

PAR: 171080.  
NAR: 1126503.



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CD 64/11.

Address: Suite 1a / 226 Condamine Street PO Box 907  
Balgowlah  
Manly Vale NSW 2093  
Tel: 02 9907 6300  
Fax: 02 9907 6344  
Email: grant@pcaservices.com.au  
Web: www.pcaservices.com.au

28 September 2011

Our ref.: 110257

The General Manager  
Manly Council  
PO Box 82,  
Manly NSW 1655



Dear Sir/Madam,

**Re: 37 Roseberry Street Balgowlah  
Complying Development Certificate No. 110257**

**Decision Made Under: State Environmental Planning Policy Exempt and Complying Development  
code 2008**

Private Certifiers Australia has issued a Complying Development Certificate under Part 4A of the Environmental Planning and Assessment Act 1979 for the above premises.

Please find enclosed the following documentation:

- Complying Development Certificate No. 110257
- Copy of application for Complying Development Certificate.
- Documentation used to determine the application for the Complying Development Certificate as detailed in Schedule 1 of the Certificate.
- Cheque for Council's registration fee.

Our client has been advised of the necessity to submit to Council the Notice of Commencement of building works 48 hours prior to the commencement of works.

Should you need to discuss any issues, please do not hesitate to contact the Accredited Building Surveyor Grant Harrington.

Yours faithfully,

Grant Harrington  
Accredited Building Surveyor  
Private Certifiers Australia

\$36.00  
R/P 814848  
10/6/11



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## COMPLYING DEVELOPMENT CERTIFICATE 110257 (COMMERCIAL)

Issued under Part 4A of the Environmental Planning and Assessment Act 1979 Sections 109C and 81A(5)

### APPLICANT DETAILS

Applicant: Mike Wakley  
Address: 37 Roseberry Street Balgowlah NSW 2093  
Contact Details: Phone: Fax:

### OWNER DETAILS

Name of person having benefit of the development consent: M Wakley  
Address: 37 Roseberry Street Balgowlah NSW 2093  
Contact Details: Phone: 89769933 Fax:

### COMPLYING DEVELOPMENT CONSENTS

Consent Authority/Local Government Area: Manly Council  
Decision Made Under: State Environmental Planning Policy Exempt and Complying Development code 2008  
CDC Number: 110257 Date issued: 28/09/2011  
Lapse date: 86a of the EPA Act 1979 stipulates that this certificate will lapse within 5 years if not physically commenced on the stated land to which this certificate applies. 81a of the Act is applicable.

### PROPOSAL

Address of Development: 37 Roseberry Street Balgowlah NSW 2093  
lot 1, DP 632 506  
Building Classification: 6  
Type of Construction: C  
Scope of building works covered by this Notice: Retro fit of commercial area to enable commercail kitchen  
Value of Construction Certificate (Incl GST): 73,115.00  
Plans and Specifications approved: Schedule 1  
Fire Safety Schedule: Schedule 2  
Conditions: See Conditions attached to this certificate  
Exclusions:  
Critical stage inspections: See attached Notice  
Conditions (CIs 187 or 188 of EPA Regs 2000):

### CERTIFYING AUTHORITY

Certifying Authority: Grant Harrington  
Accreditation Body: Building Professionals Board  
Registration No. BPB0170

I, Grant Harrington as the certifying authority, certify that the work if completed in accordance with the plans and specifications identified in Schedule 1 (with such modifications verified by the certifying authority as may be shown on that documentation) will comply with the requirements of the Environmental Planning & Assessment Regulation 2000 as referred to in section 84A of the Environmental Planning and Assessment Act 1979.

Dated: 28/09/2011

Grant Harrington  
Accredited Building Surveyor

NB: Prior to the commencement of work S81A (2) (b) and (c) of the Environment Planning and Assessment Act 1979 must be satisfied.



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Web: [www.pcaservices.com.au](http://www.pcaservices.com.au)

## SCHEDULE 1: APPROVED PLANS AND SPECIFICATIONS

### 1. Endorsed Architectural plans

PREPARED BY	DOCUMENT	DRAWING NO	REVDATE
GI Design	cover page	bel - 01	
GI Design	Floor plan	bel - 02	
GI Design	Hydraulic layout	bel - 03	
GI Design	Reflected ceiling	bel - 04	
GI Design	Electrical plan	bel - 05	
GI Design	Elevations	bel - 06	
GI Design	Elevations	bel - 07	
GI Design	Elevations	bel - 08	
GI Design	Details	bel - 09	

### 2. Endorsed Other documents

PREPARED BY	DOCUMENT	DRAWING NO	REVDATE
Mike Wakley	CDC Application		
Belaroma	LSL payment		
Belaroma	food - design cert		
Manly Council	149 cert		
Zone 4 industrial			
PCA	121 b		
General specifications			



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5 October 2011

Att- General Manager

Our ref.: 110257

Dear Sir/Madam,

**Re: 37 Roseberry Street Balgowlah  
Complying Development Certificate No. 110257**

Please find enclosed the Fire Safety Schedule that was left out of the Complying Development Certificate from the above address that was sent to you on the 04/10/2011.

Yours faithfully,

Grant Harrington  
Accredited Building Surveyor  
Private Certifiers Australia

CD

*Noted. Please Note*

*Cherry  
6/10/11*



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## PART 5 GENERAL COMMERCIAL AND INDUSTRIAL CODE CONDITIONS

### DIVISION 2 CONDITIONS APPLYING TO COMPLYING DEVELOPMENT CERTIFICATE UNDER THIS CODE

**Note 1.** Complying development must comply with the requirements of the Act, the *Environmental Planning and Assessment Regulation 2000* and the conditions listed in this Part.

**Note 2.** A contributions plan setting out the contribution requirements towards the provision or improvement of public amenities or public services may specify that an accredited certifier must, under section 94EC of the Act, impose a condition on a complying development certificate requiring the payment of a monetary contribution in accordance with that plan. Contributions may be imposed in respect of development on certain land under section 61 the *City of Sydney Act 1988*.

### ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 NO 203 - CONDITIONS

#### 94EC CONTRIBUTIONS PLANS—COMPLYING DEVELOPMENT

(1) In relation to an application made to an accredited certifier for a complying development certificate, a contributions plan:

- (a) is to specify whether or not the accredited certifier must, if a complying development certificate is issued, impose a condition under section 94 or 94A, and
- (b) can only authorise the imposition by an accredited certifier of a condition under section 94 that requires the payment of a monetary contribution, and
- (c) must specify the amount of the monetary contribution or levy that an accredited certifier must so impose or the precise method by which the amount is to be determined.

