

104 The Corso, Manly

Statement of Environmental Effects

On behalf of
Craveable Brands Pty Ltd
March 2022



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* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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1 General Information

This Statement of Environmental Effects (**SEE**) report has been prepared by *Mecone NSW Pty Ltd* on behalf of *Craveable Brands Pty Ltd* (**the Proponent**) to support a Development Application (**DA**) to the *Northern Beaches Council* (**Council**) for the change of use and fit out of the Oporto store at 104 The Corso, Manly (**the Site**).

This SEE describes the proposed development and surrounding area in the context of the relevant planning controls and policies. In addition, the SEE provides an assessment of those relevant heads of consideration pursuant to section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Specifically, the SEE includes the following information:

- Description of the site in its local context;
- Identification of the proposed works;
- Assessment of the project against relevant controls and policies;
- Assessment of all environmental impacts of the project; and
- Identification of measures for minimising or managing the potential environmental impacts.

A detailed description of the proposed works is outlined in **Section 3**, a planning assessment is provided in **Section 4** and an environmental assessment is provided in **Section 5**.

This SEE is also supported by the following architectural plans and other consultants reports, which are provided separately;

- **Appendix 1.** Cost Estimate
- **Appendix 2.** Architectural Plans
- **Appendix 3.** Heritage Impact Statement
- **Appendix 4.** BCA report

1.1 Proponent and Project Team

The Development Application and SEE Report have been prepared on behalf of the applicant, Craveable Brands Pty Ltd.

Table 1. Project Team

Item	Description
Urban Planning Assessment	Mecone NSW Pty Ltd
Architect	Craveable Brands
Heritage	Heritage 21
BCA	Certis (NSW) Pty Ltd

2 The Site

2.1 Site Location

The Site is zoned B2 Local Center within the Northern Beaches Local Government Area (LGA). Currently occupied by a retail operator (Vodafone), the site has an area of approximately 78m², on a rectangular lot. It has a 4m frontage to The Corso to the north and is located approximately 30m south-west of Steyne road and 100m from Manly Beach, as shown at **Figure 1**.

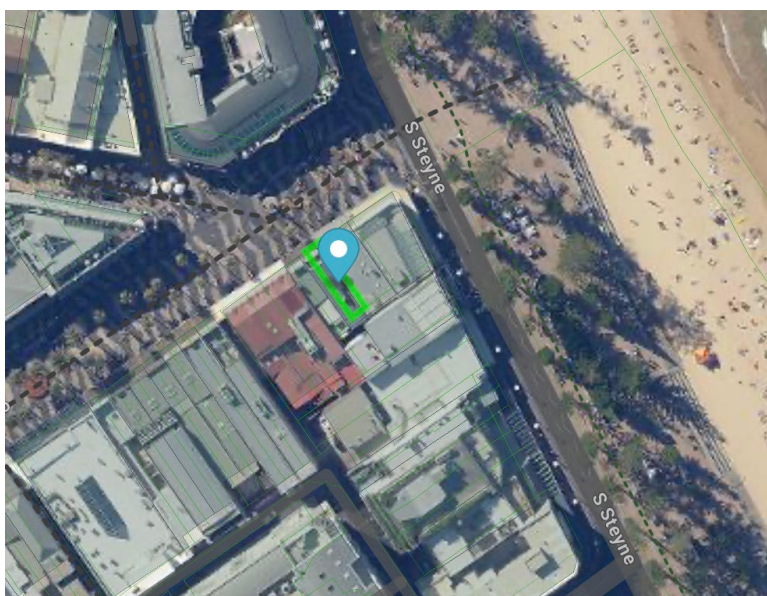


Figure 1. Subject Site
Source: Mecone MOSAIC

2.2 Site Description

Table 2 provides the legal description, and a brief summary of the site and surrounding context. In addition, a survey plan of the site is provided at Error! Reference source not found..

Table 2. Site Description	
Item	Description
Legal Description	Lot 2/DP39426
Total Area	78 m ²
Location	The site is located on the southern side of The Corso, and to the west of Manly Beach.
Street Frontage	4m to The Corso.
Site Description	Located on the southern side of The Corso, and to the south-west of Steyne road and Manly Beach. It is currently occupied by a Vodafone Shop, within a heritage item building and conservation area.

