

**TWBA – Terry West Building Approvals &  
Consultants Pty Ltd**  
**A.C.N. 084953186**

Unit 48, No 9 Hoyle Avenue,  
Castle Hill 2154  
P O Box 255, Winston Hills 2153  
Phone - 9659 0593  
Mobile - 0412 596 835  
Fax - 9659 0585  
Email - twba57@bigpond.net.au

- Building Approvals-Construction Cert
- Building Co-ordinator
- Building Consultant
- Advice on Council Matters

**A B.N 36084953186**

Pittwater RSL Club  
80-82 Mona Vale Road,  
Mona Vale 2103

2<sup>nd</sup> November 2010  
Ref T W B A / C C No 41AAA / 2009

**MODIFIED**  
**CONSTRUCTION CERTIFICATE**  
**Issued under Section 109C(1) (b), 81A(4) of the Environmental Planning and**  
**Assessment Act 1979**

**Subject Land** Lot 26, D P 654262, Nos 80-82 Mona Vale Road, Mona Vale

**Description of Development** Erection of a Two Storey Carpark & new Outdoor  
Seating Terrace at Pittwater RSL Club

**Development Consent No** N0384 / 08,  
Section 96 Modification No N0384 / 08,  
Section 96 Modification No N0384 / 08,  
Section 96 Modification No N0384 / 08 / S96 / 4 &  
Section 96 Modification No N0384 / 08 / S96 / 5

**Date** 4<sup>th</sup> May 2009 &  
Section 96 Modification Date 28<sup>th</sup> May 2009,  
Section 96 Modification Date 25<sup>th</sup> June 2009,  
Section 96 Modification Date 15<sup>th</sup> December 2009 &  
Section 96 Modification Date 20<sup>th</sup> October 2010

T W B A

\$30 PRNC REC 290804  
3/11/10

**Classification under B C A**

Two Storey Carpark – Class 7a  
Outdoor Terrace – Class 9b

**Date of Issue**

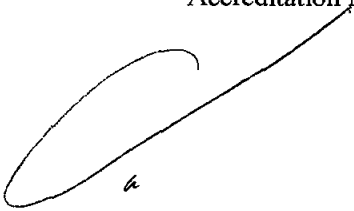
2<sup>nd</sup> November 2010

**CERTIFICATION**

It is certified that the work, if completed in accordance with the approved plans drawn by Bergstrom Architects Pty Ltd, Job No 06-022, Drawing No S96-OT 1 00 & S96-OT 1 01, Issue A, Dated 23<sup>rd</sup> July 2010 and Equipment Layout Details, Project No PRL 1/19 1003-04, Drawing No PA-100, Issue N, Dated 26<sup>th</sup> July 2010 Designed & Certified by Quantum Design International, which are stamped as approved by Terry West of Terry West Building Approvals and Consultants Pty Ltd, will comply with the requirements of the Environmental Planning and Assessment Regulation 2000 as referred to in Section 81A (5) of the Environmental Planning and Assessment Act, 1979

The issuing of this Modified Construction Certificate permits the continuation of building works in accordance with the relevant approved plans, specifications and above-mentioned Development Consent

Terry West  
N S W Accreditation Scheme for Building Surveyors and Allied Professions  
Accreditation Number BPB0438

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line and a small 'a' at the end.

T W B A



**PITTWATER COUNCIL**

PRL 1/19 - ORIGINAL TF.  
cc - SA/NA/Adm  
- R C .

ABN61340837871

Telephone 02 9970 1111

Facsimile 02 9970 7150

Postal Address

PO Box 882

Mona Vale NSW 1660

DX 9018 Mona Vale

**Business Hours**

8 00am to 6 00pm, Monday to Thursday

8 00am to 5 00pm, Friday

**S96 No N0384/08/S96/5**

20 October 2010

**PAYNTER DIXON CONSTRUCTIONS**

**320 LIVERPOOL ROAD**

**ASHFIELD NSW 2131**

Dear Sir/Madam

**Modification of Development Consent N0384/08 for construction of a two-storey carpark and new outdoor seating terrace at Pittwater RSL Club at PITTWATER RSL 80-82 MONA VALE ROAD MONA VALE NSW 2103**

Your request for modification has been considered by Council and it has been agreed to modify the Consent

Please find attached the consent as modified

If there are any matters that require further clarification, please do not hesitate to contact me

Yours faithfully

**Joanne Marshall**  
**SENIOR PLANNER**

**MODIFICATION OF DEVELOPMENT CONSENT NO N0384/08/S96/5**

**ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

**NOTICE TO APPLICANT OF DETERMINATION**

**OF A DEVELOPMENT APPLICATION**

**Applicant's Name and Address**

**PAYNTER DIXON CONSTRUCTIONS, 320 LIVERPOOL ROAD, ASHFIELD NSW 2131**

Being the applicant in respect of Development Application No N0384/08

Pursuant to section 81 of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of this Development Application for -

**Modification of Development Consent N0384/08 for construction of a two-storey carpark and new outdoor seating terrace at Pittwater RSL Club**

**At -**

**Lot 26 DP 654262, Lot 120 DP135512 & Lot 27 DP5055  
80-84 MONA VALE ROAD & 22 JUBILEE AVENUE, MONA VALE NSW 2103**

**Decision**

The Development Application has been determined by the granting of consent based on information provided by the applicant in support of the application, including the Statement of Environmental Effects, and in accordance with

**Drawings DA-CP 1 01 Rev A dated 30 07 08, DA-CP 1 02 Rev A 30 07 08, DA-CP 2 01 Rev A dated 31 07 08, DA-CP 2 02 Rev A dated 31 07 08, DA-CP 2 03 Rev A dated 30 07 08, DA-CP 2 04 Rev A dated 31 07 08, DA-CP 3 01 Rev A dated 27 06 08 all drawn by Bergstrom Architects, Concept Landscape Plan dated 01 10 08 and drawn by Angela Maroney, Stormwater Civil Design C01-P2, C02-P3, C03-P2, C04-P2 & C05-P2 all dated 06 03 09 and letter dated 06 03 09 and drawn by TaylorThompsonWhitting & Environmental Impact Statement prepared by Don Fox Planning and dated August 2008, as modified by Drawings No S96-OT/A 1 00, & S96-OT/A 1 01 dated 23/07/10, and Drawing No PA-100/N dated 26/07/10 prepared by Paynter Dixon Constructions Pty Ltd, as amended in red (shown clouded) or as modified by any conditions of this consent**

The reason for the imposition of these conditions is to ensure that the development consented to is carried out in such a manner as to achieve the objectives of the Environmental Planning and Assessment Act, pursuant to section 5(a) of the Act, having regard to the relevant matters for consideration contained in section 79C of the Act and the Environmental Planning Instruments applying to the land, as well as section 80A of the Act which authorises the imposing of the consent conditions

**Note For ease of reference, all of the previous conditions have been re-listed Those conditions amended or deleted have been highlighted**



# PITTWATER COUNCIL

ABN61340837671

Telephone 02 9970 1111

Facsimile 02 9970 7150

Postal Address

PO Box 882

Mona Vale NSW 1660

DX 9018 Mona Vale

Endorsement of date of consent

4/05/2009

**Modified 28/05/2009**

**Modified 25/06/2009**

**Modified 10 August 200**

**Modified 15/12/2009**

**Modified 20/10/2010**

Mark Ferguson

**GENERAL MANAGER**

Per

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## Conditions of Approval

This consent is not an approval to commence building work. The works associated with this consent can only commence following the issue of the Construction Certificate.

**Note** Persons having the benefit of development consent may appoint either a council or an accredited certifier as the principal certifying authority for the development or for the purpose of issuing certificates under Part 4A of the Environmental Planning and Assessment Act. When considering engaging an accredited certifier a person should contact the relevant accreditation body to ensure that the person is appropriately certified and authorised to act in respect of the development.

### A Prescribed Conditions

- 1 All works are to be carried out in accordance with the requirements of the Building Code of Australia ?
- 2 Critical stage inspections are to be carried out in accordance with clause 162A of the Environmental Planning & Assessment Regulation 2000. To allow a Principal Certifying Authority or another certifying authority time to carry out critical stage inspections required by the Principal Certifying Authority, the principal contractor for the building site, or the owner-builder must notify the Principal Certifying Authority at least 48 hours before building work is commenced and prior to further work being undertaken ✓
- 3 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 ✓
  - a showing the name, address and telephone number of the Principal Certifying Authority for the work, and ✓
  - b showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c 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.

- 4 The hours of construction are restricted to between the hours of 7 00am and 5 00pm Monday - Friday and 7 00am to 1 00pm on Saturdays. No works are to be carried out on Sundays or Public Holidays. Internal building work may be carried out at any time outside these hours, subject to noise emissions from the building or works not being audible at any adjoining boundary ✓

### B Matters to be incorporated into the development and maintained over the life of the development

- 1 Locally native canopy trees are to be planted onsite to replace trees approved for removal. Canopy tree species and quantities are to be as per the approved Landscape Plan or selected from the list pertaining to the vegetation community growing in the locality as per the vegetation mapping and Native Plants for Your Garden book available from Pittwater ✓

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Council and on the website ([www.pittwater.nsw.gov.au](http://www.pittwater.nsw.gov.au)) All native trees are to be retained for the life of the development, or for their safe natural life

Trees that die or are removed must be replaced with another locally native canopy tree  
Any new fencing is to be made passable to native wildlife. As a guideline, hole dimensions should be 150mm wide x 100mm long at ground level spaced at 6 metre intervals

- 2 Over the life of the development all declared noxious weeds are to be managed / removed in accordance with the Noxious Weeds Act 1993. Environmental weeds are to be removed and/or controlled. ✓
- 3 No environmental weeds are to be planted on the site. ✓
- 4 Any vegetation planted outside approved landscape zones is to be consistent with
  - o Locally native species or locally native plants growing on site and / or selected from the list pertaining to vegetation community(s) on the site as per the Pittwater Book *Native Plants for Your Garden* - book available from Council and on the Pittwater Web Site. ?
- 5 This approval/consent relates only to the new work nominated on the approved consent plans and does not approve or regularise any existing buildings or structures within the property boundaries or within Council's road reserve
- 6 Landscape working drawings and specifications are to be prepared for the development which incorporate a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period. This strategy is to address maintenance issues such as irrigation, soil testing, weeding, plant staking, fertilising, pest and disease control, replanting, remedial pruning and the like. Further, provision is to be made for the landscape designer to visit the site on a 3 monthly basis from the date of issue of the Occupation Certificate. After the final inspection, the landscape designer is to issue a report to the owner/occupier certifying that all plant material is healthy and performing to expectation. A copy of this report is to be forwarded to the Accredited Certifier or Council
- 7 The existing landscaping required to be retained together with any additional landscaping required by this Development Consent is to be maintained for the life of the development
- 8 Screen planting is to be provided, which after three years will, in conjunction with the canopy planting, screen 50% of the built form when viewed the street. Species selection is to incorporate locally native species. This screen planting is to be retained over the life of the development and replaced if any part of it should die or be destroyed or removed
- 9 **The recommended treatments set out in Section 6 of the submitted Environmental Noise Impact Assessment by Acoustic Logic Consultancy and dated 4 August 2008 as modified by report dated 26 July 2010 shall be adhered to throughout the life of the development, and shall include the following**
  - **Background noise only to be played externally**
  - **Construct a 3 metre high acoustic screen with no gaps around the perimeter of the terrace (except for the cooking area wall which should be a solid wall as described in Figure 1)**
  - **Absorptive treatments (except the ceiling over the cooking area may be solid plasterboard),**
  - **Management of patrons particularly at night, etc**

