

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2022/0581
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Responsible Officer:	Adam Susko
Land to be developed (Address):	Lot 2 DP 1275526, 1 Golf Avenue MONA VALE NSW 2103 Lot 249 DP 752046 (SPL 76319) Lot 323 DP 824000 (Crown Lease 200108), 3 Golf Avenue MONA VALE NSW 2103 Lot 249 DP 752046 (SPL 76319) Lot 323 DP 824000 (Crown Lease 200108), 3 Golf Avenue MONA VALE NSW 2103
Proposed Development:	Alterations and additions to a Recreation Facility (Outdoor) - Mona Vale Golf Club
Zoning:	RE1 Public Recreation SP2 Infrastructure
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Delegation Level:	NBLPP
Land and Environment Court Action:	No
Owner:	NSW Government - Department of Industry - Lands
Applicant:	The Mona Vale Golf Club Ltd

Application Lodged:	29/04/2022
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Commercial/Retail/Office
Notified:	05/05/2022 to 19/05/2022
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

Estimated Cost of Works:	\$ 3,525,795.00
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EXECUTIVE SUMMARY

The application is for alterations and additions to the Mona Vale Golf Course clubhouse.

The proposal relates to internal alterations, the construction of a deck, instillation of a water tank, and some minor operational changes to the clubhouse.

The proposal is referred to the Northern Beaches Local Planning Panel as the clubhouse is located on Crown land under the care and control of Council and so the determination must be made by the Panel.

There were no submissions made in response to the public exhibition of the application.

The proposal provides enhanced dining and entertainment opportunities for members and their guests, without compromising the landscape and scenic qualities of the course, or the amenity of nearby residential properties.

This report concludes with a recommendation that the Panel **APPROVE** the DA, subject to the conditions proposed..

PROPOSED DEVELOPMENT IN DETAIL

Development Consent is sought for alterations and additions to the Mona Vale Golf Club (MVGC) clubhouse.

The works proposed include the refurbishment and expansion of the existing clubhouse, installation of a water tank and pump-room, and the installation of two pieces of signage.

The built form changes result in operational changes to the MVGC.

Alterations and Additions

- Internal demolition works, necessitating some minor external modifications
- Construction of two decks to the south of the existing club house, accessible from the lower-ground level
- Installation of an above-ground water tank and associated pumproom to the northwest of the existing "Pro-Shop"
- Installation of two pieces of business identification signage
- Planting of 8 *Banksia Integrifolia* trees along Golf Avenue

Fundamentally, the clubhouse works do not change the footprint or height of the building, but rather seek to upgrade the existing lower-ground floor to provide an enhanced dining/entertaining facility for club members and their guests. The works generally do not impact on the existing ground floor level, except for some window, door and balustrade changes to meet current building standards.

Operational Changes

The applicant has submitted an Operational Management Plan (OMP), which will form a management document should approval to the application be granted. The OMP provides extensive details, but in general the operational changes proposed include:

- No changes in overall maximum capacity of the clubhouse
- Increase in overall staff (at any one time) from 4 to 6 persons
- Addition of a conference room/space
- Operational hours of bar/cafe/decks/restaurant of 8:00am to 9:00pm

Generally, the OMP indicates that the proposal results in no material changes to the existing operations of the club.

Amended Plans

During this assessment of this application, Council requested further details including an OMP, additional landscaping along the street, and a revised traffic and parking report. The applicant provided these requested details to Council and the assessment in this report includes that new information. The changes did not necessitate the re-notification of the application which satisfies the requirements of the Northern Beaches Community Participation Plan.

Note: A portion of the area to be developed falls within a Crown Reserve whereby Council is the Land Manager. The applicant for this DA is the Mona Vale Golf Club and their respective planning consultants. Neither of these persons / entities constitute 'the Crown' under s 294 of the *Environmental Planning and Assessment Regulation 2021*, and therefore, pursuant to s 4.33 of the *Environmental Planning and Assessment Act 1979*, the development is not a Crown DA and a standard assessment and determination process applies.

Permissibility

The clubhouse is situated on the same land as the golf course, despite being contained within a separate lot to the golf course. As the application is made in relation to the lots comprising the Mona Vale Golf Course (the subject site), and the Mona Vale Golf Club has a lease over the subject site, the clubhouse which sits on the same site, is ancillary to the Mona Vale Golf Course.

Therefore, the use is appropriately defined as a *Recreation Facility (Outdoor)*, which is a permissible use within the RE1 - Public Recreation zone under PLEP 2014. This is how the application has been made and addressed in the Statement of Environmental Effects prepared by DFP Planning Pty Limited and how the application has been assessed in this report.

The alternative is that the clubhouse is defined as a Registered Club, which is a prohibited use in the RE1 zone, however for the reasons provided, this land use categorisation is not preferred and not warranted.

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Pittwater 21 Development Control Plan - B4.6 Wildlife Corridors

Pittwater 21 Development Control Plan - C2.5 View Sharing

Pittwater 21 Development Control Plan - C2.12 Protection of Residential Amenity

Pittwater 21 Development Control Plan - D9.1 Character as viewed from a public place

SITE DESCRIPTION

Property Description:	Lot 2 DP, 1275526 , 1 Golf Avenue MONA VALE NSW 2103 Lot 249 DP 752046 (SPL 76319) Lot 323 DP 824000 (Crown Lease 200108), 3 Golf Avenue MONA VALE NSW 2103 Lot 249 DP 752046 (SPL 76319) Lot 323 DP 824000 (Crown Lease 200108), 3 Golf Avenue MONA VALE NSW 2103
Detailed Site Description:	<p>The subject site is colloquially known as the Mona Vale Golf Club / Course and sits on land zoned for RE1 Public Recreation pursuant to the Pittwater Local Environmental Plan 2014.</p> <p>The site presently accommodates a two storey club house with associated parking (the portion of the site relevant to this application), greens, storage sheds and other infrastructure interspersed across the large site.</p> <p>The site is bound to the east by Mona Vale Beach; west by Barrenjoey Road/Pittwater Road; north by apartment buildings; and south by Mona Vale hospital.</p>

Map:



SITE HISTORY

The subject property has been operated as a golf course with associated facilities for an extended period of time. There is no recent development history on the land.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 Matters for Consideration	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	There are no current draft environmental planning instruments.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Pittwater 21 Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000 allow Council to request additional information. Council requested additional information as laid out in the 'Detailed Description of Proposal' component of this report. Those changes did not necessitate the re-notification of the application in accordance with the Northern Beaches Council Community Participation Plan.</p> <p><u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p><u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This matter has been addressed via a condition of consent.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts	<p>(i) Environmental Impact</p> <p>The environmental impacts of the proposed development on the natural and built environment are addressed under the Pittwater 21</p>

Section 4.15 Matters for Consideration	Comments
on the natural and built environment and social and economic impacts in the locality	<p>Development Control Plan section in this report.</p> <p>(ii) Social Impact The proposal represents the upgrade of commercial facilities at the existing golf club which in turn, enhances the opportunities for social interaction between members of the club, and general residents in the community who may wish to attend the facility for a meal or leisure. The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The development represents the upgrade of an existing golf club, generally within the same footprint as the existing building. The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	The development is expected to be a positive addition to the Mona Vale and wider Northern Beaches community. The proposal represents a reasonable upgrade and modernisation of an existing outdated facility that is not meeting the needs of the Club and its patrons and guests. No written submissions have been received in response to the exhibition of this application and therefore no matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 05/05/2022 to 19/05/2022 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the Community Participation Plan.

