

### 3.1 Lot 1 & 2 Anzac Avenue, Collaroy – Demolition Works and Construction of a Sports Amenities and Golf Administration Building

#### DEVELOPMENT ASSESSMENT REPORT

|                                                            |                                                                                                                                                                            |
|------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Assessment Officer:</b>                                 | Tony Collier                                                                                                                                                               |
| <b>Address / Property Description:</b>                     | Lot 1 DP 1144187 and Lot 2 in DP1144187 Anzac Avenue<br>COLLARROY NSW 2097<br>Demolition works and the construction of a sports amenities and golf administration building |
| <b>Development Application No:</b>                         | DA2011/0774                                                                                                                                                                |
| <b>Application Lodged:</b>                                 | 20 June 2011                                                                                                                                                               |
| <b>Plans Reference:</b>                                    | 0820 DA-01(2); 0820 DA-02(2); 0820 DA-03(3); 0820 DA-04(2);<br>0820 DA05(2); 0820 DA-06(2); 0820 DA-07(2); 0820 DA-08(2)                                                   |
| <b>Amended Plans:</b>                                      | 0820-DA-01(3) and 0820-DA-03(4)                                                                                                                                            |
| <b>Applicant:</b>                                          | Long Reef Golf Club Ltd                                                                                                                                                    |
| <b>Owner:</b>                                              | Dept of Lands, Warringah Council                                                                                                                                           |
| <b>Locality:</b>                                           | D5 Long Reef                                                                                                                                                               |
| <b>Category:</b>                                           | Category 2 (Recreation Facility; Shop)                                                                                                                                     |
| <b>Draft WLEP 2009 Permissible or Prohibited Land use:</b> | Recreation Facility (Outdoor) – Permitted with consent. Kiosk – Permitted with consent and Shop – Prohibited.                                                              |
| <b>Variations to Controls (Cl.20/Cl.18(3)):</b>            | Nil                                                                                                                                                                        |
| <b>Referred to ADP:</b>                                    | Yes                                                                                                                                                                        |
| <b>Referred to WDAP:</b>                                   | No                                                                                                                                                                         |
| <b>Land and Environment Court Action:</b>                  | No                                                                                                                                                                         |

#### SUMMARY

**Submissions:** 74 submissions received (73 in support; 1 in objection)

**Submission Issues:** **Raised in objection:**

Visual impact; Increased traffic flow and car parking;  
Use limitations on building.

**Raised in support as suggestions:**

Solar energy to charge golf cart batteries; Reduction in width to the concrete pathways and ramps; Opening hours of the change rooms; On-site storage of rainwater; Additional toilets for the golf administration section; Gender allocation of change rooms; Increase in the size of the western side of the development; Inclusion of bike racks; Extension to the meeting room; Landscape theme to replicate planting around the Long Reef golf clubhouse; Relocation of the drinking fountain; Inclusion of

terraced seating on the eastern and western side of the building;  
Allocation of western side of basement for arts, crafts and dance;  
Inclusion of public barbecue facilities; and Provision of more car  
parking on Anzac Avenue

**Assessment Issues:**

None

**Recommendation:**

Approval

**Attachments:**

Plans;  
Griffith Park Plan of Management.

**LOCALITY PLAN** (not to scale)



**Subject Site:**

Lot 1 DP 1144187 and Lot 2 in DP 1144187 Anzac Avenue, Collaroy

**Public Exhibition:**

The subject application has been publicly exhibited in accordance with the EPA Regulation 2000, Warringah Local Environment Plan 2000 and Warringah Development Control Plan. As a result, the application was notified to 244 adjoining land owners and occupiers for a period of 14 calendar days commencing on 8 July 2011 and being finalised on 26 July 2011, furthermore, the application has been advertised within the Manly Daily on 9 July 2011 and notices were placed around the site.





## SITE DESCRIPTION

The subject site consists of two allotments individually known as Lot 1 DP 1144187 and Lot 2 in DP 1144187 Anzac Avenue, Collaroy. Lot 1 accommodates the fairways of the Long Reef Golf Club while Lot 2 accommodates Griffith Park which includes the Collaroy Tennis Club, a combined cricket/rugby field and public open space recreation fields.

Lot 1 is irregular in shape and has an area of 35.4ha. Lot 2 is also irregular in shape and has an area of 29.7ha. The site has a total area of 65.1ha.

The site is located within the D5 Long Reef locality as defined under *Warringah Local Environmental Plan 2000*. The site will be located within the in the proposed RE1 Public Recreation zone under Draft Warringah Local Environmental Plan. The site is identified and documented in the Griffith Park Plan of Management.

Lot 1 has a primary street frontage to Anzac Avenue and the access driveway which runs along the length of Fishermans Beach. Lot 2 has a primary street frontage to Anzac Avenue but also extends along Pittwater Road to the west. Vehicular access to the site is essentially from Anzac Avenue although vehicular access is also provided further to the south from Pittwater Road.

The site has varying topographical features, particularly relating to slope. The site slopes downward from Pittwater Road to the centre of the golf course by 18m then rises towards the cliff edge by 24m. The area allocated for the development is generally flat due to the historical levelling of the site to accommodate the combined cricket/rugby field immediately to the west and the Putting Green/Tee immediately to the east.

Residential development is located 46m to the north (across Anzac Avenue) and 272m to the West (across Pittwater Road). A row of shops is located along the frontage of Pittwater Road 235m to the north-west. The Long Reef Golf Club clubhouse is located 64m to the east. Fishermans Beach is located 146m to the east.

## SITE HISTORY

### DA2004/1373

DA2004/1373 was lodged on 1 November 2004 and sought consent for the demolition of the existing Long Reef Golf Club pro-shop and the construction of a new golf amenities building incorporating a pro-shop, showroom, storage, amenities, office and ancillary rooms.

The Development Application was referred to the Independent Hearing and Assessment Panel on 9 March 2005 with a recommendation for approval subject to conditions. The Panel concurred with the recommendation.

The application was approved on 22 March 2005. It is noted that the Consent was not enacted upon and therefore lapsed on 4 April 2010.

### DA2007/0462

DA2007/0462 was lodged on 31 May 2007 and sought the demolition of the existing toilet amenities and the construction of new community facility and public toilet facility including the upgrading of playing field lighting and resurfacing of parking area.

The Development Application was refused on 8 August 2008 for the following reasons:



1. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act, 1979 and Clause 17 of Warringah Local Environmental Plan 2000, the proposed development is not consistent with the Griffith Park Plan of Management 2005.
2. Pursuant to Clause 49 (3) Environmental Planning and Assessment Regulation 2000 the Applicant has not provided owners consent from the Crown.
3. Insufficient information has been submitted in relation to traffic and parking and stormwater disposal to properly consider the development application against the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979 and Clause 54 of the Environmental Planning and Assessment Regulation 2000.
4. Pursuant to Section 79C(1)(a) of the Environmental Planning and Assessment Act 1979 and Clause 12(1)(a) of Warringah Local Environment Plan 2000 (as amended) the proposed development is inconsistent with the following General Principles of Development Control:
  - Clause CL56 Retaining Unique Environmental Features on Site as the scope of works will require the removal of some of the trees lining the eastern side of the existing access road;
  - Clause 72 Traffic Access and Safety; and
  - Clause 74 Provision of Carparking as a traffic report has not been submitted to enable a thorough assessment of the existing parking facilities and their capability of meeting the demand generated by use of this area.

#### DA2009/0043

DA2009/0043 was lodged on 15 January 2009 and sought approval for the construction of a multi-use sports & amenities building at Griffith Park.

The Development Application was withdrawn by the applicant on 19 May 2009 subject to the following written advice from Council dated 18 May 2009.

*"Council received correspondence from the Department of Lands on 9 April 2009 (Copy Attached), granting owners consent subject to a number of issues being resolved.*

*One of the issues raised by the Department is the requirement for the Minister of Lands to adopt a Plan of Management for this site. The Department has indicated the current draft Plan of Management will require a number of amendments prior to its adoption.*

*Council 's Strategy & Policy section has advised that the process involved for the Plan of Management to be adopted could take up to several months. Given the time required to resolve this issue, Council strongly recommends that you withdraw your current application."*

#### Griffith Park Plan of Management

The Griffith Park Plan of Management was adopted under the provisions of Section 114 of the Crown Lands Act 1989 on 22 February 2011 (refer to the 'Griffith Park Plan of Management' section later in this report for an assessment of the development against the relevant provisions of the Plan).

### **PROPOSED DEVELOPMENT**

The applicant seeks consent to demolish the existing toilet block located to the south of the Anzac Avenue car park and construct a purpose built sports amenities and golf administration building, including a pro-shop, in accordance with the Management Strategy, design criteria and the location identified in the Landscape Masterplan as laid out in the Griffith Park Plan of Management.

The building is divided into the two halves by a party wall which extends along the length of the property boundary which separates the two allotments. Figure 1 below shows the location of the

development (as marked in red) and the lot boundary which forms the physical division within the building.



**Figure 1** Location of development

The ground floor is sited at RL 9.0 (which is 1.51m above the existing ground level of the adjacent golf course) and the basement is sited at RL 6.6m (which is 0.89m below the existing ground level of the adjacent golf course). The building is elevated above the existing ground level to accommodate a spectator embankment which faces the cricket field.

The eastern half of the Ground Floor level accommodates the Golf Administration Centre which will be used for administration purposes, indoor golf teaching and a retail golf pro shop.(the Griffith Park Plan of Management includes the pro shop in its description of uses for the building). Additionally, the Golf Administration Centre also includes an office, storeroom, toilets and a caretakers flat which extends into the roof space to accommodate the bedroom.

The western half of the Ground Floor level may accommodate a Community Facility which includes change rooms, male and female toilet facilities, a 31.28m<sup>2</sup> kiosk and a meeting room/aquatic reserve information education unit.

The eastern half of the Basement level accommodates a 'Golf Cart Storage' area which is to be used for the storage of golf carts and other club related equipment, a golf cart charging area, a workshop and a quad bike storage room.

The western half of the Basement level may accommodate a 'Pavilion Storage' area which could be used to store equipment for the ongoing maintenance of Griffith Park. Bin storage facilities are accommodated within the northern side of the Basement level and are accessed from the Anzac Avenue car park via a concrete footpath.

The building is designed in a traditional style consisting of a pitched and gabled colorbond roof and wide wrap around veranda. The colour scheme consists of muted colours to sensitively respond to the surrounding environment. Figure 2 below shows the development as proposed.







**Figure 2** Montage of proposed amenities building as viewed from the south-west  
Source: Statement of Environmental Effects

Pedestrian access to the Ground Floor level is gained via two ramps located at the north-eastern and north-western corners of the building. Combined pedestrian and service vehicle access to the Basement level is gained via a ramp at the north-eastern corner of the building and two ramps at the southern side of the building. Steps to the Ground Floor level from the golf course and the cricket field are also provided at the southern and western sides of the building respectively.

The landscape plan indicates that the development proposes to remove eight (8) trees which are located within, and immediately adjacent to, the building footprint and proposed ramp (currently located on the north-western side of the Putting Green/Tee).

The existing open car park from Anzac Avenue will remain unaltered.

## **AMENDMENTS TO THE SUBJECT APPLICATION**

No amendments have been made to the subject application.

## **STATUTORY CONTROLS**

- a) Environmental Planning and Assessment Act 1979;
- b) Crown Lands Act 1989;
- c) Local Government Act 1993;
- d) Environmental Planning and Assessment Regulations 2000;
- e) State Environmental Planning Policy No. 55 – Remediation of Land;
- f) State Environmental Planning Policy No. 71 – Coastal Protection; and
- g) State Environmental Planning Policy (Infrastructure) 2007.

## **PUBLIC EXHIBITION**

The subject application has been publicly exhibited in accordance with the Environmental Planning and Assessment Regulation 2000, Warringah Local Environment Plan 2000 and Warringah Development Control Plan. As a result, the application was notified to 244 adjoining land owners and occupiers for a period of 14 calendar days commencing on 8 July 2011 and being finalised on 26 July 2011, furthermore, the application has been advertised within the Manly Daily on 9 July 2011 and notices were placed around the site.

As a result of the public exhibition process 74 submissions have been received (see Attachment). Of the total submissions received, 73 are in support of the development and one (1) objects to the development.

