

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2023/0128
----------------------------	-------------

Responsible Officer:	Grace Facer
Land to be developed (Address):	Lot 7356 DP 1167221, Carrington Parade CURL CURL NSW 2096
Proposed Development:	Alterations and additions to South Curl Curl Surf Life Saving Club to provide a store room.
Zoning:	Warringah LEP2011 - Land zoned RE1 Public Recreation
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Delegation Level:	NBLPP
Land and Environment Court Action:	No
Owner:	Northern Beaches Council
Applicant:	Northern Beaches Council

Application Lodged:	20/02/2023
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Community facility
Notified:	24/02/2023 to 10/03/2023
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

Estimated Cost of Works:	\$ 77,770.00
---------------------------------	--------------

EXECUTIVE SUMMARY

This development application seeks consent for alterations and additions to the South Curl Curl Surf Life Saving Club.

The application is referred to the Northern Beaches Local Planning Panel (NBLPP) due to a conflict of interest, being that the Applicant and landowner is Northern Beaches Council. The Application was submitted to the NSW Planning Portal on 10 February 2023 and accepted by Council on 20 February 2023 prior to Northern Beaches Council's Council-related Development Application Policy coming into force on 3 April 2023.

The application is consistent with the LEP, and does not propose any variations to the DCP controls.

The application was on notification for 14 days, in accordance with Council’s Community Participation Plan, and no submissions were received in response.

The proposal satisfies the relevant planning controls and has no impact on the amenity of surrounding and nearby properties. This report concludes with a recommendation that the NBLPP grant approval to the development application, subject to conditions.

PROPOSED DEVELOPMENT IN DETAIL

The proposal is for the construction of a storeroom on the north-western corner of the South Curl Curl Surf Life Saving Club (South Curl Curl SLSC), fronting Carrington Parade. The external dimensions of the proposed development are 2.7 metres (width) x 3 metres (depth) and a maximum height of 3.1 metres where the skillion roof adjoins the existing wall.

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 Local Environmental Plan 2011 - Zone RE1 Public Recreation
Warringah Local Environmental Plan 2011 - 6.4 Development on sloping land
Warringah Local Environmental Plan 2011 - 6.5 Coastline hazards
Warringah Development Control Plan - E1 Preservation of Trees or Bushland Vegetation
Warringah Development Control Plan - E4 Wildlife Corridors

SITE DESCRIPTION

Property Description:	Lot 7356 DP 1167221 , Carrington Parade CURL CURL NSW 2096
Detailed Site Description:	The subject site is the South Curl Curl Surf Life Saving Club (South Curl Curl SLSC) located on part of Lot 7356 in DP1167221. The site is located on the south-eastern side of

Carrington Parade, Curl Curl and adjoins South Curl Curl Beach to the east. The South Curl Curl SLSC is located on a parcel of land encompassing over 4 hectares of public open reserves around the Curl Curl Lagoon and the Curl Curl Beach precinct including the headland.

The site is zoned RE1 Public Recreation under the Warringah Local Environmental Plan 2011 (WLEP 2011) and accommodates a part one and two storey building which includes amenities, boat and gear storage, office for lifeguards, storage rooms, caretaker's residence, function hall, club rooms and public observation decks. A cafe with indoor and outdoor seating is located at the southern end of the building on the lower ground floor level. There is also a detached building that serves as a storage shed at the southern end of the surf club building. There are parking areas immediately south of the SLSC.

To the west of the subject site are a number of dwelling houses, low-rise apartment buildings, and Stewart House, which is an item of local heritage significance. A foreshore promenade connects South Curl Curl SLSC to the South Curl Curl Rock Pool to the south, which is also a heritage-listed item.

Map:



SITE HISTORY

There have been a number of development applications over the site, which encompasses the Curl Curl Lagoon, Dee Why-Curl Curl Headland and numerous public open reserves. A search of Council's records has revealed the following relevant history pertaining to the South Curl Curl SLSC:

Building Application No.C519/70 for alterations and additions to the South Curl Curl Surf Life Saving

Club including a two storey brick building extension incorporating a new boat storage shed on the ground floor level and a new caretaker's residence on the first floor level
 Approved on 16 June 1970

Building Application No.B/C32/29/73 for alterations and additions to the South Curl Curl Surf Life Saving Club including a kiosk and boat shed within the ground floor constructed in cavity brickwork with concrete floor and roof
 Approved on 7 August 1973

Building Application No.C439/75 for alterations and additions to the South Curl Curl Surf Life Saving Club including a single-storey brick extension to the southern portion of the ground floor level of the building to be used as a boat shed and shop
 Approved on 29 May 1975

Building Application No.2082/78 for alterations and additions to the South Curl Curl Surf Life Saving Club including the use of the ground floor level shop on the southern portion of the building as an equipment storage and boat shed
 Approved on 12 July 1978

