

Mr Vinh Truong Lotus Equities Pty Ltd 52 Webb Street CROYDON NSW 2132

Dear Mr Truong

DEVELOPMENT APPLICATION NOTIFICATION DA 61-09-2010 Shop fit out, Lotus Equities Pty Ltd, Shop 7.3, 2 Dawn Fraser Avenue, Sydney Olympic Park

I refer to the above development application received by Sydney Olympic Park Authority on 2 September 2010.

I am writing to inform you that the application has been granted consent, subject to conditions (refer to the attached consent).

Please note the development consent operates from the date of notification. Should you have any enquiries regarding the above matter, please contact Martin Karm, Town Planner, on 9714 7139 or via email to <u>martin.karm@sopa.nsw.gov.au</u>

Yours sincerely,

Original signed 13.08.2010

Andrew Brown Executive Manager, Urban Planning and Design

Date:

PH 9714 7137 email <u>Andrew.brown@sopa.nsw.gov.au</u>



Development Consent

Section 80 of the Environmental Planning and Assessment Act 1979

I, the Executive Manager, Urban Planning and Design of the Sydney Olympic Park Authority, pursuant to section 80(1) and 80(A) of the *Environmental Planning and Assessment Act 1979*, Clause 22 of the *Sydney Olympic Park Authority Act 2001*, and in accordance with the delegations invested to my office by the Minister for Planning, grant development consent to the development referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to prevent, minimise, and/or offset adverse environmental impacts.

Original signed 13.09.2010

Andrew Brown Executive Manager, Urban Planning and Design Sydney Olympic Park Authority

Date:

Ref: DA 61-09-2010 (File No. F10/1170)

	Schedule 1
Development Application:	DA 61-09-2010
Application made by:	Vinh Truong, Lotus Equities Pty Ltd
То:	Sydney Olympic Park Authority
In respect of:	Pt Lots 3, 4, 5, 6, 7, 8 DP 1130359
For the following:	Retail development involving building alterations and additions, Shop 7.3, Ground Floor, 2 Dawn Fraser Avenue, Sydney Olympic Park.
Determination:	Consent granted subject to the conditions in the attached Schedule 2
Date of commencement of consent	This development consent commences on the date identified in the formal notification letter accompanying the Notice of Determination
Advisory Notes	The Applicant is solely responsible that all additional consents and agreements are obtained from other authorities as relevant
	The Applicant has right to appeal to the Land and Environment Court in the manner as set out in the Environmental Planning and Assessment Act 1979, and the Environmental Planning and Assessment Regulations 2000 (as amended)

SCHEDULE 2

CONDITIONS OF CONSENT DEVELOPMENT APPLICATION NO. 61-09-2010

(FILE NO. 10/1170)

Part A – Administrative Conditions

A1 Development Description

Development approval is granted only to carrying out of the development described below:

1 Alterations and additions Shop 7.3 Ground Floor 2 Dawn Fraser Avenue, Sydney Olympic Park, for food and beverage restaurant to be known as Lotus Story. The proposed development includes new kitchen, partitions, feature wall, signage and outdoor dining. The works would be carried in accordance with the plans prepared by One Click Design Pty Ltd.

A2 Development in accordance with Plans

The development shall be generally in accordance with Development Application number 61-09-2010 received by the Authority on 2 September 2010, and in accordance with the supporting documentation submitted with that application, including, but not limited to, the following:

Plans prepared by OCD Designs Pty Ltd			
Drawing Ref	Revision	Name of Plan	Date
01	D	Cover Page	28/07/2010
02	D	Floor Plan	28/07/2010
03	D	Dimensions	28/07/2010
04	D	Partition Plan	28/07/2010
05	D	Floor Finishes	28/07/2010
06	D	Services	28/07/2010
07	D	RCP	28/07/2010
08	D	Shop Front	28/07/2010
09	D	Shop Front Detail #2	28/07/2010
10	D	Left Wall	28/07/2010
11	D	Rear Wall	28/07/2010
12	D	Right Wall	28/07/2010
13	D	Prep Area	28/07/2010
14	D	Wash-Up Area	28/07/2010
15	D	Front Section	28/07/2010
16	D	Bar Elevation	28/07/2010
17	D	Service Counter	28/07/2010
18	D	Bar	28/07/2010
19	D	Back Bar	28/07/2010
20	D	Feature Wall	28/07/2010
21	D	Feature Divider	28/07/2010