(1A) The imposition of a condition by an accredited certifier as authorised by a contributions plan is subject to compliance with any directions given under section 94E (1) (a), (b) or (d) with which a council would be required to comply if issuing the complying development certificate concerned.

(2) This section does not limit anything for which a contributions plan may make provision in relation to a consent authority.

Condition: The Section 94EC fee applicable to this project is

\$ \_\_\_\_\_

The owner / applicant is required to pay this amount prior to the "notice of commencement" being issued to Council two days before physical commencement is to occur on site. A copy of the receipt of the applicable S94 EC payment is required to be submitted to the Accredited Certifying Authorities office as evidence two days prior to the commencement on site. Failure to undertake this step will result in the complying development being *invalid*.

### ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000-CONDITIONS

#### 136A COMPLIANCE WITH BUILDING CODE OF AUSTRALIA AND INSURANCE REQUIREMENTS UNDER THE HOME BUILDING ACT 1989

(cf clauses 78 and 78A of EP&A Regulation 1994)

(1) A complying development certificate for development that involves any building work must be issued subject to the following conditions:

- (a) that the work must be carried out in accordance with the requirements of the *Building Code of Australia*,
- (b) in the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.

(1A) A complying development certificate for a temporary structure that is used as an entertainment venue must be issued subject to the condition that the temporary structure must comply with Part B1 and NSW Part H102 of Volume One of the *Building Code of Australia* (as in force on the date the application for the relevant complying development certificate is made).

(2) This clause does not limit any other conditions to which a complying development certificate may be subject, as referred to in section 85A (6) (a) of the Act.

(3) This clause does not apply:

- (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or

(b) to the erection of a temporary building, other than a temporary structure that is used as an entertainment venue.

(4) In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant complying development certificate is made.

**Note.** There are no relevant provisions in the *Building Code of Australia* in respect of temporary structures that are not entertainment venues.

#### 136B ERECTION OF SIGNS

(1) A complying development certificate for development that involves any building work, subdivision work or demolition work must be issued subject to a condition that the requirements of subclauses (2) and (3) are complied with.

(2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:



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- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
  - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - (c) stating that unauthorised entry to the site is prohibited.
- (3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building, that does not affect the external walls of the building.
- (5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.
- (6) This clause applies to a complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.
- Note.** Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

### 136E DEVELOPMENT INVOLVING BONDED ASBESTOS MATERIAL AND FRIABLE ASBESTOS MATERIAL

- (1) A complying development certificate for development that involves building work or demolition work must be issued subject to the following conditions:
- (a) work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 318 of the *Occupational Health and Safety Regulation 2001*,
  - (b) the person having the benefit of the complying development certificate must provide the principal certifying authority with a copy of a signed contract with such a person before any development pursuant to the complying development certificate commences,
  - (c) any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered.
- (2) This clause applies only to a complying development certificate issued after the commencement of this clause.
- (3) In this clause, **bonded asbestos material**, **bonded asbestos removal work**, **friable asbestos material** and **friable asbestos removal work** have the same meanings as in clause 317 of the *Occupational Health and Safety Regulation 2001*.
- Note 1.** Under clause 317 removal work refers to work in which the bonded asbestos material or friable asbestos material is removed, repaired or disturbed.
- Note 2.** The effect of subclause (1) (a) is that the development will be a workplace to which the *Occupational Health and Safety Regulation 2001* applies while removal work involving bonded asbestos material or friable asbestos material is being undertaken.
- Note 3.** Information on the removal and disposal of asbestos to landfill sites licensed to accept this waste is available from the Department of Environment, Climate Change and Water.
- Note 4.** Demolition undertaken in relation to complying development under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* must be carried out in accordance with Australian Standard AS 2601—2001, Demolition of structures.

### 136H CONDITION RELATING TO SHORING AND ADEQUACY OF ADJOINING PROPERTY

- (1) A complying development certificate for development must be issued subject to a condition that if the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:
- (a) protect and support the adjoining premises from possible damage from the excavation, and
  - (b) where necessary, underpin the adjoining premises to prevent any such damage.
- (2) The condition referred to in subclause (1) does not apply if the person having the benefit of the complying development certificate owns the adjoining land or the

## SUBDIVISION 1 CONDITIONS APPLYING BEFORE WORKS COMMENCE

### 5.13 Protection of adjoining areas

A hoarding or a temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of works if the works:

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining lands by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

**Note.** See the entry in the General Exempt Development Code for scaffolding, hoardings and temporary construction site fences.

### 5.14 Toilet facilities

- (1) Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.



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(2) Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

#### 5.15 Garbage receptacle

- (1) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.
- (2) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

### SUBDIVISION 2 CONDITIONS APPLYING DURING THE WORKS

**Note.** The *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Noise Control) Regulation 2008* contain provisions relating to noise.

#### 5.16 Hours for construction or demolition

Construction or demolition that is audible in any dwelling on an adjoining lot may only be carried out between 7.00 am and 8.00 pm on Monday to Saturday.

#### 5.17 Compliance with plans

Works must be carried out in accordance with the plans and specifications to which the complying development certificate relates.

#### 5.18 Maintenance of site

- (1) Building materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- (2) Demolition materials and waste materials must be disposed of at a waste management facility.
- (3) The work site must be left clear of waste and debris at the completion of the works.

### SUBDIVISION 3 CONSTRUCTION REQUIREMENTS

#### 5.19 Utility services

If the complying development requires alteration to, or the relocation of, utility services on the lot on which the complying development is carried out, the complying development is not complete until all such works are carried out.

#### 5.20 MECHANICAL VENTILATION SYSTEMS

If the complying development is a mechanical ventilation system that is a **regulated system** in **regulated premises** within the meaning of the *Public Health Act 1991*, the system must be notified as required by the *Public Health (Microbial Control) Regulation 2000*, before an occupation certificate (whether interim or final) for the complying development is issued.

#### 5.21 Food businesses

If the complying development is a **food business** within the meaning of the *Food Act 2003*, the food business must be notified as required by that Act or licensed as required by the *Food Regulation 2004*, before an occupation certificate (whether interim or final) for the complying development is issued.

#### 5.22 Premises where skin penetration procedures are carried out

If the complying development involves premises at which a **skin penetration procedure** within the meaning of the *Public Health Act 1991* will be carried out, the premises must be notified as required under the *Public Health (Skin Penetration) Regulation 2000* before an occupation certificate (whether interim or final) for the complying development is issued.



