



## **LATE ITEMS**

# **Ordinary Meeting 26 April 2012**

**Held at Ballina Shire Council Chambers  
Cnr Cherry & Tamar Streets, Ballina**



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**8. Regulatory Services Group Report**

**8.4 DA 2011/540 - Ballina Surf Life Saving Clubhouse and Associated Works**

**Delivery Program** Development Services

**Objective** To determine development application 2011/540.

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**Background**

Council may recall that a similar surf club proposal was considered and approved by the Northern Joint Regional Planning Panel (JRPP) in early July 2010 (DA 2010/74).

This earlier design for the new Clubhouse building, separate patrol building and car park (and associated road re-alignment works) was predominately located behind the dune fields and was required to be determined by the JRPP as the capital investment value exceeded \$5 million for the community facility.

The revised project involves two new applications and incorporates road works and components that have already been approved by the JRPP. It should be noted that Council is the determining authority for the current revised applications as they now do not trigger the prescribed values.

Since approval by the JRPP, the lands proposed for the Clubhouse, car park and road re-alignment works (other than the patrol building) have become subject of a land claim and, Ballina Council, as the applicant, has lodged two related but separate applications with a modified layout and a reduced scale of works.

DA 2011/540 is for a Clubhouse Building in the location of the current facilities and is the subject of this report. It is important to note that the lands subject of this application are not subject to the land claim.

DA 2011/541 is for a Storage Building and Car park and is likely to be reported to Council in the near future due to it being proposed on lands subject to the land claim.

**Project Description/Overview of Proposal**

A development application has been received from Ballina Shire Council (in its role as Reserve Trust Manager of the Ballina Coastal Reserve) with Council's Commercial Services Group having the primary carriage in the role as applicant.

## **8.4 DA 2011/540 - Ballina Surf Life Saving Clubhouse and Associated Works**

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The lands involving Lot 7028 in DP 1064315, Lot 1, Sec 78, in DP 758047, Lot 379 in DP 755684 and Lot 540 in DP 729687 are owned by the Department of Primary Industries - Crown (with Ballina Shire Council as Reserve Trust Manager). During 2007/2008 this locality was identified as the preferred site for such reconstructed surf life saving facilities by the Crown, the Reserve Trust and the majority of the SLSC members, (i.e. in the vicinity of the previous Clubhouse building which was demolished around 2004).

The proposed development includes the re-construction of a new Ballina Lighthouse and Lismore Surf Lifesaving Clubhouse (combining Patrol facilities), associated infrastructure, and the re-construction of the existing car park area immediately south of the Clubhouse.

It should be noted that the re-alignment and extension of Compton Drive and Lighthouse Parade and the 67 space car park approved by the JRPP (DA 2010/74) do not form part of the current application and these works may be relied upon and constructed under the terms and conditions of DA 2010/74.

The proposed Clubhouse building differs from that previously approved by the JRPP in that its footprint is no longer setback behind the dune system. The revised footprint on the dune system, if approved, will allow ease of access for patrols and greater observation of Lighthouse Beach. The revised footprint is also not reliant upon the re-alignment and extension of Compton Drive and Lighthouse Parade.

As previously mentioned in this report, there is a concurrent application 2011/541 that proposes a further substantial single storey storage building and 78 space sealed car parking area associated with the Clubhouse building operations. The footprint of the proposed storage building and car park is in the same location of the previously approved Clubhouse building. This application is currently being assessed and will be presented to the Council once assessment is completed.

The Clubhouse is proposed as a double storey multi purpose building and generally comprises a mixture of community, member and public areas.

On the ground floor these areas predominately comprise the Clubhouse service facilities/areas for patrols, nipper, and member training rooms, kiosk, office, public toilets/showers, member toilets and change rooms, first aid treatment area, storage garages and associated deck areas.

The upper floor contains the function rooms with bar (for entertainment), gymnasium, café, storage and sanitary facilities and associated deck areas.

The current application does not propose to utilize the proposed function rooms and café area located on the upper floor for public commercial purposes. This is due to the deficiency in car parking that will be discussed further in this report.

The building is proposed to be constructed as a mix of rendered and painted masonry and light-weight cladding, large expanses of glazing and skillion colourbond roofing.

The lands are situated within a built urban environment which is predominantly coastal open space and residential in nature.

The adjoining and adjacent land uses comprise:

- To the north – public reserve and Lighthouse Hill escarpment/ridgeline that separates Lighthouse and Shelly beaches.

- To the south – Lighthouse Beach and single, double and three storey residential buildings (comprising single dwellings, duplexes and residential flat developments) and a motel, associated refreshment room and conference facilities (known as Ballina Beach Resort).
- To the east – Lighthouse Beach and the Pacific Ocean.
- To the west – public open space/parks comprising Shaws Bay.

The subject lands are serviced with reticulated water, sewerage, electricity and telecommunication services. The existing services are at sufficient capacities to cater for the proposal (if approved).

### Public Exhibition

During public exhibition, a substantial number of submissions were received supporting the proposed Clubhouse building on various grounds.

One submission was received raising concerns about various components of the road re-alignment works and amenity issues. As previously mentioned in this report, these matters are of no relevance to this proposal as the road re-alignment works were approved as part of DA 2010/74 approved by the JRPP and the Council is advised that this consent can be relied upon to the extent needed for the overall project.

An additional submission was received suggesting the layout of the Clubhouse building should be amended to allow greater functionality and efficiency. This submission has been considered by the applicant and member representatives who have been involved in the preparation of the revised Clubhouse design and they are satisfied that the proposed design will meet the needs of both members and the general community.

### Report

The application has been assessed under Section 79C of the Environmental Planning and Assessment Act 1979, and is recommended for approval. The multi purpose facility will be beneficial to the community and is considered to be in the public interest as it will increase the provision of community facilities and will improve public safety along this part of the coastline.

### Zoning

The current zoning of the site(s) under the Ballina Local Environmental Plan 1987 (BLEP) are:

**7(f) – Environmental Protection (Coastal Lands)** – which is identified to become E2 Environmental Conservation under the Draft Ballina Local Environmental Plan 2011.

Although not defined in the BLEP or the adopted Model Provisions, the proposal can be considered consistent with a “surf lifesaving facility” or “surf club house” as described in the zone objectives and development control tables of the BLEP.

The offices, refreshment room and gymnasium components of the proposal are considered ancillary to the activities of the surf lifesaving club.

The proposal is considered to be permissible having regard for the BLEP and to be consistent with public and coastal recreation reserve purposes (i.e. the Ballina Coastal Reserve Plan of Management and Coastline Management Study and actions for Lighthouse Beach).

As will be discussed within the report, the proposal will not adversely affect or be affected by coastal processes and will minimise the affect on habitat, landscape and scenic qualities whilst still providing basic recreation amenities where required on coastal lands consistent with the 7(f) Environmental Protection – Coastal Lands Zone and associated Clause 32 of the BLEP.

Under the Draft Shire-wide LEP 2011 the lands are proposed to be E2 Environmental Conservation (Patrol Building footprint).

The Clubhouse would be considered under the proposed plan to be “community facilities” being buildings or places owned and controlled by a public authority or non-profit community organisation and used for the physical, social, cultural or intellectual development or welfare of the community.

This land use is permissible within the proposed zoning and is considered consistent with the intended objectives of the relevant zones.

### **Combined Development Control Plan (DCP)**

The subject sites are currently designated O1 – Open Space under the DCP.

The proposed development is consistent with the preferred land uses and objectives as it will provide active and passive recreational opportunities and a community building/clubhouse facility compatible with the zone objectives and relevant plans of management.

As discussed throughout the report, the proposal is also considered to protect areas of environmental significance and negate potential impacts as the building has been designed to utilise existing disturbed areas.

### **O1 – Open Space Development Standards**

The relevant development standards applicable to the proposal are:

<b>Standard/Matter</b>	<b>Requirement/Provision</b>	<b>Comments</b>
Building Height	2 storeys (6.4m)	Maximum 2 storeys but 6.6 metres to top plate. The slight encroachment will not cause significant overshadowing or visual impact particularly due to the higher escarpment area immediately surrounding the building.
Site Coverage	On merit	Acceptable noting the extent of reserve and public access to foreshore areas that have been maintained and enhanced.
Landscaping	On merit	Acceptable.
On-site Car Parking Provision	On merit	16 on-site spaces are proposed. Refer to further comment in this report regarding acceptability.
Minimum Setback	On merit (BCA)	Complies with BCA requirements.
Building Line	On merit	Acceptable in relation to existing road and the existing disturbed footprint.
Subdivision	On merit	Not applicable.



