

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2022/1053
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Responsible Officer:	Thomas Burns
Land to be developed (Address):	Lot 1 DP 1170245, 0 Wharves And Jetties MANLY NSW 2095
Proposed Development:	Use of premises (Shop 8) as a take away food and drink premises including fit-out and signage
Zoning:	SREP(Sydney Harbour Catchment)2005 - Land Zoned W2 Environmental Protection
Development Permissible:	
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Transport for NSW TMG Developments Pty Ltd
Applicant:	Manly Fresh Food Pty Ltd

Application Lodged:	26/07/2022
Integrated Development:	Yes
Designated Development:	No
State Reporting Category:	Commercial/Retail/Office
Notified:	04/08/2022 to 01/09/2022
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

Estimated Cost of Works:	\$ 181,500.00
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PROPOSED DEVELOPMENT IN DETAIL

The applicant seeks development consent for the use of a premises as a take away food and drink premises (sushi shop) including an internal fitout and new signage. Key components of the proposal are as follows:

- **Operational Hours** - 9.00am - 9.00pm Mondays - Sundays.
- **Signage** - 2x under awning signs on existing panels, new vinyl wall graphic signage within shop, and new illuminated sign on wall within shop.
- **Fitout** - Internal fitout within the shop to provide displays, sink, cool room, fridge, freezer and work bench.

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

SITE DESCRIPTION

Property Description:	Lot 1 DP 1170245 , 0 Wharves And Jetties MANLY NSW 2095
Detailed Site Description:	<p>The subject site is legally described as Lot 1 in Deposited Plan 1170245 and is commonly known as Manly Wharf. The site is located within Manly Cove and is located at the junction of East Esplanade and West Esplanade, Manly. The site within Manly Wharf is known as Shop 8.</p> <p>The area of the site where the proposed development is located is within the boundaries defined as the Manly Wharf Lease Line and the line of the Mean High Water Mark. This site has an estimated area of 13,405m².</p> <p>The site is in the W2 - Environment Protection zone under SEPP (Biodiversity and Conservation) 2021.</p> <p>The site is oriented east west with the northern and southern boundaries fronting the western and eastern promenades, and Manly Cove respectively.</p> <p>The site has multiple pedestrian accesses from the street as well as from the Ferry terminal.</p>

The Wharf is surrounded by sheltered marine environment. The surrounding waters and nearby harbour foreshore is known to provide habitat for Little Penguins and possess other marine ecology including seagrass beds.

Opposite the site to the west is Manly Corso. The Corso is a wide open promenade and public open space between Manly Beach and Many Wharf and provides street furniture, public art and a focal point for the Manly Town Centre. Commercial uses including shops, offices, restaurants, cafes, licensed premises and services and amenities dominate the frontages of The Corso. The scale of development along The Corso is varied between two (2) to four (4) storeys.

The uses opposite the site along East Esplanade are dominated by mixed use developments mainly consisting of ground floor commercial uses such as shops, offices, restaurants and cafes with residential above. Some of the building along East Esplanade consist primarily of multistorey commercial developments. The scale of development along East Esplanade is predominately between three (3) to six (6) storeys.

The uses opposite the site along West Esplanade are dominated by mixed use developments mainly consisting of ground floor commercial uses such as shops, offices, restaurants and cafes with residential above. The scale of development along East Esplanade is predominately between three (3) to eight (8) storeys.

Map:



SITE HISTORY

A search of Council's records has revealed no recent or relevant applications to Shop 8 within Manly Wharf.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 Matters for Consideration	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	There are no current draft environmental planning instruments.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Sydney Harbour Foreshores and Waterways Area Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)	<p><u>Part 4, Division 2</u> of the EP&A Regulation 2021 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Sydney Harbour Foreshores and Waterways Area Development Control Plan section in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	No submissions were received.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 04/08/2022 to 01/09/2022 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

As a result of the public exhibition of the application Council received no submissions.