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## NOTICE OF APPOINTMENT OF PRINCIPAL CERTIFYING AUTHORITY

Made under Part 4 of the Environmental Planning and Assessment Act 1979 Sections 81A(2)(b1)(i) & 86(1)(a1)(i)

### OWNER DETAILS

Name of person having benefit of the development consent: M Wakley  
Address: 37 Roseberry Street Balgowlah NSW 2093  
Contact Details: Phone: 89769933

### COMPLYING DEVELOPMENT CONSENTS

Consent Authority/Local Government Area: Manly Council  
Decision Made Under: State Environmental Planning Policy Exempt and Complying  
Development code 2008  
CDC Number: 110257 Date Issued: 28/09/2011

### PROPOSAL

Address of Development: 37 Roseberry Street Balgowlah NSW 2093  
Scope of building works covered by this Notice: Retro fit of commercial area to enable commercail kitchen

### PRINCIPAL CERTIFYING AUTHORITY

Certifying Authority: Grant Harrington  
Accreditation Body: Building Professionals Board  
Registration No. BPB0170

*The owner has appointed Grant Harrington as the Principal Certifying Authority as stated in the Complying Development Certificate Application lodged with Private Certifiers Australia for the building works identified in this Notice.*

*I, Grant Harrington, Accredited Building Surveyor of Private Certifiers Australia located at Suite 1a / 226 Condamine Street PO Box 907 Balgowlah Manly Vale NSW 2093 accept the appointment as the Principal Certifying Authority for the building works identified and covered under the relevant Complying Development Certificate as stated in this Notice.*

Dated: 28/09/2011

Grant Harrington  
Principal Certifying Authority





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## NOTICE TO APPLICANT OF MANDATORY CRITICAL STAGE INSPECTIONS

Made under Part 4 of the Environmental Planning and Assessment Act 1979 Sections 86(a2)(i) (ii) (iii) b

### OWNER DETAILS

Name of person having benefit of the development consent: M Wakley  
Address: 37 Roseberry Street Balgowlah NSW 2093  
Contact Details: Phone: 89769933

### COMPLYING DEVELOPMENT CONSENTS

Consent Authority/Local Government Area: Manly Council  
Decision Made Under: State Environmental Planning Policy Exempt and Complying Development code 2008  
CDC Number: 110257 Date Issued: 28/09/2011

### PROPOSAL

Address of Development: 37 Roseberry Street Balgowlah NSW 2093  
Scope of building works covered by this Notice: Retro fit of commercial area to enable commercail kitchen

### CERTIFICATION DETAILS

Principal Certifying Authority: Grant Harrington  
Accreditation Body: Building Professionals Board  
Registration No. BPB0170

Please telephone 9907-6300 to book a critical stage inspection. A minimum period of 48 hours is to be provided.

*I, Grant Harrington, Private Certifiers Australia located at Suite 1a / 226 Condamine Street PO Box 907 Balgowlah Manly Vale NSW 2093 acting as the principal certifying authority hereby give notice in accordance with Section 81A(2)(b1)(ii) of the Environmental Planning and Assessment Act 1979 to the person having the benefit of the development consent that the mandatory critical stage inspections identified in Schedule 1 & Schedule 2 are to be carried out in respect of the building work.*

*The applicant, being the person having benefit of the development consent is required under Section 81A(2)(b2)(ii) of the Environmental Planning and Assessment Act 1979 to notify the principal contractor (if not an owner-builder) of the applicable mandatory critical stage inspections specified under this notice.*

*To allow a principal certifying authority or another certifying authority time to carry out mandatory critical stage inspections, the principal contractor for the building site, or the owner builder, must notify the principal certifying authority at least 48 hours before building work is commenced at the site if a mandatory critical stage inspection is required before the commencement of the work in accordance with Clause 163 of the Environmental Planning & Assessment Regulation 2000.*

*Failure to request a mandatory critical stage inspections will prohibit the principal certifying authority under with Section 109E(3)(d) of the Environmental Planning and Assessment Act 1979 to issue an occupation certificate.*

Dated: 28/09/2011

Grant Harrington  
Principal Certifying Authority



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**SCHEDULE 1:  
MANDATORY CRITICAL STAGE INSPECTIONS**

NO	CRITICAL STAGE INSPECTION	INSPECTOR
1.	After the building work has been completed & prior to any occupation certificate being issued in relation to the building	Principal Certifying Authority



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## MANDATORY AND CRITICAL STAGE INSPECTION REPORT - 129B PRE-APPROVAL INSPECTION

### OWNER DETAILS

Name of person having benefit of the development consent: M Wakley  
Address: 37 Roseberry Street Balgowlah NSW 2093  
Contact Details: 89769933

### COMPLYING DEVELOPMENT CONSENTS

Consent Authority/Local Government Area: Manly Council  
Decision Made Under: State Environmental Planning Policy Exempt and Complying Development code 2008  
CDC Number: 110257 Date Issued: 28/09/2011

### PROPOSAL

Address of Development: 37 Roseberry Street Balgowlah NSW 2093  
Building Classification: B  
Type of Construction: C  
Scope of building works covered by this Notice: Retro fit of commercial area to enable commercial kitchen

### INSPECTION DETAILS

Principal Certifying Authority: Grant Harrington No.: BPB0170  
Inspector: Grant Harrington No.: BPB0170  
Inspection date and time: 28/09/2011 Inspection time: 11:00 AM

### INSPECTION RESULTS

We have attended the above property and completed an inspection. Each area inspection and the inspection result is listed below.

- Inspection area: ✓ 129B Pre-Approval Inspection - Satisfactory

### ADDITIONAL COMMENTS

Grant Harrington  
Inspector



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## NOTICE OF COMMENCEMENT OF BUILDING WORK

Made under Part 4 of the Environmental Planning and Assessment Act 1979 Sections 81A(2)(b)(ii) & (b2)(i) & (ii) & (iii) & 86(1)(a)(ii) & (a2)(i) & (ii) & (iii) & (1)(b)

### OWNER DETAILS

Name of person having benefit of the development consent: M Wakley  
Address: 37 Roseberry Street Balgowlah NSW 2093  
Contact Details: Phone: 89769933

### COMPLYING DEVELOPMENT CONSENTS

Consent Authority/Local Government Area: Manly Council  
Decision Made Under: State Environmental Planning Policy Exempt and Complying  
Development code 2008  
CDC Number: 110257 Date Issued: 28/09/2011

### PROPOSAL

Address of Development: 37 Roseberry Street Balgowlah NSW 2093  
Scope of building works covered by this Notice: Retro fit of commercial area to enable commercail kitchen

### DECLARATION OF OWNER

As the person having the benefit of the development consent for the building works identified in this Notice, I/we hereby certify:

1. That the residential building works shall be carried out by the applicant as an owner-builder ( **residential only** ) , if that is the case OR by the appointment of a principal contractor.
  - 1a. Owner-builder Permit No (Please attach a copy of the permit.  
N/A for Commercial work):
  - 1b. Name of principal contractor for construction work:  
Contractor License No:  
Address:  
Contact Details:
2. All development consent conditions that are required to be satisfied prior to the commencement of building work and as listed here below will be satisfied.  
Relevant development consent conditions to be complied with:
3. That building work is intended to commence on or about the date specified below.  
Date work is to commence (Allow 2 full days notice):
4. That the principal contractor has been notified of any critical stage inspections or other inspections that are to be carried out in respect of the building work.

