

CONDITIONS

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
Dwg 000, Cover, Rev B	14/6/2022	Adriano Pupilli Architects
Dwg 001, Survey, Rev B	14/6/2022	Adriano Pupilli Architects
Dwg 002, Site Analysis, Rev B	14/6/2022	Adriano Pupilli Architects
Dwg 003, Site Plan, Rev B	14/6/2022	Adriano Pupilli Architects
Dwg 004, Demolition Plans, Rev B	14/6/2022	Adriano Pupilli Architects
Dwg 010, Proposed Ground Floor Plan, Rev B	14/6/2022	Adriano Pupilli Architects
Dwg 011, Proposed First Floor Plan, Rev B	14/6/2022	Adriano Pupilli Architects
Dwg 012, Proposed Roof Plan, Rev B	14/6/2022	Adriano Pupilli Architects
Dwg 013, Proposed Sections, Rev B	14/6/2022	Adriano Pupilli Architects
Dwg 014, Proposed Elevations, Rev B	14/6/2022	Adriano Pupilli Architects
Dwg 015, Schedule of Colours and Materials, Rev B	14/6/2022	Adriano Pupilli Architects
Dwg 016, Shadow Diagrams, Rev A	25/8/2021	Adriano Pupilli Architects
Dwg 017, Waste Management Plan – Demolition, Construction & Ongoing, Rev A	25/8/2021	Adriano Pupilli Architects
Dwg 019, Photo Montages	20/5/2022	Adriano Pupilli Architects

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:

Engineering Plans		
Drawing No.	Dated	Prepared By
Ground Floor Stormwater Drainage Concept Plan, Dwg No. D.010, Rev D	16/11/2020	Rise Consulting Engineers
Roof/First Floor Stormwater Drainage Concept Plan, Dwg No. D.020, Rev D	16/11/2020	Rise Consulting Engineers
General Notes, Dwg No. S01, Rev D	24/08/2021	Horton Coastal Engineering
Coastal Protection Works Plan, Dwg No. S02, Rev D	24/08/2021	Horton Coastal Engineering
Erosion and Sediment Control Plan and Waste Management Plan, Dwg No. S05, Rev D	24/08/2021	Horton Coastal Engineering
Section 1, Dwg No. S10, Rev D	24/08/2021	Horton Coastal Engineering
Site Sediment Control Plan, Dwg No. SC.010, Rev C	13/11/2020	Rise Consulting Engineers
Site Sediment Control Notes and Details, Dwg No. SC.020, Rev C	13/11/2020	Rise Consulting Engineers

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Conservation Management Plan, Issue 8	17/06/2022	Heritage 21
Acoustic Report	May 2022	GHD
Statement of Heritage Impact, Issue 2	24/11/2022	Heritage 21
Operational Management Plan	9/06/2022	Northern Beaches Council and Newport SLSC
ESD Report,	11/09/2020	Greenview Consulting
Geotechnical Assessment, Rev 2	19/10/2021	JK Geotechnics
NCC BCA 2019 Section J Assessment	4/09/2020	Greenview Consulting
Traffic and Parking Assessment, Issue B, Ref 59/2018	September 2021	TTPA
Arboricultural Impact Assessment	12/11/2020	Tree Management Strategies
Coastal Engineering Report for Buried Coastal Protection Works, Issue 4	27/08/2021	Horton Coastal Engineering
Coastal Engineering and Flooding Advice for NSW SLSC Clubhouse Redevelopment, Issue 3	26/08/2021	Horton Coastal Engineering
BCA Report, Rev 4	22/09/2020	BCA Logic
Access Report, Rev 4	22/09/2020	BCA Logic
Preliminary Acid Sulfate Soil Screening	2/10/2019	JK Environments

Landscape Plans		
Drawing No.	Dated	Prepared By
Dwg LA-01, Landscape Site Plan, Rev C	1/05/2022	Adriano Pupilli Architects
Dwg LA-02, Landscape Planting Plan, Rev B	1/05/2022	Adriano Pupilli Architects

Waste Management Plan		
Drawing No/Title.	Dated	Prepared By
Waste Management Plan	5/10/2021	Bernard Koon

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. Compliance with Other Department, Authority or Service Requirements

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	EDMS Reference	Dated
Ausgrid	Ausgrid Referral Response	Undated
NSW Police	NSW Police Referral Response	25/11/2021

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other Department, Authority or Body's.

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on

Council's website www.northernbeaches.nsw.gov.au)

3. No Approval for any Signage

No approval is granted under this Development Consent for signs (as defined under the Standard Instrument and State Environmental Planning Policy No. 64). A separate Development Application for any signs (other than exempt and signs permitted under Complying Development) must be submitted for the approval prior to the erection or display of any such signs.

Reason: Control of signage.

4. 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 maybe 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, and
 - 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

5. General Requirements

- a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:

- o 7.00 am to 5.00 pm inclusive Monday to Friday,
- o 8.00 am to 1.00 pm inclusive on Saturday,
- o No work on Sundays and Public Holidays

Demolition and excavation works are restricted to:

- o 8.00am 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 an 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) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- i) 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.
- j) 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
- k) 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.
- 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.

Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

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

6. Parking Enclosure

No parking spaces, or access thereto, shall be constrained or enclosed by any form of structure such as fencing, cages, walls, storage space, or the like, without prior consent from Council.