The submissions in support of the development were received from:

| <b>Submission</b>  | <b>Address</b>                      |
|--------------------|-------------------------------------|
| Barry Collins      | 44 Heather Street, Wheeler Heights  |
| Graham Anderson    | 23 Worcestra Street, Collaroy       |
| Bill Edwards       | 10 Westmoreland Avenue, Collaroy    |
| Paul Deiman        | 19 Perry Street, Collaroy           |
| Noel Langthorne    | 40 Parr Parade, Narraweena          |
| Rodge Ehret        | 9 Stella Street, Collaroy Plateau   |
| Mark Stevens       | 1 Ozone Street, Freshwater          |
| David Prior        | 3 Saford Street, Forestville        |
| Brad Jones         | 891B Pittwater Road, Long Reef      |
| Terry Hunt         | 30 Aubreen Street, Collaroy Plateau |
| Peter Grumont      | 11 Kinka Road, Duffys Forest        |
| Roger Sharp        | 61 The Crescent, Dee Why            |
| Terry Hills        | 10 David Road, Collaroy Plateau     |
| John Edwards       | 5 Elanora Road, Elanora Heights     |
| B Everett          | Address not supplied                |
| George Rodman      | Address not supplied                |
| Les Browne         | 11 Brissenden Avenue, Collaroy      |
| Peter Carson       | 3 Anzac Avenue, Collaroy            |
| Michael Yates      | 20 Taylor Street, North Curl Curl   |
| F Bruce            | 46 Ocean Street, Collaroy           |
| Greg Perrett       | 25 Streamdale Grove, Warriewood     |
| Greg Bush          | 173 Headland Road, North Curl Curl  |
| John Briscoe-Hough | Address not supplied                |
| Jason Green        | 29 Blandford Street, Collaroy       |

| Submission           | Address                                |
|----------------------|----------------------------------------|
| James Nimmo          | 1/49 Beach Road, Collaroy              |
| J & R McCririck      | Address not supplied                   |
| Rob Watson           | 46 Headland Road, North Curl Curl      |
| Brian Cummins        | 133B Fisher Road North, Cromer         |
| John Hesketh         | 18 Tipperary Avenue, Killarney Heights |
| J & A Hadzipasic     | 41 Kirkstone Road, Wheeler Heights     |
| Name illegible       | 48 Anzac Avenue, Collaroy              |
| James Duff           | 14 Ross Street, North Curl Curl        |
| Geoff Riddington     | 12 Windermere Place, Wheeler Heights   |
| Andrew Ross          | Grover Avenue, Cromer                  |
| Dawn Niven           | Address not supplied                   |
| M A & C S Rennix     | Address not supplied                   |
| Vanessa Ball         | 901 Pittwater Road, Collaroy           |
| Angela Madden        | Address not supplied                   |
| Peter Smith          | 13 Duff Place, Castle Hill             |
| Peter O'Driscoll     | 54 Woorak Crescent, Miranda            |
| Crombie Pitts        | Address not supplied                   |
| Louise Feltscheer    | Anzac Avenue, Collaroy                 |
| Name illegible       | Address not supplied                   |
| John Trenwith        | 149/81 Willandra Road, Cromer          |
| Gray Brown           | Address not supplied                   |
| Phil Feltscheer      | Anzac Avenue, Collaroy                 |
| Nick Johnson         | 57 Iris Street, Frenchs Forest         |
| Jenny Watts          | Address not supplied                   |
| Kay & Joseph Brideau | 24 Abbott Road, North Curl Curl        |
| Tim Hessell          | Address not supplied                   |
| Rex Langthorne       | 5 Marshall Crescent, Beacon Hill       |

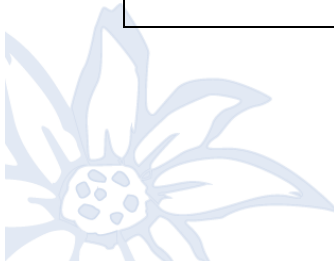




| Submission      | Address                                   |
|-----------------|-------------------------------------------|
| Ken Shepherd    | 11 Hawea Place, Belrose                   |
| Barry Muncke    | 36 Mactier Street, Narrabeen              |
| Warren Nelson   | 5/31-39 Boronia Street, Dee Why           |
| Maria Raiti     | Address not supplied                      |
| Yvonne Lawson   | Address not supplied                      |
| Marty Edgell    | 77 Claudare Street, Collaroy Plateau      |
| Isabelle Lovett | Address not supplied                      |
| Steve Harrison  | Address not supplied                      |
| Suzanne Hardy   | 53 Edgecliffe Boulevard, Collaroy Plateau |
| Ken Boorman     | 34A Abbott Road, North Curl Curl          |
| Peter Watson    | 59 Cassia Street, Dee Why                 |
| Gordon Lambert  | 1/26 Osborne Road, Manly                  |
| C & L Busch     | Address not supplied                      |
| Pru Christmas   | 5/24-26 Dee Why Parade, Dee Why           |
| Bill Chapman    | Address not supplied                      |
| Ian McDonnell   | Address not supplied                      |
| Brian Brook     | 5 Jocelyn Street, North Curl Curl         |
| Peter Clements  | Address not supplied                      |
| P & J Hensman   | Address not supplied                      |
| Martin O'Brien  | Address not supplied                      |
| Andrew Sole     | 10 Forest Glen Crescent, Belrose          |
| Jeremy Vernon   | Address not supplied                      |

The objection was received from the following:

| Submission       | Address                  |
|------------------|--------------------------|
| Christopher Hunt | 9 Anzac Avenue, Collaroy |



In the submission, the objector raises the following matters:

#### Visual impact

The submission raises concern that the size of the development will have a significant visual impact upon the scenic quality of the area.

#### Comment

The development has been designed to reflect a part one, part two storey building of a traditional pavilion character. The building is sited within a low lying part of the Park and adjacent to Anzac Avenue. The neighbouring residential area and the Long Reef Golf Club clubhouse are located further to the north, east and west. The building is proposed to be finished in a muted colour scheme which is respectful of its surrounds.

In conjunction with the above factors, the proposed height of 7.4m, bulk and scale of the building are not considered to be excessive to the point where the scenic quality of the area will be significantly impacted. The height of the building is below the predominant surrounding tree line.

This issue does not warrant the refusal of the application.

#### Increased traffic flow and car parking

The submission raises concern that the development will generate an ancillary flow of traffic from the car parking and general increased usage to the area which is, it is claimed, already at optimum capacity.

#### Comment

The Development Application was referred to Council's Traffic Engineer who notes that the development will not have an adverse impact on parking availability in the surrounding area as the primary traffic and parking generators for this area are the existing sporting fields and recreational areas.

In this regard, the Traffic Engineer points out that the construction of amenities to service existing users of the existing sporting fields and associated recreational areas will not generate significant additional traffic or parking demand.

This issue does not warrant the refusal of the application.

#### Use limitations on building

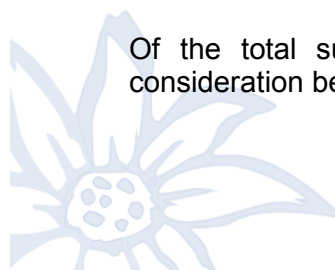
The submission raises concern that the Griffith Park Plan of Management places restrictions on the uses of the building which may be subject to future Development Applications. The submission is referring to Section 5.3.1 of the Plan 'Proposed Sporting Amenities and Golf Administration Building' which states that the "*building shall not be available for function hire, or used for club functions (other than administrative meetings and uses associated with training and games days). No liquor licence is to be issued for the premises, and no alcohol is to be served.*"

#### Comment

The Development Application does not propose the above-mentioned uses prohibited in the Plan of Management. A condition is included in the recommendation of this report which ensures that the building and operations shall be consistent with the Plan of Management.

This issue does not warrant the refusal of the application.

Of the total submissions received, 17 submissions (in support of the application) request consideration be given to providing the following:



### Solar energy to charge golf cart batteries

The submission requests that consideration be given to the use of solar energy to charge the golf cart batteries.

#### Comment

The application does not propose the installation or use of solar power. The golf carts will be charged through normal power supply means.

However, the roof area has sufficient area to accommodate photovoltaic cells should this be required at a later stage.

### Reduction in width to the concrete pathways and ramps

The submission requests that consideration be given to reducing the impact created by the concrete paths and ramps by reducing their widths and including passing bays and perimeter vegetation.

#### Comment

The development includes concrete ramps to both the Ground Floor level and the Basement level. The ramps to the Ground Floor level are for pedestrian use only and have a width of between 1.1m and 2.0m (the wider ramp accessing directly to/from the golf course and being used golf buggies). This is considered to be satisfactory in enabling access to and from the building.

### Opening hours of the change rooms

The submission requests that consideration be given to permitting the change rooms to remain open between dawn and dusk to serve the users of the exercise circuit.

#### Comment

Council does not have a Policy which regulates the opening hours of toilets. A condition is included in the recommendation of this report which limits the opening hours of the toilets to the following hours:

- 6.00am to 8.00pm (October to March); and
- 6.00am to 6.00pm (April to September).

### On-site storage of rainwater

The submission requests that consideration be given to the onsite storage of rainwater for re-use on the playing fields.

#### Comment

Section 4.8 in the Statement of Environmental Effects addresses the recovery (re-use) of rainwater and states:

*“Roof stormwater run off from the sports amenities building is discharged into a receiving pit via 150mm pvc pipe 30m south of the building. This pit then discharges to open water (pond) of the 1<sup>st</sup>/18<sup>th</sup> fairway linear wetland. Significantly populated with *Baumea articulata* (Jointed Twig-rush), *Cavex appriessa* (Tall sedge) with lower ponds containing *Eleocharis* spp (Spike rush) to the main water body retention/detention area. The water in this area is filtered and pumped through the park for irrigation, cart wash down, boat wash down at the boat ramp and to the proposed storage.”*

Given the above, it is considered that the current method of rainwater recovery and re-use is adequate for the irrigation of the playing fields.





### Additional toilets for the golf administration section

The submission requests that consideration be given to the provision of more toilets in the Golf Administration part of the building.

#### Comment

The building accommodates one (1) toilet (for disabled persons) in the Golf Administration area and nine (9) toilets in the "Community Facility" area. Council's Building Assessment Officer has assessed the Development Application against the provision of the Building Code of Australia and does not raise any objection to the proposal nor any recommendation for additional toilet facilities.

### Gender allocation of change rooms

The submission requests that consideration be given to the gender allocation of the change rooms.

#### Comment

Plan No. 0820 DA-02 indicates that the change rooms are allocated for visitors and home teams.

There is merit in gender allocating the change rooms for mixed sporting events and a condition is imposed in the Recommendation of this report which requires that signs be affixed to the external walls of each change room next to the door indicating that each respective change room is to be allocated to male and female patrons during mixed sporting events.

### Increase in the size of the western side of the development

The submission requests that consideration be given to the expansion of the western side of the building to cater for future expanded uses.

#### Comment

The development has been considered on the current proposed use only. Any required future expansion will be the subject of a future Development Application.

### Inclusion of bike racks

The submission requests that consideration be given to the provision of bike racks around the building.

#### Comment

Bike parking is guided by the Warringah Bike Plan. The Bike Plan 2010 notes in Table 13 (Proposed Bike Parking at Beaches) that 20 spaces are proposed at Collaroy Beach and 20 spaces are proposed at Long Reef Beach. However, no bike parking is proposed for Griffith Park.

The Bike Plan includes minimum bicycle parking requirements of one (1) space per 200m<sup>2</sup> gross floor area (GFA) and one (1) space per 250 spectator places. In this regard, the building has a GFA of approximately 1,352m<sup>2</sup> which will require seven (7) spaces for the GFA. The development does not include designated spectator places but, instead, includes a grassed embankment which may hold in excess of 250 spectators at any one time. In this regard, the development will require one (1) space. Therefore, the total required bicycle parking spaces for the development will be eight (8) spaces.

There is merit in the provision of bike racks for the development. However, it would not be practical to install racks on the veranda area given the width and the restriction on movement this would have upon other patrons using the building. Rather, it would be appropriate to install bike racks at ground level adjacent to the proposed concrete footpaths and car parking area.



In this regard, a condition is imposed in the Recommendation of this report which requires the provision of a fixed bike rack to accommodate 10 bikes to be located at the southern edge of the car park near the pedestrian access ramp.

#### Purpose of quad bikes

The submission queries the purpose of the quad bikes and their relationship to the building.

#### Comment

Plan No. 0820 DA-03 indicates that an area has been allocated for the storage of quad bikes. Section 3.4 in the Statement of Environmental Effects notes that the bikes are *"to provide efficient access to the caretaker and Council Lifeguard personnel on an 'as needed' basis. Access to the storage area shall be via a standard lifeguard key. In addition to the quad bike storage will be a first aid kit and appropriate life saving equipment that can be carried on a quad bike."*

#### Extension to the meeting room

The submission requests that consideration be given to an extension to the meeting room (in the western side of the building) for artists, bridge player's, small birthday functions and a children's play area.

#### Comment

Section 5.3.1 of the Griffith Park Plan of Management expressly prohibits the use or hire of the building for functions and states:

*"The sports amenities section would be generally available for use by all sporting clubs and other groups that use Griffith Park, consistent with the requirements of the Crown Lands Act, 1989. However, the building shall not be available for function hire, or used for club functions (other than administrative meetings and uses associated with training and games days). No liquor licence is to be issued for the premises, and no alcohol is to be served. The licensed Long Reef Golf Club is able to serve these needs within Griffith Park."*

This suggestion is not considered to have merit.

#### Landscape theme to replicate planting around the Long Reef golf clubhouse

The submission requests that the landscape theme for the building replicate the planting around the Long Reef golf clubhouse. Additionally, the submission requests that a water feature be considered.

#### Comment

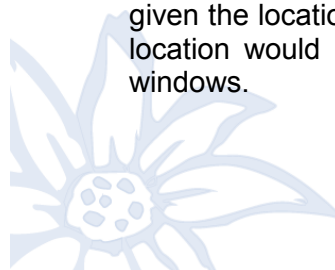
The landscaping of the site has been designed to respond to the current landscape theme of the golf course and adjacent sporting fields and is in accordance with the Landscape Masterplan contained in the Griffith Park Plan of Management.

#### Relocation of the drinking fountain

The submission requests that the drinking fountain and bottle refilling station on the northern side of the building adjacent to the female toilets be relocated to the western side of the building.

#### Comment

An examination of the plans (see Plan No. 0820 DA-02) reveals that re-locating the drinking fountain and bottle refilling station to the northern side of the building is not practical or desirable given the location of doorways and windows to the change rooms and toilets. The only alternative location would be on the southern side of the building which does not have any doorways or windows.



This suggestion has merit and a condition is included in the Recommendation of this report that the "Low and High Drinking Fountain" be relocated to the southern side of the building.

#### Inclusion of terraced seating on the eastern and western side of the building

The submission requests that consideration be given to the provision of terraced seating on the eastern and western side of the building.

#### Comment

Plan No. 0820 DA-02 indicates that the western side of the building includes a grassed embankment which enables spectators to view games on the adjacent cricket/rugby field. In this regard, terraced seating is not considered to be necessary. Terraced seating on the eastern side of the building, (facing the Putting Green/Tee) is considered to be surplus to the requirement as the Putting Green/Tee is not a location for a spectator driven sporting event.

This suggestion is not considered to have merit.

#### Allocation of western side of basement for arts, crafts and dance

The submission requests that consideration be given to the allocation of the western side of the Basement level to arts and crafts, including dance.

#### Comment

The western side of the Basement level is specifically allocated for the purposes of storage of maintenance equipment (possibly by Council). The allocation of the western side of the Basement level (or part of the Basement level) would require a loss of floor area for storage. Additionally, the allocation of the Basement level would present safety and security issues as the suggested activities would require a permanent partitioning of the Basement level to protect both patrons and stored equipment.

This suggestion is not considered to have merit.

#### Inclusion of public barbeque facilities

The submission requests that consideration be given to the provision of barbeque facilities.

#### Comment

The development does not include the provision for barbeque facilities as this is not included in the Griffith Park Plan of Management for the site.

#### Provision of more car parking on Anzac Avenue

The submission requests that consideration be given to the provision of more parking spaces by widening Anzac Avenue on the southern side to permit angle parking.

#### Comment

Council's Traffic Engineer notes that the development will not have an adverse impact on parking availability in the surrounding area as the primary traffic and parking generators for this area are the existing sporting fields and recreational areas.

