



northern
beaches
council

PRELODGE MENT ADVICE

Application No: PLM2019/0297

Meeting Date: 23/01/2020

Property Address: Freshwater Surf Life Saving Club – Clubhouse, Kooloora Avenue
FRESHWATER

Proposal: Development Application Pre-lodgement Meeting Increase the size of the entry area lobby, enclose the balcony above the entrance lobby, create a new stair and walkway to the beach along the southern perimeter.

Attendees for Council: Tony Collier - Principal Planner
Anne-Marie Young - Principal Planner
Dominic Chung - Senior Urban Designer
Oya Guner - Heritage Advisor
Janie Formica - Heritage Planner
Joseph Tramonte - Senior Landscape Officer
Jodie Crawford - Acting Manager, Coast and Catchments

Attendees for applicant: Stephen March - Project Officer
Alan Burns – President Freshwater SLSC.

General Comments/Limitations of these Notes

These notes have been prepared by Council on the basis of information provided by the applicant and a consultation meeting with Council staff. Council provides this service for guidance purposes only. These notes are an account of the specific issues discussed and conclusions reached at the pre-lodgement meeting. These notes are not a complete set of planning and related comments for the proposed development. Matters discussed and comments offered by Council will in no way fetter Council's discretion as the Consent Authority. A determination can only be made following the lodgement and full assessment of the development application.

In addition to the comments made within these notes, it is a requirement of the applicant to address ALL relevant pieces of legislation including (but not limited to) any SEPP and any applicable clauses of the Warringah LEP 2011, Warringah LEP 2000 and Warringah DCP 2011 within the supporting documentation of a development application including the Statement of Environmental Effects.

You are advised to carefully review these notes. If there is an area of concern or non-compliance that cannot be supported by Council, you are strongly advised to review and reconsider the appropriateness of the design of your development for your site and the adverse impacts that may arise as a result of your development prior to the lodgement of any development application.



SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

Issue/s Raised	Council Response
<p>Issue(s)</p> <p>The applicant clarified that the scope of the proposal has been reduced / amended as follows:</p> <ul style="list-style-type: none"> • Internal alterations to caretaker's accommodation to create an office in the area marked as lounge on the level 3 plan. • Enclosure of existing deck above the entrance foyer to create an office space. • New external link pathway, deck and steps along the southern elevation of the building. <p>*The proposal alterations to increase the size of the entrance foyer is no longer part of the scope of works.</p> <p>What planning approvals are required DA or Part V assessment?</p> <p>What documentation is required e.g. heritage report.</p>	<p>Comments</p> <p>The reduction in the extent of the work to the entrance foyer has addressed many of the urban design and heritage concerns.</p> <p>Notwithstanding the reduction in the scope of the work it is the opinion of the Development Assessment Unit that a Development Application will be required as opposed to seeking consent as a Part 5 Assessment</p> <p>It is acknowledged that a number of expert reports have already been prepared as part of the documentation for an earlier proposal (2016). These reports can be adapted to address the current proposal.</p> <p>Details of the documentation required to be provided with the subject proposal is referenced at the end of these notes.</p>

State Environmental Planning Policy No 71—Coastal Protection

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

Note: WLEP 2011 can be viewed at [Council's website](#).

Zoning and Permissibility	
Definition of proposed development: (ref. WLEP 2011 Dictionary)	Community Facility
Zone:	RE1 Public Recreation
Permitted with Consent or Prohibited:	Permitted with consent

Principal Development Standards

There are no development standards or built form controls applicable to the site.

Other Relevant WLEP Controls



Other Relevant WLEP Controls

Clause 5.10 Heritage Conservation

The original clubhouse is listed under the WLEP 2011 as Item 166 being the Freshwater Surf Life Saving Club. The building to which the proposed works relate to is not part of the listing.

The applicant has clarified that the extension of the entrance foyer is no longer part of the proposal as such there are no heritage issues with the proposed internal re-configuration of level 3 to create an office. In order to ensure that the enclosure of the terrace above the entrance foyer to create a training room has no impact on the heritage significance of the original clubhouse the following is recommended. The material is transparent and the ridge height of the proposed roof is lower than the ridge height of the heritage item.

The screen structure above the entry following the roof of proposed training room should not exceed the face of the external wall (north-eastern corner) of the heritage item on the plan.

Any Development Application would need to acknowledge the existing heritage listing which applies to the site and a Heritage Impact Statement is required

The deck and steps will adversely impact on the heritage significance of the clubhouse and are not supported. In addition, the design of the proposed fencing is not supported.

In summary, the proposal needs to be amended to exclude the deck, steps and fencing and any works proposed to the building is to be justified in a Heritage Impact Statement prepared by a suitably qualified person.

