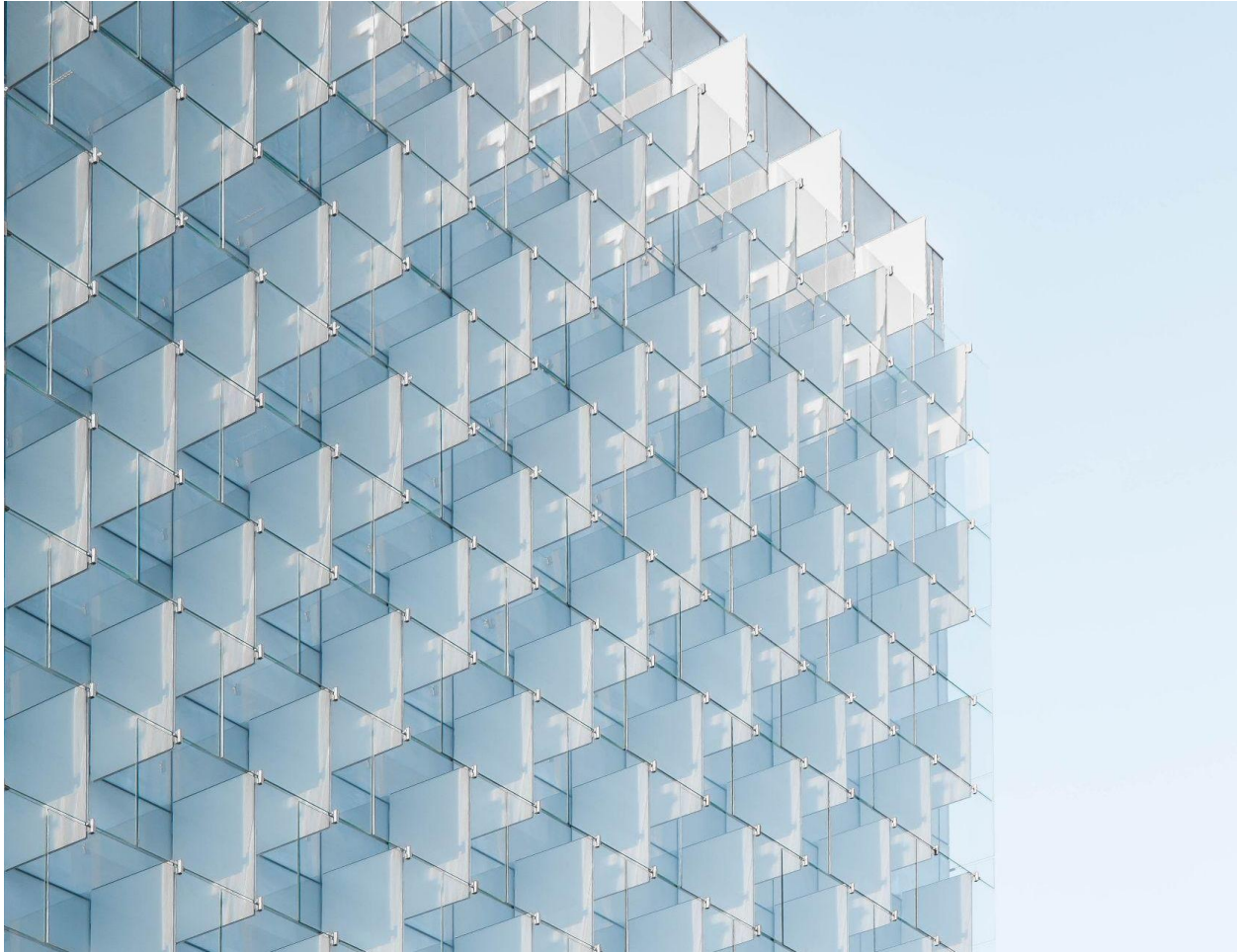


STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) – Restaurant Use - 433 Pittwater Road, North Manly



STATEMENT OF ENVIRONMENTAL EFFECTS:

PROPOSED RESTAURANT

433 Pittwater Road, North Manly
Lot 2742 DP752938

—
Prepared by Willowtree Planning Pty Ltd
on behalf of Warringah Golf Club Ltd



SYDNEY | BRISBANE

STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) – Restaurant Use - 433 Pittwater Road, North Manly

