




 DEVELOPMENT ASSESSMENT REPORT				
Application No.	DA/2021/0703			
Address	53-55 Waratah Street HABERFIELD NSW 2045			
Proposal	Fitout and use as a cafe including construction works			
Date of Lodgement	11 August 2021			
Applicant	The Major Haberfield			
Owner	Mr Ya J Tang Mr Man Y Tang			
Number of Submissions	Initial: 11			
Value of works	\$87,050.00			
Reason for determination at Planning Panel	Number of submissions			
Main Issues	Amenity (acoustic, visual privacy) impacts from café operation, increase in traffic and demand for parking, heritage conservation			
Recommendation	Approved with Conditions			
Attachment A	Recommended conditions of consent			
Attachment B	Plans of proposed development			
Attachment C	Proposed Plan of Management			
				
LOCALITY MAP				
Subject Site		Objectors		↑ N
Notified Area		Supporters		
Note: Due to scale of map, not all objectors could be shown.				

1. Executive Summary

This report is an assessment of the application submitted to Council for the fitout and use as a café at 53-55 Waratah Street HABERFIELD NSW 2045.

The application was notified to surrounding properties and 11 submissions were received in response to the initial notification.

The main issues that have arisen from the application include:

- Amenity (acoustic, visual privacy) impacts arising from proposed operation of the food and drink premises
- Increase in traffic and demand for parking
- Heritage conservation

The non-compliances are acceptable, subject to conditions and therefore the application is recommended for approval.

2. Proposal

The application is for change of use and associated fit out for use as a cafe. Specifically, the following is proposed:

- Change of use to food and drinks premises
- Associated fit out for use of premises for the purpose of a café, including kitchen, tables and seating for nine (9) patrons, construction of new entry ramp, installation of bi-fold windows to the façade, and modification of existing door
- Façade works including replacement tiling, and fascia signage reading 'THE MAJOR'

3. Site Description

The subject site is located on the northern side of Waratah Street, between Boomerang Street and Dudley Street. The site consists of one allotment and is generally rectangular shaped with a total area of 557sqm and is legally described as Lot 5 DP 1254825.

The site has a frontage to Waratah Street of 12.19 metres. The site is zoned B1 – Neighbourhood Centre.

An existing single storey mixed use development exists on site with commercial tenancies to the street frontage and two residential units to the rear. The subject site is one of two shops with frontage to Waratah Street. The adjoining tenancy supports a neighbourhood shop.

Adjoining properties support single storey residential uses and two storey commercial uses. The property is located within the Haberfield Heritage Conservation Area.



Figure 1 – Land Zoning Map, site identified by red box



Figure 2 – Identification of premises by red box

4. Background

4(a) Site history

The following application outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

Subject Site

Application	Proposal	Decision & Date
PDA/2020/0470	Pre-DA for works to existing premises	Advice issued - 17/12/2020
10.2011.42.3	s96 to modify DA consent 10.2011.42.2	Approved - 04/07/2017

10.2011.42.2	Modifications include deletion of Condition C(2) Section 94 Development Contribution, amend trading hours to allow Monday to Sunday 6.30am to 8.00pm, amend condition relating to loading and unloading, allow use of shops & dwellings independently, new doors for each dwelling opening within the side boundary setback and block existing opening on western elevation.	Approved - 04/01/2012
10.2011.42.1	Alterations and additions to the existing building.	Approved - 04/04/2011
10.2005.18.1	Repairs and alterations to front facade of fire damaged shop.	Approved - 26/04/2005
6.1988.231.1	Alterations to building to consolidate two shops into a single shop.	Approved - 01/07/1988
6.1985.383.1	Alterations and additions to shop including rear extension.	Approved - 17/12/1985
6.1938.8471.1	Building Application	Approved - 07/06/1938

4(b) Application history

The following table outlines the relevant history of the subject application.

Date	Discussion / Letter / Additional Information
11/08/2021	Application lodged.
24/08/2021-07/09/2021	Notification period.

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

5(a) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

- *State Environmental Planning Policy No. 55—Remediation of Land*
- *State Environmental Planning Policy No. 64 – Advertising and Signage*

The following provides further discussion of the relevant issues:

5(a)(i) ***State Environmental Planning Policy No 55—Remediation of Land***

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. CIWDPC 2016 provides controls and guidelines for remediation works. *SEPP 55* requires the consent authority to be satisfied that “the site is, or can be made, suitable for the proposed use” prior to the granting of consent.

The site has not been used in the past for activities which could have potentially contaminated the site. It is considered that the site will not require remediation in accordance with SEPP 55.

5(a)(ii) State Environmental Planning Policy No. 64 - Advertising and Signage

The following is an assessment of the proposed development under the relevant controls contained in SEPP 64.

SEPP 64 specifies aims, objectives, and assessment criteria for signage as addressed below. Schedule 1 of SEPP 64 specifies assessment criteria for signage relating to character of the area, special areas, views and vistas, streetscape, setting or landscaping, site and building, illumination and safety. The proposed signage is considered satisfactory having regard to the assessment criteria contained in Schedule 1 of SEPP 64.

Signs and Advertising Structures

The application seeks consent for the erection of the following signage:

- 1 x fascia sign measuring approximately 1200mm (width) by 200mm (height) fronting Waratah Street reading “THE MAJOR”

The proposed sign has generally been designed as compatible with the desired future character of the locality. However, a condition of consent is imposed to see that the fascia sign is painted in keeping with signage within the heritage conservation area.

