Addendum Planning Assessment Report

DA No.	DA-2020/995
Proposal	Alterations and additions
Property	Port Kembla Surf Club, 1A Cowper Street, PORT KEMBLA
Applicant	Marko Lisica
Responsible Team	City Centre Major Development Team (NL)
Lodged	15 September 2020
Development cost	\$140,000
Prior WLPP meeting	19 November 2020

PRECIS

The proposal was referred to the Wollongong Local Planning Panel at the meeting of the 19 November 2020 for determination in accordance with clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2 of the Local Planning Panels Direction of 1 March 2018, the proposal is on Council owned land.

The Panel recommended the application be deferred subject to a number of concerns being addressed and re-referred to the Panel for determination.

The applicant has now supplied amended plans (Attachment 1) and a covering letter (Attachment 2) as detailed below.

WLPP RECOMMENDATIONS

The Panel determined to defer the development application as described in Schedule 1 pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979 for the following:

1. Details of the existing and proposed operations including use of the existing service courtyard.

Response: There are no proposed changes to the operational use of the courtyard. The courtyard is currently used as by members of the surf club and users of the surf club hall during functions and fundraisers. Chairs and tables are typically placed outside for people to sit and eat and enjoy their events. It is the surf club's intention to enhance this space and better incorporate it with the existing hall to further promote the usage of the hall for surf club members and fundraising events.

The proposed development also does not seek to change the courtyard accessibility which is still to be directly accessible from the main hall and now at the same level as the hall which will make it accessible to all people.

At the site inspection with the Panel, concern was raised as to the location of waste bins in this area. Bins are proposed to be located permanently within an enclosure as shown on Proposed Part Site Plan dated 10 December 2020 prepared by 10 Star Living.

2. Amended plans that provide for:

(a) Disabled access to the main entry to the building

Accessible path of travel is provided to the main entry from accessible parking within the car park, which is nominated at the east facing doors adjacent to the sunroom and function hall area. Whilst not stated in the minutes, concern was raised at the site inspection regarding accessibility throughout the building more generally, particularly with respect to the level change between the courtyard and the function hall and the existing toilet identified as being accessible. To this end, the plans have been amended to raise the courtyard RL to be level with the function area. A ramp is additionally provided to the accessible toilet as there was an existing ramp was not compliant.

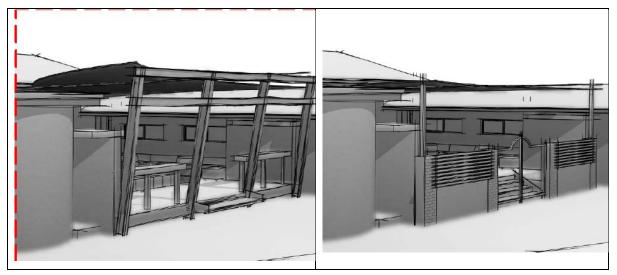
Addendum Planning Assessment Report

(b) Waste storage facility to be screened from public view and details provided as to how waste will be managed

The waste bins are to be located in a screened enclosure as detailed above.

(c) Redesign of the proposed structure to the courtyard to be more sympathetic to the architecture to the existing building

The western elevation which previously included new angled steel posts and open bench style seating has been amended. The revised plans now include a rendered masonry wall to match existing with horizontal timber screening above. Existing iron gates are proposed to be reused. Two upright steel posts are now proposed atop that wall with the shade structure attached as illustrated below. This is considered to be a design that is more sympathetic to the existing built form.



(d) Plans that detail all existing and proposed work

Amended plans have been submitted identifying existing built form and proposed new work. Existing plans are at Attachment 3.

AMENDED CONDITIONS

Condition 1

Amended plans

CONCLUSION

The recommendations of the Panel are now considered to have been satisfactorily addressed. Changes to the plans are considered minor and do not raise any other planning considerations not already previously addressed in the report presented to the Panel.

RECOMMENDATION

It is recommended that the application be approved subject to the conditions at Attachment 4.





Dear Panel Members,

Firstly, thank you for your time on site and for taking the time to review the project and provide feedback.

I am writing this report in relation to the LPP Determination and Decision received on the 19 November 2020 to address the feedback and concerns from the panel members and how we look to address each point.

