

# STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Alterations and Additions to the Existing  
Freshwater Surf Life Saving Club at

## Freshwater Surf Life Saving Club (FSLSC), Kooloora Avenue

Prepared for:

**Northern Beaches Council**

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<b>Abbreviation</b>	<b>Abbreviation Meaning</b>
<b>ADG</b>	Apartment Design Guide
<b>AHD</b>	Australian Height Datum
<b>ANEF</b>	Australian Noise Exposure Forecast
<b>AS</b>	Australian Standard
<b>ASS</b>	Acid Sulfate Soils
<b>BCA</b>	Building Code of Australia
<b>CBD</b>	Central Business District
<b>CC</b>	Construction Certificate
<b>CIV</b>	Capital Investment Value
<b>CMP</b>	Construction Management Plan/Conservation Management Plan
<b>Council</b>	the Council
<b>CPTED</b>	Crime Prevention Through Environmental Design
<b>CRZ</b>	Critical Root Zone
<b>DA</b>	Development Application
<b>DCP</b>	Development Control Plan
<b>DP</b>	Deposited Plan
<b>DPIE</b>	Department of Planning, Industry and Environment
<b>EIS</b>	Environmental Impact Statement
<b>EPA Act</b>	Environmental Planning and Assessment Act 1979
<b>EPA Reg</b>	Environmental Planning and Assessment Regulations 2000
<b>EUR</b>	Existing Use Rights
<b>FFL</b>	Finished Floor Level
<b>FSR</b>	Floor Space Ratio
<b>GFA</b>	Gross Floor Area
<b>GSC</b>	Greater Sydney Commission
<b>HCA</b>	Heritage Conservation Area
<b>HIA/HIS</b>	Heritage Impact Assessment/Heritage Impact Statement
<b>LEP</b>	Local Environmental Plan
<b>LGA</b>	Local Government Area
<b>MHWM</b>	Mean High Water Mark
<b>NCC</b>	National Construction Code
<b>NSW</b>	New South Wales
<b>NSWLEC</b>	NSW Land and Environment Court
<b>OC</b>	Occupation Certificate
<b>OSD</b>	On-Site Detention
<b>PCA</b>	Principal Certifying Authority
<b>PoM</b>	Plan of Management
<b>POS</b>	Private Open Space
<b>PP</b>	Planning Proposal
<b>REF</b>	Review of Environmental Factors
<b>RFB</b>	Residential Flat Building
<b>RL</b>	Reduced Level
<b>RMS</b>	Roads and Maritime Services (see TfNSW)
<b>SEE</b>	Statement of Environmental Effects
<b>SEPP</b>	State Environmental Planning Policy
<b>SREP</b>	Sydney Regional Environmental Plan
<b>SP</b>	Strata Plan
<b>SWMP</b>	Stormwater Management Plan
<b>TfNSW</b>	Transport for New South Wales
<b>TPZ</b>	Tree Protection Zone
<b>VENM</b>	Virgin Excavated Natural Material
<b>WMP</b>	Waste Management Plan
<b>WSUD</b>	Water Sensitive Urban Design
<b>ZFDTG</b>	Zero Fort Denison Tide Gauge (0.925 below AHD)

## 1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared for Northern Beaches Council by George Karavanas Planning Pty Ltd – (hereafter referred to as GSA Planning). GSA Planning has expertise in Urban Design, Environmental & Traffic Planning.

This SEE is to accompany a Development Application to Northern Beaches Council for alterations and additions to the existing Freshwater Surf Life Saving Club (FSLSC), including a new restaurant, café, museum and upgrades to existing community facilities. The proposed works designed by Bonus and Associates provides a sympathetic extension and upgrades to the existing building, whilst maintaining the site's heritage significance.

The proposed works reflect the comments received from Warringah Council during a Pre-DA meeting held on 22 April 2016 and will accordingly maintain a kiosk use, carry out sensitive changes to the heritage listed clubhouse, provide a traffic and parking report and discuss leasing arrangements with Council prior to DA submission. A development application was approved for alterations and additions to the Surf Club on 2 June 2021 including the replacement of the existing main entry door, construction of additions to the mezzanine floor level and new illuminated FSLSC signage. These works were not constructed.

The front portion of the surf club was constructed in 1935 and is recognised as a local heritage item. The proposal will undertake minor internal and external alterations to this building which are considered to have an acceptable impact on the heritage significance of the item. The remainder of the surf club was constructed in 1986 and 2009 in which internal and external alterations are proposed, including a new rear extension on all three floor levels. This extension will remain largely within the existing building footprint and will maintain solar access and public amenity. The surf club will present as a contemporary built form at its rear with floor to ceiling glass doors and a timber shade screen wrapping around the entire upper floor level. The front portion of the building will remain largely as existing to respect its heritage value.

The proposed works will result in an accessible community facility with a new lift and internal ramps, complimenting the future works to the public open space which will include new and improved accessible pathways. The new restaurant and café will positively serve the local community and visitors to the area. It has been nearly 40 years since the club was last extended and upgraded. Since then, membership and the demands on the club have grown. The new storage spaces and upgraded gym, upgraded toilet facilities, recreational hall, meeting, function and training rooms will allow the club to meet current and future demand placed on the club.

In our opinion, the proposed development satisfies the relevant zone objectives in the Warringah Local Environmental Plan (LEP) 2011 and the relevant controls of the Warringah Development Control Plan (DCP) 2011. The proposal also ensures consistency with the Coastal Lands Management Plan (PoM).

This document is divided into six sections. Section 2 contains a site analysis; Section 3 provides details of the proposal; Sections 4 and 5 contains the detailed assessment of the application in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 (EPA Act); and Section 6 concludes the report.

## 2.0 SITE ANALYSIS


This section contains a description of the following: The Locality; Site Description; Existing Built Form and Landscaping; and Existing Character and Context.

### 2.1 The Locality

The subject site is located approximately 18.6km north-east of the Sydney CBD, 3.8km from Manly and is located within the Local Government Area (LGA) of Northern Beaches (see **Figure 1**).



Source: SIX Maps

 Subject Site

**Figure 1: Location Plan**



### 2.3 Existing Built Form and Landscaping

The built form is a part two and part three storey brick building with a pitched roof form (see **Photographs 1,2 and 3**). The front portion of the building (club house) directly adjacent to Freshwater Beach was constructed in 1935, the centre portion of the building (heritage room) was constructed in 2009 and the rear of the building (club house extension) was constructed in 1986. The site is currently occupied by the FSLSC including Council lifeguards, kiosk and public amenities (see **Figure 3**).



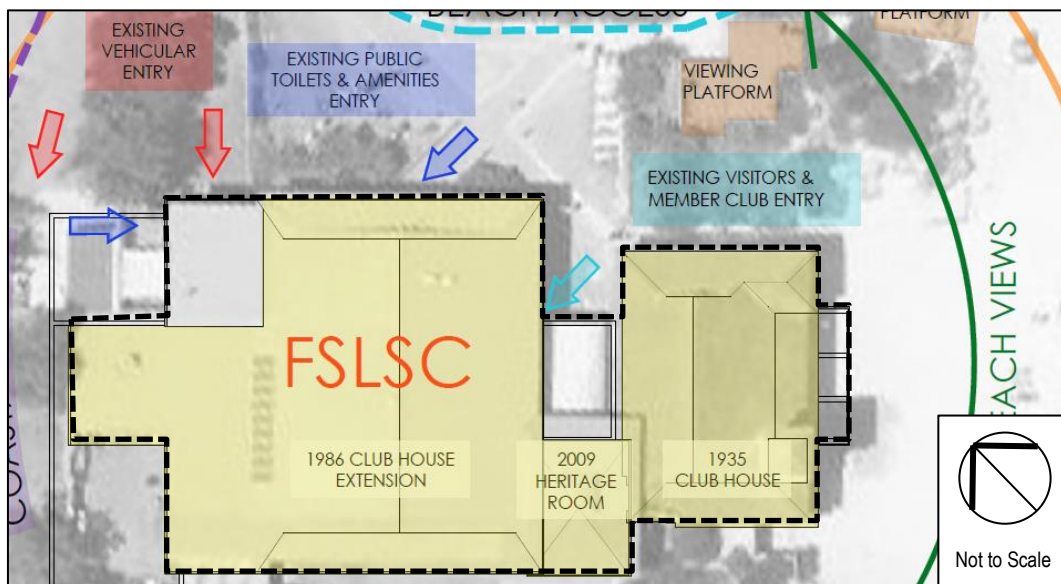
**Photograph 1:** The clubhouse portion of the surf club, as viewed from the south-east



**Photograph 2:** The rear of the surf club, as viewed from the north-west



**Photograph 3:** The side of the surf club, as viewed from the south-west



Source: Bonus and Associates

**Figure 3: Existing Built Form**



The first (basement) level of the building currently contains storage facilities, a patrol room, first aid room, bathroom facilities for club members including lockers, showers and toilets, a cold room and vehicular access (see **Photographs 4 to 6**).

The second (ground) level of the building comprises a clubhouse, heritage room, bathroom facilities including change rooms and toilets, recreation hall including a badminton court, gym, kiosk with outdoor seating, storage and terrace (see **Photographs 7 to 11** on the following page). The third (mezzanine) level comprises a viewing area, deck and caretaker's apartment (see **Photographs 12 and 13** on the following page).

Pedestrian access to the building is provided at various points at the ground floor level. The public toilet/change rooms are available along the north-eastern elevation (see dark blue arrows in **Figure 3** and **Photograph 14**). The main building entrance is also provided toward the north-east (see light blue arrow in **Figure 3** and **Photograph 15**) as well as vehicular access for the purpose of trailer access and limited staff parking (see red arrow in **Figure 3** and **Photograph 16**). Parking for volunteers and visitors is available within the Freshwater Beach Carpark to the north-east and the carpark adjoining Moore Road to the west.



**Photograph 4:** Storage facilities within the basement



**Photograph 5:** Storage facilities within the basement, as viewed looking towards the rear



**Photograph 6:** First aid room



**Photograph 7:** Clubhouse room



**Photograph 8:** Heritage room, as viewed looking south-west



**Photograph 9:** Recreation Hall, as viewed looking towards the rear



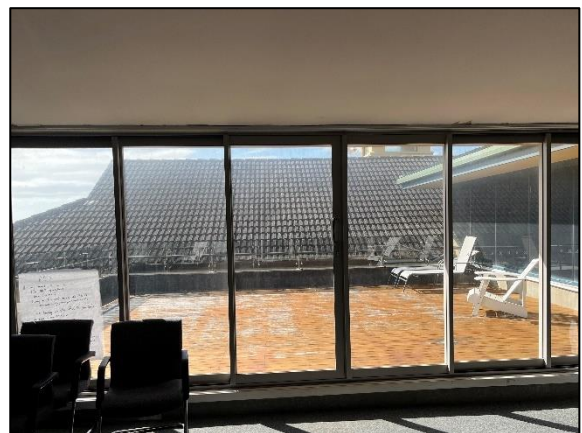
**Photograph 10:** The rear terrace, as viewed from the recreation hall



**Photograph 11:** Kiosk with outdoor seating, as viewed from the north-east



**Photograph 12:** The recreation hall, as viewed from the mezzanine viewing area



**Photograph 13:** The open deck, as viewed looking towards the beach



**Photograph 14:** Entrance to the public amenities, as viewed from the north-east



**Photograph 15:** Main building entrance, as viewed from the north-east



**Photograph 16:** Vehicular entrance, as viewed from the north-east

## 2.4 Existing Character and Context

The existing built form is sited within public recreational space which largely comprises open grassed areas, vegetation, limited covered seating areas and public vehicular parking. This open space (excluding the FSLSC) is subject to the Freshwater Beach Masterplan which was adopted by Council on 22 May 2018.

Within the broader context, the public recreational space is surrounded by residential uses and a few commercial uses on nearby streets. Surrounding development is generally between one and three storeys in height and of varying architectural styles.

### Development to the North and North-East

To the north of the site are open grassed areas, which form part of the surrounding public recreational space, as well as Freshwater Beach Carpark to the north-east (see **Photograph 17** on the following page). Further to the north is Kooloora Avenue which is characterised by one to three storey dwelling houses (see **Figure 18** on the following page).



**Photograph 17:** Open space and the Freshwater Beach Carpark, as viewed from the north



Source: Google Maps

**Photograph 18:** Dwellings along Kooloora Avenue, as viewed from Kooloora Avenue

### Development to the East

To the east is Freshwater Beach (see **Photographs 19 and 20**).



**Photograph 19:** Freshwater Beach, as viewed from the clubhouse



**Photograph 20:** Freshwater Beach, as viewed from the public viewing platform

### Development to the South and South-West

To the south is Freshwater Beach and to the south-west are open grassed areas which form part of the surrounding public recreational space and a restaurant (Pilu at Freshwater) (see **Photographs 21 and 22**). Further to the south-west is Undercliff Road, characterised by two to four storey residential dwellings (see **Photograph 23**).



