

18 October 2018

Hemmes Trading Pty Ltd
GPO Box 4719
Sydney NSW 2001

Dear Sir/Madam

Application Number: Mod2018/0350
Address: Lot 1 DP 72587 , 1 Kalinya Street, NEWPORT NSW 2106
Proposed Development: Modification of consent N0037/16 granted for the construction of a new pavilion structure within the existing garden terrace. Modification includes alterations to the approved pavilion structure and the addition of an internal bar.

Please find attached the Notice of Determination for the above mentioned Application.

Please be advised that a copy of the Assessment Report associated with the application is available on Council's website at www.northernbeaches.nsw.gov.au

Please read your Notice of Determination carefully and the assessment report in the first instance.

If you have any further questions regarding this matter please contact the undersigned on 1300 434 434 or via email quoting the application number, address and description of works to council@northernbeaches.nsw.gov.au

Regards,



Nick Armstrong
Planner

NOTICE OF DETERMINATION

Application Number:	Mod2018/0350
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Hemmes Trading Pty Ltd
Land to be developed (Address):	Lot 1 DP 72587 , 1 Kalinya Street NEWPORT NSW 2106
Proposed Development:	Modification of consent N0037/16 granted for the construction of a new pavilion structure within the existing garden terrace. Modification includes alterations to the approved pavilion structure and the addition of an internal bar.

DETERMINATION - APPROVED

Made on (Date)	18/10/2018
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Add Condition - 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
S4.55-D01 - Site Plan, Issue B	01/06/2018	Akin Creative
S4.55-M01 - Proposed Structure, Issue C	01/06/2018	Akin Creative

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

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

B. Delete Condition B2 to read as follows:

Deleted.

Reason: Condition no longer required as structure is intended to be enclosed.

C. Add Condition C7 to read as follows:

Prior to any Construction Certificate (CC) being issued, detailed plans that demonstrate compliance with Standard 3.2.3 of the Australian and New Zealand Food Standards Code, the Food Act 2003 and Australian Standard AS 4674 'Design, construction and fit out of food premises', must be submitted to and approved by the Certifying Authority. These plans are to be prepared by a suitably qualified person.

The plans must detail adequate provision for storage including separate storage of food, equipment, chemicals and personal belongings.

Reason: To ensure that the Food premise complies with the design construction and fit-out requirements.

D. Add Condition E5 to read as follows:

Prior to the issuing of any interim / final occupation certificate, certification is to be provided from a person who is eligible as a 'Member' of Environmental Health Australia (EHA) that the design, construction and fit out of food premises is compliant with the requirements of AS 4674 Design, construction and fit out of food premises.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To ensure that the kitchen complies with the design requirements. (DACHPFPOC3)

E. Add Condition E6 to read as follows:

The food business must be registered with the Appropriate Regulatory Authority, prior to Occupation Certificate being issued.

Reason: Food premises are required to be registered with the Appropriate Regulatory Authority.

Important Information

This letter should therefore be read in conjunction with N0037/16.

Please note that on site works cannot proceed unless a Construction Certificate application for the modified proposal has been lodged with and approved by Council or an accredited certifier, and relevant conditions of the Development Application have been carried out.

Section 97AA of the Environmental Planning and Assessment Act confers on an applicant who is not satisfied with the determination of the Consent Authority a right of appeal to the Land and Environment Court within 6 months of determination.

Right to Review by the Council

You may request the Council to review the determination of the application under Section 96AB of the Environmental Planning and Assessment Act 1979. Any request to review the application must be lodged and determined within 28 days after the date of the determination shown on this notice.

NOTE: A fee will apply for any request to review the determination.



northern
beaches
council

Signed On behalf of the Consent Authority

A handwritten signature in black ink, appearing to read 'Nick Armstrong', positioned above a horizontal line.

Name Nick Armstrong, Planner

Date 18/10/2018