Alterations & Additions to Newport Surf Life Saving

Amended Statement of Environmental Effects

Northern Beaches Council	RR-01-1785-02	November 2022

Contact Information

Northern Beaches Planning Pty Ltd
ABN : 32 654 685 757
Ocean Street
Narrabeen NSW 2101

Rhelm Pty Ltd
ABN : 55 616 964 517
50 Yeo Street
Neutral Bay NSW 2089

Lead Author:
Rebecca Englund, B Architectural Studies, M Planning
rebecca@northernbeachesplanning.com.au

Document Control

Ver	Effective Date	Description of Revision	Prepared by:	Reviewed by:
00	21 November 2022	Draft report	Rebecca Englund & Tanja Mackenzie	Louise Collier
01	25 November 2022	Final draft report	Tanja Mackenzie & Rebecca Englund	Louise Collier
02	25 November 2022	Final report	Tanja Mackenzie	

Prepared For: Northern Beaches Council

Project Name: Alterations and Additions to Newport Surf Life Saving Club – Amended SEE

Rhelm Reference: J1785

Document Location: J1785 - NBC_Newport SLSC Advice\4. Reports\RR-01-1785-02 Newport SLSC SEE Amended.docx

Client Reference: DA2021/2173

Executive Summary

This amended Statement of Environmental Effects (**ASEE**) has been prepared as an outcome of an independent review by Rhelm and Northern Beaches Planning (**NBP**), supported by heritage specialists NBRS and coastal engineers from the University of New South Wales Water Research Laboratory (WRL) of a development application for alterations and additions for the Newport Beach SLSC.

The ASEE includes an independent evaluation of the application documentation, the assessment documentation and consideration of the reasons for refusal provided by the Sydney North Planning Panel (**SNPP**). The ASEE is accompanied by an amended Statement of Heritage Impact (**SOHI**), but otherwise draws upon all of the documentation accompanying the DA that was lodged up to the date of the refusal (5 October 2022).

Key findings of the independent review documented in this ASEE are:

- The proposed building is at or below the relevant flood planning level and therefore clause 4.3(2A) of PLEP 2014 applies. As the height of the proposed building is less than 8m above the flood planning level, no clause 4.6 request is required.
- Clause 5.21 of the PLEP 2014 is the relevant clause relating to flood risk (as this clause came into force in July 2021, noting the application was lodged in November 2021). However, this does not alter the outcomes of the assessment (noting the former clause 7.3 of PLEP 2014, now repealed, was identified as the relevant clause in the application documentation and assessment).
- Whilst an assessment of a range of ancillary works options was completed, the reason for the retention of the SLSC building in support of the proposed alterations and additions (including an evaluation of the 'do nothing' or 'do minimum' options) was not documented in a manner that provided clarity for the consent authority. As such an assessment of potential options was documented and is provided in **Attachment 2** to this ASEE.
- The local heritage significance of the SLSC (having been a locally listed heritage item since 2009) is worthy of consideration, noting that the building has been subject to alterations and additions over time, but forms an important local feature and has done so since 1933. An updated Statement of Heritage Impact (SOHI) has been prepared in support of the proposed alterations and additions and ancillary works.
- The original application inadvertently omitted Lot 7039 DP 1050730 and Lot 24 Section 6 DP 6248 from the description of the site although works are proposed on these lots in the supporting documents (including the architectural, landscape and engineering drawings). This minor error and misdescription is corrected in this ASEE and supporting documents.

This ASEE provides an updated statement of environmental effects and where there is a variance between this ASEE and other documentation, this ASEE prevails. This ASEE concludes that the proposed development:

- is consistent with the provisions of the relevant environmental planning instruments and development control plans, and
- has adequately addressed the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- is a suitable site for the development,
- is in the public interest.

Abbreviations

Abbreviation	Description
AHD	Australian Height Datum
ASEE	amended Statement of Environmental Effects
Biodiversity and Conservation SEPP	NSW *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
CM Act	NSW *Coastal Management Act 2016*
CPTED	Crime Prevention Through Environmental Design
CTMP	Construction Traffic Management Plan
DP	Deposited Plan
DSAP	Design and Sustainability Advisory Panel
EP&A Act	NSW *Environmental Planning and Assessment Act 1979*
EP&A Regulation	NSW *Environmental Planning and Assessment Regulation 2021*
ESD	Ecologically Sustainable Development
LG Act	NSW *Local Government Act 1993*
P21 DCP	Pittwater 21 Development Control Plan
PLEP 2014	Pittwater Local Environmental Plan 2014
PoEO Act	NSW *Protection of the Environment Operations Act 1997*
Resilience and Hazards SEPP	NSW *State Environmental Planning Policy (Resilience and Hazards) 2021*
RFS	Rural Fire Service
SLSC	Surf Life Saving Club
SNPP	Sydney North Planning Panel
SOHI	Statement of Heritage Impact

Table of Contents

Figures

Tables

1 Introduction

This statement of environmental effects has been prepared by Rhelm, in partnership with Northern Beaches Planning, on behalf of Northern Beaches Council to accompany the lodgement of an application seeking a review of the determination of Development Application DA2021/2173, which sought consent for alterations and additions to the Newport Surf Life Saving Club (**SLSC**) building and ancillary coastal protection works at 394 and 394A Barrenjoey Road, Newport (**site**).

Development Application DA2021/2173 was refused by the Sydney North Planning Panel (**SNPP**) on 5 October 2022 for five reasons relating to:

- building height non-compliance,
- suitability of the site,
- coastal protection works,
- inconsistency with the Coastal Management Act 2016 and
- public interest.

This request for a review of the determination is made pursuant to section 8.3 of the Environmental Planning and Assessment Act (**EP&A Act**) and is informed and accompanied by the following documentation:

- Site Survey by CMS Surveyors, dated 8 November 2021
- Architectural Plans by Adriano Pupilli Architects, dated 14 June 2022
- *Conservation Management Plan* by Heritage21, dated 17 June 2022
- *Statement of Environmental Effects* by Don Fox Planning, dated 23 September 2021
- *Geotechnical Investigation* by JK Geotechnics, dated 19 October 2021
- *Preliminary Acid Sulfate Soils Assessment* by JKEnvironments, dated 2 October 2019
- *Coastal Engineering and Flood Advice* prepared by Horton Coastal Engineering, dated 26 August 2021
- *Coastal Engineering Report and Statement of Environmental Effects for Buried Coastal Protection Works* prepared by Horton Coastal Engineering, dated 27 August 2021
- Coastal Protection Works Drawings prepared by James Taylor and Associates, dated 24 August 2021
- Structural Engineering Statement prepared by Partridge Engineers, dated 20 August 2021
- Stormwater Drainage Concept plans prepared by Rise Consulting Engineers, dated 16 November 2020
- Site Sediment Control Plan prepared by Rise Consulting Engineers, dated 13 November 2020
- *Arboricultural Impact Assessment* prepared by Tree Management Solutions, dated 12 November 2020
- *Traffic and Parking Assessment* prepared by Transport and Traffic Planning Associates, dated September 2021
- *BCA Assessment Report* prepared by BCA Logic, dated 22 September 2020
- *Access Assessment Report* prepared by BCA Logic, dated 22 September 2020
- NCC BCA 2019 Section J JV3 Assessment prepared by Greenview Consulting, dated 4 September 2020
- *ESD Report* prepared by Greenview Consulting, dated 23 April 2020

- *Acoustic Report* prepared by GHD, dated May 2022
- *Waste Management Plan* by Bernard Koon, dated 5 October 2021
- *Operational Management Plan* by Northern Beaches Council and Newport SLSC, dated 9 June 2022
- Visual Impact Analysis by Don Fox Planning dated 17 June 2022.

An updated *Statement of Heritage Impact* (SOHI) has been prepared by Heritage21, dated 24 November 2022. The updated SOHI corrects the misidentified lots that are the subject of the Development Application.

Updated Landscape Plans by Adriano Pupilli Architects (dated 24 November 2022) have been prepared to correct the misidentified lots that are the subject of the Development Application.

2 Legislation, plans and policies

The following state and local policies are applicable to the proposed development:

- Environmental Planning and Assessment Act 1979 (**EP&A Act**)
- *Environmental Planning and Assessment Regulation 2021* (**EP&A Regulation**)
- *Coastal Management Act 2016* (**CM Act**)
- *Local Government Act 1993* (**LG Act**)
- *Crown Land Management Act 2016*
- *Protection of the Environment Operations Act 1997* (**PoEO Act**)
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (**Biodiversity and Conservation SEPP**)
- *State Environmental Planning Policy (Resilience and Hazards) 2021* (**Resilience and Hazards SEPP**):
    - Coastal Use Area Map: Coastal Use Area
    - Coastal Environment Area Map: Coastal Environment Area
- Pittwater Local Environmental Plan 2014 (**PLEP 2014**):
    - Acid Sulfate Soils Map: Class 4 and 5
    - Land Zoning Map: RE1 Public Recreation
    - Height of Buildings Map: 8.5m
    - Heritage Map: Newport SLSC
- Pittwater 21 Development Control Plan (**P21 DCP**)
    - Newport Locality
    - Coastline Risk Management Policy for Development in Pittwater
    - Geotechnical Risk Management Policy for Pittwater
- *Ocean Beaches Plan of Management: Newport Beach* (Pittwater Council, 2005).

3 Site Details

3.1 Overview

The site comprises four separate allotments, being:

- 394 Barrenjoey Road, Newport (Lot 1 in DP 1139445);
- 394 Barrenjoey Road, Newport (Lot 7094 in DP 1059297);
- 394A Barrenjoey Road, Newport (Lot 24 of Section 6 in DP 6248); and
- Barrenjoey Road, Newport (Lot 7039 in DP1050730).

The site is irregular in shape, as shown in **Figure 3-1**, and is bound by Newport Beach to the east, Barrenjoey Road to the west, Bert Payne Reserve to the south and a public reserve to the north. The site comprises the Newport SLSC building, a portion of the public carpark, a youth space, playground, a portion of Bert Payne Reserve and a portion of Newport Beach.

Figure 3-1 Aerial image of the site, aerial imagery: Google Satellite, 12/3/2018

3.2 Zoning

The site is zoned RE1 Public Recreation under the provisions of PLEP 2014.

3.3 Tenure

The site is Crown Land and forms part of Crown Reserve No. 60118 – Farrells Reserve that is managed by Northern Beaches Council in accordance with the *Ocean Beaches Plan of Management: Newport Beach* (Pittwater Council, 2005).

3.4 Heritage

The Newport SLSC building is identified as an item of local heritage significance under the provisions of clause 5.10 and Schedule 5 of PLEP 2014.

The current state of the Newport SLSC building is depicted in the Architectural Plans by Adriano Pupilli Architects and is described within the *Conservation Management Plan* by Heritage21 (2022a), as follows:

> *The west elevation facing Newport playground and Barrenjoey road presents itself as a classic Mediterranean Clubhouse style of the 1930s with simple massing punctured by arched fenestrations and a pitched terracotta roof. The site is approached from an extended parking area. The main entrance archway extends beyond the main building envelope as do two side wings along the northern and southern extents of the building. The wings have been extended with a first-floor extension at a later stage by extending the main roof line of the central section of the building. A secondary extension has been added to the northern wings to facilitate large equipment storage. View to the main building from the north-western entrance to the site are partially blocked due to a temporary storage container placed outside the main building.*
>
> *The eastern façade facing the Tasman Sea and Newport beach presents itself as a two-storey single building with an extended entrance podium and a single storey extension at the northern end. Fenestrations along the extended podium on ground floor have been retained while the veranda on first floor has been enclosed with aluminium windows. Two doors on either side of the podium have been left in original condition. An access staircase in timber leads to the beach along the southern end of the building. The extension along the southern end presents itself as a three-tiered structure, with the ground floor tier punctured by a large roll-up door and a small aluminium framed window; the second tier comprises the kitchen with skylights inserted in a narrow skillion roof that has been added at a later stage; the third tier matches the roofline of the original building. The single storey extension at the northern end comprises of a high parapet wall indicating that the entire first-floor of the extension is used as an outdoor seating area while the ground floor is penetrated with five inconsistently sized garage roll-up doors that house the club's larger sized equipment. A small lean-to with a skillion roof is further added on as a secondary extension along the northern end containing the public female washrooms.*
>
> *Internally, the building has undergone considerable changes over the years with rooms being divided and subdivided and extensions added at various times to supplement additional needs for the club and its users. The main entrance lobby on ground floor along the western façade is fitted with a possibly later addition staircase that leads to the first floor. A secondary entrance door along the western façade has been positioned to contain the lift and provide a disability access. An external staircase connects to the first floor along the northern wing. Access to the building*

interior on ground floor through the main entrance portico is blocked using a controlled access door. Passing through this access door is restricted for members only, leads to a narrow corridor that opens into the changing areas for men and women, a gym and a first aid facility. The corridor also leads to the extended entrance podium along the eastern façade allowing members to access the beach from the ground floor.

Along the southern façade is the entrance to the male public toilets that lie inside the extended wing. A secondary entrance leads to a public ambulant toilet. A third door leads to the room. The lifeguards room is tiny and does not contain any storage space. All lifesaving equipment and storage areas are located along the northern end of the building and must be accessed from the western elevation through large roll-up shutter doors. The female public toilets are located along the northern end in the attached skillion roof lean-to and can be accessed from both the western and northern elevations.

A tertiary staircase made of timber leads to the first floor from the sea-facing elevation and leads up to an extension of the veranda that connects to the now covered bay above the extended entrance podium. The bay is contained within the main club room that is periodically used to host parties and club events.

The main club room leads to the service area including kitchen, storage, lift and toilets towards the south and to the committee room with bar and terrace seating area at the north. The terrace connects to the northern staircase that is adjacent to the northern wing. Above the entrance foyer along the western façade is a small office.

3.5 Biodiversity and Bushfire

The northern most portion of the site is identified as "Biodiversity" on the Biodiversity Map of PLEP 2014 and is identified as being prone to bushfire on the NSW RFS Bushfire Prone Land Map. The proposed works are located in excess of 250m from these affectations.

3.6 Flood and Coastal Hazards

The site is located in the Newport Beach floodplain, at the outlet of the catchment. Flood hazards are mapped in the *Newport Beach Flood Study* (CSS, 2019). The provisions of clause 5.21 of the PLEP 2014 apply in this regard.

The site is located within the Newport Beach coastal embayment. It is located within the following areas mapped under the Hazards and Resilience SEPP:

- Coastal use area; and
- Coastal environment area.

There is no certified Coastal Management Program under the CM Act for the Beach, nor is there a certified Coastal Zone Management Plan under the (now repealed) *Coastal Protection Act 1979*. The site is not identified in the mapping associated with coastal risk planning map under clause 7.5 of PLEP 2014, nor is currently identified under the Resilience and Hazards SEPP within the coastal vulnerability area. However, studies of the area identify that the site is affected by coastal processes and coastal hazards. Coastal hazards are summarised in **Attachment 2** and a range of supporting technical studies referenced in **Attachment 2**.

Newport Beach and the SLSC have previously been impacted by coastal storms, including an intense East Coast Low of May-June 1974. Horton (2021a) summarises historical information on damage associated with the event, which included undermining of the promenade in front of the SLSC building, with a three to four metre erosion scarp. Waves and debris entered the building, and a large amount of sand filled the SLSC building. However, there did not appear to be any damage to the building structure.

Following the storm, emergency works in the form rock protection works were placed in front of the SLSC to protect the building. These emergency works remain in place seaward of the SLSC building and are covered in sand most of the time. Horton (2021a) notes that it does not appear to be an engineered structure and, due to use of significantly undersized rocks, rocks may become dislodged from the structure during a severe coastal storm (Horton, 2021a).

It is noted that the works were constructed prior to the commencement of the *Coastal Protection Act 1979* (now repealed and replaced by the CM Act) or the EP&A Act. There was therefore no clear approvals pathway for the works at the time. While not 'approved' or 'unapproved', these types of emergency works were considered standard practice at the time.

4 Need for the Project and Options Overview

The proposed alterations and additions are intended to address a range of identified operational needs associated with the SLSC, Council and community functions.

These are options can be evaluated broadly in two categories:

- Built form options (**Section 4.1**); and
- Coastal protection/building foundation options (**Section 4.2**).

Many of these options have been explored and documented as part of studies to inform the development application and where this is the case, it is noted below.

The combination of built form and coastal protection/building foundation options with respect to the option selected for the development application is explored in **Section 4.3**.

4.1 SLSC Built Form Options

Key options for meeting the needs of the SLSC operations and provision of public amenities with respect to the built form are:

- Option SLSCB – 1 - Do nothing;
- Option SLSCB – 2 – Alterations and additions to existing building (explored in the Daniel McNamara Architect Stage 1 Masterplan, 2013 Options 1 – 4);
- Option SLSCB – 3 - Retain existing heritage building and construct supplementary buildings (for example, explored in the SLSC options assessment of 2012 as amenities buildings Options 1 and 2, to the west and south of the existing building); and
- Option SLSCB – 4 - Demolish existing building and build new building (existing location)
- Option SLSCB – 5 - Demolish existing building and build new building (different location).

An overview evaluation of each option against the range of environmental and social issues and constraints described in **Section 3** or in the Coastal Summary Report (Rhelm, 2022) is provided in **Table 4-1** using a traffic light system:

- **Red** – meaning – impact expected
- **Yellow** – meaning – neutral effect expected (no change from existing)
- **Green** – meaning – impact can be managed or no impact.

Table 4-1 identifies that Option SLSCB – 2 - Alterations and additions to existing heritage building provides the greatest benefit with the least impacts.

Table 4-1 Overview of Built Form Options Evaluation

Option	Coastal Hazard	Catchment Flood Hazard	Heritage	Vegetation	Visual	SLSC Ops/ Public Amenities	Traffic/ Parking	Recreation/Open Space
Do nothing (SLSCB-1)								
Alterations and additions to existing heritage building (SLSCB – 2)								
Retain existing heritage building and construct supplementary building(s) (SLSCB – 3)								
Demolish existing heritage building and construct new building (same location) (SLSCB – 4)								
Demolish existing heritage building and construct new building (different location, e.g. in non-flood prone area to north) (SLSCB – 5)								

Red – meaning – impact expected

Yellow – meaning – neutral effect expected (no change from existing)

Green – meaning – impact can be managed or no impact.

4.2 Coastal Protection Works/Building Foundation Options

As evident in the *Assessment of Options for Redevelopment of Newport SLSC, with Updated Consideration of Risk from Coastal Erosion/Recession* by Horton Coastal Engineering, a range of different design options for coastal protection works were explored between June 2018 and September 2020. The Horton descriptions have been retained below and the options separated into the various coastal protection works/building foundations options:

- Current concept (Proposed SLSC Alterations and Additions), no piles or seawall/revetment (i.e. retain existing ad-hoc rubble seawall) (Coastal Protection/Building Foundations - do nothing, Option CP–1);
- Current concept (Proposed SLSC Alterations and Additions), new portion on piles, no seawall/revetment (Coastal protection/Building Foundations – do nothing and part piled building foundations, Option CP–2);
- Current concept (Proposed SLSC Alterations and Additions) entirely on piles, no seawall/revetment (Coastal protection/Building Foundations – do nothing and all piled building foundations, Option CP–3);
- Demolish and rebuild on piles, no seawall/revetment (Coastal protection – do nothing and all piled building foundations, Option CP–4);

- Current concept (Proposed SLSC Alterations and Additions), no piles, with rock revetment protection (Coastal protection – new rock revetment, Option CP–5);
- Current concept (Proposed SLSC Alterations and Additions), no piles, with vertical or hybrid seawall protection (Coastal protection – vertical/hybrid seawall, Option CP–6); and
- Demolish and rebuild, no piles, with revetment or seawall protection (Coastal protection – revetment/seawall). This options was not considered further as it is effectively covered under other options

There is also a further option, which is coastal protection via setback and dune reinstatement (Option CP–7).

An overview evaluation of each option with respect to risk is provided in **Table 4-2** using a traffic light system:

- **Red** – meaning – increased risk (for example risk of damage to an asset or adjacent property)
- **Yellow** – meaning – neutral change to risk expected (no change from existing)
- **Green** – meaning – reduction in risk (e.g. to an asset) or improvement in the management of a risk.

Table 4-2 Overview of Coastal Protection/Building Foundation Options Management of Risk

Option	Present Erosion Hazard	Present Inundation Hazard	2100 Erosion Hazard Heritage	2100 Inundation Hazard	Beach Amenity	SLSC Ops	Effects on Other Property	Building Stability
CP -1 - Do nothing								
CP-2 – Do nothing and part piles								
CP-3 and CP-4 – Do nothing and all piles								
CP-5 – No piles, New rock revetment								
CP-6 – No piles, vertical or hybrid seawall								
CP-7 – No piles, dunes and setback								

Red – meaning – impact expected

Yellow – meaning – neutral effect expected (no change from existing)

Green – meaning – impact can be managed or no impact.

Table 4-2 identifies that Option CP-5 – No piles, New rock revetment and Option CP6 – No piles, Vertical or hybrid seawall seek to manage risks. Note that the 'do nothing' option does not assist with the

5 Proposed development

Development Application DA2021/2173 sought consent for alterations and additions to the Newport Surf Life Saving Club building at 394 Barrenjoey Road, Newport (**site**), including:

- Partial demolition of the existing SLSC building and part of the existing carpark,
- Construction of new two storey northern wing comprising storage facilities on the ground floor and a committee room, lounge, training rooms and terrace on the first floor,
- Reconfiguration of the internal layout of the building to improve building functionality and circulation,
- Upgraded public and member amenities,
- Landscaping, and
- Coastal protection works.

The works are depicted on the:

- Architectural Plans by Adriano Pupilli Architects, dated 14 June 2022,
- Landscape Plans by Adriano Pupilli Architects, dated 24 November 2022, and
- Coastal Protection Works Drawings prepared by James Taylor and Associates, dated 24 August 2021.

The physical works proposed in the subject review application remain unchanged compared to those proposed by Development Application DA2021/2173.

As the proposed development is a council-related development with a Capital Investment Value of more than $5 million, the SNPP is the consent authority for the proposed works. The SNPP is also the consent authority as the proposal involves coastal protection works proposed to be carried out by a public authority, that cannot be carried out without consent under clause 2.16 of Resilience and Hazards SEPP.

6 Background to Development Application

A detailed timeline of the project is provided in the accompanying *Options Assessment Report* by Rhelm (**Attachment 1**).

The history of Development Application DA2021/2173 is summarised, as follows:

- On 18 January 2018, a pre-lodgement meeting was held with respect to proposed alterations and additions to the Newport SLSC building. The pre-lodgement minutes concluded:

  > *There are two overarching issues that impact upon the viability of the proposal, namely the heritage significance of the building and the coastal risk hazard that affects the site. At this stage, insufficient information has been provided to confirm whether or not the proposal is acceptable with regard to these factors, and further information is required prior to the lodgement of any future application.*
  >
  > *With respect to the coastal hazard, detailed construction information will be required to demonstrate that the majority of the existing structure is to be retained, and that both the retained structures and the new works can withstand the coastal hazard that affects the site.*
  >
  > *With respect to heritage, Council's Heritage Officer (Janine Formica), is available for further discussions once a more comprehensive heritage impact assessment and conservation management plan have been prepared for the site.*
  >
  > *The application also proposes a change to the amount and allocation of parking, which may require a change to the Plan of Management for Newport Beach. As changes to a Plan of Management are subject to public exhibition and input from key stakeholders, ideally this process should be undertaken prior to the lodgement of any future application.*

- On 12 November 2021, Development Application DA2021/2173 was lodged.
- On 9 December 2021, Development Application DA2021/2173 went before the Design and Sustainability Advisory Panel (**DSAP**) who reviewed the proposed development and provided the following comment:

  > *The Panel does not support the proposal in its current form.*
  > *There is a range of improvements that should be investigated, including:*
  >
  > - *Clearer articulation of the old and new,*
  > - *Material choices that differentiate the old from the new,*
  > - *Development of a broader site and landscape plan, and*
  > - *Amenity of public amenities.*

- On 12 April 2022, Council sent a Request for Additional Information in relation to Development Application DA2021/2173, raising concerns with regards to:
  - Heritage issues
  - DSAP's commentary
  - Waste Management
  - Landscape
  - Acoustic issues
  - Temporary facilities arrangements
  - Views

  - Building height
  - Liquor licence details

- On 11 May 2022, the SNPP was briefed in relation to Development Application DA2021/2173. The record of briefing states:

  KEY ISSUES DISCUSSED:

  Council

  - *RFI has been sent. Revised design expected 1st June.*
  - *Council to consider engaging external coastal engineer.*
  - *37 submissions.*
  - *Key issue: Heritage impact.*

  Panel

  - *Location of rocks/boulders and sea wall.*
  - *Design, location and impact of extension.*
  - *Coastal Management Plan.*
  - *Peer review of coastal works.*
  - *Council to follow up on missing reports.*
- On 29 June 2022, Development Application DA2021/2173 was amended in response to the concerns raised in the Request for Additional Information.
- On 20 July 2022, the SNPP was further briefed in relation to Development Application DA2021/2173.
- On 25 August 2022, the SNPP undertook an inspection of the site in the presence of Council staff and the Applicant's Coastal Engineer.
- On 21 September 2022, Development Application DA2021/2173 was reported to the SNPP with a recommendation of approval. An assessment report and draft conditions of consent, dated 2 September 2022, were presented to the SNPP and are available on Council's website.
- On 26 September 2022, the SNPP deferred the matter to allow for additional information to be presented with respect to the coastal hazard.
- On 4 October 2022, the applicant provided additional information to address the 12 matters raised by the SNPP.
- On 5 October 2022, Development Application DA2021/2173 went back before the SNPP for determination. Development Application DA2021/2173 was refused by the SNPP for the following reasons:

  1. ***Building Height***

     Pursuant to Section 4.15 (a)(i) of the Environmental Planning and Assessment Act 1979, the Sydney North Planning Panel, as the consent authority, is not satisfied that:

     a. *The Applicant's written request to vary Clause 4.3 Height of Buildings of the Pittwater Local Environmental Plan 2014 has adequately addressed the matters required to be addressed under Clause 4.6 of the Pittwater Local Environmental Plan 2014.*
     b. *The development is in the public interest because it is consistent with the objectives of Clause 4.3 (development standard) of the Pittwater Local Environmental Plan 2014.*

c. *The development is in the public interest because it is consistent with the objectives for development in the RE1 Public Recreation zone of the Pittwater Local Environmental Plan 2014.*

2. ***Suitability of the Site***
   Pursuant to Section 4.15 (c) of the Environmental Planning and Assessment Act 1979, the Sydney North Planning Panel, as the consent authority, is not satisfied the site is suitable for the development.
   The Panel does not accept that the site is suitable for the proposed development given its exposure to coastal hazards. The Panel notes that the proposal retains part of the heritage building that are identified in the Heritage Conservation Plan as being of "little significance" and consequently the footprint of the building exposed to the hazard could be reduced without adversely impacting the significance of the item. Alternative site options for such a valuable but exposed asset were not properly considered due to the emphasis on heritage and open space protection.

