



DM Planning

Statement of Environmental Effects

Demolition and construction of a Furniture Showroom



200-204 Condamine Street, Balgowlah

Report prepared for
King Living

November 2022

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1 Introduction

This Statement of Environmental Effects ('SEE') has been prepared on behalf of King Living to accompany a Development Application ('DA') for construction of a Furniture Showroom at 200-204 Condamine Street, Balgowlah.

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

This SEE describes the site, its surroundings and describes how the proposal addresses and satisfies the objectives and standards of the Manly Local Environmental Plan 2013 ('MLEP'), the Manly Development Control Plan 2013 ('MDCP') and the heads of consideration listed in Section 4.15 of the EP&A Act.

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

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Infrastructure) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *Manly Local Environment Plan 2013*
- *Manly Development Control Plan 2013*

This SEE concludes that the proposal, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed development is compatible with the objectives for the B6 Enterprise Corridor.
- The proposed development will not give rise to adverse impacts on the environmental quality of the land or the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant land use zoning and planning requirements.

2 The site and locality

2.1 Site description

The site comprises of three lots as follows:

Address	Legal description	Area
200 Condamine Street	Lot 91 DP 607382	759.6m ²
202 Condamine Street	Lot 18, DP 819775	720.9m ²
204 Condamine Street	Lot 17, DP 819775	685m ²
Total Area:		2,165.5m²

Conditions of the site are detailed on the site survey (Appendix 1).

The site is irregular in shape and has an area of 2,165.5m². It is located on the eastern side of Condamine Street with a street frontage of approximately 46m. A Sydney Water sewer service runs north to south below the existing carparks at the rear of the site.

The site slopes to the rear and is devoid of vegetation, with the exception of one (1) tree adjacent to the rear boundary of the site. The site is currently occupied by three (3) vacated bulky goods stores with vehicular access to the site currently provided by two (2) existing vehicular accesses to Condamine Street.

The site is surrounded by commercial development to the north, south and east. Commercial and mixed-use developments are located on the western side of Condamine Street.

The site is shown in its' broader context in Figures 1 and 2 below.

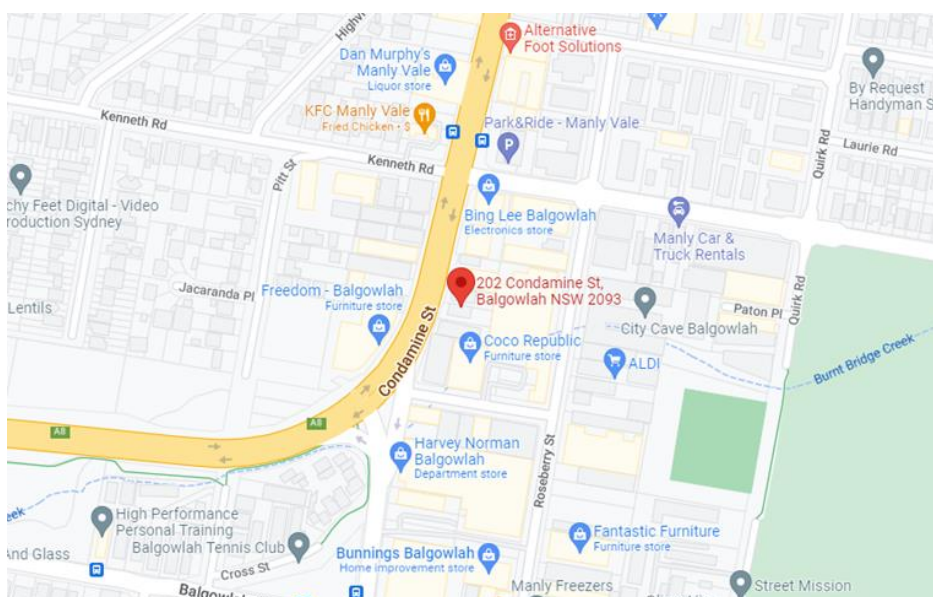


Figure 1. Location of the site (Source: Google Maps)



Figure 2. Aerial view of the site and its surroundings (Source: SIX Maps)

Photographs of the site are shown in Figures 3 – 6 below:

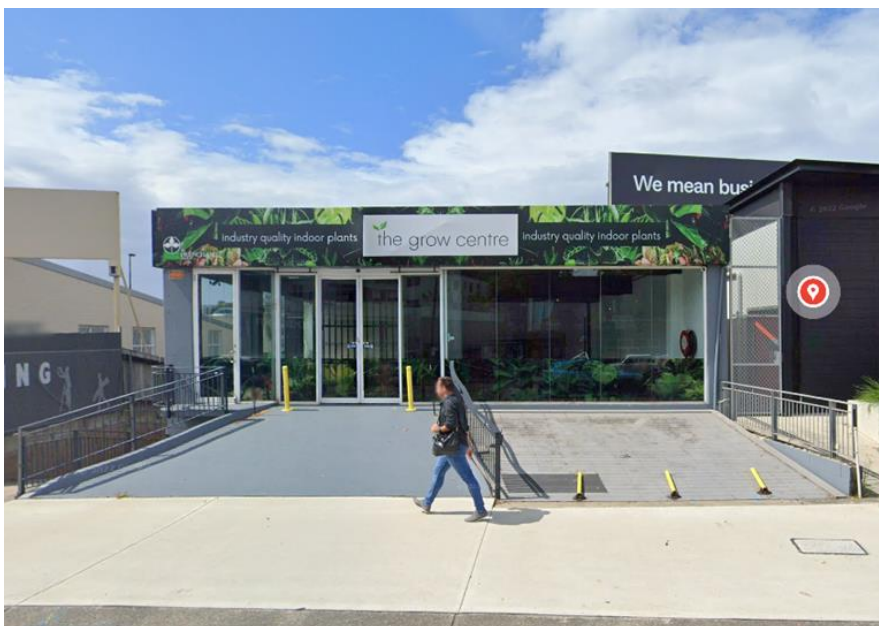


Figure 3.
200
Condamine
Street



Figure 4.
202
Condamine
Street



Figure 5.
204
Condamine
Street



Figure 6.
Rear of
200
Condamine
Street



Figure 6.
Rear of
202 & 204
Condamine
Street

2.2 The locality

The site is in the commercial area of Balgowlah. Surrounding development consists of various commercial and retail uses including furniture showrooms, supermarkets (Woolworths and Aldi), vehicle servicing businesses and supplier distribution outlets.

The site adjoins the following properties:

- To the north of the site, 206 Condamine Street, is a two-storey commercial building suspended over a concrete-lined open drainage channel along Burnt Bridge Creek. The drainage channel is approximately 2m to 3m deep and is supported by concrete and gabion retaining walls. The drainage channel abuts the boundary at the north-western corner (see Figures 7 and 8).
- To the south of the site, 2-4 Hayes Street (Coco Republic), contains a part two storey/part 3 storey bulky goods premises with café (see Figure 9).
- To the east, 17 Roseberry Street, contains a multi-level concrete commercial building (Woolworths) with a basement carparking level and rooftop parking (see Figure 10).
- To the south west, 253 Condamine Street (Freedom Furniture) contains a two-storey commercial building (see Figure 11).
- The west and north-west, are a series of mixed use, four storey developments, on the opposite side of Condamine Street (see Figure 12).

The following photographs show surrounding development:



Figure 7.
Commercial
development to
the north of the
site (206
Condamine Street)



Figure 8.
The open drainage
channel below 206
Condamine Street



Figure 9
Coco Republic to
the south of the
site



Figure 10.
Woolworths,
located to the east
of the site



Figure 11.
Woolworths,
located to the east
of the site



Figure 12
Mixed use
development
opposite the site,
259 Condamine
Street

2.3 Background

A pre-lodgement meeting was held with the Council on 11 August 2022 for demolition works and construction of a building for use as a specialised retail premises.

The matters raised by Council have been taken into consideration and the scheme has been refined accordingly. The supporting documentation requested by Council accompanies the application.



3 The proposal

The development application seeks consent for demolition and the construction of a Furniture Showroom as detailed on the architectural plans, numbered 0001, 0002, 0003, 0004, 2000, 3000, 3100, 4000, 4001, 4002, 5000, 5001, 6000, 6001, 7000, 9100, dated 21.11.2022 (refer to Appendix 2).

Demolition:

The development seeks to demolish all existing structures, with the exception of the existing ground floor slabs, western boundary retaining walls and the suspended concrete ramps between the buildings at 202 and 204 Condamine Street.

Construction:

Construction of a two-storey building for use a furniture showroom comprising:

Level 1: (GFA: 894m²)

- Open plan furniture showroom
- Entry with escalators and atrium
- Lift, bathroom, kitchen, waste room

Level 2: (1,104m²)

- Open plan, split level furniture showroom
- Metal roof with solar photo voltaic panels

Undercroft: are below building

For flood storage

Traffic and car parking:

- Two lane vehicle access driveway from the southern end of the site.
- Twenty-six (26) car spaces located at the rear of the site
- Reinstate kerb to redundant driveway crossings

Landscaping:

A Landscape Plan, prepared by Conzept Landscape Architects (Appendix 3), has been submitted in support of the application, detailing:

- Landscaping in the 4.5m front setback area, above the proposed suspended slab and around
- A vertical garden wall on the eastern facade

Signage:

- 1 x business identification sign on the street-facing elevation of the building. The sign contains the lettering “KING” and is to be illuminated.
- 1 x business identification sign on the north-facing elevation of the building. The sign contains the lettering “KING” and is to be illuminated.