Development Application No.DA2001/111 for a new detached Inflatable Rescue Boat (IRB) shed and associated roof deck
 Approved on 10 September 2001

Development Application No.DA2006/1149 for alterations and additions to the South Curl Curl Surf Life Saving Club building
 Approved on 24 November 2006

Development Application No.DA2009/1301 for internal alterations and additions to the South Curl Curl Surf Life Saving Club, comprising of a new kitchen and bar in the northern portion of the building
 Approved on 5 January 2010

Development Application No.DA2012/0180 for alterations and additions to the South Curl Curl Surf Life Saving Club including the enclosure of a deck, internal reconfiguration to the caretaker's flat to create a new boat storage and training area, addition of a disabled ramp to the existing viewing platform and conversion of the existing lower ground floor level boat shed into a multi-purpose boat storage area
 Approved on 6 September 2012

Modification Application No.MOD2015/0030 for Modification of Development Consent DA2012/0180 granted for Alterations and additions to South Curl Curl Surf Life Saving Club
 Approved on 26 May 2015

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

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	There are no current draft environmental planning instruments.

Section 4.15 Matters for Consideration	Comments
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 Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)	<p><u>Part 4, Division 2</u> of the EP&A Regulation 2021 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clause 29</u> of the EP&A Regulation 2021 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 36 and 94</u> of the EP&A Regulation 2021 allow Council to request additional information. No additional information was requested in this case.</p> <p><u>Clause 61</u> of the EP&A Regulation 2021 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 62 and/or 64</u> of the EP&A Regulation 2021 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition of consent.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 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>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact</p>

Section 4.15 Matters for Consideration	Comments
	The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.
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 (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.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 24/02/2023 to 10/03/2023 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

As a result of the public exhibition of the application Council received no submissions.

REFERRALS

Internal Referral Body	Comments
Environmental Health (Acid Sulfate)	<p><i>Supported, subject to conditions</i></p> <p>The proposed development includes the addition of a new store room to the north-west section of the surf club. The storeroom will be constructed of brick, cement rendered, over a concrete slab supported on piles installed into a suitable subsurface profile to support the structure. The Acid Sulfate assessment report by JK Environments (JKE) 29 November 2022 states.</p> <p>Based on the weight of evidence collected and evaluated for this assessment, there is considered to be a low potential for ASS materials (AASS or PASS) to be disturbed during the proposed development described in Section 1.2 of this report. On this basis, an ASSMP is not considered necessary for the proposed development.</p> <p>Environmental Health supports the proposal with conditions.</p>
NECC (Coast and	<i>Supported, subject to conditions</i>

Internal Referral Body	Comments
Catchments)	<p>This application was assessed in consideration of:</p> <ul style="list-style-type: none"> - Supplied plans and reports; - Coastal Management Act 2016; - State Environmental Planning Policy (Resilience and Hazards) 2021; and - Warringah LEP 2011 and Warringah DCP 2011. <p>Coastal Management Act 2016 As the subject site is located in the Coastal Zone of NSW, the DA is subject to the requirements of the Coastal Management Act 2016, in particular Part 1, Section 3 the Objects of the Act. Upon internal assessment the development proposal is generally consistent with the objects of the Act.</p> <p>State Environmental Planning Policy (Resilience & Hazards) 2021 The subject land has been included on the 'Coastal Use Area' and 'Coastal Environment Area' maps under the State Environmental Planning Policy (Resilience & Hazards) 2021 (SEPP RH). Hence, Divisions 3, 4 and 5 of the SEPP RH apply to this DA. On internal assessment and as assessed in the submitted Coastal Engineering Report prepared by Horton Coastal Engineering Pty Ltd, dated 1 February 2023, the DA satisfies requirements under divisions 3, 4 and 5 of the SEPP R&H. As such, it is considered that the application does comply with the provisions of the State Environmental Planning Policy (Resilience & Hazards) 2021 subject to conditions.</p> <p>Warringah LEP 2011 and Warringah DCP 2011 The development proposal meets the objectives of Part 6 Section 6.5 in Warringah LEP 2011. No other coastal planning or development controls relevant to the subject DA were identified.</p>
NECC (Development Engineering)	<p>The site is classified as Area A, meaning it is in the lowest possible area for landslip risk. A preliminary geotechnical report has been provided. The recommendations of this report have been incorporated into the proposed engineering conditions. On site detention is not required for minor additions and considering the site location. Standard stormwater disposal conditions are suggested. No vehicle crossing construction is proposed.</p>
NECC (Riparian Lands and Creeks)	<p><i>Supported, subject to conditions</i></p> <p>This application was assessed in consideration of:</p> <ul style="list-style-type: none"> • Supplied plans and reports; • Relevant LEP and DCP clauses; and • Northern Beaches Water Management for Development Policy <p>The site abuts South Curl Curl beach and as such the development must not significantly impact on the biophysical, hydrological or ecological integrity of the beach, or the quantity and quality of surface and ground water flows that it receives.</p>