**North Coast Regional Environmental Plan (NCREP)**

The proposal is generally consistent with the Clause 30 objectives of the NCREP in relation to coastal planning. The proposal will contribute to the visual quality of the coastal environment.

The specialised nature of the building is considered to be an appropriate recreational use of the beach, whilst minimising the risks to people and property from coastal processes.

In accordance with Clause 32B – Development Control (Coastal Lands) of the NCREP, the proposed development is designed to enhance rather than impede public access to the foreshore (confined to specific points) and will not cause significant overshadowing of the open space areas.

In addition the development controls of Clause 81 of the NCREP (i.e. development adjacent to the ocean) are achieved as there will be sufficient foreshore open space accessible and open to the public within the vicinity. The building is not considered to detract from the amenity of the ocean and as previously mentioned the development is consistent with the applicable management plans applying to the area.

**State Environmental Planning Policies (SEPP)**

**SEPP 71 – Coastal Protection**

The development will not contravene any aims of SEPP 71 and is also consistent with the matters for consideration under Clause 8 as, although the building is located within close proximity to the coastal foreshore, it is unlikely to have an adverse impact, particularly as it is proposed within the existing disturbed and altered footprint.

The development will be suitable given its sporting/community nature. There is no real locational change/alteration in relation to the building and its design is generally consistent with Council's Codes and Policies.

The development will not adversely affect any significant scenic qualities of the existing coastline.

The building footprint does not contain any known threatened species and will not have any significant adverse impacts on any known existing wildlife corridors.

The development has been assessed against coastal hazard reports and mapping and subject to the incorporation of detailed design and construction provisions will not be adversely impacted by known or predicted coastal processes or hazards (including the potential for sea level rise).

The development will not create any conflict between land based and water-based coastal activities but rather enhance the opportunity for them to be carried out safely.

The locality has known significant heritage, archaeological significance in relation to shipwrecks. This has previously been assessed by specialist reports and demonstrated not to have any substantial adverse impacts.

The development will not have any identifiable impact on the water quality of existing coastal water bodies, particularly Shaws Bay.

Consequently, as also identified for the purposes of the NCREP, no significant cumulative impacts on the environment can be identified.

#### **SEPP 55 – Contaminated Land**

A preliminary contaminated lands assessment has been conducted.

The assessment has concluded that no significant potential for broad-scale soil contamination of the sites or harm to end users of the proposed development exists and neither a detailed investigation nor site remediation is required.

Notwithstanding this, the possibility that contaminating material such as heavy metals may be present in shipwrecks is to be noted.

Should contact be made with such relics during construction, this aspect of consideration as well as the archaeological issues (also addressed within this report) will need to be suitably assessed and addressed.

The remaining buildings on the site may also contain asbestos and it will be necessary to ensure that, if found, this material is managed properly during demolition and disposed of appropriately. Other conditions will need to be applied in relation to the demolition. The previous use is, however, not one that would be considered likely to have caused contamination.

#### **Key Issues**

##### **Parking Numbers**

Given the Aboriginal land claim associated with the land proposed for the Compton Drive/Lighthouse Parade re-alignment, the applicant has requested that the current application be considered on the basis that access will continue to be provided via Lighthouse Parade in its current alignment. This section of road is constructed to a suitable standard to service the proposed development.

It is noted that the proposal (involving a substantial clubhouse building with a variety of intended uses) is attempting to rely upon the existing hardstand car park area immediately adjacent to the proposed building footprint which currently provides for 20 spaces and uses the surrounding public street system and Crown Reserves.

It is clear from the concurrent but separate DA 2011/541 for the proposed adjoining storage building and 78 space car park, that the clubhouse building DA 2011/540 generates the need for the additional proposed car parking as the storage building itself would only generate the need for 2 spaces under current standards.

It should be noted, however, that as these are two separate applications, the clubhouse building cannot rely upon the car parking proposed via the storage building DA 2011/541 (as this may be refused, or, if approved, may not proceed for a number of reasons). Therefore the clubhouse building must provide or demonstrate how sufficient facilities already exist for the parking demand it will generate.

The previously approved DA 2010/74 (for a similar clubhouse and detached patrol building), established the need for a substantial amount of formalised car parks. Under the Ballina Shire and RTA guideline parking rates (which are still applicable), DA 2010/74 generated the need for 122 spaces.

Notwithstanding this, based on a comparative analysis with similar developments it was noted that the patrolled beach and surf clubhouse building would attract the bulk of the car parking visitors at peak times on weekend mornings during the summer months. It was also noted and considered reasonable that the proposed community meeting rooms as part of DA 2010/74 be discounted as it was unlikely that community groups would schedule appointments during peak periods. This discount for community rooms is not applicable to the current proposal.

Consequently, the reduced and approved 67 car spaces as part of DA 2010/74 were predominately required and attributable to the approved clubhouse building and were considered acceptable as:

- The surf club parking requirements are mainly on the weekends during daylight hours;
- The training and club rooms would cater for functions during week days and evenings;
- The clubhouse building will generally be utilized by different groups at different times; and
- The immediate locality has approximately 200 additional car parking spaces.

It should also be noted that the JRPP who determined this application accepted overflow car parking in the surrounding public street system (comprising approximately 200 unmarked and unformed car parking spaces along Lighthouse Parade directly to the south) only for overflow created by major surf carnival events which were likely to occur three or four times per annum.

Therefore, similar to the assessment of DA 2010/74, by utilizing the available Ballina Shire and RTA guideline parking rates (also utilized and accepted by the previous DA 2010/74), a parking assessment demand for the current revised DA 2011/540 equates to the following:

<b>Component</b>	<b>Rate</b>	<b>Assessable area</b>	<b>Spaces required</b>
Training & Club rooms	1 space /10m <sup>2</sup> GFA	Training/Patrol rooms/Office/First Aid/Surf Com (Ground Floor not including decks) 242m <sup>2</sup>	24.2
Kiosk/Café	15 spaces/100m <sup>2</sup> GFA	Kiosk (Ground Floor) 16.5m <sup>2</sup> <b>Kitchen/Café &amp; balcony on First Floor not included as not proposed to be fitted out for use under the current application</b>	2.5
Gymnasium	6 spaces/100m <sup>2</sup> GFA (this rate is used as the facility has direct access to the existing cycleway)	81m <sup>2</sup>	4.86

Component	Rate	Assessable area	Spaces required
Function Rooms	1 space/10m <sup>2</sup> GFA	First Floor (including balcony) 233m <sup>2</sup>	23.3
Storage	1 space/300m <sup>2</sup> GFA	Store 191m <sup>2</sup>	1.17
<b>Total</b>			<b>56</b>

The Traffic and Car Parking Assessment prepared by Ardill Payne and Partners for DA 2011/540 attempts to justify the deficiency for car parking with proposed operational restrictions on various areas of the proposed clubhouse building, namely the function and café areas on the first upper floor.

It concludes that with such restrictions, it has an equal demand for existing car parks which exist in the Crown Reserve. Further to this, the report outlines an “in principle” calculation of only 45 spaces due to the breakdown of night/day time events, with day time events being the main traffic generator.

Increased reliance on this Crown Reserve for everyday parking is considered to be a problem for the application.

Additionally, the operational restrictions proposed by only allowing members to utilize the function rooms and not fitting out the café (i.e. no kitchen); thereby reducing the required amount of required spaces may also raise future issues as:

- These areas are a substantial component of the overall development;
- These areas would be the main income source of the club (when utilized for commercial/public purposes i.e. weddings);
- Such use by club members only would be hard to enforce, particularly after normal business hours; and
- Council has had difficulties in enforcing similar restrictions in other developments (i.e. the Ramada function rooms).

The Traffic and Car Parking Assessment relies upon the 20 hardstand spaces immediately adjacent to (and within) the building footprint of the proposal.

