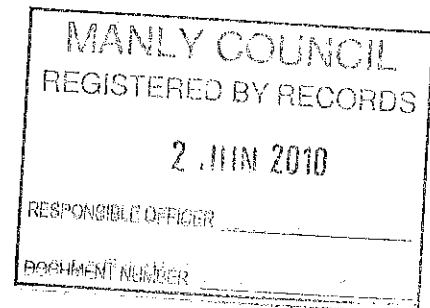


Job No: 2009/543

Monday, 31 May 2010

Manly Council
PO Box 82
Manly NSW 1655



Attention: General Manager

**RE: Occupation Certificate No. 09/543/01
Fishcafe – Shop 70, 197-215 Condamine Street, Balgowlah**

Please find attached a copy of Occupation Certificate 09/543/01 and required attachments issued by Steve Watson & Partners for the above mentioned development in accordance with Section 109C(1)(c) and 109H of the Environmental Planning and Assessment Act 1979.

Please find attached a cheque in the amount of \$30.00 payable for the registration of the Occupation Certificate.

Can you please forward SWP a receipt for the acknowledgment of the lodgement cheque.

With regard to the attached certificate please do not hesitate to contact me should you have any queries or require any further information.

Regards,

Peter Tran
Building Regulations Consultant
Steve Watson & Partners Pty Ltd

CERTIFIER

\$30

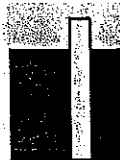
R.699481

2-6-10

BUILDING REGULATIONS CONSULTANTS AND CERTIFIERS
FIRE SAFETY ENGINEERS

S:\Jobs\2009 Jobs\2009-543 Seafood Balgowlah (fish & chips shop),
197-215 Condamine Street, Balgowlah\Certification\20100531 FOC
attached letter to council.doc

LEVEL 5, 432 KENT STREET, SYDNEY NSW 2000
TEL +61 2 9283 6555 | FAX +61 2 9283 8500
sydney@swpartners.com.au
www.swpartners.com.au
ABN 48 102 366 576



STEVE WATSON
& PARTNERS

BUILDING REGULATIONS CONSULTANTS AND CERTIFIERS
FIRE SAFETY ENGINEERS

LEVEL 5, 432 KENT STREET, SYDNEY NSW 2000
TEL +61 2 9283 6555 FAX +61 2 9283 8500
sydney@swpartners.com.au
www.swpartners.com.au
ABN 48 102 366 576

FINAL OCCUPATION CERTIFICATE

Issued under the Environmental Planning and Assessment Act 1979 Section 109C(1)(c) and 109H

Final Occupation Certificate No. 09/543/01

Steve Watson and Partners certify that:

- They have been appointed as the Principal Certifying Authority under section 109E.
- A Development Consent/Complying Development Certificate is in force with respect to the building.
- A Construction Certificate has been issued with respect to the plans and specifications for the building.
- The building is suitable for occupation or use in accordance with its classification under the Building Code of Australia.
- Where required, a Final Fire Safety Certificate has been issued for the building.
- Where required, a report from the Commissioner of Fire Brigades has been considered.

Applicant	Name: Peter Chronis Address: 37 Illawong Street Suburb: Lugarno State: NSW Postcode: 2210
Location of the Property	Address: Shop 70, 197-215 Condamine Street Suburb: Balgowlah State: NSW Postcode: 2093 Real Property Description: Lot 101/ DP 1102617
Building Description	Establishment of use as a Seafood Cafe / Shop (refreshment room / food retail shop), associated fitout and outdoor dining at Shop 70 within the Village Shopping Centre Balgowlah
Building Code of Australia Classification	Class 6
Date of Receipt	Date Received: 31st May 2010
Determination	Approved Date of Determination: 31st May 2010
Development Consent	Development Consent Number: 283/09 Council: Manly Council Date of Determination: 31st December 2009
Construction Certificate	Construction Certificate Number: 09/543/01 Date of Determination: 5th March 2010

Anthony Ljubicic (BPB0233) on behalf of

Steve Watson and Partners

Accreditation Body: **BPB**

Accreditation no: **ABC 1**

Date of Endorsement: **Monday, 31st May 2010**

Documentation relied upon to issue Occupation Certificate 09/543/01 for Fish Cafe – Shop 70, 197-215
Condamine Street, Balgowlah

Item No	Description	Date
1.	Mandatory inspection record (Final)	20.05.10
2.	Application for Occupation Certificate	31.05.10
3.	Final fire safety certificate	31.05.10
4.	Certificates contained within SWP Certification Package	-
5.	SWP DA Checklist and associated documentation	-
6.	Certificate of Compliance – Plumbing issued by Thunderbox Plumbing Services	20.05.10
7.	Certificate of Compliance – Kitchen exhaust issued by Speedy Ventilation Pty Ltd	31.05.10
8.	Structural certificate issued by Kneebone & Beretta Consulting Pty Ltd	26.05.10
9.	Certificate of Compliance – Electrical works issued by Ben Sharp (Licence number 185645C)	24.05.10



STEVE WATSON & PARTNERS

BUILDING REGULATIONS CONSULTANTS AND CERTIFIERS
FIRE SAFETY ENGINEERS

LEVEL 5, 432 KENT STREET, SYDNEY NSW 2000
TEL +61 2 9283 6555 FAX +61 2 9283 8500
sydney@swpartners.com.au
www.swpartners.com.au
ABN 48 102 366 576

CI162B Site Inspection Record

Project Address Fishcafe – Shop 70, 197-215 Condamine Street, Balgowlah Inspection record # 09/543/F1

Accredited Certifier Anthony Ljubcic (BPB0233) for Steve Watson and Partners Body Corporate Accreditation # ABC 1

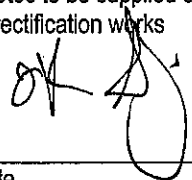
DA ref 283/09 CC Ref 09/543/01

Date of inspection 20.05.10 Type COMPLETION

Checklist

Consistency with approved plans?	Yes	BCA compliance matters OK?	Yes
Pre OC DA Conditions? (see checklist attached)	Yes	Basix matters OK?	N/A

Issues/Rectification works required

#	Issue	Comment/ requirement	Action by
1.	Exit sign to be installed to the front of house ✓	Photos to be supplied on completion of rectification works 	Builder
2.	All designated hand basins, including the rear to have signage indicating "Hands Only" ✓		
3.	Escutcons required to sprinkler heads ✓		
4.	The ramp at the rear of the tenancy is required to be fixed ✓		
5.	Mechanical (general ventilation) works were completed by Stockland prior to fitout of Fishcafe.	Note	

Was the Inspection

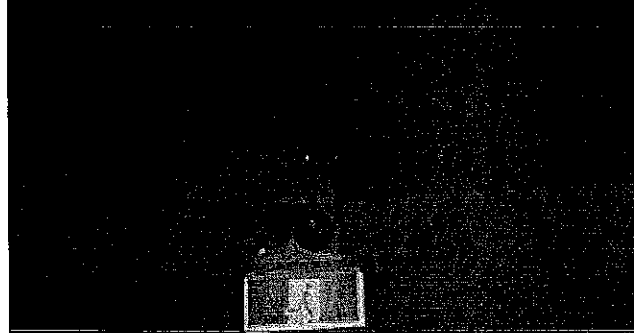
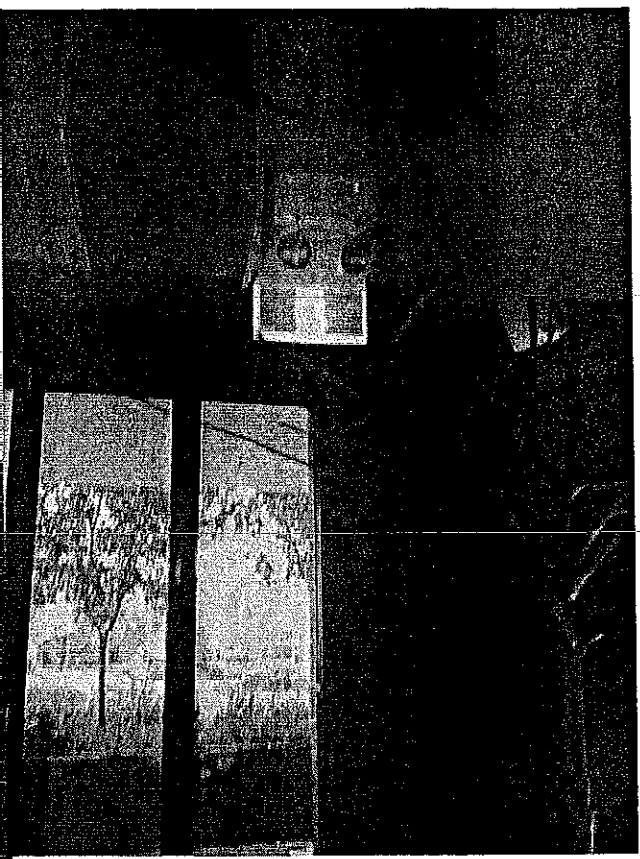
- ☐ Satisfactory
☒ Satisfactory subject to resolution of the issues identified above
☐ Unsatisfactory