Internal Referral Body	Comments																																										
	<p>Erosion and sediment controls are to be designed, constructed and installed in accordance with Managing Urban Stormwater: Soils and construction - Volume 1 and maintained until the site is fully stabilised to prevent pollution of the receiving environment.</p> <p>On assessment the application on assessment meets the requirements of the relevant Environmental Planning Instruments and policies relating to waterways, riparian areas, and groundwater.</p>																																										
Parks, reserves, beaches, foreshore	<p>Supported, without conditions</p> <p>The development proposal is for a storeroom extension to the South Curl Curl Surf Life Saving Club, within RE1 Public Recreation zone land. The proposed works are consistent with the Coastal Lands Plan of Management requirement for all land uses to either support or be ancillary to the reserve's public purpose.</p> <p>The proposal satisfies the objectives of the zone and the development is not detrimental to the character of the foreshore, and as such Parks, Reserves and Foreshores raise no concerns with the development proposal.</p>																																										
Strategic and Place Planning (Heritage Officer)	<table border="1"> <tr> <td colspan="3" data-bbox="512 994 1436 1070">Supported without conditions</td> </tr> <tr> <td colspan="3" data-bbox="512 1070 1436 1115">HERITAGE COMMENTS</td> </tr> <tr> <td colspan="3" data-bbox="512 1115 1436 1149">Discussion of reason for referral</td> </tr> <tr> <td colspan="3" data-bbox="512 1149 1436 1249">The proposal has been referred to Heritage as the subject building is within the vicinity of a heritage item</td> </tr> <tr> <td colspan="3" data-bbox="512 1249 1436 1294">I128 - Building known as Stewart House - Carrington Parade</td> </tr> <tr> <td colspan="3" data-bbox="512 1294 1436 1328">Details of heritage items affected</td> </tr> <tr> <td colspan="3" data-bbox="512 1328 1436 1429">Details of the item as contained within the Northern Beaches inventory is as follows</td> </tr> <tr> <td colspan="3" data-bbox="512 1429 1436 1462"><u>Statement of Significance</u></td> </tr> <tr> <td colspan="3" data-bbox="512 1462 1436 1630">A representative example of the institutional buildings which were erected in the area to provide health & welfare services associated with the sea. Socially important due to the role that it has played in public health & child welfare since 1930.</td> </tr> <tr> <td colspan="3" data-bbox="512 1630 1436 1664"><u>Physical Description</u></td> </tr> <tr> <td colspan="3" data-bbox="512 1664 1436 1888">Elevated face brick building of symmetrical design & central entrance. Tiled hipped roof with stepped parapet centrally located above entrance pavillion. Projecting bays at either end. Flat roofed (enclosed) verandahs with terracotta shingle skirts.Circular driveway at front. Central stairway to entrance. Flagpole.</td> </tr> <tr> <td colspan="3" data-bbox="512 1888 1436 1921">Other relevant heritage listings</td> </tr> <tr> <td data-bbox="512 1921 852 2078">Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</td> <td data-bbox="852 1921 951 2078">no</td> <td data-bbox="951 1921 1436 2078"></td> </tr> <tr> <td data-bbox="512 2078 852 2139">Australian Heritage</td> <td data-bbox="852 2078 951 2139">No</td> <td data-bbox="951 2078 1436 2139"></td> </tr> </table>	Supported without conditions			HERITAGE COMMENTS			Discussion of reason for referral			The proposal has been referred to Heritage as the subject building is within the vicinity of a heritage item			I128 - Building known as Stewart House - Carrington Parade			Details of heritage items affected			Details of the item as contained within the Northern Beaches inventory is as follows			<u>Statement of Significance</u>			A representative example of the institutional buildings which were erected in the area to provide health & welfare services associated with the sea. Socially important due to the role that it has played in public health & child welfare since 1930.			<u>Physical Description</u>			Elevated face brick building of symmetrical design & central entrance. Tiled hipped roof with stepped parapet centrally located above entrance pavillion. Projecting bays at either end. Flat roofed (enclosed) verandahs with terracotta shingle skirts.Circular driveway at front. Central stairway to entrance. Flagpole.			Other relevant heritage listings			Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	no		Australian Heritage	No	
Supported without conditions																																											
HERITAGE COMMENTS																																											
Discussion of reason for referral																																											
The proposal has been referred to Heritage as the subject building is within the vicinity of a heritage item																																											
I128 - Building known as Stewart House - Carrington Parade																																											
Details of heritage items affected																																											
Details of the item as contained within the Northern Beaches inventory is as follows																																											
<u>Statement of Significance</u>																																											
A representative example of the institutional buildings which were erected in the area to provide health & welfare services associated with the sea. Socially important due to the role that it has played in public health & child welfare since 1930.																																											
<u>Physical Description</u>																																											
Elevated face brick building of symmetrical design & central entrance. Tiled hipped roof with stepped parapet centrally located above entrance pavillion. Projecting bays at either end. Flat roofed (enclosed) verandahs with terracotta shingle skirts.Circular driveway at front. Central stairway to entrance. Flagpole.																																											
Other relevant heritage listings																																											
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	no																																										
Australian Heritage	No																																										

