
Community and Stakeholder Engagement Report

Lease Notification – The Surf Deck, Collaroy

Notification period: 24 August 2022 to 20 September 2022

Contents

1.	Summary.....	2
1.1.	Key outcomes	2
1.2.	How we engaged	3
1.3.	Who responded.....	3
2.	Background.....	4
3.	Engagement objectives	4
4.	Engagement approach	4
4.1.	Reaching diverse audiences	4
5.	Findings	5
	Appendix 1 Verbatim community and stakeholder responses	7

1. Summary




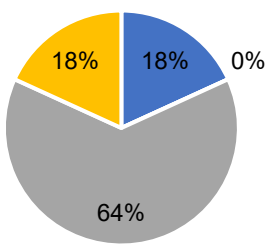

This report outlines the outcomes of community and stakeholder engagement conducted between 24 August 2022 and 20 September 2022 as part of a proposal to grant a lease to Hemmes Property Pty Ltd for the continued use of the pavilion structure adjacent to the Collaroy Hotel, known as the Surf Deck. The proposed lease is a continuation of their current lease arrangement of the Pavilion structure adjacent to the Collaroy Hotel. The premises will be used for the service of food and beverages as part of their current business model.

Respondents who were supportive of the proposal indicated that the refurbished pavilion structure was an asset to the community and a valued destination in the area.

Respondents who were not supportive of the proposal indicated a level of concern for the sensitive ecological area and impact of storm damage on the building, given the history of coastal erosion on the site. There were some views that the structure should never have been built in the first place and that the area should be made available for public open space.




Other feedback suggested Council should reconsider the length of the proposed lease and preferred a shorter timeframe.

1.1. Key outcomes






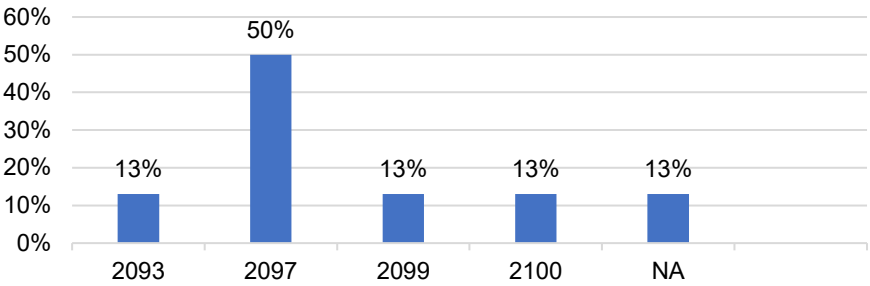
 Total unique responses	11	
 How responses were received	Submission/Comment form Written responses (email/letter) Verbal response	Completions: 8 Number received: 2 Number received: 1
 Sentiment ¹	 <ul style="list-style-type: none"> Support Support with changes Don't support Neutral/undetermined <p>Total responses = 11</p>	
 Feedback themes	Sensitive Coastal area Coastal erosion Inappropriate structure	Good community asset Long term viability of the lease Use of the building

¹ The online submission form did not contain a direct sentiment question. The results in the above graph are based on a sentiment analysis of the comments received.

1.2. How we engaged

 Have Your Say: visitation stats	Visitors: 674	Visits: 591	Average time onsite: 58.5 seconds
 Print media and collateral	Letterbox drop: 2097 Site signs used: Yes		Distribution: 114 Number of signs: 1
 Electronic direct mail (EDM)	Community Engagement (fortnightly) newsletter: 2 editions		Distribution: 22,000 subscribers

1.3. Who responded²

 Gender	<div> <div>Male</div> <div>Female</div> <div>Other id.</div> <div>N/A</div> </div> 
 Age groups	<div> <div><25 yrs</div> <div>26-50 yrs</div> <div>51-75 yrs</div> <div>76+ yrs</div> <div>N/A</div> </div> 
 Postcodes	

² Demographic data was gathered online by request only. The data represented only includes those respondents who provided this detail.

2. Background

In accordance with the Crown Land Management Act 2016 and Section 70 of the Crown Land Management Regulation 2018, Council is required to give public notice of its proposal to lease Lot 51 DP1050178, 1068 Pittwater Road Collaroy, known as The Surf Deck. The lessee will utilise the site for the service of food and beverages.

It is proposed the lease will be granted to Hemmes Property Pty Limited for an initial period of ten years, with a further option period of ten years. The lease will include a hold over provision, however, the total term including any holdover cannot exceed 21 years. The lessee will utilise the site for the service of food and beverage, which is a continuation of their current arrangement as part of the Collaroy Hotel business.

3. Engagement objectives

Community and stakeholder engagement aimed to:

- build community and stakeholder awareness of participation activities
- provide accessible information so community and stakeholders can participate in a meaningful way
- identify community and stakeholder concerns, local knowledge and values.