3. ***Coastal Protection Works***
   The Sydney North Planning Panel, as the consent authority, remains unconvinced of the merits of using coastal protection works to protect the current building footprint and heritage fabric given that over topping and inundation of the building would still occur, and collateral erosion damage is likely to be caused to surrounding beach and park.

4. ***Coastal Management Act***
   Pursuant to Section 27 of the Coastal Management Act 2016, the Sydney North Planning Panel, as the consent authority, is not satisfied that satisfactory arrangements have been made to address the requirements of Section 27 of the Coastal Management Act 2016.
   The Panel notes that long term planning for the location's Coastal Management Program is yet to be completed. This would facilitate the appropriate assessment of the impacts on the whole coastal compartment, not just the surf club.

5. ***Public Interest***
   Pursuant to Section 4.15 (e) of the Environmental Planning and Assessment Act 1979, the Sydney North Planning Panel, as the consent authority, is not satisfied that the development is in the public interest.

The reasons proffered for the refusal of Development Application DA2021/2173 are outlined in the Determination and Statement of Reasons, dated 5 October 2022, as follows:

After the September public meeting, the Panel considered refusing the application as insufficient information had been provided to justify the project design and implications for the coastline. However, given the importance of the project and site to the local community, the Panel convened a second public meeting to focus on particular concerns detailed in the Deferral.

The second meeting on 5th October did not resolve the Panel's concerns but did confirm that from the beginning of the project, heritage, car park and open space protection had been

emphasised at the expense of considering alternative options for protection and renewal of the Surf Club asset.

The Panel does not accept that the site is suitable for the proposed development given its exposure to coastal hazards. The Panel notes that the proposal retains parts of the heritage building that are identified in the Heritage Conservation Plan as being of "little significance" and consequently the footprint of the building exposed to the hazard could be reduced without adversely impacting the significance of the item. Alternative site options for such a valuable but exposed asset were not properly considered due to the emphasis on heritage and open space protection.

Additionally, the Panel remains unconvinced of the merits of using coastal protection works to protect the current building footprint and heritage fabric given that over topping and inundation of the building would still occur, and collateral erosion damage is likely to be caused to surrounding beach and park. The Panel is not satisfied that satisfactory arrangements have been made to address the requirements of section 27 of the Coastal Management Act.

The Panel further notes that long term planning for the location's Coastal Management Program is yet to be completed. This would facilitate the appropriate assessment of the impacts on the whole coastal compartment, not just the surf club site.

Given the above concerns, the Panel was not satisfied that approval of the proposed design would be in the public interest.

7 Environmental Planning and Assessment Act

7.1 Section 4.15(1) of the EP&A Act

The matters prescribed by section 4.15(1) of the EP&A Act are considered in **Table 7-1.**

Table 7-1 Clause 4.15(1) Provisions and Comments

Clause	Provision	Comment
(a)	*the provisions of—* *i. any environmental planning instrument, and* *ii. any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and* *iii. any development control plan, and* *iv. any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and* *v. the regulations (to the extent that they prescribe matters for the purposes of this paragraph),* *that apply to the land to which the development application relates,*	The relevant provisions of PLEP 2014, all relevant SEPPs, and P21 DCP have been considered and addressed in this statement.
(b)	*the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*	The likely impacts of the proposed development have been addressed with respect to relevant plans and policies in this statement. The proposed development will not result in any unacceptable impacts upon the natural or built environment, or any social or economic impacts in the locality. There would be significant socio-economic benefit arising from the proposed development as it would provide for improved protection from coastal hazards for the SLSC, which is an important public asset and is heritage listed. The SLSC has significant social value for the local community through the provision of training services and a community hub.

Clause	Provision	Comment
(c)	*the suitability of the site for the development,*	The subject site is suitable for the proposed development. Whilst the site is exposed to Coastal Hazards, the proposed development will suitably protect the existing building and its heritage significance for the next 60 years. See further discussion below with respect to the reasons for refusal of DA2021/2173.
(d)	*any submissions made in accordance with this Act or the regulations,*	The application will be notified to all neighbouring properties, with any submissions received to be considered by Council.
(e)	*the public interest.*	The proposed development is in the public interest, in so far as it is consistent with the objectives and outcomes of PLEP 2014 and P21 DCP. See further discussion below with respect to the reasons for refusal of DA2021/2173.

7.2 Section 8.3 of the EP&A Act

In accordance with Section 8.3 of the EP&A Act, an applicant may request a review of a determination of a development application. In accordance with the provisions of Section 8.2 of the EP&A Act, a determination of an application for development consent by a Sydney district or regional panel is subject to review.

It is noted that the cover page of Council's Assessment Report and the Determination and Statement of Reasons from the SNPP refer to the development as Crown Development with a Capital Investment Value of more than $5 million, being the trigger for referral to the SNPP. This appears to be in error, as the application is not proposed for or on behalf of the Crown and does not constitute Crown Development. The application is proposed by Northern Beaches Council and has a Capital Investment Value of more than $5 million, which is a trigger for referral to the SNPP in its own right.

This is an important point of distinction as the determination of Crown Development cannot be reviewed under the provisions of Section 8.2 of the EP&A Act.

As the Development Application DA2021/2173 was determined on 5 October 2022, the review must be lodged and determined before 5 April 2022, being six months from the date of determination and the relevant period in which any appeal against the refusal may be made to the Court. This time will be extended if an appeal is made to the Court.

Section 8.3(3) of the EP&A Act provides that whilst the applicant may amend the proposal, the consent authority must be satisfied that the amended proposal remains substantially the same as that considered in the original application. The works the subject of the application remain unchanged, with further supporting documentation presented to address the reasons for the refusal of the application. The consent authority can be reasonably satisfied that the development remains substantially the same as that originally considered.

The reasons for refusal of the original application are considered and addressed in **Table 7-2**.

Table 7-2 Response to Reasons for Refusal

Reason	Response
1. ***Building Height*** *Pursuant to Section 4.15 (a)(i) of the Environmental Planning and Assessment Act 1979, the Sydney North Planning Panel, as the consent authority, is not satisfied that:* *a. The Applicant's written request to vary Clause 4.3 Height of Buildings of the Pittwater Local Environmental Plan 2014 has adequately addressed the matters required to be addressed under Clause 4.6 of the Pittwater Local Environmental Plan 2014.* *b. The development is in the public interest because it is consistent with the objectives of Clause 4.3 (development standard) of the Pittwater Local Environmental Plan 2014.* c. *The development is in the public interest because it is consistent with the objectives for development in the RE1 Public Recreation zone of the Pittwater Local Environmental Plan 2014.*	The proposed development exceeds 8.5m in height above existing ground levels and on this basis alone, is inconsistent with the building height development standard prescribed by clause 4.3(2) of PLEP 2014. However, clause 4.3(2A) of PLEP 2014 provides that despite clause 4.3(2) of PLEP 2014, development on land at or below the flood planning level or identified as "Coastal Erosion/Wave Inundation" on the Coastal Risk Planning Map and that has a maximum building height of 8.5m as shown on the Height of Buildings Map may exceed a height of 8.5m, but not more than 8.0m above the flood planning level. In relation to clause 4.3 of PLEP 2014, the term 'flood planning level' is defined by subclause (2G) as follows: ***flood planning level*** *means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metres freeboard, or other freeboard determined by an adopted floodplain risk management plan.* 'Flood event' is not defined by PLEP 2014. However, the *Floodplain Development Manual* prepared by the State Government in 2005 defined the term 'flood' as follows: *relatively high stream flow which overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dame, and/or local overland flooding associated with major drainage before entering a watercourse and/or coastal inundation resulting from super-elevated sea levels and/or waves overtopping coastline defences excluding tsunami.* This definition clearing anticipates that coastal inundation is a 'flood'. The site is subject to a flood planning level (being the coastline planning level identified in the *Coastline Risk Management Policy for Development in Pittwater*) of 7.2m AHD associated with the coastal hazard that affects the site. The proposed development reaches a height of 14.6m AHD, being 600mm below the maximum height of 15.2m AHD prescribed by clause 4.3(2A) of PLEP 2014. As such, the application complies with the provisions of clause 4.3 of PLEP 2014 and a request made pursuant to clause 4.6 of PLEP 2014 is not required.
2. ***Suitability of the Site*** *Pursuant to Section 4.15 (c) of the Environmental Planning and Assessment Act 1979, the Sydney North Planning Panel, as the*	The key coastal hazards affecting the site are beach erosion, wave run-up and overtopping and shoreline recession for future planning horizons (HCE, 2021b; WRL, 2021b). The *Coastal Summary Report* in **Attachment 2** collates the available information on how these hazards affect the site and how the risks are to be managed through the detailed design and operational phases of the project. As discussed in the Attachment, the proposed seawall would

Reason	Response
consent authority, is not satisfied the site is suitable for the development. *The Panel does not accept that the site is suitable for the proposed development given its exposure to coastal hazards. The Panel notes that the proposal retains part of the heritage building that are identified in the Heritage Conservation Plan as being of "little significance" and consequently the footprint of the building exposed to the hazard could be reduced without adversely impacting the significance of the item. Alternative site options for such a valuable but exposed asset were not properly considered due to the emphasis on heritage and open space protection.*	mitigate the existing risk to the SLSC and members of the public by better than is currently the case. While it is not possible to reduce the likelihood of these hazards occurring, the consequences (or impacts) on members of the public and the heritage listed SLSC building would over the existing condition due to construction of the seawall and by adopting the detailed design and operational phase mitigation measures, as detailed in Section 3.1 of **Attachment 2**. Further, the presence of the existing rock revetment currently presents a risk to public safety due to the risk of mobilisation of the significantly undersized rocks used in the structure. The removal and/or re-use of the rocks during construction of the seawall would mitigate this risk to public safety and the environment. With respect to the projected end effects under future climate change conditions, these impacts on the adjacent dunes and public open space would managed as required following a storm event via site rectification (HCE, 2021b). By the time the end of design life has been reached (i.e. around 2080), there will be some greater certainty as to the evolution of the coastline under climate change conditions that will enable Council to implement a strategic response for this important public asset. Whilst the existing works at the northern and southern ends/wings of the building are identified as being of little significance in the Conservation Management Plan by Heritage21, the two elements provide evidence of the original footprint of the building and thus their retention is encouraged and supported, as confirmed in the SOHI by Heritage21. Furthermore, the loss of these spaces, which do not detract from the heritage significance of the building, would be counter-productive to one of the key drivers of the proposed development, which is to provide additional floor space within the building to meet the contemporary requirements of the Newport SLSC, whilst also providing essential public amenities for the community. As demonstrated in the *Options Analysis* presented in **Attachment 1**, it is noted that the majority of the foreshore public open space, car park and playground are subject to flood and/or coastal hazards in the present day and/or under future planning horizons. Along with the other known site constraints and taking into account the heritage values of the SLSC building, it is considered that the site is suitable for the proposed development.
3. ***Coastal Protection Works*** *The Sydney North Planning Panel, as the consent authority, remains unconvinced of the merits of using coastal protection works to protect the current building footprint and heritage fabric given that over topping and inundation of the building would still occur, and collateral erosion damage is likely to be caused to surrounding beach and park.*	As discussed in Section 3.1 of **Attachment 2**, the detailed design and operational phases of the proposal would build on the work undertaken for development of the concept design. The further investigations to be undertaken during detailed design would allow refinement of the coastal protection works (e.g. the wave return). The proposed operational (e.g. wave overtopping early warning system) and maintenance measures would target any residual risk that could not be addressed through detailed design. The consent authority can be satisfied that these coastal hazards can be appropriately managed through standard engineering and operational risk management practices. It is noted that at present there are no formal, engineering works to protect the SLSC and promenade from coastal hazards. As noted in **Attachment 2**, the existing rock structure does not appear to be an engineered structure and there is a risk of rocks being mobilised during a severe storm as they are significantly undersized (Horton, 2021b).

Reason	Response
	Such an event would represent a significant risk to members of the public and the coastal environment. Further, any damage to the rock structure or SLSC building during a severe storm would impact the heritage item, be very costly to rectify and adversely impact the public open space, public access and beach amenity during the clean-up. Hence, it is considered that 'doing nothing' would not be in the public interest.
4. ***Coastal Management Act*** *Pursuant to Section 27 of the Coastal Management Act 2016, the Sydney North Planning Panel, as the consent authority, is not satisfied that satisfactory arrangements have been made to address the requirements of Section 27 of the Coastal Management Act 2016.* *The Panel notes that long term planning for the location's Coastal Management Program is yet to be completed. This would facilitate the appropriate assessment of the impacts on the whole coastal compartment, not just the surf club.*	Section 27(1) requires the consent authority be satisfied that: a) The works will not, over the life of the works- (i) Unreasonably limit public access to or use of the 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 the 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. As discussed in the *Coastal Summary Report* in **Attachment 2**, it is not anticipated that the proposed seawall would unreasonably limit public access to the beach during the construction and operational phases of the proposed development, even when the beach is in an eroded state. There are sufficient alternative access points to the beach that the temporary fencing of the works area would not unduly impact public access or use of the beach, including for SLSC activities. In the operational phase, alongshore access may be limited following a large beach erosion event, but probably not a great deal more than is currently the case, and alternative access via the many beach accessways is available. Beach recovery is expected to be fairly rapid. Further, the seawall will significantly enhance access to and from the beach following a storm event, with a series of ramps and steps to maintain access to the beach when sand levels are reduced, when access would otherwise be restricted. With respect to public safety, the proposed development has potential to mitigate the existing level of risk to beach goers and SLSC members through the detailed design process, and by adopting the recommended operational and maintenance measures (refer Section 3.1 of **Attachment 2**). In future when shoreline recession is anticipated, the proposal is not expected to materially impact public access or public safety any more than would otherwise be the case at the subject site. As the Crown reserve manager, Council has a statutory responsibility to maintain both the asset and adjoining land, including the beach, in accordance with the requirements of the Crown Land Management Act 2016. Any impacts of coastal hazards arising due to the presence of the proposed works would largely be associated with periodic storm events. The beach would naturally recover over time as sand is re-worked back onto the beach face, alleviating any impact. However, to address the potential for longer term impacts of the works, in the event the beach/dunes do not

Reason	Response
Coastal Management Act (cont.)	naturally recover within a six month period following the storm event, Council would assist recovery by reinstating the impacted area. This requirement will be translated into the relevant asset management plan(s). To address the requirements of Section 27(2) of the Act, Council proposes that this commitment be conditioned by consent authority accordingly. A draft condition is proposed as follows: '*Council must provide an irrevocable bank guarantee (or other suitable legally binding obligation) prior to the issue of any construction certificate in the amount of $1000 per lineal metre of the coastal protection works to undertake maintenance of the coastal protection works in the event that they are damaged as a result of a coastal storm, including to:* *a) undertake any works required to remove any threat to public safety arising from the coastal protection works including the removal of rocks or debris from the public beach and adjacent public land any increase erosion caused by the works that impacts, and/or* *b) If any adjacent dunes or beach that eroded during the storm event have not sufficiently recovered naturally over a period of six months following the storm event, the affected areas adjacent to the coastal protection works would be reinstated to their pre-storm condition.* *In this condition "maintenance" means the restoration of the works to a standard in accordance with the approved plans and specifications following any damage caused by a coastal storm.* *The bank guarantee (or other suitable legally binding obligation) is to be replenished if drawn upon and increased to allow for Consumer Price Index (CPI) every 10 years from the date of establishment.'* It is noted that the proposal has a 60 year design life and there is a need to provide a mechanism to review the works and extend the operation of the consent with appropriate consideration of the holistic management strategy for coastal compartment and with greater confidence in the projected impacts of climate change. Council also proposes the following time limited consent condition to satisfy the requirements of Section27(2) of the CM Act: *'The consent operates for 60 calendar years from the date of the issue of the occupation certificate and such other period as may be extended with the written approval of Council in accordance with the following.* *A minimum of three (3) years prior to the date of 60 years after the issue of the occupation certificate for the works, a Review Report will be prepared by a suitably qualified independent coastal engineer. The report must review the performance of the works using the evidence and coastal hazard predictions known at that time. The report must consider whether:*

Reason	Response
Coastal Management Act (cont.)	*a) The coastal protection works are satisfactory in their current state and do not result in a threat to public safety, in which case the report can recommend an extension to the consent, or* *b) Upgrades to the coastal protection works are recommended to ensure they will not result in a threat to public safety to extend the consent for a further period of time, or* *c) Removal and replacement of the works (including the Newport Surf Life Saving Club building) structure with an alternative design is recommended to ensure they do not result in a threat to public safety, or* *d) Demolition and removal of the works (including the Newport Surf Life Saving Club building) in the interest of public safety is recommended.* *The Review Report shall be submitted to Council for approval not later than twelve (12) months prior to the date of 60 years after the issue of the occupation certificate in the first instance, or* *12 months prior to the end of such other period identified in any written approval from Council, in accordance with this condition.* *If the Review Report concludes that the structure is satisfactory in accordance with (a) above, and Council accepts the findings of the report, Council will, in writing, approve an extension of the term of the development consent for the period recommended in the Review Report, or such lesser time as Council considers appropriate.* *If the Review Report recommends any upgrades or alterations to the works in accordance with (b) above, those upgrades must be dealt with under the planning laws at that time.* *If the Review Report recommends removal and replacement of the structure works with an alternative design in accordance with (c) above, the replacement structure will be the subject of a further development application for consent to Council, if required by the planning laws at that time. For the avoidance of doubt, nothing shall oblige Council to replace the coastal protection works if they instead choose to remove the works which will be removed at the expense of the owners.* *If the Review Report recommends demolition and removal of the coastal protection works in the interest of public safety, such removal will be undertaken by the owners at their own expense and within such reasonable time period required by Council.* *Any written approval from the Council extending the period of operation of this consent is to be recorded on the s10.7 Planning Certificate for the land and Council's register of development consents.*

Reason	Response
Coastal Management Act (cont.)	*A further Review Report will be provided to Council a minimum of twelve (12) months prior to the end of any extended period notified identified in writing by the Council in accordance with this condition, with the above process repeated for such extension.* *In the event that,* *• The Council does not accept the recommendations of the Review Report (including an amended or replacement Report) in writing, or* *• The Council fails to provide written notification of its acceptance of the recommendations within the Review Report within 12 months of lodgement of the Review Report, or* *• An application for the continued use, upgrade or replacement of the works is made, this consent will continue to operate until any application to modify this condition, or for the continued use or upgrade or replacement of the works, or any proceedings seeking review of the refusal of Council to accept the recommendations, has been finally determined by Council or the Court. Any application, proceedings or appeal, must be lodged within 6 months of Council's decision to not accept the findings of the Review Report or Council's failure to notify of its acceptance of the Review Report, whichever is the later.* *Note: This continued operation or extension may need to be facilitated by a formal application to modify the consent having regard to the planning laws at the time.'*
5. ***Public Interest*** *Pursuant to Section 4.15 (e) of the Environmental Planning and Assessment Act 1979, the Sydney North Planning Panel, as the consent authority, is not satisfied that the development is in the public interest.*	The public interest is a material reason for the application being lodged in the first place. The Newport SLSC building is a public asset currently leased to the Newport SLSC. The Newport SLSC has 1,059 members (Newport SLSC Inc., 2021) and serves a pivotal role in the Newport locality. The not-for-profit organisation is largely comprised of volunteers and provides education and training for residents of the area, enhances public safety at the beach and fosters a sense of community by promoting volunteerism, competition and group/team recreation. The location of the building, the amenities/spaces within the building, and the relationship between the building and the adjoining reserve are all critical to the efficient operation and function of Newport SLSC. The proposal has been designed to provide a much-needed upgrade to the existing facility to the meet the operational demands of the club, whilst also ensuring the preservation of the locally significant heritage item for the next generation to come. In this respect, the proposed development is in the public interest, in that it will allow for the continuation and betterment of the Newport SLSC and will preserve and enhance the historical significance of the site. Whilst leased to the Newport SLSC, the building's use is not limited to that of its members. The building is proposed to comprise public amenities and training and function spaces that are able to be used by the general public. The

Reason	Response

Public Interest (cont.)	location of the building is centrally located with respect to the beach, the carpark, the playground, and the reserve, and serves as a bookend to the Newport Commercial Village. The building will contribute to local tourism and both the day and night time economy of the Newport locality.
	
	The proposed development is also in the public interest in so far as it is consistent with the adopted Plan of Management developed for the site through community consultation, and the objectives of the RE1 zoned land under the PLEP 2014. The proposed development will enable the continued use of the land and the existing building for recreational and community purposes, to meet the needs of the Newport community. The proposal will also protect and enhance the natural environment, with the proposed coastal protection works ensuring the safety of the existing heritage listed building, the beach and Norfolk Island Pines for a design life of 60 years. Further, the coastal protection works will significantly enhance access to and from the beach following a storm event, with a series of ramps and steps to maintain access to the beach when sand levels are reduced, when access would otherwise be restricted.
	
	Irrespective of the works proposed to the building itself, coastal protection works are required to protect the existing building and to replace the existing rock seawall located seaward of the existing building. Leaving the site in its current state is not in the public interest, as the building would be at risk of collapse with further risk of rocks from the existing rock seawall being moved across the beach and into the surf zone during a storm. The proposed coastal protection works will significantly enhance public safety compared to the current situation.
	
	Further, the proposed development would provide improved public access and amenity for beach users, especially when the beach is in an eroded state.
	
	The proposed development has also been the subject of extensive public consultation in its own right, with community engagement undertaken prior to preliminary discussions with Council, at two stages during the design phase and again through the development application notification process. The vast majority of feedback received has been supportive of the proposal.
	
	The proposed development can also be said to be in the public interest in so far as the proposed is consistent with Council's 20 year vision for land-use planning across the Northern Beaches as identified in the *Towards 2040: Local Strategic Planning Statement,* in so far as it is consistent with the following nominated priorities:
	
	• Sustainability:
	  - Landscape: Priority 1: Healthy and valued coast and waterways and Priority 3: Protected scenic and cultural landscapes.
	  - Efficiency: Priority 7: A low-carbon community with high energy, water and waste efficiency.
	  - Resilience: Priority 8: Adapted to the impacts of natural and urban hazards and climate change.
	• Infrastructure and Collaboration:

Reason	Response
Public Interest (cont.)	- Priority 9: Infrastructure delivered with employment and housing growth • Liveability: - People: Priority 11: Community facilities and services that meet changing community needs, and Priority 12: An inclusive, healthy, safe and socially connected community. - Great places: Priority 17: Centres and neighbourhoods designed to reflect local character, lifestyle and demographics changes, and Priority 18: Protected, conserved and celebrated heritage.

8 Coastal Management Act

This section responds to the requirements of the CM Act, for the alterations and additions and the ancillary works (i.e. the coastal protection works), in particular the management objectives for coastal management areas.

The subject site is located within the Coastal environment area and Coastal use area. The management objectives for these coastal management areas are discussed with reference to the proposed development in **Table 8-1**. The responses should be read in conjunction with the *Coastal Summary Report* (**Attachment 2**).

As previously discussed, there is no certified Coastal Management Program under the CM Act for the Beach, nor is there a certified Coastal Zone Management Plan under the (now repealed) *Coastal Protection Act 1979*. A response to Clause 27 of the CM Act is provided in **Table 7-2**, with supporting information provided in **Attachment 2**.