Internal Referral Body	Comments		
	Register		
	NSW State Heritage Register	No	
	National Trust of Aust (NSW) Register		
	RAIA Register of 20th Century Buildings of Significance	No	
	Other	N/A	
	Consideration of Application		
<p>The proposal seeks consent for the construction of a small store room at the north western corner of the surf club building. The heritage item is located to the south west of the subject site across Carrington Parade. Given the physical separation and small nature of the extension proposed, it is considered to not impact upon the heritage item or their significance.</p> <p>Therefore Heritage raises no objections and requires no conditions.</p> <p>Consider against the provisions of CL5.10 of WLEP.</p> <p>Is a Conservation Management Plan (CMP) Required? No Has a CMP been provided? No Is a Heritage Impact Statement required? No Has a Heritage Impact Statement been provided? No</p>			

External Referral Body	Comments		
Ausgrid - SEPP (Transport and Infrastructure) 2021, s2.48	<p>Supported, subject to conditions</p> <p>The proposal was referred to Ausgrid who provided a response stating that the proposal is acceptable subject to compliance with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice. These recommendations will be included as a condition of consent.</p>		
Aboriginal Heritage Office	<p>Supported, subject to conditions</p> <p>No sites are recorded in the current development area and the area has been subject to previous disturbance reducing the likelihood of surviving unrecorded Aboriginal sites.</p> <p>According to the Due Diligence Code of Practice, any land within 200m of water is considered to have Aboriginal heritage sensitivity and the potential to contain Aboriginal sites.</p> <p>Under the <i>National Parks and Wildlife Act 1974</i> (NPW Act) all Aboriginal objects are protected. Should anything thought to be Aboriginal Cultural Heritage items be uncovered during earthworks, works should cease in the area and the Aboriginal Heritage Office be</p>		

External Referral Body	Comments
	<p>contacted. In line with our normal advice for sandy areas, the Aboriginal Heritage Office recommends that the development conditions should provide for stop work provisions (unexpected discovery protocol) in the unlikely event that human remains are uncovered. Should human remains be uncovered, works must cease and the NSW Police must be contacted.</p>

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs 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 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)

SEPP (Transport and Infrastructure) 2021

Ausgrid

Section 2.48 of Chapter 2 requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to Ausgrid who raised no objections, subject to conditions which have been included in the recommendation of this report.

SEPP (Resilience and Hazards) 2021

Chapter 2 – Coastal Management

The site is subject to Chapter 2 of the SEPP. Accordingly, an assessment under Chapter 2 has been carried out as follows:

Division 3 Coastal environment area

2.10 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,
 - 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,
 - d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,
 - 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,
 - f) Aboriginal cultural heritage, practices and places,
 - g) the use of the surf zone.

Comment:

The proposed development is not anticipated to adversely impact the biophysical, hydrological or ecological environments. As the proposal is located landward of a seawall on a development site, no adverse impacts are expected to coastal environmental values or natural coastal processes. Similarly, no adverse impacts are anticipated on water quality, vegetation or fauna and their habitats. The existing public access arrangements to the foreshore will not be changed as a result of the application. The Application has been referred to the Aboriginal Heritage Office and it is considered that there will be no known impacts on Aboriginal cultural heritage, practices and places. The proposal will not interact with the surf zone.

- 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 subsection (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 proposed development has been designed and sited to avoid any potential adverse impacts referred to in Clause 2.10(1).

Division 4 Coastal use area

2.11 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
 - ii) platform for members of the public, including persons with a disability,
 - iii) overshadowing, wind funnelling and the loss of views from public places to
 - iv) foreshores,
 - v) the visual amenity and scenic qualities of the coast, including coastal headlands, Aboriginal cultural heritage, practices and places, cultural and built environment heritage, and
- b) is satisfied that:
 - i) the development is designed, sited and will be managed to avoid an adverse
 - ii) impact referred to in paragraph (a), or
 - iii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or if that impact cannot be minimised—the development will be managed to mitigate that impact, and
- c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

Comment:

The proposed development is not anticipated to impact beach access, the amenity of public places or the foreshore or Aboriginal cultural heritage and built environment heritage. As such, the proposed development is considered to be designed and sited to avoid any potential adverse impacts.