### SIGNATURE OF OWNER

Signature:

Name:

Date:

### IMPORTANT MESSAGE:

1. Return this original completed notice to **Private Certifiers Australia** and to Council and allow 2 full days from the date of return, prior to your intended commencement date.
2. Failure to request any critical stage inspection will prohibit the issue of an Occupation Certificate.



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28 September 2011

Our ref.: 110257

Mike Wakley  
37 Roseberry Street  
Balgowlah NSW 2093

Dear Sir/Madam,

**Re: 37 Roseberry Street Balgowlah  
Complying Development Certificate No. 110257**

Enclosed are two (2) copies of the approved **Complying Development Certificate** for the subject development and two (2) copies of the stamped plans. One copy of each has been forwarded directly to Manly Council for their records.

The Notice of Appointment of Principal Certifying Authority and Commencement of Building Work form is required to be submitted to the Consent Authority (Council) 48 hours prior to commencement of building work. Private Certifiers Australia will *attach this information to your project file, you must also forward a copy of "Notice of Commencement" to Council and if the project is "residential" attach the "home owners warranty or Owner builder certificate"*. The lodgement of the notice of commencement form is the responsibility of the owner or applicant to fulfil.

The PCA role to be undertaken by Private Certifiers Australia will require inspections and certification. Please have the Owner/Builder liaise with our Accredited Building Surveyor Grant Harrington prior to commencement of the work.

Should you need to discuss any issues, please do not hesitate to contact the undersigned on the above numbers.

Yours faithfully,

Grant Harrington  
Accredited Building Surveyor  
Private Certifiers Australia



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Balgowlah  
Manly Vale NSW 2093  
Tel: 02 9907 6300  
Fax: 02 9907 6344  
Email: grant@pcaservices.com.au  
Web: www.pcaservices.com.au

## MANDATORY AND CRITICAL STAGE INSPECTION REPORT - 129B PRE-APPROVAL INSPECTION

### OWNER DETAILS

Name of person having benefit of the development consent: M Wakley  
Address: 37 Roseberry Street Balgowlah NSW 2093  
Contact Details: 89769933

### COMPLYING DEVELOPMENT CONSENTS

Consent Authority/Local Government Area: Manly Council  
Decision Made Under: State Environmental Planning Policy Exempt and Complying Development code 2008  
CDC Number: 110257 Date issued: 28/09/2011

### PROPOSAL

Address of Development: 37 Roseberry Street Balgowlah NSW 2093  
Building Classification: 6  
Type of Construction: C  
Scope of building works covered by this Notice: Retro fit of commercial area to enable commercial kitchen

### INSPECTION DETAILS

Principal Certifying Authority: Grant Harrington No.: BPB0170  
Inspector: Grant Harrington No.: BPB0170  
Inspection date and time: 28/09/2011 Inspection time: 11:00 AM

### INSPECTION RESULTS

We have attended the above property and completed an inspection. Each area inspection and the inspection result is listed below.

- Inspection area: ✓ 129B Pre-Approval Inspection - Satisfactory

### ADDITIONAL COMMENTS

Grant Harrington  
Inspector



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## COMPLYING DEVELOPMENT & OCCUPATION CERTIFICATE APPLICATION

Made under the *Environmental Planning and Assessment Act 1979*  
Sections 85, 85A

### IDENTIFICATION OF BUILDING

Lot, DP/MPS etc Lot: 1 DP: 632506  
Address 37 ROSEBERRY ST  
BALGOWLAH  
Suburb \_\_\_\_\_ Post Code 2093

### DESCRIPTION OF DEVELOPMENT

Detailed Description:

Upgrade of existing food prep  
area to allow for commercial  
kitchen

### TYPE OF APPLICATION

Tick Appropriate Boxes

- ☒ Complying Development Certificate  
☐ Interim Certificate  
☒ Final Certificate  
☐ Change of Building Use of an Existing Building  
☐ Occupation/Use of a New Building

### APPLICANT

Name MIKE WATKIN  
Company BELAROMA COFFEE  
Address 37 ROSEBERRY ST

Suburb BALGOWLAH Post Code 2093  
Phone B/H 89769933 Fax No 99079469  
Mobile 0404090484 (Karen)

Email Ksherman@belaroma.com.au

As the applicant/owner, I/we hereby;

1. Submit this Complying Development & Occupation Certificate Application under the *Environmental Planning & Assessment Act 1979*, with Private Certifiers Australia.
2. Appoint Grant Harrington of Private Certifiers Australia as the Principal Certifying Authority for the building work identified in this application.

Signature of Applicant/Owner: X

Sign [Signature]

Date: 28/9/11



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#### POSTAL ADDRESS

All documentation should be posted to:

Name Karen Sherman  
Company BEAROMA COFFEE  
Address 75 KENNETH RD  
Suburb MANLY VALE Post Code 2093

#### CONSENT TO ALL OWNER(S) (For a Complying Development & Occupation Certificate)

Name MIKE WAKELY  
Company BEAROMA COFFEE  
Address 37 ROSEBERRY ST  
Suburb BRANDONVALE Post Code 2093  
Phone B/H 89769933 Fax No 99079469  
Mobile 0404 990 484 (Karen)  
Email ksherman@bearoma.com.au

- I/We as the owner of the above building/property,
1. Consent to the Appointment of Grant Harrington as the PCA (Principal Certifying Authority) and approve of the PCA or their representative to lodge the Notice of Commencement on our behalf with council to authorize the commencement of works on site. I am duly authorized under 109E of the EPA Act to appoint the PCA for the project;
  2. Submit this Complying Development and Occupation Certificate Application under the Environmental Planning & Assessment Act 1979, for determination by the Principal Certifying Authority.
  3. Attach a Fire Safety Certificate, where relevant, for the subject building work in accordance with the Fire Safety Schedule.

Signature of Owner(s)

X

Sign

Date

[Signature]  
28/9/11

#### VALUE OF WORK

Estimated Cost of work:

GST:

\$ 73,115.00 excl. eqn. inst. ✓  
\$ 92,975.00 incl. eqn. inst.

