

STATEMENT OF ENVIRONMENTAL EFFECTS – MAY 2019

SECTION 4.55(2) MODIFICATION APPLICATION – DA NO. 91/2015

PROPOSED MODIFICATIONS TO APPROVED ALTERATIONS AND ADDITIONS TO EXISTING RESTAURANT, CAFE AND TAKE AWAY FOOD AND DRINK PREMISES BUILDING (KNOWN AS “CLONNYS AT CLONTARF”)

CLONTARF RESERVE, SANDY BAY ROAD, CLONTARF (LOT 7118 DP 1059397)

We submit this Section 4.55(2) Application (S4.55 Application) to Northern Beaches Council (Council) for modifications to the approved substantial refurbishment and alterations and additions to the existing restaurant, cafe and take away food premises building known as “*Clonny’s at Clontarf*” located at Clontarf Reserve, Sandy Bay Road, Clontarf (Lot 7118 DP 1059397). The proposed modifications include changes to the roof form of the building, changes to the internal layout and reduction of the building footprint and a reduction to the paved area to the northern side of the building.

The modifications are the result of further design development of the works previously approved by Council to maximise operational efficiencies, improve customer and staff amenity and reduce unnecessary construction costs. This Statement of Environmental Effects has been prepared for the operators of the site.

Enclosed with this S4.55 Application is the following:

- Completed Council S4.55 Application form and checklist (1 copy).
- Payment of Council’s S4.55 Application lodgement fee.
- This Statement of Environmental Effects (1 copy).
- Development Plans (1 copy, A3 Size) prepared by Paul Carrick and Associates dated 23 May 2019, Revision A:
 - ✓ Cover Sheet, Drawing Sheet 01.
 - ✓ Site Plan, Drawing Sheet 02.
 - ✓ Existing and Proposed Structures Outline, Drawing Sheet 03.
 - ✓ Proposed Floor Plan, Drawing Sheet 04.
 - ✓ Roof Plan, Drawing Sheet 05.
 - ✓ Elevations – North and West, Section, Drawing Sheet 06.
 - ✓ Elevations – East and South, Drawing Sheet 07.
 - ✓ Landscape Plan, Drawing Sheet 08.
 - ✓ Erosion Control and Waste Plan, Drawing Sheet 09
- A4 Public Notification Plans (1 copy).
- Architectural Statement prepared by Paul Carrick and Associates (1 copy).
- USB containing digital copies of all S4.55 Application documentation (1 copy).

1.0 BACKGROUND

The existing restaurant and take away food premises at Clontarf Reserve was constructed in the late 1980s and has a long standing history of operation providing food and drinks for sale to the local community and visitors to the area.

Council conducted an open tender process during 2014 (Tender No. T2014/08) to seek expressions of interest to operate the existing premises. In October 2014 the new operators were selected and began trading in December 2014. In order to provide a high standard food and drink offer in line with community expectations, renovation and refurbishment of the building is required.

On 18 June 2015 Council granted development consent to DA No. 91/2015 for *“Alterations and additions to an existing Restaurant, cafe, take away food and drink premises including partial demolition, internal fitout, removal of trees, landscaping and signage”*.

On 30 November 2015 a Section 96 Application (now referred as a S4.55 Application) was approved by Council for modifications to the original approved design involving *“reduction in kitchen/kiosk area, change to roof form, enclosure of restaurant area and addition of outdoor seating beneath eaves”*. Upon receipt of the modification approval and following further review by the operators of the premises in consultation with building contractors, a number of refinements to the design are required for greater operational effectiveness, enhanced internal amenity for customers and staff and improved construction cost efficiencies.

2.0 SITE DESCRIPTION AND SITE CONTEXT

The site is located within the Clontarf Reserve and is legally described as Lot 7118 DP 1059397. The site is irregular shaped, measures approximately 120m north to south and approximately 180m east to west and has a total site area of approximately 1.5ha. The subject building sits within a park environment surrounded by mature trees and on the western end of the car park.

Fig 1: Aerial Location Map (SIX Maps, 2019)



Refer to the Statement of Environmental Effects report prepared for the original DA for details of the subject building.