5(a)(iii) Ashfield Local Environment Plan 2013 (ALEP 2013)

The application was assessed against the following relevant clauses of the *Ashfield Local Environmental Plan 2013*:

- Clause 1.2 - Aims of Plan
- Clause 2.3 - Land Use Table and Zone Objectives
- Clause 2.7 - Demolition
- Clause 4.3 - Height of buildings
- Clause 4.4 - Floor space ratio
- Clause 5.10 - Heritage Conservation
- Clause 6.5 - Development on land in Haberfield Heritage Conservation Area

Clause	Proposed	Compliance
Clause 1.2 Aims of Plan	The proposal is consistent with the relevant aims of the plan as follows: <ul style="list-style-type: none"> • The proposal conserves the cultural heritage of the area; • The proposal protects the urban character of the Haberfield urban village. 	Yes
Clause 2.3 Zone objectives and Land Use Table <i>B1 – Neighbourhood Centre (B1 Zone)</i>	The proposal satisfies the Clause as follows: <ul style="list-style-type: none"> • The application seeks consent for the use and fit out of a food and drink premises, which is permissible with consent within the land use table; 	Yes

	<ul style="list-style-type: none"> The proposal is consistent with the relevant objectives of the B1 Zone. 	
Clause 2.7 Demolition requires development consent	<p>The proposal satisfies the Clause as follows:</p> <ul style="list-style-type: none"> Demolition is proposed, which is permissible with consent; and Standard conditions are recommended to manage impacts which may arise during demolition. 	Yes, subject to conditions.
Clause 4.3 Height of building (max. 10m)	The application does not propose changes to compliant building height of 6.3m.	Yes
Clause 4.4 Floor space ratio (max. 1.0:1)	The application does not propose changes to existing and compliant FSR.	Yes
Clause 4.5 Calculation of floor space ratio and site area	The site area and floor space ratio for the proposal has been calculated in accordance with the Clause.	Yes
Clause 5.10 Heritage conservation Haberfield Heritage Conservation Area (C42)	<p>The proposal satisfies this Clause as follows:</p> <ul style="list-style-type: none"> The site is located within the Haberfield Heritage Conservation Area (C42) under <i>ALEP 2013</i>; A suitable Statement of Heritage Impact (SOHI) was submitted with the application that demonstrates that the proposal will generally have minimal impact on the heritage significance of the site and surrounds; It is noted that no trace of the original interior has survived, however, the proposal has been designed to conserve and complement the heritage significance and character of the existing building and conservation area; However, a condition of consent is included that requires the retention and restoration of the original façade tiles rather than replacement; Further, a condition of consent requires the replication of the original division of the fanlights to the shopfront. 	Yes, subject to conditions.
Clause 6.5 Development on land in Haberfield Heritage Conservation Area	As the development is not a dwelling house, the clauses relating to the Haberfield Heritage Conservation Area are not applicable.	Yes

5(b) Draft Inner West Local Environmental Plan 2020 (Draft IWLEP 2020)

The Draft IWLEP 2020 was placed on public exhibition commencing on 16 March 2020 and accordingly is a matter for consideration in the assessment of the application under *Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979*.

The amended provisions contained in the Draft IWLEP 2020 are not relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft IWLEP 2020.

5(c) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

IWCDCP2016	Compliance
Section 1 – Preliminary	
B – Notification and Advertising	Yes
Section 2 – General Guidelines	
A – Miscellaneous	
1 - Site and Context Analysis	Yes
2 - Good Design	Yes
7 - Access and Mobility	Yes
8 - Parking	Yes, see discussion below
10 - Signs and Advertising Structures	Yes, see section 5(a)(ii)
15 - Stormwater Management	Yes
D – Precinct Guidelines	
Neighbourhood Centre (B1) Zone	Yes
E2 – Haberfield Heritage Conservation Area	
1 – Preliminary	Yes
3 – Planning Measures for Commercial properties	Yes, subject to condition as discussed under section 5(a)(iii)

The following provides discussion of the relevant issues:

Parking

Clause DS3.1 of Chapter A – Miscellaneous outlines the required parking rates based on land use with the aim to ensure the provision of off-street parking satisfies the needs of occupants, residents and visitors. The clause requires one (1) car parking space be allocated to the café, based on the gross floor area of the premises.

The required parking on site was previously conditioned under Modified Development Consent 10.2011.42.3 and required that a minimum of two (2) off-street car parking spaces be allocated to the development. Further, the consent required provision of a loading/unloading area on site in accordance with AS2890.1(1993).

Council has undertaken a merit-based assessment of the required allocation of car parking. Given the site characteristics and noting that the required two (2) car parking spaces and one (1) space allocated for loading/unloading area exist on site, the additional provision of a car parking space for the purposes of the proposed café is impractical given the limitations of site.

Further, the small scale of the proposed café with maximum seated capacity of nine (9) patrons, and maximum of three (3) staff on site is not considered to create significant additional demand for parking within the area. The subject site is proximate to street parking, public transport, and a car-share 'pod'. The Plan of Management (POM) submitted with the application outlines that staff are encouraged to cycle or catch public transport to work and anticipates that many patrons within the locality will walk or cycle to the site.

Based on the above merit assessment and analysis of the submitted POM, the proposed variation to the Clause requiring that one (1) additional parking space be allocated to the proposed café is acceptable.

It is not considered that the proposed change of use will significantly increase traffic and associated demand for parking within the locality. Further, the surrounding street system can accommodate any additional movements that result from the development.

5(d) The Likely Impacts

The assessment of the Development Application demonstrates that, subject to the recommended conditions, the proposal will have minimal impact in the locality.

Hours of operation

The application proposes a trial period of reduced hours of operation with the intent to alleviate the concerns raised by objectors regarding amenity impacts.

The applicant proposes the following hours of operation for a trial period of six (6) months:

Trial period	Hours of operation
Monday – Saturday	7:00am – 4:00pm
Sunday	7:00am – 3:00pm

Following the trial period, the application proposes the following extended hours:

Ongoing period	Hours of operation
Monday – Saturday	6:00am – 4:00pm
Sunday	7:00am – 4:00pm

The Plan of Management outlines that service to customers will cease one (1) hour prior to closure on all days.

The modified Development Consent 10.2011.42.3 for the shop imposed that trading hours on site be limited between 7:00am to 8:00pm, Monday to Friday.

The proposed hours of operation are generally consistent with trading hours at similar uses within the locality. The Hungry Grasshopper café at 63 Waratah Street, Haberfield trades Monday – Saturday 7:00am – 2:30pm and Sunday 8:00am – 2:30pm.

Council considers the proposed hours of operation are suited to the proposed use within the B1 – Neighbourhood Centre Zone. The scale and capacity of the proposed café is not considered to significantly increase patronage and associated noise to the area. As a result, the following hours are proposed for the café without the need for a trial period -

Trial period	Hours of operation
Monday – Saturday	7:00am – 4:00pm
Sunday	7:00am – 3:00pm

Any extension to the above hours of operation will require further application and be considered on its merits.

