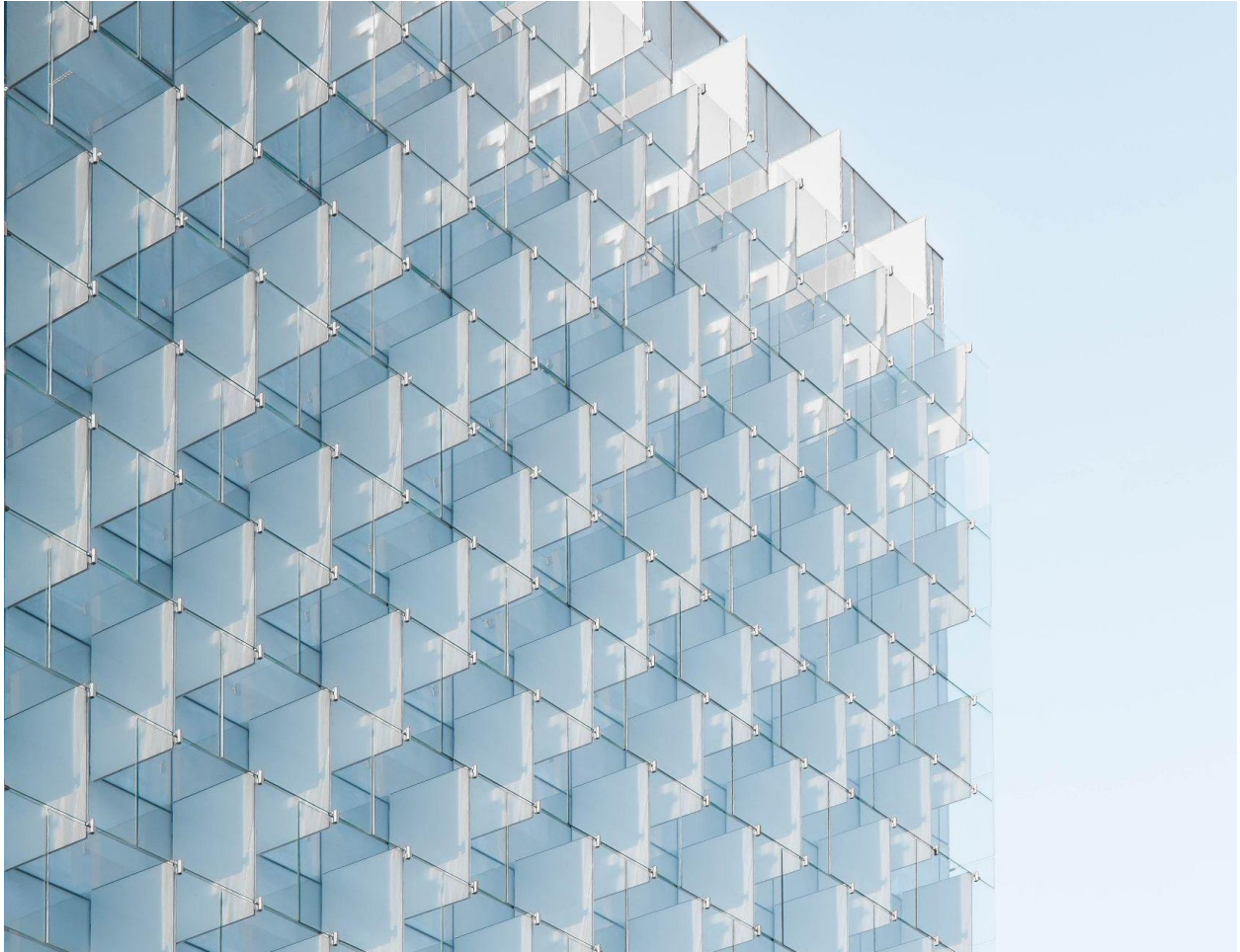


WILLOWTREE PLANNING



REVIEW OF ENVIRONMENTAL FACTORS:

PROPOSED TENNIS COURT FACILITIES, PEDESTRIAN BRIDGE, EAST & WEST CARPARKS AND ASSOCIATED WORKS

292 Condamine Street, North Manly
Lot 2742 DP 752038

—
Prepared by Willowtree Planning Pty Ltd
on behalf of Webber Architects

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REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
292 Condamine Street, North Manly

In the spirit of reconciliation and recognition, Willowtree Planning acknowledges the Traditional Owners of this Country throughout Australia and their continuing and ongoing connections to land, waters and community. We show our respect to Elders – past and present. We acknowledge that we stand on this Country which was and always will be recognised as Aboriginal Land. We acknowledge the Traditional Owners of the Lands in this Local Government Area, belonging to the local Aboriginal People, where this proposal is located upon.

DOCUMENT CONTROL TABLE			
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Version No. 2 DRAFT – 10/02/2025	Abbie Cogill Senior Planner	Andrew Cowan Director	
			

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REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carpark and Associated Works
292 Condamine Street, North Manly

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Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
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APPENDICES LIST

Appendix	Document	Prepared by
1	Site plan and development plans	Webber Architects
2	Title Search and Deposited Plan	Council
3	Section 10.7 (2) and (5) Certificate	Council
4	Cost Summary Report	Hanna Newman Associates
5	Landscape Plans	Webber Architects
6	Survey Plans	Hannah Newman Associates
7	Consultation Documentation	xxx
8	Demolition Plan	Webber Architects
9	Noise Impact Assessment	Acoustic Logic
10	Visual Impact Assessment	Webber Architects
11	Waste Management Plan	XXXXXX
12	Stormwater Management Plans and Civil Plans	Webber Architects
13	Geotechnical Report	Idealgeotech
14	Preliminary Construction Traffic and Pedestrian Management Plan	Webber Architects
15	Flood Risk Management Plan	ACOR Consultants
16	Arboricultural Impact Assessment	Hugh The Arborist Pty Ltd.
17	Aboriginal Cultural Heritage Due Diligence Report	OzArk Environment & Heritage
18	Acid Sulfate Soils Assessment	Idealgeotech
19	Plan of Management	XXXXXX
20	Flora and Fauna Assessment and Waterway Impact Statement Report	NARLA Environmental
21	Traffic and Parking Statement	PDC Consultants
22	Soil Erosion and Sediment Control Plan	ACOR Consultants
23	Cut and Fill Plan	ACOR Consultants
24	Car Park Plan	Northern Beaches Council



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EXECUTIVE SUMMARY

This Review of Environmental Factors (REF) has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning) on behalf of Northern Beaches Council as the determining authority and evaluates the environmental impact which could arise from the proposed activity located at 292 Condamine Street, North Manly (Lot 2742 DP 752038) (the Site).

This proposal exclusively relates to:

- New Tennis Court Facilities;
- New Pedestrian Bridge;
- Soft and Hard Landscaping Elements, and
- East and West Carports

It is understood that the Site is owned by Northern Beaches Council (Council) and the proposal forms part of a masterplan prepared by Council. Accordingly, Council is both the proponent and determining authority for this proposal.

This REF has been prepared in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979 (EPA Act), the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and *State Environmental Planning Policy (Transport and Infrastructure) 2021* (T&I SEPP) and the Guidelines for Division 5.1 Assessments 2022 (the Guidelines).

This REF identifies that the proposed activity can be carried out under provisions of the T&I SEPP, with specific reference to clause 2.73(3) which enable the proposed upgrade of the Warringah Recreational Centre to be undertaken as 'Development without Consent'. For development that is permitted without consent, section 5.5 of the EP&A Act requires the determining authority to examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity. To support this duty, clause 171 of the EP&A Regulation identifies the factors to be taken into account when consideration is being given to the likely impact of an activity on the environment. This REF



REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
292 Condamine Street, North Manly

has been prepared to document this assessment and provides a true and fair review of the activity in relation to its likely impact on the environment.

The purpose of this REF is to describe the Site, its environs, the proposed activity and provide an assessment of the environmental impacts and identifies the steps to be taken to protect or lessen the potential impacts on the environment. The description of the proposed activity and the scope of works are outlined at **Part C**, an assessment of the planning context is addressed at **Part D** and a description and assessment of the associated environmental impacts has been undertaken at **Part E**.

The REF helps to fulfil the requirements of section 5.5 of the EP&A Act, which requires that Council examine, and take into account to the fullest extent possible, all matters affecting, or likely to affect, the environment by reason of the proposed activity

DRAFT



REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carpark and Associated Works
292 Condamine Street, North Manly

DECLARATION AND DETERMINATION

This REF is reflective of a true, impartial and fair review of the proposal in relation to its potential effects on the environment having regard to applicable statutory considerations. It addresses all relevant matters affecting, or likely to affect the environment as a result of the proposal. The information contained within this REF is not considered to be false or misleading and is provided in good faith.

The REF has been prepared in accordance with the relevant provisions of the EP&A Act, the EP&A Regulation and its associated Environmental Planning Instruments.

On the basis of the consideration of key environmental aspects and the information presented in this REF, it is concluded that by adopting the mitigation measures identified in this assessment it is unlikely that there would be any significant environmental impacts associated with the proposal and that an EIS is not needed and the proposal is not required to be assessed as State Significant Infrastructure (SSI) by the Department of Planning, Housing and Infrastructure (DPHI).

This REF provides a true and fair review of the proposal in relation to its potential effects on the environment. It addresses to the fullest extent possible, all matters affecting or likely to affect the environment as a result of the proposal. The information contained in this REF is neither false nor misleading and on balance, although some impacts would occur, the proposal is recommended to proceed given its stated need and justification.

Person(s) who prepared the REF:

I confirm I have prepared this REF and it is neither false nor misleading.

Name:	Abbie Cogill
Position:	Senior Planner
Signature:	
Date:	10/02/2025

Reviewer:

I confirm I have examined this REF and am satisfied it addresses to the fullest extent possible, all matters affecting or likely to affect the environment.

Name:	Andrew Cowan
Position:	Director
Signature:	TO BE INCLUDED ONCE FINALISED
Date:	10/02/2025



REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
292 Condamine Street, North Manly

Determination

I have delegation to accept this REF on behalf of Webber Architects c/o Northern Beaches Council as the determining authority and determine that the proposal can proceed subject to the mitigation measures identified being implemented.

Name:

Position:

Signature:

Date:



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REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
292 Condamine Street, North Manly

PART A PRELIMINARY

1.1. INTRODUCTION

This Review of Environmental Factors (REF) has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning) on behalf of Northern Beaches Council in relation to the proposed activity located at 292 Condamine Street, North Manly (Lot 2742 DP 752038) (the Site).

This REF identifies that the proposed activity can be carried out under provisions of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (T&I SEPP), with specific reference to clause 2.73 (3) which enable the proposed activity to be undertaken as 'Development without Consent'. This REF considers the requirement of Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as well as clause 171 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).

1.2. THE SITE

The Site address is interchangeably referred to as 292 Condamine Street, North Manly or 433 Pittwater Road, North Manly and is legally described as Lot 2742 DP 752038.

The Site accommodates an area of 17.23 ha. The Development Area is located in the southern eastern portion of the Site. The Development Area is known as the Warringah Recreation Centre comprising tennis courts, soccer fields, and squash courts. The proposal does not involve any works to the remainder of the Site which comprises the Warringah Golf Course.

The Development Area sits on the corner of Kentwell Road and Pittwater Road, North Manly with Brookvale Creek running centrally.

1.3. OVERVIEW OF THE PROPOSED ACTIVITY

The proposed development is for the upgrade of the Warringah Recreational Centre including:

- New Tennis Court Facilities;
- New Pedestrian Bridge;
- East and West Carparks; and
- Associated works including pathways, landscaping, stormwater management and site preparation works.

The proposal is restricted to the above-mentioned scope of work however forms part of a masterplan upgrade for the Site which is to be undertaken via different approval pathways.

The following masterplan has been provided, noting the masterplan is intended to be undertaken as a joint venture between Council and Warringah Golf Club (WGC). Accordingly, a DA has previously been submitted for the construction of the WGC clubhouse (DA2022/2081) and was approved by the Sydney East Planning Panel on 19 February 2024.



REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
292 Condamine Street, North Manly



Figure 1. Warringah Recreation Centre Masterplan (Source: Northern Beaches Council, 2024)

It understood the proposal forms part of a masterplan which is intended to be carried out in stages. The relevant development parameters and responsibility for the proposed stages are outlined in **TABLE 1** below.



REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carpark and Associated Works
292 Condamine Street, North Manly

TABLE 1. DEVELOPMENT PARTICULARS AND RESPONSIBILITY		
Stage	Component	Responsibility
Stage 1	Swale relocation	Council
Stage 2	DA/CC by Warringah Golf Club	WGC
Stage 3	Demolition/Site clearing by Council under Warringah Golf Club's CC	Council
Stage 4	Construction of Warringah Golf Club Building	WGC
Stage 5	Eastern Carpark by Council for Warringah Golf Club to achieve Occupational Certificate	Council
Stage 6	Construction of Tennis & Squash Building – Recreational Centre	Council
Stage 7	Western Carpark & Pedestrian Bridge Connection	Council

It is understood that the proposed development would be undertaken as Stage 5, part of Stage 6 and part of Stage 7.

1.4. NEED FOR THE PROPOSAL

The enhanced recreation facility will cater to increased local demand and multi-sport use. Upgrades to the tennis courts mean the Site can host tennis competitions, while also offering the potential for pickleball, futsal, and other court-based activities.

The new facility will be flexible, multi-purpose, intergenerational, and accessible. The rejuvenated tennis courts will support the local tennis community and can be reconfigured to offer a variety of court-based sports.

Separate to this project, as part of wider precinct improvements for the Warringah Recreation Centre, a new golf clubhouse will be constructed (DA2022/2081), as well as a squash court building (DA2024/1171). The clubhouse including all construction, design, and project management will be funded by Warringah Golf Club. The squash court building will be funded by Northern Beaches Council.

1.5. PROPOSAL OBJECTIVES

The following objectives form the basis of the proposed activity within the existing recreation area:

- Meet the everyday requirements of the community through provision of recreation facilities.
- Integrate with and complement the existing recreation facilities;
- Minimise environmental and amenity impacts to surrounding land uses; and
- Ensure development is compatible with surrounding development and the local context.

The use of the Site for recreational purposes is an existing and lawful use and is appropriately zoned as RE1 Public Recreation.



REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
292 Condamine Street, North Manly

1.6. JUSTIFICATION

The option proposed pursuant to this REF is considered to result in the greatest functionality and best outcome for the recreation site, whilst having no unacceptable environmental, social or economic impacts.

1.7. STATUTORY APPROVAL PATHWAY

The proposed activity is permitted *without* consent, pursuant to clause 2.73(3) of the T&I SEPP. For development that is permitted without consent, Section 5.5 of the EP&A Act requires the determining authority to examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity. To support this duty, Section 171 of the EP&A Regulation identifies the factors to be taken into account when consideration is being given to the likely impact of an activity on the environment.

This REF has been prepared in order to document this assessment. The determining authority for this REF will be Northern Beaches Council.

1.8. STATUTORY CONSULTATION

Clause 2.73 of the T&I SEPP does not establish requirements for notification with the local Council (being Northern Beaches Council in this instance) or occupiers of adjoining land. Part 2.2, Division 1 of the T&I SEPP outlines the requirements for consultation and notification with Council and/or other public authorities, and the consideration of responses. Any response received within 21 days would have to be taken into consideration. It is noted that of the XXX properties notified XXX formal submissions were received from neighbouring occupiers.

This REF was notified by letter to Northern Beaches Council (Council) which was received by Council on XXX. Council responded on XXX

TABLE 2 SUMMARY OF NEIGHBOUR NOTIFICATION	
REPRESENTATION	
REPRESENTATION	
REPRESENTATION	
REPRESENTATION	

Furthermore, additional consultation with Council is required in accordance with Part 3.2, Division 1 of the T&I SEPP which relates to consultation with Council and/or other public authorities.

It is noted that Council was notified in accordance with the requirements of Part 2.2, Division 1 the statutory consultation requirements have been met.



REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carpark and Associated Works
292 Condamine Street, North Manly

1.9. ENVIRONMENTAL IMPACTS AND JUSTIFICATION

The likely impacts of the proposed activity have been examined in depth, and the assessments undertaken demonstrate that all potential environmental impacts may be suitably managed through the mitigation measures documented herein.

This REF forms the conclusion that the proposed activity is unlikely to significantly affect the environment, and therefore an Environmental Impact Statement (EIS) would not be required.

1.10. STRUCTURE OF THE REPORT

The structure of the REF is as follows:

- **PART A SUMMARY**
- **PART B SITE ANALYSIS**
- **PART C PROPOSED ACTIVITY**
- **PART D LEGISLATIVE AND POLICY FRAMEWORK**
- **PART E ENVIRONMENTAL IMPACT ASSESSMENT**
- **PART F CONSULTATION**
- **PART G MANAGEMENT AND MITIGATION MEASURES**
- **PART H CONCLUSION AND RECOMMENDATION**



REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
292 Condamine Street, North Manly

PART B SITE ANALYSIS

2.1 SITE LOCATION AND CHARACTERISTICS

The Site is identified as 292 Condamine Street, North Manly, containing the following land holdings:

TABLE 3. SITE IDENTIFICATION		
Site Address	Legal Description(s)	Land Area (approx.)
292 Condamine Street, North Manly	Lot 2742 DP 752038	17.23 ha

The Site address is interchangeably referred to as 292 Condamine Street, North Manly or 433 Pittwater Road, North Manly and is legally described as Lot 2742 DP 752038.

The Site accommodates an area of 17.23 ha. The Development Area is located in the southern eastern portion of the Site. The Development Area is known as the Warringah Recreation Centre comprising tennis courts, soccer fields, and squash courts. The proposal does not involve any works to the remainder of the Site which comprises the Warringah Golf Course.

The Development Area sits on the corner of Kentwell Road and Pittwater Road, North Manly with Brookvale Creek running centrally.

The Site, Development Area, the location of the squash building (DA2024/1171) and the location for the approved WGC clubhouse (DA2022/2081) is identified in **Figure 2** and **Figure 4** below.

There are two (2) vehicular access points to the Development Area off Kentwell Road, one is approximately 75m and the other approximately 40m from the intersection with Pittwater Road. Off street car parking is available along both internal access driveways within the southern and eastern sections of the Site. On-street 90-degree parking is located on the southern side of Kentwell Road.

The development area includes a portion of the Council verge fronting the Site as shown in **Figure 4**.

The Warringah Recreation Centre is an existing sporting facility on land owned by Council, and includes the following:

- Seven (7) outdoor tennis courts;
- Two (2) outdoor futsal courts;
- Three (3) indoor squash courts;
- Approximately 36 on-site car parking spaces; and
- Two (2) combined entry/exit vehicle access onto Kentwell Road.

There is an existing clubhouse within the south-western corner of the Development Area adjacent to Brookvale Creek offering amenities including changing rooms with showers and a pro shop.

Refer to **Figure 3** and **Figure 4** below.



REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
292 Condamine Street, North Manly



Figure 2. Warringah Recreation Centre Site Plan (Webber Architects, 2024)



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REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
292 Condamine Street, North Manly

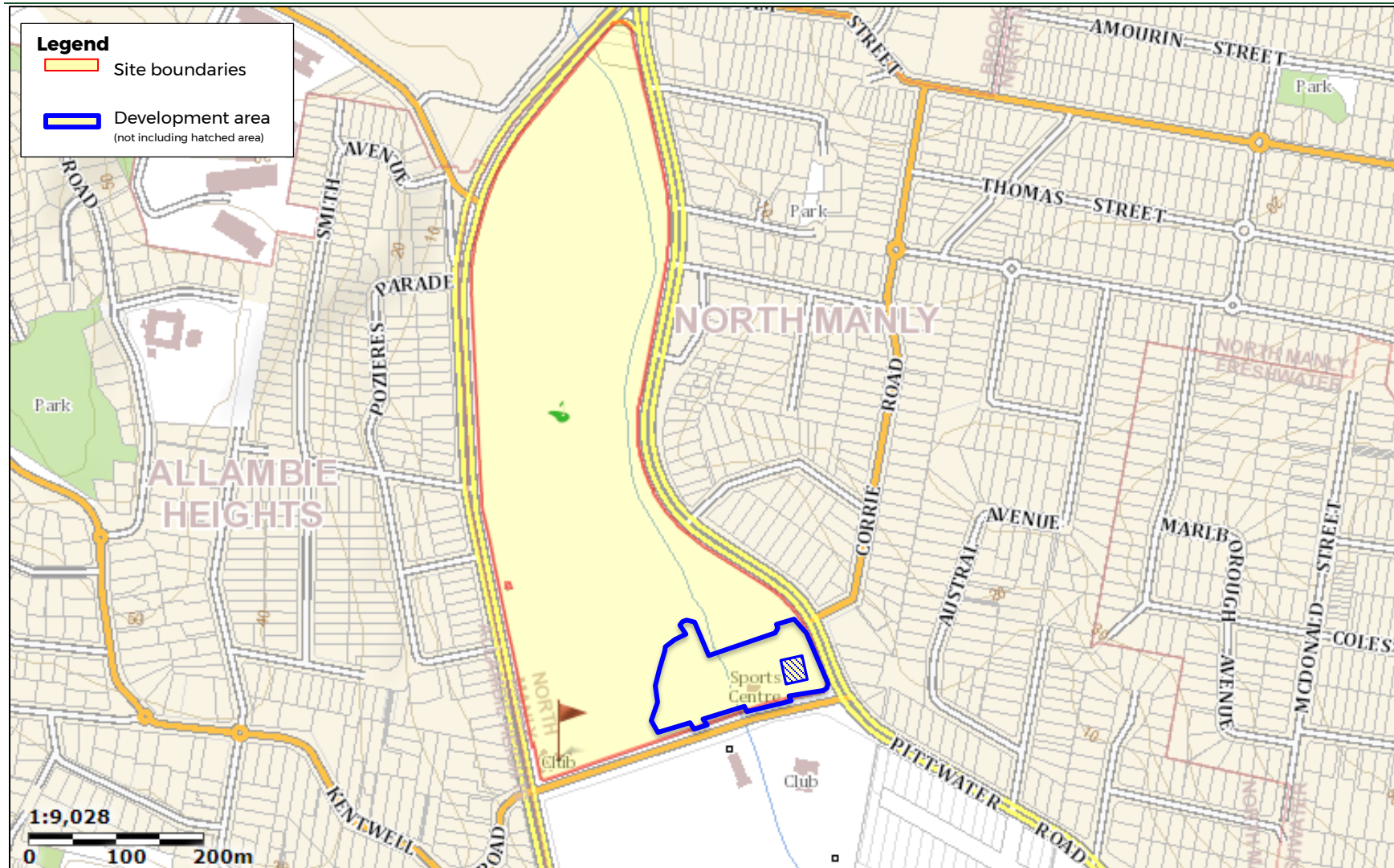


Figure 3. Cadastral Map (Source: SIX Maps, 2024)



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REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
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Figure 4. Aerial Map (Source: Near Map, 2024)



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REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
292 Condamine Street, North Manly



Figure 5. View of the Site and existing club house looking northwest on Kentwell Road (Source: Google Streetview, 2024)



Figure 6. View of the existing outdoor courts at the Site looking southwest on Pittwater Road (Source: Google Streetview, 2024)



Figure 7. View from the crossing of Kentwell and Pittwater Road towards the proposed squash court building site looking west (Source: Google Streetview, 2024)



REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carpark and Associated Works
292 Condamine Street, North Manly

2.2 SITE CONTEXT

The Site is located in a low-lying area with elevation ranging from approximately 3m above sea level (asl) to approximately 5m asl (Google, 2024) and is situated on the Warriewood soil landscape as described in the Soil Landscapes of the Sydney 1:100,000 sheet (refer to **Appendix 20**). This soil landscape is characterised by level to gently undulating plains with local relief <10 m and slope gradients <5% on in-filled coastal barrier dunes, lakes and lagoons as well as swale depressions in dunefields. Geology consists of Quaternary (Holocene) silty to peaty quartz sand and medium to fine marine sand with podzols. Dominant soil materials include dark grey loamy sand, massive sand, black sticky peat, brown soft iron pan and dark brown soft organic pan.