22	D	28/07/2010	
Statement of September 2		ntal Effects prepared by Lotus Equities Pty Lto	d dated 2

Except for:

- 1. Any modifications as may be necessary for the purpose of compliance with the BCA and any Australian Standard incorporated in the BCA;
- 2. Otherwise provided by the Conditions of this Approval;
- 3. Otherwise as necessary to comply with other NSW and Commonwealth legislation.

A3 Inconsistency between documents

In the event of any inconsistency between Conditional Advice of this Approval and the details referred to Conditional Advice No. A2, the Conditional Advice of this Approval prevail.

A4 Commencement of works

The development must physically commence within 5 years and substantially commence within 7 years of determination date of DA 61-09-2010.

A5 Prescribed Conditions

The development is to comply with the prescribed conditions of development consent under Clause 98 of the *Environmental Planning and Assessment Regulations 2000*.

A6 Critical stage inspections

The *Environmental Planning and Assessment Act 1979* section 109E (3) (d), requires that inspections be carried out by the Principle Certifying Authority (PCA) or another Accredited Certifier with the prior consent of the PCA.

Part B – Design Changes

B1 Business identification signage

Prior to issuing a construction certificate, the signage drawings must demonstrate that the business identification signage is consistent with the specifications shown in Figure 7, Colonnade / awning identification signage zones, of the Sydney Olympic Park *Guidelines for Outdoor Advertising, Identification and Promotional Signage* (2002) and *Site 6 & 7 Colonnade – Horizontal Blade Signs Options* Building 7 Option 2.

Part C – Prior to construction

C1 Construction Certificate

A Construction Certificate is to be issued for the new building work by the consent authority or an accredited certifier in accordance with the requirements set out in Section 81A of the *Environmental Planning and Assessment Act 1979*.

Note: Prior to issue of the Construction Certificate, sufficient information must be forwarded to the certifying authority illustrating compliance with the relevant requirements of the *Building Code of Australia*. Sufficient information may include but not limited to, reports or certifications, issued by an appropriately qualified person. Please contact your relevant certifying authority to discuss requirements prior to submission of the application for construction certificate.

C2 Principle Certifying Authority

The new building work is not to commence until a Principal Certifying Authority has been appointed for the new building work as set out in Section 81A of the *Environmental Planning and Assessment Act 1979*.

C3 Mechanical ventilation and exhaust

Mechanical ventilation and exhaust is to be reviewed and upgraded if required. These systems shall comply with the requirements of clause F4.5 of the *Building Code of Australia* and its installation is to comply with AS1668.1 - 1988.

C4 Accessibility

Prior to issuing a construction certificate the proposed construction plans are to demonstrate compliance of the provisions for persons with a disability with the requirements of AS 1428.1 and *SOPA's Access Guidelines 2008*.

Part D – During Construction

D1 Pollution management

All noise, water, waste or air pollution activities generated by the development shall be managed in general accordance with the most recent NSW Department of Environment and Climate Change guidelines and polices and relevant NSW legislation, including but not limited to, the *Protection of the Environment Operations Act, 1997*.

D2 No Obstruction of Public Way

The public way and road reserves must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances unless in accordance with a Works Permit. Non-compliance with this requirement will result in the issue of a notice by the Authority to stop **all** work on the site.

Note: further information on Work Permits can be obtained from <u>www.sydneyolympicpark.com.au</u>.

D3 Fit out in accordance with base building Fire Engineered Design

The fit-out is to be carried out within the provisions of the base building Fire Engineered Design and shall not compromise this existing base building Fire Engineered Design. All existing base building Essential Safety measures including all the required exits are to be preserved within the base building areas and maintained and upgraded if required to accommodate the proposed new fit-out.

