

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**TO ACCOMPANY AN APPLICATION TO MODIFY CONSENT TO PERMIT  
NATIONAL RUGBY LEAGUE COMPETITION GAMES ON THURSDAY  
NIGHTS**

**LOCATED AT**

**LOT 1 DP 784268, LOT PT1 DP 114027 & LOT B DP 966128,  
PITTWATER ROAD, BROOKVALE**

**FOR**

**WARRINGAH COUNCIL &  
MANLY WARRINGAH RUGBY LEAGUE CLUB**

**Prepared  
January 2016**

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## 1.0 Introduction

This Statement of Environmental Effects accompanies an application under S96(1a) of the Environmental Planning & Assessment Act 1979 to modify a consent for Stage 1 of the Brookvale Oval Redevelopment at Lot 1 DP 784268, Lot PT1 DP 114027 and Lot B DP 966128, Pittwater Road, Brookvale.

The Notice of Determination of Development Consent No. 6000/4021 (Development Application No. 94/380) was issued by Warringah Council on 22 August 1994 for Stage 1 of the Brookvale Oval Redevelopment, including construction of a grandstand for the seating of 7,700 people, erection of light towers, media and corporate box facilities, a function centre, public amenities and car parking.

A Section 96 application (6000/4021/1) seeking to modify the hours of operation and usage of the sporting facility and increase the number of night matches was lodged and later withdrawn.

Consent was granted to a further Section 96 application (6000/4021/2) on 13 March 2007 to increase the number of night games from 6 to 12.

A third Section 96 application (6000/4021/3) was approved by Council on 8 May 2007 for the inclusion of one Monday night game per season.

A fourth Section 96 application (6000/4021/4) was approved by Council on 27 March 2008 to permit 3 Monday night games per year.

The subject proposal seeks to amend the consent as modified to permit Thursday night games.

The proposal is supported by a Traffic and Parking Review Study prepared by Taylor Thomson Whitting (TTW), dated 1 February 2016, which provides an assessment of the traffic and parking implications of the proposal and concludes that the introduction of Thursday night games will not have any significant impact on the parking conditions within the immediate locality.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. As a result of this assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

In preparation of this document, consideration has been given to the following:

- *The Environmental Planning and Assessment Act, 1979 as amended*
- *The Environmental Planning and Assessment Regulation 2000*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No 55 – Remediation of Land*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan*

## **1.1 Consultant Reports**

- Traffic and Parking Review Study prepared by Taylor Thomson Whitting, Report no 071193 dated 1 February 2016
- Revised Operational Plan of Management

## 2.0 Property Description

Brookvale Oval comprises Lot 1 DP 784268, Lot PT1 DP 114027 and Lot B DP 966128, Pittwater Road, Brookvale and is zoned RE1 Public Recreation under the provisions of the Warringah Local Environmental Plan 2011.

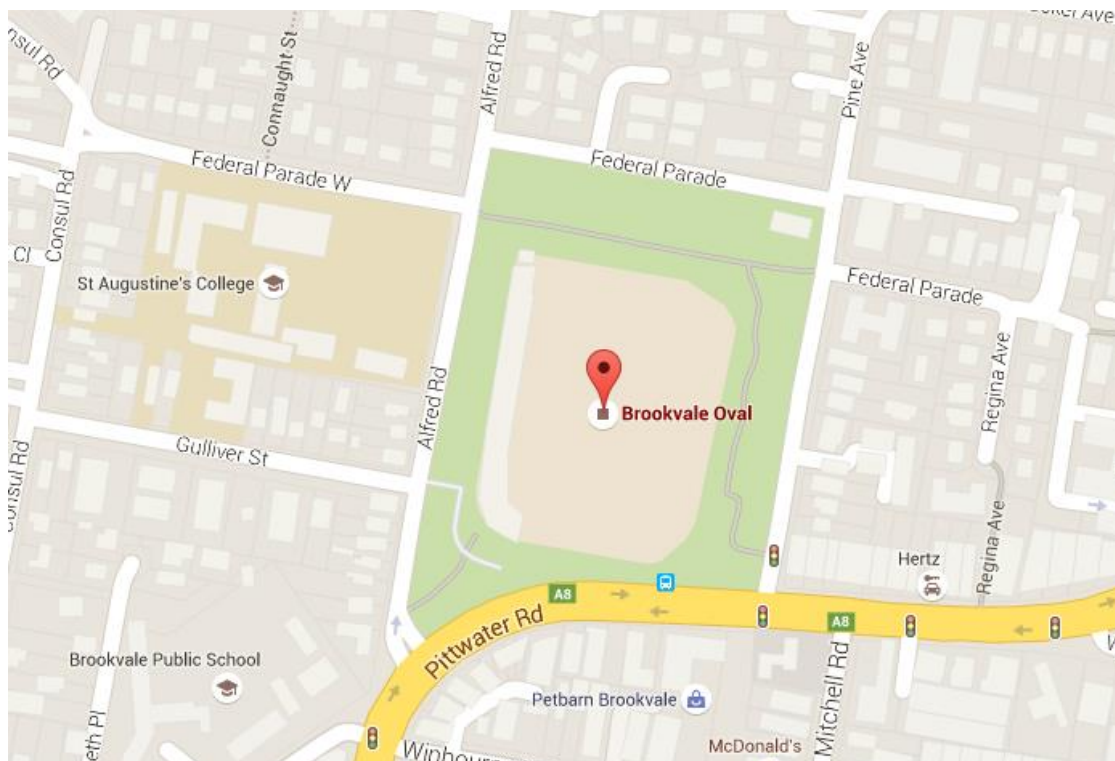
Brookvale Oval has frontages to Federal Parade to the north, Alfred Road to the east, Pine Avenue to the west and Pittwater Road to the south.

