PLANIX Projects
c/o Waterbook

Stage 1 Environmental Site Assessment: Proposed Seniors Living Development, Bayview Golf Course
Cabbage Tree Road, Bayview, NSW.

ENVIRONMENTAL

WATER

WASTEWATER

GEOTECHNICAL

CIVIL

PROJECT MANAGEMENT

P1404179JR02V01
August 2014

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The sole purpose of this report and the associated services performed by Martens & Associates Pty Ltd is to provide a Stage 1 Environmental Site Assessment at the subject site in accordance with the scope of services set out in the contract / quotation between Martens & Associates Pty Ltd and PLANIX Projects c/o Waterbrook (hereafter known as the Client). That scope of works and services were defined by the requests of the Client, by the time and budgetary constraints imposed by the Client, and by the availability of access to the site.

Martens & Associates Pty Ltd derived the data in this report primarily from a number of sources which included correspondence regarding the proposal, examination of records in the public domain, interviews with individuals with information about the site or the project, and field explorations conducted on the dates indicated. The passage of time, manifestation of latent conditions or impacts of future events may require further examination / exploration of the site and subsequent data analyses, together with a re-evaluation of the findings, observations and conclusions expressed in this report.

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All enquiries regarding this project are to be directed to the Project Manager.

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1 Overview

1.1 Introduction

Martens & Associates Pty Ltd (MA) have been commissioned to carry out a Stage 1 environmental site assessment (ESA) for a proposed seniors living development at Cabbage Tree Road, Bayview, NSW. The investigation area ('the site') is part of Lot 1 DP662920 and part of Lot 1 DP 19161. The site boundaries are a shown in Figure 1.

1.2 Objectives

Investigation objectives include:

- Identification of historic and current potentially contaminating site activities.
- Evaluation of potential areas of environmental concern (AEC) and associated contaminants of primary concern (COPC).
- Provide comment on suitability of site for future development use and provide recommendations for intrusive soil investigations (if required).

1.3 Project Scope

Scope of works includes:

- Walkover inspection to identify areas of potential contamination.
- Review available Pittwater Council (PC) site development consents.
- Review 5 historic aerial photographs to assess past site and surrounding land use patterns.
- Review NSW OEH (formerly NSW EPA) notices under the Contaminated Land Management Act (1997).
- Prepare an ESA report in general accordance with the relevant sections of NSW OEH (2011) and DEC (2006).

1.4 Abbreviations

ACM - Asbestos containing material

AEC – Area of environmental concern

ASC NEPM – Assessment of Site Contamination, National Environmental Protection Measure

BTEX – Benzene, toluene, ethyl benzene, xylene

COPC – Contaminants of primary concern

DEC – NSW Department of Environment and Conservation

DECC – Department of Environment and Climate Change

DP – Deposited plan

EPA – NSW Environmental Protection Authority

ESA – Environmental site assessment

HM – Heavy metals

LGA – Local government area

MA – Martens & Associates Pty Ltd

mAHD – metres, Australian Height Datum

mBGL – Metres below ground level

NEPC – National Environmental Protection Council

OCP – Organochloride pesticides

OEH – NSW Office of Environment and Heritage

OPP – Organophosphate pesticides

PAH – Polycyclic aromatic hydrocarbons

PC – Pittwater Council

SAC – Site assessment criteria

TRH – Total recoverable hydrocarbons

2 Site Description

2.1 Site Location and Existing Landuse

Site information is summarised in Table 1.

Table 1: Site background information.

Investigation address	Bayview Golf Club, Cabbage Tree Road, Bayview, NSW
Lot and DP (Title Information)	Part of Lot 1 DP 662920 (north of Cabbage Tree Road only) and part of Lot 1 DP 19161.
Investigation area	1.99 ha
Local Government Area (LGA)	Pittwater Council
Zoning	6(b) – Private Recreation "B"
Site description	Site currently used as part of the Bayview Golf Course. The site is developed and vegetated for golf course purposes. Slopes at 10 - 15% to the south west. Site elevation varies from 4 mAHD in the south west to 38 mAHD in the site's north east. Bordered by Cabbage Tree Road to the south and residential properties and native bushland to the north, east and west.
Current land use	Private recreation, being the north western part of the Bayview Golf Course.
Proposed land use	Residential
Surrounding land uses	Residential and native bushland to the north, east and west. Bayview Golf Course to the south and southwest.
Geology and soil landscapes	The Sydney 1:100,000 Geological Sheet 9130 (NSW Dept. of Mineral Resources, 1983) identifies the site as being underlain by Hawkesbury Sandstone Formation, comprised of medium to course grade quartz sandstone, very minor shale and laminate lenses. The Soil Landscapes of the Sydney 1:100,000 Sheet identifies the mid to northern part of the site as having Watagan colluvial soil landscapes, consisting primarily of rolling to very steep hills on fine-grained Narrabeen Group sediments. Soils are shallow to deep podzolic soils on sandstone and shales. The mid to southern part of the site is identified as having Deep Creek fluvial soil landscapes, with level to gently undulating alluvial floodplain draining the Hawkesbury Sandstone. Soils are deep podzols on well drained terraces.
Environmental receptors	The investigation site generally drains toward an unnamed creek crossing the west and south western part of the site, eventually draining 50 m south to

	reservoirs on the Bayview Golf Course and Cahill Creek. Cahill Creek drains into Pittwater (1 km east).
Human receptors	Existing neighbouring residential development to the north, east and west and the Bayview Golf Course to the south and south west. Future residents. Future site construction workers / builders. Future golfers playing adjacent to the site.

Site location and general surrounds are provided in Attachment A, Figure 1.

2.2 Hydrogeology

Review of NSW Natural Resources Atlas indicated eight groundwater bores (with available information) within 500 m of the site (Table 2). Groundwater bore locations are shown in Attachment A - Figure 2.

Table 2: Available hydrogeological information.

Groundwater Bore Identification	Orientation From Site (Distance, m)	Depth To Groundwater (mBGL)	Intended Use	Water Bearing Zone Substrate
GW014463	South, 55 m	ND [1]	Recreation (Groundwater)	ND [1]
GW111610	South west, 180 m	1.2	Recreation (Groundwater)	Silty sand black fill
GW106813	East, 315 m	11.4	Domestic	Sandstone, grey
GW108934	East, 315 m	88.5	Domestic	ND [1]
GW108920	North, 70 m	13.0	Domestic	ND [1]
GW108778	North, 445 m	90.0	Domestic	Siltstone
GW105256	West, 285 m	18.0	Domestic	Sandstone, light grey
GW106327	West, 440 m	49.5	Domestic stock	Sandstone, grey

Notes:
[1] ND – No data available

From a review of the above information, groundwater wells in the nearby area are mostly utilised for recreation (groundwater) and domestic purposes.

3 Stage 1 Investigation

3.1 Overview

A review of the history of site use and development has been completed based on Council development consent records, NSW EPA/DECC contaminated land records, historic aerial photography and a walkover site inspection to form a preliminary assessment of the risk of land contamination resulting from past land uses.

3.2 Historical Site Records Review

Historical site records were obtained from PC and are summarised in Table 3 with records provided in Attachment D. Records obtained address the entirety of the lots on which the site is located. Works approved lie outside the investigation site boundaries.

Table 3: Site history information.

Information Source	Year	Certificate of Consent / DA No.	Description
PC DA/BA/CC Records	2006	N0460/06 and CC0130/08	Construction of a new Club House [1]
PC DA/BA/CC Records	2011	N0751/10 and CC0376/11	Alterations and additions to existing maintenance facility to golf club [1]

Notes:
[1] Both buildings located south of Cabbage Tree Road and outside of the investigation site.

3.3 NSW OEH Records

No notices for the site were listed under the Contaminated Land Management Act (1997) or the Environmentally Hazardous Chemicals Act (1985). Three notices for 8 sites were listed for the surrounding areas, as summarised in Table 4.

Table 4: Site history information.

