uses with an associated storeroom rearrangement of internal walls use of Level 2 deck (noting use of deck is approved under DA85/2014) <p>The proposal does not seek to use the deck on level 1 and does not seek any additional floorspace to that approved under DA85/2014.</p>

Table 2: Project Overview

Architectural plans are provided in Appendix 1.

The use of the deck on Level 1 is not part of this application. It is noted Council officers indicate the use of this space may require a lease. Any negotiations regarding the use of the Level 1 deck shall be dealt with separately.

4 Environmental planning assessment

4.1 Environmental Planning and Assessment Act 1979

The proposal is consistent with the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it is considered to promote the orderly and economic use and development of land without resulting in an adverse impact on the environment. The orderly development of the land will be assisted by a better utilisation of the existing heritage building in a prime location identified by Council as an important corner in its planning controls.

This section of the report provides the planning assessment against the key statutory environmental planning instruments and Development Control Plans relevant to the development. The following detailed assessment of the proposal is based on the heads of consideration contained in section 4.15 of the EP&A Act.

4.15(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

Relevant Provision	Comment
(a) the provisions of:	
(i) any environmental planning instrument, and	The relevant environmental planning instruments are addressed in Sections 4.2 and 4.3
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	As above
(iii) any development control plan, and	The Manly Development Control Plan 2013 is addressed within Section 4.4
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	Not applicable
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The requirements of the EP&A Regulations are addressed in Section 4.6
(v) (Repealed)	
that apply to the land to which the development application relates,	
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The impacts of the proposal are addressed in Sections 4.7 to 4.11

Relevant Provision	Comment
(c) <i>the suitability of the site for the development,</i>	Site suitability is addressed at Section 4.13.
(d) <i>any submissions made in accordance with this Act or the regulations,</i>	Any submissions made in regards to this development application will be duly considered and addressed by Keylan. In addition, the Council will consider any public submissions relating to the proposal during its assessment.
(e) <i>the public interest.</i>	Public interest is addressed at Section 4.15.

Table 3: Section 4.15(1) assessment

4.2 State Environmental Planning Policies

The key applicable state environmental planning policies relevant to the proposal are:

- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*
- *Draft State Environmental Planning Policy (Environment)*

These policies are discussed in detail below.

4.2.1 State Environmental Planning Policy No.55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) applies to the State and states that where a DA is made concerning land that is contaminated, the consent authority must not grant consent unless:

- (a) *it has considered whether the land is contaminated, and*
- (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The application does not seek approval for substantial alterations to the building or any excavation. The site is not known to pose a risk of contamination and with respect to Clause 7, the land is considered suitable for the proposed use.

4.2.2 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The proposed development will not be visible from Sydney Harbour due to its location on the eastern end of The Corso. Notwithstanding, the proposal is for internal works. The proposal is consistent with the aims and objectives of the policy.

4.2.3 Draft State Environmental Planning Policy (Environment)

The Draft State Environmental Planning Policy (Environment) consolidates a number of State and Regional Environmental Plans including the following:

- *State Environmental Planning Policy No. 19 – Bushland in Urban Areas*
- *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*
- *State Environmental Planning Policy No. 50 – Canal Estate Development*
- *Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment*

- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No.2-1997)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Willandra Lakes Regional Environmental Plan No. 1 – World Heritage Property.

The proposal is consistent with the Draft Environment SEPP as it comprises minor internal works within an established building.

4.3 Manly Local Environmental Plan 2013

4.3.1 Zoning

The site is zoned B2 Local Centre in the LEP 2013. The objectives of the B2 Local Centre zone are:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To minimise conflict between land uses in the zone and adjoining zones and ensure amenity for the people who live in the local centre in relation to noise, odour, delivery of materials and use of machinery.*

The proposal is consistent with the zone objectives because it seeks to reuse an existing heritage building as commercial premises which encourages employment opportunities on a site well served by public transport and which will not give rise to any land use conflicts or amenity impacts



Figure 3: Extract of zoning map (Source: Manly Local Environmental Plan 2013)

4.3.2 Floorspace ratio (FSR)

The FSR applying to the site is 2.5:1 under the Manly LEP 2013, with the ability for a bonus FSR up to 0.5:1 providing 50% of the gross floor area is used for commercial purposes. The DA does not propose any additional floorspace, representing a FSR of approximately 2.03:1. This complies with the FSR for the site.