In this regard, the Traffic Engineer points out that the construction of amenities to service existing users of the existing sporting fields and associated recreational areas will not generate significant additional traffic or parking demand.

Notwithstanding, any requests to alter public roadways are beyond the scope of this development or assessment and should be appropriately directed by the proponent through Council's Traffic Committee.





## **MEDIATION**

|                                                |     |
|------------------------------------------------|-----|
| Has mediation been requested by the objectors? | No  |
| Has the applicant agreed to mediation?         | N/A |
| Has mediation been conducted?                  | No  |

## **LAND AND ENVIRONMENT COURT ACTION**

None current or pending.

## **REFERRALS**

### ***External Referrals***

#### Ausgrid

Ausgrid raise no objection to the development subject to standard conditions.

These conditions have been included in the recommendation.

#### Aboriginal Heritage Office

The Development Application was referred to the NSW Aboriginal Heritage Office (AHO). The AHO did not raise any objection to the proposal subject to a condition which requires the developer to notify Warringah Council, the AHO and the Principle Certifying Authority should any Aboriginal human remains and/or artefacts be uncovered during works and for any works to cease until cleared by the AHO.

A condition has been included in the recommendation.

### ***Internal Referrals***

#### Building Assessment Officer

Council's Building Assessment Officer has assessed the Development Application and does not raise any objection to the proposal.

No special conditions have been recommended to be imposed beyond the standard conditions requiring compliance with the Building Code of Australia.

These conditions have been included in the recommendation.

#### Development Engineer

Council's Development Engineer has assessed the Development Application and does not raise any objection to the proposal subject to standard conditions which address bonds, stormwater disposal, maintenance of the road reserve and compliance with relevant Australian Standards.

These conditions have been included in the recommendation.



### Environmental Health Officer

Council's Environmental Health Officer has assessed the Development Application and does not raise any objection subject to conditions which impose a requirement to notify Council of any new acid sulfate soil evidence.

This condition has been included in the recommendation.

### Heritage Advisor

Council's Heritage Advisor has assessed the Development Application and does not raise any objection to the proposal.

No conditions have been recommended to be imposed.

### Landscape Officer

Council's Landscape Officer has assessed the Development Application and does not raise any objection to the proposal subject to conditions which address the removal/retention of trees, tree protection and required plantings consisting of eight (8) locally indigenous species located adjacent to the existing trees to the north-east of the proposed building.

These conditions have been included in the recommendation.

### Natural Environment Unit

Council's Natural Environment Unit has assessed the Development Application and do not raise any objection the proposal. Specifically, it has been determined that the development will not have any significant effect upon threatened species, population or ecological communities or their habitats.

No conditions have been recommended to be imposed.

### Parks, Reserve and Beaches Officer

Council's Parks, Reserve and Beaches Officer has assessed the Development Application and has provided the following comments:

*"The information available is not sufficient for Parks Reserves and Foreshores to adequately assess the proposal.*

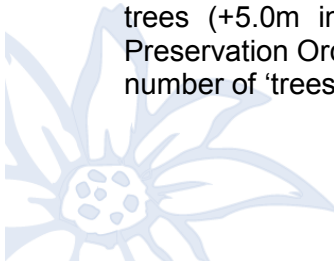
*It is noted in Section 4.6 of the Statement of Environmental Effects that there are a total of 32 trees in proximity to the proposed development and a total of 13 trees will need to be removed to accommodate the building footprint. There are no trees marked on the site survey plans.*

*There is some base level documentation about replacement trees and a landscape concept however it is not possible to determine the overall impact of the proposed development on trees as identified above. An Australian Qualification Framework 5 consulting arborist report should be provided to outline the impacts of the development on the trees in accordance with the following Australian Standards:*

*AS4970-2009; and  
AS4970-2009 Amendment 1-2010."*

### Comment

It should be noted that the number of trees indicated in the above referral response includes all trees (+5.0m in height) and vegetation (-5.0m in height) within the grove. Council's Tree Preservation Order (TPO) defines a tree as exceeding 5.0m in height which technically reduces the number of 'trees' to be removed to eight (8) trees.



The above matters have been considered by Council's Landscape Officer and have been addressed through the imposition of appropriate conditions contained within the recommendation. This has been agreed upon by Council's Parks, Reserve and Beaches Officer.

#### Property and Commercial Development

Council's Property and Commercial Development Department (Assets) have assessed the Development Application and do not raise any objection subject to conditions. The Department provide the following comments:

*"the building should be completed in one single construction stage. We have concerns that the club may be proposing to undertake the development in two stages and that scenario is not in the best interest of Council. It is proposed that the club demonstrates their ability to fund the whole development as a single construction stage prior to the issue of a construction certificate."*

The issue of the funding of the development, and the demonstration of the funding to support the construction stage, is beyond the scope of this consent. The issue of funding and the staging of the construction is between the lessee and the asset manager (in this case, the NSW Department of Lands/Council).

#### Traffic Engineer

Council's Traffic Engineer notes that the development will not have an adverse impact on parking availability in the surrounding area as the primary traffic and parking generators for this area are the existing sporting fields and recreational areas.

In this regard, the Traffic Engineer points out that the construction of amenities to service existing users of the existing sporting fields and associated recreational areas will not generate significant additional traffic or parking demand.

No conditions have been recommended to be imposed.

#### Waste Services Officer

Council's Waste Services Officer has assessed the Development Application and has not raised any objection subject to conditions.

These conditions have been included in the recommendation.

### **ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)**

The relevant matters for consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, are:

| <b>Section 79C 'Matters for Consideration'</b>                                           | <b>Comments</b>                                                                                                                                                                |
|------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Section 79C(1)(a)(i)</b> – Provisions of any environmental planning instrument        | See discussion on "Environmental Planning Instruments" in this report.                                                                                                         |
| <b>Section 79C(1)(a)(ii)</b> – Provisions of any draft environmental planning instrument | See discussion on "Draft Environmental Planning Instruments" in this report.                                                                                                   |
| <b>Section 79C(1)(a)(iii)</b> – Provisions of any development control plan               | Warringah Development Control Plan applies to this proposal.                                                                                                                   |
| <b>Section 79C(1)(a)(iia)</b> – Provisions of any planning agreement                     | None applicable.                                                                                                                                                               |
| <b>Section 79C(1)(a)(iv)</b> – Provisions of the regulations                             | The EPA Regulations 2000 requires the consent authority to consider the provisions of the Building Code of Australia. This matter has been address via a condition of consent. |



| Section 79C 'Matters for Consideration'                                                                                                                                                | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                        | <p>Clause 92 of the EPA Regulations 2000 requires the consent authority to consider AS 2601 - 1991: <i>The Demolition of Structures</i>. This matter has been address via a condition of consent.</p> <p>Clause 143 of the EPA Regulations requires that a Certifying the fire protection and structural capacity of the building will be appropriate for the new use. Council's Building Assessment Officer has assessed the application and has not raised any objection to the proposal.</p>   |
| <b>Section 79C(1)(b)</b> – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality | <p>(i) The environmental impacts of the proposed development on the natural and built environment are addressed under the General Principles of Development Control in this report.</p> <p>(ii) The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p> |
| <b>Section 79C(1)(c)</b> – the suitability of the site for the development                                                                                                             | The site is considered suitable for the proposed development.                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Section 79C(1)(d)</b> – any submissions made in accordance with the EPA Act or EPA Regs                                                                                             | See discussion on "Public Exhibition" in this report.                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Section 79C(1)(e)</b> – the public interest                                                                                                                                         | No matters have arisen that would justify the refusal of the application in the public interest.                                                                                                                                                                                                                                                                                                                                                                                                  |

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 plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to any conditions contained within the Recommendation.

## DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS:

### Draft Warringah Local Environmental Plan (Draft WLEP)

#### Definitions:

The development includes the following uses:

Recreation Facility (Outdoor): A building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

Kiosk: Retail premises used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like.

Shop: Retail premises that sell groceries, personal care products, clothing, music, homewares, stationary, electrical goods and other items of general merchandise, and may include a neighbourhood shop, but does not include food and drink premises or restricted premises.



**Land Use Zone:** RE1 Public Recreation.

**Permissible or Prohibited:**

Recreation Facility (Outdoor) – Permitted with consent.

Kiosk – Permitted with consent.

Shop – Prohibited.

**Additional permitted used for particular land (Schedule 1):** None listed for the land.

**Principal Development Standards:**

| Development Standard                                                                     | Required | Proposed                | Complies | Clause 4.6 Exception to Development Standard |
|------------------------------------------------------------------------------------------|----------|-------------------------|----------|----------------------------------------------|
| Minimum Subdivision Lot Size:                                                            | N/A      | No subdivision proposed | N/A      | N/A                                          |
| Rural Subdivision:                                                                       | N/A      | N/A                     | N/A      | N/A                                          |
| No Strata Plan or Community Title Subdivisions in certain rural and environmental zones: | N/A      | No subdivision proposed | N/A      | N/A                                          |
| Height of Buildings:                                                                     | N/A      | 7.437m                  | N/A      | N/A                                          |

The proposed 'Shop' use consists of the golf pro-shop which is noted in the Statement of Environmental Effects as a 'retail and golf tuition area'. Section 65 under the State Environmental Planning Policy (Infrastructure) 2007 relates to development which is permitted without consent. Section 65(2)(d) further stipulates that development for any purpose may be carried out without consent in the case of:

*"...land that is a reserve within the meaning of Part 5 of the Crown Lands Act 1989, by or on behalf of the Director-General of the Department of Lands, a trustee of the reserve or (if appointed under that Act to manage the reserve) the Ministerial Corporation constituted under that Act or an administrator,*

*if the development is for the purposes of implementing a plan of management adopted for the land under the Act referred to above in relation to the land."*

The development is for the purposes of implementing the Griffith Park Plan of Management (see the 'Griffith Park Plan of Management' section later in this report) which includes the golf pro-shop in Section 5.3.1 of the Plan.

In this regard, the golf pro-shop is permitted under Section 8(1) of the State Environmental Planning Policy which stipulates that *"Except as provided by subclause (2), if there is an inconsistency between this Policy and any other environmental planning instrument, whether made before or after the commencement of this Policy, this Policy prevails to the extent of the inconsistency."*



## ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)

### State Environmental Planning Policies (SEPPs)

#### State Environmental Planning Policy No 55 – Remediation of Land

Clause 7(1)(a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated.

Council records indicate that the subject site has been used for recreational purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7(1)(b) and (c) of SEPP 55 and the land is considered to be suitable for the land use.

The geotechnical report, prepared by Taylor Geotechnical Engineering, revealed the site of the proposed amenities building is underlain by sand, clay and silt, with some sandy filling in the upper 1.0m. No evidence of contamination was encountered. Therefore, it is considered that there is no requirement for further investigation.

Council's Environmental Health Officer has assessed the Development Application and does not raise any objection subject to conditions which impose a requirement to notify Council of any new acid sulphate soil evidence.

This condition has been included in the recommendation.

#### State Environmental Planning Policy No. 71 – Coastal Protection

The site is located within a Sensitive Coastal Location as identified on the Coastal Zone map gazetted on the 18 November 2005. Accordingly, pursuant to Section 79C(a)(i) of the *Environmental Planning and Assessment Act 1979*, the provisions of *State Environmental Planning Policy No.71 – Coastal Protection* are considered as follows:

| Matters for Consideration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Consistent                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| <p>(a) The aims of the policy.</p> <p><i>This Policy aims:</i></p> <p>(a) <i>to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and</i></p> <p>(b) <i>to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and</i></p> <p>(c) <i>to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and</i></p> <p>(d) <i>to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and</i></p> | <p>The proposal is to be considered consistent with the aims of the policy.</p> <p>(a) The proposal will not affect the natural, recreational and economic attributes of the NSW coast other than to improve the existing sporting facilities.</p> <p>(b) The existing access arrangements to Fishermans Beach have been maintained and will not be affected by the proposal.</p> <p>(c) The proposal does not have potential to provide new public access to the foreshore.</p> <p>(d) The proposal is not in the vicinity of any known aboriginal sites and does not require any specific measures for the preservation of cultural places, values, customs or beliefs.</p> | <p><b>Yes</b><br/>Subject to condition</p> |



| Matters for Consideration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Consistent |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <p>(e) <i>to ensure that the visual amenity of the coast is protected, and</i></p> <p>(f) <i>to protect and preserve beach environments and beach amenity, and</i></p> <p>(g) <i>to protect and preserve native coastal vegetation, and</i></p> <p>(h) <i>to protect and preserve the marine environment of New South Wales, and</i></p> <p>(i) <i>to protect and preserve rock platforms, and</i></p> <p>(j) <i>to manage the coastal zone in accordance with the principles of ecologically sustainable development (within the meaning of section 6(2) of the 'Protection of the Environment Administration Act 1991'), and</i></p> <p>(k) <i>to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area.</i></p> | <p>(e) The proposal will not detract from the visual amenity of the NSW coast as the development is of a low scale and traditional in its design commensurate with nearby residential development and the nearby Long Reef Golf Club clubhouse.</p> <p>(f) The proposal is setback sufficiently from the beachfront (132m) to prevent any impact upon the beach environment or beach amenity.</p> <p>(g) The proposal requires the removal of some existing vegetation immediately to the west of the site. Council's Landscape Officer has assessed the application in this regard and has not raised any objection subject to the imposition of a condition which requires replacement planting consisting of seven (7) locally indigenous species to be located adjacent to the existing trees to the north-east of the development.</p> <p>(h) The proposal will not affect the marine environment as the proposed development is not located within close proximity to the mean high watermark of Fishermans Beach nor will it have any additional runoff impact given the existing stormwater drainage provision on site. Amenities within the development will use the existing sewer infrastructure.</p> <p>(i) No rock platforms are affected by the proposal. The Geotechnical Report prepared by Taylor Geotechnical Engineering notes that the subsurface soil characteristics include medium to dense sand with some clay to a depth of 2.0m which exceeds the depth of the proposed basement (0.89m).</p> <p>(j) The proposal is considered to be in accordance with the principles of ecologically sustainable development. A condition is imposed in the Recommendation of this report which requires the development to incorporate low energy fittings and appliances (in accordance with the Griffith Park Plan of Management).</p> <p>(k) The design of the development is of a residential scale, commensurate with residential development to the north across Anzac Avenue. The design is reflective of a traditional sporting pavilion and includes subtle colours which will blend with the scenic landscape of the golf course, sporting fields and beachfront.</p> |            |

