



Warringah Council

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Assessment Officer: Phil Lane

Proposal Description: Construction of a new fence

Property Address: Lot 2742 DP 752038, Lot 2742/9999, Condamine Street, Manly Vale

Application No: DA2010/0098

Proposal in detail: The installation of 1.8m high fence running parallel with the 4th hole of the Warringah Golf Course (front 9 holes) along the western side of the golf course for distance of approximately 150m. The fence is to prevent stray golf balls from leaving the golf course and creating pedestrian and vehicular incidents.



Proposed fence along the western side of 4th hole at Warringah Golf Course (adjacent to Condamine St)

Report Section	Applicable	Complete & Attached
Section 1 – Code Assessment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 2 – Issues Assessment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 2A – SEPP 64	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 2B – Schedule 17 Car parking	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Section 3 – Site Inspection Analysis	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 4 – Application Determination	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Estimated Cost of Works: \$ 9457.80

Are S94A Contributions Applicable?

☐ Yes ☒ No



Warringah Council

Notification Required?

☒ Yes ☐ No

Period of Public Exhibition?

☒ 14 days ☐ 21 days ☐ 30 days ☐ N/A



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Submissions Received?

☐ Yes ☒ No

No. of Submissions: Nil

Are any trees impacted upon by the proposed development? ☐ Yes ☒ No

SECTION 1 – CODE ASSESSMENT REPORT

ENVIRONMENTAL PLANNING INSTRUMENTS

Clause 17 - How will the use of public open space be controlled?

The Warringah Golf Course is identified within the District Park Master Plan (Plan of Management). The proposed fence is consistent with the objectives within the plan of management as follows:

- Minimise stray golf balls by bunkering, vegetation & other methods.
- Limit fencing to security & safety requirements.

The proposed fence is located on the western side of the 4th hole running parallel with Condamine Street. The establishment of substantial planting along this frontage with Condamine Street has been undertaken as well as the installation of sand bunkers and fencing. It is reasonable to establish that the existing trees along the western side of the 4th hole will assist in preventing stray golf balls leaving the golf course. Given the height of these trees there is gap left between the lower branches and natural ground level that may allow for stray golf balls to entry Condamine Street and create safety concerns for road users.

Thus, the proposed fence will address both the above objectives.

WLEP 2000

Locality: G3 Manly Lagoon Suburbs

“The Manly Lagoon Suburbs locality will remain characterised by detached style housing with a pocket of apartment style development in landscaped settings interspersed by a range of complementary and compatible uses. The development of further apartment buildings will be confined to the “medium density areas” shown on the map. Substantial regional parklands and bushland will remain significant elements of the locality.

Future development will maintain the visual pattern and predominant scale of existing detached houses in the locality. The street will be characterised by landscaped front gardens and consistent building setbacks. Unless exemptions are made to the housing density standard in this locality statement, any subdivision of land is to be consistent with the predominant pattern, size and configuration of existing allotments in the locality.

The relationship of the locality with the surrounding bushland will be reinforced by protecting the enhancing the spread of indigenous tree canopy and preserving remnants of the natural landscape such as rock outcrops, bushland and natural watercourses. The use of materials that blend with the colours and textures of the natural landscape will be encouraged. Development on hillsides, or in the vicinity of ridgetops, will integrate with the natural landscape and topography.

The locality will continue to be served by the existing local retail centres in the areas shown on the map. Future development in these centres will be in accordance with the general principles of development control provided in clause 39.”

Development Definition: ☐ Housing ☐ Ancillary Development to Housing

☒ Other (buildings, works, places or land uses that are not prohibited or in Category 1 or 3)



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Category of Development: ☐ Category 1 ☒ Category 2 ☐ Category 3

Desired Future Character:

☐ Category 1 Development with no variations to BFC's (Section 2 Assessment not required)

Is the development considered to be consistent with the Locality's Desired Future Character Statement?

