



LITTLE MANLY RESERVE STUART STREET, MANLY

**STATEMENT OF ENVIRONMENTAL EFFECTS
FOR ALTERATIONS AND ADDITIONS TO AN EXISTING CAFÉ**



Report prepared for
Sydney Restaurant Group
May 2020

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1.0 Introduction

- 1.1 This is a statement of environmental effects for alterations and additions to the existing cafe at Stuart Street, Little Manly Reserve, Manly. The development proposes a small rear extension including cold storage and freezer rooms and a bin storage area, as well as a reorganisation of the existing interior of the café and an addition to the outdoor seating area.

The report describes how the application addresses and satisfies the objectives and standards of the Manly Local Environmental Plan 2013, the Manly Development Control Plan 2013 and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

- 1.2 This statement of environmental effects has been prepared with reference to the following:

- ◆ Site visit
- ◆ Survey Plan prepared by Harrison Friedmann & Associates Pty Ltd
- ◆ DA Plans prepared by BJB Architects
- ◆ Terrestrial Biodiversity Report prepared by GIS Environmental Consultants
- ◆ Complying Development Certificate 190211 issued 8/8/2019 by Grant Harrington

- 1.3 The proposed alterations and additions are consistent with the objectives of all Council controls, considerate of neighbouring residents and results in improved amenity for the operators and patrons of the site. It is an appropriate development worthy of Council consent.

2.0 The site and its locality

- 2.1 The site is located at Stuart Street, Little Manly Reserve, adjacent Little Manly Beach in Manly and is legally described as Lot 1 DP 1129384 and Lot 1 DP 1159168. It is located on the western side of Stuart Street, at the intersection with Marshall Street and adjacent to Little Manly Beach.
- 2.2 The existing café, the subject of this application, straddles two lots with irregular in shape which make up part of the Little Manly Reserve adjacent to Little Manly Beach. The site is owned by Council and leased to the café owner.
- 2.1 The subject site is currently occupied by a cafe with outdoor seating facing towards the beach. Little Manly Beach has a fenced ocean pool, playground equipment on the grassland, boat ramp and carpark, and a footpath which provides access to both Stuart Street and the adjoining Gasworks Reserve.
- 2.2 The site is surrounded by residential development with a combination of residential flat buildings, residential dwellings, and recreational parkland. The subject site is located within steps of Manly Wharf and Manly Corso and Beach