Suburb	Address	Distance from Investigation Site	Site Name
Mona Vale	79 Barrenjoey Road	1.7 km east	Caltex Service Station
Mona Vale	4, 10-14 Polo Avenue	1.5 km east	Investigation area adjacent to Caltex Service Station
Mona Vale	3-9 Perak Street	1.5 km east	Investigation area adjacent to Caltex Service Station
Mona Vale	51 Bassett Street	1.6 km east	Investigation area adjacent to Caltex Service Station
Mona Vale	58 Darley Street	1.4 km east	Investigation area adjacent to Caltex Service Station
Mona Vale	6 Polo Avenue	1.5 km east	Investigation area adjacent to Caltex Service Station
Mona Vale	79 Barrenjoey Road	1.7 km east	Investigation area adjacent to Caltex Service Station
Mona Vale	45 Bassett Street	1.6 km east	Investigation area adjacent to Caltex Service Station

3.4 Historic Aerial Photograph Analysis

Historical aerial photographs taken of the site during 1947, 1956, 1982, 2005 and 2014 were reviewed in order to investigate the history of land use on the site (Table 5). Copies of all aerial photographs are provided in Attachment C.

Table 5: Historic aerial photograph observations 1947 – current.

Year	Site Description	Surrounding Land
1947	Site appears to be developed similar to current golf course design, with clearing and vegetation landscape scheme.	Land immediately adjacent is golf course with some residential development on lots to the south west, and along Pittwater foreshores to the east, north and north west. Golf course development to site's east
1956	Little change from previous.	Increase in residential development to the south and south east, and along Pittwater foreshores to the east and north east. Residential development along north eastern boundary of site. .
1982	Little change from previous.	Golf course extension to the south east. Construction of dam on golf course to the south. Significant residential development to site's north, east and south, with some development to the west.
2005	Little change from previous.	Additional dam constructed on golf course to the south. Some additional residential development to the west, maintaining vegetated corridor.
Nearmap (2013)	Little change from previous.	Little change from previous.

3.5 Walkover Site Inspection

Results of site walkover inspection from 21 May 2014 are summarised in Table 6.

Table 6: Summary of site walkover.

Site Infrastructure	Walkover Summary
o Site infrastructure limited to golf course landscaping.	o The site is currently used as part of the Bayview Golf Course, with associated golf course design and infrastructure. o Concrete and gravel pathways meander throughout the site. o Vegetated corridors run generally north to south adjacent to course fairways, along the southern boundary along Cabbage Tree Road, and around the wetland, pond and creek areas. o No evidence of contamination such as stockpiles, soil staining or odours. o An embankment along southern boundary of development area consists of fill from unknown source.

4 Areas of Environmental Concern / Contaminants of Primary Concern

A review of site history and walkover identified potential AECs over the development area. Due to long historical use as a golf course, pesticides, herbicides and heavy metals are likely to have been previously used at some time. The southern embankment adjacent to Cabbage Tree Road consists of fill material of unknown origin.

Based on the site history review and site walkover observations, AEC and associated COPC identified at the subject site are presented in Table 7.

Table 7: Main areas of environmental concern and contaminants of primary concern.

AEC [1]	Potential for Contamination	COPC	Contamination Likelihood
1 - Golf course areas	Pesticides, herbicides and heavy metals may be present due to historical use as golf course.	TRH, BTEX, PAH, OCP/OPP, phenyl acid, triazine and HM.	Medium
2 - Fill embankment	Fill from unknown sources.	TRH, BTEX, PAH, HM and asbestos.	Medium - high

Notes
[1] Locations identified on AEC map in Attachment B (Figure 3).

5 Conclusions and Recommendations

5.1 Conclusions

The results of the site history and walkover inspection indicate that the investigation area has been used as a golf course since at least 1947 until present day. Site infrastructure is limited to landscape golf course design features. Under the proposed development scheme much of the site will remain landscaped open area.

A review of site history and walkover identified potential AECs associated with golf course uses and past filling, however, there is no evidence of gross contamination such as stockpiles, staining or odours.

Potential site contaminants include pesticides, herbicides and heavy metals from golf course operations and a wide range of contaminants in fill from an unknown source(s).

5.2 Recommendations

To address potential AEC and COPC, an intrusive soil sampling regime over selected areas of the site is recommended to assess what, if any, remediation is required to render the site fit for residential use. The proposed sampling shall include investigation of areas known to have be used for golf course fairways and areas of fill with site assessment criteria (SAC) selected to address the nature of the proposed development, and exclude areas which have been continuously vegetated and not within fill areas (see Figure 3). The site investigation plan is to be developed in accordance with NSW EPA Sampling Design Guidelines (1995) and a risk based assessment, with approximately 25 sampling points required. Assessment shall address each of the identified AEC's and assess COPC identified for each AEC. Results of the site testing shall be assessed against ASC NEPM (1999, amended 2013).

6 Limitations Statement

The Stage 1 environmental site assessment was undertaken in line with current industry standards.

It is important, however, to note that no land contamination study can be considered to be a complete and exhaustive characterisation of a site nor can it be guaranteed that any assessment shall identify and characterise all areas of potential contamination or all past potentially contaminating land-uses. This is particularly the case on sites where additional testing is identified as being required. Therefore, this report should not be read as a guarantee that no contamination shall be found on the site. Should material be exposed in future which appears to be contaminated or inconsistent with natural site soils, further testing may be required to determine the implications for the site.

Martens & Associates Pty Ltd has undertaken this assessment for the purposes of the current development proposal. No reliance on this report should be made for any other investigation or proposal. Martens & Associates accepts no responsibility, and provides no guarantee regarding the characteristics of areas of the site not specifically studied in this investigation.

7 References

ASC NEPM (1999, amended 2013) *National Environmental Protection Measure, (site contamination measure)*.

Department of Lands – Map sales. Aerial photographs (1947, 1956, 1982, 2005.

Nearmap (November, 2013).

NSW DEC (2006) *2nd Ed. Contaminated Sites: Guidelines for the NSW Site Auditor Scheme*.

NSW Department of Mineral Resources, (1983) *Sydney 1:100,000 Geological Sheet 9130*

NSW EPA (1995) *Sampling Design Guidelines.*

NSW OEH (2011) *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites, 2nd Edition.*

Pittwater Council – DA/BA records (2014).

Soil Conservation Service of NSW (1989), Sydney *Soil Landscapes of the Sydney 1:100,000 Sheet*

