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beaches
council

PRELODGE MENT ADVICE

Application No: PLM2019/0182
Meeting Date: 10/09/2019 3:00:00 PM
Property Address: Lot 6/9998, Lot B/9998 & 9999 Pittwater Road BROOKVALE – known as Brookvale Oval
Proposal: New grandstand and centre of excellence – Recreation facility (Major)

Attendees for Council: Louise Kerr – Director, Planning and Place
Peter Robinson – Executive Manager, Development Assessment
Rod Piggott – Manager, Development Assessment
Daniel Milliken – Principal Planner
Jeremy Smith – Park Assets Manager
Robert Barbuto – Principal Engineer, Major Developments
Gina Hay – Principal Planner, Property
Donald Gibson – Manager Building Assets
Anthony Powe – Landscape Architect
Brendan Gavin – Heritage Planner
Tim O’Keeffe – Environmental Health Officer
Geoff Goodyer – Consultant Planner

Attendees for applicant: Chris Brown – Waypoint
Ron Aquillna – APP
Glen Scott – Hassell Architects
Chris Dare – Waypoint / MWSE
Andrew Hobbs – Urbis
Simon Gunasehara – Urbis

General Comments/Limitations of these Notes

These notes have been prepared by Council on the basis of information provided by the applicant and a consultation meeting with Council staff. Council provides this service for guidance purposes only. These notes are an account of the specific issues discussed and conclusions reached at the pre-lodgement meeting. These notes are not a complete set of planning and related comments for the proposed development. Matters discussed and comments offered by Council will in no way fetter Council’s discretion as the Consent Authority. A determination can only be made following the lodgement and full assessment of the development application.

In addition to the comments made within these notes, it is a requirement of the applicant to address ALL relevant pieces of legislation including (but not limited to) any SEPP and any applicable clauses of the Warringah LEP 2011, Warringah LEP 2000 and Warringah DCP 2011 within the supporting documentation of a development application including the Statement of Environmental Effects.

You are advised to carefully review these notes. If there is an area of concern or non-compliance that cannot be supported by Council, you are strongly advised to review and reconsider the appropriateness of the design of your development for your site and the adverse impacts that may arise as a result of your development prior to the lodgement of any development application.



SPECIFIC ISSUES RAISED BY APPLICANT FOR DISCUSSION

Planning Comments:

The proposal must demonstrate, as detailed at the meeting, that there is no increase in the spectator numbers. An analysis of the existing and the proposed capacity is to be provided.

The centre of excellence must demonstrate how it will operate and that no separate commercial facilities will be contained.

North, East and West elevations are to be provided that utilise finishes that are sympathetic to the heritage listed trees.

The proposal must demonstrate how parking is being provided to the additional use(s) being introduced via the centre of excellence and how this intensity of use will be managed in terms of traffic and amenity impacts on surrounding residential lands.

The proposal must address the Plan of Management and the requirements of the Local Government Act 1993 with regards to the classification and categorisation of public land.

The proposal must also demonstrate how the ground functions when at its capacity of approximately 18 000 people and how the new centre of excellence would function either concurrently or separately from game days.

The proposal must demonstrate how any additional flood lighting and scoreboard is located and designed to minimise impacts on surrounding residential amenity.

Heritage Comments:

Background

The proposal is for the construction of a new part two and part three storey grandstand and 'centre of excellence' on the northern end of Brookvale Oval. The proposal includes the removal of 12 trees from the northern end of the ground with the potential removal of another 2 trees. The formalisation of some overflow parking is also proposed for the car park accessed from Alfred Road.

The oval sits within a reserve known as Brookvale Park, which includes the village green on the northern extent. The park is the only significant regional open space within Brookvale and provides a significant amount of its green canopy, in a known area of low canopy cover.

The trees on the eastern, northern and western sides of the site are a formalised row of plantings that are also a local heritage item. The trees are heritage listed in Schedule 5 of the Warringah Local Environmental Plan 2011 as Item I132 – *Brushbox and Camphor Laurel trees surrounding Brookvale Park*.

The statement of significance for the item is as follows:

*The mixed and single species Inter-war period row plantations form a more or less contiguous green-belt around this sportsground. The multi-stemmed mature Brush Box (*Lophostemon confertus*) and Camphor Laurels (*Cinnamomum camphora*) retain a high level of visual integrity. The trees with their inter-locking canopies and substantial scale create a strong visual foil and distinctive sense of place. The trees have local significance in terms of their long association with development of the site as a showground, a park and sportsground. They share important links with the local area's cultural and social history, particularly the local school and may have*



been established as a WWI commemorative grove. The thematic approach is typical of Sydney's public planting schemes in the early twentieth century.