| Matters for Consideration                                                                                                                                                                                                                                           | Comment                                                                                                                                                                                                                                                                                   | Consistent |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| (b) Existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved | The public access to the foreshore is not altered by the proposal.                                                                                                                                                                                                                        | <b>Yes</b> |
| (c) Opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability                                                                                                                                      | The proposal does not to provide new public access to the foreshore.                                                                                                                                                                                                                      | <b>Yes</b> |
| (d) The suitability of development given its type, location and design and its relationship with the surrounding area                                                                                                                                               | The proposal is considered suitable for the subject site.                                                                                                                                                                                                                                 | <b>Yes</b> |
| (e) Any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore                       | There is no significant loss of view or overshadowing from public places as a result of the proposal.                                                                                                                                                                                     | <b>Yes</b> |
| (f) The scenic qualities of the New South Wales coast, and means to protect and improve these qualities                                                                                                                                                             | The proposal is not considered to detract from the scenic qualities of the coast.                                                                                                                                                                                                         | <b>Yes</b> |
| (g) Measures to conserve animals (within the meaning of the <i>Threatened Species Conservation Act 1995</i> ) and plants (within the meaning of that Act), and their habitats                                                                                       | There is no remanent native vegetation or potential habitat for threatened species on the subject site, as such measures to conserve fauna or their habitat is not required.                                                                                                              | <b>Yes</b> |
| (h) Measures to conserve fish (within the meaning of Part 7A of the <i>Fisheries Management Act 1994</i> ) and marine vegetation (within the meaning of that Part), and their habitats                                                                              | The development is not located close to, nor does it have any access to, the mean high watermark of Fishermans Beach. Therefore additional measures to conserve fish and marine vegetation habitat are not required.                                                                      | <b>Yes</b> |
| (i) Existing wildlife corridors and the impact of development on these corridors                                                                                                                                                                                    | The proposal does not significantly impact upon any existing wildlife corridors.                                                                                                                                                                                                          | <b>Yes</b> |
| (j) The likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards                                                                                                        | The proposal is not considered to increase the likely impacts of coastal processes and coastal hazards to the development. Furthermore, it is considered that the proposal does not significantly alter the existing impacts of the development on coastal processes and coastal hazards. | <b>Yes</b> |
| (k) Measures to reduce the potential for conflict between land-based and water-based coastal activities                                                                                                                                                             | The proposal is unlikely to create any potential conflict between land based and water based coastal activities.                                                                                                                                                                          | <b>Yes</b> |
| (l) Measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals                                                                                                                                                      | The proposal is not in the vicinity of any known aboriginal sites and does not require any specific measures for the preservation of cultural places, values, customs or beliefs.                                                                                                         | <b>Yes</b> |
| (m) Likely impacts of development on the water quality of coastal water bodies                                                                                                                                                                                      | The proposal is unlikely to create any additional impact to water quality.                                                                                                                                                                                                                | <b>Yes</b> |
| (n) The conservation and preservation of items of heritage, archaeological or historic significance                                                                                                                                                                 | The subject site is not identified as a heritage item. Council's Heritage Advisor has assessed the proposal and has not raised any objection to the proposal on                                                                                                                           | <b>Yes</b> |

| Matters for Consideration                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Comment                                                                                                                                                                                                                                                                             | Consistent |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | heritage grounds.                                                                                                                                                                                                                                                                   |            |
| (o) Only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities                                                                                                                                                                                                                                                                                                    | Council has not prepared a draft LEP that specifically applies to the site in regards to compact towns and cities.                                                                                                                                                                  | <b>Yes</b> |
| (p) Only in cases in which a development application in relation to proposed development is determined:<br>(i) <i>the cumulative impacts of the proposed development on the environment, and</i><br>(ii) <i>measures to ensure that water and energy usage by the proposed development is efficient</i>                                                                                                                                                                              | The cumulative impacts of the proposal are satisfactory.                                                                                                                                                                                                                            | <b>Yes</b> |
| S13) A provision of an environmental planning instrument that allows development within a zone to be consented to as if it were in a neighbouring zone, or a similar provision, has no effect.                                                                                                                                                                                                                                                                                       | The proposal does not attempt to allow development within a zone to be consented to as if it were in a neighbouring zone.                                                                                                                                                           | <b>Yes</b> |
| S14) A consent authority must not consent to an application to carry out development on land to which this Policy applies if, in the opinion of the consent authority, the development will, or is likely to, result in the impeding or diminishing, to any extent, of the physical, land-based right of access of the public to or along the coastal foreshore.                                                                                                                     | The proposal is unlikely to result in the impeding or diminishing, to any extent, of the physical, land-based right of access of the public to or along the coastal foreshore.                                                                                                      | <b>Yes</b> |
| S15) The consent authority must not consent to a development application to carry out development on land to which this Policy applies in which effluent is proposed to be disposed of by means of a non-reticulated system if the consent authority is satisfied the proposal will, or is likely to, have a negative effect on the water quality of the sea or any nearby beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or a rock platform. | The proposal does not involve a non-reticulated effluent disposal system that will, or is likely to, have a negative effect on the water quality of the sea or any nearby beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or a rock platform. | <b>Yes</b> |
| S16) The consent authority must not grant consent to a development application to carry out development on land to which this Policy applies if the consent authority is of the opinion that the development will, or is likely to, discharge untreated stormwater into the sea, a beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or onto a rock platform.                                                                                    | The proposed development will not discharge untreated stormwater into the sea, a beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or onto a rock platform.                                                                                     | <b>Yes</b> |

The proposal has been found to be consistent with the various provisions of State Environmental Planning Policy No.71 – Coastal Protection.



## **State Environmental Planning Policy (Infrastructure) 2007**

Clause 45 of SEPP Infrastructure requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists),
- immediately adjacent to an electricity substation,
- within 5m of an overhead power line
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5m of an overhead electricity power line

The proposal is located adjacent to an electricity infrastructure. As such, the development application is required to be referred to the electricity supply authority. The application was referred to Ausgrid who raised no objection to the development subject to conditions.

## **Regional Environment Plans (REPs)**

There are no Regional Environmental Plans relevant to the application.

## **Local Environment Plans (LEPs)**

### **Warringah Local Environment Plan 2000 (WLEP 2000)**

#### **Desired Future Character**

The subject site is located in the D5 Long Reef Locality under Warringah Local Environmental Plan 2000.

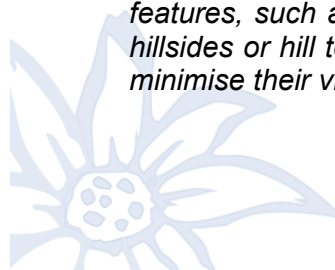
The Desired Future Character Statement for this locality states:

*The Long Reef locality will remain characterised by detached style housing in landscaped settings interspersed by a range of complementary and compatible uses.*

*Future development will maintain the visual pattern and predominant scale of existing detached style housing in the locality. The streets will be characterised by landscaped front gardens and consistent front 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.*

*Development on the site of the "Old Collaroy Hospital" located on land known as Lots 1, 2, 3, 8 and 9 on DP 6777, Lot 1 DP 954105, Lot 1 DP 953769 and Lot B DP 398645 will continue to be used only for health related uses. The northern portion of this site, adjacent to Birdwood Avenue, will be dedicated for the purposes of public open space. Any future development of the old Collaroy Hospital Site will be sympathetic to the pattern, scale and landscape character of the street and surrounding development. In addition any development of the site will address the heritage significance of the existing building known as the "Beach House" located at the corner of Beach Road and Brissenden Avenue.*

*The spread of indigenous tree canopy will be enhanced where possible and natural landscape features, such as rock outcrops and remnant bushland will be preserved. Buildings on prominent hillsides or hill tops must be designed to integrate with the natural landscape and topography and minimise their visual impact when viewed from afar.*





*The existing bushland on the Salvation Army site will be preserved.*

*Building and development along the beachfront will address the current and future hazards of wave impact and coastal erosion.*

*The locality will continue to be served by a local retail centre in the area shown on the map. Buildings greater than 2 storeys in height within this centre are to be designed so that the massing is substantially reduced on the top floors thereby reducing the visual bulk of the development and enabling views between buildings. Future development in the local retail centre will also be in accordance with the general principles of development control provided in clause 39.*

The proposed development is identified as a 'Recreation Facility' under the WLEP 2000 dictionary. A Recreation Facility is defined under the Dictionary in WLEP 2000 as "a building or place used for indoor or outdoor sporting activities, recreation or leisure activities, whether or not operated for the purpose of gain, but does not include a building or place elsewhere defined in this Dictionary" and is normally classified as Category 3 development in this locality.

The development includes a kiosk and a pro-shop which are identified as 'Shop' uses under the WLEP 2000 dictionary. A Shop is defined under the Dictionary in WLEP 2000 as "a building or place used for the purpose of display or sale, whether by retail or by auction, of items (whether goods, materials or services), but does not include a building or place elsewhere defined in this Dictionary" and is also normally classified as Category 3 development in this locality.

However, Clause 17(4) under WLEP 2000 stipulates that development on public open space, other than exempt development, is to be regarded as Category 2 development provided that the development is consistent with the relevant Plan of Management. The development, as proposed, has been assessed against the provisions of the Griffith Park Plan of Management (as published in February 2011) and has been found to be consistent (see 'Griffith Park Plan of Management' later in this report). In this regard, the development as proposed (including the 'Recreation Facility' and the associated 'Shop'), is classified as Category 2 development.

As detailed above the proposed development is considered to be consistent with the Locality's DFC statement.

*The Long Reef locality will remain characterised by detached style housing in landscaped settings interspersed by a range of complementary and compatible uses.*

#### Comment

The development constitutes a "complementary and compatible use" which is defined in the Dictionary under the WLEP 2000 as an activity:

- (a) *that maintains and, where possible, enhances the amenity of a locality, and*
- (b) *that does not compromise the role of any nearby local retail centre irrespective of locality, and*
- (c) *that meets any of the following criteria:*
  - (i) *the scale and intensity of the activity are such that it predominantly serves only the needs of residents of the local area,*
  - (ii) *the activity is for the purpose of housing for older people or people with disabilities,*
  - (iii) *the activity is for the purpose of low intensity and low impact temporary accommodation for travellers or students, or both.*

An assessment of compatibility against the above definition is as follows:

- (a) *That maintains and, where possible, enhances the amenity of a locality.*

The development provides an upgraded support facility which will continue to serve the recreation and sporting needs of the local and broader community and to provide an annexure to the Long Reef Golf Club. This is reinforced by the considerable number of submissions received in support of the development (see 'Public Exhibition' in this report).



The building will continue to serve a complimentary and compatible support function to the recreational and sporting grounds it is located upon and does not provide any additional uses which would otherwise impact upon the amenity of the local residential community.

The introduction of the 'Community Facility' (Note: the title "Community facility" is named on the plans by the applicant and is not necessarily endorsed by Council) and which may include an Aquatic Reserve Information Education Unit, upgraded toilet facilities and change rooms enables enhanced community enjoyment of the sporting fields and beach front through the improved provision of services. The incorporation of the storage area within the basement could provide improved support for the on-going maintenance of the surrounding public sporting fields.

The introduction of the 'Golf Administration Visitors Centre' (which may include information boards, indoor golf teaching and general amenities facilities and which accommodates a caretakers residence and a golf cart storage area within the basement) provides an enhanced support function to the Long Reef Golf Club and provides 24 hour on-site security through the incorporation of the caretakers residence.

*(b) that does not compromise the role of any nearby local retail centre irrespective of locality.*

The facility includes a 31.28m<sup>2</sup> kiosk which will serve patrons of the sporting fields during respective game seasons. As the kiosk is small, operates seasonally and will not function as a convenience store it is considered that it will not compromise the role of the nearby local retail centre located 260m to the west along Pittwater Road.

*(c) that meets any of the following criteria:*

*(i) the scale and intensity of the activity are such that it predominantly serves only the needs of residents of the local area,*

The development involves the construction of a purpose built support facility to the surrounding sports fields and recreation grounds. The facility does not introduce any new uses which would increase the intensity of the predominant activity, which is the existing surrounding sports fields and recreation areas. The development will not generate additional car parking beyond that which is already provided to the patrons of the surrounding sporting fields, recreation areas and golf club.

While the development services a broad sporting community, the development upgrades the public facilities which will continue to be available to the residents of the local area.

*(ii) the activity is for the purpose of housing for older people or people with disabilities,*

The development is not for the purpose of housing for older people or people with disabilities which is not envisaged on the site by the Griffith Park Plan of Management.

*(iii) the activity is for the purpose of low intensity and low impact temporary accommodation for travellers or students, or both.*

The development is not for the purpose of low intensity and low impact temporary accommodation for travellers or students which is not envisaged on the site by the Griffith Park Plan of Management.

*Future development will maintain the visual pattern and predominant scale of existing detached style housing in the locality. The streets will be characterised by landscaped front gardens and consistent front 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.*



### Comment

The development is located on a public reserve and, as such is not subject to the constraints of development in the locality as expressed in density, landscaped front gardens, consistent front setbacks and the visual pattern and predominant scale of existing detached style housing in the locality.

Notwithstanding, it is noted that the building has been designed to reflect the residential character of the nearby residential area to the north therefore providing a sensitive transition from the residential area to the open space areas of Griffith Park and is not inconsistent with the requirements of the Desired Future Character of the locality.

*Development on the site of the "Old Collaroy Hospital" located on land known as Lots 1, 2, 3, 8 and 9 on DP 6777, Lot 1 DP 954105, Lot 1 DP 953769 and Lot B DP 398645 will continue to be used only for health related uses. The northern portion of this site, adjacent to Birdwood Avenue, will be dedicated for the purposes of public open space. Any future development of the old Collaroy Hospital Site will be sympathetic to the pattern, scale and landscape character of the street and surrounding development. In addition any development of the site will address the heritage significance of the existing building known as the "Beach House" located at the corner of Beach Road and Brissenden Avenue.*

### Comment

The development is not located near to the 'Old Collaroy Hospital' site (which is located 450m north at 1 Brissenden Road, Collaroy).