Figure 1. Aerial image of the subject site and its immediate surrounds



Figure 2. The site within its locality

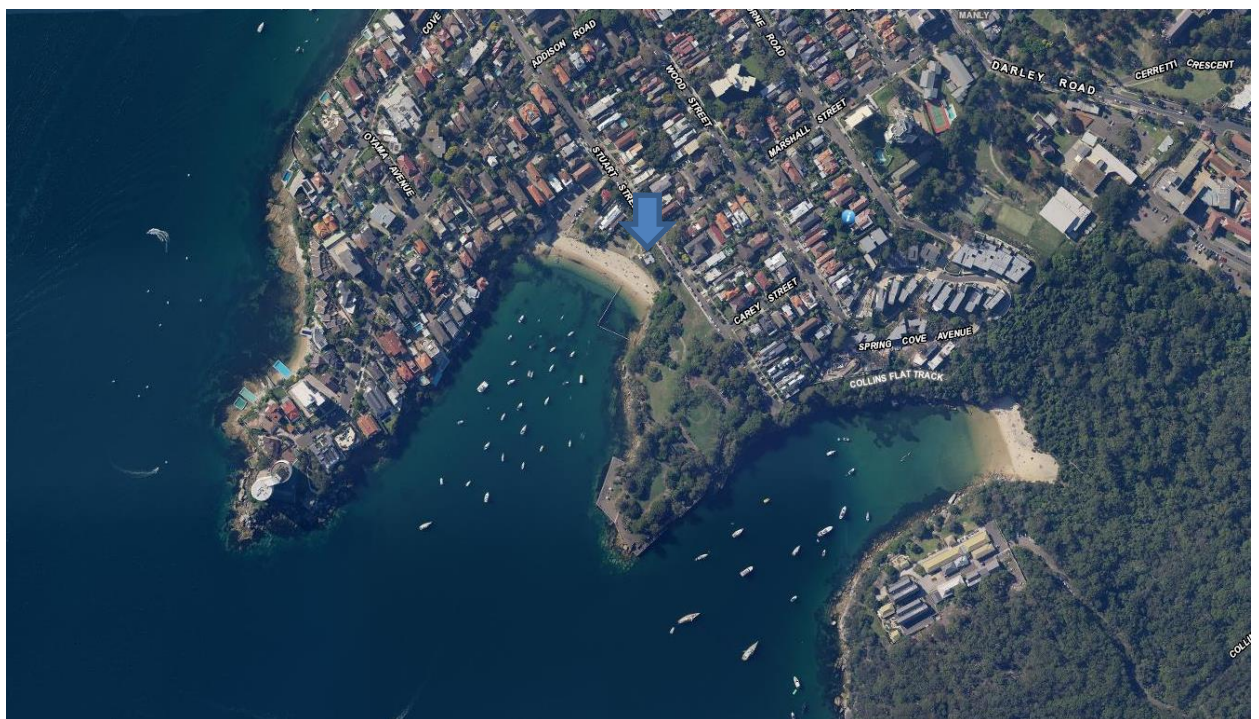


Figure 3. Aerial Image of the site within its locality

3. Site Photos



Figure 4. The existing café viewed from the beach



Figure 5. The existing café building viewed from south-east



Figure 6. The existing café and bathrooms viewed from north west



Figure 7. The roof of the existing structure viewed from Stuart Street



Figure 8. Little Manly Beach immediately in front of the existing café

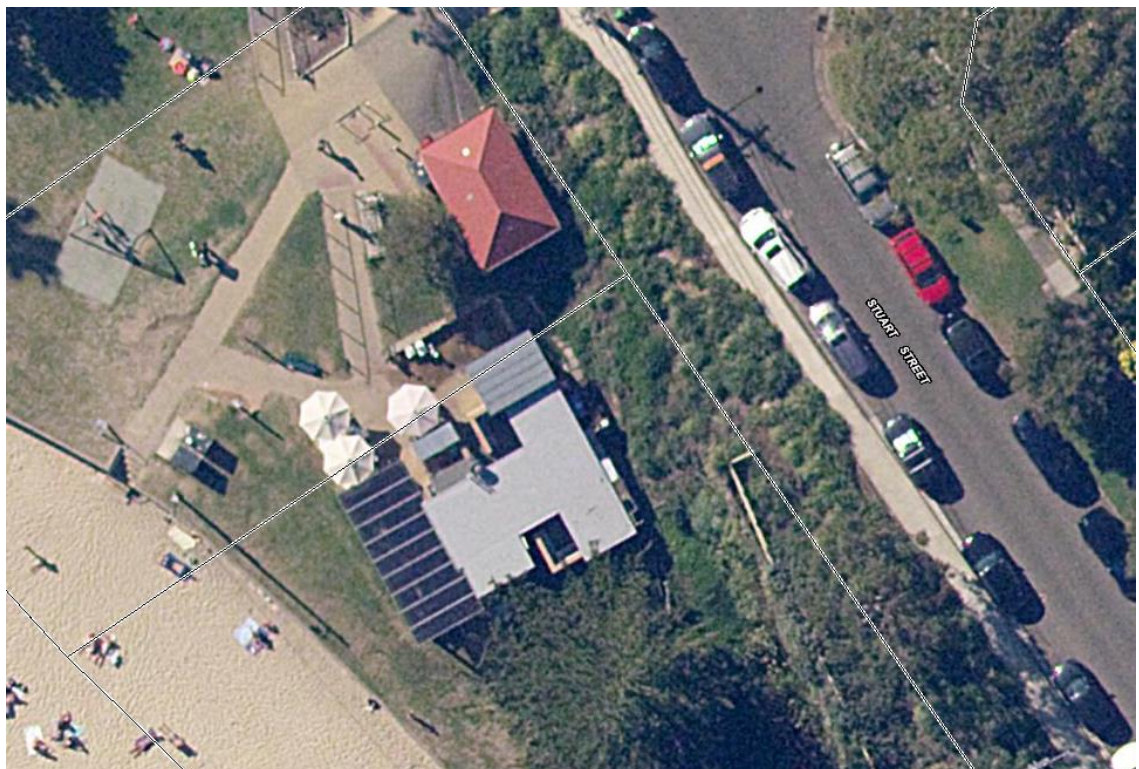


Figure 8. Aerial of existing structures

4. Proposed Development

4.1 The proposed development is for alterations and additions to the existing cafe and the addition of a cool room, freezer room and bin storage area to the rear of the building (along the Stuart Street frontage).

4.2 The proposed development remains consistent with the streetscape and the locality. It is consistent with Council controls and has been designed to complement the scenic foreshore location.

4.3 The alterations and additions to the cafe will be made up as follows:

Internal Reorganisation

- Demolish door, walls, and roof of store on northern side of kitchen
- Demolish the existing kitchen fit out and northern kitchen window.
- Demolish awning above bench on western side of kitchen.
- Construct and install new kitchen fit out.
- Relocate kitchen ventilation to match new fit out.
- Construct new take away cafe area on the northern side of the existing cafe.

Rear Addition

- Construct a new cool room, freezer room and bin storage area at the rear of the existing cafe (Stuart Street frontage), with external access.
- Condensers will be located on an enclosed slab behind the new cool room.
- A new pathway will be constructed to the bin area.

Outdoor Seating

- Remove existing PVC roller blinds to allow for new glazing
- Install new sashless glass windows into existing structure, to replace blinds.
- Extend outdoor seating by 5 tables (accommodating 10 patrons) on northern side with removable umbrellas providing shelter.

4.4 Operation and use at the café will remain unchanged with:

Hours of Operation

Sunday to Wednesday from 7.00am until 4.00pm