The Site is bordered by vegetation on its western, northern and eastern boundaries. Riparian vegetation to the west adjacent to Brookvale Creek has been identified as poor-moderate quality Estuarine Swamp Oak Forest. The Site is relatively level. The Site is identified on Council's Flood Hazard Map as a medium risk precinct and the adjoining riparian corridor is identified as a high-risk precinct.

Refer to **Figure 8** below.



Figure 8. Site Context Map (Source: Google Maps, 2024)

The subject site is located within the RE1 Public Recreation zone under the WLEP2011 as shown in **Figure 9**.



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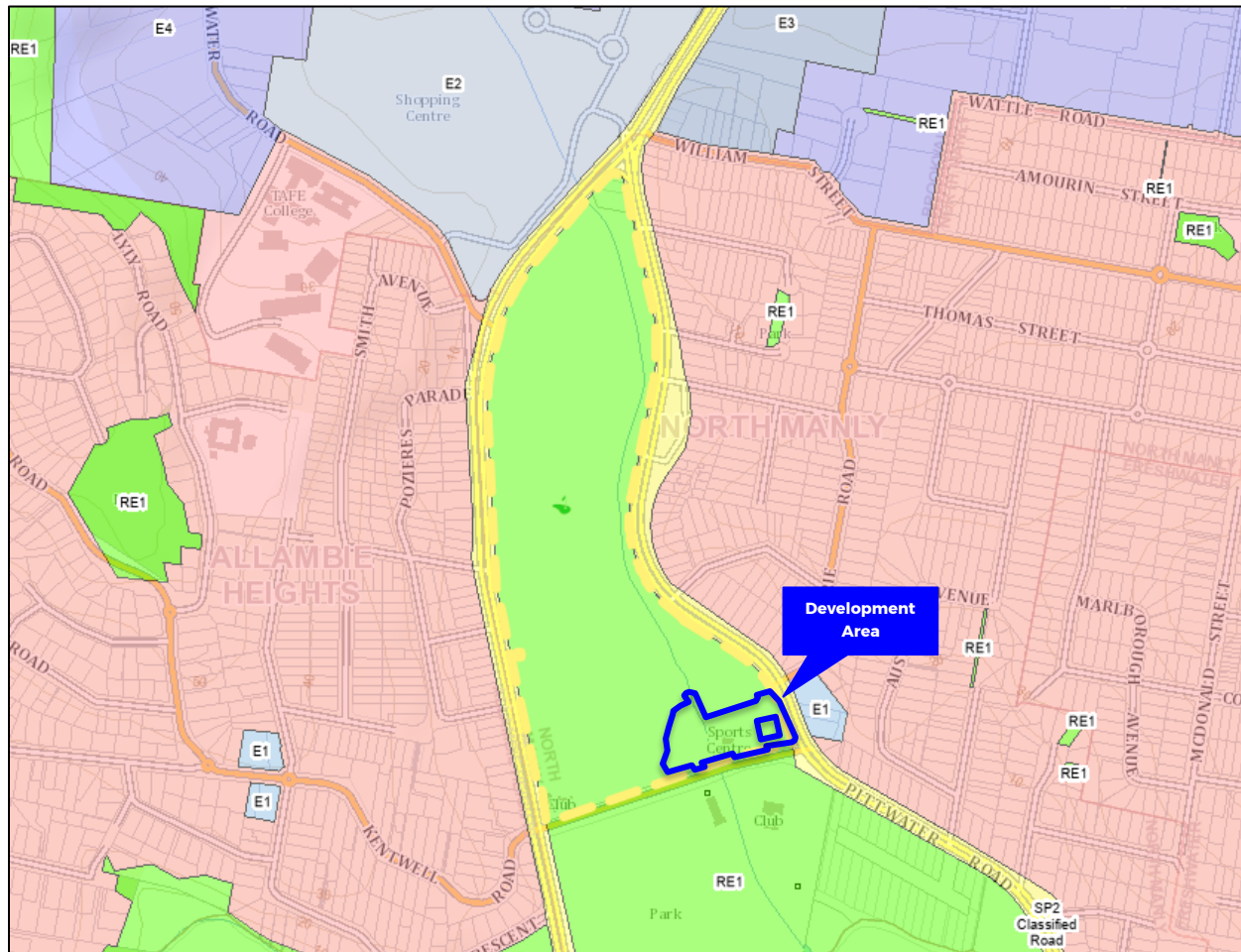


Figure 9. WLEP2011 Zoning Map (Source: NSW Legislation, 2024)

The objectives of the RE1 Public Recreation zone include:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To protect, manage and restore public land that is of ecological, scientific, cultural or aesthetic value.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

Within the RE1 zone, the following development is permitted without consent:

- Environmental facilities; Environmental protection works; Roads

Within the RE1 zone, the following development is permitted with consent:



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- *Aquaculture; Boat building and repair facilities; Boat sheds; Building identification signs; Business identification signs; **Car parks**; Centre-based child care facilities; Community facilities; Emergency services facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); **Recreation facilities (outdoor)**; Respite day care centres; Restaurants or cafes; Water recreation structures*

Within the RE1 zone, the following development is prohibited:

- *Any development not specified in item 2 or 3*

The proposal is permissible in the RE1 Public Recreation zone and meets the objectives for the zone through providing a range of recreational settings and activities and compatible land uses. Regardless, the provisions under Section 2.73 of the T&I SEPP have been invoked to carry this out as “development permitted without consent, hence the preparation of this REF.

2.3 LAND OWNERSHIP & TITLE ENCUMBRANCES

The land is under ownership of Northern Beaches Council.

Following a review of the Title Search and Deposited Plan (**Appendix 2**), a high-level summary has been provided in **TABLE 4**.

TABLE 4. EASEMENTS AND RESTRICTIONS	
Reference	Reservation and conditions
-	Easement for sewerage affecting part of lots 2742 & 2732 in DP752038 shown in DP 829465
S351395	Easement for watermain affecting the part of Lot 2742 in DP752038 shown in DP590932
AS110322	Lease to Warringah Golf Club Limited of part Lots 2741 & 2742 in DP752038 being Lot 1 in DP829465 and part Lot 2743 in DP752038 being Lot 7 in DP829465. Expires: 31/8/2040

The development area is not encumbered by any of the abovementioned easements, refer to **Figure 11**.



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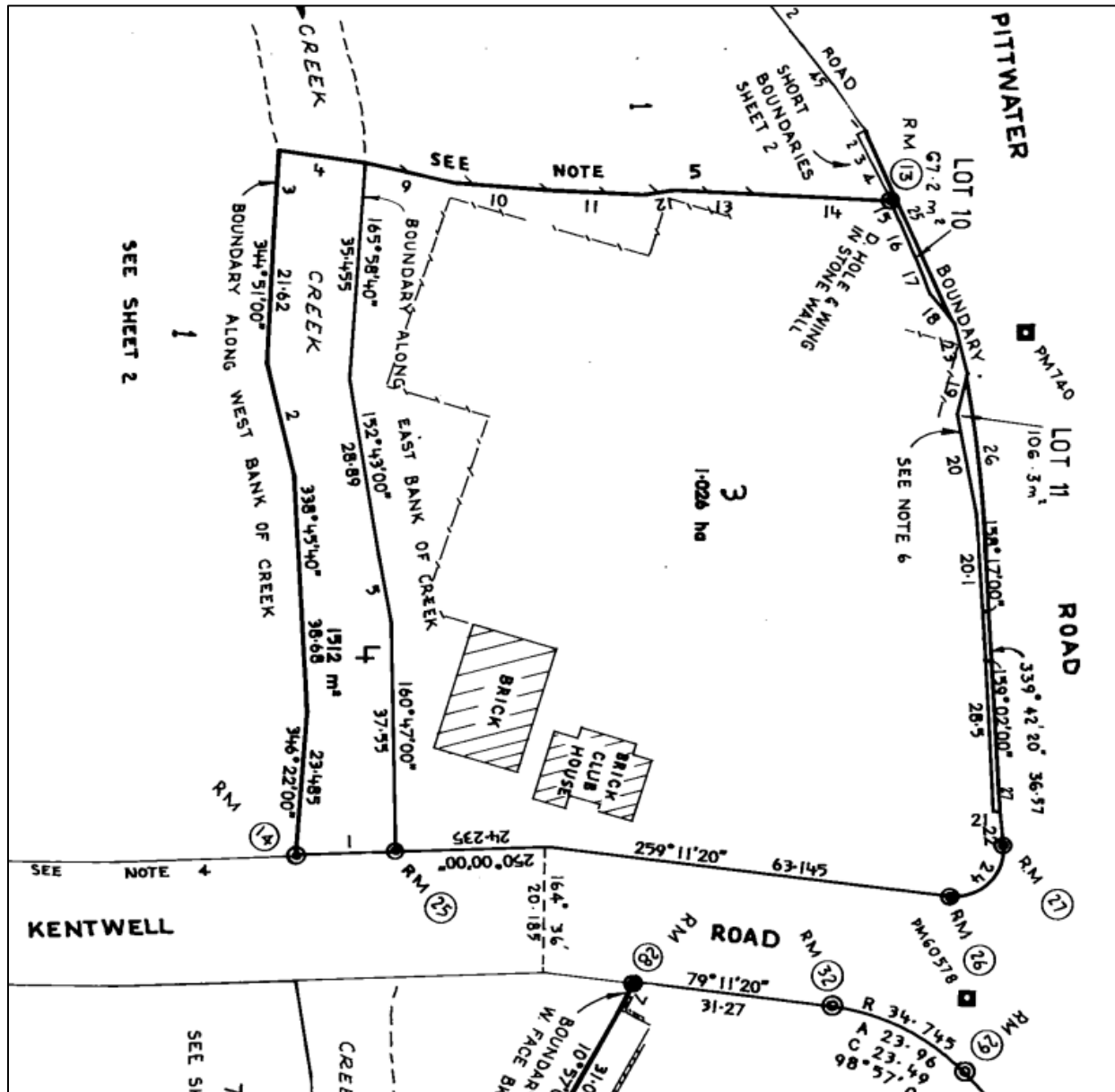


Figure 10. Deposited Plan for the Site (Source: Land registry, 2024)



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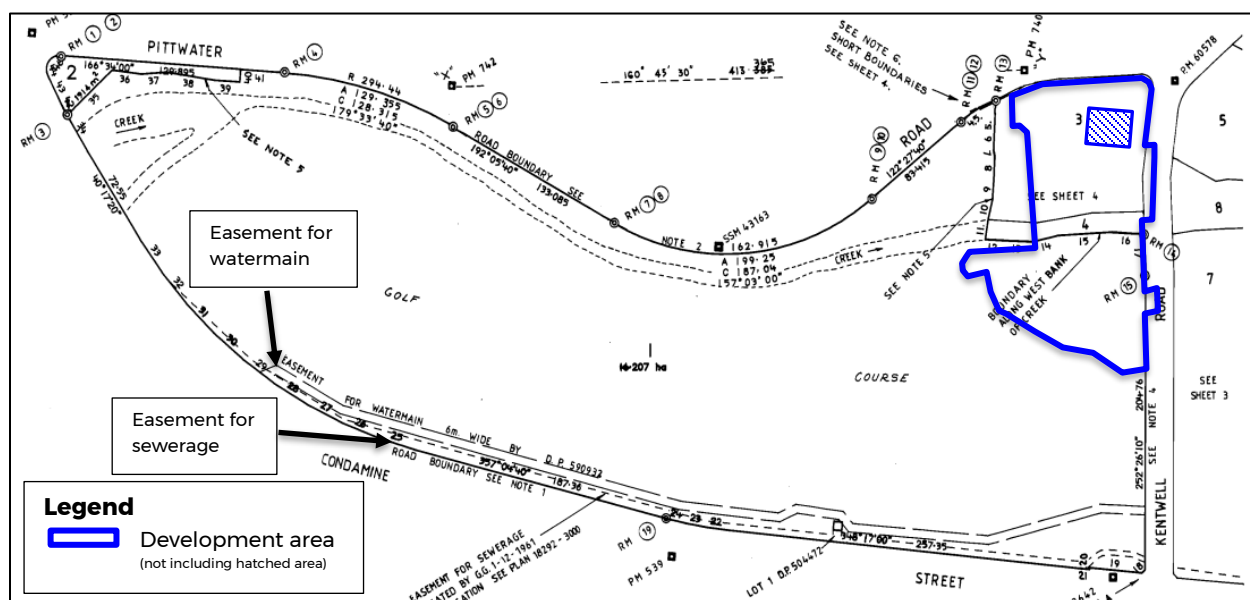


Figure 11. Deposited Plan for the Site (Source: Land registry, 2024)

2.4 SITE CONSTRAINTS

The Section 10.7 (2) and (5) Certificate for the Site contained at **Appendix 3** (Ref: PLC2024/0082) has been reviewed and a summary of key information is provided in **TABLE 5**

TABLE 5 REVIEW OF 10.7 CERTIFICATE	
Matter	Relevance to Site
Local Environmental Plan	Warringah Local Environmental Plan 2011
Development Control Plan	Warringah Development Control Plan 2011
Zoning	RE1 Public Recreation
Critical habitat	No
Conservation area	No
Heritage item	No
Coastal protection	No
Mine subsidence district	No
Road widening or realignment	No
Landslip Risk	Area A - Slope <5°
Bushfire	No
Tidal inundation	No
Subsidence	No
Acid sulphate soils	Yes - Classes 2, 4, and 5.
Flood related development controls	Yes
Overland flow	No
Land reserved for acquisition	No
Contribution plans	Northern Beaches Section 7.12 Contributions Plan 2022



REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
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TABLE 5 REVIEW OF 10.7 CERTIFICATE

Matter	Relevance to Site
Biodiversity certified land	No
Biobanking agreements	No
Property vegetation plan	No
Tree orders	No
Part 3A directions	N/A
Site compatibility certificate for seniors housing, infrastructure, affordable housing	N/A
Site verification certificate	No
Affected building notice or building product rectification order	No
Contamination Land Management Act 1997- significantly contaminated, management order, approved voluntary management proposal, ongoing maintenance order, site audit statement	No
Tree preservation order	No

Accordingly, the only constraint affecting the Site is flood, landslip and acid sulphate soil related development controls based on the information documented in the Section 10.7 Certificates.

2.5 CURRENT AND ONGOING USE

The Warringah Recreation Centre is an existing sporting facility on land owned by Council, and includes the following:

- Seven (7) outdoor tennis courts;
- Two (2) outdoor futsal courts;
- Three (3) indoor squash courts;
- Approximately 36 on-site car parking spaces; and
- Two (2) combined entry/exit vehicle access onto Kentwell Road.

There is an existing clubhouse within the south-western corner of the Development Area adjacent to Brookvale Creek offering amenities including changing rooms with showers and a pro shop.

2.6 DEVELOPMENT HISTORY

TABLE 6 outlined below provides a summary of the DAs, pertaining to the Site and of relevance to the proposal, that have been determined or are under assessment.



REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
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TABLE 6. EXISTING CONSENTS

DA Reference	Summary	Approval Date
DA2022/2081	Change of use and construction of a golf club house and associated facilities	14/02/2023
DA2008/1742	Construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works	16/05/2012
DA2010/0098	Construction of a new fence	06/04/2010
Mod2014/0283	Modification of DA2008/1742 granted for the construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works	26/05/2015
Mod2014/0285	Modification of DA2008/1742 granted for the construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works	04/05/2015
Mod2015/0247	Modification of DA2008/1742 granted for the construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works	05/04/2016
Mod2016/0273	Construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works	14/10/2016
Mod2017/0253	Modification of DA2008/1742 granted for the construction of stormwater upgrade works for Warringah Mall and watercourse bank stabilisation works	23/11/2017
DA2024/1171	Construction of one storey squash court building and associated earthworks and signage	Under assessment



REVIEW OF ENVIRONMENTAL FACTORS

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PART C PROPOSED ACTIVITY

3.1 OVERVIEW OF THE PROPOSED ACTIVITY

The proposal particulars are as follows:

- New Warringah Recreational Centre Tennis Court Facilities incorporating:
 - 5 Tennis Courts
 - Circulation corridor with shade sails
 - Fencing
 - Lighting
 - Umpire chairs
- New pedestrian bridge across Brookvale Creek
- Eastern and western car parking area for 125 car parking spaces including:
 - 11 dual outlet EV charging bays
 - 5 accessible car parking spaces
 - 2 new vehicle crossovers from Kentwell Road
 - New access from golf course to western car parking area
 - New 12.5m high golf barrier netting
- Associated site preparation works including:
 - Earthworks and retaining involving approximately 616m³ of cut and approximately 488m³ of fill to a maximum depth of 0.5m
 - Demolition of existing services, squash building, clubhouse, sports courts, vehicle crossovers, fencing, gates, signs, paving, bitumen, concrete, and hard landscaping
 - Removal of seven (7) trees
- Associated Soft and Hard Landscaping Elements including replacement tree planting
- Associated installation of an electrical substation
- Associated stormwater works including connection to creek
- Associated footpath and elevated pedestrian boardwalk between the proposed Warringah Recreational Centre Tennis Court Facilities, Kentwell Road footpath, approved Warringah Golf Club Building and the carparking areas including pedestrian crossing.

3.2 DEVELOPMENT STATISTICS

The particulars of the proposed activity are listed in **TABLE 7** below.

TABLE 7. DEVELOPMENT PARTICULARS	
Component	Proposed
Site Area	17.23 ha
Primary Land Use	Recreation
Ancillary development	The proposed pedestrian bridge, substation, car parking and hard landscaping elements are ancillary to the use of the Site as an indoor and outdoor recreation facility.
Landscaping	Compensatory (replacement) tree planting would be carried out by the Applicant as shown in the Landscape Plans in Appendix 5 . The Landscape Plan includes planting within the Council verge.