Reason: To ensure accessibility is maintained.

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 Principal Certifier prior to the issue of the Construction Certificate.

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

8. 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 Principal Certifier demonstrating the works are in compliance with Sydney Water requirements.

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

- i. "Tap in" details - see <http://www.sydneywater.com.au/tapin>
- ii. 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.

FEES / CHARGES / CONTRIBUTIONS

9. Policy Controls

Northern Beaches Section 7.12 Contributions Plan 2022

A monetary contribution of \$77,890.59 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 \$7,789,059.00.

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.

10. 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

11. 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 Principal Certifier prior to the issue of an 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 of the Environmental Planning and Assessment Regulation 2021.

12. Noise Controls

- 1) A suitably qualified person must be engaged to assess mechanical plant noise levels on nearby sensitive receivers once a preliminary design for the mechanical plant specifications of the development are available. The mechanical plant must meet all relevant noise criteria within the acoustic report entitled "Newport SLSC", prepared by GHD, referenced 12537693, dated May 2022.
- 2) Any design recommendations made in the acoustic report entitled "Newport SLSC", prepared by GHD, referenced 12537693, dated May 2022, must be implemented into the plans prior to issuing the Construction Certificate in order to achieve compliance with noted conditions of this consent.

- 3) Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifier.

Reason: To assess the noise impact of any mechanical plant installed on the site, in accordance with Pittwater DCP, Noise Policy for Industry 2017, and Protection of Environment Operations (Noise Control) Regulation 2017.

13. Amended Landscape Plan

An amended Landscape Plan shall be issued to the Principal Certifier prior to the issue of a Construction Certificate to include the following details:

- i) Planting shall be amended to suit the garden bed layout as depicted on drawing LA-01 Landscape Site Plan Issue C (24/11/22),
- ii) detail design information on the treatment to the proposed new footpath and kerb alignment, kerb ramping, and any other safety provisions for pedestrians if required, and supporting associated Engineering Plans and details,
- iii) identification of existing vegetation to be retained in proximity to the development and within existing gardens,
- iv) the following shall not be altered: a) existing disabled car parking spaces; b) existing multi-purpose court (Youth Space area) layout and court markings and equipment; and c) existing crossover for Council's beach brake tractor.

Certification shall be provided to the Principal Certifier that these amendments have been documented.

Reason: Landscape amenity.

14. No Clearing of Vegetation

Unless otherwise exempt, no vegetation is to be cleared prior to issue of a Construction Certificate. Details demonstrating compliance are to be submitted to the Certifying Authority prior to issue of Construction Certificate.

Reason: To protect native vegetation.

15. Amended Waste Management Plan

An Amended Waste Management Plan must be prepared for this development and submitted to and approved by Council's Manager Parks Assets and Manager Development Assessment prior to the issue of any Construction Certificate.

Areas to be excluded from demolition or construction activities requiring temporary land space include: the recreational park areas identified by grassed open space, all of the Youth Space area, accessible car spaces and accessible areas for entering and exiting with vehicles, public car spaces not provided for demolition and construction activities as directed by Council, and all pedestrian connections linking the aforementioned areas.

Reason: To ensure that any demolition and construction waste, including excavated material, is reused, recycled or disposed of in an environmentally friendly manner, and does not restrict public use of recreational open space.

16. Stormwater Disposal

The applicant is to submit Stormwater Engineering Plans for the new development within this development consent, prepared by an appropriately qualified and practicing Civil Engineer, indicating all details relevant to the collection and disposal of stormwater from the site, buildings, paved areas, car park, and where appropriate adjacent catchments. Stormwater shall be conveyed from the site to the existing internal drainage system.

Details demonstrating compliance 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 the development.

17. Submission of Civil Works Application – Newport Beach Car Park

The Applicant is to submit engineering design plans for the approval of infrastructure works on Council's car park, specifically, the design of kerb and gutter, pavement adjustments and stormwater drainage (if required) to ensure the surface drainage within the car park is adequately managed. Engineering plans for the new works within the car park are to be submitted to Council's Transport and Civil Infrastructure Assets Team for approval.

The application is to include four (4) copies of Civil Engineering plans for the design of kerb and gutter, pavement adjustments and stormwater drainage (if required) to ensure stormwater runoff is disposed to existing pit (SPP52168 or other drainage system) to the south of the existing basket ball court. Plans are to be generally in accordance with the Council's specification for engineering works - AUS-SPEC #1. The plans shall be prepared by a qualified civil engineer. The design must also include details of adjustments to the Ausgrid streetlight (MV23816) located within the footprint of the proposed boat garage.

The fee associated with the assessment and approval of the application is to be in accordance with Council's Fee and Charges for Civil Works.

An approval is to be submitted to the Certifier prior to the issue of the Construction Certificate

Reason: To ensure civil engineering works on Council's car park assets are designed and constructed in accordance with relevant standards and Council's specification.

18. Building Code of Australia Access Report

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 consideration is to be given to the Access Assessment Report dated 22/9/2020 prepared by BCA Logic. 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.

19. Upper Floor Ceiling Details

The extent of the proposed raked ceiling line on the upper floor is to be adjusted so that it only follows the extent of the original hall. The original gable ends to this room are to be retained and expressed internally, along with 4 nib walls so that the volumetric form of the hall is partly retained.

