

Job No: 2010/0387

CD 33/10

Wednesday, 16 June 2010



Manly Council
PO Box 82
Manly NSW 1655

CD 33/10

XKZB

e-128278

Michael G

Attention: General Manager

RE: Complying Development Certificate No. 10/0387/01
Shop 4 - 9-15 Central Avenue, Manly

Please find attached a copy of Complying Development Certificate 10/0387/01 and required attachments issued by Steve Watson & Partners for the above mentioned development in accordance with Section 85, 85A of the Environmental Planning and Assessment Act 1979.

Please also find attached a cheque for \$30.00 for the registration of the Complying Development Certificate.

Can you please forward SWP a receipt ^{122/68} for the acknowledgment of the lodgement cheque?

If you have any queries please do not hesitate to contact me on (02) 9283 6555.

Regards,

Nick Hontas
Steve Watson & Partners

CERTIFIER

\$30

R. 702650

22-6-10

[Handwritten signature]

PAR: 1000407

NAR: 1121952

PCA: 1101856



Job No: 2010/0387

Wednesday, 16 June 2010

Manly Council
PO Box 82
Manly NSW 1655

Attention: General Manager

**RE: Notice of Commencement
Shop 4 – 9-15 Central Avenue, Manly
CDC: 10/0387/01
Description of work: Internal fitout & use of shop 4 as restaurant**

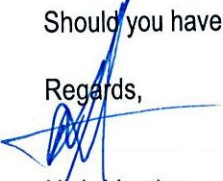
Please find enclosed a Notice of Commencement form in accordance with either Section 81(A) 2(a)(ii) and 2(c), or Section 86 (1) of the Environmental Planning and Assessment Act 1979, as applicable.

Please note that the following inspections are required under Clause 162A of the Environmental Planning and Assessment Regulation. These inspections are required to be carried out by an accredited certifier and we are unable to accept inspection records from engineers who do not hold the appropriate accreditation. SWP requires 48 hours notice of these inspections and work cannot continue to its subsequent stage until these inspections are carried out.

Class 5, 6, 7, 8 or 9 Inspections	Action by
1. After the building work has been completed and prior to any occupation certificate being issued in relation to the building	SWP

Should you have any queries, please contact myself on (02) 9283 6555.

Regards,


Nick Hontas
Building Regulations Consultant
Steve Watson and Partners Pty Ltd



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

COMPLYING DEVELOPMENT CERTIFICATE

Issued under the Environmental Planning and Assessment Act 1979 Section 85, 85A

Complying Development Certificate No. 10/0387/01

Steve Watson and Partners certify that the proposed development is complying development and that if carried out in accordance with the approved plans and specifications will comply with all development standards, any standards in a DCP and all requirements of the Regulation under the *Environmental Planning and Assessment Act 1979*.

Applicant

Name: **Frankies Number**

Address: **19 Cohen Street**

Suburb: **Fairlight**

State: **NSW**

Postcode: **2094**

Location of the Property

Address: **9-15 Central Avenue**

Suburb: **Manly**

State: **NSW**

Postcode: **2095**

Real Property Description: **See attached**

Proposed Complying Development

Type: **Carrying out of work**

Description: **Internal fitout and use of shop 4 as restaurant**

Proposed Use: **Restaurant**

Building Code of Australia Classification: **Class 6**

Date of Receipt

Date Received: **10th June 2010**

Determination

Approved

Date of Determination: **16th June 2010**

Date of Lapse

16th June 2015

Environmental Planning Instrument Decision Made Under

**State Environmental Planning Policy (Exempt and Complying Development Codes)
2008 – Part 5**

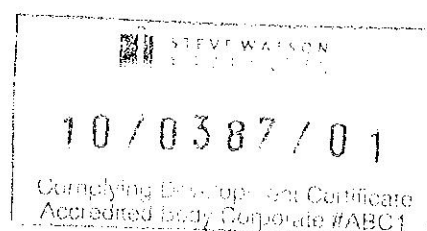
Prior to commencement of work s 86 (1) and (2) of the Environmental Planning and Assessment Act 1979 must be satisfied

Guiseppe Graziano (BPB0144) on behalf of

Steve Watson and Partners

Accreditation Body: **BPB**

Accreditation no: **ABC 1**



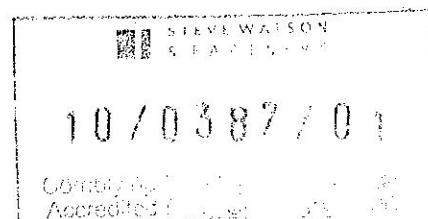
Date of Endorsement: **Wednesday, 16 June 2010**

Design documentation approved for Complying Development Certificate 10/0387/01 for Shop 4 – 9-15 Central Avenue, Manly

Drawing No.	Drawing Title	Revision	Date	Drawn by
A01	Ground floor layout	A	18/05/10	Studio [R]
A02	Section 01	A	18/05/10	Studio [R]

Documentation relied upon to issue Complying Development Certificate 10/0387/01 for Shop 4 – 9-15 Central Avenue, Manly

Item No	Description	Date
1.	Pre-CDC inspection record	14/05/10
2.	Application for Complying Development Certificate	10/06/10
3.	Existing and proposed fire safety schedule	-
4.	Evidence of Long Service Levy Payment	28/05/10
5.	Letter from Holding Redlich Lawyers re: Section 94A Contributions	27/05/10
6.	Design compliance statement from Shaun Dudley re: Part J6 Lighting	19/05/10
7.	Design compliance statement from Studio [R] re: Construction and fitout of food premises	11/05/10
8.	Letter from Steve Watson and Partners re: Provision of sanitary facilities	16/06/10
9.	Complying Development Certificate Conditions	-