Table 8-1 Clause 4.15(1) Provisions and Comments

Management Objectives	Comment
Clause 8 Coastal environment area ***(2) The management objectives for the coastal environment area are as follows-***	
(a) to protect and enhance the coastal environmental values and natural processes of coastal waters, estuaries, coastal lakes and coastal lagoons, and enhance natural character, scenic value, biological diversity and ecosystem integrity,	Based on the collated information presented in the coastal engineering reports prepared for the proposal, as summarised in Section 3.5.3 of **Attachment 2**, it is not anticipated that the development would significantly impact natural coastal processes or environmental values in the short to medium-term. In the longer term, there is potential for the proposal to impact the dune system to the north and south of the seawall due to end effects (WRL, 2021b). Should impacts arise, the dunes would be reinstated. The development is not expected to materially impact coastal waters, biological diversity or ecosystem integrity of the site.
(b) to reduce threats to and improve the resilience of coastal waters, estuaries, coastal lakes and coastal lagoons, including in response to climate change,	The proposed development would not reduce the existing threats to coastal waters or improve the resilience of coastal waters to threats (e.g. water quality) or climate change. There are no estuaries or coastal lakes or lagoons at or adjacent to the site.
(c) to maintain and improve water quality and estuary health,	The proposed development would maintain water quality and would not result in any direct impacts on coastal water quality, provided appropriate construction phase mitigation measures are implemented as per the Erosion and Sediment Plans prepared by Rise Consulting Engineers (dated 13/11/2020).
(d) to support the social and cultural values of coastal waters, estuaries, coastal lakes and coastal lagoons,	The SLSC fulfils a critical function as the focal point of social and cultural values of the locality through the involvement of local residents in club activities. The role the Club membership plays in education and training, and ensuring public safety for beach users, fosters a sense of community by promoting volunteerism and group/team recreation.

Management Objectives	Comment
	The proposal has been designed to provide a much-needed upgrade to the existing facility and coastal protection works to the meet the operational demands of the club, whilst also ensuring the preservation of the locally significant heritage item for the next generation to come.
(e) to maintain the presence of beaches, dunes and the natural features of foreshores, taking into account the beach system operating at the relevant place,	The proposed seawall is not expected to significantly impact the natural features of the foreshore or beach system in the present day, apart from some dune vegetation to the north of the SLSC proposed for removal for the construction works, as summarised in **Attachment 2** (see also HCE, 2021b; and WRL, 2021b). Any potential adverse operational phase impacts associated with projected sea level rise and occurring following a storm event, would be managed in accordance with the operational and maintenance measures detailed in Section 3.1 of **Attachment 2**, as well the proposed conditions of consent (refer **Table 7-2**).
(f) to maintain and, where practicable, improve public access, amenity and use of beaches, foreshores, headlands and rock platforms.	The proposal would improve public amenity and encourage use of Newport Beach in two ways: by providing an improved space for the ongoing sustainable use of the SLSC building, and by providing a high amenity stepped seawall. The proposal is not expected to negatively impact on public access or public use and enjoyment of the beach in a similar fashion to other seawalls in the local government area (such as at Dee Why and at Manly).
Clause 9 Coastal use area ***(2) The management objectives for the coastal use area are as follows-***	
(a) to protect and enhance the scenic, social and cultural values of the coast by ensuring that—	
(i) the type, bulk, scale and size of development is appropriate for the location and natural scenic quality of the coast, and	The development comprises alterations and additions to an existing community asset, the Newport SLSC. The increase in floor space results in only a minor increase in footprint with an extended storage area to the west, which would occupy some existing car parking spaces. The type, bulk, scale and size of the development is not inappropriate for the site, given the current use of the Newport SLSC building. The proposal is not expected to negatively impact on the scenic quality and visual amenity of the coast, as discussed in Section 3.5.5 of **Attachment 2**.
(ii) adverse impacts of development on cultural and built environment heritage are avoided or mitigated, and	A *Statement of Heritage Impact* (Heritage21, 2022b) prepared for the proposed development has concluded that the proposal would not have a significant adverse impact on the heritage listed SLSC building, provided the mitigation measures in that document are implemented.
(iii) urban design, including water sensitive urban design, is supported and incorporated into development activities, and	A landscape plan has been prepared by APA. New and upgraded landscaping is proposed between the Newport SLSC building and the public carpark (DFP, 2022). There are no specific water sensitive urban design features proposed, noting there would be no increase in hard stand area.

Management Objectives	Comment
(iv) adequate public open space is provided, including for recreational activities and associated infrastructure, and	The development would not result in a reduction in the area of public open space that comprises Bert Payne Reserve or the Youth Space, or associated footpaths. The *Traffic and Parking Assessment* (TTPA, 2021) prepared for the development notes that the additions to the SLSC would extend into the car park for purposes of boat storage, resulting in the loss of car spaces. However, as there are currently three spaces occupied by shipping containers used for storage and one space occupied by a boat trailer, the loss of car spaces would be offset by regaining these car spaces for public use (TTPA, 2021).
(v) the use of the surf zone is considered,	The use of the surf zone is considered in Section 3.5.2 of **Attachment 2**. No adverse impacts on the use of the surf zone are anticipated.
(b) To accommodate both urbanised and natural stretches of coastline.	The development would not change the existing land use of the site, which is currently an extensively modified urban site that comprises the Newport SLSC, car park, playground and landscaped public open space.

9 State Environmental Planning Policy (Resilience and Hazards) 2021

9.1 Coastal Hazards

The site is mapped as Coastal use area and the Coastal environment area under the Resilience and Hazards SEPP. Hence, the provisions of Chapter 2 of SEPP are applicable in relation to the site and this proposal.

9.1.1 Part 2.2 Development Controls for Coastal Management Areas

Part 2.2 details development controls for management areas. These are discussed below with reference to the Coastal environment area and Coastal use area.

The development controls are discussed below with reference to the proposal.

Clause 2.10 Development on land within the coastal environment area

The consent authority can be satisfied that the proposed development has been designed, sited and will be managed to avoid adverse impacts upon the relevant matters identified in section 2.10(1) of this policy.

(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,

The proposed development is not expected to alter the hydrological environment.

As discussed in Section 3.5.3 of **Attachment 2**, the integrity of the biophysical and ecological environment is not expected to be significantly adversely affected by the proposal.

(b) coastal environmental values and natural coastal processes,

The proposal is not expected to significantly impact coastal environmental values or natural coastal processes, as discussed in Section 3.5.3 of **Attachment 2**.

(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,

The proposed development would not result in any direct impacts on coastal water quality, provided appropriate construction phase mitigation measures are implemented as per the Erosion and Sediment Plans prepared by Rise Consulting Engineers (dated 13/11/2020). In the operational phase, there would be no change in the existing level of impact on receiving waters.

There are no Schedule 1 sensitive coastal lakes within or adjacent to the site.

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

As discussed in Section 3.5.3 of **Attachment 2**, no aquatic vegetation or habitat for fauna would be directly impacted by the proposal. A small area of dune vegetation would be removed for the construction of the proposed seawall (HCE, 2021b). The dune and dune vegetation would be reinstated following the completion of the works. The potential longer-term impacts on dune vegetation, which

comprises habitat for some coastal fauna, are also discussed along with proposed mitigation measure in that document.

(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,

As discussed in Section 3.5.1 of **Attachment 2**, there would be no significant adverse impact on public open space and public access, provided the proposed mitigation measures are adopted.

The proposal does not specifically provide for improved disabled access, but nor does it negatively impact any existing provision for people with limited mobility or a disability.

(f) Aboriginal cultural heritage, practices and places,

As discussed in Section 3.5.6 of **Attachment 2**, there would be no adverse impact on any listed Aboriginal heritage sites or places.

(g) the use of the surf zone.

As discussed in Section 3.5.2 of **Attachment 2**, no adverse impact on the use of the surf zone is anticipated.

(2) Development consent must not be granted to development on land to which this section 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

The options analysis is provided in **Attachment 1** demonstrates that the site constraints support the proposal to retain the existing SLSC building in its current location, and to undertake alterations and additions to the building, in lieu of relocating it.

(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or

Based on the summary of the coastal engineering reports and discussion provided in **Attachment 2**, it is considered that the potential adverse impacts of the proposal can be appropriately managed through the detailed design process and provided the recommended mitigation measures are implemented.

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

Further to the response to section 210(2)(b) above, the Newport SLSC will also implement operational procedures in the event of a forecast coastal storm to manage the risk to members of the public and club members from coastal hazards (refer HCE, 2021b).

Clause 2.11 Development on land within the coastal use area

The consent authority can be satisfied that the proposed development has been designed, sited and will be managed to avoid adverse impacts upon the relevant matters identified in section 2.11(1)(a) of this policy, as per the responses provided in Section 3.5 of **Attachment 2**. Refer also to the above response to section 210(2) of the Resilience and Hazards SEPP. The consent authority can also be satisfied that the surrounding coastal and built environment has been taken into account with regard to the bulk, scale and size of the proposed development.

Clause 2.12 Development in the 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.

Council is satisfied that that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land. This is best demonstrated through demonstration of compliance of the proposal with clause 2.9 Development on land within the coastal vulnerability area (see below).

Clause 2.9 Development on land within the coastal vulnerability area

Although the site is not located on land within the coastal vulnerability area mapped under the SEPP, consideration of clause 2.9 has been provided herein with a view to demonstrating compliance with clause 2.12 (see above). For purposes of this assessment, it is noted that the hazards lines derived under the *Pittwater Coastal Hazard Definition and Climate Change Vulnerability Study* (WorleyParsons, 2015; refer **Attachment 2**) in effect delineate the extent of land that would be mapped under a coastal vulnerability area and were defined with a generally consistent methodology. A response to the development controls in clause 2.9 of the Resilience and Hazards SEPP has been framed in this context.

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-

1. *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*

Concept design of the proposed seawall has considered the full range of potential hazards up until the end of the 60 year design life of the structure, being 2080 (refer **Attachment 2**). This includes beach erosion, shoreline recession, and wave run-up and overtopping for the present day and under sea level rise conditions for the design life. The design events considered are appropriate for the level of risk, being the 100 year, 500 year, 1000 year and 2000 year ARI storm events for each planning horizon. The concept design has been developed to a sufficient level of detail.

The concept design would be refined in detailed design subject to further investigations and engineering design to detail the proposed structural design measures such that the mitigation of risk from coastal hazards is optimised (e.g. internal fit out, wave return structure, etc.).

Council is satisfied that both the seawall and the SLSC can (and will) be engineered to withstand the current and projected climate hazards over the design life of the proposed development.

2. *the proposed development—*

(i) is not likely to alter coastal processes to the detriment of the natural environment or other land, and

As discussed in Section 3.5.1 of **Attachment 2**, the works would be covered in sand for the majority of the time and would not interact with coastal processes under average or accreted beach conditions. The proposed works are within and slightly landward of the general footprint of the existing historic rock revetment and during periods when the beach is in an eroded state would have less interaction

with coastal processes that is currently the case. Therefore the works are not likely to alter coastal processes to the detriment of the natural environment or other land.

(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

There is currently no access to the beach from the promenade and club when the beach is in an eroded state due to the height of the erosion scarp.

The proposal incorporates stairs to improve public access down to and along the beach following erosion events and would therefore improve public access when the beach is eroded.

As discussed in Sections 3.4.2 and 3.4.4 of **Attachment 2**, when the beach is in an accreted state, the proposed seawall and stairs would be covered in sand and are not expected to limit public access – both it the present day and for the full design life of the structure (i.e. to 2080). In severely eroded conditions, the stairs would be exposed east of the seawall which is not expected to impact on access to and along the beach, and as stated, would improve access to the club and promenade over the existing case.

Council is satisfied the works will not, over the life of the works unreasonably limit or be likely to unreasonably limit public access to or the use of a beach or headland.

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

The proposal seeks to address an existing risk to a public asset and public safety. While it would not change the likelihood of coastal hazard events occurring, it reduces the consequences by mitigating the impact of erosion and wave overtopping on the existing SLSC building, occupants of the building and any members of the public on the promenade at the top of the seawall. The proposed development would also involve removal and/or re-use of the historic rock protection works, which currently present a public safety risk with respect to both dislodgement/mobilisation during a storm event and also when beach volume is lower, and they are a trip hazard. Therefore, the proposal would improve public safety.

When the beach is in an accreted state, the proposed seawall structure (and including the stairs) would be covered in sand and are not expected to limit public access.

In severely eroded conditions, the stairs would be exposed east of the seawall which is not expected to impact on access to or along the beach and, as stated, would provide protection of an important community asset as well as the access to the club and promenade.

Council is satisfied the works incorporate appropriate measures to manage risk to life and public safety from coastal hazards.

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

Appropriate responses to, and management of, current and future coastal hazards has been provided for by the operational and maintenance measures in Section 3.1 of Attachment 2 and by the suggested conditions of consent detailed in **Table 7-2**.

9.1.2 Division 5 General

Based on the summary of the coastal engineering reports provided in **Attachment 2**, provided the recommended detailed design refinements/investigations and mitigation measures are implemented,

the proposed development is not likely to cause increased risk of coastal hazards on the land or other land, and the consent authority can be satisfied with respect to section 2.12 of this policy.

As previously discussed, there is no certified Coastal Management Program (or Coastal Zone Management Plan) for Newport Beach, hence section 2.13 does not apply.

9.2 Remediation of Land

Chapter 4 of the Resilience and Hazards SEPP applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land.

Clause 4.6(1)(a) of this policy requires the consent authority to consider whether land is contaminated. The existing site has been used for residential purposes with no known prior land uses. The site is not identified on the public register of contaminated sites and is not located in the vicinity of any. Council can be reasonably satisfied that there is no contamination risk, subject to the imposition of suitable conditions relating to demolition.

Overall, the proposed development is consistent with the relevant provisions of Chapter 4 of the Resilience and Hazards SEPP.

10 Local Government Act

The site is Crown Land and forms part of a public reserve that is managed by Northern Beaches Council in accordance with the *Ocean Beaches Plan of Management: Newport Beach* (Pittwater Council, 2005).

The Newport SLSC building is located within the part of the reserve categorised for General Community Use, as shown in green on **Figure 10-1**.

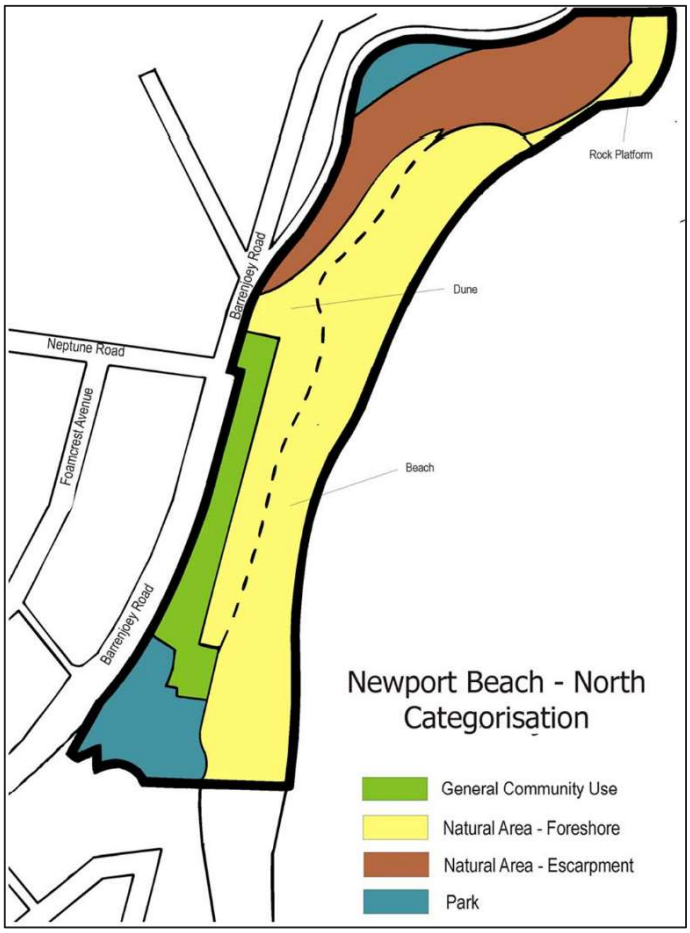


Figure 10-1 Newport Beach - North Categorisation (source: *Ocean Beaches Plan of Management: Newport Beach* (Pittwater Council, 2005))

In accordance with Section 35 of the LG Act, community land must be managed in accordance with the plan of management applicable to the land. With respect to the Newport SLSC building, the *Ocean Beaches Plan of Management: Newport Beach* (Pittwater Council, 2005) anticipates that Council, together with the Newport Beach SLSC, are to maintain and upgrade the SLSC building and surrounds as required, having regard to public safety.

The proposed alterations and additions to the existing building, together with the ancillary coastal protection works, provide for the maintenance and upgrade of the Newport SLSC building, consistent with the provisions of the *Ocean Beaches Plan of Management: Newport Beach* and the LG Act.

11 Pittwater Local Environmental Plan 2014

The site is identified on the Land Application Map of PLEP 2014 and the provisions of this policy are applicable in relation to the site and the proposed development. The relevant provisions of PLEP 2014 are considered in **Table 11-1.**

Table 11-1 PLEP Provisions Compliance Table

Clause	Standard	Proposal	Compliance
2.7 Demolition requires development consent		Consent sought via DA	Yes
Zone RE1 Public Recreation		Consistent with RE1 zoning	Yes See **Section 111.1**
4.3 Height of buildings	8.0m above flood planning level	7.4m above flood planning level	Yes See **Section 111.2**
5.10 Heritage			Yes See **Section 111.3**
5.21 Flood Planning			Yes See **Section 11.4**
7.1 Acid sulfate soils	Class 4 and 5		Yes
7.2 Earthworks			Yes
7.6 Biodiversity		There are no works proposed within the portion of the site identified as Biodiversity on the Biodiversity Map of PLEP 2014.	Yes
7.10 Essential services			Yes

11.1 RE1 Public Recreation Zone

The land is zoned RE1 Public Recreation, as shown on the Zoning Map of PLEP 2014. The application seeks consent for alterations and additions to the Newport SLSC building, which is appropriately defined as a community facility. Community facilities are permitted with consent within the RE1 Public Recreation Zone.

The proposed development also involves coastal protection works. Such works are ancillary to the proposed alterations and additions to the community facility and accordingly are permitted with consent.

The proposed development and the continued use of the site for a community facility is consistent with 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 Newport SLSC building is used for recreational purposes, and both the works to the building and the coastal protection works will enable the building to continue to be used for this purpose. The Newport SLSC building also actively ensures the safety of people using the beach for recreational purposes.

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

  Comment: The Newport SLSC building contributes to the range of recreational activities/uses that occur at the site, and the community facility is a compatible land use within the RE1 zone.

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

  Comment: The proposed coastal protection works will protect the existing Newport SLSC building and its curtilage, including adjacent Norfolk Island Pines, and in turn the beach and the public reserve. Without the proposed coastal protection works, the existing building would not be adequately protected and at risk of collapse and the existing rock wall seaward of the building would be exposed, which would be inconsistent with the need to protect and enhance the natural environment for recreational purposes.

- *To allow development that does not substantially diminish public use of, or access to, public open space resources.*

  Comment: Whilst the proposed works will impact upon public access to the beach in the vicinity of the proposed works in the short-term, the proposed development does not substantially diminish public use of access to the beach in the short or long term. Rather, the proposed coastal protection works will provide enhanced access to the foreshore, with the proposed seawall incorporating a series of steps that will facilitate access to and from the beach in the unlikely occurrence that the wall is exposed.

- *To provide passive and active public open space resources, and ancillary development, to meet the needs of the community.*

  Comment: The Newport SLSC building facilitates use of the beach and the adjoining reserve public recreation. The proposed coastal protection works protects the interface between the building and the sandy foreshore and provide for the continued use of this land for passive and active use into the future.

11.2 Clause 4.3 Height of buildings

Clause 4.3(2) of PLEP 2014 prescribes that the height of a building is not to exceed the maximum height shown for the land on the Height of Buildings Map of PLEP 2014. The subject site is shown within Area I on the Height of Buildings Map of PLEP 2014, with a maximum building height of 8.5m.

However, clause 4.3(2A) of PLEP 2014 prescribes that despite clause 4.3(2) of PLEP 2014, development on land at or below the flood planning level of identified as "Coastal Erosion/Wave Inundation" on the Coastal Risk Planning Map and that has a maximum height of 8.5m on the Height of Buildings Map may exceed 8.5m but not more than 8.0m above the flood planning level.

In relation to clause 4.3 of PLEP 2014, the term 'flood planning level' is defined by subclause (2G) as follows:

> ***flood planning level*** *means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metres freeboard, or other freeboard determined by an adopted floodplain risk management plan.*

'Flood event' is not defined by PLEP 2014. However, the *Floodplain Development Manual* prepared by the State Government in 2005 defined the term 'flood' as follows:

> *relatively high stream flow which overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dame, and/or local overland flooding associated with major drainage before entering a watercourse and/or coastal inundation resulting from super-elevated sea levels and/or waves overtopping coastline defences excluding tsunami.*

This definition clearing anticipates that coastal inundation is a 'flood'.

The site is subject to a flood planning level (being the coastline planning level identified in the *Coastline Risk Management Policy for Development in Pittwater*) of 7.2m AHD associated with the coastal hazard that affects the site. The proposed development reaches a height of 14.6m AHD, being 600mm below the maximum height of 15.2m AHD prescribed by clause 4.3(2A) of PLEP 2014.

The site is subject to a flood planning level of 7.2m AHD associated with the coastal hazard that affects the site. In accordance with clause 4.3(2A) of PLEP 2014, the maximum height of a building at the subject site is 15.2m AHD. The proposed development reaches a height of 14.6m AHD, or 7.4m above the flood planning level, consistent with the provisions of clause 4.3 of PLEP 2014.

11.3 Clause 5.10 Heritage

The Newport SLSC building is identified as an item of local heritage significance, as shown on the Heritage Map of PLEP 2014 and as listed in Schedule 5 of PLEP 2014. In accordance with clause 5.10(2) of PLEP 2014, development consent is required for the works proposed to the Newport SLSC building.

Clause 5.10(4) of PLEP 2014 prescribes that the consent authority must consider the effect of the proposed development on the heritage significance of the item before granting consent. To assist consideration of the impact upon the heritage significance of the Newport SLSC building, the application is supported by a *Conservation Management Plan* (Heritage21, 2022a) and SOHI (Heritage21, 2022b).

The SOHI concludes:

> *In the opinion of Heritage21, the proposal presents as a competent design solution to enable the ongoing use of the heritage building and to meet the operational requirements of the Surf Life*

Saving Club. The detailed design process has prioritised the retention and conservation of the original built form and all key features. The northern extension has been designed as a contemporary addition which is subservient to the original built form through its use of form and massing, and it will remain readily distinguishable as new.

The consent authority can be satisfied that the heritage significance of the Newport SLSC building, including associated fabric, settings and views will be appropriately conserved, consistent with the objectives of this clause.

11.4 Clause 5.21 Flood Planning

Part of the site is subject to low-risk flooding and the proposed development is subject to the provisions of clause 5.21 of PLEP 2014.

The objectives of this clause are as follows:

a) to minimise the flood risk to life and property associated with the use of land,
b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,
c) to avoid adverse or cumulative impacts on flood behaviour and the environment,
d) to enable the safe occupation and efficient evacuation of people in the event of a flood.

The consent authority can be satisfied that the development is consistent with the provisions of clause 5.21 of PLEP 2014, as the proposal:

- is compatible with the flood function and behaviour on the land, as outlined in the accompanying *Coastal Engineering and Flooding Advice for Newport SLSC Clubhouse Redevelopment Report* (HCE, 2021a), and
- will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
- will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
- incorporates appropriate measures to manage risk to life in the event of a flood, with safe refuge provided within the upper floor of the building, and
- will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

12 Pittwater 21 Development Control Plan

P21 DCP is applicable to the site and the proposed development. The site is identified within the Newport Locality. The relevant provisions of P21 DCP are considered in **Table 12-1**.