Noise

The resultant acoustic impacts from the proposed café are considered appropriate to the site given its location within the B1 – Neighbourhood Centre Zone.

Whilst it is considered that some acoustic impacts from the operation of a commercial premises are to be anticipated, the limited hours of operation of the café are considered sufficient to enable operation of the café with respect to the adjoining and surrounding residences.

The submitted Plan of Management (POM) outlines several methods through which the proposed café will operate with respect to minimising noise on site. Further, the POM includes an adequate complaints handling procedure and review process.

Appropriate conditions of consent are included mitigate noise emissions from site and to ensure that the procedures outlined within the supporting POM are adhered to.

5(e) The suitability of the site for the development

Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(f) Any submissions

The application was notified in accordance with the Community Engagement Framework for a period of 14 days to surrounding properties. 11 submissions (10 objections, 1 neutral) were received in response to the initial notification.

The following issues raised in submissions have been discussed in this report:

- Increased traffic and demand for parking within the locality – see Section 5(c)
- Acoustic impacts from the proposed hours of operation – see Section 5(d)

In addition to the above issues, the submissions raised the following concerns which are discussed under the respective headings below:

Issue: Odour/smell pollution from the operation of the café

Comment: Council's Health Officer has reviewed the application and imposed appropriate conditions of consent to control odour emission on site.

Issue: Waste management practices leading to presence of vermin/rodents

Comment: A Waste Management Plan was submitted with the application. The documentation was reviewed by Council's Waste Management Officer who included appropriate conditions of consent to see that resultant waste is appropriately managed.

Issue: Amenity (overlooking, acoustic) impacts to neighbouring residences

Comment: The proposed fitout for use of the café has been designed to minimise overlooking impacts to adjoining properties. The proposal includes screening to the eastern elevation to mitigate overlooking and acoustic impacts.

It is noted that the café's frontage is proximate to neighbouring driveways. The Plan of Management has adequately addressed this concern and requires that staff will appropriately manage and encourage patrons to exit the site quietly with respect to neighbouring residences. Further, a condition of consent is included to control noise emission on site to minimise acoustic impacts. An appropriate complaint handling procedure is also proposed.

Issue: Deliveries and unloading of goods on the street/footpath

Comment: A condition of consent is imposed to require that deliveries to site as well as unloading/loading are to occur wholly on the site, within the existing and designated unloading/loading area.

Issue: Pedestrian safety resulting from use of driveway on site

Comment: The proposed fit out and use of the café is not considered to impact pedestrian safety on or around site. A condition of consent is included to see that vehicles enter and exit the driveway in a forward direction.

5(g) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

The application was referred to the following internal sections/officers and issues raised in those referrals have been discussed in section 5 above.

- Health
- Waste Management
- Heritage
- Development Engineering

7. Section 7.11 Contributions/7.12 Levy

Section 7.11 contributions/7.12 levies are not payable for the proposal.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Ashfield Local Environmental Plan 2013* and Inner West Comprehensive Development Control Plan (DCP) 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill.

The development will not result in any significant impacts on the amenity of the adjoining premises/properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. DA/2021/0703 for the fitout and use as a cafe including construction works at 53-55 Waratah Street HABERFIELD NSW 2045 subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

The development must be carried out in accordance with plans and documents listed below:

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
02 Rev. 00	Site Analysis Plan	22/07/21	The Major Haberfield
03 Rev. 00	Demolition Plan	22/07/21	The Major Haberfield
04 Rev. 00	Floor Plan	22/07/21	The Major Haberfield
05 Rev. 00	General Section 1 & Kitchen Elevations	22/07/21	The Major Haberfield
06 Rev. 00	General Section 2 & 3	22/07/21	The Major Haberfield
07 Rev. 00	Cafe Internal Elevations (ABCDE)	22/07/21	The Major Haberfield
08 Rev. 00	Cafe Internal Elevations (FGHIJ)	22/07/21	The Major Haberfield
09 Rev. 00	Front Elevation - External & Finishes Schedule	22/07/21	The Major Haberfield
10 Rev. 00	Side Elevation - External	22/07/21	The Major Haberfield
211359 DE-01 Rev A	Survey	09/06/2021	Ensure Consulting Pty Ltd

As amended by the conditions of consent.

FEES

2. Security Deposit - Custom

Prior to the commencement of demolition works or prior to the issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit:	\$2254.00
Inspection Fee:	\$241.50

Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date.

The inspection fee is required for the Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.

Should any of Council's property and/or the physical environment sustain damage during the course of the demolition or construction works, or if the works put Council's assets or the environment at risk, or if any road, footpath or drainage works required by this consent are not completed satisfactorily, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all of the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.

A request for release of the security may be made to the Council after all construction work has been completed and a final Occupation Certificate issued.

The amount nominated is only current for the financial year in which the initial consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

3. Long Service Levy

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the *Building*

and Construction Industry Long Service Payments Act 1986 has been paid at the prescribed rate of 0.35% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more.

GENERAL CONDITIONS

4. Separation of Commercial and Residential Waste and Recycling

The waste and recycling handling and storage systems for residential waste and commercial waste (including waste originating from retail premises) are to be separate and self-contained.

5. Stormwater Drainage System – Simple

Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, down pipe, pits and pipelines discharged by gravity to the kerb and gutter of a public road.

Any existing component of the stormwater system that is to be retained, must be checked and certified by a Licensed Plumber or qualified practising Civil Engineer to be in good condition and operating satisfactorily.

If any component of the existing system is not in good condition and /or not operating satisfactorily and/or impacted by the works, the drainage system must be upgraded to discharge by gravity to the kerb and gutter of a public road.

6. Works Outside the Property Boundary

This development consent does not authorise works outside the property boundaries on adjoining lands.

