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Sent: 4/09/2024 10:58:04 AM
To: Council Northernbeaches Mailbox
Subject: TRIMMED: DA2021/2173 - Alterations and Additions
Attachments: FINAL NEWY LEC SUBMISSION (1).docx; Presentation to SNPP 21092022 (Surfrider Foundation) 2 (2).pages;

Please find Surfrider submission for Newport SLSC which includes a summary of original public concerns with regard to bulk and overall aesthetics of the proposal which although modified, we continue to believe do not properly address many of the community's concerns.

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NORTHERN BEACHES BRANCH

SUBMISSION- LEC No 2023/109048 (DA 2021/2173)

Application for alterations and additions and coastal protection works to Newport Surf Life Saving Club

To whom it may concern,

Surfrider Foundation has reviewed the amended plans, and we, again, object to this proposal in the strongest possible terms.

The proposed amendments do not, in any way, satisfy our initial objections regarding aesthetics, environmental impact and cost.

- The proposed amendments ignore the concerns of residents on its bulk, scale and appearance.
- The proposed amendments will still, most certainly, cause irreparable and ongoing damage to Newport Beach.
- The inter-generational public expenditure requiring on-going costs to address the many known (and unknown) threats that a changing climate will bring, have not been addressed.

Surfrider believes that this proposal blatantly ignores, and contravenes, *the Coastal Management Act 2016* and its associated State Environmental Planning Policy, *Coastal Management 2018*.

Further, it sets a terrible precedent for even more destructive ugly and environmentally abhorrent coastal *property* protection works, in the guise of "Coastal Protection Works". The

proposed works attempt to protect property. They *damage* the coast. They do nothing to *protect* the coast.

Instead, such works offer protection of what lies behind it, and limited protection, at that.

1. Aesthetics

The proposed changes to the plan are minimal. Our initial concerns on the aesthetic design have been detailed by Surfrider, and, we believe, our objections to the proposal still stand. (See attachment below.)

Surfrider believes that the overall findings of initial public consultation - regarding aesthetics- have been manipulated to support the preferred outcomes of the SLSC and Council, rather than accurately representing real concerns and dismay.

Those ratepayers, after being “consulted”, have overwhelmingly objected to the previous Development Application (DA) on many grounds. Their submissions on its aesthetics cited the development as: “terribly ugly”, “too big”, “too heavy”, “intrusive”, “hideous”, “insensitive”, “a blight” and “totally out of context” with its surroundings.

Surfrider endorses their views.

It would be wrong to argue that the “owner” requirements (in this case the Northern Beaches Council), should take precedence. Surfrider would point to the long-standing responsibility that this same “owner” has to its ratepayers.

2. Environmental impact

Surfrider remains vehemently opposed to the construction of a near 100-metre concrete secant wall in the wave action zone to defend a ninety-plus year-old building. A building of highly-compromised masonry structure.

The wall, as designed, is for one reason and one reason only...to offer protection to a building that evokes sentimental value but is well past its “use by date”. It does not address, in any way, the impact on the beach or amenity for the wider community.

Under the presiding Act, it would be impossible to build this structure now it in its present location.

As to the amendments proposed - they highlight the incompetency of the original plans. The wall, as designed, would *not* have offered adequate protection to the building. A perusal of the

photographs of the physical wave-modelling indicates how woeful the original proposal would have been.

This glaring mistake was identified by a competent coastal engineer in his objection to the previous proposal.

Now, the modifications *increase* the height of the wall, but *again* do not offer adequate protection for the building for today's requirements - let alone over the decades to come.

This speaks to the incompetency of this entire exercise.

3. Cost

We remind that this clubhouse is a *publicly funded* amenity and that New South Wales taxpayers are all stakeholders and expect financial prudence. The amended plan with increased wall height along some of the length of the clubhouse is still unacceptably inadequate to protect an expensive infrastructure project, particularly over its intended lifespan.

Surfrider is amazed at the finding from Rhelm consultants (Options Assessment Review) that the proposed \$3.75M concrete secant stepped wall would have a "*minor impact to dunes*". This beggars belief.

This figure for construction of a \$3.75M protection- which Surfrider believes to be a generously low estimate- does not include sand nourishment projects which would need to occur following storms similar to those which recently occurred the beach at Collaroy/Narrabeen in front of the vertical seawall. A storm that was un-exceptional, and certainly not even close to a once-in- a-hundred-year event, left the beach unpassable for walkers.

Years on, and the beach remains inaccessible at some points for residents. Rocks and geotextile materials dumped during construction wave washed into the sea and remain hazardous. The cost to beachgoers is inestimable.

Also, Surfrider utterly rejects the consultant's results "matrix", which seems to give a higher priority to protecting Norfolk Pines, car parking, a playground and netball court above the irreplaceable magnificence of the beach.

Surely these facilities could be relocated with clever design. Likewise, the need for extra storage which the SLSC has seen fit to house in ugly shipping containers over many years to the dismay of the general public.