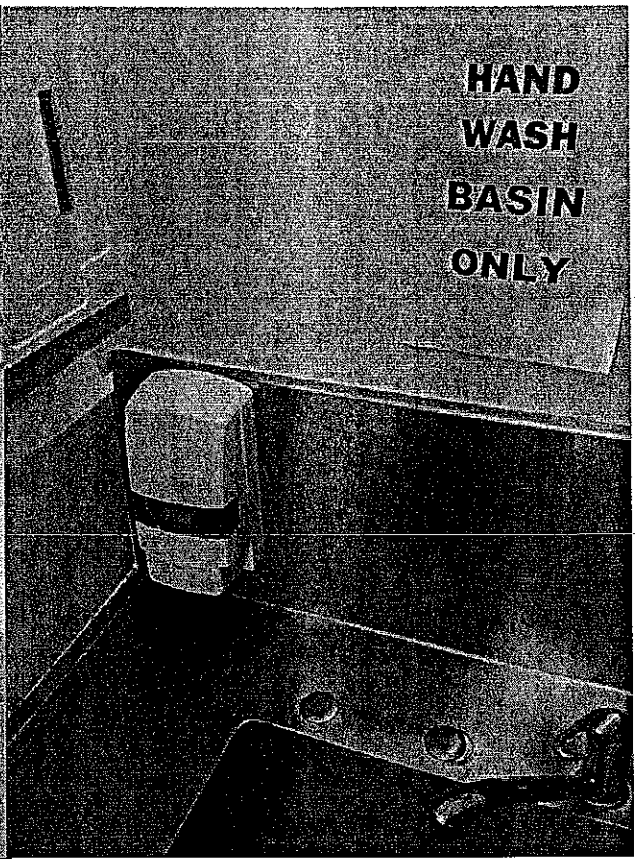
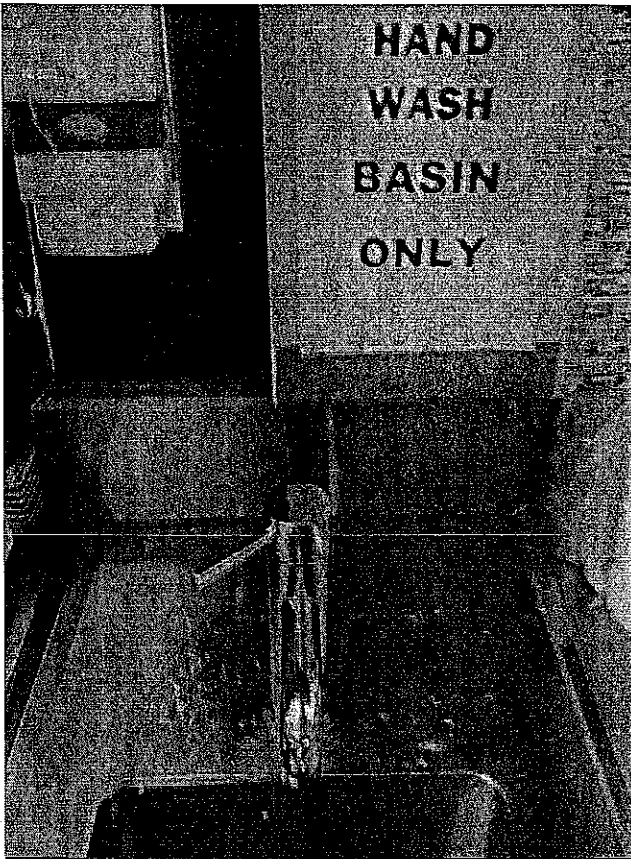
Signed

Inspector

Date

20.5.10







STEVE WATSON
& PARTNERS

BUILDING REGULATION CONSULTANTS AND CERTIFIERS
FIRE SAFETY ENGINEERS

LEVEL 5, 432 KENT STREET, SYDNEY NSW 2000
TEL +61 2 9283 8555 FAX +61 2 9283 8500
sydney@swatpartners.com.au
www.swatpartners.com.au
ABN 48 102 366 874

APPLICATION FOR OCCUPATION CERTIFICATE

PART 1 Application and Site Details

Type of Certificate Sought

Tick appropriate boxes

- ☐ Interim certificate
☒ Final certificate
☐ Change of building use of an existing building
☐ Occupation/use of a new building

Applicant

It is important that we are able to contact you if we need more information.

Please give us as much detail as possible.

Mr ☒ Mrs ☐ Miss ☐ Ms ☐ Other

Surname (or Company): CHRONIS

Given names (or ABN): PETER

Address: 37 ILLAWONG ST LUGARNO

State: NSW Post Code: 2210

Phone: (02) 990 77331

Fax: ()

Mobile: 0418 975 652

E-mail: balgowlahseaford@bigpond.com

Location of the Property

We need this to correctly identify the land.

Address: Shop 70 - 215 CONDOMINE ST

Balgowlah

State: NSW

Post Code: 2093

Real Property Description: FISH CAFE

(eg. Lot/DP/Section, etc)

The real property description is mandatory, these details are shown on your rate notices, property deeds etc

PART 2 Work Description

Development Consent or Complying Development Certificate

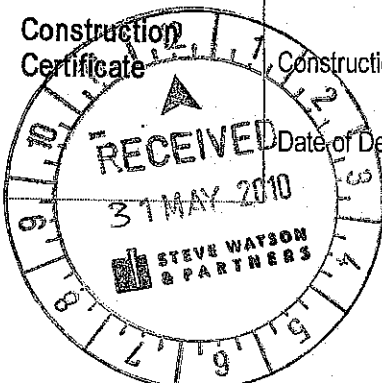
Development Consent/Complying Development No: 283/09

Date of Determination: 31 / 12 / 2009

Construction Certificate

Construction Certificate No: 09/543/01

Date of Determination: 5 / 3 / 10



Building Details

The building classification must be the same as that specified in the Complying Development Certificate or Construction Certificate

If you are applying for an Occupation Certificate for part of the building, describe the part of the building:

SHOP 70- FISH CAFE

Describe the proposed use of the building: RETAIL

What is the classification of the building under the BCA: B

Change in Classification

What is the existing classification of the building under the BCA: _____

What is the new classification of the building under the BCA: _____

Attachments

The following information must accompany an application for an Occupation Certificate:

- A copy of Development Consent or Complying Development Certificate
- A copy of the Construction Certificate, where relevant
- A Final Fire Safety Certificate or Interim Fire Safety Certificate (not required for class 1a or 10 buildings).
- Other certificates or documentation relied on.

PART 3 Declaration

Declaration

If the applicant is a company or strata title body corporate, a director or authorised delegate must sign this declaration.

I declare that all the information in the application is, to the best of my knowledge, true and accurate.

I also understand that if the information is incomplete the application may be delayed or rejected or more information may be requested. I acknowledge that if the information provided is misleading, any approval granted 'may be void'.