Table 2. Site Description

Item	Description
	The site has a rectangular shape and is located adjacent to other shops, commercial premises and food and drinks premises.
Previous uses	The site has been recently used as a phone store (Vodafone) and previously an ice cream shop.
Surrounding Context	The surrounding area is mainly commercial, retail, food and drink premises and residential uses. The nearby development consists of two storey mixed-use buildings, where residential uses is located on the second floor. The majority of the area is located within a heritage conservation area or forms part of a heritage item.
Public Transport	Manly Wharf 2 is located approx. 500m west of the subject site and provides regular services to Circular Quay.

3 The Proposal

3.1 Development Summary

The application proposes the change of use from the exiting shop to a food and drink premises and fit out of the existing Vodafone Shop to an Oporto Restaurant, at 104 The Corso, Manly. In summary, the proposed works will comprise the following:

- Internal fit out of tenancy including new floor tiles, bifold doors, **below** ground grease trap, equipment installation and new shopfront graphic panels.
- Minor changes to the floor to ceiling heights to be consistent with the street level.
- 3 x New external signs (Top Hamper Sign, Awning Fascia sign and Under Awning sign)

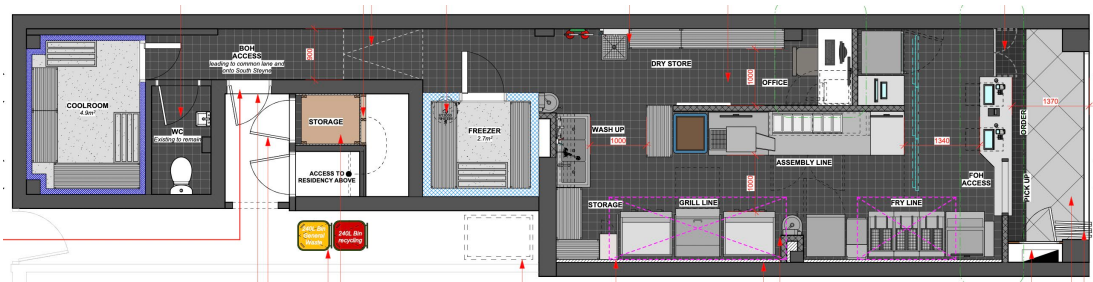


Figure 2. Proposed Layout Plan
Source: Craveable Brands

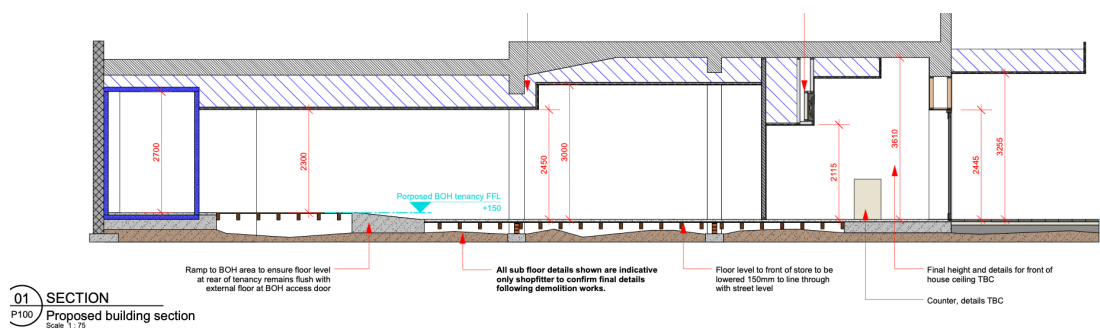


Figure 3. Proposed Building Section
Source: Craveable Brands

3.2 New shopfront facade

The proposal seeks to replace the existing/approved ground floor level façade with a new commercial façade to support the image and branding for the incoming tenant (The Oporto Restaurant). The proposed works will include new bi-fold doors as well as alterations to the materiality and finish of the external façade consisting of metal, graphic and corrugated panels, and signage.

No changes are proposed to the upper level façade.