7. Design Change

Prior to the issue of a Construction Certificate, the Certifying Authority is required to be provided with amended plans demonstrating the following:

- a. architectural documentation be amended to include the requirement that existing tiles to the front façade are to be cleaned and an assessment made as to whether the original tiles can be retained and repaired rather than replaced;
- b. the original divisions of the fanlight windows be reinstated as per Figures 2 & 3, sketches by Helen Wilson, February 2005 referenced in the submitted SOHI prepared by Richard Silink Architecture and Heritage, June 2021;
- c. the proposed fascia signage reading 'THE MAJOR' be painted.

PRIOR TO ANY DEMOLITION**8. Hoardings**

The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.

Separate approval is required from the Council under the *Roads Act 1993* to erect a hoarding or temporary fence or awning on public property.

9. Construction Fencing

Prior to the commencement of any works (including demolition), the site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property.

PRIOR TO CONSTRUCTION CERTIFICATE**10. Food Premises – Odour Emission Control**

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with details demonstrating that emission control equipment has been provided in the mechanical exhaust system that effectively minimises the emission of odours, vapours and oils.

11. Light Spill

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with details demonstrating that any lighting of the premises complies with Australian Standard AS4282:1992: Control of Obtrusive Effects of Outdoor Lighting.

12. Dilapidation Report – Pre-Development – Minor

Prior to the issue of a Construction Certificate or any demolition, the Certifying Authority must be provided with a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site.

13. Amended Plan of Management

Prior to the issue of a Construction Certificate, the Certifying Authority is to be provided with an amended Plan of Management that reflects the Hours of Operation included in this consent.

DURING DEMOLITION AND CONSTRUCTION**14. Documentation of Demolition and Construction Waste**

All waste dockets from the recycling and/or disposal of any demolition and construction waste generated from the works must be retained on site.

15. Construction Hours – Class 2-9

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work must only be permitted during the following hours:

- a. 7:00am to 6.00pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
- b. 8:00am to 1:00pm on Saturdays with no demolition works occurring during this time; and
- c. at no time on Sundays or public holidays.

Works may be undertaken outside these hours where they do not create any nuisance to neighbouring properties in terms of dust, noise, vibration etc. and do not entail the use of power tools, hammers etc. This may include but is not limited to painting.

In the case that a standing plant or special out of hours permit is obtained from Council for works in association with this development, the works which are the subject of the permit may be carried out outside these hours.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent risk to life or environmental harm.

Activities generating noise levels greater than 75dB(A) such as rock breaking, rock hammering, sheet piling and pile driving must be limited to:

- a. 8:00am to 12:00pm, Monday to Saturday; and
- b. 2:00pm to 5:00pm Monday to Friday.

The person acting on this consent must not undertake such activities for more than three continuous hours and must provide a minimum of one 2 hour respite period between any two periods of such works.

“Continuous” means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.

PRIOR TO OCCUPATION CERTIFICATE

16. Food Premises Grease Trap – Trade Waste Agreement

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with certification confirming that the grease trap has been installed to the premises in accordance with Australian Standard AS 3500 and the National Plumbing and Drainage Code. A copy of the Sydney Water Trade Waste Agreement must also accompany the certification.

17. Smoke Alarms - Certification of upgrade to NCC requirements

Prior to the issue of any Occupation Certificate, the Principal Certifier is required to be satisfied the existing building has been upgraded to comply with the provisions of the National Construction Code (Building Code of Australia) in relation to smoke alarm systems.

ON-GOING

18. Bin and Reusable Item Storage

All bins and reusable items such as milk crates are to be stored within the site.

19. Documentation of Businesses Waste Services

All businesses must have written evidence of all valid and current contracts and/ or tip dockets for the disposal and/ or processing of all waste streams generated from the site.

20. Noise General

The proposed use of the premises and the operation of all plant and equipment must not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997* and Regulations, NSW EPA Noise Policy for Industry and NSW EPA Noise Guide for Local Government.

21. Commercial Waste/Recycling Collection

The collection of waste and recycling must only occur between 7:00am and 8:00pm weekdays and 9:00am and 5:00pm weekends and public holidays, to avoid noise disruption on the surrounding area,

Garbage and recycling must not be placed on the street for collection more than one (1) hour before the scheduled collection time. Garbage bins and containers are to be removed from the street within one (1) hour after collection.

22. Vehicles Leaving the Site

All vehicles must enter and exit the site in a forward direction.

23. Loading/unloading on site

All loading and unloading are to be conducted within the site at all times. Any designated loading bay/dock area is to remain available for loading/unloading purposes at all times. No storage of goods or parking of cars is to be carried out in these areas.

24. Hours of Operation

- a. The hours of operation of the premises must not exceed the following:

Day	Hours
Monday - Saturday	7:00am – 4:00pm
Sunday	7:00am – 3:00pm

- b. Service is to cease one (1) hour before ceasing of trading hours.

25. Plan of Management - Operation

The operation of the premises complying at all times with the approved Plan of Management. The Plan of Management is not to be further amended without the prior written approval of the Council. If there is any inconsistency between the Plan of Management and the conditions of this consent, the conditions of consent shall prevail to the extent of that inconsistency.

ADVISORY NOTES

Health Premises Registration – Generic

The premises are required to be registered with Council's Environment Health Team in accordance with the following relevant legislation:

- a. *Food Shop - Food Act 2003;*
- b. *Hairdressing Salon / Barber - Public Health Act 2010 and the Local Government (General) Regulation 2005;*
- c. *Skin Penetration - Public Health Regulation 2012;*
- d. *Cooling Tower / Warm Water System - Public Health Act 2010 and Public Health Regulation 2012; and*
- e. *Boarding House / Shared Accommodation - Boarding Houses Act 2012 and the Local Government (General) Regulation 2005.*

Food Premises Certification

The food premises design, construction and operation is in accordance with the following:

- a. *Food Act 2003;*
- b. *Food Regulation 2010;*
- c. *Australia and New Zealand Food Standards Code;*
- d. *Australian Standard AS 4674 – 2004 (Design, construction and fit-out of food premises);*
- e. *Australian Standard AS 1668 Part 1 – 1998; and*
- f. *Australian Standard AS 1668 Part 2 – 2012.*

Food Premises Waste Storage Area

To ensure adequate storage and collection of waste from the food premises, all garbage and recyclable materials must be stored in a designated waste storage area. The designated waste storage area must be designed and constructed in accordance with the Australian Standard AS 4674 – 2004 (Design, construction and fit-out of food premises) and Australia and New Zealand Food Standards Code.

