

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA18/0626
Proposed development:	Fit Out & Use as Restaurant & Associated Signage (Tenancy 9)
Property address:	78 - 88 Tench Avenue, JAMISONTOWN NSW 2750
Property description:	Lot 3 DP 30354
Date received:	25 June 2018
Assessing officer	Jake Bentley
Zoning:	SP3 Tourist - LEP 2010
Class of building:	Class 6
Recommendations:	Approve

Executive Summary

Council is in receipt of a development application for the fit-out of and use of a building under construction as a restaurant and 3 business identification signs at 78-88 Tench Avenue, Jamisontown. Under the Penrith Local Environmental Plan (PLEP) 2010 the proposal is defined as a 'restaurant or café' and 'business identification signage'. The subject site is zoned SP3 Tourist in which restaurants or cafes and business identification signs are permitted with consent under the provisions of PLEP 2010.

In accordance with Clause 4.4 of Appendix F4 in the Penrith Development Control Plan (DCP) 2014 the application did not require notification to surrounding property owners.

An assessment under Section 4.15 of the Environmental Planning and Assessment Act 1979 has been undertaken and the application is recommended for approval, subject to recommended conditions.

Site & Surrounds

The subject site is located on the south-eastern side of Tench Avenue in Jamisontown. The site is rectangular in shape, has a frontage of 131.16m and is approximately 3.34ha in area. The site is located within the Nepean River floodplain and is predominately flat with a slight fall from the front of the site to the rear.

The site sits directly opposite the boat ramp and associated car parking area which forms part of the larger open space network identified as Tench Reserve. The immediately surrounding land uses are, at present, typically rural-residential on large land holdings.

Vehicular access to the site is provided directly from Tench Avenue. A paper road known as Wilson's Lane adjoins the site along the entire rear boundary. There is an existing shared path along the frontage of the site providing connections to the Great River Walk for pedestrians and cyclists.

Currently the site contains an existing 400m² building occupied by a 'Coffee Club' café/restaurant franchise. The building is situated in the north-western corner of the site and is separated from the front boundary by an existing 41 space car parking area. There is also an overflow car parking area of about 1000m² adjacent to the building. The site has a small strip of landscaping across the front of the car parking area. The remainder of the site is grassed.

The site is subject to an approval for the construction of three (3) buildings straddling the existing Coffee Club building including eleven (11) tenancies for future restaurant & cafe uses & associated outdoor seating piazza, car parking, landscaping & stormwater drainage works under DA15/0335 (as modified). The building relevant to the subject development application is known as tenancy 9 which is located at the northern end of the site.

Proposal

The proposed development involves the fit-out and use of tenancy 9 as a restaurant and café including a seating area capable of seating 130 people, pizza bar, kitchen, cool room, dry store and outdoor seating area. The proposal includes 3 business identification signs located at the rear, front and side of the building. The side elevation sign addresses an internal pedestrian walkway.

Plans that apply

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy No 64—Advertising and Signage
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Planning Assessment

• Section 79BA - Bushfire prone land assessment

The proposed development involves internal building works and signage only. In this regard there are no adverse bushfire impacts associated with the proposed development.

• Section 79C - Evaluation

The development has been assessed in accordance with the matters for consideration under Section 4.15 (formally Section 79C) of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following issues have been identified for further consideration.

Section 79C(1)(a)(i) The provisions of any environmental planning instrument

State Environmental Planning Policy No 64—Advertising and Signage

The proposed business identification signage has been assessed against the assessment criteria within Schedule 1 of State Environmental Planning Policy No. 64 - Advertising and Signage as follows:

Character of the area	
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	Yes.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	Yes.
Special areas	
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	No.
Views and vistas	
Does the proposal obscure or compromise important views?	No.
Does the proposal dominate the skyline and reduce the quality of vistas?	No.
Does the proposal respect the viewing rights of other advertisers?	Yes.
Streetscape, setting or landscape	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	Yes.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	Yes.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	N/A.
Does the proposal screen unsightliness?	Yes.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No.
Does the proposal require ongoing vegetation management?	No.
Site and building	
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	Yes.
Does the proposal respect important features of the site or building, or both?	Yes.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	Yes.
Associated devices and logos with advertisements and advertising structures	
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Yes.
Illumination	
Would illumination result in unacceptable glare?	No. The illuminated signage will be provided to the front, rear and side of the building. The side elevation sign is located adjacent to the existing Coffee Club and the proposed sign is elevated 2.9m above the ground.
Would illumination affect safety for pedestrians, vehicles or aircraft?	No.