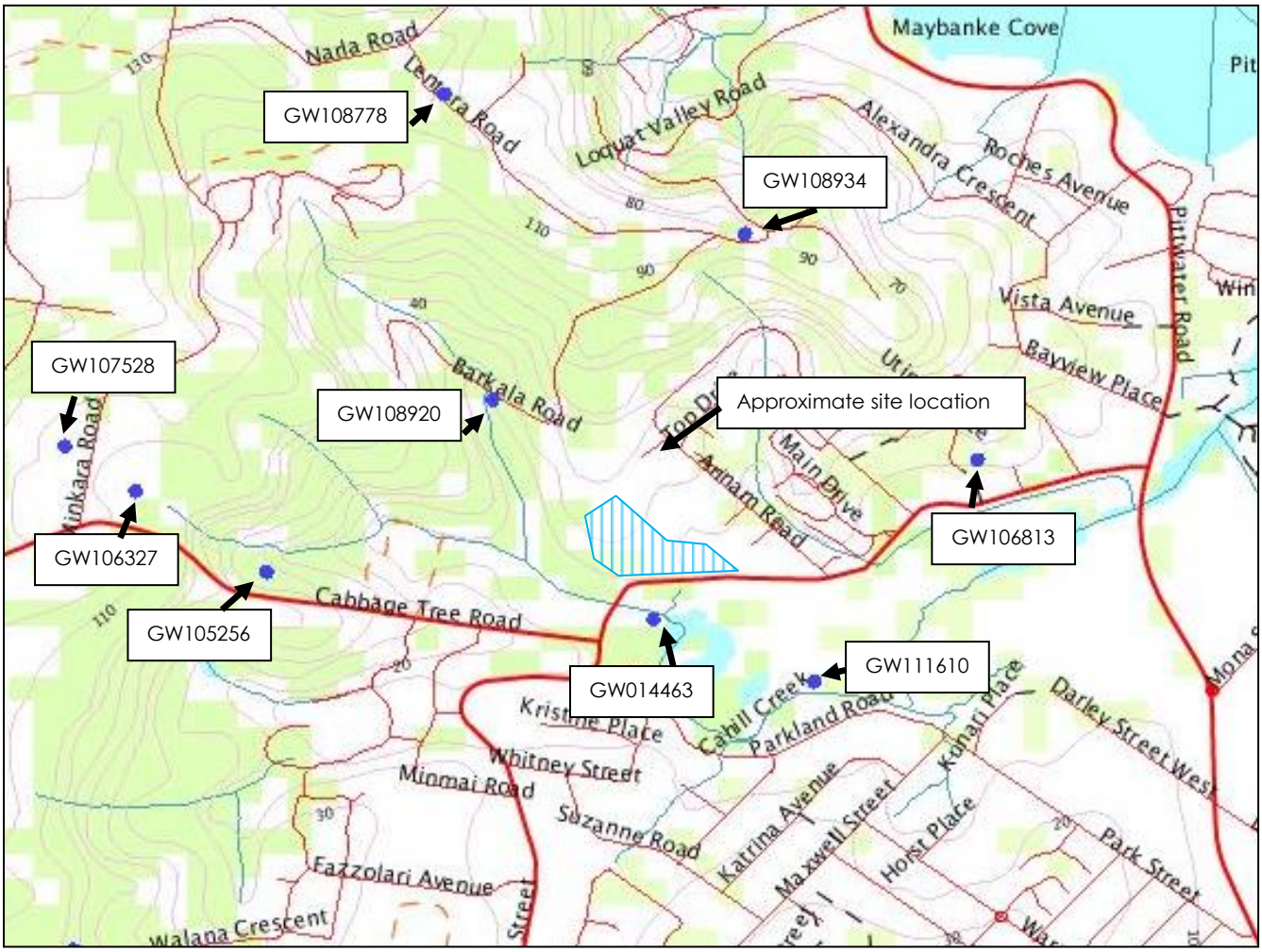
8 Attachment A – Figures

N

Key

Investigation Area

Martens & Associates Pty Ltd ABN 85 070 240 890		**Environment | Water | Wastewater | Geotechnical | Civil | Management**	
Drawn:	CS	**Site Location** **Cabbage Tree Road, Bayview, NSW** **Source: Nearmap, 2013**	Drawing No: FIGURE 1
Approved:	GT		
Date:	14.05.2014		
Scale:	Not to Scale		Job No: P1404179JR02V01



N

Key

Investigation Area

Groundwater Bores

Martens & Associates Pty Ltd ABN 85 070 240 890		**Environment | Water | Wastewater | Geotechnical | Civil | Management**	
Drawn:	CS	**Groundwater Bore Locations** **Cabbage Tree Road, Bayview, NSW** **Source: NSW Natural Resource Atlas, 2014**	Drawing No: FIGURE 2
Approved:	GT		
Date:	14.05.2014		
Scale:	Not to Scale		Job No: P1404179JR02V01

9 Attachment B – Areas of Environmental Concern / Contaminants of Primary Concern

N

Key

- Site Investigation Area
- 1 - Golf course AEC
- 2 – Fill embankment

Martens & Associates Pty Ltd ABN 85 070 240 890		**Environment | Water | Wastewater | Geotechnical | Civil | Management**	
Drawn:	CS	**AEC Map** **Cabbage Tree Road, Bayview, NSW** **Source: Nearmap, 2013**	Drawing No: FIGURE 3
Approved:	GT		
Date:	12.06.2014		
Scale:	Not to Scale		Job No: P1404179JR02V01

10 Attachment C – Historical Aerial Photographs

N

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Martens & Associates Pty Ltd ABN 85 070 240 890		**Environment | Water | Wastewater | Geotechnical | Civil | Management**	
Drawn:	CS	**Historical Aerials – 1947** **Source: NSW Department Lands**	Drawing No: Figure 4
Approved:	GT		
Date:	15/05/2014		
Scale:	Not to Scale		Job No: P1404179

N

martens

Martens & Associates Pty Ltd ABN 85 070 240 890		**Environment | Water | Wastewater | Geotechnical | Civil | Management**	
Drawn:	CS	**Historical Aerials – 1956** **Source: NSW Department Lands**	Drawing No: Figure 5
Approved:	GT		
Date:	15/05/2014		
Scale:	Not to Scale		Job No: P1404179

N

martens

Martens & Associates Pty Ltd ABN 85 070 240 890		**Environment | Water | Wastewater | Geotechnical | Civil | Management**	
Drawn:	CS	**Historical Aerials – 1982** **Source: NSW Department Lands**	Drawing No: Figure 6
Approved:	GT		
Date:	15/05/2014		
Scale:	Not to Scale		Job No: P1404179

N

martens

Martens & Associates Pty Ltd ABN 85 070 240 890		**Environment | Water | Wastewater | Geotechnical | Civil | Management**	
Drawn:	CS	**Historical Aerials – 2005** **Source: NSW Department Lands**	Drawing No: Figure 7
Approved:	GT		
Date:	15/05/2014		
Scale:	Not to Scale		Job No: P1404179

martens

Martens & Associates Pty Ltd ABN 85 070 240 890		**Environment | Water | Wastewater | Geotechnical | Civil | Management**	
Drawn:	CS	**Historical Aerials – Present** **Source: Nearmap (Nov 2013)**	Drawing No: Figure 8
Approved:	GT		
Date:	15/05/2014		
Scale:	Not to Scale		Job No: P1404179

11 Attachment D – PC – DA/BA/CC Records.

Business Hours:
8.00am to 6.00pm, Monday to Thursday
8.00am to 5.00pm, Friday

DA No: N0460/06

29 July 2008

NICHOLAS ASSOCIATES ARCHITECTS PTY LTD
GPO BOX 1967
SYDNEY NSW 2001

Dear Sir/Madam

Modification of Development Consent N0460/06 for Construction of a new Club House at 1825 PITTWATER ROAD BAYVIEW NSW 2104.

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: N0460/06

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

NOTICE TO APPLICANT OF DETERMINATION

OF A DEVELOPMENT APPLICATION

Applicant's Name and Address:
NICHOLAS ASSOCIATES ARCHITECTS PTY LTD, GPO BOX 1967 SYDNEY NSW 2001

Being the applicant in respect of Development Application No N0460/06

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 N0460/06 for Construction of a new Club House

At:-

Lot 2 DP 230607 and part Lot 1 DP 230607
1825 PITTWATER ROAD, BAYVIEW NSW 2104

Decision:

Drawings Numbered 2380.DA1 - 2380.DA7 inclusive All Issue A prepared by Hodges Shorten Architects Pty Ltd and dated 14.7.2006 as modified by Drawings No 1395B:08 DAD 1.01 - 1.07 Rev B and the following consultant reports:

- **Douglas Partners Pty Ltd - Geotechnical Report dated April 2006 and letter dated 26 March 2008**
- **Masson Wilson Twiney - Traffic and parking report dated 3 April 2006**
- **Access Associates Sydney Pty Ltd - Access Report dated April 2006 modified 27 March 2008**
- **Day Design Pty Ltd - Acoustic Report dated 22 June 2006 and modified 3 April 2008**
- **BCA Logic - Building Code of Australia Assessment Report dated 21 July 2006**
- **Cardino Lawson Trelor – Waste Management Report dated 5 July 2006**
- **Footprint Green Pty Ltd – Arborist Report dated 3 June 2006**

- **Travers Environmental Bushfire Protection report dated 4 April 2008**

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.

Endorsement of date of consent 7/12/2006 (Modified 29/07/2008)

Mark Ferguson
GENERAL MANAGER

Per:

Conditions of Approval

PART 1

THE COMMENCEMENT OF THIS CONSENT IS DEFERRED UNTIL THE CONSENT AUTHORITY IS SATISFIED AS TO COMPLIANCE WITH THE FOLLOWING CONDITION/S:

1. Evidence of the **registration** of a formal right of carriageway serving the subject site to facilitate access over the adjoining property 1819 – 1823 Pittwater Road, Mona Vale is to be provided to Council's satisfaction.

Upon receipt of evidence within 12 months from the date of this consent satisfying the above, the consent will become operative, subject to the conditions listed in Part 2 below.

The consent will lapse if evidence satisfying the above conditions is not received within the prescribed time period.

PART 2

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. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents. All works / regulatory signposting associated with the proposed development shall be at no cost to the RTA.

2. All works are to be carried out in accordance with the requirements of the Building Code of Australia.

3. 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.

4. 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 house, 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.