D4 Fit out in accordance with the Building Code of Australia

The fit-out is to be in accordance with the provisions of the *Building Code of Australia 2009* (BCA) and any relevant *Australian Standards*, including but not limited to:

- 1. Compliance in accordance with the requirements of Section J Energy Efficiency of the *Building Code of Australia*,
- 2. Compliance of food preparation areas in accordance with AS 4674-2004 Construction and fit-out of food premises,
- 3. New pedestrian areas are to be constructed in accordance with AS/NZS 4586:2004 Slip resistance classification of new pedestrian surface materials.

Note: Sufficient information must be forwarded to the certifying authority illustrating compliance with the relevant requirements of the *Building Code of Australia* and *Australian Standards*. Sufficient information may include but not limited to, reports or certifications issued by an appropriately qualified person. Please contact your relevant certifying authority to discuss requirements prior to submission of the application for construction and occupation certificate.

D5 Fit out in accordance Occupational Health and Safety Act 2000

All works are to be carried out in accordance with the NSW, Occupational Health and Safety Act 2000.

Part E – Prior to occupation

E1 Occupation certificate

An Occupation Certificate is to be issued by the Principal Certifying Authority upon completion of the new building works in accordance with the requirements of Section 109H and109M of the *Environmental Planning and Assessment Act 1979*.

E2 Notification of NSW Food Authority

Prior to issuing an occupation certificate, the proprietor must notify the NSW Food Authority of the following information including:

- 1. Contact details for the food business, including the name and address of the business and proprietor of the business,
- 2. The nature of the food business, and
- 3. The location of any other food premises associated with the food business, within the jurisdiction of NSW Health.

E3 Proprietor to obtain outdoor dining Public Risks Insurance

Prior to issuing a occupation certificate, the proprietor is to obtain Public Risk Insurance of at least \$10 million per occurrence for liabilities arising out of the proprietor's use of the outdoor dining area. Public Risk Insurance must to be maintained for the duration of approval specified for outdoor dining.

E4 Outdoor dining licence

Prior to issuing an occupation certificate, the proprietor is to obtain a commercial outdoor dining licence from Sydney Olympic Park Authority for the purpose of leasing the public domain area for the sole use of Lotus Story outdoor dining.

E5 Delineation of approved outdoor dining zone

Prior to issuing an occupation certificate, pavement markers are to be installed on the pavement outside the tenancy to delineate the approved outdoor seating zone in accordance with specifications identified in Condition F3 and the plans shown on the Outdoor Dining Approval Certificate.

E6 Proponent to pay for any damage to footpath or public assets

The cost of repairing any damage caused to Sydney Olympic Park Authority or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the Proponent/developer prior to the issue of the final Occupation Certificate.

Part F – During occupation

F1 Annual Fire Safety Statement

All fire safety measures serving the building are to be certified to the relevant local Consent Authority (Auburn Council) as being maintained in accordance with the requirements of the Building Code of Australia and *Environmental Planning and Assessment Act 1979* and Regulations on a yearly basis within 12 months after the date on which the initial Fire Safety Certificate is issued.

F2 Display of Outdoor Dining Approval Certificate

The provided Outdoor Dining Approval Certificate is to be prominently displayed in a conspicuous and easily accessible place within the tenancy or on the shop front window. All outdoor dining seating arrangements are to be in strictly in accordance with the illustrated diagram shown on the certificate.

F3 Outdoor dining furniture specifications

Outdoor furniture must be in accordance with the following design specifications:

	Outdoor Furniture Specifications
Tables	
Size of seating zone:	2.0m x 1.0m for 2 seater table
Style:	Have a surface area of 800x800 millimetres
	Stackable
	Suitable for exterior use
	Fitted with adjustable feet to provide level surface
	Be from the same family as chairs
	Not contain any third-party advertising
Configuration:	Example only
	2000 2000 2000 EASE ZONE 2 x Seater Table Zone