Clause 6.5 Coastline Hazards

The applicant has confirmed that the work will be contained within the footprint of the existing building. Notwithstanding this, the applicant is required to address the objective of clause 6.5 and sub-clause 6.5(3) of the LEP which requires the consent authority to ensure that the development will not have significant adverse effect on coastal hazards.

WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP 2011)

Note: The WDCP can be viewed at [Council's website](#).

Part B: Built Form Controls There are no built form controls applicable to the site.	
Other Relevant WDCP Controls	
E2. Prescribed Vegetation	
Control/Requirement	Proposed
Development is to be situated and designed to minimise the impact on prescribed vegetation, including remnant canopy trees, understorey vegetation, and ground cover species.	The proposed path, deck and stairs raise issues in relation to compliance with this clause.
Comment: The path, deck and stairs are to be deleted from the proposal. The amended scheme shall demonstrate compliance with the requirements of Clause E3 and address the objectives of the Clause in a SEE.	



E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat	
Control/Requirement	Proposed
<p>The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines.</p> <p>The applicant must demonstrate that the objectives have been achieved through a Biodiversity Management Plan prepared in accordance with Council guidelines that will protect, manage and where appropriate promote the recovery of threatened species, populations and ecological communities and areas of high conservation habitat on the subject property.</p>	<p>The proposed path, deck and stairs raise issues in relation to compliance with this clause.</p>
<p>Comment: The path, deck and stairs are to be deleted from the proposal. The amended scheme shall demonstrate compliance with the requirements of Clause E3 and address the objectives of the Clause in a SEE.</p>	
E4 Wildlife Corridors	
Control/Requirement	Proposed
<p>For modification of native vegetation where the area of land supporting the vegetation to be modified is greater than 50m² or the land supporting the vegetation to be modified forms part of an allotment where vegetation has been modified in the last five years:</p> <ol style="list-style-type: none"> i. The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines; and ii. The applicant must demonstrate that the objectives have been achieved through a Biodiversity Management Plan prepared in accordance with Council guidelines that will protect, manage and enhance wildlife corridors, and where appropriate reconstruct wildlife corridor areas on the subject property. 	<p>The proposed path, deck and stairs raise issues in relation to compliance with this clause.</p>
<p>Comment: The path, deck and stairs are to be deleted from the proposal. The amended scheme shall demonstrate compliance with the requirements of Clause E4 and address the objectives of the Clause in a SEE.</p>	
E5 Native Vegetation	
Control/Requirement	Proposed



<p>1. For modification of native vegetation where the area of land supporting the vegetation to be modified is greater than 100m² or the land supporting the vegetation to be modified forms part of an allotment where vegetation has been modified in the last five years:</p> <p>The applicant must demonstrate that the objectives have been achieved through a Flora and Fauna Assessment prepared in accordance with Council guidelines; and</p> <p>The applicant must demonstrate that the objectives have been achieved through a Biodiversity Management Plan prepared in accordance with Council guidelines that will protect native vegetation on the subject property.</p> <p>2. For modification of native vegetation in all other cases, the applicant must demonstrate that the objectives have been achieved.</p>	<p>The proposed path, deck and stairs raise issues in relation to compliance with this clause.</p>
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Comment
 The path, deck and stairs are to be deleted from the proposal. The amended scheme shall demonstrate compliance with the requirements of Clause E5 and address the objectives of the Clause in a SEE.

E6 Retaining unique environmental features

Control / Requirements	Proposal
<p>1. Development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land.</p> <p>2. Development should respond to these features through location of structures, outlook, design and materials.</p>	<p>The proposed path, deck and stairs raise issues in relation to compliance with this clause.</p>

Comment: The path, deck and stairs are to be deleted from the proposal. The amended scheme shall demonstrate compliance with the requirements of Clause E6 and address the objectives of the Clause in a SEE.

Specialist Advice

Referral Body	Comments
<p>Referral Body Coastal Zone- Natural Environment Unit (Coastal)</p>	<p>Matters related to the impact of the development on coastal process (Clause 6.5 of WLEP 2011 and Part E9 WDCP 2011) and compliance with SEPP 71 can be addressed within the Statement of Environmental</p>