Table 12-1 P21 DCP Controls and Compliance

Clause	Control	Proposal	Compliance
A1.7 Considerations before consent is granted	Have regard for the matters for consideration under section 4.15 of the EP&A Act.	The matters for consideration prescribed by section 4.15 of the EP&A Act have been considered (above).	Yes
A4.10 Newport Locality			Yes
B1.1 Heritage Conservation	Alterations and additions to buildings and structures, and new development of sites containing a heritage item or archaeological site are to be designed to respect and complement the heritage significance in terms of the building envelope, proportions, materials, colours and finishes, and building alignment.	The Newport SLSC building is identified as an item of local heritage significance.	Yes See attached SOHI (Heritage21, 2022b).
B1.4 Aboriginal Heritage			Yes
B3.2 Bushfire Hazard		There are no works proposed within the portion of the site identified as being prone to bushfire on the NSW RFS Bushfire Prone Land Map.	N/A
B3.3 Coastline (Beach) Hazard	All development on land to which this control applies must comply with the requirements of the *Coastline Risk Management Policy for Development in Pittwater*.	The provisions of clause B3.3 of P21 DCP do not apply, as the site is not identified as Beach Management Area on the Coastal Hazards Map 97003 - P21DCP-BCMDCP016. However, the provisions of the *Coastline Risk Management Policy for Development in Pittwater* are applicable.	N/A
B3.6 Contaminated Land and Potentially Contaminated Land			Yes

Clause	Control	Proposal	Compliance
B3.11 Flood Prone Land			Yes
B4.5 Landscape and Flora and Fauna Enhancement Category 3 Land			Yes
B5.5 Rainwater Tanks – Business, Light Industrial and Other Development	All development creating an additional hard (impervious) area of greater than 50m² must provide a rainwater tank for non-potable use connected to external taps for the purpose of landscape watering and car washing and a functional water reuse system including, water supply for toilet flushing and other uses as permissible under the current Code of Practice for Plumbing and Drainage.	The proposed development does not result in a net increase of more than 50m² of impervious surfaces.	Yes
B5.15 Stormwater	The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's *Water Management for Development Policy*.	The application is supported by Stormwater Management Plans demonstrating consistency with Council's *Water Management for Development Policy*.	Yes
B6.1 Access Driveways and Works on the Public Road Reserve		No works are proposed within the public road reserve.	N/A
B6.2 Internal Driveways	The design of all Internal Driveways and ramps shall be in accordance with the current edition of Australian Standard AS/NZS 2890.1-2004: Parking Facilities - Off-Street Car Parking, and Australian Standard AS/NZS 2890.2-2002: Parking Facilities - Off-Street Commercial Vehicle Facilities, except as qualified in this control.	The application is supported by a *Traffic and Parking Assessment* which confirms the suitability of the driveway works proposed.	Yes

Clause	Control	Proposal	Compliance
B6.3 Off-Street Vehicle Parking Requirements	An adequate number of parking and service spaces that meets the demands generated by the development.	The application is supported by a *Traffic and Parking Assessment* which confirms that the proposed development will not result in the loss of any available parking.	Yes
B6.7 Transport and Traffic Management	An assessment of the impact of traffic generated by the proposed development on the local street system must be undertaken.	The application is supported by a *Traffic and Parking Assessment* which confirms that the proposal will not alter the existing traffic circumstances in the beachfront carpark or the vehicle access on Barrenjoey Road.	Yes
B8.1 Construction and Demolition – Excavation and Fill	Any excavation greater than 1.5 metres deep below the existing surface must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) as adopted by Council and details submitted and certified by a Geotechnical Engineer and/or Structural Engineer with the detail design for the Construction Certificate.	The application is supported by a *Geotechnical Risk Management Report*, consistent with the provisions of the *Geotechnical Risk Management Policy for Pittwater*.	Yes
B8.3 Construction and Demolition – Waste Minimisation	Waste materials generated through demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.	The application is supported by a *Waste Management Plan*.	Yes
B8.4 Construction and Demolition – Site Fencing and Security			Yes
B8.5 Construction and Demolition – Works in the Public Domain			Yes
B8.6 Construction and Demolition – Traffic Management Plan	For all development where either excavated materials to be transported from the site or the importation of fill material to the	Traffic management during construction has been addressed in the accompanying *Operational Plan of Management*, with no objection to	Yes

Clause	Control	Proposal	Compliance
	site is 100m³ or greater, a Construction Traffic Management Plan indicating truck movements and truck routes is to be provided and approved by Council prior to the commencement of works.	conditions requiring the production of a CTMP prior to the commencement of works.	
C5.1 Landscaping	Landscaping shall reflect the scale and form of development and shall be incorporated into the building design through setback and modulation.	The application is supported by Landscape Plans demonstrating a high-quality landscape solution that integrates the Newport SLSC building with the adjoining reserve.	Yes
C5.2 Safety and Security	There are four Crime Prevention through Environmental Design (CPTED) principles that need to be used in the assessment of development applications to minimise the opportunity for crime.	The proposed development has had adequate regard for CPTED principles. The building will be managed in accordance with the *Operational Management Plan* that accompanies this application.	Yes
C5.4 View Sharing	All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties.	The application is accompanied by *Visual Impact Analysis Report* which confirms that the proposed development will not result in any adverse impacts upon views to/from the beach.	Yes
C5.5 Accessibility	Convenient and safe access for all people, including people with a disability, older people, and people with prams, must be provided to and within all buildings to which the general public have access.	The application is supported by an *Access Assessment Report* confirming that convenient and safe access for all people will be provided through and around the building.	Yes
C5.7 Energy and Water Conservation	Buildings shall be designed to be energy and water efficient.	The application is supported by an *Ecologically Sustainable Design Assessment Report* and an NCC/BCA Section J JV3 Assessment Report confirming that the proposed development will incorporate passive and active energy savings measures to meet sustainability design targets.	Yes
C5.8 Waste and Recycling Facilities	All waste and recycling materials shall be contained within an approved enclosure and adequate	The application is supported by a *Waste Management Plan*, with on-going management of waste detailed in the	Yes

Clause	Control	Proposal	Compliance
	vehicular provision is to be provided to remove waste.	Operational Management Plan that accompanies this application.	
C5.9 Signage		No signage is proposed.	N/A
C5.10 Protection of Residential Amenity	A reasonable level of solar access and visual privacy is maintained to residential properties.	Sufficient separation is achieved between the Newport SLSC building and nearby residential receivers to ensure that the development will not result in any adverse impacts upon solar access or visual privacy.	Yes
C5.16 Building Facades	Building facades to any public place and including balconies and carpark entry points must not contain any stormwater, sewer, gas, electrical or communication service pipe or conduit that is visible from the public place.	The application seeks to improve the visual amenity of the existing building. Visible services will be limited to gutters and downpipes.	Yes
C5.17 Pollution control	Development and operations must comply with the PoEO Act, and any relevant legislation. Compliance with the NSW Environment Protection Authority *Industrial Noise Policy* (2000).	The application is supported by an *Acoustic Report* which confirms that the proposed development will not result in any adverse acoustic impacts.	Yes
C5.18 Public Road Reserve - Landscaping and Infrastructure			N/A
C5.20 Liquor Licensing Applications	A premise that intends to serve alcohol, which may include pubs, registered clubs and restaurants or cafes, must obtain a liquor license from the Casino, Liquor and Gaming Control Authority prior to the serving of alcohol for sale on premises.	The Newport SLSC holds a valid On-Premises Liquor Licence.	Yes
C5.21 Plant, Equipment Boxes and Lift Over-Run	Where provided, plant and equipment boxes and lift over-runs are to be integrated internally into the design fabric of the built form of the building.	Plant equipment will not be visible from the public domain.	Yes

Clause	Control	Proposal	Compliance
D10.1 Character as viewed from a public place	Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted. The bulk and scale of buildings must be minimised.	The proposed development has been sensitively designed to respond to the heritage significance of the existing building, particularly the western façade addressing Barrenjoey Road. The proposed additions are appropriately modulated, are not of an excessive scale and do not dominate the existing heritage listed building.	Yes
D10.3 Scenic protection – General	Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.	The proposed additions to the Newport SLSC building are well articulated and comprise a variety of materials and design elements to reduce the apparent size of the building. The proposed additions to the Newport SLSC building do not result in an adverse visual impact upon the surrounding natural environment. The proposed seawall is designed to sit below the level of the sand and will not be readily visible from the beach. However, the seawall will become exposed to differing degrees during extreme weather events. In response to the potential exposure of the seawall, the structure has been designed as a series of steps and ramps, to maintain pedestrian and vehicular access to the foreshore. The visual impact of the structure as seen from the beach is demonstrated in accompanying photomontages.	Yes
D10.4 Building colours and materials	External colours and materials shall be dark and earthy tones. Heritage items may vary this control where heritage colours and	The application seeks to retain the existing beige colour for the bulk of the Newport SLSC building. The existing colour scheme is identified as being an	Yes

Clause	Control	Proposal	Compliance
	fabrics appropriate to the building are applied.	element of the external façade of high significance. The contemporary additions to the north of the building are to be finished in natural tones.	
D10.7 Front building line	Merit Assessment.	The proposed additions are setback at a minimum distance of approximately 38m from Barrenjoey Road. The proposed works forward of the existing building do not result in any adverse impacts upon views or vistas to/from the beach, and the scale of the additions are in keeping with the height of the natural environment and maintained well below the height of surrounding Norfolk Island Pines. The proposed additions are sufficiently setback from Barrenjoey Road and are somewhat screened by existing vegetation, the carpark and playground. The proposed setbacks do not adversely impact upon vehicle movement through the carpark, with all vehicles able to enter and exit to/from Barrenjoey Road in a forward direction. The proposed additions sensitively relate to the existing spatial characteristics of the existing urban environment and will positively contribute to the Barrenjoey Road streetscape. As such, Council can be satisfied that the proposal is consistent with the outcomes of this control and are supportable on merit.	Yes
D10.8 Side and rear building line		There are no side or rear setbacks prescribed in relation to RE1 zoned land.	N/A

13 Conclusion

The application seeks consent for alterations and additions to the existing heritage listed Newport SLSC building, including ancillary coastal protection works.

Newport SLSC serves a pivotal role in the Newport Locality. The not-for-profit organisation is largely comprised of volunteers and provides education and training for residents of the area, enhances public safety at the beach and fosters a sense of community by promoting volunteerism and group/team recreation. The location of the building, the amenities/spaces within the building and the relationship between the building and the adjoining reserve are all critical to the efficient operation and function of Newport SLSC.

The proposal has been designed to provide a much-needed upgrade to the existing facility to the meet the operational demands of the club, whilst also ensuring the preservation of the locally significant heritage item for the next generation to come.

The proposed coastal protection works not only serve to protect the Newport SLSC building and its immediate curtilage, including two significant Norfolk Island Pines, but also provide for the removal and/or re-use of the existing rock wall seaward of the building, mitigating the risk associated with this historic work being moved across the beach or into the surf zone in a storm event.

The beach will still experience erosion during coastal storms and will recover naturally as it does at present. In the event that the proposed seawall becomes exposed, the structure has been designed to maintain access with a series of stairs and ramps, providing for the enhancement of public access during this time. The proposed development is consistent with the applicable provisions of PLEP 2014, P21 DCP and other applicable plans and policies, including the CM Act and Resilience and Hazards SEPP.

14 References

Adriano Pupilli Architects Pty Ltd [APA] (2022) *Newport SLSC Acoustic Report*. Prepared for Northern Beaches Council.

Catchment Simulation Solutions [CSS] (2019) *Newport Flood Study*. Prepared for Northern Beaches Council.

Greenview Consulting (2020) *ESD Report Newport Surf Life Saving Club Renewal.* Prepared for Northern Beaches Council.

Heritage21 (2022a) *Conservation Management Plan Newport SLSC 394 Barrenjoey Road Newport.* Prepared for Northern Beaches Council.

Heritage21 (2022b) *Statement of Heritage Impact Proposed Development at Newport SLSC 394 Barrenjoey Road Newport.* Prepared for Northern Beaches Council.

Horton Coastal Engineering [HCE] (2021a) *Coastal Engineering and Flooding Advice for Newport SLSC Clubhouse Redevelopment*. Prepared for Adriano Pupilli Architects.

Horton Coastal Engineering [HCE] (2021b) *Coastal Engineering Report and Statement of Environmental Effects for Buried Coastal Protection Works at Newport SLSC*. Prepared for Adriano Pupilli Architects.

JKGeotechnics (2021) *Geotechnical Investigation for Proposed Alterations and Additions at Newport Surf Life Saving Club 394 Barrenjoey Road, Newport, NSW.* Prepared for Horton Coastal Engineering Pty Ltd.

Newport Surf Life Saving Club Inc. (2021) *112th Annual Report and Financial Statements*.

Northern Beaches Council and Newport SLSC (2022) *Operational Management Plan for Temporary Facilities at Newport SLSC.*

Pittwater Council (2005) *Pittwater Ocean Beaches Plan of Management Under the Local Government Act, 1993 and the Crown Lands Act, 1989.*

Traffic and Transport Planning Associates [TTPA] (2021) *Newport Surf Life Saving Club Proposed Alterations and Additions Traffic and Parking Assessment.* Prepared for Northern Beaches Council.

Tree Management Strategies (2020) *Arboricultural Impact Assessment Newport SLSC.* Prepared for Northern Beaches Council.

UNSW Water Research Laboratory [WRL] (2021a) *DRAFT Newport SLSC coastal hazard peer review*, dated 14 May 2021. Prepared for Northern Beaches Council.

UNSW Water Research Laboratory [WRL] (2021b) *Newport SLSC coastal engineering advice*, dated 8 July 2021. Prepared for Northern Beaches Council.

Attachment 1

Options Analysis Report

Options Assessment and Review

Newport SLSC Alterations and Additions and Ancillary Works

1 Introduction

This Options Assessment has been prepared by Rhelm, in association with Northern Beaches Planning, on behalf of Northern Beaches Council to accompany the lodgement of an application seeking a review of the determination of Development Application DA2021/2173, which sought consent for alterations and additions to the Newport Surf Life Saving Club (**SLSC**) building at 394 and 394A Barrenjoey Road, Newport (**site**).

Development Application DA2021/2173 was refused by the Sydney North Planning Panel (**SNPP**) on 5 October 2022 for five reasons relating to:

- building height non-compliance,
- suitability of the site,
- coastal protection works,
- inconsistency with the *Coastal Management Act 2016* (CM Act), and
- public interest.

This Options Assessment provides:

- a chronological timeline of events associated with the locality and the proposed development (**Section 2**);
- Evaluates the land management context and the range of constraints in the vicinity of the site (**Section 3**);
- Identifies the range of potential options for both the SLSC building and for the ancillary coastal protection works (**Section 4**); and
- Draws conclusions with regard to the selected option that was put forward in the development application (**Section 5**).

2 History

The chronological timeline of events associated with the Surf Club and the management of the beach as it relates to the proposal is summarised, as follows:

Date	Action
1909 - 1911	Newport SLSC established. The first clubhouse was erected up on the hill at the back of Neptune Street. Due to its isolation, it was called LaSolitare[1]. After being in private ownership for a period of time, the land that forms the beach and its surrounds was purchased by Warringah Shire Council and the Department of Lands and on 8 April 1911 the beach was opened as a public beach (with dressing sheds near the shoreline).
1915	Newport SLSC second building established, closer to the shoreline than the first building (La Solitare).
1933	Newport SLSC third (and present) building established in its current location. The buildings were opened on 30 September 1933[2]. The building is considered to be representative of Inter-War Mediterranean style club houses. *The building has been placed to give the maximum of convenience to surfers and those who safeguard the beaches* (The Sun, 1 October 1933).
1937, 1957 and 1962	External additions to the SLSC building were completed by 1937[3]. Further extensions/modifications to the building were completed in 1957 and 1962. Evidence of Norfolk Pines planted in imagery dated 1950's[4].
1974	May/June 1974 coastal storm/erosion event ('Sygna storm' – placement of rock material and possibly other materials to protect the SLSC building).
1980	Dune formation works to stabilise dunes after the 1974 event (PWD, 1985).
1985	Warringah Shire Council *Coastal Management Strategy* (PWD, 1985) – Newport Beach section identified 'Consider relocating club away from active beach zone when it is to be replaced, extended or renovated'. The relocation site is shown immediately landward of the existing building location.
2001	Alterations and additions completed for SLSC building.
1 April 2005	Advertisements were placed in the Manly Daily advising of community consultation sessions in relation to a draft plan of management for Newport Beach. Signs were also erected throughout the Newport area, with letters also sent to key community groups.
14 April 2005	A public meeting was held at Newport SLSC building in relation to the draft plan of management for Newport Beach.
26 May 2005	A second public meeting was held at the community hall at Spurway Park in relation to the draft plan of management for Newport Beach.
July – August 2005	The *Draft Ocean Beaches Plan of Management: Newport Beach* (Pittwater Council, 2005) was publicly exhibited.

[1] https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=2270445, accessed 21 November 2022
[2] ibid
[3] ibid
[4] Aerial view across Newport Ocean Beach, looking east. (01/01/1950 - 31/12/1959),Northern Beaches Council, accessed 21 Nov 2022, https://northernbeaches.recollect.net.au/nodes/view/28501

Date	Action
19 September 2005	The *Draft Ocean Beaches Plan of Management: Newport Beach* was presented to Council. Council subsequently deferred the matter to allow for further public consultation.
21 February 2006	A public meeting was held with the community to discuss any necessary changes to the *Draft Ocean Beaches Plan of Management: Newport Beach*.
23 March – 3 May 2006	The *Amended Draft Ocean Beaches Plan of Management: Newport Beach* was publicly exhibited.
19 June 2006	The *Ocean Beaches Plan of Management: Newport Beach* was adopted by Council. The PoM supersedes all previous plans, including the PWD (1985) *Coastal Management Strategy*. No relocation of the SLSC building identified in the adopted PoM.
June 2009	Pittwater LEP 1993 – Newport SLSC listed as an item of local heritage in the PLEP 1993 from this version of the LEP onwards and carried through to the PLEP 2014 when the 1993 LEP was repealed.
2011	Newport SLSC approached the then Pittwater Council and identified issues with the club house and growing membership and suggested a process of community and member consultation that the Club would implement to gauge the views of our members and the local community, with a view to expanding the building and report back. The Council agreed. See attached documents: • Have your say on the Newport Clubhouse Masterplanning Process!! • Newport SLSC Masterplan "Think Tank" presentation • Newport Clubhouse Master planning questionnaire.
2012	Newport SLSC presented the Council with a position paper that identified feedback from members and the community and possible mass modelling options for the potential extension of the existing club facilities. The options included differing designs with extensions to the northern and western façades of the building, including a detached standalone building between the existing SLSC building and the playground, or at various locations in Bert Payne Reserve. A preferred modelling option, with no standalone facilities, was subsequently agreed, with Council commenting that: • The proposal should work as closely as possible with the existing footprint of the building, • Any expansion of the existing building footprint eastwards / northwards or southwards would likely be unsupported on Coastal Engineering grounds. • The expansion of the Club facilities on the western side of the Clubhouse was would likely result in detrimental impacts upon the heritage fabric of the existing heritage Clubhouse. See attached documents: • Newport SLSC Masterplanning Process Strategy Paper • Stage 1 Masterplan • Newport SLSC Club Expansion Masterplan & Remote Public Amenities Block Options.
2013	The Newport SLSC engaged and funded an architect to prepare a master plan for the SLSC (based on the preferred model) and its adjacent grounds to overcome agreed deficiencies with the building and critical pedestrian circulation issues in the public area adjacent the Club.

Date	Action
2014	The master plan was completed, and a number of meetings were held with Council to determine a way forward in order that the surf club could then fund and prepare a development application in cooperation with the Council.
2015	Heritage significance updated 14 March 2015. The heritage listing indicates that '*The building should be retained and conserved. A Heritage Impact Statement should be prepared for the building prior to any major works being undertaken.'*
August 2017	The concept plan for the proposed alterations and additions to the Newport SLSC building, prepared by Daniel McNamara Architect, was notified to the local community with a request for comments and feedback. See attached documents: • Concept Plans 2017
September 2017	A What We Heard report collating the responses to the community consultation was released. 78 submissions were received in support, three were opposed to the proposal and one raised concern. The three in opposition raised concerns about potential impacts to the heritage significance of the building. See attached documents: • What We Heard Report
December 2017	Council issued owners consent to lodge a development application for the proposed works.
January 2018	A pre-lodgement meeting was held with Council with regards to the concept plan. The pre-lodgement report concluded: *There are two overarching issues that impact upon the viability of the proposal, namely the heritage significance of the building and the coastal risk hazard that affects the site.* *At this stage, insufficient information has been provided to confirm whether or not the proposal is acceptable with regard to these factors, and further information is required prior to the lodgement of any future application.* *With respect to the coastal hazard, detailed construction information will be required to demonstrate that the majority of the existing structure is to be retained, and that both the retained structures and the new works can withstand the coastal hazard that affects the site.* *With respect to heritage, Council's Heritage Officer (Janine Formica), is available for further discussions once a more comprehensive heritage impact assessment and conservation management plan have been prepared for the site.* *The application also proposes a change to the amount and allocation of parking, which may require a change to the Plan of Management for Newport Beach. As changes to a Plan of Management are subject to public exhibition and input from key stakeholders, ideally this process should be undertaken prior to the lodgement of any future application.*
July 2019	Engineering investigations for the design of the proposed works commence.

Date	Action
January 2020	A separate proposal is announced with regard to the creation of a youth space, comprising a half-court basketball court, a handball court and exercise equipment, in the area between the existing Newport SLSC building and the playground to the west.
February 2020	Further discussions were held between Newport SLSC and the Heritage Officers from Council. Concerns were raised in relation to the dominance of the proposed additions on the western façade and the detailing of the eastern façade. Council advised: *This is not a new surf club building, but an addition to a Council owned and listed heritage item and retaining the heritage significance of this building should be Council's aim. As an owner of a heritage asset, Council has a responsibility to look after and manage the heritage significance of the building and set an example to private owners of heritage and the community generally.* *As you know we have responded to Peter Horton on the coastal management issues. It would appear from his response that he may be recommending complete removal of the building, which we have indicated would be the only unacceptable option from a heritage point of view.*
February 2020	An *Assessment of Options for the Redevelopment of Newport SLSC, with Updated Consideration of Risk from Coastal Erosion/Recession* was prepared by Horton Coastal Engineering. The options considered for the redevelopment of Newport SLSC we are follows: 1. current concept, no piles or seawall/revetment. 2. current concept, new portion on piles, no seawall/revetment. 3. current concept entirely on piles, no seawall/revetment. 4. demolish and rebuild on piles, no seawall/revetment. 5. current concept, no piles, with rock revetment protection. 6. current concept, no piles, with vertical or hybrid seawall protection. 7. demolish and rebuild, no piles, with revetment or seawall protection. See attached document: • Assessment of Options for Redevelopment of Newport SLSC, with Updated Consideration of Risk from Coastal Erosion/Recession by Horton Coastal Engineering.
June 2020	Coastal investigations are completed, with a decision made to proceed with a new seawall to protect the Newport SLSC building.
November 2020 – January 2021	The revised concept plan was publicly exhibited.
December 2020	Further coastal investigation was undertaken, with six different seawall designs. See attached document: • Initial Discussion on Potential Seawall Layouts at Newport SLSC by Horton Coastal Engineering.
May 2021	A Community and Stakeholder Engagement Report was released. Over 80 percent of respondents indicated they either supported the proposed extension concept plan or supported it with (minor) changes. 80 percent of respondents indicated the proposal would improve the existing facility. With regards to heritage, Council received 48 supportive and 44 unsupportive comments, with mixed sentiments. See attached document:

Date	Action
	• Community and Stakeholder Engagement Report.
November 2021	The subject development application was lodged with Council.

3 Context and Constraints

3.1 Ocean Beaches Plan of Management: Newport Beach

The site is Crown Land and forms part of Crown Reserve No. 60118 – Farrells Reserve that is managed by Northern Beaches Council in accordance with the *Ocean Beaches Plan of Management: Newport Beach*.

The Newport SLSC building is located within the part of the reserve categorised for General Community Use, as shown in green on **Figure 3-1**.

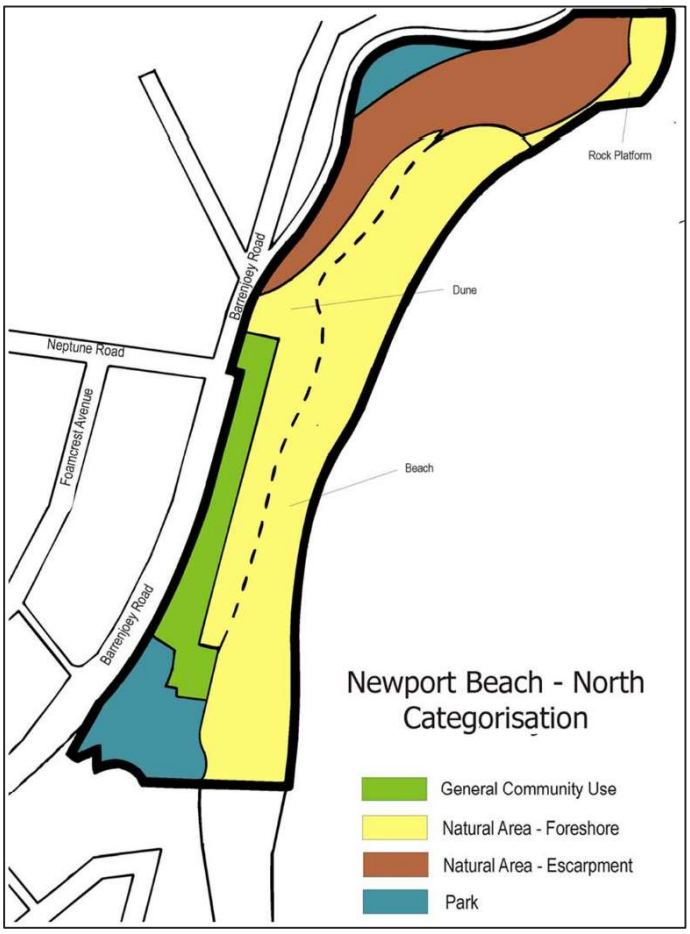


Figure 3-1 Categorisation Diagram of North End of Newport Beach (Source: *Ocean Beaches Plan of Management: Newport Beach*)

The *Ocean Beaches Plan of Management: Newport Beach* was adopted by Council on 19 June 2006, approximately five years prior to the commencement of the current proposal for alterations and additions to the Newport SLSC building. The *Ocean Beaches Plan of Management: Newport Beach* went through rigorous community consultation and is reasonably relied upon to inform the development potential of the site and the scope of works anticipated by the community at the subject site.

