

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2022/0452
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Responsible Officer:	Adam Susko
Land to be developed (Address):	Lot 1 DP 1282038, 4 - 8 Inman Road CROMER NSW 2099
Proposed Development:	Modification of Development Consent 2019/1346 granted for Demolition works and alterations and additions to an existing industrial facility including new warehouse and self-storage office premises and ancillary cafe
Zoning:	Warringah LEP2011 - Land zoned IN1 General Industrial
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	Perpetual Corporate Trust Ltd
Applicant:	James McBride

Application Lodged:	14/09/2022
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Refer to Development Application
Notified:	03/10/2022 to 17/10/2022
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

PROPOSED DEVELOPMENT IN DETAIL

This Modification Application is made pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act 1979 and seeks to modify Development Consent DA2019/1646.

The modifications generally comprise of the fitout of an existing office building including internal and external alterations. The Statement of Modification submitted summarises the changes sought under this modification as:

- *Alterations and additions within the interiors of cottage (B5) to convert it into a cafe; and*
- *Alterations and additions to the interiors of Buildings 01, 02, 06 to convert them into modern office spaces; and*
- *Exterior changes to both the cottage and existing office building.*

The exterior changes to the existing office building, which is heritage listed, are limited to the eastern elevation which is internal of the site. The changes sought therefore do not alter the appearance of the heritage item when viewed from Inman Road.

The modifications do not alter the approved footprint, building envelope, or building height of either new elements or heritage elements. Were it not for the heritage protection of the cottage of existing office building, the works sought would likely have been possible pursuant to State Environmental Planning Policy (Exempt and Complying Development Code).

APPROVED DEVELOPMENT

For clarity, an extract of the Assessment Report for DA2019/1646 is below, which summarises the works approved under that consent:

- *Retention and conservation of Buildings 01, 02, 06, the hexagonal tower, the internal courtyard and the post-World War II cottage (Building 05);*
- *Repurposing of the of the post-World War II cottage for an ancillary café use;*
- *Maintain potential use of Buildings 02 and 06 as commercial offices;*
- *Demolition of existing non-heritage buildings, being Buildings 03, 07, 09, 11, 18, 22, 44, and structures 20, 45, 46 and 48;*
- *Construction of eleven (11) warehouse units and ancillary offices;*
- *Construction of underground self-storage units;*
- *Provision of 231 car parking spaces, including 72 at grade and a 159 in basement carpark;*
- *Tree removal and associated Earthworks and Landscape works; and*
- *Signage*

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

SITE DESCRIPTION

Property Description:	Lot 1 DP 1282038 , 4 - 8 Inman Road CROMER NSW 2099
Detailed Site Description:	<p>The site is legally described as Lot 1 within DP 1220196 and is known as No.4-10 Inman Road (also being known as 100 South Creek Road), Cromer. The subject site is more commonly referred to as the former Roche Products Australia premises. It has four (4) street frontages, being South Creek Road to the south, Inman Road to the west, Campbell Avenue to the east and Orlando Road to the north. The north-western corner of the site is bound by Orlando Road, which connects to Parkes Road.</p> <p>The site also has frontage to Campbell Avenue, however the proposed development does not extend to the eastern part of the site. The remainder of the subject site shares a common boundary with existing residential dwellings and a childcare centre to the north.</p> <p>The site is zoned IN1 General Industrial under the Warringah Local Environmental Plan 2011 (WLEP2011) and includes mostly office buildings and large warehouse/manufacturing buildings.</p> <p>The site was previously development to include a variety of buildings and structures, ranging in age from the 1920's through to 2005. More recently, a large portion of the site has been cleared and demolished.</p> <p>The site contains three (3) heritage items, being the central industrial "Roche" building, the weatherboard cottage located in the south-eastern corner of the site and a stand of trees adjacent to Campbell Avenue. These items will remain unaffected by the current proposal. There is also known to be some Aboriginal cultural relics within or near the northwestern corner of the site.</p> <p>Vehicle access to the site is available off both South Creek Road and Inman Road.</p>

Map:



SITE HISTORY

- **Development Application 2019/1346** for demolition works and alterations and additions to an existing industrial facility including new warehousing, self-storage units, office premises and an ancillary cafe.

Approved by the Sydney North Planning panel on 17 August 2020.