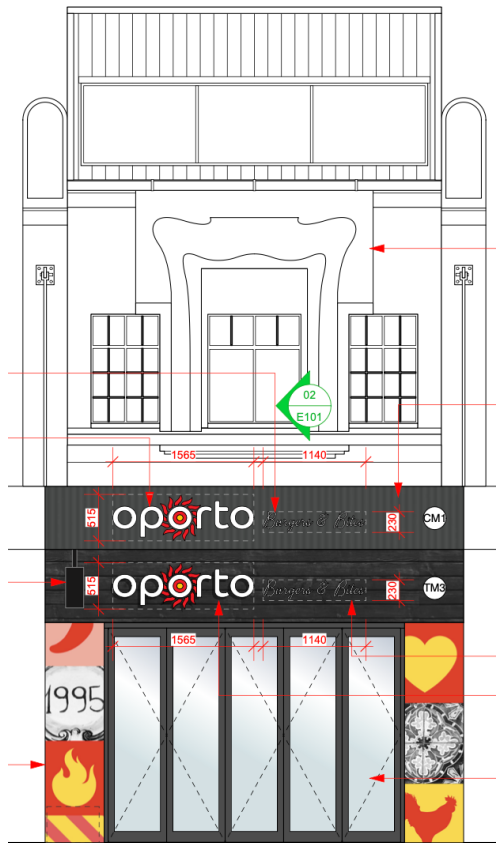


Figure 4. Proposed shopfront facade
Source: Craveable Brands

The graphic panels are to be fixed directly to the façade wall and underside of the awning. The colours and design are to be consistent with the branding of the incoming tenant 'Oporto'. The size (in mm) of each graphic is shown at **Figure 5 and 6**.



Figure 5. Proposed graphic panels
Source: Craveable Brands

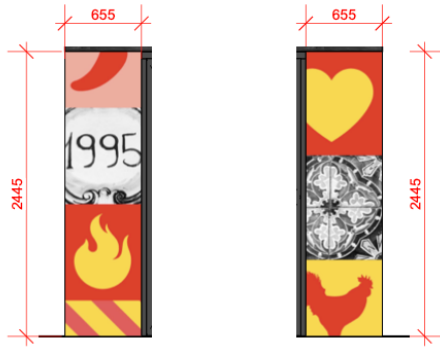


Figure 6. Proposed graphic panels
Source: Craveable Brands

3.2.1 Signage

This application seeks the installation of replacement business identification signage along The Corso frontage. In summary, the proposed signage for the site will include:

- Top hamper sign (Sign 1 and 2)
- Under awning sign (Sign 3)
- Awning Fascia Sign (Sign 4 and 5)

Top Hamper sign

The Top Hamper sign consists of an Illuminated primary sign (sign 1) and sub sign (sign 2) fixed directly to the shopfront bulkhead. Sign 1 is to be 1,56m x 0,51m in size and sign 2 being 1,14m x 0,23m in size.



Figure 7. Proposed Signage 1
Source: Craveable Brands



Figure 8. Proposed Signage 2
Source: Craveable Brands

Under awning sign

The illuminated suspended awning sign (sign 3) is to be fixed directly to the shopfront awning, by using the existing supports. The sign is to be double sided, illuminated on both sides. The signage size is to be 2,0m x 0,45m x 0,20m.



Figure 9. Proposed Signage 3
Source: Craveable Brands

Top Hamper sign

The non-illuminated signs are to be fixed directly to the awning. The sign 4 size is to be 1.56m x 0.51m and sign 5 size is to be 1.14m x 0.23m.



Figure 10. Proposed Signage 4 and 5
Source: Craveable Brands

3.3 Hours of Operation

The operating hours for the proposed Oporto restaurant are as follows:

- 7am-10pm (Monday - Saturday) and
- 8am-10pm (Sunday and public holidays)

It is noted that these hours are consistent with the day/evening period defined in the EPA policy for Industry.

4 Planning Assessment

Mecone has undertaken an assessment of the proposal against the relevant planning and environmental legislation and guidelines to identify potential environmental impacts and mitigation measures. The potential environmental impacts and their mitigation measures are discussed in the subsequent sections.

The SEE includes an assessment of the proposed works in terms of the matters for consideration as listed under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&AA 1979) and should be read in conjunction with information annexed to this report as outlined in the Table of Contents.

4.1 State Environmental Planning Policy

4.1.1 State Environmental Planning Policy (Resilience and Hazard) 2021

State Environmental Planning Policy (Resilience and Hazard) 2021 is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by—

- a) managing development in the coastal zone and protecting the environmental assets of the coast, and
- b) establishing a framework for land use planning to guide decision-making in the coastal zone, and
- c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.

