

5 March 2024

Brendan Metcalfe
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street, Parramatta

Our Ref: PEX2023/0002

Dear Mr Metcalfe

Gateway Determination PP-2022-953 to amend Warringah Local Environmental Plan 2011

Thank you for issuing a Gateway Determination in respect of the Planning Proposal PEX2023/0002 which seeks to include an additional permitted use for the purposes of a 'registered club' at the Warringah Recreation Centre.

Council has reviewed the cover letter, Gateway Determination and the Gateway Determination report, and formed the view that condition 1 are particularly stringent. In particular as Council's Planning Proposal seeks to amend Clause 19 of Warringah Local Environmental Plan 2011 wherein subclause 19(2) reads as follows:

- (2) *Development for the purposes of registered clubs is permitted with consent if the registered club is incidental or ancillary to a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).*

Condition 1(a) Requirement to undertake a Social Impact Assessment

Council considers that a social impact assessment is not warranted as the proposal seeks to allow relocation of the existing clubhouse from 397 Condamine Street Allambie Heights onto the Warringah Recreation Centre, a distance of 370m and in effect, the properties face each other on Condamine Street. The proposal will not result in a net increase of registered clubs in the locality, since the proposal is a replacement for the clubhouse now decommissioned.

This proposal does not meet the criteria set out in the Department's own *Supporting Technical Information for Local Environmental Plan Making Guideline* where it states that a '*social and community assessment report may be required for planning proposals that result in a significant increase in residents, students or employees who need to be connected to social and community facilities, programs, and open space*'.

This requirement is therefore considered onerous, given the scale of the development is not state significant and there is no net increase in this type of development in the locality. Council contends the future operations of a registered club on Council owned land and the related social impacts in allowing the sale of liquor and potential gambling are also consideration for a future DA rather than a Planning Proposal.

As the proponent for this application, Council as the landowner has a vested interest in managing its leases to ensure compatible and complementary land uses and

operations can co-exist on its land and buildings particularly where it is co-located with other land uses for a public purpose.

Further, I attach for your information a letter from Warringah Golf Club confirming they do not hold a poker machine licence, nor is there an intention to seek one.

Also attached are the Operational Management Plan and Acoustic Report prepared for Warringah Golf that confirms how this entity will operate as a clubhouse and future “registered club” without significant changes in patronage numbers from previous.

Condition 1(b) Requirement to undertake a Traffic Impact Assessment

This planning proposal seeks to allow a use associated with an existing golf course. In effect, a relocation of its registered club onto the land on which the golf course already exists.

Informed by Operational Management Plan and Acoustic Report, there is no significant increase in patronage numbers in how Warringah Golf Club operated its premises. As such, the traffic report prepared for Warringah Golf Club could be used to assess the traffic impact for this Planning Proposal. The traffic impact from this use, being an ancillary development of a recreational facility, is not likely to be significant above what has already been assessed.

Given the matters raised above, Council requests reconsideration of the Gateway Determination conditions by removing conditions 1(a) and 1(b) for submission of:

- a) a social impact assessment associated with the establishment of a registered club involving the sale of liquor, potential introduction of gambling to the public and associated amenity impacts from operations, events and noise; and
- b) assessment of traffic considerations triggered specifically for registered clubs, as the proposed ‘registered club’ will be limited in use under subclause 19(2) of Warringah LEP2011.

The referenced reports together with two (2) letters from Warringah Golf Club:

- dated 27 February 2024 confirming they do not hold a poker machine licence; and
 - dated 5 March 2024 consenting to the use of documents for this application,
- will form part the exhibition package for this Planning Proposal.

Council agrees to consult with Liquor and Gaming NSW at statutory exhibition phase.

I look forward to your favourable response at your earliest convenience. Please do not hesitate to contact myself or Liza Cordoba on 8495 6277 to discuss this matter.

Regards,



Joseph Hill
Executive Manager Strategic and Place Planning