Inspection Record

CI129C / 143C



STEVE WATSON
& PARTNERS

Project	Shop 4 – 9-15 Central	Inspection record #	10/387/C
Address	Avenue, Manly		
Accredited	Nickolas Hontas	Body Corporate	ABC 1
Certifier	(BPB0832) for Steve Watson and Partners	Accreditation #	
DA ref	N/A	Date of inspection	14 May 2010
		Type	PRE-COMPLYING DEVELOPMENT CERTIFICATE

Checklist

Regulatory requirements	Notes
Date of Application for CDC #	10/06/10
Fire Safety Measures on AFSS/FSS confirmed correct?	Yes
Measures to be affected by the proposed development:	-
- Exit signs - Emergency lighting - Portable fire extinguishers - Smoke detection	
Have works associated with proposed CC/CDC commenced?	No
Do the plans and specifications accompanying the application for the construction certificate adequately and accurately depict the condition of the existing building the subject of the inspection?	Yes
Details of any features of the site, or of any building on the site, that would result in the proposed development the subject of the application for the complying development certificate: (i) not being complying development, or (ii) not complying with the Building Code of Australia	None identified

Signed

14 May 2010

Inspector

Date

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

STEVE WATSON
& PARTNERS

10/0387/01

Complying Development Certificate
Accredited Body Corporate ABC 1

APPLICATION FOR COMPLYING DEVELOPMENT CERTIFICATE



STEVE WATSON
& PARTNERS

LEVEL 5, 432 CENT STREET, SYDNEY NSW 2000
TEL +61 2 9283 8555 FAX +61 2 9283 8566
sydney@swatpartners.com.au
www.swatpartners.com.au
ABN 48 102 366 575

PART 1 Application and Site Details

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): Frankies Number - Sahra Roper

Given names (or ABN):

Address: 19 Cohen st Fairlight

State: NSW

Post Code: 2094

Phone: (02) 80126312

Fax: ()

Mobile: 0405744215

E-mail: sahrais@y7mail.com

Please ensure you sign the declaration in Part 3 of this application

Owner's Consent

Every owner of the land must sign this form.

If the owner is a company, an authorised director must sign the form.

Where the works are being carried out in a strata titled building the consent of the Body Corporate must be provided.

Surname (or Company): SP: 61679 + 888882 Building Management

Given names (or ABN): 44 774 141 172

Address: PO Box 280, Freshwater 2096

State: NSW

Post Code: 2096

Phone: (02) 99075050

Fax: (02) 99385844

Mobile:

E-mail:

As owner of the land to which this application relates, I consent to this application. I also consent for SWP staff to enter the land to carry out inspections relating to this application.

Signature(s): [Signature] Date: 10/06/2010

Without the owner's consent, we will not accept the application. This is a very strict requirement for all applications. If you are signing on the owner's behalf as the owner's legal representative, you must state the nature of your legal authority and attach documentary evidence (eg. Power of attorney, executor, trustee, company director, etc)

Location of the Property

We need this to correctly identify the land.

Address: Shop 4 9-15 Central Avenue

Manly

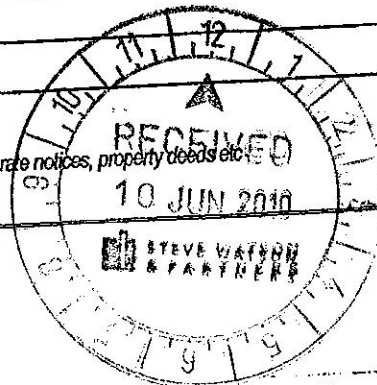
State: 2095

Post Code: NSW - 51

Real Property Description: Lot No - 3

(eg. Lot/DP, etc)

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



PART 2 Work description

Proposed Complying Development

- Use of land/building ☐
Erection of a building ☐
Subdivision of land/building ☐
Carrying out of work ☐
Demolition ☐
Other ☐

description(eg dwelling house): Internal renovations
Only.

proposed use: Restaurant

Estimated cost of work (inclusive of GST)

\$ 50,000 (Builders Only)

Principal Contractors Details

Required for all projects

Name: Rob Bird - Urban Impact
Address: 1-3 Brady St Maresman 2088
Contact Number: 0403 999 901

PART 3 Declaration

ALL THE DETAILS SOUGHT IN THE CHECKLIST MUST BE PROVIDED.

THE COMPLETED CHECKLIST MUST BE SUBMITTED WITH THIS APPLICATION. FAILURE TO PROVIDE THE REQUIRED DOCUMENTATION OF AN ACCEPTABLE STANDARD WILL RESULT IN YOUR APPLICATION BEING RETURNED.

Declaration

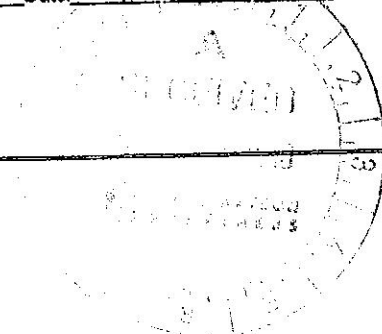
If the applicant is a company or strata title body corporate, a director or authorised delegate must sign this declaration.