- 1 x pylon sign located on the street frontage at the southern end of site

External Finishes

the proposed materials and finishes include precast concrete panel walls, cemented barestone concrete walls, concrete slabs, glass shopfront façade, fixed aluminium louvres in timber look finish, glass awning above entrance, vertical garden over glass wall and metal roof sheeting.



Operational details:

The proposed hours of operation are:

Mondays to Fridays - 9am to 5.30pm

Saturdays - 9am to 5.00pm

Sundays - 10am to 5pm

The proposed development is not a traditional bulky goods store in that customers do not collect their purchased goods from the site. It's a showroom only, where customers view products and make transactions. Once ordered, the furniture is delivered from the King Furniture warehouse (off-site) directly to the customer.

The only loading and unloading required on-site, is for unloading and loading of the showroom display furniture. Typically, rotation of display furniture occurs seasonally, that is, four (4) times a year. King has its own fleet of trucks which are detailed in the accompany the Traffic Impact Assessment. King manages their own deliveries. The loading and loading of display furniture will occur in the customer parking area, outside of customer business hours.

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.

This section of the report provides the planning assessment against the key statutory environmental planning instruments and Development Control Plan relevant to the development. The following detailed assessment of the proposal is provided, and which 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 state environmental planning instruments are addressed in Section 4.2. - The relevant provisions of Manly Local Environmental Plan 2013 (MLEP) are addressed in Section 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	N/A
(iii) any development control plan, and	The relevant provisions of Manly Development Control Plan 2013 (MDCP) are addressed in Section 4.5.
(iia) 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	N/A
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The requirements of the EP&A Regulations are satisfied. Applicable regulation considerations including demolition, fire safety, compliance with the Building Code of Australia, compliance with the Home Building Act, PCA appointment,

Relevant Provision	Comment
	notice of commencement of works, sign on work sites, critical stage inspections and records of inspections may be addressed by appropriate consent conditions.
(v) <i>(Repealed)</i>	
(b) <i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i>	Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Manly Development Control Plan section in this report. Social Impact The proposed development will have a positive impact on the locality considering the character of the proposal Economic Impact The proposed development will have a positive economic impact on the locality by providing employment opportunities and storage facilities to support local businesses.
(c) <i>the suitability of the site for the development,</i>	The proposed development is suitable for the site as demonstrated throughout this report.
(d) <i>any submissions made in accordance with this Act or the regulations,</i>	Council will consider any public submissions relating to the proposal during its assessment.
(e) <i>the public interest.</i>	The proposal is in the public interest as it allows for appropriate redevelopment of an industrial site that will support the viability of the area.

Table 1: Section 4.15(1) assessment

4.2 State Planning Policy Controls Overview

The proposal has been designed having regard to the objectives and standards of the relevant planning instruments and policies that apply to the site. Under the provisions of the EP&A Act, the key applicable State Environmental Policies are:

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Infrastructure) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*

The application of the above plans and policies is discussed in detail in the following sections of this SEE.



4.2.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 requires the Consent Authority to consider whether land is contaminated. A Geotechnical Investigation (Appendix 4) has been undertaken by White Geotechnical to address the requirements of the SEPP. Council records indicate that the subject site has been used for commercial purposes for a significant period of time with no prior land uses. As there is no excavation proposed, the site poses no risk of contamination and therefore, no further consideration is required under sub-section 4.6 (1)(b) and (c) of this Chapter and the land is suitable for the furniture showroom development.

4.2.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

Ausgrid

Section 2.48 of Chapter 2 requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Council will undertake the appropriate referral to the electricity supply authority.

4.2.3 State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 – Advertising and signage

Chapter 3 of State Environmental Planning Policy (Industry and Employment) 2021 (SEPP (I&E)) aims to ensure signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of a high-quality design and finish.

The proposed development seeks consent for two (2) x illuminated business identification signs and one (1) x illuminated pylon sign, as detailed in the accompanying architectural plans.

Clause 3.6 of SEPP (I&E) states that consent cannot be granted to signage unless the consent authority is satisfied that the proposed signage has been designed to satisfy the provisions of Schedule 5. Accordingly, an assessment of the proposed signage against the relevant provisions of Schedule 5 within SEPP (I&E) has been undertaken below in Table 2.



