

NOTICE OF DETERMINATION

Application Number: DA2008/1626

APPLICATION DETAILS

Applicant Name and Address: Feva Pty Limited Trading as "The Play Planet"
20 Molong Street
NORTH CURL CURL NSW 2099

Land to be developed (Address): Lot 1, DP 1011912, No.18-20 Wattle Road
BROOKVALE NSW 2100

Proposed Development: Change of Use of part of from an Approved Children's
Party & Entertainment Centre and ancillary take-away
food outlet to include Vacation Care & After School
Care

DETERMINATION - APPROVED

Made on (Date): 12 February 2009

Consent to operate from (Date): 12 February 2009

Consent to lapse on (Date): 12 February 2012

Details of Conditions

The conditions, which have been applied to the consent, aim to ensure that the Environmental Impacts of Development are minimised and the Health and Safety of the community is maintained in accordance with the relevant standards and the Building Code of Australia.

NOTE:

If the works are to be certified by a Private Certifying Authority, then it is the certifier's responsibility to ensure all outstanding fees and bonds have been paid to Council prior to the issue of the Construction Certificate or as otherwise specified by Consent conditions.

Pursuant to Section 95(2) of the Environmental Planning and Assessment Act 1979, Council has varied the provisions of Section 95(1) and advise that the consent will lapse 3 years from the date upon which the consent operates.

Section 95A of the Environmental Planning and Assessment Act 1979, allows for an extension of 1 year to the period in which the consent will lapse, except for complying development. Such an application must be made in accordance with Clause 114 of the Environmental Planning and Assessment Regulation 2000.

GENERAL CONDITIONS

CONDITIONS THAT IDENTIFY APPROVED PLANS

1. Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Reason: *Prescribed - Statutory.*

2. Approved Plans And Supporting Documentation

The development is to be carried out in compliance with the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of consent:

Drawing Number	Submitted/Dated
The Play Planet (A)	25 November 2008
Area of Vacation Care & After School Care (B)	25 November 2008
Existing Carparking (C)	25 November 2008

No building works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

Note: Further information on Construction Certificates can be obtained by contacting Council's Call Centre on 9942 2111, Council's website or at the Planning and Assessment Counter.

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

3. Access for People with Disabilities

The provision shall be made for access to and within the building on the site for persons with a disability in accordance with the provisions of Australian Standard AS 1428.2-1992 Design for Access and Mobility - Enhanced and additional requirements - Buildings and facilities.

Reason: *Equitable access for people with a disability (modified)*

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

4. Department of Community Services License Requirement

A license to operate a child care centre must be obtained from the NSW Department of Community Services prior to the commencement of the use of the child care centre.

Full compliance with any licensing requirements of the NSW Department of Community Services is required.

Reason: *To ensure the child care centre is operated in accordance with the requirements of the NSW Department of Community Services.*

5. Child Care Numbers

The maximum number of children to be cared for at any one time on the premises shall not exceed thirty (30) children.

Reason: *To ensure consistency with this consent.*

6. Hours of Operation

The hours of operation for vacation care/after school care are restricted to between 7am to 8pm Monday to Friday and 7am to 10pm Saturday to Sunday inclusive.

Reason: *Information to ensure that amenity of the surrounding locality is maintained and hours of operation are consistent with those in surrounding locality.*

7. Separate Development Application for Signs

A separate Development Application for any proposed signs (other than exempt and complying signs under Council's exempt and complying controls) must be submitted for the approval of Council prior to the erection or display of any such signs.

Reason: *Control of signage. (DACGGsdas)*



Right to Review by the Council

You may request Council review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979 if it is NOT integrated or designated development. Any request to review the application must be made and determined within 12 months from the date of determination.

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

Right of Appeal

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Signed on behalf of the consent authority

Signature _____
Name Phil Lane
 Senior Development Assessment Officer

Date 12 February 2009