DOCUMENT CONTROL TABLE			
Document Reference:	WTJ22-150_Statement of Environmental Effects		
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STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) – Restaurant Use - 433 Pittwater Road, North Manly

TABLE OF CONTENTS

TABLE OF CONTENTS	3
APPENDICES LIST	4
FIGURES LIST	4
TABLES LIST	4
PART A SUMMARY	5
1.1 INTRODUCTION	5
PART B SITE ANALYSIS	6
2.1 SITE LOCATION AND CHARACTERISTICS	6
2.2 SITE CONTEXT	10
2.3 DEVELOPMENT HISTORY	13
PART C PROPOSED DEVELOPMENT	14
3.1 DEVELOPMENT OVERVIEW	14
PART D LEGISLATIVE AND POLICY FRAMEWORK	15
4.1 CONTROLS AND POLICY OVERVIEW	15
4.2 STATE PLANNING CONTEXT	15
4.2.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979	15
4.2.2 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021	16
4.3 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS	17
4.4 LOCAL PLANNING CONTEXT	17
4.4.1 WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011	17
4.4.2 NORTHERN BEACHES SECTION 7.12 CONTRIBUTIONS PLAN 2011	20
PART E LIKELY IMPACTS OF THE DEVELOPMENT	22
5.1 CONTEXT AND SETTING	22
5.2.1 Height and Design	22
5.3 LANDSCAPING	22
5.4 TRAFFIC & TRANSPORT	22
5.5 STORMWATER & EROSION & SEDIMENT CONTROL	22
5.6 FLOODING	22
5.7 CONTAMINATION	22
5.8 ACOUSTIC	22
5.9 WASTE	22
5.10 EARTHWORKS	22



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) – Restaurant Use - 433 Pittwater Road, North Manly

5.11 SERVICES	23
5.12 SUITABILITY OF SITE FOR DEVELOPMENT	23
5.13 THE PUBLIC INTEREST	23
PART F CONCLUSION	24

APPENDICES LIST

Appendix	Document	Prepared by
1	Owners Consent, Title and Deposited Plan	Various
2	Development Consent DA2022/2881	Council
3	Floor Plans	Group Architects
4	Acoustic Assessment	Acoustic Logic
5	Plan of Management	Warringah Golf Club

FIGURES LIST

Figure 1. Cadastral Map (Source: SIX Maps, 2022)	6
Figure 2. Aerial Map (Source: Near Map, 2022)	7
Figure 3. View from Kentwell Road looking West (Source: Google Maps, 2022)	8
Figure 4. View from Kentwell Road looking East (Source: Google Maps, 2022)	8
Figure 5. View from Pittwater Road looking North-West (Source: Google Map, 2022)	9
Figure 6. View from Pittwater Road looking west (Source: Google Map, 2022)	9
Figure 7. View from Pittwater Road looking west (Source: Google Map, 2022)	10
Figure 8. Site Context Map (Source: Google Maps, 2022)	11
Figure 9. Site Context Aerial (Source: Google Maps, 2022)	12
Figure 10. WLEP2011 Zoning Map (Source: NSW Legislation, 2022)	18

TABLES LIST

TABLE 1. SITE IDENTIFICATION	6
TABLE 2. EXISTING CONSENTS	13
TABLE 3. SECTION 4.15(1)(A) CONSIDERATIONS	15
TABLE 4. HOW THE DA IS MADE	16
TABLE 5. DEVELOPMENT STANDARDS	19
TABLE 6. DEVELOPMENT CONTRIBUTIONS	21



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) – Restaurant Use - 433 Pittwater Road, North Manly

PART A SUMMARY

1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning) on behalf of Warringah Golf Club Ltd (the Applicant) and is submitted to Northern Beaches Council (Council) in support of a Development Application (DA) at 433 Pittwater Road, North Manly (subject site), which captures the following land parcels:

- Lot 2742 DP752038.

This DA seeks development consent to use part of the approved building for the purpose of a restaurant, as described in **PART C** of this SEE.

The subject site is zoned RE1 Public Recreation, pursuant to the *Warringah Local Environmental Plan 2011* (WLEP2011), which is intended to:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To protect, manage and restore public land that is of ecological significance, scientific, cultural or aesthetic value.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*

Development Consent DA2022/2081 was granted approval by the Sydney North Planning Panel on 8 March 2024 for construction of a club house and associated facilities. Condition 3 of the development consent requires that any uses other than that specified require a separate development consent. As the site is the subject of a pending Additional Permitted Use for the purpose of a registered club, it is required that a satisfactory interim use is to be approved as the timing for gazettal is not known. Accordingly, specified areas as described in the SEE seek use for that purpose to permit sale of alcohol and food, as a registered club ordinarily would under the land use of a restaurant, which is permissible in the zone.