Thursday to Saturday from 7am until 10.00pm

Takeaway

Take-away is only available prior to 6pm

Staff

3 staff in the kitchen (2 cooks and one kitchen porter),

2 cafe staff

1 server/table clearer

Deliveries

Supplier deliveries will be between 7am and midday by small van

Depending on the season as to the frequency – most days 1-2 deliveries.

Rubbish removal – or is additional required?

Separate garbage contractor- pick up 4 times per week.

Menu

The café will serve a variety of dine in and takeaway meals, both hot and cold. The venue proposes a fully functional kitchen.

Seats/ patrons

Thirty-two (32) seats are proposed at the café as shown on the DA plans.

Service of alcohol

The venue is not proposed to be licenced.

Music

No amplified music will be played at the venue.

Safety measures

The site has an Alarm (back to base) and cameras are installed and operating.

5. Statutory Framework

5.1 State Environmental Planning Policies

State Environmental Planning Policy (Coastal Management) 2018

The subject site is identified as being within the Coastal Management area.



Figure 9: Extract SEPP Coastal Management 2018 Coastal Environment Area Map

13. Development on land within the coastal environment area

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:

(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,

The proposed development is minor and will allow for the free passage of surface water across the site. There will be no impact on the biophysical, hydrological, or ecological environments.

(b) coastal environmental values and natural coastal processes,

The minor development proposed will have no impact on environmental values or natural coastal processes.

(b) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,

The proposal will not result in a decrease to water quality leaving the site.

(c) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands, and rock platforms,

There will be no impact on marine or native vegetation, habitats, headlands or rock platforms. Please see accompanying Biodiversity report in support of the proposal.

(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,

The proposed development will not result in any change to the existing access to and along the foreshore and beach.