I apply for approval to carry out the development or works described in this application. I declare that all the information in the application and checklist is, to the best of my knowledge, true and correct.

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: Selma Rogn

Date: 27.5.10



PART 4 Schedule to Application for a Construction Certificate

Please complete this schedule. The information will be sent to the Australian Bureau of Statistics.

All new buildings

Please complete the following:

- Number of storeys (including underground floors)
- Gross floor area of new building (m²)
- Gross site area (m²)

Residential buildings only

Please complete the following details on residential structures:

- Number of dwellings to be constructed
- Number of pre-existing dwellings on site
- Number of dwellings to be demolished
- Will the new dwelling(s) be attached to other new buildings?
- Will the new building(s) be attached to existing buildings?
- Does the site contain a dual occupancy?
(NB dual occupancy = two dwellings on the same site)

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Materials – residential buildings

Please indicate the materials to be used in the construction of the new building(s):

Walls	Code	Roof	Code	Floor	Code	Frame	Code
Brick (double)	☐ 11	Tiles	☐ 10	Concrete or slate	☐ 20	Timber	☐ 40
Brick (veneer)	☐ 12	Concrete or slate	☐ 20	Timber	☐ 40	Steel	☐ 60
Concrete or stone	☐ 20	Fibre cement	☐ 30	Other	☐ 80	Aluminium	☐ 70
Fibre cement	☐ 30	Steel	☐ 60	Not specified	☐ 90	Other	☐ 80
Timber	☐ 40	Aluminium	☐ 70			Not specified	☐ 90
Curtain glass	☐ 50	Other	☐ 80				
Steel	☐ 60	Not specified	☐ 90				
Aluminium	☐ 70						
Other	☐ 80						
Not specified	☐ 90						

PART 5 Checklist

Where relevant, have you provided/completed the following:

	Yes	Not Relevant
• 4 copies of plans, elevations and sections	☒	☐
• 4 copies of specifications	☐	☒
• List of any existing and proposed fire safety measures (Refer to the Fire Safety Schedule)	☒	☐
• Evidence of Home Building Act requirements satisfied	☐	☒
• Evidence that Long Service Levy has been paid	☒	☐
• Schedule to application for a construction certificate is completed	☒	-
• Applicants signature	☒	-

PART 6 Notes for Completing Application for a Construction Certificate

The following information must accompany applications for a Construction Certificate for Building Work

- The ABS schedule is required to be completed for the purposes of providing information to the Australian Bureau of Statistics.
- Copies of compliance certificates relied upon.
- Four (4) copies of all plans and specifications must be submitted with your application. Plans 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.
 - 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.
 - Indicate the height, design, construction and provisions for fire safety and fire resistance.
- Where proposed building work involves any alteration or addition to, or rebuilding of, an existing building the plan is to be coloured or otherwise marked to distinguish the proposed work to be approved.
- Where the proposed building work involves a modification to previously approved plans and specifications the general plans must be coloured or marked up to adequately distinguish the modifications.
- 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.
 - State whether the materials proposed to be used are new or second hand and give particulars of any second hand materials used.
- 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.
- Evidence of any accredited component, process or design sought to be relied upon.
- Except in the case of any application for, or in the respect 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.
 - 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.
- The Development Consent conditions together with stamped approved DA drawings are to be provided for our assessment of the development and record purposes.
- Under section 109F(1)(b) of the *Environmental Planning and Assessment Act 1979* a Construction 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.
- In the case of an application for a Construction Certificate for residential building work (within the meaning of the Home Building Act 1989) attach the following:
 - In the case of work performed by a licensee under that Act:
 - A statement detailing the licensee's name and contract licence number, and
 - documentary evidence that the licensee has complied with the applicable requirements of that Act*, or
 - in the case of work done by any other person:
 - a statement detailing the persons name and owner-builder permit number, or
 - 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. (If the building work is less than \$12,000 provide a statement that states the proposed work is less than \$12,000)

* 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.



Land and Property
Management Authority

Land and Property Information - Street Address Inquiry

Inquiry for address: 15 CENTRAL, MANLY

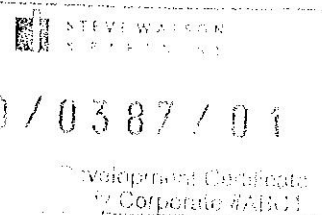
<u>Address</u>	<u>Title</u>
1-15 CENTRAL AVENUE, MANLY	102/882672
201/9-15 CENTRAL AVENUE, MANLY	1/SP61139
202/9-15 CENTRAL AVENUE, MANLY	2/SP61139
202/9-15 CENTRAL AVENUE, MANLY	3/SP61139
203/9-15 CENTRAL AVENUE, MANLY	4/SP61139
203/9-15 CENTRAL AVENUE, MANLY	5/SP61139
204/9-15 CENTRAL AVENUE, MANLY	6/SP61139
204/9-15 CENTRAL AVENUE, MANLY	7/SP61139
205/9-15 CENTRAL AVENUE, MANLY	8/SP61139
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222/9-15 CENTRAL AVENUE, MANLY	29/SP61139
223/9-15 CENTRAL AVENUE, MANLY	30/SP61139
214/9-15 CENTRAL AVENUE, MANLY	31/SP61139
225/9-15 CENTRAL AVENUE, MANLY	32/SP61139

