

APPLICATION FOR MODIFICATION ASSESSMENT REPORT

Application Number:	Mod2021/0171
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Responsible Officer:	Penny Wood
Land to be developed (Address):	Lot 1 DP 178410, 0 Cameron Avenue MANLY NSW 2095 Lot 1 DP 909018, 0 North Steyne MANLY NSW 2095
Proposed Development:	Modification of Development Consent DA302/2012 for alterations and additions to the existing Queenscliff Surf Life Saving Club building including mezzanine floor, new roof and internal modifications
Zoning:	Manly LEP2013 - Land zoned RE1 Public Recreation
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Delegation Level:	NBLPP
Land and Environment Court Action:	No
Owner:	Department of Land & Water Conservation
Applicant:	Northern Beaches Council

Application Lodged:	16/04/2021
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Community facility
Notified:	26/04/2021 to 10/05/2021
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

The proposed application seeks approval to modify Development Consent DA302/2012 and involves alterations and additions to the Queenscliff Surf Life Savings Club (SLSC) building.

The subject building is a local heritage item, being I171 - Queenscliff Surf Club - North Steyne, Manly listed in Schedule 5 Environmental Heritage of Manly Local Environmental Plan 2013.

The public exhibition of the modification application resulted in no submissions.

The subject site is located on Crown Land in which Council is the Crown Land Manager. Given Council is the applicant, the modification application is referred to the Northern Beaches Local Planning Panel for determination.

PROPOSED DEVELOPMENT IN DETAIL

The modification application seeks consent for alterations and additions to a community facility being the Queenscliff Surf Life Saving Club (SLSC) building, pursuant to Manly Local Environmental Plan (MLEP 2013).

The proposed works involve:

Ground Floor:

- Replace double door with roller shutter door (same size and location) along eastern elevation and retain doors adjacent to new roller shutter door.
- New door from 'proposed ski and board storage room' into fire stair.
- Existing walls to remain for storage area at northern end.
- New opening onto enclosed area along western elevation.

First Floor:

- Reconfiguration of rooms and removal of male and female toilet and replaced with office and storeroom.
- Door onto western deck from hall are not being installed and a maintenance door is proposed off the corridor is proposed.
- Maintain existing void adjacent to northern end of balcony located along the eastern elevation of building.
- Re-locate the location of the bar within the 'Club Room'

No operational changes are proposed to the use of the Surf Club Building.

Under the Crown Land Managers Act 2016 Clause 3.21, all Crown land managed by local councils must be managed as if it were community land in accordance with the Local Government Act 1993. As a consequence council, as CLM, may make a Development Application without the need for consent of the Crown, as owner of the land, provided that a notice of intention to make the application is served upon the Crown for comment prior to lodgement. Council (as the Crown Land Managers) notified Crown Lands on 16 April 2021 of the lodgement of the subject S4.55 (1A) modification application.

The applicable Plan of Management (PoM) for Queenscliff Surf Life Saving Club (SLSC) is the Manly Ocean Beach Plan of Management 2002, which specifically authorises a 20 year lease for Queenscliff SLSC. All works proposed fall within the lease area (which is currently up for renewal for another 20 year period) and are consistent with the ongoing use of the premises for surf lifesaving purposes. Queenscliff Surf Life Saving Club is categorised as "general community use" under the Local Government Act 1993. The core objectives for management of land classified as "general community use" are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public. As such it is considered that the proposal is consistent with the provisions of the PoM.

ASSESSMENT INTRODUCTION

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

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

There are no assessment issues.

SITE DESCRIPTION

Property Description:	Lot 1 DP 178410 , 0 Cameron Avenue MANLY NSW 2095 Lot 1 DP 909018 , 0 North Steyne MANLY NSW 2095
Detailed Site Description:	<p>The subject site is located on the eastern side of North Steyne at the northern end of Queenscliff Beach. The site is located within a public recreational reserve known as Merrett Park Reserve. The land is legally known as Lot 1 in DP 178410, Lot 1 in DP 909018. The land is part of Crown Reserve 58090 for Public Recreation. Council is the Crown land Manager of Merrett Reserve.</p> <p>The site is located within the RE1 Public Recreation zone of MLEP 2013 and accommodates the Queenscliff Surf Life Saving Club. The land is classified as Community Land under the Local Government Act.</p> <p>The site contains a heritage listed item, being Item I171 - Queenscliff Surf Club - North Steyne Manly. The site is also within the vicinity of a number of heritage items. Item I168 - Ocean Foreshores - Manly municipal area, boundary adjacent to the ocean. Item I174 - Beach Reserve - Merrett Park North Steyne and South Steyne - North Steyne and South Steyne. Item I166 - Row of Norfolk Island Pine trees (Araucaria heterophylla) - Lagoon Park.</p> <p>Detailed Description of Adjoining/Surrounding</p>

Development

Adjoining and surrounding development is characterised by a public reserve to the north and south and is located adjacent to Manly Lagoon Reserve to the north west with residential dwellings and residential flat buildings located to the west.

