

Wollongong Local Planning Panel Assessment Report | 19 November 2020

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| WLPP No. | Item 1 |
| DA No. | DA-2020/995 |
| Proposal | Alterations and additions |
| Property | Port Kembla Surf Club, 1A Cowper Street, PORT KEMBLA |
| Applicant | Marko Lisica |
| Responsible Team | Development Assessment and Certification - City Centre Major Development Team (NL) |
| Lodged | 15 September 2020 |
| Development cost | \$140,000 |
| Prior WLPP meeting | N/A |

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Local Planning Panel - Determination

The proposal has been referred to Wollongong Local Planning Panel for determination pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2, 1(a) of the Local Planning Panels Direction of 30 June 2020, the proposal is on Council owned land.

Proposal

The proposal involves alterations and additions to Port Kembla Surf Club including signage.

Permissibility

The site is zoned RE1 Public Recreation pursuant to Wollongong Local Environmental Plan 2009. The existing use of the building is categorised as a community facility which is permissible in the zone. The proposal is for alterations and additions to the existing building.

Consultation

The proposal was notified in accordance with Council's Notification Policy and did not receive any submissions.

Council's BCA Officer has provided a satisfactory referral and conditions of consent have been recommended by the Rural Fire Service.

Main Issues

There are no significant issues.

RECOMMENDATION

It is recommended that the proposal be approved subject to the draft conditions at Attachment 5.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the proposal:

State Environmental Planning Policies

- SEPP 64 Advertising and Signage
- SEPP 55 – Remediation of Land
- SEPP (Koala habitat Protection) 2019
- SEPP (Coastal Management) 2018

Local Environmental Plans

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans

- Wollongong Development Control Plan (WDCP) 2009

Other policies

- Wollongong City-Wide Development Contributions Plan
- Wollongong Community Participation Plan

1.2 DETAILED DESCRIPTION OF PROPOSAL

The proposal comprises the following:

- Function hall area:
 - Construction of a bar
 - Removal of glazing and doors between function hall and courtyard and provision of new glazed bifold doors.
 - Remove door between function hall and gymnasium
- Gymnasium:
 - Remove window and replace with aluminium glazed double door
 - Relocate door between gymnasium and courtyard to adjacent entry
- Courtyard:
 - Demolish brick wall
 - New raised timber decking
 - New brick wall adjacent entry
 - New steel posts and security rollers to external wall
 - New bench and security gate

1.1 BACKGROUND

Development history for the site and use dates back to the 60s (BA-1965/1701 - Extensions To Surf Club) with a variety of other development approvals since relating to this use as well as a number of liquor licence applications for things such as sporting events, functions, and fundraising dinners associated with the surf club.

Customer service actions

There are no outstanding customer service requests of relevance to the development.

1.2 SITE DESCRIPTION

The site is located at Port Kembla Surf Club, 1A Cowper Street, Port Kembla, and the title reference is Lot 1 DP 392759.

Located on the site is a two-storey surf club building with at grade car parking in the front and rear. The locality is characterised by open space and low-density residential land uses. The property is owned by Wollongong City Council and is on Community land categorised as General Community Use.

Property constraints

Council records identify the land as being bushfire affected. The RFS have provided recommended conditions of consent in this regard.



Figure 1: Site photographs

1.3 SUBMISSIONS

The application was notified in accordance with Council's Community Participation Plan 2019 from 21 September to 6 October 2020. No submissions were received.

1.4 CONSULTATION

1.4.1 INTERNAL CONSULTATION

Building Inspector

Council's Building Officer has reviewed the application and given a satisfactory referral. Conditions of consent were recommended and are included in the consent.

1.4.2 EXTERNAL CONSULTATION

Rural Fire Service

The Rural Fire Service have provided recommended conditions of consent.

2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

2.1 SECTION 4.14 CONSULTATION AND DEVELOPMENT CONSENT—CERTAIN BUSH FIRE PRONE LAND

The Rural Fire Service were sent the proposal under the provisions of this clause and have provided recommended conditions of consent.

2.2 SECTION 4.15(1)(A)(1) ANY ENVIRONMENTAL PLANNING INSTRUMENT

2.2.1 STATE ENVIRONMENTAL PLANNING POLICY 64 – ADVERTISING AND SIGNAGE

The proposal includes replacement of a sign identifying the building as Port Kembla Surf Club. There is also a similar sign over the entry on the northern elevation as well as an existing NSW Ports sign on the western elevation which is to remain. No illumination is proposed. The signs are considered to be satisfactory with regard to the aims of this policy and the assessment criteria in Schedule 1 as follows:

1. Character of the area

The proposal is compatible with the existing or desired future character of the area or locality in which it is proposed to be located. There is no particular theme for outdoor advertising in the area or locality.

2 Special areas

The proposal does not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas.

3 Views and vistas

The proposal does not obscure or compromise important views nor dominate the skyline or reduce vistas or other viewing rights

4 Streetscape, setting or landscape

The scale, proportion and form of the proposal is appropriate for the streetscape, setting or landscape and does not detract from the visual interest of the streetscape, setting or landscape. Signage is considered to be rational and simple and located on appropriate areas of the building.

5 Site and building

The proposal is compatible with the scale, proportion and other characteristics of the site and building and does not impact important features of the building,

6 Associated devices and logos with advertisements and advertising structures

NA

7 Illumination

N/A

8 Safety

The proposal would not reduce the safety for any public road or pedestrians or bicyclists

2.2.2 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

Council records do not indicate any historic use that would contribute to the contamination of the site and the land is not identified as being contaminated on Council mapping. The site has a history of community use, with the existing building being constructed in the 1960s. There are no earthworks proposed and the proposal does not comprise a change of use. No concerns are raised in regard to contamination as relates to the intended use of the land and the requirements of clause 7.

2.2.3 STATE ENVIRONMENTAL PLANNING POLICY (KOALA HABITAT PROTECTION) 2019

The proposal involves alterations and additions within the existing building envelope and this policy does not apply.

2.2.4 STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018

The site is identified as being located within the Coastal Environment Area and Coastal Use Areas under the maps to this policy.

Division 3 Coastal environment area

13 Development on land within the coastal environment area

- (1) *Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:*
 - (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.*

The proposal relates to the existing building only and will not adversely impact on the coast environment area.

(3) *This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.*

Division 4 Coastal use area

14 Development on land within the coastal use area

(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 site is not located in the coastal foreshore or other public place. No aboriginal or cultural heritage has been identified on the site. The only works proposed are to the building itself.

(2) *This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.*

Division 5 General

15 Development in coastal zone generally—development not to increase risk of coastal hazards

The development will not result in increased risk of coastal hazards on the subject land or other land.

16 Development in coastal zone generally—coastal management programs to be considered

NSW Coastal Management Act 2016 and Wollongong Coastal Zone Management Plan

Council's CZMP coastal hazard mapping extents identify that the subject site and specifically the building envelope is not impacted by coastal inundation, coastal geotechnical risk or reduced foundation capacity. No impacts to the coastal environment are expected nor impacts to the building as a result of result of coastal processes and the proposal is satisfactory with regard to the aims outlined in clause 3 of this policy and the matters outlined for consideration.

2.2.5 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Clause 1.4 Definitions

community facility means a building or place—

(a) owned or controlled by a public authority or non-profit community organisation, and

(b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned RE1 Public Recreation.

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To cater for the development of a wide range of uses and facilities within open spaces for the benefit of the community.*

The proposal is satisfactory with regard to the above objectives.

The land use table permits the following uses in the zone.

*Aquaculture; Boat sheds; Camping grounds; Caravan parks; Centre-based child care facilities; **Community facilities**; Environmental facilities; Environmental protection works; Extensive agriculture; Helipads; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Signage; Take away food and drink premises; Water recreation structures*

The current use of the building is categorised as a *community facility* as defined above and the proposed works are ancillary to that purpose and are permissible in the zone with development consent.

Part Principal development standards

Clause 4.3 Height of buildings

The proposal does not alter the existing building height.

Clause 4.4 Floor space ratio

The proposal does not comprise any additional gross floor area.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

The development is already serviced by electricity, water and sewage services.

Clause 7.2 Natural resource sensitivity – biodiversity

The site contains dunes which are identified as being affected by “Natural Resource Sensitivity – Biodiversity” on the Natural Resource Sensitivity – Biodiversity Map. The proposal involves works within the existing building envelope and no impacts are expected to the dune area.

Clause 7.5 Acid Sulfate Soils

The site is identified as containing class 5 acid sulfate soils. The works are within the existing building footprint and no concerns are raised in regard to acid sulfate soils.

2.3 SECTION 4.15(1)(A)(II) ANY PROPOSED INSTRUMENT

None applicable.