Mechanical Ventilation System Certification

The mechanical ventilation systems are to be designed, constructed and operated in accordance with the following:

- a. Australian Standard AS 1668 Part 1 – 1998;
- b. Australian Standard AS 1668 Part 2 – 2012;
- c. Australian Standard 3666.1 – 2011;
- d. Australian Standard 3666.2 – 2011; and
- e. Australian Standard 3666.3 - 2011.

The system must be located in accordance with the approved plans and/or within the building envelope, design and form of the approved building. Any modifications to the approved plans required to house the system must be the subject of further approval from Council.

Permits

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip Bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street veranda over the footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

If required contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. Applications for such Permits must be submitted and approved by Council prior to the commencement of the works associated with such activity.

Insurances

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the

works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2000*.

Notification of commencement of works

At least 7 days before any demolition work commences:

- a. the Council must be notified of the following particulars:
 - i. the name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - ii. the date the work is due to commence and the expected completion date; and
- b. a written notice must be placed in the letter box of each directly adjoining property identified advising of the date the work is due to commence.

Storage of Materials on public property

The placing of any materials on Council's footpath or roadway is prohibited, without the prior consent of Council.

Toilet Facilities

The following facilities must be provided on the site:

- a. Toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees; and
- b. A garbage receptacle for food scraps and papers, with a tight fitting lid.

Facilities must be located so that they will not cause a nuisance.

Infrastructure

The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be undertaken before occupation of the site.

Other Approvals may be needed

Approvals under other acts and regulations may be required to carry out the development. It is the responsibility of property owners to ensure that they comply with all relevant legislation. Council takes no responsibility for informing applicants of any separate approvals required.

Failure to comply with conditions

Failure to comply with the relevant provisions of *the Environmental Planning and Assessment Act 1979* and/or the conditions of this consent may result in the serving of penalty notices or legal action.

Other works

Works or activities other than those approved by this Development Consent will require the submission of a new Development Application or an application to modify the consent under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

Obtaining Relevant Certification

This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, such as (if necessary):

- a. Application for any activity under that Act, including any erection of a hoarding;
- b. Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*;
- c. Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*;
- d. Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed;
- e. Application for Strata Title Subdivision if strata title subdivision of the development is proposed;
- f. Development Application for demolition if demolition is not approved by this consent; or
- g. Development Application for subdivision if consent for subdivision is not granted by this consent.

Disability Discrimination Access to Premises Code

The *Disability Discrimination Act 1992* (Commonwealth) and the *Anti-Discrimination Act 1977* (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.

National Construction Code (Building Code of Australia)

A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out. All building works approved by this consent must be carried out in accordance with the requirements of the National Construction Code.

Permits from Council under Other Acts

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip bins;
- e. Scaffolding/Hoardings (fencing on public land);
- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street verandah over footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

Contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. A lease fee is payable for all occupations.

Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

Amenity Impacts General

The use of the premises must not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

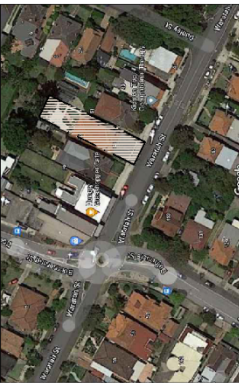
Lead-based Paint

Buildings built or painted prior to the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe. Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned prior to occupation of the room or building.

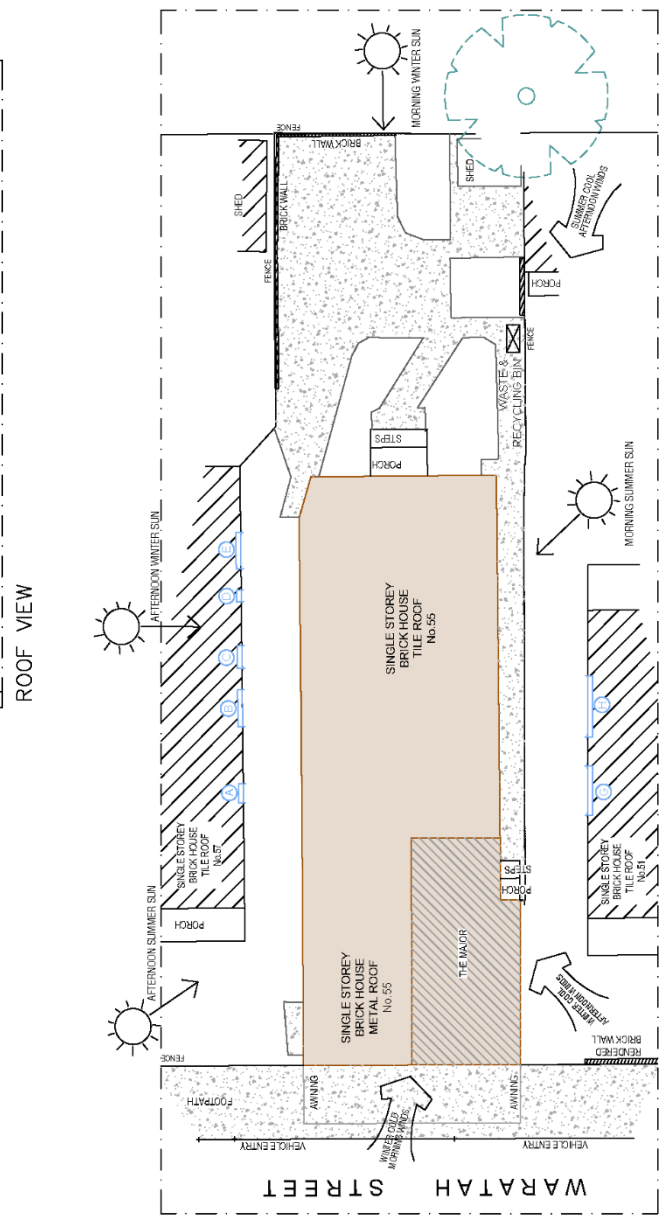
REASONS FOR REFUSAL

The form consists of a large rectangular frame. A vertical line is drawn from the top edge to the bottom edge, approximately one-third of the way from the left side. At the bottom right corner, there is a semi-circular cutout that extends from the bottom edge up to the vertical line. The interior of the frame is empty, intended for text input.