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	<p>The application has been investigated with respect to aspects relevant to the Building Certification and Fire Safety Department. There are no objections to approval of the development.</p> <p>Note: The proposed development may not comply with some requirements of the BCA. Issues such as these however may be determined at Construction Certificate stage.</p>
Environmental Health (Food Premises, Skin Pen.)	<p>General Comments</p> <p>Environmental Health have reviewed the Development Application which proposes an internal fit out to alter an existing tenancy to a new sushi takeaway store, including new walls, display units, work benches, equipment, cool room and freezer room.</p> <p>Environmental Health considers that the proposal should be supported as the site plans meet the requirements AS4674-2004 Design, construction and fit out of a food premises.</p> <p>Recommendation</p> <p>Supported - Subject to conditions</p>
NECC (Bushland and Biodiversity)	<p>The proposed development has been assessed for potential impacts to the endangered population of Little Penguins at Manly. Individual penguins associated with this population have been recorded within the aquatic and terrestrial environment surrounding Manly Wharf. Whilst the proposed use of the existing shop as a sushi takeaway store will not impact directly upon penguin habitat, takeaway 'fish-shaped' soy sauce containers are likely to be provided to customers. These are a key source of plastic pollution and cause of aquatic fauna</p>

Internal Referral Body	Comments
	<p>mortality (including seabirds) in developed/commercial coastal areas. It is strongly recommended that the proposal be assessed by Council's Waste Team and/or conditions be applied to prohibit the use of these containers during operation.</p>
<p>NECC (Coast and Catchments)</p>	<p>The application has been assessed in consideration of the Coastal Management Act 2016, State Environmental Planning Policy (Resilience & Hazards) 2021, State Environmental Planning Policy (Biodiversity & Conservation) 2021 and Sydney Harbour Foreshores and Waterways Area Development Control Plan, 2005. It has also been assessed against requirements of the Manly LEP and DCP for Manly Cove.</p> <p>Coastal Management Act 2016 The subject site has been identified as being within the coastal zone and therefore Coastal Management Act 2016 is applicable to the proposed development. The proposed development is in line with the objects, as set out under Clause 3 of the Coastal Management Act 2016.</p> <p>State Environmental Planning Policy (Resilience & Hazards) 2021 The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience & Hazards) 2021 (SEPP R & H). Hence, Clauses 2.10, 2.11 and 2.12 of the CM (R & H) apply for this DA. Clauses 2.10 (coastal environment area) and 2.11 (coastal use area) do not apply as the site is also located within the Sydney Harbour catchment area. Hence, only Clause 2.12 of the SEPP R & H apply for this DA. Comment: On internal assessment, the DA satisfies requirements under clause 2.12 of the SEPP R&H. As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Resilience & Hazards) 2021.</p> <p>State Environmental Planning Policy (Biodiversity & Conservation) 2021 Harbour Foreshores & Waterways Area The subject site is located within the Sydney Harbour Catchment and is identified as being within the Foreshores and Waterways Area. Hence Part 10.2, Clause 10.11 and Part 10.3, Division 2 apply in assessing this DA. On internal assessment, it is determined that the Planning Principles and Matters for Consideration of the Area have been met. The subject site is located within/adjacent to the W2 (Environmental Protection) Zones. On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by Avance Design dated 20 June 2022, it is determined that the objectives and assessment criteria of the zone have been met.</p>