As a result of the public exhibition of the application Council received no submissions.

REFERRALS

Internal Referral Body	Comments

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	<p>The application has been investigated with respects to aspects relevant to the Building Certification and Fire Safety Department. There are no objections to approval of the development subject to inclusion of the attached conditions of approval and consideration of the notes below.</p> <p>Note: The proposed development may not comply with some requirements of the BCA and the Premises Standards. Issues such as this however may be determined at Construction Certificate Stage.</p>
Environmental Health (Industrial)	<p><i>Supported, with conditions</i></p> <p>Environmental Health have reviewed the proposed acoustics of the proposed alterations and additions to Mona Vale golf course. The acoustic report has been assessed and has been developed in accordance with the noise policy for industry. Recommendations from the acoustic report will guide proposed conditions onto the consent.</p> <p>Mechanical plant details have been provided as part of the submission but not included in acoustic report. Details of exact mechanical ventilation plans will require further assessment by an acoustic consultant. Environmental Health recommend imposing a condition relating to further assessment prior to the issue of the occupation certificate.</p> <p>The acoustic report also recommends a number of administrative controls to limit patron numbers in different areas of the club during different activities and times. To facilitate an assessment with all available information Environmental health, require an operational plan of management at the determination stage to demonstrate how the administrative aspects of the acoustic report will practically be achieved. The operational plan of management must detail requirements from the acoustic report including but not limited to, maximum patronage in specific areas, times windows, door and partitions need to be closed, operational hours, total capacity of the clubhouse and numbers in each area at any one time, how complaints will be recorded and actioned, how noise will be minimised for patrons leaving the club, sound system use and any dB limiters for audio equipment that may be required to achieve compliance with the recommendations of the acoustic report by koikas accoustics.</p> <p>Amended comments 11/08/2022</p> <p>The applicant has provided a plan of management as part of their application which has been reviewed as part of this assessment. The plan of management has advised proposed hours of operation but not mentioned hours of operation for the function room which is also silent in the SEE. Generally Environmental Health are satisfied with the submitted information but will recommend imposing a condition for all operations to cease between 1am to 5am based on the administrative</p>

Internal Referral Body	Comments
	<p>controls in place to close outdoor areas and begin wrapping up of the function. Compliance with the plan of management will also be incorporated into the consent.</p> <p>As the original above comments explain conditions are to be imposed requiring further assessment of proposed plant prior to CC and compliance testing of controls and noise limiters prior to OC.</p> <p>Environmental health is satisfied with the proposal subject to conditions being imposed.</p>
Environmental Health (Food Premises, Skin Pen.)	<p><i>Supported, with conditions</i></p> <p>Environmental Health have reviewed the Development Application which proposes refurbishment works to the existing club house, pro-shop and car park at Mona Vale Golf Club. The refurbishment works include but are not limited to a new café, a new kitchen and associated storage areas, the removal of an existing 100 litre above-ground grease arrestor and the installation of a new below-ground 3000 litre grease arrestor outside the zone of influence of the building's footprint.</p> <p>Environmental Health considers that the proposal should be supported as the kitchen is to be constructed according to Australian Standard 4674-2004 and comply with Standard 3.2.3.</p>
Landscape Officer	<p><i>Supported, with conditions</i></p> <p>The development application is for alterations and additions to the commercial development (Mona Vale Golf Club), and associated works, as described and illustrated in the reports and plans.</p> <p>Council's Landscape Referral section have assessed the application against the Pittwater Local Environment Plan, and the following Pittwater 21 DCP controls (but not limited to):</p> <ul style="list-style-type: none"> • B4.22 Preservation of Trees and Bushland Vegetation • C5.1 Landscaping • D9 Mona Vale Locality <p>It is noted some shrub and groundcover planting will be impacted by the proposal however no trees are proposed for removal or will be impacted by the works, therefore no Arboricultural Impact Assessment is required. A Landscape Plan is included in the application and will be assessed as part of the Landscape Referral. The landscape proposal will make good any disturbance created by the works and provide new planting, which is generally supported, subject to the imposed conditions. Tree locations have not been identified on the Landscape Plan however the installation of 3x<i>Livistona australis</i> and 1x<i>Banksia integrifolia</i> is supported. All trees and vegetation to be retained shall be protected subject to the conditions of consent.</p>
NECC (Coast and	<i>Supported, no conditions</i>

Internal Referral Body	Comments
Catchments)	<p>The application has been assessed in consideration of the <i>Coastal Management Act 2016</i>, State Environmental Planning Policy (Resilience and Hazards) 2021 and has also been assessed against requirements of the Pittwater LEP 2014 and Pittwater 21 DCP.</p> <p>Coastal Management Act 2016 The subject site has been identified as being within the coastal zone and therefore <i>Coastal Management Act 2016</i> is applicable to the proposed development. The proposed development is in line with the objects, as set out under Clause 3 of the <i>Coastal Management Act 2016</i>.</p> <p>State Environmental Planning Policy (Resilience & Hazards) 2021 The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Resilience & Hazards) 2021. Hence, Clauses 2.10, 2.11 and 2.12 of the CM (R & H) apply for this DA.</p> <p>Comment:</p> <p>On internal assessment and as assessed in the submitted Statement of Environmental Effects (SEE) report prepared by DfP Planning Consultants dated March 2022, the DA satisfies requirements under clauses 2.10, 2.11 and 2.12 of the SEPP R&H.</p> <p>As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Resilience & Hazards) 2021.</p> <p>Pittwater LEP 2014 and Pittwater 21 DCP</p> <p>No other coastal related issues identified.</p> <p>As such, it is considered that the application does comply with the requirements of the coastal relevant clauses of the Pittwater LEP 2014 and Pittwater 21 DCP.</p>
NECC (Development Engineering)	<p><i>Supported, with conditions</i></p> <p>No objections to approval subject to conditions as recommended.</p>
NECC (Riparian Lands and Creeks)	<p><i>Supported, with conditions</i></p> <p>The development application is for alterations and additions to commercial development (Mona Vale Golf Club), and associated</p>

Internal Referral Body	Comments
	<p>works. This application has been assessed against relevant legislation and policy relating to waterways, riparian areas, and groundwater.</p> <p>The development must not significantly impact on the biophysical, hydrological or ecological integrity of the receiving waters, or the quantity and quality of surface and ground water flows that it receives.</p> <p>Sediment and erosion controls must be installed prior to any disturbance of soil on site and maintained until all work is complete and groundcover re-established.</p> <p>The proposal is therefore supported.</p>
NECC (Stormwater and Floodplain Engineering – Flood risk)	<p>Supported, no conditions</p> <p>The proposed DA generally complies with the flood controls in the LEP and DCP. The works involve the refurbishment of the existing club house, pro-shop and carpark at 3 Golf Avenue, Mona Vale. The site is located outside the 1% AEP and PMF flood extent and as such is approved without conditions.</p>
NECC (Water Management)	<p>Supported, with conditions</p> <p>This application has been assessed against relevant legislation and policy relating to water quality, waterways, riparian areas, and groundwater.</p>
Parks, reserves, beaches, foreshore	<p>Supported, no conditions</p> <p>The development application is for alterations and additions to commercial development (Mona Vale Golf Club), and associated works.</p> <p>Parks Referral raise no concerns.</p>
Strategic and Place Planning (Urban Design)	<p>Supported, no conditions</p> <p>The application (DA2022/0581) seeks Development Consent for alterations and additions to the existing Mona Vale Golf Club clubhouse. The DA seeks approval for the following:</p> <ul style="list-style-type: none"> • Internal demolition and some minor external demolition works; • Construction works associated with the refurbishment of the lower ground level to provide new change rooms, amenities, multi-purpose space, reception, office, café, bar, kitchen, storage and external dining areas; • Alteration & additions including external signage and upgrades