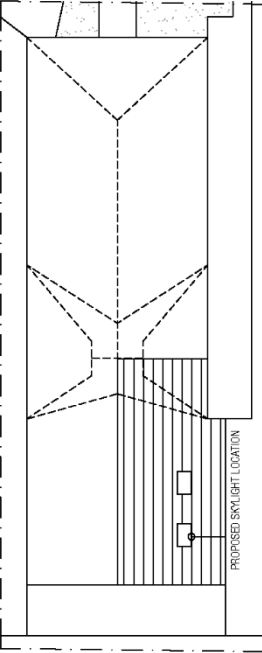
Attachment B – Plans of proposed development



Google Maps Images - NO SCALE



ROOF VIEW



WINDOW	SILL	SOFFIT
A	20.46	22.24
B	20.51	22.35
C	20.74	22.02
D	20.91	21.84
E	20.84	21.51
F	19.29	20.83
G	19.28	20.78
H	19.28	20.78

PLEASE NOTE

- Do not scale drawings, always dimensions govern.
- Drawings to be printed at correct scale.
- This drawing must be used in conjunction with all relevant:
- contracts, specifications, notes and drawings.

LEGEND FOR CONSTRUCTION DRAWINGS:

□	denotes colour & material schedule
○	denotes furniture code
○	denotes fittings & sanitary schedule
○	denotes floor schedule
○	denotes primary drainage
△	denotes wall type

NOTE

- SEE SURVEY PLAN FOR DETAILS

THE MAJOR
HABERFIELD

33-35 WARATAH STREET, HABERFIELD 2045

DATE: 12/07/21
DRAWN BY: DG
CHECKED BY: DG
DATE: 22/07/21
SCALE: 1:200

PROJECT: INNER WEST, SYDNEY
DRAWING NO: 1200-A3

DATE: 02

PLEASE NOTE

- Do not scale drawings, unless otherwise stated.
- Drawings are copyright of the architect.
- The drawings are for use in conjunction with all relevant contracts, specifications, notes and drawings.

LEGEND FOR CONSTRUCTION DRAWINGS

- separate color & materials schedule
- separate furniture code
- separate lighting & sanitary schedule
- separate door schedule
- separate utility schedule
- separate wall type

Document No: D... 10512960
Version: 1, Version Date: 12/11/2021

Project		INNER WEST, SYDNEY	
The Major		CAFE INTERNAL ELEVATIONS (ABODE)	
DA SUBMISSION	DATE	REVISION	DATE
1:30 - A3	13/01/21	01	13/01/21
Site Name		55-55 WARATAH STREET, HABERFIELD 2045	

CONCEALED MECHANICAL VENTILATION

FOOTPATH

SIDE ELEVATION

REFERENCE

DOUBLE LAYERED NATURAL WOODEN LATTICE PRIVACY SCREENING WITH 1/2 SHEET CORE FOR ACOUSTIC BENEFIT TO THE SIDE ACCESS AND FROSTED GLASS ON KITCHEN WINDOW

<p>PROJECT NAME</p> <p>THE MAJOR HABERFIELD</p> <p>PROJECT ADDRESS</p> <p>53-55 WARRATAH STREET, HABERFIELD 2045</p>	<p>LOCALITY</p> <p>INNER WEST, SYDNEY</p> <p>PROJECT TYPE</p> <p>SIDE ELEVATION - EXTERNAL</p> <p>DATE</p> <p>DA SUBMISSION</p> <p>SCALE</p> <p>1:30 - A3</p>	<p>DATE</p> <p>12/11/2021</p> <p>SCALE</p> <p>1:30 - A3</p>
--	---	---

Document Set ID: 35527860
Version: 1, Version Date: 12/11/2021

Attachment C- Proposed Plan of Management

PLAN OF MANAGEMENT

PROPOSED CAFÉ

53 - 55 WARATAH STREET HABERFIELD

THE MAJOR VENUES

NOVEMBER 2021

TABLE OF CONTENTS

TABLE OF CONTENTS..... 2

1. INTRODUCTION..... 3

2. THE SITE..... 3

3. CAFE OPERATIONS..... 4

 3.1.1.HOURS OF OPERATION 4

 3.1.2.STAFF..... 5

 3.1.3.FOOD PREPARATION 5

 3.1.4.DELIVERIES – PROCEDURES FOR FRESH FOOD DELIVERIES, WASTE REMOVAL AND GREASE TRAP 6

 3.1.5.KITCHEN WASTE 6

 3.1.6.WASTE STORAGE AND COLLECTION 6

 3.1.7.GREASE TRAPS..... 8

 3.1.8.WORK HEALTH AND SAFETY 8

 3.1.9.EMERGENCY MANAGEMENT..... 8

 3.1.10. SECURITY MANAGEMENT 8

 3.1.11. AMENITY OF THE SURROUNDING NEIGHBOURHOOD 8

 3.1.12. NOISE AND AIR QUALITY..... 9

 3.1.12.1. NOISE..... 9

 3.1.12.2. AIR QUALITY 9

 3.1.13. TRAFFIC, TRANSPORT & PEDESTRIAN MANAGEMENT..... 9

 3.1.14. MONITORING..... 9

 3.1.14.1. COMPLAINTS HANDLING PROCEDURES..... 9

 3.1.14.2. PROCESS OF CONTINUOUS MONITORING AND UPGRADE OF PLAN OF MANAGEMENT 10

'THE MAJOR' PLAN OF MANAGEMENT - CAFÉ 53 - 55 WARATAH STREET HABERFIELD

2

1. INTRODUCTION

The practices and procedures outlined in this PoM aim to make the premises a safe and efficient environment in which to work. They are also designed to ensure the amenity of the neighbourhood is maintained during operations. The objectives of the PoM are to:

- Demonstrate the development’s commitment to the ongoing safety of staff and amenity of the neighbourhood.
- Set out specific actions and procedures to safely manage operations.
- Establish a process to receive and remedy complaints.