4. Engagement approach

Community and stakeholder engagement for the Lease Notification – The Surf Deck, Collaroy, was conducted between 24 August 2022 to 20 September 2022.

The engagement was planned, implemented and reported in accordance with Council's [Community Engagement Matrix](#) (2017).

A project page³ was established on our have your say platform with information provided in an accessible and easy to read format.

The project was primarily promoted through a letter drop to the occupiers of local residences and nearby businesses, the erection of notification signage on site, and our regular email newsletter (EDM) channels.

Feedback was captured through an online submission form embedded onto the have your say project page.

An open-field comments box provided community members a space to explain or elaborate on their support, not support or neutral sentiment as well as any other feedback they wished to contribute. Qualitative data analysis based on submitted responses was used to ascertain the level of support for the project.

Email and written submissions were also invited.

4.1. Reaching diverse audiences

A stakeholder mapping exercise was completed to identify and understand the needs of the whole community.

It was determined for this project that it was particularly important to hear from local businesses and residents. To ensure they were given the opportunity to view the notification and provide comment, letters were sent to surrounding businesses and residents.

³ <https://yoursay.northernbeaches.nsw.gov.au/lease-notification-surf-deck-collaroy>

5. Findings

Respondents who were supportive of the lease proposal felt that the Surf Deck was a great beachside location and a valued destination in the area.

Feedback from the submissions indicated interest in ensuring the sensitive coastal environment was not compromised and that the building itself could withstand storm damage and the potential of coastal erosion.

Some respondents were concerned about the long-term viability of the lease given the significant history of coastal erosion, including the building being in a wave impact zone.

Several respondents felt the structure should never have been built and the area would be better used as open public space rather than having a building on the beach.

One respondent suggested the lease should be for a shorter period and that the structure should not be built over the beach area, rather aligned with the seawall. Another respondent suggested Council should be buying up all of the foreshore land to ensure the dunes are maintained.

Table 1: Issues, change requests and other considerations

Theme	Issues, change requests and other considerations raised	Council's response
Environmental concerns	<p>The proposed lease of the site is not appropriate as the building will impact the sensitive coastal environment.</p> <p>The site is within a wave impact zone and is subject to storm damage and rising sea levels.</p> <p>The building is an intrusion on the coastline.</p> <p>Concerns regarding long term viability of lease given the history of coastal erosion.</p>	<p>The proposed lease to Hemmes Property for the Surf Deck at Collaroy is a continuation of their current lease arrangement of the Pavilion structure adjacent to the hotel, known as The Surf Deck.</p> <p>There will be no additional building on the site and the lessee will continue to utilise the site for the service of food and beverages only.</p> <p>A DA application was submitted to Council in April 2020, for alterations and additions to the existing structure. Following a public exhibition process in which no submissions were received, the DA was approved. The structure underwent considerable refurbishment to ensure the Pavilion has a sturdy longevity. Key considerations were given to coastal hazards and the site designed and sited to avoid any adverse impact on the cultural and environmental aspects of the area.</p> <p>The DA included the condition that in the event of an ocean storm that exposes the rock protection, structural and coastal engineering inspections of the building structure and rock protection are to be undertaken and a report submitted to the Lessor and Lessee advising whether the building structure is suitable for ongoing use.</p>

Theme	Issues, change requests and other considerations raised	Council's response
Use of Public land	There should be no more building on land adjacent to the beach.	The proposed lease to Hemmes Property for the Surf Deck at Collaroy is a continuation of their current lease arrangement of the Surf Deck building adjacent to the hotel. There is no additional building proposed on the site and the lessee will continue to utilise the site for the service of food and beverages only.
Length of lease	Concerned around length of lease term	This lease is a continuation of the current lease, and the term is within the legislated maximum term.

During the consultation/exhibition. Council received a number of questions either through direct contact or within feedback received.

Table 2: Questions raised and Council's answers

Question raised in feedback	Council's answer
Why are they using this venue for food & beverage if it is still under review?	This is a continuation of the current arrangement that already exists. The current lease which allows for the service of food and beverages had not expired at the time of public notification of Council's intent to enter into a new lease.
I am concerned that the lease area includes the actual beach. What does this mean? Will they be able to cordon off the area/ keep the public off this part of the beach, or am I misreading this Plan?	The leased area does not extend any further than the current footprint of the structure (which is the red area on the plan). Beach access remains via path access located to the North of the site and there is no intention to cordon the beach from the public. The lease is purely a continuation of the use of the current structure for the service of food and beverages.

