
Sent: 24/09/2020 5:12:03 PM
Subject: DA2020/1097 Passmore Reserve Lighting (Date Corrected)
Attachments: 1. Christine Deaner Emails 2014.pdf; 2. WDAP Decision All Against 2010.pdf; 3. Robinson Strata Management 2010.pdf; 4. Objections Covering Letter 2010.pdf;

(Date corrected from 24th October, 2020 to 24th September, 2020. Apologies for error.)

“Sportsground Lighting – Passmore Reserve.” DA2020/1097

Attention: Mr Phil Lane, Principal Planner
Northern Beaches Council

Attachments: 1. Christine Deaner Emails 2014
2. WDAP Decision All Against 2010
3. Robinson Strata Management 2010
4. Objections Covering Letter 2010

24th September, 2020
Dear Mr Lane

It was extremely disappointing to learn that our local Council is, once again, considering installing light towers in Passmore Reserve, Manly Vale. The issue of installing lighting in the Reserve was first raised by Warringah Council (WC) in 2009 and conclusively dismissed in 2010. Even so, the Council tried to re-introduce the lighting in 2014, but like before, it did not proceed because of local resistance.

To avoid spending more undue time writing why I believe the proposal should once again be dismissed in 2020 by the Northern Beaches Council, I have attached pertinent documents from 2010 and 2014 to make my case. Problems which existed back then have substantially increased with more apartments being built locally and increased activity, and lighting, from the Calabria Club, resulting in considerably more night time light, noise and street parking. Many of the submissions made against the lighting in 2009-10 can be read on Council’s website, listed under “Documents” for DA2009/1658. Additionally, as mentioned in the WDAP report, daytime use of our building surrounds are still being used as urinals, and no doubt, that would increase at night if lights were installed in Passmore Reserve.

Back in 2010 submissions from former Premier, Mike Baird, Mackellar Girls School Principal, Christine Del Gallo, then owner of Robinson Strata Management and Vice President of Strata Community Australia, Austin Robinson, and hundreds of local residents were considered by the WDAP on 24th April, 2010. Its unanimous vote was 4-0 against the lighting being installed. A majority of elected WC Councillors at the 25th May 2010 Council meeting voted to accept the WDAP’s decision as final, and Council’s Internal Ombudsman, Mr Richard Bowron, advised in writing:-

“... elected Councillors have voted to abandon any planned appeal against the WDAP decision in this matter and that finalises the issue.”.

Quotes from those submissions are detailed in the “Christine Deaner Emails 2014”, attachment #1.

Nevertheless, in 2014 WC tried again to have lights installed when Ms Christine Deaner, Senior Recreational Planner, Parks, Reserves & Foreshores was given the task. Fortunately, she quickly became aware of what had previously occurred. She understood, and respected, the concerns of local residents by terminating further action.

Thank you for your attention to this matter, and for considering the detail in the attachments.

Joe Maccioni

27-31 Campbell Parade, Manly Vale 2093

Email: maccioni@tpg.com.au

SUBMISSION RE: WARRINGAH COUNCIL DISTRICT PARK STRATEGIC DIRECTIONS PAPER

Attn. Ms Christine Deaner

Senior Recreational Service Planner
Parks, Reserves and Foreshores

cc. Council@warringah.nsw.gov.au

8 August 2014

Dear Ms Deaner

On 16 July, 2014, I had the opportunity to sit down with you to discuss aspects of the District Park Strategic Directions Paper prepared by Council in response to submissions lodged earlier in March regarding the Discussion Paper.

I drew your attention to three "Opportunities" in the 33 page Directions Paper which are of extreme concern, and disenchantment, to residents in the Campbell Parade/Passmore Reserve area. It appears that all the evidence provided in my 28 March 2014 submission was of no consequence to those who prepared the Directions Paper. I again draw your attention to those three matters:

1. FLOODLIGHTING PASSMORE RESERVE

Council first raised the issue in 2009 (DA 2009/1659) and it was fervently **opposed by -**

Mr Mike Baird *"... I retain serious concerns with the Passmore Reserve proposal."*

Ms Christine Del Gallo (Principal Mackellar Girls Campus) *"... the proposed night lighting of Passmore Reserve can only be to the detriment of Mackellar Girls, a school of over 1100 residents who will be most adversely affected."*

Mr Austin Robinson (former Licensee in Charge of Robinson Strata Management and Vice President of Strata Community Australia). He provided expert opinion on the *many negative effects* the floodlighting would have on the area.

Submissions from Residents. Approximately *220 written submissions* opposing the floodlighting were presented to Council.

The independent **WDAP** (Warringah Development Assessment Panel). The Panel visited the site, reviewed all submissions for and against, listened to presentations and *voted unanimously, 4/0, against floodlighting Passmore Reserve.*

The majority of **Elected Councillors** at the 25 May 2010 Council meeting *voted to accept the WDAP's decision as final.*

Given all of the above, **Council's Internal Ombudsman** advised in writing; *"... and that finalises the issue."*

When I asked you who had decided to once again include floodlighting Passmore Reserve in the Directions Paper, you indicated that it was small group of Staffers.

