

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSNH-63
DA Number	DA2020/0021
LGA	Northern Beaches Council
Proposed Development	Demolition of existing buildings and construction of three new buildings containing Surf Life Savings Club facilities, function rooms, public amenities and café and site landscaping.
Street Address	Long Reef Surf Life Saving Club, Pittwater Road, Collaroy
Applicant/Owner	Northern Beaches Council. Crown Land (Northern Beaches Council is appointed as the Crown Land Manager)
Date of DA lodgement	15 January 2020
Number of Submissions	Seventeen (17), which includes 16 letters of support and 1 letter in objection.
Recommendation	Approval
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011)	The proposal is a community facility with a Capital Investment Value of more than \$5 million. Northern Beaches Council is the applicant and the development is within the Northern Beaches local government area.
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • Warringah Local Environmental Plan 2011 • State Environmental Planning Policy (Coastal Management) 2018 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No. 55 – Remediation of Land (and draft) • Warringah Development Control Plan 2011 • Griffith Park Plan of Management
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> • Attachment 1: Draft Conditions of Consent • Attachment 2: Plans (architectural, landscape) • Attachment 3: Traffic Impact Assessment report • Attachment 4: Acoustic Impact Assessment report • Attachment 5: Aboricultural Impact Assessment report
Clause 4.6 requests	Not Applicable
Summary of key submissions	<ul style="list-style-type: none"> • Use of barbecue area
Report prepared by	Geoff Goodyer, Symons Goodyer Pty Ltd (independent external Planning Consultant as the applicant is Council and involves council land)
Report date	22 April 2020

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? **Yes**
e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Not Applicable**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)? **Not Applicable**
Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**
Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

EXECUTIVE SUMMARY

The proposal is to demolish the existing surf lifesaving club buildings and to construct a new Long Reef Surf Life Saving Club with associated facilities and amenities.

The development includes facilities for the Surf Life Savings Club, public amenities, a function room, café and site landscaping.

The proposal satisfies the relevant planning controls in Warringah Local Environmental Plan 2011, Warringah Development Control Plan 2011 and State Environmental Planning Policy (Coastal Management) 2018.

The proposal is a Community Facility and has a capital investment value of more than \$5 million. Northern Beaches Council is the applicant and the development is within the Northern Beaches local government area. Consequently, the proposal is regionally significant development pursuant to clause 20 and Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011 and the Sydney North Planning Panel is the consent authority pursuant to section 4.5(b) of the Environmental Planning and Assessment Act 1979.

PROPOSED DEVELOPMENT IN DETAIL

The proposed development comprises:

- Demolition of the existing Long Reef Surf Live Saving Club facilities and amenities buildings
- Construction of three new buildings comprising:
 - A two-storey clubhouse with SLSC storage, gym, training room, office and amenities on the ground floor and function rooms with associated back of house facilities on the upper floor
 - A single storey amenities block
 - A single storey café building with equipment lockers
 - New landscaping around the buildings

The existing vehicular access from Pittwater Road is to be retained with no change to the existing carpark arrangements.

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;

- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Development Control Plan – C2 Traffic, access and safety

Warringah Development Control Plan - C3 Parking Facilities

Warringah Development Control Plan - D3 Noise

Warringah Development Control Plan – D7 Views

Warringah Development Control Plan – E4 Wildlife corridors

Warringah Development Control Plan – E5 Native vegetation

SITE DESCRIPTION

Property Description:	Lot 11, DP 11393189, Pittwater Road COLLAROY NSW 2097
Detailed Site Description:	<p>The site is legally described as Lot 11 in DP 1193189. The lot is bounded by Anzac Avenue and Fisherman's Beach to the north; Long Reef Aquatic Reserve to the east; Long Reef Beach and Dee Why Lagoon to the south; and Pittwater Road to the west. The overall size of the Site (including Lot 1 DP 1144187 that contains the Long Reef Golf Course) is approximately 70.82ha.</p> <p>The Long Reef SLSC is located in the southern corner of the lot. Vehicular access to Long Reef SLSC is from Pittwater Road. To the west of the Long Reef SLSC is a public car park.</p> <p>The existing Long Reef SLSC is a single storey brick building. A former lifesaver viewing tower and terrace are located on the building's roof. There is also a single-storey amenities block with kiosk located to the west of the SLSC building.</p> <p>Vehicular access to the site is from Pittwater Road. Access is left-in/left-out only. The existing carpark provides 147 spaces. There is also overflow parking available within the grassed area to the north of the carpark, which is used during peak periods. There is an existing vehicular cross-over located to the south of the existing public amenities/ kiosk building, which provides access for service vehicles and other vehicles/equipment associated with the SLSC.</p> <p>North of the site is the Long Reef Golf Course. South of the site is Dee Why Lagoon. Directly east of the site is the Tasman Sea and Long Reef Beach. West of the site is the low-density residential suburb of Collaroy.</p>



Figure 1: Location Map

SITE HISTORY

A Pre-Lodgement Meeting (PLM) was held with Council officers, the client and members of the design team on 6 August 2019 in relation to the proposed development.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 25 January 2020 till 15 February 2020, in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the relevant Development Control Plan.