Summary

As currently presented, Heritage has a number of concerns with the proposal and is unable to support it. The tree plantings around three sides of Brookvale Park are a significant heritage and landscape feature of the site, and Heritage recommends their retention. This could be achieved by locating some of the proposed space such as the extensive gym area and rehabilitation rooms into a basement level, reallocation of other spaces and a subsequent reduction in the width of the building by reducing the northern extent. This would allow for room for the trees to be retained.

The retention of the trees in this arrangement would also provide a better urban design outcome by softening the impact of the new grandstand behind existing vegetation, as well as provide additional screening for any additional potential light spill impacts associated with the increased usage of the facility outside of game day events.

The following comments detail key areas of concerns for Heritage.

Areas of Concerns

The draft Heritage Impact Statement (HIS) indicates 11 trees for removal and has provided an initial assessment on this basis. However the plans indicate 12 trees are to be removed and two trees in the north east corner are impacted by stormwater works. The removal of these 12 trees and those impacted by the stormwater relocation should be assessed in the HIS. Additionally the proposed formalisation of 10 overflow parking spaces along Alfred Parade should also be assessed in the HIS on any potential impacts on the heritage listed trees in this area.

The HIS has indicated that replacement plantings be undertaken to offset the loss of the trees. However it has not indicated where this is to occur or how, and the plans presented do not provide any further details. Given the existing plantings and concrete pathway adjoining the site it appears there is no room for these replacement plantings. This also does not consider the space that would be required to sustain a replacement tree of a substantial size. Replacement planting would need to replicate the perimeter planting nature of the existing heritage item.

While the arborist report was not presented as part of the prelodgement documents, an initial summary from it appears to be included on page 13 of the HIS. This indicates that of the 11 trees considered, 9 are in good condition and of high retention value. This furthers the case for their retention rather than replacement.

The adjoining village green space is an important open space reserve for Brookvale, one that can be easily accessed by the community when compared to the semi-private nature of Brookvale Oval. It should retain its central open character with a landscaped boundary. Any potential replacement plantings should not interrupt the ability of this space to be used for active recreational pursuits by the community as already occurs. While the proposed new grandstand has some limited community benefits, the village green has a wider range of potential users and should remain a functional space.

Additionally, the plantings were used to mark the boundaries of Brookvale Oval in the 1920. This was before the resumption of Federal Parade and the northern extension of the park. This line of planting should be retained to demarcate the different development periods of the park over time, and its retention would also not impact upon the ability of the village green to function as open recreational space.



Any potential replacement plantings outside of the existing defined and formal line are also likely to further weaken the significance of the item. The trees were planted in a defined formal line around the oval, and while there are gaps and openings on the northern end, they do not remove the legibility of the item. The gaps do not justify the removal of the remaining trees.

Heritage also disagrees with the assessment of the HIS that the trees are not of aesthetic quality. The trees have been listed for their aesthetic qualities, as indicated in the inventory sheet for the item. When viewed in the context of Brookvale as an area of low canopy cover, their aesthetic significance is only enhanced. Additionally the only other areas of Brookvale that have a known defined aesthetic tree planting are those on Brookvale Public School, which has strong historical links to the site through Arbor Day.

The Brookvale Park Plan of Management 2002 applies to the site and has some additional requirements and comments for heritage that should be considered in the development application. The following three actions are key, but are not the only ones:

Action 47 – Heritage value of two northern ticket booths to be investigated

Action 75 – Retain mature trees

Action 73 – Use only endemic trees

Requirements

Heritage would require a Heritage Impact Statement be provided as part of any development application, as well as a full arboriculture assessment of the trees. The HIS must include the following:

- Clearly show those trees to be removed or otherwise affected in the impact assessment section;
- Include information from the arboriculture assessment, including details of the health of all trees to be removed;
- If recommending replacement plantings, it should identify the location of this planting, as well as recommendations on species, size and their spacing (Note – like for like planting of brush boxes is preferred);
- Should recommend the measures for protection of all remaining heritage listed trees during site works and construction;
- Should include an assessment of heritage against the actions and recommendations of the Brookvale Park Plan of Management 2002

Final Comments

The proposal seeks the removal of 12 significant and heritage listed trees, with the potential removal of two others. While replacement plantings are mentioned, there are no substantial comments or plans indicating how or where this is to occur. Based on this information, Heritage cannot support this proposal.