Map:



SITE HISTORY

The land has been used for community purposes for an extended period of time. A search of Council's records has revealed the following relevant history:

- DA302/2012 - Alterations and additions to the existing Queenscliff Surf Life Saving Club including mezzanine floor, new roof and internal modifications. Approved by MIAP 21 February 2013.
- S96 (1A) to modify approved Alterations and additions to the existing Queenscliff Surf Life Saving Club including mezzanine floor, new roof and internal modifications - involving partition walls and modification to layout, new windows, door, ballustrade and backup generator - Part 2. Approved on 22 July 2013.
- S96(1A) to modify approved Alterations and additions to the existing Queenscliff Surf Life Saving Club including mezzanine floor, new roof and internal modifications - involving installation of a door to the courtyard and a rainwater tank - Part 3. Approved 18 March 2015
- Section 96(1A) application to modify approved alterations and additions to the existing Queenscliff Surf Life Saving Club including internal modifications Approved 14 February 2017.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

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

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

- An assessment report and recommendation has been prepared and is attached taking into all relevant provisions of the Environmental Planning and Assessment Act 1979 and associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (up to the time of determination) by the applicant, persons who have made submissions regarding the application and any advice given by relevant Council / Government / Authority Officers on the proposal;

In this regard, the consideration of the application adopts the previous assessment detailed in the Assessment Report for DA302/12, in full, with amendments detailed and assessed as follows:

The relevant matters for consideration under Section 4.55(1A) of the Environmental Planning and Assessment Act, 1979, are:

Section 4.55(1A) - Other Modifications	Comments
A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:	
(a) it is satisfied that the proposed modification is of minimal environmental impact, and	<p>Yes</p> <p>The modification, as proposed in this application, is considered to be of minimal environmental impact for the following reasons:</p> <ul style="list-style-type: none"> • The modification does not alter the built form of the building with the proposed modifications mainly confined to the interior of the existing building. • The proposed works to the building being a Heritage Item (I171 - Queenscliff Surf Club) are supported by Council's Heritage Officer and are not considered to be of a nature that will alter the appearance or significance of the Item. • Given the minor nature of the proposed modifications, the proposal is unlikely to impact on the significance of the heritage listed Ocean Foreshores (Item I168 under the MLEP 2013) adjacent to the subject site. • The proposed works are unlikely to significantly impact upon the visual and aesthetic quality of the Foreshore Scenic Protection Area.
(b) it is satisfied that the development to which	The development, as proposed, has been found to

Section 4.55(1A) - Other Modifications	Comments
the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and	<p>be such that Council is satisfied that the proposed works are substantially the same as those already approved under DA302/12 for the following reasons:</p> <ul style="list-style-type: none"> • The proposed works maintain the use and function of the Surf Club. • The development will maintain the same built form as what is existing with no changes to building height, setbacks or building envelope. • The development will not alter the existing impacts to the amenity of the surrounding buildings and public space.
(c) it has notified the application in accordance with: (i) the regulations, if the regulations so require, or (ii) a development control plan, if the consent authority is a council that has made a development control plan under section 72 that requires the notification or advertising of applications for modification of a development consent, and	The application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, and the Community Participation Plan.
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	No submissions were received in relation to this application.

Section 4.15 Assessment

In accordance with Section 4.55 (3) of the Environmental Planning and Assessment Act 1979, in determining an modification application made under Section 4.55 the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application.

The relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 'Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 4.15 (1) (a)(ii) – Provisions	Draft State Environmental Planning Policy (Remediation of Land)

Section 4.15 'Matters for Consideration'	Comments
of any draft environmental planning instrument	seeks to replace the existing SEPP No. 55 (Remediation of Land). Public consultation on the draft policy was completed on 13 April 2018. The subject site has been used for residential purposes for an extended period of time. The proposed development retains the residential use of the site, and is not considered a contamination risk.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Manly Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider Prescribed conditions of development consent. These matters have been addressed via a condition in the original consent.</p> <p><u>Clause 50(1A)</u> of the EP&A Regulation 2000 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000 allow Council to request additional information. No additional information was requested in this case.</p> <p><u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition in the original consent.</p> <p><u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This matter has been addressed via a condition in the original consent.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition in the original consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts	<p>(i) Environmental Impact</p> <p>The environmental impacts of the proposed development on the natural and built environment are addressed under the Manly Development Control Plan section in this report.</p>

Section 4.15 'Matters for Consideration'	Comments
in the locality	<p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 26/04/2021 to 10/05/2021 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the Community Participation Plan.

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

REFERRALS

Internal Referral Body	Comments
NECC (Coast and Catchments)	<p>The application has been assessed in consideration of the <i>Coastal Management Act 2016</i>, State Environmental Planning Policy (Coastal Management) 2018. It has also been assessed against requirements of the Manly LEP 2013 and DCP 2013.</p> <p><i>Coastal Management Act 2016</i> The subject site has been identified as being within the coastal zone and therefore <i>Coastal Management Act 2016</i> is applicable to the proposed development. The proposed development is in line with the objects, as set out under Clause 3 of the <i>Coastal Management Act 2016</i>.</p>

Internal Referral Body	Comments
	<p>State Environmental Planning Policy (Coastal Management) 2018</p> <p>The subject land has been included on the 'Coastal Environment Area' and 'Coastal Use Area' maps under the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Hence, Clauses 13, 14 and 15 of the CM SEPP apply for this DA.</p> <p>Comment:</p> <p>On internal assessment, the DA satisfies requirements under clauses 13, 14 and 15 of the CM SEPP. As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.</p> <p>Manly LEP 2013 and Manly DCP</p> <p>Foreshores Scenic Protection Area Management</p> <p>The subject site is also shown to be as “Manly Foreshores Scenic Protection Area” on Council’s Foreshores Scenic Protection Area in Manly LEP 2013. As such, Clause 6.9 (Foreshores Scenic Protection Area) of the Manly LEP 2013 and Part 5, section 5.4.1 Foreshores Scenic Protection Area of the Manly DCP 2013 will apply to proposed development on the site.</p> <p>On internal assessment, the DA satisfies requirements under Clause 6.9 (Foreshores Scenic Protection Area) of the Manly LEP 2013 and Part 5, section 5.4.1 Foreshores Scenic Protection Area of the Manly DCP 2013. As such, it is considered that the application does comply with the requirements of the Manly DCP 2013.</p>
NECC (Development	Yes without conditions.

Internal Referral Body	Comments
Engineering)	
NECC (Riparian Lands and Creeks)	The changes proposed are minor in nature to approved consent with no additional external works. Recommended for approval without conditions.
NECC (Stormwater and Floodplain Engineering – Flood risk)	The proposed modifications are minor in nature and not considered to increase flood risk. Recommended for approval without conditions.
Parks, reserves, beaches, foreshore	<p>The application is for modifications to development consent DA0302/12 including ground floor and first floor internals changes that are minor design changes.</p> <p>Parks, Reserves and Foreshores Referral raise no objections.</p>
Strategic and Place Planning (Heritage Officer)	HERITAGE COMMENTS
	Discussion of reason for referral
	<p>The proposal has been referred to Heritage as the subject property is a heritage listed item, being Item I171 - Queenscliff Surf Club - North Steyne, Manly. It is also within the vicinity of a number of heritage listed items:</p> <p>Item I168 - Ocean foreshores - Manly municipal area, boundary adjacent to the ocean</p> <p>Item I174 - Beach Reserve—Merrett Park North Steyne and South Steyne - North Steyne and South Steyne</p> <p>Item I166 - Row of Norfolk Island Pine trees (Araucaria heterophylla) - Lagoon Park</p>
	Details of heritage items affected
	<p>Details of the heritage items, as contained within the Northern Beaches Heritage Inventory, are:</p> <p>Item I171 - Queenscliff Surf Club <u>Statement of significance:</u> A post-modern style building, not architecturally distinguished, but possessing great social significance. Physical description: Completed in the 1990. A large two storey cement rendered post-modern style building with rectangular columns to colonnade extending around the building's beach front with terrace above and a corner clock, tower facing the beach. The street front has a curvilinear wave form to the ground floor, front, a setback curved corrugated colour bond roof form and clear storey above. A small gabled parapet with semicircular opening defines the entry. The SLSC has operated since 1877.</p> <p>Item I168 - Ocean foreshores <u>Statement of significance:</u></p>