For developments over \$5 million, a Quantity Surveyors Certificate verifying the cost must be submitted on lodgement of the application.





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BUILDING CODE OF AUSTRALIA  
BUILDING CLASSIFICATION

Nominated on the Development Consent

Class

6

COMMERCIAL BUILDING WORK

Principal Contractor:

Name

Rekkarona

Address

Telephone

Fax

License No.

#### REQUIRED ATTACHMENTS

- Note 1 details the information that must be submitted with an application for a complying Development certificate for proposed building works
- Note 2 details the additional information that may be submitted with an application for a complying Development certificate for proposed residential building work.



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Schedule 1 information to be  
Collected for ABS Particulars of the proposal

DESCRIPTION

What is the area of the land (m<sup>2</sup>)

750

Gross floor area of existing building (m<sup>2</sup>)

What are the current uses of all or parts of the building(s)/land?

4000

(If vacant state vacant)

Location

Grand floor

Use

Does the site contain a dual occupancy?

NO

What is the gross floor area of the proposed addition or new building (m<sup>2</sup>)

112

What are the proposed uses of all parts of the building(s)/land?

Location

Grand floor

Use

Number of pre-existing dwellings

0

Number of dwellings to be demolished

0

How many dwellings are proposed?

0

How many storeys will the building consist of?

2

MATERIALS TO BE USED

Walls	Code	Roof	Code
Brick veneer	12	Aluminium	70
Full brick	11	Concrete	20
Single brick	11	Concrete tile	10
Concrete block	11	Fibrous cement	30
Concrete/ masonry	20	fibreglass	80
Concrete	20	Masonry/terracotta	10
Steel	60	a shingle tiles	20
Fibrous cement	30	Slate	20
Hardiplank	30	Steel	60
Timber/weatherboard	40	Terracotta tile	10
Cladding aluminium	70	Other	80
Curtain glass	50	Unknown	90
Other			
Unknown	90		

  

Floor	Code	Frame	Code
Concrete	20	Timber	40
Timber	10	Steel	60
Other	80	Other	80
Unknown	90	Unknown	90



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Schedule 2 – Existing Essential Fire Safety Measures  
Part 1 of 2

Item No.	Existing Measure	Is this measure Installed in the Building? Yes / No	If yes, enter the current standard of performance (eg: ORD 70 Clause 19.2 or BCA Clause E1.5 & AS 2118.1-1999)
1	Access Panels, doors and hoppers to fire resisting shaft		
2	Automatic fail safe devices		
3	Automatic fire detection and alarm system		
4	Automatic fire suppression system (sprinkler)		
5	Automatic fire suppression system (others – specify)		
6	Emergency lighting	/	
7	Emergency lifts		
8	Emergency warning and intercommunication system		
9	Exit signs	/	
10	Fire control centres and rooms		
11	Fire dampers		
12	Fire doors		
13	Fire hydrant systems		
14	Fire seals (protecting openings in fire resisting components of the building)		
15	Fire shutters		
16	Fire windows		
17	Hose reel system	/	
18	Light weight construction		
19	Mechanical air handling systems		
20	Paths of travel stairways passageways or ramps		
21	Perimeter vehicle access for emergency vehicles		
22	Portable fire extinguishers		
23	Pressurising system	/	
24	Required (automatic) exit doors		
25	Safety curtains in proscenium openings		
26	Smoke and Heat Vents		
27	Smoke Control System		
28	Smoke dampers		
29	Smoke detectors and heat detectors		
30	Smoke doors		
31	Solid-Core doors		
32	Stand-By Power Systems		
33	Wall wetting sprinkler and drencher systems		
34	Warning and operational signs		
35	OTHERS - Specify <i>Fire Blanket</i>	/	

This is an accurate statement of all existing Fire Safety Measures implemented in the whole building.

Signed ..... (Owner/ Agent) Name ..... Date .....



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Schedule 3 – Proposed Essential Fire Safety Measures  
Part 2 of 2

Item No.	Proposed New Measure	Is this measure Installed in the Building? Yes or No	If yes, enter the current standard of performance (eg: BCA Clause E1.5 & AS2118.1-1999)
1	Access Panels, doors and hoppers to fire resisting shaft		
2	Automatic fail safe devices		
3	Automatic fire detection and alarm system		
4	Automatic fire suppression system (sprinkler)		
5	Automatic fire suppression system (others – specify)		
6	Emergency lighting		
7	Emergency lifts		
8	Emergency warning and intercommunication system		
9	Exit signs		
10	Fire control centres and rooms		
11	Fire dampers		
12	Fire doors		
13	Fire hydrant systems		
14	Fire seals (protecting openings in fire resisting components of the building)		
15	Fire shutters		
16	Fire windows		
17	Hose reel system		
18	Light weight construction		
19	Mechanical air handling systems		
20	Paths of travel stairways passageways or ramps		
21	Perimeter vehicle access for emergency vehicles		
22	Portable fire extinguishers		
23	Pressurising system		
24	Required (automatic) exit doors		
25	Safety curtains in proscenium openings		
26	Smoke and Heat Vents		
27	Smoke Control System		
28	Smoke dampers		
29	Smoke detectors and heat detectors		
30	Smoke doors		
31	Solid-Core doors		
32	Stand-By Power Systems		
33	Wall wetting sprinkler and drencher systems		
34	Warning and operational signs		
35	OTHERS - Specify		

This is an accurate statement of all proposed Fire Safety Measures to be installed/ modified in the whole building.

Signed \_\_\_\_\_ (Owner/ Agent) Name \_\_\_\_\_ Date \_\_\_\_\_



## Notes for completing Complying Development Certificate Application

- Note 1** In the case of Crown land within the meaning of the *Crown Lands Act 1989* the owner's consent must be signed by an officer of the Department of Land and Water Conservation, authorised for these purposes by the Governor-in-Council from time to time.
- Note 2** A description of the land to be developed can be given in the form of a map which contains details of the lot number, DP/MPS, vol/foi etc.
- Note 3** A plan of the land must indicate:
- Location, boundary dimensions, site area and north point of the land;
  - Existing vegetation and trees on the land;
  - Location and uses of existing buildings on the land;
  - Existing levels of the land in relation to buildings and roads; and
  - Location and uses of buildings on sites adjoining the land.
- Note 4** Plans or drawings describing the proposed development must indicate (where relevant):
- The location of proposed new buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development;
  - Floor plans of proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building;
  - Elevations and sections showing proposed external finishes and heights;
  - Proposed finished levels of the land in relation to buildings and roads;
  - Building perspectives, where necessary to illustrate the proposed building;
  - Proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site, (including dimensions where appropriate);
  - Proposed landscaping and treatment of the land, (indicating plant types and their height and maturity; and
  - Proposed methods of draining the land.
- Note 5** The following information must also accompany a Complying Development Certificate Application for building or subdivision work and change of building use:

### **Building Work**

In the case of an Application for a Complying Development Certificate for **building work**:

- Copies of compliance certificates relied upon.
- Four (4) copies of detailed plans and specifications

The plan for the building must be drawn to a suitable scale and consist of a general plan and a block plan. The general plan of the building is to:

- show a plan of each floor section;
- show a plan of each elevation of the building;
- show the levels of the lowest floor and of any yard or unbuilt on area belonging to that floor and the levels of the adjacent ground; and
- indicate the height, design, construction and provision for fire safety and fire resistance (if any).