Could you please advise who those Staff members are, and **what authority they have to overrule the WDAP decision as well as the majority vote of Elected Councillors, and the advice of Warringah Council's Internal Ombudsman.**

On page 10 of "**Actions for Strategic Directions**", the Staffers wrote; "The consideration of any new sports field lighting, including at Passmore Reserve, is to include comprehensive engagement particularly with nearby residents."

The "**comprehensive engagement**" has already taken place over an extensive period of about nine months, culminating at the 25 May 2010 Council meeting. As I detailed on page 9 of my previous submission, opposition to any proposed floodlighting has possibly only increased given subsequent developments at Nolan Reserve and the Calabria Club. Residents have got much better things to do with their unremunerated time than to go through the whole procedure yet again.

The only apparent group requesting floodlighting on Passmore Reserve is the Sydney Striders Road Runners Club, as mentioned on page 25. You indicated that you are a member of the organisation, but not part of the local area group. Given that you couldn't provide any details on numbers in the local group and how the Reserve would possibly be used by them, I checked the SRRC web site for a greater understanding, but without much success. All I found that was remotely relevant was information on various runs and copies of Blister magazine. Most events generally seem to start early in the morning and follow road routes.

Clearly there are numerous floodlit fields in the area which could easily accommodate the local group's training on grass. And Passmore Reserve is already substantially lit by light spill from Calabria Club lights on many nights. The attached photographs give an indication of the light spill, which I believe, like the Nolan floodlights, do not comply with AS 4282-1997.

2. NOLAN RESERVE FLOODLIGHT LUX LEVEL

On pages 8 and 9 of my previous submission I detailed the considerable discomfort caused by the light spill from Nolan Reserve floodlights half a kilometre away. Obviously doubling the lux level of the existing lights would be intolerable to me and you concurred. You indicated that you would endeavour to have a Compliance Officer test the existing levels from my balcony to determine whether the AS 4282 standard was being met.

3. PERPENDICULAR PARKING EXTENSION ON CAMPBELL PARADE

Noting that extending perpendicular parking along Campbell Parade west of Quirk Road was still under consideration was equally as disheartening as the aforementioned issues. Why was that proposal not included in the "**Reason(s) for not including in Strategic Directions**" list just as "Traffic in Sloane Crescent" and the other two proposals were?

Did the Staffers who prepared the paper fully understand the objections based on **historical and photographic material** presented on pages 2, 3, 4 & 5 of my previous submission?

Their entry on page 29 of the Directions Paper indicated that the area in question was: "... **along the south-western end of Campbell Parade ...**". That is totally incorrect. The area is at the **north-eastern** end of Campbell Parade, about a kilometre away from where stated.

I trust that further comprehensive consideration will be given to this matter and that it is taken off the "Opportunities" list once and for all.

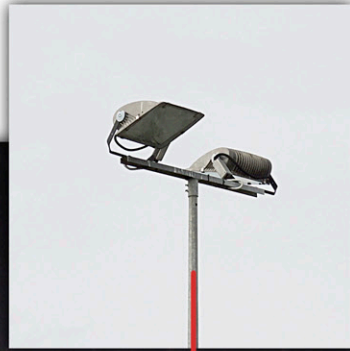
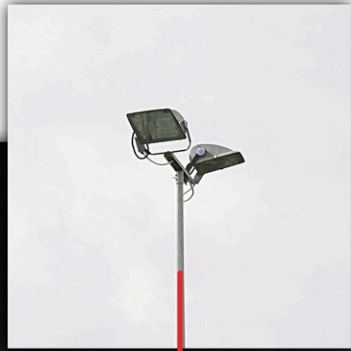
Your patience, and understanding, listening to my concerns on 16 July, was very much appreciated. I trust that you find this submission encompasses the issues discussed, and that I have provided sufficient detail for positive and favourable outcomes to be achieved.

As you requested, I have attached my original 28 March Discussion Paper submission.

Thank you, and best regards

A handwritten signature in black ink, appearing to read 'Joe Maccioni', with a large, stylized flourish underneath.

Joe Maccioni (maccioni@tpg.com.au)
Executive Committee, Strata 7225,
27-31 Campbell Parade, Manly Vale 2093



Looking east towards Calabria Club from Passmore Reserve

**SUBMISSION RE: WARRINGAH COUNCIL
DISTRICT PARK DISCUSSION PAPER**

Attn. Ms Christine Deaner
Senior Recreational Service Planner
Parks, Reserves and Foreshores

cc. Council@warringah.nsw.gov.au

28 March 2014

Dear Ms Deaner

At the Community Drop-In Session on 26 February, I had the opportunity to discuss with you two matters of concern contained in the District Park Discussion Paper. I appreciated your understanding of the facts presented, and the time you spent considering them.

The first matter raised was the idea presented on page 16 of the Discussion Paper which states:

"Investigate extending perpendicular parking along Campbell Parade adjacent to Passmore Reserve."

The second matter appears on page 10:

"Revisit floodlighting in Passmore Reserve."

Both "Key ideas/opportunities" have been addressed in the past, and were emphatically rejected following overwhelming local community angst.

As suggested, I have detailed the objections in writing, and they are presented on the following pages.

Previous decisions handed down by those in authority (elected Councillors and the WDAP) have vindicated the position taken by local community members, and justified the inordinate amount of unremunerated time spent by them on preserving their amenity.

