

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2020/1037
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Responsible Officer:	Penny Wood
Land to be developed (Address):	Lot 17 DP 5749, 8 Ethel Avenue BROOKVALE NSW 2100
Proposed Development:	Use of premises as light industry, office and caretakers residence
Zoning:	Warringah LEP2011 - Land zoned IN1 General Industrial
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Happyclam Pty Ltd
Applicant:	DataDot Technology Pty Ltd

Application Lodged:	12/10/2020
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Mixed
Notified:	21/10/2020 to 04/11/2020
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

Estimated Cost of Works:	\$ 300.00
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PROPOSED DEVELOPMENT IN DETAIL

The development application proposes the following works:

- Change of use to a light industrial use for the manufacture and distribution of high security datatrace ID.
- Caretaker's Residence on first floor
- No physical works are proposed

Hours of Operation

Monday to Friday: 7.00am - 5.00pm
Saturday: 7.00am - 3.00pm

Sunday: Closed

Number of Staff

Maximum of 5 staff.

Deliveries

The business will receive deliveries 1 to 3 times per week and will send out products using couriers 5 days per week. The company will typically use courier companies using small light courier vans. The proposed light industry does not require deliveries from large rigid trucks. The subject site has a dedicated loading dock located on the southern side of the site which will not interfere with access to the basement parking level for staff.

Signage

No signage is proposed as part of the subject application.

Caretaker's Residence

A Caretaker's Residence is proposed at the first floor. Advice was provided to the applicant in the pre-lodgement advice (PLM2020/0033) issued in May 2020 stating consideration would be given to the permissibility of a Caretaker's Residence in a IN1 Industrial zone if the development is considered an 'ancillary use'. Given the proposal, the development was referred to Council's Environmental Health section for comment. As the proposed light industrial use is located within an industrial area it was considered that there would be minimal noise impacts from the proposed use on surrounding receptors, however concern was raised with the potential for significant noise impacts on occupants living within a Caretaker's residence being located within an industrial area.

Given this concern, Environmental Health requested an acoustic assessment be submitted. The applicant provided an Advice Acoustic Letter which failed to undertake an assessment of noise impacts from surrounding sources on an employee that would be inhabiting the Caretaker's residence and is therefore not supported. A condition is imposed to delete the caretaker's residence and for the first floor to be maintained as a boardroom / showroom and for the bedroom to be used as an office as approved in the previous approval for the site (Mod2008/0244).

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

Warringah Development Control Plan - C2 Traffic, Access and Safety

Warringah Development Control Plan - C3 Parking Facilities

Warringah Development Control Plan - D3 Noise

SITE DESCRIPTION

Property Description:	Lot 17 DP 5749 , 8 Ethel Avenue BROOKVALE NSW 2100
Detailed Site Description:	The subject site consists of one (1) allotment located on the western side of Ethel Avenue. The site is regular in shape with a frontage of 15.24m along Ethel Avenue and a depth of 39.065m. The site has a surveyed area of 594m². The site is located within the IN1 General industrial zone from WLEP 2011 and accommodates a two (2) storey detached industrial building with basement car parking. The site provides two (2) crossovers along the northern and southern sides of the site. The crossover along the northern side provides access to the basement car parking level with the crossover along the southern side providing access to a loading area. The site slopes gradually from the southern side of the site down to the northern boundary. The site provides landscaping and hedge planting along the southern and northern (side) boundaries and along the front boundary on Ethel Avenue. No landscaping works are proposed as part of the subject application. Detailed Description of Adjoining/Surrounding Development Adjoining and surrounding development is characterised by industrial / warehouse buildings of a similar size and scale. The existing and surrounding uses include land uses such as building supplies, gyms, childcare centres, storage facilities and light industries.

Map:



SITE HISTORY

The land has been used for industrial purposes for an extended period of time. A search of Council's records has revealed the following relevant history:

- DA2007/0943 - Alterations and additions to an industrial building for artworks manufacture including an artist dwelling and ancillary site works. Approved on 27 February 2008.
- Mod2008/0244 - Alterations and additions to an industrial building for artworks manufacture including an associated business meeting boardroom and ancillary site works. Approved 1 December 2008.
- PLM2020/0033 - Use of premises as a light industry manufacture distribution of data technology. Notes sent to applicant on 1 May 2020.