	Outdoor Furniture Specifications
Chairs	
Style:	Stackable
	Suitable for exterior use
	Be of high quality commercial use, preferably framed
	Consider a mixture of chairs with and without armrests
	Be from the same family as tables
	Not contain any third-party advertising
Markers	
Style:	All approved areas for commercial outdoor dining are required to be delineated by pavement markers. The corners of approved areas are to be delineated by 3 pavement markers (stainless steel metal studs), one fixed in the corner of the boundary and the other two pointing to the opposite boundaries, (see photograph). The markers must remain in place throughout the duration of the approval, and all furniture, must be kept strictly within the
	boundaries of the approved seating area.
Example:	Tactile indicators used to define corner of lease area
Heating	
Style:	 The use of freestanding heaters is permitted provided that: 1. They do not interfere with pedestrian circulation. 2. Numbers are minimized through selection of models with greater coverage. 3. Heaters are stainless steel finish. 4. Heaters of high quality and suitable for restaurant purposes. 5. Are located wholly within the seating zone Consideration should also be given to the use of shorter column heaters to minimise visual impact in public spaces.

Outdoor Furniture Specifications			
Example:			

F4 Outdoor dining conditions of operation

The following applies to outdoor dining:

- 1. The use of outdoor dining is only allowed in conjunction with the provision of a simultaneous food service from the associated approved Lotus Story retail use.
- 2. Should the proprietor of the premises change at any time to a new business, a new development consent is required under the name of the new proprietor for outdoor dinning.
- 3. The proprietor of the premises is solely responsible for any personal injury claims arising from the use of outdoor dinning.
- 4. The use of outdoor dining may be suspended to facilitate Major Events or for road and service works. No claim for compensation is entitled under such circumstances unless agreed to by Sydney Olympic Park Authority.
- 5. All furniture must be stackable or folded at the end of each days trade and stored in a furniture storage area inside the tenancy.
- 6. Portable signs or goods for sale or display must not be placed on the footway or other public areas.
- 7. All outdoor furniture and pavement are to be kept hygienically clean and free of food scraps.
- 8. All outdoor furniture must at all times be maintained in a physically sound and aesthetically acceptable condition.
- 9. Umbrellas are to be located within the extent of the tenancy leased area and/or the licensed public space.
- 10. Umbrellas are not encroach on or interfere with pedestrian or vehicle movement.
- 11. Umbrellas are to be removed or closed during extremely windy conditions and must be removed when the outdoor seating area is not in use.
- 12. The uses of umbrellas are not permitted in areas where cover is provided by a building awning or the like.
- 13. The total number of heaters allowable in the outdoor seating zone is three (3).
- 14. Use of heaters may only occur during winter months (from May to October) and stored away from public view during summer months (from November to April).
- 15. Heater storage is subject to the following conditions:
 - a. Heaters must be removed and securely stored inside the restaurant at the end of each day's trade.

- b. Heaters must be stored away from public view and the public domain (i.e. public viewing areas at the front of the premises) during summer months.
- c. Spare gas tanks or gas cylinders must be stored away from public view and the public domain (i.e. public viewing areas at the front of the premises and outside the amenity blocks) at all times.
- 16. The proprietor is wholly responsible for the maintenance and safe usage of heaters and must do so in accordance with the *Occupational Health and Safety Act 2000*. The storage gas shall be in accordance with the current requirements of the *AS/NZS 1596* 2002 "Storage and Handling of LP Gas", AS 4332 2004 and "The storage and handling of gases in cylinders".
- 17. Heaters must be used to the manufacturer's specifications and are to be kept from any overhanging structures at the minimum distance specified in the specifications.
- 18. The retail shop's Emergency Management Plan is to include the usage of the heaters to maintain fire and life safety requirements for patrons.
- 19. The proprietor is to comply with any direction or order issued from Sydney Olympic Park Authority in regard to outdoor dinning conditions, including but not limited to, the safe usage of seating and maintenance of accessibility and pedestrian circulation zones.

Note: The approved use of outdoor dinning may be revoked at any time by Sydney Olympic Park Authority if the operation of outdoor seating is not carried out in a satisfactory manner.

F5 Hours of Opening

The hours of opening shall be restricted to between 6.00 am to 1.00 am (Monday to Sunday).