- **Modification Application 2020/0611** to amend stormwater conditions of the parent consent.

Approved under delegated authority on 1 April 2021.

- **Development Application 2021/1464** for the subdivision of land into three (3) allotments.

Approved under delegated authority on 23 February 2022.

- **Modification Application 2022/0396** seeking to amend DA2019/1346 for the removal of additional trees.

Approved under delegated authority on 16 November 2022.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared and is attached taking into all relevant provisions of the Environmental Planning and Assessment Act 1979 and associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (up to the time of determination) by the applicant, persons who have made submissions regarding the application and any advice given by relevant Council / Government / Authority Officers on the proposal;

In this regard, the consideration of the application adopts the previous assessment detailed in the Assessment Report for DA2019/1346, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 4.55(1A) of the Environmental Planning and Assessment Act, 1979, are:

Section 4.55(1A) - Other Modifications	Comments
A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:	
(a) it is satisfied that the proposed modification is of minimal environmental impact, and	<p>Yes</p> <p>The modification, as proposed in this application, is considered to be of minimal environmental impact for the following reasons:</p> <ul style="list-style-type: none"> • the works are limited to an internal fitout only and does not materially change the form, proportions or operation of the building as approved.
(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and	<p>The consent authority can be satisfied that the development to which the consent as modified relates is substantially the same as the development for which the consent was originally granted under DA2019/1346 for the following reasons:</p> <ul style="list-style-type: none"> • the modifications do not alter the building footprint, envelope or height, nor do they change the approved land use or expected employment generation. The modifications are limited to an internal fitout of buildings on site which has always been envisaged as an eventual component.
<p>(c) it has notified the application in accordance with:</p> <p>(i) the regulations, if the regulations so require,</p> <p>or</p> <p>(ii) a development control plan, if the consent authority is a council that has made a development control plan under section</p>	<p>The application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021, and the Northern Beaches Community Participation Plan.</p>

Section 4.55(1A) - Other Modifications	Comments
72 that requires the notification or advertising of applications for modification of a development consent, and	
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	See discussion on “Notification & Submissions Received” in this report.

Section 4.15 Assessment

In accordance with Section 4.55 (3) of the Environmental Planning and Assessment Act 1979, in determining an modification application made under Section 4.55 the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application.

The relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	There are no current draft environmental planning instruments.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)	<p>Part 4, <u>Division 2</u> of the EP&A Regulation 2021 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clauses 36 and 94</u> of the EP&A Regulation 2021 allow Council to request additional information. No additional information was requested in this case.</p> <p><u>Clause 61</u> of the EP&A Regulation 2021 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent in the parent application.</p> <p><u>Clauses 62 and/or 64</u> of the EP&A Regulation 2021 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This matter has been addressed via a condition of consent in the parent application.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 requires the</p>

Section 4.15 'Matters for Consideration'	Comments
	consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 03/10/2022 to 17/10/2022 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

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

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	<p>Supported, no additional conditions</p> <p>The application has been investigated with respects to aspects relevant to the Building Certification and Fire Safety Department.</p>

Internal Referral Body	Comments
	<p>There are no objections to approval of the development subject to inclusion of the attached conditions of approval and consideration of the notes below.</p> <p>Note: The proposed development may not comply with some requirements of the BCA and the Premises Standards. Issues such as this however may be determined at Construction Certificate Stage.</p> <p><u>Planner note</u>: the condition recommended by Building Assessment already forms Condition 83 of the parent consent.</p>
Environmental Health (Contaminated Lands)	<p>Supported, with additional conditions</p> <p>Environmental Health raises no objections to the Modification Application, subject to additional conditions to ensure that any new and / or additional contamination that is found is treated appropriately.</p>
Environmental Health (Food Premises, Skin Pen.)	<p>Supported, subject to additional conditions</p>
Landscape Officer	<p>Supported, no additional conditions</p> <p>The application is for modification to development consent DA2019/1346, seeking to amend the landscape works around the existing cottage, and various internal amendments.</p> <p>The landscape proposal is in keeping with the approved DA2019/1346 and as such is supported. No further conditions are imposed.</p>
NECC (Bushland and Biodiversity)	<p>The proposed modification relates to the fitout of an existing approved building and is unlikely to have any further impact on biodiversity.</p>
NECC (Development Engineering)	<p>Supported, no additional conditions</p>
NECC (Water Management)	<p>Supported, no additional conditions</p> <p>No additional water management conditions are necessitated by this Modification Application.</p>
Strategic and Place Planning (Heritage Officer)	<p>Supported, no additional conditions</p> <p>This modification application has been referred as the site contains a local heritage item, being Item 152 - Roche Building. The adjacent site also contains heritage items, being Item 153 - Givaudan-Roure Office and Item 138 - Trees - Campbell Avenue. These 3 items are listed as local heritage items in Schedule 5 Environmental Heritage of Warringah Local Environmental Plan 2011.</p> <p>This site includes the heritage-listed former Roche offices and warehousing facility, together with an adjacent Inter-War cottage, now part of the site. The previous consent DA2019/1346 approved the adaptive re-use of the heritage listed former Roche Building and the cottage. This modification application relates to the elaboration of the approved adaptive re-use strategy for the former offices and for the proposed conversion of the cottage into a café. Specifically, the current modification proposes works to the office buildings B1, B2 and</p>