Control	Proposal	Compliance
1 Character of the Area		
Is the proposal compatible with the character of the area or locality in which it is proposed to be located?	The proposed signage is appropriate for a furniture showroom building and is compatible with the surrounding character of the Balgowlah Locality.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signs are classified as a 'building identification signs' and 'pylon sign' and are not advertising. The proposal is not located near surrounding advertisements. The proposal is consistent with the existing advertising within the B6 zone	
2 Special Areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The site is not in proximity to any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas. The proposal is consistent with signage in the visual catchment.	Yes
3 Views and vistas		
Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers?	No important views or vistas are impacted by the proposed signage.	Yes
4 Streetscape, Setting or Landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage has been specifically designed to be of a comparable scale, form and proportion to the walls on which they are to be installed.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposal will contribute to the visual amenity of the site and the surrounding streetscape. The signs will add visual interest to the front facade, are consistent with the high-end branding for	



Control	Proposal	Compliance
Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management?	King Living, The signage is simple and clear. It will help activate the site frontage and is informative to the broader community. The proposed signage reduces the visual clutter resulting from the three previous tenancies. The proposed signage does not protrude beyond the walls on which it is to be installed. The proposed signs will be visible from different angles along busy Condamine Street. There is no significant vegetation existing or proposed that will affect the signage.	
5 Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building or both, on which the proposed signage is to be located? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signs are compatible with the scale and proportion of the building on which they are to be located. The signs are respectful of both the site and the host building. The signs are compatible with the innovative design of the building.	Yes
6 Associated Devices and Logos with Advertisements and Advertising Structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Lighting devices are integrated into the signage.	Yes
7 Illumination		



Control	Proposal	Compliance
Would illumination result in unacceptable glare?	The physical separation to residential development and the location of signage ensures that the illumination will not result in any unacceptable impacts to safety or amenity.	Yes
8 Safety		
Would the proposal reduce the safety for any public road? Would the proposal reduce the safety for pedestrians or bicyclists? Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signs are setback from the road. The signs are unlikely to be a risk to drivers, pedestrians or cyclists. The proposed signs will not result in safety risks or obscure sightlines from public areas.	Yes

Table 2. SEPP (I&E) Assessment Table



4.3 Manly Local Environmental Plan 2013

Manly Local Environmental Plan 2013 (MLEP) came into force in 2013 and is the primary EPI applying to the Proposal. The applicable Clauses of the MLEP 2013 are:

- Clause 2.3 – Zone objectives and landuse table
- Clause 4.3 – Height of Buildings
- Clause 4.4 – Floor Space Ratio
- Clause 4.6 – Exceptions to Development Standards
- Clause 5.21 – Flood planning
- Clause 6.1 – Acid sulfate soils
- Clause 6.4 - Stormwater Management

An assessment of the development application against the above relevant Clauses of the MLEP 2013 is provided in the following sections of the this SEE.

- ***Clause 2.3 – Land Use Zoning and Permissibility***

The site is zoned B6 – Enterprise Corridor, as shown in the zoning map excerpt in Figure 13.

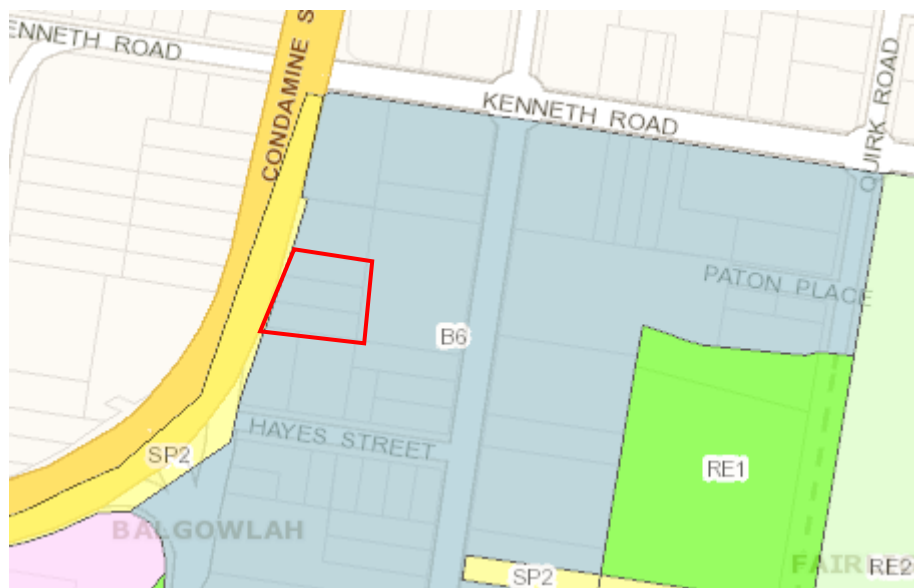


Figure 13. MLEP Zoning Map extract with site outlined in red (Source: MLEP)



The provisions of the zone are provided below:

Zone B6 Enterprise Corridor

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

Table 3. Land Use Table extract for B6 Enterprise Corridor zone (source: MLEP)

The use is a 'specialised retail premises' defined in MLEP as:

specialised retail premises means a building or place the principal purpose of which is the sale, hire or display of goods that are of a size, weight or quantity, that requires—

(a) a large area for handling, display or storage, or

(b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale, hire or display of other goods referred to in this definition.

Note—

Examples of goods that may be sold at specialised retail premises include automotive parts and accessories, household appliances and fittings, furniture, homewares, office equipment, outdoor and recreation equipment, pet supplies and party supplies.