**Photograph 21:** Open space, as viewed from the south-west



**Photograph 22:** Pilu at Freshwater, as viewed from Moore Road



Source: Google Maps

**Photograph 23:** Dwelling along Undercliff Road, as viewed from Undercliff Road

### Development to the West and North-West

To the west are further landscaped open space areas and a carpark adjoining Moore Road (see **Photographs 24** and **25**). Further to the west and south-west is Moore Road and Gore Street, characterised by two to three storey residential dwellings, food and drink premises and a residential flat building approximately nine storeys high with basement parking at the corner of Gore Street and Moore Road (see **Photographs 26** and **27**).



**Photograph 24:** Open space, as viewed from the west



**Photograph 25:** Moore Road parking, as viewed from Moore Road



**Photograph 26:** Dwellings along Gore Street, as viewed from Gore Street



**Photograph 27:** Development on the corner of Gore Street and Moore Road, as viewed from Gore Street

## 3.0 THE PROPOSAL

This section will describe the following; The Background to the Proposal; Built Form and Land Use; Height; Landscaping and Balconies; Access and Parking; and Operation.

### 3.1 Background to the Proposal

The FSLSC has been serving the local community since 1908, with the latest building upgrades carried out nearly 40 years ago. Since then, the club has experienced increased demand through membership growth and an increased number of organisations using the surf club as their meeting place. Amongst particular concern are the poor condition of the existing public toilets, insufficient storage space for life saving equipment and activity group equipment, and the need to build on the traditional and historic significance of the locality (see FSLSC President's Letter separately submitted).

On 22 April 2016 a formal pre-development application (Pre-DA) meeting was held with Council officers to discuss the proposal. Council officers concluded the following:

- That any changes to the building be carried out in a manner which is sensitive to the heritage listed clubhouse, and that any changes to the clubhouse be justified in a Heritage Impact Statement;
- That the change of use from a kiosk to a restaurant/café is accepted subject to the provision of a Traffic and Parking Report;
- The restaurant/café should continue to provide a kiosk type service to beach goers; and
- That leasing arrangements for the restaurant/café use should be discussed and arranged with Council prior to lodging a DA to ensure it can be supported.

On 4 February 2021, a Development Application (DA2021/0047) was submitted with Northern Beaches Council for alterations and additions to a community facility (FSLSC), including the replacement of the existing main entry door, construction of additions to the mezzanine floor level and new illuminated FSLSC signage. On 2 June 2021, the application was approved by the Northern Beaches Local Planning Panel. The approved works were not constructed.

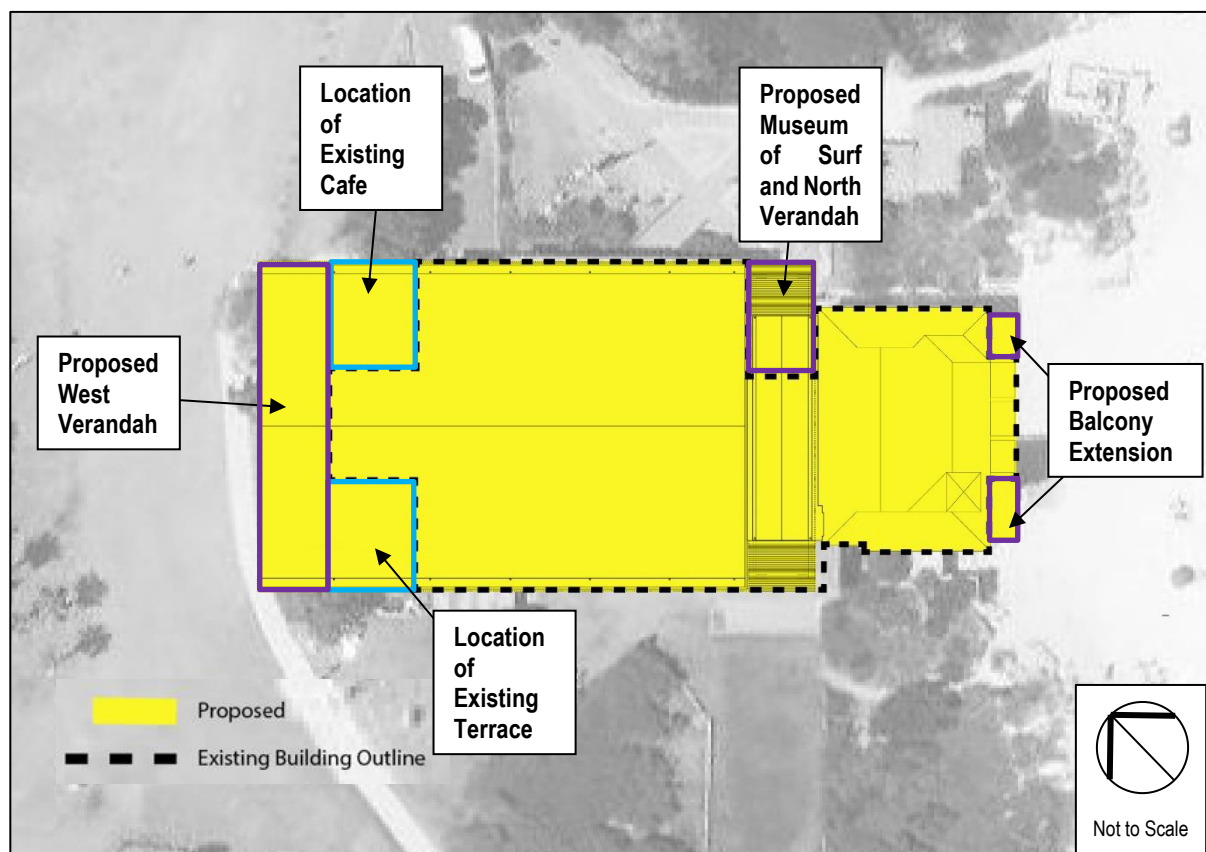
The proposal is accompanied by a Heritage Impact Statement which justifies and supports the proposed works to the original clubhouse. A Traffic and Parking report has also been prepared which concludes that traffic impacts associated with the proposed works are expected to be negligible (see Traffic and Parking Report separately submitted). The café will continue to provide a kiosk type service to beach goers and leasing arrangements have been discussed and supported by council.

### 3.2 Built Form and Land Use

It is proposed to undertake alterations and additions to the existing building on site, largely located within the existing building footprint. The 1935 clubhouse at the front of the site will be retained, with refurbishment of and improvements to the existing internal and external building fabric proposed. The existing balcony will be extended to the south-east and a new members lounge entry deck will be located to the south-west. These works are supported by a Heritage Impact Statement (separately submitted). The clubhouse entry and heritage room will be demolished, and it is proposed to construct a new infill building to provide a new club entry along with a multi-purpose hall, a double height space for functions and exhibitions, including as a Museum of Surf in the northern beaches of Australia.

The proposed works to the 1986 extension at the site's rear includes excavation, demolition of select internal and external walls, stairs and the roof. At the first-floor level, the existing storage area will be expanded towards the rear. Works at the second-floor level include the removal of existing public changerooms and amenities, increased size of the recreation hall, provision of a restaurant and café, and new toilet facilities for use in conjunction with the clubhouse public spaces. At the third-floor level new training rooms, gymnasium and refurbished caretakers' apartment are proposed. Additional modifications include a new roof, passenger lift serving all three levels and various alterations to provide equitable access.

The proposed works will largely be contained within the existing building footprint. In fact, the proposed extension toward the rear is located within the footprint of the existing first floor terrace and café (excluding the proposed west verandah) (see **Figure 4**).



Source: Bonus and Associates (to provide)

**Figure 4:** Existing vs Proposed Footprint

A floor by floor description is provided on the following pages. Further details of the proposed development are contained in the architectural drawings, separately submitted.

**First Floor Level (Basement)**

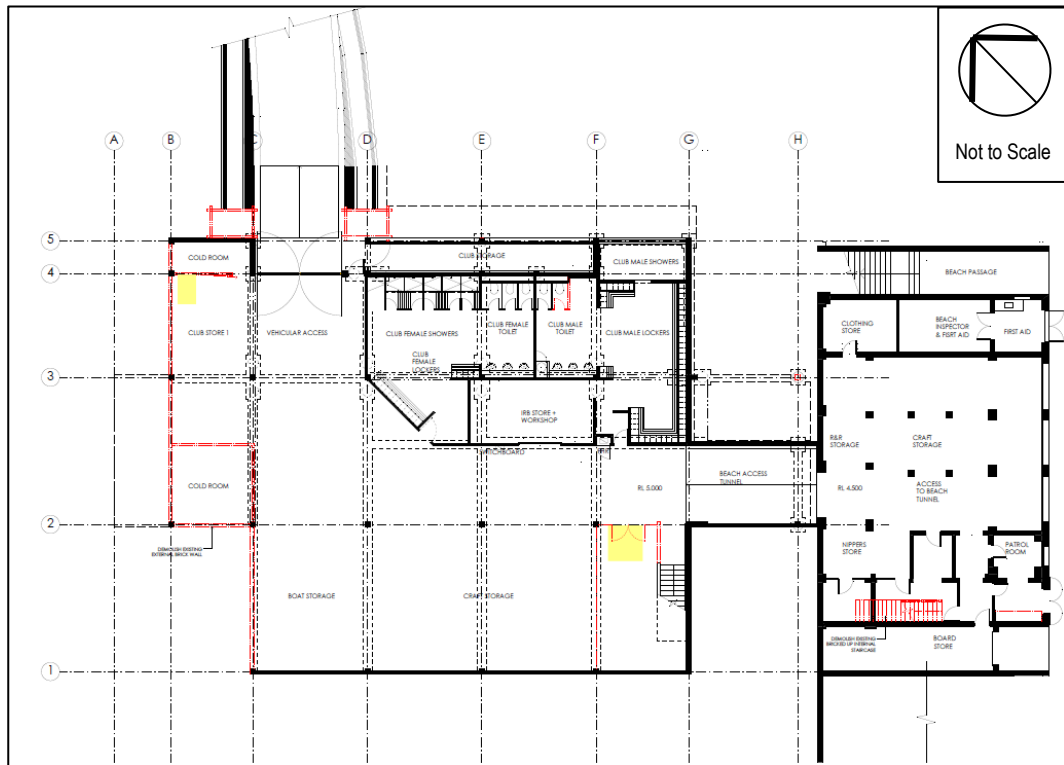
The First Floor Level (basement) will remain as existing between RL 4.5 AHD and RL 5.5 AHD. The 1935 clubhouse (front portion) of the club will remain largely as existing, with one wall and one staircase proposed for demolition. The clubhouse will continue to comprise a clothing store, beach inspector and first aid room, multiple storage rooms and a patrol room. External pedestrian stairs to the ground floor above will remain as existing.

The central portion of the club will remain as a beach access tunnel.

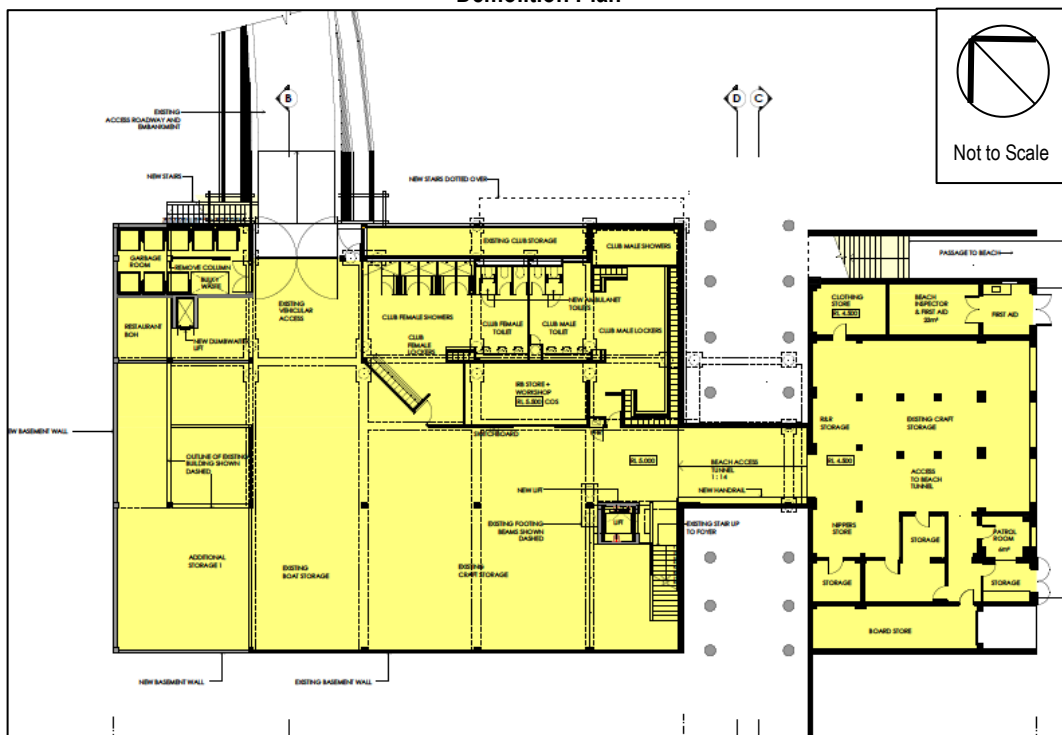
The 1986 extension (rear portion) of the club will remain largely as existing which includes vehicular access and alternate pedestrian access to the north-east, boat storage, craft storage, shower/toilet/locker block, club storage and inflatable rescue boat storage and workshop. Select internal walls and a door will be demolished to accommodate a lift. The rear walls will be demolished to accommodate a new basement extension, replacing two cold rooms and club storage with a larger storage room, the back of house of a new restaurant and a garbage room.