3.0 DESCRIPTION OF PROPOSAL

3.1 Overview of Proposed Modifications to Approved DA Building Design

Details of the proposed works are shown on the plans prepared by Paul Carrick and Associates. In summary this S4.55 Application proposes the following modifications:

- Extend awning along the north eastern elevation to provide sun shading to the kiosk and restaurant areas (82m² roof area).
- Hardstand area along the north eastern side of the building to the entry and kiosk areas for all-weather access and integrated with existing paved pathway from the car park area.
- New verandah concrete slab (650mm width extension).
- Verandah seating area increased by repositioning the external walls of the restaurant.
- Modified entrance lobby on the northern side of the building.
- New “annexe” on the southern side of the building (46m²) to be used as a children’s play area and kitchen scullery.
- Provision of new 1.8m high screened bin and storage area to the rear (south eastern elevation) of the building and deletion of the approved covered bin and storage areas.
- Revised provision of landscaping to reflect amended building layout.

Overall the proposed modifications will have a lesser impact as the works will result in a 103m² reduction of the built upon area/footprint in comparison to the previously approved modification application. The new awning and verandah roofs will use a skillion roof design that minimises visual bulk and will be a subordinate addition to the existing building. Refer to the drawings prepared by Paul Carrick and Associates for details of the proposed modifications.

3.2 Overview of Proposed Modifications to Conditions of DA Consent

It is proposed to amend conditions of DA Consent No. 91/2015 as summarised in **Table 1** below.

Table 1: Proposed modifications to Conditions of DA No. 91/2015

Condition No.	Proposed Modification
<i>DA1 – Approved Plans and Documents</i>	Revision condition. This condition is required to be revised to reflect the drawings submitted with this S4.55 Application prepared by Paul Carrick and Associates and this Statement of Environmental Effects report.
<i>ANS05 – Landscaping</i>	Revision condition.

Condition No.	Proposed Modification
	This condition is required to be revised to reflect the landscape plan submitted with this S4.55 Application prepared by Paul Carrick and Associates.
28 (4DS03) –Rainwater tanks installed on residential properties	Delete condition. The condition refers to residential rainwater tanks and is not relevant to the approved commercial development.
<p>“8 (2DS07) Detailed plans and specifications of the design of the rainwater tanks must be provided prior to the issue of the Construction Certificate complying with the requirements:-</p> <ul style="list-style-type: none"> • Australian/New Zealand Standard AS/NZS 3500:2003, • NSW Code of Practice Plumbing and Drainage, 2006 produced by Committee on <p>Uniformity of Plumbing and Drainage Regulations in NSW (CUPDR). • Council’s rainwater tank policy.</p> <p>Reason: To protect public health and amenity.”</p>	<p>Delete condition.</p> <p>The existing rainwater tank is the property of Council and will not be replaced by the proposed modified development. It is not a requirement of the proposal to provide a new rainwater tank on the site.</p>
<p>11 (2NL03) Details of the proposed mechanical exhaust systems, detailing compliance with the relevant requirements of Clause F4.12 of the Building Code of Australia and Australian Standard 1668 Parts 1 and 2 are to be submitted to Council or the Principal Certifying Authority for approval prior to the issue of a Construction Certificate. Reason: To ensure compliance with legislation and to protect public health and safety.</p>	<p>Delete condition.</p> <p>There is no “proposed mechanical exhaust system” proposed in this S4.55 Application. The building will utilise the existing mechanical exhaust system, therefore the condition is not applicable.</p>
<p>12 (2NL05) Mechanical plant situated on the roof area of the premises must be acoustically treated to ensure noise emissions are not audible at the nearest residential premises. Details are to be submitted to the Council/Accredited Certifier prior to the issue of the Construction Certificate.</p> <p>Council may require the owner or occupier of the premises to engage the services of a suitably qualified professional to undertake an acoustic assessment of the premises in the event concerns regarding the emission of ‘offensive noise’ are raised and/or justified by Council. Reason: To protect the acoustic amenity of neighbouring properties.</p>	<p>Delete condition.</p> <p>There is no “mechanical plant situated on the roof area” proposed in this S4.55 Application. The building will utilise the existing mechanical exhaust system, therefore the condition is not applicable. The building is located 90m – 150m to the nearest residential properties and it is considered noise from the existing mechanical ventilation system will not adversely impact the nearest residential properties or the surrounding area. It is noted that no noise complaints have been received in relation to noise generated by the existing mechanical ventilation/exhaust system.</p>