Details are to be submitted to Council's Heritage Officer for approval, prior to the issue of a Construction Certificate. An architectural long section is to be submitted demonstrating compliance with this condition.

Details demonstrating compliance with this condition are to be provided to the Principal Certifying Authority

Reason: So that the volumetric form of the original hall is partly retained and recognisable.

20. External Materials, Finishes and Colours

Full details of external materials, finishes and colours are to be submitted to Council's Heritage Officer for approval, prior to the issue of a Construction Certificate. In this regard, the "off the form concrete" finish, including spandrel beams, soffits and a column, are to be smooth (Class One Finish) and remain unpainted. Other materials and colours used in the new extension should be compatible with, and not compete with the architectural characteristics of the heritage listed surf club.

Details demonstrating compliance with this condition are to be provided to the Principal Certifying Authority.

Reason: To ensure compatibility with the architectural significance of the heritage listed surf club and its setting.

21. Supervision of Works by Heritage Architect

All works are to be supervised by an experienced heritage architect who is to be involved in the resolution of all matters where significant fabric and spaces are subject to demolition and adaptive reuse. The heritage architect is to be available throughout the construction process to respond directly to Council when issues relating to heritage require clarification or resolution. They are also to ensure that the policies outlined in the Conservation Management Plan are adhered to.

Details of the appointment of this heritage architect are to be submitted to Council's Heritage Officer, prior to the issue of a Construction Certificate. Details demonstrating compliance with this condition are to be provided to the Principal Certifying Authority.

Reason: To ensure that all matters relating to significant fabric and spaces are guided by heritage conservation best practice and the Conservation Management Plan.

22. Heritage Interpretation Plan

A Heritage Interpretation Plan is to be prepared for the site. As well as interpretation of the heritage surf club building, it must also include specific reference to the aesthetic and social significance of the original hall and specifically include items of moveable heritage, which are located within this heritage building.

The Interpretation Plan must be prepared by a suitably qualified consultant in accordance with the Heritage NSW guidelines "Interpreting Heritage Places and Items" and must be submitted to Council's Heritage Officer for approval prior to issue of a Construction Certificate. The Plan must include strategies which are to be implemented as part of the approved development.

Details demonstrating compliance with this condition are to be provided to the Principal Certifying Authority.

Reason: To ensure that the historical and cultural significance of the site is recognised and interpreted as part of the development of the site.

23. Photographic Archival Record

A photographic archival record of the site is to be made of all existing buildings and structures (including interiors and exteriors), as well as the setting (including any major landscape elements). This archival record is to also record, in-situ, all identified items of moveable

heritage, prior to their removal for storage or relocation. This record is to be prepared generally in accordance with the guidelines issued by NSW Heritage and must be submitted to Council's Heritage Officer for approval, prior to the issue of a Construction Certificate.

The photographic record should be made using digital technology and should include:

- Location of property, date of survey and author of survey;
- A site plan at a scale of 1:200 showing all structures and major landscape elements;
- Floor plans of any buildings at a scale of 1:100;
- Photographs which fully document the site (including items of moveable heritage), cross-referenced in accordance with recognised archival recording practice to catalogue sheets. The extent of documentation will depend on the nature of the item.

Details demonstrating compliance with this condition are to be provided to the Principal Certifying Authority.

Reason: To provide an archival photographic record of this heritage item and any moveable heritage onsite, prior to the commencement of any works.

24. Adherence to Natural Environment Consent Conditions

All biodiversity-related conditions of consent under previous development applications are to be adhered to, including DA2021/2173, unless amended by these biodiversity-related conditions of consent.

Reason: To protect biodiversity values.

25. 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 a TfNSW accredited person and submitted to and approved by the Northern Beaches Council Traffic Team prior to issue of any Construction Certificate.

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.
- 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.

26. Waste Storage Facilities

Details of waste storage facilities within the approved footprint of the development shall be provided to Council and be to the written satisfaction of Council’s Waste Officer prior to the issue of any Construction Certificate. The bin storage rooms are to be easily accessible for servicing and use via a flat, smooth concrete path that is 1.2m wide.

Note: Should the waste storage facilities be required to extend the approved footprint, or be constructed outside of the approved footprint, then the applicant is required to submit a Section 4.55 Modification Application to authorise these changes to the design.

Reason: To ensure adequate provision of waste storage is provided on site

27. Stair and ramp termination Level

The termination level of the stairs and ramp access for surf craft incorporated into the coastal protection works is to be lowered to a level that allows for access to the beach in an eroded state. The final termination level of the stairs and ramp as well as any other amendments to the stair design is to be to Council’s satisfaction prior to issue of the construction certificate.