Internal Referral Body	Comments
	<p>to the external of the building.</p> <ul style="list-style-type: none"> • Construction of a pumproom and associated water tank adjoining the pro-shop building to upgrade the site's fire protection system; • Modifications to car park line markings to alter three (3) existing parking spaces into two (2) adaptable spaces and removal of seven (7) spaces to accommodate the pumproom and water tank; • Creation of a formal golf trolley storage area under an awning cover; and • Associated landscaping to 'make good' and improve aesthetic amenity. <p>Urban Design raise no objection to the proposed alterations & additions.</p>
Traffic Engineer	<p><i>Supported, with conditions</i></p> <p>The proposed development is for alterations and additions to the Mona Vale Golf Club with upgraded facilities for golf club members and casual visitors.</p> <p>The main works include refurbishments to the existing bar and restaurant, on-site fire protection system with the provision of a new pump room and water tank adjoining the pro-shop building. The application has been reviewed with respect to impacts to parking and fire truck access to the new facilities. The Traffic & Parking assessment undertaken by The Transport Planning Partnership (TTPP) also provides advice on the provision of parking for people with a disability in an area adjacent to the club building.</p> <p>The assessment notes that Council's DCP requires the provision of accessible parking spaces for people with disabilities at the rate of 3% of the required car parking spaces. The Mona Vale Golf Club has an at-grade car park with approximately 118 car spaces and an overflow hardstand area with a capacity of 50 additional parking spaces. The additional parking area is available when the lower ground floor members area is used during the late afternoon/ early evening period following a round of golf. The required accessible parking spaces, based on the total car parking is therefore five spaces.</p> <p>The Applicant proposes two new spaces for people with disabilities to be provided at the south-eastern corner of the main car park adjacent to the club building, and notes that there are two existing accessible spaces in Golf Avenue near the pro-shop. The on-street parking spaces provide suitable access to the pro-shop only and not the club building due to the distance and level difference between the street</p>

Internal Referral Body	Comments
	<p>and building entry points. Council therefore requires that two additional accessible parking spaces be provided in the car park area directly in front of the club building. The two accessible spaces with shared area will displace three existing staff parking spaces which can be relocated to the parking adjacent to the pro-shop. The Notification Plan Drawing No. NP-001, actually shows the location of the recommended accessible parking in the front parking area. This location provides convenient access to the main entrance, using the existing ramp near the porte cochere.</p> <p>The proposal and location of the new facilities for firefighting will result in the displacement and removal of six parking spaces on the western side of the pro-shop. Fire truck access off Golf Avenue to the pump room will also impact vehicles parked in the central parking modules opposite the facilities. It is therefore appropriate that suitable measures be undertaken to reduce these impacts.</p> <p>The Applicant has adopted some but not all of Council's recommendations regarding parking layout and circulation within the car park. The updated plan Drawing No. 22012CAD006 Figure 1 Revision A, shows three 60 degree angled spaces (2.5m wide with 5.7m aisle width). The existing central parking modules are poorly marked and not aligned with the other parking modules. The circulation roadway narrows from the access driveway, with the swept path for the fire truck encroaching slightly on the central parking module. As a result, the Applicant proposes that the two adjacent spaces be removed. The central parking spaces (and the overall car park in general) have irregular sized spaces varying between 2.35-2.5m wide and 5.1-5.3m long. Rather than the removal of two parking spaces, the central parking modules can be remarked (12 spaces, 2.4m wide and 5.4m long) and shifted westwards, with the horizontal line separating the parking modules retained to facilitate installation. The provision of a minimum 4.6m aisle width would widen the circulation roadway to enable fire truck access.</p> <p>The existing car park layout is restrictive and lacks any pavement markings to direct visitors. Circulation within the main car park can be significantly improved by installing directional arrows and introducing one-way flow in a clockwise direction. The eastern driveway access should be made entry only. The western driveway can be combined entry and exit to allow direct access to the overflow car park area. Furthermore, the first parking aisle (closest to Golf Avenue) can be two-way to allow vehicles to circulate within the car park without exiting and re-entering from Golf Avenue.</p> <p>The additional changes specified by Council provides an additional two accessible parking spaces (total four within the car park) at convenient locations near entrances to the club building, minimises loss of parking, reduces traffic conflict and improves overall circulation without redesigning the entire car park.</p> <p>The proposal can therefore be supported subject to the above</p>

Internal Referral Body	Comments
	changes and required Council Conditions. Engineering plans generally in accordance with the Australian Standards and/or otherwise specified by Council are to be submitted for approval prior to the issue of the Construction Certificate.

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	<i>Supported, with conditions</i> The proposal was referred to Ausgrid who provided a response stating that the proposal is acceptable subject to compliance with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice. These recommendations will be included as a condition of consent.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used as a golf course for a period with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is suitable for the continued use of the site as a golf course.

SEPP (Transport and Infrastructure) 2021

Ausgrid

Section 2.48 of Chapter 2 requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure

supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid who raised no objections, subject to conditions which have been included in the recommendation of this report.

SEPP (Industry and Employment) 2021

Section 3.6 and 3.11 of Chapter 3 require Council to determine consistency with the objectives stipulated under Subsection 3.1 (1)(a) of the SEPP and to assess the proposal against the assessment criteria of Schedule 5.

The objectives of this chapter aim to ensure that the proposed signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes.

In accordance with the provisions stipulated under Schedule 5 of Chapter 3, the following assessment is provided:

Matters for Consideration	Comment	Complies
1. Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	<p>The proposal includes the installation of two pieces of signage to the clubhouse. Sign 01 is located approximately 45m inwards of the site and is hung to the flank facade of the existing club building and measures 1.35m x 1.35m. Sign 02 is not readily visible from the street, and one would need to be inside the golf course to see it.</p> <p>The two pieces of signage proposed are minimal in the overall context of the building, and do not detract from the desired future character.</p>	YES
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The signage is constructed from bronze and timber which is found to be appropriate for the locality.	YES
2. Special areas Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The signage does not detract from the scenic qualities of the golf course.	YES
3. Views and vistas Does the proposal obscure or compromise important views?	The signage does not obscure any existing views enjoyed from public or private properties.	YES
Does the proposal dominate the skyline and	No.	YES

reduce the quality of vistas?		
Does the proposal respect the viewing rights of other advertisers?	The site is a large golf course, and the signage is not proximate to any other business signage.	YES
4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	Yes. The signage is positioned at least 45m from the street edge and is reasonably scaled proportioned to the overall building.	YES
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	Yes. The signage is made of an interesting material palette.	YES
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	N/A	N/A
Does the proposal screen unsightliness?	The proposal contributes to the overall aesthetic of the club house.	YES
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No.	YES
5. Site and building Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	Yes.	YES
Does the proposal respect important features of the site or building, or both?	Yes.	YES
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	Yes.	YES
6. Associated devices and logos with advertisements and advertising structures Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	No.	YES
7. Illumination Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any residence or other form of accommodation?	No. The signage is not proximate to the road, pedestrians or residential properties. It is considered unlikely that the signage would be of an illumination that would impact aircraft.	YES
Can the intensity of the illumination be adjusted, if necessary?	No. The application does not indicate that the illumination can be adjusted, however the spatial separation of signage to neighbours largely negates the ability for such to be enforced.	YES
Is the illumination subject to a curfew?	No. As above.	YES
8. Safety Would the proposal reduce the safety for any public road, pedestrians or bicyclists?	No.	YES
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No.	YES