In accordance with Section 35 of the *Local Government Act 1993*, community land must be managed in accordance with the plan of management applicable to the land. With respect to the Newport SLSC building, the *Ocean Beaches Plan of Management: Newport Beach* anticipates that Council, together

with the Newport beach SLSC, are to maintain and upgrade the surf club building and surrounds as required, having regard to public safety. The proposed alterations and additions to the existing building, together with the ancillary coastal protection works, provide for the maintenance and upgrade of the Newport SLSC building, consistent with the provisions of the *Ocean Beaches Plan of Management: Newport Beach*.

The *Ocean Beaches Plan of Management: Newport Beach* does not contemplate the construction of separate buildings, or the demolition of the existing surf club building and the construction of a new surf club building elsewhere on the site.

Should any such options be considered, it is reasonable to assume that such buildings should be maintained within the part of the site designated for General Community Use, shown green in **Figure 3-1**. This would essentially limit the location of any new building to the current footprint, the youth area, and the carpark.

3.2 Catchment Flooding

The central portion of Newport Beach, being the area to the south of the existing Newport SLSC building, was previously an entrance to a lagoon and is subject to catchment flooding, as shown in the extract of the Flood Hazard Map in **Figure 3-2**.

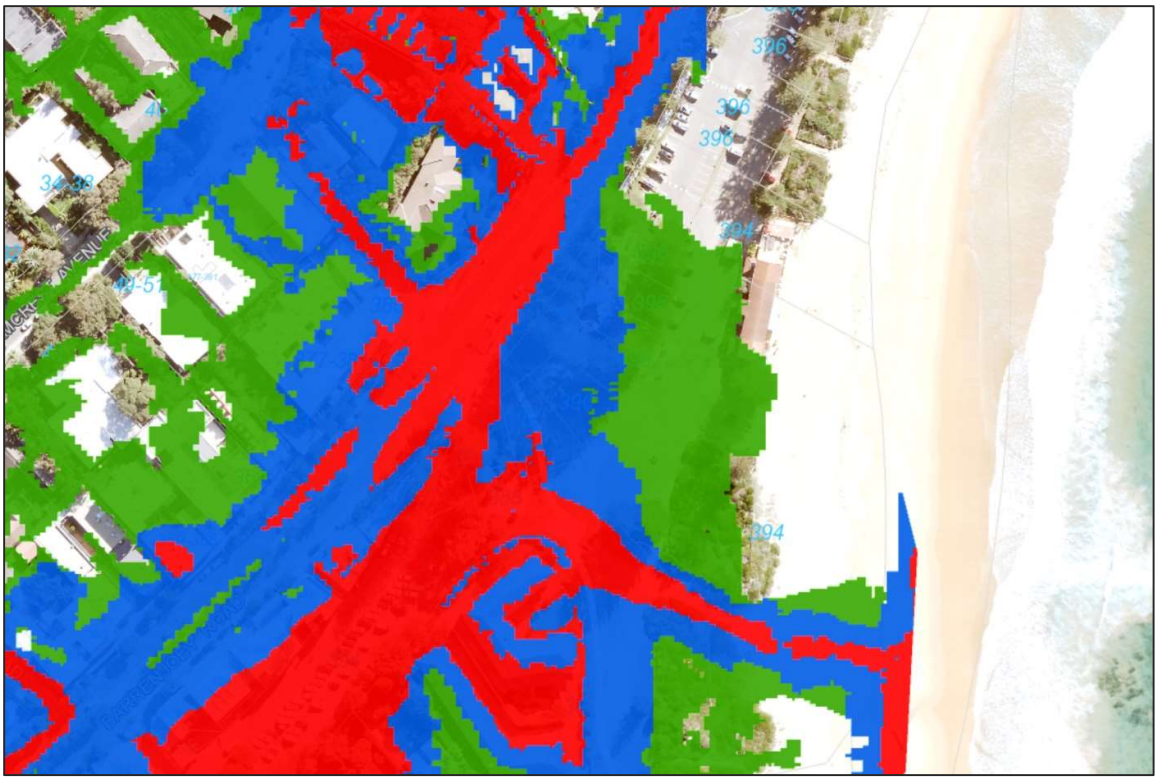


Figure 3-2 Extract of NBC Flood Hazard Map with low flood risk precinct in green, medium risk flood precinct in blude and high risk flood precinct in red (source: Northern Beaches Council)

The flood affectation of the land to the south of the existing Newport SLSC building significantly compromises the development potential of the site. In consideration of the applicable flood levels and

the degree/likelihood of the hazard occurrence, the existing park is not an appropriate location for a community facility or amenities building.

It is noted that the proposed additions at the northern end of the Newport SLSC building are generally beyond the extent of the flood hazard, as shown on **Figure 3-2**, and have been supported by Council's Flood Engineers.

3.3 Coastal Hazard

The subject site is affected by coastal hazards, with the hazard lines depicted in **Figure 3-3**. In consideration of these hazard lines and noting the other constraints/hazards impacting the site, there is no other location at the site that could accommodate a new surf club building that was generally not affected by coastal hazards of some form.

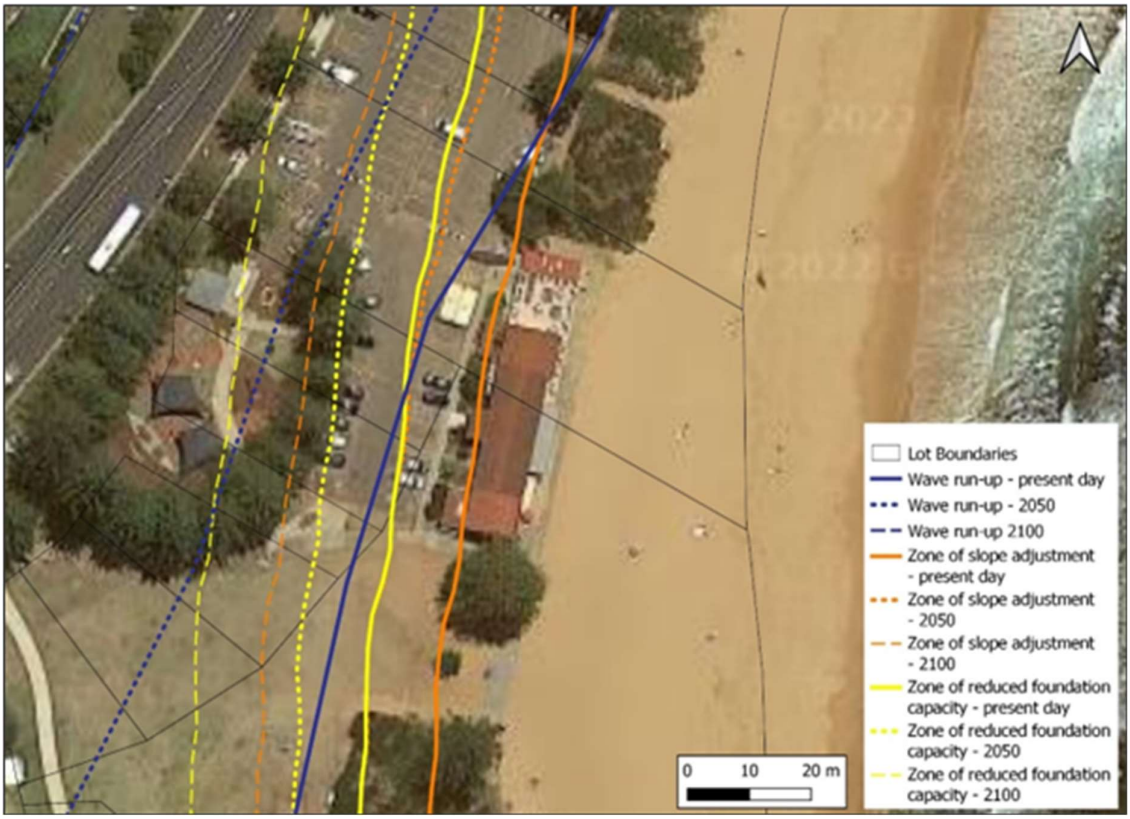


Figure 3-3 Coastal hazard lines (after: Worley Parsons, 2015), aerial image: Google Satellite, 12 March 2018

3.4 Heritage

The Newport SLSC building is identified as an item of local heritage significance, as shown on the Heritage Map of PLEP 2014 and as listed in Schedule 5 of PLEP 2014. The building has been listed as a heritage item since 2009.

Throughout the design process, the need to retain and preserve the existing heritage building has been emphasised by Council and the local community. Council was particularly strong in their position to preserve the existing heritage building, as communicated to the Newport SLSC club in February 2020:

This is not a new surf club building, but an addition to a Council owned and listed heritage item and retaining the heritage significance of this building should be Council's aim… As an owner of a heritage asset, Council has a responsibility to look after and manage the heritage significance of the building and set an example to private owners of heritage and the community generally.

As you know we have responded to Peter Horton on the coastal management issues. It would appear from his response that he may be recommending complete removal of the building, which we have indicated would be the only unacceptable option from a heritage point of view.

The historical feedback from Council categorically ruled out any possibility of demolishing/relocating the surf club building, with other options involving standalone facilities also discouraged due to impacts upon the heritage curtilage.

It is also noted that the most significant aspect of the existing building is its direct visual connection and views to the beach. This is unable to be achieved or replicated in any other location at the site.

The proposed additions are generally maintained within the footprint of the existing building, with a contemporary extension at the north-western corner that has been sympathetically designed so as not to detract from the significance of the existing building. This approach has been supported by Heritage 21 and Council's Heritage Officers to date as being an acceptable approach to ensure the heritage significance of the building, consistent with the provisions of clause 5.10 of PLEP 2014.

3.5 Parking

The carpark to the north-west of the Newport SLSC building is utilised as a "Park and Ride" facility and provides parking for visitors to the beach, the park/reserve and the nearby commercial village. During winter months, the northern end of the carpark is also used for winter sports including netball, basketball and tennis.

In the time since the proposal was originally initiated, the use of the carpark for parking associated with the B-Line was also contemplated and community sentiment regarding the lack of parking within the Newport Village has been strong in response to Development Applications for medium density development. In this respect and noting the popularity of the area in the summer months, all efforts have been made to ensure that any proposed development does not result in the loss of public parking.

As such, a detached building within the carpark to the north-west of the existing building was not considered to be a viable design option.

3.6 Underground infrastructure

A dial before you dig search conducted on 17 November 2022 reveals that a large Sydney Water sewerage main (1050 mm diameter) is located along the eastern side of Barrenjoey Road, as demonstrated on **Figure** 3-4**.** There are also large Council stormwater assets in the locality, largely to the south of the existing SLSC. These are shown overlaid with the 1050 mm diameter sewer on **Figure 3-5**.

The location of this infrastructure and the associated exclusion zones largely prevents the construction of any new buildings along the western extent of the subject site.

Figure 3-4 Sydney Water assets (source: DBYD search 17 November 2022)

Figure 3-5 Council stormwater and Sydney Water main sewerage line (source: DBYD search 17 November 2022)

3.7 Vegetation

The Sydney Metro Area V3.1 2016 E-VIS 4489 vegetation mapping indicates the adjacent due vegetation is PCT 772 Coast Banksia – Coast Wattle dune scrub of the Sydney Basin Bioregion and South East Corner Bioregion. This is shown in **Figure 3-6**.

There are no Threatened Ecological Communities associated with this PCT.

3.8 Operational requirements

The Newport SLSC building has a direct connection to the beach along its entire eastern facade. This is not only significant from a heritage perspective, but also with regard to the functionality and operation of the club.

The proximity of the building to the sand enables direct and unimpeded surveillance of the foreshore area for life saving purposes and provides an ease of access to move necessary equipment to the shoreline.

Relocating the surf club building to the north-west of its current location would not be advantageous to the operation of the club, noting that it would be separated from the foreshore by the dunes, with limited direct connectivity to the sand.

The location of the existing building, which contains public amenities, is also centrally located for use by visitors to the beach, the reserve, and the playground/youth area alike. This would also be compromised

if the building was to be relocated into the carpark to the north-west, with the ability to provide separate amenities to the south challenged by the flood affectation of the land.

3.9 Constraint Summary

Figure 3-6 shows an overlay of the range of constraints at the site and indicates that the majority of the land in the vicinity of the SLSC has some form of constraint that affects development. **Figure 3-6** indicates that there is a small area to the north of the existing SLSC (within the carpark) that does not have a flood constraint and that is landward of the Sydney Water sewerage system, but it is noted that the area is encumbered by coastal hazards (erosion and inundation).

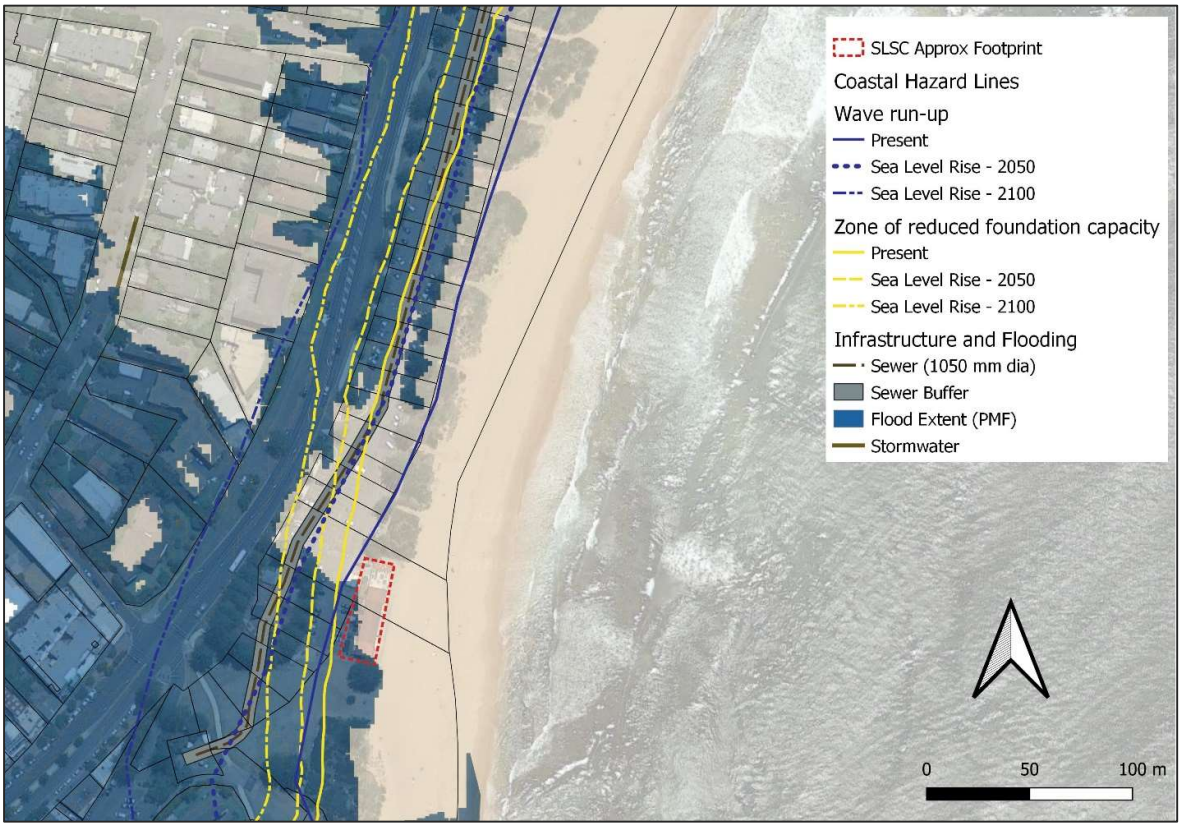


Figure 3-6 Mapped constraints - Newport SLSC and surrounds

4 Options

There are a range of options to meet the needs of the SLSC operations and ongoing provision of public amenities. These are options can be evaluated broadly in two categories:

- Built form options (**Section 4.1**); and
- Coastal protection/building foundation options (**Section 4.2**).

Many of these options have been explored and documented as part of studies to inform the development application and where this is the case, it is noted below.

The combination of built form and coastal protection/building foundation options with respect to the option selected for the development application is explored in **Section 4.3**.

4.1 SLSC Built Form Options

Key options for meeting the needs of the SLSC operations and provision of public amenities with respect to the built form are:

- Option SLSCB – 1 - Do nothing;
- Option SLSCB – 2 – Alterations and additions to existing building (explored in the Daniel McNamara Architect Stage 1 Masterplan, 2013 Options 1 – 4);
- Option SLSCB – 3 - Retain existing heritage building and construct supplementary buildings (for example, explored in the SLSC options assessment of 2012 as amenities buildings Options 1 and 2, to the west and south of the existing building);
- Option SLSCB – 4 - Demolish existing building and build new building (existing location); and
- Option SLSCB – 5 - Demolish existing building and build new building (different location).

An overview evaluation of each option against the range of environmental and social issues and constraints described in **Section 3** or in the Coastal Summary Report (Rhelm, 2022) is provided in **Table 4-1** using a traffic light system:

- **Red** – meaning – impact expected
- **Yellow** – meaning – neutral effect expected (no change from existing)
- **Green** – meaning – impact can be managed or no impact.

Table 4-1 identifies that Option SLSCB – 2 - Alterations and additions to existing heritage building provides the greatest benefit with the least impacts.

Table 4-1 Overview of Built Form Options Evaluation

Option	Coastal Hazard	Catchment Flood Hazard	Heritage	Vegetation	Visual	SLSC Ops/ Public Amenities	Traffic/ Parking	Recreation/Open Space
Do nothing (SLSCB-1)								
Alterations and additions to existing heritage building (SLSCB – 2)								
Retain existing heritage building and construct supplementary building(s) (SLSCB – 3)								
Demolish existing heritage building and construct new building (same location) (SLSCB – 4)								
Demolish existing heritage building and construct new building (different location, e.g. in non-flood prone area to north) (SLSCB – 5)								

Red – meaning – impact expected

Yellow – meaning – neutral effect expected (no change from existing)

Green – meaning – impact can be managed or no impact.

4.2 Coastal Protection Works/Building Foundation Options

As evident in the *Assessment of Options for Redevelopment of Newport SLSC, with Updated Consideration of Risk from Coastal Erosion/Recession* by Horton Coastal Engineering, a range of different design options for coastal protection works were explored between June 2018 and September 2020. The Horton descriptions have been retained below and the options separated into the various coastal protection works/building foundations options:

- Current concept (Proposed SLSC Alterations and Additions), no piles or seawall/revetment (i.e. retain existing ad-hoc rubble seawall) (Coastal Protection/Building Foundations - do nothing, Option CP–1);
- Current concept (Proposed SLSC Alterations and Additions), new portion on piles, no seawall/revetment (Coastal protection/Building Foundations – do nothing and part piled building foundations, Option CP–2);
- Current concept (Proposed SLSC Alterations and Additions) entirely on piles, no seawall/revetment (Coastal protection/Building Foundations – do nothing and all piled building foundations, Option CP–3);
- Demolish and rebuild on piles, no seawall/revetment (Coastal protection – do nothing and all piled building foundations, Option CP–4);

- Current concept (Proposed SLSC Alterations and Additions), no piles, with rock revetment protection (Coastal protection – new rock revetment, Option CP–5);
- Current concept (Proposed SLSC Alterations and Additions), no piles, with vertical or hybrid seawall protection (Coastal protection – vertical/hybrid seawall, Option CP–6); and
- Demolish and rebuild, no piles, with revetment or seawall protection (Coastal protection – revetment/seawall). This options was not considered further as it is effectively covered under other options

There is also a further option, which is coastal protection via setback and dune reinstatement (Option CP–7).

An overview evaluation of each option with respect to risk is provided in **Table 4-2** using a traffic light system:

- **Red** – meaning – increased risk (for example risk of damage to an asset or adjacent property)
- **Yellow** – meaning – neutral change to risk expected (no change from existing)
- **Green** – meaning – reduction in risk (e.g. to an asset) or improvement in the management of a risk.

Table 4-2 Overview of Coastal Protection/Building Foundation Options Management of Risk

Option	Present Erosion Hazard	Present Inundation Hazard	2100 Erosion Hazard Heritage	2100 Inundation Hazard	Beach Amenity	SLSC Ops	Effects on Other Property	Building Stability
CP/BF -1 - Do nothing								
CP-2 – Do nothing and part piles								
CP-3 and CP-4 – Do nothing and all piles								
CP-5 – No piles, New rock revetment								
CP-6 – No piles, vertical or hybrid seawall								
CP-7 – No piles, dunes and setback								

Red – meaning – impact expected

Yellow – meaning – neutral effect expected (no change from existing)

Green – meaning – impact can be managed or no impact.

Table 4-2 identifies that Option CP-5 – No piles, New rock revetment and Option CP6 – No piles, Vertical or hybrid seawall seek to manage risks. Note that the 'do nothing' option does not assist with the

reduction of risk to existing assets and public safety (e.g. from wave overtopping), in addition to which doing nothing exposes the existing built asset to a greater risk over time.

4.3 Selected DA Option

The assessment of options in **Table 4-1** and **Table 4-2** demonstrates that the combination of the proposed alterations and additions (SLSCB – 2) and ancillary coastal protection works (CP-5 or CP-6) such as those proposed in the development application can either manage the potential impacts or risks or have neutral effect on the range of key issues and risks for the locality.

The design approach taken for the site that is presented in the development application represents a suitable combination of options to meet the present needs as it provides for the retention and preservation of the existing heritage listed Newport SLSC building for 60 years, in addition to the protection of the two closest Norfolk Island Pines, which are identified as being contributory to the significance of the building.

5 Conclusion

Newport SLSC and Council considered various alternate design solutions to address the competing constraints associated with the subject site. This options assessment has identified that the proposed design solution is considered to be a reasonable approach to the redevelopment of the site, which appropriately balances the various factors at play.

The consent authority can be satisfied that the proposed seawall will not result in any adverse impacts upon the amenity or function of the beach or intertidal zone and will not impinge upon public access to/from the beach. The proposed seawall is far superior to the existing rock wall to the east of the Newport SLSC building that was constructed following the 1974 storm event, with the proposed development providing for enhanced access following a significant storm event compared to that which currently exists.

Rhelm Pty Ltd

ABN 55 616 964 517

ACN 616 964 517

Head Office

Level 1, 50 Yeo Street

Neutral Bay NSW 2089

contact@rhelm.com.au

+61 2 9098 6998

www.rhelm.com.au

Attachment 2

Coastal Summary Report

Newport Surf Life Saving Club Alterations & Additions DA2021/2173

Review of Coastal Processes & Potential Impacts

Northern Beaches Council	RR-02-1785-02	November 2022

Contact Information

Rhelm Pty Ltd
ABN : 55 616 964 517
50 Yeo Street
Neutral Bay NSW 2089
Australia

Lead Author:
Tanja Mackenzie
tanja.mackenzie@rhelm.com.au

Document Control

Ver	Effective Date	Description of Revision	Prepared by:	Reviewed by:
00	21 November 2022	Draft report	Tanja Mackenzie	Louise Collier (Rhelm) & James Carley (WRL)
01	25 November 2022	Final draft report	Tanja Mackenzie	Louise Collier
02	25 November 2022	Final report	Tanja Mackenzie	

Prepared For: Northern Beaches Council

Project Name: Newport Surf Life Saving Club Alterations and Additions

Rhelm Reference: J1785

Document Location: J1785 - NBC_Newport SLSC Advice\4. Reports\Coastal Report\RR-02-1785-02 Newport SLSC SEE Appendix Coastal.docx

Client Reference: DA2021/2173

Abbreviations

Abbreviation	Description
AHD	Australian Height Datum
ARI	Average Recurrence Interval
ASEE	amended Statement of Environmental Effects
DA	Development Application
DP	Deposited Plan
LiDAR	Light Detecting and Ranging
PCT	Plant Community Type
PLEP 2014	Pittwater Local Environmental Plan 2014
SLSC	Surf Life Saving Club
TEC	Threatened Ecological Community
ZSA	Zone of Slope Adjustment

Table of Contents

Tables

Figures

1 Introduction

This document has been prepared by Rhelm on behalf of Northern Beaches Council (hereafter 'Council') to support the Amended Statement of Environmental Effects (ASEE) prepared for the Newport Surf Life Saving Club (SLSC) Alterations and Additions Development Application (DA; DA2021/2173). The key elements of the proposed development discussed in this report include:

- Alterations and additions to the SLSC building as shown in the Architectural Plans prepared by Adriano Pupilli Architects, dated 14 June 2022; and
- Coastal Protection Works Drawings prepared by James Taylor and Associates, dated 24 August 2021.

This *Coastal Summary Report* provides a review of the coastal processes affecting the subject site, which comprises the following lots:

- 394 Barrenjoey Road, Newport (Lot 1 in DP1139445);
- 394 Barrenjoey Road, Newport (Lot 7094 in DP 1059297);
- 394A Barrenjoey Road, Newport (Lot 24 of Section 6 in DP6248); and
- Barrenjoey Road, Newport (Lot 7039 in DP1050730).

It discusses the potential impacts of the proposal on coastal processes / hazards and vice versa.

It summarises the coastal engineering analyses undertaken in support of the DA and responds to the Determination and Statement of Reasons issued by the Sydney North Planning Panel (SNPP) in their refusal of the DA.

The report is structured as follows:

- **Section 2 Methodology** – details the approach to preparing this report and literature reviewed;
- **Section 3 Review of Coastal Processes** – summarises the key coastal processes / hazards affecting the subject site, provides a review of the literature on the impact of seawalls and identifies the potential impacts of the proposal;
- **Section 4 Conclusions** – details the key findings of this review; and
- **Section 5 References** – lists the references used in this report.

