

11 September 2019

Dee Why RSL Club Ltd
932 Pittwater Road
DEE WHY NSW 2099

Dear Sir/Madam

Application Number: Mod2019/0422
Address: Lot 1 DP 706230 , 932 Pittwater Road, DEE WHY NSW 2099
Proposed Development: Modification of Development Consent DA2017/0244 granted for Demolition works and Redevelopment of part of an existing Registered Club Dee Why RSL Club

Please find attached the Notice of Determination for the above mentioned Application.

Please be advised that a copy of the Assessment Report associated with the application is available on Council's website at www.northernbeaches.nsw.gov.au

Please read your Notice of Determination carefully and the assessment report in the first instance.

If you have any further questions regarding this matter please contact the undersigned on 1300 434 434 or via email quoting the application number, address and description of works to council@northernbeaches.nsw.gov.au

Regards,



Lashta Haidari
Principal Planner

NOTICE OF DETERMINATION

Application Number:	Mod2019/0422
Determination Type:	Modification of Development Consent

APPLICATION DETAILS

Applicant:	Dee Why RSL Club Ltd
Land to be developed (Address):	Lot 1 DP 706230 , 932 Pittwater Road DEE WHY NSW 2099
Proposed Development:	Modification of Development Consent DA2017/0244 granted for Demolition works and Redevelopment of part of an existing Registered Club Dee Why RSL Club

DETERMINATION - APPROVED

Made on (Date)	11/09/2019
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The request to modify the above-mentioned Development Consent has been approved as follows:

A. Modify the following Conditions to read as follows:

- 20 Kitchen Design, construction and fit out of food premises**
The construction fit-out and finishes of the food premises must comply 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' Prior to an Occupation Certificate (OC) being issued which includes new food premises, certification is to be provided by a suitably qualified person that the fit-out complies with the above requirement.

Reason: To ensure that the kitchen complies with the design requirements.

- 21 (a) Existing trees which must be retained**

All trees not indicated for removal on Landscape Plan Dwg No. 102 A dated 20.03.2017 prepared by Site Image Landscape Architects, unless exempt under relevant planning instruments or legislation. Certification by Landscape architect for Final Occupational Certificate that trees have been retained as per plans.

- (b) Tree protection

i) No tree roots greater than 50mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.

ii) All structures are to bridge tree roots greater than 50mm diameter unless directed otherwise by a qualified Arborist on site.

iii) All tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.

iv) All tree pruning within the subject site is to be in accordance with WDCP2011 Clause

E1 Private Property Tree Management and AS 4373 Pruning of amenity trees

v) All tree protection measures, including fencing, are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.(DACLAC01)

23 Driveway Classification

Vehicular crossing leading to the Porte Cochere is to be maximum 8.0m in width at the site boundary, with layback in accordance to Council's standard drawing for a vehicular layback.

Certification by traffic consultant only for areas relevant to that occupational certificate and full certification off all areas at Final Occupational Certificate.

Reason: Vehicle Safety(DACPLC03)

24 Pedestrian sight distance at property boundary

All existing and new driveways are to meet AS2890.1:2004 pedestrian sight triangle of 2.0 metres by 2.5m metres requirements. This sight distance triangle is to be provided at all existing and new vehicular access to the property and where internal circulation roadways intersect with footpaths or other pedestrian access areas.

Certification by traffic consultant only for areas relevant to that occupational certificate and full certification off all areas at Final Occupational Certificate.

34 Authorisation of Legal Documentation Required for On-site Stormwater Detention

The original completed request forms (Department of Lands standard forms 13PC and/or 13RPA) must be submitted to Council, with a copy of the Works-as-Executed plan (details overdrawn on a copy of the approved drainage plan is to be submitted with final Final Occupation Certificate), hydraulic engineers certification and Compliance Certificate issued by an Accredited Certifier in Civil Works.

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

Reason: To create encumbrances on the land. (DACENF01)

36 Reinstatement of Kerb

All redundant laybacks and vehicular crossings shall be reinstated to conventional kerb and gutter, footpath or grassed verge as appropriate with all costs borne by the applicant.