Specialist Advice	
Referral Body	Comments
<p><u>Relevant Clauses</u></p> <ul style="list-style-type: none"> • SEPP 71 Coastal Protection (Coastal Management) – Coastal Environment Area • Warringah LEP 2011– Clause 6.5 • Warringah DCP 2011 – Part E9 	<p>Effects and includes the following:</p> <p>Demonstration that the proposed additions comply with Warringah Local Environment Plan 2011 Clauses 5.5 (Development within the coastal zone) and 6.5 (Coastline hazards)</p> <p>Demonstration of compliance with the NSW Coastal Management Act and the State Environmental Planning Policy Coastal Management. With specific reference to clauses 13 (Development on land with the coastal environment area), 14 (Development on land with the coastal use area), 15 (Development in coastal zone generally – development not to increase risk of coastal hazards) of the Coastal Management SEPP.</p>
<p>Referral Body Heritage</p> <p><u>Relevant WLEP Clause</u> Clause 5.10 Heritage Conservation</p>	<p>The subject site consists of two (2) buildings including a heritage item, being “<i>Item 166 - Freshwater Surf Life Saving Club</i>” at Freshwater Beach, as identified in the WLEP 2011 - Schedule 5. There is also an infill building connecting the 2 club buildings, constructed in 2009.</p> <p>The heritage item is a “two storey cement rendered building on rear dunes of beach” as contained in the Heritage Inventory and the details are: “hipped tiled roof, with gable at top; Observation tower with hipped tiled roof; arched & square headed openings”</p> <p>The proposal is for enclosing the balcony above the entry to create a training room, increasing the size of the entry lobby and creating a new connection to the beach. The proposed works involves the infill section of the property.</p> <p>Heritage comments:</p> <ul style="list-style-type: none"> • Enclosing the balcony above the existing entry area to create a training room is acceptable as long as the material is transparent and the ridge height of the proposed roof is lower than the ridge height of the heritage item. • The screen structure above the entry following the roof of proposed training room should not exceed the face of the external wall (north-eastern corner) of the heritage item on the plan. <p>Any DA would need to acknowledge the existing heritage listing which applies to the site and a Heritage Impact Statement is required.</p>



Specialist Advice	
Referral Body	Comments
<p>Coastal Zone- Natural Environment Unit (Biodiversity)</p> <p><u>Relevant Clause</u></p> <ul style="list-style-type: none"> • SEPP 71 Coastal Protection (Coastal Management) – Coastal Environment Area • Warringah DCP – E2 Prescribed Vegetation • Warringah DCP – E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat • Warringah DCP – E4 Wildlife Corridors • Warringah DCP – E5 Native Vegetation • Warringah DCP – E6 Retaining unique environmental features 	<p>The applicant is to address compliance with each of the relevant provisions of the Coastal SEPP and the Warringah DCP :</p> <p>The amount of native vegetation proposed to be removed is to be quantified and provisions included for its replacement elsewhere on site. This is to be demonstrated via a Landscape Plan, prepared by a suitably qualified landscape architect.</p> <p>Any Coastal Spinifex (<i>Spinifex sericeus</i>) disturbed as a result of the proposal is to be salvaged and relocated elsewhere within Freshwater Reserve to an appropriate site by an appropriately trained bushland management team or similar.</p> <p>Any new landscaping is to be composed of locally indigenous species from the Sydney Coastal Heaths vegetation class (as far as is consistent with the Freshwater Coastal Open Space Masterplan). Species of the Sydney Coastal Heaths class can be found here: https://www.environment.nsw.gov.au/threatenedspeciesapp/VegClass.aspx?vegClassName=Sydney%20Coastal%20Heaths</p>
<p>Urban Design</p>	<p>*The comments provided below are in response to the documentation submitted with the original PLM. At the pre-lodgement meeting, the applicant confirmed that the scope of the proposal has been modified to exclude the extension to the entrance foyer. As such the design issues detailed in the referral response have been addressed:</p> <p>The proposed entrance foyer creates an appropriate organising element to enter the heritage clubhouse, heritage room and recreation hall. It also provide the required disable access as well. The entrance trellis/ screen structure proposed which is currently aligned to the roof eaves of the Heritage clubhouse could be cut back by about a metre (line up with the corner column /entrance door to the heritage club house) to allow the corner of the heritage club house to be expressed.</p> <p>The top of the proposed entrance structure appears to be the same height with the existing ridge height of the heritage clubhouse. A clear offset would be preferred i.e. It should be about 200mm lower than the ridge height of the heritage clubhouse.</p>



Specialist Advice	
Referral Body	Comments
	<p>The alternate option layout has minimal impact on the existing built form and involves only internal partition walls and new sliding doors to the deck. As such, it can be supported.</p>
<p>Landscape <u>Relevant WLEP Clause</u> Clause 5.10 Heritage Conservation</p>	<p>The pre-lodgement documents for Freshwater Beach Surf Club include the following external proposal:</p> <ul style="list-style-type: none"> • Path connection from the existing Coast Walk within the park to the beach with incorporation of outdoor decking and stairs at the beach end. <p>At the pre-lodgement meeting the following was confirmed by the applicant in response to queries on the external works:</p> <ul style="list-style-type: none"> • Existing cleared land area south of the Heritage Room is to remain as is, with no proposal for improvement. On the pre-lodgement documents, the existing post and rail edge to the existing dune appears as a new style of fencing. • Proposed decking and stairs at the beach end will require removal of dunes and vegetation to the extent of the proposal. <p>Any works are subject to complying with the Adopted Freshwater Beach Open Space Masterplan.</p> <p>The pre-lodgement proposal is contrary to the Masterplan in the area of the proposed decking and stairs to the beach. The Masterplan resolution for this area is 'Foredune rehabilitation' including management of dune profile and dune vegetation, and ongoing dune stabilisation program.</p>
<p>Landscape (continued)</p>	<p><u>Assessment of proposal</u> <i>Path access:</i></p> <p>There are six existing path connections to the beach that adequately provide access for the community.</p> <p>The proposal for a path connection from the park to the beach would be beneficial to the community should it result in general usage and recognition as an access path, and subject to no encroachment</p>



