

**STATEMENT OF  
ENVIRONMENTAL EFFECTS**

Ground floor alterations/  
refurbishment of existing hotel  
premises (pub)

Harbord Beach Hotel

**29 – 31 MOORE ROAD  
FRESHWATER**

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# **Statement of Environmental Effects**

**Ground floor alterations/ refurbishment of the existing hotel premises (pub)**

**Harbord Beach Hotel**

**29 – 31 Moore Road, Freshwater**

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## 1.0 INTRODUCTION

This document forms a component of a development application proposing ground floor alterations and refurbishment of the existing hotel premises occupying the subject site. We confirm that the proposed works result in a small 8 square metre reduction in front of house floor space with the existing hotel premises continuing to operate in strict accordance with the current development consents and Licenses associated with the ongoing use of the land. Accordingly, the proposed refurbishment works do not represent an intensification of use of the existing premises with existing hours of operation, patron capacity and associated parking not altered as a consequence of the works proposed.

Specifically, the application seeks to improve the internal layout, function and amenity of the existing hotel through the reconfiguration of floor space and replacement of antiquated kitchen, bar and bathroom facilities. External works are limited to the demolition of the external stairs at the front of the property, the provision of festoon lights to the front courtyard, the provision of a new pedestrian access/ egress door from Charles Street and associated above door signage, the replacement/ upgrading of existing fenestration to achieve required acoustic performance criteria and the upgrading of existing roof mounted kitchen exhaust and mechanical ventilation plant equipment.

In this regard, the application is accompanied by an acoustic report detailing the applicable acoustic criteria that needs to be achieved in terms of the glazing and mechanical plant installations with the acceptability of the works, having regard to the properties listing as an item of Local heritage significance, addressed in the accompanying heritage impact statement prepared by Weir Phillips Heritage and Planning. This report contains the following commentary:

*In summary, the proposed works will have a minimal and acceptable impact on the significance of the Harbord Beach Hotel. The proposed works will have no impact on the historic, aesthetic, social significance of the building and its landmark because:*

- The external alterations are limited to the enlargement of a window opening to create entry from Charles Street (western elevation). The current window has a modern metal frame and early images indicate that this elevation has previously undergone change with the removal of doors. The reinstatement of an entry from Charles Street is considered to be acceptable and will not affect the predominate architectural language of the existing hotel.*
- The proposed internal works seeks to remove non-original fabric and reveal the original stair detailing.*

- *The heritage inventory sheet does not contain any information pertaining to the internal fabric suggesting that it is not considered to contribute to the heritage significance of the place.*
- *The proposed works assist in the continuation of the use of the item as a hotel which is its original and best use.*

In preparation of this document, consideration has been given to the minutes arising from formal pre-DA discussions with Council (PLM 2020 0069) and the following statutory considerations:

- The Environmental Planning and Assessment Act, 1979;
- Warringah Local Environmental Plan 2011; and
- Warringah Development Control Plan.

Architectural drawings including plans, sections and elevations have been prepared in relation to the development proposed. The application is also accompanied by an acoustic report, access report, BCA report, construction management plan, Heritage Impact Statement, mechanical services design certificate, operational plan of management, waste management plan and kitchen and bar fit-out plans and specifications.

The development responds appropriately to the development standards contained within Warringah Local Environmental Plan 2011 (WLEP) and the built form guidelines contained within Warringah Development Control Plan as they relate to the minor works proposed. Having given due consideration to the relevant considerations pursuant to section 4.15(1) of the Environmental Planning & Assessment Act 1979 (the Act) it has been demonstrated that the proposed development succeeds on merit and is appropriate for approval.

## 2.0 SITE DESCRIPTION AND LOCATION

The subject site is legally described as Lots 1 - 5, DP 7022, No 29 Moore Road and Lot 13, DP 7022, No 31 Moore Road, Freshwater. The site is “L” shaped having primary frontage and address to Moore Road of approximately 54 metres, secondary frontage to Charles Street of approximately 56 metres, tertiary frontage to Undercliff Road and a total area of approximately 2641.2 square metres. The site and its location are depicted in Figure 1 below.



Source: SIX Maps

**Figure 1** – Aerial location/ context photograph

The subject property is occupied by a 2 storey hotel known as the Harbord Beach Hotel. The State Heritage Inventory Listing Sheet provides the following statement of significance for the subject property:

*A rare example of an inter-war hotel building which shows influences of the Californian bungalow style. Historically provides evidence of the early development of social & recreational facilities to serve the growing population. Local landmark.*

The hotel building is located on the north western corner of the site with at-grade parking adjacent to the Undercliff Road frontage. A drive-thru bottle shop is located on the eastern portion of the site with vehicular access from Charles Street and egress via Moore Road. The main entry to the hotel for patrons is from the Moore Road frontage.