NEW STEEL WALLING
FOR 2 PARCELS

10 / 0387 / 01

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226/9-15 CENTRAL AVENUE, MANLY	33/SP61139
227/9-15 CENTRAL AVENUE, MANLY	34/SP61139
228/9-15 CENTRAL AVENUE, MANLY	35/SP61139
219/9-15 CENTRAL AVENUE, MANLY	36/SP61139
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9-15 CENTRAL AVENUE, MANLY	CP/SP61139
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703/9-15 CENTRAL AVENUE, MANLY	111/SP61139
704/9-15 CENTRAL AVENUE, MANLY	112/SP61139
705/9-15 CENTRAL AVENUE, MANLY	113/SP61139
706/9-15 CENTRAL AVENUE, MANLY	114/SP61139
707/9-15 CENTRAL AVENUE, MANLY	115/SP61139

STEWARTSON
P. 111/1139

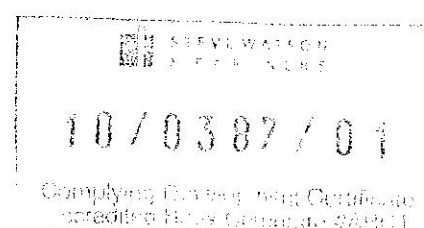
10/0307/01

114/SP61139
Red Body Certificate (RAB) 1

708/9-15 CENTRAL AVENUE, MANLY	116/SP61139
801/9-15 CENTRAL AVENUE, MANLY	117/SP61139
802/9-15 CENTRAL AVENUE, MANLY	118/SP61139
803/9-15 CENTRAL AVENUE, MANLY	119/SP61139
804/9-15 CENTRAL AVENUE, MANLY	120/SP61139
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806/9-15 CENTRAL AVENUE, MANLY	122/SP61139
807/9-15 CENTRAL AVENUE, MANLY	123/SP61139
808/9-15 CENTRAL AVENUE, MANLY	124/SP61139
1/9-15 CENTRAL AVENUE, MANLY	1/SP61679
2/9-15 CENTRAL AVENUE, MANLY	2/SP61679
3/9-15 CENTRAL AVENUE, MANLY	3/SP61679
4/9-15 CENTRAL AVENUE, MANLY	4/SP61679
5/9-15 CENTRAL AVENUE, MANLY	5/SP61679
6/9-15 CENTRAL AVENUE, MANLY	6/SP61679
7/9-15 CENTRAL AVENUE, MANLY	7/SP61679
8/9-15 CENTRAL AVENUE, MANLY	8/SP61679
9/9-15 CENTRAL AVENUE, MANLY	9/SP61679
10/9-15 CENTRAL AVENUE, MANLY	10/SP61679
11/9-15 CENTRAL AVENUE, MANLY	11/SP61679
12/9-15 CENTRAL AVENUE, MANLY	12/SP61679
13/9-15 CENTRAL AVENUE, MANLY	13/SP61679
14/9-15 CENTRAL AVENUE, MANLY	14/SP61679

*This information is provided as a searching aid only.
The Registrar General does not guarantee the information provided.*

Date of Inquiry: 16 Jun 2010 16:29
Your Reference:





STEVE WATSON & PARTNERS

BUILDING REGULATIONS CONSULTANTS AND CERTIFIERS
HFE 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

NOTICE OF COMMENCEMENT

Notice of Commencement of building or subdivision work and appointment of Principal Certifying Authority under Environmental Planning and Assessment Act 1979 Sections 81A (2) (b) (ii) and (c), 86 (1)

PART 1 Development Details

Applicant Details	Applicant's name: <u>Sahra Roper</u> Address: <u>19 Cohen st</u> Suburb: <u>Fairlight</u> State: <u> </u> Post Code: <u>2094</u> Phone: <u>() 80126312</u> Fax: <u>()</u> Mobile: <u>0405744215</u> E-mail: <u>sahrais@y7mail.com</u>
Details of the Land to be Developed	Address: <u>9-15 Central Ave</u> Suburb: <u>Manly</u> State: <u>NSW</u> Post Code: <u>2095</u> Lot no: <u> </u> DP No./Section: <u> </u>
Description of Work	Type of work: Building Work Description: <u> </u> <u>Internal fitout & use of shop 4 as restaurant</u>

PART 2 Details of Development Approval

Development Consent or CDC	Development Consent/Complying Development No: <u>10/03851/01</u> Date of Determination: <u>16/06/10</u>
Construction Certificate	Construction Certificate No: <u> </u> Date of Determination: <u> </u> <u>N/A</u>

PART 3 Appointment of Principal Certifying Authority

Details of Principal Certifying Authority Please note in the absence of any prior agreement we reserve the right to nominate the most appropriate member of our staff as the PCA.	Certifying Authority: Steve Watson & Partners Pty Ltd Accreditation Body: Building Professionals Board Accreditation Number: ABC1 Contact number: (02) 9283 6555 Address: Level 5, 432 Kent Street, Sydney NSW 2000
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PART 4 Date of Commencement and compliance with conditions

Compliance with Development Consent/Complying Development	Have all conditions required to be satisfied prior to the commencement of work been satisfied? ☒ - Yes ☐ - No <i>(conditions may include payment of security, s 94 contributions, endorsement of building work plans by water supply authority)</i>
Home Building Act 1989 Requirements	Note: Only fill in this section if you are constructing a house, other dwelling or undertaking alterations or additions to a dwelling. 1. Are you an owner-builder? ☐ - Yes, Owner-builder permit number? _____ or 2. Will the work be carried out by some one licensed to do so? ☒ - yes Name of the builder: _____ Telephone Number: _____ Contractor License no. _____ Attach one of the following documents to this notice: (a) Evidence that the licensed person is insured to carry out this type of work; or (b) a declaration (signed by each owner of the land) that the reasonable market cost of the labour and materials to be used is less than \$12000?
Principal Contractors Details <i>Required for all projects</i>	Name: <u>Urban Impact (Red Bird)</u> Address: <u>1-3 Brady St, Mosman NSW 2088</u> Contact Number: <u>0403 999 901</u>
Date Work is to Commence	Date: <u>19 / 06 / 10</u>