The subject site is located within the coastal environmental area and the coastal use area, and therefore, Clause 2.10 and 2.11 of the SEPP apply to the site. Considering the scope of the works being only for fit out purposes, the development will not generate adverse impact on the coastal management values. The built environment heritage will stay unchanged to that previous approval.

The proposed development is not considered to generate any impacts on the coastal management areas and is considered appropriate in its location.

4.1.2 State Environmental Planning Policy (Industry and Employment) 2021

State Environmental Planning Policy (Industry and Employment) 2021 provides provisions for Advertising and Signage under Part 3 of the SEPP. The aims and objectives of Part 3 are as follows:

- a) to ensure that signage (including advertising)—
 - i) is compatible with the desired amenity and visual character of an area, and
 - ii) provides effective communication in suitable locations, and
 - iii) is of high quality design and finish, and
- b) to regulate signage (but not content) under Part 4 of the Act, and
- c) to provide time-limited consents for the display of certain advertisements, and
- d) to regulate the display of advertisements in transport corridors, and
- e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

The proposed signage is consistent with the aims and objectives of Part 3 of the SEPP as describe above. The proposed signage is compatible with the streetscape and character of The Corso and provides a way of finding for the new Oporto restaurant for the public benefits. The signage is of high-quality design and finish and ensure consistency with surrounding retail, commercial and food and drink premises.

4.1.3 Manly Local Environmental Plan 2013

The development has been addressed under the provisions of the environmental planning instrument of Manly Local Environmental Plan 2013 (MLEP 2013).

The proposed DA results in the changes to the fit out of the existing shop and installation of new equipment to serve the new Oporto Restaurant. These proposed works are compliant with the MLEP2013 as discussed in the table below;

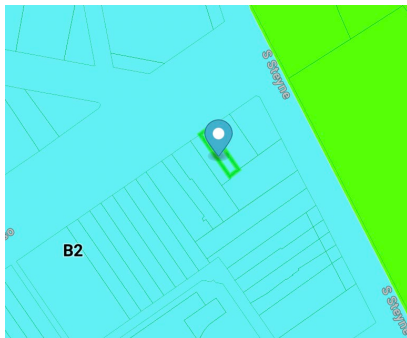
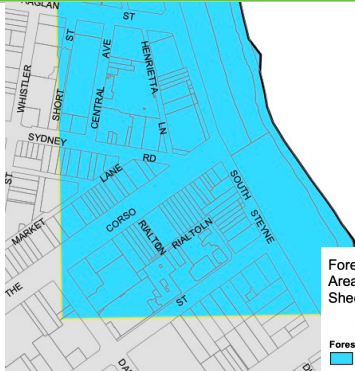
Table 3. MLEP 2013 Compliance Assessment		
Provision	Description	Compliance
2.3 Zoning and Permissibility	The subject site is zoned B2 Local Centre under the MLEP 2013. 	Complies The proposed commercial premises is permissible with development consent in B2 Local Centre zoned land.
4.3 Height of Buildings	Under the MLEP2013, the site is subject to maximum height control of 10m.	N/A The proposed works do not alter the approved height of the building. Refer to Architectural Plans in Appendix 2.
4.4 Floor Space Ratio	Under the MLEP2013, the site is subject to a maximum FSR of 2.5:1	N/A The proposed works do not change the approved FSR.
5.10 Heritage Conservation	The site is identified as a heritage item and within a heritage conservation area.	Complies The proposal is accompanied by a Heritage Impact Statement (Appendix 3). The works will have no adverse impact on the heritage item nor the heritage conservation area as the proposal is considered to be neutral and to generate positive impacts on site.
6.9 Foreshore Scenic Protection	The subject site is identified in Clause 6.9 of the MLEP 2013 as within the 'Foreshore Scenic Protection Area'.	Complies The proposed development will not contravene the

Table 3. MLEP 2013 Compliance Assessment

Area	 Foreshore Scenic Protection Area Map Sheet FSP_005 Foreshore Scenic Protection Area Foreshore Scenic Protection Area	objectives of the Clause. The proposal retains the height, bulk scale and FSR of the approved development. Accordingly, the proposal will not create any additional visual impacts.
6.11 Active Street Frontage	The subject site is identified in Clause 6.11 of the MLEP 2013 as within the 'Active Street Frontage'.  Active Street Frontages Map Sheet ASF_005 Active Street Frontages Active Street Frontages	Complies The proposed works will maintain active frontage to The Corso which is consistent with the surrounding developments.