Appendix 1 Verbatim community and stakeholder responses*

Number	Comment/submission
1	(No comment provided)
2	<p>This building is an intrusion on the beautiful coast.</p> <p>It is only being granted to the Hotel for the council to collect the lease payments.</p> <p>It should never have been ever approved years ago.</p> <p>It is in a precarious position and should be removed.</p> <p>it would be far better served as a 'grassed' rest area.</p> <p>Apparently it is better to ask for forgiveness than approval!</p>
3	<p>This structure should never have initially been approved. It is within the wave impact zone it should only be a temporary design that can be damaged / abandoned during storms, and not need any coastal protection. Also as it's on Crown Land the public should have access and use of this site.</p>
4	<p>I fully support this lease proposal. The site, which is in a great beachfront location, has been derelict since damage from severe storms a few years ago and it would be an asset to the locality for this site to be restored and once again become a valued destination in the area.</p>
5	(No comment provided)
6	<p>I am concerned that the lease area includes the actual beach. What does this mean? Will they be able to cordon off the area/ keep the public off this part of the beach, or am I misreading this Plan?</p>
7	<p>I have concerns about the long term viability of this lease given the significant history of coastal erosion on this site on many occasions.</p> <p>Surely with global warming and sea level rise this is not an appropriate property to lease.</p>
8	<p>Why are they using this venue for food & beverage if it is still under review?</p>
9	<p>This is ridiculous to lease and build on any more land adjacent to the beach. If the council does this it will ultimately cost the rate payers. If anything the Council and State Government should be buying all foreshore land and ensuring dunes are developed and maintained. As a Rate Payer I am against this development.</p>
10	<p>Surfrider Foundation Submission</p> <p>I had the position of Surfrider Foundation Representative on the Warringah Coastal Management Committee during the early 2000's when the committee was informed a lease of this area had been granted to what was known as The Surf Rock Hotel much to the astonishment of virtually everyone who sat on this advisory panel.</p> <p>How, why, who allowed this lease in a known high erosion area?</p> <p>The answers were murky to say the least.</p> <p>Council was subsequently put under administration found to be unfit to govern and while there is not necessarily any direct correlation between this lease and the Council's sacking, it was regarded as an incredibly unusual and reckless decision.</p> <p>The Committee realised the fact that a lease had been granted and legally we were unable to convince Council to extinguish it. What was decided at the time given the legal reality, was that any building should be constructed primarily with timber not metal or masonry attempting to alleviate the situation that WHEN (not if) storm damage occurs the building, worse case, would likely break up rather than degrade rust and be buried under sand presenting a future health hazard.</p> <p>Over the ensuing years the committee was disbanded, this advice has been totally ignored in subsequent renovations and we have the haphazard approach to coastal development that will instill intergenerational costs to the community far in excess of what may have been avoided</p>

*Personal details and inappropriate language have been redacted where possible. Spelling and grammatical errors have been amended only where misinterpretation or offence may be caused.

	<p>had the expert committee (coastal engineers, state government reps, university professors, citizen and SLSC reps and council staff) not been abandoned.</p> <p>Any lease of this land should be short term and when damage occurs that such damage ensures the lease is forever extinguished.</p> <p>A ten year lease with a ten year option is entirely out of keeping with expert and community expectations despite the construction of the rock revetment wall adjacent.</p> <p>A more compatible lease from a reality point of view would be a "day to day lease" until the inevitable severe storm damage occurs, at which point it is extinguished, but from a council point of view, it would be nowhere near as financially lucrative. It would seem that an attitude from at least a part of the council is if a beach can't pay its way well it probably should be removed from the council 's asset portfolio-well the Collaroy Narrabeen Beach is well on the way in that journey.</p> <p>Council would be better advised to look at ten plus ten leases for contracts to sustain the beach, such as offering a deal to a contractor to shift sand from lagoon entrance south along the beach at a time scale that would be attractive and cost effective for the installation of the infrastructure for pumping sand rather than to profit from it.</p> <p>Any lease should be minimal in time period and before executing the seaward title boundary should obviously be aligned to the seaward edge of the structure itself rather than out over the beach itself which leads to the inevitable argument "we are doing you all a favour by not fencing the beach because our property extends well onto it".We see this argument prosecuted further north along the beach time and time again.</p> <p>The Hemmes operation easily has the wherewithal to legally challenge assumptions of operation limitations making a future beach cabana private area on the sand a real possibility as attempted at Bondi last year albeit by a different purveyor of hospitality.</p> <p>The proposed lease period for this purely commercial structure is an outrage to anyone paying attention, but sadly is just yet another terrible proposition likely to be rubber stamped by council in a litany of very poor decisions that have so degraded this once magnificent beach.</p> <p>Sincerely,</p>
11	<p>Phone call received: Gaycare Organisation are in support of the lease and want to let Council know that anything to increase usage of facilities and social activities is a good thing.</p>

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Related Projects	
Notes	Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.