The panel members have made the following comments below:

1. Details of the existing and proposed operations including use of the existing service courtyard.

There are no proposed changes to the operational use of the courtyard. The courtyard is currently used as by members of the surf club and users of the surf club hall during functions and fundraisers. Chairs and tables are typically placed outside for people to sit and eat and enjoy their events. It is the surf clubs intention to enhance this space and better incorporate it with the existing hall to further promote the usage of the hall my surf club members and fundraising events.

The proposed development also does not look to change the courtyard accessibility which is still to be directly accessible from the main hall and now at the same level as the hall which will make it accessible to all people.

2. Amended plans that provide for:

(a) Disabled access to the main entry to the building

Disabled carpark are currently provided a Port Kembla Surf Club on both the S/E and SW carparks. The main access to the surf club building is through the 'front' door which is located on the beach facing side of the building. This both car parks provide gentle grades to the front door access to comply with standards. This may not have been clear on the first site assessment.

The direct line of travel can be seen on Sheet 2 outlining the 3 Disabled car spaces as well as the line of travel to the main entry.

The Surf Club representative had a chance to meet with Peter Harris from Council (building team) on Friday morning (11/12/2020) and mentioned the concern about access the disabled bathroom and the discrepancy between the floor levels. Peter had recommended a device called a 'threshold doorway ramp' which is an aluminium adjustable solid self-supporting ramp and a possible solution to the situation.

(b) Waste storage facility to be screened from public view and details provided as to how waste will be managed

The surf club had switched to temporary location recently to reduce cost due to the renovations and also helped during the worst of the Covid period. On Sheet 2 you can see the location that Council has provided on the S/W carpark as a waste storage facility in form of a small concrete area for the bin (existing).

The existing location will be screened with a 1.5m privacy screening to meet the above point.



(c) Redesign of the proposed structure to the courtyard to be more sympathetic to the architecture to the existing building.

The proposed courtyard will now keep more of the heritage of the existing area and reuse parts of it in doing so. The amended plans now look to reuse the existing gate and move this to the centre of the courtyard.

The proposed courtyard wall is to be constructed out of masonry and to be rendered in the same colour (moon dance) as the existing building and wall which is proposed to be demolished. The proposed timber screening will help soften the wall and tie into the proposed courtyard raise timber decking.

The proposed courtyard will now keep more of the heritage of the existing area and reuse parts of it in doing so.

(d) Plans that detail all existing and proposed work

The plans now show the proposed works shaded and coloured in different stages of development. A legend can be found in the top left corner of the proposed works outlining which areas are to be developed and then detailed on the floor plans.

The items that are to be demolished can be found in a red dashed outline.

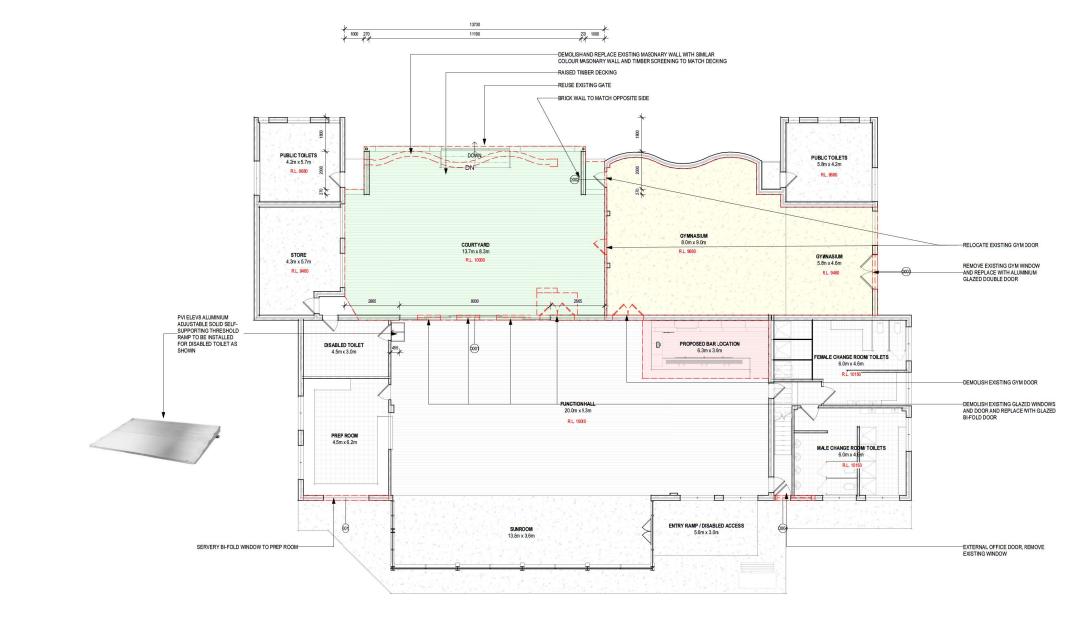
We hope that the above points and all of the matters outlined by the Panel Members have been sufficient addressed with the amended plans.

