

DEVELOPMENT APPLICATION ASSESSMENT REPORT

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| Application Number: | DA2020/1332 |
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| Responsible Officer: | Jordan Davies |
| Land to be developed (Address): | Lot 7006 DP 1117454, 1189 Barrenjoey Road PALM BEACH NSW 2108 Lot 1 DP 668492, 2 Beach Road PALM BEACH NSW 2108 Lot A DP 341607, 2 Beach Road PALM BEACH NSW 2108 Lot 1 DP 1127631, 2 Beach Road PALM BEACH NSW 2108 |
| Proposed Development: | Alterations and additions to an existing commercial premises (Palm beach Golf Club) |
| Zoning: | E4 Environmental Living RE1 Public Recreation |
| Development Permissible: | No |
| Existing Use Rights: | Yes |
| Consent Authority: | Northern Beaches Council |
| Delegation Level: | NBLPP |
| Land and Environment Court Action: | No |
| Owner: | Palm Beach Golf Club Ltd |
| Applicant: | Hot House Studio |

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| Application Lodged: | 20/10/2020 |
| Integrated Development: | No |
| Designated Development: | No |
| State Reporting Category: | Commercial/Retail/Office |
| Notified: | 18/11/2020 to 02/12/2020 |
| Advertised: | Not Advertised |
| Submissions Received: | 0 |
| Clause 4.6 Variation: | Nil |
| Recommendation: | Approval |

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| Estimated Cost of Works: | \$ 147,000.00 |
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Executive Summary

The proposal is referred to the Local Planning Panel as it is an application categorised as having a 'conflict of interest' as a portion of the land on which the proposed development is located is a Crown Reserve, however Northern Beaches Council is the Crown Land Manager (under the *Crown Lands Management Act 2016*).

The proposed development seeks alterations and additions to two buildings associated with Palm

Beach Golf Club. The proposal seeks alterations and general improvements to the Golf Club Building to improve access and the external appearance. The golf club building is located on 2 Beach Road, Palm Beach and is under private ownership.

The proposal also seeks alterations and additions to the pro shop building which sits upon is Crown Land, however is leased by Northern Beaches Council and forms part of the wider public reserve known as Governor Phillip Park. Due to the land being leased by Council, the application is referred to the Local Planning Panel for Determination.

The application has been publicly notified and no submissions have been received. Both buildings subject to the development application retain the footprint, height and general appearance and seeks changes to the windows and access to each building. The application does not seek any changes to the operation of the golf club or commercial activities associated with the golf club buildings.

The application has been assessed against the Environmental Planning and Assessment Act 1979 (EP&A Act 1979), Environmental Planning and Assessment Regulations 2000 (EP&A Regulations 2000), relevant Environmental Planning Instruments (EPIs) and Council policies. The outcome of this assessment is detailed within this report.

Accordingly, based on the detailed assessment contained in this report, it is recommended that the application be approved subject to conditions attached to this report.

PROPOSED DEVELOPMENT IN DETAIL

The proposed development is for alterations and additions to Palm Beach Golf Club, including the golf club building and the pro shop. The development largely seeks to improve disabled access to each of the buildings and an improvement to the visual appearance of the buildings via the alterations.

Specifically, the proposal consists of:

Golf Club Building (Land South of Beach Road)

- New entrance doors to the Golf Club;
- Passenger lift;
- Two DDA Accessible bathrooms;
- General Accessible circulation improvements;
- General BCA improvements
- Replacement of the timber parapet cladding with colorbond metal cladding

Pro Shop Building (Land North of Beach Road)

- New window opening on the southern elevation (street elevation)
- Replacement of window openings on the east, north and west elevations
- New sensor operated doors and ramp
- New equipment storage shed
- Demolition of internal wall

Consistency with Plan of Management

The 'Governor Phillip Park Palm Beach Plan of Management' is applicable to the golf course land, which includes the pro shop. The Plan of Management identifies that the land is to be used for the purpose of public recreation, including the golf course use. The improvements to the pro shop building are consistent with the plan of management and enable the continued use of the land as a golf club for recreational purposes.