(f) Aboriginal cultural heritage, practices and places,

The location of the proposed addition is highly disturbed, there will be no impacts on Aboriginal cultural heritage, practices and places.

(g) the use of the surf zone.

There will be no impact on the surf zone.

Clause 14 Development on land within the coastal use area

The site is mapped as 'Coastal Use Area' by State Environmental Planning Policy (Coastal Management) 2018, accordingly the consent authority must consider clause 14 of the SEPP.

(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:

(a) has considered whether the proposed development is likely to cause an adverse impact on the following:

(i) existing, safe access to and along the foreshore, beach, headland, or rock platform for members of the public, including persons with a disability,

The proposed development will not result in any change to the existing access to and along the foreshore and beach.

(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,

The proposed development does not increase overshadowing or wind funnelling, with the development being typical of other residential works along the foreshore. There will be no loss of views from public places to foreshores.

(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,

The design and appropriate scale and siting of the proposal ensures scenic quality of the coast is maintained, with the scale, materials, and colours consistent with existing development.

*(iv) Aboriginal cultural heritage, practices and places,
(v) cultural and built environment heritage, and*

The location of the proposed addition is within a developed area, there will be no impacts on heritage.

(b) is satisfied that:

*(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or
(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*

As described above the proposed development is located on a disturbed area of the site and is an addition to an existing dwelling. It is concluded that there will be no adverse impacts as referred to in (a).

(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

The appearance of the proposed extension is consistent with the surrounding coastal and built environment and is of an appropriate scale when considered against both the existing dwelling and surrounding properties.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 replaces the repealed provisions of clause 5.9 of the standard instrument LEP relating to the preservation of trees and vegetation.

The aims of this Policy are to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The development proposes the removal of only low-level shrubs which are supported in the Biodiversity report under separate cover. No significant trees are proposed to be removed.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Aims of the Plan

The proposed development is consistent with the aims of the SREP having an appropriate impact on the Sydney Harbour Catchment. The proposed minor works will be a visual improvement to the site and the scale of development will not appear enhanced from the water way. The Sydney Harbour Catchment and Manly foreshore will retain their environmental and cultural significance with the proposed additions at the rear and improvements visible from the harbour and the strategic foreshore site including the North Head.

Land to which the plan applies

The subject site falls within the mapped area recognised by the SREP. The site is unzoned. One Heritage Item nominated in the SREP is in the vicinity of the site. Being the Little Manly Cove pool, which will be unaffected by the development and in its views to and from the development.

Consent Authority

Council is the Consent Authority for land-based development, as is proposed in this application.

Planning Principles

The proposed development is considerate of the planning principles for the catchment area. The minimal development proposed will be appropriate and has no impact on the significance and retention of the significant environmental and cultural aspects of the Sydney Harbour Catchment. All works are replacement of existing and will have a nil impact on the visual, environmental and cultural significance and status of the Sydney Harbour catchment area.

SEPP 55 – Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for recreational purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the residential land use.

5.2 Manly Local Environmental Plan 2013

The relevant clauses of the Manly Local Environmental Plan 2013 are addressed below.

Zoning

The site is zoned RE1 – Public Recreation pursuant to the provisions of the Manly Local Environmental Plan 2013.