☒ Yes ☐ No

☐ Category 1 Development with variations to BFC's (Section 2 Assessment Required)

☒ Category 2 Development Consistency Test (Section 2 Assessment Required)

☐ Category 3 Development Consistency Test (Section 2 Assessment Required)

Draft WLEP 2009 Permissible or Prohibited Land use: Permissible

Built Form Controls:

<p>Building Height (overall):</p> <p>Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requirement:</p> <p><input checked="" type="checkbox"/> 8.5m</p> <p><input type="checkbox"/> 11.0m</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Existing and unchanged</p> <p>Proposed: 1.8m</p> <p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Building Height (underside of upper most ceiling):</p> <p>Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Requirement:</p> <p><input type="checkbox"/> 7.2m</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Existing and unchanged</p> <p>Proposed:m</p> <p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Front Setback:</p> <p>Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requirement:</p> <p><input checked="" type="checkbox"/> 6.5m</p> <p><input type="checkbox"/> Other</p> <p>Is the Corner Allotment / Secondary Street Frontage control applicable?:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requirement:</p>	<p><input type="checkbox"/> Existing and unchanged</p> <p>Proposed: 210m</p> <p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Corner Allotment:</p> <p><input type="checkbox"/> Existing and unchanged</p> <p>Proposed:m</p>



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<input type="checkbox"/> 3.5m <input type="checkbox"/> Other	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No
Housing Density: Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Requirement: <input type="checkbox"/> 1 dwelling per 450sqm <input type="checkbox"/> 1 dwelling per 600sqm <input type="checkbox"/> Other	<input type="checkbox"/> Existing and unchanged Proposed:dwelling / persqm Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No
Landscape Open Space: Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 40% (.....sqm) <input type="checkbox"/> 50% (.....sqm) <input type="checkbox"/> Other	<input type="checkbox"/> Existing and unchanged Proposed:% (.....sqm) Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No
Rear Setback: Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Requirement: <input type="checkbox"/> 6.0m <input type="checkbox"/> Other Outbuildings: Requirement: <input type="checkbox"/> 50% of rear setback <input type="checkbox"/> Other	<input type="checkbox"/> Existing and unchanged Proposed:m Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Outbuildings: <input type="checkbox"/> Existing and unchanged Proposed:% Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No
Side Boundary Envelope: Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Requirement: <input type="checkbox"/> 4m / 45 degrees <input type="checkbox"/> 5m / 45 degrees	Boundary: <input type="checkbox"/> Nth <input type="checkbox"/> Sth <input type="checkbox"/> Est <input type="checkbox"/> Wst <input type="checkbox"/> Existing and unchanged or Fully within Envelope: <input type="checkbox"/> Yes <input type="checkbox"/> No



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<input type="checkbox"/> Other	<p>Minor Breach: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Boundary: <input type="checkbox"/> Nth <input type="checkbox"/> Sth <input type="checkbox"/> Est <input type="checkbox"/> Wst</p> <p><input type="checkbox"/> Existing and unchanged or</p> <p>Fully within Envelope: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Minor Breach: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Side Setbacks:</p> <p>Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> 900mm</p> <p><input type="checkbox"/> 4.5m</p> <p><input type="checkbox"/> Other</p>	<p>Boundary <input type="checkbox"/> Nth <input type="checkbox"/> Sth <input type="checkbox"/> Est <input checked="" type="checkbox"/> Wst</p> <p><input type="checkbox"/> Existing and unchanged or</p> <p>Proposed: 2m</p> <p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Boundary <input type="checkbox"/> Nth <input type="checkbox"/> Sth <input checked="" type="checkbox"/> Est <input type="checkbox"/> Wst</p> <p><input type="checkbox"/> Existing and unchanged or</p> <p>Proposed: 195m</p> <p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Other:</p>	

General Principles of Development Control:

<p>CL38 Glare & reflections</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL39 Local retail centres</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL40 Housing for Older People and People with Disabilities</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>