Accordingly, the proposed signage is of a scale and design suitable for the locality. The proposal is therefore deemed to be consistent with the provisions of this chapter and its underlying objectives.

SEPP (Resilience and Hazards) 2021

Portions of the wider golf club site are subject to coastal attributes under the SEPP (Resilience and Hazards) 2021, however those attributes do not extend near to the development site which is, for the most part, contained on a lot separate to the greens of the golf course. An assessment against the SEPP is therefore not required, however it is generally found that the proposal would have no detrimental impacts on the accessibility, usability, enjoyment or coastal processes of the coastal use area or coastal environment area.

Pittwater Local Environmental Plan 2014

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	Yes
zone objectives of the LEP?	Yes

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	8.5m	No change to existing (approx. 8.1m)	-	Yes

Compliance Assessment

Clause	Compliance with Requirements
1.9A Suspension of covenants, agreements and instruments	Yes
2.7 Demolition requires development consent	Yes
4.3 Height of buildings	Yes
5.10 Heritage conservation	Yes
5.21 Flood planning	Yes
7.1 Acid sulfate soils	Yes
7.2 Earthworks	Yes
7.6 Biodiversity protection	Yes
7.10 Essential services	Yes

Pittwater 21 Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	Complies
Front building line	Merit Assessment	Existing shop - 3.4m Water tank - 5m Pump room - 9m	Yes (existing) Yes (on merit) Yes (on merit)

		Club works - 44m	Yes (on merit)
Rear building line	N/A	Nil to Lot 323 DP 824000 350m+ to Lot 2 DP 1275526	N/A N/A
Side building line	(northwest) N/A	Approx. 43m	N/A
	(southeast) N/A	8.7 - 17.2m	N/A
Building envelope	(northwest) 3.5m	No change to existing	Yes
	(southeast) 3.5m	No change to existing	Yes

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A1.7 Considerations before consent is granted	Yes	Yes
A4.9 Mona Vale Locality	Yes	Yes
B1.3 Heritage Conservation - General	Yes	Yes
B1.4 Aboriginal Heritage Significance	Yes	Yes
B3.6 Contaminated Land and Potentially Contaminated Land	Yes	Yes
B3.11 Flood Prone Land	Yes	Yes
B3.12 Climate Change (Sea Level Rise and Increased Rainfall Volume)	Yes	Yes
B4.6 Wildlife Corridors	Yes	Yes
B5.5 Rainwater Tanks - Business, Light Industrial and Other Development	Yes	Yes
B5.13 Development on Waterfront Land	Yes	Yes
B5.15 Stormwater	Yes	Yes
B6.1 Access driveways and Works on the Public Road Reserve	Yes	Yes
B6.2 Internal Driveways	Yes	Yes
B6.3 Off-Street Vehicle Parking Requirements	Yes	Yes
B6.7 Transport and Traffic Management	Yes	Yes
B8.1 Construction and Demolition - Excavation and Landfill	Yes	Yes
B8.3 Construction and Demolition - Waste Minimisation	Yes	Yes
B8.4 Construction and Demolition - Site Fencing and Security	Yes	Yes
B8.5 Construction and Demolition - Works in the Public Domain	Yes	Yes
B8.6 Construction and Demolition - Traffic Management Plan	Yes	Yes
C2.1 Landscaping	Yes	Yes
C2.2 Safety and Security	Yes	Yes
C2.5 View Sharing	Yes	Yes
C2.7 Building Facades	Yes	Yes
C2.8 Energy and Water Conservation	Yes	Yes
C2.9 Waste and Recycling Facilities	Yes	Yes
C2.10 Pollution Control	Yes	Yes
C2.11 Signage	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
C2.12 Protection of Residential Amenity	Yes	Yes
C2.20 Public Road Reserve - Landscaping and Infrastructure	Yes	Yes
C2.21 Food Premises Design Standards	Yes	Yes
C2.22 Plant, Equipment Boxes and Lift Over-Run	Yes	Yes
D9.1 Character as viewed from a public place	Yes	Yes
D9.2 Scenic protection - General	Yes	Yes
D9.3 Building colours and materials	Yes	Yes
D9.6 Front building line	Yes	Yes
D9.7 Side and rear building line	Yes	Yes
D9.13 Fences - Flora and Fauna Conservation Areas	Yes	Yes

Detailed Assessment

B4.6 Wildlife Corridors

Whilst the proposal seeks to modify some existing shrubs and groundcovers, no trees are proposed for removal. Those portions of the site subject to development is not considered to be of a high biodiversity value nor contribute to a significant wildlife corridor given the presence of built structures and the presence of people in the vicinity of the building.

The development should enhance the existing wildlife corridors through the planting of four endemic prescribed trees in the form of 3 x *Livistona australis* and 1 x *Banksia integrifolia* as required by Council's landscape officer.

On balance of factors, the proposal is considered to have a net benefit to the local wildlife corridors and habitats.

C2.5 View Sharing

The development is not anticipated to cause any unreasonable nor detrimental view loss to surrounding properties or the public domain, largely because the footprint and height of the building is not changing. In reaching this conclusion the principles of *Tenacity Consulting v Warringah Council [2004]* NSWLEC140 and *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor [2013]* NSWLEC1046 have been considered.

C2.12 Protection of Residential Amenity

In accordance with the assessment provisions of Clause C2.12 *Protection of Residential Amenity* the proposed club upgrades are not expected to cause any loss of solar access or loss of visual privacy to neighbouring residential properties.

D9.1 Character as viewed from a public place

The works proposed to the club house are largely limited to the existing lower ground of the building and are not expected to be readily visible from the public domain.

The proposal does seek to expand the building mass of the existing "Pro-Shop" towards the street-edge

of the site by way of adding a new water tank and pump room. These structures are to be clad in "timber-look" cladding and Cliplock cladding.

During the assessment Council requested revised plans, including the additional of some landscaped screening between these structures and the property boundary. A revised landscaped plan was provided which indicates that 8 *Banksia Integrifolia* trees and shrubbery will be planted between the street and the "Pro-Shop" to minimise the bulk of the building when viewed from Golf Avenue.

Therefore, based on the amended landscape plan, the proposal achieves a satisfactory character when viewed from the public domain.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly affect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2022

The proposal is subject to the application of Northern Beaches Section 7.12 Contributions Plan 2022.