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	Draft State Environmental Planning Policy (Remediation of Land) seeks to replace the existing SEPP No. 55 (Remediation of Land). Public consultation on the draft policy was completed on 13 April 2018. The subject site has been used for industrial purposes for an extended period of time. The proposed development retains the industrial use of the site, and is not considered a contamination risk.
Section 4.15 (1) (a)(iii) –	Warringah Development Control Plan applies to this proposal.

Section 4.15 Matters for Consideration'	Comments
Provisions of any development control plan	
Section 4.15 (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent. <u>Clause 50(1A)</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application. <u>Clauses 54 and 109</u> of the EP&A Regulation 2000 allow Council to request additional information. Additional information was requested from Environmental Health to provide an acoustic report for the proposed development. A letter was sent to the Applicant on 9 November 2020 with an acoustic report received by Council on 9 March 2021. The acoustic report was referred to Environmental Health with comments received on 17 March 2021. <u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This clause is not relevant to this application. <u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application. <u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of consent. <u>Clause 98</u> of the EP&A Regulation 2000 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. <u>Clause 143A</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer prior to the issue of a Construction Certificate. This clause is not relevant to this application.
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and	(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Pittwater 21 Development Control Plan section in this report.

Section 4.15 Matters for Consideration'	Comments
economic impacts in the locality	(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal. (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.
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	See discussion on “Notification & Submissions Received” in this report.
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 21/10/2020 to 04/11/2020 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the Community Participation Plan.

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

REFERRALS

Internal Referral Body	Comments
Environmental Health (Industrial)	General Comments Application is for a change of use of an existing industrial building for a light industry, associated offices and retention of an existing dwelling (caretaker's residence). The existing dwelling (caretaker's residence) is no longer permissible following a modification application (MOD2008/0244). The SEE advises the following regarding the caretaker's residence: <i>Following approval of the modification, the artist studio was no longer</i>

Internal Referral Body	Comments
	<i>part of the original consent and, under the current zoning for the site, General Industrial IN1 WLEP2011 does not allow dwellings. However, a caretaker's residence may be permissible within the IN1 zone on the premise that it is considered an ancillary use with the dominant use being the light industry. This scenario is consistent with the Department of Planning's Circular PS 13-001 dated 21 February 2013, which deals with ancillary development including a caretaker's residence where it is properly characterised as an ancillary use in conjunction with a general industry.</i> <i>The client's expressed intention is to have a dominant land use, being the light industry, with the ancillary land use being the caretaker's residence.</i> The SEE advises the following regarding the Site: <i>The site has an area of 592.8m2 with an east-west orientation. Existing development on the property includes a two-three level building comprising basement parking with a loading dock, ground floor production room and warehousing/office space with a first-floor dwelling and staff facilities.</i> <i>Surrounding development consists of warehouse/industrial buildings comprising two- to three-storey developments and includes land uses such as building supplies, gymnasium, childcare, smash repairs, storage facilities and light industries.</i> As the proposed light industrial use is located within an industrial area there would be minimal noise impacts from the proposed use on surrounding receptors. However, there is the potential for significant noise impacts on occupants living within a caretaker's residence that is located in an industrial area. The applicant has failed to provide an acoustic assessment on potential noise impacts from surrounding sources. An acoustic assessment by a suitably qualified and experienced professional such as an Acoustic Engineer is required in order to undertake a full assessment of the potential noise impacts from surrounding noise sources on occupants. The acoustic assessment is to include any recommendations to reduce noise from nearby sources on occupants. Recommendation REFUSAL New Information – Additional Review 17.03.2021 The applicant has provided an Acoustic Advice Letter by Acoustic Logic dated 5/03/2021 (reference: 20210084.1/0503A/R0/KB).