Internal Referral Body	Comments
	<p>Manly LEP 2013 and Manly Cove DCP No issues identified.</p>
NECC (Riparian Lands and Creeks)	No issues identified in regards to Riparian Lands management. Additionally the site is located within the Port Jackson area on the Department of Planning and Environment—Water Waterfront land maps from clause 36 of Schedule 4 of Water Management (General) Regulation 2018, the proposal is exempt from a controlled activity approval from DPIE Water.
Parks, reserves, beaches, foreshore	The proposed Sushi Hub shop outlet is internal to the Manly Wharf complex, and whilst the development property adjoins East Esplanade Park, the proposed development is not detrimental to the landscape character of the adjoining Reserve, and as such Parks, Reserves and Foreshores raise no concerns with the development proposal.
Strategic and Place Planning (Heritage Officer)	<p>HERITAGE COMMENTS</p>
	<p>Discussion of reason for referral</p>
	<p>This application has been referred as the site is a heritage item, being Item I145, Manly Wharf, listed in Schedule 5 of Manly LEP 2013. Manly Wharf is also listed as a State heritage item, under the provisions of the Heritage Act, 1977.</p> <p>The site is also within the vicinity of a number of other listed heritage items, the closest being Item I146, Pier (former Fun Pier), Manly Wharf. The other heritage items in the vicinity are located largely on the other side of East and West Esplanade, as is the Manly Town Centre Conservation Area.</p>
	<p>Details of heritage items affected</p>
	<p>Details of this heritage item, as contained within the Heritage Inventory, are:</p> <p>Item I145, Manly Wharf</p> <p><u>Statement of Significance</u></p> <p>Of environmental significance as a visually prominent man-made feature. Of historical significance for its association with the maritime activities at Manly as a tourist destination and suburb of Sydney, dependent on the ferry link to the CBD. (Anglin 1990:2033) Together with Circular Quay, the wharf is the only substantial older style ferry wharf surviving in Port Jackson: association with Manly's history as a recreational centre. (Blackmore, Ashton, Higginbotham, Rich, Burton, Maitland, Pike 1985)</p> <p><u>Physical Description</u></p> <p>A broad wharf supported on timber piers and with a concrete platform. The superstructure is constructed of steel and timber. The facade and side walls form an important architectural design, similar to the Circular Quay ferry terminals. (Blackmore, Ashton, Higginbotham, Rich, Burton, Maitland, Pike, 1985).</p> <p>The original part of the wharf was built in a modernistic transport idiom, with typical stylistic features of era including play of circular and rectangular geometric terms, bayed facade to the water (marine connotations), wide arc plan at entrance, clock tower with "fins", flat roofing marked by wide fascia board. The current</p>

Internal Referral Body	Comments		
	<p>entrance was originally designed as a tram terminus and turning area. Timber clad framed structure opening and large internal spaces, concrete deck to west enclosed by "ship" railing. Some original shop fittings, signage etc. Subjected to major alterations to the wharf wings involving a T-shaped clerestorey (Stapleton, 1981).</p>		
	<p>Other relevant heritage listings</p>		
	<p>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</p>	<p>Yes</p>	<p>Comment if applicable</p>
	<p>Australian Heritage Register</p>	<p>No</p>	
	<p>NSW State Heritage Register</p>	<p>Yes</p>	
	<p>National Trust of Aust (NSW) Register</p>	<p>Yes</p>	
	<p>RAIA Register of 20th Century Buildings of Significance</p>	<p>Maybe</p>	
	<p>Other</p>	<p>No</p>	
	<p>Consideration of Application</p>		
	<p>This application is for the fitout of an existing retail space (Shop 8) for a take-away sushi shop, along with associated signage. No structural modifications are proposed. Signage is limited to use of existing under awning sign (non-illuminated) with new branding, along with illuminated wall signs (name and red pattern), both on the front of metal mesh. Colours proposed are largely black and white, with some red.</p>		
	<p>As Manly Wharf is a State heritage item, the application was referred to Heritage NSW as an Integrated Development. In response, Heritage NSW have advised by letter dated 29 August 2022 that the proposed works are exempt from the need for consent under the Heritage Act and is therefore not Integrated Development.</p>		
	<p>As the works only involve fit-out and signage, there will be no impact upon the structure of the Manly Wharf building. As a retail space within the Manly Wharf building, the proposed fit out is in keeping with other retails uses within this space. All changes are reversible and do not affect the fabric of the State heritage building.</p>		
	<p>As the proposed works are entirely contained within the Manly Wharf building, there will be no adverse impact upon the heritage items in the vicinity, nor upon the Manly Town Centre Conservation Area.</p>		