Regards

Marko Lisica Director





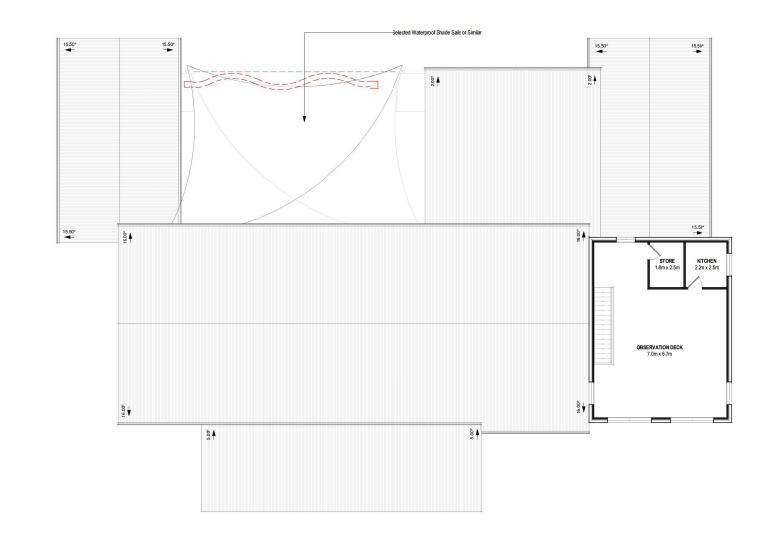


Ground Floor Plan - Proposed 1

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