Where the proposed building work involves any alteration or addition to, or rebuilding of, an existing building the general plan is to be coloured or otherwise marked to the satisfaction of the certifying authority to adequately distinguish the proposed alteration, addition or rebuilding.

Where the proposed building work involves a modification to previously approved plans and specifications the general plans must be coloured or otherwise marked to the satisfaction of the certifying authority to adequately distinguish the modification.

The specification is:

- to describe the construction and materials of which the building is to be built and the method of drainage, sewerage and water supply; and
  - state whether the materials proposed to be used are new or second hand and give particulars of any second-hand and give particulars of any second-hand materials to be used.
- c) Where the application involves an alternative solution to meet the performance requirements of the BCA, the application must also be accompanied by:
- details of the performance requirements that the alternative solution is intended to meet; and
  - details of the assessment methods used to establish compliance with those performance requirements.
- d) If relevant, evidence of any accredited component, process or design sought to be relied upon.

**NB:** If an EPI provides that complying development must comply with the deemed-to-satisfy provisions of the BCA a CDC cannot authorise compliance with alternative solutions to the performance requirements corresponding to those deemed-to-satisfy provisions.

- e) Except in the case of a class 1a or class 10 building:
- a list of any fire safety measures that are proposed to be implemented in the building or on the land on which the building is situated; and



- if the application relates to a proposal to carry out any alteration or rebuilding of, or addition to, an existing building, a separate list of such of those measures as are currently implemented in the building or on the land on which the building is situated.

The list must describe the extent, capability and basis of design of each of the measures concerned.

***Change of Building Use***

In the case of an application for a Complying Development Certificate for a **change of building use** (except for an application that, if granted, would authorise the building concerned being used as a class 1a or class 10 building):

- A list of any fire safety measures that are proposed to be implemented in the building or on the land on which the building is situated in connection with the proposed change of building use; and
- A separate list of such of those measures as are currently implemented in the building or on the land on which the building is situated.

The list must describe the extent, capability and basis of design of each of those measures concerned.

**Note 6**

Other information must indicate (where relevant):

- a) In the case of shops, offices, commercial or industrial development:
  - Details of hours of operation;
  - Plant and machinery to be installed; and
  - Type, size and quantity of goods to be made, stored or transported, loading and unloading facilities.
- b) In the case of demolition:
  - Details of age and condition of buildings or works to be demolished.
- c) In the case of advertisements:
  - Details of the size, type, colour, materials and position of the sign board or structure on which the proposed advertisement is to be displayed.
- d) In the case of development relating to an existing use:
  - Details of the existing use.
- e) In the case of a development involving the erection of a building, work or demolition:
  - Details of the methods of securing the site during the course of construction.

**Note 7**

***Home Building Act Requirements***

In the case of an application for a complying development certificate for residential building work (within the meaning of the *Home Building Act 1989*) attach the following:

- (a) in the case of work by a licensee under that Act:
  - (i) a statement detailing the licensee's name and contractor licence number; and
  - (ii) documentary evidence that the licensee has complied with the applicable requirements of that Act\*, or
- (b) in the case of work done by any other person:
  - (i) a statement detailing the person's name and owner-builder permit number; or
  - (ii) a declaration signed by the owner of the land, to the effect that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of **owner-builder work** in section 29 of that Act.

- \* A certificate purporting to be issued by an approved insurer under Part 6 of the *Home Building Act 1989* to the effect that a person is the holder of an insurance contract issued for the purposes of that Part, is sufficient evidence that the person has complied with the requirements of that Part.

**Note 8**

***Long Service Levy***

Under s85A (10A) of the *Environmental Planning and Assessment Act 1979* a complying development certificate cannot be issued until any long service levy payable under section 34 of the *Building and Construction Industry Long Service Payments Act 1986* (or where such a levy is payable by instalments, the first instalment of the levy) has been paid. The local council may be authorised to accept payment.

**GENERAL SPECIFICATION**

**FOR**

**Belaroma Coffee P/L**

**AT**

**75 Kenneth Rd,  
Manly Vale, NSW 2093**

### **Services modifications**

- All services modifications required as a result of tenancy fit out requirements are to be undertaken in accordance with the BCA and relevant Australian Standards.
- All services modifications required as a result of tenancy fit out requirements are to be subject to agreement by the Lessor, Lessors consultants, the requirements of the base building Construction Certificate approvals and the Principal Certifying Authority for the fit out works.
- Applicable standards and BCA clauses are those current at the time of lodgement of either a Complying Development Certificate or Construction Certificate as the case may be.

### **Proposed works**

#### **Drainage**

- Drainage shall be carried out to AS3500
- Drainage shall be installed to the requirements of the standard and BCA Part F

#### **Structure**

- Any structural modifications are subject to agreement by the Lessor.
- Structural alterations are to be in accordance with Part B of the BCA specifically,
  - Masonry AS3700-2001
  - Concrete AS3600-2001
  - Steel AS4100-1998
  - Loading AS1170.1-1989

#### **Glazing**

- Glazing installations are to comply with Part F1.13 and Part B1.4 of the BCA.
- Design and construction shall comply with the following;
  - AS1288-1994 Glass in buildings
  - AS2047-1999 windows in buildings as appropriate.

#### **Framing**

- Domestic metal framing shall comply with AS3623-1993.
- Other steel framing shall comply with AS4100-1998.
- Timber framing shall comply with AS1684-1999 and unless otherwise specified.
- Timber framing shall consider the requirements of AS1170 parts 1 and 4 where appropriate.
- Particle sheet flooring is to comply with AS1859 for manufacture and AS1860-1998 for installation where appropriate.
- Structural steel members shall be installed in accordance with AS4100-1998 and AS1170 parts 1 and 4 where appropriate.