2 Methodology

Rhelm undertook a review of the publicly available relevant reports, including those submitted with the DA2021/2173, in order to summarise the key coastal hazards affecting the subject site. The reports reviewed included:

- Worley Parsons (2015) *Pittwater Coastal Hazard Definition and Climate Change Vulnerability Study*;
- Horton Coastal Engineering [HCE] (2018) *Initial Coastal Engineering Advice on Newport SLSC Redevelopment (Draft)*;
- HCE (2020) *Assessment of Options for Redevelopment of Newport SLSC, with Updated Consideration of Risk from Coastal Erosion/Recession*;
- HCE (2021a) *Coastal Engineering and Flooding Advice for Newport SLSC Clubhouse Redevelopment*;
- HCE (2021b) *Coastal Engineering Report and Statement of Environmental Effects for Buried Coastal Protection Works at Newport SLSC*;
- HCE (2022a) *Response to Sydney North Planning Panel on Items Raised in Deferral Letter dated 26 September 2022 in Relation to Newport SLSC (PPSSNH-301 – DA2021/2173)* (including Attachments 1 and 2);
- HCE (2022b) *Second Response to Sydney North Planning Panel on Items Raised in Deferral Letter dated 26 September 2022 in Relation to Newport SLSC (PPSSNH-301 – DA2021/2173)*;
- WRL (2021a) *DRAFT Newport SLSC coastal hazard peer review*; and
- WRL (2021b) *Newport SLSC coastal engineering advice*.

In addition, a literature review was undertaken to provide context for the potential impacts of seawalls on beach access, use and recreational amenity. The following literature was reviewed:

- Pittwater Council (2005) *Pittwater's Ocean Beaches Plan of Management*; and
- MHL-WRL (2021) *Wamberal Terminal Coastal Protection Assessment Stage 2 – Coastal Protection Amenity Assessment*.

The data collation and literature review outcomes were then synthesised to summarise the potential impacts of the proposal, any mitigation measures required (including those recommended in the coastal engineering reports) and respond to Statement of Reasons in the Determination Report prepared by the Sydney North Planning Panel dated 5 October 2022.

3 Review of Coastal Processes

3.1 Overview

Historical context

Newport Beach is located in the Sydney Northern Beaches coastal sediment compartment, which extends from Barrenjoey Head to North Head. Newport Beach faces east and is moderately protected from waves from the south by the presence of Newport Reef (refer **Figure 3-12**), which is a sandstone reef that runs due east of the beach (WorleyParsons, 2015).

Newport Beach and the SLSC have previously been impacted by an intense East Coast Low of May-June 1974. The 25-26 May 1974 storm event co-occurred with spring tides, with a maximum storm surge of 0.59m as measured at Fort Denison, and maximum water level of 1.48m AHD (Kulmar and Nalty, 1997; cited WorleyParsons, 2015). Horton (2021a) summarises historical information on damage associated with the event, which included undermining of the promenade in front of the SLSC building, with a three to four metre erosion scarp. Waves and debris entered the building, causing internal damage to the gear room, power boat shed, and board and ski shed, and a large amount of sand filled the SLSC building. However, there did not appear to be any damage to the building structure. Following the storm, rocks were placed in front of the SLSC to protect the building.

Following the storm, emergency works in the form of rock protection works were placed in front of the SLSC to protect the building. These emergency works remain in place seaward of the SLSC building and are covered in sand most of the time. While the works successfully protected the SLSC from being undermined at the time, Horton (2021a) notes that it does not appear to be an engineered structure. The rocks were placed with no filter layers or underlayers under the primary sandstone armour and it has an overly high toe level. The rocks placed between the larger boulders on the primary outer layer are significantly undersized, and the primary armour units themselves have a diameter of about one metre, which is undersized for the hydraulic stability during a severe coastal storm (Horton, 2021a).

Description of the proposed development

The proposed works are shown in **Figure 3-1**, where:

- The buried secant piles are shown in black and the concrete steps and capping beams in non-stepped areas shown in red;
- The Norfolk Pine tree protection zones are shown in a dashed green line and the structural root zone is shown in a solid green line;
- The seaward extent of the existing rock structure is shown in light blue;
- The present day sone of slope adjustment is shown in yellow; and
- The layout of the SLSC club is shown in dark blue, noting existing and altered portions.

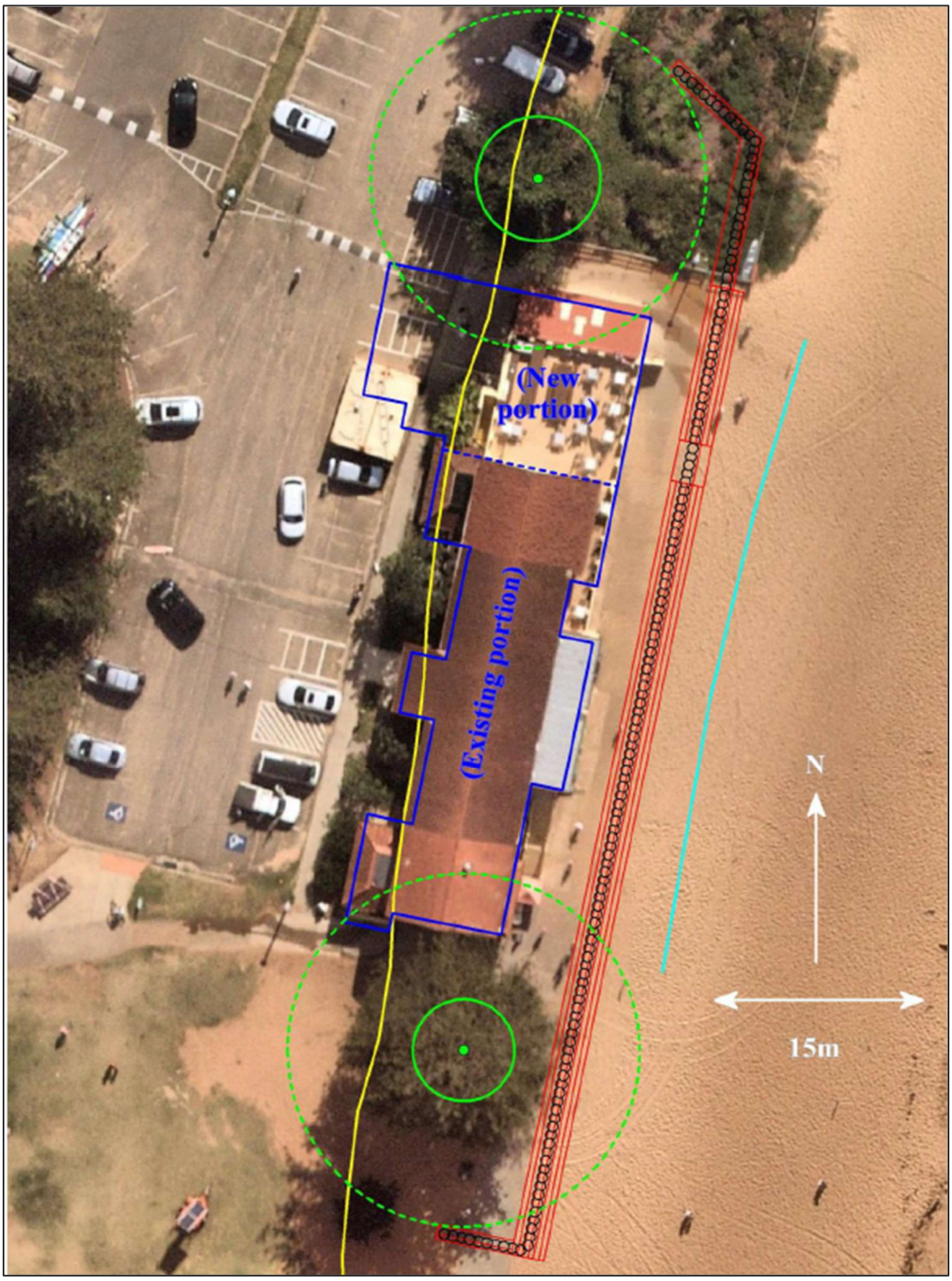


Figure 3-1 Layout of proposed seawall and SLSC building alterations (source: Horton, 2021b)

Design development

The design of the proposal has been developed to a concept level of detail and in accordance with the relevant standards, as is standard engineering practice for DAs. The design of the coastal protection

works, the proposed seawall, has been developed in accordance with the relevant design standards and consistent with best practice coastal engineering desktop techniques and approaches to risk management.

The analyses reported in HCE (2021b), WRL (2021b) and other coastal engineering reports have enabled quantification of key design parameters for the proposed seawall and enabled identification of the potential impacts of the proposal on coastal processes, the coastal environment, and public safety, access and amenity to satisfy the provisions of the *Coastal Management Act 2016* and *State Environmental Planning Policy (Resilience and Hazards) 2021*. The proposal been developed to a level of detail sufficient to enable the consent authority to be satisfied that the coastal engineering aspects of the proposal have been adequately and appropriately addressed for purposes of a DA.

Following approval of the DA by the consent authority, detailed design development would be undertaken to refine the proposed SLSC alterations and additions and proposed seawall. This is likely to involve both numerical and physical modelling of the proposal to further refine (if required) key design inputs such as wave transformation, wave run-up and overtopping, wave forces and edge effects. As is standard engineering practice, design refinements would be made to mitigate in so far as is reasonable and feasible the potential impacts of coastal hazards on the proposed development (e.g. size and form of the wave return). Similarly, detailed design refinements would consider mitigation of the potential impacts on the coastal environment and public safety, access and beach amenity.

Any residual risk would be managed via the implementation of operational measures recommended in the coastal engineering reports and summarised herein. The operational phase measures to reduce the risk from overtopping hazard would likely include measures similar to those adopted for the Fairy Bower promenade and would include development of a Wave Overtopping Early Warning System to trigger implementation of measures to prevent public access to affected locations adjacent to the SLSC building, thereby reducing the consequences.

The consent authority can be satisfied that the level of risk from coastal hazards/processes has been, and will be, appropriately mitigated for the proposed development.

Key construction activities

The proposed seawall would be located generally landward of the existing rock revetment, as close to the SLSC building as is feasible. Where it meets the required engineering specifications, rock from the existing rock structure would be re-used for purposes of additional armouring of the toe of the proposed seawall. All other rock from the existing structure would be removed during the construction of the new seawall. Where appropriate and feasible from an engineering perspective, some of the rock boulders would be placed at the toe of the proposed seawall for additional protection.

Figure 3-2 shows is an excerpt from the Coastal Protection Works Plans and shows the proposed rock storage area and temporary bund that would be constructed to protect the site from wave activity during construction. The works area would be fenced to prevent access by members of the public for safety reasons.

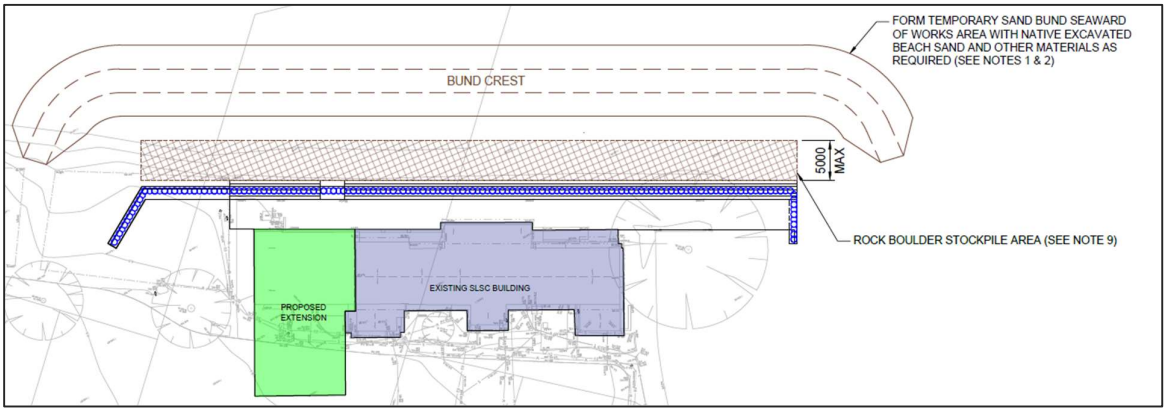


Figure 3-2 Temporary works (source: Coastal Protection Works Plan Drawing No. S05)

The duration of construction of the seawall would be around 8-12 months, including provision for adverse weather impacts on construction scheduling. Where possible, the construction would be programmed to occur over the winter months where beach use by members of the public and members of the SLSC is less intensive. There would be a need for the temporary relocation of SLSC facilities to a precinct within the car park with appropriate beach access for operation of the services and functions of the Club. SLSC activities and operations on the beach could be relocated further northward during construction. Public access to the beach would be maintained and there are several beach accessways available for this purpose. A Public Access and Amenity Plan would be prepared to manage these construction phase impacts.

3.2 Levels for Existing Infrastructure

HCE (2018) provides a summary of available site survey data as follows:

- **SLSC Building Surrounds** - The level of the Newport SLSC building is around 5.4m Australian Height Datum (AHD) at its seaward edge, increasing to around 5.5m AHD at the face of the SLSC;
- **SLSC Building Ground Floor** (existing) is 5.7m AHD;
- **SLSC Building First Floor** (existing) is 9m AHD;
- **Beach Carpark** - Landward of the SLSC, the top kerb of the car park varies from 6.0m AHD in the north to 5.1m AHD in the south, reducing further to 3.5m AHD about 90m south of the SLSC near the beach accessway.

3.3 Current Hazard Extents

Coastal hazards are defined in section 4 (1) of the *Coastal Management Act 2016* as:

a) beach erosion

b) shoreline recession

c) coastal lake or watercourse entrance instability

d) coastal inundation

e) coastal cliff or slope instability

f) tidal inundation

g) erosion and inundation of foreshores caused by tidal waters and the action of waves, including the interaction of those waters with catchment floodwaters.

All of the hazards listed above affect the beach in the vicinity of the SLSC, with the exception of coastal cliff or slope instability and coastal lake or watercourse entrance instability.

The hazard extents presented by HCE (2021a and b) are derived from the analyses undertaken for the *Pittwater Coastal Hazard Definition and Vulnerability Study* (WorleyParsons, 2015). They are reproduced in **Figure 3-3**. The hazard extents presented in the study are generally considered relatively conservative. The hazard lines were derived adopting a 100 year ARI design storm event as the design event and sea level rise projections of 0.3m by 2050 and 0.8m by 2100 relative to the year 2015 (WorleyParsons, 2015). A wave transformation study that that took account of the reefs to the south of Newport Beach. It is noted that, where seawalls are known to exist, the hazard lines were not adjusted and were calculated on the assumption the dune comprises unconsolidated sand (WorleyParsons, 2015). Hence, the hazards lines for Newport Beach do not take into account the presence of the rock revetment put in place in 1974.

Figure 3-4 is a conceptualisation that explains how beach erosion and shoreline recession due to sea level rise are incorporated for purposes of deriving the hazard extents.

Referring to the hazard lines derived for Newport Beach (**Figure 3-3**), the present day hazard lines show that the existing SLSC building, dunes and part of the carpark are located within the wave run-up (*coastal inundation hazard*) and zone of slope adjustment or ZSA (*beach erosion hazard and shoreline recession hazard*). The dune system, carpark and children's playground are all located within the coastal hazard extents in the future planning horizons.

It is noted that, if the proposed seawall were in place, the hazard lines could be re-evaluated and it likely that the wave run-up and ZSA lines for both the present day and future planning horizons would be located further seaward of their current location.

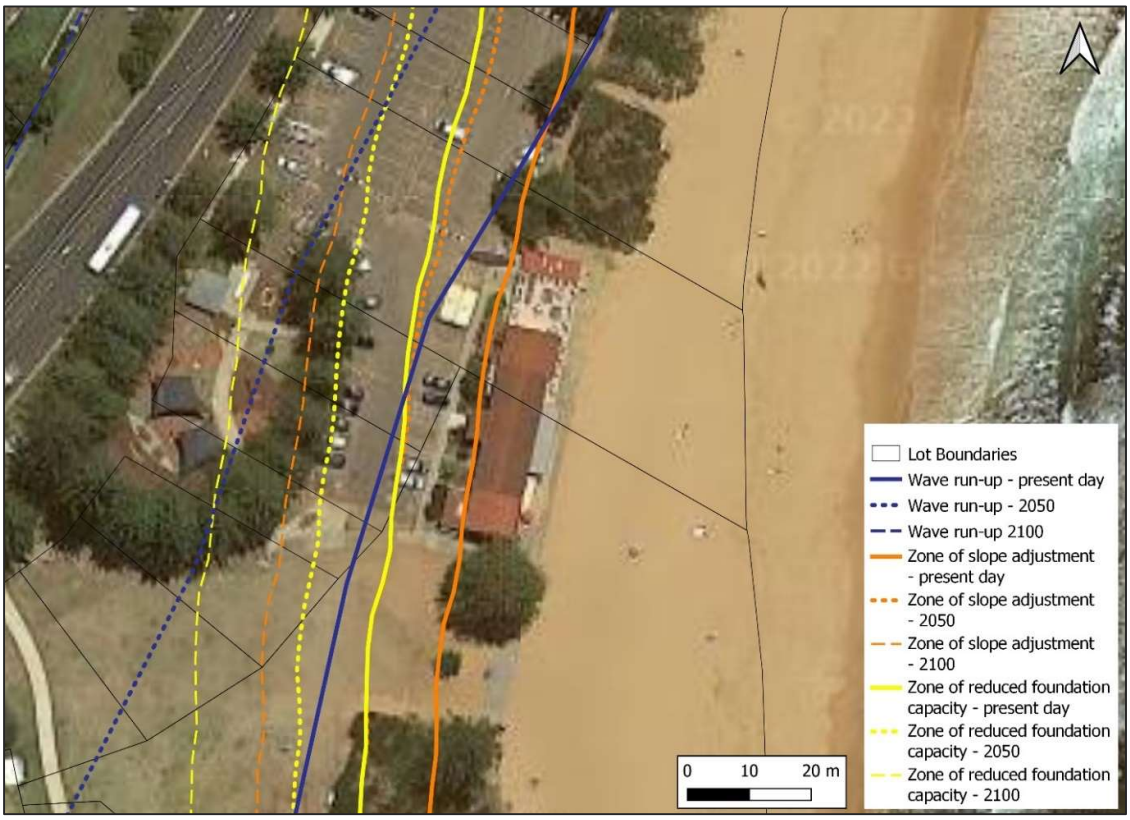


Figure 3-3 Hazard Lines (after: WorleyParsons, 2015), aerial imagery: Google Satellite, 12/3/2018

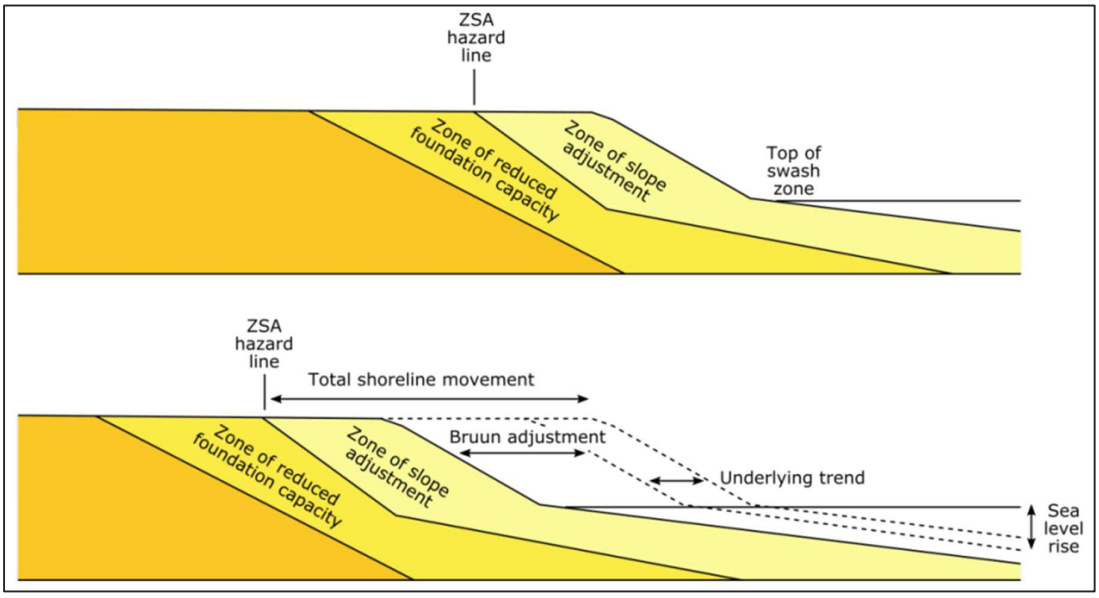


Figure 3-4 Conceptualisation of derivation of beach erosion and shoreline recession hazard lines for the present day (top) and future planning horizon (bottom) (source: BVSC, 2017; modified from Nielsen et al., 1992)

3.4 Coastal Engineering Assessment

This sub-section summarises the analyses undertaken to inform the project coastal engineering and impact assessment.

3.4.1 Adopted Design Parameters and Analytical Methods

The key design parameters adopted for the coastal engineering design and methods of analyses for the quantification of coastal hazards undertaken by HCE and WRL for the DA are summarised in **Table 3-1**.

Table 3-1 Adopted Design Parameters and Analytical Methods

Parameter	Adopted Design Input	Reference
Design life of structure	60 year design life for the seawall	HCE (2021b) and WRL (2021a)
Design Average Recurrence Interval (ARI)	Considered 100, 500, 1000 and 2000 year ARIs	WRL (2021b)
Extreme water levels	100 year ARI design still water level of 1.44m AHD	HCE (2021b)
	As per Table 3 of WRL (2021b) for the full range of design events.	
Extreme offshore wave heights	100 year ARI significant wave height of 8.7m Wave period of 13s Sea level rise as appropriate for planning period	HCE (2021b)
Wave transformation to shore	Assumes waves coming from south to south-east.	HCE (2021a)
	Suggest numerical and/or physical modelling of wave transformation at the detailed design stage to confirm adopted values.	WRL (2021a)
Observed ('baseline') shoreline recession	0m/year - no detectable recession trend based on analysis of available photogrammetric and LiDAR data from 1941-2021, zero sediment loss (excl. that caused by sea level rise)	HCE (2021b) and WRL (2021b)
Sea level rise	0.26m for 2050, 0.44m for 2080	HCE (2021b) and WRL (2021b)
Shoreline recession under sea level rise conditions	7m by 2050, 13.6m by 2080	HCE (2021b)
Design scour level at the seawall	-1 to -2m AHD	HCE (2021b)
	As per Table 6 of WRL (2021b) for the full range of design events, ranging from: • 1.6m to -0.1m AHD for the 100 year and 2000 year ARI storms in the present day; and • 0.5m to -0.7m AHD for the 100 year and 2000 year ARI storms in 2080.	
Wave run-up & overtopping	Estimated using empirical methods and compared to observed debris lines from the 1986 storm. Numerical modelling with EurOtop and physical modelling recommended for detailed design.	WRL (2021b)
Wave forces		
Seawall end effects	Estimated using empirical methods.	WRL (2021b)

3.4.2 Beach Erosion

For purposes of understanding the variability in beach volume in front of the SLSC, HCE (2020) plotted the available historical beach profile data, reproduced here in **Figure 3-5**. The proposed seawall has been superimposed on the graph for context. The façade of the SLSC building is located at 0m chainage, and the current footpath in front of the building is around 6m wide.

It is apparent that the beach volume and profile fluctuates over time. The 1974 profile captures the highly eroded state of the beach following a series of sequential, major storm events, whereas the 2011 profile shows a more accreted beach. Examining the profiles presented in **Figure 3-5,** the level of the beach immediately in front of the SLSC has ranged from around 5.3m to 5.9m AHD, noting that this level may be limited by the ad hoc rock protection placed in front of the SLSC in 1974.)

The location of the top of the 1974 rock revetment is also shown in **Figure 3-5**, labelled TP5-TP8, dervied from test pits undertaken by JKGeotechnics (2021). The existing rock revetment appears to extend from around 5m to around 12m from the SLSC.