The site is identified as containing Brush Box and Camphor Laurel trees of local heritage significance (Item No. I132). The site is not located within a conservation area. The proposed modification of operating hours is not considered to have any implications for the significance of the heritage item.

The land is not identified as bushfire prone land.

The site is understood to be noted on Council's Landslip Risk Mapping as Area A and as there are no works proposed, no further assessment is required in this instance.

Vehicular access to the site is currently available from Alfred Road and Pine Avenue, with a carparking area located within the south-western corner of the site accessed via the southernmost Alfred Road driveway.



**Fig 1: Location of Subject Site**  
(Source: Google Maps)

### 3.0 Proposed Development

The proposed modification seeks to amend the consent to allow for three Thursday night games. The proposed Thursday night matches will conclude at 22.00 (10.00pm).

**Condition No. 27 as approved under Development Consent No. 6000/4021/4 reads as follows:**

*The stated level of use by Manly Warringah Rugby League Club during the season other than preseason, practice or exhibition matches is generally:*

*Weekly Training: Monday, Tuesday & Thursday evening – from 16.30 to 22.00  
Wednesday evening training – from 16.30 to 20.30  
Saturday and Sunday morning from 07.00 to 10.00*

*National Competition Matches 12 home matches to be played in the season  
The matches may be scheduled on: Friday evening – finishes at 22.00  
Saturday afternoon – finishes at 18.00  
Saturday evening – finishes at 22.00  
Sunday afternoon – finishes at 18.00  
Monday evening – finishes at 21.00*

*Reason: To reduce impact on surrounding residential areas*

**Condition No. 28 as approved under Development Consent No. 6000/4021/4 reads as follows:**

*Night matches are limited to a maximum of 12 matches per season (in total) to be played on either Friday, Saturday nights, including up to three (3) Monday nights.*

The proposed modification seeks to amend Condition No. 27 and 28, in conjunction with an amended plan of management, to permit three National Rugby League Competition Matches to be held on Thursday nights.

The proposal is supported by a submission prepared by a Traffic and Parking Review Study prepared by Taylor Thomson Whitting, which addresses the merits of the proposal in terms of traffic and parking and provides recommendations for the ongoing management of the site in this regard.

A revised Operational Plan of Management has been prepared to address the revised usage conditions and will be consistent with the requirements of Condition 45a of the Consent as modified.

The OPOM has been prepared to provide a mechanism to protect the community against the impact of such events and is a requirement of the existing development consent applying to the land.

#### **4.0 Matters for Consideration under Section 79c of The Environmental Planning And Assessment Act, 1979**

##### **4.1 The provisions of any environmental planning instrument**

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011.

The recreational use of the land is permissible within the RE1 Public Recreation zone and the proposed modifications to the approved use will reinforce the existing Manly Warringah League Club facilities.

The modified proposal will respect the surrounding residential area and maintain the approved on-site parking regime.

It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and the proposal achieves compliance with its provisions.

##### **4.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority**

It is not considered that there are any draft environmental planning instruments applying to the site.

##### **4.3 Any development control plan**

The development has been designed to comply with the requirements of the WLEP 2011 & the controls of the Warringah Development Control Plan.

It is considered that the proposed modifications to the approved use respects the DCP in that it reinforces the existing recreational use within the residential character of the area and is compatible with the existing uses in the vicinity.

##### **4.4 Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F**

No matters of relevance are raised in regard to the proposed development.

##### **4.5 Any matter prescribed by the regulations that apply to the land to which the development relates.**

No matters of relevance are raised in regard to the proposed development.

##### **4.6 Any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)**

No matters of relevance are raised in regard to the proposed development.

#### **4.7 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.**

It is considered that the revised proposal, which seeks consent for modifications to the approved operating hours of the Manly Warringah Rugby League Club to allow for three Thursday night games, is acceptable as the works will not unreasonably impact upon the amenity of the surrounding properties.

The revised usage conditions to permit three Thursday night matches will not see any increase in the total number of matches to be held at Brookvale Oval to be further spread to include Thursday evening in addition to the existing match days of:

- Friday evening – finishes at 22.00
- Saturday afternoon – finishes at 18.00
- Saturday evening – finishes at 22.00
- Sunday afternoon – finishes at 18.00
- Monday evening – finishes at 21.00

The proposal is considered to be in keeping with the relevant provisions of the Council's LEP and DCP.

The proposed revised match conditions to include Thursday evening games will be carried out in accordance with the revised Operational Plan of Management provided to support the proposed modification of consent.

The OPOM will provide safeguards and complaint handling procedures for the local community to ensure that an appropriate level of amenity is maintained for the community.

#### **4.8 The suitability of the site for the development**

The site is considered to maintain its suitability for the proposed development i.e. recreation facility (major).

The proposed modifications will not have a detrimental impact on the amenity of the adjoining properties.

#### **4.7 Submissions made in accordance with this Act or the regulations**

This is a matter for Council in the consideration of this proposal.

#### **4.8 The public interest**

The modified proposal will not present any significant impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.



## **5.0 Conclusion**

The principal objective of this development is to support minor modifications to the consent to allow National Rugby League Competition Matches to be held on Thursday nights.

The application is appropriately made under S96(1a) as the modification is considered to be substantially the same development as originally considered under DA6000/4021 (DA94/380), as modified.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of s96 Modification to Development Consent under the delegation of Council is requested.

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