2. THE SITE

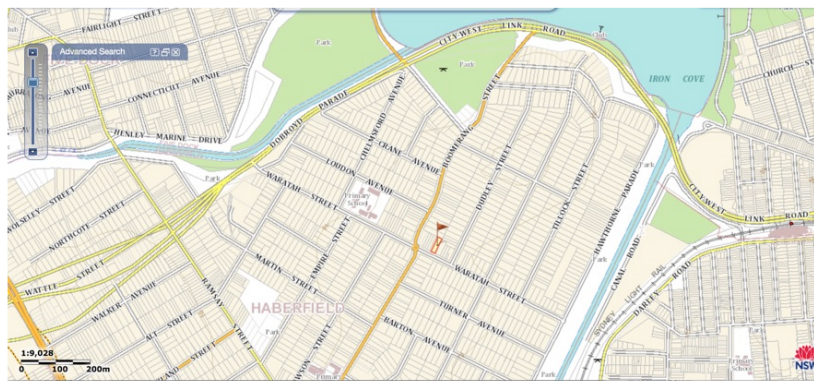


Figure 1: Location Map (Source: Six Maps)

The site is formally described as 53-55 Waratah Street Haberfield (Lot 5 DP 1254825). It is located north east of the intersection of Waratah and Dalhousie Streets in the local Neighbourhood shopping Centre.

The site is one of two shops that comprise the frontage to 53-55 Waratah Street Haberfield.



Figure 2: The Site (Source: Six Maps)



Figure 3. The Site from opposite on Waratah StreetOperational Details

3. CAFE OPERATIONS

The proposed development will be a small café designed with the history of Haberfield in mind.

This is consistent with the eclectic mix of small business operators and land uses within the immediate locality and will cater to existing demand from within the Haberfield community.

The owner/ café manager will oversee site operations at all times to ensure café operations are consistent with the Plan of Management and any relevant conditions of consent.

Should operations change over time this Plan of Management should be updated and a copy provided to Council.

3.1.1. HOURS OF OPERATION

Trading hours are limited to 7 am to 8 pm Monday to Friday by virtue of condition H.1/10. 2011.42.3 of the existing consent.

The hours of operation proposed for the café are 6.00 am to 4.00 pm Monday to Saturday and 7.00 am to 4.00 pm Sunday.

In response to submissions the proponent will implement a transitional phase of opening hours to ensure that the introduction of the café to the neighbourhood occurs smoothly. In this regard, during the first 6 months of operations the café will operate shorter hours: 7.00 am to 4.00 pm Monday to Saturday to 7.00 am and 3.00 pm Sunday.

After the first 6 months of operations the café may extend operating hours as per the original application 6.00 am to 4.00 pm Monday to Saturday and 7.00 am to 4.00 pm Sunday.

Last service of customers will occur one hour prior to closure on all operating days.

3.1.2. STAFF

The site will be staffed by the café manager and no more than three staff with the following roles and responsibilities:

Roles	Responsibilities
Landlord	<ul style="list-style-type: none"> • Ensure the provision of suitable common areas to store waste prior to collection. • Ensure access to parking and loading areas.
Tenant/Café Operator	<ul style="list-style-type: none"> • Ensure signage, communication and education is provided to staff. • Provide staff/contractors with effective instruction regarding waste disposal, WH&S, PPE & other controls. • Ensure site safety, presentability & liveability for neighbours, residents, customers & staff. • Assess any manual handling risks & prepare relevant manual handling control plans for waste and bin transfers. • Cleaning and transporting bins as required; • Ensure the cleanliness of the waste storage area; • Organise trade-waste & grease trap servicing as required. • Comply with council conditions and this PoM; • Bringing the driveway and potential for vehicular traffic to the attention of patrons on the footpath.
Staff Members	<ul style="list-style-type: none"> • Dispose of all garbage and recycling in the correct manner; • Ensure patrons behave responsibly and respectfully towards neighbours and leave the premises quickly and quietly; • Ensure separation of garbage and recycling; • Comply with council conditions and this PoM.

3.1.3. FOOD PREPARATION

The kitchen will be registered as a food premises and will comply with all legislative requirements relative to the preparation of food specifically:

- Food Act 2003 (legislation.nsw.gov.au);
- Food Standards Codes (foodauthority.nsw.gov.au);
- AS4674-2004 – Fit out of food premises;
- AS1668.1-1998 and AS1668.2-1991 – Mechanical Ventilation; and
- Building Code of Australia (BCA)

In addition to this the site lead and staff will ensure that the general cleanliness of the facility and kitchens is maintained to an appropriate standard.

The operator will ensure that key design attributes established to meet the appropriate food related legislation are appropriately maintained to ensure effective operation including ensuring:

- Adequate space and hygienic workflow;
- Appropriate layout, durability and suitability of fixtures, fittings and equipment;
- Easy cleaning and pest prevention;
- Maintenance of all sinks, food storage areas; cool rooms and freezers;
- Good lighting and avoidance of shadows;
- Proper sewage & waste water disposal at all times; and
- Regular cleaning of the waste and recycling store area.

Further details of the layout and design of each kitchen are illustrated on the architectural drawings.

3.1.4. DELIVERIES – PROCEDURES FOR FRESH FOOD DELIVERIES, WASTE REMOVAL AND GREASE TRAP

The majority of deliveries will be transported with small compact vehicles – All Delivery drivers & couriers with deliveries are permitted by the landlord to park at the rear of the building or in the driveway for all drop offs.

Fresh produce is only to be delivered between via the rear of the site.

Step-by-step procedure for how fresh produce deliveries are received follows:

- Delivery driver to have a temperature-controlled vehicle appropriate for produce e.g. freezer for frozen goods, refrigerated for cold produce;
- Delivery driver to make themselves known to kitchen staff.
- Kitchen staff to complete proper temperature checks including:
 - Check frozen food is delivered frozen hard.
 - Check chilled food is delivered at 5°C or colder.
 - Check hot food is delivered at 60°C or hotter.
- Kitchen staff to coordinate proper storage of produce in their designated storage areas or kitchen.