External stairs are proposed to the new restaurant above (see **Figure 5** on the following page).





Demolition Plan



Proposal

Source: Bonus and Associates

Figure 5: First Floor Plan

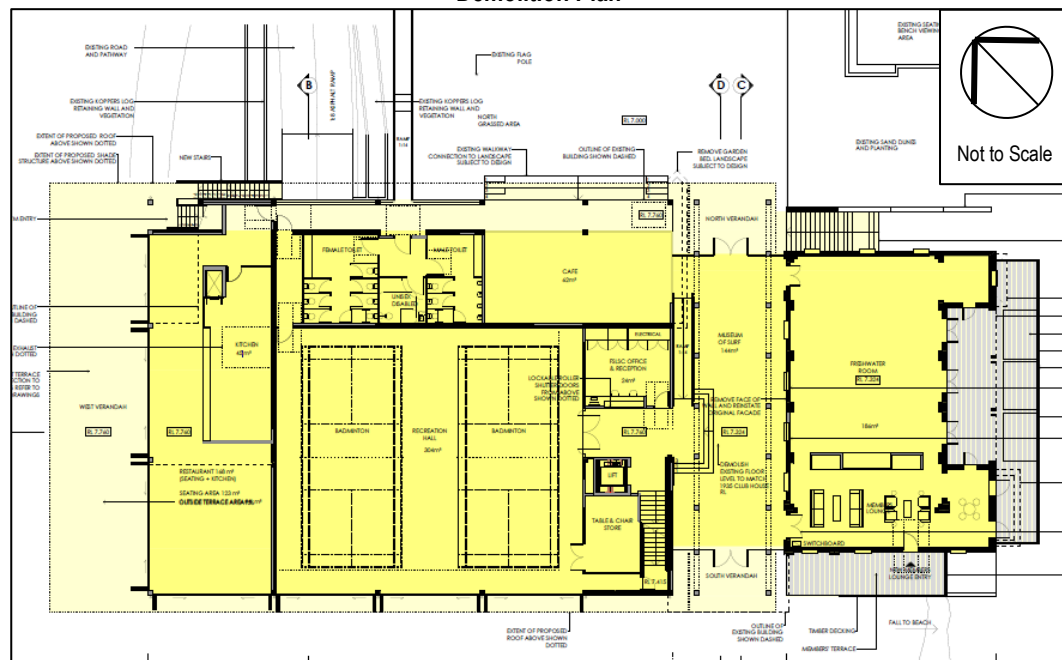
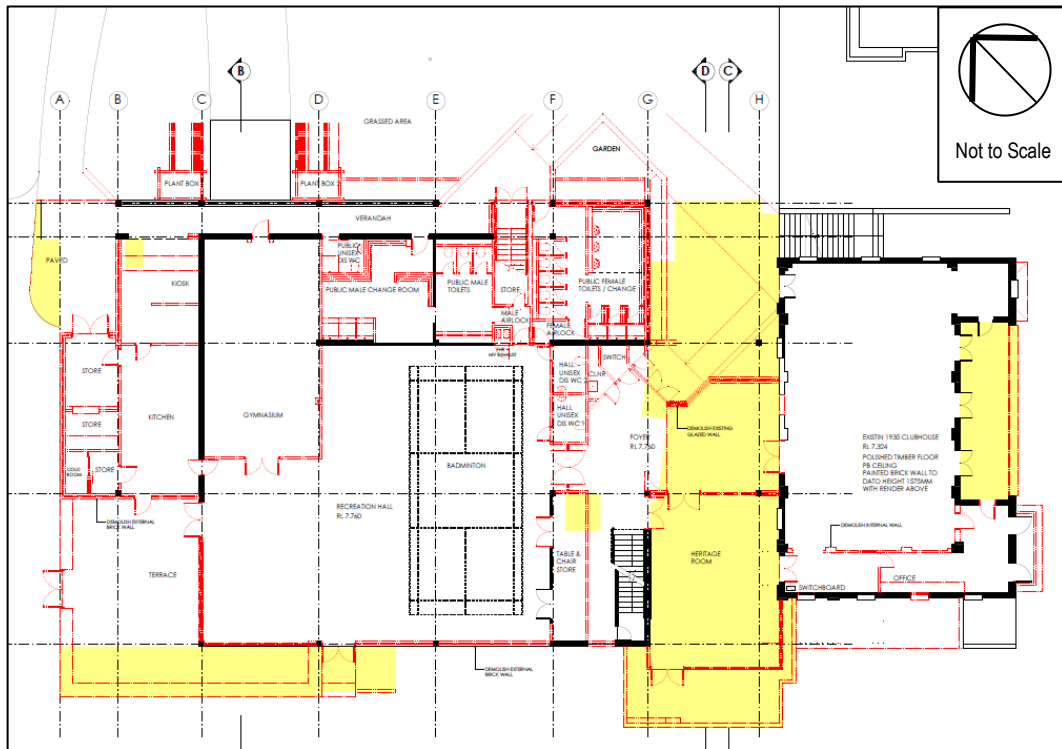
**Second Floor Level (Ground Level)**

The Second Floor Level (ground level) will remain between RL 7.324 AHD and RL 7.76 AHD. Within the club house, it is proposed to demolish select doors, one window and the internal walls to the existing office to form the freshwater room and member's lounge. The two existing front balconies and associated roof will be replaced by one large balcony. The member's lounge will also feature a new balcony to the south-west.

The entire central portion of the surf club which comprises the heritage room will be demolished to accommodate a multi-purpose hall. This hall will include the museum of surf and is accessible from the floor level below via an existing set of stairs at the north-eastern elevation. The hall is also accessible on the ground floor via a north verandah and south verandah and will connect to the rear portion of the club via stairs and a ramp.

The rear portion of the club will be largely demolished including the existing toilet block and kiosk, with the internal stairs to the floor levels above and below remaining as is. It is proposed to construct a new café and toilet block toward the north-east, a new recreation hall to accommodate an additional badminton court (two in total), a larger table and chair storage room, a lift and a new office and reception. Additionally, a new restaurant with a verandah/ terrace is proposed at the rear toward the north-west. This rear portion of the club will continue to be directly accessible from the north-eastern verandah, as well as through new sliding glass doors across the extent of the south-western elevation.

Two planter boxes at the vehicular entrance and one garden bed outside of the existing toilet block will be demolished (see **Figure 6** on the following page).



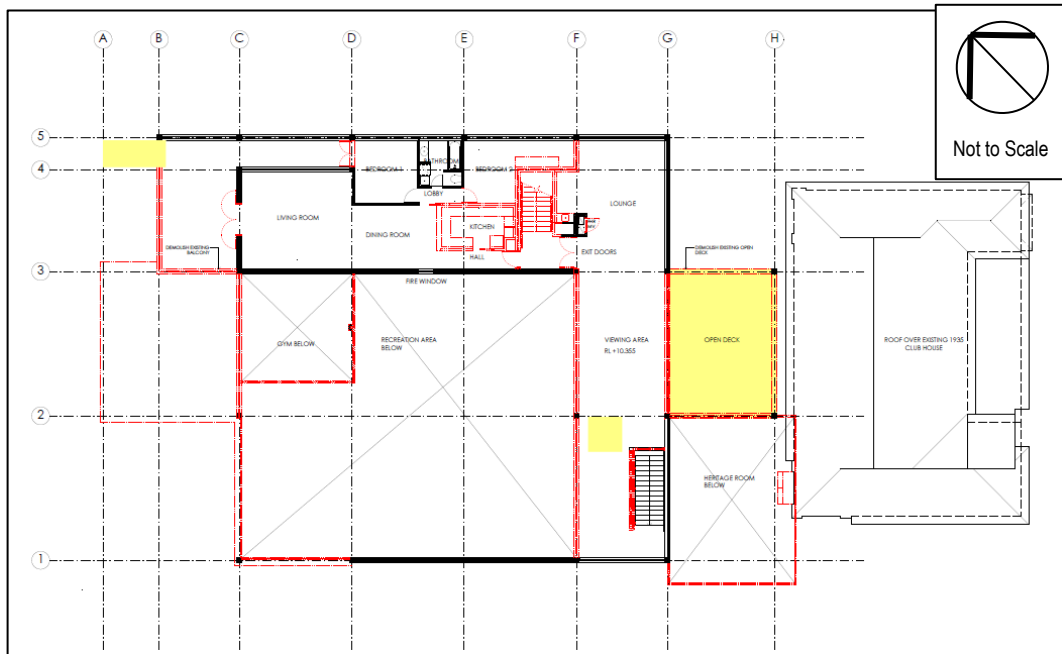
Source: Bonus and Associates  
**Figure 6: Second Floor Plan**

### **Third Floor Level (Mezzanine)**

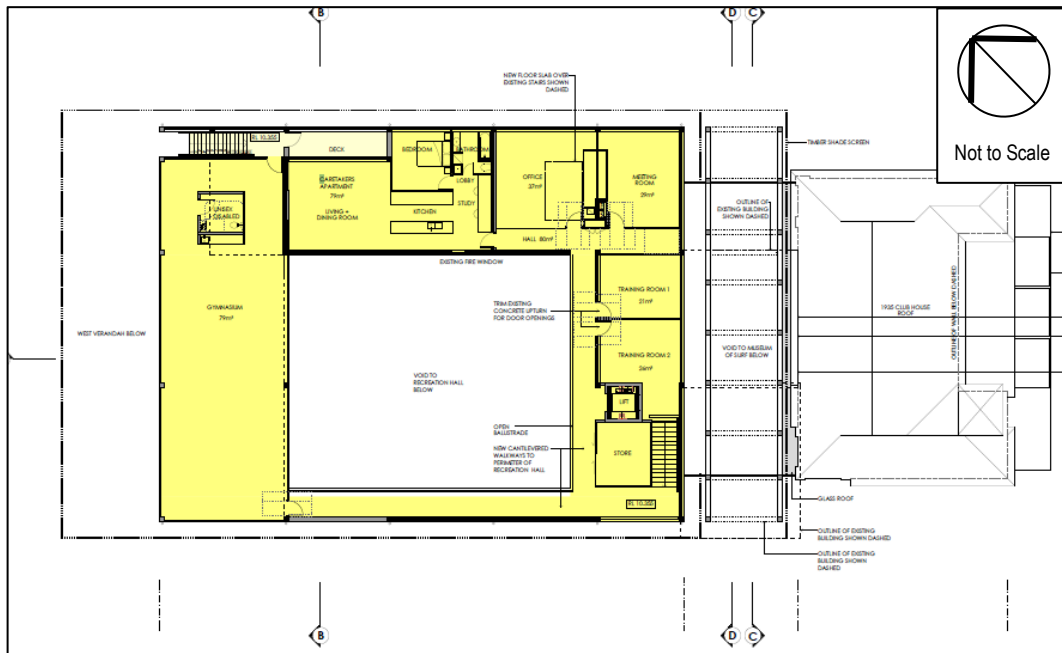
The Third Floor Level (mezzanine) will remain at RL 10.355 AHD. The existing roof to the clubhouse will remain as existing and a new retractable awning is proposed to the front balcony. The centrally located open deck will be replaced by a void to the multi-purpose hall below.

At the rear of the club, internal and external walls, select doors, and the staircase, kitchen and balcony to the caretaker's apartment will be demolished. The existing viewing area will increase in width and transform into two training rooms, a storeroom, and feature a new lift to the levels below. The staircase to the floor levels below will remain as existing. The caretaker's apartment will reduce in size and be partially replaced by a new office and meeting room. The altered apartment will comprise a living/dining room, kitchen, study, one bedroom, one bathroom and a new deck. This level will be extended towards the rear where a new gym and bathroom are proposed. The gym and caretaker's apartment are directly accessible from the floor level below via a north-eastern staircase.

A timber shade screen is proposed to surround the central and rear portion of the built form (see **Figure 7** on the following page).



