



northern  
beaches  
council

7 May 2020



Urbis Pty Ltd  
Level 8 123 Pitt Street  
SYDNEY NSW 2000

Dear Sir/Madam,

**Development Application No: DA2019/1190 for Construction of a new grandstand and Centre of Excellence at 9999 Pittwater Road BROOKVALE.**

I refer to Council's letter to you dated 31 January 2020, our meeting of 18 March 2020, your written response dated 24 March 2020 and Council's most recent letter of 6 May 2020.

The purpose of this letter is to provide further detail on one of the issues raised in the 6 May 2020 letter, being the issue of permissibility.

**Permissibility in the RE1 Public Recreation zone**

The land is zoned RE1 Public Recreation under *Warringah Local Environmental Plan 2011*. The proposal has been submitted on the basis that it falls within the definitions of a *recreation facility (major)* and a *recreation facility (indoor)*. (*Statement of Environmental Effects (October 2019)*, Urbis, page 26).

The proposed use of the upper level of the Centre of Excellence for 'administration office space' is not a use that falls within the definition of either a *recreation facility (major)* or a *recreation facility (indoor)*. For the use of the upper floor as 'administration offices' associated with the Sea Eagles Football Club, the use must be deemed as being 'ancillary' or subordinate to the other uses of the building. Based on the information that is currently provided in your application, this case has not yet been made to the satisfaction of the independent planner who is assessing the application on behalf of Council.

Council invites you as the applicant to provide further information and justification, on why the administration office space use should be considered 'ancillary' or subordinate to the other uses of the building. It is suggested that you may wish to include relevant case law as part of this justification.

**Additional advice for the applicant**

Council staff and the Independent Planning Consultant are happy to meet with you to discuss this issue, and the other raised in the 6 May 2020 letter.

Please contact Felicity Schmidt, EA to Director Planning and Place on 8495 6414 to arrange a suitable meeting date.

Yours faithfully

Louise Kerr  
**Director Planning and Place**