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CL41 Brothels Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL42 Construction Sites Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL43 Noise Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL44 Pollutants Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL45 Hazardous Uses Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL46 Radiation Emission Levels Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL47 Flood Affected Land Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No Comment: The land has been identified as flood affected lands. Given the nature of the proposed development (fence) it is deemed that this will not affect the existing flood regime.
CL48 Potentially Contaminated Land Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: Based on the previous land uses if the site likely to be contaminated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is the site suitable for the proposed land use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
CL49 Remediation of Contaminated Land Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL49a Acid Sulfate Soils Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No Comment: The land is identified as been affected by acid sulphate soils. The area of works is proposed to be untaken within an area identified as 'Class 3' and thus the proposal will comply with this requirement identified within this clause.



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CL50 Safety & Security Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL51 Front Fences and Walls Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No Comment: The proposed 1.8m high cyclone fence is consistent with the existing fencing located along the Condamine Street frontage (already use by the golf course along this frontage in other areas). The fence will allow for casual surveillance from the golf course and road reverse and vice versa. Given the above it is deemed that the proposal is consistent with this clause.
CL52 Development Near Parks, Bushland Reserves & other public Open Spaces Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL53 Signs Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL54 Provision and Location of Utility Services Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL55 Site Consolidation in 'Medium Density Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL56 Retaining Unique Environmental Features on Site Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL57 Development on Sloping Land Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL58 Protection of Existing Flora Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL59 Koala Habitat Protection Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No



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<p>CL60 Watercourses & Aquatic Habitats Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No Comment: Brookvale Creek runs along the eastern side of the golf course and thus will be unaffected by the proposed works.</p>
<p>CL61 Views Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL62 Access to sunlight Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL63 Landscaped Open Space Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL63A Rear Building Setback Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL64 Private open space Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL65 Privacy Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL66 Building bulk Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL67 Roofs Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL68 Conservation of Energy and Water Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL69 Accessibility – Public and Semi-Public Buildings Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>



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CL70 Site facilities Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL71 Parking facilities (visual impact) Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL72 Traffic access & safety Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL73 On-site Loading and Unloading Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL74 Provision of Carparking Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL75 Design of Carparking Areas Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL76 Management of Stormwater Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL77 Landfill Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL78 Erosion & Sedimentation Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL79 Heritage Control Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL80 Notice to Metropolitan Aboriginal Land Council and the National Parks and Wildlife Service Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL81 Notice to Heritage Council Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No



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CL82 Development in the Vicinity of Heritage Items Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL83 Development of Known or Potential Archaeological Sites Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No

Schedules:

Schedule 4 Prohibited Signage (further assessment where appropriate under SEPP 64) Applicable: (i.e. are prohibited signs proposed?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 5 State policies Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 6 Preservation of bushland Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 7 Matters for consideration in a subdivision of land Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 8 Site analysis Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 9 Notification requirements for remediation work Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 10 Traffic generating development Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 11 Koala feed tree species and plans of management Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 12 Requirements for complying development Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further



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Schedule 13 Development guidelines for Collaroy/Narrabeen Beach

Applicable:

☐ Yes ☒ No ☐ DAO to investigate further

Schedule 14 Guiding principles for development near Middle Harbour

Applicable:

☐ Yes ☒ No ☐ DAO to investigate further

Schedule 15 Statement of environmental effects

Applicable: (Category 3 only)

☐ Yes ☒ No ☐ DAO to investigate further

Schedule 17 Carparking provision

Applicable:

☐ Yes ☒ No ☐ FAR (refer Section 2B Issue Assessment)

EPA Regulation Considerations:

<p>Clause 54 & 109 (Stop the Clock)</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further</p>	<p>Comment: The clock was stopped on the 4 February 2010 with a request to the applicant why a Development Application needed to be lodged as the land is identified as Council owned and the works could be undertaken State Environment Planning Policy (Infrastructure) 2007.</p>
<p>Clause 92 (Demolition of Structures)</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further</p>	<p>Addressed via condition?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Clause 93 & 94 (Fire Safety)</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further</p> <p>BCA report supplied?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Addressed via condition?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Further Assessment Required</p>
<p>Clause 98 (BCA)</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further</p>	<p>Addressed via condition?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Is a Construction Certificate required?</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further</p> <p>(BCA Assessment Required see Section 2)</p>	<p>Addressed via condition?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Disability & Discrimination Act</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further</p>	<p>Addressed via condition?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Amended plans required</p>



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Is a POPE (Place of Public Entertainment required?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further	Addressed via condition? <input type="checkbox"/> Yes <input type="checkbox"/> No
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REFERRALS

Referral Body/Officer	Required	Response
Development Engineering	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Landscape Assessment	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Bushland Management	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Catchment Management	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Aboriginal Heritage	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Env. Health and Protection	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
NSW Rural Fire Service	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Energy Australia	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition



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Unsatisfactory

Applicable Legislation/ EPI's /Policies:

- ☒ EPA Act 1979
- ☒ EPA Regulations 2000
- ☐ Disability Discrimination Act 1992
- ☐ Local Government Act 1993
- ☐ Roads Act 1993
- ☐ Rural Fires Act 1997
- ☐ RFI Act 1948
- ☐ Water Management Act 2000
- ☐ Water Act 1912
- ☐ Swimming Pools Act 1992;
- ☒ SEPP No. 55 – Remediation of Land
- ☐ SEPP No. 71 – Coastal Protection
- ☐ SEPP No. 22 Shops & Commercial Premises
- ☐ SEPP No. 64 – Advertising & Signage
- ☒ SEPP Infrastructure
- ☐ SEPP BASIX
- ☒ WLEP 2000
- ☒ WDCP
- ☐ S94 Development Contributions Plan
- ☒ S94A Development Contributions Plan
- ☐ NSW Coastal Policy (cl 92 EPA Regulation)
- ☒ Other (Draft WLEP 2009)



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SECTION 79C EPA ACT 1979

Section 79C (1) (a) (i) – Have you considered all relevant provisions of any relevant environmental planning instrument?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(ii) – Have you considered all relevant provisions of any provisions of any draft environmental planning instrument	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(iii) – Have you considered all relevant provisions of any provisions of any development control plan	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(iia) - Have you considered all relevant provisions of any Planning Agreement or Draft Planning Agreement	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Section 79C (1) (a)(iv) - Have you considered all relevant provisions of any Regulations?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (b) – Are the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality acceptable?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (c) – Is the site suitable for the development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (d) – Have you considered any submissions made in accordance with the EPA Act or EPA Regs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (e) – Is the proposal in the public interest?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS:

Draft Warringah Local Environmental Plan 2009 (Draft WLEP 2009)

Definition: recreation area

"means a place used for outdoor recreation that is normally open to the public, and includes:

(a) a children's playground, or

(b) an area used for community sporting activities, or

(c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor)."

Land Use Zone: RE1 Public Recreation

Permissible or Prohibited: Permissible

Additional Permitted used for particular land – Refer to Schedule 1: Not applicable

Principal Development Standards:

Development Standard	Required	Proposed	Complies	Clause 4.6 Exception to Development Standard
Height of Buildings:	8.5m	1.8m	Yes	Not Applicable

The proposed development is consistent with the aims and objectives of the Draft WLEP 2009.



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SECTION 2 – ISSUES

SEPPs

Other Relevant Environmental Planning Instruments:

SEPPs: Applicable? ☒ Yes ☐ No

SEPP Basix: Applicable?

☐ Yes ☒ No

If yes: Has the applicant provided Basix Certification?

☐ Yes ☐ No

SEPP 55 Applicable?

☒ Yes ☐ No

Based on the previous land uses if the site likely to be contaminated?

☐ Yes ☒ No

Is the site suitable for the proposed land use?

☒ Yes ☐ No

SEPP Infrastructure

Applicable?