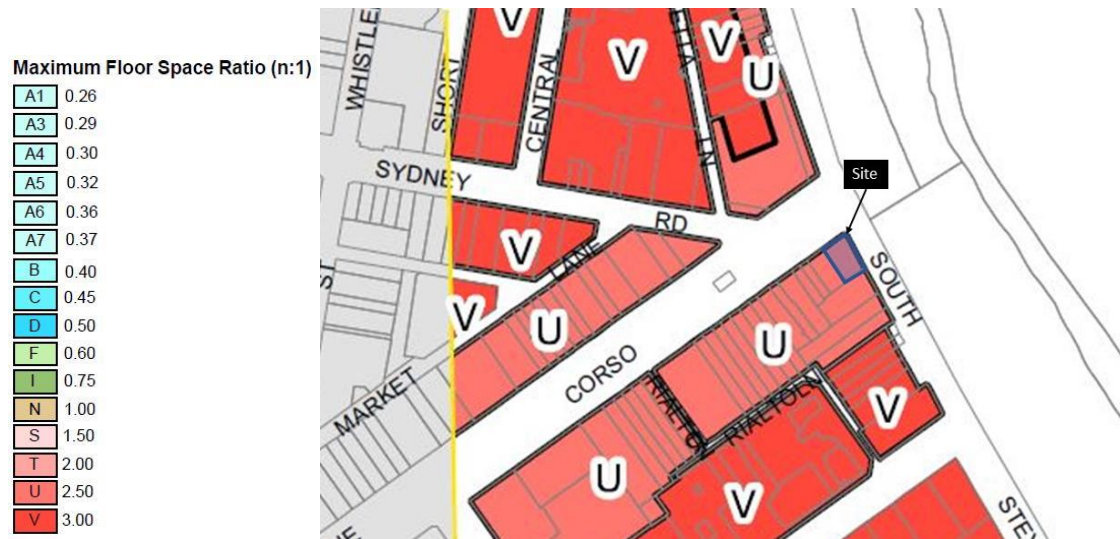


Figure 4: Extract of FSR map (Source: Manly Local Environmental Plan 2013)

4.3.3 Height

The maximum height limit applying to the site is 10 metres in the Manly LEP 2013. The proposal maintains the existing building height as no external works are proposed.



Figure 5: Extract of height map (Source: Manly Local Environmental Plan 2013)

4.3.4 Heritage Conservation.

There are a large number of heritage items (10+) located nearby the site. The closest heritage item is 'All numbers, The Corso' which is a Local heritage item (I106) listed within Schedule 5 of the Manly LEP 2013 and is directly adjacent to the Western Boundary of the site.

Clause 5.10 of the Manly LEP 2013 deals with heritage conservation. The site is listed as a local heritage item under the Manly LEP 2013 [I112] and also located within an identified Heritage Conservation Area.

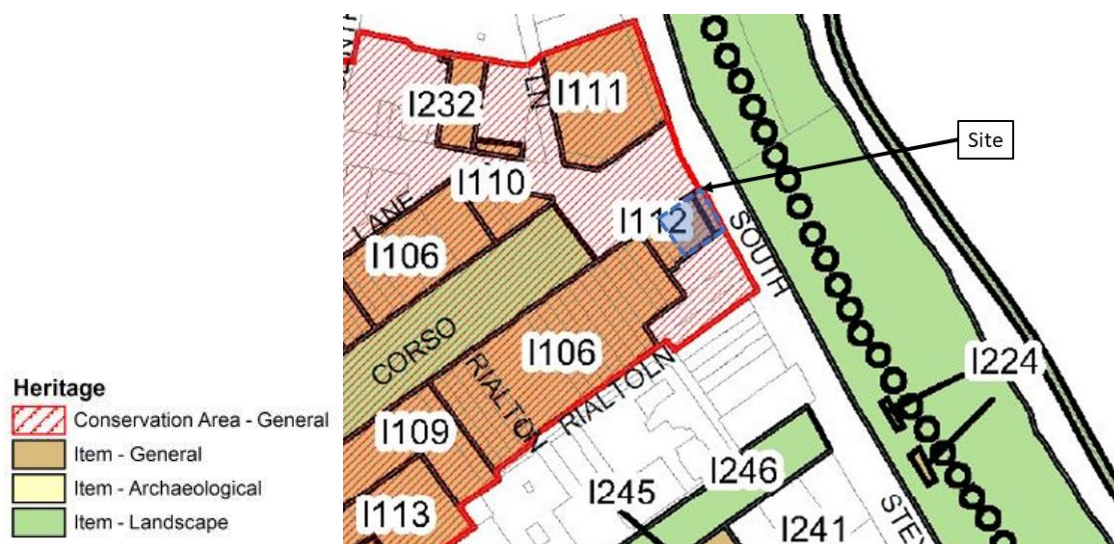


Figure 6: Extract of heritage map (Source: Manly Local Environmental Plan 2013)

A Statement of Heritage Impact (SHI) prepared by Graham Brooks and Associates (Appendix 2) for the previous alterations and additions associated with DA85/2014 outlines the history of the site, previous developments, the proposal and an in-depth assessment of the Heritage Impact relevant to that DA.

