

DETERMINATION AND STATEMENT OF REASONS
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	1 April 2025
DATE OF PANEL DECISION	31 March 2025
DATE OF PANEL MEETING	26 March 2025
PANEL MEMBERS	Peter Debnam (Chair), Brian Kirk, Sue Francis, Graham Brown, Annelise Tuor
APOLOGIES	Nicole Gurran
DECLARATIONS OF INTEREST	Nil

Public meeting held by teleconference on 26 March 2025, opened at 10am and closed at 11am.

MATTER DETERMINED

PPSSNH-412 – Northern Beaches – DA2023/0998 at Koolara Avenue, Freshwater – Alterations and additions to the Freshwater Surf Life Saving Club building (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was 4:1 in favour, against the decision was Annelise Tour.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons below and in the Independent Assessor's Report.

The proposal constitutes a Council related Development Application as it uses land managed by Council. Accordingly, an Independent Assessor was appointed to review the proposal.

The proposal maintains the existing heritage-listed 1935 clubhouse, proposes substantial alterations and additions to the existing rear 1986 addition and a new, connecting infill building. The Panel notes the proposed development sits within the same footprint as the existing surf club building, with additional floor space in an upper-level westward extension.

The Panel notes the current design evolved over recent years after lodgement in 2023 and the design has been amended in response to feedback from Council, Design and Sustainability Panel and the community. The amendments included reduction of height, bulk, scale and westward extension. The amendments and conditions also addressed heritage concerns, relocation of pathways and integration of landscaping.

Overall, the Panel concurs with the Independent Assessor that the development design performs well against the relevant controls and will not result in unreasonable impacts on the natural environment, the surrounding public reserve or nearby residential dwellings.

The Panel notes the proposal satisfies the relevant planning controls in the Warringah Local Environmental Plan 2011, Warringah Development Control Plan 2011 and State Environmental Planning Policy (Resilience

and Hazards) 2018. The application has been assessed against the Environmental Planning and Assessment Act 1979 (EP&A Act 1979), Environmental Planning and Assessment Regulations 2000 (EP&A Regulations 2000), relevant Environmental Planning Instruments (EPIs) and Council policies.

The Panel believes the proposal is appropriate development for the subject site and consequently approval would be in the public interest.

Annelise Tour disagreed with the majority decision due to residual uncertainty about the proposal including:

- existing and proposed operation of the club and consequently the impacts of any intensification of use, particularly in relation to details about functions that can be held only as ancillary to the approved uses; and
- the height and bulk and relationship to the heritage item of the connecting infill building.

CONDITIONS

The recommended conditions of consent were amended by the Panel to delete the Deferred Commencement condition and clarify the intent of other conditions. Draft Conditions 1, 4, 5, 16, 20, 24, 26, 28, 29, 65, 69, 84, 85, 87, 88, 89 were amended and the following new conditions were added:


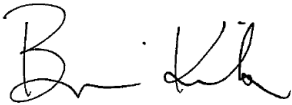

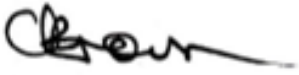
- no. 70 to manage functions held as an ancillary use
- no.84 to address noise impacts
- no.90 to address safety
- no.92 to ensure compliance with the Plan of Management

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes issues of concern included:

- Heritage impacts
- Loss of public facilities
- Overdevelopment
- Character
- Encroachment on the public reserve
- Traffic and parking
- Visual impacts
- Energy efficiency
- Permissible uses

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report and the conditions as amended.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Brian Kirk
 Sue Francis	 Graham Brown

Annelise Tuor

Annelise Tuor

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-412 – Northern Beaches – DA2023/0998
2	PROPOSED DEVELOPMENT	<p>Alterations and additions to the Freshwater Surf Life Saving Club building, including works to the 1935 heritage building, a new infill building, and substantial refurbishment and improvements to the rear building.</p> <p>Crown land - Part Lot 2797 DP820312, Lot 1 DP909023 & Lots 21 to 23 Section 2 DP975183 - Part Reserves D500403 and 64997 for Public Recreation - Freshwater Surf Life Saving Club.</p>
3	STREET ADDRESS	Koolara Avenue, Freshwater
4	APPLICANT OWNER	Geoff Bonus Northern Beaches Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Warringah Coastal Lands Plan of Management 2002 Warringah Local Environmental Plan 2011 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Warringah Development Control Plan 2011 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council Assessment Report: 4 March 2025 Council memo received: 25 March 2025 Written submissions during public exhibition: 22 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Anne Elizabeth Sharp Brendan Donohoe Council consultant: Danielle Deegan On behalf of the applicant – Geoff Bonus, Michael Kirkby
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Preliminary Briefing: 11 October 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Nicole Gurran, Annelise Tuor <u>Council assessment staff</u>: Alexander Keller <u>Applicant</u>: Geoff Bonus <u>Department staff</u>: Lillian Charlesworth, Adam Williams, Adam Iskander Council and Applicant Briefing: 23 October 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Nicole Gurran, Annelise Tuor <u>Council assessment staff</u>: Rodney Piggott, Maxwell Duncan

		<ul style="list-style-type: none"> ○ <u>Applicant representatives</u>: Geoff Bonus, Philip Franke, Michael Kirby ○ <u>Department staff</u>: Adam Iskander <ul style="list-style-type: none"> ● Final briefing to discuss council's recommendation: 26 March 2025 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Sue Francis, Annelise Tuor, Graham Brown ○ <u>Council assessment staff</u>: Rodney Piggott, Maxwell Duncan, Danielle Deegan (consultant) ○ <u>Department staff</u>: Lillian Charlesworth, Jade Buckman ● Public meeting: 26 March 2025 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Sue Francis, Annelise Tuor, Graham Brown ○ <u>Council assessment staff</u>: Rodney Piggott, Maxwell Duncan, Danielle Deegan (consultant) ○ <u>Applicant representatives</u>: Geoff bonus, Michael Kirkby, Michael Bate, Shanny Dyer ○ <u>Department staff</u>: Lillian Charlesworth, Jade Buckman
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Amended by the Panel and final conditions uploaded to the Planning Portal on 31 March 2025.