Crown lands has provided a letter of owners consent for the lodgement of the development application. Council's property team have also provide a letter consenting to the lodgement of the application, being the land manager. The development is a kind referred to under Clause 2.23(2) of the *Crown Lands Management Act 2016* and therefore it is taken that the Minister has given consent on behalf of the Crown for its Crown Land Manager or holder of a lease or licence over the land to make a development application for the proposed development relating to the pro shop (noting the alterations are within the footprint of the building).

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 Local Environmental Plan 2014 - 5.10 Heritage conservation
Pittwater 21 Development Control Plan - A4.12 Palm Beach Locality

SITE DESCRIPTION

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| Property Description: | <p>Lot 7006 DP 1117454 , 1189 Barrenjoey Road PALM BEACH NSW 2108</p> <p>Lot 1 DP 668492 , 2 Beach Road PALM BEACH NSW 2108</p> <p>Lot A DP 341607 , 2 Beach Road PALM BEACH NSW 2108</p> <p>Lot 1 DP 1127631 , 2 Beach Road PALM BEACH NSW 2108</p> |
| Detailed Site Description: | <p>The subject site consists of two land holdings separated by Beach Road.</p> <p>The golf club building is located on the southern side of Beach Road and comprises of three sites being Lot 1 DP 1127631, Lot A DP 341607 and Lot 1 DP 668492. The three sites together are known as 2 Beach Road, Palm Beach and comprise of a total area of 1216.2sqm. This site is zoned E4</p> |

Environmental Living and is under private ownership of Balm Beach Golf Club Pty Ltd. The site contains a two storey golf club building containing ground floor locker rooms, amenities, storage, entry foyer and outdoor area. The first floor contains a bar and restaurant with associated seating and amenities and a balcony at the Beach Road frontage. There is parking at the rear (northern) side of the building.

The pro shop building is located on the northern side of Beach Road and sits within the golf course land. The specific site which the pro shop sits is within Lot 7006 DP 1117454 and is known as 1189 Barrenjoey Road. This site sits within Governor Phillip Park comprising of the Golf Course, park lands/recreation areas, surf club and parking areas. This land is owned by the Crown, however is managed by Northern Beaches Council and managed as per the 'Governor Phillip Park Palm Beach Plan of Management' which was adopted by Council 9 December 2002. The land to the north of Palm Road is zoned RE1 Public Recreation. The land is classified as Community Land under the *Local Government Act 1993*.

The portion of the site which the pro shop sits is clear of any significant vegetation and comprises of a single storey cottage containing the pro shop.

Detailed Description of Adjoining/Surrounding Development

Adjoining and surrounding development is characterised by a cafes, parklands, golf course and residential dwellings. Directly to the south of the Golf Club Building is a residential dwelling, to the east of the site is a residential dwelling and to the west is a cafe. The land surrounding the Pro Shop comprises of the golf course.

Map:



SITE HISTORY

The land has been used for the purpose of a golf club for an extended period of time. A search of Council's records has revealed the following relevant history:

- Development application N1044/99 for works to the existing clubhouse was approved under the delegation of the Development Unit on 27/04/2001;
- Modification application N1044/99/S96/1 was lodged with Council and subsequently approved on 16/11/2017;
- Modification application N1044/99/S96/2 was lodged with Council due to an error in the original assessment as part of N1044/99/S96/1 and subsequently approved on 5 December 2017.
- MOD2018/0209 seeking to modify the conditions of N1044/99 in relation to the hours of operation of the alfresco area. The application was refused on 7 June 2018 by Northern Beaches Council. An appeal was lodged against the refusal with the Land and Environment Court and was subsequently upheld on 20 March 2020.

Re notification of Development Application

The application was notified for a period of 14 days as submitted to Council. No submissions were received during this notification period. However, the notification of the application did not reference the land known as 1189 Barrenjoey Road, Palm Beach which contains the pro shop building. Therefore, the application was renotified for a period of 14 days which included reference to the land on which the Golf Club Building sits (2 Beach Road, Palm Beach) and the land on which the Prop Shop building sits (1189 Barrenjoey Road, Palm Beach). No submissions were received during the second notification period.