Condition No.	Proposed Modification
<p>14 (2WM03)</p> <p><i>Garbage rooms or grease arrester rooms must be constructed of solid material: cement rendered and steel trowelled to a smooth even surface. The door to the garbage room is to be designed and constructed to ensure the room is vermin proof and can be opened from the inside at all times. The garbage room is to be ventilated to the external air by natural ventilation or an approved air handling exhaust system.</i></p> <p><i>Reason: To keep garbage rooms in a clean and sanitary condition to protect public health.</i></p>	<p>Delete condition.</p> <p>The S4.55 Application proposes a screened bin enclosure and storage area at the rear (eastern side) of the building. This condition no longer applies to the proposal.</p>
ANS08 – Gross Pollutant Trap	<p>Delete condition.</p> <p>As per email advice received from Alex Kwok, Council's Development Engineer on 11 June 2019, no objection is raised by Council Officers in relation to the deletion of this condition on the basis alternative measures such as leaf guards to roof gutters (or similar) and Trash Screens in the junction pits can be installed.</p>
ANS09 – Positive Covenant and Restriction on the use of land relating to Gross Pollutant Trap	<p>Delete condition.</p> <p>As noted above regarding condition ANS08.</p>
ANS10 – Requirements relevant to the Gross Pollutant Trap prior to the issue of any Occupation Certificate	<p>Delete condition.</p> <p>As noted above regarding condition ANS08.</p>
<p>ANS11</p> <p><i>The Landscape drawings are to be amended to include native plant species to provide new and/or improved low dense clumping habitat to provide for potential foraging and nesting habitat for native species. The planting schedule must comprise species such as Lomandra sp., Dianella sp. Banksia spinulosa, Caustis sp., Xanthorrhoea sp., Isolepis sp., Juncus sp., Adiantum sp., Calochlaena sp., Callistemon sp., Grevillea juniperina, Gleichenia sp., Grevillea 'Robyn Gordon' and tussocky native grasses (e.g. Kangaroo Grass). Plans are to be suitably amended prior to issue of the Construction Certificate.</i></p> <p><i>Reason: To improve the ecological value of the site and to enhance habitat for native species.</i></p>	<p>Delete condition.</p> <p>The landscape plan submitted with the S4.55 Application prepared by Paul Carrick and Associates (Sheet 08) supersedes the previous landscape plan approved by Council. Details of plant species are provided and will include Banksia spinulosa as required by the condition.</p>
<p>40 (5MS01)</p> <p><i>At the completion of the installation of the mechanical exhaust ventilation system, a certificate from a practising mechanical engineer shall be submitted to Council or the</i></p>	<p>Delete condition.</p> <p>As noted above, the S4.55 Application does not include any new mechanical</p>

Condition No.	Proposed Modification
<p><i>Principal Certifying Authority prior to the issue of the Occupation Certificate indicating compliance with Australian Standard AS 1668.</i></p> <p><i>Reason: To ensure the mechanical exhaust ventilation system complies with Australian Standard AS1668.</i></p>	<p>exhaust ventilation system. The condition therefore is not applicable.</p>
<p>43 (6BS01)</p> <p><i>The hours of operation of the premises (i.e. hours open for business) must not exceed 8am to 8pm, 7 days per week for the take away food and drink premises/kiosk; and 8am to 11pm, 7 days per week for the restaurant and café; without the prior approval of Council.</i></p> <p><i>Reason: To ensure amenity of the surrounding locality is maintained and hours of operation are consistent with those in surrounding locality.</i></p>	<p>Revise condition.</p> <p>It is proposed to commence trading of the take away food and drink premises/kiosk and restaurant and café at 6am, seven days a week.</p> <p>The minor extension of hours in the morning is sought to capture early morning trade for the local community and visitors to the area to serve coffee and breakfast. The commencement of trade at 6am will involve passive retail activities only and will not result in any unreasonable noise impacts on the local area. The site will continue to operate in accordance with conditions No. 55 (6NL03), 56 (6NL05) and 57 (6NL07) relating to noise management.</p> <p>Staff will be present outside of trading hours each day for cleaning, restocking, food preparation and other related tasks.</p>

3.3 Waste Management

Waste and recycling bins will be stored within the external bin storage enclosure located in the south eastern side of the building. The new proposed bin and storage enclosure improves upon the previously approved design as it will maximise convenience and access by staff. Waste will be emptied by staff into bins stored in the bin storage enclosure at the end of trade each day. The proposed enclosure area will be screened from the surrounding area by a 1.8m high slat fence.