Demolition Plan



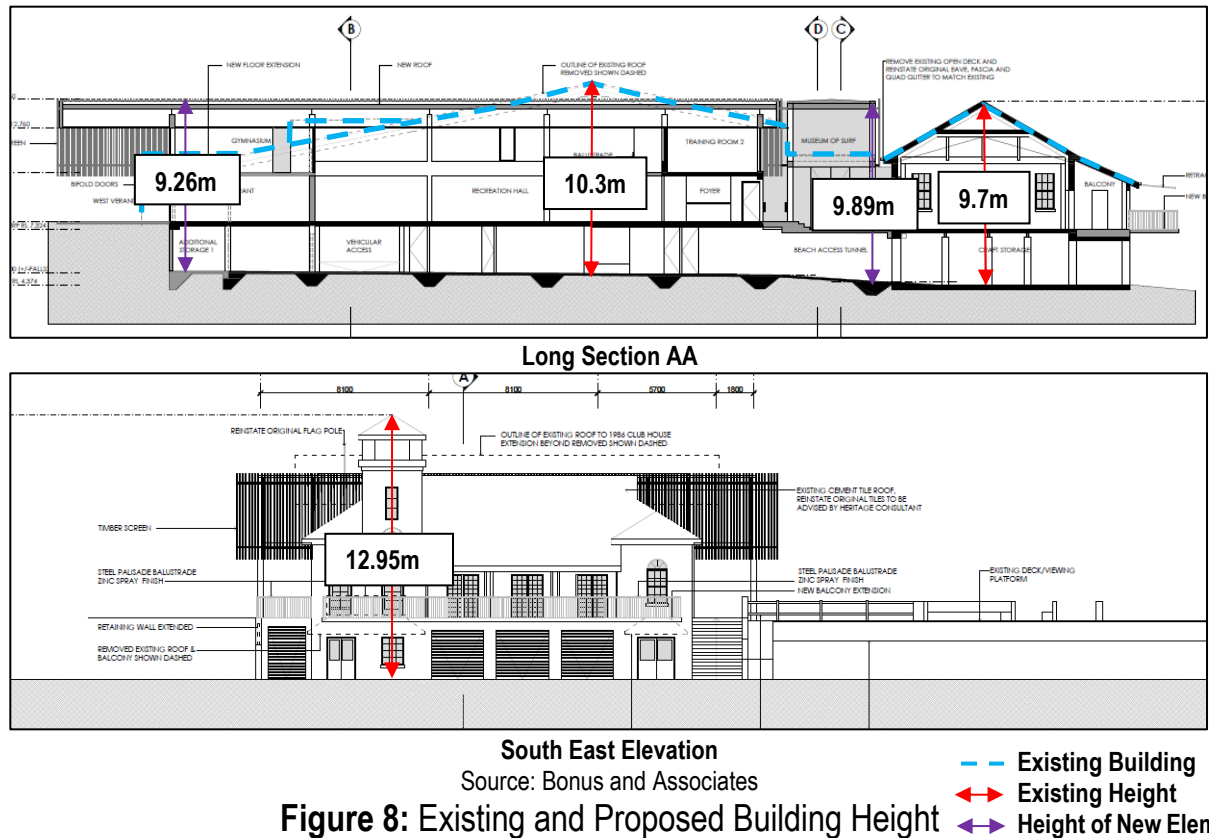
Proposal

Source: Bonus and Associates

Figure 7: Third Floor Plan

### 3.3 Height

The proposed alterations and additions to the surf club building will have no impact on the existing maximum building height which is between 9.7m and 12.95m, as measured from the highest roof of the original clubhouse (RL 14.14 AHD and RL 17.37 AHD) to the existing ground immediately below. The proposed built form will have a building height ranging from 9.26m to 9.89m, which is a reduction compared to the existing highest roof at the building's rear of 10.3m to be demolished (see **Figure 8**).



**Figure 8: Existing and Proposed Building Height**

### 3.4 Landscaping

The site currently has 1,497m<sup>2</sup> of deep soil landscaping including turf and garden beds. The proposal slightly decreases the extent of landscaped area in the immediate vicinity of the surf club when compared to the existing situation, providing 1,293m<sup>2</sup> of deep soil landscaping (see **Figure 9** on the following page). This is a result of new concrete pathways to the north-east of the site which will allow access to the new toilet block and improve accessibility to the north verandah (museum of surf), as well as the west verandah which provides seating to the new restaurant. Overall, there will be more garden beds and planting than existing which will improve the visual green setting of the site. It is also noted that the surf club is located within a greater extent of open space which will be subject to the Freshwater Beach Masterplan.

The proposal will remove two trees as supported by the Arborist Report prepared by Growing My Way Tree Services (separately submitted). Nine new trees are proposed as a replacement along with new shrubs, grasses and climbers. Additionally, new landscaping is proposed to replace existing landscaping adjacent to the viewing platform. Further details of the proposed landscaping, species and design intent are in the Landscape Plan, prepared by NewScape (separately submitted).



**Proposed Site Plan**



**Proposed Planting Plan**

Source: NewScape

**Figure 9: Landscape Plan**

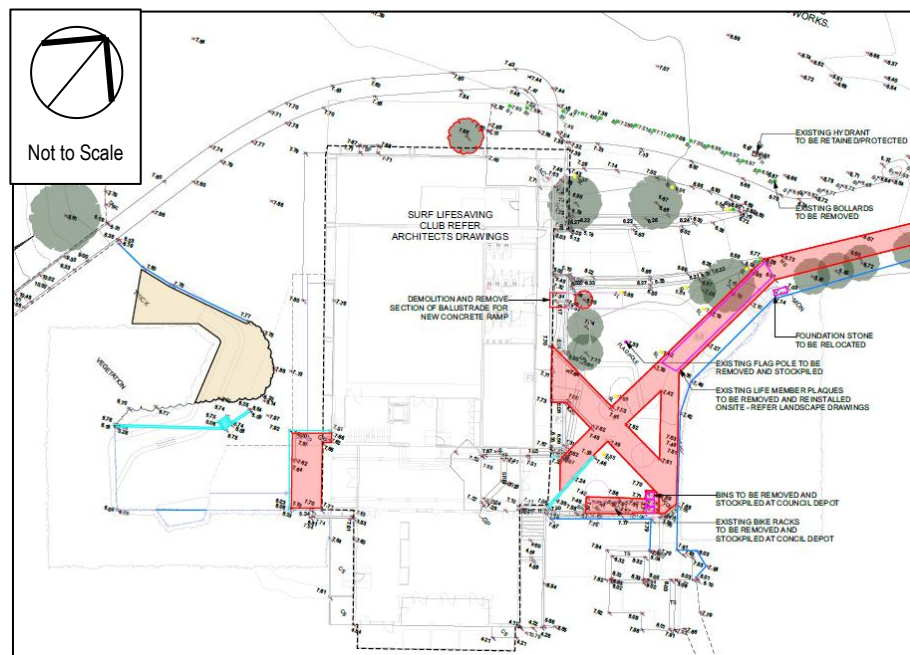
### 3.5 Balconies

On the second-floor level of the club house, two balconies which are orientated toward the beach will be replaced by one large balcony. The member's lounge will also comprise a new balcony, orientated to the south-west. On the third-floor level, the existing viewing area and open deck of the club house extension will be removed, and the north-west facing balcony adjoining the caretaker's apartment will be replaced by a new deck enclosed by a timber shade screen.

### 3.6 Access and Parking

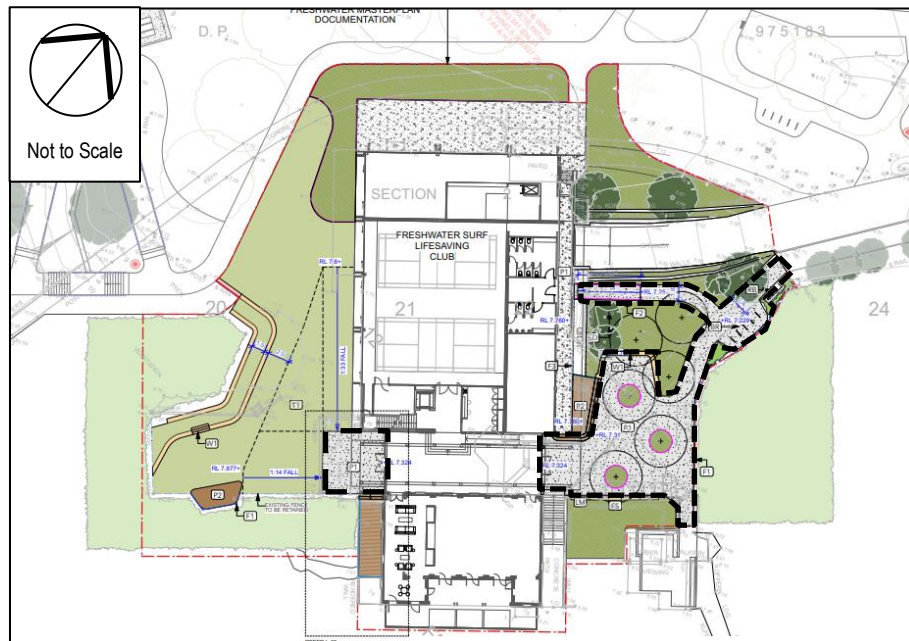
#### 3.6.1 Access To and Around the Site

The site has existing pedestrian access via several paved walkways which connect to Undercliff Road, Moore Road, Gore Street, Kooloora Avenue, adjacent carparks and Freshwater beach. The site is also accessible via the surrounding grassed open space. Select pavements to the north-east and south-west of the surf club will be replaced by new paving as part of this application to rationalise the alterations and additions (see **Figure 10**). New and upgraded paths outside of the surf club's boundary are proposed as part of the Freshwater Beach Masterplan, which is subject to a separate development application.



Demolition Plan (Red indicating Existing Pavement for Demolition)





Proposed Site Plan (Black Dotted Line indicating Proposed Concrete Pavement)

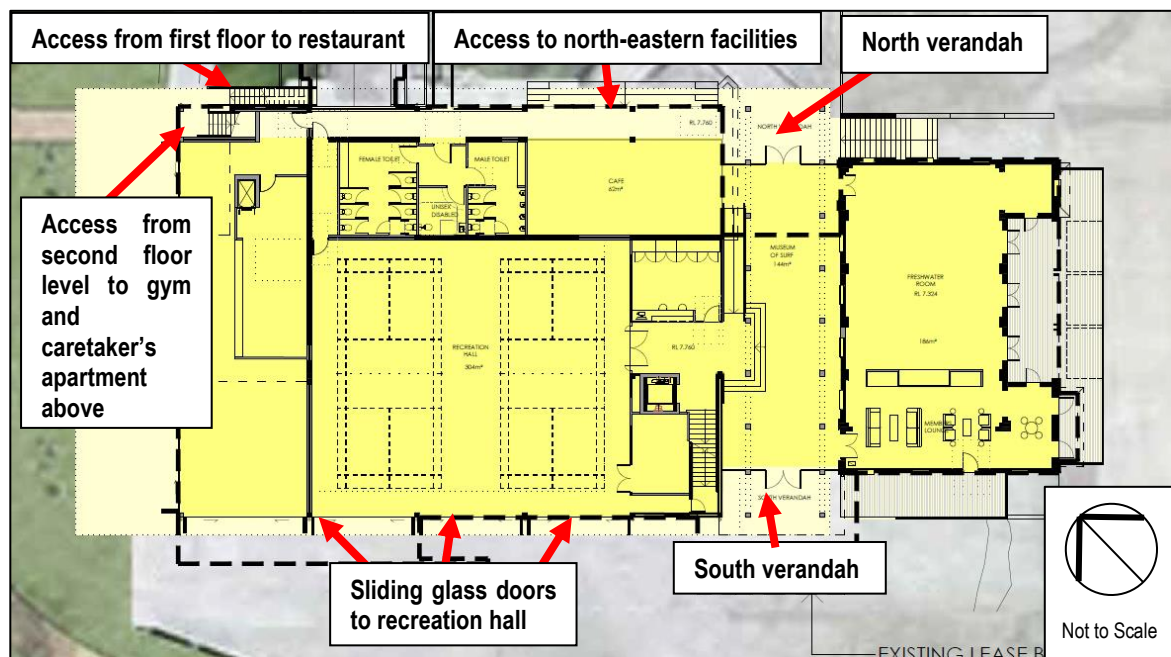
Source: NewScape

Figure 10 Existing and Proposed Pavements

### 3.6.2 Access to the Surf Club Portion of the Development

There are several points of access to the surf club portion of the building for members. The main entrance will be via the north and south verandahs on the second floor, as well as via secondary access points along the north-eastern and south-western sides of the building.

New external stairs adjacent to the vehicular access point on the first floor provide direct access to the restaurant and terrace on the second floor. Another set of stairs from the second-floor terrace will provide direct access to the gym and caretakers apartment on the third-floor level (see Figure 11).



Source: Bonus and Associates

Figure 11: Access Plan – Second Floor Level (Ground Level)

### 3.6.3 Access to the Lifeguard Portion of the Development

Access to the patrol room and associated rooms is available directly adjacent to Freshwater Beach along the south-eastern portion of the clubhouse on the first floor, as existing.

### 3.6.4 Access to the Public Amenities

Access to the new public toilets is available via the existing north-eastern verandah. It is noted that these facilities will be open for public use until the new public amenities block is built within the broader public open space (subject to a separate DA).

### 3.6.5 Parking

The vehicular access point will remain as existing which provides access to the basement storage area for boat and water equipment storage. Parking will remain available at the Freshwater Beach Carpark and the Moore Road carpark, both adjacent to the subject site. On-street parking will also remain available as existing along Kooloora Avenue, Charles Street, Moore Road and Gore Street (see Traffic Report separately submitted).