Source: Heritage Impact Statement prepared by Weir Phillips Heritage and Planning

**Figure 2** – Subject property as viewed from Moore Road.

Immediately surrounding development is residential in nature comprising a mixture of detached dwelling houses interspersed by dual occupancy and residential flat development. Freshwater Local Centre and Freshwater beach are located within short walking distance of the site.



### 3.0 PROPOSED DEVELOPMENT

The subject application proposes ground floor alterations and the refurbishment of the existing hotel premises. The works are depicted on the following plans prepared by Alexander and Co:

A (BASE BUILD)	DA- AXX-001	SITE & ROOF - EXISTING & DEMOLITION PLAN
	DA- A00-001	GROUND FLOOR - EXISTING & DEMOLITION PLAN
	DA- A01-001	FIRST FLOOR - EXISTING PLAN
D (PLANS)	DA- D00-011	GROUND FLOOR - GENERAL ARRANGEMENT PLAN
E (ELEVATIONS)	DA- EXX-001	OVERALL BUILDING - EXTERNAL ELEVATIONS 01
	DA- EXX-002	OVERALL BUILDING - EXTERNAL ELEVATIONS 02
F (SECTIONS)	DA- FXX-001	OVERALL BUILDING - SECTION AA

Specifically, the application seeks to improve the internal layout, function and amenity of the existing hotel through the reconfiguration of floor space and replacement of antiquated kitchen, bar and bathroom facilities. External works are limited to the demolition of the external stairs at the front of the property, the provision of festoon lights to the front courtyard, the provision of a new pedestrian access/ egress door from Charles Street and associated above door signage, the replacement/ upgrading of existing fenestration to achieve required acoustic performance criteria and the upgrading of existing roof mounted kitchen exhaust and mechanical ventilation plant equipment.

We confirm that the proposed works result in a small 8 square metre reduction in front of house floor space with the existing hotel premises continuing to operate in strict accordance with the current development consents and Licenses associated with the ongoing use of the land. Accordingly, the proposed refurbishment works do not represent an intensification of use of the existing premises with existing hours of operation, patron capacity and associated parking not altered as a consequence of the works proposed.

The application is accompanied by an acoustic report detailing the applicable acoustic criteria that needs to be achieved in terms of the glazing and mechanical plant installations. A construction management plan and operational plan of management also accompany the application.



## 4.0 STATUTORY PLANNING FRAMEWORK

### 4.2 Warringah Local Environmental Plan 2011

#### 4.1.1 Zoning

The site is zoned R2 Low Density Residential pursuant to the provisions of Warringah Local Environmental Plan 2011. Whilst pubs are prohibited in the zone Schedule 1 – Additional permissible uses of WLEP contains the following provisions:

#### **14 Use of certain land at 29 Moore Road, Freshwater**

- (1) This clause applies to land at 29 Moore Road, Freshwater, being Lots 1–5, Section 1, DP 7022 and Lot 13, Section 1, DP 7022, shown as “Area 14” on the Additional Permitted Uses Map.*
- (2) Development for the purposes of pubs is permitted with consent.*

A pub is defined as follows:

**pub** means licensed premises under the Liquor Act 2007 the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

The existing premises is appropriately defined as a pub and therefore permissible with consent in the zone. The proposed works are ordinarily ancillary and incidental to the existing hotel/ pub use and as such are permissible in the zone with development consent.

#### 4.1.2 Height of Buildings

Pursuant to clause 4.3 of WLEP the maximum building height for development on the land is 8.5 metres.

We conform that all proposed works are located below the 8.5 metre height standard and as such comply with the numerical control and associated objectives. Accordingly, there is no statutory planning impediment to the granting of consent.

### 4.1.3 Heritage Conservation

Pursuant to clause 5.10 WLEP 2011 development consent is required for any of the following:

- (a) *demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):*
  - (i) *a heritage item,*
  - (ii) *an Aboriginal object,*
  - (iii) *a building, work, relic or tree within a heritage conservation area,*

The stated objectives of this clause are as follows:

- (a) *to conserve the environmental heritage of Manly,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) *to conserve archaeological sites,*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The accompanying Heritage Impact Statement prepared by Weir Phillips Heritage and Planning confirms that the exiting hotel is identified within Schedule 5 of WLEP as an item of Local significance with the State Heritage Inventory Listing Sheet containing the following statement of significance for the subject property:

*A rare example of an inter-war hotel building which shows influences of the Californian bungalow style. Historically provides evidence of the early development of social & recreational facilities to serve the growing population. Local landmark.*

The accompanying Statement of Heritage Impact contains the following summary having regard to an assessment against the applicable statutory considerations:

*In summary, the proposed works will have a minimal and acceptable impact on the significance of the Harbord Beach Hotel. The proposed works will have no impact on the historic, aesthetic, social significance of the building and its landmark because:*

- The external alterations are limited to the enlargement of a window opening to create entry from Charles Street (western elevation). The current window has a modern metal frame and early images indicate that this elevation has previously undergone change with the removal of doors. The reinstatement of an entry from Charles Street is considered to be acceptable and will not affect the predominate architectural language of the existing hotel.*
- The proposed internal works seeks to remove non-original fabric and reveal the original stair detailing.*
- The heritage inventory sheet does not contain any information pertaining to the internal fabric suggesting that it is not considered to contribute to the heritage significance of the place.*
- The proposed works assist in the continuation of the use of the item as a hotel which is its original and best use.*

## **CONCLUSIONS**

*This Heritage Impact Statement has been prepared in conjunction with a DA for alterations and additions to No. 29 Moore Road, Freshwater. The existing building on the subject site is a two storey Inter-War era hotel. The building is a locally listed heritage item.*

*The proposed works are minor in nature and will have no impact on the significance of the nearby heritage listed Freshwater Restaurant.*

*The proposed works fulfil the objectives for alterations and additions to a heritage listed item, in the vicinity of heritage items set out by the Warringah LEP 2011 and the Warringah DCP 2011.*

## **4.2 Warringah Development Control Plan**

The following section of this report will detail the proposals performance when assessed against the applicable WDCP provisions.

### **Part B - Built Form Controls**

As previously indicated, external works are limited to the demolition of the external stairs at the front of the property, the provision of festoon lights to the front courtyard, the provision of a new pedestrian access/ egress door from Charles Street and associated above door signage, the replacement/ upgrading of existing fenestration to achieve required acoustic performance criteria and the upgrading of existing roof mounted kitchen exhaust and mechanical ventilation plant equipment. The balance of works are internalised and do not in any way alter the external appearance of the building and its relationship to surrounding development.

### **Part C - Siting Factors**

Having regard to these provisions we note:

- The proposed works result in a small 8 square metre reduction in front of house floor space with the existing hotel premises continuing to operate in strict accordance with the current development consents and Licenses associated with the ongoing use of the land. Accordingly, the proposed refurbishment works do not represent an intensification of use of the existing premises with existing hours of operation, patron capacity and associated parking not altered as a consequence of the works proposed.
- The existing stormwater disposal and waste management arrangements are not altered.
- The accompanying construction management plan confirms that the storage of all building materials and construction waste will occur on site with no impacts on traffic or on street parking.

## **Part D - Design**

Having regard to these provisions we note:

- The application is accompanied by an acoustic report prepared by the Acoustic Group detailing the applicable acoustic criteria that needs to be achieved in terms of the glazing and mechanical plant installations. The upgrading works proposed, which involves the replacement of old mechanical plant with new plant, will improve the acoustic performance of the premises and ensure compliance with the applicable noise criteria.
- The proposed works will not give rise to any adverse residential amenity impacts in terms of views, privacy or solar access.
- The proposed signage above the proposed Charles Street pedestrian entrance will comply with the clause D23 signage provisions and will not give rise to any adverse heritage impacts.
- The application is accompanied by Access and BCA reports detailing the developments acceptability having regard to the applicable legislative requirements.
- A construction management plan and operational plan of management also accompany the application.

## **Part E - Natural Environment**

Having regard to these provisions we note:

- The established landscape regime is maintained with no impact to any trees or vegetation.
- No excavation is proposed.

Council can be satisfied that the proposal will not give rise to any adverse environmental, streetscape, residential amenity or heritage conservation impacts.

#### **4.3 Matters for Consideration Pursuant to Section 4.15(1) of the Environmental Planning and Assessment Act 1979 as amended**

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15(1) of the Act.

##### **The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations.**

The development responds appropriately to the development standards contained within Warringah Local Environmental Plan 2011 (WLEP) and the built form guidelines contained within Warringah Development Control Plan as they relate to the minor works proposed.

##### **The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economical impacts in the locality.**

###### *Context and Setting*

i) *What is the relationship to the region and local context on terms of:*

- *the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

The proposed works will achieve the standards and controls set out in the LEP and the applicable DCP.

ii) *What are the potential impacts on adjacent properties in terms of:*

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

The proposed works will have no adverse amenity impact on the adjacent properties.

### *Access, transport and traffic*

*Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:*

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

The proposed refurbishment works do not represent an intensification of use of the existing premises with existing hours of operation, patron capacity and associated parking not altered as a consequence of the works proposed.

### *Public domain*

No change.

### *Utilities*

Existing utility services will adequately service the development.

### *Flora and fauna*

No change.

### *Waste*

Normal commercial and trade waste collection will continue to apply.

