



Information Sheet No.9 Fitout of Food and Beverage Outlets

This Information Sheet provides guidance on the type of matters that tenants and licensees need to address when lodging a development application (DA) for the fitout and operation of food and beverage premises such as cafes, bars and restaurants.

All of the Harbour Trust's buildings and sites are unique and have Commonwealth, National and/or World heritage significance. Also, in most cases the Trust has carefully restored the heritage buildings.

Because of the significance and sensitivity of the sites and buildings, tenants and licensees must obtain prior written approval (prepare and lodge a development application [DA]) before carrying out any works.

As landlord, the Harbour Trust issues leases and licences for works on, and use of its land.

The Harbour Trust is the Approval Authority for the majority of works on its lands, although in some exceptional circumstances the Commonwealth Minister for the Environment and Heritage may assume this role. Additional approvals from Council and the NSW Department of Planning are not required for works on Trust land.

Proposed Use

The Harbour Trust encourages the adaptive re-use of buildings when uses are compatible with the heritage values and objectives of an area.

The Management Plan and Conservation Management Plan for each site identify the

potential uses for buildings. These can be viewed on the Harbour Trust's website www.harbourtrust.gov.au

When applying for the fitout of a building as a food and beverage outlet, applicants must provide details of the following:

- Proposed Use including Trading Hours
- Fitout Design including plans
- Signage
- Services and Waste
- Compliance with Food Act and Building Code of Australia (must use accredited certifiers)
- Indoor and outdoor seating
- Menu (including alcohol)

Applicants must discuss the proposals with the Harbour Trust prior to lodging an application.

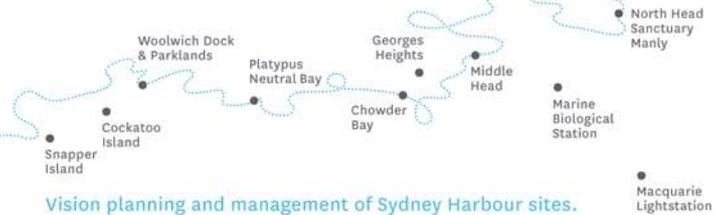
Compliance with Food Code and Building Code of Australia

All food and beverage outlets on Harbour Trust land must comply with relevant food and health standards.

All building fitouts must demonstrate compliance with:

- *NSW Food Act 2003*
- *NSW Food Regulations 2010* (as amended)
- Building Code of Australia (BCA)
- Food Standards Code 3.2.1, 3.2.2 & 3.2.3.

The Building Code of Australia (BCA) requires floors to be protected from water damage by coving and the like.



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The NSW Food Authority will inspect the premises in respect of compliance with relevant standards prior to the commencement of trade.

In addition, the NSW Food Authority may inspect the premises to assess compliance during operation at any time during. These inspections will be unannounced.

Food and Beverage Outlet Checklist

All applications for a building fitout must include the following:

- Application Form
- Application Fee
- Planning statement (description of works and use)
- Plans / drawings of all works
- Certification of fitout by qualified food and beverage designer
- Certification of building fitout by independent, accredited BCA certifier

Design Details

The following design issues must be taken into consideration by the applicant for the fitout and operation of food and beverage outlets:

- Floors
Any penetrations to the floors require prior written approval, even when required for compliance with the NSW Food Act.

Floor finishes such as carpets and rugs must not be affixed to timber floors, i.e. no tacking, screwing or gluing.

Applicants must provide details of any proposed alterations to the existing floors and walls.

- Walls
Penetrations associated with the hanging of artwork or installation of shelving should be minimised. A hanging system (such as art tracking) may be considered acceptable. Free-standing furniture is recommended.

- Partitions
Partitions should not involve penetrations to the floor, and should be affixed to the walls or ceiling by an unobtrusive method.

Applicants must clarify the proposed height and location of partitions, if required.

- Furniture, Shelving and Appliances
Free-standing furniture, shelving and appliances such as fridges and ovens, which do not require penetrations to the floor or walls is recommended.

Applicants must advise the Harbour Trust of the location and type of furniture, shelving and appliances proposed to be used.

- Colour Scheme
Any changes to the existing colour schemes of floors, walls and partitions require approval.

Fitout works may be subject to the make good requirements specified in leases and licences.

Signage

The following requirements apply to signage:

- Written approval is required from the Trust prior to the installation of any signage.
- Applicants must provide details of proposed signage and its location.