Internal Referral Body	Comments																					
	<p>Natural landscape. Part of coastal zone east coast of Australia. Part entrance to Sydney Harbour. Listed due to its aesthetic, historic, and scientific significance to the area.</p> <p><u>Physical description:</u> Ocean foreshores, mostly rocky edge and cliff or beach sand system. Natural environment. High scenic quality.</p> <p>Item I174 - Beach Reserve <u>Statement of significance:</u> High significance as natural sand beach and cultural backdrop of paved promenade and first coastal plantings of Norfolk Island Pines. <u>Physical description:</u> Beachfront, promenade, sandstone retaining wall, paved, grassed And/or planting beds and remnant plantings of Norfolk Island Pines planted from the 1850's to the 1880's.</p> <p>Item I166 - Row of Norfolk Island Pine trees (Araucaria heterophylla) <u>Statement of significance:</u> Listed for its aesthetic importance. <u>Physical description:</u> A row of Norfolk Island Pine trees planted between the boundary of private allotments and the Lagoon Park. Visually prominent landscape elements.</p> <table><tr><th colspan="3">Other relevant heritage listings</th></tr><tr><td>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</td><td>No</td><td></td></tr><tr><td>Australian Heritage Register</td><td>No</td><td></td></tr><tr><td>NSW State Heritage Register</td><td>No</td><td></td></tr><tr><td>National Trust of Aust (NSW) Register</td><td>No</td><td></td></tr><tr><td>RAIA Register of 20th Century Buildings of Significance</td><td>No</td><td></td></tr><tr><td>Other</td><td>N/A</td><td></td></tr></table> <p>Consideration of Application The proposal seeks consent for minor external and mainly internal modifications to consent (DA302/12/S96-1A). A number of modification applications have been approved prior to this modification application. The proposed modifications are mainly confined to the interior of the existing building.</p> <p>The site is located adjacent to heritage listed Ocean Foreshores and consideration of visual impact to the waterways and foreshores</p>	Other relevant heritage listings			Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	No		Australian Heritage Register	No		NSW State Heritage Register	No		National Trust of Aust (NSW) Register	No		RAIA Register of 20th Century Buildings of Significance	No		Other	N/A	
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Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	No																					
Australian Heritage Register	No																					
NSW State Heritage Register	No																					
National Trust of Aust (NSW) Register	No																					
RAIA Register of 20th Century Buildings of Significance	No																					
Other	N/A																					

Internal Referral Body	Comments		
	<p>is required. Given the minor nature of the proposed modifications, the proposal is considered to be unlikely to impact on significance of the heritage item and it is considered that the impact upon the visual and aesthetic quality of the Foreshore Scenic Protection Area is negligible.</p> <p>Therefore Heritage raises no objections and requires no conditions.</p> <p><u>Consider against the provisions of CL5.10 of Manly LEP 2013.</u></p> <p>Is a Conservation Management Plan (CMP) Required? No</p> <p>Has a CMP been provided? No</p> <p>Is a Heritage Impact Statement required? No</p> <p>Has a Heritage Impact Statement been provided? No</p> <table><tr><th>Further Comments</th></tr><tr><td><p>COMPLETED BY: Oya Guner, Heritage Advisor</p><p>DATE: 28 April 2021</p></td></tr></table>	Further Comments	<p>COMPLETED BY: Oya Guner, Heritage Advisor</p> <p>DATE: 28 April 2021</p>
Further Comments			
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ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

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

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

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

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for community purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the community land use.

SEPP (Coastal Management) 2018

The site is subject to SEPP Coastal Management (2018). Accordingly, an assessment under the SEPP has been carried out as follows:

13 Development on land within the coastal environment area

- (1) *Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:*
- (a) *the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
 - (b) *coastal environmental values and natural coastal processes,*
 - (c) *the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
 - (d) *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
 - (e) *existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (f) *Aboriginal cultural heritage, practices and places,*
 - (g) *the use of the surf zone.*

Comment:

The development is located within the coastal use area. The proposed modifications are mainly internal and are therefore not considered to impact on the coastal environment.