In conclusion...

To construct a multi-million-dollar seawall to protect an ageing asset is a classic case of “throwing good money after bad.” Ruining a beloved beach in the process... to what end?

This proposal is neither sustainable nor adaptable. It is deplorable and lazy. It is 16th century thinking being applied to a volatile future.

Pittwater Council (before amalgamation), had already decided that any threat to the old clubhouse that required major renovation, should also include the option of moving it.

The Northern Beaches Council has chosen to ignore this option, flying in the face of its own objectives, as stated on its website, to: “... *encourage sustainable economic, and built development in the coastal zone; maintain or improve recreational amenity and resilience; and adapt to emerging issues such as population growth and climate change.*”

Surfrider believes that this proposal blatantly and knowingly contravenes the CMA2016 and its associated SEPP (Coastal Management) 2018.

It makes a mockery of NBC’s stated Declaration of a Climate Emergency (2019) showing it to be nothing more than a vacuous feelgood motherhood statement, apparently lacking the heft to reach even Council’s own staff.

It directly contradicts the NBC Northern Beaches Environment and Climate Change Strategy 2040 in particular Theme: 3 - Coast and Theme 8: Resilience.

Under the *Coastal Management Act 2016*, the Council has a clear responsibility to address and respond to the concerns of ratepayers and the wider community and beach-users.

Object (k) of the Act states “...*support public participation in coastal management and planning and greater public awareness, education and understanding of coastal processes and management actions.*”

The inadequacy of the original wall design points to the siloed approach of this project by certain stakeholders from its inception that would indicate lack of competence in key areas.

It would seem neither the Council nor the Club had the views of the community at large in mind with regard to the design which has resulted in the Objects and spirit of the Act being bypassed to the degree that rudimentary engineering competence in this development proposal was missed.

The community expects that Council act as a steward for the natural environment and in particular, the middle word of the council's nomenclature, the BEACHES!

Council and SLSC must lead the community to sustainable and adaptable solutions for beach safety operations. It must comply with lawful planning processes.

Council seems to be a repeat offender when it comes to SLSC developments.

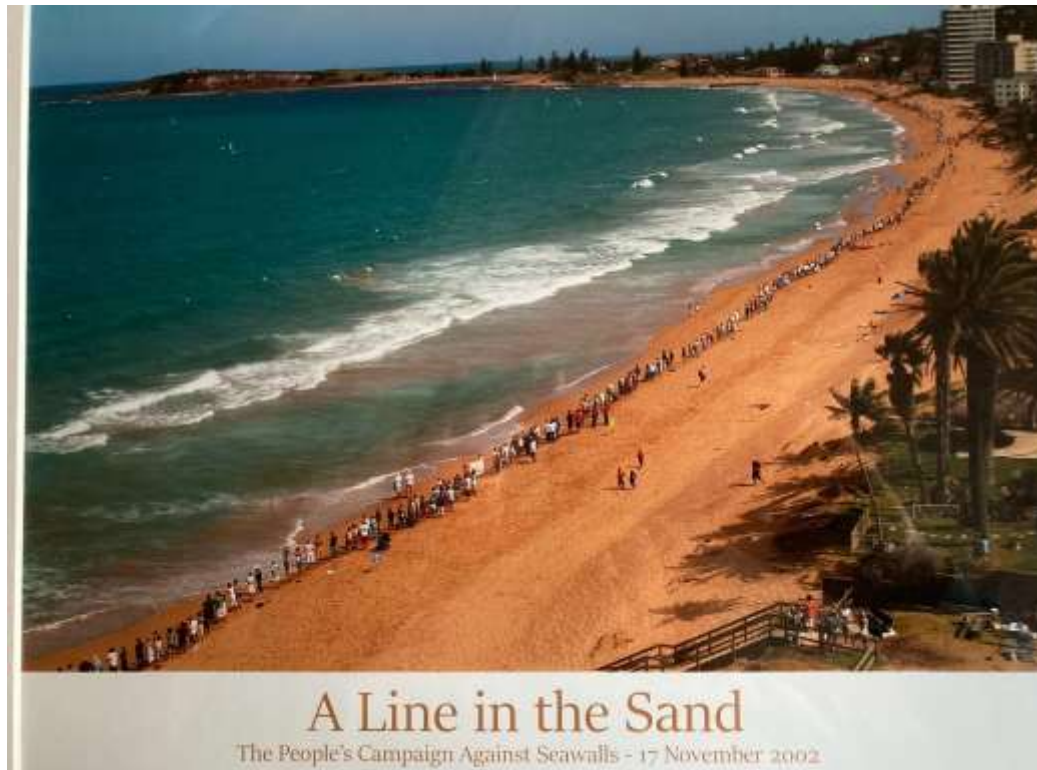
Surfrider was at the forefront of thwarting the insensitive redevelopment of the clubhouse at the significant site of Long Reef. After a long battle, supported by a passionate community, the surf club building that's there now has won a NSW Architectural Award.