Internal Referral Body	Comments
	<p>Therefore, no objections are raised on heritage grounds and no conditions required.</p> <p><u>Consider against the provisions of CL5.10 of MLEP 2013:</u> Is a Conservation Management Plan (CMP) Required? No Has a CMP been provided? N/A Is a Heritage Impact Statement required? Yes Has a Heritage Impact Statement been provided? Yes</p> <p>Further Comments</p>
Traffic Engineer	<p>Proposal description: change of use from take-away and drink premises to sushi take-away store</p> <p>The development application seeks development consent for the proposal of a new shop fit out to alter existing tenancy to a new sushi takeaway store at Shop 8 East Esplanade Manly Wharf, Manly</p> <p>The traffic team has reviewed the following documents:</p> <ul style="list-style-type: none"> • Plans (Master Set) – Revision C, designed by AVANCE DESIGN, dated 20/06/2022, and • Statement of Environmental Effects for Development Application prepared by AVANCE DESIGN dated 20 June 2022. <p>It is noted that:</p> <ul style="list-style-type: none"> • The proposed Fitout to the new sushi take away shop is almost identical to the previously approved use as a take-away food and drink premise. • The proposed operating hours of the development is from 9am to 9pm, 7 days a week. • There will be no seating area provided for customers. Customers are often on-the-go and would only spend a minimal amount of time at the shopfront of the premise / along the mall walkway. • There are no structural modifications proposed to the existing building. All existing columns, awnings and the structural element at the shopfront are to be retained. • On the side shopfront, a new internally illuminated signage is proposed to install onto the existing tenancy wall. There are also 2 existing non-illuminated under awning signage to the shopfront which will be renewed to

Internal Referral Body	Comments
	<p style="text-align: center;">allow for Sushi Hub branding.</p> <p><u>Parking rates/requirements:</u></p> <ul style="list-style-type: none"> • The proposal does not contain any car spaces, discouraging private car use and encouraging active and public transport. • The site has excellent access to public transport. Bus stops and the ferry wharf are located within close walking distance. Therefore, the Council considers exceptions to the parking rate/requirements required in the DCP for the proposal, allowing future customers of the proposed sushi take-away store to visit without the need for car parking. • Loading bays must be provided in sufficient numbers to meet anticipated demand. This demand is related to the total amount of floor space, the intensity of use and the nature of the activity. As noted in the SEE dated 20 June 2022, the nature of operation of the proposed premise is very similar to the takeaway drinks shop previously approved, and the amount of waste produced will be very similar. The proposed sushi take away store is not expected to require deliveries in large quantities, rendering a loading bay unnecessary. <p><u>Traffic and pedestrian impacts:</u></p> <ul style="list-style-type: none"> • The installation of the proposed signage is required to comply with the 2.5m clearance from the ground and needs to be outside the clear zone to any road users/infrastructure. No safety concern is expected to be imposed by the proposed signage. • During the installation of the proposed signage, there would be some impacts on pedestrian activity in the vicinity of the proposal. This needs to be detailed in the Construction Traffic Management Plan (CTMP). <p><u>Conclusion</u></p> <p>The traffic team has no objection to the proposal in principle, and it can be supported subject to conditions regarding the preparation and implementation of a Construction Traffic Management Plan.</p> <p>The proposal is therefore supported.</p>

Internal Referral Body	Comments

External Referral Body	Comments
Ausgrid - SEPP (Transport and Infrastructure) 2021, s2.48	The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.
Nominated Integrated Development - Heritage NSW - Heritage Act 1977	This correspondence is to advise that the proposed works do not require an approval under the Heritage Act 1977. The works are exempt under Standard Exemption 3: Alteration to Non-Significant Fabric as the internal shop fitout affects recent construction and non-heritage fabric. As such, an Integrated Development referral is not required.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)*

All, Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP (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.

Comment:

The proposal was referred to Ausgrid, who raised no objections.

SEPP (Biodiversity and Conservation) 2021

Chapter 10 – Sydney Harbour Catchment

The site is located within the Foreshores and Waterways Area, and SEPP (Biodiversity and Conservation) 2021 is applicable to this assessment.

In accordance with Clause 10.4(1) of the SEPP, Council is the consent authority for the proposed development.

The site is zoned W2 Environment Protection under the provisions of the SEPP. The objectives of the W2 zone are considered with respect of the proposal, as follows:

(a) to protect the natural and cultural values of waters in this zone,

Comment:

The proposed works, in consideration of the wharf as a whole, are comparatively minor and will not impact upon the natural and cultural values of the waterway.

(b) to prevent damage or the possibility of longer term detrimental impacts to the natural and cultural values of waters in this zone and adjoining foreshores,

Comment:

The works are confined to shop 8 within the wharf and are not likely to damage, or contribute to longer term detrimental impacts upon, the natural and cultural values of the waterway and adjoining foreshores.