Specialist Advice	
Referral Body	Comments
	<p>upon the natural environment. However, the proposed access route is infrequently used by the general community as the area is obscured from sight along the existing path within the park and thus is not a community benefit. The proposal is not supported. The current informal access should be closed to reduce and risk and liability.</p> <p>A path from the park to the Heritage Room / Surf Club may have community benefit, and this should be considered if it can be demonstrated that the path is warranted and that barrier free access is achievable.</p> <p><i>Decking and stairs:</i></p> <p>The proposed decking and stairs is not supported. The proposal will require removal of dunes and vegetation.</p> <p>The proposed design appearance of the decking and stairs visually competes with the heritage status of the original Surf Club, diminishing its scenic value, as well as increasing the built form appearance from the sand and water, and this further diminishes its heritage significance.</p> <p>As discussed and illustrated in the sketches that are provided at the end of these notes, no external improvements are supported as part of the works, except for the possible new path access connection.</p>

Relevant Plans of Management
<p>The site is located within an area covered by the Coastal Lands Plan of Management (POM).</p> <p>Master Plan 4 and Concept Plan 11 notes that dune restoration is to be undertaken for Freshwater Beach. This is particularly relevant to the location of an Amenities building and care is to be taken to avoid areas identified for any replanting and/or restoration works.</p> <p>Concept Plan 11 also notes that the surf club is to develop a 'heritage walkway'.</p> <p>Section 6.6 of the POM identifies the club within a Surf Life Saving Club building precinct and expressly authorises the granting of a lease, licence or other estate for:</p> <ul style="list-style-type: none"> • Purposes associated with the operation of a volunteer lifesaving and beach patrol service



Relevant Plans of Management

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

The POM stipulates 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 lifesaving.
- 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.

All leasing arrangements within Council's building assets are to be approved by Council's Buildings, Property and Spatial Information Department.

Relevant Council Policies

You are advised of the following (but not limited to all) Council's policies available at [Council's website](#):

- [Applications for Development - Policy for the handling of unclear, non-conforming, insufficient and Amended applications: PDS-POL 140](#)
- [Stormwater drainage for low level properties PDS-POL 135](#)
- Waste PL 850

Documentation to accompany the Development Application

- Electronic copies (USB)
- Statement of Environmental Effects
- Cost of works estimate/ Quote
- Site Plan
- Floor Plan
- Elevations and sections
- A4 Notification Plans
- Survey Plan
- Site Analysis Plan
- Demolition Plan
- Waste Management Plan (Construction & Demolition)
- Waste Management Plan Ongoing
- Schedule of colours and materials
- Landscape Plan and Landscape Design Statement
- Arboricultural Impact Assessment Report
- Photo Montage



Documentation to accompany the Development Application

- Statement of Heritage Impact
- Statement of Environmental Impact
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist
- Stormwater Drainage Assets Plan
- Coastal Assessment Report
- Flood Risk Assessment Report
- Water Table Report
- Overland Flows Study
- Water Sensitive Urban Design Strategy
- Waterway Impact Statement
- Aquatic Ecology Assessment
- Estuarine Hazard Assessment
- Flora and Fauna Assessment
- Species Impact Statement
- Biodiversity Management Plan
- Access Report

Please refer to Development Application Checklist for further detail.

Concluding Comments

These notes are in response to a pre-lodgement meeting held on 23 January 2020 to discuss alterations and additions to the Freshwater Surf Life Club at Lot 21/9999 Kooloora Avenue, Freshwater.

These notes reference preliminary plans prepared by Bonus & Associates.

The proposed internal reconfiguration of the caretaker's accommodation is acceptable and this is Council's preferred option.

The proposed enclosure of the existing terrace above the entrance foyer is also generally acceptable subject to appropriate materials and detailing to ensure that the heritage significance of the original clubhouse is protected.

The proposed deck and stairs is not supported as this will require the removal of the dunes and vegetation and will have an adverse impact on the heritage significance of the surf club. The proposed new path is not supported as it does not benefit the community and the existing informal access should be closed.

Based upon the above comments you are advised to amend the proposal to exclude the path, deck and stairs and satisfactorily address the matters raised in these notes prior to lodging a development application.