*The spread of indigenous tree canopy will be enhanced where possible and natural landscape features, such as rock outcrops and remnant bushland will be preserved. Buildings on prominent hillsides or hill tops must be designed to integrate with the natural landscape and topography and minimise their visual impact when viewed from afar.*

### Comment

The development proposes to remove eight (8) low level trees. Council's Landscape Officer has assessed the Development Application and does not raise any objection to the proposal subject to conditions which address the removal/retention of the trees, tree protection and required replacement plantings consisting of eight (8) locally indigenous species located adjacent to the existing trees to the north-east of the proposed building.

The development is not located on a prominent hillside or hill top but, because of its expansive surrounds, has been designed to respond sensitively to the surrounding sports fields and the golf course. The building is to be finished in muted colours which minimises visual impact when viewed from afar (ie: Pittwater Road).

*The existing bushland on the Salvation Army site will be preserved.*

### Comment

The development is not located near to the Salvation Army site (which is located 600m north-east at 22 Homestead Avenue, Collaroy).

*Building and development along the beachfront will address the current and future hazards of wave impact and coastal erosion.*

### Comment

The site is not located along the beachfront nor is it located within a wave impact zone.



*The locality will continue to be served by a local retail centre in the area shown on the map. Buildings greater than 2 storeys in height within this centre are to be designed so that the massing is substantially reduced on the top floors thereby reducing the visual bulk of the development and enabling views between buildings. Future development in the local retail centre will also be in accordance with the general principles of development control provided in clause 39.*

### Comment

The site is not located within a Local Retail Centre.

The development is considered to be consistent with the Desired Future Character Statement of the D5 Long Reef Locality.

### Built Form Controls (Development Standards)

The following table outlines compliance with the Built Form Controls of the above locality statement:

| Built Form Control                                                                        | Required                                                                     | Proposed                   | Compliant  |
|-------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|----------------------------|------------|
| <b>Housing Density</b>                                                                    | 1 dwelling/600m <sup>2</sup>                                                 | Not applicable             | N/A        |
| <b>Building Height:</b><br>Overall building height<br>Natural ground to uppermost ceiling | 8.5m<br>7.2m                                                                 | 7.437m<br>7.2m             | Yes<br>Yes |
| <b>Beachfront Properties:</b>                                                             | Conform with development guidelines for Collaroy/Narrabeen under Schedule 13 | Not applicable             | N/A        |
| <b>Setback to Beach:</b>                                                                  | Conform with development guidelines for Collaroy/Narrabeen under Schedule 13 | Not applicable             | N/A        |
| <b>Front Building Setback:</b>                                                            | 6.5m                                                                         | 22.2m                      | Yes        |
| <b>Front Building Setback in Local Retail Centre:</b>                                     | Aligned on the street frontage                                               | Not applicable             | N/A        |
| <b>Rear Building Setback:</b>                                                             | 6.0m                                                                         | 468m                       | Yes        |
| <b>Side Boundary Setback:</b><br>East<br>West                                             | 0.9m<br>0.9m                                                                 | 18m<br>240m                | Yes<br>Yes |
| <b>Side Boundary Envelope:</b><br>East<br>West                                            | 4.0m x 45°<br>4.0m x 45°                                                     | <4.0m x 45°<br><4.0m x 45° | Yes<br>Yes |
| <b>Landscaped Open Space:</b>                                                             | 40% of site area                                                             | >40%                       | Yes        |

**Note:** Apart from building height, the remaining Built Form Controls are considered applicable to residential development on conventional residential allotments. Notwithstanding, an assessment against the Built Form Controls was undertaken to provide a comparative understanding of compliance.

The proposed development is considered to satisfy the Locality's Built Form Controls, accordingly, no further assessment will be provided in this regard.

### **General Principles of Development Control**

The following General Principles of Development Control as contained in Part 4 of Warringah Local Environmental Plan 2000 are applicable to the proposed development:





| General Principles                                                | Applies | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Compliant                          |
|-------------------------------------------------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| <b>CL38</b> Glare & reflection                                    | Yes     | The schedule of external finishes submitted with the application indicates that the proposed external colours and finishes including the roof colours, will be dark and earthy tone which is consistent with the requirement of Clause 38.<br><br>Notwithstanding, a standard condition is included in the recommendation to ensure that the reflectivity index of external glazing for windows, walls or roof finishes of the proposed development is to be no greater than 20%.                                                                                                                                                   | <b>Yes</b><br>Subject to condition |
| <b>CL39</b> Local retail centres                                  | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N/A                                |
| <b>CL40</b> Housing for Older People and People with Disabilities | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N/A                                |
| <b>CL41</b> Brothels                                              | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N/A                                |
| <b>CL42</b> Construction Sites                                    | Yes     | Suitable conditions will be attached to the consent in relation to protection of neighbouring properties from noise, dust, vehicle movements, pedestrian safety and the control of sedimentation.                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Yes</b><br>Subject to condition |
| <b>CL43</b> Noise                                                 | Yes     | The development is ancillary to the outdoor sporting and recreational facilities currently available on Griffith Park. No additional sporting activities are proposed within the building. In this regard, the development is unlikely to produce additional noise which would impact upon the adjacent residential area and no conditions are considered appropriate in this respect.<br><br>However, noise may be produced during the demolition and construction stages of development. In this regard, appropriate conditions are included in the recommendation to minimise noise including a limitation on the hours of work. | <b>Yes</b><br>Subject to condition |
| <b>CL44</b> Pollutants                                            | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N/A                                |
| <b>CL45</b> Hazardous Uses                                        | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N/A                                |
| <b>CL46</b> Radiation Emission Levels                             | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N/A                                |
| <b>CL47</b> Flood Affected Land                                   | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N/A                                |
| <b>CL48</b> Potentially Contaminated Land                         | Yes     | The geotechnical report, prepared by Taylor Geotechnical Engineering, revealed the site of the proposed amenities building is underlain by sand, clay and silt, with some sandy filling in the upper 1.0m. No evidence of contamination was encountered.<br><br>Therefore, it is considered that there is no requirement for further investigation.                                                                                                                                                                                                                                                                                 | <b>Yes</b>                         |
| <b>CL49</b> Remediation of Contaminated Land                      | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | N/A                                |
| <b>CL49a</b> Acid Sulfate Soils                                   | Yes     | The site is identified as being within Class 5 on the Acid Sulfate Soils Hazard Map.<br><br>The geotechnical report, prepared by Taylor Geotechnical Engineering, investigated the issue of acid sulfate soils and found that the soils do not have the potential for acid sulfate generation as a result of the proposed excavation works.<br><br>This is concurred with by Council's Environmental Health Officer. However, a condition has been imposed within the recommendation which requires the applicant to notify Council of any new acid sulphate soil evidence encountered during works.                                | <b>Yes</b><br>Subject to condition |

| General Principles                                                               | Applies | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Compliant                           |
|----------------------------------------------------------------------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| <b>CL50</b> Safety & Security                                                    | Yes     | The development accommodates a caretaker residence which provides an on-going presence of on-site security.<br>The development will be locked                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Yes</b>                          |
| <b>CL51</b> Front Fences and Walls                                               | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | N/A                                 |
| <b>CL52</b> Development Near Parks, Bushland Reserves & other public Open Spaces | Yes     | <p>The site is located within a public reserve (Griffith Park) which is managed by the Griffith Park Plan of Management.</p> <p>An assessment of the development against the provisions of the Griffith Park Plan of Management has found that it is consistent with the Management Strategy, design criteria and the location identified in the Landscape Masterplan. Exceptions include the indication on the plans and in the documentation provided with the application for the provision of solar hot water or the incorporation of low energy fittings and appliances which is addressed in conditions included in the recommendation.</p> <p>Notwithstanding, consideration is also given to the remaining points of Clause 52:</p> <ul style="list-style-type: none"> <li>• The development provides a highly articulated façade to all elevations which consists of a traditional built form with wrap-around veranda. In this regard, the development fronts the reserve on all elevations.</li> <li>• Public access is maintained around the development to the reserve from Anzac Avenue.</li> <li>• The development is for a public utility and does not privatise the reserve through the incorporation of fencing and the like.</li> <li>• The development retains a visual transition between the reserve and the neighbouring residential area to the north across Anzac Avenue.</li> <li>• Existing views to, from and over the reserve will not be compromised by the development.</li> </ul> <p>The site is not affected by a bushfire zone or buffer.</p> | <b>Yes</b><br>Subject to conditions |
| <b>CL53</b> Signs                                                                | No      | No signs are proposed as part of this development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | N/A                                 |
| <b>CL54</b> Provision and Location of Utility Services                           | Yes     | Conditions are imposed which require the development to be connected to all utility services including an approved telecommunications provider, energy, water and sewerage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Yes</b><br>Subject to condition  |
| <b>CL55</b> Site Consolidation in 'Medium Density Areas'                         | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | N/A                                 |
| <b>CL56</b> Retaining Unique Environmental Features on Site                      | Yes     | <p>The development will not impact upon any unique environmental features. The Geotechnical Report prepared by Taylor Geotechnical Consulting notes that the subsurface soil characteristics of the site to a depth of 2.0m consists of medium to dense sand only.</p> <p>With regards to vegetation, Council's Landscape Officer has assessed the application in this regard and has not raised any objection subject to the imposition of a condition which requires replacement planting consisting of eight (8) locally indigenous species to be located adjacent to the existing trees to the north-east of the development.</p> <p>With regards to biodiversity, the <i>Long Reef Headland Biodiversity Inventory</i> prepared by Enviroscope Consultancies in January 2005 reported that only three mammal species resided at Long Reef consisting of Swamp Rat; Common Ringtail Possums; and Grey-headed Flying foxes. No Koala species were recorded.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Yes</b>                          |

| General Principles                          | Applies | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Compliant                          |
|---------------------------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| <b>CL57</b> Development on Sloping Land     | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | N/A                                |
| <b>CL58</b> Protection of Existing Flora    | Yes     | The proposed development will result in the removal of number of trees from the site. However, these trees are not considered to be significant vegetation which is worthy of retention.<br><br>Council's Landscape Officer has reviewed the proposed development and has not raised any objection to the proposed tree removal subject to conditions which requires replacement planting.<br><br>Furthermore, Council's Natural Environment Unit have determined that the development will not significantly effect upon threatened species, population or ecological communities or their habitats. | <b>Yes</b><br>Subject to condition |
| <b>CL59</b> Koala Habitat Protection        | Yes     | The <i>Long Reef Headland Biodiversity Inventory</i> prepared by Enviroscape Consultancies in January 2005 reported that only three mammal species resided at Long Reef consisting of Swamp Rat; Common Ringtail Possums; and Grey-headed Flying foxes. No Koala species were recorded.                                                                                                                                                                                                                                                                                                               | <b>Yes</b>                         |
| <b>CL60</b> Watercourses & Aquatic Habitats | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | N/A                                |
| <b>CL61</b> Views                           | Yes     | See discussion below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Yes</b>                         |

#### **CL 61 Views (assessment):**

In determining the extent of potential view loss to adjoining and nearby properties, the four (4) planning principles outlined within the Land and Environment Court Case of *Tenacity Consulting Pty Ltd vs Warringah Council (2004) NSWLEC 140*, were applied to the proposal. No objections were received in relation to view sharing so inspections of individual residential properties was not possible. However, this assessment has been undertaken to ascertain any adverse impact from the public domains of Pittwater Road and Anzac Avenue and the adjacent dwellings which are located along those roads.

#### **Nature of the views to be affected**

*"The first step is the assessment of the views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured".*

#### Comment

Because of its raised elevation, relative to Griffith Park, views from Pittwater Road are whole and extensive and consist of ocean and headland views. Views from Anzac Avenue are more limited because of the lower elevation of the road. Notwithstanding, views across Griffith Park towards the south and towards Dee Why Beach are partial from ground level.

#### **What part of the property affected the views are obtained**

*"The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic".*

#### Comment

Pittwater Road forms the western boundary of Griffith Park and provides front views from the dwellings located on the western side of the road. Conversely, Anzac Avenue forms the northern boundary of the Park and provides side views to the majority of dwellings as this forms the side boundary.

Views from the dwellings along Pittwater Road would be available from both a sitting and standing position due to the elevated nature of the road above Griffith Park. Views from the dwellings along Anzac Avenue would be more restrictive due to the lower elevation of the road and properties (at grade with Griffith Park) and the respective orientation of dwellings.

