

---

**Sent:** 23/11/2020 6:11:47 PM

**Subject:** Acknowledgement of correspondence to Mayor Regan - DA2020/1063 / John Fisher Park — Alterations and additions to Sports Lighting

Dear Mr and Mrs Mawhinney

Thank you for your email to Mayor Regan regarding this matter. The Mayor appreciates the issues you have raised and has asked that I ensure a response is provided to you on the matter.

Kind regards  
Nicki Adams

**Nicki Adams**  
Executive Officer  
Office of the Mayor  
t 02 8495 6459 m 0408 463 498  
nicki.adams@northernbeaches.nsw.gov.au  
northernbeaches.nsw.gov.au



---

**From:** Alexandria Mawhinney <[alexandriahams@gmail.com](mailto:alexandriahams@gmail.com)>  
**Sent:** Monday, 23 November 2020 5:35 PM  
**To:** Michael Regan <[Michael.Regan@northernbeaches.nsw.gov.au](mailto:Michael.Regan@northernbeaches.nsw.gov.au)>  
**Cc:** Simon Mawhinney <[smawhinney@gmail.com](mailto:smawhinney@gmail.com)>  
**Subject:** Fwd: DA2020/1063 / John Fisher Park — Alterations and additions to Sports Lighting

Dear Mayor Regan,

Please find below a copy of our submission regarding DA2020/1063.

We'd greatly appreciate your acknowledgement of receipt of this email.

Yours

Alexandria & Simon Mawhinney  
2 Bennett Street, Curl Curl

Begin forwarded message:

**From:** Alexandria Mawhinney <[alexandriahams@gmail.com](mailto:alexandriahams@gmail.com)>  
**Subject:** DA2020/1063 / John Fisher Park — Alterations and additions to Sports Lighting  
**Date:** 23 November 2020 at 5:17:49 pm AEDT  
**To:** Council Mailbox <[council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)>  
**Cc:** [Ray.Brownlee@northernbeaches.nsw.gov.au](mailto:Ray.Brownlee@northernbeaches.nsw.gov.au), Simon Mawhinney <[simon.mawhinney@allangray.com.au](mailto:simon.mawhinney@allangray.com.au)>

**ATTENTION: PHIL LANE — DEVELOPMENT ASSESSMENT**

**Application No. DA2020/1063**

**Address: Frank Gray and Mike Pawley Oval (John Fisher Park)**

**Lot 2 DP 225041, Lot 17 DP 240232, Lot 2 DP 513842**

**and Lot 2 DP 533226**

**Lot 2/ Bennett Street CURL CURL**

**Description: Alterations and additions to Sports Lighting**

Dear Mr Lane,

We would like to thank Northern Beaches Council (Council) for the re-notification of DA2020/1063, which now formally includes our property (2 Bennett Street) in your Notification Map.

This DA appears to relate to the installation and infrastructure of sports lighting only. It appears not to cover off on the actual operation of said infrastructure after installation (to, for example, facilitate evening sports). The former, understandably, will have little impact on matters which concern the local community most i.e. safety, traffic and noise. However the latter has far reaching implications on all of these issues. By deliberately omitting any inclusion of the operation of the lighting to facilitate sporting activities and games from this DA raises questions regarding the Council's commitment to transparency and local community engagement. That this is not the first time this has occurred is similarly concerning (refer to DA2009/1658 Part Lot 2743, DP 750238 Passmore Reserve).

A more transparent approach would be to include both the installation of and operation of sports lighting in a DA. Not only would this have necessitated more rigour, particularly with respect to traffic, noise, environmental and safety impacts, it would have afforded a completely different lens through which this DA would have been assessed. One that takes a more collegiate and consultative approach with respect to the heavily impacted local residents. This approach is not only what residents should expect of their Council, it is also a requirement of the governing plan of management. The BBF Town Planning Report which accompanies the DA asserts that the Warringah Sportsground Plan of Management is applicable to the assessment proposal. This is not true. It is the John Fisher Park and Abbott Road Land Plan of Management (JFP PoM) dated November 2001 which is applicable. The JFP PoM core objectives for management of community land categorized as a sportsground (as the affected land in this DA is) clearly state activities need to be managed "...having regard to any adverse impact on nearby residences" (refer Page 45). In our opinion, the approval of these floodlights would be a blatant contravention of this clear objective given the extensive adverse impacts on a large number of residents. In addition to this, approval of this DA and (potentially) its mere submission by Council, appears not to be consistent with the NSW Local Government Act 1993 No 30 ("the Act"), Chapter 6, Part 2, Division 2, Section 36F. This DA appears to be in violation of the guiding principles for councils in the Act which requires, amongst other things, councils to carry out their functions in a way that provides the best possible value for residents and ratepayers and to act fairly, ethically and without bias in the interests of the local community.

**We therefore request the withdrawal of DA2020/1063, effective immediately.**

Furthermore, we will be lodging a complaint with the Office of Local Government for these failings on the part of Council.

Yours

Alexandria & Simon Mawhinney

2 Bennett Street, Curl Curl