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- **Any metal benches be damped by adhering vibration damping pads to the underside of the benches to minimize impact noise**
  - **All deliveries and rubbish removals to be conducted during daytime hours under current club approvals**
- 10 All lighting to be installed as part of the development shall comply with the requirements of AS 4282 and the submitted Obtrusive Lighting Report dated 31 July 2008
- 11 A qualified acoustic engineer is to certify that the maximum noise level associated with the mechanical plant and equipment associated with the development does not exceed 5dB(A) above ambient background level, when measured from any adjoining premises
- 12 All utility services including overhead power supply and communication cables, but excluding any 33kv overhead power cables located in the adjacent road verge and those servicing the development are to be placed and/or relocated underground for the total frontage of the development site to any public road at the full cost to the developer
- 13 All plumbing and drainage fixtures are to be concealed and not exposed to public view
- 14 The finished surface materials, including colours and texture of any building, shall match the detail and materials of the existing building
- 15 An alternative accessible path of travel is to be provided in accordance with AS2890 1 between the bowlers' amenities building and Pittwater RSL Club within five years of the issue of a construction certificate under this Development Consent
- 16 All doors onto Level 1 Terrace Area shall be self closing and shall not be kept open after 10 00 pm at night and no music shall be provided to the outdoor terrace area after 10 00pm
- 17 The construction, fit out and finishing of the kitchen and food handling and storage areas must comply with Australian Standard 4674 –2004 Design, construction & fit-out of food premises, and The Food Safety Standard 3 2 3 (as part of the Food Standards Code) required by the Food Regulation 2004
- 18 Walls in and adjoining food handling areas must be of solid masonry construction (no voids or cavities) and finished as specified in table 3 2 of AS 4674-2004 Design, construction & fit-out of food premises
- 19 Floors shall be
- (i) appropriate for the area,
  - (ii) able to be effectively cleaned,
  - (iii) laid in accordance with the relevant Standards (see AS 3958 1 for ceramic tiles)
- so that there is no likelihood of pooling water and harbourage of pests
- 20 Coving shall be a minimum of 25mm radius at the floor wall joint, this will increase to a minimum of 50mm when splayed at 45 degrees No "feather edge skirting" is permitted Where vinyl or similar sheeting is installed and the sheeting is turned up to form a cove, a solid preformed coving fillet shall be used to support the sheeting
- 21 Cupboards, cabinets and counter construction must be free of voids, cracks and crevices and designed so they can be easily cleaned and not give harbourage for vermin. They should be fitted a minimum of 150mm above the floor level or

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situated on a solid plinth a minimum of 75mm in height and meet the same specifications as the floor and be coved

**22 Fixtures, fittings and equipment shall be designed and constructed in accordance with the requirements given in Table 4 3 & 4 4 of AS 4674-2004 Design, construction & fit-out of food premises**

**23 The ceiling over all food handling areas (including over the servery and bar) must be non-perforated and finished free of open joints, cracks and crevices The ceiling shall be finished with a sealant that is of light colour, washable and an impervious material**

**Drop panel type ceilings are not appropriate for these areas**

**24 Hand washbasins must be provided in the food servery/preparation area, preferably installed with hands free taps A hand wash basin should ideally be located within 5 metres of any food handling and be easily accessible and useable**

**25 Hand washbasins must be provided with**

- (i) an adequate supply of potable warm running water delivered through a single spout,**
- (ii) a supply of liquid soap, and**
- (iii) single use hand towel**

**26 Premises shall be provided with equipment for cleaning and sanitizing as specified within Tables 4 1 and 4 2 of AS 4674-2004 Design, construction & fit-out of food premises**

**27 Dishwashers and glass washers that are used for sanitizing food contact surfaces and eating and drinking utensils must comply with AS 2945**

**28 Grease arrestors and access openings to the sanitary drainage must not be located within any food preparation and/or handling area**

**29 All service pipes, conduits and electrical wiring shall be either concealed in floors, walls, ceilings or plinths or be fixed on brackets so as to provide at least 25mm clearance between the pipe and the adjacent vertical surface and 100mm between the pipe and the adjacent horizontal surface**

**30 All food preparation areas and areas where food is displayed must be suitably protected from the likelihood of contamination**

**31 All shelving, cupboards, doors and the like must be impervious and easy to clean on all exposed surfaces and as far as practicable be constructed and installed to prevent vermin harbourage**

**32 A commercial kitchen must be provided with a kitchen exhaust hood complying with AS/NZS 1668 1 1998 (Fire and smoke control in multi-compartment buildings and AS 1668 2-1991 (Mechanical ventilation for acceptable indoor-air quality) where—**

**(a) any cooking apparatus has—**

**(i) a total maximum electrical power input exceeding 8 kW, or**

**(ii) a total gas power input exceeding 29 MJ/h, or**

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(b) the total maximum power input to more than one apparatus exceeds—  
(i) 0.5 kW electrical power, or  
(ii) 1.8 MJ gas,  
per m<sup>2</sup> of floor area of the room or enclosure

- 33 Provision must be made for storage of garbage containers, containers for recyclable material in an external area of the premises or in a room specifically for that purpose
- 34 No odour nuisance, to the public or any adjoining premises, shall be created by the operation of any plant or equipment or any procedures carried out at the premises
- 35 No noise nuisance shall be caused through the operation of any plant or equipment at the premises. Noise generated from the premises must not exceed the limits as specified in the NSW Industrial Noise Policy
- 36 Sanitary facilities are to comply with the requirements set out within Table F2.3 of the BCA

## C Matters to be satisfied prior to the issue of the Construction Certificate

**Note** All outstanding matters referred to in this section are to be submitted to the accredited certifier together. Incomplete Construction Certificate applications / details cannot be accepted

- 1 Prior to issue of the Construction Certificate, Form 2 of the *Geotechnical Risk Management Policy for Pittwater* (Appendix 5 of P21 DCP) is to be completed and submitted to the Principal Certifying Authority
- 2 Drainage details showing site stormwater management are to be submitted to the Accredited Certifier or Council with the Construction Certificate application. Such details are to be accompanied by a certificate from either a Licensed plumber, Surveyor or qualified practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (MIE), or who is eligible to become a Corporate member and has appropriate experience and competence in the related field, that the stormwater management system complies with the requirements of section 3.1.2 *Drainage* of the Building Code of Australia Housing Provision and AS/NZS 3500.3.2 - Stormwater Drainage

The details shall include disposal of site stormwater (if the site is in a known slip area the stormwater disposal system must comply with the recommendations of a Civil (Geotechnical) Engineers report)

**Note** Where Council is the Principal Certifying Authority 3 sets of plans/specifications are to be submitted

- 3 **DELETED**
- 4 Submission of construction plans and specifications and documentation which are consistent with the approved Development Consent plans, the requirements of Building Code of Australia and satisfy all conditions shown in Part B above are to be submitted to the Principal Certifying Authority
- 5 The Accredited Certifier or Council must be provided with a copy of plans that a Quick Check agent/Sydney Water has stamped before the issue of any Construction Certificate

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- 6 Any proposed demolition works shall be carried out in accordance with the requirements of AS2601-1991 *The Demolition of Structures*

Amongst others, precautions to be taken shall include compliance with the requirements of the WorkCover Authority of New South Wales, including but not limited to

- 1 Protection of site workers and the general public
- 2 Erection of hoardings where appropriate
- 3 Asbestos handling and disposal where applicable
- 4 Any disused service connections shall be capped off

Council is to be given 48 hours written notice of the destination/s of any excavation or demolition material. The disposal of refuse is to be to an approved waste disposal depot.

- 7 **The finished surface materials, including colours and texture of the proposed wall to the car park, shall blend with the surrounding and/or natural materials and shall be non-glare. A satisfactory specification which achieves this shall be submitted to the Accredited Certifier or Council with the Construction Certificate application in the form of a Schedule of Finishes**

**D Matters to be satisfied prior to the commencement of works and maintained during the works**

**Note** It is an offence to commence works prior to issue of a Construction Certificate

- 1 Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site
- 2 Sedimentation and erosion controls are to be effectively maintained at all times during the course of construction and shall not be removed until the site has been stabilised or landscaped to the Principal Certifying Authority's satisfaction
- 3 Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition

Waste materials generated through demolition, excavation and construction works are to be minimised by re-use on-site, recycling or where reuse or recycling is not practical, disposal at an appropriate authorised waste facility

- 4 The site is to be fully secured by a fence to all perimeters to the site to prevent unauthorised access both during the course of the works and after hours
- 5 No works are to be carried out in Council's Road Reserve without the written approval of the Council
- 6 A Road Opening Permit, issued by Council, must be obtained for any road openings, or excavation within Council's Road Reserve associated with the development on the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site

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- 7 No skip bins or materials are to be stored on Councils Road Reserve
- 8 A clearly legible *Site Management Sign* is to be erected and maintained throughout the course of the works. The sign is to be centrally located on the main street frontage of the site and is to clearly state in legible lettering the following -
  - o The builder's name, builder's telephone contact number both during work hours and after hours
  - o That no works are to be carried out in Council's Road Reserve without the written approval of the Council
  - o That a Road Opening Permit issued by Council must be obtained for any road openings or excavation within Councils Road Reserve associated with development of the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site
  - o That no skip bins or materials are to be stored on Councils Road Reserve
  - o That the contact number for Pittwater Council for permits is 9970 1111

A satisfactory construction traffic management plan (CTMP) prepared by a suitably qualified traffic consultant is required to be submitted to the Private Certifying Authority prior to the commencement of any site works. The plan is to detail

- o Quantity of material to be transported
  - o Proposed truck movements per day
  - o Proposed hours of operation
  - o Proposed traffic routes, noting that 3 tonne load limits apply to some roads within Pittwater
- 9 A stamped copy of the approved plans is to be kept on the site at all times, during construction
  - 10 Toilet facilities are to be provided in a location which will not detrimentally affect the amenity of any adjoining residents at or in the vicinity of the work site during the duration of the development
  - 11 Contractors and visitors to the site are to be advised of the purpose for the tree/ native vegetation/ habitat protection/exclusion fencing installed in accordance with this consent by the placement of a suitable warning sign on the fence. The sign is to include advice that no works or storage of materials is to take place within the dripline of existing trees
  - 12 During site excavation, topsoil which is to be used in later landscape works is to be stockpiled on site and stabilised during construction works. Stockpiles are to be stored outside of hazard areas and not located within the dripline of existing trees which are to be retained
  - 13 When working within the drip line of the trees, hand digging is to occur in sensitive areas. Liaison on a daily basis is to be maintained during the excavation works between the Builder and Arborist. No filling or compaction shall occur over tree roots within the area

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defined by the outer drip line of the crown Root protection/ compaction mitigation in the form of planks or metal decking supported clear of the ground fixed to scaffolding is to be installed as required

- 14 No storage of building materials or building waste, excavated fill or topsoil storage is to occur within the dripline of trees shown on the approved landscape working drawing(s) as being retained or within protective fenced areas

Drainage is to be arranged such that fill, building materials or contaminants are not washed into protective fenced areas

- 15 The developer or contractor will take all measures to prevent damage to trees and root systems during site works and construction activities including provision of water, sewerage and stormwater drainage services

In particular, works, erection of structures, excavation or changes to soil levels within 5 metres of the trunks of trees to be retained are not permitted unless part of the development as approved, and the storage of spoil, building materials, soils or the driving or parking of any vehicle or machinery within 5 metres of the trunk of a tree to be retained, is not permitted

**NOTE** Trees that are part of an Endangered Ecological Community or are habitat for threatened species and endangered populations must comply with the requirements of the Threatened Species Conservation Act, 1995 Failure to do so may result in a penalty up to a maximum of \$250,000 00 and jail sentences

Failure to comply with the requirements of the Pittwater Council Tree Preservation and Management Order may result in a penalty up to a maximum of \$20,000 00

- 16 All works within 5 metres of the existing trees to be retained including pruning, demolition, excavation, civil works, fencing and the like must be carried out by hand under the supervision of an experienced and qualified Arborist Should roots larger than 50mm be encountered all excavation works are to cease immediately and a qualified Arborist is to advise on the impacts of the roots removal on the trees survival and report to the Principal Certifying Authority prior to works recommencing

If tree roots are present a pier and beam method of footing construction is to be adopted so as to bridge/span any identified lateral roots

## **E Matters to be satisfied prior to the issue of Occupation Certificate**

**Note** Prior to the issue of an Occupation Certificate the principal certifying authority is to ensure that Council's assets, including road, kerb and gutter and drainage facilities adjacent or near to the site have not been damaged as a result of the works Where such damage has occurred, it is to be repaired to Council's written satisfaction prior to the issue of an Occupation Certificate or suitable arrangements put in place to effect those repairs at a future date to Council's written satisfaction Should this process not be followed, Council will pursue action against the principal accredited certifier in relation to the recovery of costs to effect such works