Reason: To facilitate safe public access to the beach over the life of the works

28. Detailed Design Drawings and Notes

Upon completion of physical modelling of the coastal protection works the following changes are to be incorporated in the design drawings or drawing notes prior to issue of the construction certificate:

- Staggered solid seating at the seaward and landward edges of the promenade, seaward of the retained portion of the building to reduce wave forces and inundation depths at the building in the design event to an acceptable level.
- A privacy screen at the southern end of the clubhouse resistant to wave forces in the design event for at least 0.9m above natural ground.
- Confirmation that the incorporation of a wider wave return does not extend the seaward extent of the works beyond 2 metres.
- Cross-falls on the concrete promenade seaward of the building and within the building to ensure that inundation drains away from the building.
- Remedial measures on the seaward face of the retained portion of the building to ensure structural resilience to wave forces in the design event.
- Sufficiently thick reinforced concrete walls for the new portion of the building in order to ensure structural resilience to wave forces in the design event.
- Use of floor finishes and wall materials that would withstand inundation.
- Installation of seaward facing glazing made of toughened/laminated glass with appropriate fracture characteristics that present a low hazard when fractured, or such that it holds together when shattered.
- Placement of electrical fittings and outlets that could be damaged by inundation above the appropriate inundation levels and waterproofing them to marine grade below this level.

The incorporation of these design elements in the design drawings or drawing notes is to be to Council's satisfaction prior to issue of the construction certificate.

Reason: To ensure risk from coastal hazards is appropriately managed.

29. Maintenance Obligations and Public Safety

Council establish an irrevocable bank guarantee (or other suitable legally binding obligation) prior to the issue of any construction certificate in the amount of \$1000 per lineal metre of the works (based on the length of coastal protection works) to undertake restoration of the beach or maintenance of the coastal protection works in the event that they are damaged as a result of coastal storm, including to:

- (a) undertake any works required to remove any threat to public safety arising from the coastal protection works including the removal of rocks or debris, that have become dislodged from the works, from the public beach and adjacent public land, and/or
- (b) the restoration of a beach, or land adjacent to the beach, if any increased erosion of the beach or adjacent land is caused by the presence of the works.

In this condition "increased erosion of the beach or adjacent land is caused by the presence of the works" will be attributed to the works if the beach or adjacent land has not sufficiently recovered naturally over a period of six month following a storm event. Restoration will be to the pre-storm condition.

In this condition "maintenance" means the restoration of the works to a standard in accordance with the approved plans and specifications following any damage caused by a coastal storm.

The bank guarantee (or other suitable legally binding obligation) is to be replenished if drawn upon and increased to allow for Consumer Price Index (CPI) every 10 years from the date of establishment.

Reason: To satisfy the requirements of Section 27 of the Coastal Management Act 2016 and to

ensure the coastal protection works will not pose any threat to public safety.

30. Coastal Protection Works Landward Return Design

Confirmation that the landward returns of the coastal protection works at the northern and southern ends are sufficiently distant from the building structure that the end effects associated with a significant coastal storm will not reduce the bearing capacity of the existing and proposed footings to the building structure is required prior to issue of construction certificate.

Reason: To ensure appropriate protection of the building from coastal storms.

31. Maintenance Management Plan for Coastal Protection Works

A Maintenance Management Plan (MMP) is to be prepared for the maintenance of the coastal protection works for their intended design life. The MMP is to be prepared by a suitably qualified coastal engineer and is to be approved by Council in writing prior to issue of the construction certificate. The MMP must be complied with at all times.

The MMP may be modified from time to time with the approval of Council. These modifications to the MMP must also be made (if necessary) each time the design life is extended in accordance with the time limited consent condition. This is to ensure the MMP continues to be suitable in perpetuity.

Reason: To ensure a plan is in place for the on-going maintenance of the works prior to the start of construction and at each extension of the design life.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

32. Project Arborist

A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged to provide tree protection measures in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites, and the recommendations of the Arboricultural Impact Assessment.

- a) The Project Arborist shall be in attendance and supervise all works as nominated in the Arboricultural Impact Assessment, and in particular:
 - i) tree protection measures and works under section 5 Tree Management Plan including all requirements outlined in Step 1 to Step 7,
 - ii) additionally, the Project Arborist shall be in attendance and supervise any landscaping works within the TPZ of all existing trees to be retained.
- b) Existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by the Project Arborist.
- c) All tree protection measures specified must:
 - i) be in place before work commences on the site, and
 - ii) be maintained in good condition during the construction period, and
 - iii) remain in place for the duration of the construction works.

The Project Arborist shall provide certification to the Certifying Authority that all recommendations listed for the protection of the existing tree(s) have been carried out satisfactorily to ensure no impact to the health of the tree(s). Photographic documentation of the condition of all trees to be retained shall be recorded, including at commencement, during the works and at completion.

- d) Note:
 - i) A separate permit or development consent may be required if the branches or roots of a protected tree on the site or on an adjoining site are required to be pruned or removed.

- ii) Any potential impact on trees as assessed by the Project Arborist will require redesign of any approved component to ensure existing trees upon the subject site and adjoining properties are preserved and shall be the subject of a modification application where applicable.

Reason: Tree protection.

33. Working and Access on Reserves Permit

Works (undertaken by principal contractors working without Council supervision) on Land owned or managed by Council require a "Working on Reserves" permit prior to commencement. Applications can be obtained from Council's website or the Parks and Recreation business unit.

Reason: public safety and the protection of Council infrastructure.

34. Installation and Maintenance of Sediment and Erosion Control

Prior to commencement of works on site, sediment and erosion controls must be installed along the immediate downslope of the works area in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004).

The erosion controls shall be maintained in an operational condition until the development activities have been completed and the site fully stabilised. Sediment shall be removed from the sediment controls following each heavy or prolonged rainfall period.

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.

