

19 December 2022



James McBride  
Governor Philip Tower Level 21 1 Farrer Place  
SYDNEY NSW 2000

Dear Sir/Madam

**Application Number:** Mod2022/0452  
**Address:** Lot 1 DP 1282038 , 4 - 8 Inman Road, CROMER NSW 2099  
**Proposed Development:** Modification of Development Consent 2019/1346 granted for Demolition works and alterations and additions to an existing industrial facility including new warehouse and self-storage office premises and ancillary cafe

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](http://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](mailto:council@northernbeaches.nsw.gov.au)

Regards,



Adam Susko  
**Principal Planner**

## NOTICE OF DETERMINATION

<b>Application Number:</b>	Mod2022/0452
<b>Determination Type:</b>	Modification of Development Consent

### APPLICATION DETAILS

<b>Applicant:</b>	James McBride
<b>Land to be developed (Address):</b>	Lot 1 DP 1282038 , 4 - 8 Inman Road CROMER NSW 2099
<b>Proposed Development:</b>	Modification of Development Consent 2019/1346 granted for Demolition works and alterations and additions to an existing industrial facility including new warehouse and self-storage office premises and ancillary cafe

### DETERMINATION - APPROVED

<b>Made on (Date)</b>	15/12/2022
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The request to modify the above-mentioned Development Consent has been approved as follows:

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

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

##### a) Modification Approved Plans

<b>Architectural Plans - Endorsed with Council's stamp</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
DA_M201 C Site Plan	18 July 2022	SBA Architects
DA_M210 B Demolition Plan - Basement Heritage Building	6 July 2022	SBA Architects
DA_M211 B Demolition Plan - Ground & Level 1 - Heritage Building	6 July 2022	SBA Architects
DA_M213 B Demolition Plans & Elevations - Heritage Cottage	6 July 2022	SBA Architects
DA_M300 D Heritage Building - Basement Plans	6 July 2022	SBA Architects
DA_M301 B Heritage Building - Ground Floor & First Floor Plans	6 July 2022	SBA Architects
DA_M302 B Roof Plan - Heritage Office	6 July 2022	SBA Architects
DA_M310 E Cafe Floor & Roof Plan	18 July 2022	SBA Architects
DA_M311 E Heritage Cottage Cafe - Elevations and Sections	18 July 2022	SBA Architects

DA_M401 B Heritage Office Elevations	6 July 2022	SBA Architects
DA_M410 B Heritage Building - Sections	6 July 2022	SBA Architects

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

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

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

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

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

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

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

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

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

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

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

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

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

- Australian Standard (AS) 1668.2 "The use of ventilation and air-conditioning in buildings -

- Mechanical ventilation in buildings”; and
- Any external exhaust discharge must be above the roofline and discharged in a manner that is not likely to cause an amenity impact.

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

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

## Important Information

This letter should therefore be read in conjunction with DA2019/1346 dated 17/08/20; MOD2020/0611 dated 1/04/21; and MOD2022/0396 dated 16/11/22.

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.

## Right to Review by the Council

You may request Council to review this determination of the application under Division 8.2 of the Environmental Planning & Assessment Act 1979. Any Division 8.2 Review of Determination application must be lodged on the NSW Planning portal within 28 days of this determination, to enable the assessment and determination of the application within the 6 month timeframe.

## Right of Appeal

Section 8.10 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.

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

**Signed**

On behalf of the Consent Authority



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Name

Adam Susko, Principal Planner

Date

15/12/2022