| General Principles                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Applies | Comments                                                                                                                                                                                                                                                                                                                                                                                  | Compliant  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <p><b>Extent of impact</b></p> <p><i>"The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating".</i></p> <p><u>Comment</u></p> <p>The development achieves a height of 7.437m and is located adjacent to other buildings associated with the Long Reef Golf Club (most notably the clubhouse itself which is situated further to the east towards Fishermans Beach) and is shielded by a stand of trees of varying height. It is also noted that the development is sited within a depression in Griffith Park. In terms of view sharing, this combination results in minimal visual impact when viewed from Pittwater Road and Anzac Avenue. The whole ocean and headland views from Pittwater Road will be retained as will the side views from the dwellings on the northern side of Anzac Avenue. Figure 2 in this report provides a perspective.</p> <p><b>Reasonableness of the proposal that is causing the impact.</b></p> <p><i>"The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable."</i></p> <p><u>Comment</u></p> <p>This report has found that the development complies with the applicable Environmental Planning Instruments, is consistent with the Desired Future Character statement for the D5 Long Reef locality, compliant with the Built Form Controls and generally consistent with the General Principles of Development Control. In this regard, the proposal is considered to be reasonable.</p> <p>Accordingly, it is considered that the development does not have any adverse impact on view sharing. The proposal complies with the overall Building Height Built Form Control and views across the site to the north-east will be substantially maintained by the proposal.</p> |         |                                                                                                                                                                                                                                                                                                                                                                                           |            |
| <b>CL62</b> Access to sunlight                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Yes     | The development is sited a sufficient distance from the residential area (46m) to the north and from the 72.3m east of the Long Reef Golf Club clubhouse so as not to have any adverse impact upon the current level of sunlight access. Additionally, the proposed building is of a height which minimises overshadowing cast to the west (cricket field) and south (golf club fairway). | <b>Yes</b> |
| <b>CL63</b> Landscaped Open Space                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Yes     | The development is set within the landscaped open space of Griffith Park. The demolition of the existing pro-shop and removal of redundant pathways will compensate for the loss of open space for the new facility. These areas will be reinstated with landscaping.<br><br>Therefore, the proposal is considered to be consistent with this general principle.                          | <b>Yes</b> |
| <b>CL63A</b> Rear Building Setback                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                        | N/A        |
| <b>CL64</b> Private open space                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | No      | No further consideration required.                                                                                                                                                                                                                                                                                                                                                        | N/A        |
| <b>CL65</b> Privacy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Yes     | Given the location of the development on the reserve, the development will not result in any adverse privacy impacts to the residential area located to the north across Anzac Avenue.                                                                                                                                                                                                    | <b>Yes</b> |
| <b>CL66</b> Building bulk                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Yes     | The design of the development is representative of a single storey dwelling house which is commensurate with established residential development to the north across Anzac Avenue and the Long Reef Golf Club clubhouse to the east.<br><br>The bulk of the building is further diluted by the use of                                                                                     | <b>Yes</b> |



| General Principles                                           | Applies | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Compliant                           |
|--------------------------------------------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
|                                                              |         | colours and materials which are visually sensitive to the surrounding open space.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                     |
| <b>CL67</b> Roofs                                            | Yes     | <p>A variety of roof forms (pitched and flat) are evident within the area although pitched roofs are the predominant roof form.</p> <p>The proposed development consistent of flat and low pitched roof forms used in the various buildings.</p> <p>The pitched roof form, as proposed, is considered to be compatible with other development in the locality.</p>                                                                                                                                                                                                      | <b>Yes</b>                          |
| <b>CL68</b> Conservation of Energy and Water                 | Yes     | <p>The application does not include any details with regards to the provision of solar hot water or the incorporation of low energy fittings and appliances.</p> <p>Therefore conditions are included in the recommendation which requires the development to incorporate low energy fittings and appliances.</p> <p>With regards to the provision of solar power, the roof area has sufficient area to accommodate photovoltaic cells should this be required at a later stage.</p>                                                                                    | <b>Yes</b><br>Subject to conditions |
| <b>CL69</b> Accessibility – Public and Semi-Public Buildings | Yes     | <p>The development provides for wheelchair accessible ramps at the northern and southern sides of the building to provide the required access to the verandah level and the entry to the building.</p> <p>Notwithstanding, a condition is included in the recommendation which requires the development to comply with <i>AS 1428.1 – 2009: Design for access and mobility - General requirements for access - New building work</i> and <i>AS 1428.2 – 1992: Design for access and mobility - Enhanced and additional requirements - Buildings and facilities</i>.</p> | <b>Yes</b><br>Subject to condition  |
| <b>CL70</b> Site facilities                                  | Yes     | The development will include a bin enclosure area located within the northern side of the basement. The enclosure is accessed directly via a pathway to the Anzac Avenue car park. Council's Waste Management Officer has not raised any objection nor imposed any conditions to this element of the development.                                                                                                                                                                                                                                                       | <b>Yes</b>                          |
| <b>CL71</b> Parking facilities (visual impact)               | Yes     | The development does not propose to alter the existing open car park sited between the between the building and Anzac Avenue.                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Yes</b>                          |
| <b>CL72</b> Traffic access & safety                          | Yes     | The development does not propose to alter the traffic access arrangement to the adjacent car park nor to the driveway from Anzac Avenue to the beachfront. In this regard, traffic and pedestrian safety is not compromised by the development.                                                                                                                                                                                                                                                                                                                         | <b>Yes</b>                          |
| <b>CL73</b> On-site Loading and Unloading                    | Yes     | Loading and unloading could occur in the formal and informal car park located immediately to the north of the building. The uses which occupy the building will not be high frequency (ie restaurants, food shops and the like). Given that the car park is located across the road from a residential area a condition is included in the recommendation limiting the times of delivery so as to minimise impact upon residential amenity.                                                                                                                             | <b>Yes</b><br>Subject to condition  |
| <b>CL74</b> Provision of Carparking                          | Yes     | <p>A Recreation Facility does not attract a specific car parking requirement as it is ancillary to the sporting fields it serves and is not a use within its own right.</p> <p>Notwithstanding, Section 4.9 in the Statement of Environmental Effects notes that the site is adequately serviced by the following public car parking facilities:</p>                                                                                                                                                                                                                    | <b>Yes</b>                          |

| General Principles                                                                                     | Applies           | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          | Compliant                          |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
|--------------------------------------------------------------------------------------------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------------------------------|----------------------|-----------|---------------------------------|-----------|----------------------------|-----------|------------------|-----------|-------------------|-----------|------------------------|-------------------|--|--|
|                                                                                                        |                   | <table><tr><th>Facility</th><th>Number of Spaces</th></tr><tr><td>Pay/Display car park</td><td>61 spaces</td></tr><tr><td>Boat ramp and foreshore parking</td><td>15 spaces</td></tr><tr><td>Playing fields 'A' and 'B'</td><td>19 spaces</td></tr><tr><td>Unsealed Reserve</td><td>20 spaces</td></tr><tr><td>On-street parking</td><td>97 spaces</td></tr><tr><td><b>Total Available</b></td><td><b>212 spaces</b></td></tr></table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Facility | Number of Spaces                   | Pay/Display car park | 61 spaces | Boat ramp and foreshore parking | 15 spaces | Playing fields 'A' and 'B' | 19 spaces | Unsealed Reserve | 20 spaces | On-street parking | 97 spaces | <b>Total Available</b> | <b>212 spaces</b> |  |  |
| Facility                                                                                               | Number of Spaces  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          |                                    |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| Pay/Display car park                                                                                   | 61 spaces         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          |                                    |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| Boat ramp and foreshore parking                                                                        | 15 spaces         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          |                                    |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| Playing fields 'A' and 'B'                                                                             | 19 spaces         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          |                                    |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| Unsealed Reserve                                                                                       | 20 spaces         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          |                                    |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| On-street parking                                                                                      | 97 spaces         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          |                                    |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| <b>Total Available</b>                                                                                 | <b>212 spaces</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          |                                    |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| <b>CL75</b> Design of Carparking Areas                                                                 | Yes               | The development does not propose to alter the design of the existing open car park sited between the building and Anzac Avenue.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          | <b>Yes</b>                         |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| <b>CL76</b> Management of Stormwater                                                                   | Yes               | Council's Development Engineer has assessed the Development Application and does not raise any objection to the proposal subject to standard conditions which address bonds, stormwater disposal, maintenance of the road reserve and compliance with relevant Australian Standards.<br><br>These conditions have been included in the recommendation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |          | <b>Yes</b><br>Subject to condition |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| <b>CL77</b> Landfill                                                                                   | No                | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |          | N/A                                |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| <b>CL78</b> Erosion & Sedimentation                                                                    | Yes               | Erosion and sediment control measures are to be put in place during construction. Conditions have been included in the recommendation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |          | <b>Yes</b><br>Subject to condition |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| <b>CL79</b> Heritage Control                                                                           | No                | The development does not involve works to a heritage item or occur within a heritage conservation area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |          | <b>N/A</b>                         |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| <b>CL80</b> Notice to Metropolitan Aboriginal Land Council and the National Parks and Wildlife Service | Yes               | The Development Application was referred to the NSW Aboriginal Heritage Office. The Office did not raise any objection to the proposal subject to a condition which requires the developer to notify Warringah Council, the Aboriginal Heritage Office and the Principle Certifying Authority should any Aboriginal human remains and/or artefacts be uncovered during works and for any works to cease until cleared by the Office.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |          | <b>Yes</b><br>Subject to condition |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| <b>CL81</b> Notice to Heritage Council                                                                 | No                | No further consideration required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |          | N/A                                |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |
| <b>CL82</b> Development in the Vicinity of Heritage Items                                              | Yes               | <p>The subject site is a listed item of heritage significance and is located within the vicinity of listed items of heritage significance under WLEP 2000 (coastal cliffs at Long Reef Headland and the Fisherman's Hut at Fisherman's Beach).</p> <p>Council's Heritage Advisor has assessed the Development Application and notes that, <i>"while the development will introduce a new build form within the landscaped setting of the golf course, as the heritage significance is embodied in the headland and coastal cliffs, the proposed development will not impact on these qualities and will not be visually dominant when viewed from afar, maintaining the visual significance and aesthetic qualities of the headland and coastal cliffs."</i></p> <p>Similarly, the location of the proposed development does not have a direct visual relationship with the Fisherman's Hut and there will be no physical impact on the fabric or visual setting of this structure."</p> <p>In this regard, the development will not impose any unreasonable impacts on the embodied heritage significance of the Long Reef Headland or Fisherman's Hut and therefore, no objection is raised by Council's Heritage Advisor to the proposed development on heritage grounds.</p> |          | <b>Yes</b>                         |                      |           |                                 |           |                            |           |                  |           |                   |           |                        |                   |  |  |

| General Principles                                                 | Applies | Comments                           | Compliant  |
|--------------------------------------------------------------------|---------|------------------------------------|------------|
| <b>CL83</b> Development of Known or Potential Archaeological Sites | No      | No further consideration required. | <b>N/A</b> |

## Other Relevant WLEP 2000 Clauses

## SCHEDULES

### Schedule 8 - Site analysis

Clause 22(2)(a) of WLEP 2000 requires that the consent authority must consider a Site Analysis prepared in accordance with the criteria listed in Schedule 8.

It is considered that submitted plans, in conjunction with the Statement of Environmental Effects and the Griffith Park Plan of Management, adequately addresses how the development responds to its surrounds and the locality.

### Schedule 17 - Carparking Provision

A Recreation Facility does not attract a specific car parking requirement as it is ancillary to the sporting fields it serves and is not a use within its own right.

Notwithstanding, Section 4.9 in the Statement of Environmental Effects notes that the site is adequately serviced by the following public car parking facilities:

| Facility                        | Number of Spaces  |
|---------------------------------|-------------------|
| Pay/Display car park            | 61 spaces         |
| Boat ramp and foreshore parking | 15 spaces         |
| Playing fields 'A' and 'B'      | 19 spaces         |
| Unsealed Reserve                | 20 spaces         |
| On-street parking               | 97 spaces         |
| <b>Total Available</b>          | <b>212 spaces</b> |

## POLICY CONTROLS

### Warringah Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

| Warringah Section 94A Development Contributions Plan |             |                      |
|------------------------------------------------------|-------------|----------------------|
| Contribution based on total development cost of      | \$          | 1,202,850.00         |
| Contribution - all parts Warringah                   | Levy Rate   | Contribution Payable |
| Total S94A Levy                                      | 0.95%       | 11,427               |
| S94A Planning and Administration                     | 0.05%       | 601                  |
| <b>Total</b>                                         | <b>1.0%</b> | <b>\$12,029</b>      |

## OTHER MATTERS FOR CONSIDERATION

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

The subject site is designated as “public open space” under the WLEP 2000 Map. Accordingly, the land is subject to the provisions of Clause 17 of WLEP 2000. In this regard, Clause 17 of the Warringah Local Environmental Plan 2000 states the following with respect to the control of public open space in Warringah:

#### “17. How will the use of public open space be controlled?

- (1) *The location of public open space is identified on the map.*
- (2) *Public open space can be developed for any purpose that is consistent with a plan of management applying to that open space.*
- (3) *In the absence of a plan of management, only exempt development and development for the purpose of recreation facilities can be carried out on public open space.*
- (4) *Development on public open space, other than exempt development, is to be regarded as Category Two development.*
- (5) *If public open space contains bushland, any development which will disturb that bushland should be carried out only if a plan of management has been prepared which specifically assesses the need to preserve and protect that bushland, having regard to the matters set out in Schedule 6 (Preservation of bushland), and the consent authority is satisfied that the disturbance of the bushland is essential for a purpose in the public interest and no reasonable alternative is available to the disturbance of that bushland.*
- (6) *Upon acquisition by the Council of any land shown on the map as reserved for public open space, and on vesting in the Council of land dedicated to the Council for the purposes of public open space, the land shall be deemed to be public open space for the purposes of this clause.”*

The proposal is considered to be consistent with the principles under Clause 17. In this regard, the relevant Plan of Management is the Griffith Park Plan of Management, which is addressed below.

### Griffith Park Plan of Management

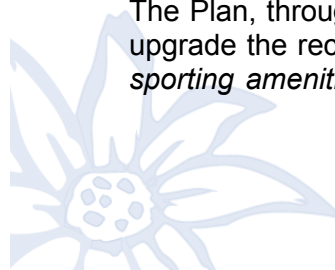
The site is located within Griffith Park and is subject to the provisions of the Griffith Park Plan of Management (as adopted on 22 February 2011 under Section 114 of the *Crown Lands Act 1989*).

Section 2.4 of the Plan, as quoted below, outlines the relationship between the Plan of Management and other Environmental Planning instruments, including relevant Council policies.

*“The Plan of Management provides a strategic framework for the management of Griffith Park, including identifying appropriate development and guiding principles to ensure development and use do not impact on the values of the Park. However, development proposals are only able to proceed within Griffith Park subject to the development consent requirements of Warringah Local Environmental Plan 2000. The WLEP 2000 permits, with development consent, any use that is authorised by the Plan of Management. Any development proposals must therefore comply with the Plan of Management, WLEP 2000 and other relevant planning policies of Council.”*

Point 6 under Management Strategies in the Plan addresses current development and lease proposals. It is noted, in accordance with the Section 2.4 of the Plan (see above), that the proposed golf administration and sports amenities building is supported under the Strategy subject to compliance with the development principles and development consent under Council’s WLEP 2000. It is also noted that the Strategy recommends the replacement of the existing public amenities by the proposed building.