Note 1: Actual operational hours may consist of the Applicant's preferred opening hours at any time between the hours 6.00am and 1.00 am (Monday to Sunday).

Note 2: Hours of opening may be extended to facilitate and support Major Events on major event days only.

F6 Loading and unloading

All loading and unloading service vehicles in connection with the use of the premises shall be carried out within the No. 2 Dawn Fraser Avenue loading dock or a designated on street loading zone, Sydney Olympic Park.

Loading and unloading of goods and waste to and from the shop must be carried out in a responsible manner and not to unduly interfere with building, shop or pedestrian function or amenity.

F7 Waste Management

No waste is to be stored on the footpaths or public domain areas of Sydney Olympic Park. All waste is to be stored and disposed from within the base building's waste storage room at 2 Dawn Fraser Avenue.

F8 Food and liquid waste

Suitably constructed waste disposal containers with secure fittings must be kept on the property for the storage of any food and liquid waste prior to final disposal.

F9 Intruder Alarm

Intruder alarm/s associated with the development is permitted to operate only in accordance with the requirements of Clause 53 of the *Protection of the Environment Operations (Noise Control) Regulation 2000* under the *Protection of the Environment Operations Act 1997*.

F10 Signage illumination

Illuminated signs associated with the premises shall not flash intermittently or cause significant glare or injury to the amenity of the public domain or persons. If, in the opinion of Sydney Olympic Park Authority, injury is likely to be caused, the intensity, period of intermittency and hours of illumination may be varied to the satisfaction of Sydney Olympic Park Authority.

F11 No Obstruction of Public Way

The public way and road reserve must not be obstructed by any materials, vehicles, refuse, skips, signs or the like, under any circumstances unless in accordance with a Works Permit or development consent. Non-compliance with this requirement will result in the issue of a notice by the Authority to stop **all** work on the site or penalty infringements.

Note: further information on Work Permits can be obtained from <u>www.sydneyolympicpark.com.au</u>.

F12 No 3rd party advertising or shop product promotional display on shop front windows

The shop front window is to remain free of any 3rd party advertising and shop product promotional displays.

LOTUS Story Recipes Of Ha Doan.

PLANSET

- 01 COVER PAGE •
- 02 FLOOR PLAN
- 03 DIMENSIONS .
- 04 PARTITION PLAN .
- 05 FLOOR FINISHES .
- 06 SERVICES .
- 07 RCP .
- 08 SHOPFRONT #1 .
- 09 SHOPFRONT #2
- 10 LEFT WALL
- 11 REAR WALL .
- 12 RIGHT WALL .
- 13 PREP AREA .
- . 14 WASH-UP AREA
- **15 FRONT KITCHEN SECTION** • .
- **16 BAR ELEVATION 17 SERVICE COUNTER** .
- 18 BAR .
- . 19 BACK BAR
- 20 FEATURE WALL .
- **21 FEATURE DIVIDER** .
- 22 DRY BAR & BEAMS •

REVISION NOTES

A. 26-05-2010 TENDER ISSUE

C. 01-07-2010

- B. 27-05-2010 *Door added to BOH *Bar & Back Bar Shortened
 - *POS removed from front counter *Cold food display to be 1 long unit * Prep sink & hand wash basin moved
 - * Existing Shopfront to remain & be clad with black stained CD ply
 - * All specified STARON finishes to be substituted with black stained CD ply
 - * Front Counter height & finishes modified
 - * Bar modified
 - * Back Bar unit modified
 - * Pass through & heat lamps added
 - * Dry Store shelving added.
 - * Timber Beams & Divisions are now all ply construction
 - * Dry-bar material changed
 - * Equipment spec's added
 - * Changes to lighting specification
 - * Drop down screen added over food
 - display

D. 28-07-2010 * Pass through added to wash up area * Microwave shelf lowered * Detail added to drop down screen on

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Sydney Olympic Park Authority 8 Australia Avenue Sydney Olympic Park NSW 2027