I trust that Council will give due consideration to previous outcomes and that it *"builds and maintains community confidence whilst reflecting Council's values of: Respect, Integrity, Teamwork, Excellence and Responsibility."*

Thank you, and best regards



Joe Maccioni (maccioni@tpg.com.au)
Executive Committee, Strata 7225,
27-31 Campbell Parade, Manly Vale 2093

WARRINGAH COUNCIL DISTRICT PARK DISCUSSION PAPER

Page 16 - 11.4 Connected Transport

“Investigate extending perpendicular parking along Campbell Parade adjacent to Passmore Reserve.”

On 25 August 2000, after several Community workshop meetings and with the support of the Owners' Corporation, a submission was made to Council objecting to the proposal to extend the perpendicular parking along the south western end of Passmore Reserve.

In Warringah Council's Manly Vale Traffic Study published in February 2000 (Reference #99101), traffic loadings on Campbell Parade were found to be already at *“the high end of the acknowledged assessment criteria”* and *“..... Campbell Parade and Quirk Road perform ‘collector’ road functions. These roads carry traffic volumes generally at the higher end of the acceptable ranges for residential amenity.”* Fourteen years later, there can be no doubt that traffic loadings are considerably higher.

Objections in 2000 focused on the safety of children, the increase of traffic noise to unacceptable levels for domestic dwellings in the area, and the negative effect on property values that would result from degrading the northerly outlook over the Reserve with parking bays.

While the existing perpendicular parking bays east of Quirk Road are relatively safe because of minimal passing traffic, the same could not be said for the proposed bays west of Quirk Road. One only has to exit my unit block's driveway or visitor parking area, especially in reverse, to realise how risky, and dangerous, negotiating the proposed bays would be.

There would also be the increased risk of small children running between cars parked at 90 degrees to the road. Spaces between cars would become obscured corridors for small children visiting the regional playground to run in to the path of traffic - traffic which regularly speeds.

The triangular piece of land behind the bowling club was suggested as a more suitable, and safer alternative to develop.

At the Warringah Council meeting on 21 November 2000, the proposed perpendicular parking along Campbell Parade, west of Quirk Road, was debated, and soundly rejected, much to the relief of local residents.

All the objections considered in 2000 are still relevant, and even more so because of changed conditions in the area. Following are two pages of photographs confirming why the proposal should be rejected.

1. Traffic flow is considerably higher than in 2000 when it was at *“the high end of the acknowledged assessment criteria”*.
2. Since 2000 a pedestrian crossing and *“No Stopping”* zone have been installed to increase pedestrian safety. Available space for proposed bays has been decreased significantly. The Passmore Reserve sign would also have to be relocated.
3. Several years ago the top three high voltage wires were taken down from the poles and located underground beside the pathway.

The proposed bays would require removal of the path. Because of the sloping terrain and large adjacent trees, relocating the path would be impossible. With no footpath, pedestrians and adults with children exiting cars would have to walk along the road.

4. Parking restrictions were added to the northern side of Campbell Parade to allow the safe passage of school busses in both directions simultaneously. Perpendicular parking areas would add confusion and potentially cause accidents when cars reversed out of them.

WARRINGAH COUNCIL DISTRICT PARK DISCUSSION PAPER

Page 16 - 11.4 Connected Transport

“Investigate extending perpendicular parking along Campbell Parade adjacent to Passmore Reserve.”

5. The high voltage power transformer located at the western end of the Reserve has further restricted potential available space. The parking proximity of vehicles would have to be increased to minimise possibility of disastrous consequences should a vehicle impact occur.
6. Considerable space along the kerb is taken up by 2A Campbell Parade garbage bins awaiting collection every week from early Tuesday afternoons to mid Wednesday afternoons. There is no alternative site to position bins to allow the safe emptying of bins by Council.
7. Traffic congestion along Campbell Parade is particularly bad during peak hours and during school opening and closing times because of the large number of buses required to transport children. Perpendicular parking bays would compound the existing problems well beyond acceptable levels.