(c) to give preference to enhancing and rehabilitating the natural and cultural values of waters in this zone and adjoining foreshores,

Comment:

The proposed development will result in further activation of the wharf, and enhance the use of the waterway area, without attributing to any adverse impacts upon the natural or cultural values of the waterway and adjoining foreshore. Whilst the proposal does not propose to rehabilitate the waterway, this is not considered to be required in this instance, given the scale of the proposal and noting that the works are not impacting upon the seabed.

(d) to provide for the long-term management of the natural and cultural values of waters in this zone and adjoining foreshores.

Comment:

The subject site forms part of the greater wharf structure, which is subject to an ongoing lease from Transport for NSW that includes long-term management strategies and requirements

As demonstrated above, the proposal is consistent with the objectives of the W2 zone.

It is noted that the W2 permissible land use table does not refer to take away food and drink premises'. However, Clause 10.15(2) below notes as follows:

(2) Despite subsection (1), development not referred to in the Table to this section may be carried out

with development consent, but only if the consent authority is satisfied that the development—

- (a) is not inconsistent with the aims of this Chapter or the objectives of the zone in which it is proposed to be carried out, and*
- (b) is not inconsistent with any other environmental planning instrument that applies to the land, and*
- (c) will not otherwise have any adverse impacts.*

Comment:

As demonstrated above, the proposal is consistent with the objectives of the W2 zone. Moreover, the proposal is not inconsistent with other environmental planning instruments that apply to the land (i.e. SEPP (Industry and Employment) 2021) and will not otherwise have any adverse impacts. Therefore, Council can be satisfied that the proposal is a permissible land use.

Conclusion

As demonstrated above, the proposal is a permissible land use and is consistent with the requirements of SEPP (Biodiversity and Conservation) 2021.

SEPP (Industry and Employment) 2021

Chapter 3 – Advertising and Signage

Section 3.6 and 3.11 of Chapter 3 require Council to determine consistency with the objectives stipulated under Subsection 3.1 (1)(a) of the aforementioned SEPP and to assess the proposal against the assessment criteria of Schedule 5.

The objectives of this chapter aim to ensure that the proposed signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes.

In accordance with the provisions stipulated under Schedule 5 of Chapter 3, the following assessment is provided:

Matters for Consideration	Comment	Complies
<p>1. Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</p>	<p>The proposed signage is compatible with the existing and desired future character of the Manly Wharf given. This is a result of the spacing between signage and further shown by the support from Council's Heritage officer and the Heritage Council of New South Wales.</p>	YES
<p>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</p>	<p>The Manly Wharf and surrounding area has signage associated with business and retail premises. Given the size of proposed area, the amount and extent of signs are generally consistent with this area.</p>	YES

<p>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?</p>	<p>The proposal is within the Manly Wharf which is a state listed heritage item. Councils Heritage officer provided no objection to the application. The Heritage Council of New South Wales also provided support of the application.</p>	<p>YES</p>
<p>3. Views and vistas Does the proposal obscure or compromise important views?</p>	<p>The proposal is within the existing Manly Wharf building envelope and would not have any unreasonable impact on views or vistas.</p>	<p>YES</p>
<p>Does the proposal dominate the skyline and reduce the quality of vistas?</p>	<p>The proposal is within the existing Manly Wharf building envelope and would not have any unreasonable impact on views or vistas.</p>	<p>YES</p>
<p>Does the proposal respect the viewing rights of other advertisers?</p>	<p>The proposal minimises obtrusion of signage to respect viewing rights of other advertisers</p>	<p>YES</p>
<p>4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</p>	<p>Given the context of this part of Manly wharf (various retail uses), the proposed scale proportion and form of signage is appropriate.</p>	<p>YES</p>
<p>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</p>	<p>The proposed signage provides visual interest to patrons of the premises and members of the public.</p>	<p>YES</p>
<p>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</p>	<p>The proposal utilises existing under awning blade signage to reduce potential clutter.</p>	<p>YES</p>
<p>Does the proposal screen unsightliness?</p>	<p>No, the minimised scale and adequate spacing ensures there would not be unsightliness.</p>	<p>YES</p>
<p>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</p>	<p>No.</p>	<p>YES</p>
<p>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?</p>	<p>Given the context of this part of Manly wharf (various retail uses), the proposed scale proportion and form of signage is appropriate</p>	<p>YES</p>
<p>Does the proposal respect important features of the site or building, or both?</p>	<p>The scale and design of signage respects the heritage values of the site shown by support from relevant heritage officers.</p>	<p>YES</p>
<p>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</p>	<p>The varied signage shows innovation and imagination in relation to the site and building</p>	<p>YES</p>
<p>6. Associated devices and logos with advertisements and advertising structures Have any safety devices, platforms, lighting devices or logos been designed as an integral</p>	<p>N/A</p>	<p>YES</p>

