



northern
beaches
council

PLANNING PROPOSAL

Amendments to *Warringah Local Environmental Plan 2011*

**Additional Permitted Use for a ‘registered club’
at part of Lot 2742 in Deposited Plan 752038, at
the Warringah Recreation Centre**

March 2024

Executive Summary

Site Details	
Legal description	Lot 2742 DP 752038
Address	Lot 2742 DP 752038
Current planning provisions	
Clause	Relevance
2.1 Land Use Zones	The site is zoned RE1 Public Recreation.
2.5 Additional permitted uses for particular land	<p>No existing additional permitted uses apply to the site.</p> <p>The Planning Proposal (the 'Proposal') seeks to amend <i>Warringah Local Environmental Plan 2011</i> to make a 'registered club' permissible with development consent on part of the land known as Warringah Recreation Centre.</p> <p>A 'registered club' is defined under the LEP as follows: "registered club means a club that holds a club licence under the Liquor Act 2007".</p> <p>The proposed LEP amendment will enable the lodgement of a future development application for the use of a future golf clubhouse as a 'registered club'.</p>
Land Use Table	<p>The zone objectives and Land Use Table are reproduced below:</p> <p>"Zone RE1 Public Recreation</p> <p>1 Objectives of zone</p> <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. <p>2 Permitted without consent Environmental facilities; Environmental protection works; Roads</p> <p>3 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</p> <p>4 Prohibited Any development not specified in item 2 or 3"</p> <p>A 'registered club' is not listed and therefore is prohibited in the RE1 zone. The proposal is not inconsistent with the objectives.</p>
4.1 Minimum Subdivision Lot Size	The site is not identified as having a minimum lot size.
4.3 Height of Buildings	The site is not subject to a maximum building height.
4.4 Floor Space Ratio	The site is not subject to a floor space ratio.

Site Details	
5.2 Classification and reclassification of public land	Clause 25 of the <i>Local Government Act 1993</i> (The LG Act) requires that all public land must be classified. Clause 26 of the LG Act states that there are 2 classifications for public land - “community” and “operational”. The WRC site is currently classified as community land. The Proposal does not require the reclassification of the WRC site from community to operational.
5.10 Heritage Conservation	The E-spatial viewer does not reveal any State Heritage items on the site. There are no locally listed items on the site. An AHIMS search was undertaken on 14 August 2023, which did not reveal any Aboriginal sites or places recorded in or near the site. Four (4) Aboriginal sites are recorded to the west of Condamine Street (Appendix A). Any development approval can provide standard conditions of consent in relation to unexpected finds procedures.
6.3 Flood planning	The site is identified by Council’s Flood Risk Precinct Maps as being affected by flooding. A flooding report was submitted with the application. A technical peer review of the flooding report was undertaken.
6.1 Acid Sulfate Soils	The site is identified as containing Class 2 and Class 5 Acid Sulfate Soils (ASS). A Waste Classification, ASS Assessment and ASS Management Plan were submitted with the application. A technical peer review of these documents was undertaken.
6.2 Earthworks	Any DA lodged over the site will assess this matter where any earthworks are proposed.
6.4 Development on Sloping Land	The site is identified as being on Landslide Risk land. Any DA lodged over the site will require an assessment of this matter.
Schedule 1 Additional permitted uses	The Proposal seeks to amend the LEP to include site specific additional permitted use provisions for part of the land.
Proposed Amendment	
<ul style="list-style-type: none"> • Amend the WLEP Additional Permitted Uses Map (Sheet APU_008) to identify a portion of the subject site as Area 19E, and • Amend clause 19 in Schedule 1 of WLEP to add a new point e) as identified in bold below: <p>19 Use of certain land in Zone RE1</p> <p>(1) This clause applies to the following land—</p> <p style="padding-left: 20px;">(a) land at Collaroy, known as Long Reef Golf Club, being Lot 1, DP 1144187, shown as “Area 19A” on the Additional Permitted Uses Map,</p> <p style="padding-left: 20px;">(b) land at Manly Vale, known as Manly Vale Bowling Club, being part of Lot 2743, DP 752038, shown as “Area 19B” on that map,</p> <p style="padding-left: 20px;">(c) land at North Balgowlah, known as Wakehurst Golf Club, being Lot 2730, DP 752038, shown as “Area 19C” on that map,</p> <p style="padding-left: 20px;">(d) land at North Manly, known as North Manly Bowling Club, being part of Lot 2743, DP 752038, shown as “Area 19D” on that map.</p> <p style="padding-left: 20px;">(e) land at North Manly, known as the Warringah Golf Club, being part of Lot 2742, DP 752038, shown as “Area 19E” on that map.</p> <p>(2) Development for the purposes of registered clubs is permitted with consent if the registered club is incidental or ancillary to a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor”).</p>	