Signature: P Chen Date: 28 / 5 / 2010

Name, if you are not the applicant: _____

In what capacity are you signing if you are not the applicant: _____

FIRE SAFETY CERTIFICATE

The owner of a building, or the owner's agent, needs to provide a fire safety certificate to the certifying authority (a council or a private certifier) with an application for an occupation certificate. You can use this form to do so. A copy of the certificate must always be given to the Commissioner of New South Wales Fire Brigades, and displayed in the building in a prominent position.

1. Details of the Building being Certified

Name of the owner of the building or part of the building

Full

name/company
name

Stocklands

Address of the building

Flat/street
no.

197-215

Street
name

Condamine Street

Suburb or
town

Balgowlah

Postcode

2003

Nearest
cross-
street

Sydney Road

This certificate is for: part of building

Description of the building or part of the building

Balgowlah Fish & Chips Shop 70

2. Type of Certificate

This is the final fire safety certificate

Date of this
certificate

31-5-2010

3. Certification

I, Peter Chron of Balgowlah being the owner of the building described above, or the agent of the owner, certify that:

- each of the essential fire safety measures listed in part 7 has been assessed by a properly qualified person, and was found, when it was assessed by that person, to be capable of performing to at least the standard required by the current fire safety schedule for the building;
- the information contained in this statement is true and accurate to the best of my knowledge and belief.

4. Information Attached to this Certificate

☒ This current fire safety schedule for the building

5. Signature

The owner of the building, or the owner's agent, must complete and sign the certificate.

Signature

P. Chron

Name

Peter Chron

Address

37 Illawarra St
Balgowlah NSW

The capacity in which
you are signing if you are
not the owner of the
building

OWNER / AGENT

6. Privacy policy

You need to provide the information in this certificate to the certifying authority if you are applying for an occupation certificate. You also need to give the information to the council and the Commissioner of New South Wales Fire Brigades if a fire safety order has been made for the building once you have satisfied that order. If you do not supply a fire safety certificate as required, you will be in breach of the Environmental Planning and Assessment Act 1979 and you could be found guilty of an offence and/or required to take further action. Please contact the council if the information you have provided in this certificate is incorrect or changes.

7. Assessment of Fire Safety Measures

Measure	Standard of performance required by the fire safety schedule	Date of assessment
Automatic fire suppression systems (Sprinklers)	BCA2000 Specification E1.5 and AS 2110.1 - 1995	27.05.2010
Emergency lighting	AS 2293	31.05.2010
Emergency warning and intercommunication system	BCA2000 Clause E4.9, AS 1070.4 - 2001	31.05.2010
Exit signs	AS 2293	31.05.2010
Portable fire extinguishers	AS 2444 - 2001	28.05.2010

AUTOMATIC FIRE SUPPRESSION SYSTEMS - INSTALLATION CERTIFICATE

Project Name	Balgowlah Seafood (Fish & Chips Shop)
Address	197-215 Condamine Street Balgowlah NSW 2093
Part of Building to be certified	Shop 70

I hereby certify that:

- a) The works have been inspected during construction and have been completed in accordance with the nominated Standards of Performance.

Measure and/or system	Standards of Performance
Automatic fire suppression systems (Sprinklers)	BCA2009 Specification E1.5 and AS 2118.1 - 1999

- b) I am a properly qualified person and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below)

Relevant qualifications and accreditations: Project Manager

- c) The information contained in this statement is true and accurate to the best of my knowledge.

Name: Anthony Rocca
Company: Wormald
Address: Unit 1 2-8 South St Rydalmere 1701
Phone No. 02 9638 8500 Fax No. 02 9638 8599


Signature

27th May 10'
Date

Transaction Report

Send

Transaction(s) completed

Nr.	TX Dtc/T	Destination	Duration P. #	Result	Mode
472	31-MAY	16:25 00 61 92838500	0'00'06" 001	OK	N ECM

HENDY ELECTRICS

PH 0408299053 FAX 46484444 LIC 56561C
P.O BOX 38 HOXTON PARK 2171 ABN 31806236305

TO WHOM IT MAY CONCERN

**FOR INSTALLATION OF EMERGENCE ,EXIT LIGHTING
AT STOCKLANDS BALGOWLAH FISH SHOP SHOP 70
ALL LIGHTING IN GOOD WORKING ORDER ON COMPLETION
OF JOB AND COMPLYS TO AS 2293**


SIGN COLIN HENDY DIRECTOR,

**EMERGENCY WARNING AND INTERCOMMUNICATION SYSTEM - INSTALLATION
CERTIFICATE - INSTALLATION CERTIFICATE**

Project Name	Balgowlah Seafood (Fish & Chips Shop)
Address	197-215 Condamine Street Balgowlah NSW 2093
Part of Building to be certified	Shop 70

I hereby certify that:

- a) The works have been inspected during construction and have been completed in accordance with the design, specifications and the nominated Standards of Performance.

Measure and/or system	Standards of Performance
Emergency warning and intercommunication system	BCA2009 Clause E4.9 AS 1670.4 - 2004 and AS 1428.1 - 2004

- b) I am a properly qualified person and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below)

Relevant qualifications and accreditations:

FPA Open Registration F017412

- c) The information contained in this statement is true and accurate to the best of my knowledge.

Name of Certifier: JAMIE KELCEHEAR
Company: HEYDAY FIRE TECHNOLOGIES
Address: 9 WATERLOO RD NORTH RYDE NSW 2113
Phone No. (02) 9855 6666 Fax No. (02) 9855 6691

Signature

Date

31/5/10

NOTE - ALSO COMPLETE COMMISSIONING TEST REPORT ON FOLLOWING PAGES

AS1670.4 COMMISSIONING TEST REPORT

AS1670.4:2011

APPENDIX 1

COMMISSIONING TEST REPORT

(Narrative)

THE SOUND SYSTEM AND INTERCOM SYSTEM IS INSTALLED AT

(Premises)

Balgowlah Seafood Shop 70
194-215 Condamine St
Balgowlah NSW
Postcode 2093

Owner or Owner's Authorized Agent

Postcode

~~NEW~~~~MODIFICATION TO SYSTEM~~~~ADDITION TO~~~~(Cross out these not applicable)~~

Date of commissioning tests

14/5/10

Name and address of commissioning company, company stamp or company name in BLOCK LETTERS

HEYDAY FIRE TECHNOLOGIES
9 WATERLOO RD
NORTH RYDE NSW

Postcode

2113

Commissioning person

Name (print)

Signature

James Kelleher

AS 1670.4: 2004

K8

INSTRUCTIONS:

This form is to be used in conjunction with:

- (a) operator's manual;
- (b) installer's statement(s); and
- (c) as-installed drawings.

to provide a complete description of the installed system and its tested performance at the time of its commissioning into service.

SYSTEM INFORMATION**GENERAL**

- (a) All system equipment is located and installed in accordance with the 'as-installed' drawings.
- (b) The evacuation zone facilities have been correctly labelled and that the evacuation zone is immediately apparent from the labelling.
- (c) All loudspeakers are of the type specified.
- (d) The total zone rating does not exceed amplifier capacity.
- (e) The WIP locations have been correctly labelled and the emergency zones are immediately apparent from the labelling.
- (f) All WIPs are of the type specified.

YES

✓

✓

✓

✓

N/A

N/A

WIRING

- (a) The a.c. primary power source for the system has been provided in accordance with the requirements of AS/NZS 3000 and Section 4 of AS 1670.4.
- (b) The system wiring complies with the requirements of Clause 2.3 of AS 1670.4.
- (c) A fault signal is displayed at the intercom panel when the circuit wiring at the last emergency call point on each zone is open/circuited.