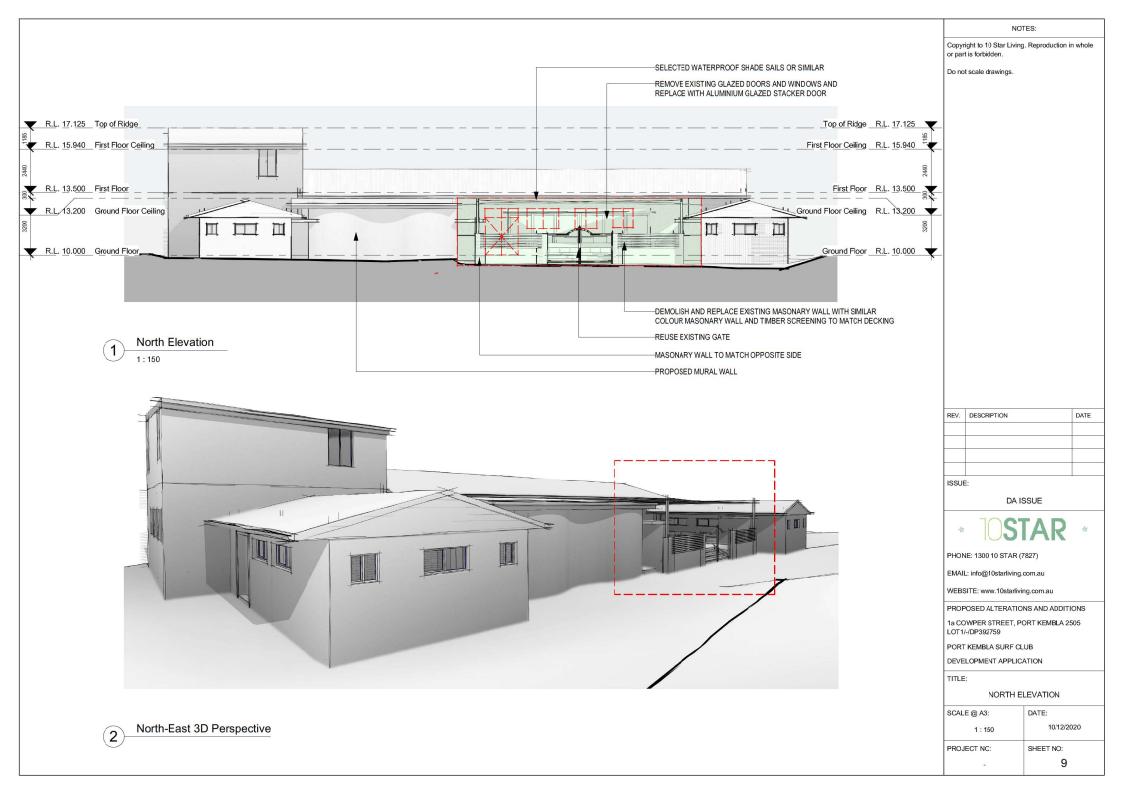
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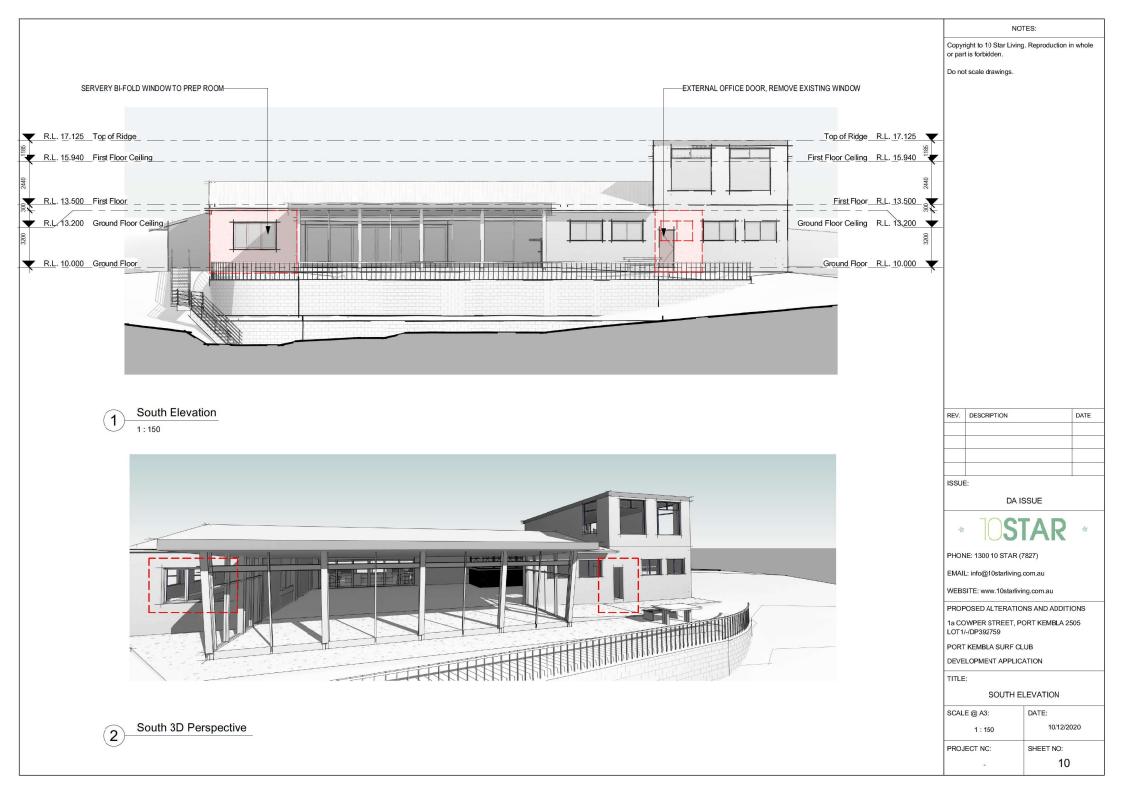


