

## Memo

Development Assessment

**To:** Development Determination Panel (DDP)

**Cc:** Rod Piggott  
Manager, Development Assessment

**From:** Nick Keeler  
Acting Principal Planner

**Date:** 23 July 2024

**Subject:** Item 3.3 - DA2024/0381 - 14/22 Central Avenue Manly - Change of operating hours for tenancy two

**Record Number:** 2024/524690

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Dear Panel,

This supplementary memo is to provide the DDP with changes to the recommended Condition Nos. 3 and 4, which refer to matters needed to be completed prior to the issue of an occupation certificate.

As the proposed development does not involve commencement of a use of a new building or change of use to an existing building, an occupation certificate cannot be issued for this development. Therefore, compliance with these conditions cannot be achieved.

As such, Condition No. 3 is recommended to be deleted as it serves a similar purpose to Condition No. 4 and causes unnecessary duplication. Condition No. 4 is recommended to be amended to remove reference to an occupation certificate and operate as on-going conditions of consent, as per the recommendation below.

### RECOMMENDATION

#### A. Delete Condition No. 3 - Acoustic Certification

#### B. Amend Condition No. 4 - Acoustic Requirements to read as follows:

The recommendations within the Acoustic Report prepared by Acoustic Dynamics dated 13 December 2023 and any additional requirements must be complied with during operations.

Reason: To prevent a noise nuisance to any neighbouring residential receiver.