A monetary contribution of \$35,258 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 1% of the total development cost of \$3,525,795.

Assessment of Application on Crown Land

- **Is the land a Crown Reserve?**

Yes - Reserve Number 425608.

- **Is Council the Crown land manager under the Crown Lands Management Act 2016?**

Yes - since 1924.

- **Can it be taken that the Minister has given consent on behalf of the Crown for its Crown land manager to sign as land owner? (What section of the Act applies?)**

Minister consent has been issued.

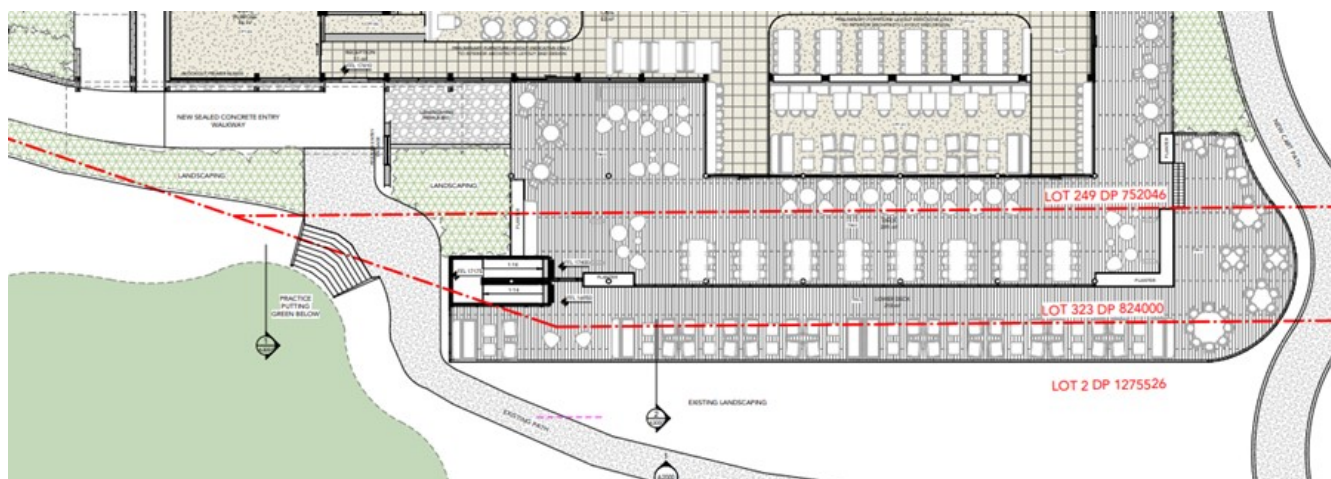
- **Is the land classified as community land under the Local Government Act 1993?**

Yes.

- **Is there a Plan of Management and if so, are the proposed works consistent with that Plan?**

Yes. The land on which the Golf Club building is located, Lot 249 DP 752046 and Lot 323 DP 824000

is not within the area under the control of the Mona Vale Golf Course PoM, whilst the golf course (greens, fairways and maintenance sheds) are under the control of the POM on Lot 2 DP 1275526 (adjoining the club building) and multiple other lots not affected by this application. The proposed works involving part of the timber deck extending approximately 1200mm into Lot 2 and for a length of approximately 35 metres.



Whilst the PoM does not specifically reference or anticipate any enlargement of the club or deck, the proposed deck extension for outdoor dining is not antipathetic with the intent plan which is *to encourage development and maintenance of a parklike environment, while at the same time, recognize the existing and future recreational needs of the local and wider community by the provision of a high quality golf facility* [sic].

The Directional Statement contained with the PoM states:

Directional Statements:

- ❖ That Council assist and encourage the development and maintenance of a parklike environment within the Mona Vale Golf Course
- ❖ That the land covered by this Plan of Management be recognised as providing a quality sporting facility within the Pittwater Council area.
- ❖ To encourage the promotion of this sporting facility as having regional significance.
- ❖ To provide an appropriate balance between recreational needs, environment, landscape and conservation values in the future management of the Mona Vale Golf course land.

Management Issues raised in the PoM involve, drainage, public access/recreation, boundary definition,

carparking, tenure, risk management and the lease.

The proposed works on lot 2 do not conflict with these issues or directional statements on each issue contained with the attached PoM dated March 1996.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Pittwater Local Environment Plan;
- Pittwater Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

PLANNING CONCLUSIONS

The assessment of this DA has found that the proposal is satisfactory in relation to the changes to the intensification and scale of upgrades to the existing clubhouse facilities and that those upgrades will not detrimentally affect the acoustic or visual amenity of neighbouring properties or the natural environment.

The proposal complies with the relevant building controls and will result in a superior looking and functioning clubhouse upon completion.

The improvements to the parking area and traffic management are supported.

The notification of the application resulted in no submissions being received.

The application is referred to the NBLPP as Council has care and control of the Crown Land that the clubhouse sits upon.

This report concludes with the recommendation that the NBLPP as the consent

authority **APPROVE** the application.

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority grant Development Consent to DA2022/0581 for Alterations and additions to a Recreation Facility (Outdoor) - Mona Vale Golf Club on land at Lot 2 DP 1275526, 1 Golf Avenue, MONA VALE, Lot 249 DP 752046 (SPL 76319) Lot 323 DP 824000 (Crown Lease 200108), 3 Golf Avenue, MONA VALE, Lot 249 DP 752046 (SPL 76319) Lot 323 DP 824000 (Crown Lease 200108), 3 Golf Avenue, MONA VALE, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. **Approved Plans and Supporting Documentation**

The development must be carried out in compliance with the endorsed stamped plans and documentation listed below, except as amended by any other condition of consent:

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
A0010 - Site Plan - Rev. 8	29 July 2022	Team 2 Architects
A0102 - Lower Ground Floor Plan - Demolition - Rev. 6	25 February 2022	Team 2 Architects
A0103 - Ground Floor Plan - Demolition - Rev. 4	04 March 2022	Team 2 Architects
A1000 - Lower Ground Floor Plan - Proposed - Rev. 10	24 March 2022	Team 2 Architects
A1010 Ground Floor - Proposed Rev. 4	04 March 2022	Team 2 Architects
A1020 - Pumproom and Tank - Rev. 2	31 March 2022	Team 2 Architects
A2000 - Proposed Elevations - Rev. 3	25 February 2022	Team 2 Architects
A3000 - Proposed Sections Rev. 4	25 February 2022	Team 2 Architects
A7001 - Signage Details Rev. 1	25 February 2022	Team 2 Architects
A9000 - Proposed Colours and Materials - Rev. 3	25 February 2022	Team 2 Architects

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Accessibility Review Report (ref: 22006_ADR_DA_v1.2)	31 March 2022	ABE Consulting Pty Ltd
Acoustical Report	03 February 2022	Koikas Acoustics Pty Ltd
BCA Assessment Report (ref: 115505-BCA-r4)	01 April 2022	BCA Logic
Operational Management Plan, and Noise and Complaint Policy	2022	Mona Vale Golf Club

Traffic and Parking Statement (ref: 22012)	29 July 2022	TTPP Transport Planning
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b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

c) The development is to be undertaken generally in accordance with the following:

Landscape Plans		
Drawing No.	Dated	Prepared By
HGW01-DA-100 Rev. A	30 March 2022	sym studio
HGW01-DA-101 Rev. P2	25 February 2022	sym studio
HGW01-DA-200 Rev. P1	25 February 2022	sym studio
HGW01-DA-102 Rev. A	28 July 2022	sym studio

Waste Management Plan		
Report Title	Dated	Prepared By
Waste Management Plan	28 February 2022	Mona Vale Golf Club

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

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

2. **Prescribed Conditions**

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and

- B. the name of the insurer by which the work is insured under Part 6 of that Act,
- (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative requirement.