REVIEW OF ENVIRONMENTAL FACTORS

Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carparks and Associated Works
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TABLE 7. DEVELOPMENT PARTICULARS

Component	Proposed
Earthworks	<p>It is understood minimal cut and fill will be undertaken to accommodate construction of the proposed works. The earthworks volume below demonstrates the compensatory cut generated. Volume displaced due to filling over the flood storage in Golf Club site by Stellen, eastern car park by Council and proposed Squash Court Building respectively are summed below.</p> <p>Total:</p> <ul style="list-style-type: none">▪ Total cut (from existing to finish level): -616m³ achieved compensatory cut▪ Total fill (from existing to finish level): 488m³▪ Cut/fill balance: 128m³ (cut)
Roads / Driveways	<p>Demolition of two (2) existing driveway crossovers from Kentwell Road</p> <p>Two (2) new driveway crossovers from Kentwell Road</p>
Car Parking	<p>The proposed parking would also service the proposed squash court building subject to a separate DA:</p> <ul style="list-style-type: none">▪ Western Carpark: 70 spaces;▪ Eastern Carpark: 55 spaces.
Tree Removal / Planting	<p>The Flora and Fauna Assessment and Waterway Impact Statement Report (Appendix 20) states that the proposed development will require the removal of the following vegetation within the Subject Site:</p> <ul style="list-style-type: none">▪ Seven trees are proposed to be removed▪ 0.01a of Estuarine Swamp Oak Twig-rush Forest which conforms to the BC Act listed Swamp Oak Floodplain Forest in the NSW North Coast, Sydney Basin and South East Corner Bioregions and EPBC listed Coastal Swamp Oak (<i>Casuarina glauca</i>) Forest of South-east Queensland and New South Wales; and▪ 0.01ha of Exotic Dominated Vegetation. <p>Proposed planting is detailed in the Landscape Plan (Appendix 5)</p>
Signage	No business identification signage is proposed
Infrastructure and Servicing	The proposed works would be connected to all existing services.
Cost of Works	\$4,271,950



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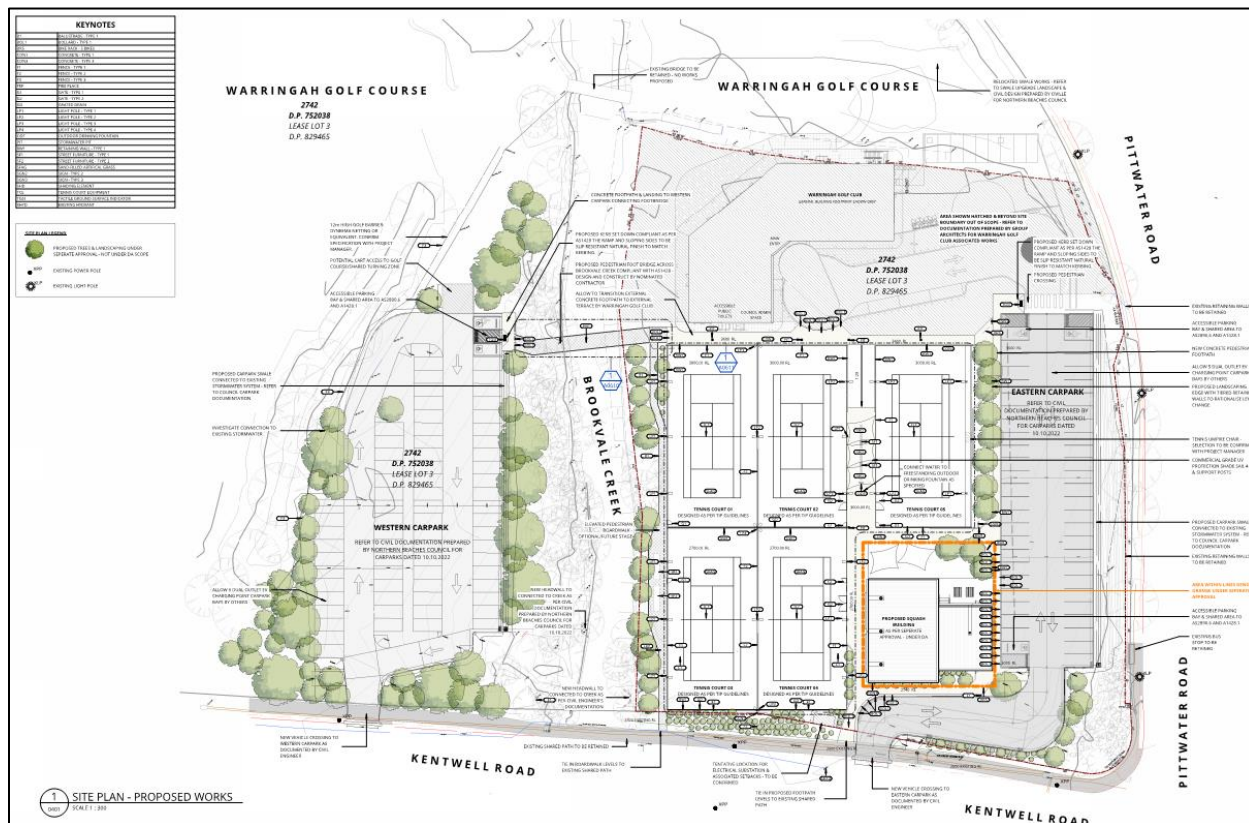


Figure 12. Site Plan (Source: Webber Architects, 2024)

3.2.1 Site Preparation Works

The following site preparation works are required to facilitate the proposed tennis court facilities, pedestrian bridge and east and west carparks:

- Earthworks and retaining involving approximately 616m³ of cut and approximately 488m³ of fill to a maximum depth of 0.5m
- Demolition of existing:
 - Services,
 - Squash building,
 - Clubhouse,
 - Sports courts,
 - Vehicle crossovers,
 - Fencing,
 - Gates,
 - Signs,
 - Paving,
 - Bitumen,
 - Concrete, and
 - Hard landscaping.
- Removal of seven (7) trees



Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carpark and Associated Works
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LEGEND

CUT		FILL	
-8.00 to -6.50 m	[Dark Purple]	0.00 to 0.25 m	[Light Green]
-6.50 to -5.00 m	[Purple]	0.25 to 0.50 m	[Green]
-5.00 to -4.00 m	[Magenta]	0.50 to 0.75 m	[Light Green]
-4.00 to -3.00 m	[Pink]	0.75 to 1.00 m	[Green]
-3.00 to -2.50 m	[Red-Orange]	1.00 to 1.50 m	[Dark Green]
-2.50 to -2.00 m	[Red]	1.50 to 2.00 m	[Cyan]
-2.00 to -1.50 m	[Brown-Orange]	2.00 to 2.50 m	[Teal]
-1.50 to -1.00 m	[Brown]	2.50 to 3.00 m	[Dark Teal]
-1.00 to -0.75 m	[Orange]	3.00 to 4.00 m	[Dark Blue-Gray]
-0.75 to -0.50 m	[Light Orange]	4.00 to 5.00 m	[Blue]
-0.50 to -0.25 m	[Yellow-Orange]	5.00 to 6.50 m	[Dark Blue]
-0.25 to 0.00 m	[Yellow]	6.50 to 8.00 m	[Purple]

AREA UNDER DA SCOPE

PITTSBURGH ROAD

KENTWELL ROAD

339753.836 E
6261455.599 N

339784.011 E
6261472.188 N

339755.459 E
6261388.354 N

20 40 60

10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390 400 410 420 430 440 450 460 470 480 490 500 510 520 530 540 550 560 570 580 590 600 610 620 630 640 650 660 670 680 690 700 710 720 730 740 750 760 770 780 790 800 810 820 830 840 850 860 870 880 890 900 910 920 930 940 950 960 970 980 990 1000

Figure 13. Earthworks Plan (Source: Webber Architecture, 2024)

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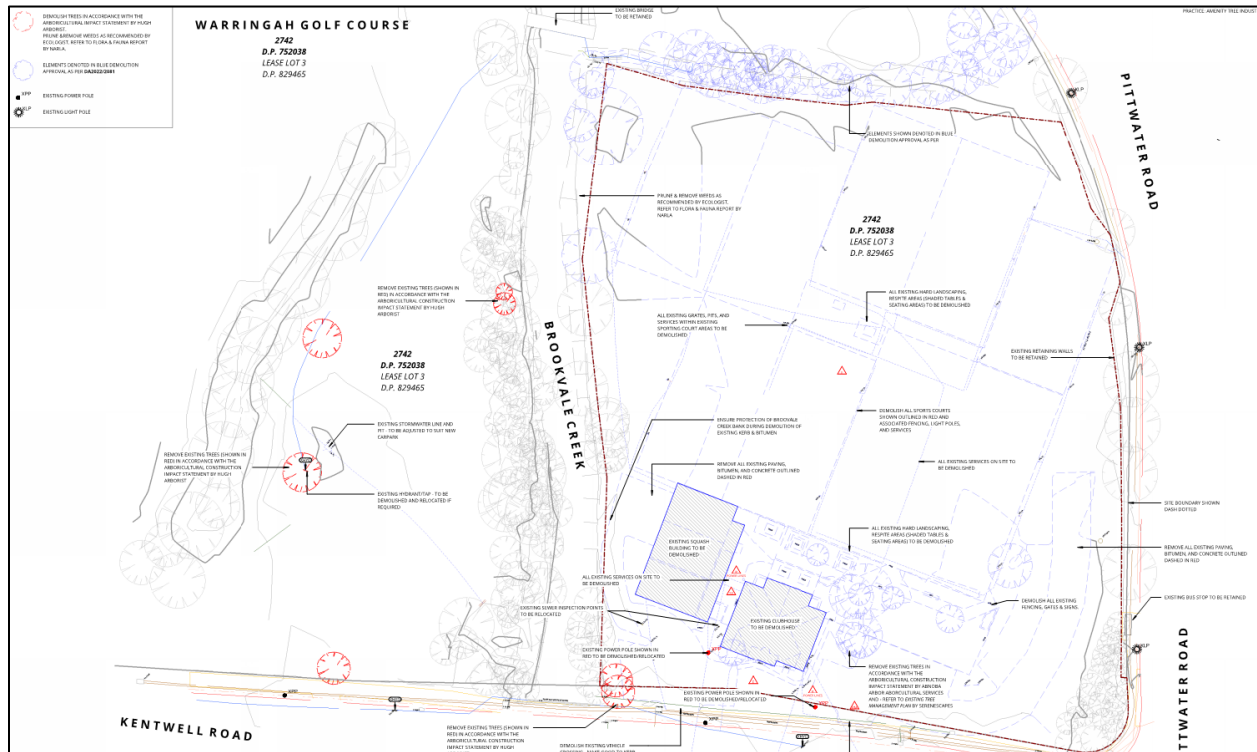


Figure 14. Demolition Plan (Source: Webber Architecture, 2024)

3.2.2 Tennis Court Facilities

The proposal seeks to construct new Warringah Recreational Centre Tennis Court Facilities incorporating:

- 5 Tennis Courts
- Circulation corridor with shade sails
- Fencing
- Lighting
- Umpire chairs

The proposed tennis courts will feature artificial grass, with powder-coated fences, gates, and light posts in accordance with Tennis Infrastructure Planning Guidelines. Sandstone-colored retaining walls will harmonize the site's levels, while shading devices will be integrated along the active circulation pathways between the courts to enhance comfort and usability. Street furniture with integrated planting will contribute to a vibrant atmosphere. Landscape edging strategies are designed to ensure a site-sensitive approach, rationalizing levels to effectively accommodate the flood-prone zone.



REVIEW OF ENVIRONMENTAL FACTORS

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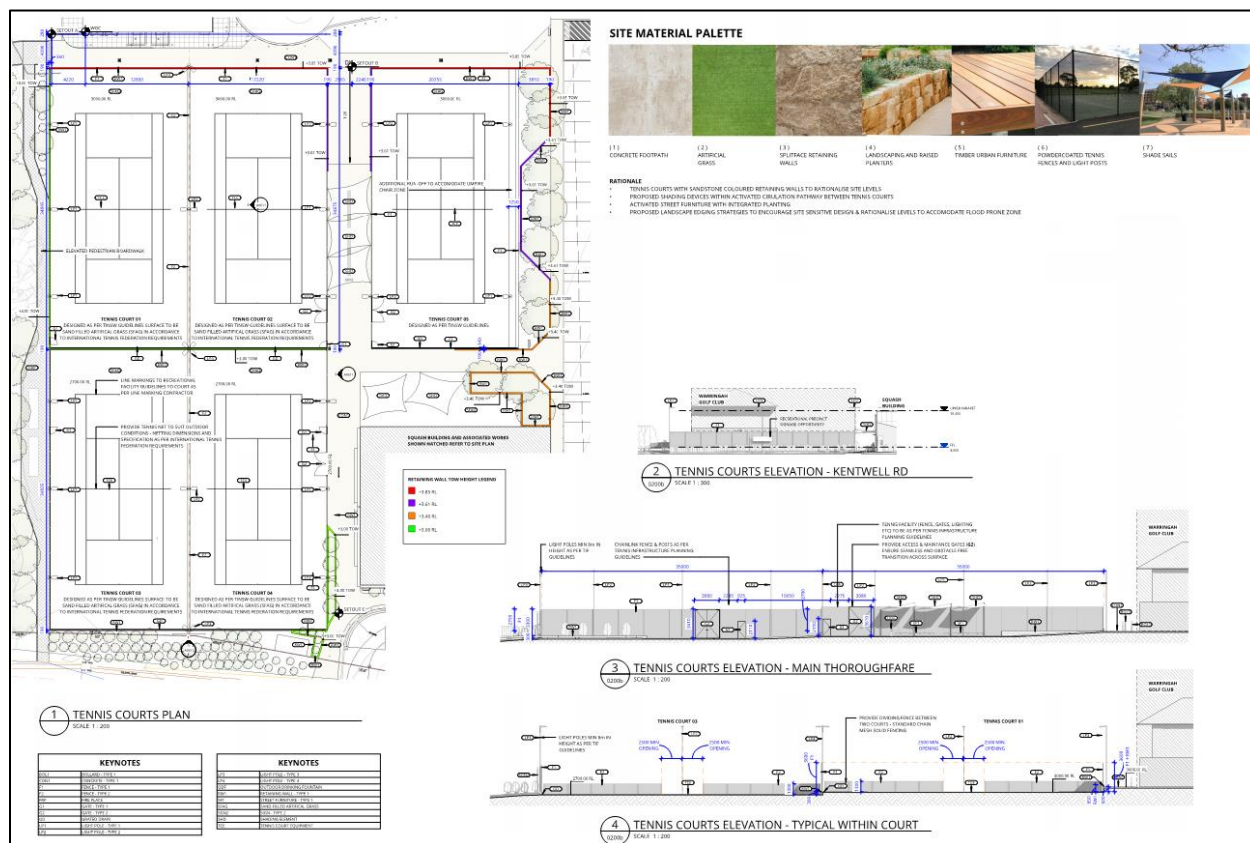


Figure 15. Tennis Court Drawings (Source: Webber Architects, 2024)

3.2.3 Pedestrian Bridge

The proposal seeks to install a pedestrian bridge across Brookvale Creek, refer to **Figure 16**.

The pedestrian bridge would require minimal intervention in the high-biodiversity zone. The specified material for the bridge is Fiber Reinforced Polymer (FRP) with a hole size of 11mm or smaller, ensuring compatibility with various types of footwear while allowing both water and light to reach the vegetation below. Additionally, the surface material will be non-slip to enhance safety.



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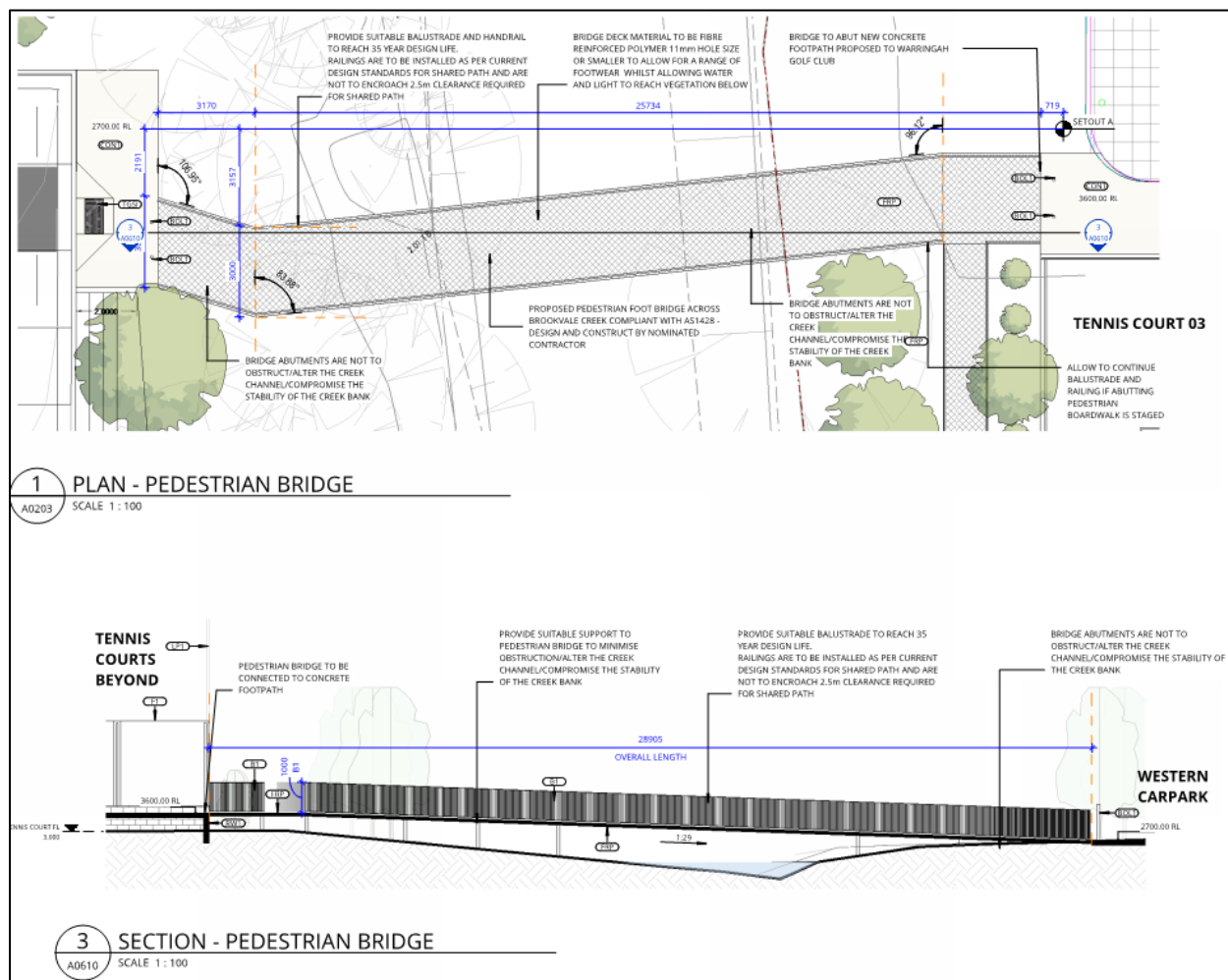


Figure 16. Pedestrian Bridge Drawings (Source: Webber Architects, 2024)

3.2.4 East and West Carparking Areas

The proposal seeks to construct an eastern and a western car parking area for 125 car parking spaces including:

- 11 dual outlet EV charging bays
- 5 accessible car parking spaces
- 2 new vehicle crossovers from Kentwell Road
- New access from golf course to western car parking area
- New 12.5m high golf barrier netting

The proposed car parking areas will provide parking for users of the tennis court facilities, squash building facilities (under DA scope), golf course facilities and the Warringah golfclub club house (approved under DA2022/2081).



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Access from the golf course to the par parking area is also proposed to accommodate golf buggies.

3.2.5 Landscaping

The Landscape Plan includes planting within the Council verge, featuring mass planting on the embankment with a selection of low shrubs, grasses, and groundcovers. Species such as *Carprobotrus* 'Aussie Rambler,' *Crinum pedunculatum*, *Doryanthes excelsa*, *Poa labillardieri* 'Eskdale,' and *Westringia fruticosa* will be used to create a visually appealing and ecologically sensitive landscape. For further details, refer to the plant schedule.

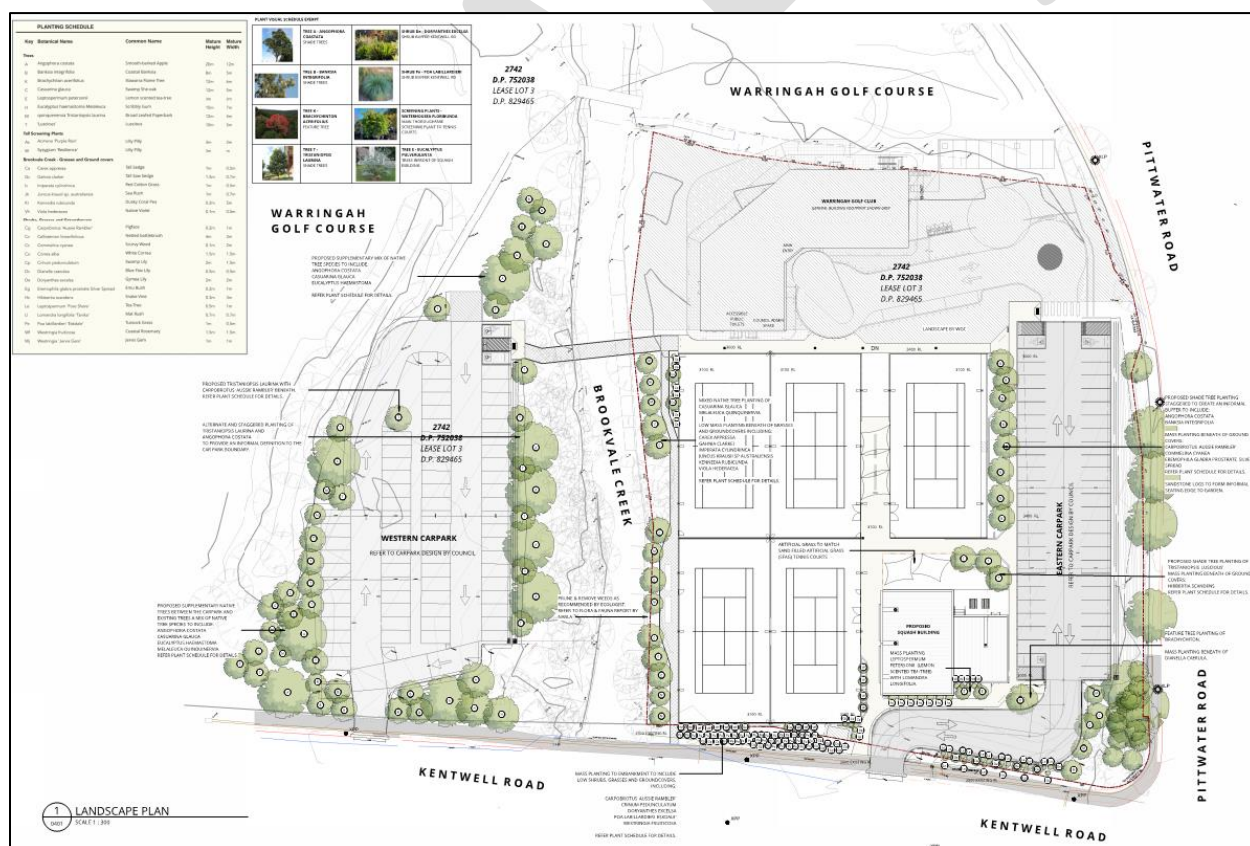


Figure 17. Landscape Plan (Source: Webber Architects, 2024)

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The proposal incorporates artificial grass, sandstone-colored retaining walls, and tree planting strategies with native species like *Angophora costata*, *Banksia integrifolia*, and *Brachychiton acerifolius*. Shade trees, ground covers, and shrubs are strategically placed for aesthetics and environmental sensitivity. Additional elements include informal seating with sandstone logs, landscape edging, and supplementary trees to buffer the carpark. The plan adheres to relevant ecological recommendations and design guidelines.

3.2.6 Stormwater Management

The proposed development requires stormwater management works to manage run off. The Stormwater Management Plan provided at **Appendix 12**, details the specifications for various drainage systems, including pit sizes, cover levels, and depths for different types of drainage infrastructure, such as grated drains and underground piping. The plan also indicates connection points for landscape subsoil to the existing creek, as well as details on fall levels and required connections for building roof water. The drawing features various contour levels, ensuring proper water flow and management throughout the site.



Figure 18. Stormwater Management Plan (Source: Acor Consultants, 2024)

3.2.7 Pedestrian Pathways

The proposed design includes a comprehensive network of pedestrian pathways connecting the various facilities within the Warringah Recreational Centre, including the tennis court facilities, the footpath along Kentwell Road, the approved Warringah Golf Club building, and the adjacent car parking areas. These



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pathways will enhance accessibility and encourage safe movement throughout the site, incorporating clearly marked pedestrian crossings for added safety.

Notably, a section of the pedestrian pathway will run alongside the creek line and will be designed as an elevated boardwalk. This boardwalk will not only provide a unique and scenic experience for users but also minimize environmental impact by reducing disturbance to the natural creek area. The elevated design will ensure that pedestrians can enjoy a safe and pleasant journey, with views of the surrounding landscape while promoting a seamless integration of the recreational facilities with the natural environment. Overall, this pathway network will enhance connectivity, safety, and the overall user experience at the Warringah Recreational Centre.