2.4 SECTION 4.15(1)(A)(III) ANY DEVELOPMENT CONTROL PLAN

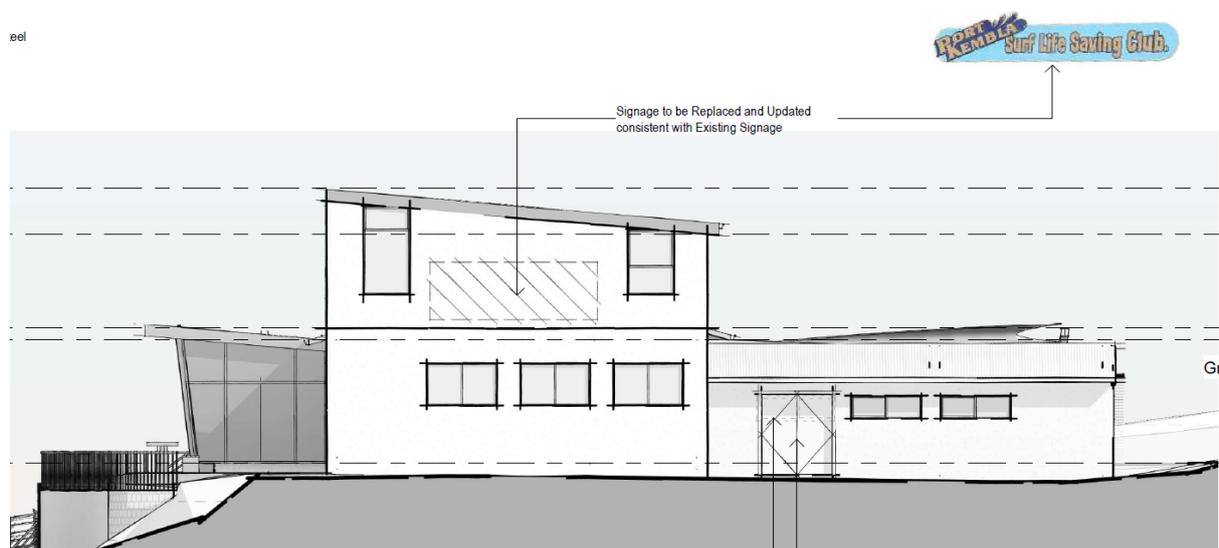
2.4.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The proposal is minor in nature and is considered to be consistent with the principles of Ecologically Sustainable Development.

CHAPTER C1 – ADVERTISING AND SIGNAGE

The proposal includes replacement of a sign identifying the building as Port Kembla Surf Club as illustrated below. There is also a similar sign over the entry on the northern elevation as well as an existing NSW Ports sign on the western elevation which is to remain. The signs are not technically business identification signage or advertising to which this chapter would apply however in the absence of other specific controls, this chapter provides a useful framework for assessing the merit of the proposed sign.



8 General requirements for advertising signs and structures

8.1 Advertising Signage must relate directly to lawful use of the land

Satisfactory.

8.2 Design and Location

The design of the proposed signage is considered to be compatible with the built form and the locality.

8.3 Proportion

The scale of the proposed signage is consistent with the bulk and scale of the built form and other advertising in the locality.

8.4 Colour

The colour complements the colour finish of the building and colours are limited to the advertising signs.

8.5 Illumination

None proposed.

8.6 Rationalisation of Advertising Signage

Not applicable.

8.7 Advertising Signs and Structures maintained in good repair and in a clean and tidy condition

To be conditioned.

8.8 Advertising Signs must be displayed in English Language

Satisfactory.

8.9 Advertising Signs or Structures – Public Safety

The signage does not pose any public safety risk.

9 Specific controls for advertising signs and structures

9.2 Flush Wall Signs

The signage would most accurately be described as a flush wall sign.

The signs are consistent with this control as follows:

- Two are proposed
- Do not exceed 20m² in area
- Do not protrude from the wall
- Do not protrude above the parapet
- Do not cover ventilation, windows or any significant part of the building

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

The proposed works are required to comply with the BCA and Access to Premises standard. It is noted that accessible parking is already provided as is ramped entry to the building. There is also an accessible toilet.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

No concerns are raised with respect to the principles of CPTED.

CHAPTER E3: CAR PARKING, ACCESS, SERVICING/LOADING FACILITIES AND TRAFFIC MANAGEMENT

6 Traffic impact assessment and public transport studies

6.1 Car Parking and Traffic Impact Assessment Study

A traffic impact assessment was not required for the development.

6.2 Preliminary Construction Traffic Management Plan

N/A

7 Parking demand and servicing requirements

The proposal does not intensify the use of the site and no additional car parking is required. No change to the existing at grade car parking areas is proposed.

8 Vehicular access

No changes are proposed to access.

9 Loading / unloading facilities and service vehicle manoeuvring

No changes are proposed to loading or unloading or servicing are proposed or required.

10 Pedestrian access

No changes are proposed to pedestrian access.

11 Safety & security (Crime Prevention through Environmental Design) measures for car parking areas

The proposal is satisfactory with regard to the principles of CPTED.

CHAPTER E6: LANDSCAPING

No landscaping is proposed or required.

CHAPTER E7: WASTE MANAGEMENT

A Site Waste Minimisation and Management Plan has been provided in accordance with this chapter. The proposal involves minor demolition work and a demolition plan has accordingly been provided.

CHAPTER E14 STORMWATER MANAGEMENT

Existing stormwater disposal does not change.

CHAPTER E18 THREATENED SPECIES

The site is identified as potential habitat for Green and Golden Bell Frogs. The works are contained within the existing building envelope and will not require any significant earthworks. No concerns are raised with regard to impacts on Green and Golden Bell Frogs.

CHAPTER E21 DEMOLITION AND HAZARDOUS BUILDING MATERIALS MANAGEMENT

Conditions of consent apply with regard to demolition.

2.4.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2019

The estimated cost of works is \$161,260 and a levy is applicable under this plan.

Council's contributions officer was consulted as to whether an exemption might apply and has advised that it does not in this instance.

2.5 SECTION 4.15(1)(A)(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 7.4, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 7.4

There are no planning agreements entered into or any draft agreement offered to enter into under S7.4 which affect the development.

2.6 SECTION 4.15(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)

92 What additional matters must a consent authority take into consideration in determining a development application?

Conditions of consent are recommended with regard to demolition.

93 Fire safety and other considerations

N/A

94 Consent authority may require buildings to be upgraded

Conditions of consent are recommended with respect to this clause.

2.7 SECTION 4.15(1)(B) THE LIKELY IMPACTS OF DEVELOPMENT

There are not expected to be adverse environmental impacts on either the natural or built environments or any adverse social or economic impacts in the locality.

2.8 SECTION 4.15(1)(C) THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

Does the proposal fit in the locality?

The proposal is considered appropriate with regard to the zoning of the site and is not expected to have any negative impacts on the amenity of the locality or adjoining developments.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

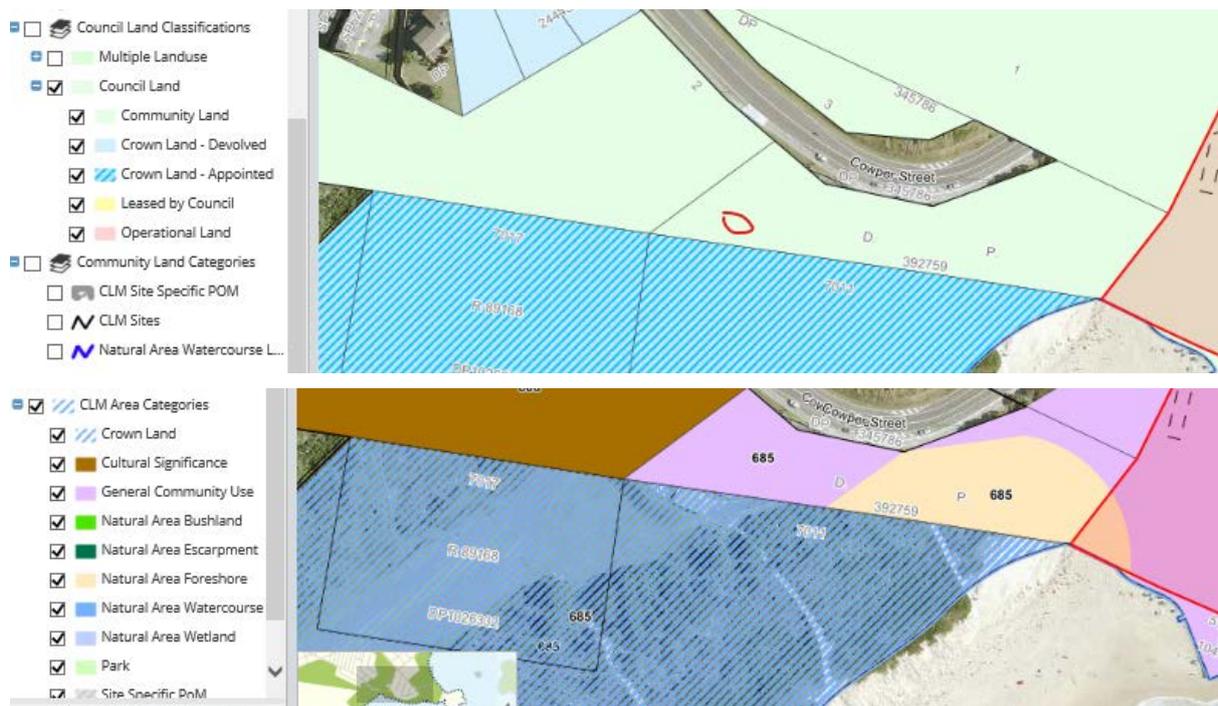
2.9 SECTION 4.15(1)(D) ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

No submissions were received.

2.10 SECTION 4.15(1)(E) THE PUBLIC INTEREST

The application is not expected to have any unreasonable impacts on the environment or the amenity of the locality. It is considered appropriate with consideration to the zoning and the character of the area and is considered to be in the public interest.

The site is Council land identified as Community Land; general community use as illustrated below.