Additionally, it provides an evaluation under the provisions of the MLEP 2013, MDCP 2013 and the Heritage Division of the NSW Office of Environment and Heritage guidelines, 'Altering Heritage Assets and Statements of Heritage Impacts'.

The Statement of Heritage Impact found that the previous proposal to 110 The Corso would not have any adverse impact on heritage items in the vicinity of the site, or the Conservation Area. Given the proposed works are internal fit-out works and the proposed office use will not intensify the use of the building, the findings of this SHI are considered applicable for this DA. The proposal will not have adverse impacts on the heritage item.

4.3.5 Other matters

Manly LEP 2013		
Relevant planning control	Comment	Compliance
6.1 Acid Sulphate Soils	The site is Class 4. This applies to works more than 2 metres below natural ground level, which is not relevant to the DA.	Yes
6.4 Stormwater Management	The proposal will not generate an increase in stormwater runoff and can utilise the existing stormwater system.	Yes
6.9 Foreshore scenic protection area	The proposal is not considered to have a detrimental impact on the visual amenity of the coastal foreshore and will not impact on any loss of views from a public place to the foreshore.	Yes

6.11 Active Street Frontages	The proposed use will not impact the active use along The Corso.	Yes
6.12 Essential services	The DA is capable of meeting the requirements of this clause and is accompanied by a Waste Management Plan (appendix 3).	Yes

Table 4: Other matters in the Manly LEP

4.4 Manly Development Control Plan 2013

The proposal is generally in compliance with the aims, objectives and key provisions of the DCP.

A detailed assessment of the proposal against the relevant provisions of the DCP is provided below.

Manly Development Control Plan 2013		
Relevant Planning Control	Comment	Compliance
3. General Principles of Development		
3.1 Streetscapes and Townscapes	<ul style="list-style-type: none"> The proposal will contribute to the activation of a heritage listed building. 	Yes
3.1.3 Townscape (Local and Neighbourhood centres)	<ul style="list-style-type: none"> The proposal is consistent with design principles and supports the site as an 'important corner'. The proposal retains the building's existing awnings. 	Yes
3.2 Heritage considerations	<ul style="list-style-type: none"> The proposed change of use and fit-out will not have any negative impacts on the heritage items within and surrounding the site as the works are of a minor nature – as discussed in section 3 of this SEE. The proposal is limited to minor internal fit-out works. 	Yes
3.4 Amenity	<ul style="list-style-type: none"> The proposal will not lead to any loss of views, sunlight access, privacy or security and will not lead to any unacceptable odours or fumes. 	Yes
3.5 Sustainability	<ul style="list-style-type: none"> The DA can comply with ESD measures as it will utilise energy saving appliances. 	Yes
3.6 Accessibility	<ul style="list-style-type: none"> There is no change to existing access arrangements. 	Yes
3.7 Stormwater Management	<ul style="list-style-type: none"> The proposal will use the existing stormwater management measures in place. 	Yes

Manly Development Control Plan 2013		
3.8 Waste Management	<ul style="list-style-type: none"> The WMP (Appendix 3) confirms the majority of waste created during demolition and construction will be reused where possible. All waste produced during operation will be stored in the existing Waste Storage Area in the ground floor. Collection of the recycling and waste remains will be consistent with the approved development (DA85/2014). 	Yes
3.9 Mechanical Plant Equipment	<ul style="list-style-type: none"> A/C is already present on the site. 	Yes
3.10 Safety and Security	<ul style="list-style-type: none"> The proposal will allow for increased passive surveillance over the public domain. 	Yes
4 Development Controls		
4.2.4 Car parking	<ul style="list-style-type: none"> The site does not accommodate existing on-site parking and none is proposed as part of this DA. The site is located close to multiple different transport networks as outlined in Section 2.1 of this SEE. 	Yes
4.2.5 Manly Town Centre	<ul style="list-style-type: none"> The proposal will not promote an increase in retail activity but, will contribute to the activation of the Manly Town Centre through additional employment opportunities. Ample retail activity is provided at ground level and on other nearby sites. 	Yes
4.2.5.4 Car parking in Town Centre	<ul style="list-style-type: none"> The site cannot accommodate any parking (see section 4.9) 	Yes
4.4.2 Alterations & Additions	<ul style="list-style-type: none"> No alterations/additions are proposed 	N/A
4.4.3.2 signage in heritage conservation areas	<ul style="list-style-type: none"> Signage is not proposed as part of this application 	N/A
4.4.4 Awnings	<ul style="list-style-type: none"> The proposal will not affect the existing awnings. 	N/A
5 Special Character Areas and Sites		
5.1.1.1 Statement of Significance for Manly Town Centre Conservation Area	<ul style="list-style-type: none"> The proposal will retain existing building. 	Yes
5.1.2 The Corso 5.1.2.2 Internal changes are important	<ul style="list-style-type: none"> The building's interior has already been largely altered in the previous DA85/2014. Apart from internal wall additions and possible plastering and painting, the internal changes of the building are minor and will not affect any significant heritage aspect. 	Yes