Specialised retail premises are a type of retail premises—see the definition of that term in this Dictionary.

The proposed use is permissible with consent and satisfies the objectives of the B6 Enterprise Corridor zone.

The development will generate employment opportunities and support the viability of the Balgowlah commercial area. The proposed building is consistent in scale and form to other commercial buildings in the surrounding area. The building is sufficiently separated from the mixed use developments on the opposite of Condamine Street, thereby eliminating potential privacy and shadowing impacts on residential dwellings.

The layout of the building includes a simple and efficient design to maximise the functionality of the space for the display of high end furniture.

The development has been designed to provide safe pedestrian and vehicular access to the site as detailed in the accompanying Traffic Impact Assessment (Appendix 5) and Accessibility Report (Appendix 6).

The provision of additional landscaping within the site will have a positive impact on the streetscape and longer distance views of the site.

The design of the development has been based on a detailed analysis of the site and surrounding area. The proposed development is consistent with the objectives of the B6 Enterprise Corridor zone.

- **Clause 4.3 – Building Height**

In accordance with clause 4.3(2) 'Height of Buildings' of the MLEP, the height of a building on any land is not to exceed the maximum height shown for the land on the 'Height of Buildings Map' which is 11m for the subject site.

Building height has been calculated using the approach adopted by the adopted by the NSW Land and Environment Court in its judgment of *Bettar v Council of the City of Sydney* [2014] NSWLEC 1070 which requires building height to be measured from extrapolated natural ground level in circumstances where as the entire site has been subject to prior excavation.

As the majority of the site has been excavated, the Bettar approach for measuring building height, is the appropriate method in this case.

As shown in Figure 14, the maximum height of the proposed development is 12.355m which exceeds the maximum building height by 1.355m representing a 12.3% variation to the development standard.

The reason for the height breach is that the floor level is required to be elevated to satisfy Council's flood controls and to accommodate floor storage below the building.

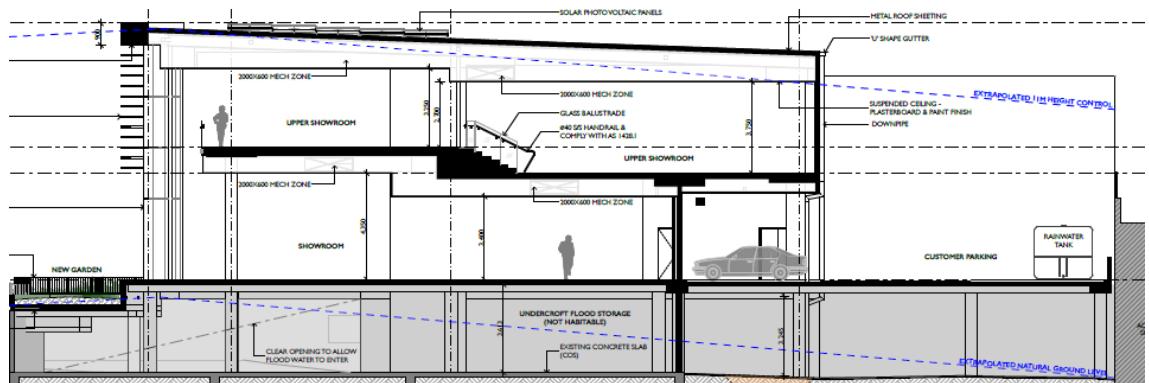


Figure 14. Diagram showing exceedance above 11m (source: Centric Architects)

- **Clause 4.6 – Exceptions to development standards**

The objectives of clause 4.6 are as follows –

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Clause 4.6(2) of the MLEP provides that development consent may be granted for development even though the development would contravene a development standard imposed by the MLEP, or any other environmental planning instrument.

However, clause 4.6(3) states that development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstance of the case, and*
- (b) *there are sufficient environmental planning grounds to justify contravening the development standard.*

A written request for an exception to the height of buildings development standard is included at Appendix 7.