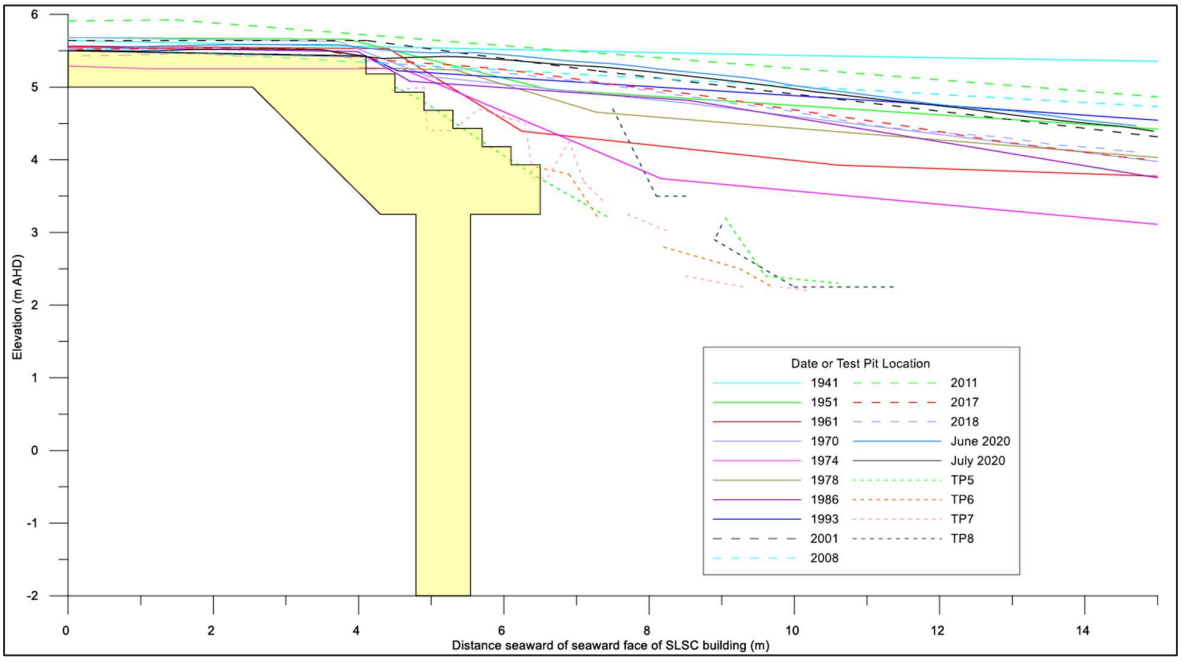


Figure 3-5 Historical beach profile data at Newport SLSC from 1941 to 2020, including top surface of rock boulders placed in 1974, shown relative to proposed seawall (source: HCE, 2020)

WRL (2021b) present the results of SBEACH modelling to predict scour levels at the subject site, both with and without the seawall that forms part of the proposal. 33The modelling was undertaken for the full range of design events to estimate scour levels for the present day and in future planning horizons incorporating sea level rise and shoreline recession.

The estimates are presented in **Figure 3-6**. In the figure, the y-axis corresponds to the façade of the SLSC. The SBEACH modelling estimates scour levels in front of the proposed seawall between -0.5m AHD and -1.0m AHD, which was considered generally consistent with observed historical scour levels during severe storms (WRL, 2021b).

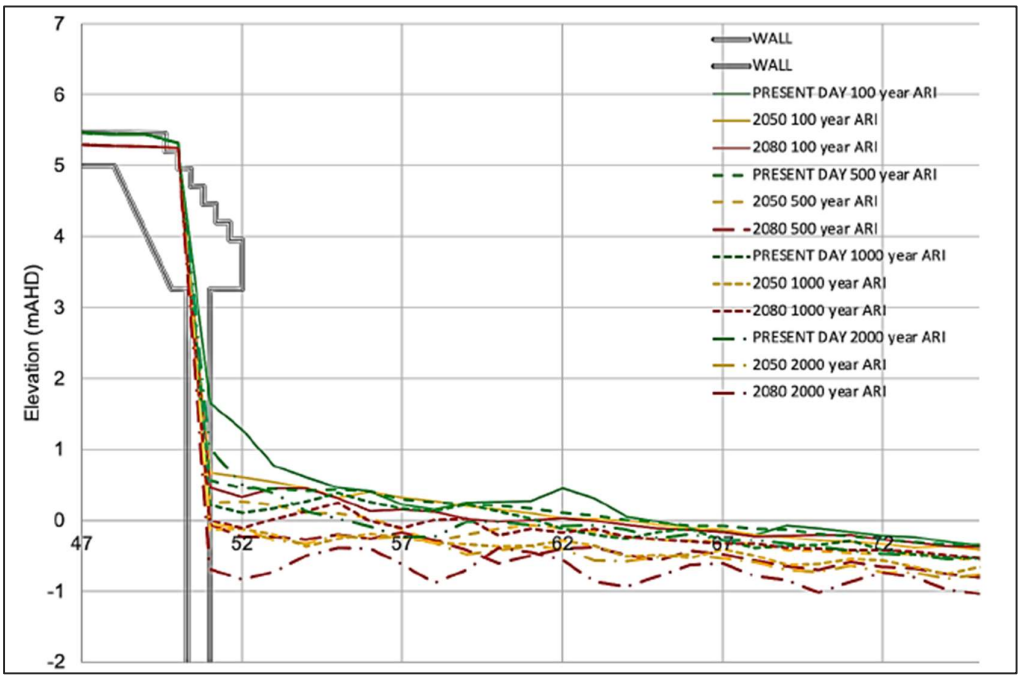


Figure 3-6 Envelope of beach profiles for a range of design storm events storms in SBEACH with the proposed seawall (source: WRL, 2021b)

3.4.3 Wave Run-up and Overtopping

Estimates of wave run-up and overtopping of the proposed seawall were prepared by WRL (2021b) using empirical methods (i.e. desktop calculations). The analyses assumed the crest level of the seawall would be 5.5m AHD and considered two scenarios:

- An average or accreted beach profile; and
- A highly eroded beach profile.

For an average or accreted beach, the wave run-up levels exceed the proposed crest level of 5.5m AHD with potential for overtopping to occur during storm events of 100 year ARI or greater (WRL, 2021b). Using different methods, present day wave run-up levels in a 100 year design event are estimated at 6.11m AHD and 6.71m AHD, with a discharge of around 1.4 to 5.1 L/s/m. In 2080 under climate change conditions, the wave run-up estimates increase to 6.55m AHD to 7.15m AHD, with an overtopping discharge of around 7.3 to 23.4 L/s/m (WRL, 2021b).

When the beach is in an eroded state, the cantilever of the stairs on the proposed seawall effectively acts as a return wall and this will reduce overtopping uprush for lower water levels (WRL, 2021b). Under an eroded state and assuming a vertical seawall with a return wall, the overtopping discharge is estimated for the 100 year storm at 0.38 L/s/m in the present day and 13.31 L/s/m in 2080. For context, discharges of 0.1 L/s/m are considered tolerable for pedestrians and discharges of 1-10 L/s/m are considered tolerable for trained personnel (EurOtop, 2007; cited WRL, 2021b). The tolerable limit for damage to a paved promenade behind a seawall is 200 L/s/m.

Where the risk from overtopping or wave forces are considered unacceptably high, there are a range of methods to reduce overtopping, as discussed in HCE (2020 and 2021b) and WRL (2021b). Horton Coastal Engineering has proposed several measures to mitigate overtopping risk to members of the public and

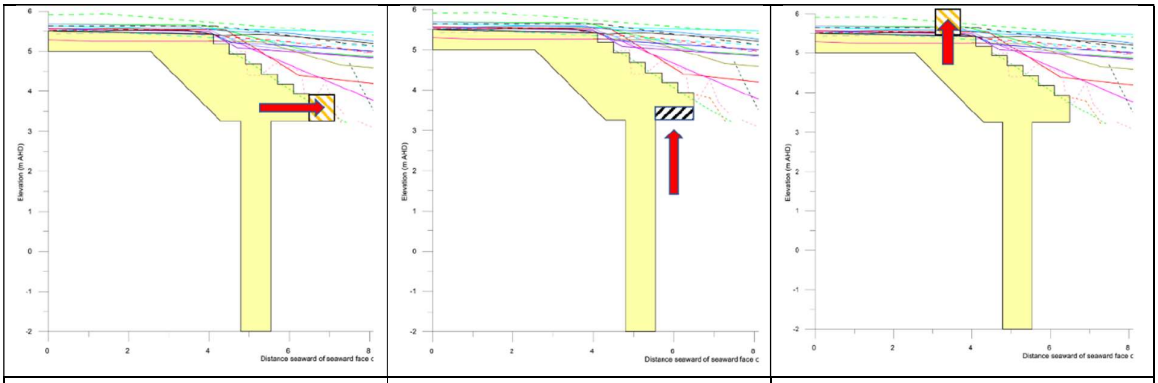
the SLSC building in the *Coastal Engineering Report* (HCE, 2021b) and the *Coastal Engineering and Flooding Advice* report (HCE, 2021a). These include:

- Installation of staggered solid seating along the promenade to reduce wave forces and inundation depths (as shown in the photo montages);
- Consideration of the stairs during detailed design to act as a wave return, such as by raising the wave return wall or having a wider wave return wall;
- Appropriate structural engineering design of the new elements of the SLSC to withstand the anticipated wave forces;
- Careful consideration of the internal fit out of the ground floor with respect to the design wave run-up level (e.g. location of electrical sockets, wiring and etc.); and
- Operational procedures for implementation during an event (e.g. placement of temporary barriers).

The process which these risk mitigation measures would be investigated and adopted through the detailed design and operational phases of the proposed development are discussed in **Section 3.1**.

Options for the management of overtopping are provided in **Figure 3-7**. The third option at the bottom of **Figure 3-7** is that intended for the construction proposed by HCE (2021b) and shown in the amended plans prepared by Adriano Pupilli Architects (refer Drawing No. 013), reproduced here in **Figure 3-8.**

The effectiveness of a wave return in mitigating wave overtopping as demonstrated by physical modelling for a proposed seawall at Kingscliff is shown in **Figure 3-9**.



Extend projection of return wall	Raise level of return wall	Add return wall on crest

Figure 3-7 Options for reducing wave overtopping (after: WRL, 2021b)

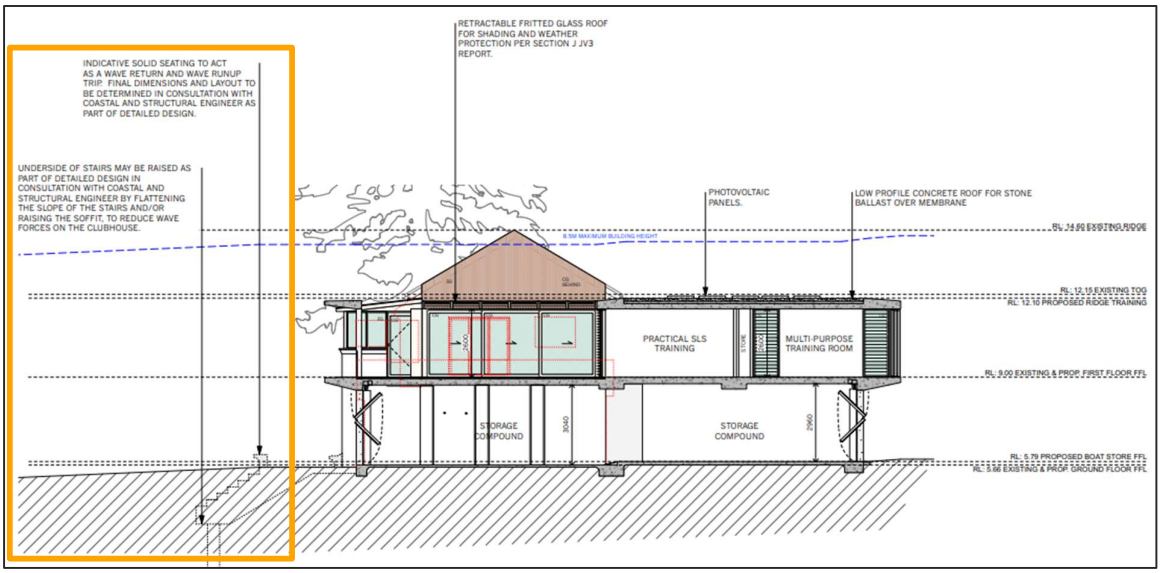


Figure 3-8 Proposed wave return wall and other potential design measures to mitigate wave overtopping hazard, refer text and images outlined in orange (source: design plans prepared by Adriano Pupilli Architects, dated 14/6/2022, refer Drawing No. 013)

Stepped concrete seawall – 6mAHD crest with wave return wall during 10 year ARI event, present day

Stepped concrete seawall – 5.45m AHD crest with no wave return wall during 500 year ARI event, present day

Figure 3-9 Physical modelling of wave overtopping of a stepped seawall with and without a wave return wall (source: Modra et al., 2016)

Further, it is noted that the majority of the ground floor areas that would be subject to wave overtopping and wave forces are non-habitable storage areas. Given they are not habitable areas and noting the possibility of securing these areas and making sure no people are present at the time of an event, it is considered that the consequences of wave overtopping for members of the public and public

property could be appropriately managed with standard risk mitigation measures (i.e. similar to those adopted for properties in flood prone areas subject to overfloor flooding), as detailed in **Section 3.1**.

As reported in HCE (2021a) the Newport SLSC has previously been impacted by beach erosion and wave run-up and overtopping during a severe coastal storm in May 1974. The proposed seawall would mitigate the erosion risk to the SLSC building and by incorporating a wave return structure, reduce the impact of wave run-up and overtopping during a storm, thereby reducing the existing level of impact of coastal storms on the heritage building. The process by which the detailed design and operational phase of the proposed development would manage the risk of coastal hazards to members of the public is detailed in **Section 3.1** of this report.

3.4.4 Shoreline Recession and End Effects

Measured historical long term shoreline recession rates reported in the *Coastline Hazard Definition and Climate Change Vulnerability Study* (WorleyParsons, 2015) are -0.15m/year and +0.37m/year for the north and south of Newport Beach, respectively. Based on this finding, Horton (2021b) and WRL (2021b) assumed no background trend of shoreline recession at the site (i.e. without sea level rise, the shoreline would not recede).

However, shoreline recession is projected to occur under projected sea level rise. Projected long term recession of Newport Beach due to sea level rise alone was calculated by WorleyParsons (2015) at 11.7m and 28.9m relative to an increase in mean sea level of 0.3m and 0.8m respectively. Horton (2021b) applied the Bruun Rule to derive projected long term recession for the design life of the proposed seawall (2080), adopting a projected sea level rise of 0.44m, estimated at 13.6m.

If the historical profiles are translated shoreward to account for this projected shoreline recession, they can be mapped in relation to the proposed seawall to consider the potential impacts of the proposal on beach amenity. Horton (2021b) prepared a figure, reproduced here as **Figure 3-10**, to show that the proposed seawall is expected to remain largely buried even under future shoreline recession due to sea level rise at the end of the design life. The steps could provide beach access most of the time and it is expected that, even with projected long term recession due to sea level rise, that the average beach width at the end of the design life would be roughly 50-60m (HCE, 2021b).

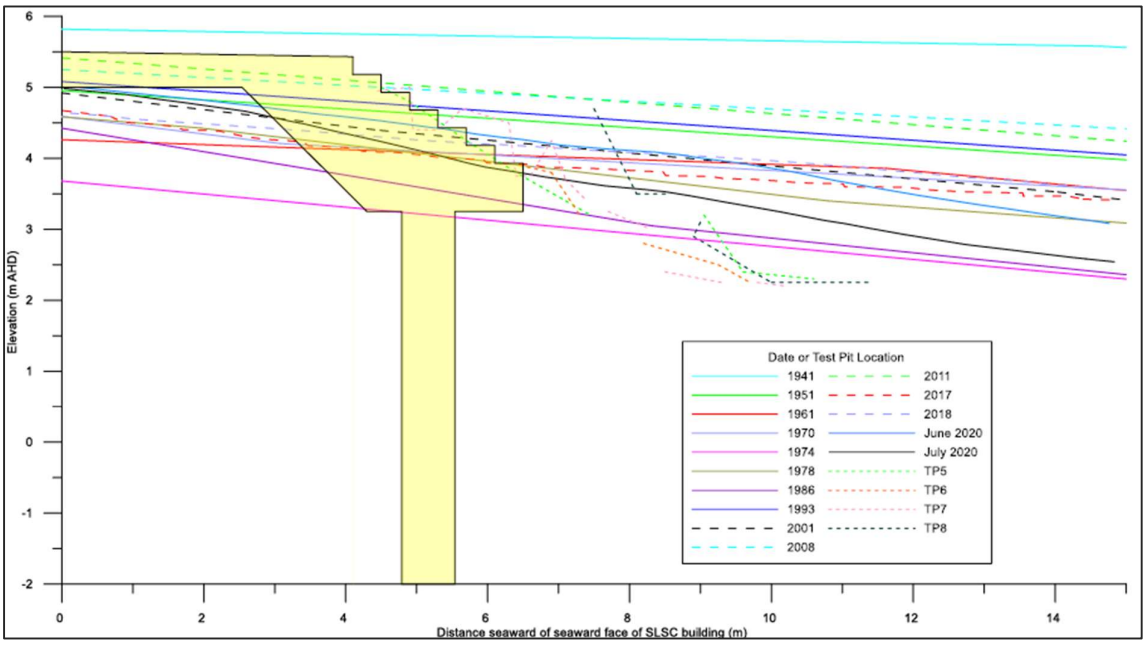


Figure 3-10 Historical shoreline profiles and proposed seawall as per Figure 3-3, with profiles translated shoreward to account for long term recession due to sea level rise over the design life (source: HCE, 2021b)

It is noted, however, that the proposed seawall would prevent shoreline recession under sea level rise conditions, although there is potential for end effects to occur, whereby the land immediately adjacent to the ends of the seawall is subject to increased erosion due to the presence of a coastal protection structure.

WRL (2021b) provided a desktop estimate of seawall end effects for the 100 year ARI design storm for the three planning horizons and assuming a seawall crest length of 85m. They found no significant seawall end effect in the present day up to the 100 year ARI event as there is sufficient sand buffer in front of the seawall. However, in future an end effect may occur due to the reduction of beach volume in front of the seawall due to sea level rise (WRL, 2021b).

The impact of the estimated end effects on the erosion hazard lines is shown in **Figure 3-11**. It may be possible to reduce these end effects by reducing the overall length of the seawall crest (WRL, 2021b).

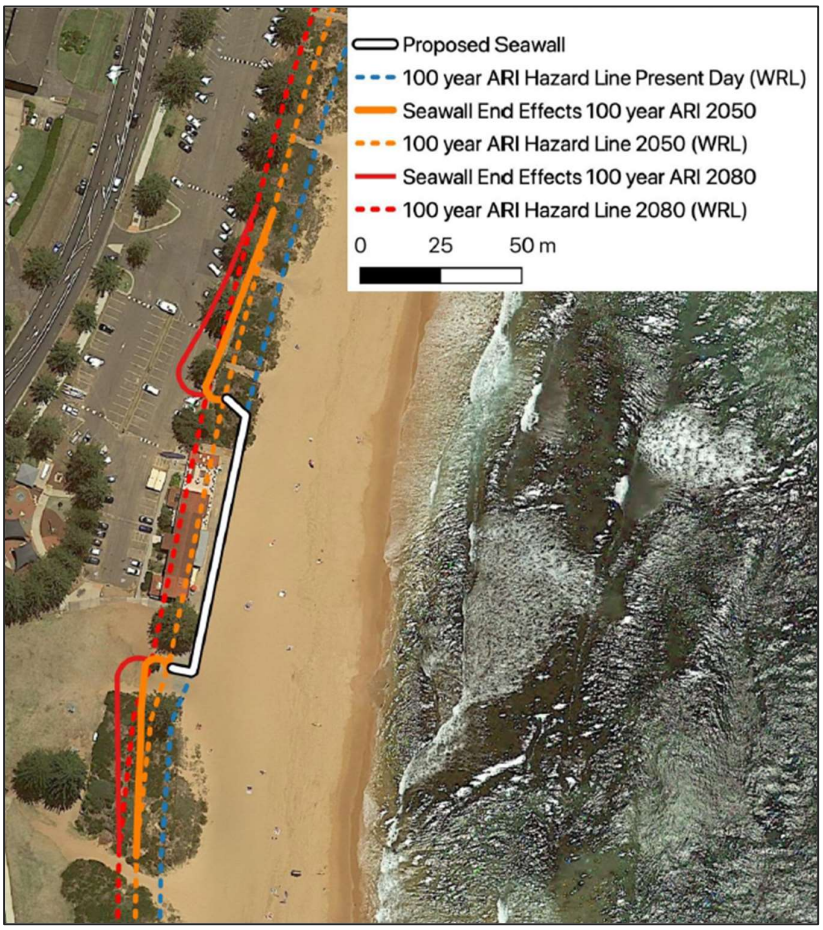


Figure 3-11 Theoretical seawall end effect for 100 year ARI conditions (source: WRL, 2021b)

3.5 Potential Impacts of the Proposal

This section provides a discussion on the potential impacts of the proposal on coastal values, with reference to the publicly available published literature.

3.5.1 Public Open Space and Public Access To and Along the Beach

Construction phase impacts on public access

There are currently over ten publicly accessible beach accessways spaced along the length of Newport Beach (**Figure 3-12**). As discussed in **Section 3.1**, the works area for the seawall construction would be fenced off for safety reasons. This would preclude public access from the car park via the two or three of the accessway adjacent to the SLSC; however, there are a number of alternative accessways that could be used. It may also preclude public access along the shoreline under high tide conditions or following an erosion event. Alternative pedestrian access would be provided via the car park at these times. This impact on alongshore access would be similar to that observed following an erosion event under existing conditions.

The SLSC would operate out of a temporary facility during the works to the building. During the works to construct the seawall, the SLSC operations could be moved northwards along the beach. The specific

location to which the operations would be relocated would be determined based on conditions at the time. As is apparent in **Figure 3-12**, there is ample room on the beach for relocation of SLSC operations.

Construction phase impacts would be managed in accordance with a Public Access and Amenity Plan.

Figure 3-12 Public accessways to Newport Beach

Beach width during the operational phase

The subject site is located within the Coastal Use coastal management area under the *State Environmental Planning Policy (Resilience and Hazards) 2021.*

One of the key concerns typically raised by beach users in relation to seawalls is the potential for seawall construction to result in net loss of beach width. The width (and volume) of the beach is a key factor governing access along the beach and for a range of different recreational activities. The literature review on beach amenity width presented in MHL-WRL (2021) identified the following important themes:

- Generally, people prefer wider beaches compared to narrow beaches, but not too wide;
- Sufficient beach width is desirable for purposes of walking along the shoreline or sitting or lying on the beach without getting wet or coming into contact with waves;

- Sufficient beach width is also important for sporting or other recreational activities. In the case of Newport Beach, this would include surf life saving activities;
- There is a seasonal aspect to beach amenity width, with smaller numbers of beach users in winter. At these times a lesser beach width may be acceptable, provided there is provision for alongshore access, whether along the beach or an adjacent path;
- Beach safety and the potential exposure of structures can also be an issue when the beach is in an eroded state. This is an issue at the subject site due to the presence of the rocks placed in front of the Newport SLSC following the 1974 storms; and
- The ability of a beach to resist erosion events (and therefore maintain a suitable level of amenity) is better correlated to beach volume.

Of particular interest is an analysis of the impact of different coastal protection options on beach width undertaken for the *Wamberal Terminal Coastal Protection Assessment* by MHL-WRL (2021). For that study the authors adopted a minimum dry beach width of 5m between the seawall and the wave run-up limit, a width that would provide for some storm erosion but without being too wide for beach users, noting that the beach would be far wider than this during most tide and wave conditions. In the base case, and adopting the 2% wave run-up level, the existing beach had a width less than 5m around 1.4% of the 10 year period analysed, or on average 5.1 days per year. When the analysis was re-run for the vertical and tiered vertical seawall options with a more landward alignment, the amount of time the beach width failed to meet the required minimum of 5m decreased to 0.2% and 1.1% of the 10 year period (or 0.7 and 4 days respectively) (MHL-WRL, 2021). In this case the presence of the seawall is predicted to have a net neutral or even a small positive impact on beach amenity width. There would be fewer occasions where the beach would be less than 5m width.

The proposal for Newport Beach SLSC incorporates a vertical seawall with steps, which would be similar to the vertical and tiered vertical seawall options discussed above. It is reasonable to assume a similar level of impact on beach amenity width would occur at Newport Beach. Hence it is considered likely that the impact of the proposal on beach amenity width would be minor. Further, the provision of a high amenity seawall that incorporates seating and stairs would be an improvement over the existing condition and would provide improved access to an eroded beach over the existing condition.

Another key consideration raised in the *Coastal Protection Amenity Assessment* report (MHL-WRL, 2021) is that the interaction of seawalls with coastal processes (and therefore the level of impact on the beach) is highly dependent on their position within the active profile. A schematic of the active profile is provided in **Figure 3-13**.

Where a seawall is located further landward within the active zone of the beach profile it locks away a smaller amount of the total beach volume and is less frequently exposed to wave activity. The more seaward the structure is located, the larger the volume of sand locked up by the seawall and the more frequent the exposure to waves. Hence, a seawall will have a lower level of impact on beach access and amenity the further landward it is located within the active beach zone.

Where a seawall is located further landward within the active zone of the beach profile it locks away a smaller amount of the total beach volume and is less frequently exposed to wave activity. The more seaward the structure is located, the larger the volume of sand locked up by the seawall and the more frequent the exposure to waves. Hence, a seawall will have a lower level of impact on beach access and amenity the further landward it is located within the active beach zone.