The structure of the SEE is as follows:

- **PART A SUMMARY**
- **PART B SITE ANALYSIS**
- **PART C PROPOSED DEVELOPMENT**
- **PART D LEGISLATIVE AND POLICY FRAMEWORK**
- **PART E ENVIRONMENTAL ASSESSMENT**
- **PART F CONCLUSION**

Based on the assessment undertaken, it is recommended that favourable consideration to the approval of the DA be given.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use - 433 Pittwater Road, North Manly

PART B SITE ANALYSIS

2.1 SITE LOCATION AND CHARACTERISTICS

The subject site is identified as 433 Pittwater Road, North Manly containing the following land holdings:

TABLE 1. SITE IDENTIFICATION		
Site Address	Legal Description(s)	Land Area (approx.)
433 Pittwater Road, North Manly	2742/DP752038	17.23ha

The subject site is currently used as the Warringah Recreation Centre comprising tennis courts, soccer fields, and squash courts in the south-eastern portion of the Warringah Golf Course. The subject site sits on the corner of Kentwell Road and Pittwater Road, North Manly with Brookvale Creek running along the western boundary of the proposed development.

Refer to **1** and **2** below.

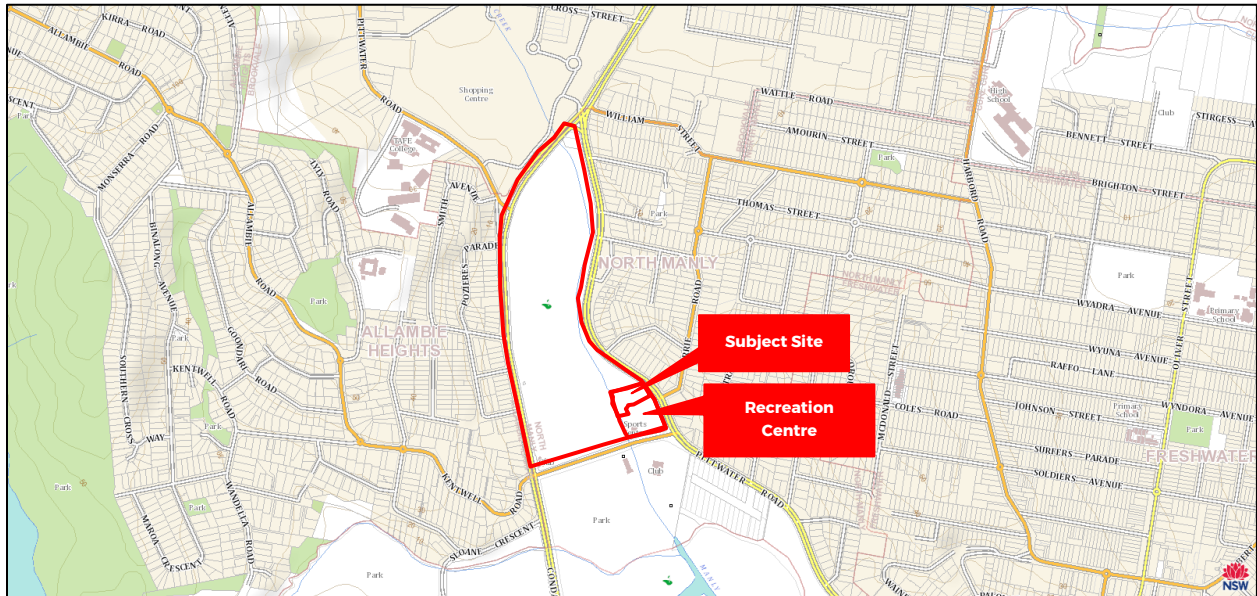


Figure 1. Cadastral Map (Source: SIX Maps, 2022)



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use - 433 Pittwater Road, North Manly



Figure 2. Aerial Map (Source: Near Map, 2022)



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) – Restaurant Use - 433 Pittwater Road, North Manly



Figure 3. View from Kentwell Road looking West (Source: Google Maps, 2022)



Figure 4. View from Kentwell Road looking East (Source: Google Maps, 2022)



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use - 433 Pittwater Road, North Manly



Figure 5. View from Pittwater Road looking North-West (Source: Google Map, 2022)



Figure 6. View from Pittwater Road looking west (Source: Google Map, 2022)



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) – Restaurant Use - 433 Pittwater Road, North Manly



Figure 7. View from Pittwater Road looking west (Source: Google Map, 2022)

Figures 3 – 7 above show the subject site and surrounds.