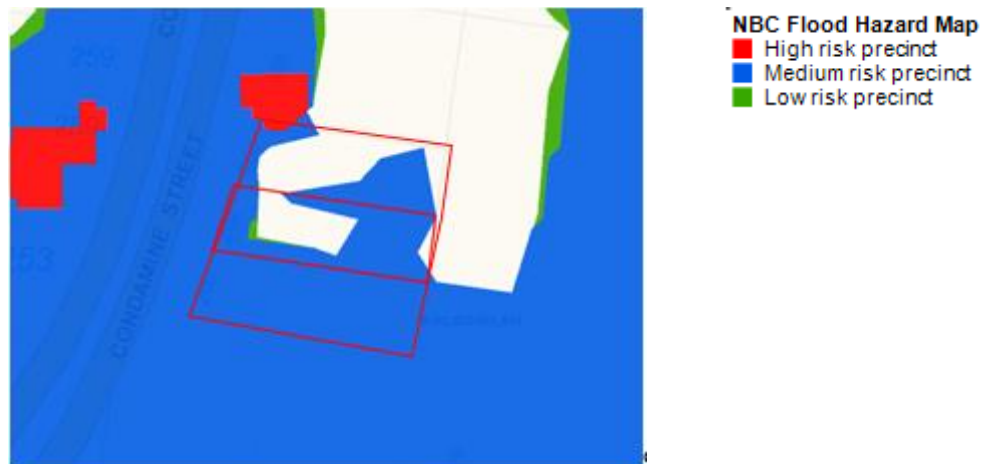
- **Clause 4.4 Floor Space Ratio**

In accordance with clause 4.4(2) of the MLEP the maximum floor space ratio for a building on any land is not to exceed the floor space ratio (FSR) shown for the land on the Floor Space Ratio Map. The maximum floor space ratio for the site is 1:1. The proposed development has an FSR of 0.92:1 and therefore complies with the FSR development standard.

- **Clause 5.21 Flood planning**

Council's Flood Reports indicate the site is subject to flooding from Burnt Bridge Creek which is located adjacent to the north-western boundary of the site.

Part of the site is classified on the Council Flood Hazard Map:



The site is categorised as a medium to high flood risk precinct and is therefore subject to Council's flood planning controls.

A Flood Management Report, prepared by Northrop in support of the proposal (refer to Appendix 8), concludes:

It was concluded that the proposed development is not expected to create a significant adverse impact to the existing flood behaviour on the subject site and on the properties surrounding the subject site.

Furthermore, the proposed development is expected to generally comply with Council's flood related development controls.

- **Clause 6.1 – Acid sulfate soils**

The objective of clause 6.1 is to ensure that development does not disturb, expose, or drain acid sulfate soils and cause environmental damage. The site is identified as Class 4 and 5 on the Acid Sulfate Soils Map. As the proposal does not propose any excavation, there will be no disturbance to acid sulfate soils.

- **Clause 6.4 – Stormwater management**

The proposal will not increase impervious area and therefore onsite stormwater detention is not required.

As shown on the Stormwater Drainage Plans prepared by Northrop (refer to Appendix 9), stormwater will be collected and connected directly to Council's drainage channel located at the north-west corner of the site. A WSUD treatment system is proposed to treat run-off before it enters the drainage channel.

4.4 Manly Development Control Plan 2013

The following Manly Development Control Plan 2013 (MDCP) requirements are relevant to the development of the site.

MDCP	Control objective	Comply	comment
PART 3 – GENERAL PRINCIPLES OF DEVELOPMENT			
3.1.2.1 Streetscapes and Townscapes	1. Minimise visual impact 2. Ensure development generally viewed from the street complements the identified streetscape. 3. Assist in maintaining the character of the locality. 4. Recognise importance of pedestrian movements and the townscape design in the strengthening and promotion of retail centres. 5. Minimise negative visual impact at entry points.	Yes	As demonstrated within the Architectural Drawings, the proposal will revitalise the existing degraded site. The three existing disparate buildings will be replaced with a sleek, contemporary building with a high-quality design and finishes.
3.1.2.2 Car parking	Car parking in the LEP Zone B6 Enterprise Corridor is not to be located between the street frontage and the building alignment	Yes	All car parking is proposed at the rear of the site. There is no car parking proposed between the street frontage and the building alignment.
3.1.2.3 Landscaping	Landscaped areas are to be maintained to the Council's satisfaction throughout the life of the development.	Yes	A Landscape Plan (Appendix 3) has been prepared by Concept Landscape Architects and is submitted with this application at Appendix F. The proposed landscaping response has been designed to ensure landscaped areas will be maintained through the life of the development
3.1.2.4 Security Fencing	Security fencing should be set back from any road frontage and integrated with landscaped areas	Yes	N/A – there is no security fencing proposed
3.1.2.5 Frontages to Condamine Street	Frontages to Condamine Street form important 'entrances' to Manly. A higher standard of finish to development is promoted along these frontages, in	Yes	The proposed development presents a sleek, contemporary building with a high standard of finishes, landscaping and signage.