N/A - EXISTING SYSTEM

✓

N/A

POWER SUPPLY

- (a) The power supply unit functions in accordance with the requirements of Section 3 of AS 1670.4.
- (b) The installed battery has sufficient capacity to operate the system. Calculations as per Clause 3.3 of AS 1670.4 are attached.
- (c) Record the following:
 - (i) Mains supply voltage
 - (ii) Float charge voltage
 - (iii) Full load current of system
 - (iv) Quiescent current of system
 - (v) Rated output current of battery charger
 - (vi) Battery type and capacity
 - (vii) Battery manufactured date
 - (viii) Recommended battery replacement due date

N/A - EXISTING SYSTEM

40

AS 1670.4-2004

DOCUMENTATION

- (a) The operator's instructions have been provided
- (b) The 'as installed' drawings have been provided and they correctly represent the installation
- (c) The logbook/log has been provided

N/A

N/A

N/A

OPERATIONAL TESTS

- (a) A fault signal is displayed at the sound system panel when the circuit wiring at the last speaker on each zone is open-circuited
- (b) A fault signal is displayed at the sound system panel when the circuit wiring at the last speaker on each zone is short-circuited
- (c) Each speaker operates in accordance with the requirements of Section 4 of AS 1670.4
- (d) Alert, evacuation and voice message signals are distributed throughout the building in accordance with Clause 4.3.4, 4.3.5 and 4.3.6 of AS 1670.4
- (e) Visual warning devices, where used, comply with Clause 4.3.7 of AS 1670.4
- (f) Automatic operation

✓

✓

✓

✓

N/A

- (i) If the system is connected to a fire detection system, a fire alarm for each zone on the FIP correctly initiates the appropriate sound system zone

✓

- (j) Each emergency call point that is connected to the sound system initiates an alert signal indication at the sound system panel and the alert signal is transmitted to designated evacuation zones

N/A

- (k) The alert signal changes to an evacuation signal in the specified time

N/A

EXISTING SYSTEM

- (l) The operation of the automatic evacuation sequence, where provided, operates as specified

N/A

EXISTING SYSTEM

- (g) The environmental conditions in which the equipment is installed permit satisfactory use of the system in accordance with Clause 2.1 of AS 1670.4

✓

- (h) A fault signal is displayed at the intercom panel when the circuit wiring at each WIP is open-circuited

N/A

- (i) A fault signal is displayed at the intercom panel when the circuit wiring at each WIP is short-circuited

N/A

- (j) Each WIP operates

N/A

- (k) The alert call signal at each WIP complies with Clause 5.3.7 of AS 1670.4

N/A

RECORDING RESULTS

The results of operational tests in each emergency zone are attached to this report and recorded in the log

N/A

Certificate of Compliance

(Supporting Documentation for the Annual Fire Safety Statement)

Supply and Installation of Essential Services

Environmental Planning & Assessment Regulation – 2000 No. 203

City/Municipality/Shire of: **MANLY COUNCIL**

Date: **28/05/2010**

Building No. or Name: **Shop 16, Stockland Mall** Street: **Cnr Sydney Road & Condamine Street**

District/Town: **BALGOWLAH NSW**

Postcode: **2093**

Owner's Name: **C/O Fish Café by Balgowlah Seafood**

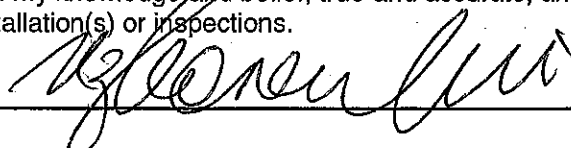
Owner's Address: **As above**

Nature of Essential Service	Date of Installation or Inspection	Name of Competent Technician	Was the Service Found to have been Performed to the Relevant Standard (Yes/No)
Portable Fire Extinguishers in Compliance with AS 2444 - 2001	28/05/2010	Rhys Beebe	Yes
Fire Blankets in Compliance with AS 2444 - 2001	28/05/2010	Rhys Beebe	Yes

A properly qualified person has inspected the building and found, at the time of inspection, that the condition of the building did not disclose any grounds for prosecution under Division 7 of Part 9 of the *Environmental Planning and Assessment Regulations 2000* in relation to fire safety notices, fire exits and paths of travel to fire exits had been committed.

I, Renee Zborowski of Betta Fire Protection Pty. Ltd. certify that the information contained in this certificate is, to the best of my knowledge and belief, true and accurate, and the above person(s) are competent to carry out such installation(s) or inspections.

Signed: _____



Date: **28/05/2010**

Betta Fire Protection Pty Ltd
15/9 Dymrna Street
CROMER NSW 2099
Ph: (02) 9939 7807
Fx: (02) 9905 7208

GLAZING - INSTALLATION CERTIFICATE

Project Name	Balgowlah Seafood (Fish & Chips Shop)
Address	197-215 Condamine Street Balgowlah NSW 2093
Part of Building to be certified	Shop 70

I hereby certify that:

- a) The works have been inspected during construction and have been completed in accordance with the nominated Standards of Performance.

Measure and/or system	Standards of Performance
Glazing	AS1288 (including bi-fold doors, revolving doors, skylights, shopfront doors & one off doors)

- b) I am a properly qualified person and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below)

Relevant qualifications and accreditations: _____

- c) The information contained in this statement is true and accurate to the best of my knowledge.

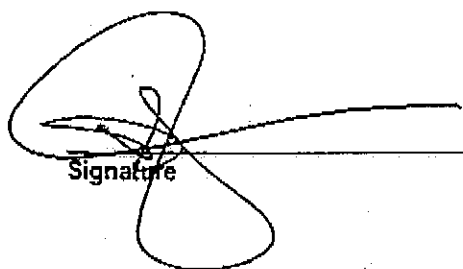
Name: DAVID SPAGNOL

Company: VIRTUAL INTERIORS

Address: UNIT 2/11 SAGGARTFIELD RD MINTO, 2566

Phone No. 9820 7000

Fax No. 9820 7088


Signature

28.5.10
Date

DA # - ANS14

Balgowlah Seafood (Fish & Chips Shop)

Page 22

**CONSTRUCTION AND FITOUT OF FOOD PREMISES - INSTALLATION
CERTIFICATE**

Project Name	Balgowlah Seafood (Fish & Chips Shop)
Address	197-215 Condamine Street Balgowlah NSW 2093
Part of Building to be certified	Shop 70

I hereby certify that:

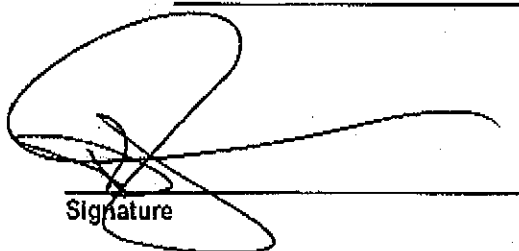
- a) The works have been inspected during construction and have been completed in accordance with the nominated Standards of Performance.

Measure and/or system	Standards of Performance
Construction and Fitout of Food Premises	Food Act 2003, Food Regulation 2004 and AS 4674-2004

- b) I am a properly qualified person and have a good working knowledge of the relevant codes and standards referenced above. (My qualifications and accreditations are listed below)

Relevant qualifications and accreditations:

- c) The information contained in this statement is true and accurate to the best of my knowledge.

Name: DAVID SPAGNOLCompany: VIRTUAL INTERIORSAddress: UNIT 2/11 SPAGGARTFIELD RD, MINTO, 2506Phone No. 9820 7000Fax No. 9820 7088
Signature28.5.10
Date



WATERPROOFING CERTIFICATE

Balgowlah Seafood
Shop 70 , 197-215 Condamine Street
Stocklands
Balgowlah NSW

To Whom It May Concern,

Virtual Interiors (NSW) Pty Ltd warrants and guarantees all
Waterproofing Membrane work completed by the contractor at the above
project.

All waterproofing work completed by the contractor is in accordance with
BSA2009 & AS37402004 and in accordance with manufacturers
specifications.

Kind Regards,

David Spagnol
Director

virtual interiors nsw Pty Ltd
unit 2, 11 saggart field rd st andrews nsw 2566
tel: 02 9820 7000 | fax: 02 9820 7088
web: www.virtualinteriors.net.au

retail | commercial | construction



ENERGY EFFICIENCY
- LIGHTING

BALGOWALH SEAFOODS
Shop 70, 197-215 Condamine Street
Stocklands Balgowlah NSW

The lighting installed at the above address , Has been installed as per the approved drawings,
Drawing number's

C6 , c9 c7 ,c11 ,c10,c17,c16,c8,c4,c3,c14,c1,c5,c0,c12,c13,c2,c13,c15.