The Warringah Recreation Centre is an existing sporting facility on land owned by Council, and includes the following:

- Seven (7) outdoor tennis courts;
- Two (2) outdoor futsal courts;
- Three (3) indoor squash courts;
- Approximately 36 on-site car parking spaces; and
- Two (2) combined entry/exit vehicle access onto Kentwell Road.

There is an existing clubhouse within the south-western corner of the site adjacent to Brookvale Creek offering amenities including changing rooms with showers and a pro shop.

2.2 SITE CONTEXT

The immediate surrounding area is characterised by the Warringah Golf Course which operates to the north-east of the subject site and on the southern side of Kentwell Road. The wider Golf Club site is bounded by Pittwater Road along its eastern boundary and Condamine Street along its western boundary.

The existing Golf Course is an 18-hole course with an approximate total area of 29ha located between Pittwater Road and Condamine Street, and on either side of Kentwell Road.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) – Restaurant Use - 433 Pittwater Road, North Manly

The Warringah Mall is located to the north of the subject site with Condamine Street leading into the Brookvale retail centre. The eastern side of Pittwater Road is characterised by one and two storey residential dwellings of masonry and render construction. The western side of Condamine Street comprises similar residential built form, typical of the R2 Low Density Residential zoning.

Condamine Street to the east of the site is a 6-lane road including 2 bus lanes. Pittwater Road to the west of the site is a 4-lane road. Both roads are Classified Roads zoned SP2 Infrastructure and under management for Transport for NSW.

Refer to **Figure 8** below.