### **Roof, wall, floor cladding and finishes**

- Finishes, materials and linings are to comply with BCA C1.10, Spec C1.10 or Spec C1.10a.
- Fire hazard indices for materials finishes and linings shall comply with the requirements of the above.
- Test certificates shall be produced to demonstrate compliance with fire hazard properties requirements as specified under the above clauses.



### **Fire Safety**

- The fire-engineered solutions applicable to the development are to be strictly adhered to.
- These reports are subject to change. The lessees are responsible for ensuring compliance with the requirements of the current solutions.
- Fire extinguishers and blankets to comply with AS2444-1995. Emergency lighting and Exit signs to also comply with AS2293.1-1998.
- Fire Sprinkler heads with exhaust hoods to comply with AS2118.1.

### **Health and Amenity**

- Wet area are to comply with the requirements of Part F1.7 of the BCA
- Wet areas are to be protected in accordance with the relevant parts of AS3740.

### **Room Heights**

- Heights specified under Part F3 are to be complied with.
- Generally a height throughout the tenancy will comply with 2.4m Floor to ceiling.
- Dedicated corridors and hallways may be 2.1m.

### **Light**

- The provision of artificial light within retail tenancies shall be provided to all rooms frequently occupied in order to comply with BCA F4.4
- Artificial light is to be installed in accordance with AS1680.0-1998

### **Ventilation**

- All rooms in retail tenancies shall be provided with a system of ventilation.
- Ventilation is to comply in all respects with Part F4.5 of the BCA
- Where appropriate mechanical ventilation is to be installed in accordance with the relevant provisions of AS1668.1-1998, AS1668.2-1992 and AS3666.1-2002
- The requirements of the fire-engineered solution in terms of mechanical ventilation will be strictly adhered to.

### **Safe movement and access**

- Where appropriate stairs within retail tenancies shall be installed to comply with Part D2.13 of the BCA.
- Balustrades where appropriate, shall comply with D2.17 of the BCA.
- Where the stair forms a required stair for access for persons with a disability, handrails balustrades and the like are to comply with the above and Part D3 of the BCA as appropriate.
- General access for persons with a disability, including, but not limited to a continuous accessible path of travel is to comply with Part D3 of the BCA and AS1428.1-2001.
- Publicly accessible stairs within retail tenancies will be provided with tactile ground surface indicators in accordance with AS1428.4-1992.

### **Sanitary facilities**

- If sanitary facilities are to be provided then it is to comply with Part F2 of the BCA.
- Construction of sanitary facilities is to comply with Part F2.5 of the BCA.
- Sanitary facilities for persons with a disability are to comply with Part F2.4 of the BCA and AS1428.1-1998.

### **Food premises**

- Fit out of food premises is to be undertaken with the requirements of council.
- Construction of food premises is subject to the requirements of the Food Act 1989, National Code for the Construction and Fit out of Food Premises and AS4674-2004 as appropriate and directed by the local council.



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Web: www.pcaservices.com.au

## **Design Statement – Food Premises NSW M Wakley**

Pursuant to the provisions of Part 4A of the Environmental Planning and Assessment Act 1979 section 80a (11) and the Environmental Planning and Assessment Regulation 2000 clause 98, 145, 130 (CDC) Compliance with Building Code of Australia

Pursuant to the provisions of Clause A2.2 of the Building Code of Australia, Volume 1.

1) Accordingly, it is specified that for the proposed works at the above premises:

(a) Detailed plans of the kitchen, bar and food preparation and storage areas must be prepared by a suitably qualified person and certified in accordance with Standard 3.2.3 of the Australian and New Zealand Food Standards Code under the Food Act 2003 and AS 4674 - Design, Construction and Fitout of Food Premises and must be submitted to and approved by Council prior to a Construction Certificate being issued.

(b) The construction, fitout and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code under the Food Act 2003 and AS 4674 - Design, Construction and Fitout of Food Premises.

(c) Provision must be made for the installation of adequate mechanical exhaust for any future premises where food is to be prepared.

(d) The cooking appliances require an approved air handling system designed in accordance with AS1668.1-1998 and AS1668.2-1991 or alternative solution satisfying the performance objectives of the Building Code of Australia. No approval is granted for the burning of wood fired fuel.

(e) Cooking must not commence until an air handling system, in accordance with the BCA is installed and operational.

(f) The floor of the food premises must be finished in an approved non absorbent material, evenly laid, or graded and drained to a trapped floor waste.

(g) The floor must be coved at the intersection with the walls.

(h) The walls of the food preparation area must be of solid construction and finished with glazed ceramic tiles or other rigid, smooth-faced impervious material.



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(s) To ensure the adequate storage and collection of waste from the occupation or the use of the food premises, all garbage and recyclable materials emanating from the premises must be stored in a designated waste storage area. The waste storage area must be designed and constructed in accordance with AS 4674 – Design, Construction and Fitout of Food Premises, and must be:

- (i) Provided with a hose tap connected to the water supply;
- (ii) Paved with impervious floor materials;
- (iii) Coved at the intersection of the floor and walls;
- (iv) Graded and drained to a waste disposal system in accordance with the relevant regulatory authority (Sydney Water);
- (v) Adequately ventilated (mechanically or naturally) so that odour emissions do not cause offensive odour as defined by the Protection of the Environment Operations Act 1997;
- (vi) Fitted with appropriate interventions to meet fire safety standards in accordance with the Building Code of Australia. Detailed plans and specifications for the construction of the waste storage area are to be submitted to the Certifying Authority with the Construction Certificate.

(t) Cool room(s), refrigerated chambers and strong-rooms are to be constructed in accordance with G 1.2 of the Building Code of Australia.

- (i) The floor of the coolroom must be graded to the door and a floor trapped waste outlet must be located outside the coolroom as near as possible to the door opening.
- (ii) All proposed shelving in the coolroom must be free-standing, constructed of galvanised steel angle section or other approved material with the lowest shelf at least 150mm clear of the floor.
- (iii) The floor of the coolroom must be constructed of impermeable concrete or coated, topped or otherwise finished with an impervious material to a smooth even surface and coved at the intersections with the walls to a minimum radius of 25mm.
- (iv) A door which can be opened at all times from inside without a key.
- (v) An approved audible alarm device must be located outside the coolroom(s) but controllable only from within the coolroom(s) and be able to achieve a sound pressure level outside the chamber or coolroom(s) of 90 d B (A) when measured 3 metres from the sounding device.

(u) All service pipes, electrical conduits, refrigeration condensate pipes and the like must be chased into walls and floors or at least 25mm off the wall.

(v) All openings in walls, floors and ceilings, through which service pipes pass, must be vermin proof.

(w) Where fittings are butt joined together they must be sealed to eliminate any cavities or crevices. Alternatively, a clear space of at least 75mm is to be provided between fittings.