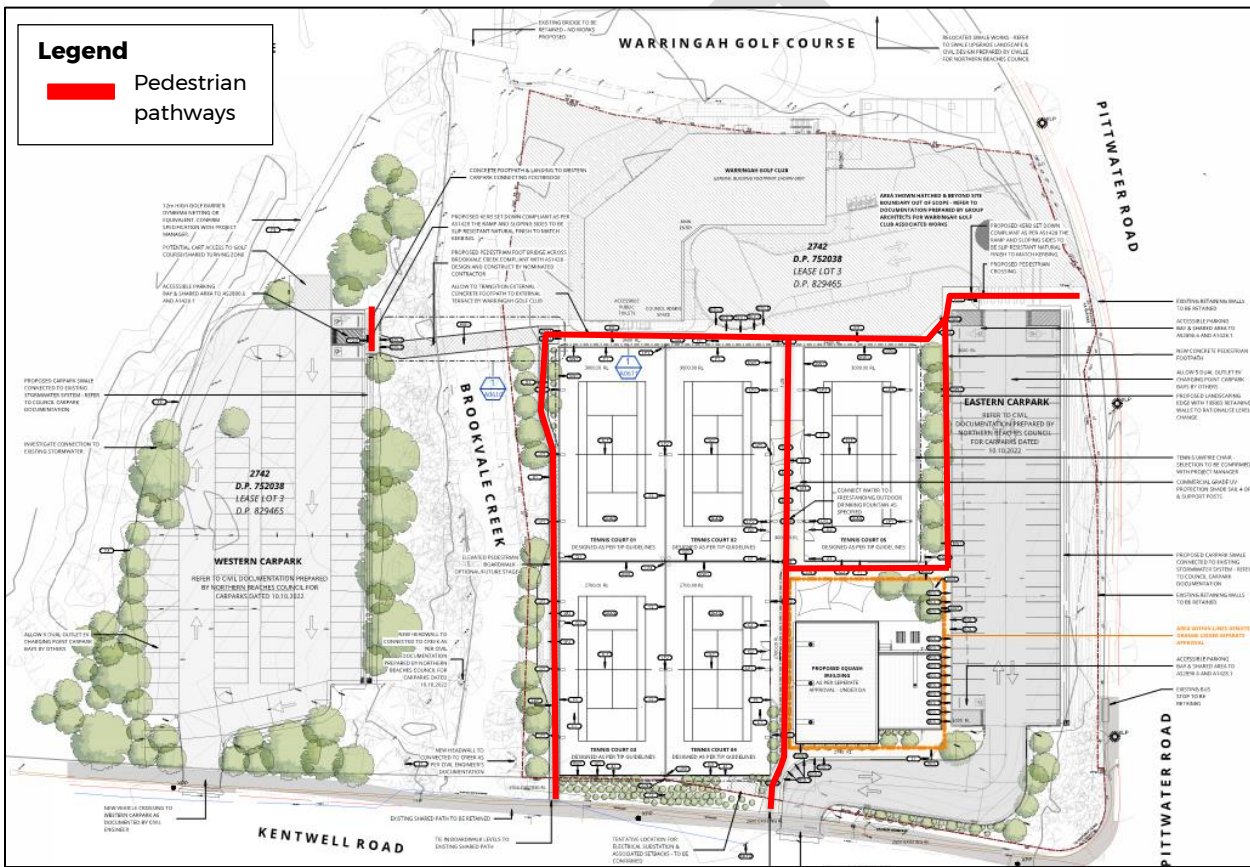


Figure 19. Pedestrian Pathways (Source: Webber Architects, 2024)

3.3 OPERATIONAL DETAILS

The operational details of the proposed activity are documented in **TABLE 8**.

TABLE 8. OPERATIONAL DETAILS	
Component	Proposed



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292 Condamine Street, North Manly

Hours of Operation	TBC
Number of Staff	TBC
Vehicle Types	TBC

3.4 PROJECT TIMEFRAMES

The works are short/long term, as outlined in **TABLE 8**.

TABLE 9. PROJECT TIMEFRAMES	
Particulars	Comments
Commencement Date	TBC
Work Duration	TBC
Work Hours	<ul style="list-style-type: none">07:00 – 17:00 Mondays to Fridays inclusive;08:00 – 13:00 Saturdays; andNo work may be carried out on Sundays or public holidays.



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Proposed Tennis Court Facilities, Pedestrian Bridge, East & West Carpark and Associated Works
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PART D LEGISLATIVE AND POLICY FRAMEWORK

4.1 STATUTORY PLANNING FRAMEWORK OVERVIEW

This section of the REF assesses and responds to the relevant current and draft Commonwealth, State and Local planning controls and policies, including:

Commonwealth Planning Context:

- *Environment Protection and Biodiversity Conservation Act 1999*

State Planning Context:

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Coastal Management Act 2016*
- *Water Management Act 2000*
- *Roads Act 1993*
- *Biodiversity Conservation Act 2016*
- *Protection of the Environment Operations Act 1997*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*

Local Planning Context

- *Warringah Local Environmental Plan 2011*
- *Northern Beaches Section 7.12 Contributions Plan 2022*
- *Warringah Development Control Plan 2011*

Detailed consideration of this planning framework is provided in the following sections.

4.2 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is the Australian Government's central piece of environmental legislation. It provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places, defined in the EPBC Act as Matters of National Environmental Significance (MNES).

Under the EPBC Act, a person must not, without an approval under the Act, take an action that has, will have or is likely to have, a significant impact on a MNES. These MNES are listed as:

- The world heritage values of a declared World Heritage property;
- The ecological character of a declared Ramsar wetland;
- A threatened species or endangered community listed under the Act;
- A migratory species listed under the Act;
- The environment in a Commonwealth marine area or on Commonwealth land.



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Based on the Australian Government Protected Matters Search Tool map, the Site is not identified as, or in close proximity to any, MNES.

4.3 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The EP&A Act is the overarching legislation for all development in NSW and is supported by the EP&A Regulation.

Part 5 of the EP&A Act relates to infrastructure and environmental impact assessment and is applicable to development that is permitted without the need for consent.

For development that is permitted without consent, Clause 5.5 of the EP&A Act requires the determining authority to examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.

This REF has been prepared on behalf of Northern Beaches Council. Whilst the proposal is not a Crown development, the T&I SEPP and Section 4.1 of the EP&A Act states that *"if an environmental planning instrument provides that specified development may be carried out without the need for development consent, a person may carry the development out, in accordance with the instrument, on land to which the provision applies."* However environmental assessment of the development is nevertheless required under Division 5.1.

4.4 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021

For development that is permitted without consent, Section 5.5 of the EP&A Act requires the determining authority to examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity. To support this duty, Section 171 of the EP&A Regulation identifies the factors to be taken into account when consideration is being given to the likely impact of an activity on the environment.

The following matrix provides detailed consideration of the matters to be considered under clause 171 of the EP&A Regulation.



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TABLE 10. CLAUSE 171 MATTERS FOR CONSIDERATION

Factor	Potential impact	Mitigation measures	Impact
(a) the environmental impact on the community	<p>The construction activities and later usage of the tennis courts, parking areas, and pedestrian facilities may introduce additional noise to the area.</p> <p>Installing lighting on the tennis courts and parking areas may introduce light pollution, particularly during evening hours.</p> <p>A positive impact to the community is anticipated as the new tennis courts, pedestrian bridge, and pathways encourage outdoor physical activity, contributing to community health and well-being.</p>	<p>Construction Environmental Management Plan (CEMP) with construction hours aligned with the guidelines.</p> <p>Compliance with AS 4282-2019 and Operational Management Plan to detail tennis court lighting to be switched off when not in use.</p>	<p><input checked="" type="checkbox"/> Low</p> <p><input type="checkbox"/> Medium</p> <p><input type="checkbox"/> High</p>
(b) the transformation of a locality	<p>The proposal will elevate the locality's appeal as a recreational destination, attracting both residents and visitors. With dedicated EV charging bays and better pedestrian and cycling access, the development promotes sustainable transit options. The recreation-focused facilities make the area more appealing to families, sports enthusiasts, and health-conscious individuals. the proposal is poised to positively transform the locality by enhancing its recreational appeal, connectivity, environmental sustainability, and economic prospects.</p>	<p>Operational Management Plan to ensure facilities are maintained accordingly.</p>	<p><input checked="" type="checkbox"/> Low</p> <p><input type="checkbox"/> Medium</p> <p><input type="checkbox"/> High</p>
(c) the environmental impact on the ecosystem of the locality	<p>The removal of seven mature trees can directly impact local flora and fauna, reducing available habitat for birds, small mammals, and insects.</p> <p>Construction of a pedestrian bridge and stormwater infrastructure along the creek may disturb riparian vegetation, essential for stabilising the creek banks, filtering runoff, and providing habitat.</p>	<p>Replacement tree planting will be selected to ensure habitat regeneration in the long term.</p> <p>The CEMP will detail the protection measures for these riparian areas.</p>	<p><input checked="" type="checkbox"/> Low</p> <p><input type="checkbox"/> Medium</p> <p><input type="checkbox"/> High</p>
(d) reduction of the aesthetic, recreational, scientific or other	<p>The addition of new tennis courts, shaded pathways, and a pedestrian bridge across Brookvale Creek will enhance the locality's recreational offerings, potentially making it more</p>	<p>Ensuring the proposal sticks to construction timeframes and is delivered in a timely fashion.</p>	<p><input checked="" type="checkbox"/> Low</p> <p><input type="checkbox"/> Medium</p> <p><input type="checkbox"/> High</p>



REVIEW OF ENVIRONMENTAL FACTORS

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TABLE 10. CLAUSE 171 MATTERS FOR CONSIDERATION

Factor	Potential impact	Mitigation measures	Impact
environmental quality or value of a locality	<p>accessible and attractive to a wider range of users. During construction, there may be a temporary reduction in recreational access and quality due to site preparation, noise, and construction impacts.</p> <p>The development may temporarily reduce environmental quality through tree removal, habitat disturbance, and potential impacts on Brookvale Creek from construction runoff. This could have a minor effect on local biodiversity, particularly in the short term.</p>	The planting of replacement trees, riparian edge landscaping, and possible habitat restoration along Brookvale Creek. Additionally, features such as native landscaping and stormwater filtration systems will support long-term ecosystem health.	
(e) the effects on any locality, place or building that has— (i) aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance, or (ii) other special value for present or future generations,	None relative to the existing situation.	None required.	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(f) the impact on the habitat of protected animals, within the meaning of the Biodiversity Conservation Act 2016,	No threatened species will be significantly impacted by the proposed development. The proposal's impact on the local ecosystem is expected to be minimal as detailed within the Flora and Fauna Assessment and Waterway Impact Report provided at Appendix 20 .	None required.	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(g) the endangering of a species of animal, plant or other form of life,	One threatened plant species, <i>Callistemon linearifolius</i> (Netted Bottle Brush), has been identified near the site. The proposal has specifically avoided impacting this plant,	CEMP	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High



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TABLE 10. CLAUSE 171 MATTERS FOR CONSIDERATION

Factor	Potential impact	Mitigation measures	Impact
<i>whether living on land, in water or in the air,</i>	<i>showing intentional planning to preserve threatened flora in close proximity. The proposal is not anticipated to endanger any species of animal, plant, or other life forms within the locality, either on land, in water, or in the air.</i>		
<i>(h) long-term effects on the environment</i>	<i>None relative to the existing situation.</i>	<i>None required.</i>	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
<i>(i) degradation of the quality of the environment</i>	<i>None relative to the existing situation.</i>	<i>None required.</i>	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
<i>(j) risk to the safety of the environment,</i>	<i>None relative to the existing situation.</i>	<i>None required.</i>	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
<i>(k) reduction in the range of beneficial uses of the environment,</i>	<i>None relative to the existing situation.</i>	<i>None required.</i>	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
<i>(l) pollution of the environment,</i>	<p>Construction and operation may increase sediment and pollutant runoff into Brookvale Creek, especially given earthworks and the new drainage connections to the creek</p> <p>Construction activities will likely result in temporary noise pollution. Once operational, noise from the recreational facilities, such as tennis courts and the pedestrian bridge, may also increase ambient noise levels, especially during peak usage times.</p>	<p>The proposal includes stormwater management systems designed to control and filter runoff, reducing the likelihood of pollutants reaching the waterway.</p> <p>CEMP and Operational Management Plan</p>	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
<i>(m) environmental problems associated with the disposal of waste</i>	<p>The construction phase will involve the demolition of existing structures, which will generate significant waste.</p> <p>Once operational, the recreational centre will produce various types of waste from visitors and maintenance staff.</p>	Waste Management Plan	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High



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TABLE 10. CLAUSE 171 MATTERS FOR CONSIDERATION

Factor	Potential impact	Mitigation measures	Impact
<i>(n) increased demands on natural or other resources that are, or are likely to become, in short supply,</i>	<i>None relative to the existing situation.</i>	<i>None required.</i>	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
<i>(o) the cumulative environmental effect with other existing or likely future activities,</i>	<i>None relative to the existing situation.</i>	<i>None required.</i>	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
<i>(p) the impact on coastal processes and coastal hazards, including those under projected climate change conditions,</i>	<i>Changes to the coastal landscape may lead to increased erosion along the creek banks, potentially destabilising the area and contributing to further degradation of the coastal environment.</i> <i>The subject site is located in the Medium Flood Risk Precinct and adjacent to the High Flood Risk Precinct associated with Brookvale Creek which indicates that there is a significant likelihood of flooding during heavy rainfall events.</i>	<i>Stormwater management plan, erosion and sediment control plan and flood evacuation and emergency plan</i>	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
<i>(q) applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1,</i>	<i>The proposal is aligned with the Northern Beaches Local Strategic Planning Statement - Towards 2040. Furthermore, the proposed activity is consistent with relevant regional and district strategic plans.</i>	<i>None required.</i>	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
<i>(r) other relevant environmental factors.</i>	<i>None relative to the existing situation.</i>	<i>None required.</i>	<input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High



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4.5 COASTAL MANAGEMENT ACT 2016

The aim of the *Coastal Management Act 2016* (CM Act) is to manage the coastal environment NSW in alignment with the principles of ecologically sustainable development, ensuring the social, cultural, and economic well-being of the people. It focuses on protecting natural coastal processes and environmental values, supporting social and cultural aspects, acknowledging Aboriginal connections to the coast, and promoting sustainable coastal economies.

As detailed in **Section 4.13** below the Site is mapped within the Coastal Environmental Area and Coastal Use Area. An assessment of the proposal against the objects of the CM Act is provided at **TABLE 11** below.

TABLE 11. CM ACT OBJECTS	
Clause	Response
(a) to protect and enhance natural coastal processes and coastal environmental values including natural character, scenic value, biological diversity and ecosystem integrity and resilience, and	The proposal will support coastal processes and environmental values, maintaining natural character and scenic quality. It contributes to ecosystem resilience, supporting biodiversity. Refer to the flora and fauna assessment at Appendix 20 prepared by NARLA Environmental.
(b) to support the social and cultural values of the coastal zone and maintain public access, amenity, use and safety, and	The proposed recreation facility will support the social and cultural values of the coastal zone by enhancing public access and amenity while ensuring the safety and enjoyment of the community. Designed for public use, the facility will contribute to the area's cultural vibrancy and social engagement, providing a space that is accessible and welcoming.
(c) to acknowledge Aboriginal peoples' spiritual, social, customary and economic use of the coastal zone, and	The proposed facilities will acknowledge Aboriginal peoples' spiritual, social, customary, and economic use of the coastal zone by providing a space that fosters social interaction and promotes health and fitness activities. The facility's design and use will respect the cultural significance of the coastal area, ensuring that the development aligns with the broader recognition and preservation of Aboriginal connections to the land. The due diligence process has resulted in the outcome that an Aboriginal Heritage Impact Permit (AHIP) is not required. The report outlines that the proposed works will have an impact on the ground surface, however, no Aboriginal objects or intact archaeological deposits will be harmed by the proposal (refer to Appendix 17).



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TABLE 11. CM ACT OBJECTS	
Clause	Response
(d) to recognise the coastal zone as a vital economic zone and to support sustainable coastal economies, and	While the proposal does not directly facilitate economic activities, it plays a vital role in providing community facilities that contribute to economic prosperity. By offering recreational spaces like the proposed tennis courts, the development supports the well-being of the local population, fostering a vibrant and sustainable coastal economy. The facility enhances the area's appeal as a community hub, benefiting the coastal zone's economic health through increased social interaction and public engagement.
(e) to facilitate ecologically sustainable development in the coastal zone and promote sustainable land use planning decision-making, and	The proposal facilitates ecologically sustainable development in the coastal zone through the careful selection of building materials and the integration of the tennis courts and supporting facilities. This approach minimizes environmental impact and promotes energy efficiency and durability, aligning with sustainable land use planning principles.
(f) to mitigate current and future risks from coastal hazards, taking into account the effects of climate change, and	The proposed development effectively mitigates flood risks, with floor levels set appropriately to protect against flooding, as outlined in the Flood Risk Management Plan at Appendix 15 . The development improves site flood storage and provides safe evacuation routes, ensuring compliance with Council flood planning requirements and enhancing resilience against coastal hazards.
(g) to recognise that the local and regional scale effects of coastal processes, and the inherently ambulatory and dynamic nature of the shoreline, may result in the loss of coastal land to the sea (including estuaries and other arms of the sea), and to manage coastal use and development accordingly, and	The proposed development considers the dynamic nature of the shoreline and the potential for coastal land loss, as addressed in the geotechnical report at Appendix 13 . The design ensures stability by following recommended practices and setting building floor levels above critical flood elevations, demonstrating a proactive approach to managing coastal use.
(h) to promote integrated and co-ordinated coastal planning, management and reporting, and	The proposed development promotes integrated and coordinated coastal planning by adhering to



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TABLE 11. CM ACT OBJECTS	
Clause	Response
	comprehensive guidelines and regulatory requirements. It is supported by various reports, including the geotechnical assessment (Appendix 13), flora and fauna report (Appendix 20), and stormwater management plans (Appendix 12), which ensure alignment with Northern Beaches Council's standards.
(i) to encourage and promote plans and strategies to improve the resilience of coastal assets to the impacts of an uncertain climate future including impacts of extreme storm events, and	The proposed development encourages strategies to enhance the resilience of coastal assets through elevated building floor levels, adherence to geotechnical and flood management recommendations, and robust stormwater management plans. These measures prepare the facility for climate impacts and extreme storm events, safeguarding coastal assets.
(j) to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities, and	The proposed development has been assessed against all applicable guidelines, policies, and legislation to ensure the coordination of government and public authority activities relating to the coastal zone.
(k) to support public participation in coastal management and planning and greater public awareness, education and understanding of coastal processes and management actions, and	
(l) to facilitate the identification of land in the coastal zone for acquisition by public or local authorities in order to promote the protection, enhancement, maintenance and restoration of the environment of the coastal zone, and	The subject site is land owned by Northern Beaches Council.
(m) to support the objects of the <i>Marine Estate Management Act 2014</i> .	Noted.

The proposal is consistent with the aims and objects of the CM Act.

4.6 BIODIVERSITY CONSERVATION ACT 2016 AND REGULATION 2017

The Biodiversity Conservation Act 2016 (BC Act) and Biodiversity Conservation Regulation 2017 (BC Regulation) aim to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.



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Part 7 of the BC Act provides the environmental assessment requirements for activities being assessed under Part 5 of the EP&A Act 1979. If a significant impact is likely, a Species Impact Statement is required. A Biodiversity Development Assessment Report (BDAR) may also be required if the Proponent elects for this.

The Arboricultural Impact Assessment provided at **Appendix 16** identifies that seven (7) trees are required to be removed to facilitate the proposed development.

A review of the Biodiversity Values Map indicates that the Site is not located on or within close proximity to land or sites identified as being of Biodiversity Value. No further consideration of these provisions is required.

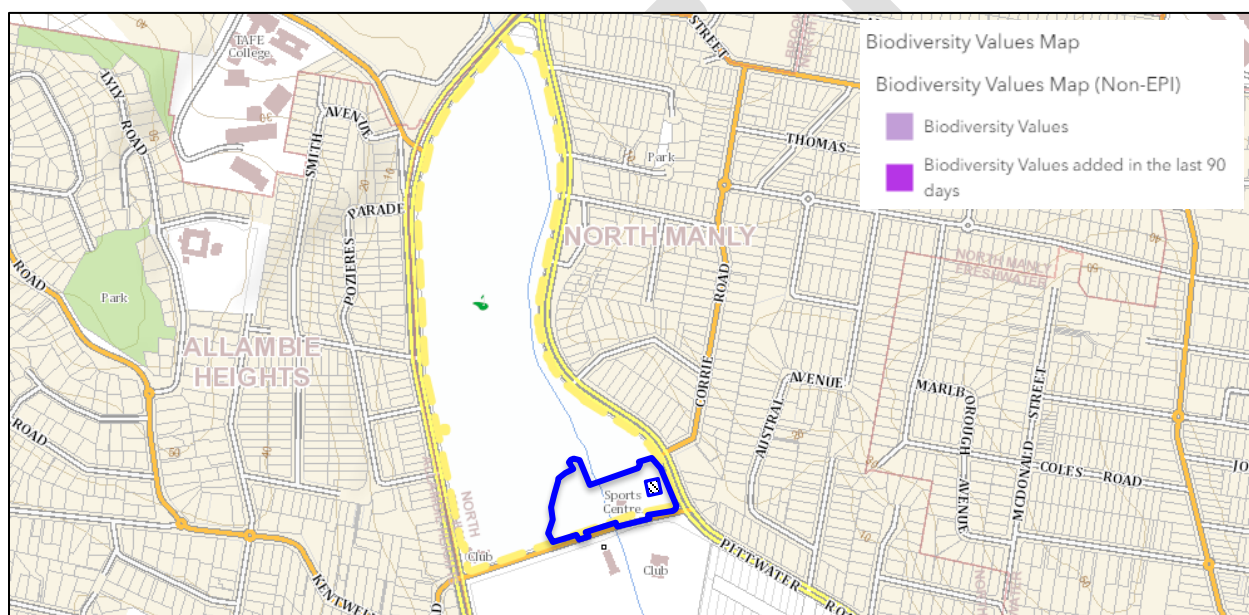


Figure 20. Biodiversity Values Map (Source: NSW Legislation, 2024)

4.7 PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an 'activity' for the purposes of the POEO Act is:

"an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal)."

The proposal does not constitute a Scheduled Activity and does not require an Environmental Protection Licence.



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4.8 CONTAMINATED LAND MANAGEMENT ACT 1997

The *Contaminated Land Management Act 1997* (Contaminated Land Act) aims to establish a process for investigating and (where appropriate) remediating land that the Environment Protection Agency (EPA) considers to be contaminated significantly enough to require regulation.