### *Natural hazards*

The site is not affected by any known hazards.

### *Economic impact in the locality*

The proposed development will have a positive economic benefit through temporary employment creation during construction.



### *Site design and internal design*

- i) *Is the development design sensitive to environmental conditions and site attributes including:*
- *size, shape and design of allotments?*
  - *the proportion of site covered by buildings?*
  - *the position of buildings?*
  - *the size (bulk, height, mass), form, appearance and design of buildings?*
  - *the amount, location, design, use and management of private and communal open space?*
  - *landscaping?*

We confirm that the proposed works result in a small 8 square metre reduction in front of house floor space with the existing hotel premises continuing to operate in strict accordance with the current development consents and Licenses associated with the ongoing use of the land. Accordingly, the proposed refurbishment works do not represent an intensification of use of the existing premises with existing hours of operation, patron capacity and associated parking not altered as a consequence of the works proposed.

The application is accompanied by an acoustic report detailing the applicable acoustic criteria that needs to be achieved in terms of the glazing and mechanical plant installations. A construction management plan and operational plan of management also accompany the application.

- ii) *How would the development affect the health and safety of the occupants in terms of:*
- *lighting, ventilation and insulation?*
  - *building fire risk – prevention and suppression/*
  - *building materials and finishes?*
  - *a common wall structure and design?*
  - *access and facilities for the disabled?*
  - *likely compliance with the Building Code of Australia?*

The application is accompanied by Access and BCA reports detailing the developments acceptability having regard to the applicable legislative requirements.

### *Construction*

- i) *What would be the impacts of construction activities in terms of:*

- *the environmental planning issues listed above?*
- *site safety?*

Normal site safety measures and procedures will ensure that no site safety or environmental impacts will arise during construction.

A construction management plan and operational plan of management also accompany the application.

### **The suitability of the site for the development.**

*Does the proposal fit in the locality?*

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any development constraints. The site is well located with regards to utility services and public transport. There will be no additional levels of transport demand created.

*Are the site attributes conducive to development?*

The site has no special physical or engineering constraints is suitable for the proposed development.

### **Any submissions received in accordance with this Act or the regulations.**

It is envisaged that any submissions made in relation to the proposed development will be appropriately assessed by Council.

### **The public interest.**

The development is consistent with the adopted planning regime as it is reasonably applied to the existing hotel premises and to that extent is in the public interest.

## 5.0 CONCLUSION

The application seeks to improve the internal layout, function and amenity of the existing hotel through the reconfiguration of floor space and replacement of antiquated kitchen, bar and bathroom facilities. External works are limited to the demolition of the external stairs at the front of the property, the provision of festoon lights to the front courtyard, the provision of a new pedestrian access/ egress door from Charles Street and associated above door signage, the replacement/ upgrading of existing fenestration to achieve required acoustic performance criteria and the upgrading of existing roof mounted kitchen exhaust and mechanical ventilation plant equipment.

The application is accompanied by an acoustic report prepared by the Acoustic Group detailing the applicable acoustic criteria that needs to be achieved in terms of the glazing and mechanical plant installations. The upgrading works proposed, which involves the replacement of old mechanical plant with new plant, will improve the acoustic performance of the premises and ensure compliance with the applicable noise criteria.

The acceptability of the works, having regard to the properties listing as an item of Local heritage significance, is addressed in the accompanying heritage impact statement prepared by Weir Phillips Heritage and Planning. This report contains the following commentary:

*In summary, the proposed works will have a minimal and acceptable impact on the significance of the Harbord Beach Hotel. The proposed works will have no impact on the historic, aesthetic, social significance of the building and its landmark because:*

- The external alterations are limited to the enlargement of a window opening to create entry from Charles Street (western elevation). The current window has a modern metal frame and early images indicate that this elevation has previously undergone change with the removal of doors. The reinstatement of an entry from Charles Street is considered to be acceptable and will not affect the predominate architectural language of the existing hotel.*
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## CONCLUSIONS

*This Heritage Impact Statement has been prepared in conjunction with a DA for alterations and additions to No. 29 Moore Road, Freshwater. The existing building on the subject site is a two storey Inter-War era hotel. The building is a locally listed heritage item.*

*The proposed works are minor in nature and will have no impact on the significance of the nearby heritage listed Freshwater Restaurant.*

*The proposed works fulfil the objectives for alterations and additions to a heritage listed item, in the vicinity of heritage items set out by the Warringah LEP 2011 and the Warringah DCP 2011.*

Council can be satisfied that the proposal will not give rise to any adverse environmental, streetscape, residential amenity or heritage conservation impacts.

Having given due consideration to the relevant considerations pursuant to section 4.15(1) of the Act has been demonstrated that the proposed development is appropriate for approval.



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B Env Hlth (UWS)  
**Director**