**Note** It is an offence to occupy the building or part thereof to which this consent relates prior to the issue of an Occupation Certificate



- 1 Prior to issue of the Occupation Certificate, Form 3 of the *Geotechnical Risk Management Policy* (Appendix 5 of P21 DCP) is to be completed and submitted to the Principal Certifying Authority
- 2 Certification is to be provided to the Principal Certifying Authority by an experienced civil engineer who is NPER accredited by the Institution of Engineers (Australia) that the drainage/stormwater management system has been installed to the manufacturers specification (where applicable) and completed in accordance with the engineering plans and specifications required under this consent
- 3 An Occupation Certificate application stating that the development complies with the Development Consent, the requirements of the Building Code of Australia and that a Construction Certificate has been issued must be obtained before the building is occupied or on completion of the construction work approved by this Development Consent
- 4 A landscape practical completion report is to be prepared by the consultant landscape architect/designer and submitted to the Principal Certifying Authority with the Occupation Certificate application. This report is to certify that all landscape works have been completed in accordance with the landscape working drawings and specifications
- 5 Compliance with the notes and recommendations contained within the accessibility report by ILC Access dated 6 April 2009
- 6 **The Certifying Authority is to submit to Council the completed and signed Food Premises Occupation Certificate Fit-Out Form, this form is available at [http://www.pittwater.nsw.gov.au/business/commerce\\_and\\_industry\\_premises/information\\_for\\_food\\_premises](http://www.pittwater.nsw.gov.au/business/commerce_and_industry_premises/information_for_food_premises)**
- 7 **Council's Environmental Health Officer is to be contacted (phone 9970-1111) to make arrangements for an inspection of the premises for verification of compliance with the form. A minimum of 48 hours notice is required for the inspection, and**
- 8 **Council is to forward written advice of the result of the inspection in order to confirm that there is no objection to the issuing of the Occupation Certificate**
- 9 **Documentation supplied by Sydney Water regarding evidence of the trade waste agreement must be provided to the certifying authority prior to the issue of the Occupation Certificate**
- 10 **Documentation supplied by a practicing mechanical engineer certifying that all mechanical exhaust ventilation systems, as installed, complies with AS/NZS 1668.1:1998 (Fire and smoke control in multi-compartment buildings) and 1668.2:1991 (Mechanical ventilation for acceptable indoor-air quality), must be provided to the certifying authority prior to the issue of the Occupation Certificate**

## **F Matters to be satisfied prior to the issue of Subdivision Certificate**

Nil

## **G Advice**

- 1 Electrical insect killing light devices should not be used outside and not installed anywhere that they can attract and kill micro-bats
- 2 Failure to comply with the relevant provisions of the Environmental Planning and Assessment Act, 1979 (as amended) and/or the conditions of this Development Consent may result in the serving of penalty notices (on-the-spot fines) under the summary offences provisions of the above legislation or legal
- 3 The applicant is also advised action through the Land and Environment Court, again pursuant to the above legislation to contact the various supply and utility authorities, ie Sydney Water, Sydney Electricity, Telstra etc to enquire whether there are any underground utility services within the proposed excavation area
- 4 It is the Project Managers responsibility to ensure that all of the Component Certificates/certification issued during the course of the project are lodged with the Principal Certifying Authority Failure to comply with the conditions of approval or lodge the Component Certificates/certification will prevent the Principal Certifying Authority issuing an Occupation Certificate
- 5 In accordance with Section 95(2) of the Act, this consent will lapse if the development, the subject of this consent, is not commenced within 2 years after the date from which this consent operates

**NOTE** Council may be prepared to consider an extension of this Consent period for a further 12 months, however, the request for extension would have to be received during the initial 2 year period

- 6 To ascertain the date upon which the determination becomes effective, refer to Section 83 of the Environmental Planning and Assessment Act, 1979 (as amended)
- 7 Should any of the determination not be acceptable, you are entitled to request reconsideration under Section 82A of the Environmental Planning and Assessment Act, 1979 Such request to Council must be made in writing, together with appropriate fees as advised at the time of lodgement of such request, within 1 year from the date of determination
- 8 If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act, 1979, gives you a right of appeal to the Land and Environment Court within 12 months of the date of endorsement of this Consent
- 9 The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Waters sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met The approved plans will be appropriately stamped For Quick Check agent details please refer to the web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92

# ACOUSTIC LOGIC CONSULTANCY

noise and vibration consultants  
abn 11 068 954 343

Reference 2010659/2906A/R3/BW

26 July 2010

Paynter Dixon Constructions Pty Ltd  
320 Liverpool Road  
ASHFIELD NSW 21310

## PITTWATER RSL CLUB – PROPOSED CHANGES TO EXTERNAL TERRACE – ENVIRONMENTAL NOISE IMPACT ASSESSMENT

### 1 INTRODUCTION

This report examines the potential environmental noise impact from proposed changes to the previously approved terrace within the Pittwater RSL club

This report

- Identifies appropriate noise emission assessment criteria
- Identifies any noise sources caused by proposed alterations
- Assesses the predicted impacts against the criteria
- Discusses the appropriate management and noise control measures that should be adopted to ensure that adverse impacts are not produced during the operation of the proposed Mediterranean terrace

---

Directors Matthew Palavidis | Vic or Fa to eto | Matthew Carter | Matthew Shields

Sydney | Ph 02 8338 9888 | fax 02 8336 8389 | 9 Sarah Street Mascot NSW 2020  
Melbourne | Ph 03 9614 3199 | fax 03 9614 3755 | Level 7 31 Queen Street Melbourne VIC 3000  
Canberra | Ph 02 6162 9797 | fax 02 6162 9711 | Unit 14/71 Leichhardt Street Kingston ACT 2604

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## 21 THE PROPOSAL

- Monday & Tuesday 10 am – 10 pm
- Wednesday 10 am – 11 pm
- Thursday 10 am – 12 am
- Friday & Saturday 10 am – 1 am
- Sunday 10 am – 10 pm



## 2.2 POTENTIALLY EFFECTED PROPERTIES

The nearest potentially affected residential properties are indicated in Figure 2 below and include

- The corner of Mona Vale Road and Foley Street ('1 Foley Street)
- Residents to north on Mona Vale Road ( 75 Mona Vale Road )

If noise emissions comply at these locations they will comply at all locations

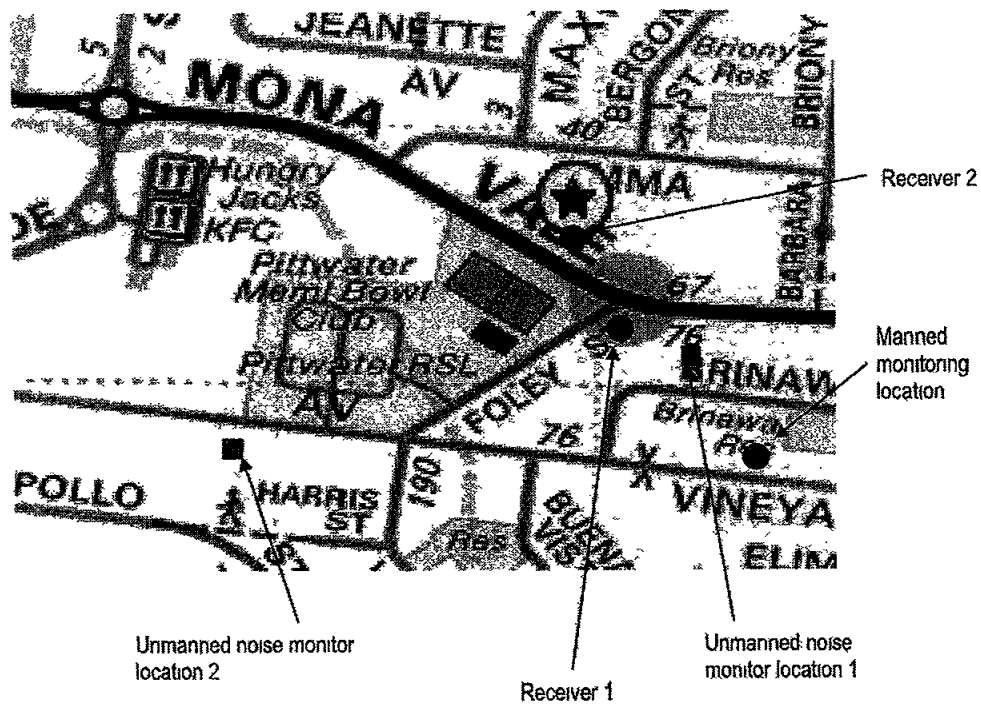


Figure 2 Site Plan

### 3 AMBIENT NOISE MONITORING

Long term unattended noise monitoring has previously been conducted by this office at the site and is presented in this section of the report. Background noise levels measured at the site as part of the previous assessment remain accurate as background levels will not have decreased, it is more likely noise levels have increased, and therefore levels presented in this report remain accurate

#### 3.1 ENVIRONMENTAL NOISE DESCRIPTORS

Environmental noise constantly varies. Accordingly, it is not possible to accurately determine prevailing environmental noise conditions by measuring a single instantaneous noise level

To accurately determine the environmental noise a 15-20 minute measurement interval is utilised. Over this period noise levels are monitored on a continuous basis and statistical and integrating techniques are used to determine noise description parameters

In analysing environmental noise, three-principle measurement parameters are used, namely  $L_{10}$ ,  $L_{90}$  and  $L_{eq}$

The  $L_{10}$  and  $L_{90}$  measurement parameters are statistical levels that represent the average maximum and average minimum noise levels respectively over the measurement intervals

The  $L_{10}$  parameter is commonly used to measure noise produced by a particular intrusive noise source since it represents the average of the loudest noise levels produced by the source

Conversely, the  $L_{90}$  level (which is commonly referred to as the background noise level) represents the noise level heard in the quieter periods during a measurement interval. The  $L_{90}$  parameter is used to set the allowable noise level for new, potentially intrusive noise sources since the disturbance caused by the new source will depend on how audible it is above the pre-existing noise environment particularly during quiet periods as represented by the  $L_{90}$  level

The  $L_{eq}$  parameter represents the average noise energy during a measurement period. This parameter is derived by integrating the noise levels measured over the 15 minute period.  $L_{eq}$  is important in the assessment of traffic noise impact as it closely corresponds with human perception of a changing noise environment, such as the character of environmental noise

#### 3.2 MEASUREMENT POSITION AND EQUIPMENT USED

Long term unattended noise monitoring was conducted at 185 Warriewood Road Warriewood (noise monitor location 1) while additional unattended monitoring was conducted in the rear yard of 76 Mona Vale Road (noise monitor location 2)

Manned monitoring was conducted in Vineyard Street in the location shown in Figure 1 using a Norsonic type SA118 Sound Analyser. The analyser was set to fast response and calibrated before and after the measurements using a Norsonics Sound Calibrator Type 1251. No significant drift was noted

#### 3.3 PERIOD OF MEASUREMENT

Unattended noise monitoring conducted at 185 Warriewood Road was conducted between 10 February 2006 and 17 February 2006 while unattended noise monitoring conducted at 76 Mona Vale Road was conducted between 27 March and April 4 2006. Manned measurements were conducted on 4 April 2006 between 9:00pm and 9:30pm

3.4 MEASURED NOISE LEVELS

Table 1 lists the representative minimum repeatable background noise levels for the nearest affected residences as determined above

Table 1 – Measured Background Noise Levels L<sub>90,15min</sub>

| Location           | Day Noise Level<br>7am to 6pm (dB(A)) | Evening Noise Level<br>6pm to 10pm (dB(A)) | Night Noise Level<br>(dB(A)) |                |
|--------------------|---------------------------------------|--|------------------------------|----------------|
|                    |                                       |  | 10pm to<br>12am              | 12am to<br>7am |
| 76 Mona Vale Road  | 45                                    | 41   | 40                           | 32             |
| 185 Warnewood Road | 42                                    | 41   | 37                           | 34             |

Table 2 details the measured background noise level spectrum in Vineyard Street

Table 2 – Measured Background Noise Level Spectrum L<sub>90,15min</sub> dB

| Time             | 31 5Hz | 63Hz | 125Hz | 250Hz | 500Hz | 1kHz | 2kHz | 4kHz | 8kHz | A-wt |
|------------------|--------|------|-------|-------|-------|------|------|------|------|------|
| 9 00pm to 9 30pm | 43     | 46   | 44    | 41    | 39    | 37   | 30   | 24   | 24   | 46   |

4 NOISE OBJECTIVES

4.1 ACTIVITY NOISE FROM THE LICENSED PREMISES

4.1.1 Office of Liquor Gaming and Racing (OLGR) Noise Criteria

The Office of Liquor Gaming and Racing (OLGR) (old Liquor Administration Board) provides guidelines for assessing noise emissions due to activity noise including people talking, functions and music. These guidelines will form the basis of this assessment. The guidelines are:

- 1. Before midnight, the  $L_{10}$  noise emissions should not exceed the background noise level by more than 5 dB in the octave bands from 31.5 Hz to 8 kHz at any residential premises.
- 2. After midnight, the  $L_{10}$  noise emissions should not exceed background noise level in the octave bands from 31.5 Hz to 8 kHz at any residential premises.
- 3. After midnight, noise emissions are to be inaudible within any residential premises.