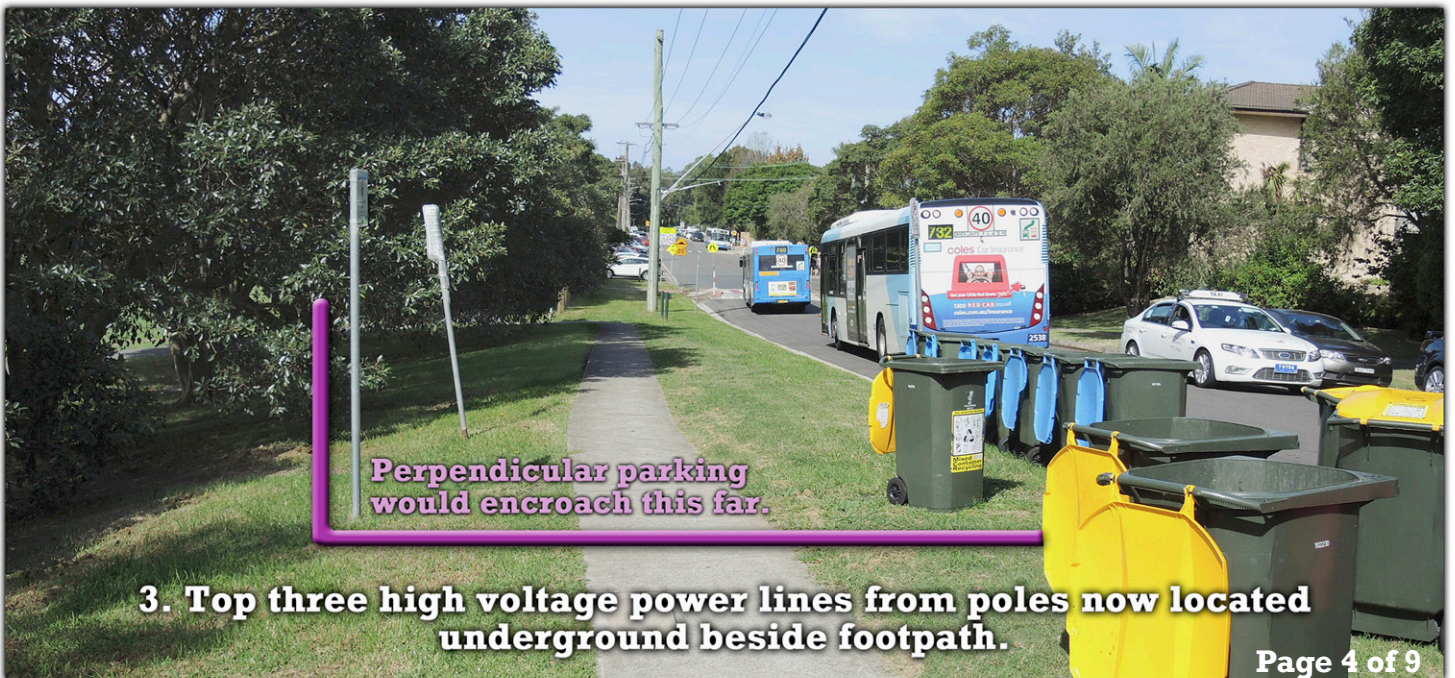
It is firmly believed that the original planners, who limited construction of the existing 90 degree parking bays to the area east of the Quirk Road corner, made the correct, and sensible, decision. Councillors at the Warringah Council meeting on 21 November 2000 agreed.



1. Traffic flow on Campbell Parade near Quirk Road corner.



2. No Stopping zone and pedestrian crossing at Quirk Road and Campbell Parade corner



Perpendicular parking would encroach this far.

3. Top three high voltage power lines from poles now located underground beside footpath.



4. Parking restrictions northern side of Campbell Parade.



5. High voltage power transformer.



6. Collection area for 2A Campbell Parade garbage bins.



Perpendicular parking would encroach this far.

7. Heavy congestion at Campbell Parade/Quirk Road corner during school start & close times.

WARRINGAH COUNCIL DISTRICT PARK DISCUSSION PAPER

Page 10 - 11.2 Outcome - Lifestyle and Recreation

“Revisit floodlighting in Passmore Reserve”

Some residents in the Manly Vale/Passmore Reserve precinct first became aware of Warringah Council's intention to install floodlights in Passmore and Nolan Reserves in August, 2009. Both Reserves were to be included in the one DA, but fortunately, after requesting Council on 19 October 2009 to lodge separate DAs for the Reserves, it was done, but with some reluctance.

Separate DAs were requested so that each could be treated on its own merits. It was anticipated that Manly Vale residents living in proximity to Passmore Reserve would fervently oppose the floodlighting of Passmore Reserve because of the profound negative effect it would have on local amenity, but that they would not object to the floodlighting of Nolan Reserve because of its relative remoteness to the area. That approach seemed to be a fair compromise which would cater to the sporting community requesting additional night playing fields, and respect the rights of the residents living in high density blocks adjoining Passmore Reserve wanting to preserve peace and quiet after dark.

Council advised on 18 January 2010 that DA 2009/1658 had been tabled and that residents had until 2 February 2010 to lodge submissions. Approximately 220 submissions were submitted to Council from residents who would be negatively impacted. Opposition to the floodlighting predominately related to the visual impact of the enormous metal towers, light spill from the high intensity lights, excessive noise from game play until 9.30pm, a surge in anti-social behaviour and noise from traffic activity associated with the much greater demand for the already limited amount of street parking.

As well as objections from residents, strong opposition to the floodlighting was expressed by the Principal of Mackellar Girls Campus, Ms Christine Del Gallo in her February 2010 submissions. Concluding paragraphs from her two letters read:

“ I am a great supporter of sport. My intention is not to hinder participation in healthy activities. However the proposed night lighting of Passmore Reserve can only be to the detriment of Mackellar Girls, a school of over 1100 residents who will be most adversely affected.”

“The Council must work to support and benefit the community. Care for the community is paramount, as is due process that is intelligent and honourable.”

Mr Austin Robinson, Licensee in Charge of Robinson Strata Management at the time, wrote that his Company managed five Manly Vale Strata Schemes which included 107 units in the area. He provided expert opinion on the negative effects floodlighting Passmore Reserve would have and presented details on the impact of parking and traffic congestion, increased vandalism, noise impinging on residents' quiet time, and the economic impact that would result if the DA passed.

Even Mr Mike Baird (then Shadow Treasurer) wrote:

“While I remain supportive of increasing access to sporting facilities for local groups and congratulate Council for trying to facilitate that - I retain serious concerns with the Passmore Reserve proposal.”