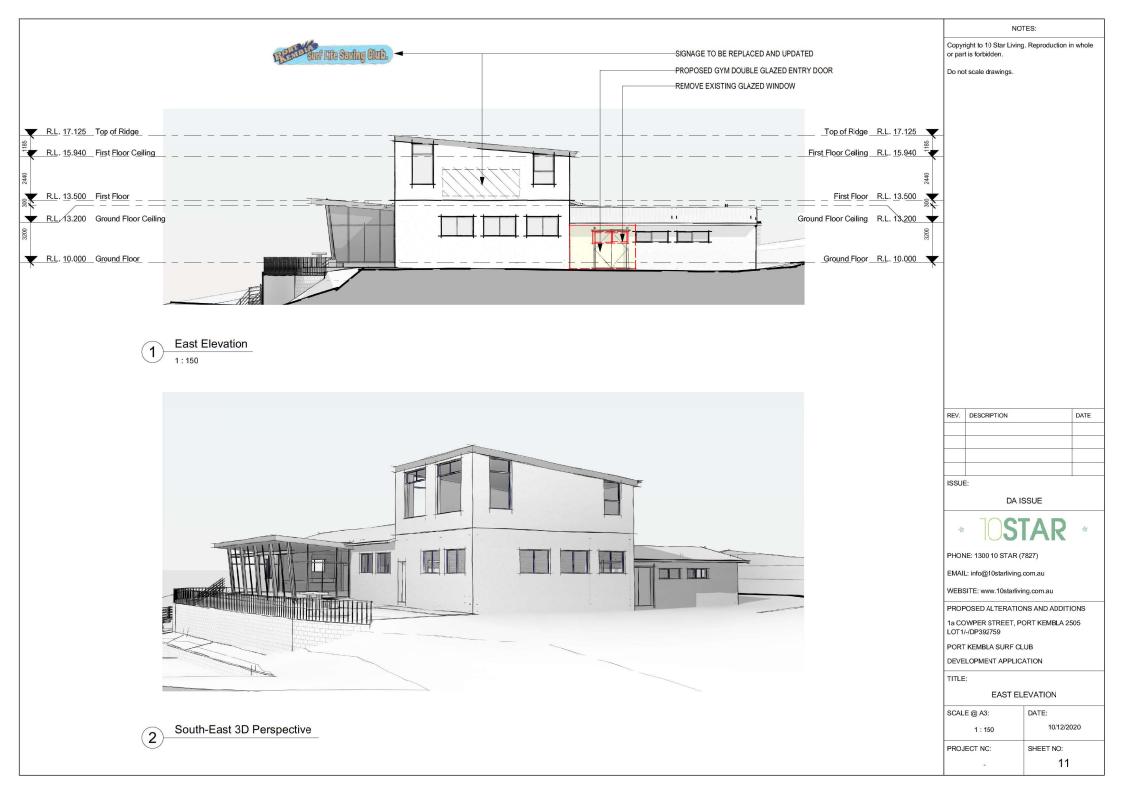
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