Documents submitted with Application	Author	Date
Planning Proposal Warringah Recreation Centre	MG Planning	May 2023
Flora and Fauna Constraints Assessment Report	Narla Environment	December 2020
Waste Classification	Alliance Geotechnical	December 2020
Flood Assessment Report	Stellen Civil Engineering	May 2023
Stormwater Management Plan	Stellen Civil Engineering	October 2022
Acid Sulphate Assessment	Ideal Geotech	November 2022
Acid Sulphate Management Plan	Ideal Geotech	November 2022

Additional Supporting Documents for the Planning Proposal	Author	Date
Warringah Golf Club consent to use documentation from DA2022/2081	Graeme McMullan	5 March 2024
Letter from Warringah Golf Club confirming no Poker Machines on the premises	Scott Campbell	27 February 2024
Traffic Impact Assessment - as submitted for DA2022/2081	PDC Consultants	15 November 2022
Plan of Management – as submitted for DA2022/2081	Warringah Golf Club	August 2022
District Park Plan of Management	Warringah Council	2015
Heads of Agreement	Northern Beaches Council	June 2022

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Part 1 – Objectives and intended outcomes

Objective

The objective of this Planning Proposal (the 'Proposal') is to amend *Warringah Local Environmental Plan 2011* (the 'LEP') to make the additional land use of a 'registered club' permissible, under Schedule 1 of the LEP, pursuant to Clause 2.5 of the LEP.

Intended outcomes

- To remove any ambiguity in relation to the permissibility of a 'registered club' at the Warringah Recreation Centre site (the 'WRC site').
- To permit the lawful operation of a future golf clubhouse as a registered club (subject to consent).

Part 2 – Explanation of provisions

Intended Provisions

The Proposal seeks to:

- Amend the LEP Additional Permitted Uses Map (Sheet APU_008) to identify a portion of the subject site as Area 19E, and
- Amend clause 19 in Schedule 1 of WLEP to add a new point e) as identified **in bold** below:

19 Use of certain land in Zone RE1

(1) This clause applies to the following land—

(a) land at Collaroy, known as Long Reef Golf Club, being Lot 1, DP 1144187, shown as “Area 19A” on the Additional Permitted Uses Map,

(b) land at Manly Vale, known as Manly Vale Bowling Club, being part of Lot 2743, DP 752038, shown as “Area 19B” on that map,

(c) land at North Balgowlah, known as Wakehurst Golf Club, being Lot 2730, DP 752038, shown as “Area 19C” on that map,

(d) land at North Manly, known as North Manly Bowling Club, being part of Lot 2743, DP 752038, shown as “Area 19D” on that map.

(e) land at North Manly, known as the Warringah Golf Club, being part of Lot 2742, DP 752038, shown as “Area 19E” on that map.

(2) Development for the purposes of registered clubs is permitted with consent if the registered club is incidental or ancillary to a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor”).