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 |
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| 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 | Draft State Environmental Planning Policy (Remediation of Land) seeks to replace the existing SEPP No. 55 (Remediation of Land). Public consultation on the draft policy was completed on 13 April 2018. The subject site has been used for golf club for an extended period of time. The proposed development retains the golf club use of the site, and is not considered a contamination risk. |
| 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>Clause 50(1A)</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000 allow Council to request additional information. Additional information was requested in relation to owners consent from Crown Lands. This has been provided by the applicant.</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 insurance requirements under the Home Building Act 1989. 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 Matters for Consideration' | Comments |
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| | <u>Clause 143A</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer prior to the issue of a Construction Certificate. This clause is not relevant to this application. |
| Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality | <p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Pittwater 21 Development Control Plan section in this report.</p> <p>(ii) Social Impact 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 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 | No matters have arisen in this assessment that would justify the refusal of the application in the public interest. |

EXISTING USE RIGHTS

The use of the site comprising of the Golf Clubhouse Building can be categorised as a 'registered club' and is not a permitted use in the E4 Environmental Living Zone.

However, there is sufficient evidence to demonstrate that the site has operated as a registered club for a period of time and benefits from Existing Use Rights for the purpose of a registered club. This includes a development consent for 'Additions to Golf Clubhouse' approved by Pittwater Council on 27/04/2001.

Further, a modification application MOD2018/0209 to 'Extend the operating hours of the alfresco area' was approved by the Land and Environment Court on 20 March 2020.

These two most recent approvals clearly demonstrate that the site benefits from existing use rights for the purpose of a Registered Club.

The applicant seeks consent to alter the existing golf clubhouse under the provisions of s4.67 of the Act and clause 43 of the Environmental Planning and Assessment Regulations 2000. Section 4.67 (1)(a) are as follows:

(1) The regulations may make provision for or with respect to existing use and, in particular, for or with respect to

(a) the carrying out of alterations or extensions to or the rebuilding of a building or work being

Clause 43 of the Environmental Planning and Assessment Regulations 2000 states the following:

- 1) *Development consent is required for any alteration or extension of a building or work used for an existing use.*
- 2) *The alteration or extension:*
 - (a) *must be for the existing use of the building or work and for no other use, and*
 - (b) *must be erected or carried out only on the land on which the building or work was erected*

The application seeks consent to make alterations and additions relating to the use of an existing registered club. The modifications will allow for the continuing use as a registered club, and will not alter the use, and are contained within the same land. As existing use rights have been established via previous consents issued for development for the purpose of a registered club, development consent can be sought for alterations and additions to the existing use.

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 18/11/2020 to 02/12/2020 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the relevant Development Control Plan.