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

Reason: To facilitate the preservation of on street parking spaces. (DACENF03)

38 Stormwater Disposal

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified person.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority

prior to the issue of the final Occupation Certificate.

Note: The following Standards and Codes applied at the time of determination:

- (a) Australian/New Zealand Standard **AS/NZS 3500.3- 2003 - Plumbing and drainage - Stormwater drainage**
- (b) Australian/New Zealand Standard **AS/NZS 3500.3- 2003/Amdt 1 - 2006 - Plumbing and drainage - Stormwater drainage**
- (c) National Plumbing and Drainage Code.

Reason: To ensure appropriate provision for the disposal of stormwater arising from the development. (DACENF05)

39 On-Site Stormwater Detention Compliance Certification

Upon completion of the on-site stormwater detention (OSD) system, certification from a consulting engineer and a “work as executed” (WAE) drawing certified by a registered surveyor and overdrawn in red on a copy of the approved OSD system plans are to be provided to Council. Additionally a Compliance Certificate is to be issued by an appropriately qualified civil engineer registered with the Institute of Engineers Australia, stating that the works are in accordance with the approved plans.

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

Reason: To ensure stormwater disposal is constructed to Council’s satisfaction. (DACENF10)

42 Certification for the Installation of Stormwater Quality System

A certificate from a Civil Engineer, stating that the stormwater quality management system has been installed in accordance with the Civic Engineering Plans prepared by ACOR Consulting dated 10.03.17, Issue B/C, project number SY160161 and Stormwater Management Report prepared by ACOR Consultants dated March 2017.

The certificate shall be submitted to the Principal Certifying Authority prior to the release of the Final Occupation Certificate.

Reason: Protection of the receiving environment (DACENFPO1)

43 Stormwater Quality Operation and Maintenance Plan

An Operation and Maintenance Plan is to be prepared to ensure proposed stormwater quality measures remain effective.

The Plan must contain the following:

- a) Inspection and maintenance schedule of all stormwater quality treatment devices
- b) Record keeping and reporting requirements
- c) Funding arrangements for the maintenance of all stormwater quality treatment devices
- d) Waste management and disposal
- e) Traffic control measures (if required)
- f) Relevant contact information
- g) Renewal and replacement requirements of all stormwater quality treatment devices
- h) Work Health and Safety requirements

Details demonstrating compliance shall be submitted to the Principal Certifying Authority prior

to the release of the Final Occupation Certificate.

Reason: Protection of the receiving environment (DACENFPO1)

45 **Works as Executed Drawings**

Works as Executed Drawings for all stormwater quality devices must be prepared in accordance with Council's Guideline for Preparing Works as Executed Data for Council Stormwater Assets.

The drawings shall be submitted to the Principal Certifying Authority prior to the release of the Final Occupation Certificate.

Reason: Protection of the receiving environment

46 **Registration of Food Business**

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

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

50 **Acoustic Report**

Recommendations made by the acoustic consultant detailed in the report titled Dee Why RSLNoise and Vibration, report no. 17038-DA dated 21 March 2017 must be implemented in order to minimise noise and vibration disturbance to surrounding amenities.

Certification by Acoustic Consultant for Final Occupational Certificate confirming that recommendations detailed have been implemented.

Reason:To ensure that noise generated from the premise does not create offensive noise (DACHPGOG5)

Important Information

This letter should therefore be read in conjunction with DA2017/0244, dated 31/07/2017.

Please note that on site works cannot proceed unless a Construction Certificate application for the modified proposal has been lodged with and approved by Council or an accredited certifier, and relevant conditions of the Development Application have been carried out.

Right to Review by the Council

You may request Council to review this determination of the application under Division 8.2 of the Environmental Planning & Assessment Act 1979. Any Division 8.2 Review of Determination application should be submitted to Council within 3 months of this determination, to enable the assessment and determination of the application within the 6 month timeframe.

Right of Appeal

Section 8.10 of the Environmental Planning and Assessment Act confers on an applicant who is not satisfied with the determination of the Consent Authority a right of appeal to the Land and Environment Court within 6 months of determination.

NOTE: A fee will apply for any request to review the determination.

Signed On behalf of the Consent Authority



Name Lashta Haidari, Principal Planner

Date 11/09/2019