4.1.4 Manly Development Control Plan 2013

The development has been addressed under the provisions of Manly Development Control Plan 2013 (MDCP 2013). The proposed works are compliant with the MDCP 2013 as discussed below.

FSR, Height, Setbacks

Part 4.2 of MDCP 2013 applies to the site. No changes to the FSR, height of building and setbacks are proposed in this development application. The proposal is strictly for the use and fit out of the site for the Oporto restaurant. The proposal complies with this provision.

Signage

Part 4.4.3 of MDCP 2013 applies to the site. The proposed signs, as described above, are to replace the existing/approved ground floor level façade with a new commercial façade to support the image and branding for the incoming tenant (The Oporto Restaurant). Signs 1 and 2 are to be read as one sign and will be similar to Signs 3, 4 and 5.

The proposed signs are to be similar in size and scale that the existing commercial businesses on The Corso and is proposed to be reversible. The signs will utilize similar fittings to fix the signage as those previous existing signs on site. The signage is proposed to comprised colours of charcoal with red and yellow graphic prints to represent the image of the new tenant.

The proposed signs are considered consistent with the streetscape of The Corso and will provide high quality design for the public benefits.

Car parking, Vehicular Access and Loading Dock

As a result of the new Oporto restaurant, no changes are proposed in relation to car parking, vehicular access and loading areas for the site.

Manly Town Centre Heritage Conservation Area and The Corso

Part 5.1 of MDCP 2013 applies to the site. The proposed fit out of the Oporto restaurant has given attention to the streetscape and public domain of The Corso.

Part 5.1.1 General Character

The general character of Manly Town Centre is described in Section 5.1.1 of Manly DCP. It is described as resulting from a low scale of development, distinctive corner buildings and a good level of pedestrian protection and amenity generated by footpath awnings. The Town Centre is characterised with a range of architectural styles, which identified the importance of the Conservation Area.

The proposal is consistent with the general character of Manly Town Centre. The new Oporto restaurant will maintain the built form of the existing building, will continue to provide street activation on The Corso, will provide social interaction and incorporates shopfront signage compatible with the retail, commercial and food and drink premises on The Corso.

Part 5.1.2 The Corso

The Corso forms part of the conservation area in Manly Town Centre, where the subject site is located. Section 5.1.2.1 and 5.1.2.2 apply to the proposal. There are no

proposed changes to the cultural significance of The Corso and the subject site. The proposal purely seeks consents for the internal alterations to the building for the fit out of the new Oporto restaurant. Therefore, the proposed development does not alter the external façade facing the pedestrians.

The proposed signs are similar in size and scale to those of the retail outlets on The Corso and is proposed to be reversible. Accordingly, the proposal is consistent with the prevailing character of the area.

Part 5.1.2.2 Internal changes are important

The proposed changes to the floor level will enable the development to be consistent with the street level and therefore, retain a logical relationship with the street façade. A Heritage Impact Statement has been prepared and addresses the internal building fabric and the layout of the proposal within the heritage building.

The heritage advice provided suggest that the proposed internal alterations to the building will not have a negative impact on the heritage significance of the site.

Shopfront façade

Part 5.1.2.12 *Street Level Uses to Encourage Activity* applies to the proposal. The proposed new shopfront façade and signage to The Corso contribute to the liveliness and safety of the street, both day and night. The shopfront façade will consist of transparent bi-fold doors and include external lighting. The signage is consistent with other signs along The Corso as it provides similar size and scale to those in the surrounding area. Therefore, the proposal is consistent with this provision.

5 Environmental Assessment

Mecone has undertaken an assessment of the proposal against potential environmental impacts, site suitability and the public interest in accordance with Section 4.15 of the EP&A Act. The potential environmental impacts and their mitigation measures are discussed below.