MDCP	Control objective	Comply	comment
	terms of building and landscaping.		
3.1.2.6 Design for Townscape	Development is to have regard to the principles in the Townscape Principles Map at Schedule 2 of this plan	Yes	The development is consistent with the Townscape Principles Map at Schedule 2.
PART 3 – General Principles of Development			
3.3.1 Landscaping Design	The design, quantity and quality of open space should respond to the character of the area. In particular:	Yes	The Landscape Plan prepared in support of the proposal is appropriate for the business zoning of the site.
3.4 Amenity (views, overshadowing, overlooking)	Objective 1 - To protect the amenity of existing and future residents and minimise the impact of new development, including alterations and additions, on privacy, views, solar access and general amenity of adjoining and nearby properties including noise and vibration impacts.	Yes	The proposal relates to the redevelopment of an existing business zoned site. Given the commercial nature of the locality, there will not no amenity impacts on residential properties with regard to privacy, views or solar access. The proposed hours of operation will not result in amenity impacts during noise sensitive hours and the site is suitably distanced from any nearby sensitive land uses.
3.5 Sustainability	Objective 1 - To ensure the principles of ecologically sustainable development are taken into consideration within a consistent and integrated planning framework that achieves environmental, economic and social sustainability in the short, medium and long term.	Yes	Demand reduction lighting technologies and energy efficient lighting will be incorporated into the fit-out. A Section J Report (Appendix 10) in relation to Energy Efficiency is to be prepared and provided by an energy efficiency consultant as part of detailed design. A plan outlining Sustainable Building Strategies is contained at Appendix 11 and includes • Solar panels • Efficient glazing • Smart monitoring tools • Raingarden • Rainwater tank for water reuse
3.6 Accessibility	Objective 1 - To ensure equitable access within all new developments and ensure that any refurbishments to existing	Yes	The proposed development includes an internal lift, wheelchair lift and accessible toilet facilities



MDCP	Control objective	Comply	comment
	buildings provide improved levels of access and facilities for people with disabilities.		The proposed development is supported by Access Assessment Report submitted (Appendix 10).
3.6.2.2 General DA requirements for Access	All development that is subject to this plan must have an access checklist and/or access statement and as detailed at Council's Administrative Guidelines (Lodgement Requirements). The checklist is to confirm that the proposed development complies with relevant access requirements and an Access Statement is lodged to deal with any variation to provisions.	Yes	The Access Assessment Report (Appendix 6) details that the proposal is capable of achieving compliance with the performance requirements of the NCC 2019 – Volume 1 and the Premises Standards.
3.7 Stormwater Management	a) In support of the purposes of LEP clause 6.4(3), all developments must comply with Northern Beaches Council's 'Water Management for Development Policy'; b) In relation to development in the LEP Zone B6 Enterprise Corridor, Burnt Bridge Creek runs through this land. Land in this locality is also generally low-lying. In this regard stormwater runoff from new developments in these LEP zones must be limited to that currently existing for the site for a 1 in 5 year storm or 40 litres per second whichever is the least, unless the drainage system is demonstrated to be sufficient for unimpeded discharge for a fully developed catchment area. Developers should assess whether their land warrants additional drainage considerations because of its location	Yes	The Flood Management Report (Appendix 8) concludes that the proposed development will not create a significant adverse impact to the existing flood behaviour on the subject site or on the properties surrounding the subject site. The stormwater plans (Appendix 7) demonstrate the inclusion of Water Sensitive Urban Design.
3.8 Waste management	Objective 1) To facilitate sustainable waste	Yes	A Waste Management Plan has been prepared in support of the proposal,



MDCP	Control objective	Comply	comment
	management in a manner consistent with the principles of Ecologically Sustainable Development (ESD). Objective 2) Encourage environmentally protective waste management practices on construction and demolition sites Objective 3) Encourage the ongoing minimisation and management of waste handling in the future use of premises. Objective 4) To ensure waste storage and collection facilities complement waste collection and management services, offered by Council and the private service providers and support on-going control for such standards and services. Objective 5) To minimise risks to health and safety associated with handling and disposal of waste and recycled material, and ensure optimum hygiene. Objective 6) To minimise any adverse environmental impacts associated with the storage and collection of waste. Objective 7) To discourage illegal dumping.		addressing waste management during demolition and construction and for the ongoing use (refer to Appendix 12).
3.9 Mechanical Plant Equipment	3.9.2 Roof-top Plant, Lift Towers etc. Roof-top plant and lift towers must be inconspicuous and / or designed as an integral part of the building in such a way as to appear as an appropriate part of the overall townscape. Plant	Yes	Mechanical plant and the lift tower have been incorporated into the roof space.



MDCP	Control objective	Comply	comment
	equipment is to be appropriately located and designed such that it is not apparent from the street level view or from other active pedestrian areas and must not compromise street character, landscaping or pedestrian amenity or conflict with townscape objectives of this plan. See paragraph 3.1 Streetscapes and Townscapes.		
3.10 Safety and Security	3.10.1 Safety The principle of 'safety in design', is to be considered for all development in relation to the design and assessment of DAs to ensure developments are safe and secure for residents, all other occupants and visitors. 3.10.2 Security (Casual Surveillance) Development is to be designed to maximise opportunities for passive surveillance of public and communal areas	Yes	The proposed development incorporates the principles of safety-in-design. The proposed development is orientated to Condamine Street, providing casual surveillance.
PART 4 – Development Controls and Development Types			
4.3.2 FSR and Height	The maximum FSR (1:1) and height of buildings (11m) are principal development standards contained in the LEP.	Yes No	The proposal complies with the FSR control. A clause 4.6 request (Appendix 7) to vary the building height has been prepared to support the height variation.
4.3.4 Access, loading and Parking	a) A minimum of 1 loading bay is required for each industrial unit. Industrial loading bays may require greater head-height in consultation with NSW Roads Services guidelines should this seem warranted by the nature of the development. Similarly, Council will also have regard	Yes	The building is for the display of furniture only. Purchased goods will be delivered directly to the properties of purchasers and therefore a loading bay is not required. Display furniture will be delivered out of business hours.