All 20 spaces cannot be relied upon as the proposed building will protrude over the existing spaces and/or if a car is parked within the spaces it will restrict access to areas of the building (i.e. storage areas).

Further revised plans have confirmed that the existing car park can be reoriented and provide 16 sealed spaces of which one space is a disabled car parking spaces which complies with the requirements of AS2890.6 and the Building Code of Australia.

The remaining spaces are now proposed to be provided via the existing on street parking that is available in the vicinity of the site. A minimum of 98 on street spaces are available within Lighthouse Parade within a distance of 320 metres of the site, of which 55 are currently sealed.

Whilst car parking spaces are normally required to be located on the development site the use of on-street spaces is considered reasonable in this instance given their close proximity to the site and there being no other developments in the immediate area competing for this on-street parking capacity. The existing cycleway along the eastern side of Lighthouse Parade will also provide a safe

pedestrian connection from these parking areas to the site. This would also negate the need for operational restrictions which are difficult to enforce.

It is also acknowledged that during major carnival events at the site the car parking demand may be in the order of 200 spaces. The surrounding street system and public car parks provide sufficient capacity to cater for these events given that they will only be held on an infrequent basis.

Should the concurrent DA 2011/541 be approved and proceed, a further 78 space formalised car parking area will also be provided to assist in the operations of the clubhouse.

**Comments arising from the Local Traffic Development Committee Meeting of 8 February 2012**

The revised layout under DA 2011/540 went to the Local Traffic Development Committee Meeting held on 8 February 2012 who provided the following comments:

*The Committee notes that the formal car parking is deficient, however it is also noted that there is adequate street system and other parking capacity with appropriate levels of safety that is not in competition from other users and on this basis the committee is satisfied with the proposal.*

**Provision for Service and Delivery Vehicles**

The application has also demonstrated how heavy rigid service and delivery vehicles (including waste collection and emergency vehicles) are able to service the Clubhouse building adequately without conflicting with pedestrians or restricting operations of the Clubhouse building (particularly the manoeuvring of equipment within and out of the storage area and people accessing and queuing at the kiosk on the ground floor).

**Potential Land Claim (Lots 529, 531 & 533 DP 729679)**

As previously mentioned within the report, the works proposed by this application 2011/540 do not relate to and are not reliant upon the abovementioned allotments which are the subject of the pending land claims lodged by the NSW Aboriginal Land Council (on behalf of the Jali Local Aboriginal Land Council).

**Aboriginal Cultural Heritage**

A preliminary due diligence report assessed the potential impacts to Aboriginal and cultural heritage. It is noted that an AHIMS search of the development envelope area indicates that there are no recorded sites in this area.

Nonetheless, given the development site's locality on the coast and its proximity to the adjacent East Ballina escarpment there is some potential for unknown Aboriginal heritage/archaeology. Therefore, if approved, standard conditions applying to Aboriginal archaeology will need to be applied and are recommended.

The escarpment area is also currently under consideration for nomination as an Aboriginal Place by the NSW Department of Environment, Climate Change and Water and in accordance with the *NSW National Parks and Wildlife Act 1974*. The development therefore has the potential to present an opportunity to promote the Aboriginal cultural heritage of this area. If approved, a condition is also recommended in this regard.

**Promotion of Surf Club heritage and its association with Lighthouse Beach and Hill**

As with the potential to promote the Aboriginal cultural heritage of the East Ballina escarpment, the development also has the potential to promote the different layers of European cultural heritage associated with this site, and the immediate Lighthouse Beach and Hill areas.

The recent Shire Wide Community Based Heritage Study (2008) has documented that these heritage values stem from the area's shipwrecks, the establishment and operation of the Richmond River Lighthouse and the use of Lighthouse Beach and Hill for recreational purposes/its association with the establishment and functioning of the Lighthouse and Lismore Surf Life Saving Club. It is noted that these values are not represented by an exact location, but rather are embodied in the broader surrounding cultural landscape.

The recent heritage study process recommended that opportunities to promote these values be considered as part of future development in the East Ballina area. The promotion of this area's heritage, at this site, would complement recently endorsed interpretive signage in the East Ballina area, (following recommendations made by Council's internal signage taskforce group).

Given the public nature of this space, promotion of heritage as part of this development also makes it potentially accessible to a significant number of people. Moreover, interpretation of these values is in keeping with strategies, for sustaining the Shire's heritage, outlined in Council's sustainability framework, *People Place Prosperity*.

In light of the above discussion a number of recommendations for managing the heritage values associated with the proposed development sites are proposed. If approved, these recommendations will be incorporated by way of suitable conditioning.

**Flora Impact Assessment**

The building footprint and the car parking hardstand areas will require minor tree removal and is generally considered acceptable having regard for the species and locations and clause 23 of the BLEP. The proposed landscaping will offset and compensate for this loss of vegetation and if the development is approved these matters will be conditioned accordingly.

**Crime Prevention**

The proposal was referred to the NSW Police Crime Prevention Officer who carried out an assessment using Crime Prevention through Environmental Design Principals.

NSW Police made a number of recommendations in relation to the development and crime prevention, noting that the site has been identified as having a medium to high crime risk due to the low level of natural surveillance of the building and area as a whole, including:

- All ground floor windows and doors should be fitted with security screens or smash resistant glass;
- The use of CCTV for surveillance;
- Monitored alarm systems;
- Motion activated external lighting;
- Sufficient lighting of the car park;

- Provision of physical barriers around alcove areas to restrict unapproved access;
- Reduction in concealment areas/walls;
- Building materials should be non absorbent textures to allow for easy graffiti removal;
- Provision of larger/secured rock boulders so they cannot be utilised as projectiles; and
- Additional security along the isolated part of the cycleway/footpath to the north of the building.

The applicant has noted and accepted all of the abovementioned recommendations and has advised that suitable design changes can be accommodated in the manner suggested. These requirements can be suitably conditioned at the Construction Certificate stage (if approved).

### **Bush Fire**

Whilst the proposal does not constitute integrated development as a Special Fire Protection Purpose under Section 100B of the Rural Fires Act, the proposed development was still referred to the NSW Rural Fire Service given the potential bush fire risk from the adjoining vegetated East Ballina escarpment.

The Service has recommended a number of conditions relating to utility service provision, design and construction matters to prevent ember entry and suitable landscaping.

If approved, these recommendations will be incorporated into conditions of consent and are not considered to be onerous.

### **Coastal Hazard & Sea Level Rise/Change**

The proposed building has a similar building footprint to that of the previously demolished (not by natural events) Clubhouse building (i.e. in the dunal zone).

It is this positioning that has required further investigation in relation to potential hazards from wave run-up/set-up and sea level rise.

WBM Oceanics 2003 "Ballina Shire Coastline Hazard Definition Final Report" describes coastal erosion processes for "Ballina pocket beaches" as comprising shoreline movement, coastal inundation and stormwater erosion.

The proposed building (founded on piers) is setback and immediately adjacent of the northern headland of Lighthouse Beach. As such the building is not directly affected by beach recession; however the Lighthouse Beach dunal system to the south will be subject to shoreline movement.

More recent NSW Government Sea Level Rise Policy Statements and the Draft NSW Coastal Planning Guideline: Adapting to Sea Level Rise (November 2009) adopts a sea level rise of 900mm by 2100.

The WBM Oceanics report "estimated" coastal recession due to 500mm sea level rise at approximately 25 metres. An estimate of beach recession at 2100, with 900mm sea level rise may be approximately 45 metres. As noted above, the building at the proposed location is not impacted by beach recession due to being located on pier foundations adjacent to the headland.

With respect to coastal inundation, the 2003 WBM Oceanics report identifies that wave run-up creates a problem for dunes below RL 5 metres (but does not factor in extreme weather events) and for current conditions (i.e. without climate change).

This being the case, the new level for wave run-up problem would be for dunes below RL 5.9 metres (in normal events). Based on the levels provided by the architects, Archimages, the proposed building site and its surrounding earthworks (natural and transformed) are all proposed to be set above this level, being above RL 6 metres (with the proposed floor height of the building being RL 6.4 metres).

The applicant has also undertaken geotechnical testing and determined that the site is underlain by a bedrock shelf approximately 5 metres below the existing ground level.