3.1.5. KITCHEN WASTE

The café manager and rostered staff are responsible for the waste inside of the kitchen and taking it to the waste storage area each day. No waste is to be left in the kitchen overnight.

3.1.6. WASTE STORAGE AND COLLECTION

The facility has a designated waste storage area at the rear of the premises with both recycling and general waste bins.

Waste Source	Mid-Service Management	End-of-Day Management
Food waste, packaging & other general waste produced in creation of dishes during day-to-day	1. Separation of all recyclable, organics, and general waste into appropriate colour coded	1. Waste is removed from the tenancy and taken to the appropriate external receptacles at the rear of

operations	in-venue receptacles. 2. Storage of excess waste in marshalling area inside. 3. Periodic removal to external receptacle; when necessary, by way of a suitable wheel dolly to minimise risk of spillage during transit.	the tenancy. 2. Garbage is disposed of responsibly and in a respectful manner of neighbouring residents.
------------	--	---

Waste collection is a commercial service, contracted by the owner/café manager and the frequency of service can be increased or decreased as required.

Receptacle	Use	Management
1 x 240L General Waste Bin Commercial contractor	Capture of all non-organic, non-recyclable waste, limited to waste	Frequency Twice a week -
1 x 240L Recycling Bin Commercial contractor	Standard recyclable waste as per council guidelines	Frequency Bi-weekly
1 x 240L Organic Waste Bin Provided by Full Cycle Organics	All compostable goods, including food scraps and compostable packaging.	Weekly





Step-by-step procedure for waste area cleaning follows - performed twice a week by facility staff:

- Sweep any remaining rubbish from the waste room area
- Clean bin interiors with hose and multi purpose cleaner - ensure the lids in particular are cleaned
- Scrub the floor of the waste area with cleaner and hard broom
- Hose down floor
- Sweep excess water
- Place wet floor sign

3.1.7. GREASE TRAPS

The facility has a 1000L grease arrestor located beneath the kitchen floor. The grease collection service is serviced and cleaned by an external contractor by the owner/café manager and activated as required, approximately once every 3 months. Quarterly pump-out and cleaning to take place after café trading hours but within proposed operating hours (i.e. between 3 pm and 4 pm in the afternoon)

3.1.8. WORK HEALTH AND SAFETY

The owner/café manager shall ensure compliance to all relevant WHS regulations and legislation.

3.1.9. EMERGENCY MANAGEMENT

Specific details on what to do should a fire occur and assembly locations will be provided throughout the premises and in inductee material. Staff are to be trained, inducted and educated.

3.1.10. SECURITY MANAGEMENT

The security and safety of employees and the general public is paramount to the management of the facility. Site management will ensure all staff are trained in safe operating procedures and be supplied this Plan of Management as part of their initial training.

3.1.11. AMENITY OF THE SURROUNDING NEIGHBOURHOOD

The café will at all times take into consideration the amenity of neighbours and shall take all reasonable measures to ensure the conduct of the business does not impact adversely on the surrounding area, and good order of the neighbourhood is maintained.

The premises shall be kept in a clean and tidy condition and regularly maintained to the satisfaction of the owners & local authority both internally and externally.

The operation of the café in accordance with this Plan of Management will ensure that it does not compromise the amenity of the immediate area.

3.1.12. NOISE AND AIR QUALITY

3.1.12.1. NOISE

To manage acoustic emissions from the site, plant and equipment is to be regularly maintained and serviced. Where possible plant and equipment is to be switched off when not in use.

The majority of deliveries are a small or light commercial vehicle with minimal noise impact. The owner/café manager will ensure that all drivers and courier services are instructed to respect neighbouring residents and minimize noise.

All staff will be inducted to ensure that patrons behave respectfully to neighbours, leave the premises quietly and quickly. Signage to this effect will be displayed at the building entrance and loading areas. The owner/café manager will ensure that operational procedures are developed to minimise the use of the side access to the kitchen and ensure that use of this access occurs as quietly as possible.

3.1.12.2. AIR QUALITY

To manage air emissions from the site, plant and equipment is to be regularly maintained and serviced, in particular the exhaust system from the kitchens (exhaust filters)

3.1.13. TRAFFIC, TRANSPORT & PEDESTRIAN MANAGEMENT

The tenancy has allocated parking for up to 3 vehicles at the rear of the property in accordance with the existing consent. This includes space for loading/unloading. Patrons may utilise kerb-side unmetered parking both across the road and east of the property on Waratah Street, however the majority of customers are expected to be pedestrians.

To manage the existing driveway with inadequate site distance at 51 Waratah Street Haberfield line marking/decals on the footpath are proposed to alert pedestrians to the presence of the driveway. This PoM also requires that staff help to make patrons aware of the driveway.

Sustainable transport options are available surrounding the subject site. These include convenient access to a car share 'pod' located on a nearby street, bicycle and pedestrian friendly network of footpaths and local streets. These options are regularly embraced by the demographic frequenting the Waratah Street shops and the broader community. In practice the majority of our few staff do not drive to work. We proactively encourage staff to ride and/or catch public transport.

3.1.14. MONITORING

3.1.14.1. COMPLAINTS HANDLING PROCEDURES

The following procedure will be used to manage any complaints or issues that are raised by external parties. Any issues that are raised will be recorded in the premises diary noting the day time and address of the complainant and dealt with by the relevant site manager. The aim is to:

- Address the complaint within a 48-hour period; and
- Ensure all complaints will be reviewed regularly by site management.

3.1.14.2. PROCESS OF CONTINUOUS MONITORING AND UPGRADE OF PLAN OF MANAGEMENT

This PoM shall be reviewed from time to time, as required to take account of changes in operational or environmental impacts or where experience shows that it is reasonable or desirable to modify any provision of this plan for the better management of the premises. The updated PoM shall be submitted to Council and all other relevant stakeholders. The PoM will be updated to:

- Take account of changes in site management and operational practices.
- Address any new environmental impacts arising out of these changes.
- Identify any additional performance standards or mitigation measures necessary to offset residual impacts and ensure the amenity of the locality and surrounds are protected; and
- Address the outcomes of any monitoring.