

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	25 April 2020
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Annelise Tuor, Steve Kennedy
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public teleconference meeting held on 22 April 2020, opened at 11.34am and closed at 12.40pm.

MATTER DETERMINED

PPSSNH-63 – Northern Beaches – DA2020/21 at Pittwater Road Collaroy for a new Surf Life Saving Club (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 and the matters observed at site inspections 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 unanimous.

REASONS FOR THE DECISION

The Panel generally agreed with the assessment of environmental impacts, conclusion and recommendation of the Assessment Report.

The Panel notes the proposed development has been sited on the location of the existing Surf Club buildings and in this way addresses potential impacts with regard to flora and fauna, coastal processes, views, and visual impact.

The proposed Surf Club is two storeys in height and finished materials will assist in blending it into the landscape. The building and foundation design also take into account the challenges of its coastal location. In particular, a small area of the south-eastern corner of the building which encroaches beyond the area identified as suitable for conventional building footings will be cantilevered to ensure footings are not located within that area.

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

The proposed development satisfies appropriate planning controls including the Griffith Park Plan of Management prepared by Council as the Crown Land Manager and all processes and assessments have been satisfactorily addressed.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report and with the following amendments:

- Condition 5 amended to read as follows:

Limits on use of the function room and adjacent terrace and deck

The function room and the adjacent terrace and deck is not to be used for any purpose other than activities of the Long Reef Surf Life Saving Club, on Saturdays, Sundays and public holidays between the hours of 9am and 6pm from 1 December to 1 March.

Reason: To limit the use of the development to reflect the limits on car parking that is available at those times.

- New condition 5A to read as follows:

Use of function room

The use of the function room is to be ancillary to the use of the building as a “community facility” as defined in Warringah Local Environmental Plan 2011.

Reason: To ensure that the proposed use is permissible within the RE1 Public Recreation zone under Warringah Local Environmental Plan 2011.

- New condition 5B to read as follows:

Terraces adjacent to function room hours of operation

No music of any kind is to be played on the terraces adjacent to the function room after 10pm or before 7am on any day.

Reason: To protect the amenity of the area and to confirm the recommendations of the Acoustic Assessment by GHD dated December 2019.

- New condition 5C to read as follows:

Operational Management Plan

An Operational Management Plan (OMP) for the Long Reef Surf Club development is required to be prepared and submitted to Council detailing the operation of the function areas of the club as a “community facility” as defined in Warringah Local Environmental Plan 2011. The OMP shall include, but not be limited to the following:

- Types of events and activities that are proposed and permitted.*
- The maximum number of persons to attend the premises having regard to the requirements of the Building Code of Australia and the Acoustic Assessment by GHD dated December 2019.*
- The days per week when events can be booked, which are to be consistent with any other condition of consent.*
- Hours of operation for the carrying out of functions/events, which are to be consistent with any other condition of consent in relation to hours.*
- Management of the external areas of the club building and car parking areas.*
- The types of events where security is required and details of the security to be provided.*
- Complaints management process (maintenance of a log of complaints received, contact person for receiving and actioning any complaints and a process for dealing with the complaint).*
- Noise management/mitigation measures, including details of restrictions on live bands and amplified music, which are to be consistent with the mitigation measures in Part 6 of the Acoustic Assessment by GHD dated December 2019.*
- Truck and/or van delivery and departure times for goods and equipment to be used for events.*
- Waste management for events.*
- The conditions and requirements of any liquor licence issued for the premises.*

Details demonstrating compliance with the above requirements are to be submitted to Council and written approval of the OMP is to be obtained prior to the issue of any Occupation Certificate. Any changes to the OMP are to be submitted to Council for approval. The function areas of the club are to operate in accordance with the approved OMP.

Reason: To ensure that the function areas of the surf club operate only as ancillary uses to the surf club operations, meet relevant performance standards and provide minimum disruption to the nearby residential amenity, other beach goers and users of the public reserve area.

- New condition 10A to read as follows:



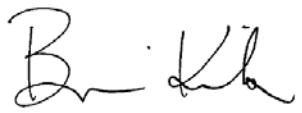


Acoustic restrictions

The mitigation measures listed in Chapter 6 of the Acoustic Assessment by GHD dated December 2019 are to be implemented in full.

Reason: To ensure that the use of the premises does not give rise to unreasonable acoustic impacts.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered seventeen written submissions made during public exhibition including one objection and heard from all those wishing to address the panel during the public meeting. The Panel notes the only issue of concern was the use of the Club's barbecue area and that issue was satisfactorily addressed in the Assessment Report.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet Ward
 Brian Kirk	 Annelise Tuor
 Steve Kennedy	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-63 – Northern Beaches – DA2020/21
2	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.
3	STREET ADDRESS	Long Reef Surf Life Saving Club, Pittwater Road, Collaroy
4	APPLICANT/OWNER	Northern Beaches Council. Crown Land (Northern Beaches Council is appointed as the Crown Land Manager)
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 (Coastal Management) 2018 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No. 55 – Remediation of Land (and draft) Warringah Local Environmental Plan 2011 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Warringah Development Control Plan 2011 Griffith Park Plan of Management Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil 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: 8 April 2020 Late submission: 20 April 2020 Written submissions during public exhibition: 16 Verbal submissions at the public meeting: <ul style="list-style-type: none"> In support: Rob Pearson, Peter Kinsey, Steven Pearce Council assessment officer – Lashta Haidari, Steve Findlay, Geoff Goodyer (consultant planner for council) On behalf of the applicant – Cameron Pfeiffer
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 26 February 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Annelise Tuor, Steve Kennedy <u>Council assessment staff</u>: Lashta Haidari, Geoff Goodyer, Steve Findlay Final briefing to discuss council's recommendation, 22 April 2020, 11.30am. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Annelise Tuor, Steve Kennedy <u>Council assessment staff</u>: Lashta Haidari, Geoff Goodyer, Steve Findlay
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report