3. **General Requirements**

- (a) Unless authorised by Council:
Building construction and delivery of material hours are restricted to:
 - 7.00 am to 5.00 pm inclusive Monday to Friday,
 - 8.00 am to 1.00 pm inclusive on Saturday,
 - No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) Should any asbestos be uncovered on site, its demolition and removal must be carried out in accordance with WorkCover requirements and the relevant Australian Standards.

- (c) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (d) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (e) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (f) Prior to the release of the Construction Certificate, payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No skip bins, building materials, demolition or excavation waste of any nature, and no hoist, plant or machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (j) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (k) Prior to the commencement of any development onsite for:
 - i) Building/s that are to be erected
 - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
 - iii) Building/s that are to be demolished
 - iv) For any work/s that is to be carried out
 - v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.
- (l) A "Road Opening Permit" must be obtained from Council, and all appropriate charges paid, prior to commencement of any work on Council property. The owner/applicant shall be responsible for all public utilities and services in the area of the work, shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.
- (m) The works must comply with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice.

- (n) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.
- (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;
- Relevant legislative requirements and relevant Australian Standards (including but not limited) to:
- (i) Swimming Pools Act 1992
 - (ii) Swimming Pools Amendment Act 2009
 - (iii) Swimming Pools Regulation 2018
 - (iv) Australian Standard AS1926 Swimming Pool Safety
 - (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
 - (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
- (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
- (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewered areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.
- (4) Swimming pools and spas must be registered with the Division of Local Government.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

FEES / CHARGES / CONTRIBUTIONS

4. Policy Controls

Northern Beaches Section 7.12 Contributions Plan 2022

A monetary contribution of \$35,257.95 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan 2022. The monetary contribution is based on a development cost of \$3,525,795.00.

The monetary contribution is to be paid prior to the issue of the first Construction Certificate or Subdivision Certificate whichever occurs first, or prior to the issue of the Subdivision Certificate where no Construction Certificate is required. If the monetary contribution (total or in part) remains unpaid after the financial quarter that the development consent is issued, the amount unpaid (whether it be the full cash contribution or part thereof) will be adjusted on a quarterly basis in accordance with the applicable Consumer Price Index. If this situation applies, the cash contribution payable for this development will be the total unpaid monetary contribution as adjusted.

The proponent shall provide to the Certifying Authority written evidence (receipt/s) from Council that the total monetary contribution has been paid.

The Northern Beaches Section 7.12 Contributions Plan 2022 may be inspected at 725 Pittwater Rd, Dee Why and at Council's Customer Service Centres or alternatively, on Council's website at www.northernbeaches.nsw.gov.au

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

5. **Security Bond**

A bond (determined from cost of works) of \$10,000 and an inspection fee in accordance with Council's Fees and Charges paid as security are required to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection).

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, and details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.northernbeaches.nsw.gov.au).

Reason: To ensure adequate protection of Council's infrastructure.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

6. **Stormwater Disposal**

The applicant is to demonstrate how stormwater from the new development within this consent is disposed of to an existing approved system or in accordance with Northern Beaches Council's Water Management for Development Policy. Details by an appropriately qualified and practicing Civil Engineer demonstrating that the existing approved stormwater system can accommodate the additional flows, or compliance with the Council's specification are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for disposal and stormwater management arising from development.

7. **Car Parking Standards**

The driveway/access ramp grades, access and car parking facilities must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. The dimensions of car parking bays and aisle widths in the car park are to comply with Australian/New Zealand Standard for Off-Street Parking AS/NZS 2890.1-2004, or otherwise specified by Council.

Details demonstrating compliance with this condition are to be submitted to the Certifying Authority prior to the issue of a construction certificate.

Reason: To ensure compliance with Australian Standards relating to manoeuvring, access and parking of vehicles.

8. **Construction Traffic Management Plan**

As a result of the site constraints, limited vehicle access and parking, a Construction Traffic Management Plan (CTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by the Northern Beaches Council Traffic Team prior to issue of any Construction Certificate.

Due to heavy traffic congestion throughout the town centre, truck movements will be restricted during the major commuter peak times being 8.00-9.30am and 4.30-6.00pm. Truck movements must be agreed with Council's Traffic and Development Engineer prior to submission of the CTMP.

The CTMP must address following:

- The proposed phases of construction works on the site, and the expected duration of each construction phase
- The proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken
- Make provision for all construction materials to be stored on site, at all times
- The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period
- The proposed method of access to and egress from the site for construction vehicles, including access routes and truck routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed
- The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible mobile cranes should be located wholly within the site
- Make provision for parking onsite. All Staff and Contractors are to use the basement parking once available
- Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council prior
- Include a Traffic Control Plan prepared by a person with suitable RMS accreditation for any activities involving the management of vehicle and pedestrian safety
- The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process. It must also specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure
- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees
- Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and

- submitted to Council prior to work commencing on site
- The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site
- Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council
- The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising Structural Engineer, or equivalent
- Proposed protection for Council and adjoining properties
- The location and operation of any on site crane

The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”.

All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and are to be paid at the time that the Construction Traffic Management Plan is submitted.

Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

9. **Submission of Engineering Plans - Parking**

The submission is to include four (4) copies of Civil Engineering plans for the car park design.

The proposal shown in Drawing No.22012CAD006 Figure 1 Revision A is to be updated to include the additional requirements specified in Council’s Traffic Referral response. The plans shall be prepared by a qualified Civil Engineer and the design must include the following information:

- Provision of two accessible parking spaces in the car park area directly in front of the club building. The location of the spaces is shown on Notification Plan Drawing No. NP-001. The existing three staff parking spaces displaced can be relocated to the parking adjacent to the pro-shop.
- Provision of a 4.6m circulation roadway between the central parking module and the three new 60 degree angled parking spaces provided on the western side of the pro-shop.
- Remark car spaces in the central parking modules of the main car park. Two rows containing twelve 90 degree angled parking spaces (2.4m wide and 5.4m long).
- Designate the eastern driveway access as entry only. The western driveway is to be combined entry and exit to enable direct access to the overflow car park area.
- The first parking aisle (closest to Golf Avenue) is to be two-way to allow vehicles to circulate within the car park without exiting and re-entering from Golf Avenue.
- Introduce one-way flow in a clockwise direction for the remainder of the main car park with installation of directional arrows.

Details demonstrating compliance are to be submitted to Council prior to the issue of the Construction Certificate.

Reason: To ensure compliance with Council’s requirements to provide accessible parking spaces at convenient locations near entrances to the club building, minimise loss of parking, reduce traffic conflict and improve overall circulation within the car park.