5. 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:

    a. in the case of work for which a principal contractor is required to be appointed:
    i. the name and licence number of the principal contractor, and
    ii. the name of the insurer by which the work is insured under Part 6 of that Act.

    b. in the case of work to be done by an owner-builder:
    i. the name of the owner-builder, and

ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

6. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) 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.

7. 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. (a) The Flood Planning level is 2.7m AHD.
   (b) The Probable Maximum Flood level is 2.6 m AHD.
   (c) The site is classified as Low hazard.

2. (a) All structural elements below the Flood Planning level shall be of flood compatible materials.

   (b) All structures must be designed and constructed to achieve low risk of damage and instability due to flood hazard.

   (c) All foundation structures, where the floor level is greater than 500mm above the existing ground level are to incorporate a suspended floor on open pier/pile footings to allow the flow of surface water and flood storage.

   (d) All electrical equipment, wiring, fuel lines or any service pipes and connections must be waterproofed to the Flood Planning level.

   (e) The storage of toxic or potentially polluting goods, materials or other products which may be hazardous or pollute floodwaters is not permitted below the Flood Planning level.

3. Where not previously obtained, street levels / driveway profiles must be obtained from Council for all access driveways across the public road verge from the road edge to the property boundary. Street levels provided must be incorporated into the design.

4. All construction of the access driveway across the public road verge must be undertaken by a Council authorised contractor.

5. The Golf Club Building is to operate between 7am and 10pm Monday to Thursday and Sunday. The club shall operate between 7am and midnight on Friday and Saturdays.

6. The outdoor terrace is not to be used by patrons past 10pm and should be limited to 100 patrons.

7. The outdoor balcony may be used until 12 midnight but shall be limited to 40 patrons. All doors to the Balcony, accept the North East most door **are to be closed and locked at 10pm.**.

8. The level of music within the function rooms should be limited to 100 dBA when measured 3m from the speakers.

9. The lounge should have a maximum 120 patrons in accordance with the numbers used in the Acoustic Report prepared by Day Design Pty Ltd and dated 22 June 2006.

10. The function room should have a maximum 140 patrons in accordance with the numbers used in the Acoustic Report prepared by Day Design Pty Ltd and dated 22 June 2006.

11. The plan of management addressing the administrative noise controls as recommended in the Acoustic Report prepared by Day Design Pty Ltd is to be implemented **for the life of the development.**

12. Delivery vehicles are not permitted **on site** past 6pm on any day.

13. 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.

14. 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. 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 (Environment Protection Authority 2000).

15. A separate Development Application is required for the fit out and construction of all proposed food areas.

16. **The proposal shall comply with the noise control recommendations detailed in the Environmental Noise Impact report No. 3535 prepared by Day Design Pty Ltd dated 22 June 2006 and as modified 3 April 2008.**

17. Walls in and adjoining proposed food handling areas must be of solid construction.

18. Cupboards, cabinets and counter construction in food handling areas must be free of voids, cracks and crevices and designed so they can be easily cleaned and not provide harbourage for vermin.

19. The ceiling over all food handling areas (including over the servery and bar) must be smooth finish easy to clean.

20. Hand washbasins must be provided in the food servery area, the food preparation area and immediately adjacent to the toilet located within the unit.

21. Hand washbasins in food handling areas and toilets used by food handlers must be provided with:

    i) an adequate supply of potable water at a temperature of at least 40 degrees Celsius, delivered through a single spout;

ii) taps that operate hands free;
iii) a supply of liquid soap; and
iv) single use hand towel or other approved air drying equipment.

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

23. 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.

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

25. 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.

26. Waste must be stored in a dedicated area that is provided with a hose tap connected to the water supply, is paved with an impervious material, graded and drained to sewer and is designed and constructed it is easy to clean. It must be provided with a roof to prevent stormwater entering the sewer.

27. Access Provisions for People with Disabilities in compliance with BCA, 1428.1 - 'Design for Access and Mobility' and the Accessibility Control are to be maintained for the life of the development.

28. Design details and technical specifications relevant to recommendations in the Access Report must be submitted to the Accredited Access Adviser for confirmation at Construction Certificate stage.

29. Water conservation devices with an AAA rating must be installed, including tap flow regulators, shower head roses and dual flush toilets. All new hot water systems are to have a minimum rating of 3.5 stars.

30. Screen planting to a height of 4.0m is to be provided along the southern boundary, adjacent to the four surface car parking spaces and adjoining the proposed golf cart entrance associated with the development at 1819 1823 Pittwater Road, Mona Vale.

31. All plumbing and drainage fixtures are to be concealed and not exposed to public view on buildings over one storey in height.

32. All external glazing is to have a maximum reflectivity index of 25%.

33. Materials and colour schemes are to be in accordance with the samples submitted to Council with the application. No white or light coloured roofs are permitted.

34. Roofs to all structures are to be of dark grey, brown and/or green tones only.

35. Timber log retaining walls are not permitted and are not to be included in the proposed development.

36. Forty (40) locally native canopy trees are to planted on the site. Canopy tree species are to be from the vegetation community(s) on the site as per the lists in the Pittwater Book Native Plants for Your Garden - book available from Council and on the Pittwater Web Site. 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.

37. Any vegetation planted outside approved landscape zones is to be consistent with:
    d. Species listed in the Ecological Sustainability Plan
    e. Species listed from the Endangered Ecological Community
    f. 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.

38. Over the life of the development all declared noxious weeds under are to be managed / removed in accordance with the Noxious Weeds Act 1993. Environmental weeds are to be removed and/or controlled.

39. No environmental weeds are to be planted on the site.

40. For the life of the development no bush rock is to be removed or destroyed without prior approval from NSW Department of Environment and Conservation and Pittwater Council. The removal or destruction of bush rock has been listed as a Key Threatening Process under the NSW Threatened Species Conservation Act, 1995.

41. Fencing is to be passable by Native Wildlife and comply with:
    Type 1 , Type 2 or Type 3 fencing as per fencing guidelines on the Pittwater web page.

42. Except in relation to satisfying requirements of condition E10 plant and equipment must not be erected on the rooftop of the clubhouse.

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. Details showing site stormwater management are to be submitted to the Accredited Certifier or Council as part of the Construction Certificate application. Such details are to be accompanied by a certificate from qualified practising Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), 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 The Cardno Willing Partners water management assessment of July 2006.

2. The proposed fourth leg access to the Pittwater Road / Mona Street roundabout must be constructed in accordance with the Ground Floor Plan (Drawing No: 2380.DA4, Issue A, Dated 12/7/06).

3. The proposed fourth leg access at the Pittwater Road / Mona Street roundabout are to be designed to meet the RTAs requirements, and endorsed by a suitably qualified and charted Engineer (i.e. who is registered with the Institute of Engineers, Australia). The design requirements shall be in accordance with the RTAs Road Design Guide and other Australian Codes of Practice. The certified copies of the civil design plans shall be submitted to the RTA for consideration and approval prior to the release of construction certificate by Council and commencement of road works.

4. Civil engineering details of the proposed excavation/landfill are to be submitted to the Accredited Certifier or Council with the Construction Certificate application. Each plan/sheet is to be signed by a qualified practising Civil Engineer who has corporate membership of the Institution of Engineers Australia (M.I.E) or who is eligible to become a corporate member and has appropriate experience and competence in the related field.

5. A section 138 Certificate from the RTA is to be provided to the Principal certifying authority, for the proposed roadworks and connection to the roundabout in Pittwater Rd, prior to issue of a construction certificate.

6. 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.

7. A Section 73 Compliance Certificate is required to be obtained from Sydney Water confirming the development meets Sydney Water's detailed requirements including correctly sized water and wastewater mains, extension or amplifications to existing water and wastewater systems where necessary, building over/adjacent to Sydney Water's existing infrastructure, payment of Sydney Water charges and the completion of any other requirements.

8. *New Buildings* Certification from the Accredited Access Adviser that design details and specifications comply with the Accessibility Control and the DA Access Report, must be submitted to the Principal Certifying Authority before the issue of the Construction Certificate.

9. **The development shall comply with the recommendations of the Acoustic Report prepared by Day Design Pty Ltd dated 22 June 2006 and modified 3 April 2008, with respect to the noise control recommendations of Section 7 of this report.**

10. A designated wash bays for the golf carts must be provided on site and be designed and constructed to ensure polluted waters do not enter the stormwater drain.