The Section 10.7 Certificates for the Site (**Attachment 3**) confirms that the Site is not identified as significantly contaminated, or subject to a management order, approved voluntary management proposal, ongoing maintenance order or site audit statement, pursuant to the Contaminated Land Act. No further consideration is required.

4.9 HERITAGE ACT 1977

The Heritage Act 1977 (Heritage Act) seeks to identify, conserve, protect and promote an understanding of the State's heritage. Clause 57 of the Heritage Act requires approval to be granted for controlled activities affecting an item with an interim heritage order or listing on the State Heritage Register.

The Site is not identified on the State Heritage Register and is not subject to an interim heritage order, and accordingly approval is not required under the Heritage Act. In addition, the Site is not identified as a local heritage item as per the WLEP2011. No further consideration is required.

4.10 NATIONAL PARKS AND WILDLIFE ACT 1974

The National Parks and Wildlife Act 1974 (NPW Act) seeks to conserve natural and cultural heritage, including places, objects, and features of significance to Aboriginal people. Neither site is part of a National Park.

The Aboriginal Cultural Heritage Due Diligence Report recommendations state that:

The undertaking of the due diligence process resulted in the conclusion that the proposed works will have an impact on the ground surface, however, no Aboriginal objects or intact archaeological deposits will be harmed by the proposal. This moves the proposal to the following outcome:

AHIP application not necessary. Proceed with caution. If any Aboriginal objects are found, stop work, and notify Heritage NSW

See **Appendix 16** for further analysis.

In addition, the Site comprises previously developed land. It is therefore considered that any Aboriginal items or places that may previously have existed would have already been disturbed. No further consideration is required.



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4.11 WATER MANAGEMENT ACT 2000

The *Water Management Act 2000* (Water Management Act) aims to provide for the sustainable and integrated management of the water sources of the State for the benefit of both present and future generations.

Section 91 relates to Activity Approvals and outlines that a Controlled Activity Approval confers a right on its holder to carry out a specified controlled activity at a specified location in, on or under waterfront land. For development within 40m of a watercourse, a Controlled Activity Approval would be required.

The proposed development is within 40m of a watercourse and therefore requires consideration against the WM Act. Brookvale Creek is mapped under the *Water Management Regulation 2018* (WM Regulation) hydrolines map, refer to **Figure 21**.

However, clause 41 of the WM Regulation provides an exemption for public authorities in relation to all controlled activities on waterfront land. Irrespective of this the proposal is made in consideration of the controlled activity requirements and aims to reduce any potential risks to this waterway as detailed in the Flora and Fauna Assessment and Waterway Impact Statement Report at **Appendix 20**.

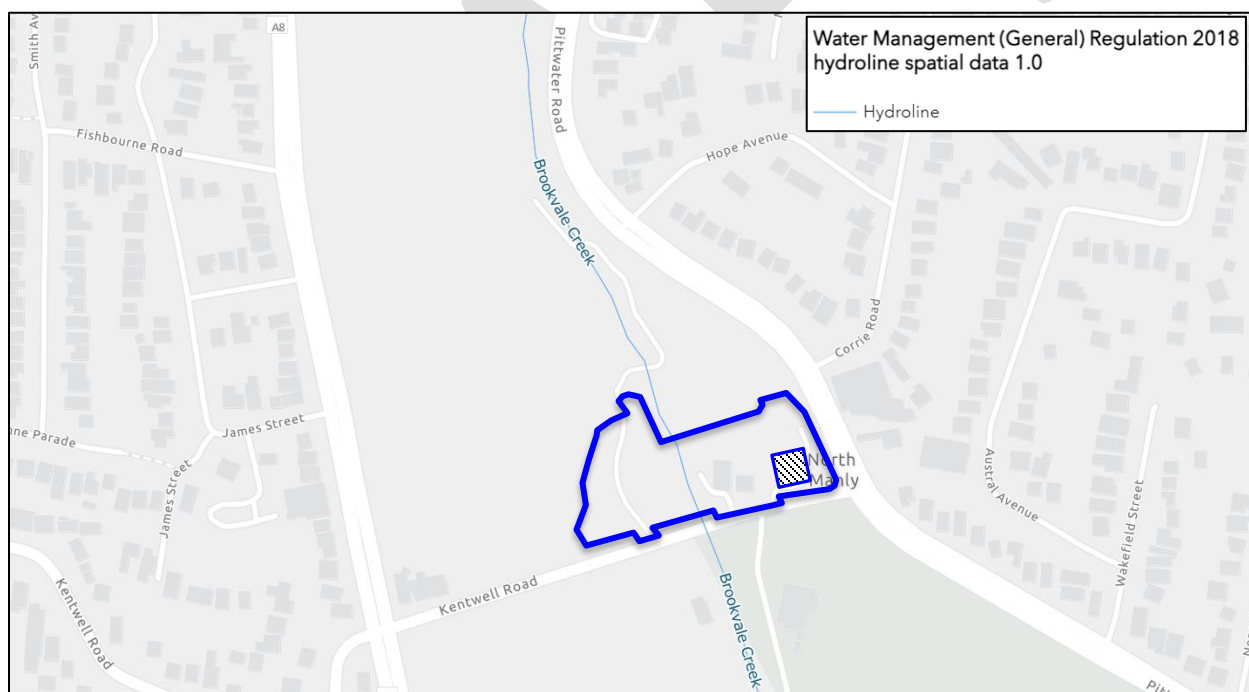


Figure 21. Water Management Regulation 2018 Hydrolines (Source: NSW Legislation, 2024)

4.12 ROADS ACT 1993

Section 138 of the *Roads Act 1993* (Roads Act) refers to consent requirements for works and structures within a public road as follows:



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- (a) erect a structure or carry out a work in, on or over a public road, or
- (b) dig up or disturb the surface of a public road, or
- (c) remove or interfere with a structure, work or tree on a public road, or
- (d) pump water into a public road from any land adjoining the road, or
- (e) connect a road (whether public or private) to a classified road,

There are no physical works required in the road reserve, or as described above, thus a Section 138 Roads Act Approval is not required.

4.13 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) contains planning provisions relating to:

- infrastructure in NSW, such as hospitals, roads, railways, emergency services, water supply and electricity delivery.
- child-care centres, schools, TAFEs and Universities.
- planning controls and reserves land for the protection of three corridors (North South Rail Line, South West Rail Link extension and Western Sydney Freight Line).
- land use planning and assessment framework for appropriate development at Port Kembla, Port Botany and Port of Newcastle.

Of these, the proposed activity must have regard to Chapter 2.

Chapter 2, Part 2.3, Division 12 - Parks and other public reserves

Chapter 2, Part 2.3, Division 12 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) refers to parks and other public reserves. Clause 2.73(3) of the Transport and infrastructure SEPP provides avenues for the proposed works to be undertaken as development permitted without consent.

Pursuant to clause 2.73(3), recreation areas and facilities (outdoor), pedestrian bridges and single storey car parks may be carried out by or on behalf of a public authority without consent on land owned or controlled by the public authority.

The proposed development relates to *Parks and other public reserves* in accordance with Part 2.3, Division 12 of the Transport and Infrastructure SEPP. The Site constitutes a public reserve under the control of or vested in the Northern Beaches Council (Council) and accordingly the proposed development for the purposes described in Clause 2.73(3) may be carried out by or on behalf of Council without consent. Therefore, the prerequisites of clause 2.73 would be satisfied.

The additional relevant requirements to be satisfied in order for the proposal to be development without consent, are addressed in **TABLE 12** below.



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TABLE 12. REQUIREMENTS FOR DEVELOPMENT WITHOUT CONSENT (CLAUSE 2.73)

Clause	Assessment
<p>(1) Development for any purpose may be carried out without consent—</p> <p>(a) on land reserved under the National Parks and Wildlife Act 1974, or acquired under Part 11 of that Act, if the development is for a use authorised under that Act, or</p> <p>(b) on land declared under the Marine Estate Management Act 2014 to be a marine park or an aquatic reserve if the development is for a use authorised under that Act, or</p>	Not Applicable.
<p>(2) Development for any purpose may be carried out without consent—</p> <p>(a) on Trust lands within the meaning of the Centennial Park and Moore Park Trust Act 1983, by or on behalf of the Centennial Park and Moore Park Trust, or</p> <p>(b) on trust lands within the meaning of the Parramatta Park Trust Act 2001, by or on behalf of the Parramatta Park Trust, or</p> <p>(c) on Crown managed land, by or on behalf of—</p> <p>(i) the Secretary, or</p> <p>(ii) a Crown land manager of the land (or an administrator of the manager), or</p> <p>(iii) the Ministerial Corporation, or</p> <p>(iv) the Minister administering the Crown Land Management Act 2016,</p> <p>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 or in accordance with the Local Government Act 1993 in relation to Crown managed land managed by a council.</p>	Not Applicable.
<p>(3) Any of the following development may be carried out by or on behalf of a public authority without consent on land owned or controlled by the public authority—</p>	<p>The proposed development relates to <i>Parks and other public reserves</i> in accordance with Part 2.3, Division 12 of the Transport and Infrastructure SEPP. The Site constitutes a public reserve under the control of or vested in the</p>



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TABLE 12. REQUIREMENTS FOR DEVELOPMENT WITHOUT CONSENT (CLAUSE 2.73)

Clause	Assessment
<p>(a) development for any of the following purposes—</p> <ul style="list-style-type: none"> (i) roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges, (ii) recreation areas and recreation facilities (outdoor), but not including grandstands, (iii) visitor information centres, information boards and other information facilities, (iv) lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard, (v) landscaping, including landscape structures or features (such as art work) and irrigation systems, (vi) amenities for people using the reserve, including toilets and change rooms, (vii) food preparation and related facilities for people using the reserve, (viii) maintenance depots, (ix) portable lifeguard towers, (b) environmental management works, (c) demolition of buildings (other than any building that is, or is part of, a State or local heritage item or is within a heritage conservation area). <p>Note— The term building is defined in the Environmental Planning and Assessment Act 1979 as including any structure.</p>	<p>Northern Beaches Council (Council) and accordingly the proposed development for recreation purposes may be carried out by or on behalf of Council without consent.</p> <p>The purpose of the development is for recreation facilities, single storey car parks, a pedestrian bridge, lighting, demolition of buildings, pedestrian pathways and landscaping.</p> <p>The <i>Standard Instrument—Principal Local Environmental Plan (2006 EPI 155a)</i> (Standard Instrument LEP) defines a storey as follows: <i>Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include—</i> <ul style="list-style-type: none"> (a) a space that contains only a lift shaft, stairway or meter room, or (b) a mezzanine, or (c) an attic. </p> <p>As the proposed car parking areas would be at grade and would not have a roof or ceiling above the parking area is considered to constitute a single storey car park.</p>



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Chapter 2, Part 2.3, Division 17, Subdivision 2, Section 2.119 – Development with Frontage to a Classified Road

The Site has frontage to Pittwater Road, which is a classified road, refer to **Figure 22** below. Section 2.119 of the Transport and Infrastructure SEPP aims to ensure that new developments adjacent to classified roads do not hinder their effective operation and minimize the impacts of traffic noise and vehicle emissions. Section 2.119(2) details the provisions the consent authority must be satisfied with, an assessment of the proposal against these matters is included below.

TABLE 13. DEVELOPMENT WITH FRONTAGE TO A CLASSIFIED ROAD	
Clause	Response
<i>(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</i>	The proposal does not seek to provide vehicle access to Site from the classified road. Vehicle access is proposed via Kentwell Road. The Traffic and Parking Statement at Appendix 21 provides swept paths for the proposed new vehicle access points and demonstrating the proposed access from Kentwell Road as practical and safe.
<i>(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of— (i) the design of the vehicular access to the land, or (ii) the emission of smoke or dust from the development, or (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</i>	The safety, efficiency, and ongoing operation of the classified road will not be adversely affected by the development. The nature of the proposal ensures the development will not generate significant smoke or dust emissions that could impact the classified road. The Traffic and Parking Statement at Appendix 21 details the proposed development is expected to generate 20 vehicle trips per hour, which is a reduction from the current recreational centre's 45 vehicle trips per hour. This decrease in traffic volume ensures that the nature, volume, and frequency of vehicles using the classified road will remain within manageable limits, maintaining the road's safety and operational efficiency.
<i>(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.</i>	The proposal is not sensitive to traffic noise or vehicle emissions because it involves recreational and parking facilities, which are not typically affected by such environmental factors. Tennis courts, pedestrian bridges, and parking areas are outdoor spaces where noise and emissions from nearby roads have minimal impact on their intended use.

Chapter 2, Part 2.3, Division 17, Subdivision 2, Section 2.122 – Traffic Generating Development

Schedule 3 of the Transport and Infrastructure SEPP lists the types of development that are defined as Traffic Generation Development. The referral thresholds for 'Any other purpose' are:

- 200 or more motor vehicles per hour (site with access to a road (generally); or
- 50 or more motor vehicles per hour (site with access to classified road or to road that connects to classified road (if access is within 90m of connection, measured along alignment of connecting road).



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The Traffic and Parking Statement at **Appendix 21** details the proposed development is expected to generate 20 vehicle trips per hour.

The referral thresholds for 'Car parks (whether or not ancillary to other development)' are:

- 200 or more car parking spaces (site with access to a road (generally); or
- 50 or more car parking spaces (site with access to classified road or to road that connects to classified road (if access is within 90m of connection, measured along alignment of connecting road).

The proposal seeks to construct 125 car parking spaces. 51 spaces are proposed within the eastern car parking area and access to this car parking area is located approximately 40 meters from the intersection with Parramatta Road which is a classified road and therefore the proposed development constitutes Traffic Generating Development pursuant to the Transport and Infrastructure SEPP.

4.14 STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022

The *State Environmental Planning Policy (Sustainable Buildings) 2022* (Sustainable Buildings SEPP) encourages the design and delivery of more sustainable buildings across NSW. It sets sustainability standards for both residential and non-residential development and contributes to NSW's target of achieving net zero by 2050.

Chapter 3 – Standard for non-residential development

Chapter 3 applies to non-residential development as follows:

- (a) the erection of a new building, if the development has an estimated development cost of \$5 million or more, or
- (b) alterations, enlargement or extension of an existing building, if the development has an estimated development cost of \$10 million or more.

The proposed development does not have an estimated development cost greater than \$5 million and therefore further consideration against the Sustainable Buildings SEPP is not required.

4.15 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY CONSERVATION) 2021

Chapter 2 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (B&C SEPP) refers to vegetation in non-rural areas. The subject site is considered a non-rural area and is mapped within the allowable clearing area.

The Arboricultural Impact Assessment provided at **Appendix 16** identifies that seven (7) trees are required to be removed to facilitate the proposed development. The Arboricultural Impact Assessment and Section 10.7(2) and (5) Planning Certificate confirms that the Site is not mapped as comprising biodiversity and no tree orders are applicable to the Site.



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The Aboriginal Cultural Heritage Due Diligence Report at **Appendix 17** concludes no Aboriginal objects or intact archaeological deposits will be affected by the proposed development.

The Site is not identified on the State Heritage Register and is not subject to an interim heritage order, and accordingly approval is not required under the Heritage Act. In addition, the Site is not identified as a local heritage item as per the WLEP2011. No further consideration is required.

4.16 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

The *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) contains planning provisions relating to:

- Land use planning within the coastal zone, in a manner consistent with the objects of the *Coastal Management Act 2016*.
- Management of hazardous and offensive development.
- Remediation of contaminated land and to minimise the risk of harm.

In relation to the subject site, the following matters are highlighted.

Chapter 2 – Coastal management

Section 5 of the Coastal Management Act 2016 provides that the coastal zone means the area of land comprised of the following coastal management areas—

- (a) the coastal wetlands and littoral rainforests area,
- (b) the coastal vulnerability area,
- (c) the coastal environment area,
- (d) the coastal use area.

The subject site is mapped within the Coastal Zone under the Resilience and Hazards SEPP.

Clause 2.10 of the Resilience and Hazards SEPP is applicable to development on land within the coastal environment area, as follows:

- (1) *Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—*
- (a) *the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
 - (b) *coastal environmental values and natural coastal processes,*
 - (c) *the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
 - (d) *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
 - (e) *existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability.*
 - (f) *Aboriginal cultural heritage, practices and places,*
 - (g) *the use of the surf zone.*



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(4) Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that—

- (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or*
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.’*

The proposed development has carefully considered the Site’s proximity to Brookvale Creek to the west, and further discussions were had with Council during the design phase to resolve the stormwater and coastal hazard position.

The attached Stormwater Management Plan in **Appendix 12** and the Flood Impact Assessment in **Appendix 15**, provide further details regarding the coastal management provisions, as follows:

- Consideration of the existing biophysical, hydrological and ecological environment, namely Brookvale Creek and its tributaries.
- Identification of the riparian zone and existing ecological values within Brookvale Creek to inform the proposed development footprint and wider Masterplan.
- Sediment and Erosion Control Plan included within the Stormwater Management Plan, including the nomination of sediment (protection) fencing for the proposed development to ensure coastal management provisions and ecological values are appropriately managed.
- The water quality of Brookvale Creek, including native vegetation and fauna and their habitats.
- Access to existing public open space (i.e., Warringah Recreation Centre) via an elevation pedestrian boardwalk as shown within the Council Masterplan and to ensure impacts to ecological and surface conditions are minimised.
- Proposed landscaping and stormwater management solution in accordance with NSW Office of Water Guidelines and Council’s Protection of Waterways and Riparian Land Policy.

Chapter 4 - Remediation of land

Under the provisions of Chapter 4 of the Resilience and Hazards SEPP, the consent authority must not grant consent unless (as stipulated by clause 4.6 of the SEPP):

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The Section 10.7 Certificate (**Appendix 3**) confirms that the Site is not identified as significantly contaminated, or subject to a management order, approved voluntary management proposal, ongoing maintenance order or Site audit statement, pursuant to the Contaminated Land Act.



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Further, the Site has been historically developed and used for the purpose of recreation, including the specific portion of the Site which is in use as various sport courts. Therefore, the Site is considered to be suitable for continued use and development for the purpose of recreation.

An Acid Sulfate Assessment and Acid Sulfate Management Plan has been prepared by Ideal Geotech and included in **Appendix 18**. This Site Investigation provides preliminary advice on the potential for contamination to be present at the subject site and the consequent implications on the Site's suitability for its intended use.

The PSI notes that there is a XXXXXXXX.

The recommendations contained in Section XX of the Indicative Waste Classification Report are summarised below:

- XXX

Dialogue to be developed as the design is further refined and specialist reports become available.

4.17 STATE ENVIRONMENTAL PLANNING POLICY (PLANNING SYSTEMS) 2021

Schedule 6 of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) details the triggers for regionally significant development. Schedule 6, Section 3 of the Planning Systems SEPP refers to Council related development as follows:

Development that has an estimated development cost of more than \$5 million if—
(a) *a council for the area in which the development is to be carried out is the applicant for development consent, or*
(b) *the council is the owner of any land on which the development is to be carried out, or*
(c) *the development is to be carried out by the council, or*
(d) *the council is a party to any agreement or arrangement relating to the development (other than any agreement or arrangement entered into under the Act or for the purposes of the payment of contributions by a person other than the council).*

The subject site is land owned by Northern Beaches Council however the estimated development cost does not exceed \$5 million and therefore the proposal does not constitute regionally significant development.

Schedule 1, Section 13 refers to recreation facilities (major). The proposal is not considered to meet the WLEP2011 definition for recreation facilities (major) and therefore further consideration against the Planning Systems SEPP is not required.

4.18 WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

The Warringah *Local Environmental Plan 2011* (WLEP201) is the primary environmental planning instrument that applies to the Site.

The relevant provisions of WLEP2011 as they relate to the Site are considered below:



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4.18.1 Zoning and Permissibility

TABLE 14 includes the relevant **RE1 Public Recreation** land zoning.

TABLE 14 LAND ZONING
Objectives of the Zone
<ul style="list-style-type: none">▪ To enable land to be used for public open space or recreational purposes.▪ To provide a range of recreational settings and activities and compatible land uses.▪ To protect and enhance the natural environment for recreational purposes.▪ To protect, manage and restore public land that is of ecological, scientific, cultural or aesthetic value.▪ To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
Permitted without consent
Environmental facilities; Environmental protection works; Roads
Permitted with consent
Aquaculture; Boat building and repair facilities; Boat sheds; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Emergency services facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor) ; Respite day care centres; Restaurants or cafes; Water recreation structures
Prohibited
Any development not specified in item 2 or 3

The use of the Site for recreational purposes is an existing and lawful use. The proposal will facilitate the continued use of the Site for outdoor recreation purposes. The proposed new Tennis Court Facilities would be defined as recreation facility (outdoor) as follows:

Recreation facility (outdoor) means 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).

The proposed pedestrian bridge and car parks and associated elements are ancillary to the use of the Site as a recreation facility.

As the land zoning map indicates the Site is zoned RE1 Public Recreation the continued use of the Site for recreation facilities is permitted with consent within the RE1 Public Recreation zone.



