

Councillors I wish to address the development assessment for an Addition of a deck to the existing surf life saving club at Cabarita Beach and in particular the adoption of option 1.

On Wednesday 5<sup>th</sup> April 2000 council resolved to waive contributions for developments providing public benefits.

The surf club provides many public benefits

The levying of the car parking contribution will in effect impose a cost on the community that the surf club is trying to provide a benefit to, as additional funding from the public will then need to be sourced via fund raising, government grants and the like before the surf club deck can be built. Furthermore the construction of the deck won't result in any noticeable increase in patronage over a seven day period with the club's busiest period being on a Sunday morning between 9am and 11.30 whilst the nipper programme runs between late October and early March. 92.3% of the club usage is for the public benefit. The club building is utilised 2040 hours per year, 640 hours are patrolling hours where members are actually on the beach patrolling your beaches, 38 hours by our nipper programme, 624 hours are administration, 280 are for the community benefit, with building access donated to the community for classes, wakes and community gatherings, or service group meetings and 468 hours are what broadly speaking is considered commercial. 312 of these are the club's Sunday afternoon sippers, a virtual non-profit concession to our members for all the hours spent patrolling the beach. This leaves only 156 hours of actual commercial activity based on a 100% booking rate of our allowable 2 functions a month and admittedly the club would be hoping to achieve this 100% with the new deck which we don't do now.

It is submitted that there is no fair and reasonable nexus having regard to the usage of this community building for Council to levy the contributions, and to levy them solely on floor area as per Contribution Plan and Councils Parking Code. This levy is unreasonable in comparison to a commercial development like a hotel or other club which operates 7 days a week 14 hours a day.

It is also relevant to consider that the deck being on Crown Land and under lease is designed as a detached structure and may need to be

removed due to an erosion event or changes to the lease, in the planning agenda the council has asked the club to provide a removal strategy however there is no mention of a mechanism for the contributions to be returned to the club should the deck need to be removed.

From a legal point the car parking contributions are being levied in accordance with the S94 Plan No. 23 –Council's attention should be drawn to Clause 1.2 of that plan and the maps under Fig 1. The plan only applies to the commercial land in the Cabarita precinct and not the surf club site so the levying of the contribution would in effect be legally contentious.

According to the minutes of council dated Wednesday 19<sup>th</sup> December 2001 when the club received DA approval for the new clubhouse the parking contributions were waived,

Further, that according to minutes of council dated Wednesday July 3<sup>rd</sup> 2002 clause 5a.A. states;

That council :- intends to waive charges for car parking.

In clause 5a iii requesting a waiver in relation to car parking contribution the Statement of Environmental Effects requests, council extend the exemption to the deck extensions.

Cabarita beach SLSC as a volunteer non profit organisation makes significant contributions to public safety. Patrolling both Cabarita and Pottsville beach amounted to some 4348 volunteer man hours last patrolling season. Last patrolling season the club completed 23 rescues 476 preventatives 27 first aids and 6 "out of hour" responses.

Our ability to continue these public services depends not only on our volunteers but on our ability to provide equipment to those volunteers, along with education and training to effectively and efficiently carry out the required patrolling duties, the emergency responses and search and rescue procedures. This ability will be seriously compromised if our limited resources are further impinged upon by making car parking contributions. The payment of such is in effect a transfer of public money from one source to another and is a further impost on the local community.

Councillors, on the points raised the decisions regarding car parking contributions should stand and continue to be waived as it was in the original application.

Your affirmative consideration to the waiving of the car park contributions is arduously sought to ensure the continuation of the clubs ability to serve and provide the public benefit as per the council resolution of April 2000.