The building design includes concrete pier footings which will be founded on this rock layer. Other design features such as mass rock armour will be used to stabilise the car park area should the dune system be subject to significant erosion.

If approved, a condition of consent shall be applied requiring that these measures be included within the Construction Certificate approved design.

#### **Disabled Access/Facilities**

The Ballina Shire Access Reference Group (ARG) considered the application at its meeting on 7 February 2012.

The ARG made the observation that the submitted plans do not specify whether the public toilets on the ground level, the internal lift and the ramp leading down to the beach will be accessible or not.

The applicant has subsequently confirmed that public accessible toilets are to be constructed to AS 1428 at ground level (including the MLAK system subject to the Reserve Trust endorsement), and the internal lift will also be constructed in accordance with AS 1428.

In relation to the access ramp, the applicant has confirmed that it is not compliant with the 1:14 grade (being 1:8). This is due to the significant encroachment into the beach area and associated construction costs.

Consequently, a variation to the 1:14 grade is considered reasonable in this regard.

#### **Noise**

The siting of the clubhouse is less likely to impact on neighbours than the previous proposal. Notwithstanding this, some measures may still be required to ensure that noise from the gymnasium and from the function rooms and decks do not affect neighbouring properties.

Whilst the surrounding hill will minimise impact on the nearest dwellings in Harbourview Street, experience elsewhere suggests noise may emanate through the roof structure to affect neighbours at distance. Some measures may be necessary from management to ensure a problem does not occur with patrons leaving the premises. Provisions under the Liquor Act may also apply.



Some review and comment from a competent noise consultant is therefore warranted. It is noted that it is unlikely that further noise readings will be required because background noise measurements and characterisation of noise has already been done for the earlier siting in DA 2010/74. If noise control measures are necessary in addition to standard construction techniques these need to be documented and incorporated into the final construction plans. Any consent can be conditioned accordingly.

### **Stormwater Management**

A stormwater plan has been provided which is considered to be generally acceptable.

This plan provides a 20 KL rainwater tank, connected to the building roof, which shall be connected to the building's toilets for re-use purposes. The 20 KL is sufficient detention capacity to ensure not net increase in stormwater runoff for the proposed increased roof area of 200m<sup>2</sup>.

The car park shall not be extended beyond the footprint of the existing sealed car park at the site. It is currently connected to a Gross Pollutant Trap (GPT) for treatment prior to discharge. The existing GPT is to be maintained under the proposed design to ensure litter dropped in the area is not disbursed to Shaws Bay or elsewhere (consistent with the Shaws Bay Estuary Management Plan).

Given that there is no increase in impervious area there will be no net increase in stormwater quantity or quality associated with the car park.

### **The implications of potential shipwreck archaeology**

The locality has been assessed as having significant potential archaeological heritage values. These values extend from the numerous shipwrecks that are understood to be located in the area due to it being the previous mouth of the Richmond River. These wrecks are protected under the *NSW Heritage Act*. The heritage values of these wrecks have been assessed by Jane Ainsworth Heritage and are documented in the *Archaeological Assessment of the Proposed Ballina Surf Life Saving Club* report.

This report indicates that the management of these matters, given that the development requires excavation/ground disturbance of the site for footings and car parking requires the following:

- The nomination/appointment of an Excavation Director;
- Preparation of a research design (for management of potential archaeology finds); and
- Application to the NSW Heritage Office for an excavation permit (made by the Excavation Director and including the research design).

The report further indicates that the site be monitored during excavation. Other measures may involve test pit excavations in some areas. In the case of uncovering archaeology, work will cease and other measures taken, which may include excavation of relics. The research design will assess and outline measures for managing potential archaeology.

**Conclusion**

The proposed development is considered to reasonably satisfy a community need for a surf life saving facility for the Ballina Shire.

The siting of the Clubhouse building within the dunal zone (rather than behind the dunal zone in DA 2010/74) is much more beneficial due to observation of the coastline.

The proposed development is consistent with Council's current requirements and any impact is considered reasonable in the circumstances for a community building and service of this nature. The recommendation is subsequently for approval, subject to appropriate conditions of consent. The conditions are still being draft and will be distributed to Councillors prior to the Ordinary meeting.

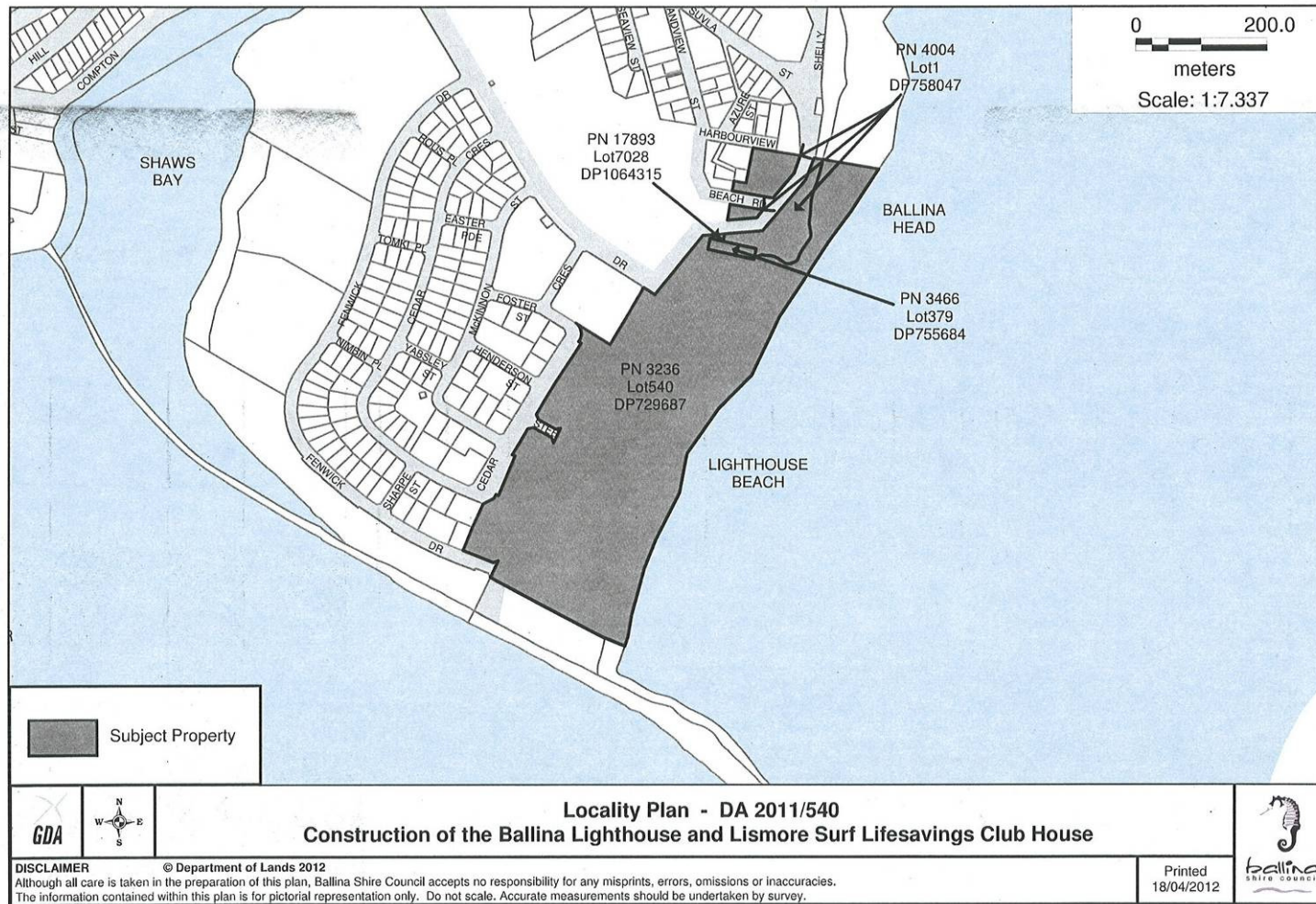
**RECOMMENDATIONS**

That Council approves Development Application 2011/540, subject to appropriate conditions of consent as determined by the General Manager.