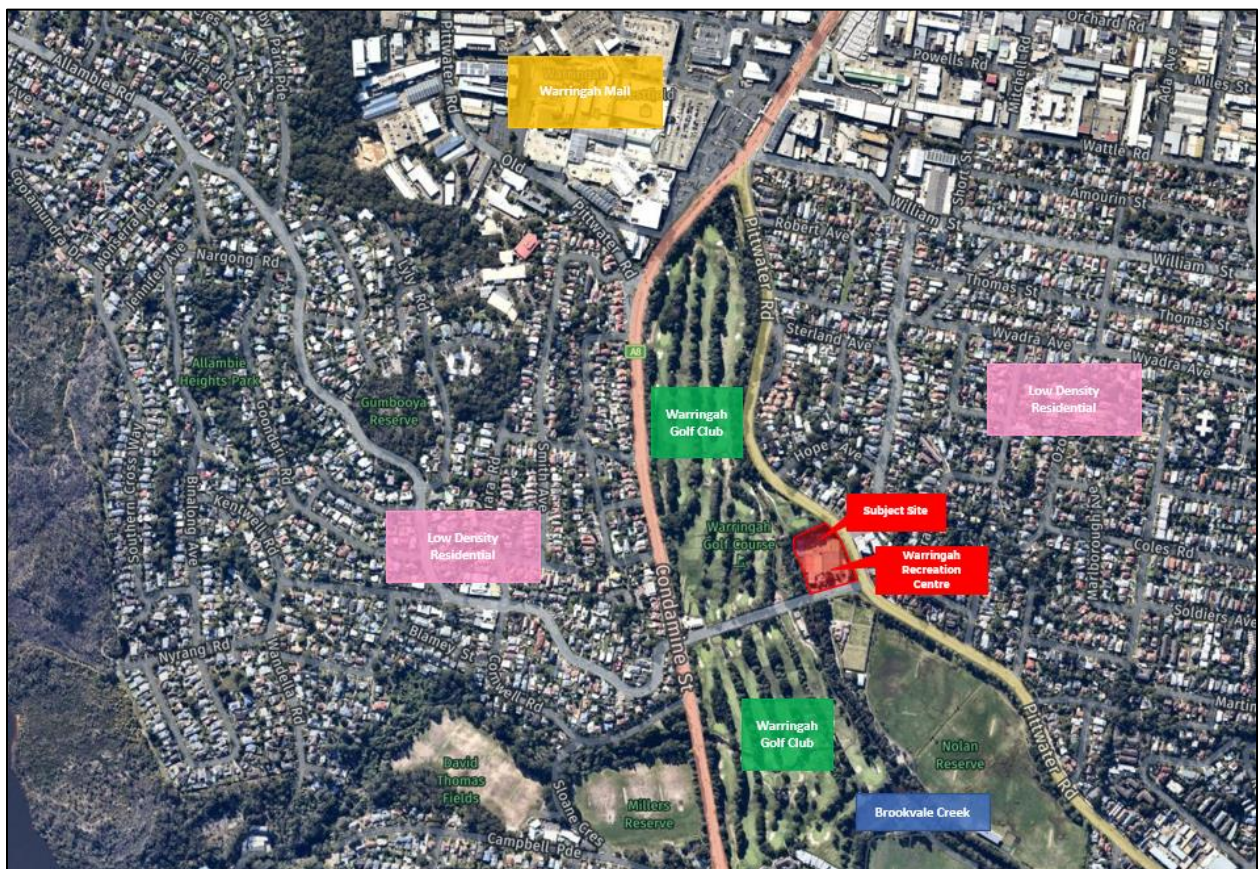


Figure 8. Site Context Map (Source: Google Maps, 2022)



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) – Restaurant Use - 433 Pittwater Road, North Manly



Figure 9. Site Context Aerial (Source: Google Maps, 2022)



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use
433 Pittwater Road, North Manly

2.3 DEVELOPMENT HISTORY

TABLE 2 outlined below provides a summary of the DAs, pertaining to the subject site and of relevance to the proposed development, that have been determined.

TABLE 2. EXISTING CONSENTS		
DA Reference	Summary	Approval Date
DA2008/1742	Construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works	16/05/2012
DA2010/0098	Construction of a new fence	06/04/2010
Mod2014/0283	Modification of DA2008/1742 granted for the construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works	26/05/2015
Mod2014/0285	Modification of DA2008/1742 granted for the construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works	04/05/2015
Mod2015/0247	Modification of DA2008/1742 granted for the construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works	05/04/2016
Mod2016/0273	Construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works	14/10/2016
Mod2017/0253	Modification of DA2008/1742 granted for the construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works	23/11/2017
DA2022/2081	Construction of a golf club house and associated facilities	08/04/24



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use
433 Pittwater Road, North Manly

PART C PROPOSED DEVELOPMENT

3.1 DEVELOPMENT OVERVIEW

The proposed development seeks to use designated areas within the approved clubhouse building for the purpose of a restaurant. The areas to which the restaurant use would relate are as follows:

- Ground Floor - Garden Lounge / Terrace and bar / kitchen for serving
- First Floor - Dining/Function/ Function / Sports Bar / Terrace - Kitchen - Bar for serving

Hours of operation and number of patrons would remain consistent with that under DA2022/2081.

The areas to which the restaurant use would relate are also shown as per **Appendix 1**.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use
433 Pittwater Road, North Manly

PART D LEGISLATIVE AND POLICY FRAMEWORK

4.1 CONTROLS AND POLICY OVERVIEW

This Part of the SEE addresses and responds to the legislative and policy requirements relevant to the proposed development at the subject site in accordance with the EP&A Act.

The following current and draft Commonwealth, State, Regional and Local planning controls and policies have been considered in the preparation of this DA.

State Planning Context

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*

Local Planning Context

- *Warringah Local Environmental Plan 2011*
- *Northern Beaches Section 7.12 Contributions Plan 2022*
- *Warringah Development Control Plan 2011*

4.2 STATE PLANNING CONTEXT

4.2.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The EP&A Act is the principal planning and development legislation in NSW.

4.2.1.1 Section 4.15(1) of the EP&A Act - Considerations

Section 4.15(1) of the EP&A Act specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15(1) of the EP&A Act are provided in **TABLE 3** below.

