

STATEMENT OF ENVIRONMENTAL EFFECTS

Amendments in Operation Hours and Small Bar
License to the approved
DA-682/1999; Use of Premises as a Restaurant and
Associated Fitout

At

(Level 1) 17 South Terrace,

Punchbowl NSW 2196

Issued: September 2022

Prepared by



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1 INTRODUCTION

1.1 OVERVIEW

This report has been prepared by ADA design associates as part of a Section 4.55 application for an approved DA-682/1999 Use of Premises as a Restaurant and Associated Fitout on Lot A in DP 395288 also known as (Level 1) 17 South Terrace, Punchbowl.

1.2 PROPOSED AMENDMENTS

The application seeks consent for the following amendments as detailed in this statement of environmental effects prepared by ADA design associates and other supporting documentation.

LIST OF AMENDMENTS	
DA CONDITION	<p>Condition 36: No alcohol shall be sold from the restaurant premises.</p> <p>Proposal: The proposal seek to obtain approval for provision of Small Bar License with reference to condition 36 of the determination notice for Level 1 of the premises.</p> <p>Background: The current use of premises i.e. Reception Lounge at Level 1 of the site shall be retained. There is a huge demand of alcohol to serve the customers of function centre, as people use this premises to celebrate their private events. It is prudent to know that the proposed property is OUT of the alcohol free zone and alcohol prohibited area policy of the Canterbury Bankstown council.</p> <p>Proposed Design: There are no proposed design/layout changes at Level 1. Refer to Appendix-A showing current Reception counter pictures that will be used for Bar. It is located adjacent to the cool room in close proximity to kitchen located at the rear of the restaturant.</p>

Summary:

All supporting documents to obtain small bar license from NSW government have already been prepared and ready to submit pending council's approval. Refer to Appendix B for supporting documents.

It is to bring to council's attention that the surrounding commercial premises within 50m of the property, are already operating with Small Bar as per council's consent. It is therefore requested that the council looks at this proposal favourably in the best interest of the client and community to grant the small bar license approval.

Condition 34:

The restaurant shall operate between 11am to 10pm only. Approval for extended hours on Fridays, Saturdays and Sundays till 12.00 midnight is granted on a trial basis for a limited period of twelve (12) months only at the end of which the operating hours shall revert back to the 10pm closing time unless further approval has been obtained from council.

Proposal:

The proposal seek to obtain approval for extended hours of operation with reference to condition 34 of the determination notice for Reception Lounge at Level 1.

Proposed Time of Operation:

Monday to Thursday : 11am to 12 midnight

Friday to Sunday: 11am to 2am midnight

Number of Staff: 06 Persons

To cater the residents of Punchbowl and surrounding suburbs, Reception Lounge on Level 1 strives to provide services at the best interest of the local community. The site is surrounded by commercial, residential and retail properties. The types of land uses along South Terrace, Punchbowl and The Boulevard are diverse. This area is undergoing transition to a more medium to high density area due to the area's close proximity to main roads and most

	<p>important infrastructure and vast access to public transport facilities. . The road network is well established and can cater for any additional traffic volumes generated by the proposed development and future developments. Public transport facilities are also located nearby to serve current and new residents.</p> <p>The objectives of the current zone - B2 Local Center are met with existing design and proposed hours of operation:</p> <ul style="list-style-type: none"> • To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. • To encourage employment opportunities in accessible locations. • To maximise public transport patronage and encourage walking and cycling. • To facilitate and support investment, economic growth and development for active, diverse and well-designed centres. <p>Background:</p> <p>The existing use of the premises shall be retained. The lot to the west is council owned parkland, meanwhile the lot to the east is a mixed use development containing commercial shops on the ground floor level, and residential units over. To the north of the subject premises are the train lines.</p> <p>Existing Design:</p> <p>The existing design complies with all relevant DCP's for all their rules and regulation, as well as complying with Canterbury Bankstown Council's LEP. The existing site sits nicely within the streetscape having a frontage that is on the boundary line, thus provides great exposure.</p> <p>Access and Traffic:</p> <p>Due to the site not being afforded with parking provisions, all loading and unloading access to the site are via South Terrace. All pedestrian access from the site is via the front doors being off South Terrace, and existing chair lift provides for disabled access to the dining area.</p>
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	<p>Privacy, Views and Oversahdowing:</p> <p>Due to the scale of the development, all views, privacy and overshadowing shall be maintained as per the existing site conditions.</p> <p>Summary:</p> <p>The proposal related well to the surrounding streetscape, zoning and as well as being of compatible scale and character to the existing structures of South Terrace, Punchbowl, as well as being compliant with the relevant DCP's, LEP, BCA and Australian Standards.</p> <p>The surrounding commercial premises have extended hours of operation i.e. 12 midnight through the week, and are operating on these hours more than couple of years (located at close proximity at intersection of South Terrace and Punchbowl Road). Given these circumstances, it is requested to grant the proposed Reception Lounge extended hours of operation.</p>
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1.3 DEVELOPMENT PROPOSAL