35. Dilapidation Report of Land Owned or Managed by Council

A Pre-Construction Dilapidation Report shall contain a survey of pre-existing land features including photographic record of the land under Council's care control and management adjoining the development, detailing the physical condition of items such as, but not exclusively limited to, physical assets such as crossovers, driveways, footpaths, utilities, furniture, play equipment, trees, gardens, lawn areas, bushland and any rock outcrops.

This Pre-Construction Dilapidation Report shall be submitted to Council and the Principal Certifier prior to commencement of works.

Any damage to these assets during the works must be replaced like for like to the satisfaction of the Principal Certifier.

The applicant may be held liable to any damage to public infrastructures in the vicinity of the site, where such damage is not accurately recorded under the requirements of this condition. In this regard, where required, the damage deposit lodged by the applicant may be used by Council to repair such damage on Council's property.

Reason: protection of Council's assets.

36. Work Zones and Permits

Prior to commencement of the associated works, the applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement or carpark for the parking of vehicles associated with a construction site.

A separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane.

Reason: To ensure Work zones are monitored and installed correctly.

37. Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan (ESCP) shall be prepared by an appropriately qualified person and implemented onsite prior to commencement. The ESCP must meet the requirements outlined in the Landcom publication Managing Urban Stormwater: Soils and Construction - Volume 1, 4th Edition (2004). The ESCP must include the following as a minimum:

- Site Boundaries and contours
- Approximate location of trees and other vegetation, showing items for removal or retention (consistent with any other plans attached to the application)
- Location of site access, proposed roads and other impervious areas (e.g. parking areas and site facilities)
- Existing and proposed drainage patterns with stormwater discharge points
- Locations and methods of all erosion and sediment controls that must include sediment fences, stabilised site access, materials and waste stockpiles locations, location of any stormwater pits on the site and how they are going to be protected.
- North point and scale.

Details demonstrating compliance are to be submitted to the Certifier for approval prior to the issue of the Construction Certificate.

Reason: Protection of the receiving environment.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

38. Tree and Vegetation Protection

- a) Existing trees and vegetation shall be retained and protected, including:
 - i) all trees and vegetation within the development site area, 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 protection 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 Principal Certifier,
 - 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 Principal Certifier 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.

39. Condition of Trees

During the construction period the applicant is responsible for ensuring all existing trees required to be retained are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to, or by seeking arboricultural advice from the Project Arborist during the works. In this regard all protected trees shall not exhibit:

- i) a general decline in health and vigour,
- ii) damaged, crushed or dying roots due to poor pruning techniques,
- iii) more than 10% loss or dieback of roots, branches and foliage,
- iv) mechanical damage or bruising of bark and timber of roots, trunk and branches,
- v) yellowing of foliage or a thinning of the canopy untypical of its species,
- vi) an increase in the amount of deadwood not associated with normal growth,
- vii) an increase in kino or gum exudation,
- viii) inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition,
- ix) branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Project Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of trees.

40. 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.

41. 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 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.

42. Protection of Council's Public Assets

Any damage to Council's public assets shall be made good by the applicant, and/or the contractor, to the satisfaction of Council.

Council's public assets include, but is not limited to, the following: road, kerb and gutters, crossovers, crossings, paths, grass verge, open space and associated elements such as furniture, recreational facilities and the like, within the meaning of the Local Government Act 1993.

Existing trees shall be protected in accordance with AS4970-2009 Protection of Trees on Development Sites, with particular reference to Section 4, with no ground intrusion into the tree protection zone and no trunk, branch nor canopy disturbance.

Should any problems arise with regard to the existing trees on public land during the construction period, the applicant is to immediately contact Council's Tree Services section and resolve the matter to Council's satisfaction.

Reason: To protect and/or restore any damaged public asset.

43. 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 TfNSW 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.

44. Ongoing Management

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

Reason: To ensure public safety.

45. 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:

- i. Work Health and Safety Act;
- ii. Work Health and Safety Regulation;
- iii. Code of Practice for the Safe Removal of Asbestos [NOHSC:2002 (1998)];
- iv. Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998)];
- v. Clause 42 of the Protection of the Environment Operations (Waste) Regulation 2005; and
- vi. 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.

46. 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.

47. Survey Certificate

A survey certificate prepared by a Registered Surveyor at the following stages of construction:

- (a) Commencement of perimeter walls columns and or other structural elements to ensure the wall or structure, to boundary setbacks are in accordance with the approved details.
- (b) At ground level to ensure the finished floor levels are in accordance with the approved levels, prior to concrete slab being poured/flooring being laid.
- (c) At completion of the roof frame confirming the finished roof/ridge height is in accordance with levels indicated on the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifier.

Reason: To determine the height of buildings under construction comply with levels shown on approved plans.

48. Coastal Erosion

This property is on land located in an area where there is likely to be a risk of coastal erosion and wave impact during severe storms. The risk to the property may increase with time due to long-term beach recession caused by greenhouse induced sea level rise or natural coastal processes. To reduce the potential impact, it is recommended that effective

precautions be taken to ensure adequate volumes of sand are maintained.

Reason: Protection of coastal environment.

49. Aboriginal Heritage

If in undertaking excavations or works any Aboriginal site or object is, or is thought to have been found, all works are to cease immediately and the applicant is to contact the Aboriginal Heritage Officer for Northern Beaches Council, and the Cultural Heritage Division of the Department of Planning and Environment.