11. The landscape plan is to be amended to provide for greater utilisation of Eucalyptus punctata (Grey Gum) and Eucalyptus robusta (Swamp Mahogany) as canopy tree species. The amended landscape plan is to be submitted for approval prior to release of the construction certificate and is to ensure any landscaping works are made up of 80% locally native plant species (ie species included in the endangered ecological community). The 2 Livistona australis (Cabbage Tree Palm) proposed to be removed as part of the proposed works are to be transplanted and incorporated into the landscape works for the site. The landscape plan to include an additional 2 Magenta Lilli Pillis (*syzigium paniculatum*).

12. The provision of a 1.5m wide concrete footpath on the western side of Pittwater Rd extending between the existing bus stop located 200m to the north of the Pittwater Rd/Mona St roundabout and the footpath required on the western side of Pittwater Rd under Development Consent N0521/04 at 1819 to 1823 Pittwater Rd, Mona Vale.

    The footpath, including the restoration and turfing of the nature strip, is to be completed prior to the issue of an occupation certificate.

    Details of the required works are to be submitted to Council and approved by Council prior to the release of the construction certificate.

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. The fill material imported to the site is to consist of clean fill material only, that is, non-contaminated excavated material and soil, rock or similar material. Putrescible and non-putrescible solid waste (including demolition material) is not permitted.

2. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

3. Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must preserve and protect the building from damage and, if necessary, underpin and support the adjoining building in an approved manner.

4. Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site.

5. 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 Authoritys satisfaction.

6. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.

7. 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.

8. 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.

9. No works are to be carried out in Councils Road Reserve without the written approval of the Council.

10. A Road Opening Permit, issued by Council, must be obtained for any road openings, or excavation within Councils 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.

11. No skip bins or materials are to be stored on Councils Road Reserve.

12. A site fence and silt and sediment control fence is to be erected and maintained during the course of works along any street boundary and park/reserve boundary to the site.

13. Access to the site through an adjoining park/reserve is prohibited without the written approval of the Council

14. 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: -
    The builders name, builders telephone contact number both during work hours and after hours.
    That no works are to be carried out in Councils Road Reserve without the written approval of the Council.
    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.
    That no skip bins or materials are to be stored on Councils Road Reserve.
    That the contact number for Pittwater Council for permits is 9970 1111.

15. All construction in the public road reserve must be undertaken by a Council authorised contractor.

16. 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:
    - Quantity of material to be transported
    - Proposed truck movements per day
    - Proposed hours of operation
    - Proposed traffic routes, noting that 3 tonne load limits apply to some roads within Warriewood Valley

    This plan must be adhered to by all parties associated with the development. No truck movements will be permitted in Garden Street south of Mullet Creek or in Mona Vale Road between Tumbledown Dick and Mona Vale.

17. A 1350mm Sydney Water sewer main transverse the development site. Based on the available information, Sydney Water expects that the proposed development is likely to impact on this asset. The development will be required to comply with Sydney Water's guidelines for building over or adjacent to Sydney Water's assets.

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. The applicant is required to do either of the following at the election of the owners of Units 12, 13 and 14 No. 1819-1823 Pittwater Road, Mona Vale and Unit 12 of the proposed multi-unit housing at 1825 Pittwater Road:

    (i) sound rated glazing (e.g 6.4mm laminated glass with acoustic seals) be provided to the residential windows of habitable rooms facing the surface carpark; or
    (ii) pay the reasonable costs of installing the glazing.

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. 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.

4. All parking areas and driveways are to be sealed to an all weather standard, line marked, signposted and maintained prior to occupation/use of the site.

5. A letter from the RTA is to be provided to the Principal Certifying authority that they are satisfied with the roadworks in Pittwater Rd prior to issue of a occupation certificate.

6. Plans together with street levels provided by Council and a certificate submitted by a Chartered Professional Engineer confirming to the satisfaction of the Principal Certifying Authority that the works in the public road reserve comply with Council requirements and street levels are to be provided with the Occupation Certificate application.

7. Prior to issue of an Occupation Certificate photographic evidence of the condition of the street trees and road reserve and area adjoining the site after the completion of all construction, must be submitted to the Principal Certifying Authority showing that no damage has been done and if damage has been done that it has been fully remediated. The photographs shall be accompanied by a statement that no damage has been done (or where damage has been remediated that Council has approved that work). In this regard Councils written agreement

that all restorations have been completed satisfactorily must be obtained prior to the issue of any Occupation Certificate.

8. Restoration of all damaged public infrastructure caused as a result of the development to Councils satisfaction. Councils written approval that all restorations have been completed satisfactorily must be obtained must be provided to the Private Certifying Authority with the Occupation Certificate application.

9. 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.

10. Documentation supplied by a practicing mechanical engineer certifying that all mechanical exhaust ventilation systems, as installed, complies with AS 1668, must be provided to the certifying authority prior to the issue of the Occupation Certificate. Documentation supplied by an appropriately qualified noise consultant confirming that compliance with the noise control recommendations detailed in the Environmental Noise Impact report No. 3535 prepared by Day Design Pty Ltd dated 22 June 2006 has been achieved and modified 3 April 2008, has been achieved.

11. Street numbers are to be affixed to the building prior to occupation.

12. Certification from an Accredited Access Adviser that the completed development complies with the requirements of the development consent.

13. All external face brick walls are to be properly cleaned down following completion of the wall and prior to occupation.

14. The footpath described in C12 is to be provided at the applicants cost prior to Occupation.

15. That the recommendations provided within Section 7 of the Acoustic report prepared by Day Design Pty Ltd dated 22 June 2006 and modified 3 April 2008 be certified as being completed.

16. Prior to release of the Occupation Certificate the applicant is to provide documented evidence from a qualified and experienced building surveyor that the construction and fit out of the premise complies with the Smoke-free Environment Act 2000 and the Smoke-free Environment Regulation 2007.

F. Matters to be satisfied prior to the issue of Subdivision Certificate:

Nil

G. Advice:

1. Portions of the site may be liable to flooding from the 1% AEP and the PMF (Probable Maximum Flood) and effective precautions should be taken by the owner(s) and/or occupier(s) of the building to reduce any potential risk to personal safety and to minimise any property damage to the structure, its fixtures and contents.

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 action through the Land and Environment Court, again pursuant to the above legislation.

3. The applicant is also advised 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 Manager's 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 80A(1)(d) and (e) of the Act, any consent given shall be void if the development to which it refers is not commenced within two (2) years after the date of approval, provided that Council may, if good cause be shown, grant an extension of renewal of such consent beyond such period.

   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 Water's 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 then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.

10. You are reminded of your obligations under the objectives of the Disability Discrimination Act (DDA)1992.

11. Electrical insect killing light devices should not be outside and not installed anywhere that they can attract and kill micro-bats and killing insects reduces bat food and insects.

12. Gravel used onsite must be inert material such as quartz or sandstone. No blue metal or granite or other igneous material should be used as these release nutrient that can pollute waterways and contribute to weed plumes.

CONSENT NO: N0460/06
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED)
NOTICE TO APPLICANT OF DETERMINATION
OF A DEVELOPMENT APPLICATION

Applicants Name and Address:
HODGES SHORTEN ARCHITECTS PTY LTD
82/47 NERIDAH STREET
CHATSWOOD 2067

Being the applicant in respect of Development Application No **N0460/06**

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of Development Application No **N0460/06** for:

Construction of a clubhouse

At: 1825 PITTWATER ROAD, BAYVIEW (Lot 2 DP 230607)

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 Numbered 2380.DA1 - 2380.DA7 inclusive All Issue A prepared by Hodges Shorten Architects Pty Ltd and dated 14.7.2006 and the following consultant reports:

- **Douglas Partners Pty Ltd - Geotechnical Report dated April 2006**
- **Masson Wilson Twiney - Traffic and parking report dated 3 April 2006**
- **Access Associates Sydney Pty Ltd - Access Report dated April 2006**
- **Day Design Pty Ltd - Acoustic Report dated 22 June 2006**
- **BCA Logic - Building Code of Australia Assessment Report dated 21 July 2006**
- **Cardino Lawson Trelor – Waste Management Report dated 5 July 2006**
- **Footprint Green Pty Ltd – Arborist Report dated 3 June 2006**

as amended in red (shown clouded) or as modified by any conditions of this consent.