The application seeks the modification for provision of Small Bar License and Extended time of Operation as per DA condition 36 & 34 on Lot A in DP 395288 also known as 17 South Terrace, Punchbowl. The proposal:

- does not result in any changes to the front and rear setbacks,
- does not result in any changes to the approved actual ridge levels of the building
- does not result in impacting privacy of the adjoining building,
- does not impact the solar access compliance as approved,
- does not result in changes to the FSR permitted under Bankstown DCP 2019.

The proposal

- does not require the application to be referred to any additional referral agencies; and
- does not change the type of development approval sought; and
- does not require impact assessment for any part of the changed application

And hence is to be treated as a Section 4.55 (minor) modification application.

1.4 Sec 4.55 Modification of consents

1.4.1 (1) Modifications involving minor error, misdescription or miscalculation

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify a development consent granted by it to correct a minor error, misdescription or miscalculation. Subsections (1A), (2), (3), (5) and (6), section 96AB and Division 8 do not apply to such a modification.

1.4.2 (1A) Modifications involving minimal environmental impact

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- a) it is satisfied that the proposed modification is of minimal environmental impact, and
- b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and
- c) it has notified the application in accordance with:
 - (i) The regulations, if the regulations so require, or

2 CONCLUSION

It is concluded that the proposed development on Lot A in DP 395288 also known as 17 South Terrace, Punchbowl as detailed in the documentation accompanying this application, will have minimal impact on the overall design of the approved development and will not increase any bulk nor change the overall proposal. The changes do not require a new DA and are in keeping with the Environmental Planning and Assessment Act 1979. Due to this we believe the application is substantially the same. In conclusion, we believe the proposed development satisfies and is generally in accordance with the general guidelines and recommendations contained in the Bankstown LEP and DCP and general planning policies.

Based upon the above submission and the Development Plans submitted it is recommended that the development be granted Sec 4.55 modification consent.

APPENDIX-A






APPENDIX-B

APDEC1

Online appointment of manager notice: declaration by incoming manager



Liquor & Gaming NSW

Before you complete this form

What this form is for
 This declaration must be signed by the incoming approved manager. The signed declaration must be attached to your [online appointment of manager notice](http://online.appointmentofmanager.notice@legov.nsw.gov.au) at online.appointmentofmanager.notice@legov.nsw.gov.au.
 If information is missing, we'll need to ask you to supply the required information to support the application. This may delay our response.

How to lodge this form

Save as PDF and attach to your online appointment of manager notice where requested.

Need more information?


liquorandgaming.nsw.gov.au
 Search for 'Liquor licence transfers'.
 Contact us online
 1300 024 720

Declaration

- ▲ I consent to appointment as manager of the liquor licence
 LIQ ☐
- ▲ I certify that I am not appointed as the manager of any other licensed premises at this time.
- ▲ I declare that I am not suspended or disqualified from appointment as a manager.
- ▲ I certify that I will implement practices at the licensed premises to ensure the responsible sale, supply and service of alcohol and the prevention of intoxication.
- ▲ I declare that I have disclosed all relevant information as to whether I have been subject to any disciplinary action under liquor and gaming legislation.
- ▲ I acknowledge that under section 36 of the *Gaming and Liquor Administration Act 2007* and section 307A of the *Crimes Act 1900* it is an offence to provide false, misleading or incomplete information in this notice.