Division 5 General

2.12 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Comment:

The proposed development is unlikely to have a significant impact on coastal hazards or increase the risk of coastal hazards in relation to any other land being located landward of a seawall.

2.13 Development in coastal zone generally—coastal management programs to be considered

Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.

Comment:

No certified coastal management program applies at the subject site.

As such, it is considered that the application complies with the requirements of Chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021.

Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for recreational purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under sub-section 4.6 (1)(b) and (c) of this Chapter and the land is considered to be suitable for the recreational land use.

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

Principal Development Standards

As the subject site is located in the RE1 Public Recreation zone under the Warringah Local Environmental Plan 2011, there is no prescribed building height limit for the site. The proposed height of the storeroom, which measures 3.1 metres to the roof, maintains a low profile which sits below the height of the existing South Curl Curl SLSC building. Therefore, the proposal is consistent with the objectives of Clause 4.3 Height of Buildings, which is applicable to surrounding and development, and maintains a height and scale that is compatible with the locality.

Compliance Assessment

Clause	Compliance with Requirements
5.10 Heritage conservation	Yes
6.1 Acid sulfate soils	Yes
6.4 Development on sloping land	Yes
6.5 Coastline hazards	Yes

Detailed Assessment

Zone RE1 Public Recreation

The proposed development has been assessed against the objectives of the RE1 Public Recreation zone as follows:

- ***To enable land to be used for public open space or recreational purposes.***

Comment

The use of the land for recreational purposes will be maintained.

- ***To provide a range of recreational settings and activities and compatible land uses.***

Comment

The proposal is compatible with the land use for the site, maintaining the recreational setting and associated activities relating to the South Curl Curl Surf Life Saving Club.

- ***To protect and enhance the natural environment for recreational purposes.***

Comment

The proposed storeroom will not have any adverse impacts on the natural environment as the proposed works will be located over an existing concrete slab.

- ***To protect, manage and restore public land that is of ecological, scientific, cultural or aesthetic value.***

Comment

Given the relatively small scale nature of the proposal, the ecological, scientific, cultural and aesthetic values of the land will be retained.

- ***To prevent development that could destroy, damage or otherwise have an adverse effect on those values.***

Comment

The proposed development has been designed to avoid any adverse impacts on the abovementioned values by maintaining a low profile that will blend with the existing built form of the South Curl Surf Life Saving Club.

6.4 Development on sloping land

Under this clause, development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and***

Comment: The applicant has submitted a Geotechnical Assessment Report prepared by a suitably qualified geotechnical expert. This report concludes that the proposed development is acceptable from a geotechnical perspective and therefore, Council is satisfied that the development has been assessed for the risk associated with landslides in relation to both property and life.

- (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and***

Comment: The applicant has submitted a Geotechnical Assessment Report prepared by a suitably qualified geotechnical expert. This report concludes that the proposed development is acceptable from a geotechnical perspective. The application has also been assessed by Council's Development Engineers in relation to stormwater. The Engineers have raised no objections to approval, subject to conditions. Therefore, Council is satisfied that the development will not cause significant detrimental impacts because of stormwater discharge from the development site.

- (c) the development will not impact on or affect the existing subsurface flow conditions.***

Comment: The applicant has submitted a Geotechnical Assessment Report prepared by a suitably qualified geotechnical expert. This report concludes that the proposed development is acceptable from a geotechnical perspective. The application has also been assessed by Council's Development Engineers in relation to stormwater. The Engineers have raised no objections to approval, subject to conditions. Therefore, Council is satisfied that the development will not result in adverse impacts or effects on the existing subsurface flow conditions.

6.5 Coastline hazards

It is noted that this Clause does not apply to the proposed development, however it has been considered in the assessment of this application.

The application is supported by a Coastal Engineering Report (prepared by Horton Coastal Engineering, dated 1 February 2023), which states that, "the proposed development is unlikely to have a significant impact on coastal hazards or increase the risk of coastal hazards in relation to any other land (or the environment), as it is landward of a seawall and on the landward side of the clubhouse beyond the expected limit of wave runup in a severe 100 year ARI storm over the design life. The proposed development has an acceptably low risk of being affected by coastal hazards given the seawall that is in place, and Clauses 6.5(3)(d) and (e) are therefore satisfied."

As such, the proposed development is considered to be designed appropriately having regard to coastal risk.