There are three function/recreation rooms being the freshwater room, multi-purpose hall and recreation hall. These rooms will replace the three existing function rooms and will be larger than these existing spaces. One new office and two new training rooms are also proposed. Additionally, one restaurant and one café are proposed to replace the existing kiosk.

The Traffic Report prepared by Traffix (separately submitted), notes that the restaurant, café and additional badminton court (within the recreation hall) requires 48 parking spaces as per the DCP. Due to the building and site constraints, no off-street parking spaces can be provided. The reasons provided by Traffix for non-provision of parking include the following:

- The site's location within a 400m walking distance to bus stops;
- The parking assessment conducted by Traffix is based on a worst case scenario (warm and sunny weekend when demand is expected to be at it's highest) and demand for parking would be significantly lower during the colder months of the year;
- The DCP requirement does not consider the specific characteristics of the subject site. A large number patrons are locals whom are expected to walk to the subject site or patrons who are already at the beach thereby not generating additional parking demands above existing levels;
- A first principles assessment demonstrates that parking demand is more likely to be in the order of 17 additional spaces in relation to the proposed modification;
- There is no existing parking on the subject site, therefore, it is considered unfeasible to provide any new off-street carparking spaces within the bounds of the existing site; and
- Provision of additional parking will unduly encourage private car usage.

Further details are provided in the Traffic Report (separately submitted).

## 3.7 Operation

The proposal will continue to provide a surf club, public amenities, and lifeguard facilities on site within the proposed built form. The existing surf club is open on Monday, Tuesday, Thursday and Friday from 9:30am to 3:30pm to service the inquiries of the members and public. It is noted that the existing club does not have an Operational Plan of Management.

### 3.7.3 Operation of Public Amenities, Restaurant and Cafe

The proposed restaurant will host a maximum of 163 people and will operate during breakfast, lunch and dinner hours. The café will host a maximum of 62 people and operates during daytime hours. The back

of house services will be located on the first-floor level. The second floor level toilet block will be open for public use until the separate toilet block (subject to a separate DA) is constructed within the broader public open space.

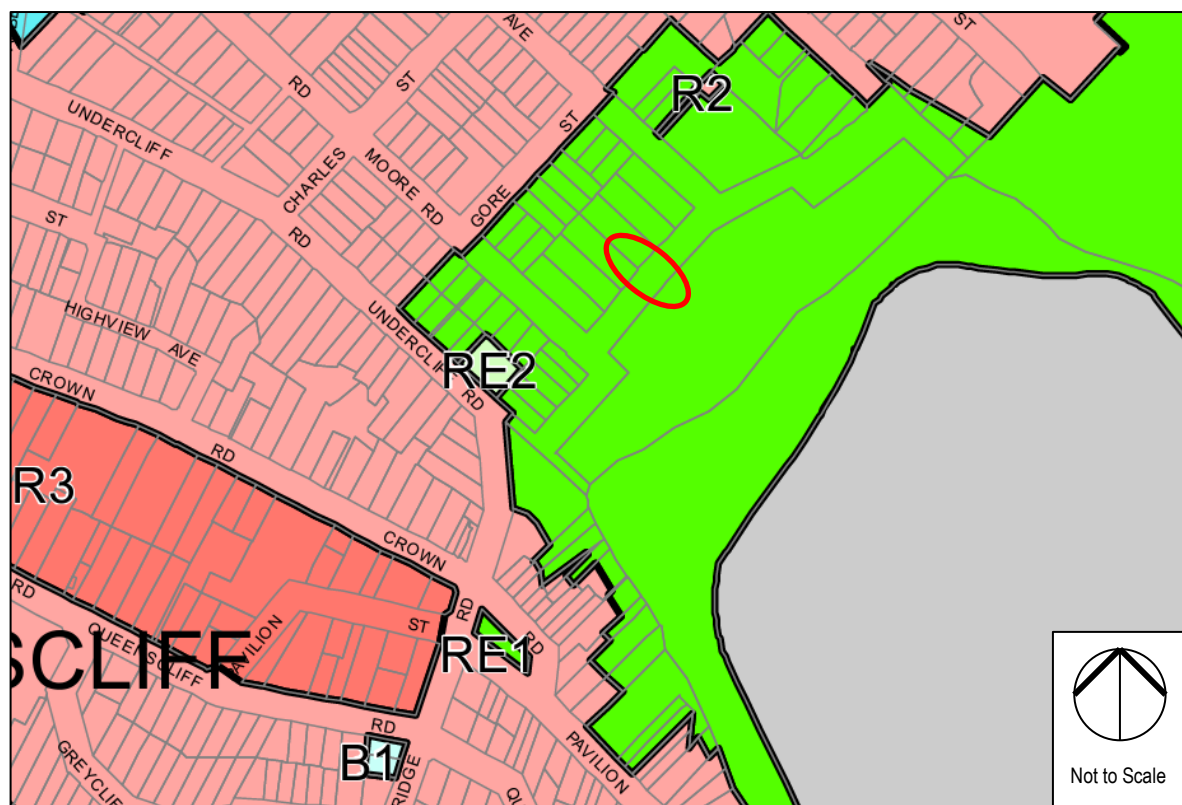
## 4.0 PLANNING CONTROLS

Pursuant to Section 4.15 of the EPA Act, this section assesses compliance with the planning instruments applicable to the site in accordance with the relevant matters for consideration. The relevant planning instruments include:

- Warringah Local Environmental Plan (LEP) 2011;
- State Environmental Planning Policy (SEPP) – (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (SEPP) (Resilience and Hazards) 2021;
- Coastal Lands Plan of Management (PoM); and
- Warringah Development Control Plan (DCP) 2011.

### 4.1 Warringah Local Environmental Plan (LEP) 2011

The subject site is zoned RE1 Public Recreation under the LEP, which commenced operation on 9 December 2011 (see **Figure 12**).



Source: Warringah LEP 2011

○ Indicative Location of Subject Site

**Figure 12: LEP Zoning Plan**

There are a range of permissible uses in the RE1 Public Recreation Zone. See LEP land use table below (our emphasis in bold):

#### 3 Permitted with consent

*Boat building and repair facilities; Boat sheds; Building identification signs; Business identification signs; Car parks; Child care centres; **Community facilities**; Emergency services facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; **Restaurants or cafes**; Water recreation structures*

The proposal maintains the existing permissible use on site being a community facility, however, proposes to change the existing ancillary kiosk use with a restaurant and café use.

#### 4.1.1 Objectives

The LEP Land Use Table contains the objectives for the RE1 Public Recreation Zone. The relevant objectives are stated, inter alia:

*Objective:* To enable land to be used for public open space or recreational purposes.

**Response:** The proposal will enable the continued use of the site as a registered club (surf club) with ancillary uses including public amenities and a lifeguard patrol room. The proposal also maintains the presence of food and beverage outlets on site by replacing the kiosk with a café and restaurant. The ongoing use of the site will continue to support recreational purposes on and surrounding the site.

*Objective:* To provide a range of recreational settings and activities and compatible land uses.

**Response:** The proposed works will support the recreational setting of the site by maintaining compatible community land uses which will support activities such as surf lifesaving and the communities use of Freshwater Beach. The proposed built form will provide significant upgrades to the range of facilities offered on site including the gym, recreational hall and function rooms, and can therefore be considered to provide for a range of recreational settings and activities.

*Objective:* To protect and enhance the natural environment for recreational purposes.

**Response:** The proposal will protect and enhance the surrounding natural environment that forms part of Freshwater Beach and its surrounds. Whilst two trees will be cleared to accommodate the proposal (see Arborist Report separately submitted), the provision of additional landscaping on site will enhance the sites relationship with the surrounding natural environment and will continue to allow for recreational activities on and around the site.

*Objective:* To protect, manage and restore public land that is of ecological, scientific, cultural or aesthetic value

*Objective:* To prevent development that could destroy, damage or otherwise have an adverse effect on those values

**Response:** The proposal will have no impact on public land surrounding the subject site that may be of ecological, scientific, cultural, or aesthetic value (see Arborist Report separately submitted).

Accordingly, in our opinion, the proposal complies with the relevant objectives of the RE1 Public Recreation Zone under the LEP.

#### 4.1.2 LEP Compliance

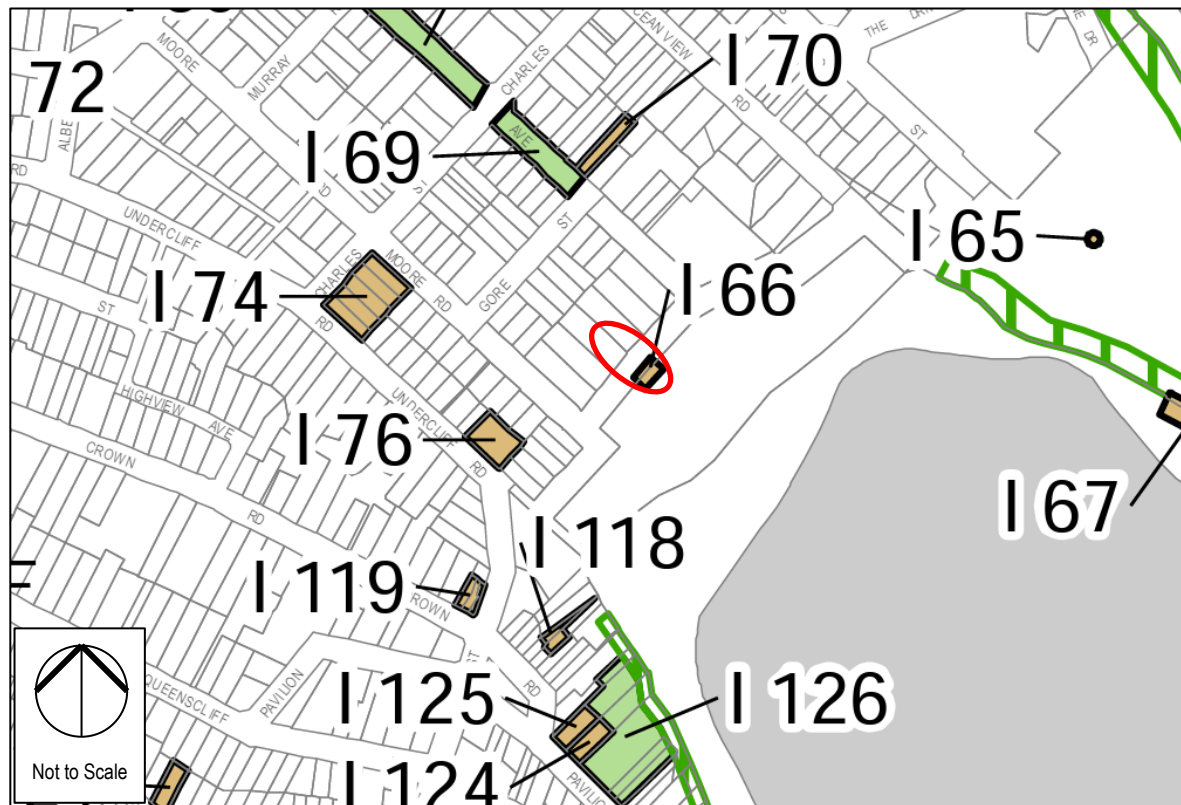
A summary of our assessment of the proposed development against the LEP is following (see **Table 1**).

TABLE 1: PROJECT COMPLIANCE – WARRINGAH LEP 2011		
LEP Provisions		Complies / Comments
Permissibility	RE1 Public Recreation	Proposal is permissible within the zone
Heritage Item	YES	Freshwater Surf Life Saving Club Item 66 (see Section 4.1.3)
Conservation Area	NO	N/A
Within the vicinity of Heritage Item		N/A
Acid Sulfate Soils	NO	N/A
Earthworks	YES	(see Section 4.1.4)
Landslip Risk	YES	Area A – slope less than 5 degrees (see Section 4.1.5)
Public Bushland	YES	(see Section 4.1.6)

The proposal satisfies the relevant objectives of the LEP, is permissible in the Zone and is consistent with the provisions for development identified as a heritage item, landslip risk, public bushland and involving earthworks.

#### 4.1.3 Heritage

Clause 5.10 of the LEP relates to heritage items and heritage conservation areas. Any effect of the proposed development on the heritage significance of the item must be considered in the assessment of any proposed development. Pursuant to the LEP, part of the subject is identified as a heritage item (Item 66 – Freshwater Surf Life Saving Club) (see **Figure 13** on the following page).



Source: Warringah LEP ○ Indicative Location of Subject Site  
**Figure 13: LEP Heritage Map**

Given part of the subject site is a heritage item pursuant to the LEP, a Heritage Impact Statement has been prepared by NBRIS, which concludes the proposal is unlikely to affect the site's heritage values, inter alia:

- *The proposed alterations and additions to the Freshwater SLSC at Kooloora Avenue, Freshwater, will have an acceptable impact on the heritage significance of the item;*
- All existing views, to and from, the site and the heritage items in the vicinity will be retained and conserved; and
- The proposed works are consistent with the heritage objectives of the *Warringah LEP 2011* and the *Warringah DCP 2011*. In our view, the consent authority should have no hesitation, from a heritage perspective, in approving this application.

