

Our Ref: M150260

28 October 2019

Sydney South Planning Panel  
C/- Planning Panels Secretariat  
**Sent via email: [enquiry@planningpanels.nsw.gov.au](mailto:enquiry@planningpanels.nsw.gov.au)**

c.c: Sutherland Shire Council  
Attention: Peter Barber and Carolyn Howell  
**Sent via email: [CHowell@ssc.nsw.gov.au](mailto:CHowell@ssc.nsw.gov.au) and [PBarber@ssc.nsw.gov.au](mailto:PBarber@ssc.nsw.gov.au)**

Dear Sir/Madam,

## RESPONSE TO SSPP REPORT NO. 2017SSH029

### DEVELOPMENT APPLICATION NO. 17/1001

### PARTIAL DEMOLITION AND ALTERATIONS AND ADDITIONS TO NORTH CRONULLA SURF LIFE SAVING CLUB

## INTRODUCTION

We act on behalf of North Cronulla Surf Life Saving Club, the applicants for DA No.17/1001. This letter is a response to the report prepared by Sutherland Shire Council relating to SSPP No.2017SSH029 which is to be considered by the Sydney South Planning Panel on 30 October 2019.

In conjunction with the applicant, architect and relevant consultants we have undertaken a detailed review of the report and the appended Draft Conditions of Consent. We endorse the recommendation of the report for conditional approval however a number of issues have arisen in relation to Council's Draft Conditions of Consent. Accordingly, the purpose of this submission is to request a review and amendments to a number of Draft Conditions of Consent.

## REQUEST TO REVIEW AND AMEND DRAFT CONDITIONS OF CONSENT

The Draft Conditions of Consent have been reviewed by the applicant and relevant consultants. The table below outlines the requested modifications and includes reasons for why the requested changes are required.

**Table 1 Request to Review and amend Draft Conditions of Consent**

Condition No.	Category of Condition	Requested Modification/Action	Reason for request
3A(iii)	Heritage Requirements	Add sentence to state: <i>"This condition does not relate to the windows on Level 2 of the eastern elevation as shown on DA-0010Rev. BB – Level 2 Floor Plan."</i>	The windows on Level 2 eastern side need to be replaced with aluminium windows to address safety standards of existing glazing and water leaking issues This area of the surf club building is listed as "Little Significance" in the heritage reports (see Section 4.9.1 and Figures 91-95 of the Conservation Management Plan). This area was an addition to the original 1950 building



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Condition No.	Category of Condition	Requested Modification/Action	Reason for request
			(circa 1968 and then upgraded in 2013). The applicant's heritage consultant has advised that they do not have an issue with replacing these windows with aluminium framed windows to match the new works and that well-designed and detailed windows which relate to the new work would be appropriate in this area. As such the replacement of these particular windows with aluminium windows is considered reasonable and appropriate.
3A(viii) 3D(i) 3D(iv)	Heritage Requirements	Reword or remove to include reference to existing lease schedule.	The activities and works outlined in the CMP include works which are required to be carried out by Council (as per existing lease Schedule No 2 Asset Maintenance). The condition requires rewording to acknowledge Council's responsibilities for maintenance with reference to Urgent Works to be completed within next 12 months
5A	Section 94 Contributions	Removal of condition	An exemption from payment of contributions is sought on the basis the NCSLSC is an emergency services facility. There is provision for an exception within the Section 7.12 Plan for " <i>emergency services facilities as defined by SSLEP2015</i> ". This means " <i>a building or place used in connection with the provision of emergency services by an emergency services organisation</i> " which includes, by reference, an " <i>accredited rescue unit within the meaning of the State Emergency and Rescue Management Act 1989</i> " which covers surf life saving.
7	Design and Construction of Works in Road Reserve (Council Design)	Removal of condition	The road reserve works are to be designed and funded by Sutherland Shire Council. The area is outside of the DP lot allocation as per existing lease and outside the club's responsibility as per existing and draft Plan of Management. . [



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Condition No.	Category of Condition	Requested Modification/Action	Reason for request						
11A(vii)	Supervising Engineer	Removal of condition	The road reserve works are to be designed and funded by Sutherland Shire Council. The areas of work that fall outside of the DP lot allocation as per existing lease and outside the club's responsibility as per existing and draft Plan of Management Areas of work that fall within the clubs responsibly will be designed and funded by the surf club.						
17	Endorsement of Linen Plan of Subdivision for Consolidation	Review of condition to include statement that Council will be responsible for preparation and lodgement of relevant documents and fees with the NSW Land Registry Service.	As the owner of the site and buildings it is requested that Council be responsible for the consolidation of the lots.						
20A 20B 20C	Landscaping Works	Review and modify condition to remove reference to "approved Landscape Plan" and replace with " <i>The applicant and Council should prepare a detailed Landscape Plan outlining required works and responsibilities by each party and should include the following details:</i>	<p>The application documents do not include a Landscape Plan. As noted Section 1.0 (page 4) of the report to the panel "<i>No beatification of areas surrounding the building is proposed as the surf club sits on Council land. Should the application be approved, Council's public domain unit will design how they wish the surrounding public spaces to present.</i>"</p> <p>It is appropriate that a Landscape Plan be developed to Council's requirements and to provide details of which party is responsible for the design, construction and maintenance of landscaping.</p>						
33B(i) Noise Control- Operation of Premises	Design of	<p>Require modification of this condition of consent as follows (deletions shown in "<del>striketrough</del>" and additions in "<b>bold</b>" and "<i>italicised</i>").</p> <p>i) The permitted hours of operation apply to the following areas:</p> <table><tr><td>Nipper/Training Room:</td><td>Monday to Sunday, 7am to 6<b>10</b>pm</td></tr><tr><td>Level 1 &amp; 2 Function Room:</td><td>Sunday to Thursday, 7am to 10:30pm</td></tr><tr><td></td><td>Friday to Saturday, 7am to 12am</td></tr></table>	Nipper/Training Room:	Monday to Sunday, 7am to 6 <b>10</b> pm	Level 1 & 2 Function Room:	Sunday to Thursday, 7am to 10:30pm		Friday to Saturday, 7am to 12am	The condition as proposed to be amended reflects the actual and agreed hours of operation for NCSLSC.
Nipper/Training Room:	Monday to Sunday, 7am to 6 <b>10</b> pm								
Level 1 & 2 Function Room:	Sunday to Thursday, 7am to 10:30pm								
	Friday to Saturday, 7am to 12am								



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Condition No.	Category of Condition	Requested Modification/Action	Reason for request
		Kiosk	Monday to Sunday, 7am to 5 6pm
		<b>Lifesaving, Administration and Member Services</b>	<b>Monday to Sunday, 5am to 10:00pm</b>
34A	Dilapidation Report- Adjoining Properties	Review and modify condition to reduce extent of structures required to be included in dilapidation report. Modify wording to require Council as owner of property to prepare dilapidation report.	The extent of structures required to be assessed as part of the dilapidation report is extensive and beyond the envelope (and buffer) of the proposed works. Dilapidation reports are a council responsibility as per Lease Schedule No 2 Asset Maintenance.
45(i)	Hours of Operation	Remove condition	This condition is a repeat of Condition 33B(i)

## CONCLUSION

We respectfully request that the above requested amendments be made to the draft Conditions of Consent. We trust the information provided is adequate however, should you have any questions or wish to discuss the application please do not hesitate to contact our office.

**Planning Ingenuity Pty Ltd**

Julie Horder  
**Associate Director**