MDCP	Control objective	Comply	comment
	to NSW Roads Services Guidelines applying the minimum number and dimensions of loading bays. b) Parking is not permitted in the area between the street frontage and the building alignment. See also paragraph 3.1 Streetscape and Townscape. c) The minimum driveway width should be 5m and any driveway ramps to roof-top parking are to be of sufficient width to promote easy use.		Refer to the Traffic Impact Assessment prepared by Traffix contained (Appendix 5). There is no car parking proposed to be located between the street frontage and the building alignment. A 10.4m driveway has been provided at the property boundary, narrowing to 6.4m on the ramp within the site.
4.3.5 Setbacks	Street Frontage: 4.5m Side and rear: nil	Yes	The proposal has a front setback to Condamine Street of 4.5m, nil side boundary setbacks and a rear setback of 12m
4.3.6 Drainage	Objective 1) To ensure any new development protects, maintains and rehabilitates urban ecosystems including waterways and riparian land. Burnt Bridge Creek runs through this historically 'industrial' area and the land in this locality is generally low-lying. It is Council policy that stormwater runoff from new developments be limited to that currently existing for the site for a 1 in 5 years storm or 40 litres per second whichever is the least, unless the drainage system is demonstrated to be sufficient for unimpeded discharge for a fully developed catchment area. Developers should assess whether their land warrants additional drainage considerations because of its location.	Yes	The Flood Management Report (Appendix 8) addresses Councils flood related controls.



MDCP	Control objective	Comply	comment
Other Development (all LEP Zones)			
4.4.1 Demolition	To protect the environment during demolition, site works, and construction phases of development.	Yes	All existing buildings are proposed to be demolished. Appropriate measures will be implemented to ensure that the proposed demolition does not result in any environmental impacts.
4.4.3 Signage	Council must not grant development consent for signage unless it is satisfied that that the development is consistent and meets the objectives and assessment criteria of State Environmental Planning Policy No 64 - Advertising and Signage. Schedule 1 of that policy details assessment criteria in the regulation of signage to ensure that it is compatible with the desired amenity and visual character of an area and considered special areas, views and vistas, streetscape, setting or landscape, the site and building, associated devices and logos, illumination and safety.	Yes	The proposed signage is detailed within Section 4.4 of this report and shown on the Architectural Plans An assessment of the proposed signage against Schedule 5 of the SEPP (I&E) has been undertaken at Section 4.2.3 of this report
PART 5 – Special Character Precincts, Areas and Sites			
5.4 Environmentally Sensitive Lands			
5.4.3 Flood Prone Land	Requirements 1. Development must comply with the prescriptive controls set out in the Matrix below. Where a property is affected by more than one Flood Risk Precinct, or has varying Flood Life Hazard Category across it, the assessment must consider the controls relevant at each location on the property. 2. Development on flood prone land requires the preparation of a Flood Management Report by a	Yes	The building is proposed to be suspended above the 1% AEP flood level with the undercroft area designed to provide flood storage during flood events. Flood water is proposed to enter the under-croft area through openings located along the building frontage and at the creek side in the north-western corner. The Flood Management Report (Appendix 8) contains a comprehensive assessment of the proposal against Council's flood controls contained in section 5.4.3.

Table 4. Relevant MDCP controls

5 Conclusion

This SEE supports a development application for the construction of a Furniture Showroom at 200-204 Condamine Street, Balgowlah.

The merits of this application have been identified in this assessment under Section 4.15 of the Environmental Planning and Assessment Act 1979, Manly Local Environmental Plan 2013 and Manly Development Control Plan 2013.

A clause 4.6 request has been prepared in support of a minor (12.355%) variation to the height of the building development standard.

The proposal is generally consistent with the general, development-specific and locality specific objectives and controls of the MDCP.

The scale of the development, setbacks of the building and proposed landscaping, minimise visual impacts on the surrounding streetscape.

The proposal is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the site and the proposed development.
- The proposed development and associated works are compatible with the objectives of the B6 Enterprise Corridor zone.
- The proposed development will have a satisfactory impact on the environmental quality of the land and the amenity of surrounding properties.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

The proposal achieves the objectives of the Council's development controls and strategic aims. The proposal is recommended for approval.