**Attachment(s)**

1. Locality Plan
2. Plans

8.4 DA 2011/540 - Ballina Surf Life Saving Clubhouse and Associated Works





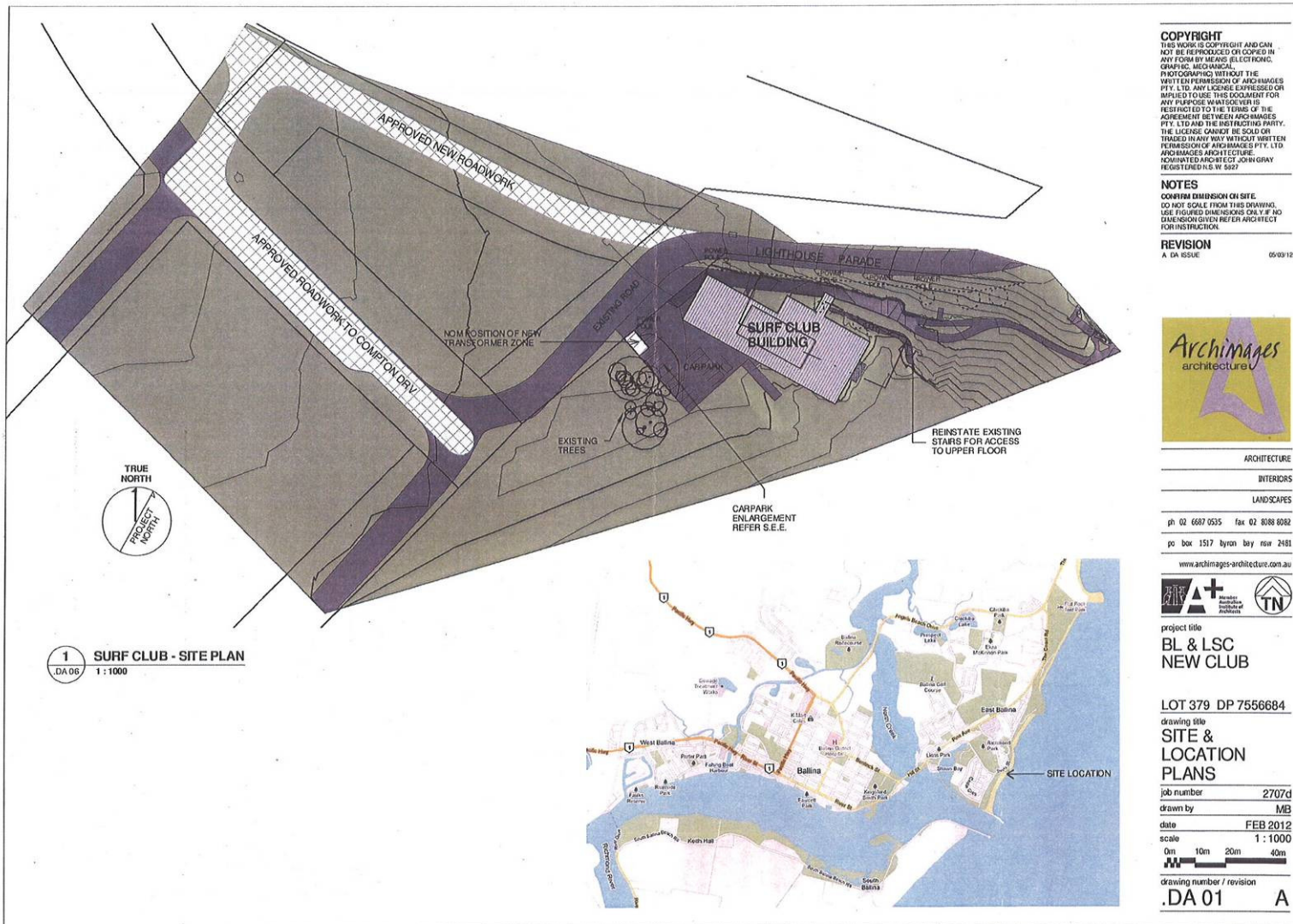
**DRAWING LIST**

- .DA 01 SITE & LOCATION PLANS
- .DA 02 SURF CLUB - EXISTING SITE PLAN
- .DA 03 SURF CLUB - LOWER FLOOR PLAN
- .DA 04 SURF CLUB - UPPER FLOOR PLAN
- .DA 05 SURF CLUB - ROOF PLAN
- .DA 06 SURF CLUB - ELEVATIONS
- .DA 07 SURF CLUB - SECTIONS
- .DA 08 SURF CLUB - 3D VIEWS

**DEVELOPMENT APPLICATION  
PROPOSED NEW  
BALLINA LIGHTHOUSE &  
LISMORE SURF LIFESAVING  
CLUB,  
BALLINA, N.S.W.  
LOT 379 DP 755684**



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INTERIORS
LANDSCAPES
ph 02 6687 0535 fax 02 6688 8632
po box 1517 byron bay nsw 2481
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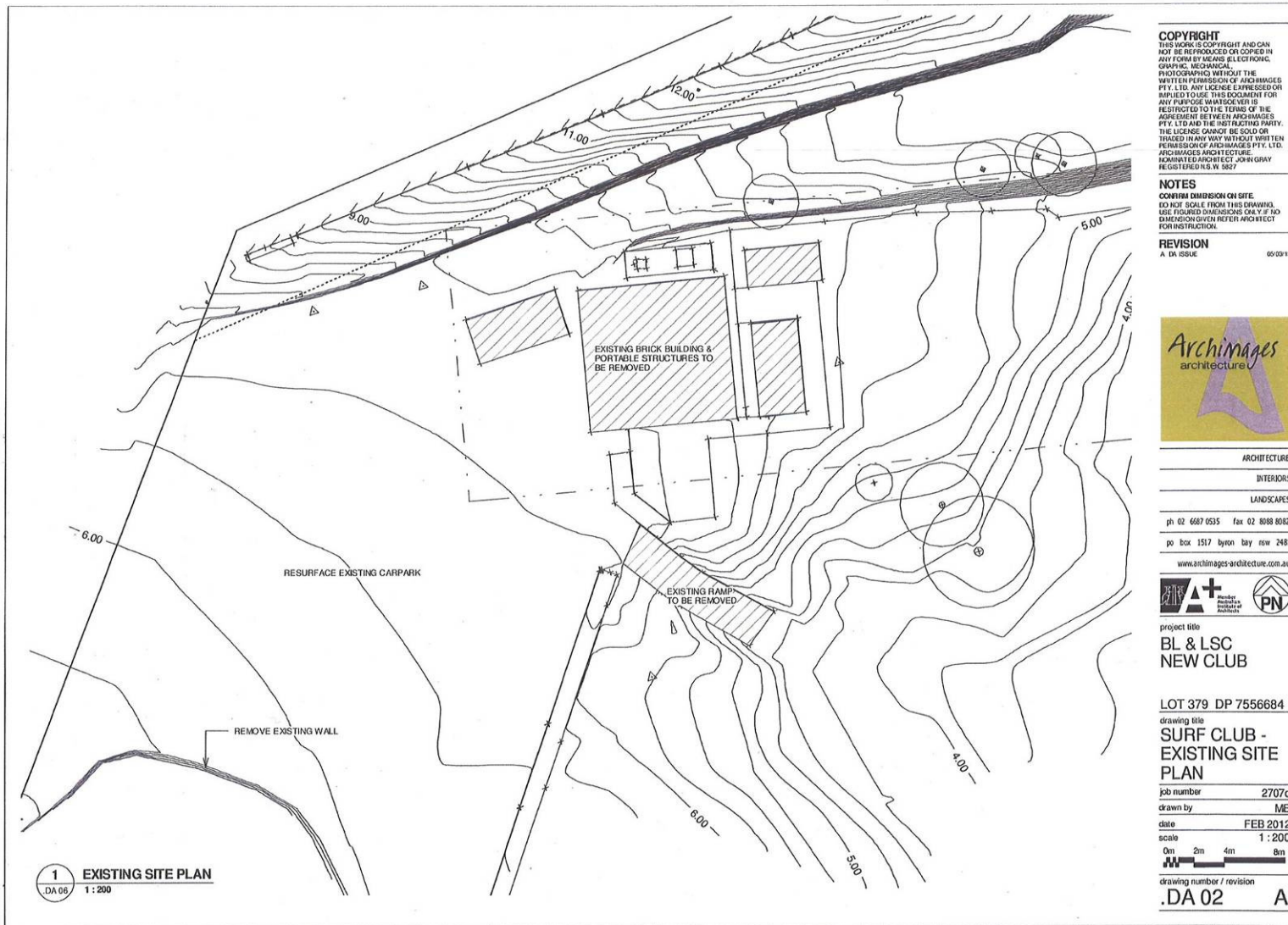