10. **Building Code of Australia Fire Safety Requirements**

The Building Code of Australia fire safety measures for the building as detailed and recommended in the BCA Assessment Report prepared by BCA Logic, dated 1/4/2022, Ref 115505-BCA-r4 and including any proposed Performance Solutions are to be considered as part of the assessment of the Construction Certificate. Details demonstrating compliance are to be provided to the Certifying Authority prior to the issue of the Construction Certificate.
Reason: To ensure adequate provision is made for Health, Amenity, access and Fire safety for building occupant health and safety.

11. Building Code of Australia Access

Access and facilities to and within the building are to be provided for Persons with a Disability and are to comply with the Building Code of Australia and AS 1428.1. In this regard the Accessibility Review Report prepared by ABE Consulting dated 31/3/2022 is to be taken into consideration as part of the assessment of the Construction Certificate. Details are to be provided to the Certifying Authority prior to the issue of the Construction Certificate and be implemented prior to occupation of the building.

Reason: To ensure adequate provision is made for access to and within the building for Persons with a disability.

12. Plans of Kitchen Design, construction and fit out

Prior to any Construction Certificate (CC) being issued, detailed plans that demonstrate compliance with Standard 3.2.3 of the Australian and New Zealand Food Standards Code, the Food Act 2003 and Australian Standard AS 4674 'Design, construction and fit out of food premises', must be submitted to and approved by the Certifying Authority. These plans are to be prepared by a suitably qualified person.

The plans must detail adequate provision for storage including separate storage of food, equipment, chemicals and personal belongings.

Reason: To ensure that the Food premise complies with the design construction and fit-out requirements.

13. Plans of Mechanical ventilation

Where Mechanical ventilation is required to be installed in the food premises detailed plans must be submitted to and approved by the Certifying Authority that demonstrate compliance with the following:

- Australian Standard (AS) 1668.2 "The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings"; and
- Any external exhaust discharge must be above the roofline and discharged in a manner that is not likely to cause an amenity impact.

These plans are to be prepared by a suitably qualified person.

Reason: To ensure that the installed mechanical ventilation complies with the requirements of the Australian Standard 1668.2 and to prevent amenity impacts.

14. **Noise - Design of Mechanical Plant**

Prior to the issue of a Construction Certificate, the design and location of the mechanical ventilation is to be provided to the Principal Certifying Authority. An acoustic assessment is to be undertaken by a suitably qualified professional such as an acoustic engineer to determine acoustic treatments to control noise emissions from all mechanical plant noise in accordance with recommendations in Acoustic Report prepared acoustic report by Koikas acoustics dated 3 February 2022 and referenced as 5255R20220128asMonaValeGC_DA.

Any design recommendations made by the consultant must be implemented into the plans prior to issuing the Construction Certificate in order to achieve compliance with noted conditions of this consent.

Details demonstrating compliance are to be submitted to the satisfaction of the certifier.

Reason: To protect surrounding premises from any noise generated by the operation of the development.

15. **Compliance with Standards**

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards.

16. **Sydney Water "Tap In"**

The approved plans must be submitted to the Sydney Water Tap in service, prior to works commencing, to determine whether the development will affect any Sydney Water assets and/or easements. The appropriately stamped plans must then be submitted to the Certifying Authority demonstrating the works are in compliance with Sydney Water requirements.

Please refer to the website www.sydneywater.com.au for:

- "Tap in" details - see <http://www.sydneywater.com.au/tapin>
- Guidelines for Building Over/Adjacent to Sydney Water Assets.

Or telephone 13 000 TAP IN (1300 082 746).

Reason: To ensure compliance with the statutory requirements of Sydney Water.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

17. **Demolition Traffic Management Plan**

As a result of the site constraints, limited vehicle access and parking, a Demolition Traffic

Management Plan (DTMP) shall be prepared by an suitably accredited person and submitted to and approved by the Northern Beaches Council Traffic Team prior to commencing any demolition work.

Due to heavy traffic congestion throughout the area, truck movements will be restricted during the major commuter peak times being 8.00-9.30am and 4.30-6.00pm.

The DTMP must:-

- Make provision for all construction materials to be stored on site, at all times.
- The DTMP is to be adhered to at all times during the project.
- Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site is not permitted unless prior approval is granted by Council's Traffic Engineers.
- Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- Specify that a minimum fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes, structures proposed on the footpath areas (hoardings, scaffolding or temporary shoring) and extent of tree protection zones around Council street trees.
- Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the DTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- Specify spoil management process and facilities to be used on site.
- Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of demolition. At the direction of Council, the applicant is to undertake remedial treatments such as patching at no cost to Council.

The DTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – "Manual of Uniform Traffic Control Devices", RMS' Manual – "Traffic Control at Work Sites".

All fees and charges associated with the review of this plan is to be in accordance with Council's Schedule of Fees and Charges and are to be paid at the time that the Demolition Traffic Management Plan is submitted.

Reason: This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The DTMP is intended to minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent to the site.

18. **Traffic Management**

Traffic management procedures and systems must be in place and practised during the course of the project to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 2009 Manual of Uniform Traffic Control Devices and Council's Development Control Plans.

Note: A plan of traffic management is to be submitted to and approved by the Consent Authority.

Reason: To ensure pedestrian safety and continued efficient network operation.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

19. Tree and Vegetation Protection

a) Existing trees and vegetation shall be retained and protected, including:

- i) all trees and vegetation within the site, excluding exempt trees and vegetation under the relevant planning instruments of legislation,
- ii) all trees and vegetation located on adjoining properties,
- iii) all road reserve trees and vegetation.

b) Tree protection shall be undertaken as follows:

- i) tree protection shall be in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an Arborist with minimum AQF Level 5 in arboriculture,
- iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with an Arborist with minimum AQF Level 5 in arboriculture,
- iv) no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained,
- v) structures are to bridge tree roots at or >25mm (Ø) diameter unless directed by an Arborist with minimum AQF Level 5 in arboriculture on site,
- vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with an Arborist with minimum AQF Level 5 in arboriculture including advice on root protection measures,
- vii) should either or all of v) or vi) occur during site establishment and construction works, an Arborist with minimum AQF Level 5 in arboriculture shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,
- viii) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained during the construction works is to be undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of Australian Standard 4970-2009 Protection of Trees on Development Sites,
- ix) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy, and shall be in accordance with Australian Standard 4373-2007 Pruning of Amenity Trees, and should additional pruning be required an application to Council's Tree Services shall be submitted for approval or otherwise.

The Certifying Authority must ensure that:

- c) The activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and any temporary access to, or location of scaffolding within the tree protection zone of a protected tree, or any other tree to be retained on the site during the construction, is undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of that standard.

Note: All street trees within the road verge and trees within private property are protected under Northern Beaches Council development control plans, except where Council's written consent for removal has been obtained. The felling, lopping, topping, ringbarking, or removal of any tree (s) is prohibited.

Reason: Tree and vegetation protection.

20. **Road Reserve**

The applicant shall ensure the public footways and roadways adjacent to the site are maintained in a safe condition at all times during the course of the work.

Reason: Public safety.

21. **Installation and Maintenance of Sediment and Erosion Controls**

Council proactively regulates construction sites for sediment management.

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004) prior to commencement of any other works on site.

Erosion and sediment controls are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and vegetation cover has been re-established across 70 percent of the site, and the remaining areas have been stabilised with ongoing measures such as jute mesh or matting.