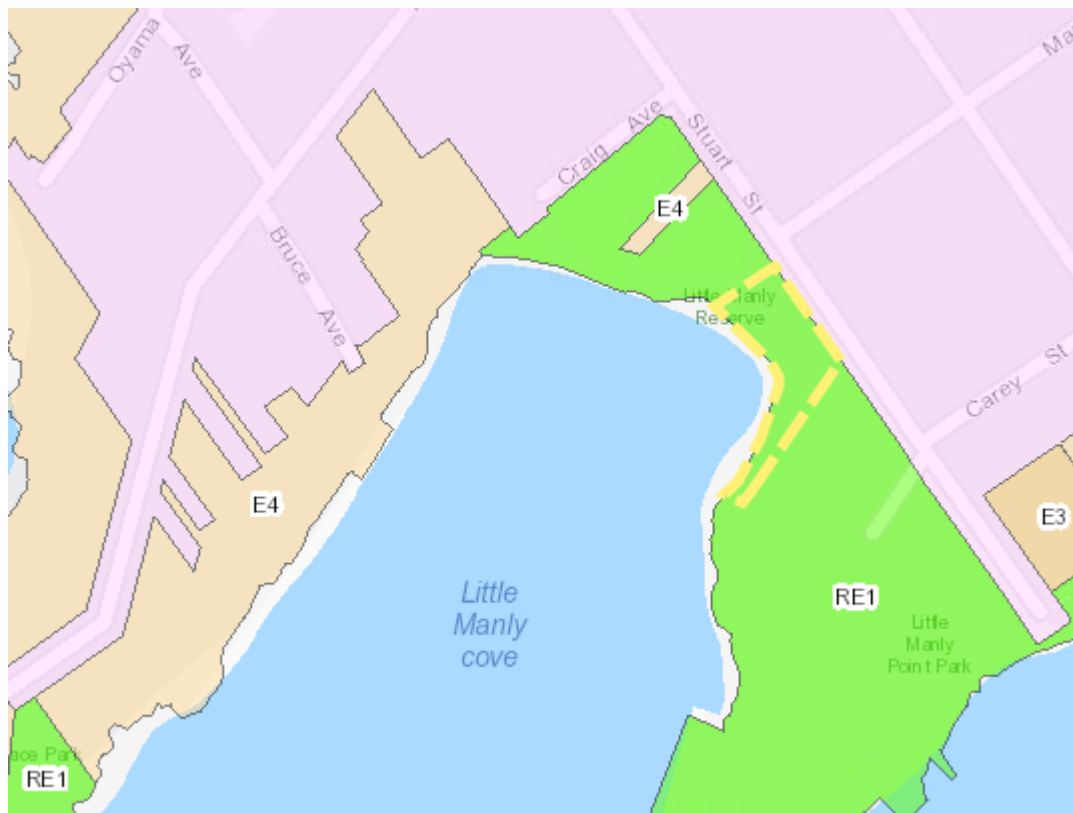


Figure 10. Extract from Manly LEP 2013 zoning map

The proposed development is for alterations and additions to the existing cafe. Cafes are a permissible land use in the RE1 Zone, and the existing café exists pursuant to CDC 20190211 issued by Grant Harrington on 8 August 2019.

Objectives of zone

- *To enable land to be used for public open space or recreational purposes*

The improvement of the existing cafe with will be to the benefit of recreational use of the land. The cafe will be available for the public who are swimming in the ocean pool, at the beaches or walking/ running on the public pathway.

- *To provide a range of recreational settings and activities and compatible land uses.*

A cafe has been located in the same envelope for decades. The improvements and minimal expansion are appropriate for the recreational setting which is comprised of pedestrian space, swimming areas and areas for the public to sit in the immediate vicinity of the ocean.

- *To protect and enhance the natural environment for recreational purposes.*

The café is existing, and the minimal additions have been well designed to minimise impacts. The natural environment will not be detrimentally impacted through the construction of the improved facility.

- *To protect, manage and restore areas visually exposed to the waters of Middle Harbour, North Harbour, Burnt Bridge Creek and the Pacific Ocean.*

The improved cafe is well suited to ensure that the beach, and area visually exposed to the water can be maintained and appropriately managed. The development is appropriate in this regard.

- *To ensure that the height and bulk of any proposed buildings or structures have regard to existing vegetation, topography and surrounding land uses.*

The structure is of appropriate scale with regard to the location it is to be sited. The minimal addition is tucked into the area at the rear which is currently unused and not of critical importance in comparison to the beach side of the site.

Demolition

Consent is sought for minor demolition work, as described above and detailed in the attached architectural plans.

Minimum Lot Size

Not applicable to this site.