part of the signage or structure on which it is to be displayed?		
7. Illumination Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any residence or other form of accommodation?	Yes, the physical separation to surrounding uses ensures the illuminated signs would be appropriate.	YES
Can the intensity of the illumination be adjusted, if necessary?	Yes, the signs can be turned off.	YES
Is the illumination subject to a curfew?	Yes, a condition is recommended with this consent to ensure that illumination is ceased between 9.00pm - 9.00am Mondays - Sundays, which is outside of the proposed operational hours.	YES
8. Safety Would the proposal reduce the safety for any public road, pedestrians or bicyclists?	No.	YES
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No.	YES

Accordingly, the proposed signage is considered to be of a scale and design suitable for the locality. The proposal is therefore deemed to be consistent with the provisions of this chapter and its underlying objectives.

SEPP (Resilience and Hazards) 2021

Chapter 2 – Coastal Management

The site is located within the Coastal Environment and Coastal Use Areas pursuant to Chapter 2 of this SEPP. Accordingly, an assessment against relevant provisions within Chapter 2 is provided below as follows:

Division 3 Coastal environment area

2.10 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,*
 - b) *coastal environmental values and natural coastal processes,*
 - c) *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,*
 - d) *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
 - 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,
- f) *Aboriginal cultural heritage, practices and places,*
 - g) *the use of the surf zone.*
- 2) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
- a) *the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or*
 - b) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*
- 3) *This section does not apply to land within the Foreshores and Waterways Area within the meaning of [Sydney Regional Environmental Plan \(Sydney Harbour Catchment\) 2005](#).*

Comment:

The site is located within the Foreshores and Waterways Area. Therefore, this clause is not applicable to this assessment.

Division 4 Coastal use area

2.11 Development on land within the coastal use area

- 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*
 - ii) *platform for members of the public, including persons with a disability,*
 - iii) *overshadowing, wind funnelling and the loss of views from public places to*
 - iv) *foreshores,*
 - v) *the visual amenity and scenic qualities of the coast, including coastal headlands,*
Aboriginal cultural heritage, practices and places,
cultural and built environment heritage, and
 - b) *is satisfied that:*
 - i) *the development is designed, sited and will be managed to avoid an adverse*
 - ii) *impact referred to in paragraph (a), or*
 - iii) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
if that impact cannot be minimised—the development will be managed to mitigate that impact, and
 - c) *has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*
- 2) *This section does not apply to land within the Foreshores and Waterways Area within the meaning of [Sydney Regional Environmental Plan \(Sydney Harbour Catchment\) 2005](#).*

Comment:

The site is located within the Foreshores and Waterways Area. Therefore, this clause is not applicable

to this assessment.

Division 5 General

2.12 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Comment:

The proposal is confined to the existing building footprint and is not likely to increase the risk of coastal hazards within the locality.

2.13 Development in coastal zone generally—coastal management programs to be considered

Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.

Comment:

The proposal is not inconsistent with relevant coastal management programs.

