

# Manly Council



Reference: 4 May 2010 DA1797/86 DMS  
Enquiries: Land Use & Sustainability

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Mr Sir,

## NOTICE OF DETERMINATION

Pursuant to Section 96(1A) of the *Environmental Planning and Assessment Act 1979*

<b>Development Application No.</b>	1797/86
<b>Proposed Development</b>	Establishment of Refreshment Room in existing shop premises – Extend hours of operation – Section 96(1A) Modification
<b>Land to be developed</b>	Lot 501 DP 736679, 14 South Steyne Manly (Shops 1 & 2)
<b>Date of Original Determination</b>	2 May 1986
<b>Determination of Modification</b>	Approved
<b>Date of Determination of Modification</b>	4 May 2010

Council determined this application and has granted consent subject to the following conditions:

That pursuant to section 96 (1A) of the Environmental Plan and Assessment Act 1979 that Development Application No. 1797/1986 for establishment of refreshment room in existing shop premises at Shops 1 & 2, 14 South Steyne, Manly be modified subject to the original conditions of consent with an additional condition ANS01 as listed below

### ANS01

The hours of operation of the premises (i.e. hours open for business) must not exceed 7:00am to 10:00pm Monday to Sunday, without the prior approval of Council.

Reason: To ensure amenity of the surrounding locality is maintained and hours of operation are consistent with those in surrounding locality.

**WARNING:** Failure to obtain a Construction Certificate prior to the commencement of any building works is a serious breach of Section 81A(2) of the *Environmental Planning & Assessment Act 1979*. It is also a criminal offence which attracts substantial penalties and may also result in action in the Land and Environment Court and orders for demolition.

# CLEANER HEALTHIER HAPPIER

Manly Council Supports Smoke Free Zones

[www.smokefreecouncils.com.au](http://www.smokefreecouncils.com.au)

Please note that all building work must be carried out fully in accordance with this development consent and conditions of approval. It is an offence to carry out unauthorised building work or building work that is not in accordance with this consent.

In accordance with Clause 284 of the *Environmental Planning and Assessment Regulation 2000*, non compliance with the above conditions may result in Council issuing a Penalty Notice which may incur a fine.

**Notes:**

If you are dissatisfied with this decision, section 96(6) of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court of New South Wales (their address being Level 4, 225 Macquarie Street, Sydney NSW 2000).

Should you have any questions in relations to the matter, please contact Council's Environmental Services, on (02) 9976 1414, during business hours.

Signed below on behalf of the consent authority.

Yours faithfully,

Date:

13/5/10.



Joanne Bramma

Public Officer