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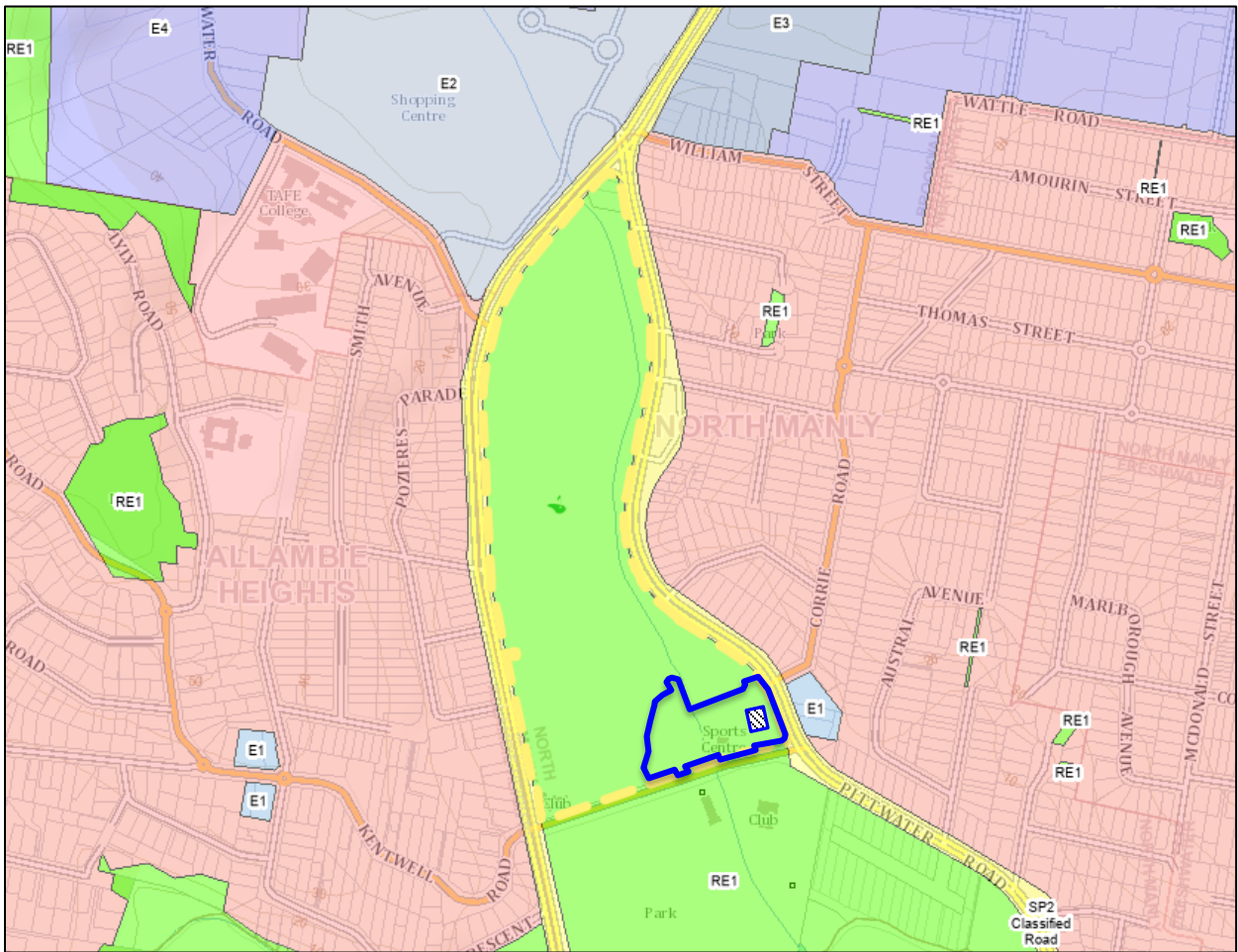


Figure 22: Land Zoning Map (NSW Legislation, 2024)

TABLE 15 outlines the developments consistency and compliance with the relevant development standards and controls under WLEP2011.

4.18.2 Development Standards

TABLE 15 sets out the development standards contained within the WLEP2011.

TABLE 15. DEVELOPMENT STANDARDS	
Clause	Comment
Clause 4.1 – Minimum Subdivision Lot Size	The Site is not subject to a Minimum Lot Size pursuant to WLEP2011. Clause 4.1 of WLEP2011 does not apply.
Clause 4.3 – Height of Buildings	The Site is not subject to a Maximum Building Height pursuant to WLEP2011. Clause 4.3 of WLEP2011 does not apply.



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TABLE 15. DEVELOPMENT STANDARDS

Clause	Comment
Clause 4.4 – Floor Space Ratio	The Site is not subject to a Maximum Building Height pursuant to WLEP2011. Clause 4.3 of WLEP2011 does not apply.
Clause 4.6 – Exceptions to development standards	N/A
Clause 5.10 – Heritage	The Site is not identified as containing a heritage item or being within a heritage conservation area pursuant to WLEP2011. The Site is also not located in proximity to any heritage items or heritage conservation areas, refer to Figure 25 . Clause 5.10 of WLEP2011 does not apply.
Clause 5.21 – Flood Planning	The subject site is identified in the Manly Lagoon Flood Study (2013) as being located in the Medium Flood Risk Precinct. A Flood Impact Assessment has been prepared by ACOR Consultants and included in Appendix 15 to address Clause 5.21(2) and (3) of WLEP2011. Further details are contained in Section 5.6 of this Report.
Clause 6.1 – Acid Sulfate Soils	<p>As shown in Figure 23 below, the Site is subject to the following classes of Acid Sulfate Soils pursuant to WLEP2011.</p> <ul style="list-style-type: none">▪ Class 2▪ Class 5 <p>An Acid Sulfate Assessment and Acid Sulfate Management Plan has been prepared by Ideal Geotech and included in Appendix 18 and 10 to address Clause 6.1 of WLEP2011.</p>
Clause 6.2 – Earthworks	<p>Earthworks are proposed as part of the site preparation works to facilitate the proposed development. Earthworks Plans (Civil Design Plans) have been prepared by Ideal Geotech and included in Appendix 23.</p> <p>Further details are contained in Section 5.14 of this Report.</p>
Clause 6.4 – Development on sloping land	<p>As shown in Figure 24 below, the Site is subject to the following WLEP2011:</p> <ul style="list-style-type: none">▪ Area A – Slope <5. <p>Area A is considered a low-risk area and the development would not cause significant detrimental impacts on the stability of existing or adjoining land.</p> <p>A Geotechnical Investigation Report has been prepared by Ideal Geotech and included in Appendix 13 for further details.</p>



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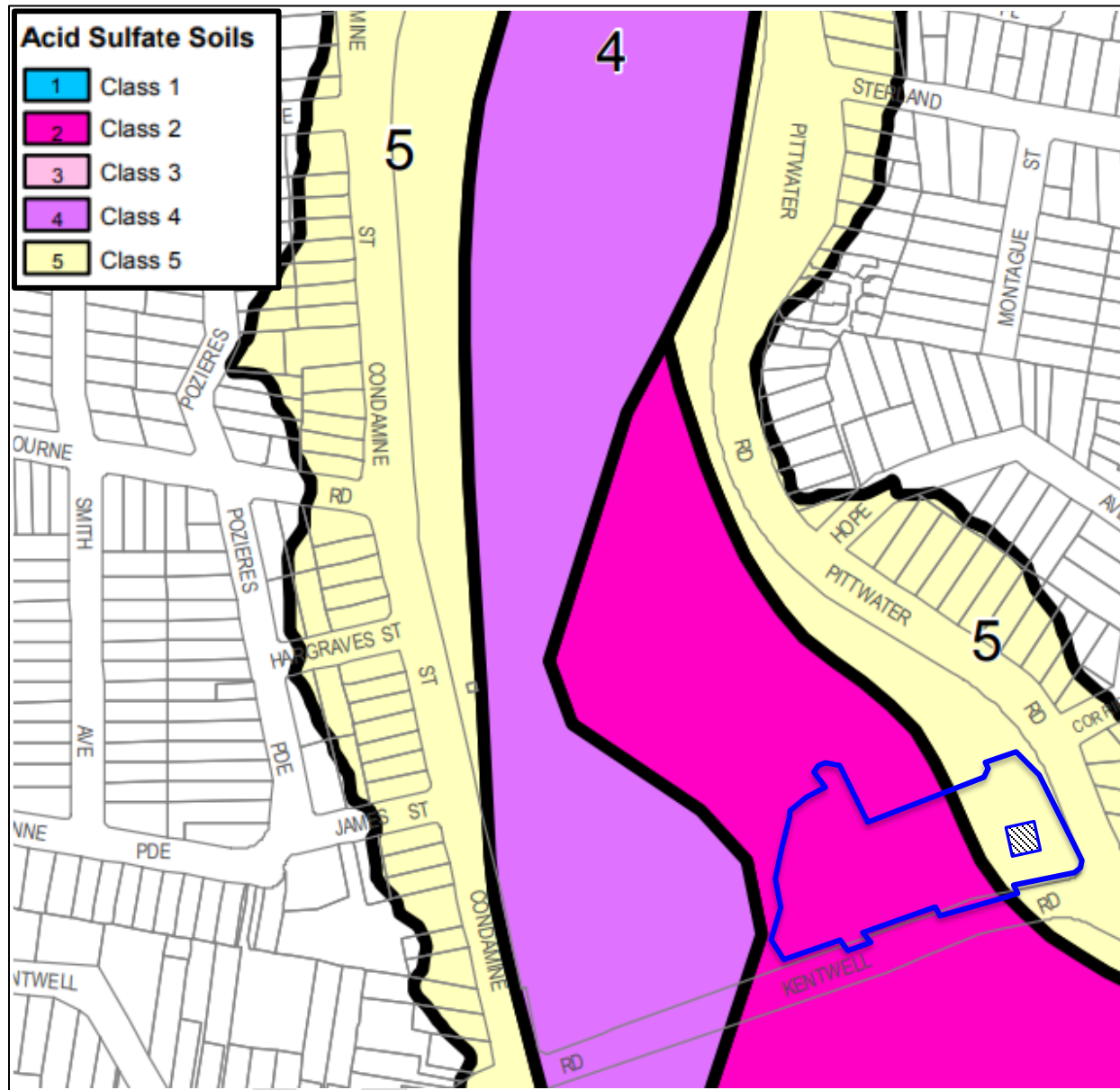


Figure 23: WLEP 2011 Acid Sulfate Soils Map (Source: NSW Legislation, 2024)



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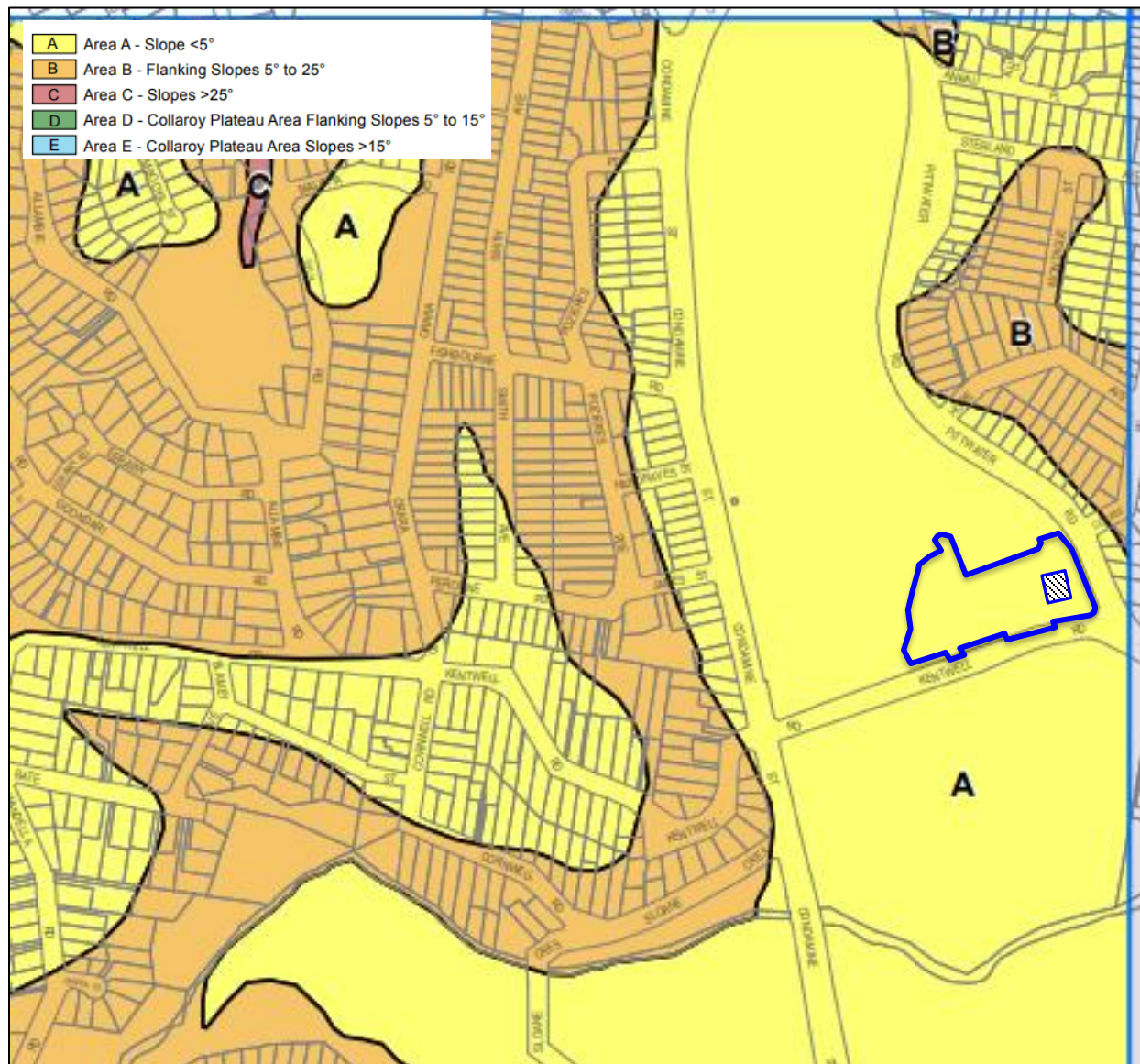


Figure 24. WLEP2011 Landslip Risk Map (Source: NSW Legislation, 2024)



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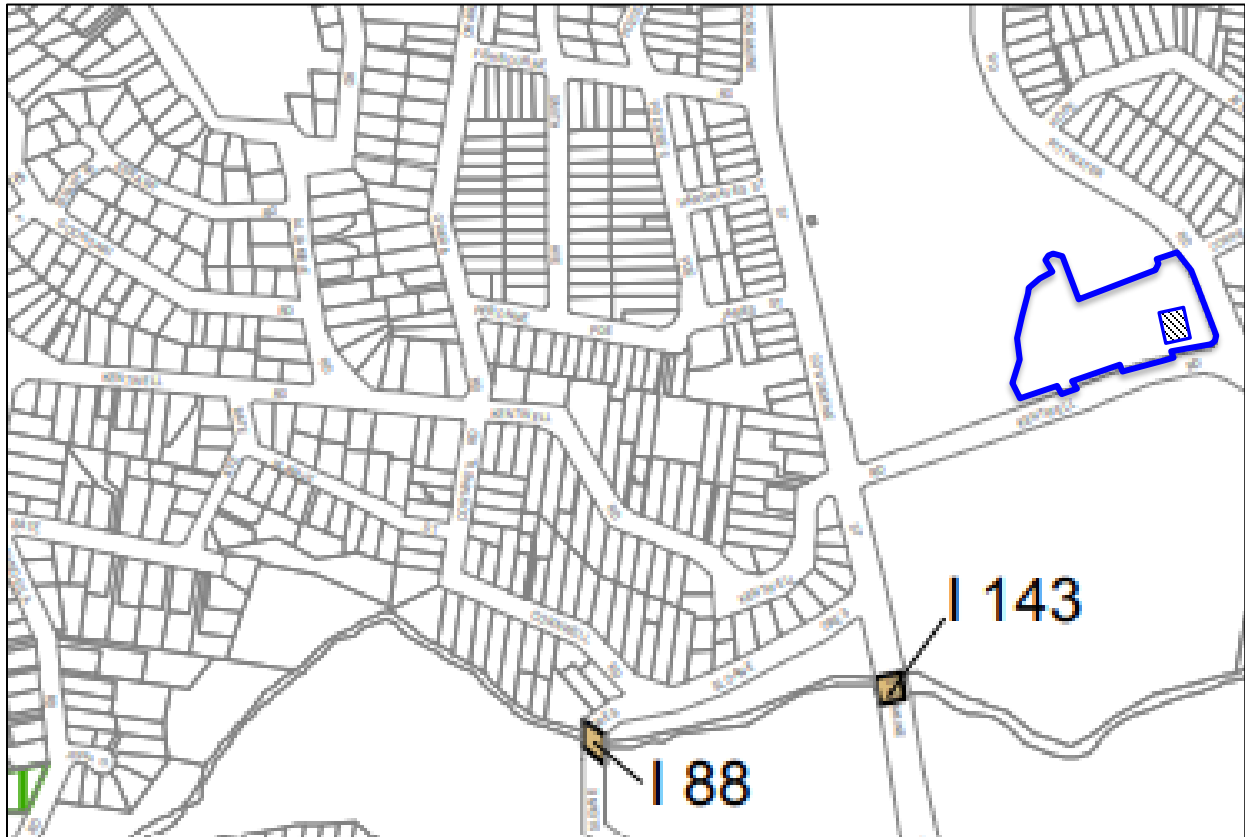


Figure 25. WLEP2011 Heritage Map (Source: NSW Legislation, 2024)



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4.19 NORTHERN BEACHES SECTION 7.12 CONTRIBUTIONS PLAN 2022

The Northern Beaches Section 7.12 Contributions Plan 2022 is applicable to the subject site. **TABLE 16** below summaries the applicable Section 7.12 rates.

TABLE 16. DEVELOPMENT CONTRIBUTIONS	
Development with cost of works:	Levy Rate
Up to and including \$100,000	Nil
More than \$100,001 and up to and including \$200,000	0.5% of that cost
More than \$200,000	1%



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PART E ENVIRONMENTAL IMPACT ASSESSMENT

Pursuant to clause 171 of the EP&A Regulation and in accordance with DPE's Guidelines for Division 5.1 Assessments 2022, the five-staged Division 5.1 assessment process is set out below:

- Stage 1. Assessment requirements
- Stage 2. Assessment and consultation
- Stage 3. Documentation
- Stage 4. Determination
- Stage 5. Implementation

Stage 1 comprises identifying the applicable assessment requirements that will apply to an activity classed as development permitted without consent. In this regard, it is noted that the constraints and issues pertinent to the development of the Site, include:

- Flooding - The subject site is identified in the Manly Lagoon Flood Study (2013) as being located in the Medium Flood Risk Precinct.
- Traffic - The proposal is traffic generating development and has frontage to a classified road.
- Noise - The proposal will generate construction and operation noise emissions.
- Acid Sulfate Soils - The subject site is identified as comprising Classes 2, 4, and 5 acid sulfate soils.
- Geotechnical - The subject site is within the landslip risk area (Area A - Slope <5°).
- Coastal Management - The subject site is located within the coastal environment area.
- Existing native vegetation - The subject site comprises a number of trees within proximity to the proposed development.

Stage 2 comprises assessment and consultation; the guidance notes that minor activities with clearly understood impacts on a brownfield site are likely to need a less detailed assessment. With regards to this REF, the following reports are included in the assessment:

- Noise Impact Statement (**Appendix 9**);
- Visual Impact Statement (**Appendix 10**);
- Stormwater Management Plan (**Appendix 12**)
- Geotechnical Report (**Appendix 13**);
- Preliminary Construction Traffic and Pedestrian Management Plan (**Appendix 14**);
- Flood Impact Assessment (**Appendix 15**);
- Arboricultural Impact Assessment (**Appendix 16**);
- Acid Sulfate Soils Assessment (**Appendix 18**);
- Flora and Fauna Assessment and Waterway Impact Statement Report (**Appendix 20**);
- Traffic and Parking Statement (**Appendix 21**); and
- Erosion and Sediment Control Plan (**Appendix 22**).

Stage 3 comprises the documentation stage and notes Proponents and determining authorities should engage suitably skilled, qualified and experienced professionals to prepare and/or review and endorse the REF document. The REF document should summarise the impacts of the activity and the proposed mitigation measures. In this regard:

- Willowtree Planning have been engaged to prepare the REF assessment and make a recommendation.



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Stage 4 relates to the determination stage. The determination of the proposed activity will be recorded in the decision statement signed by the authorised person on behalf of the determining authority. Clause 171(4) of the EP&A Regulation requires publication for activity with an Estimated Development Cost (EDC) of more than \$5 million.

- The EDC for the proposed activity is **\$4,271,950**.

Stage 5 relates to implementation which can begin after the determination stage. Where there are significant delays to the commencement of an activity approved under a REF, it may be necessary to revisit and update the environmental assessment if the surrounding environment or potentially the activity has changed since the REF document was completed.

5.1 ENVIRONMENTAL AMENITY

The following environmental amenity matters are considered pertinent to the proposal:

TABLE 17. POTENTIAL ENVIRONMENTAL ISSUES - ENVIRONMENTAL AMENITY	
Questions to Consider	Yes or No
Would the proposal be near any important landscape or be viewed by surrounding residents as obstructing to their views?	No
Would the proposal result in privacy concerns or reduce solar access to neighbouring properties?	No
Would the proposal introduce new building elements to the landscape / grounds and would this affect views or character of a place?	No

The proposed activity has been designed to minimise and mitigate potential impacts on the amenity of the surrounding environment. Key considerations include:

- Acoustic impacts;
- Solar access and overshadowing;
- Visual privacy; and
- Views.

5.1.1 Landscaping

The Landscape Plan, provided at **Appendix 5**, includes compensatory tree planting and landscaping within the Council verge.

This plan features native, ecologically sensitive plantings such as low shrubs, grasses, and groundcovers like *Carprobrotus* 'Aussie Rambler', *Crinum pedunculatum*, and *Westringia fruticosa*, enhancing both visual appeal and environmental sensitivity. Key elements include artificial grass, sandstone-colored retaining walls, and shade trees (*Angophora costata*, *Banksia integrifolia*), providing an attractive buffer for the carpark. Informal sandstone seating and additional trees further improve the environmental amenity by enriching biodiversity and aligning with ecological guidelines.

5.1.2 Acoustic Impacts



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Acoustic Logic has undertaken a Noise Impact Assessment, using Noise Policy for Industry guidelines, provided in full as **Appendix 9**. The report summarises the potential noise impact assessment undertaken for the proposed development. It assessed the construction and operational impacts as well as noise from traffic generated by the proposal. Additional road traffic noise generated by the proposed development has been assessed using the EPA *Road Noise Policy* guideline and found to be compliant. Refer to **Appendix 9** for further detail.

The Noise Impact Assessment has concluded that with the implementation of mitigation strategies the operational noise emissions from the proposed development will comply with noise criteria established for the site.

5.1.3 Visual Privacy and Views

The proposal is expected to have minimal impact on visual privacy and views due to the open and recreational nature of the development. The primary structures, such as the tennis courts, pedestrian bridge, and parking areas, are generally low in height and are not likely to obstruct significant views or impact the privacy of neighbouring properties. Webber Architects have prepared a Visual Impact Assessment at **Appendix 10**, and views from the public domain are provided at **Figure 26** and **Figure 27** below.