As such, it is considered that the application complies with the requirements of Chapter 2 of the 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. Council records indicate that the subject site has been used for commercial 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 sub-section 4.6 (1)(b) and (c) of this Chapter and the land is considered to be suitable for the commercial land use.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly affect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;

- All relevant and draft Environmental Planning Instruments;
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2022/1053 for Use of premises (Shop 8) as a take away food and drink premises including fit-out and signage on land at Lot 1 DP 1170245, 0 Wharves And Jetties, MANLY, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. **Approved Plans and Supporting Documentation**

The development must be carried out in compliance with the endorsed stamped plans and documentation listed below, except as amended by any other condition of consent:

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DA001 (Revision C)	20 June 2022	Avance Design
DA101 (Revision C)	20 June 2022	Avance Design
DA111 (Revision C)	20 June 2022	Avance Design
DA201 (Revision C)	20 June 2022	Avance Design
DA202 (Revision C)	20 June 2022	Avance Design
DA301 (Revision C)	20 June 2022	Avance Design
DA302 (Revision C)	20 June 2022	Avance Design

Reports / Documentation – All recommendations and requirements contained within:

Report No. / Page No. / Section No.	Dated	Prepared By
Concise Heritage Impact Statement	17 June 2022	NBRS

b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

c) The development is to be undertaken generally in accordance with the following:

Waste Management Plan		
Drawing No/Title.	Dated	Prepared By
Waste Management Plan - Shop 8, East Esplanade, Manly Wharf, Manly	N/A	N/A

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

2. **Approved Land Use**

Nothing in this consent shall authorise the use of site/onsite structures/units/tenancies as detailed on the approved plans for any land use of the site beyond the definition of a take away food and drink premises. This land use is defined as follows:

- ***take away food and drink premises means premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.***

Any variation to the approved land use and/occupancy of any unit beyond the scope of the above definition will require the submission to Council of a new development application.

Reason: To ensure compliance with the terms of this consent.

3. **Prescribed Conditions**

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifier for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (d) Residential building work within the meaning of the Home Building Act 1989 must not

be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

- (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
- (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative requirement.

4. **General Requirements**

- (a) Unless authorised by Council:
Building construction and delivery of material hours are restricted to:
 - 7.00 am to 5.00 pm inclusive Monday to Friday,
 - 8.00 am to 1.00 pm inclusive on Saturday,
 - No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of

jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) Should any asbestos be uncovered on site, its demolition and removal must be carried out in accordance with WorkCover requirements and the relevant Australian Standards.
- (c) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of an Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (d) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (e) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (f) Prior to the release of the Construction Certificate, payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No skip bins, building materials, demolition or excavation waste of any nature, and no hoist, plant or machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (j) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (k) Prior to the commencement of any development onsite for:
 - i) Building/s that are to be erected
 - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
 - iii) Building/s that are to be demolished
 - iv) For any work/s that is to be carried out
 - v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

- (l) A "Road Opening Permit" must be obtained from Council, and all appropriate charges paid, prior to commencement of any work on Council property. The owner/applicant

shall be responsible for all public utilities and services in the area of the work, shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.

- (m) The works must comply with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice.
- (n) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.
 - (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:
 - (i) Swimming Pools Act 1992
 - (ii) Swimming Pools Amendment Act 2009
 - (iii) Swimming Pools Regulation 2018
 - (iv) Australian Standard AS1926 Swimming Pool Safety
 - (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
 - (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
 - (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
 - (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewerred areas or managed on-site in unsewerred areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.
 - (4) Swimming pools and spas must be registered with the Division of Local Government.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

FEES / CHARGES / CONTRIBUTIONS

5. Security Bond

A bond (determined from cost of works) of \$2,000 and an inspection fee in accordance with Council's Fees and Charges paid as security are required to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection).

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, and details demonstrating payment are to be submitted to the Certifier prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.northernbeaches.nsw.gov.au).

Reason: To ensure adequate protection of Council's infrastructure.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

6. **Plans of Kitchen Design, construction and fit out**

Prior to any Construction Certificate (CC) being issued, detailed plans that demonstrate compliance with Standard 3.2.3 of the Australian and New Zealand Food Standards Code, the Food Act 2003 and Australian Standard AS 4674 'Design, construction and fit out of food premises', must be submitted to and approved by the Certifying Authority. These plans are to be prepared by a suitably qualified person.

The plans must detail adequate provision for storage including separate storage of food, equipment, chemicals and personal belongings.

Reason: To ensure that the food premises complies with the design construction and fit-out requirements.