TABLE 3. SECTION 4.15(1)(A) CONSIDERATIONS	
Section	Response
Section 4.15(1)(a)(i) any environmental planning instrument, and	The WLEP2011 is the relevant Environmental Planning Instrument (EPI) applying to the subject site, which is assessed in Section 4 of this SEE.
Section 4.15(1)(a)(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	The site is subject to the following Draft State Environmental Planning Policies: <ul style="list-style-type: none">▪ <i>Draft State Environmental Planning Policy (Environment);</i>▪ <i>Draft State Environmental Planning Policy (Short-Term Rental Accommodation) 2019;</i>



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use
433 Pittwater Road, North Manly

	<ul style="list-style-type: none"> ▪ <i>Amendment to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008; and</i> ▪ <i>Draft Remediation of Land State Environmental Planning Policy (intended to replace State Environmental Planning Policy 55).</i>
Section 4.15(1)(a)(iii) any development control plan, and	The <i>Warringah Development Control Plan 2011</i> (WDCP2011) applies to the subject site and is addressed within this SEE as it relates to the proposed use.
Section 4.15(1)(a)(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	No Section 7.4 Planning Agreements applies to the subject site and proposed development.
Section 4.15(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The EP&A Regulation is addressed in Section 4.2.2 of this SEE.
Section 4.15(1)(b)-(c)	These matters are addressed in PART E of this SEE.

4.2.2 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021

The proposed development has been prepared in accordance with the provisions of the EP&A Regulation. Division 1 of Part 3 of the EP&A Regulation stipulates how a DA must be “made”. This DA satisfies the relevant criteria of the Regulation as follows:

TABLE 4. HOW THE DA IS MADE	
Considerations	Response
Division 1 - Making development applications	
<i>Section 23 - Persons who may make development applications</i>	
(1) <i>A development application may be made by—</i> (a) <i>the owner of the land to which the development application relates, or</i> (b) <i>another person, with the consent of the owner of the land.</i>	This DA is made by Warringah Golf Club Ltd (The Applicant). As Council is the owner of the land, owners' consent is provided in accordance with Clause 23(1) of the EP&A Regulation to allow for the DA to be made (contained in Appendix 1).
<i>Section 24 - Content of development applications</i>	
(1) <i>A development application must—</i> (a) <i>be in the approved form, and</i> (b) <i>contain all the information and documents required by—</i> (i) <i>the approved form, and</i> (ii) <i>the Act or this Regulation, and</i>	The DA includes all relevant information including details of the development, address and formal particulars, estimated cost of development, owner's consent, supporting documents including detailed plans and SEE. This DA is submitted via the NSW planning portal.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use
433 Pittwater Road, North Manly

<i>(c) be submitted on the NSW planning portal.</i>	
Section 25 - Information about concurrence or approvals	
<i>A development application must contain the following information— (a) a list of the authorities – (i) from which concurrence must be obtained before the development may lawfully be carried out, and (ii) from which concurrence would have been required but for the Act, section 4.13(2A) or 4.41, (b) a list of the approvals of the kind referred to in the Act, section 4.46(1) that must be obtained before the development may lawfully be carried out.</i>	The proposed development as it is for use only would not require concurrence.

4.3 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

As outlined in Section 1.2 of the Section 10.7(2) and (5) Planning Certificate in **Appendix 21** the site is subject to the following Draft State Environmental Planning Policies:

- *Draft State Environmental Planning Policy (Environment);*
- *Draft State Environmental Planning Policy (Short-Term Rental Accommodation) 2019;*
- *Amendment to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008; and*
- *Draft Remediation of Land State Environmental Planning Policy (intended to replace State Environmental Planning Policy 55).*

There are no Draft Local Environmental Plans applicable to the subject site.

4.4 LOCAL PLANNING CONTEXT

4.4.1 WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

The WLEP2011 is the primary Environmental Planning Instrument that applies to the subject site.

The relevant provisions of WLEP2011 as they relate to the subject site are considered in the following subsections.

4.4.1.1 Zoning and Permissibility

The subject site is located within the RE1 Public Recreation zone under the WLEP2011 as shown in **Figure 10** below.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use
433 Pittwater Road, North Manly