Internal Referral Body	Comments
	<p>B6, as well as the cottage.</p> <p>Works in the office buildings relate to the removal of later internal fit-outs and the renewal of internal finishes and linings and service areas (toilets) as well as repair and refurbishment of the exterior facades and finishes of those buildings. No work appears to adversely impact upon the listed landscape.</p> <p>The Statement of Heritage Impact by Heritage 21 (July 2022) has been reviewed. This report warrants and asserts that only fabric of little or no significance is impacted by the proposed works. That being said, it is noted that works are proposed to the important internal curved staircase to ensure its compliance with updated safety regulations. While some concerns might be raised at the detail of the internal works upon the 'café cottage', relating to the removal of walls and loss of definition of interior spaces and volumes, the cottage is not listed. The stated intent of the works upon the café is largely supported, as are the updating works for the offices.</p> <p>The heritage strategy for the buildings will be crucial in the realisation of all of these objectives. The proposal is supported in heritage terms, consistent with the conditions of the original consent.</p>

External Referral Body	Comments
Ausgrid - SEPP (Transport and Infrastructure) 2021, s2.48	<p><i>Supported, with additional conditions</i></p> <p>The proposal was referred to Ausgrid who raised no objections to the development, subject to the imposition of conditions as endorsed by the recommendations of this report.</p>

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP (Transport and Infrastructure) 2021

Ausgrid

Section 2.48 of Chapter 2 requires the Consent Authority to consider any development application (or

an application for modification of consent) for any development carried out:

- *within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).*
- *immediately adjacent to an electricity substation.*
- *within 5.0m of an overhead power line.*
- *includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.*

Comment:

The proposal was referred to Ausgrid who raised no objections, subject to continuing compliance with their previously recommended conditions.

Transport for NSW

The application was referred to TfNSW pursuant to Clause 2.122 of the Transport and Infrastructure SEPP. TfNSW has determined that the proposed works are not expected to have any significant impacts on the classified road network, and therefore no additional requirements (beyond existing conditions) is required.

SEPP (Industry and Employment) 2021

The modification application does not alter the approved signage regime, approved operating hours, or the expected employment generation caused by the development (both during construction and occupation). No further assessment against this SEPP is required.

SEPP (Resilience and Hazards) 2021

The development site is contaminated. The parent development application was assessed against the provisions of the (then) SEPP 55 - Remediation of Land, which concluded that the site was capable of being suitable for the proposed land use following the successful remediation of land.

The scope of works sought under this modification application do not alter the conclusions reached in the parent Assessment Report, and the conditions which are imposed in that remain relevant and in force. Therefore, no further assessment against this SEPP is required for the modification application.