The Plan, through an earlier public consultation process conducted in 2005, identified the need to upgrade the recreation facilities in the Park. Suggestions included a proposal to construct a “new sporting amenities/Golf Club administration building, to replace the existing public amenities and



*provide change and clubhouse facilities for sports teams using the playing field and service the needs of golfers.”*

The development is an integrated proposal inclusive of the sporting amenities and pro-shop and is discussed in detail in Section 5.3.1 of the Plan which notes:

*The integrated proposal is considered to be consistent with the public purpose of the Griffith Park Crown Reserve, because it will provide facilities that are required to support the use of Griffith Park for public recreation purposes. However, the scale of the building should be limited to that required to meet the needs of the sporting clubs for playing days and club meetings only and the needs of golfers using Long Reef Golf Course only. The building could contain:*

- *home and away change rooms;*
- *externally accessible public toilets (male and female) to replace the existing public toilets*
- *a small kiosk and food storage area, for use on playing days only;*
- *a small meeting room, for sports club meetings only;*
- *storage rooms for sporting equipment; and*
- *golf administration & care taker facilities to enable booking of games, lessons, purchase, hire of and storage of equipment to enable golf at Long Reef Golf Course.*

*The building should be located so as to not reduce the available playing area for any sport that uses the playing field, in particular cricket. It should also be located to ensure that emergency vehicle access to other areas of Griffith Park is maintained from Anzac Avenue. The sports amenities section would be generally available for use by all sporting clubs and other groups that use Griffith Park, consistent with the requirements of the Crown Lands Act, 1989. However, the building shall not be available for function hire, or used for club functions (other than administrative meetings and uses associated with training and games days). No liquor licence is to be issued for the premises, and no alcohol is to be served. The licensed Long Reef Golf Club is able to serve these needs within Griffith Park.*

The development, as proposed, contains:

- home and away change rooms;
- externally accessible public toilets (male and female) to replace the existing public toilets
- a small kiosk (31.28m<sup>2</sup>) and food storage area located within the kiosk, for use on playing days only;
- a small meeting room, for sports club meetings only;
- storage rooms for sporting equipment; and
- golf administration & care taker facilities to enable booking of games, lessons, purchase, hire of and storage of equipment to enable golf at Long Reef Golf Course.

The development, as proposed, is located such that it:

- will not reduce the available playing area for any sport that uses the playing field (it is noted that cricket pitch is located 54m to the west of the development and the western side of the building is located on the eastern edge of the cricket field perimeter);
- is located such that emergency vehicles will continue to gain access to other areas of Griffith Park from Anzac Avenue; and
- it will be generally available for use by all sporting clubs and other groups that use Griffith Park, consistent with the requirements of the *Crown Lands Act, 1989*.

Additionally, a condition is included in the recommendation which requires the building to be used in accordance with the Plan of Management.

The Plan also provides, in Section 5.3.1, the following design criteria for the development of the building:





*“The specific design of the building is to be addressed through a formal application to Council. However, the following general principles shall apply:*

- the building is to be consistent with Council’s LEP;*
- the materials and finishes are to be of earth or other natural tones;*
- the building is to provide an attractive facade to Anzac Avenue and be in keeping with the low-key development of Griffith Park;*
- public access is to be provided to the public amenities part of the building, separate to access to other parts of the building, including change rooms;*
- the building is to achieve appropriate energy efficiency standards, with consideration given to rainwater re-use, solar hot water and low energy fittings and appliances; and*
- landscaping is to use plant species that are indigenous to Griffith Park, and planting is to be low scale.”*

The development is subject to a formal Development Application (the subject of this assessment) and where it has been found that:

- the building is consistent with the relevant provisions of WLEP 2000;
- the materials and finishes (see Document No. ‘DA-09 Finishes Schedule’ dated 19 April 2011 and prepared by Peter Couvaras Architect) are earth and natural tones; and
- the façade treatments of the building, particularly with regards to Anzac Avenue, are low-key and reflective of a traditional single storey ‘pavilion’ consisting of a pitched roof with feature gables, a wrap-around veranda and an entry feature (see montages). The building includes pedestrian ramps to facilitate access from the adjacent Anzac Avenue car park for the less mobile.

With regards to water re-use, the Statement of Environmental Effects notes that the roof stormwater run-off will be discharged, filtered and pumped through piping located to the south of the building for irrigation, cart wash down, boat wash down at the boat ramp and to the proposed storage. Water re-use for toilet flushing and cart wash down is circulated in the building via a separate pump system.

The application does not include any details with regards to the provision of solar hot water or the incorporation of low energy fittings and appliances. Therefore conditions are included in the recommendation which requires the development to incorporate low energy fittings and appliances. The roof has sufficient area to accommodate the provision photovoltaic cells if required at a later stage.

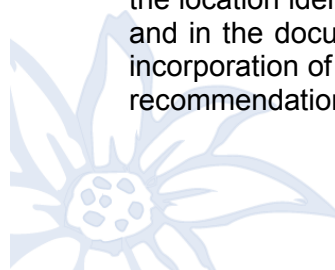
Council’s Landscape Officer has reviewed the landscape plan (see Plan No. 0820 DA-08 dated 19 April 2011 as prepared by Couvaras Architects) and has raised no objection subject to the planting of eight (8) locally indigenous species located adjacent to the existing trees to the north-east of the proposed building. A condition is included in the recommendation to this effect.

#### Griffith Park Landscape Masterplan

The Griffith Park Landscape Masterplan is located in Appendix 1 of the Plan of Management. The Masterplan shows the location and footprint of the amenities building which corresponds to the location and footprint of the development.

#### Concluding comments to the Plan of Management

The development, as proposed, is consistent with the Management Strategy, design criteria and the location identified in the Landscape Masterplan. Exceptions include the indication on the plans and in the documentation provided with the application for the provision of solar hot water or the incorporation of low energy fittings and appliances which is addressed in conditions included in the recommendation.



## 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 plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to any conditions contained within the Recommendation.

The site has been inspected and the application assessed having regard to the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979, the provisions relevant Environmental Planning Instruments including Warringah Local Environment Plan 2000, Draft Warringah Local Environmental Plan 2009 and the relevant codes and policies of Council.

### Submissions

The development attracted 74 submissions of which 73 submissions are in support of the development. One (1) submission was received in objection to the development which raised the following issues:

- **Visual impact;**
- **Increased traffic flow and car parking; and**
- **Use limitations on building.**

Of the total submissions received, 17 submissions (in support of the application) request consideration be given to providing the following:

- Solar energy to charge golf cart batteries;
- Reduction in width to the concrete pathways and ramps;
- Opening hours of the change rooms;
- On-site storage of rainwater;
- Additional toilets for the golf administration section;
- Gender allocation of change rooms;
- Increase in the size of the western side of the development;
- Inclusion of bike racks;
- Extension to the meeting room;
- Landscape theme to replicate planting around the Long Reef golf clubhouse;
- Relocation of the drinking fountain;
- Inclusion of terraced seating on the eastern and western side of the building;
- Allocation of western side of basement for arts, crafts and dance;
- Inclusion of public barbeque facilities; and

Provision of more car parking on Anzac Avenue

All issues have been addressed in this report (see 'Public Exhibition') and were found to not warrant the refusal of the application. Requests for consideration have been addressed accordingly.

### Referrals

All external and internal referral departments have raised no objection to the development.

### Environmental Planning Instruments

The development has been found to be consistent with the Matters for Consideration under S79C of the *Environmental Planning & Assessment Act, 1979*.

The development has been found to be consistent with the various provisions of the following Environmental Planning Instruments:

- *State Environmental Planning Policy No. 55 – Remediation of Land;*
- *State Environmental Planning Policy No. 71 – Coastal Protection; and*
- *State Environmental Planning Policy (Infrastructure) 2007.*

Additionally, the assessment also found that the development is compliant with the Development Standards of Draft WLEP 2009.

#### Desired Future Character

The development has been found to be consistent with the Desired Future Character of the D5 Long Reef Locality.

#### Built Form Controls

The development has been found to be compliant with the Built Form Controls for the D5 Long Reef Locality.

#### General Principles of Development Control

The development has been assessed under the General Principles of Development Control and was found to be generally compliant.

#### Schedules

The development has been assessed under 'Schedule 8 – Site Analysis' and 'Schedule 17 - Carparking Provision' and was found to be compliant.

#### Griffith Park Plan of Management

The application is subject to the provisions of the Griffith Park Plan of Management and has been found to be consistent with the Management Strategy, design criteria and the location identified in the Landscape Masterplan.

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

As a direct result of the application and the consideration of the matters detailed within this report it is considered that Council as the consent authority grant approval to modify the Notice of Determination as detailed within the "Recommendation" section of this report.

### **RECOMMENDATION**

THAT Council as the consent authority grant Development Consent to DADA2011/0774 for demolition works and the construction of a sports amenities and golf administration building on land at Lot 1/1144187 Anzac Avenue COLLAROY subject to the conditions printed below:

### **GENERAL CONDITIONS**

### **CONDITIONS THAT IDENTIFY APPROVED PLANS**

#### **1. Approved Plans and Supporting Documentation**

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

| <b>Architectural Plans - Endorsed with Council's stamp</b> |               |                     |
|------------------------------------------------------------|---------------|---------------------|
| <b>Drawing No.</b>                                         | <b>Dated</b>  | <b>Prepared By</b>  |
| 0820 DA-01(3) – Site & Location Plan                       | 19 April 2011 | Couvaras Architects |
| 0820 DA-02(2) – Ground Floor                               | 19 April 2011 | Couvaras Architects |
| 0820 DA-03(4) – Basement/Mezzanine                         | 05 July 2011  | Couvaras Architects |
| 0820 DA-04(2) – East & West Elevations                     | 19 April 2011 | Couvaras Architects |
| 0820 DA-05(2) – North & South Elevations                   | 19 April 2011 | Couvaras Architects |
| 0820 DA-06(2) – Sections & Detail                          | 19 April 2011 | Couvaras Architects |
| 0820 DA-07(2) – Drainage Plan                              | 19 April 2011 | Couvaras Architects |

| Reports/Documentation                                                                                                                          |                |                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------------------------|
| Report/Document                                                                                                                                | Dated          | Prepared By                         |
| All recommendations made in <i>Risk Analysis &amp; Management for Proposed New Shop and Maintenance Shed at Long Reef Golf Club, Long Reef</i> | 31/10/2008     | Jack Hodgson<br>Consultants Pty Ltd |
| All recommendations made in <i>Geotechnical Investigation</i> (Ref: TGE2435)                                                                   | September 2004 | Taylor Geotechnical Engineering     |

No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

The development is to be undertaken generally in accordance with the following:

| Landscape Plans - Endorsed with Council's stamp |               |                     |
|-------------------------------------------------|---------------|---------------------|
| Drawing Number                                  | Dated         | Prepared By         |
| 0820 DA-08(2) – Landscape Plan                  | 19 April 2011 | Couvaras Architects |

**Reason:** To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

## 2. Compliance with External Department, Authority or Service Requirements

The development must be carried out in compliance with the following:

| External Department, Authority or Service | E-Services Reference      | Dated      |
|-------------------------------------------|---------------------------|------------|
|                                           |                           |            |
| Ausgrid                                   | Response Ausgrid Referral | 28/06/2011 |
| Aboriginal Heritage Office                | Response AHO Referral     | 19/08/2011 |

(**Note:** For a copy of the above referenced document/s, please see Council's 'E-Services' system at [www.warringah.nsw.gov.au](http://www.warringah.nsw.gov.au))

**Reason:** To ensure the work is carried out in accordance with the determination and the statutory requirements of External Department, Authority or Bodies. (DACPLB02)

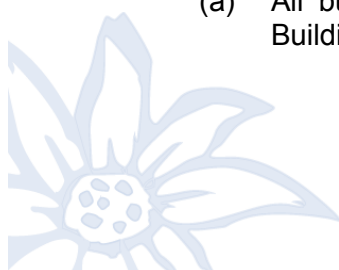
## 3. No Approval for any Signage

No approval is granted under this Development Consent for signs (as defined under Warringah Local Environment Plan 2000 and State Environmental Planning Policy No. 64). A separate Development Application for any signs (other than exempt and signs permitted under Complying Development) must be submitted for the approval prior to the erection or display of any such signs.

**Reason:** Control of signage. (DACPLB06)

## 4. Prescribed Conditions

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).



- (b) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
  - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- (c) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
- (i) in the case of work for which a principal contractor is required to be appointed:
    - A. the name and licence number of the principal contractor, and
    - B. the name of the insurer by which the work is insured under Part 6 of that Act,
  - (ii) in the case of work to be done by an owner-builder:
    - A. the name of the owner-builder, and
    - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (d) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- (i) protect and support the adjoining premises from possible damage from the excavation, and
  - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
  - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
  - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

**Reason:** Legislative Requirement. (DACPLB09)





## 5. General Requirements

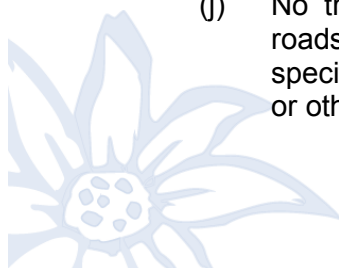
- (a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:  
7.00 am to 5.00 pm inclusive Monday to Friday  
8.00 am to 1.00 pm inclusive on Saturday,  
No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:  
8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (e) Prior to the release of the Construction Certificate payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (f) Smoke alarms are to be installed throughout all new and existing portions of any Class 1a building in accordance with the Building Code of Australia prior to the occupation of the new works.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) All sound producing plant, equipment, machinery or fittings will not exceed more than 5dB(A) above the background level when measured from any property boundary and will comply with the Environment Protection Authority's NSW Industrial Noise Policy. )
- (j) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.



**Reason:** To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

## CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

### 6. Section 94A Contributions

The Section 94A Contributions are required to be paid for this development. This amount has been calculated using the Warringah Section 94A Development Contributions Plan. The amount will be adjusted at the time of payment according to the quarterly CPI (Sydney - All Groups Index).

| Warringah Section 94A Development Contributions Plan |             |                      |
|------------------------------------------------------|-------------|----------------------|
| Contribution based on total development cost of      | \$          | 1,202,850.00         |
| Contribution - all parts Warringah                   | Levy Rate   | Contribution Payable |
| Total S94A Levy                                      | 0.95%       | 11,427               |
| S94A Planning and Administration                     | 0.05%       | 601                  |
| <b>Total</b>                                         | <b>1.0%</b> | <b>\$12,029</b>      |

Details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** To retain a level of service for the existing population and to provide the same level of service for the population resulting from new development. (DACPLC01)

### 7. Compliance with Standards

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** To ensure the development is constructed in accordance with appropriate standards.