As a result of the public exhibition process, Council is in receipt of seventeen (17) submissions which includes sixteen (16) in support of the proposal. The remaining submission raised the following issues:

- **Use of SLSC Barbecue area**

Comment: The objection is that the proposal seeks to provide a barbecue area that will only be available for use by the Surf Life Saving Club (SLSC). The SLSC barbecue area is approximately 30m² and is located adjacent to the proposed training room. The proposal includes public barbecues and utility kitchenettes adjacent to new terraced bench seating and existing grassed areas. It is considered that the provision of barbecue facilities for the SLSC and additional public barbecue facilities ensure that all users of barbecue areas are adequately catered for.

Accordingly, this objection has not been given determining weight.

REFERRALS

Internal Referral Body	Comments
Building Assessment	The application has been investigated with respect to aspects relevant to the Building Certification and Fire Safety Department. There are no objections to approval of the development.

Internal Referral Body	Comments
	<p>Note: The proposed development may not comply with some requirements of the BCA. Issues such as these however may be determined at Construction Certificate stage.</p> <p>The proposal is therefore supported.</p>
Development Engineering	No objections are raised to the proposal, subject to conditions.
Environmental Health – acid sulfate soils	<p>Warringah LEP 2011 Acid Sulphate Soils Map shows Class 3 and 5 Acid Sulphate Soils on the land where demolition and construction works are proposed. Geotechnical report 2017-235 provided by Crozier Geotechnical Consultants states a Management Plan must be put in place if the excavation depths are deeper than 2.5 m below natural ground level, according to test results, this is the depth that soil acidity strengthens.</p> <p>The depth of excavation required for building foundations/footings is unknown at the time of this assessment - the type of footings have not yet been determined.</p> <p>Conditions to be recommended to reflect the conclusions/recommendations of the geotechnical report.</p>
Environmental Health – Commercial Use	<p>Environmental Health have assessed the matter of the café to be constructed.</p> <p>Standard conditions regarding licensing and construction of café to relevant Australian Standards and regulations.</p>
Environmental Health – Contaminated Lands	<p>Environmental Health have assessed the matter of fill material (possibly unsettled natural sands) below the existing structure.</p> <p>Geotechnical report 2017-235 provided by Crozier Geotechnical Consultants provides some insight to the materials found below the surface of the existing structure. No indication that any of the material to be excavated is contaminated.</p> <p>Waste Management report discussed that excavated material will be re-used on-site.</p> <p>Conditions regarding compliance with the waste management plan are suffice assuming no removal of excavated material.</p>
Environmental Health – Impacts	<p>Environmental Health have assessed the matter of demolition, construction and on-going operations, and the potential impacts on the surrounding neighbourhood amenity and environmental values with regard to noise, dust and sediment control.</p> <p>The stormwater management report addresses sediment and erosion control. Demolition waste controls are discussed in the Waste Management Plan. Dust addressed in the Statement of Environmental Effects – to be managed through a Construction Management Plan prepared prior to CC. Given the information provided, we think standard conditions applied by the Planning section of Council will give effective controls for management of the aforementioned hazards.</p> <p>Acoustic Report by GHD – Long Reef SLSC, 12515120, December 2019. Considering this information and the various NSW guidelines and legislation such as <i>Noise Policy for Industry</i> and <i>Protection of Environment Operations Act 1997</i>, we found that the impact of noise on nearest residential area is likely to be minimal. The main concern centres on the use of the premise with regard to amplified music in outdoor areas. Given the distance to the nearest residential receivers in combination with other attenuation factors, we conclude that specific sound pressure level limits are not necessary, noise to be managed through conditions regarding hours of operation/use.</p>