The proposal is considered appropriate in respect of heritage and conservation.

#### 4.1.4 Earthworks

The LEP requires the consent authority to consider the effects of earthworks on drainage patterns and soil stability. The Geotechnical Investigation prepared by Geotechnique (separately submitted) has investigated soil salinity, aggressivity classification, excavation condition, fill placement, batter slopes and retaining structures, floor slabs and footings and an infiltration assessment. Disposal destinations for excavated material are outlined in the Construction Management Report and Drawings prepared by Woolacotts (separately submitted).

#### 4.1.5 Development on Sloping Land

It is not expected that the proposed works will result in a landslide risk, particularly has demolition and rebuild is predominantly limited to the site's. A Geotechnical Investigation (separately submitted) provides further details regarding the proposed earthworks.

The landslip risk has been assessed by Woolacotts in a Stormwater Management Report which concludes the following, inter alia:

*Water runoff generated from the development is channelled to the infiltration trench which is designed to cater for any storm event up to and including 2% AEP storm events. The infiltration trench is located at the downstream end of the development. Therefore, in our opinion, the risk associated with landslide due to water runoff derived from the development is insignificant and the development will not impact / affect the existing subsurface flow conditions.*

The proposal is considered appropriate in terms of landslip risk.

#### 4.1.6 Public Bushland

Clause 5.23 of the LEP relates to public bushland. The proposal satisfies the objectives of this clause by generally preserving the surrounding bushland and existing hydrogeological landforms. The proposal will result in the removal of two planter boxes, one garden bed and two trees. The landscaping and garden beds are associated with the 1986 clubhouse extension (see Heritage Impact Statement separately submitted), thus are not considered a remainder of the natural vegetation of the land or representative of the structure of the natural vegetation of the land. The removal of the planter boxes and one tree (Tree 5) will allow for a new set of stairs and a ramp, essential for the accessibility of the club. The removal of the garden bed is required for the multipurpose hall and north verandah. The removal of Tree 2 is required for the western extension of the club. The removal of both trees is supported in the Arborist Report (separately submitted) and additional landscaping include nine native trees are proposed elsewhere surrounding the site. New landscaping is also proposed to replace existing adjacent to the existing viewing platform.

Therefore, the proposal is considered appropriate in respect of public bushland.

## 4.2 State Environmental Planning Policy (SEPP) (Resilience and Hazards) 2021

SEPP (Resilience and Hazards) 2021 came into effect on 1 March 2022 and consolidated the previous Coastal Management, Remediation of Land and Hazardous and Offensive Development SEPPs as Chapters 2, 3 and 4 within the new SEPP. The coastal management and remediation of land provisions are relevant in this instance.

### 4.2.1 Coastal Management

The subject site is partially located in the coastal environment area. Clause 2.10 requires the consent authority to consider whether the proposal is likely to cause an adverse effect within the coastal environment area as follows, inter alia:

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



- (b) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

With regard to Clause 2.10, the proposal has been designed, sited and will be managed to avoid any adverse effects on the coastal environment area by adopting a similar building footprint to the existing building, which assists in avoiding adverse impacts on the surrounding coastal environment. In accordance with subclause (e), the proposal will replace existing pavements surrounding the surf club with new pavements and ramps designed to comply with Australian Standards (refer to Access Report separately submitted). Further works to upgrade the surrounding public open space subject to a separate application.

The subject site is located within the coastal environment area. Clause 2.11 requires the consent authority to consider whether the proposal is likely to cause an adverse effect within the coastal use area as follows, inter alia:

- (1) *Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:*
- (a) *has considered whether the proposed development is likely to cause an adverse impact on the following:*
- (i) *existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
  - (ii) *overshadowing, wind funnelling and the loss of views from public places to foreshores,*
  - (iii) *the visual amenity and scenic qualities of the coast, including coastal headlands,*
  - (iv) *Aboriginal cultural heritage, practices and places,*
  - (v) *cultural and built environment heritage, and*
- (b) *is satisfied that:*
- (i) *the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
  - (ii) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
  - (iii) *if that impact cannot be minimised—the development will be managed to mitigate that impact, and*
- (c) *has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

The proposal has taken into account the bulk, scale and size of the proposal in relation to the surrounding coastal and built environment. In accordance with subclause (a(i-ii)), the proposal will maintain access as existing to and along the beach foreshore. The proposal has been designed to minimise adverse amenity impacts to the surrounding foreshore by providing a built form with a similar envelope and footprint to existing to predominantly maintain solar access and views. The proposed alterations and additions will create an improved visual outcome whilst maintaining the heritage value of the clubhouse, particularly when viewed from the water and the surrounding public open space. This ensures the visual amenity and scenic qualities of the coast are maintained or improved. The subject site is not listed as a place of Aboriginal cultural significance or sensitive Aboriginal landscape.

Additionally, Clause 2.12 applies to development within the coastal zone, generally. Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land. A Coastal Assessment Report has been prepared (separately submitted) and states the following, inter alia:

- *The works situated within building structures landward of the old SLSC building would not be expected to be subject to current and projected coastal hazards for their design life;*
- *The works within the old SLSC could be threatened by erosion over their design life and would be situated within the Zone of Reduced Foundation Capacity. This risk has been known and accepted by Council since the 1980s;*
- *The proposed seaward extension of the Level 2 decking in the old SLSC is above the predicted coastal*

*inundation level over the design life but is expected to be subject to spray and splashing by waves during the design storm;*

- *The proposed works are primarily located within existing building structures and do not increase the risk to life and public safety from coastal hazards;*
- *The proposed works are not likely to alter coastal processes to the detriment of the natural environment or other land as the works are either landward of coastal processes, or are situated within existing building structures, or are at a level above the influence of coastal processes;*
- *The proposed works are sited such that they are not likely to cause an adverse impact in relation to (1)(a)(i), which is the applicable coastal engineering consideration under (1); and*
- *The proposed works are not likely to cause increased risk of coastal hazards on the subject land or other land as the proposed works are either located landward of coastal processes, or are situated within existing building structures, or are at a level above the influence of coastal processes.*

As such, the proposal is not considered likely to increase risk of coastal hazards on the subject site or other land.

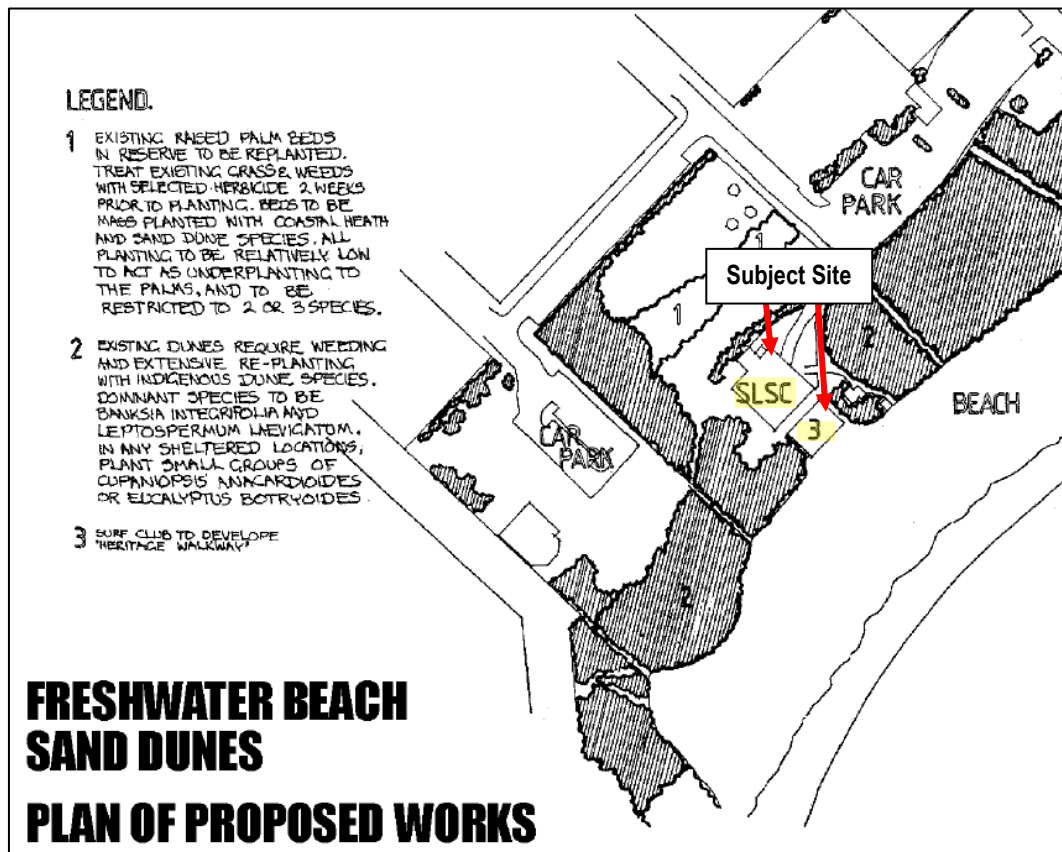
#### **4.2.2 Remediation of Land**

Clause 4.6(1) requires the consent authority to consider whether land is contaminated prior to the consent of development on that land. The long-term use of the site has been as a community facility and the site is not identified in the Warringah LEP as containing acid sulphate soils. On this basis, further investigation is not considered necessary.

### **4.3 Coastal Lands Management Plan (PoM)**

The Coastal Lands Management Plan (PoM) was adopted by Council in September 2002 and provides an overall framework for managing coastal open space in Warringah. The PoM refers to the Freshwater Surf Life Saving Club throughout which will be discussed below:

**Master Plan 4 and Concept Plan 11** – The master plan notes that the park and dune area surrounding the FSLSC is to undertake restoration, with these areas more specifically identified in the concept plan (see **Figure 14** on the following page). The proposed works to the surf club will have no impact on these areas. The concept plan identifies existing dune areas (labelled “2” in **Figure 14** on the following page) which require weeding and extensive re-planting. One tree will be removed from this area to accommodate the western extension (see Arborist Report separately submitted). Replacement planting including *Banksia Integrifolia* is proposed elsewhere within the site (see Landscape Plan separately submitted). The concept plan also identifies the surf club as being subject to developing a ‘heritage walkway’. The proposal satisfies this requirement by proposing a ‘museum of surf’ within the multipurpose hall between the front building constructed in 1935 and the rear 1986 extension to acknowledge the heritage of the surf club which is interwoven with the heritage of Freshwater Beach. This museum will be publicly accessible.



Source: Coastal Lands Plan of Management

Figure 14: Concept Plan 11 – Freshwater Beach Sand Dunes

**Section 6.2** – Section 6.2 of the PoM provides an actions table to address the objectives of the Local Government Amendment (Community Land Management) Act 1998. Action Item 29 relates to public art and states the following, inter alia:

*Incorporate public art into improvements projects in accordance with Council's Cultural & Art in Public Places Policy, the Cultural & Heritage Strategy and the Environmental Strategy. In particular this relates to recognising surfing and surf life saving heritage at:*

- The proposed improvements at Ocean Street, Narrabeen ('The Garden') shown in Concept Plan 3a & b
- Birdwood Park Reserve adjacent to North Narrabeen Surf Life Saving Club
- Freshwater Surf Life Saving Club

Surfing and surf lifesaving heritage at the FSLSC will be recognised through public art and addressed as part of the Freshwater Beach Masterplan which applies to the land surrounding the FSLSC.

**Section 6.6** – Section 6.6 of the PoM provides a list of all leases, licences and grants of estates which are authorised through the PoM, as well as their purpose and additional conditions. The FSLSC falls under the Surf Life Saving Club building precincts and is subject to the following provisions:

**Purpose of Lease, Licence or other Estate**

*This Plan of Management expressly authorises the granting of a lease, licence or other estate for:*

- Purposes associated with the operation of a volunteer lifesaving and beach patrol service and associated training and club activities,

- A food & beverage outlet
- Or recreation uses such as a gym, beach equipment hire or similar.

The proposed alterations and additions will maintain the club's existing activities being a volunteer lifesaving and beach patrol service with associated training and club activities. While it is proposed to replace the existing kiosk with a restaurant and a new café, these uses are considered food and beverage outlets according to the Warringah LEP and is consistent the PoM. The proposal will upgrade the existing gym and recreation hall, providing recreation uses in accordance with the PoM.

#### **Additional Conditions of lease, licences or other estates**

- That any lease be limited to 21 years.
- The shared hall area as identified on the existing lease, must remain available to the public for general community use. Any use of the building must permit reasonable community use of the area allowing for activities such as parties, functions and community meetings on a regular basis for times including weekend use where not reasonably required for purposes associated with volunteer life saving.
- Where an application to Council is required for further commercial uses a business plan may be requested that includes, but is not limited to, detail regarding the financial viability of the proposal, demand for the service/activity and future cost and maintenance expectations.
- That suitable off-street parking be available to accommodate additional uses that require development consent.
- That any use is in accordance with Council's policies & strategies governing the use of open space, particularly as this relates to the alienation of open space.