PART 5 Signatures

Principal Certifiers Declaration	The Principal certifying authority must sign the notice Steve Watson and Partners acknowledge that they have been appointed by the applicant to carry out the role of the Principal certifying authority for this development. Steve Watson and Partners acknowledge that they have seen evidence that the builder is licensed and insured, or that I have seen evidence that the building works are to be undertaken by a person with an owner-builder permit where required by the Home Building Act. Signed on behalf of Steve Watson and Partners: _____ Name: <u>Giuseppe Graziano</u> Date: <u>16 / 06 / 10</u>
Applicants Declaration	The applicant, or the applicant's agent must sign the notice Signature: <u>Sahna Raza</u> Date: <u>7 / 5 / 10</u> Name if you are not the applicant: _____ In what capacity are you signing if not the applicant: _____

PART 6 Privacy Policy

The information you provide in this notice is required under the *Environmental Planning and Assessment Act 1979* if you are going to erect a building or carry out subdivision work. If you do not provide the information to the consent authority, you cannot commence the work. The information will be held by the consent authority and by the council (if the council is not the consent authority). Please contact the council if the information you have provided in this notice is incorrect or changes.

FIRE SAFETY SCHEDULE



STEVE WATSON
& PARTNERS

Shop 4 – 9-15 Central Avenue, Manly

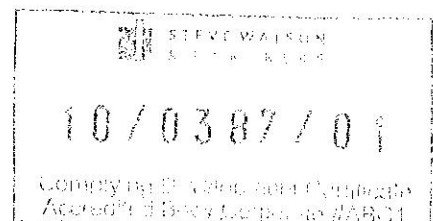
CDC No. 10/0387/01

Existing Fire Safety Schedule

measure	standard of performance	
• Portable Fire Extinguishers & Fire Blankets	AS2444	1995
• Fire Hose Reels	AS2441	1988
• Fire Sprinkler System	AS2118	1999
• Fire Hydrant System	AS2419.1	1994
• Automatic Fire Detection and Alarm System	AS1670	1995
• Exit Signs	AS/NZ2293.1	1998
• Emergency Lighting	AS/NZ2293.1	1998
• Building Occupant Warning System	AS1670.1 Clause 8.7	
	AS/NZ2293.1	1998
• Fire Doors	AS/NZ1905.1	1997
• Smoke Detectors	AS3786	1993
• Paths of travel, stairways	EP & A	Reg. 2000
• Passageways or ramps	Div. 7	CI.186

Proposed Fire Safety Schedule

Unit No.	Measure	Standard of Performance
1.	Automatic Fire Detection and Alarm System (<i>smoke detection system</i>)	BCA2010 Specification E2.2a and AS 1670.1 – 2004
2.	Emergency Lighting	BCA2010 Clause E4.2, E4.4 and AS/NZS 2293.1 – 2005
3.	Exit Signs	BCA2010 Clause E4.5, NSW E4.6, E4.8 and AS/NZS 2293.1 – 2005
4.	Portable Fire Extinguishers	BCA2010 Clause E1.6 and AS 2444 – 2001

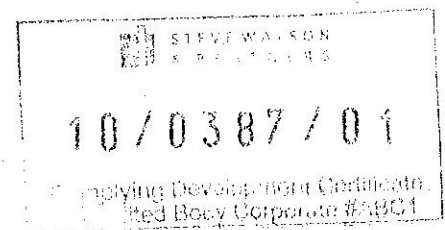


Levy Online Payment Receipt

LONG SERVICE
BUILDING & CONSTRUCTION

Thank you for using our Levy Online payment system. Your payment for this building application has been processed.

Applicant Name:	FRANKIES NUMBER
Levy Application Reference:	5005797
Application Type:	CDC
Application No.:	10/0387/01
Local Government Area/Government Authority:	MANLY COUNCIL
Site Address:	SHOP 4 9-15 CENTRAL AVENUE
	MANLY
	NSW
	2095
Value Of Work:	\$50,000
Levy Due:	\$175
Levy Payment:	\$175
Online Payment Ref.:	591261089
Payment Date:	28/05/2010 11:46:13 AM



27 May 2010

Ms Sarah Roper
Frankies Number
C/- Sam Rigoli
Shop 4
9-15 Central Ave
MANLY NSW 2095

Senior Associate

Direct Line

Email robert.moses@holdingredlich.com.au

Partner

Our Ref

Robert Moses

(02) 8083 0422

Richard Abbott

RCM:10640089

By e-mail: sam.rigoli@pp-a.com.au

Dear Ms Roper

Development Contributions – Restaurant Fitout – 9-15 Central Avenue, Manly

Background and advice sought

- 1 You have asked for our advice as to whether any development contributions are applicable to the proposed refit for a restaurant at Shop 4, 9-15 Central Avenue, Manly and if so, what the amount of contributions might be.
- 2 We are instructed that the development is being carried out as complying development under the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act). We also understand that a private certifier has been appointed to issue the complying development certificate for the refit works.