All submissions are on the public record and should be available from Council DA archives.

Because of the high number of objections to the floodlighting proposal, the matter had to be assessed by the WDAP (Warringah Development Assessment Panel), an independent body comprised of Ms Mary-Lynne Taylor (Chair and Environmental Law), Mr Brett Newbold (Urban Design Expert), Mr Marcus Sainsbury (Environmental Expert), and a Community Representative, Ms Melissa Chapman. The meeting was held on 28 April 2010, and after having considered submissions and previously visiting the site, then listening to presentations for and against DA 2009/1658, the Panel voted unanimously 4/0 against it.

WARRINGAH COUNCIL DISTRICT PARK DISCUSSION PAPER

Page 10 - 11.2 Outcome - Lifestyle and Recreation

"Revisit floodlighting in Passmore Reserve"

The decision handed down by the Panel was quite comprehensive, and in part stated:

"The Panel agrees with the comments of the residents that the mere approval of the proposed lighting would have wider consideration than just a concern about light spill, because it is likely to involve persons staying in the area longer and if their behaviour is already poor, will no doubt continue such behaviour later into the night. By having persons there longer will make sure there are cars parked there for a longer period of time and does not provide any incentive to those persons using the sports fields to act in a resident friendly manner."

At the same WDAP meeting, DA 2009/1659 for the installation of replacement lighting structures in Nolan Reserve was not spoken against by anyone. The panel approved it unanimously, voting 4/0 in favour.

Within weeks, Council Staff indicated its intention to appeal the WDAP Passmore Reserve decision by referring the matter to the WDRP (Warringah Development Review Panel). Council's intention infuriated residents who had fought hard for about nine months to achieve what it had because it meant that all that unremunerated effort to preserve amenity would have counted for nothing, and the battle would have to start all over again.

Fortunately, many elected Councillors were sympathetic to the plight of residents and raised the matter at the 25 May 2010 Warringah Council meeting. The Council Staff intention to appeal the WDAP decision was debated at length, and when the vote was taken, the WDAP decision was accepted as final and no appeal was to proceed.

Council's acting Internal Ombudsman at the time, Mr Richard Bowron, wrote:

"However and as you are aware, the current elected Councillors have voted to abandon any planned appeal against the WDAP decision in this matter and that finalises the issue."

For Council to once again raise the spectre of floodlighting Passmore Reserve is most disheartening and makes a mockery, I believe, of all that has gone before.

Council, in its DA 2009/1658 submission to the WDAP stated the following on page 12:

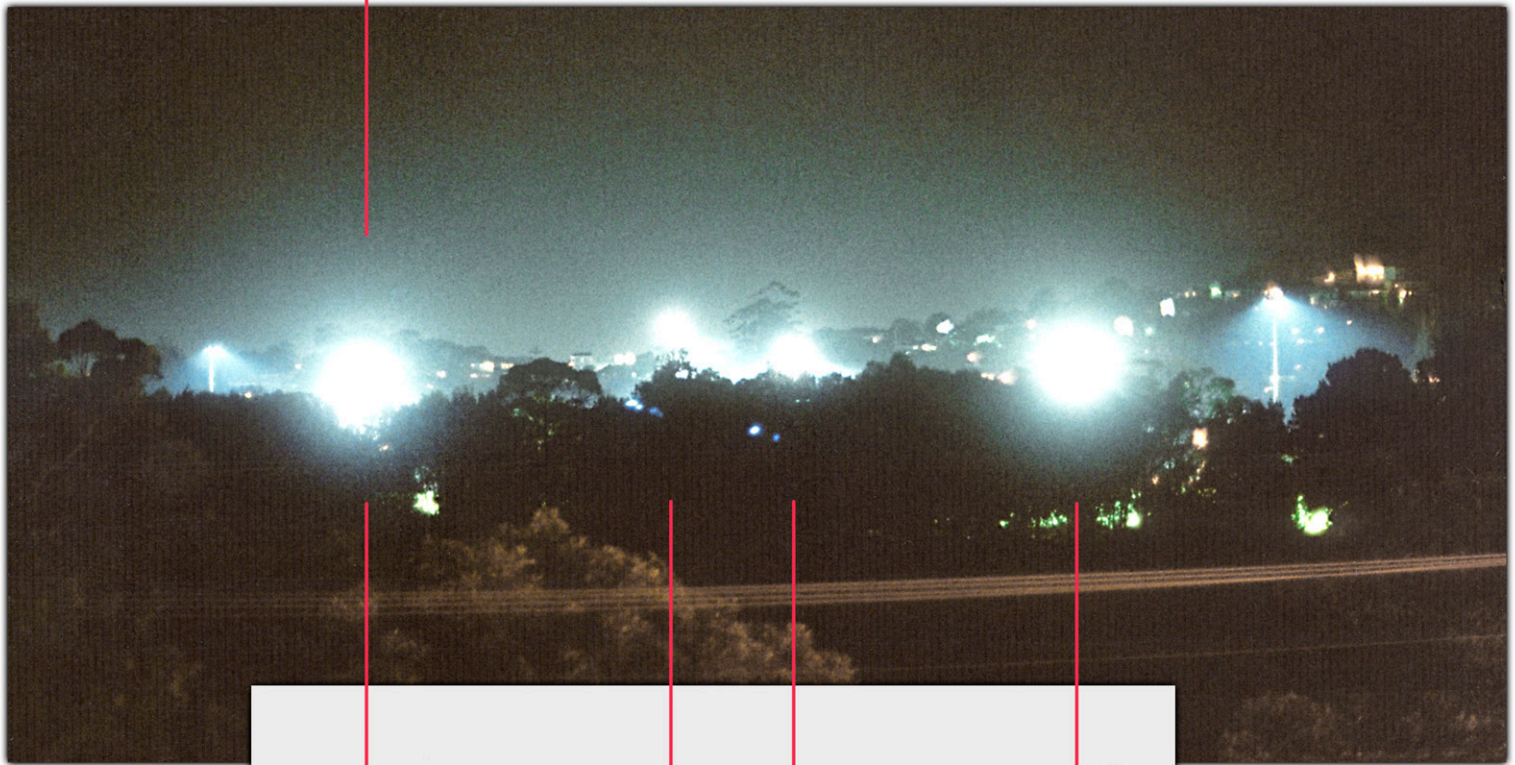
"2. Light Spillage

***Comment:** All neighbouring residences are located well away from the vertical spill areas of the lighting. This is clearly demonstrated in the plans provided with the application. Any minimal additional glare or reflection due to light overspill will be negligible compared to that which currently exists.*

The lighting complies with the Australian standards AS 2560.2.3-2007 Lighting for Football, and AS 4282-1997 Control of Obtrusive Effects of Outdoor Lighting.

The objection does not carry determining weight and so does not warrant redesign or refusal of the application."

This comment referred to light spill from proposed towers just a road width away from adjacent unit blocks. At the time it was not possible to verify Council's expert opinion, but now it can. Fortunately the towers were not built in Passmore Reserve, but they were in Nolan Reserve. The following photographs illustrate what has to be endured most week nights up to about 9.20pm.



Ruler

Line Path

Measure the distance between multiple points on the ground

Length: 540.25 Meters

Mouse Navigation Save Clear

WARRINGAH COUNCIL DISTRICT PARK DISCUSSION PAPER

Page 10 - 11.2 Outcome - Lifestyle and Recreation

“Revisit floodlighting in Passmore Reserve”

The Google ruler indicates that towers along Pittwater Road are over half a kilometre (540 metres) from my unit block. The floodlights are so intense that even at that distance they light up unit interiors and provide extreme visual discomfort while at the dinner table, entertaining or watching television. The photographs provide only an indication of the intensity. The real thing is much, much worse - in fact intolerable. A request to Council to install shields on the towers to prevent the light spill has gone unheeded .

Of additional concern is the other Key Idea/Opportunity mentioned on Page 10 - 11.2:

“Increase lux level of floodlighting in Nolan Reserve.”

If the statement made to the WDAP by the Council expert had proved correct, and floodlighting did in fact create negligible additional glare and it did comply with Australian Standards AS 4282 regulating obtrusive effects of outdoor lighting, there would not be a problem with increasing the lux level. But - in my opinion, there can be little doubt that even the existing lights infringe on the AS 4282 standard.

When will Warringah Council address the problem?

It should also be noted that since 2009, additional high intensity floodlights have been installed on the sporting grounds behind the Calabria Club. Because the lights are not directly in front of my unit block, they are less obtrusive than the Nolan lights, but the noise from the sporting bodies can be quite disturbing, particularly when activities continue until very late.

Nothing positive has transpired since the April 2010 WDAP decision to reject the floodlighting of Passmore Reserve which would alleviate residents' concerns. In fact, with the additional very obtrusive lighting and noise emanating from Nolan Reserve and the Calabria Club, opposition would necessarily be much more intense if moves are made to proceed with “revisiting floodlighting in Passmore Reserve”.

WARRINGAH DEVELOPMENT ASSESSMENT PANEL MEETING

3.1	Passmore Reserve, Campbell Parade, Manly Vale – Installation of New Lighting Structures
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Panel Member

Mary-Lynne Taylor, Chair (Environmental Law)

Brett Newbold, Urban Design Expert

Marcus Sainsbury, Environmental Expert

Melissa Chapman, Community Representative

DA 2009/1658

Application Details

Installation of New Lighting Structures

Site Description

Part Lot 2743, DP 750238, Passmore Reserve Campbell Parade, Manly Vale,

Site Visit

An inspection of the site was undertaken by the Panel and staff members prior to the WDAP Meeting. A copy of all the objection letters was provided to the Panel who considered the objections on the site visit.

Proceedings in Brief

The Panel was addressed by five (5) local residents; there were 44 written submissions and 173 Form Letters against the application. One of the speakers was the Head Mistress of Mackellar Girls School, which is located opposite the site, who raised concerns that presently the use of Passmore Reserve for soccer games was causing difficulties at the school for functions held there at night and was concerned that if the use was to continue to a later time, this conflict will continue and would also introduce conflict regarding on street parking. The school provides no parking onsite at all for functions of this nature and parents must rely on street parking for a school of 1,100 students. The Head Mistress complained that from what she had learnt, there was no need to use this park for night use as she did not believe any group was pressing for the use of this park and she pointed to the existence of Nolans Reserve, where there had been much less objection and much less impact on the neighbouring properties. The Panel noted that the Nolans Reserve fields have 6 playing fields as apposed to only 2 at Passmore Reserve.