4.1.2 Project Noise Objectives

The following noise assessment objectives have been determined from the noise monitoring conducted detailed in Section 3 and the relevant guidelines set out in section 4.1.1.

Table 3 - OLGR Noise Objectives  $L_{10}$  (dB)

| Location       | Time                  | 31.5 Hz | 63 Hz | 125 Hz | 250 Hz | 500 Hz | 1 kHz | 2 kHz | 4 kHz | 8 kHz | A-wt |
|----------------|-----------------------|---------|-------|--------|--------|--------|-------|-------|-------|-------|------|
| Mona Vale Road | 7pm to 10pm (BG+5dB)  | 48      | 51    | 49     | 46     | 44     | 42    | 35    | 29    | 24    | 46   |
|                | 10pm to 12am (BG+5dB) | 47      | 50    | 48     | 45     | 43     | 41    | 34    | 28    | 23    | 45   |
|                | After 12am* (BG+0dB)  | 34      | 37    | 35     | 32     | 30     | 28    | 21    | 15    | 10    | 32   |
| Foley Street   | 7pm to 10pm (BG+5dB)  | 48      | 51    | 49     | 46     | 44     | 42    | 35    | 29    | 24    | 46   |
|                | 10pm to 12am (BG+5dB) | 44      | 47    | 45     | 42     | 40     | 38    | 31    | 25    | 20    | 42   |
|                | After 12am* (BG+0dB)  | 36      | 39    | 37     | 34     | 32     | 30    | 23    | 17    | 12    | 34   |

\* During quietest period during the night – permissible noise levels will reduce from midnight to these levels.

4 2 INDUSTRIAL NOISE POLICY GUIDELINES

Noise emissions from the operation of the pizza oven (i.e. plant and equipment) shall comply with the provisions of the Protection of the Environment Operations Act 1997 DECC's Industrial Noise Policy and EPA's Noise Control Manual

4 2 1 DECC INP Noise Emission Limits

The DECC Industrial Noise Policy provides guidelines for assessing noise impacts from industrial developments. The recommended assessment objectives vary depending on the potentially affected receivers, the time of day and the type of noise source. The DECC Industrial Noise Policy has two requirements which both have to be complied with, namely amenity criterion and intrusiveness criterion. In addition, the DECC in its Environmental Noise Control Manual states that noise controls should be applied with the General intent to protect residences from sleep arousal.

4 2 2 Intrusiveness Criterion

The guideline is intended to limit the audibility of noise emissions at residential receivers and requires that noise emissions measured using the  $L_{eq}$  descriptor not exceed the background noise level by more than 5 dB(A). Where applicable, the intrusive noise level should be penalised (increased) to account for any annoying characteristics such as tonality.

4.2.3 Amenity Criterion

The guideline is intended to limit the absolute noise level from all noise sources to a level that is consistent with the general environment.

The DECC's Industrial noise policy sets out acceptable noise levels for various localities. Table 2.1 on page 16 of the policy indicates 4 categories to distinguish different residential areas. They are rural, suburban, urban and urban/industrial interface.

Table 4 provides the recommended ambient noise levels for the urban residential and school receivers for the day, evening and night periods. For the purposes of this condition:

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays,
- Evening is defined as the period from 6pm to 10pm,
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays

Table 4 - DECC Recommended Acceptable Noise Levels

| Type of Receiver | Time of day | Recommended Acceptable Noise Level dB(A) $L_{eq}$ |
|------------------|-------------|---|
| Residential      | Day         | 55  |
|                  | Evening     | 45  |
|                  | Night       | 40  |

7 CONCLUSION

Noise impacts associate with the operation of the proposed outdoor cooking area areas at Pittwater RSL has been assessed in accordance with the Office of Liquor Gaming and Racing and DECC guidelines to determine the potential for adverse impacts to occur on residential acoustic amenity Noise emissions will comply with the guidelines provided that the recommendations set out in Section 6 are implemented If measures in Section 6 are implemented the use of the terrace can continue up to 1am and be in accordance with the office of Liquor Gaming and Racing and DECC guidelines

Yours faithfully

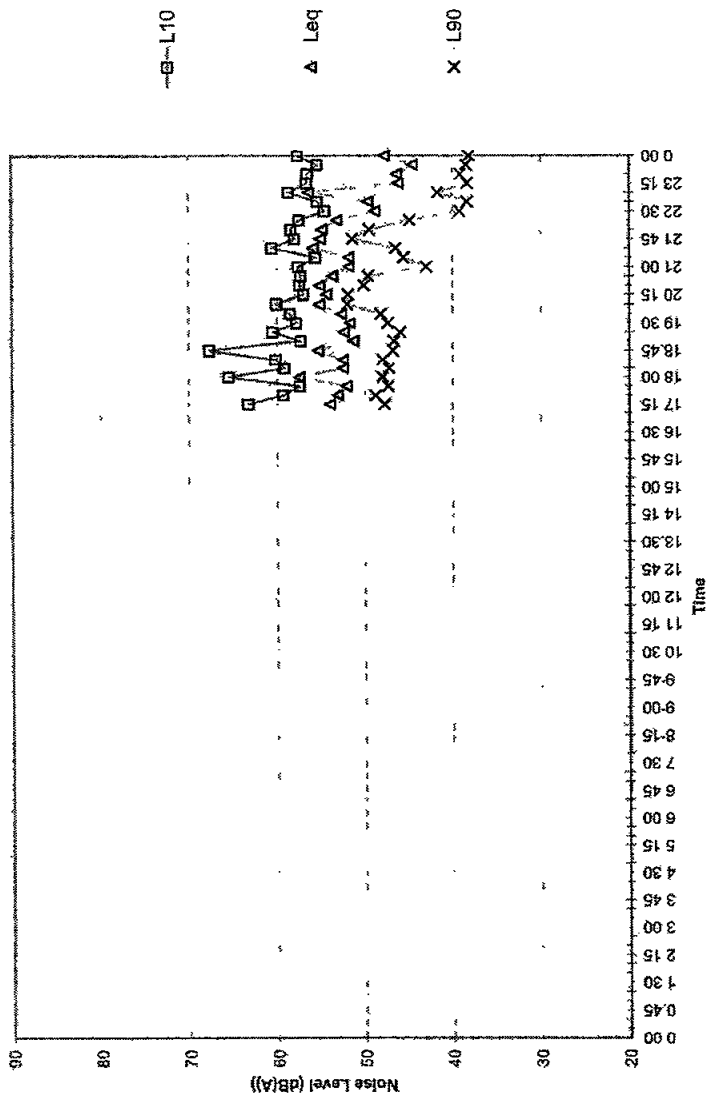
B.G. White.

ACOUSTIC LOGIC CONSULTANCY PTY LTD  
Ben White

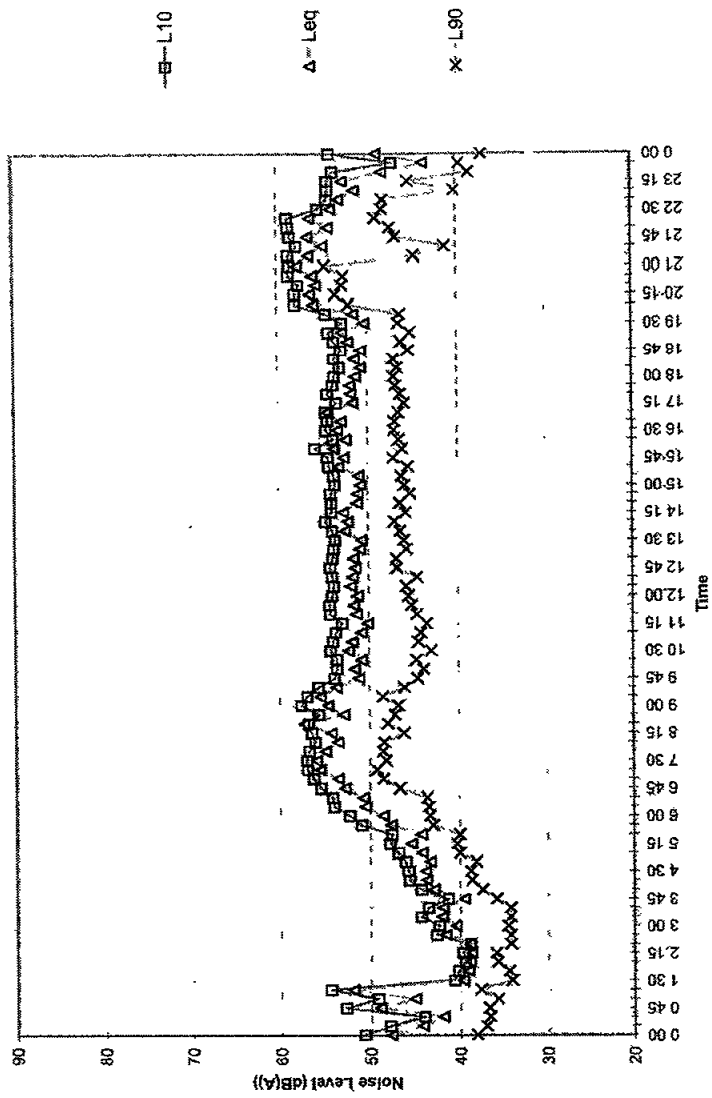
**APPENDIX ONE**  
**UNMANNED NOISE MONITORING DATA**