Manly Development Control Plan 2013		
5.4.1 Foreshore Scenic Protection Area	<ul style="list-style-type: none"> The proposal is consistent with the objectives to protect the foreshore, being internal works only. 	Yes
Schedules		
Schedule 6 – The Corso: Site Specific Controls	<ul style="list-style-type: none"> Noted 	Yes

Table 5: Manly DCP 2013 Compliance table

4.5 Voluntary Planning Agreements

There is no voluntary planning agreement(s) relating to this DA.

4.6 Environmental Planning and Assessment Regulations

There are no known matters prescribed by the *Environmental Planning and Assessment Regulations 2000* (EP&A Regulation) that are relevant to the consideration of this application.

4.7 Environmental Planning Assessment

Section 4.15(1)(b) of the EP&A Act requires an assessment of the impact of development on environmental impacts (natural and built), and social and economic impacts.

4.8 Built Form

The proposal is for a change of use from a restaurant / bar to office space and internal fit-out within the existing building. No external works are proposed. As such the built form will not be affected.

4.9 Traffic and Transport

The proposal involves the reuse of a heritage building and there are no existing parking spaces on site. The site is constrained and does not have the capacity to provide carparking. Any parking provision would likely involve substantial works resulting in heritage impacts.

Section 4.2.4.1 'Car Parking' of the MDCP 2013, states that

The Council may be prepared to allow exceptions to the parking rate / requirements required in this DCP in the following circumstances: (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).

It is important to note that the site is well serviced in terms of public transport with Manly Wharf (approximately 500m west of the site) and a large number of bus services connecting Manly with various parts of Sydney such as the Northern Beaches, Mosman and Chatswood are within 600m west from the site. It is also located close to several public car parks operated by Council.

Overall, the proposal will not have adverse impacts on traffic and transport.

4.10 Noise

The operation of the office will not result in unacceptable noise impacts. The proposal will generate less noise than the approved uses.

4.11 Heritage and Archaeology

As discussed in section 5.3.4 of the DCP compliance table, the proposal will not have adverse impacts on the heritage item.

4.12 Development Contributions

The Capital Investment Value (CIV) for this development is of \$350,000. At a contributions rate of 1%, the development contribution will be \$3,500 (Appendix 4).

4.13 Suitability of the site

The site is suitable in accommodating the proposed change of use and internal fit-out for the following reasons:

- the proposal is permissible in the zone and complies with objectives of the Manly LEP 2013 and Manly DCP 2013
- the proposal will contribute to the activation of and additional employment opportunities within the Manly Town Centre
- the proposal will not impact the heritage significant building or the broader heritage conservation area.
- the proposal maintains key view corridors and;
- will create new professional jobs within a uniquely located office space

Accordingly, it can be concluded that the site/premises is entirely suitable for the proposal.

4.14 Submissions

The proposal will be notified in accordance with the Council's notification policy. Council officers will consider any submissions received prior to the determination of the application.

4.15 Public interest

The proposal is in the public interest as it will:

- increase employment opportunities within the Manly Town Centre
- reuse a heritage item
- contribute to activation

In addition, Council will consider any public submissions relating to the proposal during its assessment. Accordingly, at this stage, it can be concluded that the proposed development is entirely in the public interest of Manly Town Centre.

5 Conclusion

This SEE supports a Development Application for the change of use and fit-out of part ground level, and levels 1 and 2 of 110 The Corso, Manly.

This SEE has been prepared and is submitted to the Northern Beaches Council pursuant to the provisions of Part 4 of the EP&A Act. A detailed examination of the site in its legislative and physical context has found that the proposal:

- is consistent with current legislative framework
- is consistent with relevant strategic documents
- is suitable for the site and the area, after an assessment against the heads of consideration of section 4.15(1) of the EP&A Act
- is consistent with the objectives of the B2 Local Centre Zone in the *Manly Local Environmental Plan 2013*
- does not give rise to any adverse impacts on the heritage item on the site, other nearby heritage items or the Town Centre conservation area
- will not lead to any adverse traffic or public infrastructure issues
- will not result in any environmental impacts or adverse impacts on the amenity of surrounding land
- will create local jobs within the Manly Town Centre
- will lead to an increase in regular economic activity for surrounding businesses
- will allow for an appropriate use of the under-utilised heritage item.

Consequently, approval of this development application is recommended.