Another resident had done a survey of the use presently being made of playing fields in the area that had night lights. He did a survey over approximately 1 week and showed that where lights were on, there was often no activity at all or very small numbers of persons using the lit field. This seems to add to the concern by the Head Mistress that these lights will be available but may not be necessary and may have other impacts than just the concern about light spill, namely additional use, meaning additional noise and problems with parking.

Other residents complained that presently, the use made of the sports fields impacts on their amenity in that there was vandalism and there are parking problems and activities such as urinating on streets and in private houses, necessitating clean-up operations.

Another resident suggested that Passmore Reserve was popular because it was smaller and presented as an “arena” and that it was a better pitch, which resulted in better games being played there, with a greater number of visitors. Also, apparently soccer is a game that attracts noisier supporters.

The Panel was assisted with information given by Councils Team Leader of Parks, Recreation and Building. He advised the Panel that Council did not choose what games that would be played on a particular field, as this was left to the Sporting Union, who are also responsible for the behaviour of the patrons. Also, he informed the Panel that Council did not monitor what fields are being used, but the Panel was advised that in the future, Council will be charging for the amount of light needed in terms of Green Power and that it would be in the interests of the Club’s to limit the amount of time the lights are on.

The Panel was concerned that if the resident’s are correct, it may be appropriate for certain sports and certain clubs to be located in a particular area where noise is less intrusive, however, this was not in the hands of Council to decide.

The Panel was also concerned at the existing impact of the use of Passmore Reserve by sporting clubs; where apparently there are no controls (or certainly no control in the hands of Council) to deal with what would be unsatisfactory impacts on residential properties and the school. If this were a commercial operation such as a hotel, there would be such controls put in place to manage the activity. In fact, the complaints of the neighbours are similar to those of a person living close to a hotel.

As a result, the Panel is unwilling at this stage to approve the lights on this sporting facility and suggest that Council might work out an operational management plan for any sporting group using Passmore Reserve, that would deal with the amenity concerns of the residents, both existing concerns and new concerns and this particular Operational Management Plan might require sporting groups to select what games and what activities they carry out on Passmore Reserve where residential properties are more sensitive to noise.

Council’s representatives acknowledge that the playing of cricket was a less impacting sport on this particular reserve compared to soccer.

The Panel agrees with the comments of the residents that the mere approval of the proposed lighting would have wider consideration than just a concern about light spill, because it is likely to involve persons staying in the area longer and if their behaviour is already poor, will no doubt continue such behaviour later into the night. By having persons there longer will make sure there are cars parked there for a longer period of time and does not provide any incentive to those persons using the sports fields to act in a resident friendly manner.

The Panel recommendation is for refusal of this application for the following reasons:

1. The unsatisfactory impact on residential amenity.
2. Insufficient information has been provided in relation to the manner in which the sports field will be operated once the lights have been installed which will allow play to continue until 9.30pm.
3. The applicant has not provided an operational management plan which deals with the manner in which unsatisfactory night time sporting activity will be managed to prevent negative impacts on nearby residents.

DECISION OF WARRINGAH DEVELOPMENT ASSESSMENT PANEL

That the Development Application No. DA2009/1658 for the installation of lighting structures at Part Lot 2743, DP 750238, Passmore Reserve, Manly Vale be refused for the following reasons:

1. Pursuant to Section 79(C) (1) (b) of the Environmental Planning and Assessment Act 1979, the proposed development will have a detrimental impact on residential amenity through excessive noise and anti-social behaviour. Furthermore, the application does not adequately address residential amenity impacts and operational management issues. In this regard, insufficient information accompanies the application in relation to the use of the reserve for sporting purposes for the extended period till 9.30pm and the resultant residential amenity impacts that have the potential to negatively impact on the amenity of adjoining and nearby residential properties.
2. Insufficient information has been submitted with the application, which does not allow a complete and proper assessment of the proposed development. In this regard, the application was not accompanied by an operational management plan to demonstrate how the behaviour of reserve users can be managed during the extended hours of use of the reserve under floodlit conditions.

Voting 4/0



12 February 2010

LATE
SUB
ACTION



To whom it may concern

Re: **Proposed DA No. DA2009/1658**
Floodlighting Passmore Reserve

Our office acts as Strata Managing Agents for 5 Manly Vale Strata Schemes that include a total of 107 units, all in close proximity to Passmore Reserve. I am writing on behalf of the unit owners, requesting intervention in preventing the installation of lighting towers at the Reserve.

Many concerns have been raised regarding the detrimental impact these lights would create in the area and these are summarised below:

1. Parking and Traffic Congestion

The majority of Strata Schemes in the area were constructed in the 60s and 70s with only one car space per unit and little or no visitor parking. Most families now have at least two cars, making adequate street parking an essential necessity. The usage of the Reserve in the evenings would only increase the parking and traffic congestion in the area, thus forcing residents to park in streets far away from their homes.

2. Increased Vandalism

This concern I can personally relate to as I live close to Lionel Watts Oval in Belrose. On those nights when events are being held, there is a marked increase in instances of damage to cars and property and numerous beer bottles and cans festoon the footpaths the following morning.