7. **Plans of Mechanical ventilation**

Where Mechanical ventilation is required to be installed in the food premises detailed plans must be submitted to and approved by the Certifying Authority that demonstrate compliance with the following:

- Australian Standard (AS) 1668.2 "The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings"; and
- Any external exhaust discharge must be above the roofline and discharged in a manner that is not likely to cause an amenity impact.

These plans are to be prepared by a suitably qualified person.

Reason: To ensure that the installed mechanical ventilation complies with the requirements of the Australian Standard 1668.2 and to prevent amenity impacts.

8. **Compliance with Standards**

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

9. **Work Zones and Permits**

Prior to commencement of the associated works, the applicant shall obtain a Work Zone Permit

where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site.

A separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane and a Roads and Maritime Services Work Zone Permit shall be obtained for State Roads.

Reason: To ensure Work zones are monitored and installed correctly.

10. **Construction Traffic Management Plan**

A Construction Traffic Management Plan (CTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by the Northern Beaches Council Traffic Team prior to commencement of works. The CTMP to detail how the fitout and signage works will be undertaken and how pedestrian safety and amenity will be managed during the managed. CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”.

All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and are to be paid at the time that the Construction Traffic Management Plan is submitted.

Reason: To ensure vehicular access and pedestrian safety are appropriately managed.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

11. **During the course of demolition and building works**

All construction vehicles associated with the development must obtain a permit from Council on a daily basis, for access into pedestrian only areas. E.g. The Many Wharf forecourt

Reason: To manage and minimise disruption to the area.

12. **Implementation of Construction Traffic Management Plan**

All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to Council on request.

Reason: To ensure compliance of the developer/builder in adhering to the Construction Traffic Management procedures agreed and are held liable to the conditions of consent.

13. **Pollution Control**

Any excess materials such as cleaning paintbrushes, lacquers, and any water from cleaning tools must not enter the stormwater network and/or receiving waterways.

Reason: To ensure that building associated chemicals and pollutants don’t enter the surrounding environment.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

14. **Registration of Food Business**

The food business must be registered with the Appropriate Regulatory Authority, prior to Occupation Certificate being issued.

Reason: Food premises are required to be registered with the Appropriate Regulatory Authority.

15. **Kitchen Design, construction and fit out of food premises certification**

Prior to the issuing of any occupation certificate, certification is to be provided to the Principal Certifying Authority by a suitably qualified person demonstrating that the design, construction and fit out of food premises kitchen is compliant with the requirements of AS 4674 Design, construction and fit out of food premises.

Reason: To ensure that the kitchen complies with Australian Standard design requirements

16. **Mechanical ventilation**

Where Mechanical ventilation is required to be installed in the food premises it must comply with the following:

- Australian Standard (AS) 1668.2 “The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings”; and

- Any external exhaust discharge must be above the roofline and discharged in a manner that is not likely to cause an amenity impact.

Certification is to be provided to the Principal Certifying Authority by a suitably qualified person that the mechanical ventilation complies with the above requirements.

Reason: To ensure that the installed mechanical ventilation complies with the requirements of the Australian Standard 1668.2 and to prevent amenity impacts.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

17. **Hours of Operation**

The hours of operation are to be restricted to:

- Monday to Sunday (inclusive) - 9.00am - 9.00pm.

Upon expiration of the permitted hours, all service (and entertainment) shall immediately cease, no patrons shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes.

Reason: Information to ensure that amenity of the surrounding locality is maintained.

18. **Hours of Illumination for Signage**

Illumination of signage at the subject premises shall cease between the hours of 9:00pm and 9:00am daily.

Reason: To ensure surrounding premises' and vehicles/pedestrians are not affected by inappropriate or excessive illumination.

19. **Commercial Waste Collection**

Waste and recyclable material, generated by this premises, must not be collected between the hours of 7:00am and 8:00pm weekdays and 9:00am and 8:00pm weekends and public holidays.

Reason: To ensure the acoustic amenity of surrounding properties.

In signing this report, I declare that I do not have a Conflict of Interest.

Signed



Thomas Burns, Planner

The application is determined on 26/09/2022, under the delegated authority of:



Rodney Piggott, Manager Development Assessments