David Spagnol
DIRECTOR

INSTALLATION CERTIFICATION

PROJECT: THE VILLAGE, BALGOWLAH

ADDRESS: 197-215 CONDAMINE ST, BALGOWLAH 2093

Pursuant to the provisions of Clause A2.2(a)(iii) of the Building Code of Australia Vol 1.

I Matthew Eaton of Baratech Pty Ltd

9 Sefton Rd Thornleigh NSW 2120

hereby certify:-

That the mechanical services for the shop fit out retail area installed in the building project comply with:-

- a) The relevant clauses of the Building Code of Australia,
AS4254 BCA Spec 1.10
BCA 2006 J3.5 for DA101/06 BCA 2008 J3.5 for DA314/07
BCA 2006 J5.2, J5.3, J5.4, J5.5 & NSW J(A)5.2 for DA101/06
BCA 2008 J5.2, J5.3, J5.4, J5.5, & for DA314/07
BCA J1.2
BCA J1.2©
BCA NSW J(A)5.2 & NSW J8.2
- b) The architectural/services/structural plans and specifications approved by the Accredited Certifier and released for construction.
- c) The relevant Australian Standards listed in the Building Code of Australia (Specification A1.3)
AS4254
AS1668.2 - 2002
AS1668.1 - 1998
- d) The following Australian Standards:
- e) Other practices or standards relied upon for this certification:

Alternative solution report prepared by:
Defire Ref 20050098 Revision 1.8 dated 08.04.2009
- f) Defire alternative solution report version R1.8
- g) Exclusions: YES/NO NO



To Steve Surjan



Full Name of Certifier: MATTHEW EATON

Qualifications and experience: M. AIRAH, M. ASHRAE, M. CIBSE

Address of Certifier: 9 Sefton Rd THORNLEIGH NSW 2120

Phone numbers: Bus 9875 3088 Fax 9875 4300 Mob 0423 025 896

Signature:

Per M. Eaton

Date 4/06/2009

INSTALLATION CERTIFICATION

PROJECT: THE VILLAGE, BALGOWLAH

ADDRESS: 197-215 CONDRAMINE ST, BALGOWLAH 2093

Pursuant to the provisions of Clause A2.2(a)(iii) of the Building Code of Australia Vol 1.

I.....**Mathew Eaton**.....of...**BARATECH PTY LTD**
(Name of Certifier) (Firm)

.....**9 Sefton Road Thornleigh NSW 2120**.....
(Address)

hereby certify:-

That the mechanical services in **Mechanical Ventilation Services Energy Efficiency (whole development)** installed in the building project complies with:-

- a) The relevant clauses of the Building Code of Australia,
- Mechanical Ventilation AS 1668.2-1991 DA Conditions ANS 51 & ANS 53 of DA 101/06;
 - Energy efficiency (whole development) exhaust fans- BCA 2006 J3.5 for DA 101/06;
 - BCA 2006 E2.2
 - ANS 117 DA 101/06 of BCA Section J; Section 96 dated 08.07.08
 - Energy efficiency (whole development) Exhaust fans BCA 2006 J3.5;BCA J5.2,J5.3, J5.4 J5.5 & NSW J (A) 5.2 for DA 101/06 and BCA 2008 for DA 314/07;
 - Energy efficiency (whole development) – BCA 2006 J5.2; J5.3; J5.4; J5.5 & NSW J(A) 5.2 for DA 101/06 & BCA 2008 for DA 314/07;
 - Rigid and flexible air handling ductwork: Early Fire hazard Test certificates – AS 4254;
 - BCA J1.2 & J1.2(c) AS/NSZS 4859.1
 - BCA NSW J(A) 5.2 and NSW J8.2 Energy efficiency and access maintenance of services (whole development).
- b) The architectural/services/structural plans and specifications approved by the Accredited Certifier and released for construction.
- c) The relevant Australian Standards listed in the Building Code of Australia (Specification A1.3)
- AS 4254 / AS1668.2-2002 / AS 1668.1 - 1998**
- d) The following Australian Standards:
- e) Other practices or standards relied upon for this certification:.....
- Alternative Solution Report prepared by Defire Ref 20050098 Revision R1.9 dated 30.04.09**
- f) Exclusions: NO.....

Full Name of Certifier:**MATHEW EATON**.....

Qualifications and experience:.....**M.AIRAH, M.ASHRAE, M. CIBSE**.....

Address of Certifier:**9 Sefton Road Thornleigh**.....

Phone numbers: **Bus 9875 3088**.....**Fax...9875 4300**.....**Mob 0423 025 896**

Signature:  Date.....**10-10-09**.....

Statutory Fire Safety Measures			CERTIFICATION BY	
ITEM	MEASURE	STANDARD OF PERFORMANCE	DESIGN	INSTALL
1	Automatic fire suppression systems (<i>Sprinklers</i>)	BCA2009 Specification E1.5 and AS 2118.1 – 1999	-	Wet fire contractor ✓
2	Emergency lighting	BCA2009 Clause E4.2, E4.4 and AS 2293.1 – 2005	-	Electrical contractor ✓
3	Emergency warning and intercommunication system	BCA2009 Clause E4.9, AS 1670.4 – 2004 and AS 4428.4 – 2004	-	Electrical contractor ✓
4	Exit signs	BCA2009 Clause E4.5, NSW E4.6, E4.8 and AS 2293.1 – 2005	-	Electrical contractor ✓
7	Portable fire extinguishers	BCA2009 Clause E1.6 and AS 2444 – 2001	-	Installer ✓

Other Measures			CERTIFICATION BY	
ITEM	MEASURE	STANDARD OF PERFORMANCE	DESIGN	INSTALL
1	Commercial kitchen exhaust	BCA2009 Clause F4.15, AS/NZS 1668.1 - 1998 and AS 1668.2 - 1991	-	Mechanical contractor ✓
2	Construction and Fitout of Food Premises	Food Act 2003, Food Regulation 2004 and AS 4674-2004	-	Builder or specialist sub-contractor ✓
3	Energy Efficiency (Air-Conditioning And Ventilation Systems)	BCA2009 Part J5, Specification J5.2 and Specification J5.4 Time switch in accordance with Specification J6	-	Mechanical engineer ✓
4	Energy Efficiency (Artificial Lighting and Power)	BCA2009 Part J6 and Specification J6	-	Electrical engineer ✓
6	Glazing	AS1288 (including bi-fold doors, revolving doors, skylights, shopfront doors & one off doors)	-	Builder ✓
7	Ventilation (general)	BCA2009 Clause NSW F4.5(b) and AS 1668.2 – 1991	-	Mechanical contractor ✓
8	Waterproofing of wet areas	BCA2009 Clause F1.7 and AS 3740 – 2004 and installed in accordance with the manufacturer's recommendations	-	Builder ✓

THUNDERBOX

PLUMBING SERVICES

Lic no. 180243c

Christopher Avalos
30 Thompson Place
Camden South N.S.W
0408428865

Thursday 20th May 2010

Certificate Of compliance

To whom it may concern,

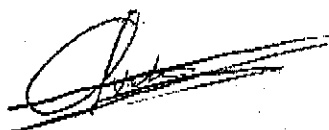
Thunderbox plumbing services hereby confirms that we have carried out works within the premises at:

Balgowlah Fish Cafe
Shop 70 197-215 Condamine St Balgowlah

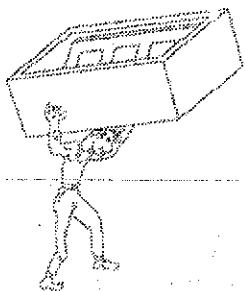
Thunderbox plumbing services confirms that the plumbing works carried out, complies with the current plumbing codes AS 3500 and AG5601 gas installation codes.