project title  
**BL & LSC  
 NEW CLUB**

LOT 379 DP 7556684  
 drawing title  
**SITE &  
 LOCATION  
 PLANS**

job number 2707d  
 drawn by MB  
 date FEB 2012  
 scale 1 : 1000  
 0m 10m 20m 40m

drawing number / revision  
**.DA 01 A**



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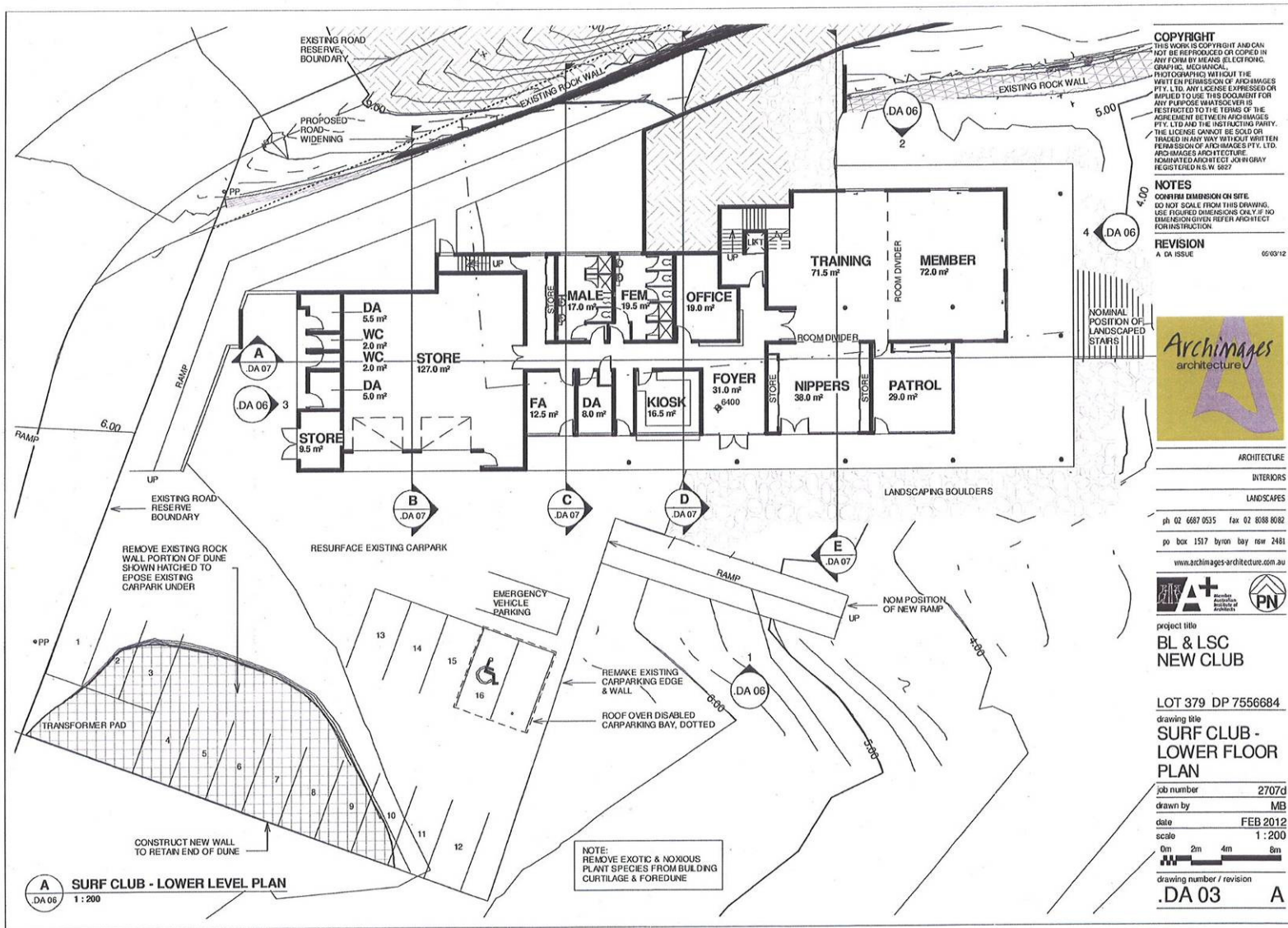


project title  
**BL & LSC  
 NEW CLUB**

LOT 379 DP 7556684  
 drawing title  
**SURF CLUB -  
 EXISTING SITE  
 PLAN**

job number 2707d  
 drawn by MB  
 date FEB 2012  
 scale 1:200

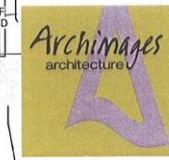
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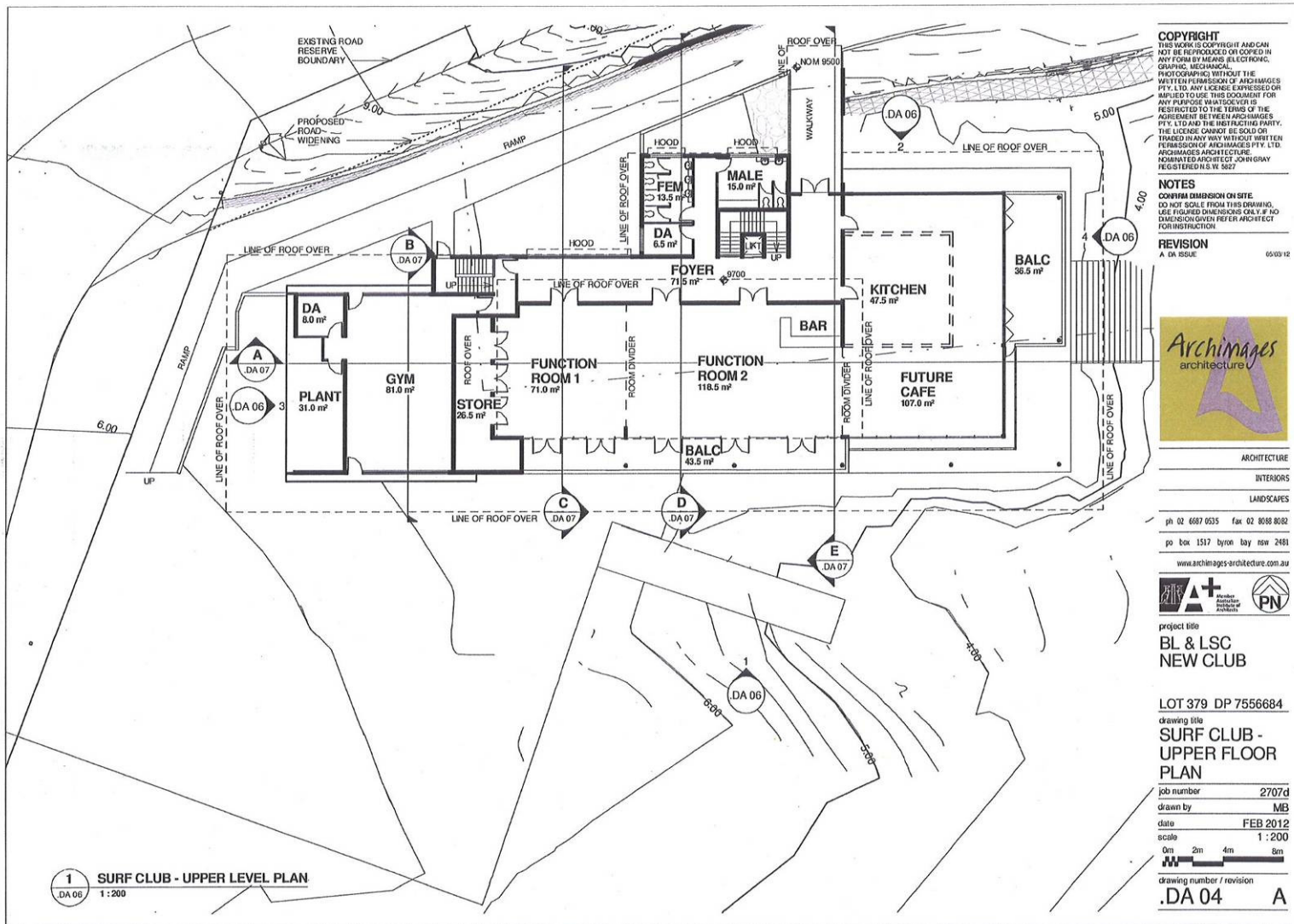