Section 36(l) of the Act specifies the core objectives for land categorised “general community use” and these core objectives are as follows –

to encourage, promote and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- 1) in relation to public recreation and physical, cultural, social and intellectual welfare or development of individual members of the public, and
- 2) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

The Generic Plan of Management for Council land stipulates the following permitted uses:

5. What are the permitted uses

5.1 PERMITTED USES FOR COMMUNITY LAND CATEGORISED AS GENERIC COMMUNITY USE?

Based on the value objectives and legislative core objectives, the uses that may be permitted on community land categorised as general community use are:

- A. Passive recreation and the construction of facilities to cater for these activities;
- B. The construction of community facilities, restaurants and refreshment kiosks and the use of those facilities, restaurants and refreshment kiosks to allow individuals and groups to come together for social, community, educational, cultural, leisure and welfare activities, e.g. community/neighbourhood centres; community halls; senior citizens', youth and children's centres; community based services; scout and guide halls; museums; art galleries; libraries; car parks.
- C. Lease, license or the grant of another estate for –
 - C1) the connection of premises adjoining the community land to a facility of the Council or other public utility provider situated on the community land;
 - C2) the playing of organised and informal sporting and recreational activities;
 - C3) short term casual purpose as prescribed by the Local Government (General) Regulation 2005;
 - C4) refreshment kiosks and restaurants;
 - C5) community activities;
 - C6) car parking; and
 - C7) biodiversity stewardship agreements to conserve land of high biodiversity value such as, but not limited to, land containing endangered ecological communities.
- D. The dedication of land for road widening or land for road works of a minor character.
- E. Flood mitigation and water quality control works including construction of detention basins, realignment of water flow and banks, installation of pipes, gabion walls, culverts, ponds, wetlands and other structures to assist in the control of flood waters and treatment of water pollutants;
- F. Helicopter landings;
- G. Establishing, enhancing and maintaining vegetation to provide:
 - G1) shade around playing areas;
 - G2) a windbreak;
 - G3) enhanced scenic value or visual screening;
 - G4) habitat for native wildlife; and
 - G5) a suitable buffer for the protection of water quality and ecological processes in neighbouring watercourses or wetlands.

The proposal does not seek to alter the existing approved use of the land and is satisfactory with regard to the core objectives and permitted land uses above.

3 CONCLUSION

This application has been assessed having regard to the Heads of Consideration under Section S4.15(1) of the Environmental Planning and Assessment Act 1979, the provisions of the relevant state policies, Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies.

The application does not involve departures from planning controls Internal and external referrals are satisfactory and no submissions were received. It is considered that the proposed development is unlikely to result in significant adverse impacts on the character or amenity of the surrounding area.

The proposal is considered acceptable with regard to the likely impacts. The proposal is considered supportable in its current form.

4 RECOMMENDATION

It is recommended that the development application be approved subject to appropriate conditions of consent.

5 ATTACHMENTS

- 1 Aerial photograph
- 2 WLEP 2009 zoning map
- 3 Plans
- 4 RFS referral
- 5 Draft conditions of consent

DA-2020/995

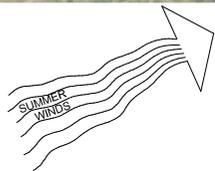
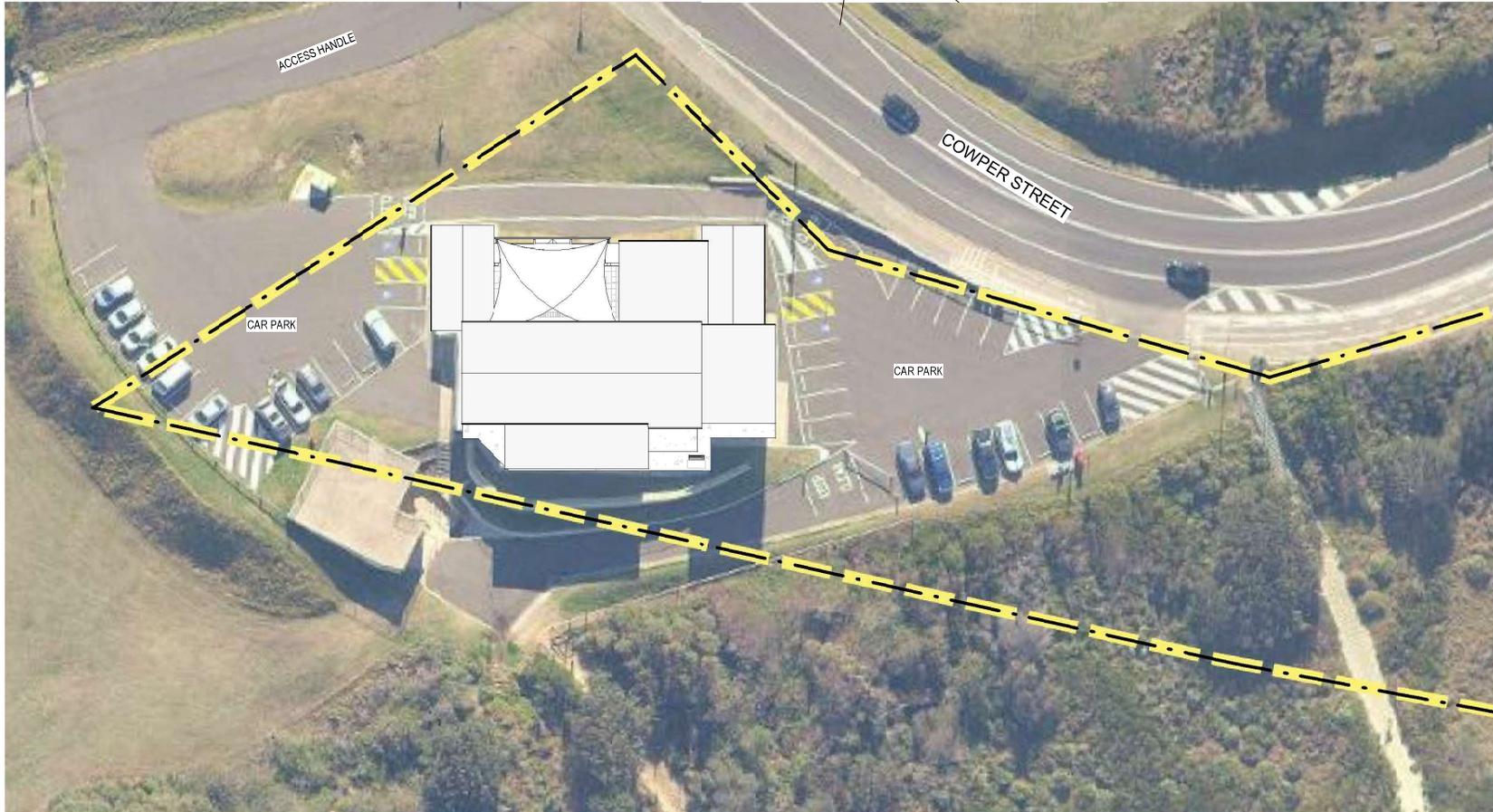
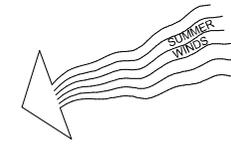
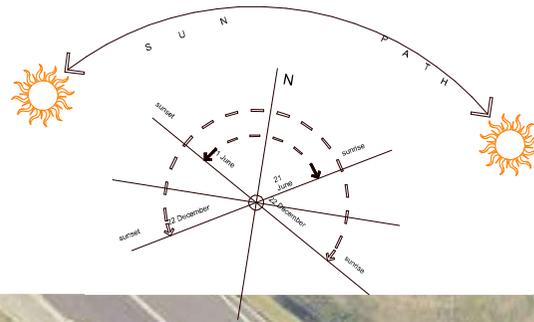
Attachment 1 – Aerial photograph



DA-2020/995

Attachment 2 – WLEP 2009 zoning map





1 Site Analysis Plan
1 : 500

NOTES:

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| REV. | DESCRIPTION | DATE |
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ISSUE:

DA ISSUE



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PROPOSED ALTERATIONS AND ADDITIONS

1a COWPER STREET, PORT KEMBLA 2505
LOT1/-/DP392759

PORT KEMBLA SURF CLUB
DEVELOPMENT APPLICATION

TITLE:

SITE ANALYSIS PLAN

SCALE @ A3:

As indicated

DATE:

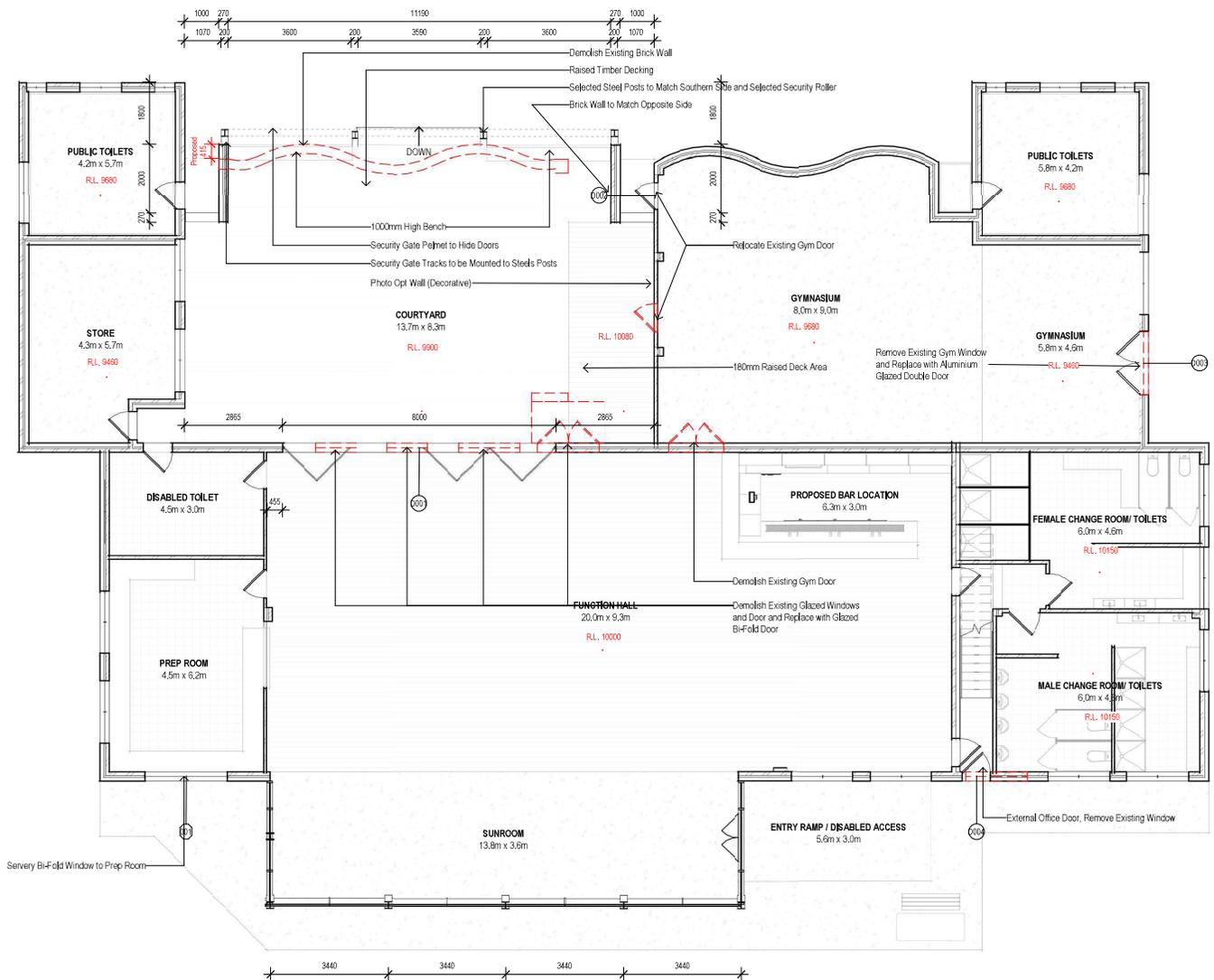
05/08/2020

PROJECT NO:

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SHEET NO:

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1 Ground Floor Plan - Proposed
1 : 100



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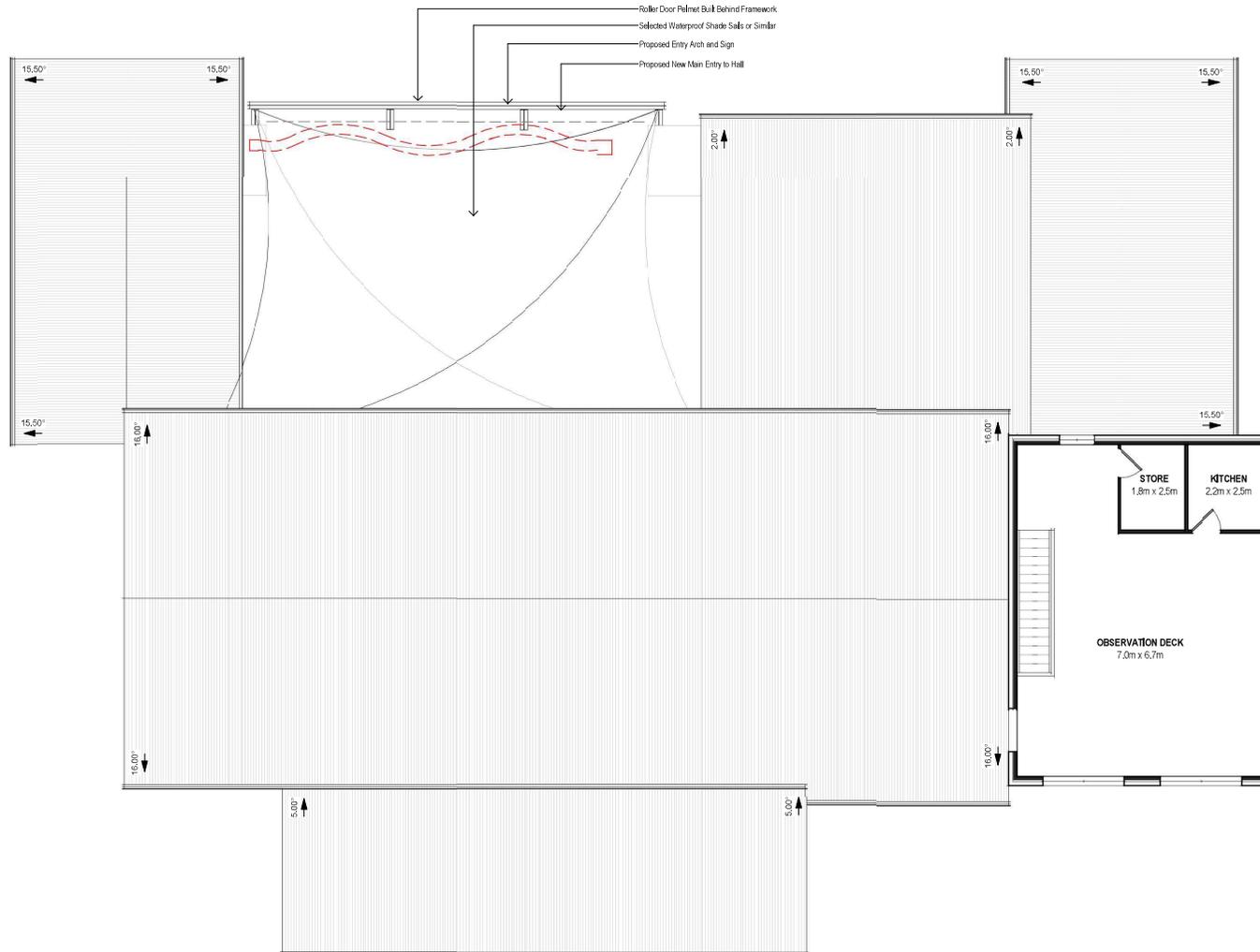
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GENERAL NOTES:
 1. ALL DIMENSIONS ARE IN MILLIMETERS
 2. ALL DIMENSIONS ARE TO BE CHECKED ON SITE
 3. ALL WORK TO COMPLY WITH THE NATIONAL CONSTRUCTION (DGG & AUSTRALIAN) STANDARDS
 4. ITEMS SPECIFIED TO MATCH EXISTING, AS CLOSE AS POSSIBLE, NOT EXACT

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| Project: PROPOSED ALTERATIONS AND ADDITIONS | | Client & Address: PORT KEMBLA SURF CLUB 16 COWPER STREET, PORT KEMBLA 2505 LOT1/DP392759 | |
| Issue: | | B | |
| Drawn By: | M.LISICA | Project number: | - |
| Sheet Name: | PROPOSED GROUND FLOOR PLAN | Date: | 05/08/2020 |
| DEVELOPMENT APPLICATION | | Scale: | 1 : 100 |
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1 First Floor Plan - Proposed
1 : 100



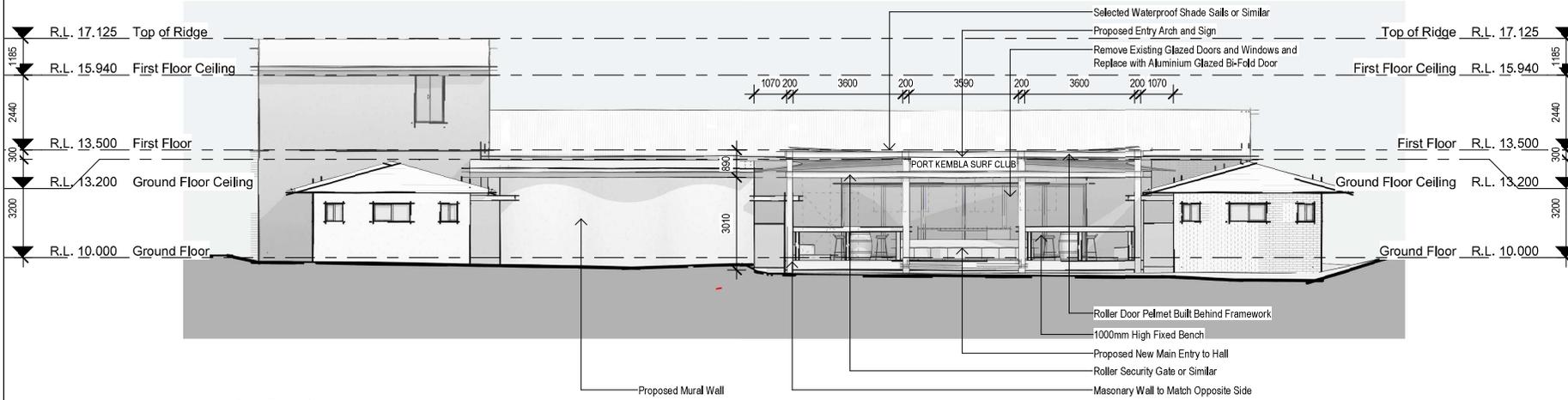
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GENERAL NOTES:
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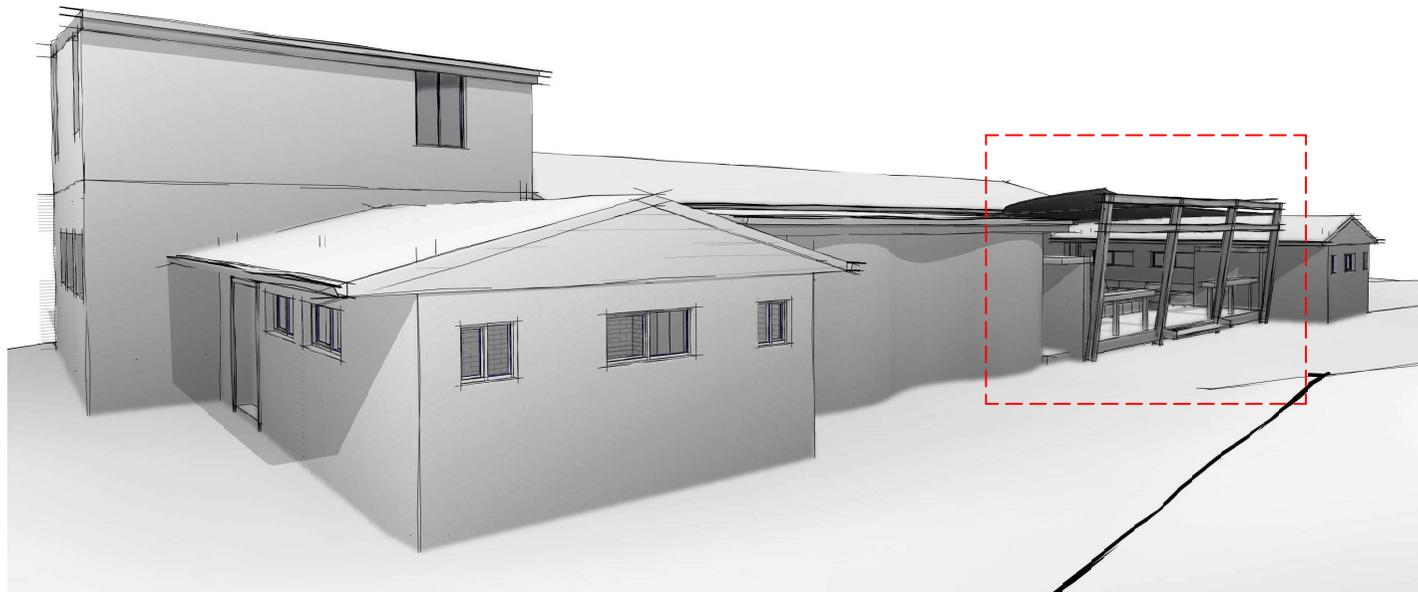
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| Issue: | | B | |
| Drawn By: | M.LISICA | Project number: | - |
| Sheet Name: | PROPOSED FIRST FLOOR PLAN | Date: | 05/08/2020 |
| DEVELOPMENT APPLICATION | | Scale: | 1 : 100 |
| | | | Sheet: 8 |