Given the lack of space for any potential significant tree replanting on the oval site, Heritage would recommend the retention of the trees and a redesign of the grandstand and centre of excellence to accommodate them.

<p>Transport/Traffic</p>	<p>Comments:</p> <p>Car parking provision – The applicant is to provide suitable off street parking for the normal non-game day operation of the development proposed for the site. No on-street should be included in the calculation of parking provision as this area is impacted on the day to day operation by both local commuters, business staff parking and the adjoin educational establishments. To this end the expectation would be that the informal parking to the west of the proposed site could be formalised for this propose subject to owners consent.</p> <p>Weekday access to the site is to be controlled through the main entrance to the car parking area of Alfred Street and not through the gate north of the marked pedestrian crossing. The applicant will be required to nominate how the access control will be administered as a part of the Site Traffic Management Plan (Operational).</p> <p>The STMP (Operational) will also need to address deliveries and they will be restricted by conditions to outside school drop off and pick up times.</p>
<p>Design Considerations</p>	<p>The location and size of the grandstand and centre of excellence would result in the removal of heritage listed trees.</p> <p>These trees are of significant importance and value to the site and the locality.</p> <p>Every possible alternative to the removal of these trees must be explored and demonstrated within the DA submission.</p>
<p>Supporting information required for lodgement of the DA</p>	<p>Please see the full list towards the end of these notes.</p>

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

Note: WLEP 2011 can be viewed at [Council's website](#).

<p>Zoning and Permissibility</p>	
<p>Definition of proposed development: (ref. WLEP 2011 Dictionary)</p>	<p>Recreation facilities (major)</p>



Zone:	RE1 Public Recreation
Permitted with Consent or Prohibited:	Permitted with consent

WARRINGAH DEVELOPMENT CONTROL PLAN 2011 (WDCP 2011)

Note: The WDCP can be viewed at [Council's website](#).

Specialist Advice	
Referral Body	Comments
Stormwater Infrastructure	<p>The proposed grandstand is located over Council stormwater infrastructure being a 600mm pipe.</p> <p>Council advises that the stormwater drainage lines can be re diverted around the proposed grandstand development provided the following requirements are met:</p> <ol style="list-style-type: none"> 1. The applicant is to provide an overland flow study to demonstrate that the diverted and upgraded stormwater line is in accordance with councils Water Management policy PL850 and Section 6 Building over or adjacent to Council Systems and easements. 2. The hydrological and hydraulic study is to be prepared by a Civil Engineer registered on the National Engineers register (NER) . The preferred Council model is DRAINS. 3. Councils piped drainage system is to cater for all storms up in excess of the 1 in 20 year AEP up to and including the 1 in 100 year AEP. Any overland flow paths are to have safe velocity versus depth ratios in accordance with Australian rainfall and runoff. 4. All habitable floor levels are to have a minimum 500mm freeboard above the adjoining 100 year flow path top water levels. 5. Hydraulic and Hydrological guidelines are to be used as specified in Auspec One are to be used in the preparation of the Hydraulic design plans and report. 6. There is to be no increases to overland flows levels upstream and downstream of the development. 7. The proposed new stormwater line is to be a reinforced concrete pipe.
Development Engineering	<p>Council's records indicate that the Brookvale Oval site along Pittwater Road, BROOKVALE is burdened by one 600mm and four 375mm diameter stormwater pipelines and associated infrastructure. This is shown on Council's stormwater map which is available on the webpage. (Please follow the relevant link below and select the 'Stormwater' map from the 'No Overlay Map' drop down menu. You can then search by address and use the zoom functionality to see pipe diameters and asset id numbers. I.e. 600 mm and SPP or SPI etc.).</p> <p>https://services.northernbeaches.nsw.gov.au/icongis/index.html</p> <p>To demonstrate compliance with Council's Development Control Plan –</p>