Internal Referral Body	Comments
Heritage	<p>The proposed built form, scale, materials and finishes are considered sympathetic to the area and purpose of the building. Given the separation between the proposed development and the conservation areas and the heritage listed item it is believed that the proposal will have a negligible impact upon the heritage significance of these items.</p> <p>Therefore, no objections are raised on heritage grounds and no conditions required.</p>
Landscape	<p>The plans indicate retention of significant native trees and replanting of trees, shrubs, ground-covers and advanced local palm species.</p> <p>No objections are raised to the proposed works with regard to landscape issues, subject to conditions as recommended.</p> <p>The proposal is therefore supported.</p>
Natural Environment - Biodiversity	<p>The proposed development is located on a similar footprint to the existing SLSC development. No native vegetation is proposed for removal and the works would not impact upon the existing mapped Wildlife Corridor. The proposal is therefore supported.</p>
Natural Environment – Coastal	<p>The proposal has been assessed against the following:</p> <ul style="list-style-type: none"> • Warringah Local Environment Plan 2011 • Warringah Development Control Plan 2011 • State Environmental Planning Policy (Coastal Management) 2018 <p>Based on the information provided and an internal assessment the proposal is deemed to comply with each of these.</p> <p>As recommended in the coastal engineering report (Prepared by Horton Coastal Engineering and dated 12 November 2019) the areas of the building that extend seaward of the acceptable risk line for conventional foundations are to be cantilevered in accordance with section 6 of the report. Additionally, the following measures are to be applied to reduce the risk of damage from coastal inundation to the building:</p> <ul style="list-style-type: none"> • floor finishes and wall materials that are able to withstand inundation, such as concrete and tiles, should be used up to 1m above the finished floor level; • items that could be damaged by inundation, or become polluting due to inundation, should be stored at least 1m above the floor, or relocated further landward prior to a major forecast coastal storm; and • electrical fittings and outlets that could be damaged by inundation should be located at least 1m above the finished floor level, or waterproofed below this level. <p>The proposal is therefore supported.</p>
Natural Environment - Flood	<p>The proposed building location is not identified as being subject to flood risk. No flood related development controls applied.</p> <p>The proposal is therefore supported.</p>
Parks, Reserves and Foreshores	<p>The proposed development is within Griffith Park, and provides amenities for users of Long Reef beach.</p> <p>Parks in principle supports the proposal, and additionally has conditioned for small changes to the design to ensure that relevant legislation and design guidelines are considered, so as to achieve the best outcome for users. These suggestions include:</p> <ul style="list-style-type: none"> • Provision of a kitchenette in the Council lifeguard storage area to comply with Clause 41 of the WHS Regulation 2017;

Internal Referral Body	Comments
	<ul style="list-style-type: none"> • Safety by design considerations for the courtyard area, which has limited line of sight from the carpark area. <p>As land manager of the reserve, Parks will also require copies of the relevant construction documentation to review and sign off on prior to the commencement of any construction activity. These documents include:</p> <ul style="list-style-type: none"> • dilapidation report; • traffic management plan; • construction management plan. <p>No other issues with the proposal. The proposal is therefore supported.</p>
Roads and Assets	No impact on existing road infrastructure assets. No objections or conditions.
Traffic Engineer	<p>The Traffic impact assessment prepared by PTC on behalf of the architect has been reviewed and addresses all issues for this type of development with the exception of the active travel component.</p> <p>The application will be conditioned to include active travel facilities.</p> <p>A footpath connection along the access driveway was deemed unnecessary as the car park conditions were recently changed to a 10km/h shared zone and as such the connecting footpath is not required.</p> <p>Other matters are outside the scope of the project such as a footpath network connection as the nexus is not achieved.</p> <p>The proposal is therefore supported.</p>
Urban Design	<p>A pre-lodgement meeting for the proposed development application was held with the applicant on 6 August 2019. In response to advice provided by Council's Urban Design officer, which sought consideration for several elements of the development, Council is satisfied these issues have been adequately responded to.</p> <p>The Statement of Environmental Effects January 2020 has provided a considered response and architectural rationale which addresses the following elements, subject of the comments initially provided; Shade Structure, Roof Form /Canopy and Amenities Block.</p> <p>Following a considered review of the applicant's rationale in response to comments provided, Council is satisfied with the applicant's response which address each of these items.</p> <p>The proposal is therefore supported.</p>
Waste	Suitable bin rooms provided for kiosk and clubhouse. The proposal is therefore supported.
Water Management	No objections are raised to the proposed development, subject to conditions.

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	<p>Ausgrid has no objection to this development application, however the design submission must comply with relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice for construction works near existing electrical assets.</p> <p>The "as constructed" minimum clearances to Ausgrid's infrastructure must not be encroached by the building development. It also remains the responsibility of the developer and relevant contractors to verify and maintain these clearances on site.</p>