The reason for the imposition of the attached 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 1979 (as amended), 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.

Endorsement of date of consent **07/12/2006**

Mark Ferguson
GENERAL MANAGER

Per:

Conditions of Approval

PART 1

THE COMMENCEMENT OF THIS CONSENT IS DEFERRED UNTIL THE CONSENT AUTHORITY IS SATISFIED AS TO COMPLIANCE WITH THE FOLLOWING CONDITION/S:

1. Evidence of the **registration** of a formal right of carriageway serving the subject site to facilitate access over the adjoining property 1819 – 1823 Pittwater Road, Mona Vale is to be provided to Council's satisfaction.

Upon receipt of evidence within 12 months from the date of this consent satisfying the above, the consent will become operative, subject to the conditions listed in Part 2 below.

The consent will lapse if evidence satisfying the above conditions is not received within the prescribed time period.

PART 2

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. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents. All works / regulatory signposting associated with the proposed development shall be at no cost to the RTA.

2. All works are to be carried out in accordance with the requirements of the Building Code of Australia.

3. 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.

4. 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 house, 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.

5. 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:

    a. in the case of work for which a principal contractor is required to be appointed:
    i. the name and licence number of the principal contractor, and
    ii. the name of the insurer by which the work is insured under Part 6 of that Act.

    b. in the case of work to be done by an owner-builder:
    i. the name of the owner-builder, and
    ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

6. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) 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.

7. 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. (a) The Flood Planning level is 2.7m AHD.
   (b) The Probable Maximum Flood level is 2.6 m AHD.
   (c) The site is classified as Low hazard.

2. (a) All structural elements below the Flood Planning level shall be of flood compatible materials.

   (b) All structures must be designed and constructed to achieve low risk of damage and instability due to flood hazard.

   (c) All foundation structures, where the floor level is greater than 500mm above the existing ground level are to incorporate a suspended floor on open pier/pile footings to allow the flow of surface water and flood storage.

   (d) All electrical equipment, wiring, fuel lines or any service pipes and connections must be waterproofed to the Flood Planning level.

   (e) The storage of toxic or potentially polluting goods, materials or other products which may be hazardous or pollute floodwaters is not permitted below the Flood Planning level.

3. Where not previously obtained, street levels / driveway profiles must be obtained from Council for all access driveways across the public road verge from the road edge to the property boundary. Street levels provided must be incorporated into the design.

4. All construction of the access driveway across the public road verge must be undertaken by a Council authorised contractor.

5. The Golf Club Building is to operate between 7am and 10pm Monday to Thursday and Sunday. The club shall operate between 7am and midnight on Friday and Saturdays.

6. The outdoor terrace is not to be used by patrons past 10pm and should be limited to 100 patrons.

7. The outdoor balcony may be used until 12 midnight but shall be limited to 40 patrons. All doors to the Balcony, accept the North East most door **are to be closed and locked at 10pm.**.

8. The level of music within the function rooms should be limited to 100 dBA when measured 3m from the speakers.

9. The lounge should have a maximum 120 patrons in accordance with the numbers used in the Acoustic Report prepared by Day Design Pty Ltd and dated 22 June 2006.

10. The function room should have a maximum 140 patrons in accordance with the numbers used in the Acoustic Report prepared by Day Design Pty Ltd and dated 22 June 2006.

11. The plan of management addressing the administrative noise controls as recommended in the Acoustic Report prepared by Day Design Pty Ltd is to be implemented **for the life of the development.**

12. Delivery vehicles are not permitted **on site** past 6pm on any day.

13. 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.

14. 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. 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 (Environment Protection Authority 2000).

15. A separate Development Application is required for the fit out and construction of all proposed food areas.

16. The proposal shall comply with the noise control recommendations detailed in the Environmental Noise Impact report No. 3535 prepared by Day Design Pty Ltd dated 22 June 2006.

17. Walls in and adjoining proposed food handling areas must be of solid construction.

18. Cupboards, cabinets and counter construction in food handling areas must be free of voids, cracks and crevices and designed so they can be easily cleaned and not provide harbourage for vermin.

19. The ceiling over all food handling areas (including over the servery and bar) must be smooth finish easy to clean.

20. Hand washbasins must be provided in the food servery area, the food preparation area and immediately adjacent to the toilet located within the unit.

21. Hand washbasins in food handling areas and toilets used by food handlers must be provided with:

    i) an adequate supply of potable water at a temperature of at least 40 degrees Celsius, delivered through a single spout;
    ii) taps that operate hands free;
    iii) a supply of liquid soap; and
    iv) single use hand towel or other approved air drying equipment.

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

23. 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.

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

25. 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.

26. Waste must be stored in a dedicated area that is provided with a hose tap connected to the water supply, is paved with an impervious material, graded and drained to sewer and is designed and constructed it is easy to clean. It must be provided with a roof to prevent stormwater entering the sewer.

27. Access Provisions for People with Disabilities in compliance with BCA, 1428.1 - 'Design for Access and Mobility' and the Accessibility Control are to be maintained for the life of the development.

28. Design details and technical specifications relevant to recommendations in the Access Report must be submitted to the Accredited Access Adviser for confirmation at Construction Certificate stage.

29. Water conservation devices with an AAA rating must be installed, including tap flow regulators, shower head roses and dual flush toilets. All new hot water systems are to have a minimum rating of 3.5 stars.

30. Screen planting to a height of 4.0m is to be provided along the southern boundary, adjacent to the four surface car parking spaces and adjoining the proposed golf cart entrance associated with the development at 1819 1823 Pittwater Road, Mona Vale.

31. All plumbing and drainage fixtures are to be concealed and not exposed to public view on buildings over one storey in height.

32. All external glazing is to have a maximum reflectivity index of 25%.

33. Materials and colour schemes are to be in accordance with the samples submitted to Council with the application. No white or light coloured roofs are permitted.

34. Roofs to all structures are to be of dark grey, brown and/or green tones only.

35. Timber log retaining walls are not permitted and are not to be included in the proposed development.

36. Forty (40) locally native canopy trees are to planted on the site. Canopy tree species are to be from the vegetation community(s) on the site as per the lists in the Pittwater Book Native Plants for Your Garden - book available from Council and on the Pittwater Web Site. 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.

37. Any vegetation planted outside approved landscape zones is to be consistent with:
    d. Species listed in the Ecological Sustainability Plan
    e. Species listed from the Endangered Ecological Community
    f. 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.

38. Over the life of the development all declared noxious weeds under are to be managed / removed in accordance with the Noxious Weeds Act 1993. Environmental weeds are to be removed and/or controlled.

39. No environmental weeds are to be planted on the site.

40. For the life of the development no bush rock is to be removed or destroyed without prior approval from NSW Department of Environment and Conservation and Pittwater Council. The removal or destruction of bush rock has been listed as a Key Threatening Process under the NSW Threatened Species Conservation Act, 1995.

41. Fencing is to be passable by Native Wildlife and comply with:
    Type 1 , Type 2 or Type 3 fencing as per fencing guidelines on the Pittwater web page.

42. Except in relation to satisfying requirements of condition E10 plant and equipment must not be erected on the rooftop of the clubhouse.

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. Details showing site stormwater management are to be submitted to the Accredited Certifier or Council as part of the Construction Certificate application. Such details are to be accompanied by a certificate from qualified practising Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), 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 The Cardno Willing Partners water management assessment of July 2006.

2. The proposed fourth leg access to the Pittwater Road / Mona Street roundabout must be constructed in accordance with the Ground Floor Plan (Drawing No: 2380.DA4, Issue A, Dated 12/7/06).

3. The proposed fourth leg access at the Pittwater Road / Mona Street roundabout are to be designed to meet the RTAs requirements, and endorsed by a suitably qualified and charted Engineer (i.e. who is registered with the Institute of Engineers, Australia). The design requirements shall be in accordance with the RTAs Road Design Guide and other Australian Codes of Practice. The certified copies of the civil design plans shall be submitted to the RTA for consideration and approval prior to the release of construction certificate by Council and commencement of road works.

4. Civil engineering details of the proposed excavation/landfill are to be submitted to the Accredited Certifier or Council with the Construction Certificate application. Each plan/sheet is to be signed by a qualified practising Civil Engineer who has corporate membership of the Institution of Engineers Australia (M.I.E) or who is eligible to become a corporate member and has appropriate experience and competence in the related field.