The proposed works are largely contained within the existing lease boundary. While a portion of the second floor decking and balcony, and north verandah and stairs fall outside of the lease boundary, this is considered to be acceptable as the lease boundary can be altered by agreement between Council and the FSLSC. The proposal provides community use of new training rooms, meeting rooms and upgraded function spaces. The traffic impacts associated with the proposal are expected to be negligible, as investigated by Traffix (see Traffic Report separately submitted). The proposal is in accordance the Northern Beaches Open Space and Outdoor Recreation Strategy and Action Plan 2022 in continuing to provide opportunities for surf lifesaving.

Accordingly, the proposed alterations and additions to the FSLSC will be in accordance with the Coastal Lands Management Plan.

#### **4.4 Warringah Development Control Plan (DCP) 2011**

The Warringah DCP applies to the site and the proposed development. The latest amendment (Amendment 21) commenced on 1 June 2022. Although there are no built form controls which apply to the proposed development or surf club use within the DCP, other relevant general provisions apply. An assessment of the proposal against the relevant controls in the Warringah DCP is summarised below (see **Table 2** on the following page).

**TABLE 2: PROJECT COMPLIANCE – WARRINGAH DCP 2011**

<b>Part C: Siting Factors</b>			
<b>Provision</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Complies</b>
Excavation and Landfill	Excavation and landfill works must not result in any adverse impact on adjoining land.	As rock excavation is not anticipated, the impact from ground vibration is anticipated to be tolerable for existing structures in the vicinity of the site (see Geotechnical Investigation)	YES (see Geotechnical Investigation)
	Excavated and landfill areas shall be constructed to ensure the geological stability of the work.	A geotechnical investigation has been prepared and provides a discussion and recommendations pertaining to batter slopes, retaining structures, floor slabs and footings amongst other considerations to ensure the geological stability of the work.	YES (see Geotechnical Investigation)
	Excavation and landfill shall not create siltation or pollution of waterways and drainage lines, or degrade or destroy the natural environment.	Excavation will be undertaken in accordance with the Geotechnical Investigation and will be further managed by the Construction Management Plan, Waste Management Plan and Council's conditions of consent.	YES
Demolition and Construction	Must be accompanied by a Waste Management Plan.	Waste Management Plan submitted separately.	YES
<b>Part D: Design</b>			
<b>Provision</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Complies</b>
Access to Sunlight	Development should avoid unreasonable overshadowing any public open space	The proposal will result in slight additional overshadowing to the open grassed areas and vegetation to the south-west of the site. Slight additional shadowing will also fall on Freshwater Beach. This shadowing is considered minor and acceptable.	YES (see Section 5.3.1)
Views	Development shall provide for the reasonable sharing of views.	The built form will continue to be part two and part three storeys, with the maximum building height reduced slightly compared to the existing situation. The proposal is surrounded by open space and continues to facilitate view sharing.	YES (see Section 5.3.2)
Privacy	Building layout should be designed to optimise privacy for occupants of the development and occupants of adjoining properties	The caretaker's apartment will be screened by a timber shade screen to maintain privacy from people utilising the public open space. No properties adjoin the subject site and privacy for club members is maintained.	YES

Building Bulk	<p>On sloping land, the height and bulk of development (particularly on the downhill side) is to be minimised, and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope. In particular:</p> <ul style="list-style-type: none"> <li>• The amount of fill is not to exceed one metre in depth.</li> <li>• Fill is not to spread beyond the footprint of the building.</li> <li>• Excavation of the landform is to be minimised.</li> </ul>	<p>The proposal will continue to step down the slope, with additional excavation proposed at the first floor level toward the rear. This is to accommodate additional storage, a waste room and the restaurant's back of house. Majority of proposed works occur above the existing ground level, thus, excavation is minimised.</p>	YES
	<p>Building height and scale needs to relate to topography and site conditions</p>	<p>Building height relates to the topography and site conditions. The proposed rear works are only 0.12m higher than the ridgeline of the clubhouse and remains well below the existing tower portion of the clubhouse. The proposal also sits largely within the existing building footprint.</p>	YES
Building Colours and Materials	<p>The colours and materials of development on sites adjoining, or in close proximity to, bushland areas, waterways or the beach must blend into the natural landscape</p>	<p>Colours and materials are neutral, blend into the natural landscape and complement the retained external building façade. New materials include timber shade screening and steel palisade balustrades.</p>	YES
	<p>The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade</p>		
Accessibility and Adaptability	<p>Design is to achieve a barrier free environment with consideration given to the design of door handles and switches, entrances and corridors. Steep, rough and slippery surfaces, steps and stairs and narrow paths should be avoided.</p>	<p>The proposal has considered accessibility by providing lift access across all three levels and an accessible bathroom on levels 2 and 3. Where there is a step in the floor levels, a ramp is provided for accessibility. An Access Report has also been prepared (separately submitted).</p>	YES
	<p>There are to be continuous, independent and barrier-free access ways incorporated into the design of buildings.</p>		
Safety and Security	<p>Buildings are to overlook streets as well as public and communal places to allow casual surveillance</p>	<p>The FSLSC will continue to overlook the surrounding public open space and Freshwater Beach</p>	YES
	<p>Service areas and access ways are to be either secured or designed to allow casual surveillance.</p>	<p>Service areas and access ways will be secured and will allow for casual surveillance</p>	YES
	<p>Adequate lighting of entrances and pedestrian areas</p>	<p>Entrances and pedestrian areas will be adequately lit</p>	YES

Part E: The Natural Environment			
Provision	Requirement	Proposal	Complies
Preservation of Trees or Bushland Vegetation	Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable compensatory tree planting is required. Details including proposed species and the location of replacement planting are to be provided.	Two trees are proposed for removal which are currently <2m from the existing building. Removal is required for a new verandah and access ramps. Additional trees are proposed and details are provided in the Landscape Plan (separately submitted).	YES
Prescribed Vegetation	Development is to be situated and designed to minimise the impact on prescribed vegetation, including remnant canopy trees, understorey vegetation, and ground cover species.	Two trees are proposed for removal, with nine new trees proposed. Further details are provided in the Landscape Plan (separately submitted). Many trees will remain as existing.	YES
Wildlife Corridors	For modification of native vegetation in all other cases, the applicant must demonstrate that the objectives have been achieved.	The areas amenity is preserved and enhanced through new landscaping which includes nine new canopy trees (see Landscape Plan).	YES
Native Vegetation	For modification of native vegetation in all other cases, the applicant must demonstrate that the objectives have been achieved.	New landscaping is proposed adjacent to the existing viewing platform, which is classified as Native Vegetation according to the DCP Map. The area's amenity will be preserved and enhanced via new landscaping in this area comprising three trees and a variety of shrubs and grasses (see Landscape Plan for details).	YES
Retaining unique environmental features	Development designed to address any distinctive environmental features of the site and on adjoining nearby land, and respond to these features through location of structures, outlook, design and materials	Development designed to address the open grasslands, vegetation and beach surrounding the site.	YES
Landslip Risk	Demonstrate that: <ul style="list-style-type: none"> <li>The proposed development is justified in terms of geotechnical stability; and</li> <li>The proposed development will be carried out in accordance with good engineering practice.</li> </ul>	See geotechnical investigation (separately submitted).	YES (see Geotechnical investigation)
	Development must not cause: <ul style="list-style-type: none"> <li>detrimental impacts because of stormwater discharge from the land; or</li> <li>detrimental impact on the existing subsurface flow conditions including those of other properties</li> </ul>	See stormwater plan (separately submitted)	YES (see Stormwater Plan)
Part H – Appendix 1: Car Parking Requirements			
Refer to Traffic Report (separately submitted) for a full assessment and justification			

## 5.0 PLANNING ASSESSMENT

This section will consider the following: The Assessment of the Natural Environmental Impact; the Built Environment Impacts; the Site Suitability and the Public Interest in accordance with Section 4.15 of the EPA Act.

### 5.1 Assessment of Natural Environmental Impacts

This section will assess the topographic and scenic impacts as well as the water and air quality impacts of the proposed development.

#### 5.1.1 Topography & Scenic Impacts

The proposed works require excavation to accommodate additional storage and the restaurant's back of house area. Excavation will be undertaken in accordance with Council's standard conditions of consent and the Geotechnical Investigation, prepared by Geotechnique (separately submitted). Two trees will be removed to accommodate the proposal, along with two planter boxes and a garden bed associated with the 1986 extension. New landscaping is proposed surrounding the site with details contained in the Landscape Plan (separately submitted).

#### 5.1.2 Water & Air Quality Impacts

With implementation of the proposed Stormwater Management Plan, the proposed development is unlikely to result in any adverse effects on the locality in terms of water and air quality. Stormwater and runoff will be managed in accordance with the Stormwater Engineer's recommendations and any Council conditions of consent.

### 5.2 Assessment of Built Environmental Impacts: Character and Context

This section will address the effects of the proposed development on the character and context of the area.

#### 5.2.1 Impact on the Area's Character

The existing FSLSC building is ageing and is in need of an upgrade to meet the current needs of the local community. The Freshwater Beach Masterplan demonstrates the need for upgrades to the public open space in which the surf club forms part of. The FSLSC is a significant part of the local community and its history and remains an active surf club providing lifesaving services to the local community. As noted in the FSLSC President's letter (separately submitted), the surf club is utilised by a number of community and volunteer groups whom require additional space and upgraded amenities to support their needs.

The proposed alterations and additions will notably provide additional storage for the club, a new restaurant and café to replace the existing kiosk, a larger gym and recreation hall, new public toilets, new function, training and meeting rooms and a new museum. The caretaker's apartment will also be renovated.

The proposal has been sympathetically designed to provide a well-considered contemporary upgrade at the rear of the building, whilst maintaining the heritage value of the front portion of the building constructed in 1935. The proposal responds to the site and minimises adverse impacts to surrounding public spaces. The proposed built form will also facilitate a significantly improved visual outcome, which contributes to the scenic qualities of Freshwater Beach and its surrounds. This is achieved by continuing to provide a part two and part three storey building which matches the height of the existing built form and is largely contained within the existing building footprint. The second-floor level will feature floor-to-ceiling sliding glass doors and a timber screen will wrap around the third floor of the building.



The building will be complimented by new landscaping and renewal works to the surrounding open space. Additional landscaping and renewal works will be subject to a separate application in accordance with the Freshwater Masterplan.

The proposed alterations and additions will result in increased accessibility within the site, with a new lift, internal and external ramps providing ease of access. These works will complement the further accessibility upgrades within the wider public open space which will include new and improved pathways (subject to a separate application).

In our opinion, **Figure 15** below and on the following page demonstrate the proposed building is contextually compatible within the context and will provide an appropriate response to the site. The proposal is a significant improvement when compared to the existing dated built form, complements the heritage significance of the front portion of the site, is in accordance with the LEP, DCP and PoM controls and is in the public interest.



Source: Bonus and Associates

**Figure 15: Photomontage of the Proposal**

### 5.3 Assessment of Built Environmental Impacts: Amenity

This section considers any amenity impacts resulting from the proposal and needs to be considered in conjunction with Section 4.5. It will specifically address sunlight access, view sharing and waste management.