Kind Regards

Christopher Avalos
License no 180243c



Any further inquires please do not hesitate to call on the above number



SPEEDY VENTILATION PTY LTD

ABN: 69 114 807 466

*SPEEDY For * Service
* Manufacture
* Installations*

Reference No: **3844-10**

CERTIFICATE OF COMPLIANCE

I hereby certify that the Kitchen Range Hoods & connection ductwork to the already existing main kitchen exhaust system, inc. Fan unit & sound attenuation (silencer) (installed by others) within Shop Tenancy, @ Fish Cafe by Balgowlah Seafood, Shop 70/ 215 Condamine St (Cnr of Sydney Rd) Balgowlah was designed, manufactured, installed & tested to satisfy Australian standards 1668 Part 1/1998 Part 2/1991, BCA & Section "J".

Main Canopy Minimum Exhaust Flow Requirement = 1872 l/s.

Dishwasher Canopy Minimum Exhaust Flow Requirement = 243 l/s.

Recommended/Tested Airflow Requirement for Main Canopy = 2340 l/s.

Recommended/Tested Airflow Requirement for Dishwasher Canopy = 400 l/s.

Total Airflow Requirement = 2740 l/s.

Installed Exhaust Fan Maximum Airflow = 3000l/s. (With Variable Speed Drive)

Dated this day 31st May 2010.

— Tracey Fellows

Mechanical Engineer for
Speedy Ventilation Pty Ltd.

13 Moorlands Road, Ingleburn NSW 2565
Phone (02) 9829 8680 Fax:(02) 9829 8681



ASSOCIATION OF CONSULTING
ENGINEERS AUSTRALIA
MEMBER



KNEEBONE & BERETTA CONSULTING PTY LTD
CONSULTING STRUCTURAL & CIVIL ENGINEERS
ABN 43 734 248 284 ACN 137 900 764

15-19 MARION STREET,
PARRAMATTA NSW 2150
SYDNEY - AUSTRALIA
PHONE: + 61 2 9635-8299

INTERNET: www.kneeboneandberetta.com

FAX: + 61 2 9691-2337

E-MAIL: info@kneeboneandberetta.com

REF: 75602-C2

26 May, 2010

Proposed Shop Fitout at Shop 70
197-215 Condamine Street, Balgowlah
for FishCafe

This is to certify that an inspection was made by our Cameron Amri BE of the framing and steel beams for the above shop on 24 May 2010.

The framing and steel beams were found to be in accordance with our structural drawing 75602-1 and our site instructions ready for the placement of sheeting.

We are satisfied that the framing and steel beams shown on our plan will be structurally adequate for the application.

for **ENRICO L. BERETTA**
KNEEBONE & BERETTA
CONSULTING Pty Ltd

DIRECTORS:

ENRICO L. BERETTA BE(ETH) FIEAust CPEng(Reg)

BRUCE N. JAMIESON BE MIEAust CPEng(Reg)

ANGELO J. VARDOUNIOTIS BE MIEAust CPEng(Reg)

CERTIFICATE OF COMPLIANCE – ELECTRICAL WORK

Customer COPY

CERTIFICATE NO: 1130653

CUSTOMER DETAILS

Name	Fish Cafe		Telephone Contact	0299497607
Site Address	Shop 70 - Stocklands Balgawiah		Meter No:	QMX 006828
	171 Condamine St, Balgawiah.		NMI (if applicable)	
Cross Street	Sydney Road.	Postcode	2093	

INSTALLATION WORK DETAILS Indicate the type of installation and types of work performed under this Notice

Type of Installation	<input type="checkbox"/> Residential	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Rural	<input type="checkbox"/> Other
Special Conditions	<input type="checkbox"/> over 100 amps	<input type="checkbox"/> High Voltage	<input type="checkbox"/> Hazardous Area	<input type="checkbox"/> Generator	<input type="checkbox"/> Unmetered Supply

CERTIFICATE MUST BE ISSUED TO THE CUSTOMER FOR ALL ELECTRICAL WORK

Work of the following type must ALSO be notified to the ELECTRICITY DISTRIBUTOR (DNSP)

<input checked="" type="checkbox"/> New Installation	<input type="checkbox"/> Network connection or metering
<input type="checkbox"/> Additions or alterations to a switchboard or associated equipment	<input type="checkbox"/> Defect Rectification No:

DETAILS OF EQUIPMENT Describe the equipment and estimate load increase of the work affected by this Notice. If insufficient space attach separate sheets.

EQUIPMENT	RATING	No.	PARTICULARS OF WORK
<input checked="" type="checkbox"/> Switchboards	250Amp	1	Limited to 100amp via Submain protection.
<input checked="" type="checkbox"/> Circuits		29	21 x RCO protected ccts + 7 x 3 ϕ supplies.
<input checked="" type="checkbox"/> Lighting	< 7amp / phase		Calculated and measured on site.
<input checked="" type="checkbox"/> Socket-outlets	< 36amp / phase	29	24 x 10A + 1 x 20A + 2 x 15A.
<input checked="" type="checkbox"/> Appliances	< 25amp / phase	7	3 ϕ oven + 3 ϕ Crock + 3 ϕ Glass washer + 3 ϕ Range + 3 ϕ compressor + A/C
Estimated increase in load A/ph		68amps	<input checked="" type="checkbox"/> Increased load is within capacity of installation/service mains
<input checked="" type="checkbox"/> Work is connected to supply			<input type="checkbox"/> Work is not connected to supply pending inspection by DNSP

The work has been carried out or supervised by:

Ben Sharp

Licence No:

185645C

TEST REPORT

Indicate the relevant tests and checks that have been performed on the work. If test records are provided attach as separate sheets.

<input checked="" type="checkbox"/> Earthing system integrity Ω	<input checked="" type="checkbox"/> Residual current device operation
<input checked="" type="checkbox"/> Insulation resistance $M\Omega$	<input checked="" type="checkbox"/> Visual check that installation is suitable for connection to supply
<input checked="" type="checkbox"/> Polarity	<input type="checkbox"/> Stand-alone power system complies with AS 4509
<input checked="" type="checkbox"/> Correct circuit connections	<input type="checkbox"/> Fault loop impedance (if necessary)

I confirm that I have carried out the above tests and visually checked that the installation work described in this Certificate complies with AS/NZS 3000 and is suitable for its intended use.

Name:

Ben Sharp

Licence No:

185645C

Signature:

B. Sharp

Date of Testing:

24.5.2010

CERTIFICATION

I, the Electrical Contractor give notice to the Customer and Energy Australia.
(Name of DNSP or OFT), that the work described in this Certificate has been completed in accordance with the Electricity (Consumer Safety) Regulation 2006

Name:

Ben Sharp

Licence No:

185645C

Signature:

B. Sharp

Date of Notice:

24.5.2010

Address:

10/505 Campbelltown Rd, Denham Court

Telephone No.

0408 257 881

ELECTRICITY DISTRIBUTOR (DNSP) REMARKS

2565


Inspected by:

Date

Comments:

neca

Project DA Checklist

 STEVE WATSON & PARTNERS		PROJECT: Balgowlah Seafood (Fish & Chip Shop) This checklist identifies the requirements necessary to permit Construction and Occupation Certificates (CC's and OC's) to be issued by SWP under Part 4a of the EP&A Act. The checklist must be read in conjunction with the Development Consent and any S96 modifications The applicant must manage compliance with the Consent and provide the nominated deliverables at each stage		SWP JOB NUMBER: 2009/543 DA # 283/09 S96 #1 dated S96 #2 dated S96 #3 dated S96 #4 dated
DEVELOPMENT CONSENT CHECKLIST REQUIREMENTS FOR CERTIFICATION		Note that the conditions cannot be set aside except by a formal S96 application to Council.		

