

## Parks, Reserves and Foreshores Referral Response

<b>Application Number:</b>	DA2023/1708
<b>Proposed Development:</b>	Demolition works and construction of a Recreation Facility (indoor) with signage
<b>Date:</b>	18/01/2024
<b>To:</b>	Gareth David
<b>Land to be developed (Address):</b>	Lot 2743 DP 752038 , 431 Pittwater Road NORTH MANLY NSW 2100

### Reasons for referral

This application seeks consent for any application on land or land being adjoining or adjacent to any parks, reserves, beaches, or foreshore  
And as such, Council's Parks, Reserves and Foreshores officers are required to consider the likely impacts of the proposal.

### Officer comments

The development application is for the demolition of the existing site structures and the construction of a purpose-built gymnastics and multisport facility.

The development site is located within the District Park Plan of Management, and a Sports Community Club Facility is identified within the Landscape Concept Plan for District Park upon this site. It is noted that appropriate environmental set-backs are listed for consideration in the Landscape Concept Plan. The proposed development site adjoins the Nolan Reserve sporting fields utilised by sporting clubs including Manly Brothers Rugby League Football Club (formerly Christian Brothers) and various cricket clubs from the Northern Beaches Cricket Council, as well as informal recreational use. The land is zoned RE1 Public Recreation.

Parks Reserve and Foreshores Referral assess the application against Warringah Local Environmental Plan 2011 (WLEP) and the following Warringah Development Control Plan 2011 (WDCP) clauses (but not limited to):

- D6 Access to Sunlight
- D9 Building Bulk
- E7 Development on land adjoining public open space

The PLM2023/0053 Pre-lodgement notes expressed the following concerns from Parks Reserves and Foreshores Referral:

- The shadow resulting from the building is over the 'spectator area' utilised by the Manly Brothers Rugby League Football Club (formerly Christian Brothers) that occupy this area in large numbers impacting use and enjoyment for spectators, and does not consider D6.1 requirements that 'Development should avoid unreasonable overshadowing any public open space'.
- The proposed development at the eastern lease alignment impacts upon the landscape character, public use, visual appearance, and enjoyment of the adjoining reserve sports field areas; and the building is prominent within the open space landscape character of the recreational areas of Nolan Reserve, in consideration of D9 and E7.

Parks Reserve and Foreshores Referral, following on from issues raised in PLM2023/0053, and in review of the development application documents continue to raise concerns regarding the shadows

from the proposed building structure over recreation land utilised by Manly Brothers Rugby League Football Club (formerly Christian Brothers). The winter shadows are cast over the full area from lease boundary to the football field sideline, and in particular afternoon periods, utilised by game officials and spectators watching competition rugby league games during the weekend and school competition games during school days. The current solar access enjoyed by sporting groups is therefore impacted and the proposal thus fails to achieve the objectives of WDCP clause D6.1 requirements that 'Development should avoid unreasonable overshadowing any public open space'.

Additionally the site planning layout of building and car parking does not respond to the recreational landscape setting of District Park, and rather the site planning provides an urban setting at the prominent road corridors of Kentwell Road and Pittwater Road that represents urban built form without adequate landscape setting transition, and visually dominates the open space interface with Nolan Reserve sport fields contrary to the objectives of WDCP clause E7. Any cafe proposal shall be connected to public open space and be accessible.

It is noted that recently scattered planted native trees are in place along the existing share path between the development site and the playing field however these are sited at a distance from the development site to not provide sufficient visual relief of the bulk and scale of the proposed building facade from the Nolan Reserve sporting fields.

WDCP clause D6.1 indicates that the building setback should increase irrespective of what landscape zone width requirement is advised.

To achieve a reasonable solution to meet the objectives and requirements of WDCP clauses D6, D9 and E7, the following advice is suggested:

- the eastern site boundary from the lease boundary to the building wall shall support a landscape zone that is not encroached by stairs, paths and any utility services, and the area is to support only vegetation including tree planting.
- the eastern site boundary from the lease boundary to the building setback shall consider cast shadow impacts over the 'spectator area' utilised by the Manly Brothers Rugby League Football Club (formerly Christian Brothers) that may require building form alteration or building setback review.

Ultimately, should approval be granted, conditions will need to be applied to the development consent.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

**Parks, Reserves and Foreshores Conditions:**

Nil.