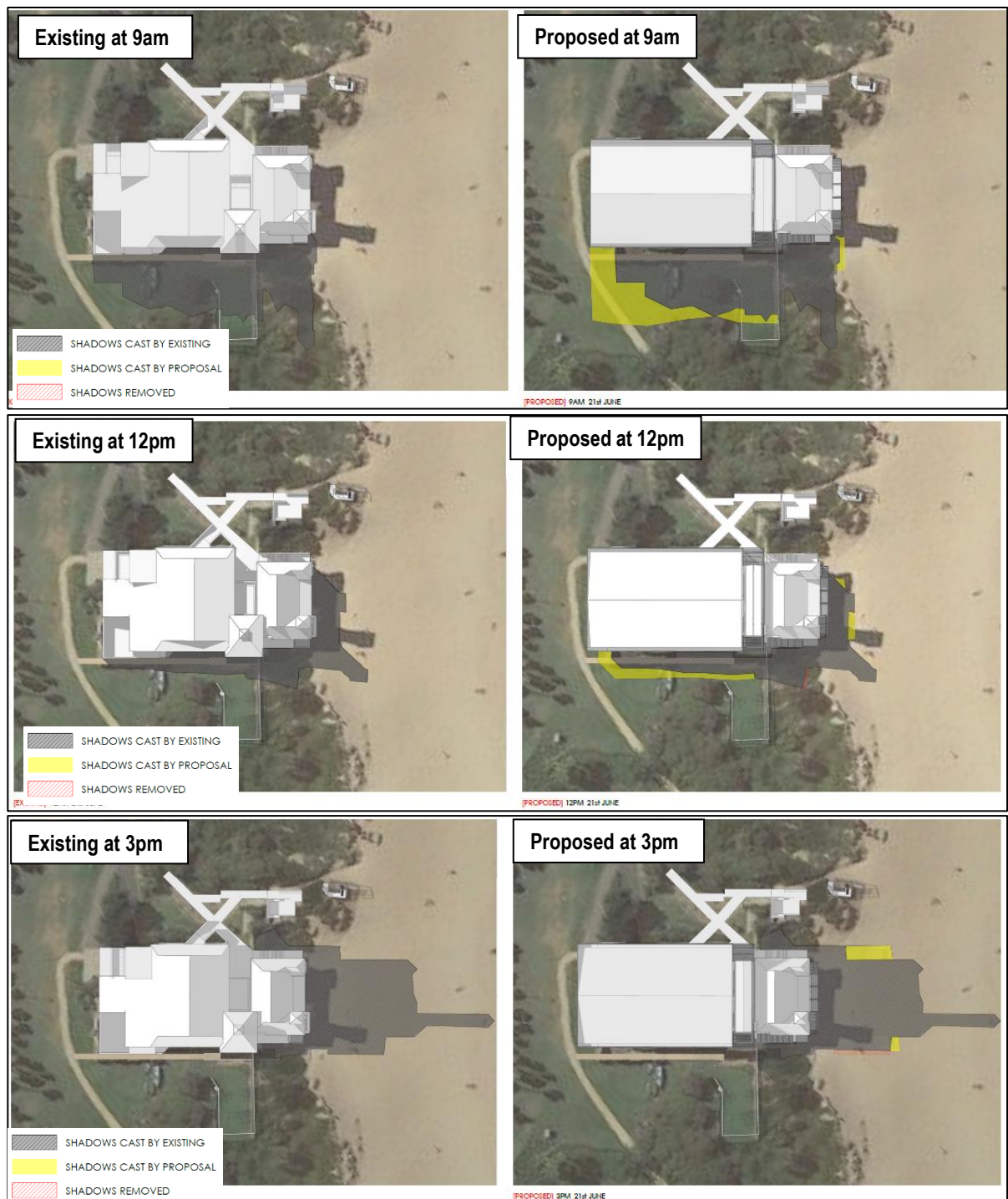
#### 5.3.1 Solar Access

To assess the effect of the proposed development in terms of solar access, shadow diagrams have been prepared for 9:00 am, 12 noon and 3:00 pm for the winter solstice (June 21) (see **Figure 16**). These diagrams indicate that the proposed development will result in negligible to minor additional shadowing and will maintain acceptable levels of solar access to the surrounding public spaces.

At 9:00am (on June 21), the proposed alterations and additions will cast minor additional shadowing to the grassed and vegetated open space to the south-west and negligible additional shadowing to Freshwater Beach. Minor shadowing will also occur to a portion of the surrounding footpath.

At 12:00pm (midday on June 21), the proposal will cast minor additional shadowing to the grassed open space to the south-west, a portion of the footpath, and Freshwater Beach. Shadow cast by the existing building will also reduce slightly at certain areas to the south-west. Solar access is maintained to majority of the surrounding footpaths at this time.

At 3:00pm (on June 21), the proposal will cast minor additional shadowing to Freshwater Beach and slightly reduce existing shadow at certain points. Solar access is maintained to the surrounding grassed open spaces and footpaths at this time.



Source: Bonus and Associates

**Figure 16: Proposed Shadow Diagrams (June 21)**

Overall, additional shadowing to the open space surrounding the FSLSC is minor. The minor additional overshadowing to the southwestern open space between 9am and 12pm at mid-winter is unlikely to result in adverse amenity impacts, particularly as this space does not contain any seated areas or similar community infrastructure. The surrounding pathways will remain largely unaffected by shadowing from the FSLSC, apart from a minor portion between 9am and 12pm. The additional shadow to the beach is considered negligible and will only impact a small portion of the sand near the beach access point.

On this basis and, in our opinion, the proposal provides an acceptable outcome with regards to maintaining solar access for the surrounding public open space.

### 5.3.2 View Sharing

The proposal is likely to maintain private views for development to the north, south and west of the site as existing. Private residential development is substantially separated from the subject site, is located at a higher level than the proposed built form and existing vegetation screens views across the site toward the beach. Additionally, given the proposal maintains the existing part two and part three storey built form, is no higher than the existing maximum building height and is largely contained within the existing footprint, the proposal is likely to maintain private views as existing.

An analysis of the proposal's potential view impact from properties directly behind the surf club is provided below. It is noted that our assessment has relied on an inspection around the subject site, real estate photographs of existing views and aerial photography.

**30 Moore Road** (see **Figure 17** on the following page): Ocean views are anticipated to be available from upper-level units. Existing views will vary depending on the position of each unit and will likely be partially obstructed by existing vegetation. As the alterations and additions will be no higher than the existing highest point of the building, the proposal is likely to have a negligible impact on views, if any. Sweeping views of the ocean will be maintained.

**4 to 8 Gore Street and 31 Kooloora Avenue** (see **Figure 17** on the following page): These properties are between one and two stories and water views are not anticipated to be currently available. This is a result of the properties' limited height and location between existing vegetation. Furthermore, real estate imagery available for 6 Gore Street (single-storey) and 31 Kooloora Avenue (two-storey) do not advertise water views from the property. Therefore, it is unlikely the proposal will result in view sharing impacts to these properties.



Source: SIX Maps

**Figure 17: Study Point Locations of the View Impact Analysis**

### 5.3.3 Waste Management

The proposal accommodates bin storage at the first floor level within the garbage room. This area is directly accessible via entrance points to the north-east, as well as via the new lift. The bin storage area is capable of accommodating the estimated 5 x 1100 litre waste bins, 3 x 1100 litre recycling bins and a bulky waste area required for waste, recycling and food and organic waste (see Waste Management Plan separately submitted).

## 5.4 Assessment of the Site Suitability

This section will consider the proximity of the site to services and infrastructure; traffic, parking and access issues; hazards; and construction.

### 5.4.1 Proximity to Services and Infrastructure

This site is well located in terms of public transport. The nearest bus stop is located 280 metres away on Charles Street and services route Nos. 165X and 167, providing regular access between South Curl Curl, Warringah Mall, Manly and Wynyard. Train services at Wynyard connect to the wider Sydney train network and ferry services at Manly connect to the wider ferry network.

As the site is within an established area, electricity, telephone, water and sewerage are also readily available.

### 5.4.2 Traffic, Parking and Access

Parking within Freshwater Beach carpark, the Moore Road carpark and on-street parking will remain available as existing. Whilst the restaurant, café and badminton court require 48 parking spaces as part the DCP, no off-street parking spaces can be provided (as existing) due to the building and site constraints. A Traffic Report prepared by Traffix (separately submitted), notes that traffic impacts associated with the proposal is expected to be negligible. Additional information regarding traffic and parking can be found in Section 3.6.5 of this report and in the Traffic Report (separately submitted).

### 5.4.3 Hazards

The site is identified by Council as being subject to landslip hazards (Area A – slope less than 5 degrees). The proposal is accompanied by a stormwater report that confirms the proposed development is unlikely to increase the likelihood of a landslip even, as well as Geotechnical Investigation which provides further details regarding the proposed earthworks.

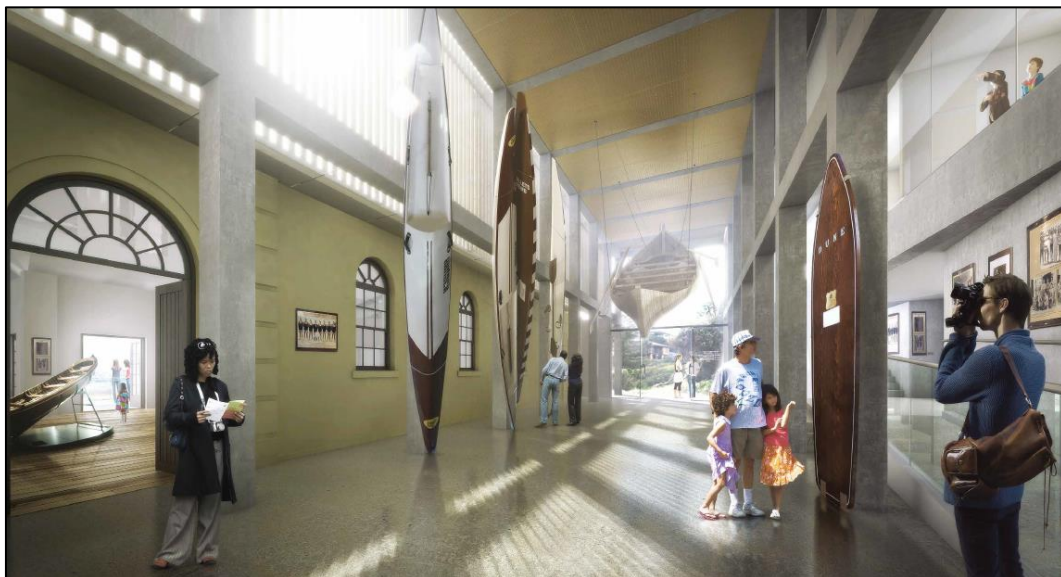
The site is not in an area recognised by Council as being subject to flooding, bushfire or any other particular hazards. The proposed development will not increase the likelihood of such hazards.

## 5.5 The Public Interest

This section will consider the social and economic effects of the proposal and the public interest.

### 5.5.1 Social and Economic Impact

The proposal will have social and economic benefits in the area through the construction of well-designed alterations and additions to the existing FSLSC built form including an upgraded gym, recreational room, community function rooms and new food and beverage outlets. A new museum is also proposed which will recognise the history of the surf club which is interwoven with the heritage of the Freshwater Beach (see **Figure 18**). This positively contributes to community and visitor interaction with the club. These works will contribute to meeting the ongoing demand for upgrades to the existing surf club.



Source: Bonus and Associates

**Figure 18:** Photomontage of Proposed 'Museum of Surf'

The proposal will provide employment during demolition and construction and in the provision of maintenance services once the facility is in operation.

### 5.5.2 The Public Interest

The proposal has been designed with consideration of the adjoining public open space and beach amenity, as well as the overall compatibility of the site within the context. The proposal has also considered the future works proposed to the surrounding public open space which forms part of the Freshwater Beach Masterplan. Importantly, the proposed built form and continued use meets the zone objectives by providing a use which enables the enjoyment of the land for recreational purposes, while facilitating public access to and along the coastline for all.

The proposed works will provide contemporary, well-designed alterations and additions to the community facility which complement the local heritage listed portion of the club. The building has been designed to provide a similar visual bulk and scale to the existing building by being largely contained within the existing footprint and maintaining its part two and part three storey form.

A new café and restaurant, increased storage spaces, increased floorspace of function/recreation rooms and additional training rooms will provide increased public amenity. The proposal will maintain the existing member's toilet block on level one which has no direct outdoor access, rather, is accessible from within the surf club facility. The existing public amenities on level two will be rebuilt on the same level

It is important to note that a separate public amenity block with increased facilities will be provided as part of the Freshwater Beach Masterplan. This amenity block will not be associated with the surf club and will be located within the broader open space as per the Masterplan. Once the separate public amenities block is constructed, the surf club's public amenities will be exclusively used for club members.

The proposal is a quality development that will provide substantial community benefit, and which is in the public interest.

## 6.0 CONCLUSION

The proposed alterations and additions to the Freshwater Surf Life Saving Club (FSLSC) building have been assessed in accordance with Section 4.15 of the EPA Act and Council's planning instruments. The proposal is permissible in the RE1 Public Recreation Zone under the LEP and in our opinion is consistent with the relevant objectives of the Zone.

This SEE demonstrates the proposal for alterations and additions to the existing building including a new restaurant, café, museum and upgrades to the existing community facilities will be in the public interest and will meet the communities ongoing demand for upgrades or redevelopment. The existing built form is ageing and requires upgraded and additional spaces to serve the needs of the surf club members and the wider community. As such, a new rear extension and internal works are proposed to meet increased demand whilst maintaining the heritage significance of the club. The proposal has been architecturally designed to enhance accessibility, functionality and internal and external amenity by providing new public facilities including a restaurant and café, upgraded function/recreation rooms and toilet facilities, new training rooms, a larger gym and increased storage for surf lifesaving equipment. The proposal has been designed to be an inclusive environment with a priority to ensure ease of access for people of all abilities.

The proposal has been sympathetically designed to maintain the relationship with the surrounding open space and Freshwater Beach. The proposal provides consistency in scale, form, proportions and setbacks with the existing built form on site, is largely located within the existing footprint and is constructed of materials that complement the surrounding landscape and can withstand the coastal conditions. This design approach ensures that the proposal will respect the surrounding scenic qualities.

The proposed development satisfies the relevant zone objectives in the Warringah LEP and the controls of the Warringah DCP and the Coastal Lands Management Plan PoM. The proposed design has been the subject of a Pre-DA meeting with Council, which has resulted in a built form outcome consistent with Council's comments. Importantly, the proposed design complies with all controls contained in the DCP and PoM.

The SEE is accompanied by a variety of plans/reports including but not limited to Architectural Plans, Heritage Impact Statement, Geotechnical Investigation, Access Report, Arborist Report, Coastal Assessment Report, Construction Management Report, Landscape Plan, Stormwater Plans and Report, Traffic Report and Waste Management Plan. These reports/plans have informed our assessment and the consultant reports confirm the proposal is suitable in the locality.