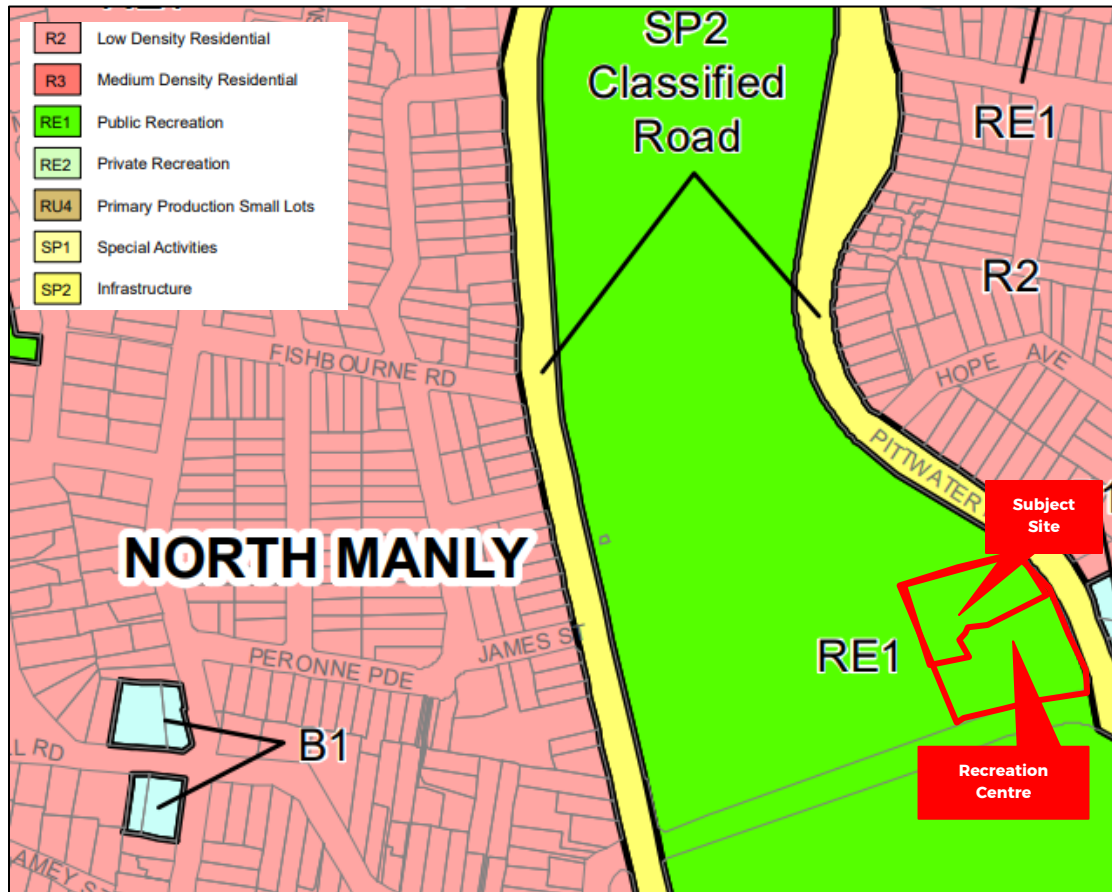


Figure 10. WLEP2011 Zoning Map (Source: NSW Legislation, 2022)

The objectives of the RE1 Public Recreation zone include:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To protect, manage and restore public land that is of ecological, scientific, cultural or aesthetic value.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

Within the RE1 Public Recreation zone, the following development is permitted without consent:

- Environmental facilities; Environmental protection works; Roads

Within the RE1 Public Recreation zone, the following development is permitted with consent:



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use
433 Pittwater Road, North Manly

- *Aquaculture; Boat building and repair facilities; Boat sheds; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Emergency services facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; **Restaurants or cafes**; Water recreation structures*

Within the RE1 Public Recreation zone, the following development is prohibited.

- *Any development not specified in item 2 or 3.*

4.4.1.2 Land Use

Development for the purpose of a restaurant is permissible in the zone which is defined as:

restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided, but does not include the preparation and serving of food and drink to people that occurs as part of—

- (a) an artisan food and drink industry, or
- (b) farm gate premises.

The use of the specified areas for the purpose of a restaurant will allow the sale of alcohol and food at until such time as a registered club becomes a permitted use on the site. The appropriate licencing will be obtained subsequent to approval of this DA to ensure it can operate as intended.

4.4.1.3 Development Standards

TABLE 5 outlines the developments consistency and compliance with the relevant development standards and controls under WLEP2011.