**Advice to Applicants:** At the time of determination in the opinion of Council, the following (but not limited to) Australian Standards are considered to be appropriate:

- (a) AS2601.2001 - Demolition of Structures\*\*
- (b) AS4361.2 - Guide to lead paint management - Residential and commercial buildings\*\*
- (c) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting\*\*
- (d) AS 4373 - 2007 'Pruning of amenity trees' (Note: if approval is granted) \*\*
- (e) AS 4970 - 2009 'Protection of trees on development sites'\*\*
- (f) AS/NZS 2890.1:2004 Parking facilities - Off-street car parking\*\*
- (g) AS 2890.2 - 2002 Parking facilities - Off-street commercial vehicle facilities\*\*
- (h) AS 2890.3 - 1993 Parking facilities - Bicycle parking facilities\*\*
- (i) AS 2890.5 - 1993 Parking facilities - On-street parking\*\*
- (j) AS/NZS 2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities\*\*

- (k) AS 1742 Set - 2010 Manual of uniform traffic control devices Set\*\*
- (l) AS 1428.1 - 2009\* Design for access and mobility - General requirements for access - New building work\*\*
- (m) AS 1428.2 - 1992\*, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities\*\*

**\*Note:** The Australian Human Rights Commission provides useful information and a guide relating to building accessibility entitled "the good the bad and the ugly: Design and construction for access". This information is available on the Australian Human Rights Commission website [http://www.humanrights.gov.au/disability\\_rights/buildings/good.htm](http://www.humanrights.gov.au/disability_rights/buildings/good.htm)

**\*\*Note:** the listed Australian Standards is not exhaustive and it is the responsibility of the applicant and the Certifying Authority to ensure compliance with this condition and that the relevant Australian Standards are adhered to.

## **8. External Colours and Materials (Industrial, Commercial, Mixed & Apartment Buildings)**

### **(a) External Glazing**

The reflectivity index of external glazing for windows, walls or roof finishes of the proposed development is to be no greater than 20% (expressed as a per centum of the reflected light falling upon any surface).

### **(b) External Roofing**

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. Light colours such as off white, cream, silver or light grey colours are not permitted.

### **(c) Anti Graffiti Coating**

The finishes of the walls must be finished in heavy duty long life, ultra violet resistant coating with a high resistance to solvents and chemicals as an anti-graffiti coating easily cleaned by solvent wipe.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** To ensure that excessive glare or reflectivity nuisance from glazing does not occur as a result of the development. (DACPLC04)

## **9. Sewer/Water Quickcheck**

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to works commencing to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick Check agents details - see Building Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building Developing and Plumbing then Building and Renovating.
- Or telephone 13 20 92.

**Reason:** To ensure compliance with the statutory requirements of Sydney Water. (DACPLC12)



## **10. Bicycle parking**

Inverted U-Rail bicycle parking facilities shall be provided for 10 bicycles at the southern edge of the Anzac Avenue car park immediately to the west of the pedestrian ramp. The bicycle parking shall comply with:

- a) Australian Standard AS 2890.3-1993 Parking Facilities – Bicycle parking facilities;
- b) The design principles and specifications for bicycle parking contained in the NSW Planning Guidelines for Walking and Cycling; and
- c) The NSW Bicycle Guidelines.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** Public amenity.

## **11. Hot Water System**

Any hot water system installed as part of the development must achieve a minimum 3.5 Star Greenhouse Score, or 2 Star Greenhouse Score for amenities only. The energy rating of the hot water system should be visible on the product at the place of purchase. Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** Energy efficiency.

## **12. Water Efficient Fixtures**

Showerheads and toilet cisterns shall be at least AAA rated water efficient. Bathroom and kitchen taps shall be fitted with aerators and water closets shall have a dual flush cistern.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** Energy efficiency.

## **13. Relocation of drinking fountain/bottle filling station**

The "Low & High Drinking Fountain" located on the north-western side of the building adjacent to the Female toilet facilities is to be relocated to the south-western side of the building adjacent to the Visitor Changeroom.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** Public amenity.

## **14. Bonds**

### **(a) Security Bond**

A bond (determined from cost of works) of \$10,000.00 and an inspection fee in accordance with Council's Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.



**(b) Construction, Excavation and Associated Works Bond (Pollution)**

A Bond of \$3,000.00 as security to ensure that there is no transmission of material, soil etc off the site and onto the public road and/or drainage systems.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection)

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** To ensure adequate protection of Council infrastructure. (DACENC01)

**15. Stormwater Disposal**

Engineering Plans certified by an appropriately qualified and practicing Civil Engineer, indicating all details relevant to the collection and disposal of stormwater from the site, buildings, paved areas and where appropriate adjacent catchments. Stormwater shall be conveyed from the site to Council's stormwater drainage infrastructure in the golf club premises.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** To ensure appropriate provision for disposal and stormwater management arising from the development. (DACENC06)

**16. Amended Landscape Plan**

Landscape Plan Dwg No.DA 08 Dated 19 April 2011 prepared by Couvaras is to be amended to identify and incorporate species names for all trees to be removed to accommodate the approved works. The amended plans are to be submitted to the nominated Certifying Authority for approval prior to issue of a Construction Certificate.

**Reason:** Protection of trees

**17. Trees and/or Landscaping**

In order to protect and enhance onsite vegetation and trees the following applies to the development site:

**Existing trees which must be retained:**

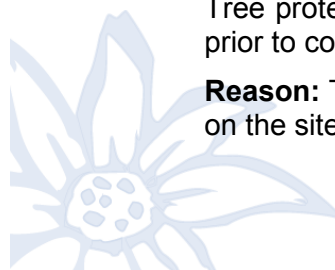
| All trees not indicated for removal on Landscape Plan |               |                     |
|-------------------------------------------------------|---------------|---------------------|
| Drawing Number                                        | Dated         | Prepared By         |
| 0820 DA-08(2)                                         | 19 April 2011 | Couvaras Architects |

All tree protection measures to be in accordance with AS 4970-2006 Protection of trees on development sites.

Any tree pruning to be in accordance with AS 4373-2006 Pruning of amenity trees.

Tree protection details are to be provided to the nominated Certifying Authority for approval prior to commencement of works.

**Reason:** To ensure compliance with the requirement to retain and protect significant planting on the site.





## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

### 18. Public Liability Insurance - Works on Public Land

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Warringah Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

**Reason:** To ensure the community is protected from the cost of any claim for damages arising from works on public land.

## CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

### 19. Maintenance of Road Reserve

The public footways and roadways adjacent to the site shall be maintained in a safe condition at all times during the course of the work.

**Reason:** Public Safety.

### 20. Trees Condition

During the construction period the applicant is responsible for ensuring all protected trees are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to. In this regard all protected plants on this site shall not exhibit:

- (a) A general decline in health and vigour.
- (b) Damaged, crushed or dying roots due to poor pruning techniques.
- (c) More than 10% loss or dieback of roots, branches and foliage.
- (d) Mechanical damage or bruising of bark and timber of roots, trunk and branches.
- (e) Yellowing of foliage or a thinning of the canopy untypical of its species.
- (f) An increase in the amount of deadwood not associated with normal growth.
- (g) An increase in kino or gum exudation.
- (h) Inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition.
- (i) Branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

**Reason:** Protection of Trees. (DACLA03)



## **21. Requirement to notify about new Acid Sulfate Soils evidence**

Any new information revealed during excavation works that has the potential to alter previous conclusions about Acid Sulfate Soils shall be immediately notified to Warringah Council and the Principal Certifying Authority prior to further commencement.

**Reason:** To protect the environment and private & public infrastructure

## **22. Requirement to notify about Aboriginal skeletal remains and/or artifacts**

If aboriginal skeletal remains and/or artefacts are encountered during works, the work is to cease immediately. The remains and/or artefacts are not to be disturbed. The area is to be made safe and Warringah Council, the Principle Certifying Authority and the Aboriginal Heritage Office are to be notified by fastest means. The Aboriginal Heritage Office can be contacted at **(02) 9949 9882**.

Work is not to resume until a written clearance has been obtained from the Aboriginal Heritage Office.

**Reason:** To protect and preserve Aboriginal heritage.

## **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**

## **23. Garbage and Recycling Facilities**

All internal walls of the storage area shall be rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained to the sewer with a tap in close proximity to facilitate cleaning.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim/final Occupation Certificate.

**Reason:** To prevent pollution of the environment and to protect the amenity of the area.

## **24. Stormwater Disposal**

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified person.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

**(Note:** The following Standards and Codes applied at the time of determination:

- a) Australian/New Zealand Standard AS/NZS 3500.3:2003 - Plumbing and drainage - Stormwater drainage
- b) Australian/New Zealand Standard AS/NZS 3500.3:2003/Amdt 1:2006 - Plumbing and drainage - Stormwater drainage
- c) National Plumbing and Drainage Code.)

**Reason:** To ensure appropriate provision for the disposal of stormwater arising from the development.



## 25. Required Planting

| Species                        | Location                   | Min Pot Size |
|--------------------------------|----------------------------|--------------|
| 8 x locally indigenous species | Adjacent to existing trees | 200mm        |

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

**Reason:** To maintain environmental amenity.

## ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

### 26. Commercial Waste Collection

Waste and recyclable material, generated by this premises, must not be collected between the hours of 10pm and 6am on any day.

**Reason:** To protect the acoustic amenity of surrounding properties.

### 27. Commercial Waste and Recycling Storage

Commercial waste and recycling material/storage bins must be stored in a separate area to the residential waste and recycling material/storage bins as shown on the approved plans.

**Reason:** To ensure that commercial waste and residential waste is not mixed and is properly managed.

### 28. Delivery Hours

No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 6am on any day.

**Reason:** To protect ensure the acoustic amenity of surrounding properties.

### 29. Bin storage area door lock

The lock to the door of the Bin Storage area in the Basement is to be of a W1 type.

**Reason:** To enable access for Council's Waste Management Service.

### 30. Gender allocation of change rooms

The "Home Change Room" and the "Visitor Change Room" are to be separately allocated for male and female use during mixed sporting events. Signs are to be placed at the entrance of each respective change room to notify patrons.

**Reason:** Safety and amenity.

### 31. Plan of Management

The use and operation of the building is to be consistent with the document entitled "Griffith Park Plan of Management" dated February 2011.

The Plan of Management is to be kept on the premises at all times.

**Reason:** Control of premises.

### **32. Toilet opening hours**

The toilets located on the western side of the building shall be open to the public during the following times:

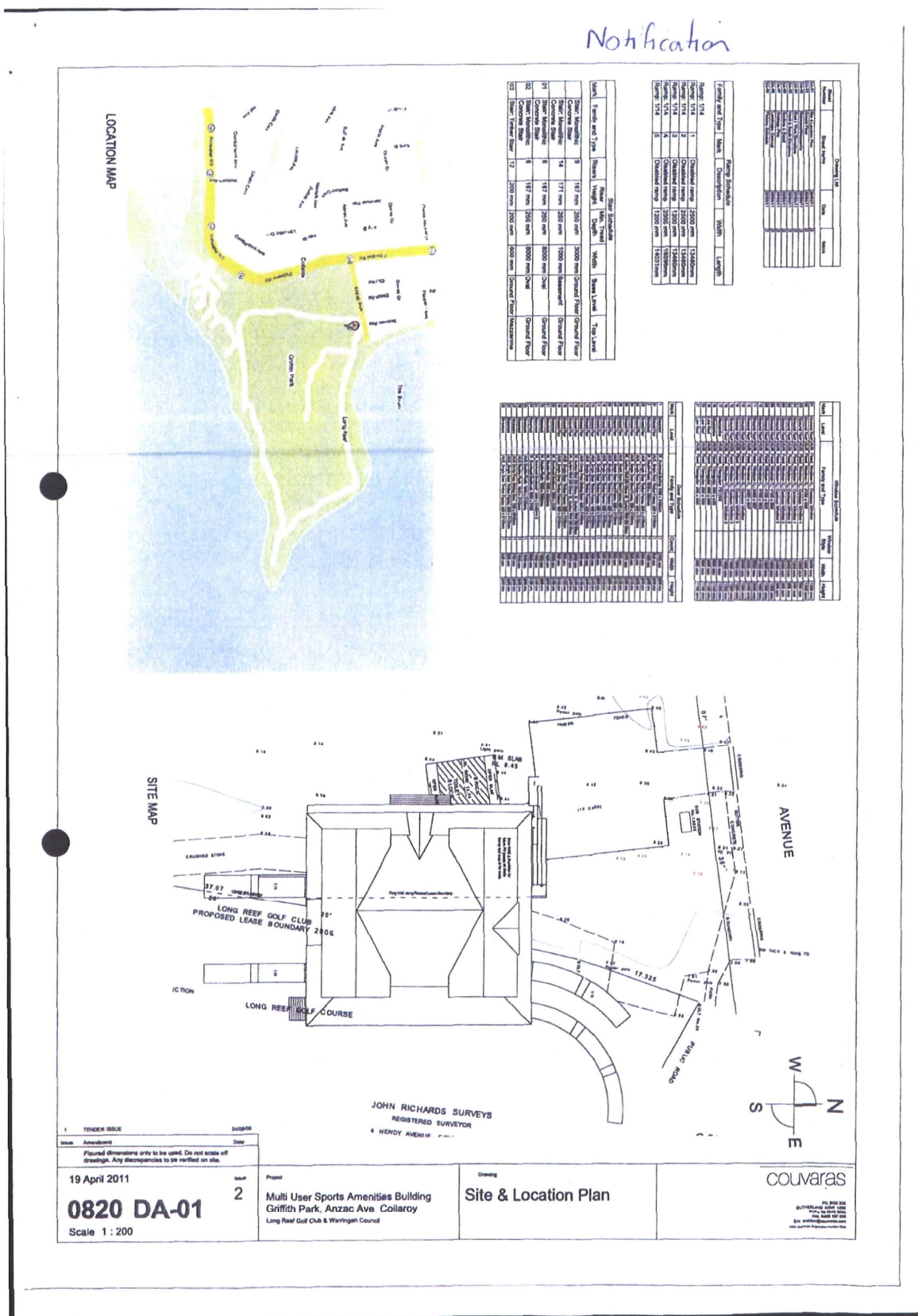
- 6.00am to 8.00pm (October to March); and
- 6.00am to 6.00pm (April to September).

Signs are to be placed at the entrance of each respective toilet to notify patrons.

**Reason:** Public amenity.



Site and Elevation Plans





Issue Amendments Date

Floured dimensions only to be used. Do not scale off drawings. Any discrepancies to be verified on site.

19 April 2011

2

Project Multi User Sports Amenities Building  
Griffith Park, Anzac Ave Collaroy  
Long Reef Golf Club & Warringah Council

Drawing East & West Elevations

Scale 1 : 100

0820 DA-04

Site and Elevation Plans