Waste and recycling will be collected from the site between the hours of 7.00am and 8.00pm weekdays and 8.00am to 8.00pm on weekends and public holidays in accordance with Condition No. 58 (6WM02) of DA No. 91/2015.

4.0 ASSESSMENT AGAINST RELEVANT PLANNING LEGISLATION

This section includes an assessment of the S4.55 Application against the relevant statutory planning controls in accordance with Section 4.15(1)(a) of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979).

4.1 State Environmental Planning Policy No. 55 – Remediation of Land

The S4.55 Application does not alter the compliance of the approved development with the provisions of the State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55).

4.2 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The site is located within the hydrological catchment of Sydney Harbour and is located within the area to which the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP 2005) applies.

The site is also located within the Foreshores and Waterways Area Boundary under SREP 2005. SREP 2005 is a “deemed SEPP” in accordance with the requirements of the EP&A Act 1979. The proposed modified development will continue to support the aims of SREP 2005 and will remain consistent with the provisions in *Division 2 Matters for Consideration* of the SREP 2005.

4.3 State Environmental Planning Policy (Coastal Management) 2018

The site is located in the Coastal Environment Area under the State Environmental Planning Policy (Coastal Management) 2018 (Coastal Management SEPP) and the provisions in Division 3 Coastal environment area are applicable to the proposed modified development.

The modified proposed development involves minor alterations to the approved development and compliance with Division 3 of the Coastal Management SEPP is considered to be achieved.

4.4 Manly Local Environmental Plan 2013

Aims of Plan

The development complies with the aims that relate to all land in the former Manly Local Government Area (LGA) to which LEP 2013 applies. Specifically the proposed modified development will support the refurbishment and enhanced use of an underutilised Council owned asset with positive economic development, employment, tourism and social interaction outcomes.

The proposed modified development continues to support the following aims of LEP 2013 outlined within Clause 1.2 (2)(a), (c), (e) and (g) which are:

- “(a) (i) to promote a high standard of urban design that responds to the existing or desired future character of areas, and (ii) to foster economic, environmental and social welfare so that Manly continues to develop as an accessible, sustainable, prosperous, and safe place to live, work or visit, and (iii) to ensure full and efficient use of existing social and physical infrastructure and the future provision of services and facilities to meet any increase in demand, and (iv) to ensure all development appropriately responds to environmental constraints and does not

adversely affect the character, amenity or heritage of Manly or its existing permanent residential population,

- (c)(i) *(i) to encourage, provide and consolidate business opportunities for a range of uses in appropriate locations that support local employment, community services and economic growth in business centres, and*
- (c)(ii) *to recognise that tourism is a major industry and employer in Manly and to encourage its growth and continuing viability while protecting the needs of the local community,*
- (e) *in relation to heritage—to identify, protect, sustain, manage and conserve all heritage, including archaeological relics, sites and resources, places of Aboriginal heritage significance, heritage items (and their curtilages), heritage conservation areas and the cultural (natural and built) environmental heritage of Manly,*
- (g)(i) *to preserve and enhance the amenity of public places and areas visible from navigable water around Manly, and*
- (g)(ii) *to retain open space, make more foreshore land available for public access and protect, restore and enhance riparian land along watercourses and foreshore bushland.”*

Land Use Table

The site is zoned RE1 Public Recreation under the Manly Local Environmental Plan 2013 (LEP 2013). The proposal is permissible in the RE1 Zone with Council's development consent. The modified proposed development achieves compliance with the RE1 Zone objectives which are:

- *“To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To protect, manage and restore areas visually exposed to the waters of Middle Harbour, North Harbour, Burnt Bridge Creek and the Pacific Ocean.*
- *To ensure that the height and bulk of any proposed buildings or structures have regard to existing vegetation, topography and surrounding land uses.”*

Height of Buildings

There is no maximum building height applicable to the site under LEP 2013. The proposed modified development will maintain the maximum height of the existing building which is 5.03m (RL 7.01 ridge line, refer to Drawing Sheet 06 prepared by Paul Carrick and Associates).

The modified proposal has a bulk and scale compatible with the existing building, minimises any significant disruption of important views and does not result in any unacceptable overshadowing. The proposal satisfies the objectives of Clause 4.3(1).