TABLE 5. DEVELOPMENT STANDARDS	
Clause	Comment
Clause 4.1 - Minimum Subdivision Lot Size	The site is not subject to a Minimum Lot Size pursuant to WLEP2011. Clause 4.1 of WLEP2011 does not apply.
Clause 4.3 - Height of Buildings	The site is not subject to a Maximum Building Height pursuant to WLEP2011. Clause 4.3 of WLEP2011 does not apply.
Clause 4.4 - Floor Space Ratio	The site is not subject to a Floor Space Ratio pursuant to WLEP2011. Clause 4.4 of WLEP2011 does not apply.
Clause 4.6 - Exceptions to development standards	N/A
Clause 5.10 - Heritage Conservation	The site is not identified as containing a heritage item or being within a heritage conservation area pursuant to WLEP2011. The



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use
433 Pittwater Road, North Manly

	site is also not located in proximity to any heritage items or heritage conservation areas. Clause 5.10 of WLEP2011 does not apply.
Clause 5.21 - Flood Planning	N/A to this proposal.
Clause 6.1 - Acid Sulfate Soils	N/A to this proposal.
Clause 6.2 - Earthworks	N/A to this proposal.
Clause 6.4 - Development on sloping land	N/A to this proposal.

4.4.2 NORTHERN BEACHES SECTION 7.12 CONTRIBUTIONS PLAN 2011

The Northern Beaches Section 7.12 Contributions Plan 2011 is applicable to the subject site.

TABLE 11 below summaries the applicable Section 7.12 rates.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use
433 Pittwater Road, North Manly

TABLE 6. DEVELOPMENT CONTRIBUTIONS	
Development with cost of works:	Percentage of CIV
Up to \$100,000	Nil
\$100,001 to \$200,000	0.5%
More than \$200,000	1%



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use
433 Pittwater Road, North Manly

PART E LIKELY IMPACTS OF THE DEVELOPMENT

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15(1) of the EP&A Act.

5.1 CONTEXT AND SETTING

This proposed development relates to the use of part of the approved building for a restaurant only. No physical works are proposed. The context and setting as considered under DA2022/2081

5.2.1 Height and Design

The proposal for use only does not materially change the height or design as approved.

5.3 LANDSCAPING

Landscaping outcomes remain unchanged from the approved DA2022/2081.

5.4 TRAFFIC & TRANSPORT

Traffic, parking and loading/unloading will remain as per DA2022/2081.

5.5 STORMWATER & EROSION & SEDIMENT CONTROL

No change is proposed to stormwater management per DA2022/2081.

5.6 FLOODING

All outcomes in respect of flooding remain the same as DA2022/2081.

5.7 CONTAMINATION

All outcomes in respect of contamination remain the same as DA2022/2081.

5.8 ACOUSTIC

All acoustic outcomes remain as per DA2022/2081.

5.9 WASTE

Waste management practices will remain consistent with DA2022/2081.

5.10 EARTHWORKS

No earthworks are required to facilitate the use proposed.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use
433 Pittwater Road, North Manly

5.11 SERVICES

No augmentation of services is required to facilitate the use proposed.

5.12 SUITABILITY OF SITE FOR DEVELOPMENT

The site is considered suitable for the development, as assessed under DA2022/2081.

5.13 THE PUBLIC INTEREST

The proposal is in the public interest as it will facilitate serving of food and drink, in connection with a recreation facility that benefits members and the general public.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Golf and Community Club (Ancillary Clubhouse and Amenities Building) - Restaurant Use
433 Pittwater Road, North Manly

PART F CONCLUSION

The purpose of this SEE has been to present the proposed restaurant use to assess its potential impacts having regards to Section 4.15(1) of the EP&A Act.

The proposed development has been prepared taking into consideration the following key issues:

- The development history of the site, Warringah Golf and Community Club, Warringah Recreation Centre and the existing clubhouse at 397 Condamine Street;
- The context of the site and locality;
- The relevant heads of consideration under Section 4.15(1) of the EP&A Act;
- The aims, objectives and provisions of the relevant statutory and non-statutory planning instruments.

The proposed development is considered to warrant a favourable determination for the following reasons:

- The proposed development is consistent with the RE1 Public Recreation zone objectives and is permissible with consent within the RE1 zone.
- The proposed development has been carefully considered with respect to the site constraints and site surrounds.
- The environmental impacts of the proposed development can be appropriately managed through the adoption of the recommendations of the accompanying technical reports.
- Sufficient access and parking arrangements are provided as part of the proposed development, and both interim and ultimate traffic and access arrangements have been considered as part of this assessment, ensuring that there would be no undue impacts on the surrounding road network.

The proposed development is permissible within the zone and is compatible with the zone objectives. As stipulated previously in this SEE, the matters for consideration under Section 4.15(1) of the EP&A Act have been satisfactorily addressed.

In light of the merits of the proposed development and in absence of any significant environmental impact, the proposed development warrants support by Council.