Issued under the Environmental, Planning and Assessment Act 19

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Bar Fridge	VANTAGE	G208	3 Door Sandwich Prep Fri in the notice of determination 2 Door Bar Fridge (Blac
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Griddle	GASMAX	JZH-RG	Griddle on Cabinet (LPC
Fryer	VANTAGE	ZH-RE-3	40 litre gas fryor (LPG)
Oven	UNOX	XVC-501	Combi Oven & Stand
Plate Warmer	VANTAGE	DR-1	Mobile Plate Warmer
Pass through	SS fabricator		
Front Food Display	SS Fabricator		
BOH Dishwasher	TBA - By Client		
Bar Dishwasher	TBA - By Client		
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Fryer	VANTAGE	Z	H-RE-3	10 litre gas fryer (LP
Oven	UNOX	X	VC-501	Combi Oven & Stan
Plate Warmer	VANTAGE		DR-1	Mobile Plate Warme
Pass through	SS fabricator			
Front Food Display	SS Fabricator		246	







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 Image: Service count

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Issued under the Environmental, Planning and Assessment Act 1979

Approved Development Application No.: 61-09-2010

13/09/2010 Date:



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Granito Rock - Black 450x450mm floor tile

Granito Black Star - 200x200 R11 floor tile ensure to supply & install coved tile to suit.

Epoxy Floor Coating - Clear finish

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	Mica Lighting - Ocean Low Bay Halogen 150watt pendant light. www.micaunited.com.au
	Crompton 2x18watt Compact Fluoro - DLC218DG
	1200X300 T5 Flush plaster fluorescent troffer light 2x28watt
	Hatco - DL500 suspended heat lamp. Colour - Radiant Red
	Emergency Spitfire Lighting
	Emergency Exit Lighting
	Air Register - Mechanical design to be by Mechanical Engineer
	Air Conditioning return air grille
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lighting d pleated inner shade	L3 - TELBIX ADEMAR 35 PENDANT L4 - EGLO TROY 3 PENDANT

Telbix ATLAS pendant

Ambience lighting - Umbrella pendant - 00-2727-AP-05

Telbix - Ademar 35 - 75watt pendant - Red







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One Click Designs	Lotus Story	LOTUS STORY	TENANCY 7.3. BUILDING 7 SYDNEY OLYMPIC PARK DAWN FRASER AVENUE HOMEBUSH	REAR WALL	TENANCY 7.3. 158.3M ²	TENDER ISSUE	CHKD SHEET SIZE A3	-D
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Issued u Approve 9946 600 1823 Granted LINE OF TENANCY CEILINGontain Signed: 150X150 CD PLY BEAM-—Full height open shelf Dry Store unit 800mm deep FEATURE BULKHEAD Open overhead unit 450mm deep 1600 LINE OF KITCHEN CEILING-STANDARD FEATURE P4 T2 4920 T2 THROUGH · 44 TO WALL MOUNTED STAINLESS Steel Shelf DINING 3600 632 AREA TAKEAWAY SERVICE COUNTER-1 50mm high stainless steel pass through with heat lamps over COLD ROOM 11 2500 HAND WASH BASH H C Stainless cladding to rear of low height partition BAR 1/ 1/ ſ PREP SINK & BENCH H C PREP BENCH M 850 600X450X3000 TJ. TRADE WASTE 300 2226 870 1200 1250 1003 948 600 1122 254 96

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OUTDOOR DINING APPROVAL CERTIFICATE

The Proprietor of **Lotus Story** has Approval for outdoor dining over an area of **70m²** adjacent to **Shop 7.3, 2 Dawn Fraser Avenue, Sydney Olympic Park** to occupy the Public Domain as shown in the drawing.

The Proprietor will be held responsible for any breaches of conditions of the approval in the development consent which includes requirements for Public Risk Insurance.

All outdoor furniture must be kept strictly within the bounds of the approved area and must not encroach upon the adjoining Public Domain Footpath at any time.

This Approval expires upon change of shop Proprietorship. This Approval may be revoked at anytime if conditions of development consent are breached.



Development Consent No.: DA 61-09-2010

Site drawing