3. Noise Impacting on Residents Quiet Time

Noise generated by both spectators and players in activities held on the Reserve in the evenings would greatly diminish local residents' quiet and peaceful enjoyment of their homes. An event may be fun to those participating or watching the training, but will do nothing but create stress and annoyance to those nearby residents who have arrived home from work with an expectation to relax with their families.

4. Economic Impact

As well as the aforementioned social impacts, there can be no doubt that the local property owners would incur significant economic impact. Homes located near a reserve that has always been dormant at night will most definitely drop in appeal and value should the reserve become a hive of bright light, after dark activity that generates high levels of sporting noise, traffic noise and a climate conducive to anti-social behaviour.

Having been Licensee and senior partner in my family's previous business, A & J Robinson and Associates Real Estate, an agency that had traded in the local region for over 35 years, it is my professional opinion that potential new owners and tenants would be put off by an overdeveloped Passmore Reserve, resulting in considerably lower property and rental values.

As a concerned manager of homes in Manly Vale, I implore all relevant bodies to reject the proposed installations that will have significant negative impacts on the homes. For further information on my concerns, please do not hesitate in contacting me on 9907-5000.

Yours sincerely

Austin Robinson
Licensee in Charge
Vice President, Institute of Strata Title Management Ltd

The General Manager
Attention: Planning & Development Services
Warringah Council
Civic Centre 725 Pittwater Road
DEE WHY NSW 2099

Dear Sir/Madam

RE: Development Application No: DA2009/1658

Description: INSTALLATION OF LIGHTING STRUCTURES

**Address: Passmore Reserve at Part Lot 2743,
DP 752038 Campbell Parade, Manly Vale**

1. *As a concerned Warringah resident, I am strongly opposed to Warringah Council's proposal to install very expensive, and eco-unfriendly, floodlight towers in Passmore Reserve for limited benefit.*

I object to Development Application No. DA2009/1658 being approved.

If the enormous steel towers, capped with arrays of high intensity lights, were to be erected, the natural beauty of the Reserve would be destroyed forever. Visual pollution, already on the increase from legal and illegal graffiti, would be taken to new levels of unacceptability.

The noise pollution of increased traffic and the nightly shouting from sporting activities, the jostling for fewer available parking spaces and the surging anti-social behaviour would severely impact on our already restricted periods of peace and quiet. We all need some quiet time to relax in the evenings.

Without any doubt, Council's DA2009/1658 to floodlight Passmore Reserve would most definitely downgrade the value, and the desirability of our homes and property in the area, as well as lifestyle.

2. *Since 11 August 2009 I have been very concerned with the way the Community Consultation on Passmore Reserve was conducted and I have been in ongoing contact, initially with Habitation, and then with Warringah Council about its implementation. I alerted Habitation to problems with its first letterbox drop promoting the 15 August 2009 consultation, then witnessed and experienced the interviews and survey.*

My opinion at the time was that any survey data collected would misrepresent the opinions of the local community because of the sampling. An integral part of this submission is the Attachment in the form of an email addressed to Warringah Councillors, dated 2.2.10 and titled "DA2009/1658 Passmore Reserve Management" along with its own attachments.

I request that this submission be considered in its entirety, and placed on Council's website as such.

3. In my opinion, all development on the Passmore floodlighting project would have stopped in August 2009 if a more comprehensive survey had been carried out. Council progressed to DA on the basis of the following August survey results:

22 respondents answered YES to floodlighting Passmore
5 respondents answered NO to floodlighting Passmore
3 gave no response

When the DA was announced, copies of the "Help Preserve Passmore Reserve" flyer were distributed in the Manly Vale area bounded by Campbell Parade and Lovett Street, east of Condamine Street. Return of the flyers was voluntary, making the following results truly representative of community sentiment:

2 submissions on Council's website approve of DA2009/1658 (1.30pm 2.2.10)
23 submissions on Council's website **object** to DA2009/1658 (1.30pm 2.2.10)

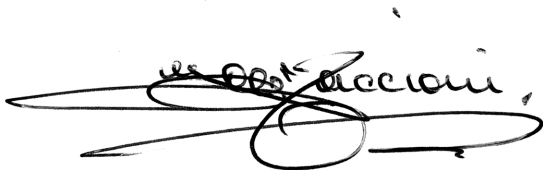
174 form letter submissions (including this one), each personalised, signed and dated, object to DA2009/1658 being approved.

In my opinion, with these results now in hand, the floodlighting project progressed to DA predicated on misleading information and so should be terminated as soon as possible, before even more community funds are arguably wasted.

4. The 173 personalised form letters compiled in this folder should be treated as individual submissions and each should be posted on Council's website.

5. Several other issues, including apparent conflicts between Council policies and project proposals in areas of strategic directions pertaining to resource consumption and noise pollution, are covered in detail in the attachments.

Yours faithfully

A handwritten signature in black ink, appearing to read "Joe Maccioni", with a large, stylized flourish underneath.

Joe Maccioni
Executive Committee, Strata 7225
27-31 Campbell Parade, Manly Vale

email: maccioni@ozemail.com.au
Tele: 02 9949 1131

Attachments: Email to Councillors "DA2009/1658 Passmore Reserve Management"
Signed sample of "Help Preserve Passmore Reserve" information/form letter

2 February 2010