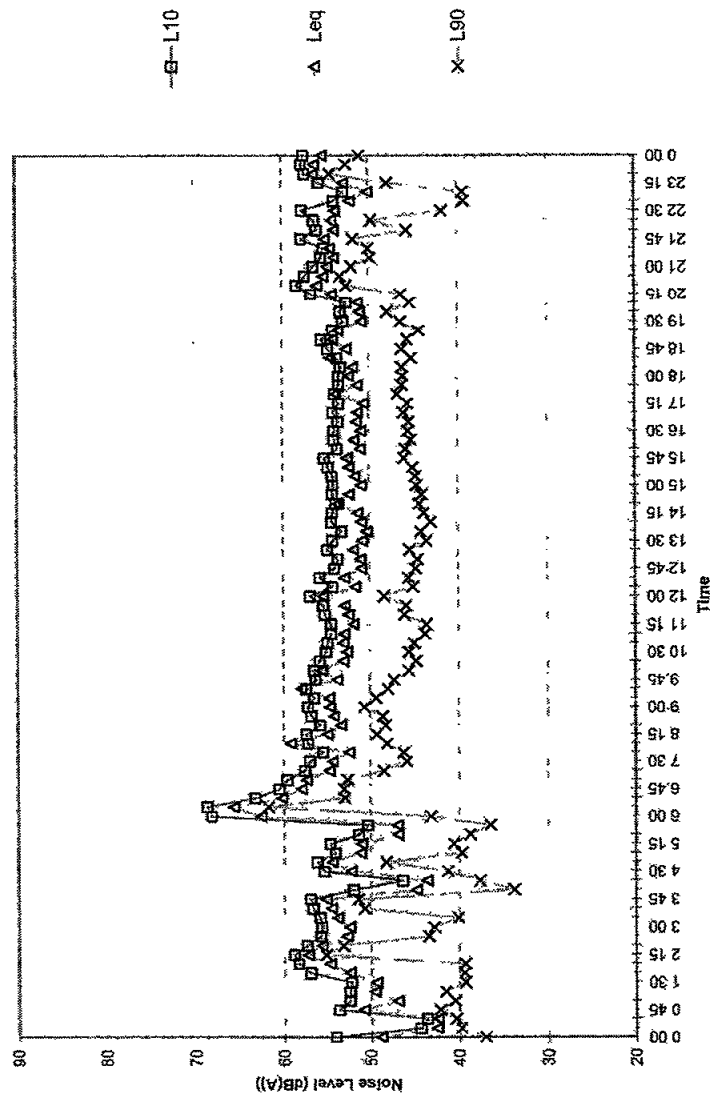
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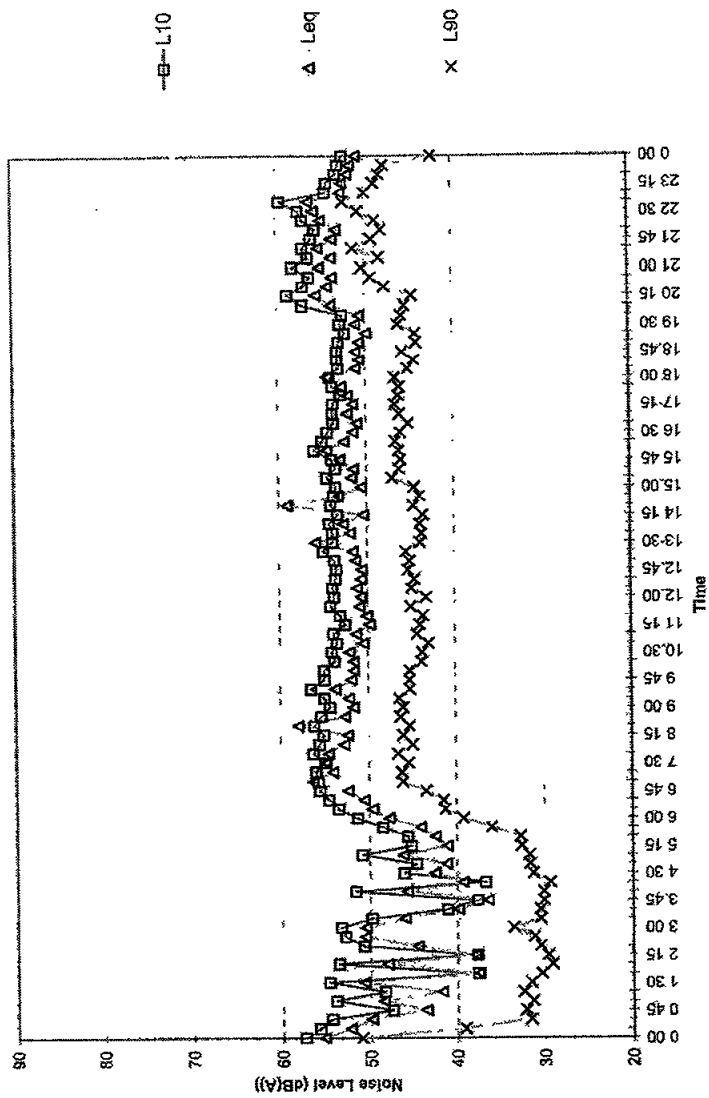


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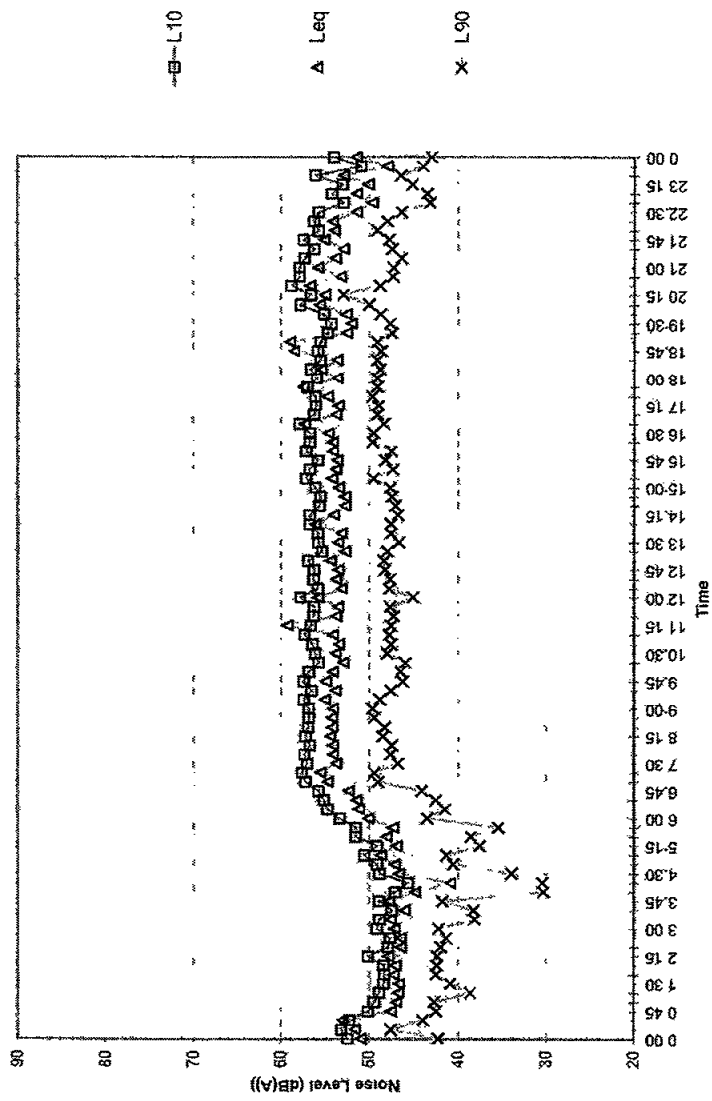


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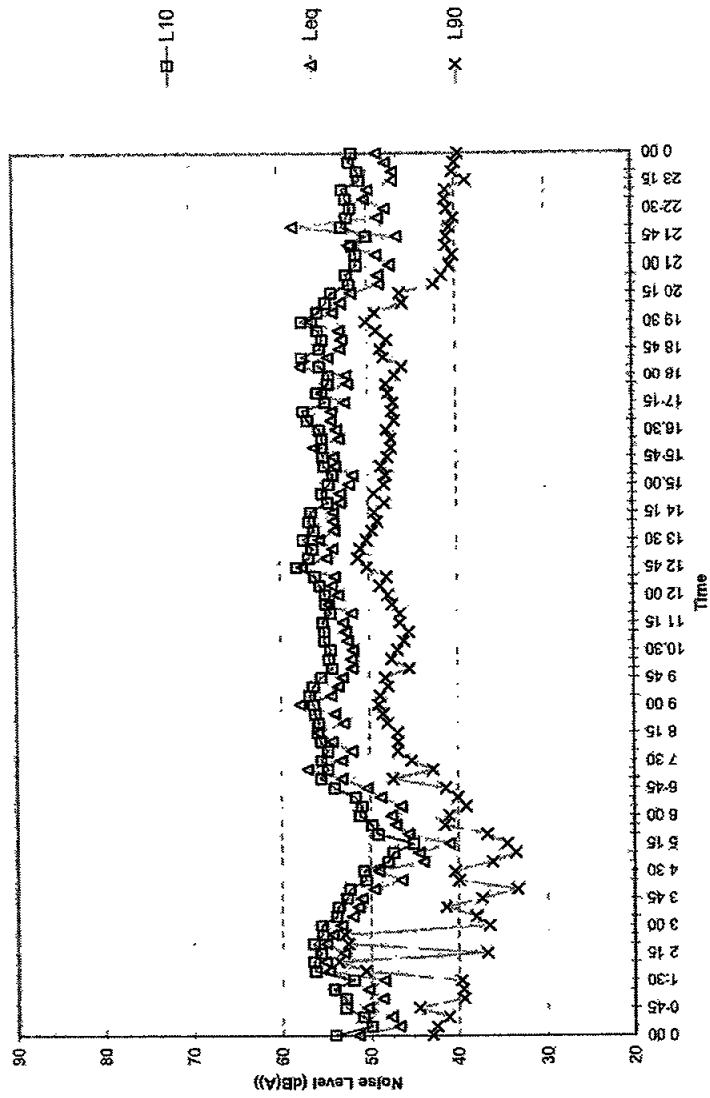
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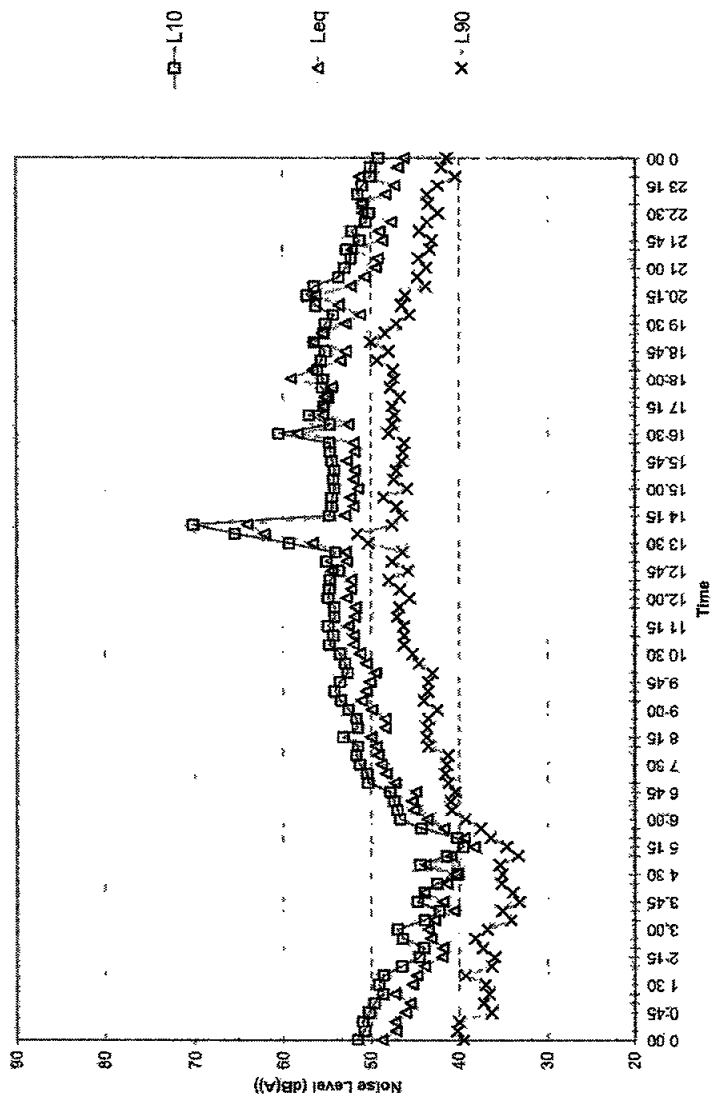
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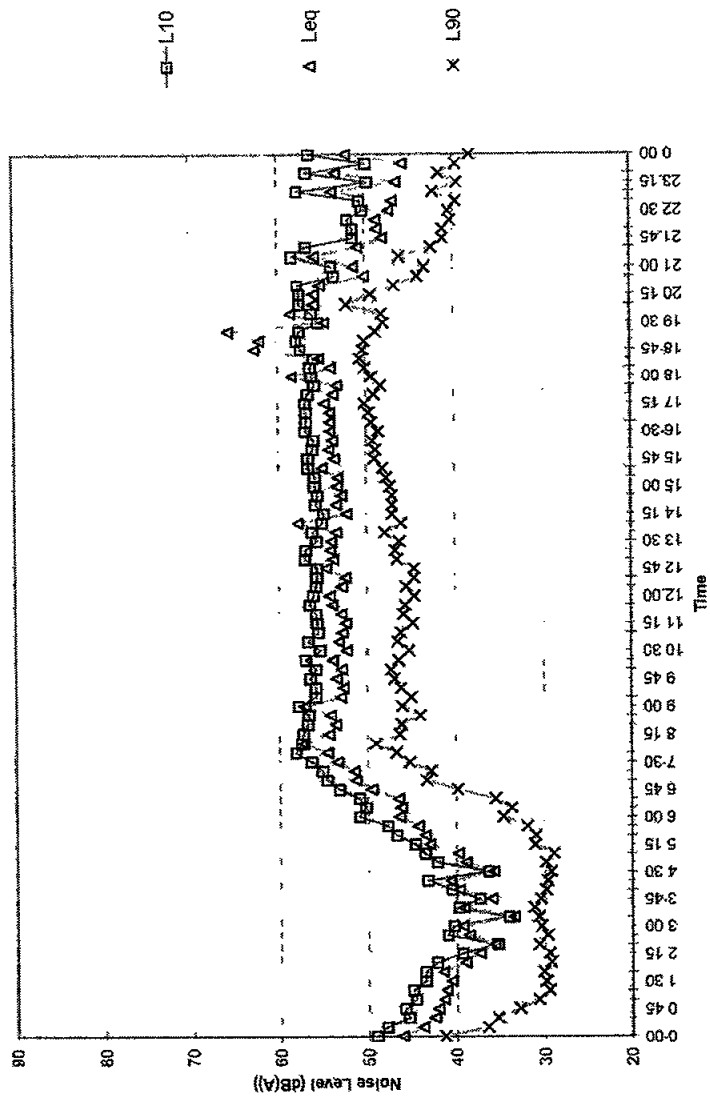
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Sunday April 2, 2006