NOTE: Proposed Additional Steel Posts to be Measured on Site



1 North Elevation
1 : 150



2 North-East 3D Perspective

NOTES:

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PROPOSED ALTERATIONS AND ADDITIONS

1a COWPER STREET, PORT KEMBLA 2505
LOT1-/DP392759

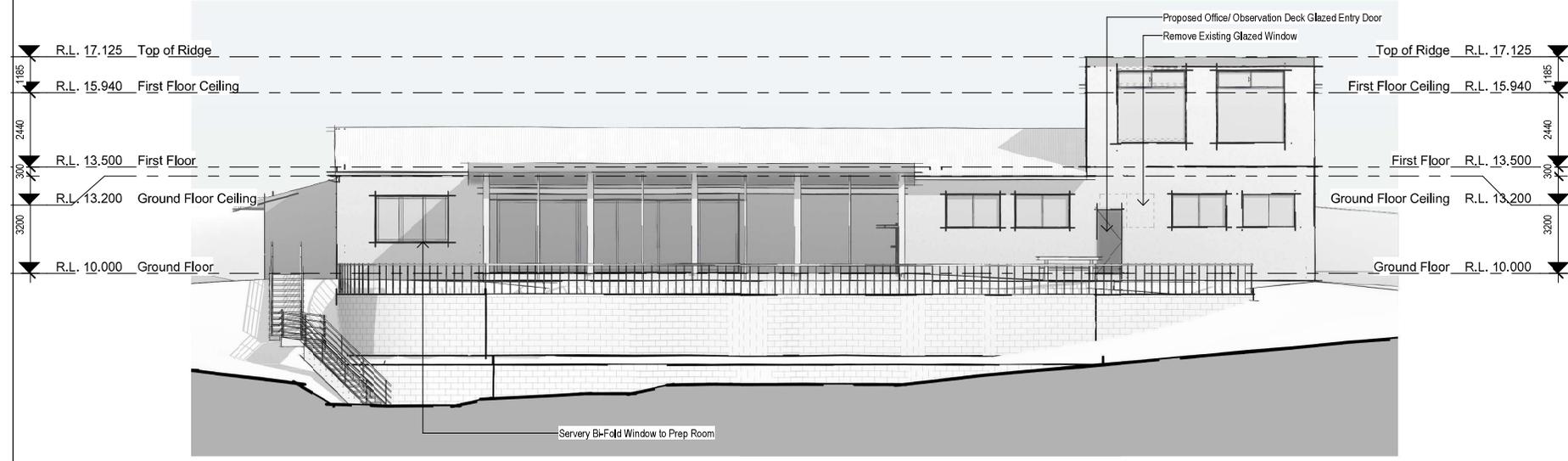
PORT KEMBLA SURF CLUB
DEVELOPMENT APPLICATION

TITLE:
NORTH ELEVATION

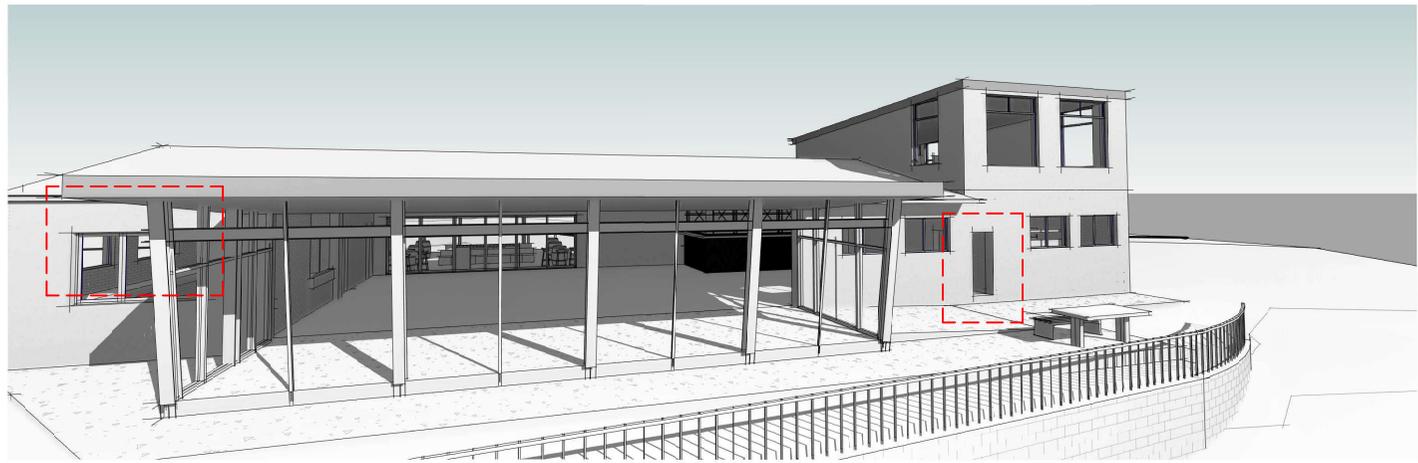
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| SCALE @ A3: 1 : 150 | DATE: 05/08/2020 |
|------------------------|---------------------|

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| PROJECT NO: - | SHEET NO: 9 |
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NOTE: Proposed Additional Steel Posts to be Measured on Site



1 South Elevation
1 : 150



2 South 3D Perspective

NOTES:

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Do not scale drawings.

| REV. | DESCRIPTION | DATE |
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| | | |
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DA ISSUE



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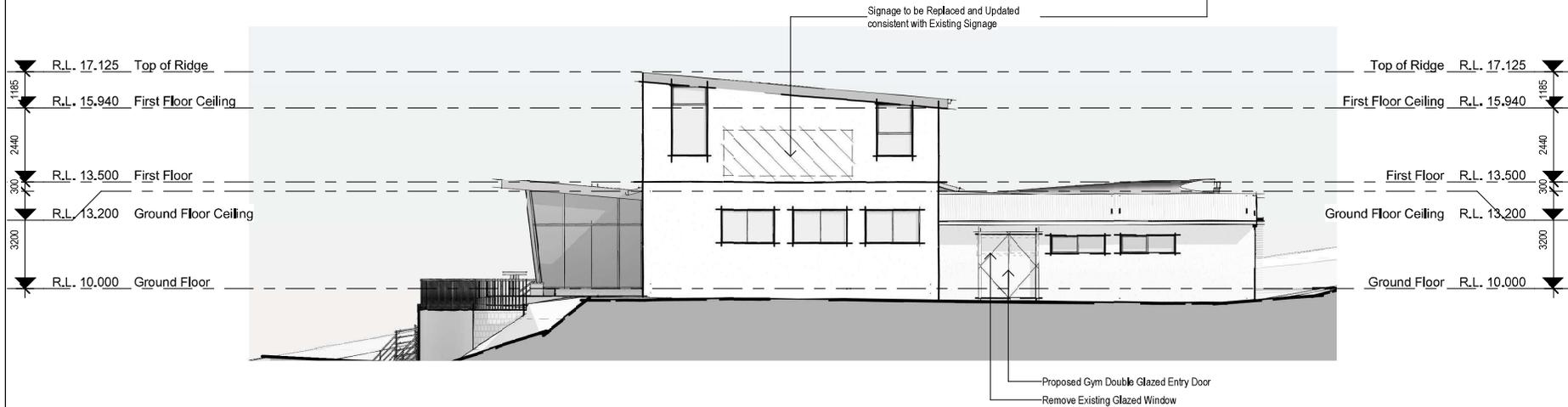
PROPOSED ALTERATIONS AND ADDITIONS
1a COWPER STREET, PORT KEMBLA 2505
LOT1/-/DP392759
PORT KEMBLA SURF CLUB
DEVELOPMENT APPLICATION