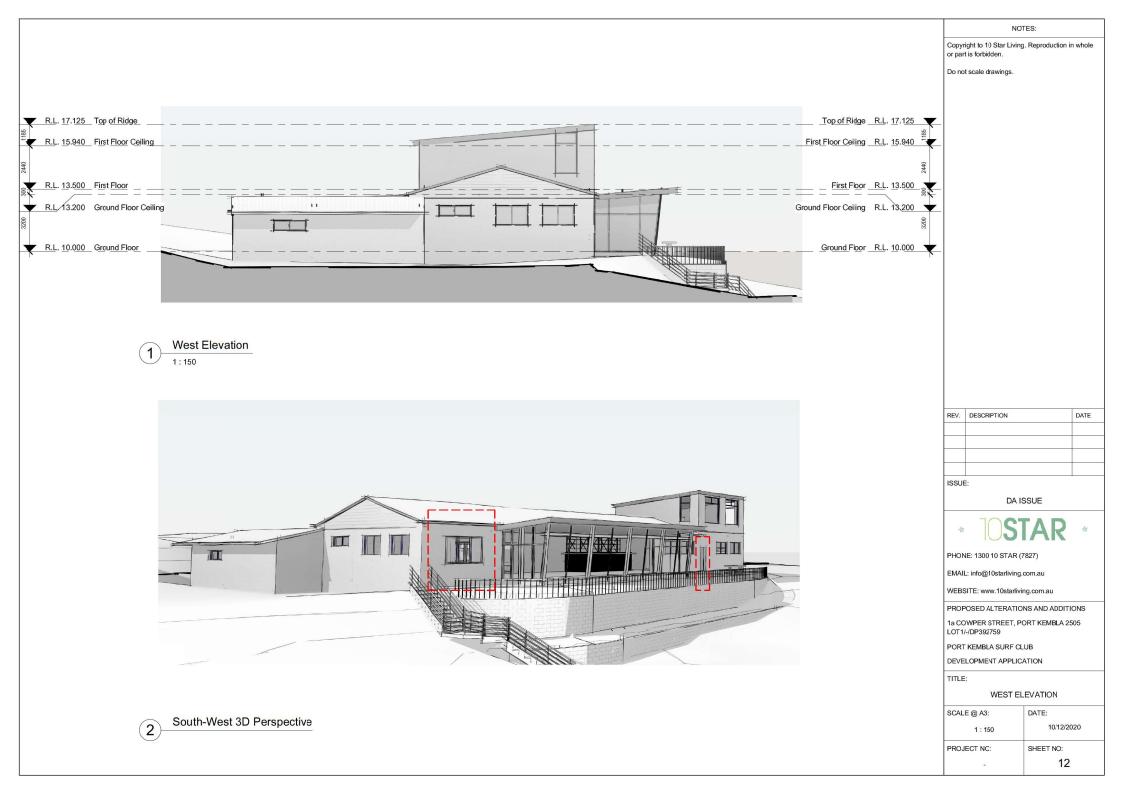