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- Banner signs for temporary events must be installed on banner poles installed for that purpose.
- Third party signage (in particular alcohol brands), including branded umbrellas and crowd barriers is generally not permitted.
- One external sign is permitted per tenancy. Occasionally, additional signs may be approved, due to specific circumstances eg a tenancy that has two entrances at opposite ends of a building.
- Signs are generally horizontal in shape, and measure no larger than 500 mm x 300 mm (or 1500 cm² if not rectangular in shape).
- Internally illuminated/neon signs are not permitted.
- Signage must not damage a building fabric and must be removable.
- Signs must not detract from the heritage significance or setting of a building, group of buildings or place, or interfere with its interpretation.

For further guidance on signage, see **Information Sheets No. 7a and 7b.**

Plans and Drawings

Plans illustrating all works including services required.

The plans are to be accurate and to scale, and must be prepared by a qualified architect, draftsman, or commercial food and beverage fitout specialist.

Services and Waste

The applicant must provide details of required services within the building. This includes:

- Potable water
- Waste water
- Grease traps

- Single phase and three-phase power
- Exhaust fans
- Telephone, television and data lines

Details of any proposed changes to the existing services must be provided to the Harbour Trust for approval.

Refuse and waste must be kept out of public view and stored so it will not attract vermin. In accordance with EPA requirements, oils, pollutants and other waste must not be disposed of in drains, culverts or Trust or other public land.

Grease trap pumpouts and maintenance are the responsibility of the food and beverage operator.

Applicants must demonstrate that sufficient sanitary facilities will be available for their staff and clients.

Transport, Access and Deliveries

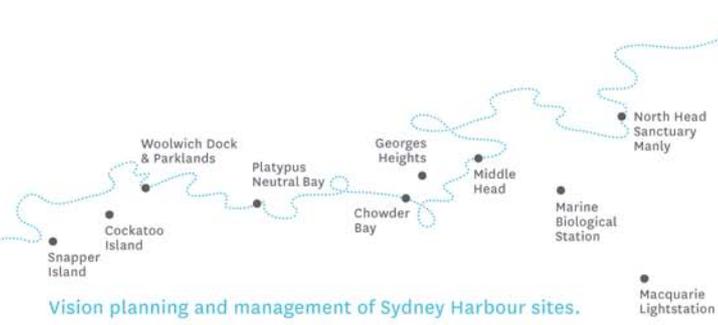
All Trust sites have limited parking and the Harbour Trust is aiming to minimise reliance on cars and encourage alternative means of transport.

The following details must be provided:

- Arrangements for delivery vehicles;
- How staff will access the site;
- How patrons will access the site; and
- The likely range and variations in demand during operational periods.

Discounted parking and/or designated parking spaces are not generally provided for Harbour Trust tenants.

A Transport Management Plan may be required for uses that may generate a large amount of traffic.



Approval of Menu

A detailed food and beverage menu is to be provided to the Harbour Trust for approval prior to the commencement of trade.

Liquor Licence

The Trust is its own licencing authority for the assessment, approval and management of food and alcohol on its sites. Alcohol must be served in accordance with the Responsible Service of Alcohol provisions of the NSW *Liquor Act 2007*.

The service of alcohol is subject to the issue of a separate licence, and payment of a separate fee, to the Trust.

Assessment Timeframes

Tenants and licensees should allow 2-4 weeks for the Trust to complete their assessment of each DA. More complex proposals may require additional time for approval.

Pre-Lodgment Meeting

We encourage tenants to discuss their proposed fitouts with the Harbour Trust’s leasing officers, Food and Beverage Business Development Manager and Planners before seeking approval for works or lodging a development application. This will expedite the Assessment process by providing an opportunity to identify any issues relevant to the proposal and allowing applicants to more fully understand the assessment process.

The Harbour Trust can recommend suitable consultants to assist in the preparation of your application.

Further Information

Trust Plans, policies and the **Proposed Action Application Form** (DA form) are available on our website: www.harbourtrust.gov.au, and relevant studies may be viewed at the Trust’s Resource Centre in our office.

For assistance, call the Harbour Trust’s Food and Beverage Business Development Manager, or Planners on 8969 2100 if you have any further enquiries, or to arrange a meeting prior to seeking approval for works or lodging a development application.



Building 20, Chowder Bay. Former military mess hall, now Sergeants Mess function centre