5. A section 138 Certificate from the RTA is to be provided to the Principal certifying authority, for the proposed roadworks and connection to the roundabout in Pittwater Rd, prior to issue of a construction certificate.

6. 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.

7. A Section 73 Compliance Certificate is required to be obtained from Sydney Water confirming the development meets Sydney Water's detailed requirements including correctly sized water and wastewater mains, extension or amplifications to existing water and wastewater systems where necessary, building over/adjacent to Sydney Water's existing infrastructure, payment of Sydney Water charges and the completion of any other requirements.

8. *New Buildings* Certification from the Accredited Access Adviser that design details and specifications comply with the Accessibility Control and the DA Access Report, must be submitted to the Principal Certifying Authority before the issue of the Construction Certificate.

9. The development shall comply with the recommendations of the Acoustic Report prepared by Day Design Pty Ltd and dated 22 June 2006 with respect the noise control recommendations of Section 7 of this report.

10. A designated wash bays for the golf carts must be provided on site and be designed and constructed to ensure polluted waters do not enter the stormwater drain.

11. The landscape plan is to be amended to provide for greater utilisation of Eucalyptus punctata (Grey Gum) and Eucalyptus robusta (Swamp Mahogany) as canopy tree species. The amended landscape plan is to be submitted for approval prior to release of the construction certificate and is to ensure any landscaping works are made up of 80% locally native plant species (ie species included in the endangered ecological community). The 2 Livistona australis (Cabbage Tree Palm) proposed to be removed as part of the proposed works are to be transplanted and incorporated into the landscape works for the site. The landscape plan to include an additional 2 Magenta Lilli Pillis (*syzigium paniculatum*).

12. The provision of a 1.5m wide concrete footpath on the western side of Pittwater Rd extending between the existing bus stop located 200m to the north of the Pittwater Rd/Mona St roundabout and the footpath required on the western side of Pittwater Rd under Development Consent N0521/04 at 1819 to 1823 Pittwater Rd, Mona Vale.

    The footpath, including the restoration and turfing of the nature strip, is to be completed prior to the issue of an occupation certificate.

    Details of the required works are to be submitted to Council and approved by Council prior to the release of the construction certificate.

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. The fill material imported to the site is to consist of clean fill material only, that is, non-contaminated excavated material and soil, rock or similar material. Putrescible and non-putrescible solid waste (including demolition material) is not permitted.

2. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

3. Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must preserve and protect the building from damage and, if necessary, underpin and support the adjoining building in an approved manner.

4. Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site.

5. 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 Authoritys satisfaction.

6. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.

7. 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.

8. 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.

9. No works are to be carried out in Councils Road Reserve without the written approval of the Council.

10. A Road Opening Permit, issued by Council, must be obtained for any road openings, or excavation within Councils 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.

11. No skip bins or materials are to be stored on Councils Road Reserve.

12. A site fence and silt and sediment control fence is to be erected and maintained during the course of works along any street boundary and park/reserve boundary to the site.

13. Access to the site through an adjoining park/reserve is prohibited without the written approval of the Council

14. 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: -
    The builders name, builders telephone contact number both during work hours and after hours.
    That no works are to be carried out in Councils Road Reserve without the written approval of the Council.
    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.
    That no skip bins or materials are to be stored on Councils Road Reserve.
    That the contact number for Pittwater Council for permits is 9970 1111.

15. All construction in the public road reserve must be undertaken by a Council authorised contractor.

16. 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:
    - Quantity of material to be transported
    - Proposed truck movements per day
    - Proposed hours of operation
    - Proposed traffic routes, noting that 3 tonne load limits apply to some roads within Warriewood Valley

    This plan must be adhered to by all parties associated with the development. No truck movements will be permitted in Garden Street south of Mullet Creek or in Mona Vale Road between Tumbledown Dick and Mona Vale.

17. A 1350mm Sydney Water sewer main transverse the development site. Based on the available information, Sydney Water expects that the proposed development is likely to impact on this asset. The development will be required to comply with Sydney Water's guidelines for building over or adjacent to Sydney Water's assets.

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. The applicant is required to do either of the following at the election of the owners of Units 12, 13 and 14 No. 1819-1823 Pittwater Road, Mona Vale and Unit 12 of the proposed multi-unit housing at 1825 Pittwater Road:

    (i) sound rated glazing (e.g 6.4mm laminated glass with acoustic seals) be provided to the residential windows of habitable rooms facing the surface carpark; or
    (ii) pay the reasonable costs of installing the glazing.

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. 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.

4. All parking areas and driveways are to be sealed to an all weather standard, line marked, signposted and maintained prior to occupation/use of the site.

5. A letter from the RTA is to be provided to the Principal Certifying authority that they are satisfied with the roadworks in Pittwater Rd prior to issue of a occupation certificate.

6. Plans together with street levels provided by Council and a certificate submitted by a Chartered Professional Engineer confirming to the satisfaction of the Principal Certifying Authority that the works in the public road reserve comply with Council requirements and street levels are to be provided with the Occupation Certificate application.

7. Prior to issue of an Occupation Certificate photographic evidence of the condition of the street trees and road reserve and area adjoining the site after the completion of all construction, must be submitted to the Principal Certifying Authority showing that no damage has been done and if damage has been done that it has been fully remediated. The photographs shall be accompanied by a statement that no damage has been done (or where damage has been remediated that Council has approved that work). In this regard Councils written agreement that all restorations have been completed satisfactorily must be obtained prior to the issue of any Occupation Certificate.

8. Restoration of all damaged public infrastructure caused as a result of the development to Councils satisfaction. Councils written approval that all restorations have been completed satisfactorily must

be obtained must be provided to the Private Certifying Authority with the Occupation Certificate application.

9. 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.

10. Documentation supplied by a practicing mechanical engineer certifying that all mechanical exhaust ventilation systems, as installed, complies with AS 1668, must be provided to the certifying authority prior to the issue of the Occupation Certificate. Documentation supplied by an appropriately qualified noise consultant confirming that compliance with the noise control recommendations detailed in the Environmental Noise Impact report No. 3535 prepared by Day Design Pty Ltd dated 22 June 2006 has been achieved.

11. Street numbers are to be affixed to the building prior to occupation.

12. Certification from an Accredited Access Adviser that the completed development complies with the requirements of the development consent.

13. All external face brick walls are to be properly cleaned down following completion of the wall and prior to occupation.

14. The footpath described in C12 is to be provided at the applicants cost prior to Occupation.

15. That the recommendations provided within Section 7 of the Acoustic report prepared by Day Design Pty Ltd dated 22 June 2006 be certified as being completed.

F. Matters to be satisfied prior to the issue of Subdivision Certificate:

Nil

G. Advice:

1. Portions of the site may be liable to flooding from the 1% AEP and the PMF (Probable Maximum Flood) and effective precautions should be taken by the owner(s) and/or occupier(s) of the building to reduce any potential risk to personal safety and to minimise any property damage to the structure, its fixtures and contents.

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 action through the Land and Environment Court, again pursuant to the above legislation.

3. The applicant is also advised 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 Manager's 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 80A(1)(d) and (e) of the Act, any consent given shall be void if the development to which it refers is not commenced within two (2) years after the date of approval, provided that Council may, if good cause be shown, grant an extension of renewal of such consent beyond such period.

   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 Water's 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 then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.

10. You are reminded of your obligations under the objectives of the Disability Discrimination Act (DDA)1992.

11. Electrical insect killing light devices should not be outside and not installed anywhere that they can attract and kill micro-bats and killing insects reduces bat food and insects.

12. Gravel used onsite must be inert material such as quartz or sandstone. No blue metal or granite or other igneous material should be used as these release nutrient that can pollute waterways and contribute to weed plumes.

CONSENT NO: N0751/10
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED)
NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION

Applicants Name and Address:
BAYVIEW GOLF CLUB LTD
BAYVIEW GOLF CLUB HOUSE DARLEY STREET
MONA VALE 2103

Being the applicant in respect of Development Application No **N0751/10**

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of Development Application No **N0751/10** for:

Alterations and additions to existing maintenance facility to golf club

At: 1825 PITTWATER ROAD, BAYVIEW (Lot A DP 339874), 52 CABBAGE TREE ROAD, BAYVIEW (Lot 1 DP 662920)

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
Plan numbered DA1, dated 14 December 2010 and drawn by David Naylor Architects.
as amended in red (shown clouded) or as modified by any conditions of this consent.