Floor Space Ratio

There is no maximum FSR applicable to the site under LEP 2013. The proposed modified development results in a total Gross Floor Area (GFA) of 228m² of GFA (a reduction of 99m² from the previous Section 96 Approval). Based on an approximate site area of 1.5ha (Lot 7118 DP 1059397) the proposed FSR will be approximately 0.0152:1.

Heritage conservation

The site is identified as a heritage item of local significance under Schedule 5 of LEP 2013 referred as "Clontarf Park" (known as Clontarf Reserve) located at Holmes Avenue and Sandy Bay Road, Clontarf (Item No. 142). The subject building is not separately listed as an item of built heritage item.

The modified proposed development will not detract from the heritage significance of the site and will have an overall positive visual impact through the implementation of modest additions to the host building. The proposal will facilitate the ongoing use of the site for recreational purposes and will generally maintain views to, from and within Clontarf Reserve.

The site is located in the vicinity of three heritage items listed under Schedule 5 of LEP 2013 as noted in the original SEE report submitted with the approved DA. By virtue of the works making only minor changes to the existing building envelope and the distance of the building from the nearest heritage items, the proposed modified development will have a minimal impact on the heritage significance of the nearby heritage items, in fact, the proposal is of a reduced scale and will therefore have a lesser impact in comparison to the original approved DA.

The proposal complies with the requirements of Clause 5.10 of LEP 2013.

Flood planning

There are no additional or new flood related implications as a result of the proposed modified development in comparison to the approved DA. In order to provide an accessible path of travel throughout all areas of the building the proposal will maintain the approved floor level of the building (RL 1.98). The proposed modified development will satisfy the requirements of Clause 6.3(3) of LEP 2013 and is *"not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties."*

Stormwater Management

The stormwater design will not result in any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters and complies with the requirements of Clause 6.4 of LEP 2013. Detailed stormwater plans will be provided prior to the issuing of a Construction Certificate.

Terrestrial biodiversity

The site is located within a biodiversity area under LEP 2013. Despite this, the proposed development is located within a highly trafficked area of Clontarf Reserve adjacent to the existing public car park and includes works to an existing building. The proposed modifications are within the approved footprint of the development approved previously by Council and will not involve the removal of any significant amount of existing vegetation.

Any impacts on the environment are minimised through operation of the site in accordance with the approved Plan of Management.

Foreshore scenic protection area

The site is located within the foreshore area as defined by LEP 2013.

The objective of Clause 6.9(1) of LEP 2013 is *“to protect visual aesthetic amenity and views to and from Sydney Harbour, the Pacific Ocean and the foreshore in Manly.”*

The proposed modified development includes minor alterations and additions to the existing building that will alter the external appearance and building envelope whilst not increasing the existing maximum building height. The design of the proposed development achieves compliance with the relevant matters in Clause 6.9(3) of LEP 2013.

Limited development on foreshore area

The objective of Clause 6.10 of LEP 2013 is to *“ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.”* The proposal complies with the objective as it is a development of minor scale that will not detract from the amenity of the area and will not impact on the natural environment.

Pursuant to Clause 6.10(2)(a) Council can grant development consent to the modified proposal as it is an extension and alteration to an existing building that is wholly located in the foreshore area as defined by LEP 2013. The modified proposed development results in an overall reduction in the built upon area in comparison to the original DA and previously approved Section 96 application.

The modified proposed development complies with the requirements outlined in Clause 6.10(3) and (4).

Essential services

Potable water, electricity, sewerage disposal, stormwater drainage and suitable vehicular access are available and provided on the site. The proposed modified maintains compliance with Clause 6.12 of LEP 2013.

4.5 Manly Development Control Plan 2013

The Manly Development Control Plan 2013 (DCP 2013) provides more detailed development controls and provisions to complement the LEP 2013.

The proposed modified development results in substantially the same development as originally approved from a quantitative and qualitative perspective and maintains a high level of compliance with the relevant aims, objectives and applicable development controls in the following sections of DCP 2013:

- Section 1 – Introduction
- Section 2 – Process
- Section 3 – General Principles of Development

4.6 Section 4.15 (1)(b), (c) and (d) - Matters for consideration—general

4.6.1 *The likely impacts of that development*

Built Form, Neighbourhood Character and Visual Bulk

Overall the proposed modified development maintains the modest building height and scale of the host building which is sympathetic to site, the site context and development within the foreshore area. The new roof forms will be well below the existing roof ridge of the existing building. The proposed modified design will have a contemporary character with coordinated external materials and finishes and a colour scheme that compatible with the character of Clontarf.