Internal Referral Body	Comments
	The letter states the following: <i>AL has been advised that the use of the caretaker's residence will be for exclusive use of an employee of DataDot Technology. The residence is not separately titled and it is not possible to lease or sell the residence to external parties as access is through the main building. As the residence will be occupied by an employee of the company any noise impacts can be managed within the company.</i> <i>Additionally there is no requirement under the EPA Noise Policy for Industry for noise impacts from a commercial premises to the associated caretaker's residence.</i> Environmental Health had previously recommended refusal pending an acoustic assessment that assessed the potential noise impacts from surrounding sources on the proposed caretaker's residence. The Acoustic Advice Letter has failed to undertake an assessment of noise impacts from surrounding sources on an employee that is inhabiting the caretaker's residence. The SEE advises the following regarding the Site: <i>Surrounding development consists of warehouse/industrial buildings comprising two- to three-storey developments and includes land uses such as building supplies, gymnasium, childcare, smash repairs, storage facilities and light industries.</i> The applicant will need to demonstrate that the surrounding industrial area will not adversely impact on employees with respect to acoustic impacts or that measures can be undertaken to reduce noise impacts from nearby sources. As such an acoustic assessment by a suitably qualified and experienced professional such as an Acoustic Engineer is required in order to undertake a full assessment of the potential noise impacts from surrounding noise sources on employees residing within the caretaker's residence. The acoustic assessment is to include any recommendations to reduce noise from nearby sources. Recommendation REFUSAL
NECC (Development Engineering)	The applicant proposed the change of use of an existing building. There is no additional external work. Development Engineering has no objection to the application.

Internal Referral Body	Comments
Traffic Engineer	The proposal is for change of use with no additional changes to the configuration of the building proposed and as such no additional parking could be added. The applicant is required to provide a delivery management plan to describe how the loading dock interaction can be safely managed with vehicles needing to reverse into the loading dock and all loading is to be wholly contained within the site. In view of the above, the proposal can be supported on traffic grounds subject to conditions.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs, REPs 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, REPs 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 55 - Remediation of Land

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

SEPP (Infrastructure) 2007

Ausgrid

Clause 45 of the SEPP 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 not referred to Ausgrid.

Warringah Local Environmental Plan 2011

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	Yes
zone objectives of the LEP?	Yes

Principal Development Standards

There are no principal development standards under Part 4 of the Warringah LEP to consider as part of this assessment.

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Warringah Development Control Plan

Built Form Controls

The subject development application does not propose any physical works and therefore an assessment against the built form controls is not required.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
D3 Noise	No	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D14 Site Facilities	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
E10 Landslip Risk	Yes	Yes

Detailed Assessment

C2 Traffic, Access and Safety

Merit consideration

The development application was referred to Council's Traffic Engineer for comment. The application was considered acceptable based on a Loading Dock Management being prepared. The Plan is to demonstrate how the loading dock will be managed to ensure that there will be only one vehicle entering and existing the loading dock access in any period and how safe servicing arrangement including waste collection will be undertaken without interrupting general traffic. The management plan shall also include the description on how the loading dock interaction can be safely managed with vehicles needing to reverse into the loading dock, and all loading is to be wholly contained within the site with no reliance on on-street parking. The Loading Dock Management Plan is to be submitted to and approved by the accredited certifier prior to the issue of any Occupation Certificate.

C3 Parking Facilities

Merit consideration

The development proposes to increase the number of car parking spaces within the basement from six as approved as part of Mod2008/0244 to eight (8).

The subject development application proposes a caretaker's residence which is not supported by Council's Environmental Health section as a result of inadequate information being submitted to demonstrate adequate noise measures are in place to protect the occupant of the caretakers residence. The use of the first floor is therefore to be retained as a showroom/boardroom with the proposed bedroom on the first floor to be used as an office. This is to be maintained in line with the existing floor plan as approved as part of Mod2008/0244. A condition is to be imposed in the consent to this effect.

As indicated in the table below, the retention of the approved floor plan as part of Mod2008/0244 would retain compliance with the required car parking requirements of seven (7) parking spaces.

The development proposes the following on-site car parking:

Use	Appendix 1 Calculation	Required	Provided	Difference (+/-)
Industry	1.3 spaces per 100m ² GFA (including up to 20% of floor area as office space component.	7	8	+1

	Office space component determined as office rate)			
Total	6.67 spaces	7 spaces (rounded up)	8	+1

The development application was referred to Council's Traffic Engineer who raised no concern in regard to the number of car parking spaces and configuration of parking proposed in the basement. The applicant is required to provide a deliver management plan to describe how the loading dock interaction can be safely managed with vehicles needing to reverse into the loading dock with all loading to be wholly contained within the site.

The development therefore provides compliance with this control.