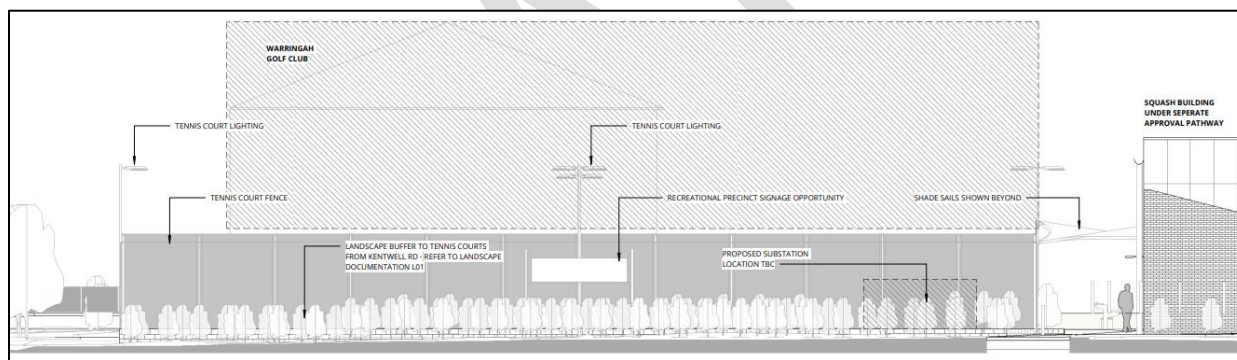


Figure 26. Tennis Courts Visual Impact Kentwell Road (Source: Webber Architects, 2024)

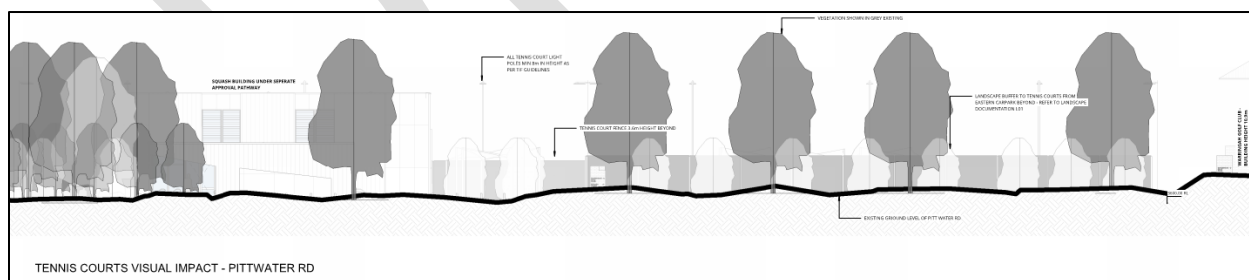


Figure 27. Tennis Courts Visual Impact Pittwater Road (Source: Webber Architects, 2024)

The courts and circulation areas are outdoor recreational spaces, which are not intrusive and do not generate significant privacy concerns for nearby properties. The extensive landscaping proposed, including replacement tree planting and mass planting of shrubs and groundcovers, helps to provide natural



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screening and buffering from adjacent areas, reducing any potential overlooking or visibility issues. This ensures that visual privacy is maintained.

The proposal is designed to respect the visual privacy of neighbouring properties and maintain existing views, with landscaping and the scale of the development contributing to minimal impact in these areas.

5.1.4 Solar Access and Overshadowing

The proposal is unlikely to have significant solar access or overshadowing impacts due to the nature of the development. The key elements, such as tennis courts, parking areas, and pedestrian infrastructure, are generally low-rise structures that would not generate substantial shadows.

Additionally, the proposed landscaping, including tree planting and retaining walls, would be integrated in a way that enhances the environmental amenity without obstructing sunlight to surrounding areas. Given the open layout of recreational facilities, solar access is expected to remain largely unaffected, while tree planting overshadowing impacts would be minimal and limited to localized areas, such as around the car parks or pedestrian walkways.

Overall, the proposal is not expected to have adverse solar access or overshadowing impacts on adjacent properties or public spaces.

5.2 NATURAL ENVIRONMENT

The following natural environment matters are considered pertinent to the proposal:

TABLE 18. POTENTIAL ENVIRONMENTAL ISSUES - NATURAL ENVIRONMENT	
Questions to Consider	Yes or No
Is any vegetation going to be impacted due to the works (i.e., clearing of trees and shrubs)?	Yes
Is the proposal likely to require removal of any mature trees?	Yes
Is the proposal likely to disturb natural waterways or aquatic habitat?	No
Are there known threatened species, endangered ecological communities, critical habitat, wetlands or rainforest in or near the proposal's footprint?	No
Did a search on OEH database or local council vegetation mapping reveal anything of natural importance?	No

5.2.1 Flora and Fauna

The Flora and Fauna Assessment and Waterway Impact Report (**Appendix 20**) indicates that the relevant biodiversity conservation provisions of the *Environmental Planning and Assessment Act 1979* and the relevant provisions of the WLEP2011 and the WDCP2011 have been fulfilled. The proposed development will require the removal of the following vegetation within the Site:

- 0.12ha of Estuarine Swamp Oak Twig-rush Forest which conforms to the BC Act listed Swamp Oak Floodplain Forest in the NSW North Coast, Sydney Basin and South East Corner Bioregions and EPBC listed Coastal Swamp Oak (*Casuarina glauca*) Forest of South-east Queensland and New South Wales; and
- 0.30ha of Exotic Dominated Vegetation.



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No threatened species are expected to be significantly impacted by the proposed development. One (1) threatened species, *Callistemon linearifolius* (Netted Bottle Brush), does occur in close proximity to the Site, however it has been purposely avoided.

5.2.3 Stormwater

The proposed development requires stormwater management works to manage run off. The Stormwater Management Plan provided at **Appendix 12**, details the specifications for various drainage systems, including pit sizes, cover levels, and depths for different types of drainage infrastructure, such as grated drains and underground piping. The plan also indicates connection points for landscape subsoil to the existing creek, as well as details on fall levels and required connections for building roof water. The drawing features various contour levels, ensuring proper water flow and management throughout the site.

5.2.4 Sediment Control

An Erosion and Sediment Control Plan is provided at **Appendix 22** and details the proposed sediment controls during construction include:

- **Sediment Fences:** Installed around the site with catchment areas no larger than 900m² and a storage depth of 0.6m. Sediment is removed regularly and relocated safely to prevent downstream pollution.
- **Sediment Traps:** Temporary traps remain until areas are fully rehabilitated, with sediment basins designed to retain runoff for at least five days post-rain before discharge.
- **Geotextile Wrapping:** Grates and pit openings are wrapped with approved fabric to contain sediment.
- **Emergency Spillway:** An emergency spillway will be used to manage excess runoff.
- **Drainage and Stockpile Management:** Earthwork surfaces are graded to direct runoff to cut-off drains, supplemented by rock check dams and sandbag traps around kerb inlets. Stockpiles are sited away from high-risk areas.
- **Site Access:** Stabilised entry points reduce soil tracking onto public roads.

These controls aim to minimise sediment runoff, ensuring environmental compliance and protection of nearby waterways.

5.2.5 Erosion Control

An Erosion and Sediment Control Plan is provided at **Appendix 22** and details the proposed erosion controls for the construction phase include:



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- **Earth Batters:** Gradients will be kept as low as possible, with maximum slopes specified based on length (e.g., 2:1 for slopes under 12 meters).
- **Waterway Stability:** All waterways, drains, and spillways will be stabilized to withstand at least a 1:20 year storm event.
- **Ground Cover Requirements:** Areas prone to concentrated flows must reach 70% ground cover within 10 days post-formation, while stockpiles must reach 60% ground cover within the same period.
- **Vegetation and Ground Cover:** Temporary ground cover (Japanese Millet and oats) will be planted in areas of sheet flow. Permanent rehabilitation aims for a stable ground cover (c-factor under 0.1) within 60 days, with re-vegetation focusing on natural species and periodic watering for establishment.

These measures aim to minimize erosion, protect soil stability, and support swift re-establishment of vegetation.

5.3 TRANSPORT AND ACCESSIBILITY

The following transport and accessibility matters are considered pertinent to the proposal:

TABLE 19 POTENTIAL ENVIRONMENTAL ISSUES - TRANSPORT AND ACCESSIBILITY	
Questions to Consider	Yes or No
Are there high volumes of pedestrian and traffic movements near the proposal?	Yes
Would the proposal require temporary or permanent alternations to existing pedestrian, traffic, access, parking or transport conditions?	No
Would the proposal require high volumes of deliveries or bulky deliveries?	No
Are there any temporary road or footpath closures required outside of the recreation grounds?	Yes

5.3.1 Construction Traffic

Noise and vibration emissions during construction should be assessed and managed in accordance with the EPA *Interim Construction Noise Guideline*, as indicated in Section 7 of the Noise Impact Assessment Report (**Appendix 9**).

A Preliminary Construction Traffic and Pedestrian Management Plan (Preliminary CTPMP) is included within **Appendix 26**.



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5.3.2 Operational Traffic

Traffic Generation

The Traffic and Parking Statement (**Appendix 21**) states that the traffic generating land use at the subject site is the proposed tennis courts. As per the RMS Guide and the TIA, the tennis courts are forecast to generate up to 20 vehicles per hour during the peak periods.

The cumulative traffic generation and impacts in association with the Warringah Recreational Centre are detailed in the separate DA, with the following noted:

Compared to the existing recreational centre, which has a peak traffic generation rate of 45 vehicles trips / hour, the proposed development has a peak traffic generation of 35 vehicle trips / hour, resulting in a net decrease of 10 vehicle trips / hour. Therefore, no external improvements will be required to facilitate the development.

Parking

The proposed car park works are an ancillary provision for the Warringah Recreational Centre and the approved Warringah Golf Club.

- The proposed Centre generates a parking demand of 30 car parking spaces and the golf club generates a peak parking demand of 73 car parking spaces, resulting in total parking demand of 103 car parking spaces.
- In response, the eastern and western carpark provide a total of 125 parking spaces, which is considered adequate to serve the joint demand from both facilities.
- The eastern carpark has direct access to both facilities and the western carpark has access to both facilities via the proposed pedestrian bridge across Brookvale Creek.

Access and Loading

The service and waste vehicles anticipated to visit the Site are outlined in the TIA for the separate DA and listed below:

- 10.5 metre long Council waste truck
- 8 tonne (t) Council truck assumed to be no greater than 8.8 metres in length, equivalent to a medium rigid vehicle (MRV).

Subject to the appropriate implementation of a Traffic Management Plan (TMP), servicing trucks that come on-site are to undertake a three-point turn within The Warringah Golf Club loading / servicing area. This will result in forward entry and forward exit from the eastern car park.

Swept path analysis has been undertaken of the proposed service vehicle parking arrangements, with the use of a 10.5 metre rigid truck. The results are provided as Appendix C and confirm that satisfactory entry and exit manoeuvres will be achieved to the loading bay (Refer to **Appendix 21**).



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5.4 FLOODING

The subject site is identified as land subject to flood pursuant to the WDCP2011 and stated in the Section 10.7 Planning Certificate (**Appendix 3**). The Site for the proposed development is identified in the Manly Lagoon Flood Study (2013) as being located in the Medium Flood Risk Precinct. Brookvale Creek and part of the proposed car park area on the western side of the Creek are identified as being within the High Flood Risk Precinct.

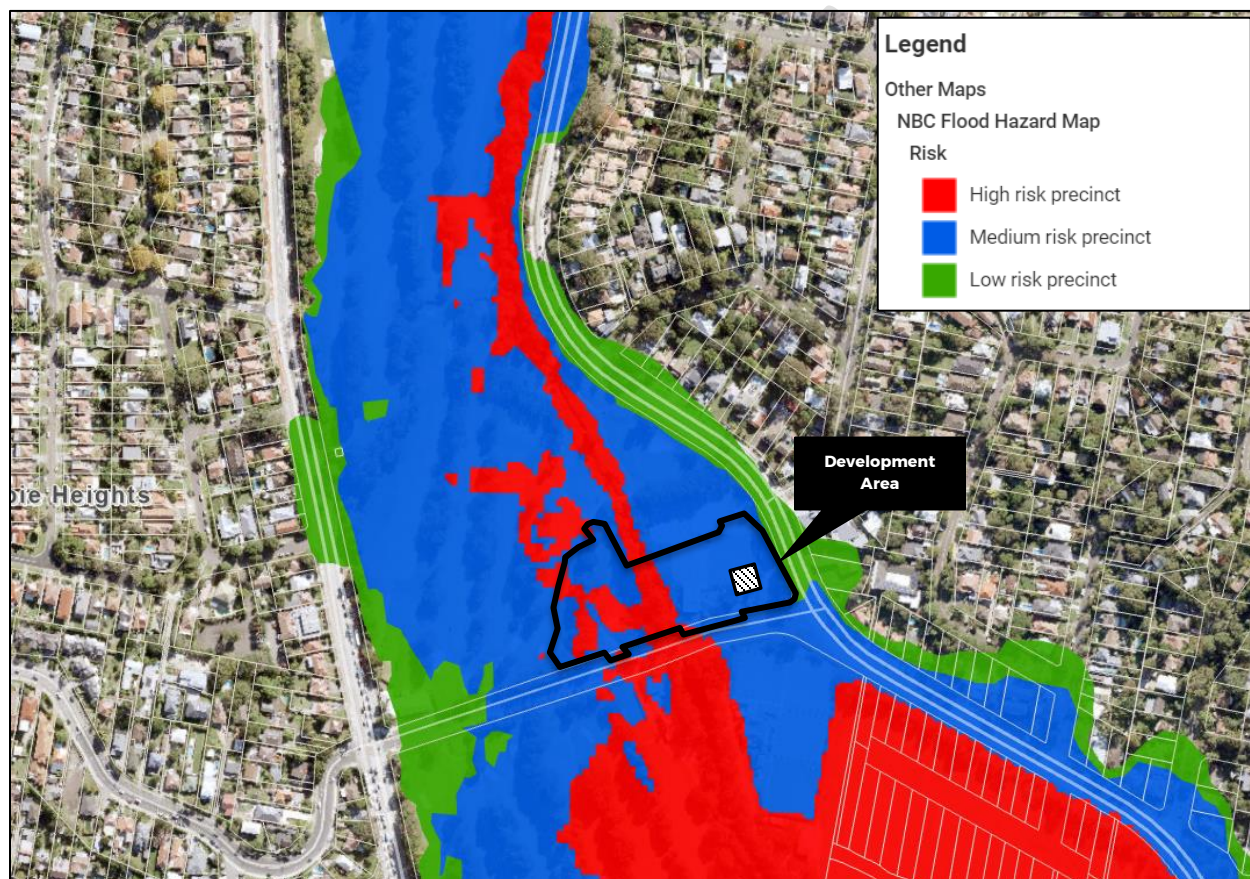


Figure 28. Northern Beaches Council Flood Hazard Map (Source: Northern Beaches Council, 2024)

5.5 CONTAMINATION

The following contamination matters are considered pertinent to the proposal:

TABLE 20. POTENTIAL ENVIRONMENTAL ISSUES - HAZARDS AND RISK	
Questions to Consider	Yes or No
Is the proposal within a bushfire prone land? Does the <i>Planning for Bushfire Protection 2006</i> guidelines require consideration?	No
Does the proposal require use of any chemicals or hazardous substances?	No
Does the proposal require removal of asbestos or any other hazardous substances?	No



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The Section 10.7 Certificate (**Appendix 3**) confirms that the Site is not identified as significantly contaminated, or subject to a management order, approved voluntary management proposal, ongoing maintenance order or site audit statement, pursuant to the *Contaminated Land Act*.

5.6 UTILITIES AND SERVICES

The Site is connected to existing services. An electrical substation is proposed to supply adequate and reliable power for the new recreational facilities, including the tennis courts and associated amenities, while managing the increased electrical demand generated by the development.

5.7 HERITAGE

The Site is not identified as containing a heritage item or being within a heritage conservation area pursuant to WLEP2011. The Site is also not located in proximity to any heritage items or heritage conservation areas, refer to **Figure 25**.

OzArk Environment & Heritage has been engaged by Webber Architects on behalf of Northern Beaches Council to complete an Aboriginal due diligence heritage assessment for the proposed redevelopment of the Warringa Recreation Centre (Refer to **Appendix 17**).

5.8.1 Aboriginal Cultural Heritage

The due diligence process has resulted in the outcome that an Aboriginal Heritage Impact Permit (AHIP) is not required. The report outlines that the proposed works will have an impact on the ground surface, however, no Aboriginal objects or intact archaeological deposits will be harmed by the proposal (refer to **Appendix 17**).

5.8 WASTE

The service and waste vehicles anticipated to visit the site are outlined in the TIA and listed below:

- 10.5 metre long Council waste truck
- 8 tonne (t) Council truck assumed to be no greater than 8.8 metres in length, equivalent to a medium rigid vehicle (MRV).

Acceptable bins will be provided for any concrete and mortar slurries, paints, acid washing, lightweight waste materials and litter. Clearance services will be provided at least weekly. Disposal of waste will be in a manner approved by the principal's representative.

All possible pollutant materials are to be stored well clear of any poorly drained areas, flood prone areas, streambanks, channels and stormwater drainage areas. Store such materials in a designated area under cover where possible and within containment bunds.

All site staff and sub-contractors are to be informed of their obligation to use waste control facilities provided.

Any de-watering activities are to be closely monitored to ensure that water is not polluted by sediment, toxic materials or petroleum products.



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Designated vehicular washdown and maintenance areas will be provided which are to have containment bunds.

5.9 CONSTRUCTION MANAGEMENT

The following construction management matters are considered pertinent to the proposal:

TABLE 21. POTENTIAL ENVIRONMENTAL ISSUES – CONSTRUCTION MANAGEMENT	
Questions to Consider	Yes or No
Would the proposal result in dust, particulate matter and other forms of air pollution?	Yes
Would the proposal require heavy truck and material deliveries?	Yes
Would the proposal require operation of heavy vehicles, mechanical plants or the like?	Yes

A Construction Environmental Management Plan (CEMP) must be submitted to and approved by Northern Beaches Council which details the measures to be implemented to manage potential environmental impacts during construction, including erosion and sediment control, waste management, noise and vibration mitigation, and protocols for protecting surrounding vegetation and wildlife.

5.10 SOCIAL AND ECONOMIC IMPACTS

The addition of new tennis court facilities will provide local residents with increased recreational opportunities, promoting physical activity and social interaction. This can lead to improved community well-being and cohesion.

The construction and ongoing operation of the recreational centre may create temporary and permanent jobs, contributing to local employment and boosting the economy.

The inclusion of accessible car parking and pedestrian infrastructure can enhance access to the recreational facilities for all community members, including those with disabilities. While the development is expected to generate some traffic, the projected decrease in vehicle trips compared to the existing centre may lead to reduced congestion and improved safety on local roads.

5.11 CUMULATIVE IMPACTS

The cumulative impacts of the proposed works relate to both the potential impacts resulting from the construction works and ongoing operation.

Acoustic Logic has undertaken a Noise Impact Assessment, using Noise Policy for Industry guidelines, provided in full as **Appendix 9**. The noise amenity assessment undertaken includes consideration of cumulative noise impacts. The Noise Impact Assessment has concluded that with the implementation of the identified mitigation measures the operational noise emissions from the proposed development will comply with the relevant noise criteria.

5.12 SUMMARY

The Table below provides a summary of the potential environmental impacts, extent of the impacts, nature of the impact, proposed mitigation and whether the impact is therefore acceptable.



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TABLE 22 . SUMMARY OF ENVIRONMENTAL IMPACTS

Potential Impact	Extent of Impact	Nature of Impact	Mitigation Reference No.	Residual Impact (after mitigation)
Amenity	Increased activity and noise levels from the tennis court facilities, car parking areas, and associated construction.	+ Low - Low + Medium - Medium + High - High	1.0(1) 2.0 (1)(3)(6) 3.0(2)(3)(4)	Negligible Acceptable Unacceptable
Built form	The proposal will improve the public perception of the site by replacing existing recreational facilities with modern tennis court facilities and associated infrastructure, revitalising the site while maintaining a similar built form.	+ Low - Low + Medium - Medium + High - High	1.0(1)	Negligible Acceptable Unacceptable
Acoustic	Increased noise levels from the new tennis court facilities and associated activities including construction.	+ Low - Low + Medium - Medium + High - High	1.0(1) 2.0 (1)(3)(6) 3.0(2)(3)(4)	Negligible Acceptable Unacceptable
Ecological	The removal of some existing vegetation, including areas of Swamp Oak Floodplain Forest, and potential minor disturbance to local fauna.	+ Low - Low + Medium - Medium + High - High	1.0(1) 2.0(1)(5)	Negligible Acceptable Unacceptable
Transport	The proposal includes 125 car parking spaces and two new vehicle crossovers from Kentwell Road, ensuring efficient access and sufficient parking capacity to support the new facilities.	+ Low - Low + Medium - Medium + High - High	1.0(1)(2)	Negligible Acceptable Unacceptable
Accessibility	The proposal will enhance accessibility by providing additional accessible parking spaces, EV charging bays, and improved pedestrian pathways, ensuring convenient and inclusive access throughout the recreational facilities.	+ Low - Low + Medium - Medium + High - High	1.0(1)(2)	Negligible Acceptable Unacceptable
Operational Traffic	The proposal is expected to reduce overall traffic generation during peak periods, thus minimising transport impacts on the surrounding road network.	+ Low - Low + Medium - Medium + High - High	1.0(1) 2.0(1)	Negligible Acceptable Unacceptable



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TABLE 22 . SUMMARY OF ENVIRONMENTAL IMPACTS

Potential Impact	Extent of Impact	Nature of Impact	Mitigation Reference No.	Residual Impact (after mitigation)
Construction Traffic	The proposal's construction traffic impacts will include temporary increases in heavy vehicle movements to and from the site.	+ Low - Low + Medium - Medium + High - High	1.0(1) 2.0(1)	Negligible Acceptable Unacceptable
Contamination	The proposal's contamination impacts are expected to be minimal.	+ Low - Low + Medium - Medium + High - High	1.0(1) 3.0(5)	Negligible Acceptable Unacceptable
Flooding	The proposal will manage flooding impacts by incorporating design measures that account for the site's identification as a Medium Flood Risk Precinct and ensuring that stormwater management systems effectively mitigate any potential flooding risks during extreme weather events.	+ Low - Low + Medium - Medium + High - High	1.0(1)	Negligible Acceptable Unacceptable
Utilities and Services	The proposal will enhance utility and service impacts by installing an electrical substation and upgrading existing services to accommodate the new recreational facilities, ensuring reliable access to essential utilities for users.	+ Low - Low + Medium - Medium + High - High	1.0(1) 2.0(4)	Negligible Acceptable Unacceptable
Aboriginal Cultural Heritage	The proposal is not expected to adversely impact heritage values, as an Aboriginal due diligence heritage assessment determined that no Aboriginal objects or intact archaeological deposits will be harmed.	+ Low - Low + Medium - Medium + High - High	1.0(1) 3.0(6)	Negligible Acceptable Unacceptable
Social Impacts	The proposal is expected to have positive social impacts by enhancing community access to recreational facilities, fostering social interaction, and promoting a healthier lifestyle among residents through increased opportunities for sport and leisure activities.	+ Low - Low + Medium - Medium + High - High	1.0(1) 2.0(3)	Negligible Acceptable Unacceptable
Waste - Operational	Waste generation is anticipated to be minimal.	+ Low - Low	1.0(1)	Negligible Acceptable



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TABLE 22 . SUMMARY OF ENVIRONMENTAL IMPACTS

Potential Impact	Extent of Impact	Nature of Impact	Mitigation Reference No.	Residual Impact (after mitigation)
		+ Medium - Medium + High - High		Unacceptable
Waste - Construction	The proposal will generate short-term construction waste impacts, including debris and materials from the demolition of existing structures and the construction of new facilities.	+ Low - Low + Medium - Medium + High - High	1.0(1) 2.0(1) 3.0(1)	Negligible Acceptable Unacceptable



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PART F CONSULTATION

In accordance with the requirements of the T&I SEPP, consultation was initiated with Northern Beaches Council and neighbours regarding the proposed activity.