External Referral Body	Comments
Aboriginal Heritage	<p>The Aboriginal Heritage Office agrees with the advice given by dfp planning consultants, in Section 6 of the report - Statement of Environmental Effects Long Reef Surf Life Saving Club Pittwater Road, Collaroy. January 2020.</p> <p><i>6.1.3 State Environment Planning Policy (Coastal Management)</i></p> <p><i>The site is identified as having an Extremely High Potential of containing items of Aboriginal Cultural Heritage. However, as the proposed SLSC development is generally maintained within the footprint of the existing building, it is considered that the likelihood of uncovering any items of aboriginal significance is low.</i></p> <p>The Aboriginal Heritage Office also agrees with the recommendations provided by dfp planning consultants, in Section 6 of the report - Statement of Environmental Effects Long Reef Surf Life Saving Club Pittwater Road, Collaroy. January 2020.</p> <p><i>6.2.4 Aboriginal Cultural Heritage</i></p> <p><i>The site is identified as have an Extremely High Potential of containing items of Aboriginal Cultural Heritage. A search of AHIMS indicates that there are 10 Aboriginal Sites located within 200 metres of the site. However, the proposed SLSC development is generally located within the footprint of the existing buildings, where the site has already been disturbed. Therefore, an archaeological investigation is not required. However, in the event that any items of Aboriginal Cultural Heritage significance are uncovered, it is noted that all Aboriginal objects are protected under the National Parks & Wildlife Act 1974 (NPW Act) regardless if they are identified on the AHIMS or not. If suspected Aboriginal objects are uncovered during future works, works must cease in the affected area and a suitably qualified archaeologist assess the finds. Under Section 89A of NPW Act, if the find is found to be an Aboriginal object, then Department of Planning, Industry and Environment (DPIE) must be notified. Approval may be required under a Section 90 Aboriginal Heritage Impact Permit (AHIP) of the NPW Act.</i></p> <p>Given the above, the Aboriginal Heritage Office considers that there are no Aboriginal cultural heritage issues for the proposed development.</p>
Transport for NSW	<p>TFNSW has reviewed the submitted application and raises no objection to the proposed works. TFNSW has the following comments for council's consideration:</p> <ol style="list-style-type: none"> 1. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate. 2. All vehicles are to enter and leave the site in a forward direction. 3. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Pittwater Road. All construction vehicles should leave the subject site in a forward direction.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EP&A Act)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	Draft State Environmental Planning Policy (Remediation of Land) seeks to replace the existing SEPP No. 55 (Remediation of Land). Public consultation on the draft policy was completed on 13 April 2018. The proposal has been reviewed by Council’s Environmental Health Officer – Contaminated Lands and no concerns have been raised.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan 2011 applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the regulations	<p><u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider “Prescribed conditions” of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000 provide that Council may request additional information and consider the number of days taken in this assessment of the development application. Additional information was requested on 18 February 2020 and provided on 4 March 2020.</p> <p><u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p><u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This matter has been addressed via a condition of consent.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan 2011 section in this report.</p> <p>In summary, it is found that the development will not have any negative or detrimental impacts on the fragile coastal ecology of the site or on the coastal processes that the site is susceptible to.</p> <p>(ii) Social Impact The proposed development will have a beneficial social impact on the greater Northern Beaches community by providing an upgraded community facility that can serve as a SLSC, public amenities and community function centre. It is not anticipated that the development will have any adverse social impacts.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

CROWN LAND MANAGEMENT ACT 2016 and LOCAL GOVERNMENT ACT 1993

The land is owned by the Crown and is dedicated for the purpose of Public Recreation. Northern Beaches Council is the Crown Land Manager of the land.

Under section 3.21 of the *Crown Land Management Act 2016*, Council, as the Crown Land Manager, is authorised to classify and manage the land as if it were public land within the meaning of the *Local Government Act 1993*.

The Griffith Park Plan of Management has been prepared by Council as part of its role as Crown Land Manager to manage the land.

The proposal is considered to be consistent with the provisions of the *Griffith Park Plan of Management* (“GPPoM”). Part 5.3.3 of the GPPoM deals with the Long Reef Surf Club and states:

The rebuilding of the surf lifesaving building and amenities block is considered to be consistent with the Plan's recommended public purpose for Griffith Park; public recreation. It will provide for continued growth in surf lifesaving operations, including community education, member training, and function hire. This would include a limited liquor licence to enable functions on a restricted number of days each year and potential café style facilities within the building.

It provides the following principles for the redevelopment of the building:

Principle	Comment
The building footprint is not to be extended generally beyond the current footprint of the combined surf club, amenities block and kiosk area. At no point should the footprint of any new building or development extend into the existing dune area as delineated by the existing dune fencing.	The proposed buildings are generally within the footprint of the existing buildings
The facility design is to be sympathetic to the surrounding landscape with no, or limited visibility from Pittwater Road and integrated into the natural topography of the area. Materials and finishes will complement this integration. The building will seek to demonstrate leading environmental practice in keeping with Council's commitment to environmental sustainability through its adopted facility development policies.	It is considered that the proposal has been designed to be sympathetic to the surrounding landscape. It is generally shielded from view from Pittwater Road and dwellings beyond by existing vegetation and due to the topography of the site.
Any development of the site must not adversely impact on surrounding and dunes. No increase in vehicular access is permissible through the immediate dune system.	By siting the proposal generally on the existing building footprint, the impact on the dunes and the surrounding area is minimised.
The building will be up to two storeys and in accordance with the height limits under Warringah's LEP. No access or activity is permissible on the roof of any building (other than for maintenance purposes).	The building is a maximum of 2 storeys in height. There is no height limit in Warringah's LEP applying to the subject site.