Any work to a site that is discovered to be the location of an Aboriginal object, within the meaning of the National Parks and Wildlife Act 1974, requires a permit from the Director of the Department of Planning and Environment.

Reason: Aboriginal Heritage Protection.

50. Temporary bund design

The design for any temporary bund constructed on the beach to provide protection from coastal processes shall be undertaken by a suitably qualified coastal engineer and submitted to council for approval prior to construction of the bund. The design requirements are to be included in the construction contract.

Reason: To prevent pollution of the beach

51. Temporary bund construction

Any temporary bund constructed on the beach to provide protection from coastal processes may only be constructed from sand and suitable rocks present on the beach at the commencement of the works, or suitable rocks imported to site as part of the final coastal protection works. No other construction materials or imported material is to be used in construction of the bund.

Reason: To prevent pollution of the beach

52. Temporary bund maintenance and safety

A maintenance plan shall be prepared for any temporary bund by a suitably qualified coastal engineer and submitted to council for approval. The maintenance requirements are to be included in the construction contract. It is the responsibility of the contractor undertaking the construction works to ensure that the temporary bund constructed on the beach is maintained at all times, and to undertake any required repairs and maintenance of the bund after storms, to ensure public safety. This includes after hours, weekends, public holidays, holiday periods and if the contractor is notified by Council of an issue with the temporary bund.

The bund is to be monitored for any voids (sink holes) that form. If voids are identified, access to the bund is to be restricted until voids are repaired.

Where wave conditions allow it, the contractor is to use signage and flagging or similar to delineate the bund as a construction site to restrict public access. The bund area adjoining the public beach and the area inside the bund is to have additional safety warnings if required after hours, with the understanding that the public may enter. All sharp objects are to be removed or capped, ponded water drained, and loose objects removed, from inside the bund after hours.

The bund shall be completely removed at the completion of the works. If directed by Council, the bund materials shall be screened during removal of the bund to remove unsuitable material that could have entered the bund.

Reason: To prevent pollution of the beach

53. Sand

No sand excavated from the beach seaward of the works is to be placed landward of the protection works before, during or after construction. All such sand shall be placed seaward of the works. The sand shall be screened to remove unsuitable material as required.

Reason: To avoid damage to the beach.

54. Removal of unsuitable material

Unusable materials found within the area of excavation and not utilised in the construction of the works will be required to be removed. Confirmation of this requirement is to be provided to Council by the engineer supervising the works.

Reason: To ensure that all unsuitable material encountered in the excavation area is removed from the beach.

55. Safety requirements under storm conditions

Works are not to be placed during storm conditions unless the owner/s obtains a written opinion from a suitably qualified coastal engineer that the placement of the works under these conditions does not present a significant safety risk to any person or will result in damage to the beach. This opinion is to be obtained for each and every storm occurrence and is to be kept by the landowner until the works are completed. If adverse weather conditions are forecast, the works site is to be made safe (where practical) to avoid the dispersal of equipment and debris onto the beach and into the surf zone.

Reason: To ensure the safety of workers and the public during construction.

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

56. Implementation of Heritage Interpretation Plan

The approved Heritage Interpretation Plan must be implemented to the satisfaction of Council's Heritage Officer prior to the issuing of the Occupation Certificate.

Details demonstrating compliance with this condition are to be provided to the Principal Certifying Authority.

Reason: To ensure that the historical and cultural significance of the site is recognised and interpreted as part of the development of the site

57. Removal of All Temporary Structures/Material and Construction Rubbish

Once construction associated with this Consent has been completed all silt and sediment fences, silt, rubbish, building debris, straw bales and temporary fences are to be removed from the site.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: To protect reserve amenity and public safety.

58. No Weeds Imported On To The Site

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan 2021 – 2026) 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

59. Condition of Retained Vegetation - Project Arborist

Prior to the issue of an Occupation Certificate, a report prepared by the Project Arborist shall be submitted to the Principal Certifier, assessing the health and impact on all existing trees required to be retained, including the following information:

- i) compliance to any Arborist recommendations for tree protection generally and during excavation works,
- ii) extent of damage sustained by vegetation as a result of the construction works,
- iii) any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: Tree protection

60. Shared Bollard Zone

A bollard is to be provided at the shared zone between the disabled spaces sited to the west of the surf club in accordance to Australian Standards AS2890.6:2009.

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

Reason: To ensure compliance with Australian Standards.

61. Reinstatement of Streetlighting

Any streetlighting impacted by the building work is to be reinstated and reviewed to provide a level of lighting that is consistent with the requirements of AS/NZS 1158.3.1 to satisfactorily illuminate the public areas around the surf club building.

Reason: to ensure the building and associated pedestrian areas are lit to Australian Standard requirements

62. Requirements for Occupation

Removal of All Temporary Structures/Material and Construction Rubbish Once construction associated with this Consent has been completed any remaining silt and sediment fences, silt, rubbish, building debris, straw bales and temporary fences are to be removed from the site. Where required, details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To ensure foreshore amenity is restored post works.