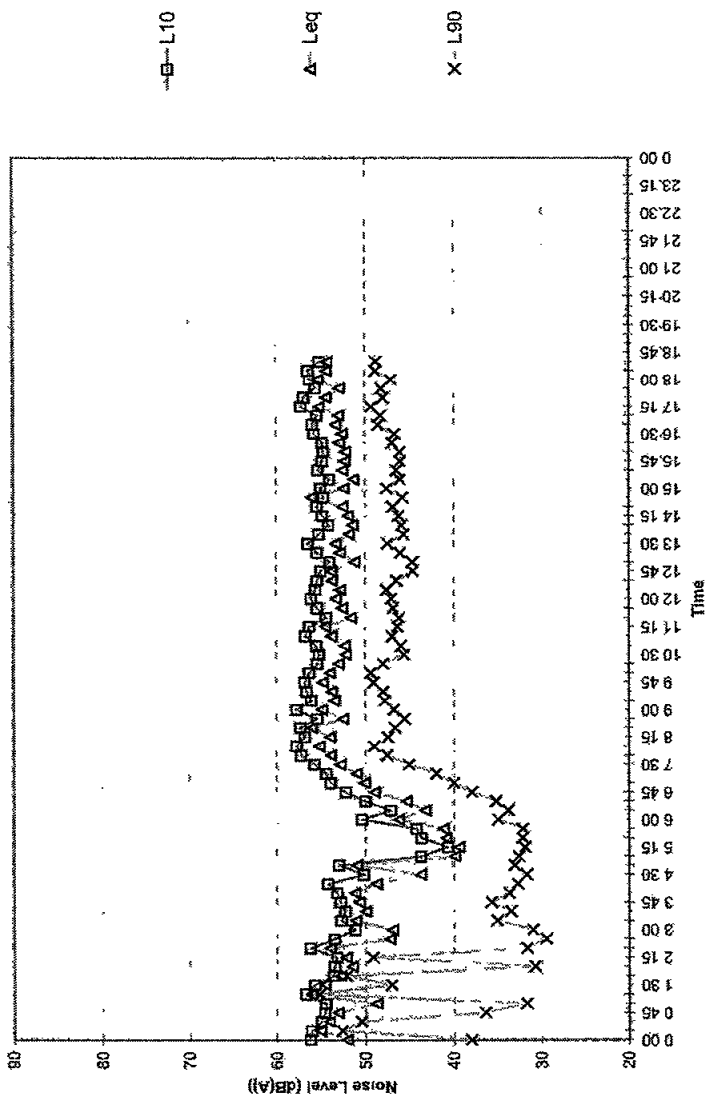
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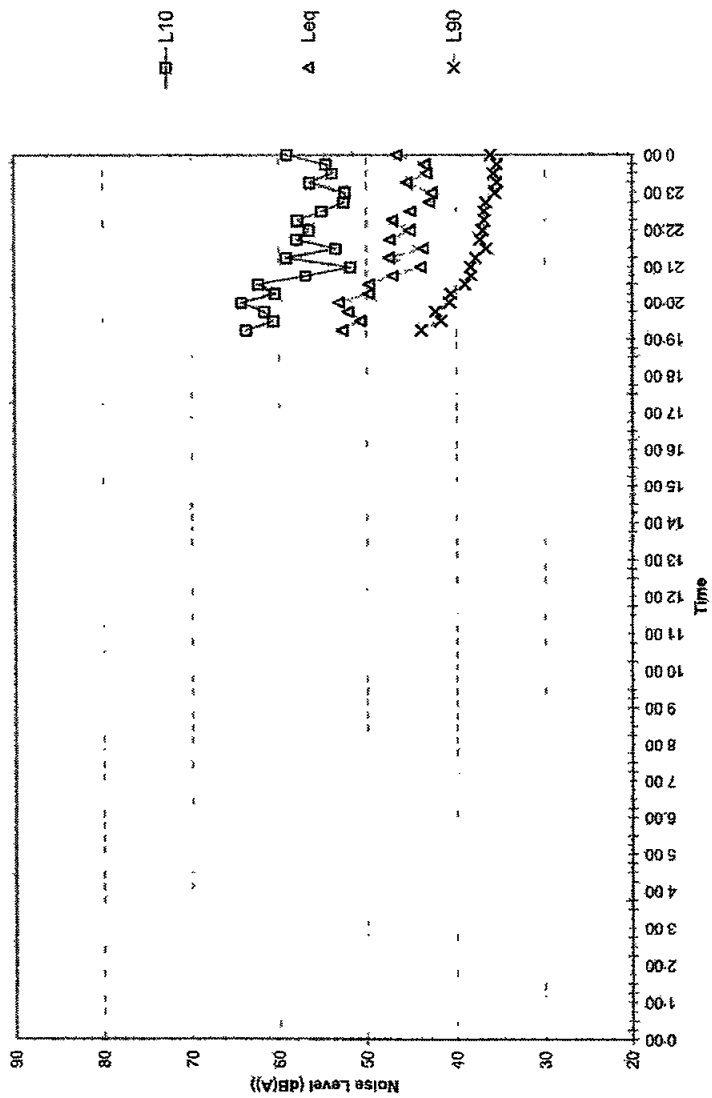


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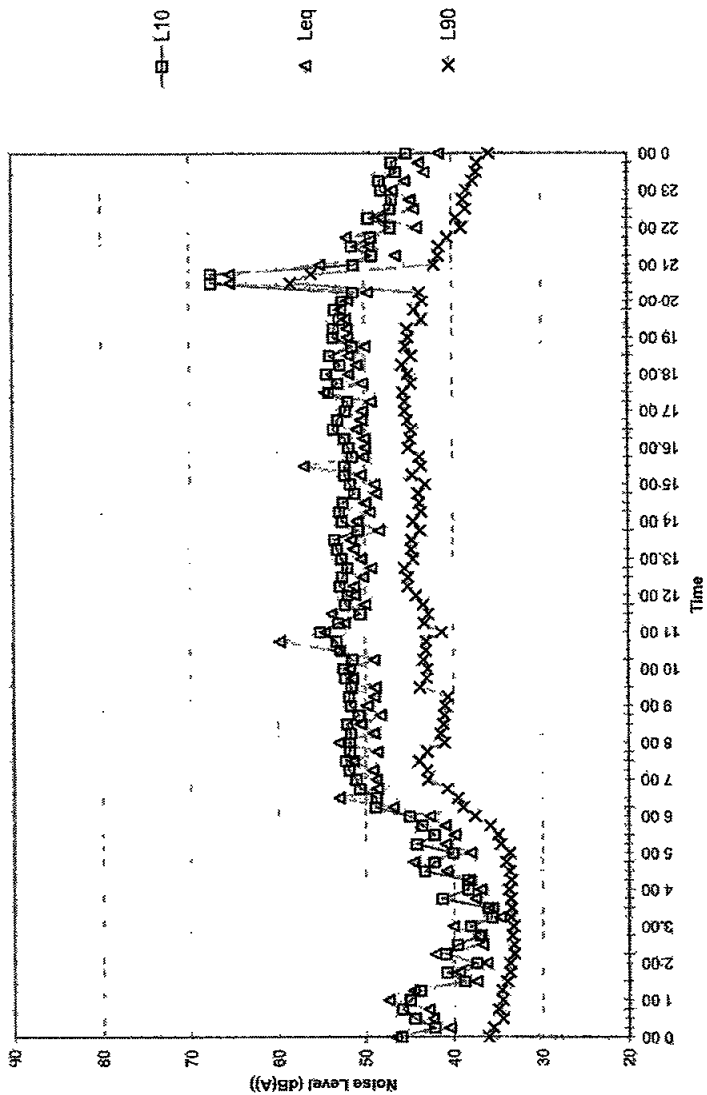