Height

There is no maximum building height applicable to the site under MLEP 2013 (as amended). The proposed development will have a maximum height of 3.2m to the roof and 3.8m to exhaust, and will maintain a single storey level. The proposed development is consistent with the objectives for the height of building development standard under Clause 4.3(1) of the MLEP 2013 (as amended) in that:

- The proposed development has a bulk and scale that is compatible with and sensitive to the surrounding area.
- The proposal will not disrupt views from public spaces (including the pedestrian pathway), views from nearby residential development to public spaces (including the harbour and foreshores), and views between public spaces (including the harbour and foreshores).
- The proposal will continue to maintain solar access to the surrounding public open space.

- The proposal will allow for the improvement of an existing structure.

Floor Space Ratio

There is no maximum FSR applicable to the site. The proposed development includes a minimal additional 6.7m² of Gross Floor Area (GFA) for the takeaway kiosk. The proposal is consistent with the objectives for the Floor Space Ratio development under Clause 4.4(1) of the MLEP 2013 (as amended) in that:

- The bulk and scale are contextually appropriate.
- The proposal maintains an appropriate visual relationship between the proposed new development and the existing character and landscape of the area.
- The proposal will not adversely impact on the use or enjoyment of adjoining land and the public domain.
- The proposal will continue to provide improved facilities for the enjoyment of the community and beach users.

Heritage

The site is not a heritage item or located within a heritage conservation area, however, it neighbouring an area mapped as harbour foreshores local significance.



Figure 13. Extract from Manly LEP 2013 Heritage Map

It is considered the proposed works will have no negative impact on the heritage foreshore area, as the development is located to the rear of the site. There will be no impact on the waterfront or landscaping in this location.

Acid Sulfate Soils

The site is partly mapped with Class 5 Acid Sulfate soils. The proposed works are minor and will not be carried out more than 1 metre below the natural ground surface. Furthermore, the works are not likely to lower the water table more than 1 metre below the natural ground surface.

Flood Planning

Not applicable.

Stormwater Management

Stormwater will be connected to the existing drainage infrastructure on the site, which drains to the foreshore.

Essential Services

All essential services are existing on the site.

Terrestrial Biodiversity

The site is located on the Manly Local Environment Plan 2013 (MLEP 2013) Terrestrial Biodiversity Map and thus requires an assessment of all points of consideration in Clause 6.5(3) and (4) of the MLEP 2013.

An ecological assessment (GIS Environmental Consultants, May 2020) was submitted with the DA and outlines the following findings from a site visit conducted 17 April 2020. The report is supportive of the proposal, subject to the inclusion of appropriate recommendations, all of which will be incorporated into the design, construction process and management of the café by the operator.

Landslide Risk

The site is located within a landslide risk area. As the works are very minimal and primarily within an existing building and built envelope, no additional information is considered necessary at this stage.

Foreshore Scenic Protection Area

The site is located within a Foreshore Scenic Protection Area. It is considered that the proposal will not have a significant impact on visual aesthetic amenity or views to and from the foreshore as the additional area is minimal and primarily at the rear of the existing structure. As a result, the proposal would have a negligible impact on scenic quality and views and is considered appropriate.

Limited Development on foreshore Area

The proposed works are well setback from the sand and waterway and will have a nil impact on the natural foreshore processes. The minimal additional structure is of minimal scale and ancillary to the existing café. It will be visually pleasing from the waterway and foreshore and is to the benefit of the objectives of this clause.

Of particular relevance, public access to the foreshore is unaffected and there will be no environmental harm.

5.3 Manly Development Control Plan 2013

The relevant sections of the DCP are addressed below.