Warringah Development Control Plan

Built Form Controls

The Built Form Controls of the Warringah Development Control Plan 2011 (WDCP 2011) do not apply to land zoned RE1 Public Recreation. The proposed storeroom will result in a relatively small extension to the existing building that will align with the existing northern and western walls of the South Curl Curl SLSC. In this regard, the proposal is considered to meet the outcomes of the built form controls and will maintain a built form on the site that is consistent with surrounding developments.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
C4 Stormwater	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	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
D18 Accessibility and Adaptability	Yes	Yes
D20 Safety and Security	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E4 Wildlife Corridors	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
E10 Landslip Risk	Yes	Yes

Detailed Assessment

E1 Preservation of Trees or Bushland Vegetation

The proposal will not result in the clearing of any vegetation on the subject site.

E4 Wildlife Corridors

The subject site is identified on the Wildlife Corridors map under Warringah Development Control Plan 2011 (WDCP 2011). However, no native vegetation is located within the vicinity of the proposed works, therefore a Flora and Fauna Assessment and Biodiversity Management Plan are not required in this instance.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

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

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2022

As the estimated cost of works is less than \$100,001.00 the policy is not applicable to the assessment of this application.

Assessment of Application on Crown Land

- **Is the land a Crown Reserve?**

The land is part of Crown Reserve (Reserve Number: 84882).

- **Is Council the Crown land manager?**

Northern Beaches Council is currently the Crown Land Manager under the Crown Lands Management Act 2016.

- **Can it be taken that the Minister has given consent on behalf of the Crown for its Crown land manager to sign as land owner? (what section of the Act applies?)**

Owners consent from Crown Lands has been granted in accordance with Section 2.23 of the Crown Lands Management Act 2016.

- **Is the land classified as community land?**

The land is classified as community land under the Local Government Act 1993.

• Is there a Plan of Management and if so, are the proposed works consistent with that Plan?

The Coastal Lands Plan of Management, which was adopted on 24 September 2002, applies to the subject site. The proposed storeroom under this Development Application is relatively minor and is sympathetic to the intent of the plan which is *for the values of the area to be protected, upheld and enhanced with no deterioration in the community's values and satisfaction levels in relation to the coastal open space and associated facilities* [sic].

The proposal is consistent with the objectives of the Coastal Lands Plan of Management as follows:

- To protect and enhance the natural environmental qualities of the coast

Comment:

The proposal has been reviewed by Council's Coastal Officer and is supported. No adverse impacts on the environmental qualities of the coast are anticipated as a result of the proposed works.

- To provide quality recreation facilities and settings which cater for all groups in the community.

Comment:

The proposed storeroom will maintain the recreation use of the Surf Life Saving Club.

- To preserve and manage coastal open space as the people's space, ensuring broad community access and availability to the resource.

Comment:

Community access and availability to the South Curl Surf Life Saving Club will not be affected by the proposed storeroom.

- To manage the land in a manner which protects and enhances its aesthetic, cultural, heritage and recreational qualities.

Comment:

The proposal is consistent with the management of the land. Management of the land will continue to maintain an acceptable level of general community use of the Surf Life Saving Club building with no detrimental impacts on the aesthetic, cultural, heritage and recreational qualities.

Management actions raised in the PoM specific to Surf Life Saving Club Buildings requires modifications to consider the loss of open space, principles of shared use, no net loss of general community facilities and impact on neighbouring properties.

The proposed storeroom does not conflict with the above issues contained within the PoM dated 24 September 2002.

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 2021;
- All relevant and draft Environmental Planning Instruments;

- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of 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 objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

PLANNING CONCLUSION

This proposal, for alterations and additions to the South Curl Curl Surf Life Saving Club, has been referred to the Northern Beaches Local Planning Panel (NBLPP) due to a conflict of interest, being that the applicant and landowner is Northern Beaches Council.

No public submissions were received during the notification period.

Overall, the development complies with all numerical LEP and DCP controls. The proposal will not result in unreasonable impacts on adjoining or nearby properties, or the natural environment. The proposal has therefore been recommended for approval.

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

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

RECOMMENDATION

THAT the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority grant Development Consent to DA2023/0128 for Alterations and additions to South Curl Curl Surf Life Saving Club to provide a store room. on land at Lot 7356 DP 1167221, Carrington Parade, CURL CURL, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. **Approved Plans and Supporting Documentation**

The development must be carried out in compliance with the endorsed stamped plans and documentation listed below, except as amended by any other condition of consent:

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Floor Plan - Drawing No.DA01 Revision C	November 2022	Northern Beaches Council
Plan, Section, Elevations - Drawing No.DA02 Revision C	November 2022	Northern Beaches Council
Roof Plan - Drawing No.DA03 Revision C	November 2022	Northern Beaches Council
Site Plan - Drawing No.DA04 Revision C	November 2022	Northern Beaches Council

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Geotechnical Report	13 December 2022	JK Geotechnics
Acid Sulfate Report	20 November 2022	JK Environments
Accessibility Report	1 December 2022	Matt Shuter & Associates
BCA Report	1 December 2022	Matt Shuter & Associates
Coastal Report	1 February 2023	Horton Coastal Engineering

b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

c) The development is to be undertaken generally in accordance with the following:

Waste Management Plan

Drawing No/Title.	Dated	Prepared By
Waste Management Plan	Undated	Northern Beaches Council

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

2. **Compliance with Other Department, Authority or Service Requirements**

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	EDMS Reference	Dated
Ausgrid	Ausgrid Referral Response 1	21 April 2023
Ausgrid	Ausgrid Referral Response 2	21 April 2023

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

3. **Prescribed Conditions**

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifier for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of

that Act,

- (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative requirement.