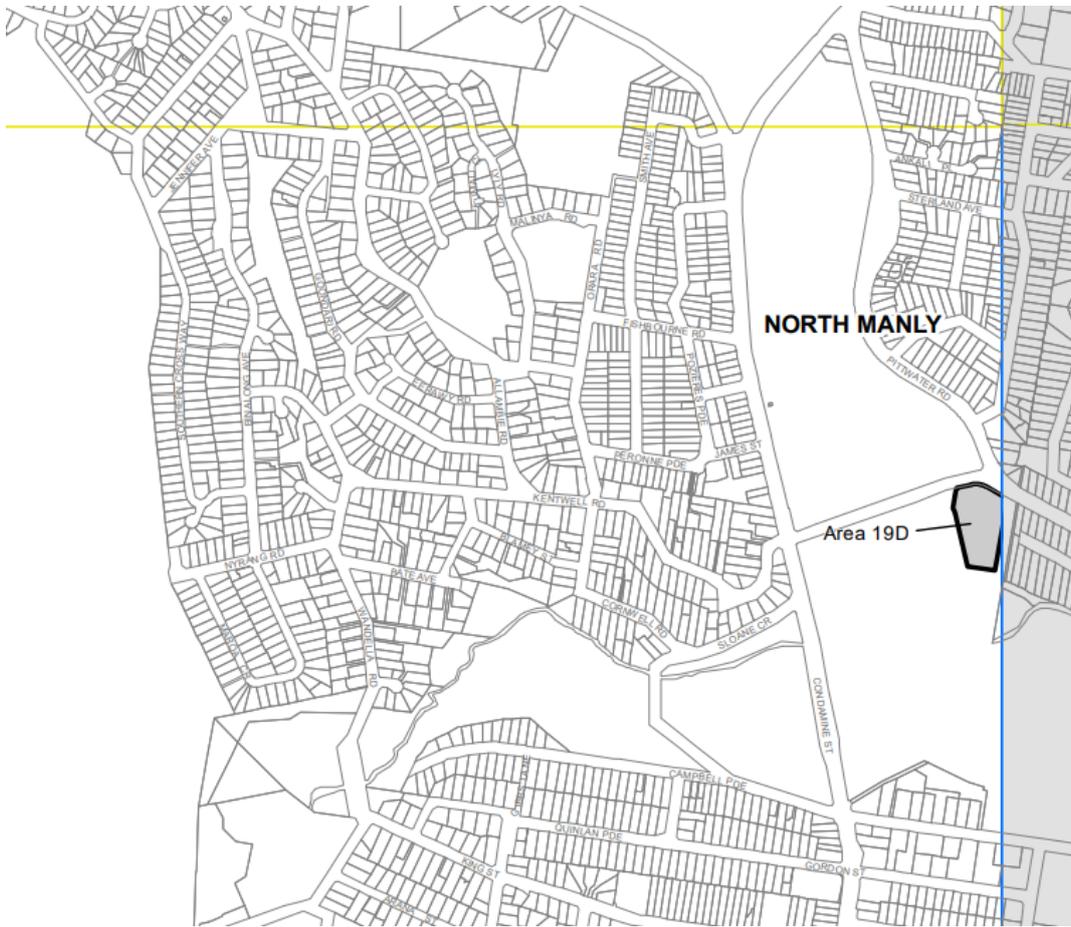


Figure 1 Existing Additional Permitted Uses Map – Sheet APU_008

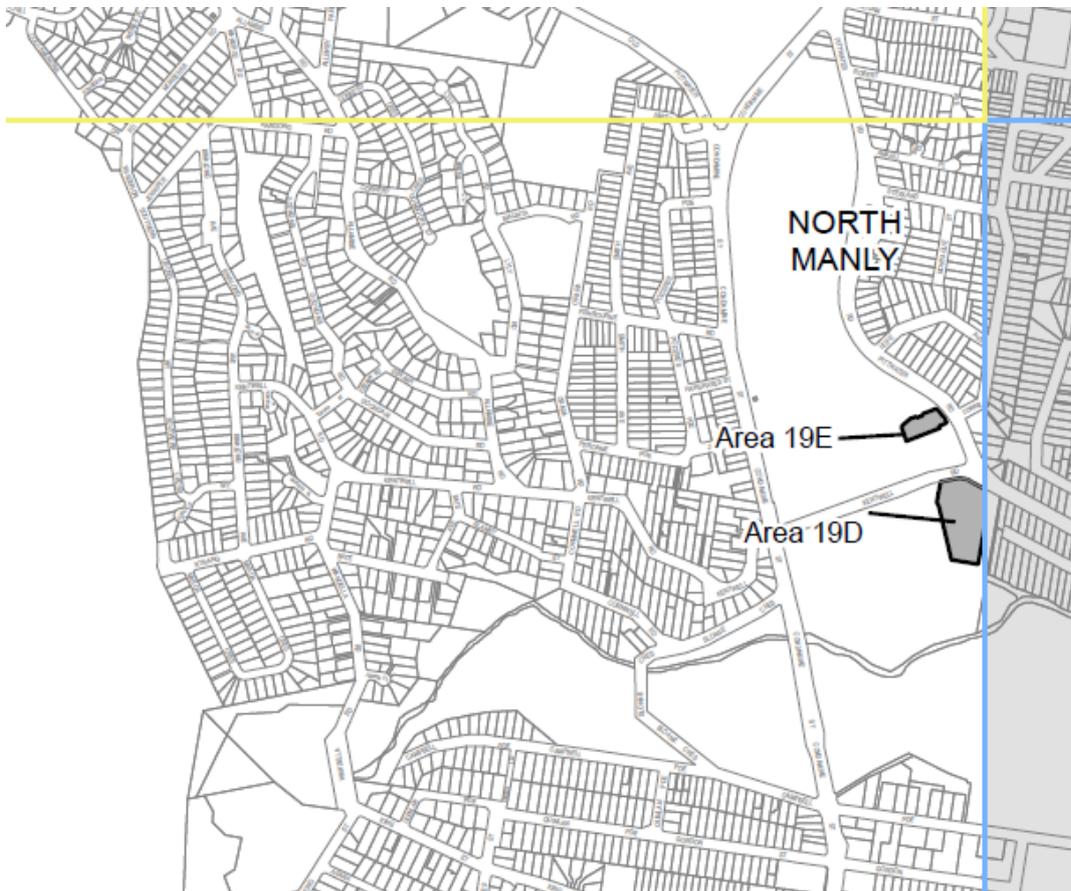


Figure 2 Proposed Additional Permitted Uses Map – Sheet APU_008

Part 3 – Justification of strategic and site-specific merit

Section A – Need for the planning proposal

1. Is the Planning Proposal a result of an endorsed Local Strategic Planning Statement, strategic study or report?

Whilst the Proposal is not the result of an endorsed Local Strategic Planning Statement (LSPS), strategic study, or report, it is consistent with the intent of Council's LSPS, Northern Beaches Community Strategic Plan 2040 (the 'CSP') and the District Park Plan of Management (DPPOM).

A Council resolution was made on 25 February 2020 that provided in-principle agreement to the construction of a new golf clubhouse on the WRC site, subject to the agreement of appropriate terms.

The proposed amendment will enable the lodgement of a future DA for the use as a 'registered club' ancillary to a 'recreation facility (indoor)', 'recreation facility (major)' or 'recreation facility (outdoor)'. The proposed amendments will ensure that the planning controls are consistent with Council's expectations for the future development of the WRC site.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The Proposal is the best means of achieving the objectives and intended outcomes. The Proposal utilises the existing carparking and access to the WRC site and maximises the efficient use of the site proximate to the existing facilities on site.

A DA was lodged for construction of a golf clubhouse ancillary to the Warringah Golf Course, which is defined in the LEP as 'recreation facility (outdoor)'. A 'recreation facility (outdoor)' is permitted with consent in the RE1 zone. Notwithstanding the lodgement of this DA, the permissibility is not explicit, and the functions of the golf clubhouse may be limited in terms of the 'recreation facility (outdoor)' land use definition.