Full name of incoming approved manager
YUBRAJ KHATIWADA

Approved Manager Number
 LIQXA **9111019325**

Signature


Date
07/09/2022

Liquor & Gaming NSW GPO Box 7060, Sydney NSW 2001 | T 1300 024 720 | W liquorandgaming.nsw.gov.au

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Online appointment of manager notice: declaration by organisation

Liquor & Gaming NSW


Before you complete this form

What this form is for

This declaration must be signed by the licensed organisation consenting to the appointment of the approved manager. The signed declaration must be attached to your online appointment of approved manager notice at onegov.nsw.gov.au.

If information is missing, we'll need to ask you to supply the required information to support the application. This may delay our response.

How to lodge this form

-  Save as PDF and attach to your online appointment of manager notice where requested.

Need more information?

-  liquorandgaming.nsw.gov.au
 Search for 'Liquor licence transfers'
 [Contact us online](#)
 1300 024 720

Declaration

- 4 I consent to the appointment of the approved manager named below to liquor licence

[illegible]

- I acknowledge that under section 36 of the Gaming and Liquor Administration Act 2007 and section 307A of the Crimes Act 1900 it is an offence to provide false, misleading or incomplete information in this notice.

Name of approved manager

YUBRAJ KHATIWADA

Name of licensed organisation

FASTAMANDAP FUNCTION
AND RESTAURANT PTY LTD

Two signatures are required under section 127 of the Corporations Act 2001.

Authorised signatory 1

Full name

ANIL CHALISE

Title e.g. director

DIRECTOR

Signature _____

Ans: _____

Date _____

07/09/2022

Authorised signatory 2

Full name

SURESH RAUT

Title e.g. director

DIRECTOR

Signature _____

Pant.

Date _____

07/09/2022

07/09/2022, 20:35

[View company details](#)**ASIC**

Australian Securities & Investments Commission

Forms Manager

Registered Agents

Company: KASTHAMANDAP FUNCTION AND RESTAURANT PTY LTD ACN 660 771 648

Company details

Date company registered 05-07-2022
 Company next review date 05-07-2023
 Company type Australian Proprietary Company
 Company status Registered
 Home unit company No
 Superannuation trustee company No
 Non profit company No

Registered office

16A RUDD ROAD , LEUMEAH NSW 2560

Principal place of business

16A RUDD ROAD , LEUMEAH NSW 2560

Officeholders

RAUT, SURESH

Born 26-03-1980 at KATHMANDU NEPAL

104 EMERALD HILL BOULEVARD , LEPPINGTON NSW 2179

Office(s) held: Director, appointed 05-07-2022
 Secretary, appointed 05-07-2022

CHALISE, ANIL KUMAR

Born 14-10-1975 at KATHMANDU NEPAL

28 HEALY AVENUE , GREGORY HILLS NSW 2557

Office(s) held: Director, appointed 05-07-2022

Company share structure

Share class	Share description	Number issued	Total amount paid	Total amount unpaid
ORD	CLASS ORDINARY	120	120.00	0.00

Members

CHALISE , ANIL KUMAR 28 HEALY AVENUE , GREGORY HILLS NSW 2557

Share class	Total number held	Fully paid	Beneficially held
ORD	60	Yes	Yes

RAUT , SURESH 104 EMERALD HILL BOULEVARD , LEPPINGTON NSW 2179

Share class	Total number held	Fully paid	Beneficially held
ORD	60	Yes	Yes

Document history

These are the documents most recently received by ASIC from this organisation.

Received	Number	FormDescription	Status
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<https://www.edge.asic.gov.au/001/regportal?update/requestView/Company/s=fc9d8c905e7a4cbb1fcb7cb5f76e88f735c81a>

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