Principle	Comment
Materials and finishes are to be appropriate to the open space and beachfront character of the site and to be of a quality and durability acceptable to Council.	The materials and finishes are considered to be appropriate to the site in terms of character and durability.
The building is to be available for hire by the public, including other community groups.	The building has been designed such that it can be used by the public and be available for hire.
The building could include a cafe/kiosk open to reserve and beach users alike and operate subject to State Government guidelines. The Club building could contain a function area that can be used for surf club functions and be available for hire by the wider public for social gatherings such as weddings, birthdays and other regular community uses such as exercise classes.	A café is proposed to replace the existing kiosk. The proposal includes a function area that is proposed to be available to hire for gatherings such as weddings, etc.
Tenure (lease/licence) conditions will ensure that impacts on neighbours are minimised and are in keeping with the character of Park and nearby uses.	This will be a matter for the future management of the site by Council.
General improvements and landscaping works are to be consistent with the natural ecological characteristics of the surrounding sand dune vegetation communities.	The proposal includes landscaping that will enhance the site's natural ecological characteristics and the surrounding sand dune vegetation communities.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS) AND STATE REGIONAL ENVIRONMENTAL PLANS (SREPS)

State Environmental Planning Policy No. 55 – Remediation of Land

The site has been used for public recreation purposes since the early 20th century and has not been used for a purpose referred to in Table 1 of the contaminated land planning guidelines. Therefore, it is unlikely that the Site is contaminated.

State Environmental Planning Policy (Infrastructure) 2007

Access to the site is from Pittwater Road, a Classified Road. Under clause 101 of SEPP Infrastructure, the consent authority must be satisfied of the following matters:

- (a) *where practicable, vehicular access to the land is provided by a road other than the classified road, and*

Comment: Given the location of the site it is not practicable to provide access other than from Pittwater Road.

- (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
- (i) *the design of the vehicular access to the land, or*
 - (ii) *the emission of smoke or dust from the development, or*

- (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*

Comment: The Traffic Impact Assessment report by PTC traffic consultants concludes that the proposal will result in a negligible change to traffic conditions on Pittwater Road. This report has been reviewed by Council's Traffic engineer who has raised no objections to the proposal.

- (c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road."*

Comment: The proposed surf lifesaving club and associated land uses are not a type that is sensitive to traffic noise or vehicle emissions.

Clause 104 and Schedule 3 of SEPP Infrastructure require the referral of certain development to NSW Roads and Maritime Services for comment. Comments received from RMS are detailed above and they raise no objections to the proposal.

State Environmental Planning Policy (Coastal Management) 2018

The site is identified as being located within the Coastal Environment area and the Coastal Use area. SEPP (Coastal Management) 2018 prescribes a number of matters for consideration for development within those areas under clauses 13 and 14, as follows:

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,*

Comment: The proposal is supported by consultant's report relating to Coastal Engineering and an Arborist. The development is sited on the area occupied by the existing surf lifesaving club and associated buildings. The application has been reviewed by Council's technical officers with regards to the biodiversity, coastal impacts, flooding, landscape and land contamination and no objections have been raised by those technical officers. In summary, the proposal satisfies this matter for consideration.

- (b) *coastal environmental values and natural coastal processes,*

Comment: See above, with regards to clause 13(1)(a).

- (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,*

Comment: The development is connected to reticulated sewer services. Subject to appropriate controls during construction relating to soil erosion and sedimentation control (which are addressed by conditions of consent), the proposal will maintain the water quality of all receiving water bodies. In summary, the proposal satisfies this matter for consideration.

- (d) *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*

Comment: The proposal is sited on the area of the existing surf lifesaving club and associated buildings and will not result in the loss of significant vegetation. It is unlikely to have any impact on fauna. The proposal satisfies this matter for consideration.

- (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,*

Comment: The proposal complements the use of the public open space. Access is maintained and access for disabled persons is provided within the development.

- (f) *Aboriginal cultural heritage, practices and places,*

Comment: The site has been identified as having an extremely high potential of containing items of aboriginal cultural heritage. However, the works are sited on the location of the existing buildings. It is proposed that, if any items of aboriginal heritage are uncovered during the development, works will cease and a suitably qualified archaeologist will assess the finds. The proposal was referred to the Aboriginal Heritage Office who raised no objections. The proposal satisfies this matter for consideration.