The reason for the imposition of the attached 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 1979 (as amended), 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.

Endorsement of date of consent 4 May 2011

Mark Ferguson
GENERAL MANAGER
Per:

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. 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:

    a. in the case of work for which a principal contractor is required to be appointed:

i. The name and licence number of the principal contractor, and

ii. The name of the insurer by which the work is insured under Part 6 of that Act.

b. in the case of work to be done by an owner-builder:

i. The name of the owner-builder, and

ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

5. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) 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.

6. 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. The Flood Planning level is 2.7 m AHD. The site is classified as High hazard. The minimum floor level for all new structures, shall be at or above the Flood Planning level.

2.

a. All structural elements below the Flood Planning level shall be of flood compatable materials.

b. All structures must be designed and constructed to achieve low risk of damage and instability due to flood hazard.

c. All foundation structures, where the floor level is greater than 500mm above the existing ground level are to incorporate a suspended floor on open pier/pile footings to allow the flow of surface water and flood storage.

d. All electrical equipment, wiring, fuel lines or any service pipes and connections must be waterproofed to the Flood Planning level.

e. The storage of toxic or potentially polluting goods, materials or other products which may be hazardeous or pollute floodwaters is not permitted below the Flood Planning level.

3. The Stormwater Harvesting and Reuse Scheme shall be installed and operated in accordance with the accepted design, Environmental and Health Risk Management Plan, Operation and Maintenance Plan, Manufacturer\'s Specifications and associated operational guidelines.

4. The Stormwater Harvesting and Reuse Scheme shall be maintained as appropriate in accordance with best practice to ensure optimum performance of the stormwater treatment system.

5. As part of the integrated stormwater management plan, suitably positioned stormwater quality improvement devices shall be installed and operated in accordance with Manufacturer\'s Specifications and associated operational guidelines.

6. The internal driveway is to be constructed to an all weather standard finish to be of dark or earthy tones, linemarked and signposted.

7. Reasonable steps are to be taken to minimise the generation of dust in the air arising from the storage of materials and operation of the facility. All chemicals, paints and potentially hazardous liquids shall be stored in approved receptacles in an area that is bunded or has a spill containment system that will minimise the risk of pollution from liquid spills and leaks. Where applicable, the construction of bunds must comply with the requirements of: - Australian Standard AS 1940D1993: The Storage and Handling of Flammable Goods and Combustible Liquids; - Australian Standard AS 4452B1997: The Storage and Handling of Toxic Substances; and - The Dangerous Goods Act 1975.

8. No water pollution shall result from the operation of any plant or equipment or activity carried out.

9. Noise from the operation of any plant or equipment at the premises shall comply with the noise provisions of the Protection of the Environment Operations Act, 1993.

10. No odour nuisance to the public or any adjoining premises, shall be created by the operation of any plant or equipment or any procedure carried out at the premises.

11. If any Aboriginal Engravings or Relics are unearthed all work is to cease immediately and the Metropolitan Local Aboriginal Land Council (MLALC) and Department of Environment & Climate Change (DECC) are to be notified.

12. At least six (6) locally native canopy trees are to be planted onsite to replace two (2) trees approved for removal. Canopy tree species are to be selected from the list pertaining to the vegetation community growing in the locality as per the vegetation mapping and the Native Plants for Your Garden link on Council's website http://www.pittwater.nsw.gov.au/environment/species_lists. 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.

13. There shall be no damage to Wetland habitats for the life of the development.

14. Any vegetation planted onsite outside approved landscape zones is to be consistent with:

    a. Species listed in the Ecological Sustainability Plan or Bushland Management Plan (if applicable)

    b. Species listed from the Endangered Ecological Community

    c. Locally native species growing onsite and/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 available on the Pittwater Council website http://www.pittwater.nsw.gov.au/environment/species_lists

15. No building materials or other materials are to be placed on Wetland vegetation. Sediment is not to leave the site or enter areas of Wetland vegetation, and the appropriate sediment fencing is to be installed.

16. Prior to the completion of works, all declared noxious weeds are to be removed/controlled in accordance with the Noxious Weeds Act 1993. Environmental weeds are to be removed and controlled. Refer to Pittwater Council website http://www.pittwater.nsw.gov.au/environment/noxious_weeds for noxious/environmental weed lists.

17. No environmental weeds are to be planted on the site. Refer to Pittwater Council website http://www.pittwater.nsw.gov.au/environment/noxious_weeds for environmental weed lists.

18. 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.

19. Above ground car wash bays are to be covered with a roof to prevent stormwater entering the sewer.

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. Engineering plans including specifications and details of all the elements of the stormwater drainage system are to be submitted to the Accredited Certifier or Council with the Construction Certificate application. Such details are to be accompanied by a certification by a qualified experienced practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E.) or who is eligible to become a corporate member and has appropriate experience and competence in the related field, confirming that the plans/details comply with B5.14 of Pittwater 21 DCP.

   Note: Where Council is the Principal Certifying Authority, 3 sets of engineering plans are to be submitted.

2. Prior to the issue of the Construction Certificate the applicant is to carry out an investigation to determine whether acid sulphate soils are present in the area to be excavated. If the investigation reveals acid sulphate soils are present, an acid sulphate soils management plan addressing management of acid sulphate soils during and following excavation is to be prepared by a suitably qualified consultant and submitted for approval prior to the release of the construction certificate.

3. 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.

4. Any proposed demolition works shall be carried out in accordance with the requirements of AS2601-2001 *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.

5. Evidence is to be submitted with the application for the Construction Certificate, including amended plans where necessary, demonstrating compliance with Condition B1.

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.

5. The finished surface materials, including colours and texture of any building, 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. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.

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

   All waste dockets and receipts regarding demolition, excavation and construction waste are to be retained on site to confirm which facility received the material for recycling or disposal.

   The ongoing operation of Recycling and Waste Management Services is to be undertaken in accordance with the Waste Management Plan.

4. No works are to be carried out in Council\'s Road Reserve without the written approval of the Council.

5. No skip bins or materials are to be stored on Council\'s Road Reserve.

6. 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:
    - The builder\'s name, builder\'s telephone contact number both during work hours and after hours.
    - That no works are to be carried out in Council\'s Road Reserve without the written approval of the Council.
    - That a Road Opening Permit issued by Council must be obtained for any road openings or excavation within Council\'s 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.
    - That no skip bins or materials are to be stored on Council\'s Road Reserve.
    - That the contact number for Pittwater Council for permits is 9970 1111.

7. Any soil disturnace within 5 metres of any tree to be retained is to be undertaken by hand. If any structural roots greater than 50mm diameter are encountered then a suitably qualified arborist is to be consulted to provide advice. Any new structures located within the dripline of any trees to be retained are to incorporate pier and beam construction so as to bridge any structural roots.

8. A stamped copy of the approved plans is to be kept on the site at all times, during construction.

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 the issue of an Occupation Certificate a certificate by a Registered Surveor stating that the finished floor level is at or above the PMF level is to be provided to the Private Certifying Authority.

2. Certification is to be provided to the Private Certifying Authority by a qualified experienced practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E.), or who is eligible to become a corporate member and has appropriate experience and competence in the related field, that the stormwater drainage system has been 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. Prior to release of the occupation certificate documented evidence is to be submitted from a licensed plumber to the Private Certifying Authority confirming that the floor of the car wash bay is graded and drained to the Sydney Water Sewerage Network and that the perimeter of the designated wash bay is suitably bunded to prevent storm waters entering the sewer.

F. Matters to be satisfied prior to the issue of Subdivision Certificate:

G. Advice:

1. Portions of the site may be liable to flooding from the 1% AEP and the PMF (Probable Maximum Flood) and effective precautions should be taken by the owner(s) and/or occupier(s) of the building to reduce any potential risk to personal safety and to minimise any property damage to the structure, its fixtures and contents.

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 action through the Land and Environment Court, again pursuant to the above legislation.

3. The applicant is also advised to contact the various supply and utility authorities, i.e. 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(1) of the Act, this consent will lapse if the development, the subject of this consent, is not physically commenced within 5 years after the date from which this consent operates.

6. To ascertain the date upon which the determination becomes effective and operates, 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 then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.