Summary of Advice

- 3 There is no power for the private certifier to issue the complying development certificate with a condition under section 94 of the EP&A Act that requires any development contribution to be paid in relation to the proposed fitout works.

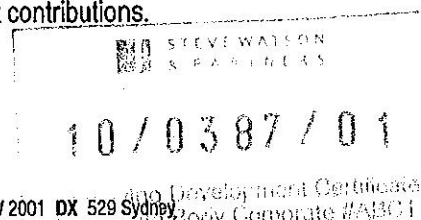
Advice

- 4 Part 4 Division 3 of the EP&A Act sets out the procedures to be followed in relation to obtaining complying development certificates. In particular, section 85A(9) states:

"In determining the application, the Council or the accredited certifier must impose a condition that is required to be imposed under Division 6 in relation to the complying development."

- 5 Division 6 of Part 4 of the EP&A Act relates to development contributions.

S:1753255_1 RCM

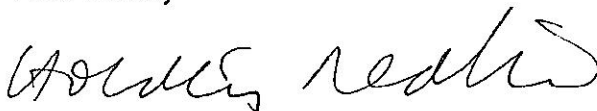


- 6 Therefore, if Division 6 of Part 4 of the EP&A Act requires the certifier to impose a section 94 condition on a complying development certificate, then the private certifier will have no choice but to impose that condition.
- 7 Of particular relevance in Division 6 of Part 4 is section 94EC. We have reproduced that section at the end of this advice.
- 8 The effect of section 94EC is that an accredited certifier can:
- (a) only impose a condition under section 94 (section 94A is not relevant in the present circumstances) where the Council's Contributions Plan specifies whether or not an accredited certifier must impose such a condition; and
 - (b) the Contributions Plan must also specify the amount of the contribution or the method by which it is to be calculated in relation to complying development.
- 9 We have reviewed the Manly Council Section 94 Contributions Plan 2004 which has an effective date of 16 April 2005. We can find no provision in the Council's Contributions Plan which relates to complying development.
- 10 In our view, given that the Council's Contributions Plan does not refer to complying development in any way and nor does it specify the matters required under section 94EC, there is no requirement for the private certifier to impose a condition under section 94 in relation to the refit works. In fact, the certifier has no authority to do so.
- 11 We have also reviewed the savings and transitional provisions in Schedule 6 of the EP&A Act. We confirm that when section 94EC was introduced into the EP&A Act in 2005 there were no savings or transitional provisions which would alter our view as set out above.

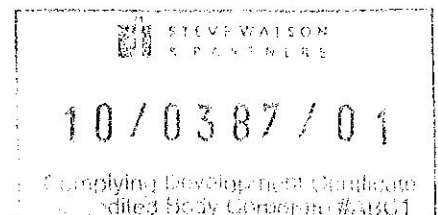
Conclusion

- 12 It is our view that a complying development certificate, if issued by the private certifier for the refit works, cannot contain a condition under section 94 of the EP&A Act.
- 13 Please do not hesitate to contact Robert Moses of our office on 8083 0422 if you have any questions in relation to this advice.

Yours sincerely



HOLDING REDLICH





Whole title | Regulations | Historical versions | Historical notes | Search title | PDF

Environmental Planning and Assessment Act 1979 No 203

Current version for 19 May 2010 to date (accessed 27 May 2010 at 10:14)

[Part 4](#) > [Division 6](#) > [Subdivision 3](#) > [Section 94EC](#)

<< page >>

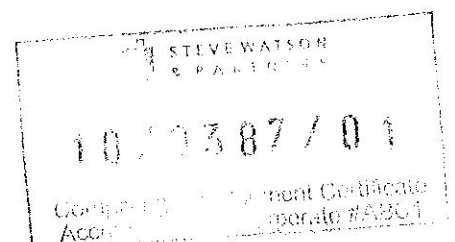
94EC Contributions plans—complying development

- (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.

Top of page

<http://www.legislation.nsw.gov.au/fragview/inforce/act+203+1979+pt4-div.6-sdiv.3-...> 27/05/2010

S:1753255_1 RCM



DESIGN COMPLIANCE STATEMENT – LIGHTING

Project Name	FRANKIES	NUMBER
Address:	UNIT 4 NO 9-15 CENTRAL AVENUE MANLY	
Part of Building to be certified	ALL	

I hereby certify that: the design for all measures nominated below has been/will be completed so as to ensure that each measure will fully comply with the nominated standard(s) of performance in the area of the building nominated above.

1. Total Wattage of all lighting

Note: Do not include display lighting. (See point 4)

Type of light (Fluorescent, halogen, incandescent)	Watts per light	Number of lights	Total Watts per light type
INCANDESCENT	60 w	10	600
LED	15 w/m	10 mtrs	150
FLUORESCENT	36 w	7	252
Total Wattage of all lighting			1002 W

Total tenancy floor area

135 m²

2. Please calculate the **illumination power load** for you fitout:

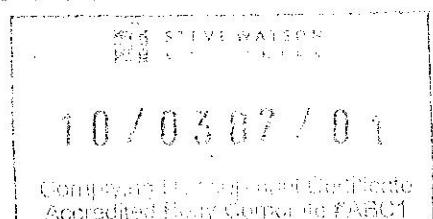
$\frac{\text{Total Wattage of all lighting}}{\text{Total tenancy floor area}} = \text{illumination power load}$

7.4 W/m²

Note! Your illumination power load should not exceed 18W/m² (restaurant portion) and 8W/m² (kitchen/food preparation area).