Would illumination detract from the amenity of any residence or other form of accommodation?	No.
Can the intensity of the illumination be adjusted, if necessary?	No.
Is the illumination subject to a curfew?	Yes. The Statement of Environmental Effects submitted in support of the subject development application states that signage will be turned of at closing times.
Safety	
Would the proposal reduce the safety for any public road?	No.
Would the proposal reduce the safety for pedestrians or bicyclists?	No.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

An assessment has been undertaken of the proposal against relevant criteria within Sydney Regional Environmental Plan No. 20—Hawkesbury-Nepean River (No. 2—1997) and the proposal is satisfactory subject to recommended conditions of consent.

Local Environmental Plan 2010 (Amendment 4)

Provision	Compliance
Clause 1.2 Aims of the plan	Complies
Clause 2.3 Permissibility	Complies - See discussion
Clause 2.3 Zone objectives	Complies
Clause 7.2 Flood planning	Complies
Clause 7.5 Protection of scenic character and landscape values	Complies - See discussion

Clause 2.3 Permissibility

The proposed development is defined as a 'restaurant or café' which is a type of food and drink premises in accordance with PLEP 2010. The proposed signage is defined as business identification signage which is a type of 'signage' as defined by PLEP 2010. The subject site is zoned SP3 Tourist in which food and drink premises and signage are permissible with consent under the provisions of PLEP 2010.

Clause 7.5 Protection of scenic character and landscape values

The proposed shop front sign is 2m wide and 0.6m in height. In this regard there are minimal visual impacts associated with the proposal.

Section 79C(1)(a)(iii) The provisions of any development control plan

Development Control Plan 2014

Provision	Compliance
DCP Principles	Complies
C1 Site Planning and Design Principles	Complies - see Appendix - Development Control Plan Compliance
C2 Vegetation Management	N/A
C3 Water Management	Complies
C4 Land Management	N/A
C5 Waste Management	Complies
C6 Landscape Design	N/A
C7 Culture and Heritage	N/A
C8 Public Domain	N/A
C9 Advertising and Signage	Complies - see Appendix - Development Control Plan Compliance
C10 Transport, Access and Parking	N/A
C11 Subdivision	N/A
C12 Noise and Vibration	Complies - see Appendix - Development Control Plan Compliance
C13 Infrastructure and Services	Complies
E13 Riverlink Precinct controls	Complies

Section 79C(1)(a)(iv) The provisions of the regulations

The subject development application has been referred to Council's Building Surveying Department which raised no objections to the proposal subject to recommended conditions of consent.

Section 79C(1)(b) The likely impacts of the development

The proposed development involves an internal fit-out of a previously approved building and associated signage. The proposed use of the premises as a restaurant is inline with the SP3 zoning of the subject site and will activate the area. The proposed signage is of minimal impact.

Section 79C(1)(c) The suitability of the site for the development

Construction of the restaurant and café complex approved under DA15/0335 (as modified) is currently underway and the proposed use of the subject premises as a restaurant is inline with the vision for the area. The proposal is permissible with consent in the site's SP3 zoning. In this regard the site is considered suitable for the proposed development.

Section 79C(1)(d) Any Submissions

Community Consultation

In accordance with Clause 4.4 of Appendix F4 in the Penrith Development Control Plan (DCP) 2014 the application did not require notification to surrounding property owners.

Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Building Surveyor	No objections - subject to conditions
Environmental - Public Health	No objections - subject to conditions

Section 79C(1)(e)The public interest

There are no adverse impacts likely in relation to the public interest as a result of the proposed development.

Conclusion

In assessing this proposal against the relevant environmental planning policies, being Penrith Local Environmental Plan 2010, Penrith Development Control Plan 2014 and State Environmental Planning Policy No. 64 - Advertising and Signage, the proposal satisfies the aims, objectives and provisions of these policies. The site is suitable for the proposed development and the proposal is in the public interest. There are unlikely to be any negative impacts arising from the proposed development.

Therefore, the application is worthy of support, subject to recommended conditions.

Recommendation

That DA18/0626 for the fit-out and use of a building as a restaurant/café and 3 business identification signs at 78-88 Tench Avenue, Jamisontown be approved subject to the attached conditions.

General

1 [A001](#)

The development must be implemented substantially in accordance with the following plans stamped approved by Council, the application form and any supporting information received with the application, except as may be amended in red on the approved plans and by the following conditions.

Drawing Title	Prepared By	Reference No.	Dated	Issue
Site Plan	Disegno-Marco	0318	19/6/2018	A
Furniture Plan	Disegno-Marco	0318	31/7/2018	B
Kitchen Layout Plan	Disegno-Marco	0318	31/7/2018	C
External Elevations & Signage	Disegno-Marco	0318	30/8/2018	D
Signage Details	-	-	-	-

2 [A012 - Food Act](#)

The proprietor of the food business shall ensure that the requirements of the NSW Food Act 2003, NSW Food Regulation 2010 and the Australian and New Zealand Food Standards Code are met at all times.

3 [A019 - Occupation Certificate](#)

The development shall not be used or occupied until an Occupation Certificate has been issued.

