

STATEMENT OF ENVIRONMENTAL EFFECTS

46-48 EAST ESPLANADE, MANLY

CHANGE OF USE

**PREPARED ON BEHALF OF
Aspiring Properties**

AUGUST 2021

TABLE OF CONTENTS

1.	INTRODUCTION	3
2.	SITE DESCRIPTION AND LOCALITY	5
3.	THE DEVELOPMENT PROPOSAL	6
4.	ZONING & DEVELOPMENT CONTROLS	7
5.	EP&A ACT – SECTION 4.15	15
6.	CONCLUSION	16

1. INTRODUCTION

This application seeks approval for the change of use from educational facility to commercial offices on Lot 10 in DP 1207797 which is known as **No. 46-48 East Esplanade, Manly..**

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Manly Local Environmental Plan 2013.
- Manly Development Control Plan 2013.

The following details and documents have been relied upon in the preparation of this document:

- Floor Plans prepared by Wolski Coppin Architects.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. As a result of that assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

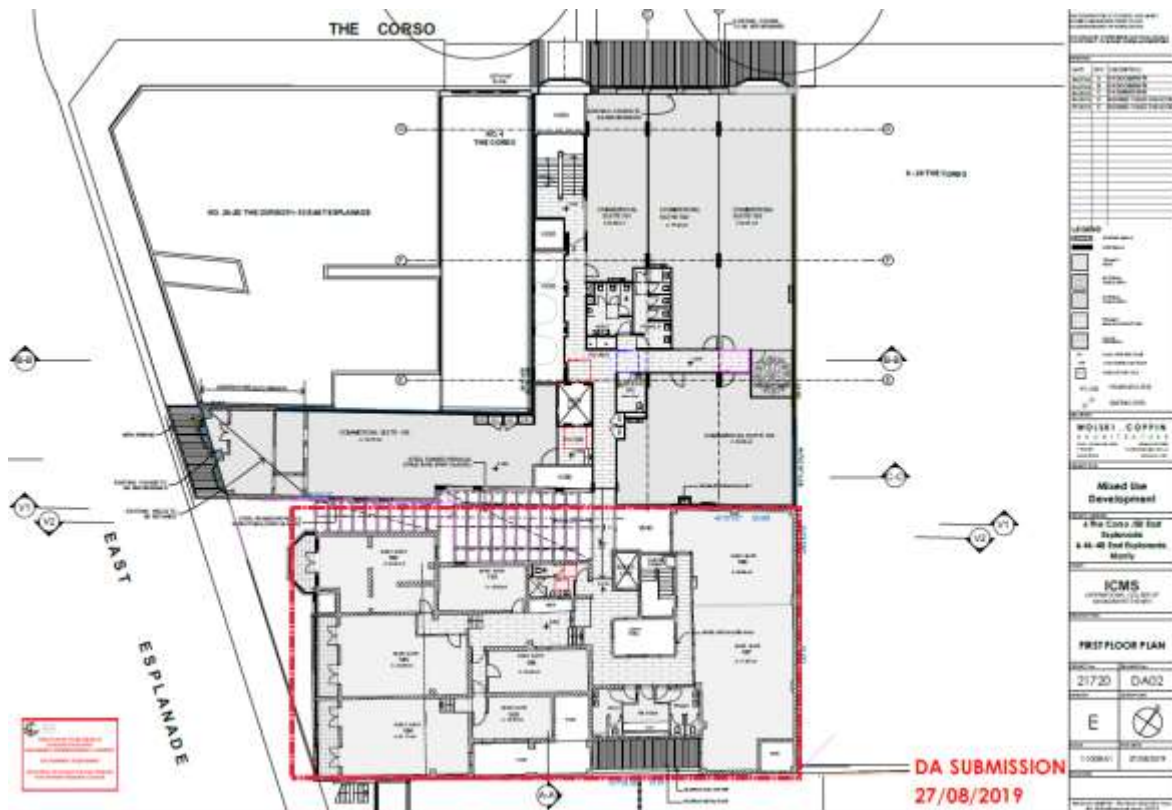
2. SITE DESCRIPTION AND LOCALITY

The site is identified as Lot 10 in DP 1207797 which is known as No46-48 East Esplanade, Manly. The site is generally rectangular in shape and is located on the northeast side of East Esplanade. The locality is depicted in the following map:



Site Location Map

By way of background, Development Consent, DA2019/0997, was granted on 18 March 2020 for the construction of a commercial building and lot consolidation. This application relates to works within the southeast portion of the approved works and as identified in red in the extract of the approved plans below:



The site is depicted in the following photographs:



View of the site from East Esplanade

The existing surrounding development comprises a mix of residential and commercial uses incorporating generally 3-4 storeys. The site is located within the heart of the Manly Town Centre which provides a range of residential, retail and commercial services. The site is located opposite Manly Wharf and is well located in proximity to public transport including bus and ferry. The existing surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality

3. THE DEVELOPMENT PROPOSAL

This proposal seeks approval for the change of use of Levels 1 and 2 of the approved development. It proposed to change the approved educational use to commercial office space. The proposal does not provide for any physical works or building alteration and there is change to approved floor space ratio.