3. Please nominate the type of lighting control device proposed in accordance with Clause J6.3 of the BCA:

Type of Device	Illumination power density adjustment factor	Tick applicable
Time switch (complying with Specification J6)	N/A	
Occupant sensing device (complying with Specification J6)	0.9	✓



4. If display lighting is to be utilised please specify the total Wattage:

Total display lighting Wattage

190 W

Yes/No

Please confirm display lighting is to be controlled separately from other artificial lighting

YES

Note If the display lighting Wattage exceeds 1000W then the display lighting must be controlled by a time switch complying with Specification J6.

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: ARCHITECTURAL
LIGHTING DESIGNER - DIPLOMA IN LIGHTING
DESIGN

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

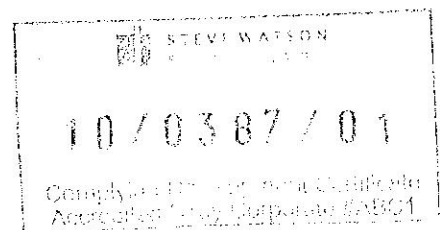
Name of Designer: SHAUN DUDLEY - FILAMENT LIGHTING

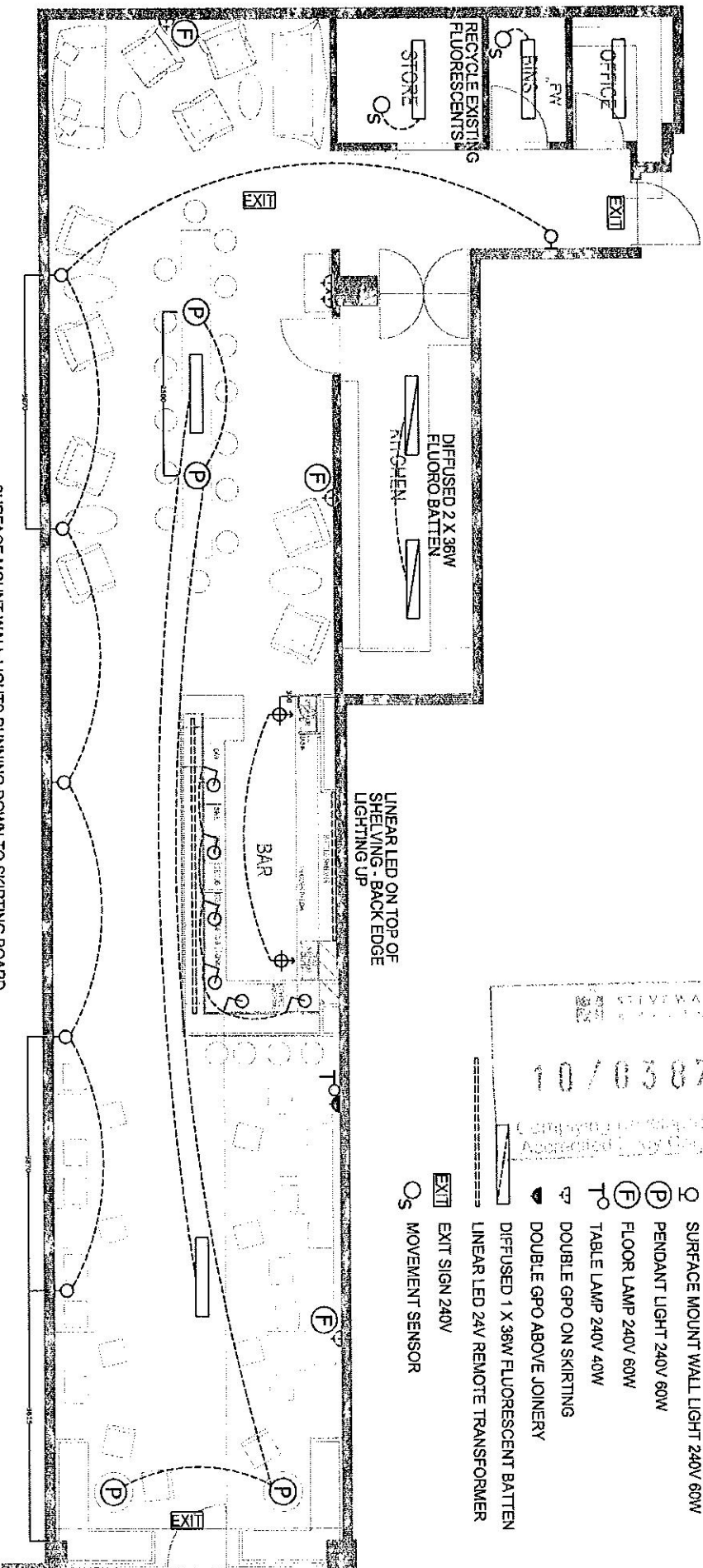
Company & Address: 9 BAY KARADE MALABAR 2036

Signature



Date 19/5/10





10/0387/01
 Company Lighting & Design
 Approved by City of Melbourne

LEGEND

- ⊕ SURFACE MOUNT ADJUSTABLE SPOT 12V 35W
- ⊕ ADJUSTABLE CLAMP SPOT 12V 20W
- ⊕ SURFACE MOUNT WALL LIGHT 240V 60W
- ⊕ PENDANT LIGHT 240V 60W
- ⊕ FLOOR LAMP 240V 60W
- ⊕ TABLE LAMP 240V 40W
- ⊕ DOUBLE GPO ON SKIRTING
- ⊕ DOUBLE GPO ABOVE JOINERY
- ⊕ DIFFUSED 1 X 38W FLUORESCENT BATTEN
- ⊕ LINEAR LED 24V REMOTE TRANSFORMER
- EXIT EXIT SIGN 240V
- MOVEMENT SENSOR

SURFACE MOUNT WALL LIGHTS RUNNING DOWN TO SKIRTING BOARD
 SKIRTING BOARD TO DISTRIBUTE POWER TO WALL LIGHTS.