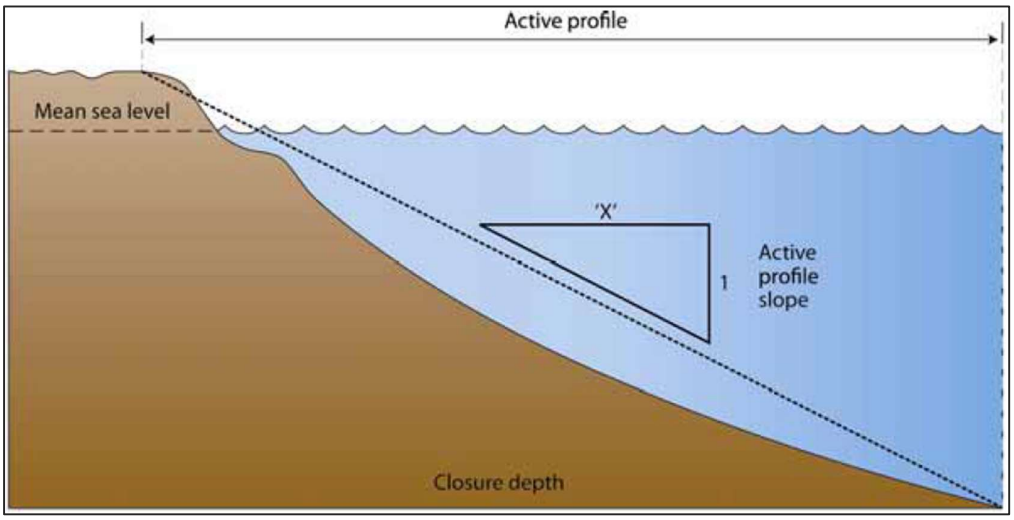


Figure 3-13 Idealised schematic of the active profile (source: DECCW, 2010)

HCE (2020) reports the results of an analysis of the average width of Newport Beach as measured from the SLSC to the shoreline at Mean Sea Level (0m AHD) is 67m. However, a review of aerial imagery of Newport Beach sourced from Nearmap shows that the width of the beach is highly variable and generally recovers relatively quickly following even a large storm event, noting that additional corrections for tide can be made. The images provided in

Tt is noted that the dunes are located seaward of the zone of slope adjustment hazard lines (refer **Figure 3-3**) and would be impacted by coastal storm events even if the seawall were not there. While the vegetation stabilises the dune and minimises the risk of erosion during a storm, there is a risk that over time the integrity of these dune systems would be impacted and some areas of the dune would be lost, noting landward migration won't be possible due to the presence of built infrastructure. Similarly, parts of the adjacent public open space and beach accessways also fall within the 100 year ARI hazard lines and would also be impacted, irrespective of the presence of the proposed seawall.

show the rate of beach recovery following a major East Coast Low storm event over 4-6 June 2016.

The proposed seawall would extend up to 5m from the façade of the SLSC building and be located in the landward portion of the active beach zone. For context, in the first post-storm image in

Tt is noted that the dunes are located seaward of the zone of slope adjustment hazard lines (refer **Figure 3-3**) and would be impacted by coastal storm events even if the seawall were not there. While the vegetation stabilises the dune and minimises the risk of erosion during a storm, there is a risk that over time the integrity of these dune systems would be impacted and some areas of the dune would be lost, noting landward migration won't be possible due to the presence of built infrastructure. Similarly, parts of the adjacent public open space and beach accessways also fall within the 100 year ARI hazard lines and would also be impacted, irrespective of the presence of the proposed seawall.

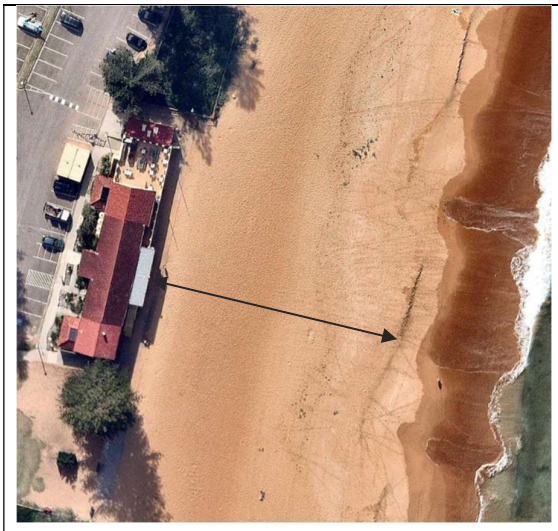
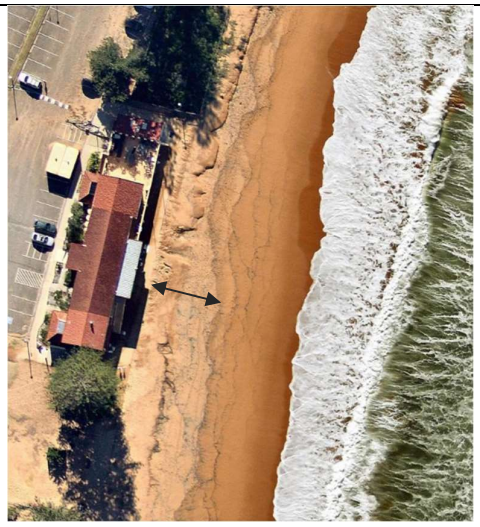
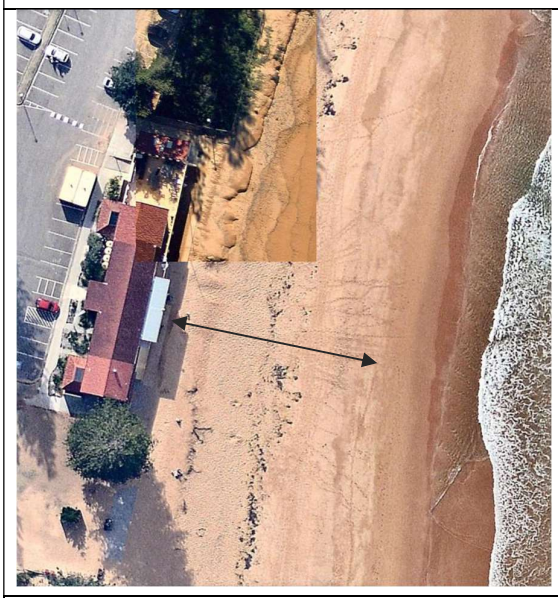
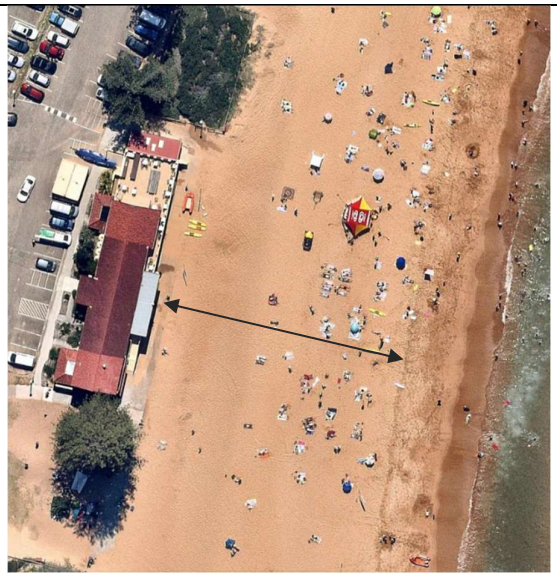
, the toe of the dune is around 6-7m from the façade and slightly seaward of the dune fencing. The authors of the *Coastal Protection Amenity Assessment* report prepared for Wamberal Beach (MHL-WRL, 2021) note that the available literature suggests that when the seawall is located in the landward portion of the active beach area, scour in front of the seawall is typically temporary, occurring only during large storms. With the return to mild wave conditions, the beach in front of the seawall recovers

naturally, such that the seawall is fronted by sandy beach. This was demonstrated in a study of ten years of data for several beaches with seawalls in the Northern Beaches Local Government Area (but excluding Newport Beach) - despite the exposure of the rock protection located on Collaroy-Narrabeen Beach following storm activity, the beach consistently recovered to pre-storm width (greater than 20m) at a rate of 0.07 to 0.14 m/day (Phillips, 2018; cited MHL-WRL, 2021).

The bulk of the recovery in beach width and volume occurs in the first months after the storm event and continues gradually thereafter, albeit at a slower rate (provided there are no further erosion events). Given the position of the proposed seawall in the landward portion of the active beach zone, it is expected that the rate of recovery following a storm event would be similar following construction of the proposed seawall. It is expected that the structure would be buried most of the time, and if sufficient recovery has not occurred within six months of the event, Council would accelerate beach recovery by reinstating the affected land (HCE, 2020). A condition of consent has been proposed in Table 7-2 of the ASEE to give effect to this commitment.

It is understood that the rocks placed on the beach in 1974 occasionally become slightly exposed or lie just below the surface of the sand, presenting a hazard to beach users. Further, as they are significantly undersized, they are also at risk of mobilisation during a severe storm. The removal and/or re-use of the existing rock structure from the beach would mitigate this risk to beach users and the environment.

Table 3-2 Beach recovery after the July 2016 storm (source: Nearmap) – note: not corrected for tide/waves

	
Pre-Storm - 6 May 2016 – Length of line 48m.	Post-storm - 8 June 2016 – length of line 12.8m.
	
4 July 2016 – length of line 38m.	2 October 2016 – length of line 43.5m.

'End effects' impacts on adjacent public open space and dune system

Another potential issue associated with seawalls is flanking erosion (or 'end effects'). End effects arise when the seawall is located in the active beach zone and erosion occurs at either end of the seawall to compensate for the sand locked behind the seawall. As discussed in **Section 3.4.4**, analyses undertaken by WRL (2021b) indicate that end effects are not likely to be an issue in the present day. Over time, however, sea level rise and shoreline recession would result in the seawall being located further into the active beach zone. It is therefore reasonable to assume that the proposed seawall may at some time in future gradually start to cause flanking erosion and the analyses in **Section 3.4.4** indicate this is likely

to be the case. If this were to occur following a storm event, it would negatively impact the dune systems to the north and south, and the public reserve to the south of the SLSC. Ideally the seawall would be located further landward to minimise this impact, however this is not possible due to the location of the SLSC building. As discussed in **Section 3.1**,the detailed design of the seawall would consider seawall returns that minimise end effects. Adopting also the proposed condition of consent relating to reinstatement of areas affected if natural beach recovery is not sufficient, the potential impacts can be appropriately managed such they do not adversely affect beach access or amenity, or the coastal environment.

Tt is noted that the dunes are located seaward of the zone of slope adjustment hazard lines (refer **Figure 3-3**) and would be impacted by coastal storm events even if the seawall were not there. While the vegetation stabilises the dune and minimises the risk of erosion during a storm, there is a risk that over time the integrity of these dune systems would be impacted and some areas of the dune would be lost, noting landward migration won't be possible due to the presence of built infrastructure. Similarly, parts of the adjacent public open space and beach accessways also fall within the 100 year ARI hazard lines and would also be impacted, irrespective of the presence of the proposed seawall.

3.5.2 Use of the Surf Zone

The impacts of seawalls on surfing amenity was considered by the authors of the *Coastal Protection Amenity Assessment* report prepared for Wamberal Beach (MHL-WRL, 2021), who developed a list of all known seawalls located on the open coast of south-east Queensland and NSW, along with some international examples. Of the 91 surfing beaches comprising the list of beaches with seawalls, only six are known to experience reduced beach amenity due to narrow beach width for alongshore access and use of the beach for surf life saving. Of the beaches considered, there were no known reports of seawall impacts on surfing amenity, with the exception of some locations where narrow beach widths and wave activity makes getting into and out of the water challenging from time to time.

Based on that review, it is considered that the proposed seawall at Newport Beach SLSC will not adversely impact on the use of the surf zone.

3.5.3 Coastal Environmental Values

The subject site is located in the Coastal environmental area coastal management area under the *State Environmental Planning Policy (Resilience and Hazards) 2021.* It has been largely cleared of native vegetation and has been developed as landscaped public open space. The Sydney Metro Area V3.1 2016 E-VIS 4489 vegetation mapping indicates the adjacent due vegetation is PCT 772 Coast Banksia – Coast Wattle dune scrub of the Sydney Basin Bioregion and South East Corner Bioregion. There are no Threatened Ecological Communities associated with this PCT. A small area of dune vegetation would be removed for the construction of the proposed seawall (HCE, 2021b). The dune and dune vegetation would be reinstated following the completion of the works.

No aquatic vegetation would be removed for the proposal. There would be no direct impacts to the marine environment.

The dominant natural habitat at the site is the sandy beach and adjacent coastal waters**3.4.2**. These coastal habitats are subject to high rates of natural variation and significant changes to habitats can occur over short and long timeframes in relation to cycles of erosion and accretion, wave activity and coastal storms. As discussed above in **Sections 3.4.2** and **3.4.3**, these naturally occurring coastal processes are not expected to be significantly modified by the proposal.

In the longer term, there is potential for the proposal to impact the dune system to the north and south of the seawall due to edge effects (refer **Figure 3-11**). Should the dunes be impacted during a coastal storm due to edge effects from the proposed seawall, they would be reinstated in accordance with the proposed condition of consent detailed in Table 7-2 of the ASEE. It is noted that these dunes are located within the future zone of slope adjustment mapped by WorleyParsons (2015; refer **Figure 3-3**) and would likely be subject to impact from coastal processes in future irrespective of the proposed seawall.

In addition, the proposed seawall extends further to the south to provide protection for the Norfolk Pine located south of the SLSC building, which would otherwise be vulnerable to undermining due to coastal erosion.

3.5.4 Overshadowing, Wind Funnelling and Views

Overshadowing

The existing SLSC building is located west of the beach, with any additional overshadowing of the foreshore limited to the afternoon. The additional overshadowing is attributable the First Floor Lounge and Terrace, which extends higher than the existing uncovered outdoor first floor terrace in this location.

The application is accompanied by Shadow Diagrams by Adriano Pupilli Architects that compare the current level of overshadowing to that resulting from the proposed development during midwinter, when the extent of overshadowing is at its greatest. In consideration of the size of the beach and the available sandy foreshore, the extent of additional overshadowing arising from the proposed development is considered to be reasonably described as minor.

The proposed seawall would be buried for the majority of the time and will not result in unreasonable overshadowing of the beach.

Wind Funnelling

The proposed development is generally maintained within the existing footprint of the building, with the proposed additions limited to the north-western corner. The proposed additions are unlikely to result in any changes to existing conditions with regard to wind funnelling.

Views

The application is accompanied by Visual Impact Analysis Report by Don Fox Planning which confirms that the proposed development will not result in any adverse impacts upon views to/from the beach. It is noted that any potential impact upon views was also considered by Council and the SNPP in the determination of DA2021/2173, and no concerns were raised in this regard.

3.5.5 Visual Amenity and Scenic Qualities

The site is not located within Scenic Protection Area under the provisions of Pittwater Local Environment Plan 2014 (PLEP 2014). Nonetheless, the existing building is visible from multiple vantage points within the immediate vicinity of the site and is visually prominent as seen from the adjoining beachfront and reserve.

The proposed design solution carefully balances the composition of the building to ensure that the new additions do not dominate the existing building and that the heritage significance of the existing building is retained and preserved. As stated in the accompanying Statement of Heritage Impact by Heritage21 (2022b), the proposed extension employs modern, clearly identifiable materials and a muted colour

palette that is sympathetic to the heritage item and presents a sympathetic and compatible integration of new and heritage fabric.

The visual impact of the proposed development was also considered in the Visual Impact Analysis Report by Don Fox Planning that accompanies the application, which confirms that the proposed development will not result in any adverse visual impacts upon the surrounding natural environment.

The views from within the building are identified as being of exceptional significance in the accompanying *Conservation Management Plan* by Heritage21 (2022a). The proposed additions have been designed to celebrate these views, enhancing the visual amenity experienced by people within the building.

The proposed seawall is to be buried beneath the sand most of the time and will not be readily visible from the foreshore.

However, the seawall may become exposed in extreme erosion events and would remain visible until the sand in front of the building is replenished. As discussed in **Section 3.5.1**, the beach recovery is relatively rapid, and the seawall would not remain fully exposed for long. The application is supported by photomontages demonstrating the visibility of the seawall at different degrees of exposure.

The wall has been designed to present as a series of steps in the foreground of the existing building and will not result in any unreasonable or adverse impacts upon the visual amenity of the foreshore.

3.5.6 Aboriginal Cultural Heritage

A search of the Aboriginal Heritage Information Management System conducted on 18 November did not identify any listed sites of Aboriginal cultural heritage significance within the subject site or nearby. The site has been subject to a high degree of historic disturbance due to coastal processes (e.g. the depth of scour from the 1974 storm) and for the construction of existing built infrastructure (i.e. the SLSC, walkways, rock protection works). While there remains the potential to encounter previously unidentified archaeological material, it is unlikely.

It is acknowledged, however, that the site is likely to hold significance to the Gai-Mariagal people, the Traditional Custodians of the land on which the proposal is located. Newport Beach would have provided access to resources such as fish and shellfish in the beach and adjacent rock platforms, as well as coastal plants collected for food or for medicinal reasons.

Given the extensive historical modification of the site, and the fact that the proposal alters an existing building (rather than adding a new building), and also that the seawall would be buried most of the time, it is considered that the proposal would not contribute materially to the current level of impact on any Aboriginal cultural heritage values or significance associated with the site. An Unexpected Finds Protocol would be implemented during construction to ensure appropriate management response, should any suspected archaeological material or relics be uncovered during the works.

3.5.7 Cultural and Built Environmental Heritage

The site has a long history of use by the local community for recreation and enjoyment of the coastal environment. Popular activities include swimming, surfing, sunbaking, walking, exercising and generally enjoying the scenic quality of the coastal environment. The use of the area for these activities is an important contributor to the cultural heritage values of the subject site.

The existing SLSC clubhouse was built in 1933. The Newport SLSC building is identified as an item of local heritage significance, as shown on the Heritage Map of PLEP 2014 and as listed in Schedule 5 of PLEP 2014. The proposed works are located within the curtilage of this heritage site. The *Newport SLSC Conservation Management Plan* (Heritage21, 2022a) states that '*The Newport Surf Life Saving Club established in 1911 has historical, associative, social and aesthetic significance for the Newport Community….The item…indicates social and associative value as its plays a vital role in the development of Newport as a hub for tourism and leisure activities*.' The proposal would provide for the sustainable ongoing use of the SLSC by adapting the requirements of the building to the contemporary needs of the SLSC, including the increased membership and need for specialist equipment. As highlighted in **Sections 3.4.2 and 3.4.4**, the clubhouse is currently vulnerable to beach erosion and the seawall would protect the heritage listed clubhouse, thereby extending its life and providing for the ongoing sustainable use of the building.

The Norfolk Pines that are located to the north and south of the SLSC building, and to the west around the playground also contribute to the cultural heritage of the site. It is noted that the seawall has been designed to protect one of the Norfolk Pines that would otherwise be at risk from undermining due to shoreline erosion over time.

4 Conclusions

Management of risk from coastal hazards

Based on the coastal engineering and investigations undertaken to date, it is considered that the risk to the proposal from coastal hazards can be appropriately managed.

In the operational phase, the residual risk from coastal hazards to members of the public and users of the Newport SLSC can be appropriately managed through adoption of operational and maintenance procedures and practices.

The impacts of the proposal on coastal processes would be minor in the short term, increasing slightly over time due to the impacts of climate change. However, mitigation measures have been proposed to appropriately manage the identified impacts.

Benefits of the proposed development

The key benefits of the proposal relate to the improved amenity and functionality of the SLSC building, which is a public asset of great significance to the community. In addition to the role of the SLSC in providing training and surf life saving services, the SLSC building is also used for other public purposes, with rooms available for hire. It acts as a hub and fosters community cohesion in the local neighbourhood. Another benefit is the preservation and protection from coastal hazards of the heritage significant features of the SLSC while at the same time providing for the sustainable use of the SLSC building and heritage surf culture of the site.

The alternative to proceeding with the proposed development is to 'do nothing' or 'do minimum' (I.e. undertake the SLSC alterations and additions without constructing the seawall). Neither of these options are in the public interest as they would result in the potential loss or damage of a significant community asset and associated essential services following a severe storm event. Further, it is noted that the existing level of risk to members of the public from coastal hazards (e.g. wave overtopping) and associated impacts on beach amenity and access would continue.

Not only is the existing rock structure insufficient to mitigate risks to public safety and assets from coastal hazards, but there is also a potential public safety and environmental risk associated with dislodgement of rocks from the existing structure during a storm and/or exposure of rocks following an erosion event. Should a severe storm damage the existing structure, the adverse impacts to the environment and beach users would be material and would be costly to rectify.

Concluding remarks

On the whole, it is considered that the benefits of the proposed development outweigh the impacts and that the risk from coastal hazards can be appropriately managed through a combination of design and operational and maintenance measures. The consent authority can be satisfied that the proposed development is in the public interest and is supported by the majority of the participants in the community engagement undertaken for the proposal.

5 References

Bega Valley Shire Council [BVSC] (2017) *Coastal Management Program – Coastal Hazards Summary of Coastal Processes and Hazards Report (Draft).*

NSW Department of Environment, Climate Change and Water [DECCW] (2010) *Coastal Risk Management Guide Incorporating sea level rise benchmarks in coastal risk assessments.*

EurOtop (2007) *Manual on wave overtopping of sea defences and related structures: Assessment manual.*

Heritage21 (2022a) *Conservation Management Plan Newport SLSC 394 Barrenjoey Road Newport.* Prepared for Northern Beaches Council.

Heritage21 (2022b) *Statement of Heritage Impact Proposed Development at Newport SLSC 394 Barrenjoey Road Newport.* Prepared for Northern Beaches Council.

Horton Coastal Engineering [HCE] (2021a) *Coastal Engineering and Flooding Advice for Newport SLSC Clubhouse Redevelopment*. Prepared for Northern Beaches Council.

Horton Coastal Engineering [HCE] (2018) *Initial Coastal Engineering Advice on Newport SLSC Redevelopment (Draft*). Prepared for Northern Beaches Council.

Horton Coastal Engineering [HCE] (2020) *Assessment of Options for Redevelopment of Newport SLSC, with Updated Consideration of Risk from Coastal Erosion/Recession.* Prepared for Northern Beaches Council.

HCE (2021a) *Coastal Engineering and Flooding Advice for Newport SLSC Clubhouse Redevelopment*. Prepared for Adriano Pupilli Architects Pty Ltd.

Horton Coastal Engineering [HCE] (2021b) *Coastal Engineering Report and Statement of Environmental Effects for Buried Coastal Protection Works at Newport SLSC*. Prepared for Adriano Pupilli Architects Pty Ltd.

Horton Coastal Engineering [HCE] (2022a) *Response to Sydney North Planning Panel on Items Raised in Deferral Letter dated 26 September 2022 in Relation to Newport SLSC (PPSSNH-301 – DA2021/2173)* (including Attachments 1 and 2). Prepared for Northern Beaches Council.

Horton Coastal Engineering [HCE] (2022b) *Second Response to Sydney North Planning Panel on Items Raised in Deferral Letter dated 26 September 2022 in Relation to Newport SLSC (PPSSNH-301 – DA2021/2173)*. Prepared for Northern Beaches Council.

JKGeotechnics (2021) *Geotechnical Investigation for Proposed Alterations and Additions at Newport Surf Life Saving Club 394 Barrenjoey Road, Newport, NSW.* Prepared for Horton Coastal Engineering Pty Ltd.

Kulmar, M. and Nalty, C. (1997) *New South Wales Coast, May 1997 Storm Analysis*. Report MHL886, December 1997.

MHL-WRL (2021) *Wamberal Terminal Coastal Protection Assessment Stage 2 – Coastal Protection Amenity Assessment*. Published by NSW Department of Planning Industry Environment - Manly Hydraulics Laboratory (MHL) in association with UNSW Sydney - Water Research Laboratory (WRL) and Balmoral Group Australia (BGA). Prepared for Central Coast Council.

Modra, B., Coghlan, I., Carley, J., Blumberg, G. and Boyd, W. (2016) *Wave Forces and Overtopping on Stepped Seawalls*, presented at NSW Coastal Conference, Coffs Harbour, NSW, Australia, 9-11 November 2016.

Nielsen, A F, Lord, D B and Poulos, H G (1992) *Dune Stability Considerations for Building Foundations*, Vol. CE34, No. 2 June, 1992.

Phillips, M.S. (2018) *Wave-driven recovery of sandy beaches following storm erosion*. PhD thesis, Faculty of Engineering, School of Civil and Environmental Engineering, UNSW Sydney.

Pittwater Council (2005) *Pittwater Ocean Beaches Plan of Management Under the Local Government Act, 1993 and the Crown Lands Act, 1989.*

UNSW Water Research Laboratory [WRL] (2021a) *DRAFT Newport SLSC coastal hazard peer review*, dated 14 May 2021. Prepared for Northern Beaches Council.

UNSW Water Research Laboratory [WRL] (2021b) *Newport SLSC coastal engineering advice*, dated 8 July 2021. Prepared for Northern Beaches Council.

WorleyParsons (2015) *Coastline Hazard Definition and Climate Change Vulnerability Study*. Prepared for Pittwater Council.

Rhelm Pty Ltd

ABN 55 616 964 517

ACN 616 964 517

Head Office

Level 1, 50 Yeo Street

Neutral Bay NSW 2089

contact@rhelm.com.au

+61 2 9098 6998

www.rhelm.com.au

Rhelm Pty Ltd

ABN 55 616 964 517

ACN 616 964 517

Head Office

Level 1, 50 Yeo Street

Neutral Bay NSW 2089

contact@rhelm.com.au

+61 2 9098 6998

www.rhelm.com.au