A satisfactory inspection from an authorised officer of Council's Environmental Health Department is required **prior to the issue of the Occupation Certificate**. The occupier is to contact the Environmental Health Department to organise an appointment at least 72 hours prior to the requested inspection time.

4 [A021 - Business Registration](#)

The business is to be registered with Penrith City Council by completing the "Registration of Premises" form. This form is to be returned to Council **prior to the issue of an Occupation Certificate** and operation of the business.

5 [A029 - HOURS OF OPERATION AND DELIVERY TIMES](#)

The hours of operation shall be in accordance with the approved hours of operation for the complex under DA15/0335 (as modified).

6 [A032 - Goods in buildings](#)

All materials and goods associated with the use shall be contained within the building at all times.

7 [A039 - Graffiti](#)

The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.

8 [A046 - Obtain Construction Certificate before commencement of works](#)

A **Construction Certificate** shall be obtained prior to commencement of any building works.

9 [A Special \(BLANK\)](#)

Outdoor furniture shall be provided in a location that does not obstruct pedestrians utilising the pedestrian laneway.

10 [A Special \(BLANK\)](#)

The approved signage shall not be fitted with any flashing or moving lights or elements and shall not distract passing motorists or impact on visual amenity.

11 [A Special \(BLANK\)](#)

The installation of the approved signage shall be carried out strictly in accordance with the manufacturer's specifications. Any wiring or installation fixtures associated with the signage or internal illumination shall be contained wholly within the body of the signage and/or not be visible from the public domain.

Environmental Matters

12 [D009 - Covering of waste storage area](#)

All waste materials stored on-site during construction are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays/bins so as to allow for the separation of wastes, and the areas are to be fully enclosed when the site is unattended.

13 **D010 – Appropriate disposal of excavated or other waste**

All wastes generated as a result of the development are to be disposed of at a lawful waste management facility, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

BCA Issues

14 **E009 - Annual fire safety-essential fire safety (Class 2-9 buildings)**

The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:

(a) deal with each essential fire safety measure in the building premises, and

(b) be given:

- within 12 months after the last such statement was given, or
- if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.

As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.

15 **E01A - BCA compliance for Class 2-9**

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

(a) complying with the deemed to satisfy provisions, or

(b) formulating an alternative solution which:

- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or

(c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/statement for the building.

Health Matters and OSSM installations

16 **F001 - General Fitout**

The construction, fit out and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code, and AS 4674-2004 *Design, Construction and Fit-out of Food Premises*.

17 **F022 - Commercial kitchen(exhaust system)**

Cooking appliances which exceed a total maximum power input of 8kw for electrical, or a total gas input of 29MJ/h for a gas appliance are required to have a kitchen exhaust system installed in accordance with Clause F4.12 of the Building Code of Australia and Australian Standard 1668, Parts 1 & 2.

Detailed plans together with calculations for the system must be provided as part of the Construction Certificate application.

The exhaust hood must completely cover the equipment to be ventilated and extend at least 200mm beyond the perimeter of the equipment. The exhaust hood must be provided with a condensation gutter around it's base. The gutter must be at least 50mm wide by 25mm deep. Where abutting walls are located the hood must be constructed so as to finish flat against the wall surface.

The low edge of a canopy type exhaust hood must be at least 2000mm above floor level.

Prior to the issue of an Occupation Certificate and operation of the business, the exhaust system shall be certified by an appropriately qualified person to comply with the Building Code of Australia and Australian Standard 1668, Parts 1 & 2. A copy of the certification and supporting documentation must be provided to Council's Environmental Health Department if Council is not the Principal Certifying Authority

18 **F025 - Food safety supervisor**

A Food Safety Supervisor, with a current Food Safety Supervisor Certificate recognised by the NSW Food Authority, must be appointed by the business prior to commencement of the business.

19 **F027 - Hand basins**

Hand basins must be serviced with hot and cold water through a single outlet, able to be mixed at a temperature of at least 40°C and fitted with a hands free operation. Where sensor taps are installed the basin must not be more than 6 metres from the hot water system. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to each hand basin.

20 **F031 - Floor & floor waste**

The floor of the food premises must be finished in an approved non-absorbent material, evenly laid, or graded and drained to a trapped floor waste. Any floor wastes in the food preparation, service and scullery areas must be fitted with a sump removable basket and grate, a minimum 200mm in diameter, and finished in all stainless steel.

21 **F034 - Walls – behind cooking appliances**

The walls at the rear of cooking appliances must be surfaced with an impervious material, such as stainless steel, which extends from the canopy to the floor. Where a cooking appliance is sealed to the wall, the material must be lapped over the top edge of the appliance to provide a grease and vermin proof seal. Cooking appliances must only be sealed to walls made of a non-combustible material.