Notes:
 Switch positions to be worked out on-site with owner.
 Dimmable circuits noted on drawing.

Project:
 Frankies Number
 Shop 4 No 9-15 Central Avenue
 Manly

shaun dudley 0425243936
 filament lighting design
 shaun@filamentlighting.com.au
 po box 6048
 malabar 2036

Lighting plan

Drawn by: SD Date: 19.05.2010
 Do not scale off drawing. Copyright filament.

Revision
 A

CONSTRUCTION AND FITOUT OF FOOD PREMISES - DESIGN CERTIFICATE

Project Name	Manly Bar/Restaurant
Project Address	Shop 4 9-15 Central Ave Manly 2095
Part of Building to be certified	Ground Floor Kitchen.

I hereby certify that:

- a) the drawings and specifications have been designed in accordance with the nominated Standards of Performance.

Measure and/or system	Standards of Performance
Construction and fitout of food premises	AS 4674 -2004 Design and Fitout of Food Premises and Food Safety Standard 3.2.3 Food Premises and Equipment

- 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)

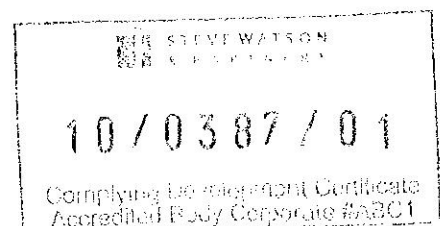
Relevant qualifications and accreditations: BA. B. Arch (Hons I)

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

Name of Certifier: Salvatore Rigoli
 Company: Studio [R]
 Address: PO BOX 636 GLEBE NSW 2037
 Phone No. 0408006141 Fax No. 02 9291 0088


 Signature

11/5/10.
 Date





Job No: 2010/0387

Wednesday, 16 June 2010

Frankies Number
19 Cohen Street
Fairlight NSW 2094

Attention: Sahra Roper

RE: **Provision of sanitary facilities**
Shop 4 – 9-15 Central Avenue, Manly

We have undertaken an assessment of the existing sanitary facilities provided at the above mentioned premises for the use of the four (4) ground floor cafes ("Shop 4", "Insitu", "Jar Bar" and "Ground Zero"). The sanitary facilities are available for the use of all 4 cafes.

The existing sanitary facilities are as follows:

1. **Males** - 2 pans, 2 basins and 1 urinal;
2. **Females** – 2 pans and 2 basins; and
3. **Accessible facility** – 1 pan and 1 basin.

It is our understanding the client's restaurant (i.e. Shop 4) will be trading at the same time as "Insitu" and "Jar Bar" – refer to attached correspondence from Sahra Roper dated 28 May 2010. The "Ground Zero" cafe will not be open at the same time and therefore does not form part of this assessment.

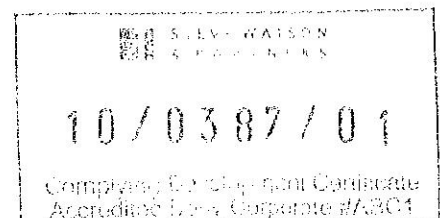
Our assessment has revealed that the existing sanitary facilities are capable of accommodating a total population of 200. The combined population for Insitu and Jar Bar is 136. On the basis that Shop 4 does not exceed a maximum population of 64, the existing sanitary facilities comply with Table F2.3 of the Building Code of Australia (BCA) 2010.

Should the concurrent operating hours and/or population figures increase to any of the above mentioned cafes, a re-assessment will need to be undertaken to verify compliance with the BCA.

If you have any queries please do not hesitate to contact me on (02) 9283 6555.

Regards,

Nick Hontas
Steve Watson & Partners



Nickolas Hontas

From: Sahra Roper [sahrais@y7mail.com]
Sent: Friday, 28 May 2010 11:01 AM
To: Nickolas Hontas
Attachments: img-3021354-0001.pdf

Hi Nick,

Great to have that all resolved.

Here are the toilet numbers as best as i can see.

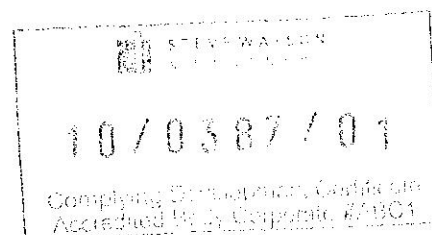
Insitu- 80 seats + 10 staff
Jar Bar- 40 seats + 6 staff

Ground Zero however will never be open at the same time as us, they are a morning cafe and close after lunch, so not in conflict at all.

let me know if you need anymore info, strata may be sending permission directly to you, if not i will forward.

Thanks

Sahra



Conditions applying to complying development certificate

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*.

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.
- (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.

Clause 136E of the EP&A Regulation: Development Involving Bonded Asbestos Material and Friable Asbestos Materials

(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.