5.1 Heritage Impact

The proposed development respects the heritage significance of the subject site, being located on a heritage item of *Group of 4 commercial building*, within a conservation area of *Manly Town Centre* and at proximity of other heritage items. The Heritage Impact Statement, included at **Appendix 3**, provides the following conclusion:

- The proposed development would not alter the Federation period Art Nouveau styled external façade visible from The Corso;
- The proposal would complement and contribute to the amenity and mixed use of The Corso as a historic pedestrian retail strip;
- The proposed development would replace a currently unused retail space;
- The proposed internal fit out would retain the integrity of significant fabric of the heritage item; and
- The proposed signage will replace existing signage and is in proportion of the subject site and surrounding commercial businesses.

Accordingly, the proposal is considered to be consistent with the relevant heritage controls as it provides a neutral development generates positive impacts on the heritage significance of the subject site.

5.2 BCA Compliance

The proposal is accompanied by a BCA report at **Appendix 4**, where it has been concluded that the design is capable of BCA compliance through either DTS or PBS measures, subject to minor design changes.

5.3 Public Interest

The proposed development is considered to be within the public interest for the following reasons:

- The proposal is consistent with the zone objectives and is generally consistent with controls within applicable Environmental Planning Instruments and the MDCP 2013,
- The proposal will provide visual interest for the public and enable the public to have access to new commercial premises on The Corso,
- The proposal will contribute to the liveliness and activation of the street,
- The proposed fit out will not obscure or compromise any important views and will seamlessly be integrated into the design of the approved building.

5.4 Site Suitability

The proposed site is suitable for the following reasons:

- The proposed works are consistent with the objectives of the B2 Local Centre zoned land and permissible with the consent of Council,
- The proposed fit out is sympathetic to the heritage significance of the building,;
- There are no environmental constraints on or around the site of such significance as to preclude the proposed development, and
- The proposal improves the appearance of the building viewed from the public domain.

5.5 Section 4.15 Compliance

Table 4. Section 4.15 Assessment Summary

	Matter for consideration – General	
(1)	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:	
(a)(i)	The provision of: Any environmental planning instrument, and	The development has been considered in line with the <i>Manly Local Environmental Plan 2013</i> and has been shown to be consistent with its provisions.
(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 Planning Secretary has notified the Consent Authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	The Application has considered any Draft instruments.
(iii)	Any development control plan, and	The proposal has been assessed against the relevant provisions of the MDCP 2013 and has been shown to be consistent with the controls.
(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	No planning agreement has been entered into.
(iv)	The regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The works demonstrate compliance with the applicable regulations. There are no prescribed matters pursuant to the <i>Environmental Planning and Assessment Regulation 2000</i> that relate to this application.
(v)	(repealed)	Noted
(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 proposed works will have negligible impacts on the built environments, The heritage significance of the site has been assessed and the proposal is considered to not generate amenity impacts.
(c)	The suitability of the site for the development,	The site has been demonstrated as being suitable for the proposal as identified in section 5.4. All works are compliant with the controls stipulated in the relevant EPIs.

Table 4. Section 4.15 Assessment Summary

(d)	Any submissions made in accordance with this Act or regulations,	The proposed DA will include consideration of any submissions in accordance with Council's policies.
(e)	The public interest.	The proposal is considered to be in the public interest. The works are sympathetic to the local context, and surrounding area.

6 Conclusion

This SEE report has been prepared by Mecone on behalf of Craveable Brands Pty Ltd to support a Development Application to the *Northern Beaches Council* for the change of use and the fit out of the new Oporto restaurant at 104 The Corso, Manly.

This SEE describes the proposed works in the context of relevant planning controls and policies applicable to the form of the development proposed. In addition, the SEE provides an assessment of those relevant heads of consideration pursuant to section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposed works will not have any significant environment impacts, will not change the built form of the existing building and will not have any adverse or significant impacts on the heritage environment or surrounding developments.

The proposal provides a permissible development within the B2 Local Centre zone under the MLEP 2013. The proposal complies with relevant principal development standards outlined in the MLEP 2013 and are compliant with the relevant MDCP 2013 controls.

The works result in a substantially improved and desirable development outcome for the site that accomplishes appropriate development outcomes, consistent with the streetscape when viewed from The Corso, neighbouring developments and areas of the public domain.

An Environmental Assessment has been undertaken in **Section 5** of this report, supported by a Heritage Impact Statement and BCA assessment. The environmental assessment found the associated impacts of the proposal are considered to be minimal and manageable.

We therefore request that Council recommend that the proposed development be granted development approval.



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