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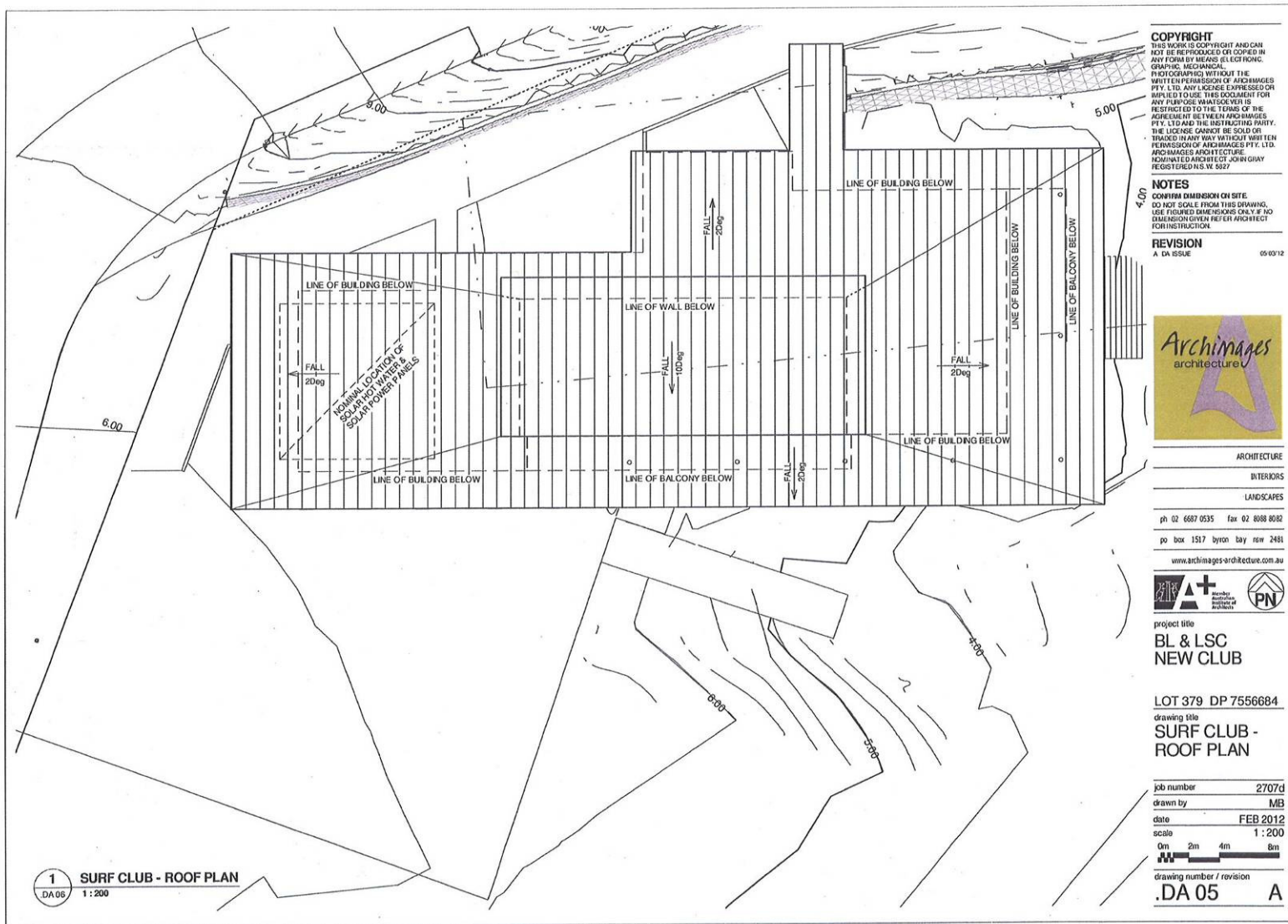
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**SURF CLUB -  
 LOWER FLOOR  
 PLAN**

job number 2707d  
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 date FEB 2012  
 scale 1:200  
 0m 2m 4m 8m

drawing number / revision  
**.DA 03 A**







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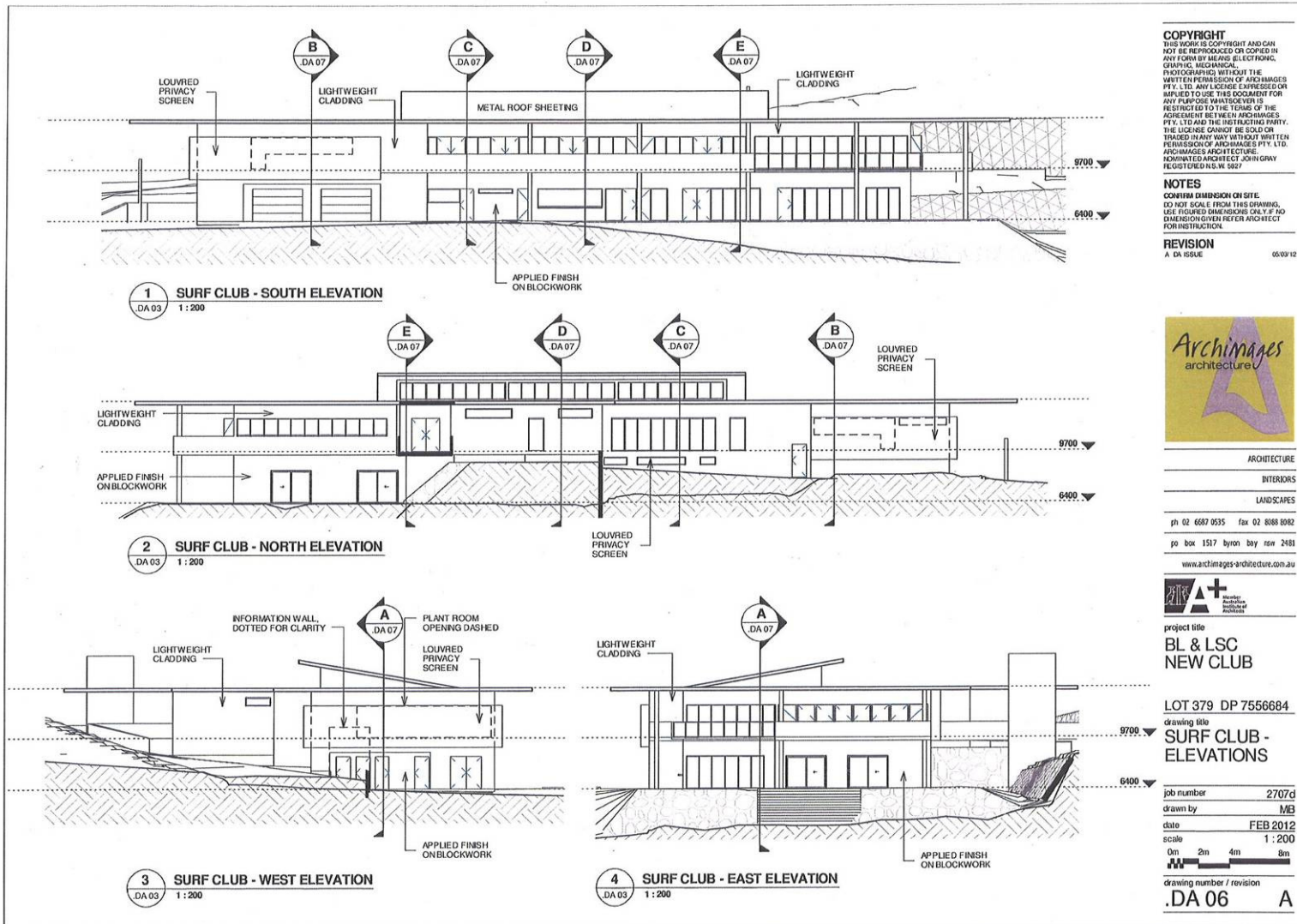


project title  
**BL & LSC  
 NEW CLUB**

LOT 379 DP 7556684  
 drawing title  
**SURF CLUB -  
 ROOF PLAN**

job number 2707d  
 drawn by MB  
 date FEB 2012  
 scale 1:200

0m 2m 4m 8m  
 drawing number / revision  
**.DA 05 A**



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project title  
**BL & LSC  
NEW CLUB**