D3 Noise

Merit consideration

The development application proposes the change of use of an industrial building for a light industry which includes associated offices and a caretaker's residence on the first floor. The subject application was referred to Council's Environmental Health Team for comment and was not supported given the lack of an acoustic report required to assess the potential noise impact on the proposed caretaker's unit. The applicant was advised to provide an acoustic assessment to undertake a full assessment of the potential noise impacts from surrounding noise sources on occupants. The applicant provided an Acoustic Advice letter which was not supported by Council's Environmental Officer as it failed to undertake an assessment of noise impacts from surrounding sources on an employee that is inhabiting the caretaker's residence.

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To encourage innovative design solutions to improve the urban environment.*

Comment:

The application has not provided a suitable acoustic assessment of the potential noise impacts to the occupants of the caretaker's unit and therefore this has not been considered as part of the design solution for the proposed use. The development therefore does not satisfy this objective.

- *To ensure that noise emission does not unreasonably diminish the amenity of the area or result in noise intrusion which would be unreasonable for occupants, users or visitors.*

Comment:

The application has not provided a suitable noise assessment of the potential noise impacts on the occupants of the caretaker's unit proposed as part of the subject application and therefore is not supported by Environmental Health. Whilst the proposal of the light industrial use is not considered to impact on the surrounding industrial area, the caretaker's unit is not supported

and therefore a condition will be imposed to delete the caretaker's unit from the first floor.

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.

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2019

As the estimated cost of works is less than \$100,001.00 the policy is not applicable to the assessment of this application.

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 2000;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- 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 DA2020/1037 for Use of premises as light industry, office and caretakers residence on land at Lot 17 DP 5749, 8 Ethel Avenue, BROOKVALE, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. **Approved Plans and Supporting Documentation**

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
1-4 Issue C - Site Plan	6 February 2020	Dee Why Drafting
2-4 Issue C - Proposed Basement Floor Plan, Existing Basement Floor Plan	6 April 2020	Dee Why Drafting
3-4 Issue C - Site Plan - Proposed Ground Floor Plan, Existing Ground Floor Plan	6 April 2020	Dee Why Drafting
4-4 Issue C - Proposed 1st Floor Plan, Existing 1st Floor Plan	6 April 2020	Dee Why Drafting

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

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 light industry

A light industry is defined as:

“means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste, products, grit or oil, or otherwise, and includes any of the following:

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry”

(development is defined by the Warringah Local Environment Plan 2011 (as amended) Dictionary)

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. No Approval for Land Use

No approval is granted under this Development Consent for a Caretaker's Residence. The first floor is to be used for boardroom/showroom and office purposes only. A separate Development Application must be submitted to Council for the use of a Caretaker's Residence within the premises.

Reason: To ensure compliance with the relevant Local Environmental Plan.

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

4. Car Parking Standards

The driveway/access ramp grades, access and car parking facilities must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. The dimensions of car parking bays and aisle widths in the car park are to comply with Australian/New Zealand Standard for Off-Street Parking AS/NZS 2890.1-2004.

Details demonstrating compliance with this condition are to be submitted to the Certifying Authority prior to the issue of a construction certificate.

Reason: To ensure compliance with Australian Standards relating to manoeuvring, access and parking of vehicles.

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

5. Loading Dock Management Plan

A Loading Dock Management Plan shall be prepared by the applicant and submitted to and approved by the accredited certifier prior to the issue of any Occupation Certificate. The Plan will need to demonstrate how loading dock will be managed to ensure that there will be only one vehicle entering and exiting the loading dock access in any period and how safe servicing arrangements including waste collection will be undertaken without interrupting general traffic. Vehicle queuing on public road(s) is not permitted. The management plan shall include the description on how the loading dock interaction can be safely managed with vehicles needing to reverse into the loading dock, and all loading is to be wholly contained within the site with no reliance on on-street parking.

Reason: to ensure the loading dock is managed appropriately and that tenants are aware of the conditions of use(DACTRFPOC1)

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

6. Hours of Operation

The hours of operation are to be restricted to:

- Monday to Friday – 7.00am - 5.00pm

- Saturday – 7.00am - 3.00pm
- Sunday and Public Holidays – Closed

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.

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

Signed



Penny Wood, Planner

The application is determined on 08/04/2021, under the delegated authority of:



Anna Williams, Manager Development Assessments