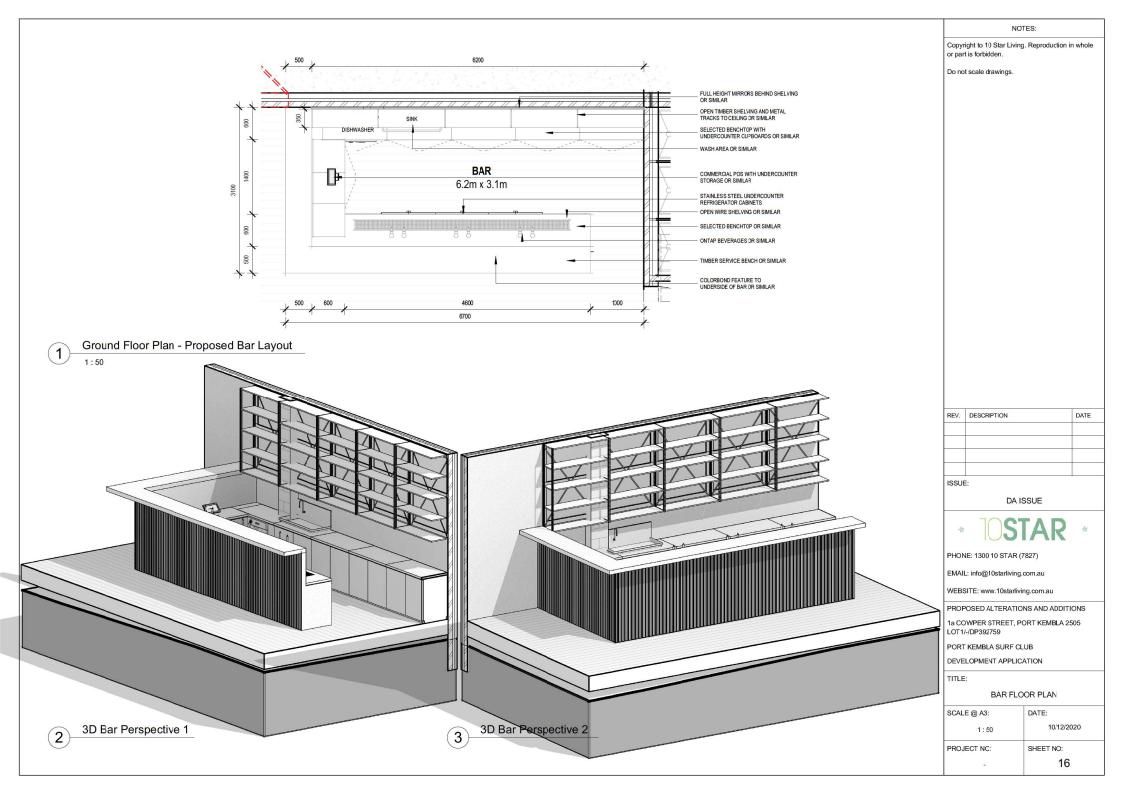
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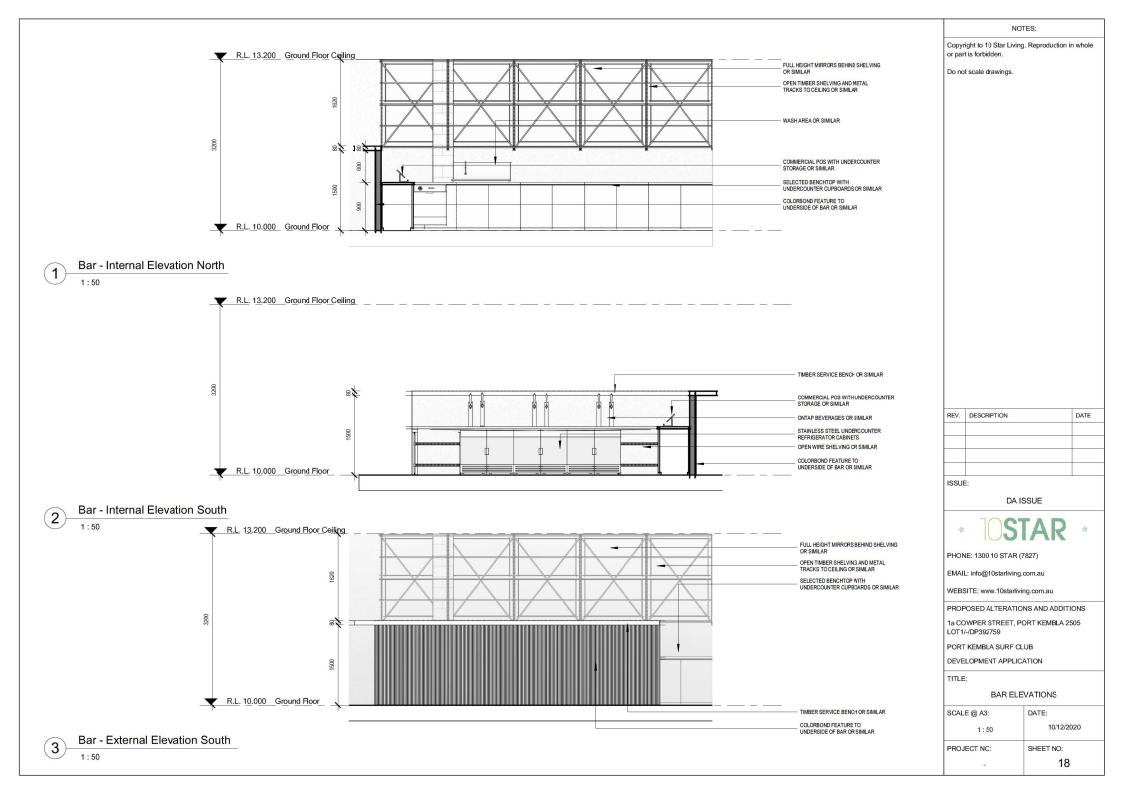