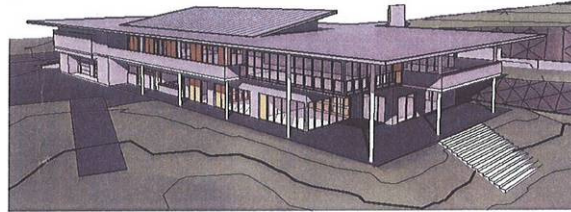
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drawing title  
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ELEVATIONS**

job number 2707d  
drawn by MB  
date FEB 2012  
scale 1:200  
0m 2m 4m 8m

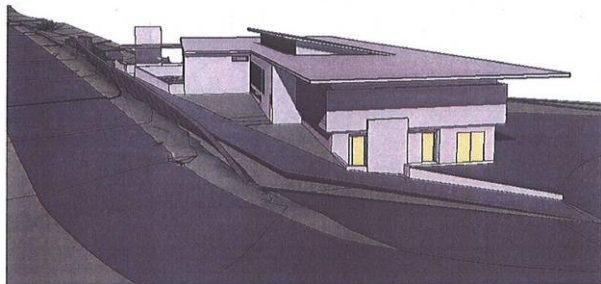
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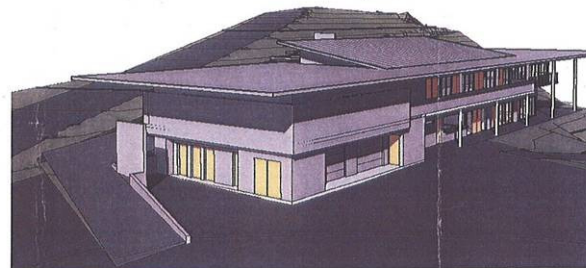
1 SURF CLUB - 3D VIEW 1



2 SURF CLUB - 3D VIEW 2



3 SURF CLUB - 3D VIEW 3



4 SURF CLUB - 3D VIEW 4

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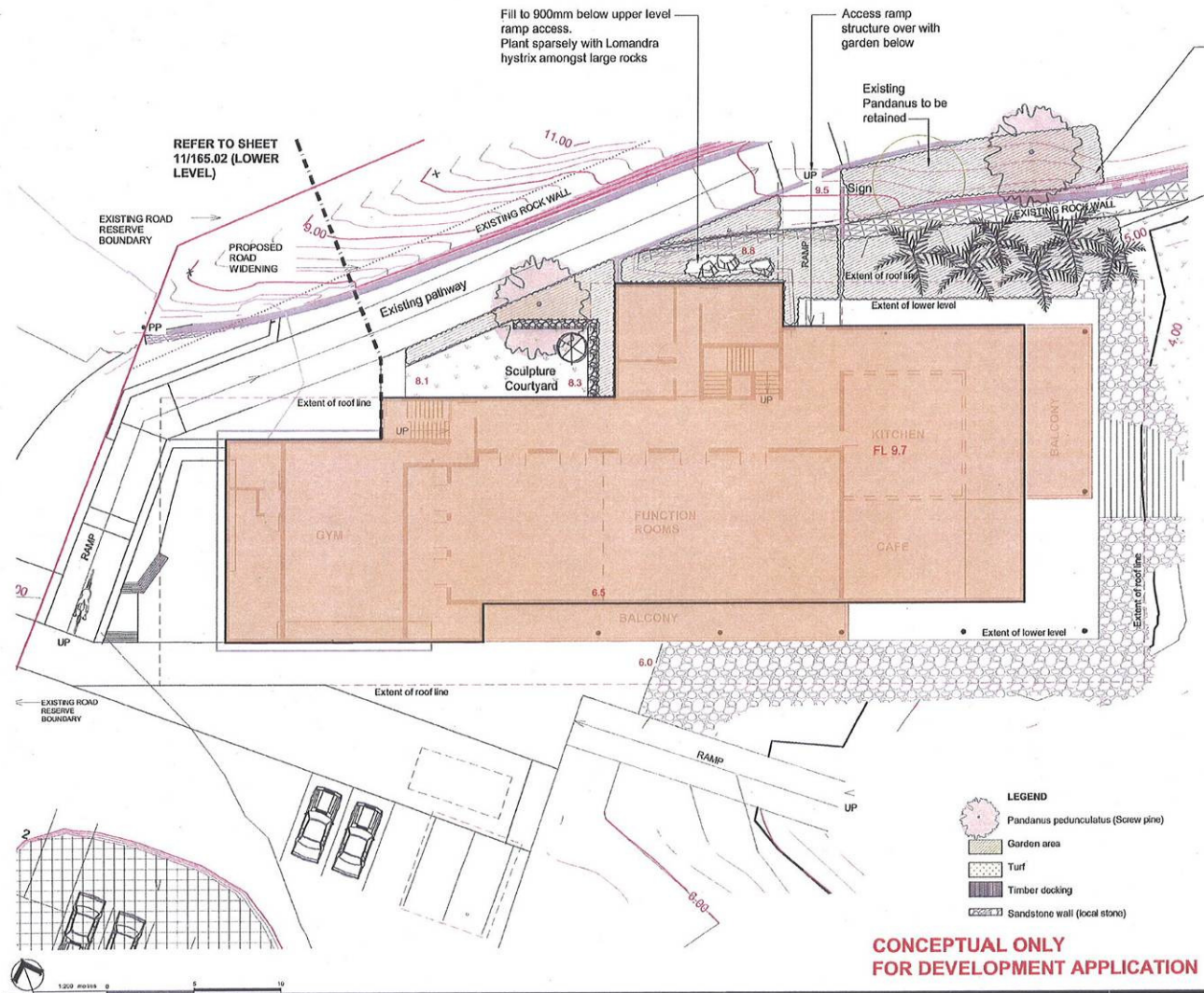
project title  
**BL & LSC  
 NEW CLUB**

LOT 379 DP 7556684  
 drawing title  
**SURF CLUB -  
 3D VIEWS**

job number 2707d  
 drawn by MB  
 date FEB 2012  
 scale

drawing number / revision  
**.DA 08 A**





**CONCEPTUAL ONLY  
FOR DEVELOPMENT APPLICATION**

Fill to 900mm below upper level ramp access. Plant sparsely with *Lomandra hystrix* amongst large rocks

Access ramp structure over with garden below

Existing *Pandanus* to be retained

Sign

Replace grass banks with garden areas. Remove all weeds. Plant with *Hibbertia scandens*, *Lomandra longifolia*, *Lepidozamia peroffskeyana*, *Crinum pedunculatum*

Clusters of *Archontophoenix cunninghamiana* amongst low groundcovers such as *Austromyrtus dulcis*, *Lomandra 'Tanika'*, *Myoporum parvifolium*, *Lepidozamia peroffskeyana*

Site Boundary and detail survey information was supplied by others and should be verified prior to detailed design.

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**design team ink**  
 11/165A.03  
 11/165A.03  
 11/165A.03

Designed: S.21  
 Date: 28/02/12  
 JHE/L's NJ

Project for:  
**Ballina & Lismore  
 Surf Lifesaving Club**  
 Address:  
**Archimagas**  
 Drawing for:  
**Building A and Surrounds  
 Landscape Concept Plan  
 Upper Level**  
 Drawing Number: **11/165A.03**

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