- (g) *the use of the surf zone.*

Comment: The proposal will have no impact on the surf zone as it is set behind the dune area.

- (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.*

Comment: The proposal will have no impacts referred to in subclause (1).

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,*

Comment: The proposal retains all existing access to and along the foreshore, beach, headland and rock platforms, including existing access for persons with a disability.

- (ii) *overshadowing, wind funnelling and the loss of views from public places to foreshores,*

Comment: The proposal does not result in any overshadowing of residential properties and the adjoining public open space retains excellent access to sunlight. Views from public places to the foreshore are maintained as the buildings are located on the site of the existing surf lifesaving club and associated buildings. The proposal satisfies this matter for consideration.

- (iii) *the visual amenity and scenic qualities of the coast, including coastal headlands,*

Comment: The proposal has been designed to complement the scenic values of the coast. It is set behind the dune area to reduce its visual impact. The finished materials include extensive use of timber cladding that will age and weather so that it complements the natural vegetation adjacent to the site. The buildings have been architecturally designed and is considered to be aesthetically attractive and appropriate in its setting. The proposal satisfies this matter for consideration.

- (iv) *Aboriginal cultural heritage, practices and places,*

Comment: See above with regards to clause 13(1)(f).

- (v) *cultural and built environment heritage, and*

Comment: The site does not contain a heritage item and is not within a heritage conservation area. The site is within the vicinity of a number of heritage items/areas listed in WLEP 2011 (item I11 – Fisherman’s Hut, Item C2 – Long Reef Aquatic Reserve, Item C3 – Coastal cliff (Long Reef Headland) and Item C5 – Dee Why Lagoon and Reserve. The proposal has been assessed by Council’s Heritage Officer who concludes that “*given the separation between the proposed development and the conservation areas and heritage listed item it is believed that the proposal will have a negligible impact upon the heritage significance of these items*”. The proposal satisfies this matter for consideration.

- (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*

Comment: The proposal will not have any impacts referred to in paragraph (a).

- (c) *has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

Comment: The buildings are considered to be of an appropriate bulk, scale and size for the location. The buildings scale is commensurate with the surrounding bushland. The buildings are a maximum of two storeys in height in accordance with the Griffith Park Plan of Management. The buildings are not excessive in size considering the functions that they serve. The proposal satisfies this matter for consideration.

It is noted that no areas have yet been mapped as being within the *Coastal Vulnerability Area* under SEPP Coastal Management 2018. Notwithstanding this, the subject site has been the subject of investigations with regards to its vulnerability to coastal processes, most recently the report titled “*Risk Assessment to Define Appropriate Beachfront Development Setback in Relation to Coastline Hazards for Redevelopment of Long Reef SLSC*” (dated 26 May 2017), which established acceptable risk lines for erosion/recession at the site. These have been considered in the preparation of the development proposal and its review by Council’s technical officers.

In particular, a small area of the south-eastern corner of the SLSC building encroaches beyond the area identified as being suitable for conventional building footings, and appropriate design responses have been made which have been reviewed by Council’s technical officers, including cantilevering that portion of the building so as not to locate footings within that area.

Draft State Environmental Planning Policy Remediation

AS discussed above with regards to SEPP 55, the site is considered to be suitable for the proposed development and unlikely to be subject to land contamination.

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
Aims of the LEP?	Yes
Zone objectives of the LEP?	Yes

Compliance Assessment

Clause	Compliance with Requirements
Part 1 Preliminary	Yes
5.10 Heritage conservation	Yes
6.5 Coastline hazards	Yes
Schedule 5 Environmental heritage	Yes

Detailed Assessment

Zone RE1 Public Recreation

The proposed surf lifesaving club building and associated facilities fall within the definition of a “*community facility*”, whilst the proposed café falls within the definition of a “*restaurant or café*”. These land uses are defined in WLEP 2011 as follows:

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.

restaurant or café means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

Both uses are permissible in the RE1 Public Recreation zone.

Objectives of the zone

- *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 protect, manage and restore public land that is of ecological, scientific, cultural or aesthetic value.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*

Comment:

The development is considered to be consistent with the relevant objectives of the zone for the following reasons:

- The proposal retains the existing public open space areas for recreational purposes and complements those activities.
- The proposal complements and enhances the use of the surrounding recreational activities.
- The proposal is sited on the existing area used for a surf lifesaving club and ancillary facilities and will not have a negative impact on the natural environment.
- The proposal maintains the ecological, scientific, cultural or aesthetic values of the land.