- (2) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
- (a) *the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*
 - (b) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

Comment:

Given the minor nature of the works and the works relating to the internal fabric and layout of the building, Council is satisfied that the development is sited designed and will be managed to avoid any adverse impact referred to in subclause (1).

14 Development on land within the coastal environment area

- (1)
- (a) *has considered whether the proposed development is likely to cause an adverse impact on the following:*
 - (i) *existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (ii) *overshadowing, wind funnelling and the loss of views from public places to foreshores,*
 - (iii) *the visual amenity and scenic qualities of the coast, including coastal headlands,*
 - (iv) *Aboriginal cultural heritage, practices and places,*
 - (v) *cultural and built environment heritage, and*

- (b) is satisfied that:
 - (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or
 - (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
 - (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and
- (c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

Comment:

The development is located within the coastal use area. Council's Coast and Catchments Section is satisfied that the proposed works will not result in any adverse impact on the items listed in (1)(a) and that the development is designed and sited and will be managed to avoid any adverse impact on these items.

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

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

Comment:

Council's Coast and Catchments Section have provided comments raising no issues and state the proposal satisfies the requirements under Clause 15.

As such, it is considered that the application does/does not comply with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.

Manly Local Environmental Plan 2013

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

Principal Development Standards

No Principal Development Standards apply to the subject site.

Compliance Assessment

Clause	Compliance with Requirements
5.10 Heritage conservation	Yes
6.1 Acid sulfate soils	Yes
6.2 Earthworks	Yes
6.3 Flood planning	Yes
6.5 Terrestrial biodiversity	Yes

Clause	Compliance with Requirements
6.6 Riparian land and watercourses	Yes
6.9 Foreshore scenic protection area	Yes
6.10 Limited development on foreshore area	Yes
6.12 Essential services	Yes
Schedule 5 Environmental heritage	Yes

Manly Development Control Plan

Built Form Controls

No Built Form Controls apply to the subject site.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
3.1 Streetscapes and Townscapes	Yes	Yes
3.2 Heritage Considerations	Yes	Yes
3.4 Amenity (Views, Overshadowing, Overlooking /Privacy, Noise)	Yes	Yes
3.4.1 Sunlight Access and Overshadowing	Yes	Yes
3.4.2 Privacy and Security	Yes	Yes
3.4.3 Maintenance of Views	Yes	Yes
3.5.1 Solar Access	Yes	Yes
3.6 Accessibility	Yes	Yes
3.8 Waste Management	Yes	Yes
3.10 Safety and Security	Yes	Yes
5.4.1 Foreshore Scenic Protection Area	Yes	Yes
5.4.3 Flood Prone Land	Yes	Yes
5.4.4 Riparian Land and Watercourses	Yes	Yes

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

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

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

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

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2019

Section 7.12 contributions were levied on the Development Application.

CONCLUSION

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

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Manly Local Environment Plan;
- Manly Development Control Plan; and
- Codes and Policies of Council.

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

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

The modification application seeks consent for alterations and additions to a community facility being the Queenscliff Surf Life Saving Club (SLSC) building.

The assessment of the subject application finds the proposed works to be minor in nature and is not considered to resulting in any unreasonable impacts to the public domain and natural environment. Given the minor nature of the proposed modifications the proposal is unlikely to impact on the significance of the heritage and it is considered that the impact upon the visual and aesthetic quality of the Foreshore Scenic Protection Area is negligible.

No submissions were received in relation to the proposed development.

Assessment of modification application against the Manly LEP, Manly DCP and relevant SEPP's finds that the development is suitable in the context of the site, and is recommended for approval. It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Northern Beaches Local Planning Panel as the consent authority grant approval to Modification Application No. Mod2021/0171 for Modification of Development Consent DA302/2012 for alterations and additions to the existing Queenscliff Surf Life Saving Club building including mezzanine floor, new roof and internal modifications on land at Lot 1 DP 178410,0 Cameron Avenue, MANLY, Lot 1 DP 909018,0 North Steyne, MANLY, subject to the conditions printed below:

A. Add Condition No.1A - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Ground Floor Plan - DA01 - Revision E	25 March 2021	Pieter Henry
First Floor Plan - DA02 - Revision E	25 March 2021	Pieter Henry
Elevations - DA03 - Revision E	25 March 2021	Pieter Henry
Elevations - DA04 - Revision E	25 March 2021	Pieter Henry

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

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