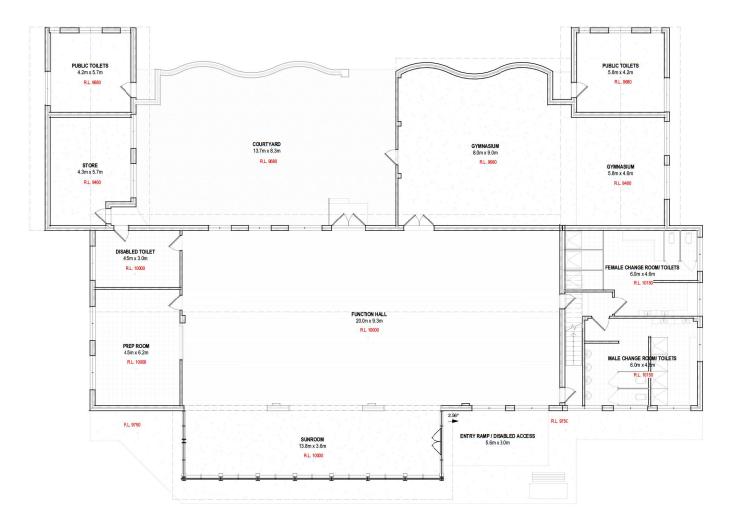




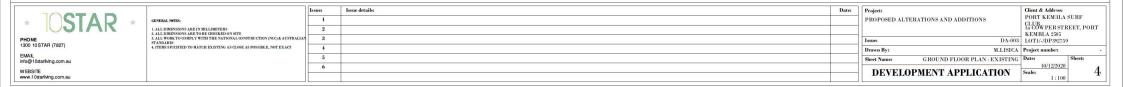




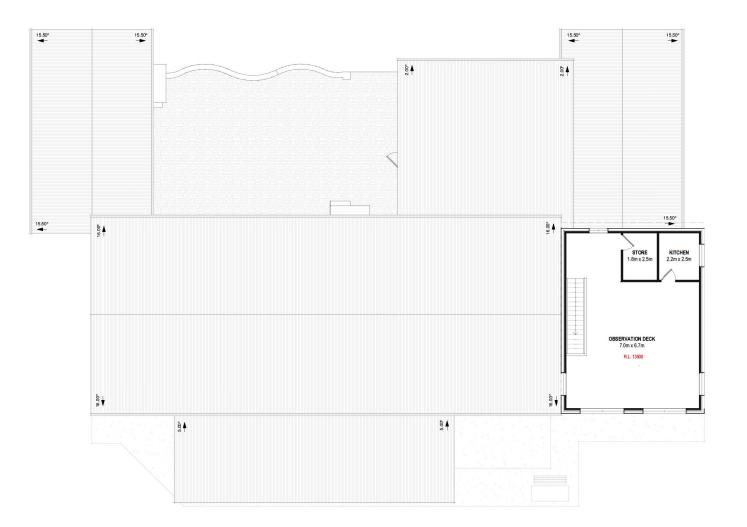




(1) Ground Floor Plan - Existing 1:100



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1 First Floor Plan



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DA-2020/995

ATTACHMENT 4 – 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:

Proposed Part Site Plan dated 10 December 2020 prepared by 10 Star Living

Site Analysis Plan dated 10 December 2020 prepared by 10 Star Living

Ground Floor Plan - Proposed dated 10 December 2020 prepared by 10 Star Living

First Floor Plan - Proposed dated 10 December 2020 prepared by 10 Star Living

North Elevation dated 10 December 2020 prepared by 10 Star Living

South Elevation dated 10 December 2020 prepared by 10 Star Living

East Elevation dated 10 December 2020 prepared by 10 Star Living

West Elevation dated 10 December 2020 prepared by 10 Star Living

Bar Floor Plan dated 10 December 2020 prepared by 10 Star Living

Bar Elevations dated 10 December 2020 prepared by 10 Star Living

and 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:

Contribution at time of payment = \$C x (CP2/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.

METHOD	HOW	PAYMENT TYPE
Online	http://www.wollongong.nsw.gov.au/applicationpay ments Your Payment Reference: 1264272	• Credit Card
In Person	Wollongong City Council Administration Building - Customer Service Centre Ground Floor 41 Burelli Street, WOLLONGONG	CashCredit CardBank Cheque
PLEASE MAKE BANK CHEQUE PAYABLE TO: Wollongong City Council (Personal or company cheques are not accepted)		

The following payment methods are available:

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.