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Friday February 10 2006

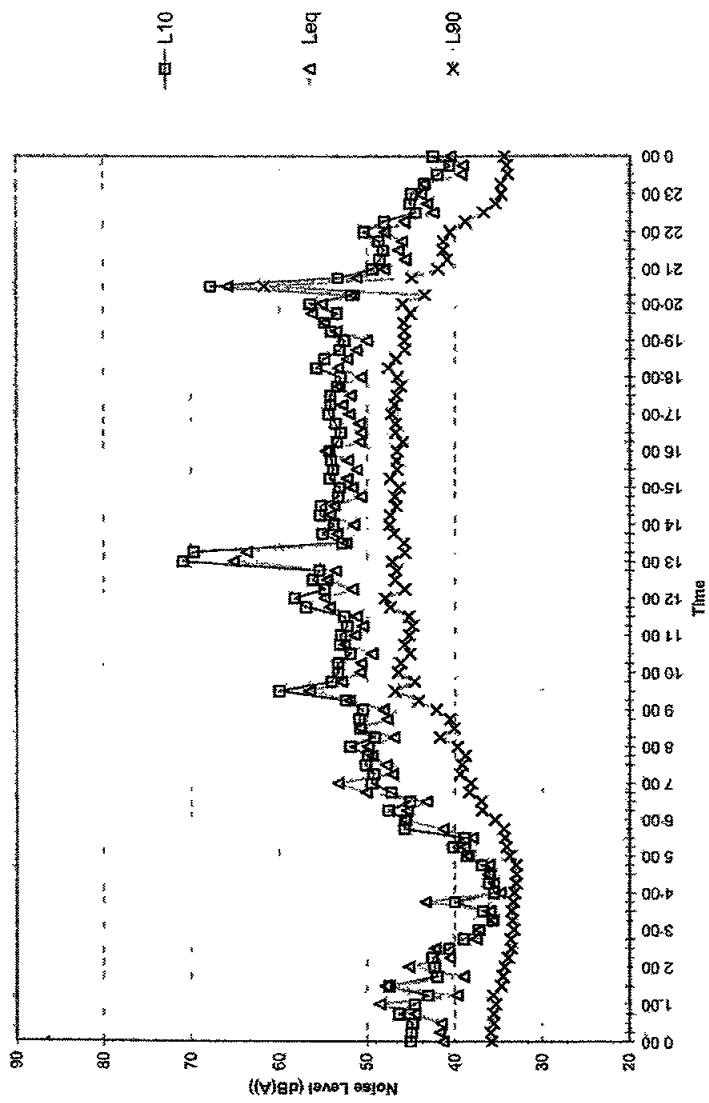


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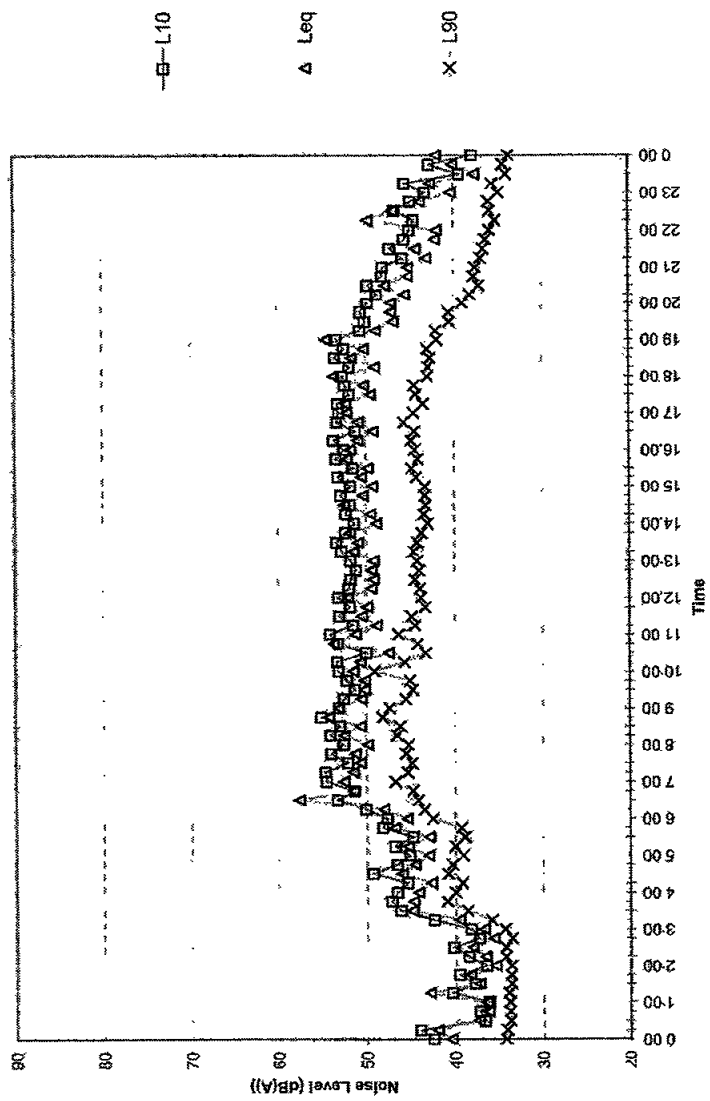


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Sunday February 12 2006

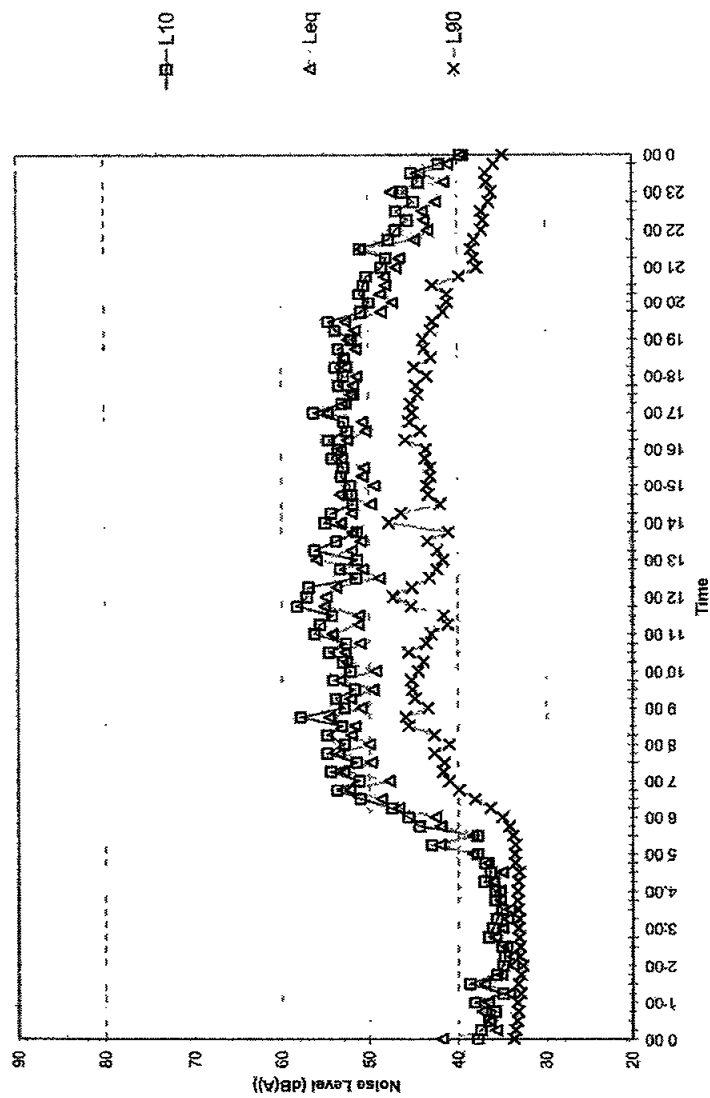


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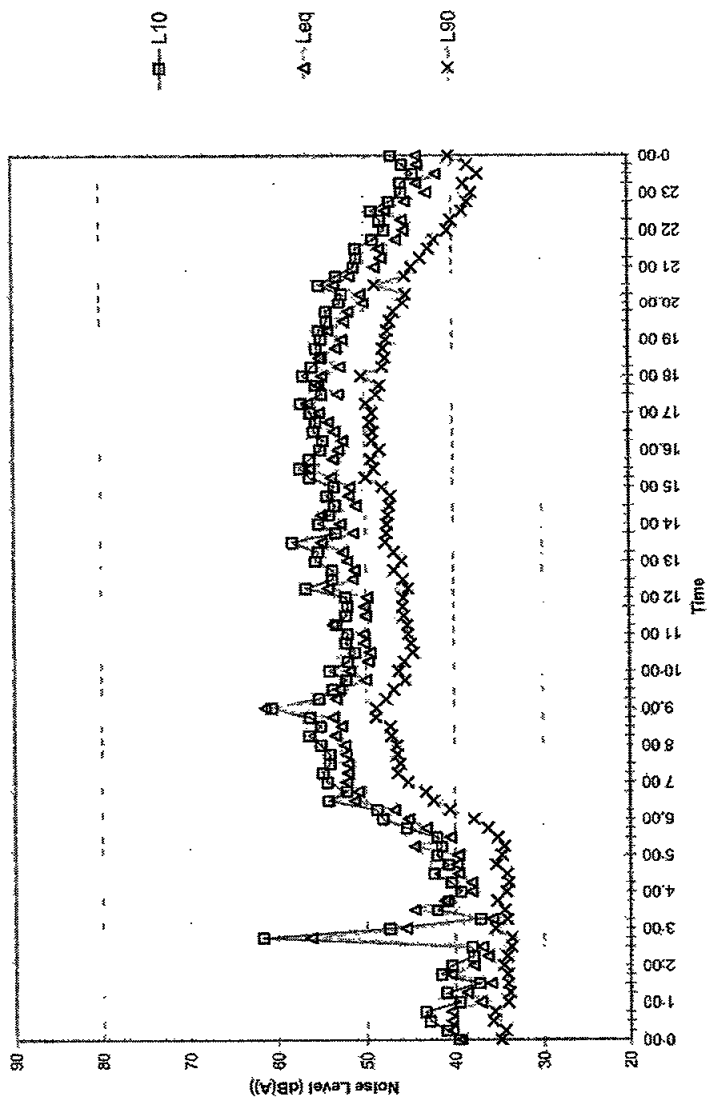


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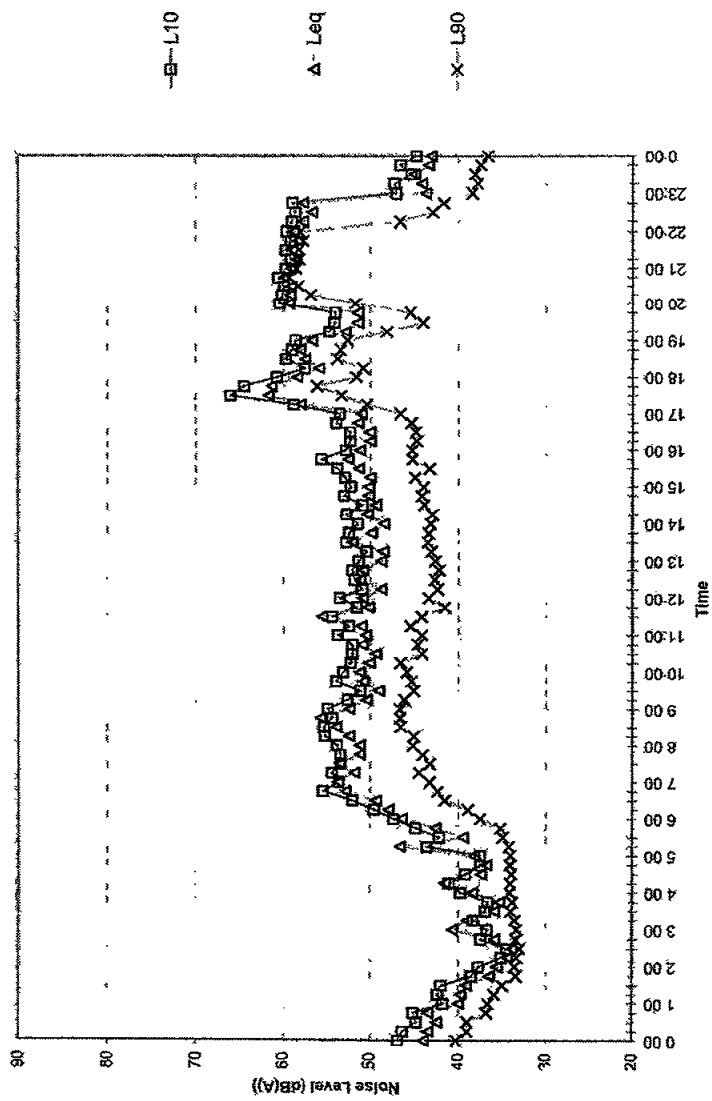
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185 Warriewood Road, Warriewood  
Wednesday February 15 2006