TITLE:
SOUTH ELEVATION

| | |
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| SCALE @ A3: 1 : 150 | DATE: 05/08/2020 |
|------------------------|---------------------|

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| PROJECT NO: - | SHEET NO: 10 |
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NOTE: Proposed Additional Steel Posts to be Measured on Site



1 East Elevation
1 : 150



2 South-East 3D Perspective

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PROPOSED ALTERATIONS AND ADDITIONS

1a COWPER STREET, PORT KEMBLA 2505
LOT1-/DP392759

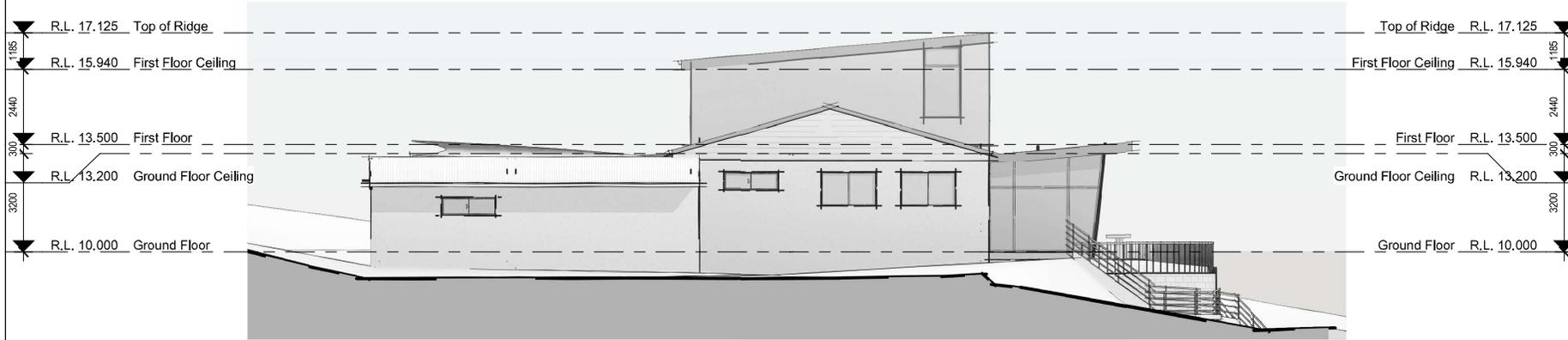
PORT KEMBLA SURF CLUB
DEVELOPMENT APPLICATION

TITLE:
EAST ELEVATION

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| SCALE @ A3: 1 : 150 | DATE: 27/10/2020 |
|------------------------|---------------------|

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| PROJECT NO: - | SHEET NO: 11 |
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NOTE: Proposed Additional Steel Posts to be Measured on Site



① West Elevation
1 : 150



② South-West 3D Perspective

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PROPOSED ALTERATIONS AND ADDITIONS

1a COWPER STREET, PORT KEMBLA 2505
LOT1-/DP392759

PORT KEMBLA SURF CLUB
DEVELOPMENT APPLICATION

TITLE:

WEST ELEVATION

SCALE @ A3:

1 : 150

DATE:

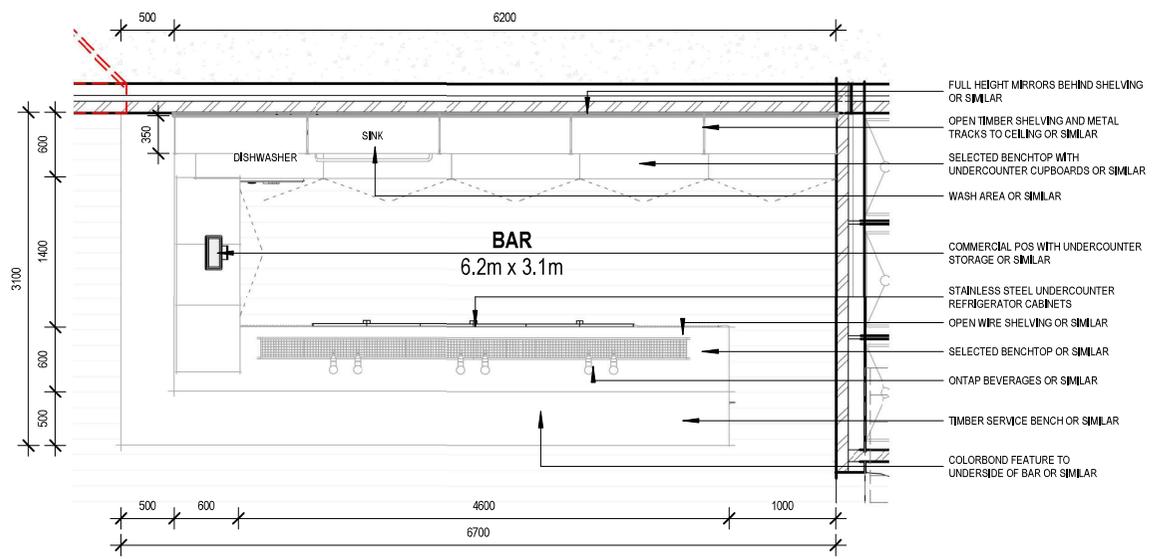
05/08/2020

PROJECT NO:

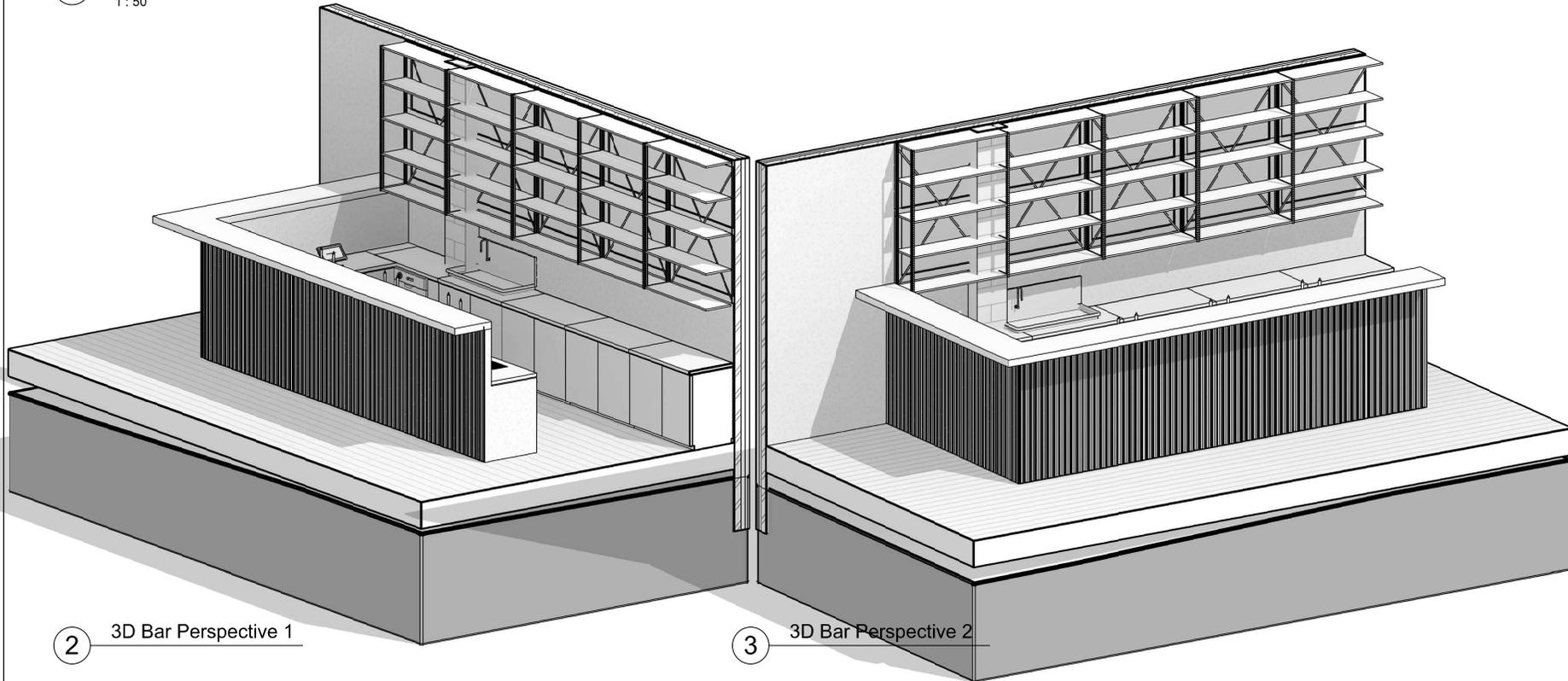
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SHEET NO:

12



1 Ground Floor Plan - Proposed Bar Layout
1 : 50



2 3D Bar Perspective 1

3 3D Bar Perspective 2

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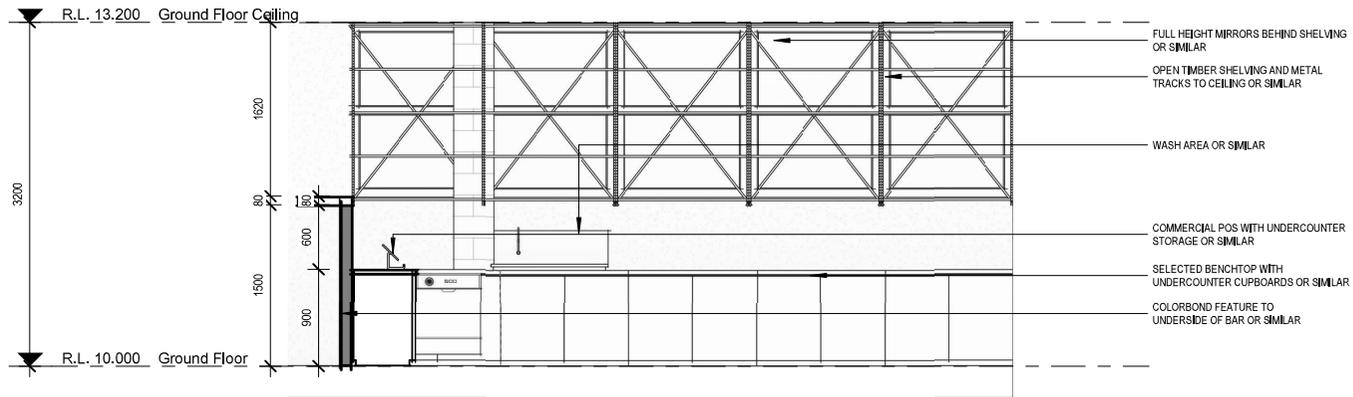
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PROPOSED ALTERATIONS AND ADDITIONS
1a COWPER STREET, PORT KEMBLA 2505
LOT1/-/DP392759
PORT KEMBLA SURF CLUB
DEVELOPMENT APPLICATION

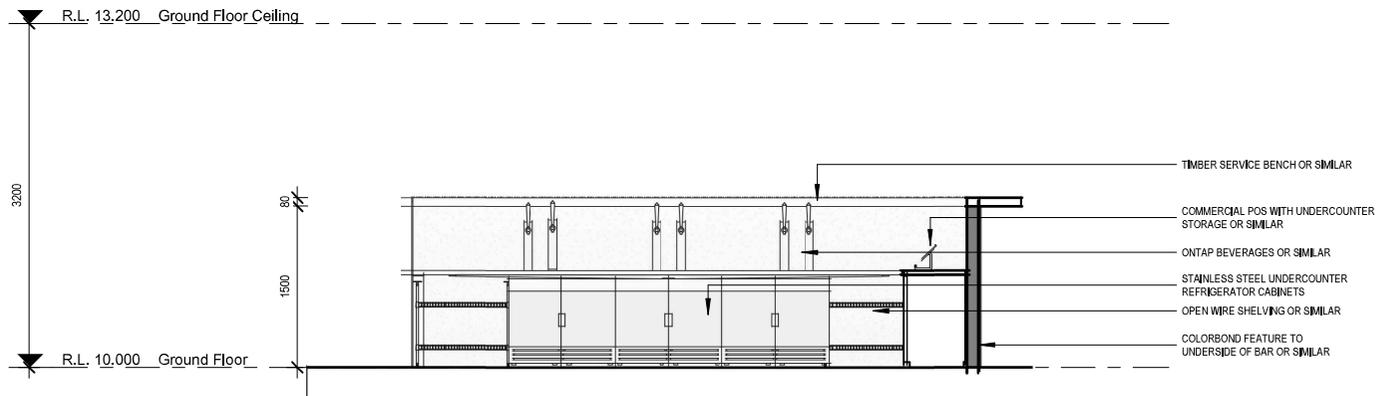
TITLE:
BAR FLOOR PLAN

| | |
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| SCALE @ A3: 1 : 50 | DATE: 05/08/2020 |
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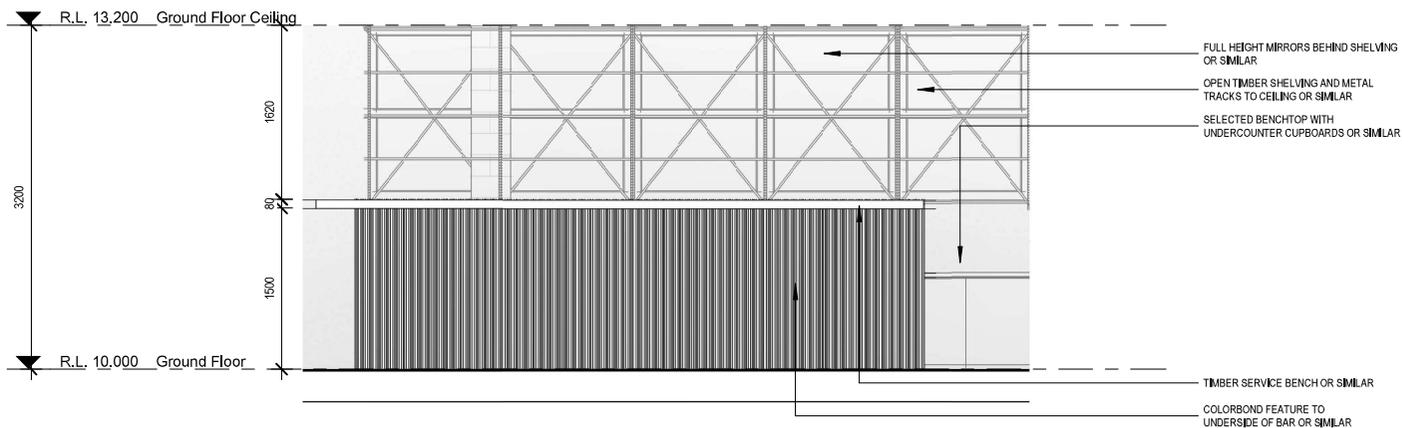
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| PROJECT NO: - | SHEET NO: 16 |
|------------------|-----------------|



1 Bar - Internal Elevation North
1 : 50



2 Bar - Internal Elevation South
1 : 50



3 Bar - External Elevation South
1 : 50

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PROPOSED ALTERATIONS AND ADDITIONS

1a COWPER STREET, PORT KEMBLA 2505
LOT1/-/DP392759

PORT KEMBLA SURF CLUB
DEVELOPMENT APPLICATION

TITLE:

BAR ELEVATIONS

SCALE @ A3:

1 : 50

DATE:

05/08/2020

PROJECT NO:

-

SHEET NO:

18



NSW RURAL FIRE SERVICE

Wollongong City Council
Locked Bag 8821
WOLLONGONG DC NSW 2500

Your reference: (CNR-12580) DA-2020/995
Our reference: DA20200923003471-Original-1

ATTENTION: Nigel Lamb

Date: Thursday 1 October 2020

Dear Sir/Madam,

Development Application
s4.14 - Other - Commercial Premises
1a Cowper street Port Kembla NSW 2505 aus, 1//DP392759

I refer to your correspondence dated 18/09/2020 seeking advice regarding bush fire protection for the above Development Application in accordance with section 4.14 of the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and provides the following recommended conditions:

General Conditions

1.

A Bush Fire Emergency Management and Evacuation Plan must be prepared and be consistent with the NSW RFS document *A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan*. The Plan should include planning for the early relocation of occupants. Detailed plans of all Emergency Assembly Areas including "on-site" and "off-site" arrangements as stated in Australian Standard AS 3745:2010 *Planning for Emergencies in Facilities* must be displayed, and an annual (as a minimum) trial emergency evacuation is conducted.

Asset Protection Zones

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:

2.

From the commencement of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, the property around the building must be managed as an inner protection area (IPA) for a distance of 10-metres in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

When establishing and maintaining an IPA, the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2m above the ground;
- tree canopies should be separated by 2 to 5m;
- preference should be given to smooth-barked and evergreen trees;
- large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover;
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
- grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed.

Construction Standards

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

3.

New construction must comply with Section 3 (excluding section 3.5) and Section 9 (BAL FZ) of Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant BAL-FZ requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019.

4.

The existing building is required to be upgraded to improve ember protection (if not already constructed to the relevant Bushfire Attack Level under Australian Standard AS3959). Ember protection can be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any subfloor areas, openable windows, vents, weep holes and eaves. External doors are to be fitted with draft excluders.

Water and Utility Services

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

5.

The provision of all new and the modification of any existing water, electricity and gas services must comply with the following in accordance with Table 7.4a of *Planning for Bush Fire Protection 2019*:

- a. reticulated water is to be provided to the development where available;
- b. all above-ground water service pipes external to the building are metal, including and up to any taps;
- c. where practicable, electrical transmission lines are underground;
- d. where overhead, electrical transmission lines are proposed as follows:
 - i. lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - ii. no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- a. reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;

- b. all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- c. connections to and from gas cylinders are metal;
- d. polymer-sheathed flexible gas supply lines are not used; and
- e. above-ground gas service pipes are metal, including and up to any outlets.

General Advice - Consent Authority to Note

The NSW Rural Fire Service recognises that the site is constrained and that the proposed development falls within the Flame Zone. Flame Zone development is high-risk development; consequently, in situations such as this, the Service seeks to improve the overall fire safety of the existing development. This requires greater emphasis on construction standards, landscaping, siting, and vegetation management practices to ensure improved levels of protection are afforded to the development, its occupants and fire fighters. The Service has undertaken a merit-based assessment of the proposal and provides the above advice in accordance with *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Bradley Bourke on 1300 NSW RFS.