DA #	Issue	Deliverables prior to CC	Deliverables prior to commencement of works	Deliverables during construction	Deliverables prior OC	Independent approval required if so who?
DA1	Approved Development	Council stamped plans and Statement of Environmental Effects to be submitted to SWP				
ANS01	Plastic Bags					
ANS02	Food and beverage packaging					
ANS03	Truck Movements					
ANS04	Loading and unloading					
ANS05	Outdoor seating markers	Council approved plan showing metal markers for seating areas to be submitted to SWP				
ANS06	Hours of operation					
ANS07	No outside music					
ANS08	Number of customers					
ANS09	Plan of Management				Plan of Management to be submitted to SWP	
ANS10	Placement of waste					
ANS11	Adequate toilet facilities					
ANS12	Toilet facilities to be provided				Adequate toilet facilities to be provided within the plaza area	

SWP USE ONLY

Keep notes for items in progress
 Identify what was received from whom in each box to close out requirement at each stage
 Put a flag in the MIR columns if an inspection is needed
 Otherwise columns can stay blank until items are received.

Notes	Status early works CC	Status CC	Status NOC	Check MIR Commence?	Status during	Status OC	Check MIR OC?
		received					
Note							
Note							
Note							
		Spoke to Glen Hugo - He has confirm council is satisfied with the metal makers - refer to Email dated 4.02.10.					
Note							
Note							
						Refer to Email dated 28.05.10 from Glen Hugo (Manly Council) approval	
Note							
Note							
						Completed	Inspected

Project DA Checklist

DA #	Issue	Deliverables prior to CC	Deliverables prior to commencement of works	Deliverables during construction	Deliverables prior OC	Independent approval required if so who?
ANS13	Construction and fitout of food premises	Design certificate for AS4674 - 2004, Food Regulations 2004, Food Act 2003 to be submitted to SWP			Installation certificate for AS4674 - 2004, Food Regulations 2004, Food Act 2003 to be submitted to SWP	
ANS14	Notification of NSW Food Authority				Evidence of Registration of premises with NSW Food Authority to be submitted to SWP	
ANS15	Hand wash basins to be provided	Details of hand wash basins provided to food preparation area and associated signage to be noted on plans and submitted to SWP			SWP to inspect	
ANS16	Signage to Hand wash basins				Signage stating 'Hands only' to be erected above the hand wash basins. - SWP to inspect	
ANS17	Food contact surfaces to be sanitised					
ANS18	Mechanical Ventilation	Design certificate for Mechanical Ventilation to be submitted to SWP			Installation certificate for Mechanical Ventilation to be submitted to SWP	
ANS19	Offensive Noise					
ANS20	Pollution of water					
ANS21	Air pollution					
DA291	Hours of Operation					
DA016	Section 97	Evidence of payment of Trust Fund Deposit (\$5000) to be forwarded to SWP				
DA018	Details of Principal Contractor	Details of the builders name and licence number to be submitted to SWP				
DA021	Toilet facilities to be provided					
DA023	Occupation Certificate to be submitted					
DA024	Site Sign		Site sign to be erected on site			

Notes	Status early works CC	Status CC	Status NOC	Check MIR Commence?	Status during	Status OC	Check MIR OC?
		Design Certificate issued by Virtual Interiors (Stephen Spagnol) dated 15.02.2010				Construction and Fitout of Food premises - Installation Certificate issued by David Spagnol of Virtual Interiors dated 28.05.10	
						NSW food Authority Notification Confirmation 55759 dated 31.05.10	
Minimum 2 hand wash basins to be exclusively provided to food preparation area		3 Handwash basin noted on drawings				Inspected	
						Signage erected - Photo supplied	
Note		Design Certificate issued by Virtual Interiors (Stephen Spagnol) dated 15.02.2010				Installation Certificate dated 04.06.09 prepared by Baratech Airconditioning	
Note							
Note							
Note							
		Manly Council receipt 00669300:0001 dated 10.02.2010					
Deposit payable in the amount of \$5,000.00		Submitted - Refer to NOC					
Note							
Note							
				Complete			

Project DA Checklist

DA #	Issue	Deliverables prior to CC	Deliverables prior to commencement of works	Deliverables during construction	Deliverables prior OC	Independent approval required or who?
DA058	Security fence		Security fence / hoarding to be erected on site			
DA357	Architectural Drawings	CC plans to be submitted to SWP				
DA119	Fire Safety Schedule	A copy of the buildings Annual Fire Safety Statement and associated Alternative Engineering Solutions to be submitted to SWP				
DA120	Building Classification					
DA121	Works to be carried out in accordance with BCA					
DA230	Storage of building materials and waste					
DA251	Waste Management Plan	Details of waste management facilities along with a statement verifying compliance with Councils DCP for Waste Minimisation and Management are to be submitted to SWP				
DA264	Materials contained on site					
DA269	Construction Certificate to be submitted					
DA270	Council's Inspections					
DA271	Occupation Certificate to be submitted					
DA281	Recycled Materials					
DA337	Location of building works					
DA289	Hours of Work					
DA323	Expiry of Development Approval					

Satisfaction of DA Conditions

Checked by [Signature] sign and dated _____

Verified by AL sign and dated

Prior to CC

~~Prior to~~ OC

Notes	Status early works CC	Status CC	Status NOC	Check MIR Commence?	Status during	Status OC	Check MIR OC?
				Complete			
		Submitted					
		Completed					
Note							
Note							
Note							
		Letter from Peter Chronis (Fishcafe)					
Note							
Note							
Note							
Note							
Note							
Note							
Note							

Notification Confirmation

Your Notification for this Food Business has been recorded by NAFSIS.

Please PRINT or keep your own record of the following details:



Business Notification Reference Number : 55759
Date of Notification : 31 May 2010
Proprietor / Company Name : Peter Chronis
Trading Name : Fishcafe by Balgowlah Seafood
Office Address : SShop 70, 215 Condamine street

To keep a record of this notification, either press Print or highlight the text area with your mouse, press Ctrl-C, then paste the details into another application such as Microsoft Word or Excel.

Please note your Online access code (for viewing / changing details online): **bqw165**

The above access code is confidential and is to be used in conjunction with your Notification Reference number to view / change your notification details online. We recommend you change this access code from time to time to maintain privacy and security.

[Enter additional premises](#)[Enter additional food types](#)[Change premise details](#)[Exit to home page](#)[View / Edit notification details](#)[New business notification](#)

Peter Tran

DA# ANS09

From: Mark Farrugia [mark.farrugia@stockland.com.au]
Sent: Friday, 28 May 2010 12:18 PM
To: Peter Tran
Subject: FW: Emailing: Scan05282010_112959, Scan05282010_113117, Scan05282010_112544, Scan05282010_112843
Attachments: Scan05282010_112959.jpg; Scan05282010_113117.jpg; Scan05282010_112544.jpg; Scan05282010_112843.jpg

From: balgowlahseafood [balgowlahseafood@bigpond.com]
Sent: Friday, 28 May 2010 11:57 AM
To: Lee Brosgarth-Fewer; Felicity Armstrong; Mark Farrugia
Subject: FW: Emailing: Scan05282010_112959, Scan05282010_113117, Scan05282010_112544, Scan05282010_112843

-----Original Message-----

From: Glen Hugo [mailto:Glen.Hugo@manly.nsw.gov.au]
Sent: Friday, 28 May 2010 11:50 AM
To: balgowlahseafood
Subject: FW: Emailing: Scan05282010_112959, Scan05282010_113117, Scan05282010_112544, Scan05282010_112843

Thanks Peter,

As discussed, Council is satisfied that this POM is consistent with Condition ANS09 for DA 283/09.

Glen Hugo
Town Planner
Development Assessment - Land Use & Sustainability Manly Council

1 Belgrave Street Manly NSW 2095 | PO Box 82 Manly NSW 1655 | Direct 9976
1579 | Switch 9976 1500 | Fax 9976 1400 | Glen.Hugo@manly.nsw.gov.au | www.manly.nsw.gov.au

Please consider the environment before printing

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed.
Re-transmitting or re-publishing the content of this email in any media format without the express permission of the Author is strictly prohibited.

If you have received this email in error please notify Manly Council immediately. Information transmitted via email may be subject to corruption by the process. Information contained in this email should not be relied upon where loss, damage or injury is possible. Verified information should be obtained in writing directly from the authorised Council officers.

-----Original Message-----

From: balgowlahseafood [mailto:balgowlahseafood@bigpond.com]
Sent: Friday, May 28, 2010 11:37 AM
To: Glen Hugo

Subject: Emailing: Scan05282010_112959, Scan05282010_113117, Scan05282010_112544,
Scan05282010_112843

THANKYOU GLEN.