4. **General Requirements**

- (a) Unless authorised by Council:
Building construction and delivery of material hours are restricted to:
 - 7.00 am to 5.00 pm inclusive Monday to Friday,
 - 8.00 am to 1.00 pm inclusive on Saturday,
 - No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) Should any asbestos be uncovered on site, its demolition and removal must be carried out in accordance with WorkCover requirements and the relevant Australian Standards.
- (c) At all times after the submission the Notice of Commencement to Council, a copy of the

Development Consent and Construction Certificate is to remain onsite at all times until the issue of an Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.

- (d) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (e) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (f) Prior to the release of the Construction Certificate, payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$250,000. The Long Service Levy is calculated on 0.25% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No skip bins, building materials, demolition or excavation waste of any nature, and no hoist, plant or machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (j) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.), on the land to be developed, or within adjoining properties, shall be removed or damaged during excavation or construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (k) Prior to the commencement of any development onsite for:
 - i) Building/s that are to be erected
 - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
 - iii) Building/s that are to be demolished
 - iv) For any work/s that is to be carried out
 - v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

- (l) A "Road Opening Permit" must be obtained from Council, and all appropriate charges paid, prior to commencement of any work on Council property. The owner/applicant shall be responsible for all public utilities and services in the area of the work, shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.
- (m) The works must comply with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice.

- (n) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.
- (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:
 - (i) Swimming Pools Act 1992
 - (ii) Swimming Pools Amendment Act 2009
 - (iii) Swimming Pools Regulation 2018
 - (iv) Australian Standard AS1926 Swimming Pool Safety
 - (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
 - (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
 - (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
 - (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewered areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.
 - (4) Swimming pools and spas must be registered with the Division of Local Government.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

FEES / CHARGES / CONTRIBUTIONS

5. Security Bond

A bond (determined from cost of works) of \$2,000 and an inspection fee in accordance with Council's Fees and Charges paid as security are required to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection).

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, and details demonstrating payment are to be submitted to the Certifier prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.northernbeaches.nsw.gov.au).

Reason: To ensure adequate protection of Council's infrastructure.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

6. **Stormwater Disposal**

The applicant is to demonstrate how stormwater from the new development within this consent is disposed of to an existing approved system or in accordance with Northern Beaches Council's WARRINGAH WATER MANAGEMENT POLICY PL850. Details by an appropriately qualified and practicing Civil Engineer demonstrating that the existing approved stormwater system can accommodate the additional flows, or compliance with the Council's specification are to be submitted to the Certifier for approval prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for disposal and stormwater management arising from development.

7. **Geotechnical Report Recommendations have been Incorporated into Designs and Structural Plans**

The recommendations identified in the Geotechnical Report referenced in Condition 1 of this consent are to be incorporated into the construction plans. Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the construction certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.

8. **Approval of Works in Public Beach Reserve**

No works are to be carried out from or within the public beach reserve without the written approval of Council.

Reason: To ensure no damage is done to public beach reserves.

9. **Geotechnical Report Recommendations have been Incorporated into Designs and Structural Plans**

The recommendations of the risk assessment required to manage the hazards as identified in the Geotechnical Report referenced in Condition 1 of this consent are to be incorporated into the construction plans.

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of a Construction Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.

10. **Engineers Certification of Plans**

The structural design and specification shall be prepared by and each plan/sheet signed by, a registered professional civil or structural engineer with chartered professional status (CP Eng) who has an appropriate level of professional indemnity insurance and shall be submitted to the Certifier prior to the release of the Construction Certificate.

Reason: To ensure structural engineering design is prepared and certified by an appropriately qualified professional.

11. **Compliance with Coastal Risk Management Report**

The development is to comply with all recommendations of the approved Coastal Risk Management Report prepared by Horton Coastal Engineering Pty Ltd, dated 1 February 2023, and these recommendations are to be incorporated into construction plans and specifications. Evidence demonstrating compliance is to be provided to the Certifier for approval prior to the release of the Construction Certificate.

Reason: To ensure coastal risk is addressed appropriately

12. **Compliance with Standards**

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards.

13. **Waste Management Plan**

A Waste Management Plan must be prepared for this development. The Plan must be in accordance with the Development Control Plan.

