

12 April 2007

Planning Direction Pty Ltd
C/- Nigel White
P.O. BOX 607
PARRAMATTA NSW 2124

6000/4021MOD2
CC (PAS)

Dear Sir / Madam,

RE: DEVELOPMENT APPLICATION NO. 6000/4021/2DA (Consent Ref 94/380) - BROOKVALE OVAL – LOT 6 IN DP 785409, LOT PT1 IN DP 114027, LOT B IN DP 966128 PITTWATER ROAD, BROOKVALE - MODIFICATION TO INCREASE THE NUMBER OF NIGHT MATCHES FROM 6 TO 12, AT BROOKVALE OVAL

I advise that the request to modify the above-mentioned Development Consent has been approved on **13 March 2007** and determined as follows:

Replace condition 28

- 28.** Night matches are limited to 12 matches per season to be played on either Friday or Saturday nights.

Insert new condition 45a:

45a. Operational Plan of Management for Night Games

An Operational Plan of Management (OPOM) specifically for night games is to be prepared by the lessee of the property (Rugby Leagues Club), in consultation with Council, prior to the commencement of the additional night games, that provides, but is not limited to, detailed information pertaining to:

- Crowd control by Marshals/security patrols after the games including patrols in surrounding streets (area of patrol to be identified in the OPOM including the following streets - Pine Avenue, Federal Parade, Regina Avenue, Victor Road, Shackel Avenue, Binda Place, Alfred Road and Gulliver Street) to deter anti-social behaviour and respond to incidents;
- Collection of rubbish disposed of around the ground and in neighbouring streets in a similar area to security patrols;
- Provision of alcohol, the containers in which alcohol is provided, and the management of patrons removing alcohol from the ground;
- Include a point of contact for making complaints which is to be staffed/operated (not an answering machine) on game nights and for a

minimum 2 hours following the end of the game, to provide for reporting and initiation of action (by security staff) to the incidents and issues,

- A log be kept of incidents or complaints received, including dates, times, and contact details of complainant. This will form the basis of review and must be made available to Council on request;
- The OPOM be made available to the public on request.
- Regular review of the plan by the lessee, which includes consultation with any residents whose complaints have been logged.

Insert new condition 54:

54. Approval of Operational Plan of Management

The Operational Plan of Management is to be approved by Council prior to the first commencement of the seventh night game as approved in the modification of Condition 28.

Reason: *To ensure compliance*

Insert new condition 55:

55. Implementation and Review of Operational Plan of Management

The requirements of the Operational Plan of Management are to be implemented by the proponents of the games (i.e. lessee of the site) for every subsequent night game with details kept to demonstrate compliance. (Note: Failure to implement the OPOM is a breach of this consent.)

An annual statement is to be provided by the lessee to Council at the end of November each year detailing the consultation and review, and any proposed changes to the OPOM. Any amendments to the OPOM are to be approved by Council prior to commencement of the following season.

Reason: *To reduce impact on surrounding residential areas*

(a) Insert new condition 56:

56. Review of Plan of Management for on-street parking

Prior to the first commencement of the seventh night game (as approved in modification of condition 28), Council is to undertake a review of the current plan of management for on-street parking in consultation with the lessee and to include any additional measures to minimise any adverse impacts on neighbouring residential properties and time frames for implementation. This should include, but is not limited to, consultation with local residents, measures to facilitate patrons leaving the area and a transportation plan developed for the site dealing with bus and taxi availability, timetables and provision of information to patrons relating to transport services.

Reason: *To reduce impact on surrounding residential areas*

Insert new condition 57

57. Implementation of Plan of Management for on-street parking

The lessee is to be provided with a copy of the final plan of management and is to undertake appropriate actions as required by the plan. (Note: Failure to implement this Plan of Management is a breach of this consent.)

Reason: To reduce impact on surrounding residential areas”

This letter should therefore be read in conjunction with Development Consent 94/380 (DA Reference No. 6000/4021) dated 22 August 1994. Please find attached a copy of original consent issued on 22 August 1994.

Section 97(1) of the Environmental Planning and Assessment Act confers on the applicant who is not satisfied with the determination of the Consent Authority has a right of appeal to the Land and Environment Court exercisable within 12 months of receipt of this notice.

Should you have any further enquiries in connection with this matter, please contact the referred to Enquiry Officer.

Should you require any further information on this matter, please contact **Beverley Kong** between the hours of 9.30am and 10.30am or 3.00pm and 4.00pm, Monday to Friday, on telephone number **9942 2111**, or at any time on facsimile number **9971 4522**.

Details of development applications lodged after July 1, 2005 are also available online, to access this facility please visit our DA's Online System at www.warringah.nsw.gov.au.

Yours faithfully,

Peter Robinson
Manager - Major Developments
Planning and Assessment Services

CC: To Owner
Warringah Council
725 Pittwater Road
Dee Why NSW 2099