63. Certification of Works

The constructed coastal protection works are to be certified by a suitably qualified coastal engineer and a suitably qualified structural engineer as being constructed in accordance with the approved design and performance criteria. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to approval of an occupation certificate. This certification is to be provided to Council on issue of the Occupation Certificate.

Reason: To ensure appropriate design and construction of coastal protection works.

64. Restoration of sand

Sand, shaped to a natural profile, is to be restored seaward of the works, once construction is completed. Sand from the public beach may be used for this purpose.

Details are to be provided to the Principal Certifying Authority prior to the issue of the Occupation Certificate. These details are to be provided to Council on issue of the Occupation Certificate.

Reason: To limit the impact of the works on the visual quality of the beach.

65. Emergency Management Plan

The applicant must prepare an Emergency Management Plan for operational phase of the proposal. The Plan is to be activated in advance of and during a storm event that could result in coastal inundation impacting the promenade and/or SLSC building. The Emergency Management Plan must include, but not be limited to:

- A procedure for monitoring forecasts and triggers defining when the Emergency Management Plan will be activated.
- Details of the potential impacts of a coastal storm and the relevant Coastal Planning Levels for the building.
- Installation of temporary fencing to prohibit public access to the Surf Club precinct during the event.
- Cessation of SLSC operations and closure to the public, as well as de-mobilisation of non-essential personnel.
- A requirement to raise or relocate items or equipment that may be damaged by, or become polluting due to, inundation above the relevant Coastal Planning Level prior to the storm event.
- Sandbagging of ground floor entrances likely to be impacted by coastal inundation.
- Procedures for recovery from, and re-establishment of operations, following a storm event.
- Training for Surf Life Saving Club personnel in the Emergency Management Plan.
- Post-event review of implementation and documentation of any lessons learned.
- A nominated time period for review and updating the Emergency Management Plan, as required.

The final Emergency Management Plan is to be to Council's satisfaction prior to issue of the Occupation Certificate.

Reason: To ensure public safety during a storm event.

66. Surveys During Works and Post Completion Survey

A report issued by a registered surveyor is required as evidence that all construction has been effected in accordance with the Development Consent, approved plans and details in the Consent. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to issue of an occupation certificate. The Survey plan and report is to be provided to Council on issue of the Occupation Certificate.

Reason: To ensure accurate location of coastal protection works

67. 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.

68. Post-Construction Dilapidation Report of Land Owned or Managed by Council

Post Construction Dilapidation Report of the land under Council's care control, including photos of any damage evident at the time of inspection, must be submitted after the completion of works.

The report must:

- Compare the post-construction report with the pre-construction report,
- Clearly identify any recent damage and whether or not it is likely to be the result of the development works,
- Should any damage have occurred, the evidence of like for like replacement to the satisfaction of Council.

Copies must also be lodged with Council.

The applicant may be held liable to any damage to public infrastructures in the vicinity of the site, where such damage is not accurately recorded under the requirements of this condition. In this regard, where required, the damage deposit lodged by the applicant may be used by Council to repair such damage on Council's property.

Details demonstrating compliance with this condition are to be submitted to the Principal Certifier prior to the issuing of an Occupation Certificate.

Reason: Protection of Council's assets.

69. Landscape Completion

Landscaping is to be implemented in accordance with the approved Landscape Plan (drawing LA-01, LA-02 by Adriana Pupilli Architects dated 24/11/22), and inclusive of the amended Landscape Plan conditions, plus 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 located either within garden bed or within a prepared bed within lawn,
- iii) mass planting shall be installed at minimum 1 plant per metre square for shrubs of a minimum 200mm container size at planting or as otherwise scheduled if greater in size, and at least 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.

Prior to the issue of an Occupation Certificate, details shall be submitted to the Principal Certifier, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

70. Stormwater Disposal

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified Civil Engineer. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

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

71. Removal of Shipping Containers

Within six (6) months of the issue of a final Occupation Certificate, the shipping containers located within the carpark are to be permanently removed.

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

72. 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 managed in accordance with the NSW Biosecurity Act 2015.

Reason: To maintain local environmental amenity.

73. Protection of Habitat Features

All natural landscape features, including any rock outcrops, native vegetation, soil and/or watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.

74. Geotechnical Recommendations

Any ongoing recommendations of the risk assessment required to manage the hazards identified in the Geotechnical Report referenced in Condition 1 of this consent are to be maintained and adhered to for the life of the development.

Reason: To ensure geotechnical risk is mitigated appropriately.

75. Hours of Operation

The hours of operation for the surf club (except where otherwise stipulated in this consent) are to be restricted to:

- Monday – Sunday: 5:00am – 12:00am

The hours of operation for the bar located on the first floor are as follows:

- Monday – Thursday: 12:00pm – 9:00pm
- Friday and Saturday: 10:00am – 12:00am
- Sunday: 10:00am – 10:00pm

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.

76. Noise Controls

At all times, the operation of Newport SLSC must comply with recommendations in Section 6 of the acoustic report entitled “Newport SLSC”, prepared by GHD, referenced 12537693, dated May 2022.

Reason: To protect noise amenity of surrounding residents, operate in accordance with acoustic report recommendations, Pittwater DCP, Noise Policy for Industry 2017, and Protection of Environment Operations (Noise Control) Regulation 2017. (DACHPGOG5)

77. Complaints Register

A complaints register is to be kept on the premises at all times. There is to be an individual available for contact at all times should a complaint be received.