Written consultation letters were prepared including:

- Description of the proposed activity including its location;
- Description of the environmental impacts that the proposed activity may have;
- Inviting submissions to the Webber Architects c/o Northern Beaches Council on the proposed activity within 21 business days of the date of the correspondence; and
- Providing contact details of the Webber Architects' c/o Northern Beaches Council's nominated representative to receive submissions in writing.

Consideration has been undertaken of all written submissions received during the 21 business days stipulated in the correspondence, including an assessment of the issues raised and how they have been addressed in the assessment of the proposed activity.

The Webber Architects c/o Northern Beaches Council will keep a written record of all consultation undertaken in the preparation of this REF:

- For five years after the consultation took place;
- In a way that the records can be produced for a third party within 21 business days; and
- To a standard where a reasonable person could understand the essential nature of the consultation without extrinsic material.

Additional consultation requirements are provided in Part 3.2, Division 1 of the T&I SEPP, including for consultation with Council and/or other public authorities and are considered in **TABLE 23** below.

TABLE 23. CONSULTATION	
Clause	Assessment
2.10 Consultation with councils—development with impacts on council-related infrastructure or services	
<i>(1) This section applies to development carried out by or on behalf of a public authority that this Chapter provides may be carried out without consent if, in the opinion of the public authority, the development— (a) will have a substantial impact on stormwater management services provided by a council, or</i>	Not applicable. As documented in the stormwater management plan at Appendix 12 the proposal is not considered to have a substantial impact on stormwater management services provided by Council.
<i>(b) is likely to generate traffic to an extent that will strain the capacity of the road system in a local government area, or</i>	Not applicable. The current use of the Site is as an outdoor recreation facility which includes nine (9) courts used for various sports. Accordingly the proposal for demolition of existing courts and installation of five (5) new courts is not considered to generate any additional traffic.



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TABLE 23. CONSULTATION	
Clause	Assessment
<i>(c) involves connection to, and a substantial impact on the capacity of, any part of a sewerage system owned by a council, or</i>	Not applicable. The proposal will utilise existing sewerage connections.
<i>(d) involves connection to, and use of a substantial volume of water from, any part of a water supply system owned by a council, or</i>	Not applicable. The proposal will utilise existing water connections. Water usage will be similar to existing usage levels.
<i>(e) involves the installation of a temporary structure on, or the enclosing of, a public place that is under a council's management or control that is likely to cause a disruption to pedestrian or vehicular traffic that is not minor or inconsequential, or</i>	Not applicable. The proposal does not involve the installation of a temporary structure on, or the enclosing of, a public place that is under a council's management or control in a manner likely to cause a disruption to pedestrian or vehicular traffic that is not minor or inconsequential.
<i>(f) involves excavation that is not minor or inconsequential of the surface of, or a footpath adjacent to, a road for which a council is the roads authority under the <u>Roads Act 1993</u> (if the public authority that is carrying out the development, or on whose behalf it is being carried out, is not responsible for the maintenance of the road or footpath).</i>	Not applicable. The proposal seeks excavation to a maximum depth of 0.5m and accordingly is considered minor earthworks.
2.11 Consultation with councils—development with impacts on local heritage	
<i>(1) This section applies to development carried out by or on behalf of a public authority if the development— (a) is likely to affect the heritage significance of a local heritage item, or of a heritage conservation area, that is not also a State heritage item, in a way that is more than minor or inconsequential, and</i>	Not applicable. The Site is not identified on the State Heritage Register and is not subject to an interim heritage order, and accordingly approval is not required under the Heritage Act. In addition, the Site is not identified as a local heritage item as per the WLEP2011. No further consideration is required.
2.12 Consultation with councils—development with impacts on flood liable land	
<i>(2) A public authority, or a person acting on behalf of a public authority, must not carry out, on flood liable land, development that this Chapter provides may be carried out without consent and that will change flood patterns other than to a minor extent unless the authority or person has— (a) given written notice of the intention to carry out the development (together with a scope of works) to the council for the area in which the land is located, and</i>	Not applicable. The Flood Report provided at Appendix 15 has concluded that the flood hazards will likely remain unchanged due to the development.
2.13 Consultation with State Emergency Service—development with impacts on flood liable land	



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TABLE 23. CONSULTATION	
Clause	Assessment
<p>(1) A public authority, or a person acting on behalf of a public authority, must not carry out development on flood liable land that may be carried out without development consent under a relevant provision unless the authority or person has—</p> <p>(a) given written notice of the intention to carry out the development (together with a scope of works) to the State Emergency Service, and</p> <p>(b) taken into consideration any response to the notice that is received from the State Emergency Service within 21 days after the notice is given.</p> <p>(2) Any of the following provisions in Part 2.3 is a relevant provision—</p> <p>(a) Division 1 (Air transport facilities),</p> <p>(b) Division 2 (Correctional centres and correctional complexes),</p> <p>(c) Division 6 (Emergency services facilities and bush fire hazard reduction),</p> <p>(d) Division 10 (Health services facilities),</p> <p>(e) Division 14 (Public administration buildings and buildings of the Crown),</p> <p>(f) Division 15 (Railways),</p> <p>(g) Division 16 (Research and monitoring stations),</p> <p>(h) Division 17 (Roads and traffic),</p> <p>(i) Division 20 (Stormwater management systems).</p> <p>(3) This section does not apply in relation to the carrying out of minor alterations or additions to, or the demolition of, a building, emergency works or routine maintenance.</p>	<p>Not applicable. The proposal is made under Part 2.3, Division 12 which is not relevant provision listed under this section.</p>
2.14 Consultation with councils—development with impacts on certain land within the coastal zone	
<p>(1) This section applies to development on land that is within a coastal vulnerability area and is inconsistent with a certified coastal management program that applies to that land.</p>	<p>Not applicable. The Site is not mapped within a coastal vulnerability area and a review of Council's website concludes that no coastal management program or Estuary & Coastal Zone Management Plan applies to the Site.</p>
2.15 Consultation with authorities other than councils	



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TABLE 23. CONSULTATION

Clause	Assessment
(2) For the purposes of subsection (1), the following development is specified development and the following authorities are specified authorities in relation to that development— (a) development adjacent to land reserved under the <u>National Parks and Wildlife Act 1974</u> or to land acquired under Part 11 of that Act—the Office of Environment and Heritage,	Not applicable. The Site is not located on land adjacent to land reserved under the <i>National Parks and Wildlife Act 1974</i> or to land acquired under Part 11 of that Act.
(b) development on land in Zone C1 National Parks and Nature Reserves or in a land use zone that is equivalent to that zone, other than land reserved under the <u>National Parks and Wildlife Act 1974</u> —the Office of Environment and Heritage,	Not applicable. The Site is not zoned C1.
(c) development comprising a fixed or floating structure in or over navigable waters—Transport for NSW,	Not applicable. The proposal is not for a fixed or floating structure in or over navigable waters.
(d) development that may increase the amount of artificial light in the night sky and that is on land within the dark sky region as identified on the dark sky region map—the Director of the Observatory, Note— The dark sky region is land within 200 kilometres of the Siding Spring Observatory.	Not applicable. The Site is not located within the dark sky region.
(e) development on defence communications facility buffer land within the meaning of clause 5.15 of the Standard Instrument—the Secretary of the Commonwealth Department of Defence, Note— Defence communications facility buffer land is located around the defence communications facility near Morundah. See the Defence Communications Facility Buffer Map referred to in clause 5.15 of <u>Lockhart Local Environmental Plan 2012</u> , <u>Narrandera Local Environmental Plan 2013</u> and <u>Urana Local Environmental Plan 2011</u> .	Not applicable. The Site is not located on defence communications facility buffer land.
(f) development on land in a mine subsidence district within the meaning of the <u>Mine Subsidence Compensation Act 1961</u> —the Mine Subsidence Board,	Not applicable. The Site is not located on land in a mine subsidence district.
(g) development on, or reasonably likely to have an impact on, a part of the Willandra Lakes Region World Heritage Property—the World Heritage Advisory Committee and Heritage NSW,	Not applicable. The proposal does not involve development on, or is not reasonably likely to have an impact on, a part of the Willandra Lakes Region World Heritage Property.



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TABLE 23. CONSULTATION	
Clause	Assessment
<i>(h) development within a Western City operational area specified in the <u>Western Parkland City Authority Act 2018</u>, Schedule 2 with an estimated development cost of \$30 million or more—the Western Parkland City Authority constituted under that Act.</i>	Not applicable. The Site is not located within a Western City operational area.
2.16 Consideration of Planning for Bush Fire Protection	
<i>(1) This section applies to development for the following purposes that this Chapter provides may be carried out without development consent— (a) health services facilities, (b) correctional centres, (c) residential accommodation.</i>	Not applicable. The proposal is not for any of the listed uses.

Appendix 7 contains all relevant consultation documentation to Northern Beaches Council and neighbouring properties.



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PART C MANAGEMENT AND MITIGATION MEASURES

To ensure minimal adverse impact, the activity proposed under this REF will be carried out in accordance with the mitigation measures identified below. These measures have been derived from the environmental assessments in **Parts D** and **Part E** and those detailed in appended consultants' reports.

1.0 STANDARD REQUIREMENTS

The following identified requirements have been imposed to ensure that the development activity is carried out in accordance with the plans / documents and any amendments approved under Part 5 of the EP&A Act.

1. Details of the Activity

The activity must be carried out substantially in accordance with the following plans / documents and by any of the undermentioned identified requirements:

Document register			
Number	Rev	Name of Plan	Date
Architectural Drawings prepared			
A0203	F	Site Plan - Proposed	15/08/2024
A0610	B	Pedestrian Bridge	15/08/2024
A0611	C	Tennis Court Design Intent	15/08/2024
A0202	D	Demolition Plan	15/08/2024
Civil Plans			
C08-0001	B	Civil Services – Stormwater Management Plan	30/07/2024
C08-0301	B	Civil Services – Stormwater Details	30/07/2024
C04-0001	B	Civil Services – Bulk Earthworks Plan	30/07/2024
C04-0101	B	Civil Services – Bulk Earthworks Sections	30/07/2024
C03-0001	B	Civil Services – Erosion and Sediment Control Plan	30/07/2024
C03-0101	B	Civil Services – Erosion and Sediment Control Notes	30/07/2024
C03-0201	B	Civil Services – Erosion and Sediment Control Details	30/07/2024
Landscape Plan			
L01	D	Landscape Plan	15/08/2024
Survey Plan			
19741A	4	Survey Plan Showing Detail & Levels with Underground Service Locating	05/09/2024
Document Title		Author	Date



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Document register			
Number	Rev	Name of Plan	Date
Noise Impact Assessment		Acoustic Logic Pty Ltd	09/07/2024
Visual Impact Assessment		Webber Architects	15/08/2024
Geotechnical Assessment		Ideal Geotech	June 2024
Flood Risk Management Plan		ACOR Consultants	30/07/2024
Arboricultural Impact Assessment		Hugh The Arborist Pty Ltd.	08/08/2024
Aboriginal Cultural Heritage Due Diligence Report		OzArk Environment & Heritage	July 2024
Acid Sulfate Soils Assessment		Idealgeotech	July 2024
Flora and Fauna Assessment and Waterway Impact Statement Report		NARLA Environmental	August 2024
Traffic and Parking Statement		PDC Consultants	19/07/2024
Preliminary Construction Traffic and Pedestrian Management Plan		Webber Architects	September 2023

- An Operational Management Plan must be submitted to and approved by Northern Beaches Council which demonstrates that the proposed development will be effectively managed to minimize environmental impacts, ensure compliance with relevant regulations, and facilitate safe access and use of the recreational facilities. The Operational Management Plan may be updated as required, with the approval of Northern Beaches Council.
- A Flood Evacuation and Emergency Plan must be submitted to and approved by Northern Beaches Council which demonstrates that the necessary procedures and protocols are in place to ensure the safety of users during flood events, including clear evacuation routes, communication strategies, and coordination with emergency services. The Flood Evacuation and Emergency Plan may be updated as required, with the approval of Northern Beaches Council.
- The 2m by 2.5m sight triangles indicated on the swept path drawing 001 appended within the Traffic and Parking Statement prepared by PDC Consultants dated 18 July 2024 must be maintained at all times.
- A Traffic Management Plan must be submitted to and approved by Northern Beaches Council, demonstrating that the car parking areas can accommodate trucks up to 10.5 metres in length, allowing them to perform a three-point turn within the Warringah Golf Club loading and servicing area for forward entry and exit from the eastern car park. Vehicles 8.8 metres or longer must turn right upon exit, as left turns would result in these vehicles crossing the centreline on Kentwell Road.

2. Compliance with the Building Code of Australia (BCA) and Australian Standard

All work is to be undertaken in accordance with the BCA and referenced Australian Standards.

3. Approvals



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Any other necessary approvals considered required by legislation (including Commonwealth) and/or relevant Council policies are to be obtained. A copy of all approvals is to be kept on Site.

2.0 PRIOR TO COMMENCEMENT OF ANY WORK ON SITE

1. Construction Environmental Management Plan

A Construction Environmental Management Plan (CEMP) is to be provided to the Principal Certifying Authority prior to commencement of works. The CEMP should outline suitable construction site hoardings, signage, hours of work, noise and vibration minimisation measures, site facilities and traffic control to ensure construction operations are managed to minimise impacts on surrounding properties. The CEMP will ensure the works are carried out in line with the Environmental Site Management Specification 2007 and meet council requirements. In particular the CEMP shall include:

- (a) Construction Worker Transportation Strategy;
- (b) Construction Transportation Methodology Statement – detailing the method by which the modular units will be transported to the Site;
- (c) Construction Methodology Statement – detailing the method by which the modular units will be assembled on Site;
- (d) Tree Management Plan
- (e) Construction Noise and Vibration Management Plan
- (f) Construction Waste Management Plan

2. Site Fencing

Protective fencing is to be installed around the works area to prevent public/staff access to the Site.

3. Community Notification

- (a) A copy of this REF is to be provided to be published on Northern Beaches Council website for public viewing.
- (b) Complaints received shall be recorded and attended to promptly. On receiving a complaint, works shall be reviewed to determine whether issues relating to the complaint can be avoided or minimised. Feedback shall be provided to the complainant explaining what remedial actions were taken.
- (c) A complaints management system shall be developed by the principal contractor (once appointed) and details recorded of all complaints received and the means of resolution of those complaints. The Complaints register shall be made available to Council or any other authorities on request.
- (d) A site notice board must be located at the main entrance to the Site in a prominent position and must include the following:



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- (i) 24 hour contact person for the site;
- (ii) Telephone numbers and email address; and
- (iii) Site activities and time frames.

(e) The site notice must be erected no less than 2 days prior to the commencement of works.

(f) The principal contractor must provide Northern Beaches Council with the construction programme before work commences.

4. Utilities and Services

Prior to commencement of any demolition or construction activities, any services near the development area which may be impacted by the works are to be accurately located.

5. Tree Protection

Tree protection fencing must be installed in accordance with the Arboricultural Impact Assessment prepared by Hugh The Arborist Pty Ltd and dated 08/08/2024, unless otherwise agreed by the project arborist.

6. Acoustic Controls

A Construction Noise and Vibration Management Plan should be developed as detailed within the Noise Impact Assessment prepared by Acoustic Logic Pty Ltd and dated 09/07/2024.

7. Erosion and Sediment Controls

The proposed erosion and sediment control must be installed in accordance with the Civil Services – Erosion and Sediment Control Plan, Notes and Details dated 30/07/2024.

3.0 DURING DEMOLITION AND CONSTRUCTION

1. Waste Management

- a. The Contractors shall remove from site rubbish resulting from the works. Rubbish shall be handled in a manner so as to confine the material completely.
- b. All waste generated by the project, is to be beneficially reused or recycled. If necessary, waste not able to be reused or recycled must be directed to a waste facility lawfully permitted to accept the materials in accordance with the “Waste Classification Guidelines” (DECCW, 2008) and the Protection of the Environment Operations Act 1997.
- c. Where available, recyclable site and construction waste is to be recycled in accordance with the NSW Government’s “Waste Reduction and Purchasing Policy (WRAPP guidelines)”. Waste oil is to be sent to approved recyclers.
- d. No burning or burying of wastes is permitted on site.
- e. If required, the workforce shall use temporary portable toilet facilities located on-site.



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- f. Non-recyclable waste and containers are to be regularly collected and disposed of at a licensed landfill or other licensed disposal sites in the area.
- g. Any bulk garbage bins delivered by authorised waste contractors are to be placed and kept wholly within the property boundary.
- h. Waste management practices for the proposal are to follow the waste management plan and the resource management hierarchy principles embodied in the *Waste Avoidance and Resource Recovery Act 2001*. These practices include avoid unnecessary resource consumption; recover resources (including reuse, reprocessing, recycling and energy recovery); and dispose (as a last resort).

2. Demolition and Construction

- a. A copy of the approved and certified plans, specifications and documentation shall be kept on site at all times and shall be available for perusal.
- b. All works must comply with the Building Code of Australia.
- c. All works must be undertaken in accordance with the approved and certified plans, specifications and documentation and the requirements of this REF. Colours and materials specified (as approved and certified) for the project must not change without prior consultation with the project's Heritage Consultant.

3. Construction Hours

Construction, may only be carried out between the following hours:

- 07:00 – 17:00 Mondays to Fridays inclusive;
- 08:00 – 13:00 Saturdays; and
- No work may be carried out on Sundays or public holidays.

4. Construction Noise Limits

- a. The development must be constructed to achieve the construction noise management levels detailed in the *Interim Construction Noise Guideline* (DECC, 2009).
- b. All reasonable practical steps shall be undertaken to reduce noise and vibration from the Site.
- c. Construction noise is to be attenuated with the use of screening, acoustic enclosures, engine silencing and substitution by alternative processes where practical to reduce noise emission levels from typical construction equipment. In addition to these physical noise controls, the following general noise management measures are to be followed:
 - i. Plant and equipment are to be properly maintained;
 - ii. Equipment is to be checked and calibrated to the appropriate design requirements and to ensure that maximum sound power levels are not exceeded;
 - iii. Unnecessary noise is to be avoided when carrying out manual operations and operating plant; and



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- iv. Any equipment not in use for extended periods during construction work must be switched off.
- d. As part of site management for noise emissions, the principal contractor must undertake a daily log of construction activities. The log is to be kept onsite by the site manager.

5. Unexpected Finds Protocol – Contaminated Material

If unexpected contaminated material is encountered during the works, all work shall cease, the Site will be secured and a safe work method statement(s) and appropriate documented practices would be implemented to ensure the Site is suitable for its use in accordance with the approved Construction Environmental Management Plan.

6. Aboriginal Cultural Heritage

To minimise potential impacts on Aboriginal cultural heritage, works are to proceed with caution and the recommendations outlined below, are to be implemented:

- (a) In the event that unexpected Aboriginal objects, sites or places (or potential Aboriginal objects, site or places) are discovered during construction, all works in the vicinity should cease and the proponent should determine the subsequent course of action in consultation with a heritage professional and/or the relevant State government agency as appropriate.
- (b) If human skeletal material less than 100 years old is discovered, the *Coroners Act 2009* requires that all works should cease, and the NSW Police and the NSW Coroner's Office should be contacted. Traditional Aboriginal burials (older than 100 years) are protected under the *National Parks and Wildlife Act 1974* (NPW Act 1974) and should not be disturbed. Interpreting the age and nature of skeletal remains is a specialist field and an appropriately skilled archaeologist or physical anthropologist should therefore be contacted to inspect the find and recommend an appropriate course of action. Should the skeletal material prove to be archaeological Aboriginal remains, notification of Heritage NSW and the Local Aboriginal Land Council will be required. Notification should also be made to the Commonwealth Minister for the Environment, under the provisions of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*.

7. Plant and Equipment

- a. In accordance with SafeWork NSW, all plant and equipment used in construction work must comply with the relevant Australian Standards and manufacturer specifications.
- b. All plant/equipment is to be inspected regularly to avoid leakage of fuel, oil or hydraulic fluid to the work sites. Machinery found to be leaking must be repaired or replaced immediately.
- c. All machinery is to be secured against vandalism outside working hours.
- d. No batching plant is permitted on site.

8. Access to the Site by Members of the Public

Any unauthorised person is not permitted within the construction site(s).



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9. Stormwater

The proposed works must not alter existing drainage lines within the recreation site unless otherwise indicated on the Civil Plans.

4.0 COMPLETION OF WORKS

1. Completion of Works

At the completion of the project, documentation and certification must be submitted to Northern Beaches Council which demonstrates that the work as undertaken complies with the terms of this REF.

2. Hydraulic Inspection Certificate

At the completion of the project, a Hydraulic Inspection Certificate or a Compliance Certificate must be submitted to Northern Beaches Council. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must also be provided.



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PART H CONCLUSION AND RECOMMENDATION

This REF has been prepared to document the environmental assessment for the proposed new tennis courts, new pedestrian bridge, eastern & western carparks with 125 car parking spaces and associated works.

In accordance with Part 5 of the EP&A Act 1979, this REF has examined and taken into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the proposed activity, including with regard to the factors identified pursuant to Clause 171 of the EP&A Regs 2021.

The assessments undertaken demonstrate that all potential environmental impacts may be suitably managed through the mitigation measures documented herein.

Further justification for the proposal is summarised as follows:

- The proposal would respond to an existing need for the new tennis courts, new pedestrian bridge, and eastern & western carparks with 125 car parking spaces;
- The proposal would be generally consistent with all relevant legislation, plans and policies pertinent to the development and Site;
- The proposal would cause minimal environmental impacts; and
- Adequate mitigation measures have been proposed to address any potential impacts.

It is concluded that the proposed activity is unlikely to significantly affect the environment. As such, an EIS would not be required.

On this basis, it is recommended that Northern Beaches Council approve the proposed activity in accordance with Part 5 of the EP&A Act 1979 and subject to adoption and implementation of the mitigation measures outlined in **Part G**.