☒ Yes ☐ No

Is the proposal for a swimming pool:

Within 30m of an overhead line support structure?

☐ Yes ☒ No

Within 5m of an overhead power line ?

☐ Yes ☒ No

Does the proposal comply with the SEPP?

☒ Yes ☐ No



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SECTION 3 – SITE INSPECTION ANALYSIS



Site area: 17.59 Ha

Detail existing onsite structures:

- ☐ None
- ☐ Dwelling
- ☐ Detached Garage
- ☒ Detached shed
- ☐ Swimming pool
- ☐ Tennis Court
- ☐ Cabana
- ☒ Other (Pro Shop & Amenities)

Site Features:

- ☐ None
- ☒ Trees
- ☒ Under Storey Vegetation
- ☐ Rock Outcrops
- ☐ Caves
- ☐ Overhangs

- ☐ Waterfalls
- ☒ Creeks / Watercourse
- ☐ Aboriginal Art / Carvings
- ☐ Any Item of / or any potential item of heritage significance

Potential View Loss as a result of development

- ☐ Yes ☒ No

If Yes where from (in relation to site):

- ☐ North / South
- ☐ East / West
- ☐ North East / South West
- ☐ North West / South East

View of:

- Ocean / Waterways ☐ Yes ☐ No
- Headland ☐ Yes ☐ No
- District Views ☐ Yes ☐ No



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Other:

Bushland

☐ Yes ☐ No

Bushfire Prone?

☐ Yes ☒ No

Flood Prone?

☒ Yes ☐ No

Affected by Acid Sulfate Soils

☒ Yes ☐ No

Located within 40m of any natural watercourse?

☐ Yes ☒ No

Located within 1km landward of the open coast watermark or within 1km of any bay estuaries, coastal lake, lagoon, island, tidal waterway within the area mapped within the NSW Coastal Policy?

☐ Yes ☒ No

Located within 100m of the mean high watermark?

☐ Yes ☒ No

Located within an area identified as a Wave Impact Zone?

☐ Yes ☒ No

Any items of heritage significance located upon it?

☐ Yes ☒ No

Located within the vicinity of any items of heritage significance?

☐ Yes ☒ No

Located within an area identified as potential land slip?

☐ Yes ☒ No

Is the development Integrated?

☐ Yes ☒ No

Does the development require concurrence?

☐ Yes ☒ No

Is the site owned or is the DA made by the "Crown"?

☐ Yes ☒ No

Have you reviewed the DP and s88B instrument?

☒ Yes ☐ No

Does the proposal impact upon any easements / Rights of Way?

☐ Yes ☒ No



Site Inspection / Desktop Assessment Undertaken by:

Does the site inspection <Section 3> confirm the assessment undertaken against the relevant EPI's <Section's 1 & 2>?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there any additional matters that have arisen from your site inspection that would require any additional assessment to be undertaken?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes provide detail:

Signed

Date

Phil Lane, Senior Development Assessment Officer

SECTION 4 – APPLICATION DETERMINATION

Conclusion:

The proposal has been considered against the relevant matters for consideration under Section 79C of the EP&A Act 1979. This assessment has taken into consideration the submitted and amended plans, Statement of Environmental Effects, all other documentation supporting the application, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to any conditions contained within the Recommendation.

- ☒ Satisfactory
☐ Unsatisfactory

Recommendation:

That Council as the consent authority

- ☒ **GRANT DEVELOPMENT CONSENT** to the development application subject to:
- (a) the conditions detailed within the associated notice of determination; and
 - (b) the consent lapsing within three (3) from operation

"I am aware of Warringah's Code of Conduct and, in signing this report, declare that I do not have a Conflict of Interest"

Signed

Date 6 April 2010

Phil Lane, Senior Development Assessment Officer

The application is determined under the delegated authority of:

Signed

Date 6 April 2010

Rodney Piggott, Team Leader, Development Assessment