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

REFERRALS

| Internal Referral Body | Comments |
|----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Building Assessment - Fire and Disability upgrades | No objections subject to conditions to ensure compliance with the Building Code of Australia and/or upgrading to the degree necessary, where deemed appropriate. |
| NECC (Bushland and Biodiversity) | <p>Council's Bushland and Biodiversity referral team have reviewed the application for consistency against the relevant environmental legislation and controls, including:</p> <p>Biodiversity Conservation Act 2016 (BC Act) Pittwater Local Environmental Plan (PLEP) - 7.6 Biodiversity Protection</p> <p>Pittwater Development Control Plan (PDCP) - B4.4 Flora and Fauna Habitat Enhancement Category 2 and Corridor - B4.6 Wildlife Corridors</p> <p>The proposal seeks to remove no vegetation, and does not indirectly impact on nearby biodiversity values.</p> <p>Council's Bushland and Biodiversity referral team has no objections to the proposed application and find it to be consistent against relevant environmental controls.</p> |
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| Internal Referral Body | Comments | | | | | | | | | | | | | | | | | | |
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| NECC (Stormwater and Floodplain Engineering – Flood risk) | The proposed development is for alterations to a existing building including a new lift and entrance doors. Subject to conditions the proposal is compliant with Council's flood prone land development controls. | | | | | | | | | | | | | | | | | | |
| Strategic and Place Planning (Heritage Officer) | HERITAGE COMMENTS | | | | | | | | | | | | | | | | | | |
| | Discussion of reason for referral | | | | | | | | | | | | | | | | | | |
| | The proposal has been referred to Heritage as it is within a heritage conservation area | | | | | | | | | | | | | | | | | | |
| | C1 Barrenjoey Conservation Area - Barrenjoey Head and sand isthmus | | | | | | | | | | | | | | | | | | |
| | Details of heritage items affected | | | | | | | | | | | | | | | | | | |
| | Details of the item as contained within the Pittwater inventory is as follows: | | | | | | | | | | | | | | | | | | |
| | <u>Statement of significance:</u> The Barrenjoey Heritage Conservation Area includes sites associated with the earliest phase of European settlement in Pittwater. It retains rare evidence of natural and both Aboriginal and European cultural heritage in a scenic location. It is included within Ku-ring-gai Chase National Park, which contains an outstanding representation of the species that contribute to the high endemism value of the Sydney region. | | | | | | | | | | | | | | | | | | |
| | <u>Physical description:</u> "This is a natural conservation area, consisting of the Barrenjoey Headland and the sand isthmus or tombolo which links the headland to Palm Beach." | | | | | | | | | | | | | | | | | | |
| | Other relevant heritage listings | | | | | | | | | | | | | | | | | | |
| | <table><tr><td>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</td><td>No</td><td></td></tr><tr><td>Australian Heritage Register</td><td>No</td><td>The clubhouse and proshop are not on the register</td></tr><tr><td>NSW State Heritage Register</td><td>No</td><td>The clubhouse and proshop are not on the state register</td></tr><tr><td>National Trust of Aust (NSW) Register</td><td>No</td><td>The clubhouse and proshop are not on the register</td></tr><tr><td>RAIA Register of 20th Century Buildings of Significance</td><td>No</td><td>The clubhouse and proshop are not on the register</td></tr><tr><td>Other</td><td>N/A</td><td></td></tr></table> | Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 | No | | Australian Heritage Register | No | The clubhouse and proshop are not on the register | NSW State Heritage Register | No | The clubhouse and proshop are not on the state register | National Trust of Aust (NSW) Register | No | The clubhouse and proshop are not on the register | RAIA Register of 20th Century Buildings of Significance | No | The clubhouse and proshop are not on the register | Other | N/A | |
| | Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 | No | | | | | | | | | | | | | | | | | |
| | Australian Heritage Register | No | The clubhouse and proshop are not on the register | | | | | | | | | | | | | | | | |
| | NSW State Heritage Register | No | The clubhouse and proshop are not on the state register | | | | | | | | | | | | | | | | |
| National Trust of Aust (NSW) Register | No | The clubhouse and proshop are not on the register | | | | | | | | | | | | | | | | | |
| RAIA Register of 20th Century Buildings of Significance | No | The clubhouse and proshop are not on the register | | | | | | | | | | | | | | | | | |
| Other | N/A | | | | | | | | | | | | | | | | | | |
| Consideration of Application | | | | | | | | | | | | | | | | | | | |
| The proposal seeks consent for alterations and additions to the Palm Beach Golf Club. The proposed works are mostly | | | | | | | | | | | | | | | | | | | |