22 **F035 - Ceilings**

The ceiling in the preparation, service and scullery areas must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersection of the walls and ceiling must be tight jointed, sealed and dust proofed. Drop-in panel style ceilings are not permitted.

23 **F046 - Cleaners sink**

The cleaner's sink must be serviced with hot and cold water through taps fitted with hose connectors. Cleaner's sinks must be located outside of areas where open food is handled.

24 F047 - Fixtures & fittings

All fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and crevices to enable easy cleaning.

All fittings and fixtures must be built into the wall and floor so as to be free from joint, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following:

- a. Plinths – plinths must be an integral part of the floor, constructed of solid materials similar to the floor at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth so to be free from gaps, cracks and cavities.
- b. Wheels or castors – fittings and fixtures can be supported on wheels or castors. The wheels and castors must be capable of supporting and easily moving a full loaded fitting. All wheels and castors must be provided with a restraining device.
- c. Legs – fittings and fixtures can be supported on legs but must be constructed of a non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and crevices. All legs must have a clearance space between the floor and the underside of the fitting of at least 200mm.

Note: False bottoms under fittings are not permitted (AS 4674-2004 – Sections 4.2 and 4.3).

25 F053 - Coolrooms – condensation

Condensation from coolrooms and refrigeration motors must discharge to the sewer via a tundish with air gap separation in accordance with Sydney Water requirements.

26 F055 - Lockers

Sufficient lockers must be provided in the food preparation area or store room specifically for the storage of cleaning materials, employee's clothing and personal belongings.

27 F056 - Storerooms

The storeroom must be constructed in accordance with AS 4674-2004 by providing the following:

- A smooth, even, non-slip floor surface.
- Coving at all intersections of the floor and walls with approved, recessed coving to a minimum concave radius of 25mm, so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface. "Feather edge skirting" and non-rebated coving are not permitted.
- Walls must be provided with a smooth even surface and painted with a light coloured washable paint to enable easy cleaning.
- The ceiling must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersections of the walls and ceiling must be tight-jointed, sealed and dustproof. Drop in panel style ceilings are not permitted.
- Shelving or storage racks must be designed and constructed to enable easy cleaning.

Utility Services

28 G002 - Section 73 (not for

A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's website at www.sydneywater.com.au then the "e-developer" icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority **prior to the issue of an Occupation Certificate.**

Construction

29 H001 - Stamped plans and erection of site notice

Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on-site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details are to be erected:

- at the commencement of, and for the full length of the, construction works on-site, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the Occupation Certificate has been issued for the development.

30 H002 - All forms of construction

Prior to the commencement of construction works:

(a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by Council, or
- alternatively, any other sewage management facility approved by Council.

(b) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:

- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
- the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
- any such hoarding, fence or awning is to be removed when the work has been completed.

31 H041 - Hours of work (other devt)

Construction works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm if inaudible on neighbouring residential premises, otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy that do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act 1997 in regulating offensive noise also apply to all construction works.

Certification

32 **Q01F - Notice of Commencement & Appointment of PCA2 (use for Fast Light only)**

Prior to the commencement of any construction works on site, the proponent is to:

- (a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
- (b) submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 6.6 of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction works are to commence on-site (including the clearing of site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 6.6 of the Environmental Planning and Assessment Act 1979.

33 **Q05F - Occupation Certificate for Class10**

An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the use of the restaurant.

The Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding.

A copy of the Occupation Certificate and all necessary documentation supporting the issue of the Certificate is to be submitted to Penrith City Council, if Council is not the Principal Certifying Authority.

Appendix - Development Control Plan Compliance

Development Control Plan 2014

Part C - City-wide Controls

C1 Site Planning and Design Principles

It is noted that the submitted Furniture Plan indicates that furniture will be provided within the pedestrian laneway area located south-west of tenancy 9. In this regard a condition of consent is recommended ensuring outdoor furniture locations do not impede pedestrian access along the designated pedestrian laneway.

C9 Advertising and Signage

The proposed signage consists of 3 business identification signs with the following aspects:

- Front elevation sign: Illuminated 2m wide and 0.6m in height located on the façade of the shop front awning.
- Side and rear elevation sign: Illuminated 2.8m wide and 0.935m in height. The side elevation sign is located above the shop entrance from the pedestrian laneway and the rear elevation sign is located against the external wall.

Each sign consists of black lettering with a golden brown backdrop. The proposed signage is considered to be located within suitable locations as the proposal will not result in more than one sign on one building elevation and each sign is of a suitable size and colour.

C12 Noise and Vibration

A recommended condition of consent is to be imposed ensuring operational hours of the proposed restaurant are in accordance with those approved under DA15/0335 (as modified) for the complex. The approved hours of operation are as follows:

7am - 10pm Monday to Sunday, and 7am - 5pm Monday to Friday for delivery and service vehicles.