Warringah Local Environmental Plan 2011

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

Principal Development Standards

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Development Standard	Requirement	Approved	Proposed	Complies
Height of Buildings:	11m	13.83m	No change sought	No change

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
5.3 Development near zone boundaries	Yes
5.10 Heritage conservation	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes
Schedule 5 Environmental heritage	Yes

Warringah Development Control Plan

Built Form Controls

Standard	Requirement	Approved	Proposed	Complies
B5 Side Boundary Setbacks	Merit Assessment (north)	8.7m	No change sought	Yes
B7 Front Boundary Setbacks	(Inman Road) 4.5m	8m	No change sought	Yes
B7 Secondary Front Boundary Setbacks	(South Creek Road) 4.5m	10m	No change sought	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B6 Merit Assessment of Side Boundary Setbacks	Yes	Yes
B7 Front Boundary Setbacks	Yes	Yes
B10 Merit assessment of rear boundary setbacks	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes
D9 Building Bulk	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D18 Accessibility and Adaptability	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E7 Development on land adjoining public open space	Yes	Yes
E10 Landslip Risk	Yes	Yes

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly affect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2022

Section 7.12 contributions were levied on the Development Application.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant approval to Modification Application No. Mod2022/0452 for Modification of Development Consent 2019/1346 granted for Demolition works and alterations and additions to an existing industrial facility including new warehouse and self-storage office premises and ancillary cafe on land at Lot 1 DP 1282038,4 - 8 Inman Road, CROMER, subject to the conditions printed below:

A. Add Condition No.1B - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

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

a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DA_M201 C Site Plan	18 July 2022	SBA Architects
DA_M210 B Demolition Plan - Basement Heritage Building	6 July 2022	SBA Architects
DA_M211 B Demolition Plan - Ground & Level 1 - Heritage Building	6 July 2022	SBA Architects
DA_M213 B Demolition Plans & Elevations - Heritage Cottage	6 July 2022	SBA Architects
DA_M300 D Heritage Building - Basement Plans	6 July 2022	SBA Architects
DA_M301 B Heritage Building - Ground Floor & First Floor Plans	6 July 2022	SBA Architects

DA_M302 B Roof Plan - Heritage Office	6 July 2022	SBA Architects
DA_M310 E Cafe Floor & Roof Plan	18 July 2022	SBA Architects
DA_M311 E Heritage Cottage Cafe - Elevations and Sections	18 July 2022	SBA Architects
DA_M401 B Heritage Office Elevations	6 July 2022	SBA Architects
DA_M410 B Heritage Building - Sections	6 July 2022	SBA Architects

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BCA Assessment Report ref: 113390-BCA-r2-Heritage Office	18 July 2022	BCA Logic
Statement of Heritage Impact ref: 9601	21 July 2022	Heritage 21

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

c) The development is to be undertaken generally in accordance with the following:

Landscape Plans		
Drawing No.	Dated	Prepared By
001 F Landscape Master Plan	12 July 2022	Site Image Landscape Architects
101 F Landscape Plan	12 July 2022	Site Image Landscape Architects
102 E Landscape Plan	12 July 2022	Site Image Landscape Architects
103 E Landscape Plan	12 July 2022	Site Image Landscape Architects
104 E Landscape Plan	12 July 2022	Site Image Landscape Architects
501 F Landscape Details	12 July 2022	Site Image Landscape Architects

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

B. Add Condition 57A Additional Contamination to read as follows:

Any excavation or other works that reveal site contamination material not already documented in the site contamination report shall be notified to the certifying authority and site auditor and arrangements made for the correct controls or rectification required to be made.

Reason: To manage any additional contaminated material discovered during works.

C. Add Condition 70A Kitchen Design, Construction and Fitout of Food Premises Certification to read as follows:

Prior to the issuing of any occupation certificate, certification is to be provided to the Principal Certifier by a suitably qualified person demonstrating that the design, construction and fit out of food premises kitchen is compliant with the requirements of AS 4674 Design, construction and fit out of food premises.

Reason: To ensure that the kitchen complies with Australian Standard design requirements.

D. Add Condition 71A Registration of Food Business to read as follows:

Where Mechanical ventilation is required to be installed in the food premises it must comply with the following:

- Australian Standard (AS) 1668.2 “The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings”; and
- Any external exhaust discharge must be above the roofline and discharged in a manner that is not likely to cause an amenity impact.

Certification is to be provided to the Principal Certifier prepared by a suitably qualified person to demonstrate that the mechanical ventilation complies with the above requirements.

Reason: To ensure that the installed mechanical ventilation complies with the requirements of the Australian Standard 1668.2 and to prevent amenity impacts.

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

Signed



Adam Susko, Principal Planner

The application is determined on 15/12/2022, under the delegated authority of:



Steven Findlay, Manager Development Assessments