Hours of operation are as follows:

Monday to Sunday: 7am to 7pm

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Manly Council.

The subject site is not identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 do not apply to the proposed development.

[illegible]

The subject site is zoned B2 Local Centre. The objectives of the B2 Zone are as follows:

- Nolan Planning Consultants

It is considered that the proposed development achieves these objectives by providing for commercial premises which can be utilised for a range of businesses and is located in close proximity to public transport.

Use of a building for commercial office space is permissible use in the B2 Local Centre zone with the consent of Council.

The following numerical standards are applicable to the proposed development:

Clause	Development Standard	Proposal	Compliance
Clause 4.3 Height of Buildings	15m	No external works, existing height unaltered	N/A
Clause 4.4 Floor Space Ratio	3:1	No change to approved FSR	N/A

The following clauses also apply:

Clause 5.10 Heritage Conservation



Extract of Heritage Map

The subject site is located within the Town Centre Conservation Area and is a local heritage item. The proposal does not require any physical works, but merely seeks a change of use. As such a Statement of Heritage Impact is not required and the objectives and controls of this clause have been achieved.

Clause 6.1 Acid Sulfate Soils

The subject site is classified as Class 4 on the acid sulfate soil map. The proposal does not result in any excavation and will not alter the existing water table.

There are no other specific clauses that specifically relate to the proposed development.

Clause 6.9 Foreshore Scenic Protection Area



Extract of Foreshore Scenic Protection Map

The subject site is located within the Foreshore Scenic Protection Area. The proposal does not provide for any external alterations to the approved built form and therefore achieves the requirements of this clause.

Clause 6.11 Active Street Frontages

The proposal maintains the existing active street frontage to East Esplanade. The proposal complies with this clause.

Clause 6.13 Design Excellence

The proposal provides for a change of use only with no physical works proposed. Therefore this clause does not apply.

Clause 6.16 Gross Floor Area in Zone B2

The proposal provides for commercial office space in accordance with this clause.

There are no other provisions of the LEP applicable to the proposed development.

4.3 Manly Development Control Plan 2013

The Manly DCP 2013 applies to all land where the LEP applies. Therefore, the DCP applies to the subject development.

Part 3

Part 3 provides general principles applying to all development and Part 4 outlines development controls for specific forms of development. The relevant provisions of **Part 3** are summarised below:

Clause 3.1.3 – Streetscape (Townscapes)

The proposal provides for internal alterations and does not provide for any external changes. As such there is no alteration to the approved streetscape.

Clause 3.4 - Amenity (Views, Overshadowing, Overlooking/Privacy, Noise)

The objectives of the clause are noted as:

- 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.*
- Objective 2) To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.*

The use of the site for commercial office space and associated internal alterations will not have any detrimental impact on the amenity of the adjoining properties or the public domain.

Clause 3.7 - Stormwater Management

All works are internal and do not result in any additional stormwater runoff.

Clause 4.2.5.4 Car Parking and Access

The proposal does not provide any off-street carparking or offstreet loading/unloading facilities therefore maintaining the existing circumstances and the approved Consent.

There are no other provisions of the Manly DCP that apply to the proposed development.

5. EP & A ACT - SECTION 4.15

The Provisions of any Environmental Planning Instruments

The proposal is subject to the provisions of the Manly Local Environmental Plan 2013 and the Manly DCP 2013. It is considered that the provisions of these documents have been satisfactorily addressed within this report.

There are no other environmental planning instruments applying to the site.

The Likely Impacts of the Development

It is considered that the development will provide for a change of use to permit commercial offices use only without detrimentally impacting on the character of the area nor having any impact on amenity of the adjoining properties. The proposal does not provide for any physical works on site.

The Suitability of the Site for the Development

The subject site is zoned B2 Local Centre and the use of the site for commercial offices is permissible with the consent of Council. The proposal does not provide for any physical works on site.

For these reasons it is considered that the site is suitable for the proposed development.

The Public Interest

It is considered that the proposal is in the public interest in that it will provide for a change of use to permit commercial office space without any physical works and which is compatible with other development in this locality without unreasonably impacting the amenity of the adjoining properties or the public domain.

6. CONCLUSION

This application seeks approval for the change of use to permit commercial office space. As demonstrated in this report the proposal is consistent with the aims and objectives of the Manly Local Environmental Plan 2013 and the Manly DCP 2013. The proposal does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

It is therefore considered that the proposed change of use for commercial offices upon land at **No. 46-48 East Esplanade, Manly** is worthy of the consent of Council.

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