| Internal Referral Body | Comments |
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| | <p>accessibility upgrades and includes works to the clubhouse building and the pro shop which is located within the golf course. As the pro shop sits within the golf course, it is included within the Barrenjoey Heritage Conservation Area. The works on the proshop include widening the opening, installing a new door and pathways. The proshop is not considered significant fabric and Heritage raises no objections to these works as they will not impact upon the conservation area or its significance.</p> <p>The proposed works to the clubhouse building are mostly internal with some minor changes to the entryway and roof. The clubhouse is separated from the conservation area by Beach Road, and these works are also considered to not impact upon the conservation area or its significance.</p> <p>Therefore Heritage raises no objections and requires no conditions.</p> <p>Consider against the provisions of CL5.10 of PLEP.</p> <p>Is a Conservation Management Plan (CMP) Required? No Has a CMP been provided? No Is a Heritage Impact Statement required? No Has a Heritage Impact Statement been provided? No</p> <p>Further Comments</p> <p>COMPLETED BY: Brendan Gavin, Principal Planner</p> <p>DATE: 26 October 2020</p> |

| External Referral Body | Comments |
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| Ausgrid: (SEPP Infra.) | The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended. |

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 for golf club for a significant period of time 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 considered to be suitable for the golf club land use.

SEPP (Infrastructure) 2007

Ausgrid

Clause 45 of the SEPP 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. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

SEPP (Coastal Management) 2018

The site is subject to SEPP Coastal Management (2018). Accordingly, an assessment under the SEPP has been carried out as follows:

10 Development on certain land within coastal wetlands and littoral rainforests area

- (1) *The following may be carried out on land identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map only with development consent:*
- (a) *the clearing of native vegetation within the meaning of Part 5A of the Local Land Services Act 2013,*
 - (b) *the harm of marine vegetation within the meaning of Division 4 of Part 7 of the Fisheries Management Act 1994,*
 - (c) *the carrying out of any of the following:*
 - (i) *earthworks (including the depositing of material on land),*
 - (ii) *constructing a levee,*
 - (iii) *draining the land,*
 - (iv) *environmental protection works,*
 - (d) *any other development.*

Comment:

Not within coastal wetlands or littoral rain forest area.

11 Development on land in proximity to coastal wetlands or littoral rainforest

- (1) *Development consent must not be granted to development on land identified as “proximity area for coastal wetlands” or “proximity area for littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map unless the consent authority is satisfied that the proposed development will not significantly impact on:*
- (a) *the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or*
 - (b) *the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.*

Comment:

Not within coastal wetlands or littoral rain forest proximity area.

12 Development on land within the coastal vulnerability area

Development consent must not be granted to development on land that is within the area identified as “coastal vulnerability area” on the Coastal Vulnerability Area Map unless the consent authority is satisfied that:

- (a) *if the proposed development comprises the erection of a building or works—the building or works are engineered to withstand current and projected coastal hazards for the design life of the building or works, and*
- (b) *the proposed development:*
 - (i) *is not likely to alter coastal processes to the detriment of the natural environment or other land, and*
 - (ii) *is not likely to reduce the public amenity, access to and use of any beach, foreshore, rock platform or headland adjacent to the proposed development, and*
 - (iii) *incorporates appropriate measures to manage risk to life and public safety from coastal hazards, and*
- (c) *measures are in place to ensure that there are appropriate responses to, and management of, anticipated coastal processes and current and*

*future
coastal
hazards.*

Comment:

Not within coastal vulnerability area.

13 Development on land within the coastal environment area

- (1) *Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:*
- (a) *the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
 - (b) *coastal environmental values and natural coastal processes,*
 - (c) *the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
 - (d) *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
 - (e) *existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (f) *Aboriginal cultural heritage, practices and places,*
 - (g) *the use of the surf zone.*

Comment:

The proposed development consists of minor alterations to the existing building with no excavation of any undisturbed areas that have potential for coastal vegetation, aboriginal heritage or impacts upon the water quality. No impact to public foreshore areas or access to the foreshore area.

- (2) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
- (a) *the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*
 - (b) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

Comment:

The development has been designed to avoid impact.

14 Development on land within the coastal use area

- (1)
- (a) *has considered whether the proposed development is likely to cause an adverse impact on the following:*
 - (i) *existing, safe access to and along the foreshore, beach, headland or rock platform*

- for members of the public, including persons with a disability,
- (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,
- (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,
- (iv) Aboriginal cultural heritage, practices and places,
- (v) cultural and built environment heritage, and
- (b) is satisfied that:
 - (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or
 - (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
 - (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and
- (c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

Comment:

The development does not result in impacts to access to the foreshore are, overshadowing or wind funnelling, view loss or impact to aboriginal cultural heritage. The development has been designed to avoid impacts.