Yours sincerely,

Martha Dotter
Team Leader, Dev. Assessment & Planning
Planning and Environment Services

ATTACHMENT 5 – DRAFT CONDITIONS OF CONSENT

Approved Plans and Specifications

- 1 The development shall be implemented substantially in accordance with the details and specifications set out on the following plans:
 - Site Analysis Plan dated 5 August 2020 prepared by 10 Star Living
 - Ground Floor Plan – Proposed dated 5 August 2020 prepared by 10 Star Living
 - First Floor Plan – Proposed dated 5 August 2020 prepared by 10 Star Living
 - North Elevation dated 5 August 2020 prepared by 10 Star Living
 - South Elevation dated 5 August 2020 prepared by 10 Star Living
 - East Elevation dated 27 October 2020 prepared by 10 Star Living
 - West Elevation dated 5 August 2020 prepared by 10 Star Living
 - Bar Floor Plan dated 5 August 2020 prepared by 10 Star Living
 - Bar Elevations dated 5 August 2020 prepared by 10 Star Livingand any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed

General Matters

- 2 **Bush Fire Emergency Management and Evacuation Plan**

A Bush Fire Emergency Management and Evacuation Plan must be prepared and be consistent with the NSW RFS document A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan. The Plan should include planning for the early relocation of occupants. Detailed plans of all Emergency Assembly Areas including “on-site” and “off-site” arrangements as stated in Australian Standard AS 3745:2010 Planning for Emergencies in Facilities must be displayed, and an annual (as a minimum) trial emergency evacuation is conducted.
- 3 **Asset Protection Zones**

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:

From the commencement of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, the property around the building must be managed as an inner protection area (IPA) for a distance of 10-metres in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019.

When establishing and maintaining an IPA, the following requirements apply:

 - tree canopy cover should be less than 15% at maturity;
 - trees at maturity should not touch or overhang the building;
 - lower limbs should be removed up to a height of 2m above the ground;
 - tree canopies should be separated by 2 to 5m;
 - preference should be given to smooth-barked and evergreen trees;
 - large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
 - shrubs should not be located under trees;
 - shrubs should not form more than 10% ground cover;
 - clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;

- grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed.

4 **Building Work - Compliance with the Building Code of Australia**

All building work must be carried out in compliance with the provisions of the Building Code of Australia.

5 **Construction Certificate**

A Construction Certificate must be obtained from Council or a Registered Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Clauses 139-147 of the Environmental Planning and Assessment Regulation 2000 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

Note: The Certifier must cause notice of its determination to be given to the consent authority, and to the council, by forwarding to it, within two (2) days after the date of the determination, the plans and documentation referred to in clause 142 (2) of the Environmental Planning and Assessment Regulation 2000.

6 **Advertising Signage**

This consent authorises the erection of one building identification sign only as shown on the approved plan. Any additional advertising signage will require separate Council approval.

7 **Occupation Certificate**

An Occupation Certificate must be issued by the Principal Certifier prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifier must be satisfied that the requirements of section 6.9 of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.

Prior to the Issue of the Construction Certificate

8 **Construction Standards**

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

New construction must comply with Section 3 (excluding section 3.5) and Section 9 (BAL FZ) of Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant BAL-FZ requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019.

The existing building is required to be upgraded to improve ember protection (if not already constructed to the relevant Bushfire Attack Level under Australian Standard AS3959). Ember protection can be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any subfloor areas, openable windows, vents, weep holes and eaves. External doors are to be fitted with draft excluders.

9 **Water and Utility Services**

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

The provision of all new and the modification of any existing water, electricity and gas services must comply with the following in accordance with Table 7.4a of Planning for Bush Fire Protection 2019:

- a. reticulated water is to be provided to the development where available;
- b. all above-ground water service pipes external to the building are metal, including and up to any taps;

- c. where practicable, electrical transmission lines are underground;
- d. where overhead, electrical transmission lines are proposed as follows:
 - i. lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
 - ii. no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- e. reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- f. all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- g. connections to and from gas cylinders are metal;
- h. polymer sheathed flexible gas supply - lines are not used; and
- i. above-ground gas service pipes are metal, including and up to any outlets.

10 **Building Code of Australia – Fire Safety Upgrade**

The following information will be required to be detailed on the plans or supporting documentation to the accredited certifier, prior to the issue of the Construction Certificate. This condition relates to fire safety upgrade considerations under Clause 94 of the Environmental Planning & Assessment Regulation 2000 and relates to the building. The upgrade work shall be carried out in accordance with the National Construction Code Series (BCA) Volume 1.

- Portable fire extinguishers in accordance with Part E1.6 of the National Construction Code Series Volume 1 (BCA) and Australian Standard AS2444.
- Exit signage in accordance with Part E4 of the National Construction Code Series Volume 1 (BCA) and Australian Standard AS2293.1.
- Emergency Lighting in accordance with Part E4 of the National Construction Code Series Volume 1 (BCA) and Australian Standard AS2293.1.

The above fire safety measures must be installed within the building to a standard of performance not less than that specified in this condition and included on the fire safety schedule

11 **Development Contributions**

Pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979 and the Wollongong City-Wide Development Contributions Plan, a monetary contribution of \$700.00 (subject to indexation) must be paid to Council towards the provision of public amenities and services, prior to the release of any associated Construction Certificate.

This amount has been calculated based on the estimated cost of development and the applicable percentage rate.

The contribution amount will be subject to indexation until the date of payment. The formula for indexing the contribution is:

$$\text{Contribution at time of payment} = \$C \times (\text{CP2}/\text{CP1})$$

Where:

\$C is the original contribution as set out in the Consent

CP1 is the Consumer Price Index; All Groups CPI; Sydney at the time the consent was issued

CP2 is the Consumer Price Index; All Groups CPI; Sydney at the time of payment

Details of CP1 and CP2 can be found in the Australian Bureau of Statistics website – Catalogue No. 6401.0 - Consumer Price Index, Australia.

The following payment methods are available:

| METHOD | HOW | PAYMENT TYPE |
|---|--|--|
| Online | http://www.wollongong.nsw.gov.au/applicationpayments Your Payment Reference: 1264272 | <ul style="list-style-type: none"> • Credit Card |
| In Person | Wollongong City Council Administration Building - Customer Service Centre Ground Floor 41 Burelli Street, WOLLONGONG | <ul style="list-style-type: none"> • Cash • Credit Card • Bank Cheque |
| PLEASE MAKE BANK CHEQUE PAYABLE TO: Wollongong City Council (Personal or company cheques are not accepted) | | |

A copy of the Wollongong City-Wide Development Contributions Plan and accompanying Fact Sheet may be inspected or obtained from the Wollongong City Council Administration Building, 41 Burelli Street, Wollongong during business hours or on Council's web site at www.wollongong.nsw.gov.au

Prior to the Commencement of Works

12 Appointment of Principal Certifier

Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:

- a Appoint a Principal Certifier (PC) and notify Council in writing of the appointment irrespective of whether Council or an accredited private certifier is appointed; and
- b notify Council in writing of their intention to commence work (at least two days notice is required).

The Principal Certifier must determine when inspections and compliance certificates are required.

13 Sign – Supervisor Contact Details

Before commencement of any work, a sign must be erected in a prominent, visible position:

- a stating that unauthorised entry to the work site is not permitted;
- b showing the name, address and telephone number of the Principal Certifier for the work; and
- c showing the name and address of the principal contractor in charge of the work site and a telephone number at which that person can be contacted at any time for business purposes.

This sign shall be maintained while the work is being carried out and removed upon the completion of the construction works.

14 Demolition Works

The demolition of the existing building elements shall be carried out in accordance with Australian Standard AS2601 (2001): The Demolition of Structures or any other subsequent relevant Australian Standard and the requirements of the SafeWork NSW.

No demolition materials shall be burnt or buried on-site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Any unforeseen hazardous and/or intractable wastes shall be disposed of to the satisfaction of the Principal Certifier. In the event that the demolition works may involve the obstruction of any road reserve/footpath or other Council owned land, a separate application shall be made to Council to enclose the public place with a hoarding or fence over the footpath or other Council owned land.

During Demolition, Excavation or Construction

15 Restricted Hours of Construction Work

The developer must not carry out any work, other than emergency procedures, to control dust or sediment laden runoff outside the normal working hours, namely, 7.00 am to 5.00 pm, Monday to Saturday, without the prior written consent of the Principal Certifier and Council. No work is permitted on public holidays or Sundays.

Any request to vary these hours shall be submitted to the **Council** in writing detailing:

- a the variation in hours required (length of duration);
- b the reason for that variation (scope of works);
- c the type of work and machinery to be used;
- d method of neighbour notification;
- e supervisor contact number;
- f any proposed measures required to mitigate the impacts of the works.

The construction works noise shall comply with the Australian Standard AS 2436-2010 “Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites” and any other requirements as specified by Council or the NSW Environment Protection Authority.

Note: The developer is advised that other legislation may control the activities for which Council has granted consent, including but not limited to, the Protection of the Environment Operations Act 1997.

16 Provision of Waste Receptacle

The developer must provide an adequate receptacle to store all waste generated by the development, pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and re-usable materials.

Prior to the Issue of the Occupation Certificate

17 Egress

Prior to the issue of an Occupation Certificate:

- Exit doors serving the building, including doors in path of travel to an exit, must comply with Part D2.19, D2.20 and D2.21 of the National Construction Code Series Volume 1 (BCA)
- Travel distances must comply with Part D1.4 of the National Construction Code Series Volume 1 (BCA)

18 Exit Signage

Prior to the issue of an Occupation Certificate, install Exit Signage throughout the building in accordance with Part E4 of the National Construction Code Series Volume 1 (BCA) and Australian Standard AS2293.1.

19 Emergency Lighting

Prior to the issue of an Occupation Certificate, install Emergency Lighting throughout the building in accordance with Part E4 of the National Construction Code Series Volume 1 (BCA) and Australian Standard AS2293.1.

20 Portable Fire Extinguisher

Prior to the issue of an Occupation Certificate, install portable fire extinguishers throughout the building in accordance with Part E1.6 of the National Construction Code Series Volume 1 (BCA) and Australian Standard AS2444.