	<p>Northern Beaches Council's Water Management policy PL 850 Water (Section 6- Building Over or Adjacent to Council Drainage Systems and Easements. See web links below), it is recommended that the following details are submitted with any application:</p> <ul style="list-style-type: none"> • Accurately locate, confirm dimensions including depth and plot to scale Council's stormwater pipelines and associated infrastructure on the DA site plans that outline the proposal. This should be carried out by a service locating contractor and registered surveyor. (Evidence of methodology used for locating stormwater system should be provided); • If the applicant proposes to use a CCTV pipeline survey to confirm the location of the pipeline, it is recommended that the survey is carried out in accordance with Council's guideline attached. • Where the reconstruction or relocation of Public Drainage System is proposed, hydraulic design, construction plans and an accompanying report detailing the Council drainage system upgrade are to be prepared by a Civil Engineer registered on the NPER. • All structures are to be located clear of any Council pipeline, pit or easement. • Footings of any structure adjacent to an easement or pipeline are to be designed in accordance with the above-mentioned Policy. • Structural details prepared by a suitably qualified Civil Engineer demonstrating compliance with Council's policy are to be submitted. <p>Water Management Policy PL850 : https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/policies-register/water-management/water-management-policy/2017327805watermanagementpolicy.pdf</p> <p>Building Over or Adjacent to Constructed Council Drainage Systems and Easements technical specifications (Section6): https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/engineering-specifications/building-over-or-adjacent-constructed-council-drainage-systems-and-easements-technical-specification.pdf</p> <p>Should the applicant have any questions regarding this, please contact Council's Principal Engineer – Rob Barbuto.</p>
<p>Landscape <u>Relevant WLEP</u> <u>2011 Clause</u> <i>Zone RE1 Public Recreation</i> <i>Clause 5.10 Heritage conservation</i> <u>Relevant WDCP</u></p>	<p>The plans provided indicate that 12 (possibly 14) trees along the northern end of the park are required to be removed to accommodate the proposed Centre of Excellence.</p> <p>The trees form part of an item of Local Environmental Heritage under Schedule 5 of Warringah LEP2011 – Item No. I132 - Brush Box and Camphor Laurel trees surrounding Brookvale Park. The trees are considered to be a significant community asset being at least 70 years and possibly 90 years old.</p> <p>As indicated at the meeting, removal of the trees to construct a building in the park could not be supported from a landscape perspective. No clear</p>



<p><u>2011 Clause</u> <i>E1 Preservation of Trees or Bushland Vegetation</i> <i>E7 Development on land adjoining public open space</i></p>	<p>need for removal was supported in the documentation provided, which appears to support the heritage listing insofar as the trees have significance to the locality.</p> <p>Alternative locations for the Centre of Excellence component or amended design should be pursued to enable the trees and the Centre of Excellence to co-exist in a manner that respects the past and future of Brookvale Park.</p> <p>Based on the plans provided, the entry off Pine Avenue opposite Federal Avenue requires design resolution in view of the multiple elements currently located including storage shed, toilet block, carpark, early childhood centre, park fencing and entry and relocated ticketing outlet.</p> <p>Based on the plans provided, design resolution of the entry treatment and existing infrastructure interface, including interface with existing hill and concourse areas, would be required to be addressed.</p>
<p>Property</p>	<p>The Brookvale Park Plan of Management was adopted 24 September 2002 and can be found on Council’s website under “Plans of Management”. This PoM covers development on the subject site.</p> <p>Table 6 (Page 78) of the PoM authorises a new Northern Stand, and states that “Development may include covered seating, hospitality areas, amenities and change rooms and is to be of similar scale and height as the existing stands.”</p> <p>However, it should be noted that the PoM also states on page 80 that “Development of new South-East Link Stand and Eastern Stand or Northern Stand is dependent on the investigation as described within Action 53. The investigation is to determine the most appropriate development, if any, and this Plan only authorises the development of either the South-East Link and Eastern Stands or the Northern Stand. A grassed spectator area is to be retained.”</p> <p>Action 53 is located on page 58 of the PoM and requires the following: Investigate and research the need for the development of the proposed South East Link Stand, Eastern Stand and Northern Stand. The investigation should take into account the implication such a development would have on the whole of Brookvale Park and the surrounding residents. The investigation is to recommend which development is most suitable, i.e. the South East Link Stand with the Eastern Stand or the Northern Stand. This must include extensive community consultation and research into the impact of the development. A detailed report is to be prepared and Council must approve any further investigation, planning and research on this action. Council should be satisfied that this development is viable, will not unduly impact on the neighbourhood and is necessary to the ongoing success of Brookvale Park. The development may include the provision of covered seats, hospitality areas, amenities, player change rooms and storage areas. Should the South East Link Stand and Eastern Stand be preferable then a new entry gateway is to be incorporated into the development, the existing entrance way is to be removed, and the area appropriately landscaped as per Action 35. Development of the Eastern Stand is not authorised to extend into the land categorised as park and may need to take up some of the existing hill for it to be constructed. Should the Northern Stand be preferable the development should consider</p>