As such, it is considered that the application complies with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.

15 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Comment:

The development does not result in an increase to coastal hazards.

Pittwater Local Environmental Plan 2014

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| Is the development permissible? | No |
| 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 | 7m (replacement of parapet material) | N/A | Yes |

Compliance Assessment

| Clause | Compliance with Requirements |
|----------------------------------------------------------|------------------------------|
| 1.9A Suspension of covenants, agreements and instruments | Yes |
| 4.3 Height of buildings | Yes |
| 5.10 Heritage conservation | Yes |
| 7.2 Earthworks | Yes |
| 7.3 Flood planning | Yes |
| 7.6 Biodiversity protection | Yes |

Detailed Assessment

5.10 Heritage conservation

The pro shop sits within a heritage conservation area known as "C1 Barrenjoey Conservation Area". The application has been referred to Council's Heritage Officer who supports the proposal and does not raise concern with the additions to the pro shop or the additions to the Club House which is across the road from the Heritage Conservation Area. It is noted that the Pro Shop does not form part of the heritage fabric of the conservation area.

See detailed referral comments from Council's Heritage Officer in this report.

Pittwater 21 Development Control Plan

Compliance Assessment

| Clause | Compliance with Requirements | Consistency Aims/Objectives |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------|
| A1.7 Considerations before consent is granted | Yes | Yes |
| A4.12 Palm Beach Locality | Yes | Yes |
| B1.2 Heritage Conservation - Development in the vicinity of heritage items, heritage conservation areas, archaeological sites or potential archaeological sites | Yes | Yes |
| B1.3 Heritage Conservation - General | Yes | Yes |
| B1.4 Aboriginal Heritage Significance | Yes | Yes |
| B3.1 Landslip Hazard | Yes | Yes |
| B3.6 Contaminated Land and Potentially Contaminated Land | Yes | Yes |
| B3.11 Flood Prone Land | Yes | Yes |
| B8.2 Construction and Demolition - Erosion and Sediment Management | Yes | Yes |
| B8.3 Construction and Demolition - Waste Minimisation | Yes | Yes |
| C1.3 View Sharing | Yes | Yes |
| C1.4 Solar Access | Yes | Yes |
| C1.5 Visual Privacy | Yes | Yes |
| C1.6 Acoustic Privacy | Yes | Yes |
| C1.12 Waste and Recycling Facilities | Yes | Yes |
| C1.13 Pollution Control | Yes | Yes |
| | | |

| Clause | Compliance with Requirements | Consistency Aims/Objectives |
|-----------------------------------------------|------------------------------|-----------------------------|
| C5.22 Environmental Sustainability | Yes | Yes |
| D12.1 Character as viewed from a public place | Yes | Yes |
| D12.3 Building colours and materials | Yes | Yes |
| D12.14 Scenic Protection Category One Areas | Yes | Yes |

Detailed Assessment

A4.12 Palm Beach Locality

The proposed development seeks minor external changes to the golf club building and pro shop building. The external cladding used around the golf club building is a dark colours and will improve the fairly dated external appearance of the building. The lift overrun is contained within the roof space of the building and will not add additional building bulk which would result in a detrimental impact for the area. The overall form, height, footprint and appearance of the buildings are largely unchanged. The introduction of new windows/doors to the buildings do not have a detrimental visual impact from the street and is consistent with the character of the locality.

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 2019

The proposal is subject to the application of Northern Beaches Section 7.12 Contributions Plan 2019.

A monetary contribution of \$ 735 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 0.5% of the total development cost of \$ 147,000.

7.12 Contributions

A monetary contribution of \$735.00 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 2019. The monetary contribution is based on a development cost of \$147,000.00.