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

78. Maximum Capacity for Seating

Seating at the premises must not exceed 320 on any occasion.

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

79. Ongoing maintenance of coastal protection works and beach amenity

The arrangements for the ongoing maintenance of the works and the adjoining land are to be included in the Northern Beaches Council Infrastructure Asset Management Plan. These arrangements are to document the inspection and maintenance requirements in the event that the works or adjoin beach are damaged by a coastal storm.

Reason: To ensure that the works will not pose a threat to public safety or access.

80. Coastal Protection Works

Council must provide an irrevocable bank guarantee (or other suitable legally binding obligation) prior to the issue of any construction certificate in the amount of \$1000 per lineal metre of the coastal protection works to undertake maintenance of the coastal protection works in the event that they are damaged as a result of a coastal storm, including to:

- (a) undertake any works required to remove any threat to public safety arising from the coastal protection works including the removal of rocks or debris from the public beach and adjacent public land any increase erosion caused by the works that impacts, and/or
- (b) If any adjacent dunes or beach that eroded during the storm event have not sufficiently recovered naturally over a period of six months following the storm event, the affected areas adjacent to the coastal protection works would be reinstated to their pre-storm condition.

In this condition “maintenance” means the restoration of the works to a standard in accordance with the approved plans and specifications following any damage caused by a coastal storm.

The bank guarantee (or other suitable legally binding obligation) is to be replenished if drawn upon and increased to allow for Consumer Price Index (CPI) every 10 years from the date of establishment.

81. Time Limited Consent

The consent operates for 60 calendar years from the date of the issue of the Occupation Certificate and such other period as may be extended with the written approval of Council in accordance with the following.

A minimum of three (3) years prior to the date of 60 years after the issue of the occupation certificate for the works, the owner/s shall procure, at no cost to Council, a Review Report, by a suitably qualified independent coastal engineer.

The report must review the performance of the works using the evidence and coastal hazard predictions known at that time. The report must consider whether:

- a. The works are satisfactory in their current state and do not result in a threat to public safety, in which case the report can recommend an extension to the consent, or
- b. Upgrades to the works are recommended to ensure they will not result in a threat to public safety to extend the consent for a further period of time, or
- c. Removal and replacement of the structure with an alternative design is recommended to ensure they do not result in a threat to public safety, or
- d. Demolition and removal of the coastal protection works in the interest of public safety is recommended.

The Review Report shall be submitted to Council for approval not later than twelve (12) months prior to the date of 60 years after the issue of the occupation certificate in the first instance, or 12 months prior to the end of such other period identified in any written approval from Council, in accordance with this condition.

If the Review Report concludes that the structure is satisfactory in accordance with (a) above, and Council accepts the findings of the report, Council will, in writing, approve an extension of the term of the development consent for the period recommended in the Review Report, or such lesser time as Council considers appropriate.

If the Review Report recommends any upgrades or alterations to the works in accordance with (b) above, those upgrades must be dealt with under the planning laws at that time.

If the Review Report recommends removal and replacement of the structure with an alternative design in accordance with (c) above, the replacement structure will be the subject of a further development application for consent to Council, if required by the planning laws at that time. For the avoidance of doubt, nothing shall oblige the owners to replace the protection works if they instead choose to remove the works which will be removed at the expense of the owners.

If the Review Report recommends demolition and removal of the coastal protection works in the interest of public safety, such removal will be undertaken by the owners at their own expense and within such reasonable time period required by Council.

Any written approval from the Council extending the period of operation of this consent is to be recorded on the s10.7 Planning Certificate for the land and Council's register of development consents.

A further Review Report will be provided to Council a minimum of twelve (12) months prior to the end of any extended period notified identified in writing by the Council in accordance with this condition, with the above process repeated for such extension.

In the event that,

- The Council does not accept the recommendations of the Review Report (including an amended or replacement Report) in writing, or
- The Council fails to provide written notification of its acceptance of the recommendations within the Review Report within 12 months of lodgement of the Review Report, or
- An application for the continued use, upgrade or replacement of the works is made, this consent will continue to operate until any application to modify this condition, or for the continued use or upgrade or replacement of the works, or any proceedings seeking review of the refusal of Council to accept the recommendations, has been finally determined by Council or the Court. Any application, proceedings or appeal, must be lodged within 6 months of Council's decision to not accept the findings of the Review Report or Council's failure to notify of its acceptance of the Review Report, whichever is the later.

Note: This continued operation or extension may need to be facilitated by a formal application to modify the consent having regard to the planning laws at the time.

Reason: The development application indicated the Coastal Protection works have a design life of 60 years; to satisfy the requirements of Section 27 of the Coastal Management Act 2016, and to provide a mechanism to review the works and extend the operation of the consent.

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Note: This continued operation or extension may need to be facilitated by a formal application to modify the consent having regard to the planning laws at the time.

Reason: The development application indicated the Coastal Protection works have a design life of 60 years; to satisfy the requirements of Section 27 of the Coastal Management Act 2016, and to provide a mechanism to review the works and extend the operation of the consent.

FINAL DECLARATION

Consultant Name: Melissa Rodrigues and Margaret Roberts (GAT & Associates)

In submitting this report to Council, I declare that I do not have a conflict of interest in making this recommendation.