Reason: Protection of the receiving environment.

22. **Installation and Maintenance of Sediment and Erosion Controls**

Council proactively regulates construction sites for sediment management.

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004) and the Erosion and Sediment Control Plan as required prior to commencement of any other works on site.

Erosion and sediment controls are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and vegetation cover has been re-established across 70 percent of the site, and the remaining areas have been stabilised with ongoing measures such as jute mesh or matting.

Reason: Protection of the receiving environment.

23. **Implementation of Demolition Traffic Management Plan**

All works and demolition activities are to be undertaken in accordance with the approved Demolition Traffic Management Plan (DTMP). All controls in the DTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the DTMP be impacted by surrounding major development not encompassed in the approved DTMP, the DTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved DTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

Reason: To ensure compliance and Council's ability to modify the approved Construction Traffic Management Plan where it is deemed unsuitable during the course of the project.

24. **Implementation of Construction Traffic Management Plan**

All works and construction activities are to be undertaken in accordance with the approved

Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to Council on request.

Reason: To ensure compliance of the developer/builder in adhering to the Construction Traffic Management procedures agreed and are held liable to the conditions of consent.

25. **Ongoing Management**

The applicant shall be responsible in ensuring that the road reserve remains in a serviceable state during the course of the demolition and building works.

Reason: To ensure public safety.

26. **Removing, Handling and Disposing of Asbestos**

Any asbestos material arising from the demolition process shall be removed and disposed of in accordance with the following requirements:

- Work Health and Safety Act;
- Work Health and Safety Regulation;
- Code of Practice for the Safe Removal of Asbestos [NOHSC:2002 (1998)];
- Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998);
- Clause 42 of the Protection of the Environment Operations (Waste) Regulation 2005; and
- The demolition must be undertaken in accordance with Australian Standard AS2601 – The Demolition of Structures.

Reason: For the protection of the environment and human health.

27. **Geotechnical Requirements**

All recommendations (if any) included in the Geotechnical Report referenced in Condition 1 of this consent are required to be complied with during works.

Reason: To ensure geotechnical risk is mitigated appropriately.

28. **Staff and Contractor Parking**

The applicant is to make provision for parking for all construction staff and contractors for the duration of the project. All Staff and Contractors are to use the existing car park where possible.

Reason: To ensure minimum impact of construction activity on local parking amenity.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

29. **Landscape Completion**

Landscaping is to be implemented in accordance with the approved Landscape Plan, and inclusive of the following conditions:

- i) all tree planting shall be a minimum planting size of 75 litres, and shall meet the requirements of Natspec - Specifying Trees,

- ii) all trees shall be planted into a prepared planting hole 1m x 1m x 600mm depth, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established, and shall be located at least 3.0 metres from buildings, 2.0 metres from structures, and at least 1.5 metres from common boundaries, and located either within garden bed or within a prepared bed within lawn,
- iii) mass planting shall be installed at suitable intervals for shrubs of a minimum 200mm container size at planting or as otherwise scheduled if greater in size, and at 4 plants per metre square for grasses/groundcovers of a minimum 140mm container size at planting or as otherwise scheduled if greater in size, and shall be in a garden bed prepared with a suitable free draining soil mix and minimum 50mm depth of mulch,
- iv) all proposed tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight to living rooms, private open space and where the proposed location of trees may otherwise be positioned to minimise any significant loss of views from neighbouring and nearby dwellings and from public spaces.

Prior to the issue of an Occupation Certificate, details from a landscape architect or landscape designer shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

30. **Stormwater Disposal**

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Council's Water Management for Development Policy by a suitably qualified person. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater arising from the development.

31. **Accessible Parking Spaces**

Where Accessible parking spaces are provided they must be in accordance with AS2890.6:2009.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To ensure compliance with Australian Standards.

32. **Shared Zone Bollard**

A bollard is to be provided at the shared zone between Accessible parking spaces in accordance to Australian Standards AS2890.6:2009.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To ensure compliance with Australian Standards.

33. **Registration of Food Business**

The food business must be registered with the Appropriate Regulatory Authority, prior to Occupation Certificate being issued.

Reason: Food premises are required to be registered with the Appropriate Regulatory Authority.

34. **Kitchen Design, construction and fit out of food premises certification**

Prior to the issuing of any occupation certificate, certification is to be provided to the Principal Certifying Authority by a suitably qualified person demonstrating that the design, construction and fit out of food premises kitchen is compliant with the requirements of AS 4674 Design, construction and fit out of food premises.

Reason: To ensure that the kitchen complies with Australian Standard design requirements

35. **Mechanical ventilation**

Where Mechanical ventilation is required to be installed in the food premises it must comply with the following:

- Australian Standard (AS) 1668.2 “The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings”; and
- Any external exhaust discharge must be above the roofline and discharged in a manner that is not likely to cause an amenity impact.

Certification is to be provided to the Principal Certifying Authority by a suitably qualified person that the mechanical ventilation complies with the above requirements.

Reason: To ensure that the installed mechanical ventilation complies with the requirements of the Australian Standard 1668.2 and to prevent amenity impacts.

36. **Compliance with Acoustic Report**

Prior to any occupation certificate being issued, a further acoustic assessment is to be undertaken by a qualified and experienced person(s) to confirm compliance with the recommendations of the acoustic report by Koikas acoustics dated 3 February 2022 and referenced as 5255R20220128asMonaValeGC_DA.

Any recommendations made by the consultant must be implemented prior to issuing the Occupation Certificate in order to achieve compliance with noted conditions of this consent.

37. **Fire Safety Matters**

At the completion of all works, a Fire Safety Certificate will need to be prepared which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the NSW Fire Brigade.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Interim / Final Occupation Certificate.

Each year the Owners must send to the Council and the NSW Fire Brigade an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

Reason: Statutory requirement under Part 9 Division 4 & 5 of the Environmental Planning and Assessment Regulation 2000.

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

38. Landscape Maintenance

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilised as required at the time of planting.

If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plan and any conditions of consent.

All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: To maintain local environmental amenity.

39. Compliance with Operational Plan of Management and Acoustic Report

The details of the document Mona Vale golf club operational plan of management, all recommendations in the acoustic report by Koikas acoustics dated 3 February 2022 and referenced as 5255R20220128asMonaValeGC_DA and the acoustic report required prior to CC for the mechanical plant are to be complied with in perpetuity for the life of the development.

Reason: To protect acoustic amenity.

40. Hours of Operation

The hours of operation are to be restricted to:

- Monday to Friday – 8:00am - 9:00pm
- Saturday – 8:00am - 9:00pm
- Sunday and Public Holidays – 8:00am - 9:00pm

In the event of a function, hours of operation may be extended to 12:00am. No more than 1 function may be held per week.

Upon expiration of the permitted hours, all service (and entertainment) shall immediately cease, no patrons shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes.

Reason: Information to ensure that amenity of the surrounding locality is maintained.

41. Commercial Waste Collection (DACPLG18)

Waste and recyclable material, generated by this premises, must not be collected between the hours of 10pm and 6am on any day.

Reason: To protect the acoustic amenity of surrounding properties.

42. **Deliveries**

No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 6am on any day.

Reason: To protect ensure the acoustic amenity of surrounding properties.