WE HOPE TO SEE YOU AND ALL THE STAFF AT OUR NEW SHOP. LET US KNOW WHEN YOU POP IN.

CHEERS

Peter Chronis

Your message is ready to be sent with the following file or link
attachments:

Scan05282010_112959
Scan05282010_113117
Scan05282010_112544
Scan05282010_112843

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed.
Re-transmitting or re-publishing the content of this email in any media format without the express permission of the Author is strictly prohibited.

If you have received this email in error please notify Manly Council immediately. Information transmitted via email may be subject to corruption by the process. Information contained in this email should not be relied upon where loss, damage or injury is possible. Verified information should be obtained in writing directly from the authorised Council officers.

Stockland Notice: If this communication has been sent to you by mistake, please delete and notify us. If it has been sent to you by mistake, legal privilege is not waived or lost and you are not entitled to use it in any way. Stockland and its subsidiaries reserve the right to monitor e-mail communication through its networks.

May 2010

**Fish Café by Balgowlah Seafood PLAN OF MANAGEMENT
TENANCY 70-STOCKLAND BALGOWLAH PLAZA
179 -215 CONDOMINE STREET, BALGOWLAH
DATED May 2010**

Purpose

1. Fish Café by Balgowlah Seafood has entered into this Plan of Management with Council to satisfy the requirements shop 70 DA 283/2009.
2. Fish Café by Balgowlah Seafood will adhere to this Plan of Management whilst it occupies Tenancy 70 in the Stockland Balgowlah Plaza and will cease to have effect when Fish Café by Balgowlah Seafood vacates Tenancy 70 in the Stockland Balgowlah Plaza.
3. This Plan of Management sets out Fish Café by Balgowlah Seafood management responsibilities for the management of the Fish Café by Balgowlah Seafood and includes Fish Café by Balgowlah Seafood's:
 - (1) Mitigation measures to minimise amenity impacts on the residents.
 - (2) Removal of its tables and chairs from the Plaza licensed areas for Tenancy 70 for Special Events
 - (3) Management of odours
 - (4) Service of alcohol
 - (5) Waste Management
 - (6) Fish Café by Balgowlah Seafood table and chair control in external licensed seating areas

Definitions

4. For the purpose of this Plan of Management the following definitions apply:
 - (1) Council means Manly Council.
 - (2) DA means Consent to DA 283/2009 for Fish Café by Balgowlah Seafood
 - (3) Fish Café by Balgowlah Seafood means the Fish Café by Balgowlah Seafood occupying Tenancy 70 in the Stockland Balgowlah Plaza.
 - (4) Stockland Balgowlah means the shopping centre and Retail Plaza situated at 179 to 215 Condomine Street Balgowlah.

Mitigation measures to minimise Fish Café by Balgowlah Seafood amenity impacts on residents

5. The Fish Café by Balgowlah Seafood will only operate during the approved operating hours as set out in the development consent (and any modifications to the development consent) for the Fish Café by

Balgowlah Seafood. Currently the outdoor dining areas are to cease operation at 10.00pm Thursday to Saturday and 9.00pm Sunday to Wednesday.

6.

To comply with DA condition AN307, Fish Café by Balgowlah Seafood will not use external loud speakers at the Fish Café by Balgowlah Seafood and will not allow live bands or live music at the Fish Café by Balgowlah Seafood.

7. Fish Café by Balgowlah Seafood will ensure that it complies with its development consent requirements relating to the maximum number of internal customers and external customers that can be in the Fish Café by Balgowlah Seafood at any one time.

8. Fish Café by Balgowlah Seafood will manage the day to day operations of the Fish Café by Balgowlah Seafood in a manner that is respectful of the amenity needs of nearby residents.

A. A complaints sign/contact will be installed on or near the entrance to the tenancy in order to simplify the complaints process and minimise stress to nearby residents. The sign will be clearly visible from the exterior and will direct contact (phone number) to the restaurant manager, and will be kept up to date at all times.

B. Fish Café by Balgowlah Seafood will request that its customers do not shout or yell as they leave the Restaurant, and further, will provide signage at the exit reminding customers to leave the restaurant with respect to the nearby residential areas.

Removal of tables and chairs from the external licensed area of the Plaza for Special Events

9. Fish Café by Balgowlah Seafood will, when notified of Special Events on the Plaza, remove all Fish Café by Balgowlah Seafood seating from its licensed seating area prior to Special Events, including all loose furniture and communal tables.

10. Fish Café by Balgowlah Seafood will manage and will be responsible for all Fish Café by Balgowlah Seafood furniture in the Plaza licensed seating areas for Tenancy 70.

A. Each night, at the earliest convenience upon closing for business, Fish Café by Balgowlah Seafood will remove all loose furniture from the Plaza licensed seating areas for Tenancy 70. Loose furniture includes all chairs, and small tables. It will do so with a minimum amount of noise and as close to the end of operating hours as possible.

Management of odours

11. Fish Café by Balgowlah Seafood will ensure rubbish from the Fish Café by Balgowlah Seafood is removed from the Tenancy on a daily basis, and in addition, on an as-needs basis.

12.

Fish Café by Balgowlah Seafood will ensure that spills from the disposal of Fish Café by Balgowlah Seafood rubbish are topped up promptly.

13.

Fish Café by Balgowlah Seafood will regularly clean the outdoor seating areas for the Fish Café by Balgowlah Seafood to ensure that food residue and odours from the Fish Café by Balgowlah Seafood do not become a nuisance.

Fish Café by Balgowlah Seafood Service of Alcohol

14.

Fish Café by Balgowlah Seafood will only serve alcohol with the relevant licenses and will adhere to all NSW Laws regarding responsible service of alcohol.

Fish Café by Balgowlah Seafood Waste Management

15.

Fish Café by Balgowlah Seafood will utilise the waste disposal zones provided by Stockland Balgowlah for its retail tenants.

16.

Fish Café by Balgowlah Seafood will ensure that its employees not use the bin receptacles provided for customers of the Shopping Centre to dispose of Fish Café by Balgowlah Seafood rubbish.

17.

Fish Café by Balgowlah Seafood will ensure that rubbish is removed from the Fish Café by Balgowlah Seafood on a daily basis, and in addition, on an as-needs basis.

Table and chair control in external licensed seating areas

18.

Fish Café by Balgowlah Seafood will ensure that its outdoor furniture in the Plaza remains within the licensed areas for Tenancy 70 (as shown by installed markers) at all times.

Amendments to this Plan of Management, Review, & Continuation upon Transfer of Ownership

19.

A. This Plan of Management can only be amended by agreement in writing of both Amendments to this Plan of Management and Council.

B. Review of this Plan of Management shall occur every 24 months in consultation with Council

C. in the event of Transfer of Ownership of the Amendments to this Plan of Management tenancy or business, the Buyer will be made aware of this agreement prior to taking ownership and shall be bound by the points within. Any changes to the agreement shall be negotiated with council only at the next appropriate review time.

Non-Compliance

20. Fish Café by Balgowlah Seafood acknowledges that noncompliance with this agreement will be considered noncompliance with the conditions of the Development Consent

Fish Café by Balgowlah Seafood Contact Details and address for Council notifications

21. Any information request, correspondence or notification from Council to Fish Café by Balgowlah Seafood in respect of the Fish Café by Balgowlah Seafood and Tenancy 70 should be directed to:

Fish Café by Balgowlah Seafood

Phone: 99077331

Email: *Balgowlah.seafood@bigpond.com.au*

Postal address: *Shop 70/215 CONDOMINE ST BALGOWLAH 2093*

Fish Café by Balgowlah Seafood
Tenancy 70
Stockland Balgowlah Shopping Plaza
197-215 Condamine Street
Balgowlah, NSW 2085

Signed by an authorised officer of Fish Café by Balgowlah Seafood

Signature:

Peter Chen

Date: *28-5-2019*

Name: *PETER CHEN*

Position:

OWNER