It's a source of enormous pride for the locals and has become a "tourism destination".

Finally, please note, that many of Surfrider Foundation's members are also current patrolling members of SLSCs. We support the important role that surf clubs play in saving lives as well as in building community.

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The Northern Beaches public have expressed their thoughts about seawalls very clearly (image below) and they align with the Objects of the Act...this proposal insults these aspirations.



This image shows the community OBJECTION TO SEAWALLS, it was taken in 2002 and abhorrence has only grown for this brutal type of unsustainable coastal treatment particularly in light of the vertical concrete wall along Collaroy/Narrabeen Beach

Areas of the CMA 2016 Surfrider believes are not being complied with in this proposal

The Coastal Management Act 2016 (the Act) clearly states its objects as:

"The objects of this Act are to manage the coastal environment of New South Wales in a manner consistent with *the principles of ecologically sustainable development for the social, cultural and economic well-being of the people of the State*, and in particular—
(a) *to protect and enhance natural coastal processes and coastal environmental values including natural character, scenic value, biological diversity and ecosystem integrity and resilience, and*

- (b) ***to support the social and cultural values of the coastal zone and maintain public access, amenity, use and safety, and***
- (c) to acknowledge Aboriginal peoples' spiritual, social, customary and economic use of the coastal zone, and
- (d) to recognise the coastal zone as a vital economic zone and to support sustainable coastal economies, and
- (e) to facilitate ecologically sustainable development in the coastal zone and promote sustainable land use planning decision-making, and
- (f) ***to mitigate current and future risks from coastal hazards, taking into account the effects of climate change, and***
- (g) ***to recognise that the local and regional scale effects of coastal processes, and the inherently ambulatory and dynamic nature of the shoreline, may result in the loss of coastal land to the sea (including estuaries and other arms of the sea), and to manage coastal use and development accordingly, and***
- (h) to promote integrated and co-ordinated coastal planning, management and reporting, and
- (i) ***to encourage and promote plans and strategies to improve the resilience of coastal assets to the impacts of an uncertain climate future including impacts of extreme storm events, and***
- (j) to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities, and
- (k) ***support public participation in coastal management and planning and greater public awareness, education and understanding of coastal processes and management actions, and***
- (l) to facilitate the identification of land in the coastal zone for acquisition by public or local authorities in order to promote the protection, enhancement, maintenance and restoration of the environment of the coastal zone, and
- (m) to support the objects of the Marine Estate Management Act 2014.

Surfrider seeks to understand how the proposed wall meets these objectives, particularly, but not limited to, those clauses above that have been highlighted in bold italics.

Of particular interest is **Section 27 of the Act:**

27 Granting of development consent relating to coastal protection works

(1) Development consent ***must not be granted*** under the Environmental Planning and Assessment Act 1979 to development for the purpose of coastal protection works, ***unless the consent authority is satisfied that—***

- (a) the works will not, over the life of the works—
 - (i) unreasonably limit or be likely to **unreasonably limit public access** to or the use of a beach or headland, or
 - (ii) **pose or be likely to pose a threat to public safety**, and
- (b) satisfactory arrangements have been made (by conditions imposed on the consent) for the following for the life of the works—
 - (i) **the restoration of a beach, or land adjacent to the beach, if any increased erosion of the beach or adjacent land is caused by the presence of the works,**
 - (ii) **the maintenance of the works.**
- (2) The arrangements referred to in subsection (1) (b) are to secure adequate funding for the carrying out of any such restoration and maintenance, including by either or both of the following—
 - (a) by legally binding obligations (including by way of financial assurance or bond) of all or any of the following—
 - (i) the owner or owners from time to time of the land protected by the works,
 - (ii) if the coastal protection works are constructed by or on behalf of landowners or by landowners jointly with a council or public authority—the council or public authority,

It is the view of Surfrider that the current Council cannot commit future Councils to this future expenditure by way of financial assurance...will the SLS organisation commit to ongoing beach nourishment caused by this development at their own cost?

Areas of SEPP that are of concern

State Environmental Planning Policy (Coastal Management) 2018

Development on land within the coastal vulnerability area

Development consent **must not be granted** to development on land that is within the area identified as “coastal vulnerability area” on the Coastal Vulnerability Area Map unless the consent **authority is satisfied that—**

- (a) if the proposed development comprises the erection of a building or works—the building or works are engineered to withstand current and projected coastal hazards **for the design life of the building or works**, and
- (b) the proposed development—
 - (i) is not likely to alter **coastal processes to the detriment of the natural environment** or other land, and

(ii) is not likely ***to reduce the public amenity, access to and use of any beach***, foreshore, rock platform or headland adjacent to the proposed development, and

(iii) ***incorporates appropriate measures to manage risk to life and public safety from coastal hazards***, and

(c) measures are in place to ensure that there are appropriate responses to, and management of, **anticipated coastal processes and current and future coastal hazards**.

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,

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

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