Part 3 General Principles of Development

Issues	Consistent with principle	Comments
Streetscape & Townscape	Yes	See comments
Heritage – In Vicinity	Yes	See comments
Sunlight Assess and Overshadowing	Yes	The shadow from the structure will be very similar to that of the existing café with key additions on the north eastern side of the site. The development is compliant with the relevant objectives in this regard.
Landscaping	Yes	The cafe is sited within the landscaped and open space setting of the Little Manly reserve and beachfront. Its siting within this space is appropriate and fulfils the objectives for landscaping which would be relevant to this community facility. The development appropriately considers landscaping and a landscape plan accompanies the Development Application in addition to the recommendations of the Terrestrial Biodiversity Report.
Amenity	Yes	See Comments

Privacy and Security	Yes	<p>The additions and use of the existing cafe will be appropriate to ensure privacy and security as required for this type of building. There will be no immediate impacts for the closest residential neighbours who are sited at a significantly higher ground level across Stuart Street.</p> <p>The design of the building with an open front allows for casual surveillance front the pedestrian space.</p>
Maintenance of Views	Yes	<p>The location of the additions to the structure is appropriate nestled into the Stuart Street side of the site. It cannot easily be seen from the Stuart Street or the beach and does not block views for those walking or travelling along the public walkway.</p>
Sustainability	Yes	<p>The proposal includes appropriate choice of materials for the additions to the existing structure. The structure has been designed to allow for cross ventilation, it will comply with the BCA and be a positive addition for the beach front location.</p>
Water Sensitive Urban Design	Yes	See Comments
Accessibility	Yes	<p>The existing structure is appropriately compliant, and the additional works ensure that compliance is maintained for users. Any conditions of consent will be complied with in this regard.</p>
Stormwater Management	Yes	<p>The proposal includes appropriate drainage with the additions to be connected to the exiting stormwater system.</p>
Waste Management	Yes	<p>A waste management plan is provided with the Development Application.</p>

Comment

Streetscape

Objective 1) To minimise any negative visual impact of walls, fences and carparking on the street frontage.

The proposed additions to the existing building are small and sit below the Stuart street footpath level, not being easily visible. It has no detrimental impact in this regard.

Objective 2) To ensure development generally viewed from the street complements the identified streetscape.

The proposed development complements the Stuart Street streetscape as a result of design, siting and materials choices. It is also an attractive and complementary addition when viewed from Little Manly Beach and Reserve.

Objective 3) To encourage soft landscape alternatives when front fences and walls may not be appropriate.

N/A

Townscape

Objective 4) To ensure that all parking provision is designed and sited to respond to and respect the prevailing townscape.

N/A

Objective 5) To assist in maintaining the character of the locality.

The design is considerate of the beachside character and appropriately complements this key component of the locality.

Objective 6) To recognise the importance of pedestrian movements and townscape design in the strengthening and promotion of retail centres.

The proposed additions to the existing café are appropriate in this regard located in the same space and ensuring the pedestrian area is unimpacted.

Objective 7) To minimise negative visual impact, in particular at the arterial road entry points into the Council area and the former Manly Council area, so as to promote townscape qualities.

N/A

Heritage

Objective 1) To retain and conserve environmental heritage and cultural significance of Manly including:

- *significant fabric, setting, relics and view associated with heritage items and conservation areas.*
- *the foreshore, including its setting and associated views; and*
- *potential archaeological sites, places of Aboriginal significance and places of natural significance.*

The proposed additions to the existing cafe will not result in any detrimental impact to neighbouring heritage items including the ocean foreshores.

Objective 2) To ensure any modification to heritage items, potential heritage items or buildings within conservation areas is of an appropriate design that does not adversely impact on the significance of the item or the locality.

N/A

Objective 3) To ensure that development in the vicinity of heritage items, potential heritage item and/ or conservation areas, is of an appropriate form and design so as not to detract from the significance of those items.

The proposal is of appropriate design and form so as not to detract from the foreshore area.

Objective 4) To provide infrastructure that is visually compatible with surrounding character and locality/visual context with particular regard to heritage buildings/areas and cultural icons.

The additions to the existing cafe have been designed to complement the location and will present as an attractive and compatible addition to the Stuart Street and ocean front location.

Objective 5) To integrate heritage management and conservation into the planning development process including incentives for good heritage management, adaptive reuse, sustainability and innovative approaches to heritage conservation.