Details demonstrating compliance must be provided to the Certifier prior to the issue of the Construction Certificate.

Reason: To ensure that any demolition and construction waste, including excavated material, is reused, recycled or disposed of in an environmentally friendly manner.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

14. **Public Liability Insurance - Works on Public Land**

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Northern Beaches Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

15. **Requirement to notify about new Acid Sulfate Soils evidence**

Any new information revealed during excavation works that has the potential to alter previous conclusions about Acid Sulfate Soils shall be immediately notified to the Council and the Principal Certifier and a report be obtained from a suitably qualified person. Any recommendations provided by the report are to be complied with during works.

Reason: To protect the environment.

16. **Installation and Maintenance of Sediment and Erosion Controls**

Council proactively regulates construction sites for sediment management.

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004) prior to commencement of any other works on site.

Erosion and sediment controls are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the area stabilised.

Reason: Protection of the receiving environment.

17. **Geotechnical Requirements**

All recommendations (if any) included in the Geotechnical Report referenced in Condition 1 of this consent are required to be complied with during works.

Reason: To ensure geotechnical risk is mitigated appropriately.

18. **Survey Certificate**

A survey certificate prepared by a Registered Surveyor is to be provided demonstrating all perimeter walls columns and or other structural elements, floor levels and the finished roof/ridge height are in accordance with the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifier when the external structure of the building is complete.

Reason: To demonstrate the proposal complies with the approved plans.

19. **Waste Management During Development**

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

Details demonstrating compliance must be submitted to the Principal Certifier.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

20. **Stockpiling materials**

During construction, all material associated with works is to be contained at source, covered and must be within the construction area. All waste material is to be removed off site and disposed of according to the Waste Management Plan and applicable regulations. The property is to be kept clean and any building debris removed as frequently as required to ensure no waste or debris enters receiving waters.

Reason: To ensure pollution control measures are effective to protect the aquatic habitats within receiving waters throughout the construction period.

21. **Geotechnical Issues**

All conditions outlined in the Geotechnical Investigation for Proposed Storeroom at South Curl Curl SLSC prepared by JK Geotechnics dated 13 December 2022 are to be complied with and adhered to throughout development.

Reason: To ensure excavations and foundation design are undertaken in an appropriate

manner and in accordance with the recommendations of the Geotechnical Engineer or Engineering Geologist.

22. **Aboriginal Heritage**

If in undertaking excavations or works any Aboriginal site or object is, or is thought to have been found, all works are to cease immediately and the applicant is to contact the Aboriginal Heritage Officer for Northern Beaches Council, and the Cultural Heritage Division of the Department of Planning and Environment.

Any work to a site that is discovered to be the location of an Aboriginal object, within the meaning of the National Parks and Wildlife Act 1974, requires a permit from the Director of the Department of Planning and Environment.

Reason: Aboriginal Heritage Protection.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

23. **Stormwater Disposal**

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified person. Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater arising from the development.

24. **Geotechnical Certification Prior to Occupation Certificate**

A Geotechnical Engineer or Engineering Geologist is to provide written confirmation that they have inspected the site during construction or reviewed information relating to the construction and that they are satisfied that development referred to in the development consent has been constructed in accordance with the intent of the Geotechnical Report referenced in Condition 1 of this consent.

Written certification is to be provided to the Principal Certifier prior to the issue of the Occupation Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.

25. **Post Construction Coastal certificate**

Prior to the issue of the Occupation Certificate, a Post Construction Coastal Certificate shall be submitted to the Principal Certifier (Form No. 3 of the Coastline Risk Management Policy for Development in Pittwater - Appendix 6 of P21 DCP) that has been prepared and signed by a specialist coastal engineer who is a registered professional engineer with chartered professional status (CP Eng) and coastal engineering as a core competency and who has an appropriate level of professional indemnity insurance.

Reason: To ensure the development has been constructed to the engineers requirements.

26. **Waste Management Confirmation**

Prior to the issue of an Occupation Certificate, evidence / documentation must be submitted to the Principal Certifier that all waste material from the development site arising from demolition and/or construction works has been appropriately recycled, reused or disposed of generally in accordance with the approved Waste Management Plan.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

27. **Geotechnical Recommendations**

Any ongoing recommendations of the risk assessment required to manage the hazards identified in the Geotechnical Report referenced in Condition 1 of this consent are to be maintained and adhered to for the life of the development.

Reason: To ensure geotechnical risk is mitigated appropriately.

28. **Compliance with Coastal Risk Management Report**

The development is to comply with all recommendations of the approved Coastal Risk Management Report prepared by Horton Coastal Engineering Pty Ltd, dated 1 February 2023 and these recommendations are to be maintained over the life of the development.

Reason: To ensure preservation of the development and the marine environment