	<p>incorporating the existing northern ticket boxes and turnstile. The existing northern ticket boxes and turnstiles are to be removed if incorporated into the Northern Stand development. See Action 47. These developments have been authorised in Section 6.</p> <p>In addition, Section 6.3 provides criteria for new development proposals with 6.3.1 stating the following:</p> <p>Project Justification</p> <p>Before granting owner's consent for the lodgement of a development application, the following must be addressed:</p> <ul style="list-style-type: none"> • Protection of identified values. • Is this development expressly authorised within the current Plan of Management? • Adherence to and consideration of any conditions or actions relating to development as stated in the current Plan of Management. • Any changes to lease boundaries. • Public accessibility and equity, of Community Land. • Is there another facility in the near vicinity that could be utilised to fulfil the needs? • Are there any other clubs/ groups that could utilise this proposed development? • Has consultation been undertaken with other user groups within the area who may be able to utilise the facility? • To what extent will the facility be accessible for multi-use by other parts of the community? • Which groups in the local area also utilise the facility and would need to be informed of this development? • Cost and funding sources. • Give details of estimated costs or quotes for this development. • What funding sources are available from grants, club fundraising, special funds? <p>The Project Justification and actions associated with Action 53 will need to be submitted with the Development Application so as to ensure compliance with the Plan of Management.</p>
<p>Environmental Health</p>	<p>Noise – An acoustic report is required. The addition of hard reflective surfaces and increased variety of operations and operational times associated with the 'centre for excellence' -including a gym- trigger the requirement for a formal assessment by a suitably qualified person.</p> <p>Amenities – In the SEE, please provide details on the expected number of patrons and the bathroom amenities they will have access to.</p> <p>Phase 2 Detailed Site Investigation Report – Discussions at the PLM revealed that a Phase 2 assessment is already underway and will (necessarily) be provided with the DA.</p>



Lighting – In the SEE, please discuss any lighting impacts from the new building on the adjacent residents.

Relevant Council Policies

You are advised of the following (but not limited to all) Council's policies available at [Council's website](#):

- [Applications for Development - Policy for the handling of unclear, non-conforming, insufficient and Amended applications: PDS-POL 140](#)
- [Stormwater drainage for low level properties PDS-POL 135](#)
- [Vehicle access to all roadside development: LAP-PL 315](#)
- [Waste PL 850](#)

Documentation to accompany the Development Application

- Electronic copies (USB)
- Statement of Environmental Effects
- Request to vary a development standard
- Cost of works estimate/ Quote
- Site Plan
- Floor Plan
- Elevations and sections
- A4 Notification Plans
- Survey Plan
- Site Analysis Plan
- Demolition Plan
- Excavation and fill Plan
- Waste Management Plan (Construction & Demolition)
- Waste Management Plan Ongoing
- Schedule of colours and materials
- Landscape Plan and Landscape Design Statement
- Arboricultural Impact Assessment Report
- Photo Montage
- Statement of Heritage Impact
- Advertising Structure / Sign Plan (if advertising is proposed)
- Erosion and Sediment Control Plan / Soil and Water Management Plan
- Stormwater Management Plan / Stormwater Plans and On-site Stormwater Detention (OSD) Checklist
- Stormwater Drainage Assets Plan
- Geotechnical Report
- Acoustic Report
- Flood Risk Assessment /Overland Flow Study
- Traffic and Parking Report
- Construction Traffic Management Plan
- Construction Methodology Plan
- Access Report
- Fire Safety Measures Schedule
- Integrated Development Fees

Please refer to Development Application Checklist for further detail.



Concluding Comments

These notes are in response to a pre-lodgement meeting held to discuss the grandstand and centre of excellence at Brookvale Oval.

The proposal is not acceptable and requires redesign prior to submission. This is due to the removal of approximately 12 heritage listed trees for the proposal.

Based upon the above comments you are advised to satisfactorily address the matters raised in these notes prior to lodging a development application.