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 considered to be:

- 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

In summary, a detailed assessment of the proposal has been undertaken along with an assessment by Council's internal referral bodies. The proposed development does not result in any unreasonable impacts upon surrounding residents with regards to noise, traffic and parking, visual bulk and scale or impact upon the heritage conservation area or surrounding Governor Phillip Park.

The proposal is therefore recommended for approval subject to the conditions contained within this report. It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

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 DA2020/1332 for Alterations and additions to an existing commercial premises (Palm beach Golf Club) on land at Lot 7006 DP 1117454, 1189 Barrenjoey Road, PALM BEACH, Lot 1 DP 668492, 2 Beach Road, PALM BEACH, Lot A DP 341607, 2 Beach Road, PALM BEACH, Lot 1 DP 1127631, 2 Beach Road, PALM BEACH, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. **Approved Plans and Supporting Documentation**

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Approved Plans

| |
|------------------------------------------------------------|
| Architectural Plans - Endorsed with Council's stamp |
| |

| Drawing No. | Dated | Prepared By |
|--------------------|--------------|--------------------|
| DA_1.00, Issue B | 30/09/2020 | Hot House Studio |
| DA_1.10, Issue B | 30/09/2020 | Hot House Studio |
| DA_1.11, Issue B | 30/09/2020 | Hot House Studio |
| DA_2.10, Issue B | 30/09/2020 | Hot House Studio |
| DA_4.10, Issue C | 25/11/2020 | Hot House Studio |
| DA_6.00, Issue B | 30/09/2020 | Hot House Studio |

| Reports / Documentation – All recommendations and requirements contained within: | | |
|-----------------------------------------------------------------------------------------|--------------|---------------------------------|
| Report No. / Page No. / Section No. | Dated | Prepared By |
| Access Report, Version 2 | 25/09/2020 | Morris Goding Access Consulting |
| BCA Report, Issue 1, Ref P20109 | 5/08/2020 | BCA Vision |

b) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.

c) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

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

| Waste Management Plan | | |
|------------------------------|--------------|--------------------|
| Drawing No/Title. | Dated | Prepared By |
| Waste Management Plan | 21/07/2020 | Hot House Studio |

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 7.12 Contributions Plan 2019

A monetary contribution of \$735.00 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 2019. The monetary contribution is based on a development cost of \$147,000.00.

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 2019 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 \$1,500 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. **Flooding**

In order to protect property and occupants from flood risk the following is required:

Building Components and Structural Soundness – C3

All new electrical equipment, power points, wiring, fuel lines, sewerage systems or any other service pipes and connections must be waterproofed and/or located above the Flood Planning Level of 3.6m AHD. All existing electrical equipment and power points located below the Flood Planning Level must have residual current devices installed cut electricity supply during flood events.

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

Reason: To reduce the impact of flooding and flood liability on owners and occupiers of flood-prone property and reduce public and private losses in accordance with Council and NSW Government policy.

7. **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.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

8. **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.

9. **Installation and Maintenance of Sediment Control**

Prior to any works commencing on site, including demolition, sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004). Techniques used for erosion and sediment control on site 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 the site is sufficiently stabilised with vegetation.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site.

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

10. **No Weeds Imported On To The Site**

No Priority or environmental weeds are to be imported on to the site prior to or during construction works.

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

Reason: To reduce the risk of site works contributing to spread of Priority and environmental weeds.

11. **Fire Safety Upgrade**

The fire upgrading measures and works to upgrade the building as detailed and recommended in the BCA Compliance Assessment Report prepared by BCA Vision P/L, Reference No. P20109 dated 5 August 2020 are to be incorporated into the proposal.

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

Reason: To ensure adequate provision is made for fire safety in the premises for building occupant safety.

12. **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 Fire and Rescue NSW.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Occupation Certificate (or where applicable, relating to the part of the building, being the subject of this Consent).

Each year the Owners must send to the Council and Fire and Rescue NSW, 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

13. **Dead or Injured Wildlife**

If construction activity associated with this development results in injury or death of a native mammal, bird, reptile or amphibian, a registered wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To protect native wildlife.