Heritage

Clause 5.10 of WLEP 2011 relates to heritage conservation. The site does not contain a heritage item and is not within a heritage conservation area. The site is within the vicinity of a number of heritage items/areas listed in WLEP 2011 (item I11 – Fisherman's Hut, Item C2 – Long Reef Aquatic Reserve, Item C3 – Coastal cliff (Long Reef Headland) and Item C5 – Dee Why Lagoon and Reserve. The proposal has been assessed by Council's Heritage Officer who concludes that *"given the separation between the proposed development and the conservation areas and heritage listed item it is believed that the proposal will have a negligible impact upon the heritage significance of these items"*. The proposal satisfies the requirements of clause 5.10 of WLEP 2011.

Coastline hazards

Clause 6.5 of WLEP 2011 relates to coastline hazards and applies to land that is mapped on the Coastline Hazards Map, which related to the Collaroy/Narrabeen beach front. The subject site is not mapped as being within the Coastline Hazards area and clause 6.5 does not apply to the proposal.

WARRINGAH DEVELOPMENT CONTROL PLAN

Compliance Assessment

Built Form Controls

None relevant.

Compliance Assessment

Relevant Clauses

Clause	Compliance with Requirements	Consistency Aims/Objectives
C2 Traffic, access and safety	Yes	Yes
C3 Parking facilities	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
C3(A) Bicycle parking and end of trip facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C5 Erosion and sedimentation	Yes	Yes
C7 Excavation and landfill	Yes	Yes
C8 Demolition and construction	Yes	Yes
C9 Waste management	Yes	Yes
D3 Noise	Yes	Yes
D5 Orientation and energy efficiency	Yes	Yes
D6 Access to sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes
D9 Building bulk	Yes	Yes
D10 Building colours and materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and reflection	Yes	Yes
D14 Site facilities	Yes	Yes
C18 Accessibility	Yes	Yes
D20 Safety and security	Yes	Yes
D21 Provision and location of utility services	Yes	Yes
D22 Conservation or energy and water	Yes	Yes
D23 Signs	Yes	Yes
E1 Preservation or trees or bushland vegetation	Yes	Yes
E2 Prescribed vegetation	Yes	Yes
E3 Threatened species, populations, ecological communities	Yes	Yes
E4 Wildlife corridors	Yes	Yes
E5 Native Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E8 Waterways and riparian lands	Yes	Yes
E9 Coastline hazard	Yes	Yes
E10 Landslip risk	Yes	Yes
E11 Flood prone land	Yes	Yes

Detailed Assessment

C2 Traffic, access and safety and C3 Parking Facilities

The proposal is accompanied by a Parking and Traffic Impact Assessment report (PTC Consultants, 30.10.2020). The report concludes that the proposal will have negligible impacts upon the surrounding road network and that the intersection of Pittwater Road and the car park driveway will operate in Level of Service A, with minimal delay and queueing on both approaches.

With regards to car parking, the report concludes that an increased demand of 43 car spaces above existing demand is conservatively estimated. Based on occupancy surveys of the site on a typical weekday and on a typical weekend, the report concludes that the existing car park has enough capacity to cater for the increased demand during a night event in the Long Reef Surfing Club.

The report includes a parking occupancy survey of the car park undertaken on Saturday 2nd February 2019 from 2.00pm-5.00pm and Thursday 31st January at 7.00am, 9.00am, 4.00pm and 6.00pm. The survey identified that, on the weekend, the car parking area (47 spaces) and overflow area (207 spaces) were fully occupied from 2.00pm to 4.00pm and 88.4% occupied at 5.00pm (when there were 41 spaces free).

The proposal has been reviewed by Council's Traffic Engineer and by the Roads and Maritime Services who have raised no objections subject to conditions.

The submitted traffic report identifies that there is insufficient car parking provided on site during weekend day times currently, that the demand for car parking is expected to increase, and that no additional car parking is to be provided. It is considered that the lack of sufficient car parking during weekend day times is such that functions in the surf lifesaving building should only occur outside of weekend day times.

It is also considered that the use of the carpark to such a high level occurs only during the summer months and that the restriction on functions is not necessary during cooler months. The recommended condition requires that functions not be held from 9.00am to 6.00pm on Saturdays, Sundays or public holidays from 1 December to 1 March.

D3 Noise

The proposal is accompanied by an Acoustic Impact Assessment report (GHD, February 2020). The report has been reviewed by Council's Environmental Health (Acoustic) Officer who has raised no objections to the proposal subject to conditions.

The report recommends a number of measures be undertaken to mitigate the potential acoustic impacts of the use of the proposed buildings. This includes limits on music played on the deck of the function area (ambient music only until 10.00pm, no music after 10.00pm), closing doors between the function area and the outside deck from 10.00pm onwards but permitting guests to move between the spaces, ensuring all guests remain inside from 12.00am onwards, and prohibiting amplified music after 1.00am. The report also provides recommendations regarding the type of glazing to be used in the development, erection of signage advising patrons to leave in a quiet and sensible manner, limiting the sound levels of speakers in the outdoor courtyard, and limits on the sound levels of mechanical plant.

