

## Memo

### Development Assessment

**To:** Northern Beaches Local Planning Panel

**Cc:** Peter Robinson  
Executive Manager, Development Assessment

**From:** Rod Piggott  
Manager Development Assessment

**Date:** 26 June 2025

**Subject:** DA2025/0132 - 37 Roseberry St, Balgowlah

**Record Number:** 2025/438815

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This memo is to advise the Panel of the referral response received from the NSW Police Force dated 25 June 2025 – see attached.

The Police raised concerns with the 24/7 proposed trading hours as detailed in the comments. A subsequent call to the Police on 26 June 2025 confirmed that they maintained the same concerns with the amended trading hours of 5am till midnight.

Accordingly, the reason for refusal No. 5 contained in the assessment report addresses the concerns in the response from the Police, which reads as follows

5. *Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause 3.4.2 Privacy and Security of the Manly Development Control Plan, as the proposed hours of operation result in unreasonable amenity impacts.*

### Conclusion

The response from the NSW Police supports the council's recommendation. No change is required to the assessment report or recommendation.

### Recommendation

Panel note the response from the NSW Police.