N/A

Amenity

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.

The development has no detrimental impact on neighbouring residential dwellings, being an improvement on the older building.

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

Key areas of open space are unaffected and improved areas of shaded seating are included as apart of this proposal.

Part 4 - Development Controls

Paragraph 4.4 Other Development	Consistent with Principle	Comments
4.4.1 Demolition	Yes	The proposal is consistent with this clause with minimal demolition works required.
4.4.2 Alterations and Additions	Yes	The additions to the existing cafe is in keeping with this clause.
4.4.5 Earthworks	Yes	No significance earthworks are proposed with only minor footings required.

Part 5 - Special Character Areas and Sites

Special Character Areas and Sites	Applicable	Complies
Foreshore Scenic Protection Area	Yes	Yes
Threatened Species and Critical Habitat	Yes	Yes

Comment

Foreshore Scenic Protection Area

The design of the additions to the existing cafe are complementary to the valuable foreshore location. They sit at a level complementary to the existing structure and will blend in with the dominant natural features of the site. Siting, design, scale and materials choices all ensure compliance with these provisions.

Threatened Species and Critical Habitat

The Assessment of Significance Report for the endangered population of the Long-nosed bandicoot and Little Penguin has been provided and is supportive of the proposal subject to the implementation of appropriate measures which will be undertaken by the occupier and builder.

Parking, Vehicular Access and Loading (Including Bicycle Facilities)

No parking is proposed as a part of the application, with the existing café relying on locals and visitors to the beach. It is not envisaged that the small changes will result in a change in the number of visitors to Little Manly Beach which is already well frequented.

6. Section 4.15 Considerations

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed land use is complimentary and compatible with adjoining development. The proposal achieves the aims of the Manly LEP and DCP.

The development is permissible in the zone.

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

6.1. Context and Setting

What is the relationship to the region and local context in terms of:

- the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

These matters have been discussed in detail in the body of the statement.

What are the potential impacts on adjacent properties in terms of:

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

The proposed alterations and additions have been designed to complement the site and its surrounds. The proposal is appropriate and will have negligible impact on adjacent properties.

6.2. Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

No conflict or issues will arise as a result of the proposed development which allows for improved facilities for an existing structure.

6.3. Public domain

The development will present as a positive and complementary addition from both Stuart Street and Little Manly Beach and Reserve.

6.4. Utilities

There will be no impact on the site, which is already serviced.

6.5. Flora and fauna

There will be no impact to native flora and fauna as is detailed in the accompanying Terrestrial Biodiversity Report.

6.6. Waste

There will be no impact with appropriate contractors employed to assist the operation of the café.

6.7. Natural hazards

The site is mapped as landslip. As the proposed works are very minor, it is not considered that there is any risk. Appropriate conditions of consent may be imposed in this regard.

6.8. Economic impact in the locality

There will be no impact, other than the possibility of a small amount of employment during construction.

6.9. Site design and internal design

Is the development design sensitive to environmental conditions and site attributes including:

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The proposed development is highly appropriate to the site with regard to all of the above factors. The development fits well within the context of the surrounds and is an appropriate scale for the site and locality.

How would the development affect the health and safety of the occupants in terms of:

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development will comply with the provisions of the Building Code of Australia and all relevant Council controls.

6.10. Construction

What would be the impacts of construction activities in terms of:

- *the environmental planning issues listed above?*
- *site safety?*

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

The suitability of the site for the development

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual development constraints.

Are the site attributes conducive to development?

The site is appropriate for the proposed alterations and additions.

Any submissions received in accordance with this Act or the regulations

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

The public interest

It is considered that the proposal is in the public interest as it allows for appropriate use of the site.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

7. Conclusions

- 7.1 The proposed development for additions to the existing cafe at Little Manly Reserve are appropriate considering all State and Council controls.
- 7.2 When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.
- 7.3 Considering all the issues, the fully compliant development is considered worthy of Council's consent.