The proposal provides an appropriate design response which addresses the site's setting within an established heritage listed park, the location of the nearby heritage items and provides visual interest along the foreshore.

Views and Vistas

The proposed modified development will not obstruct any significant view corridors from within Clontarf Reserve, from any nearby residence or from the foreshore area. Views of the nearby heritage listed building items to the south west enjoyed from the foreshore area and within Clontarf Reserve will not be adversely impacted by the modified proposal.

BCA Compliance

Subject to detailed design as part of the Construction Certificate process, the proposed development is capable of compliance with the relevant requirements of the BCA.

Noise

Overall, the proposed development has been designed to minimise any noise impacts on the surrounding environment through the implementation of the Plan of Management. Management and staff will respond to any complaints received.

The proposed extension of operating hours to 6am each day will not result in any unacceptable noise impacts on the surrounding area by virtue of the nature of the quiet activities that will be undertaken from 6am onwards, the internalised nature of the activities (e.g. cleaning, cooking, serving customers) and the significant distance of the building from the nearest residential properties (approx. 90m to the south and approx. 150m to the east).

Community Safety

The public safety and security arrangements proposed for the modified development are of a high standard, and are specifically consistent with the objectives of Crime Prevention Through Environmental Design (CPTED). The proposed modified development will maintain high levels of passive surveillance and strong territorial reinforcement through the use of clearly defined entry and access points and new secure building additions such as a locked new bin storage area.

Natural and Cultural Environmental Heritage

The proposed modified development will not adversely affect any element of the natural or cultural environmental heritage.

Social and Economic Impacts

The proposed modified development has been designed to optimise the achievement of potential social benefits, including those related to access, employment, security and safety and community interaction.

Overall the proposed modified development will have a positive economic and social impact on the locality.

Waste Management

Adequate storage is provided on-site for waste and recycling generated that would be removed by an independent commercial waste contractor as required. The proposed rear bin enclosure will ensure bins are stored in a secure area and accessible only to staff. The 1.8m high screening fence around the bin enclosure area will have an acceptable visual impact and will not detract from the amenity of the surrounding area.

4.6.2 The suitability of the site for the development

The site is within a public recreation zone and the modified proposal is permitted with the development consent of Council. The suitability of the site for the

development has been established by the long standing history of the use of the premises and the prior approvals granted by Council.

4.6.3 Submissions

The proponent will respond to any submissions received by Council during the public notification period of the Section 4.55 Application.

4.6.4 The public interest.

The public interest is well served by development that supports the continued use and improvement of Council facilities, complements the use of the existing Clontarf Reserve, results in an improved foreshore appearance, enhances the public domain and is sympathetic to the heritage values of the site and the area. The proposed modified development will not result in any adverse amenity, heritage, social or environmental impacts.

5.0 CONCLUSION

The proposed modified development involves the substantial refurbishment and alterations and additions to the existing restaurant, cafe and take away food premises building formerly known as “Clonny’s Restaurant and Kiosk” located at Clontarf Reserve, Sandy Bay Road, Clontarf (Lot 7118 DP 1059397). The proposed modifications are the result of further detailed design development to ensure operational and construction cost efficiencies are delivered by the project whilst enhancing the internal amenity for customers and staff. The proposed extension of trading hours in the morning will ensure the local community can purchase coffee and breakfast in the earlier morning periods which increases convenience for visitors to the site. The modifications are minor in context of the approved DA No. 91/2015 and will result in minimal environmental impacts in accordance with Section 4.55(2) of the Act.

The proposed modified development maintains a high quality building design outcome that respects the visual character and proportions of the host building and will complement the heritage setting of the site and nearby heritage items, the surrounding foreshore area. The modified proposal achieves a high level of compliance with the applicable State and Council town planning controls and is of a scale, design and an intensity of use appropriate for the site and area.

In the absence of any adverse environmental, social or economic impacts, it is recommended Council approves the Section 4.55 Modification Application.

Report Prepared by: Patrick Lebon
Date: June 2019