Included in the recommendation of this report are conditions requiring compliance with the recommendations of the Acoustic Impact Assessment report.

D7 Views

To the west of the subject site, on the opposite side of Pittwater Road, is a residential area that rises above the site. Dwelling houses within this area enjoy views of the Pacific Ocean, Long Reef Headland, and Dee Why Beach. The proposal will have a negligible impact on views from these dwelling houses, being sited on the location of the existing surf lifesaving club, extending only 1.3m above the level of the existing building, and being located behind and below the coastal dune area. The following photographs demonstrate the views over the site from a variety of positions:



The extent of views to be retained by the residential properties that overlook the site are extensive and includes views that have a very high value. The land/water interface is retained from all affected properties.

The proposal complies with the relevant planning controls and has been skilfully designed in terms of its siting and its integration into the landscape. It is considered that the proposal provides for reasonable view sharing and satisfies the requirements of clause D7 of WDCP 2011 and the Land and Environment Court's planning principle (*Tenacity Consulting v Warringah Council* [2004] NSWEC 140).

E4 Wildlife corridors

The site is identified as being within a wildlife corridor. The proposed development has been sited on existing disturbed areas, occupying essentially the same building footprint as the existing surf lifesaving club and associated buildings. The proposal does not involve modification of more than 50m² of native vegetation (which would otherwise trigger a requirement for a Flora and Fauna Assessment report and Biodiversity Management Plan). The proposal has been reviewed by officers in Council's Natural Environmental Unit who have raised no objections subject to conditions included in the recommendation of this report.

E5 Native vegetation

Areas of Griffith Park in the vicinity of the proposed development have been mapped as containing native vegetation. The proposal has been reviewed by officers in Council's Natural Environmental Unit who have raised no objections subject to conditions included in the recommendation of this report.

The proposal has been sited to avoid areas mapped as containing native vegetation and is considered satisfactory in this regard.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

Areas of Griffith Park in the vicinity of the proposed development have been mapped as containing threatened and high conservation habitat. The proposal has been sited to avoid those areas and is considered satisfactory in this regard.

The proposal has been reviewed by officers in Council's Natural Environmental Unit who have raised no objections subject to conditions included in the recommendation of this report.

The proposal will not significantly affect threatened species, populations or ecological communities, or their habitats.

POLICY CONTROLS

Northern Beaches Section 7.12 Contribution Plan 2019

No contribution is payable under the Northern Beaches Section 7.12 Contributions Plan 2019 because the proposal is for public infrastructure and Council is the applicant (clause 2.5 of Northern Beaches Section 7.12 Contribution Plan 2019).

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;

- State Environmental Planning Policy (Coastal Management) 2018;
- Warringah Local Environment Plan 2011;
- Warringah Development Control Plan 2011; and
- Codes and Policies of Council.

The proposal has been assessed against the relevant matters for consideration under Section 4.15 of the EP&A Act, 1979. This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions.

The proposed development has been sited on the location of the existing buildings and in this way it minimises potential impacts with regards to existing flora and fauna, coastal processes, views, and visual impact. The building is two storeys in height and the finished materials will assist in enabling it to blend into the landscape over time.

The proposal will result in increased demand for off-street car parking when the function room is in use. The existing car parking area and overflow parking area are operating at capacity during weekends in summer, so it is recommended that the use of the function room be limited to be available for evening use only at those times.

The proposal will provide a community benefit in the form of facilities for the surf lifesaving club and members, change rooms and public amenities, and appropriate café facilities at the beach location.

The public notification resulted in seventeen (17) submissions, sixteen (16) of which supported the proposal. The objection related to the use of the barbecue area and, in this regard, the proposal is considered to be satisfactory.

The site has been inspected and the application assessed having regard to the provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979, the provisions relevant Environmental Planning Instruments including Warringah Local Environment Plan 2011, Warringah Development Control Plan 2011, the Griffith Park Plan of Management and the relevant codes and policies of Council. In consideration of the proposal and the merit consideration the development the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the of the relevant EPI's
- Consistent with the objects specified in Section 1.3 of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION (APPROVAL)

THAT the Sydney North Planning Panel, as the consent authority, grant Development Consent to Development Application No. DA2020/0021 for Demolition of existing buildings and construction of three new buildings containing Surf Life Saving Club facilities, function rooms, public amenities and café and site landscaping at Lot 11, DP 11393189, Pittwater Road, Collaroy, subject to the conditions attached to this report.