(x) The following requirements apply to clearances and supports of equipment:

- (i) All stoves, refrigerators, cupboards and similar fittings must have metal legs made of non corrosive metal or moulded plastic at a minimum height of 150mm above the floor. If placed flush on solid plinths the solid plinth is to be a minimum of 75 mm high.
- (ii) All shelving must be fixed 25mm clear of the walls on solid metal brackets.

(y) The following requirements apply to food conveyors:



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(b) Gaseous emissions from the development must comply with the requirements of the Protection of the Environment Operations Act, 1997 and Regulations. Uses that produce airborne particulate matter must incorporate a dust collection system.

#### CONTINUED PERFORMANCE OF MECHANICAL VENTILATION

The required operation and performance of any mechanical ventilation, air pressurisation or other smoke control system must not be impaired by the proposed partitioning layout.

Applicants Details : Karen Sherman Company Belaroma Coffee  
Address: 31 Roseberry St Balgowlah 2093  
Phone numbers: 0404 090 484 Signature Karen Sherman

#### FINAL INSPECTION (FOOD PREMISES)

A final site inspection relating to the works carried out on the premises must be arranged by the applicant and must be undertaken by Council. The time for the

#### SECTION J

Accordingly to Table J6.2 Maximum Illumination Power Density, the: - Restaurant, Cafe, bar, hotel lounge and a space for the serving and consumption of food or drinks is 20W/m<sup>2</sup>; - Kitchen and food preparation areas is 8W/m<sup>2</sup>.

# Levy Online Payment Receipt

**LONG SERVICE**  
CORPORATION

Thank you for using our Levy Online payment system. Your payment for this building applicati  
processed.

Applicant Name:	BELAROMA COFFEE
Levy Application Reference:	5019698
Application Type:	CDC
Application No.:	110257
Local Government Area/Government Authority:	MANLY COUNCIL
Site Address:	37 ROSEBERRY STREET
	BALGOWLAH
	NSW
	2093
Value Of Work:	\$73,115
Levy Due:	\$255
Levy Payment:	\$255
Online Payment Ref.:	628645529
Payment Date:	28/09/2011 3:19:06 PM

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## Planning Certificate Under Section 149

Of the Environmental Planning & Assessment Act 1979

## Manly Council

Council Offices 1 Belgrave Street Manly NSW 2095  
PO Box 82 Manly NSW 1655 Australia  
Tel 02 9976 1600 Fax 02 9976 1400 DX 9205 Manly  
[www.manly.nsw.gov.au](http://www.manly.nsw.gov.au) [records@manly.nsw.gov.au](mailto:records@manly.nsw.gov.au)  
ABN 43 662 868 065

Reference:

Date: 21/07/2011  
Certificate No: 18597

### 149(2) Certificate

Belaroma Coffee Pty Ltd  
37 Roseberry Street  
BALGOWLAH NSW 2093

Address: 37 Roseberry Street BALGOWLAH 2093  
Legal Description: LOT: 1 DP: 632506

The following certificate is issued under the provisions of Section 149(2) of the Environmental Planning and Assessment Act 1979 (as amended). The information applicable to the land is accurate as at the above date.

#### 1. Names of relevant planning instruments and DCPs

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land:

##### Manly Local Environmental Plan 1988

SREP (Sydney Harbour Catchment) 2005 (Deemed SEPP)  
SEPP 1 – Development Standards  
SEPP 4 – Development without Consent  
SEPP 6 – Number of Storeys in a Building  
SEPP 10 – Retention of Low-Cost Rental Accommodation (Repealed)  
SEPP 19 – Bushland in Urban Areas  
SEPP 21 – Caravan Parks  
SEPP 22 – Shops and Commercial Premises  
SEPP 30 – Intensive Agriculture  
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)  
SEPP 33 – Hazardous and Offensive Development  
SEPP 50 – Canal Estate Development  
SEPP 55 – Remediation of Land  
SEPP 60 – Exempt and Complying Development  
SEPP 64 – Advertising and Signage  
SEPP 65 – Design Quality of Residential Flat Development  
SEPP 70 – Affordable Housing (Revised Schemes)  
SEPP 71 – Coastal Protection  
SEPP (Building Sustainability Index: BASIX) 2004  
SEPP (Repeal of Concurrence and Referral Provisions) 2004  
SEPP (Seniors Living) 2004  
SEPP (Major Projects) 2005  
SEPP (Mining, Petroleum Production and Extractive Industries) 2007  
SEPP (Temporary Structures and Places of Public Entertainment) 2007  
SEPP (Infrastructure) 2007  
SEPP (Exempt and Complying Development Codes) 2008  
SEPP (Repeal of Concurrence and Referral Provisions) 2008  
SEPP (Repeal of REP Provisions) 2009

- (c) Land use for land within Zone No. 4 that may be carried out only with development consent:

Refreshment rooms; retail outlets for bulky goods; any purpose other than a purpose included in item (d).

- (d) Land use for land within Zone No. 4 that is prohibited:

Backpacker accommodation; commercial premises other than recreational facilities and those commercial premises listed in Schedule 2 of the Manly Local Environmental Plan 1988; educational establishments; gas holders; generating works; heliports; institutions; junk yards; liquid fuel depots; mines; purposes listed in Schedule 3 of the Manly Local Environmental Plan 1988; residential uses other than ancillary residences above ground floor level used in conjunction with any permissible industry; retail plant nurseries; roadside stalls; shops other than those shops listed in Schedule 2 of the Manly Local Environmental Plan 1988.

- (e) Minimum Area

Manly Local Environment Plan 1988 contains no development standard relating to the minimum area on which a dwelling house may be erected.

- (f) Critical Habitat

This land does not include Critical Habitat.

- (g) Conservation Areas

This land is not in a conservation area.

- (h) Environmental Heritage Provisions according to Manly Local Environmental Plan 1988

This land is not an item of environmental heritage, nor is there an item of environmental heritage situated on the land.



**Note.** The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is declared to be significantly contaminated land at the date when the certificate is issued,

No part of the land is declared to be significantly contaminated land as at the date of issue of this certificate.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

The land to which this certificate relates is not subject to a management order as at the date of issue of this certificate.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

The land to which this certificate relates is not the subject of an approved voluntary management proposal as at the date of issue of this certificate.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

The land to which this certificate relates is not subject to an ongoing maintenance order as at the date of issue of this certificate.

- (e) that the land to which the certificate relates is the subject of a site audit statement—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No copy of any site audit statement for the land to which the certificate relates has been provided at any time to Manly Council.

Henry T Wong  
GENERAL MANAGER  
per 