

20 January 2020



Classroom 46 Pty Ltd
Shop 1, 46-48 East Esplanade
MANLY NSW 2095

Dear Sir/Madam

Application Number: Mod2019/0540
Address: Lot 10 DP 1207797 , 46 - 48 East Esplanade, MANLY NSW 2095
Proposed Development: Alterations and additions to the existing building and use as a café and business premises.

Please find attached the Notice of Determination for the above mentioned Application.

Please be advised that a copy of the Assessment Report associated with the application is available on Council's website at www.northernbeaches.nsw.gov.au

Please read your Notice of Determination carefully and the assessment report in the first instance.

If you have any further questions regarding this matter please contact the undersigned on 1300 434 434 or via email quoting the application number, address and description of works to council@northernbeaches.nsw.gov.au

Regards,



Benjamin Price
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2019/0540
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Classroom 46 Pty Ltd
Land to be developed (Address):	Lot 10 DP 1207797 , 46 - 48 East Esplanade MANLY NSW 2095
Proposed Development:	Alterations and additions to the existing building and use as a café and business premises.

DETERMINATION - APPROVED

Made on (Date)	20/01/2020
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The request to modify the above-mentioned Development Consent has been approved as follows:

B. Modify Condition 15 - Hours of Operation to read as follows:

The hours of operation of the premises are to be restricted to:

- Monday to Saturday - 7.00am - 12.00am
- Sunday and Public Holidays - 7.30am - 10.00pm

Reason: To ensure that amenity of the surrounding locality is maintained

C. Add Condition 15a - Use of Outdoor Dining Terrace to read as follows:

The use of the outdoor dining terrace shall cease at 10pm each evening

Reason: To preserve the amenity of the surrounding neighborhood

D. Add Condition 15b - Noise - General to read as follows:

The ongoing use of the premises/property must not give rise to 'offensive noise' as defined under the provisions of the Protection of the Environment Operations Act 1997.

Reason: To ensure compliance with legislation and to protect public health and amenity.

Important Information

This letter should therefore be read in conjunction with DA2018/0113 - Approved 10/04/2018.

Please note that on site works cannot proceed unless a Construction Certificate application for the

modified proposal has been lodged with and approved by Council or an accredited certifier, and relevant conditions of the Development Application have been carried out.

Right to Review by the Council

You may request Council to review this determination of the application under Division 8.2 of the Environmental Planning & Assessment Act 1979. Any Division 8.2 Review of Determination application should be submitted to Council within 3 months of this determination, to enable the assessment and determination of the application within the 6 month timeframe.

Right of Appeal

Section 8.10 of the Environmental Planning and Assessment Act confers on an applicant who is not satisfied with the determination of the Consent Authority a right of appeal to the Land and Environment Court within 6 months of determination.

NOTE: A fee will apply for any request to review the determination.

Signed On behalf of the Consent Authority



Name Benjamin Price, Planner

Date 20/01/2020