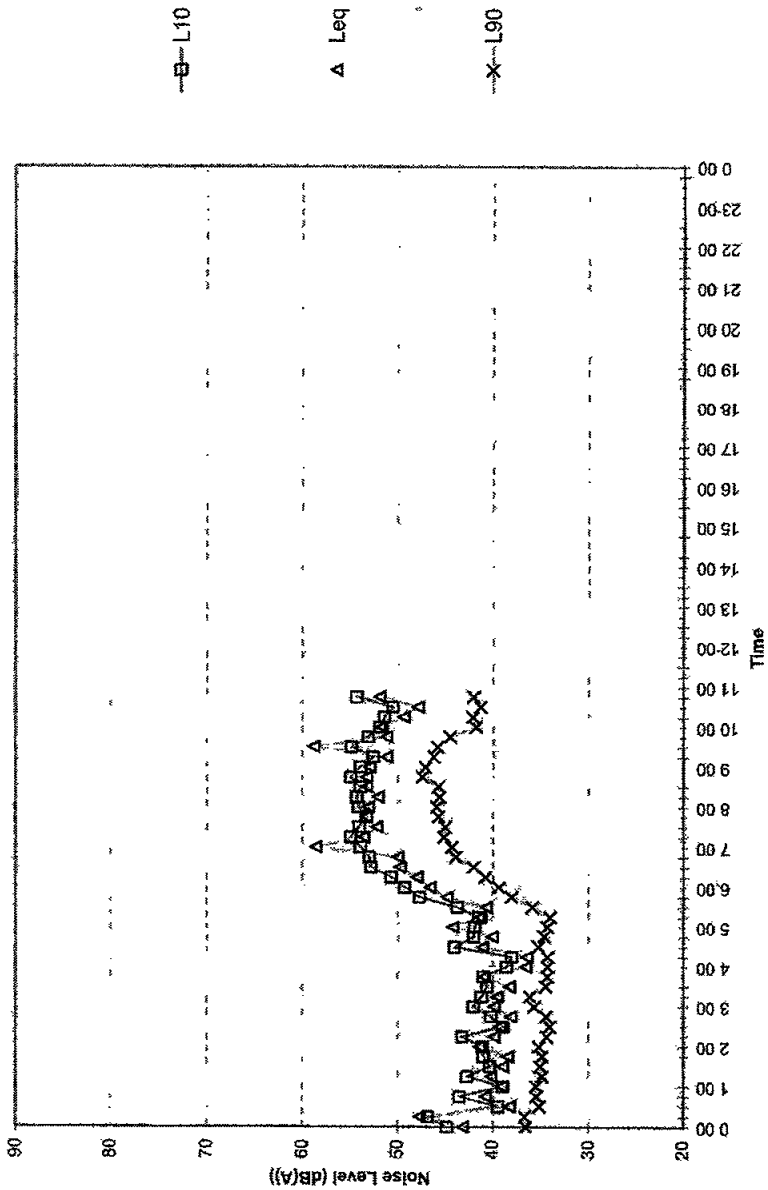
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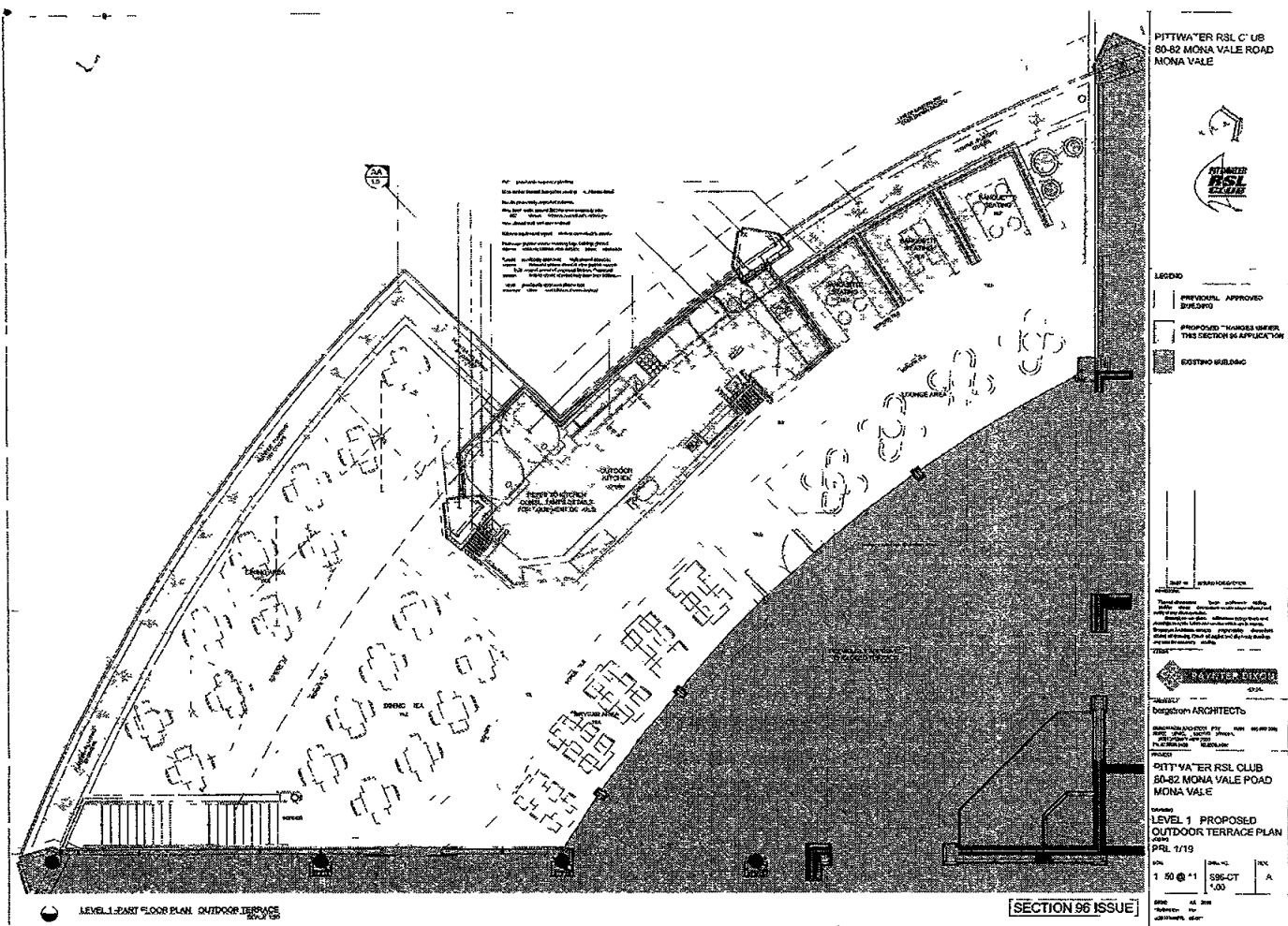
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185 Warriewood Road, Warriewood  
Friday February 17, 2006



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PITTVATER RSL CLUB  
80-82 MONA VALE ROAD  
MONA VALE



LEGEND

- PREVIOUSLY APPROVED BUILDING
- PROPOSED "KANGAS" UNDER THIS SECTION 96 APPLICATION
- EXISTING BUILDING

DESIGNED BY  
bregman ARCHITECTS

PROJECT  
PITTVATER RSL CLUB  
80-82 MONA VALE ROAD  
MONA VALE

LEVEL 1 PROPOSED  
OUTDOOR TERRACE PLAN  
PPL 1/19

DATE: 11/11  
SCALE: 1:50 @ 11  
SHEET: 596-CT  
A

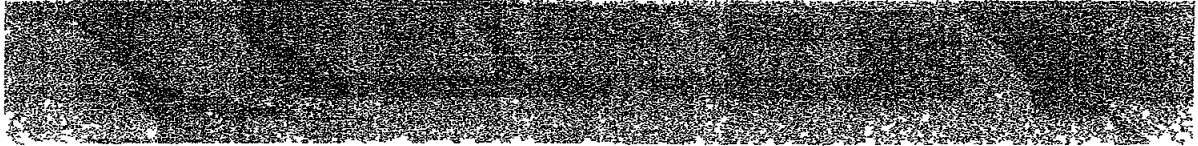








**Building  
Professionals  
Board**



**This is to certify that**

**is accredited in New South Wales under the *Building Professionals Act 2005* in the following categories as set out in Schedule 1 of the Building Professionals Regulation 2007**

**A1 - Accredited Certifier - Building Surveying Grade 1**

This accreditation is subject to the conditions prescribed in the Building Professionals Regulation 2007 and the conditions contained in the attached Schedule

**Period of Accreditation** 23 March 2010 to 22 March 2011

**Registration No** BPB0438

*H. Vaidyanathan Kumar*

### **Schedule of conditions**

*The following conditions are imposed by the Building Professionals Board*

- 1 The accredited certifier must not issue certificates for class 2 to 9 buildings where an alternative solution involving fire safety is proposed to achieve compliance with the relevant performance requirements of the Building Code of Australia

Professional Indemnity  
Insurance  
Certificate of Currency

Policy Number 307986810PID

QBE Insurance (Australia) Ltd  
Head Office  
82 Pitt Street  
Sydney NSW 2000  
ABN 78 003 191 035  
AFS Licence No 239545



Issued By  
QBE Insurance (Australia) Ltd

Period of Insurance  
From 30/06/2010  
To 30/06/2011 at 4pm

This certificate acknowledges that the policy referred to is in force for the period shown  
Details of the cover are listed below

Named Insured

TERRY WEST BUILDING APPROVAL

CONSULTANTS PTY LTD

Cover Details

Insured s Profession BUILDING SURVEYOR

| Civil Liability Cover               | Limit        | Deductible                   |
|-------------------------------------|--------------|------------------------------|
| Limit of indemnity any one claim    | \$10 000 000 | \$5 000 Each and every claim |
| Limit of indemnity in the aggregate | \$20 000 000 |                              |

This Policy Schedule should be read in conjunction with the Policy terms Conditions Definitions and Exclusions as detailed in the enclosed Policy Wording CIVIL LIABILITY QM814-1108

Clauses

P20

Manufacturing Construction Installation and Supervision Endorsement

We shall not be liable under this Policy to provide indemnity in respect of any Claim against the Insured arising directly or indirectly based upon attributable to or in consequence of any manufacturing erection construction installation maintenance or demolition activities or the supervision of such activities undertaken by or on behalf of the Insured unless such Claim is directly based upon attributable to an act error or omission

(i) in design or specification completed by the Insured or



**Professional Indemnity  
Insurance  
Certificate of Currency**

Policy Number 307986810PID

QBE Insurance (Australia) Ltd  
Head Office  
82 Pitt Street  
Sydney NSW 2000  
ABN 78 003 191 035  
AFS Licence No 239545



**Cover Details *continued***

**Clauses *continued***

(ii) in advisory or consultancy services provided by the Insured during site inspections by the Insured directly relating to the Insured's engagement to provide design or specification services

**P23**

Building Surveyor Inspector or Certifier Endorsement

We will apply double the Policy deductible stated in the Policy Schedule in respect of any Claim against the Insured where such

(i) Claim is brought or maintained by or on behalf of any building owner in respect of any actual or alleged building/construction defects in a building previously surveyed inspected or certified by the Insured and

(ii) a builders warranty insurance policy for that building was not effected as required by law

**STD**

This policy has been upgraded to the Steadfast Policy Wording. The above notice. This Policy Schedule should be read in conjunction with the Policy terms Conditions Definitions and Exclusions as detailed in the enclosed Policy Wording. CIVIL LIABILITY QM814 1108" is replaced in its entirety with the following

This Policy Schedule should be read in conjunction with the Policy terms Conditions Definitions and Exclusions as detailed in the enclosed Policy Wording STEADFAST CIVIL LIABILITY QM2318-1009

Unless amended by endorsement the definition of Insured's Business is deleted entirely and amended to read as follows

**8.9 Insured Business**

Insured Business will mean the business which is conducted by the Named Insured as specified in the Schedule

If the Named Insured should change its name and there is no other change which materially alters the risk the Insured's Business will continue to be covered by this Policy

**End of Certificate**



PITTWATER RSL CLUB  
80-82 MONA VALE ROAD  
MONA VALE



- LEGEND
- PREVIOUSLY APPROVED BUILDING
  - PROPOSED CHANGES UNDER THIS SECTION 96 APPLICATION
  - EXISTING BUILDING

1. All dimensions to be taken to preference to walls.  
2. All dimensions to be taken to the center line of the building.  
3. All dimensions to be taken to the center line of the building.  
4. All dimensions to be taken to the center line of the building.  
5. All dimensions to be taken to the center line of the building.

CLIENT  
PITTWATER RSL CLUB  
80-82 MONA VALE ROAD  
MONA VALE

ARCHITECT  
PAYNTER DIXON  
HOSPITALITY

PROJECT  
PITTWATER RSL CLUB  
80-82 MONA VALE ROAD  
MONA VALE

DATE: JULY 2010  
DRAWN BY: PW  
CHECKED BY: PW

SCALE  
1:50 @ A1  
1:100

REV. A

NOTE: THESE PLANS MUST BE READ IN CONJUNCTION WITH THE CONDITIONS OF DEVELOPMENTAL CONSENT

CONSTRUCTION CERTIFICATE  
APPROVED PLANS  
Signature: [Signature]  
Date: [Date]

PITTWATER COUNCIL  
APPROVED DEVELOPMENTAL CONSENT PLANS

NOTE: THESE PLANS MUST BE READ IN CONJUNCTION WITH THE CONDITIONS OF DEVELOPMENTAL CONSENT

SECTION 96 ISSUE

LEVEL 1 - PART FLOOR PLAN - OUTDOOR TERRACE  
SCALE: 1:50