The Sydney North Planning Panel issued a determination for the clubhouse DA (DA2022/2081). The consent authorizes the use of the clubhouse building for ancillary uses including pro-shop/workshop, administration area, foyer, amenities, back of house and meeting rooms. No approval was granted for use of the clubhouse as a 'registered club'. Any such use will require approval via a separate development consent. This Planning Proposal will enable a DA to be lodged for use as a 'registered club'.

A Planning Proposal to rezone the site to an alternative zone that permits registered clubs would not be appropriate given that the site is located on land owned by Council which is a public reserve. The Planning Proposal is the best means of achieving the objectives and

intended outcomes, that will give Council certainty of the development outcomes expected for the site.

The proposed LEP amendment will permit the additional use whilst maintaining the existing RE1 zoning and providing the community with certainty that this will remain the primary use of the site into the future.

Section B – Relationship to the strategic planning framework

3. Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. The Planning Proposal gives effect to the objectives and priorities of the Region Plan and District Plan. Refer Tables 1 and 2.

Table 1 Greater Sydney Region Plan (A Metropolis of Three Cities)

Direction	Objective/s	Alignment
A city supported by infrastructure	<p>Objective 4 Infrastructure use is optimised</p>	<p>The location of the proposed ‘registered club’ at the site is adjacent to Pittwater Road, one of the area’s main roads. A northbound bus stop is located on the site’s eastern boundary, and a southbound bus stop is located on the opposite side of Pittwater Road. The co-location of the ‘registered club’ on the existing golf club site is a logical placement of the clubhouse, utilising the existing sporting and recreational infrastructure on the site.</p>
A city for people	<p>Objective 6 Services and infrastructure meet communities’ changing needs</p> <p>Objective 7 Communities are healthy, resilient and socially connected.</p>	<p>This objective includes the following commentary:</p> <p><i>“Publicly owned land and social housing renewal may provide opportunities to co-locate social infrastructure and provide mixed uses at the heart of neighbourhoods.</i></p> <p><i>Improved health, public transport and accessibility outcomes can be achieved through the provision of schools, recreation, transport, arts and cultural, community and health facilities in walkable, mixed use places co-located with social infrastructure and local services (refer to Objective 7 and Objective 14).</i></p> <p><i>Good accessibility to local services for young people, older people and culturally and linguistically diverse communities is an important way of enabling people to age within their community. This contributes to improved mental and physical health and wellbeing outcomes”.</i></p> <p>The central location of the WRC site, co-located with existing community sporting and recreational facilities achieves the intent of this objective. Importantly this objective includes Strategy 6.2:</p> <p><i>“Optimise the use of available public land for social infrastructure”.</i></p> <p>The Proposal is consistent with this strategy. The Proposal achieves the intent of objective</p>

Direction	Objective/s	Alignment
		7 for the reasons outlined in relation to Objective 6.
A city of great places	Objective 12 Great places that bring people together	This objective includes the following commentary: <i>“Social infrastructure and opportunity: great places are inclusive of people of all ages and abilities, with a range of authentic local experiences and opportunities for social interaction and connections”.</i> The Proposal achieves the intent of objective 12 for the reasons outlined in relation to Objective 6.
A city in its landscape	Objective 31 Public open space is accessible, protected and enhanced	The Proposal is consistent with Strategy 31.1, to: <i>“Maximise the use of existing open space and protect, enhance and expand public open space by: • providing opportunities to expand a network of diverse, accessible, high quality open spaces that respond to the needs and values of communities as populations grow”.</i>

Table 2 North District Plan

Planning Priority	Planning Priority Comment	Alignment
Planning Priority N1 – Planning for a city supported by Infrastructure Objective 4 - Infrastructure use is optimised	Nil.	This priority includes the following commentary: <i>“Aligning land use and infrastructure planning will maximise the use of existing infrastructure”</i> The central location of the WRC site, co-located with existing community sporting and recreational facilities achieves the intent of this priority.
Planning Priority N3 - Providing services and social infrastructure to meet people’s changing needs	The Planning Proposal will enable the golf clubhouse and WRC recreation facilities to be upgraded to help meet the community’s needs now and into the future.	This priority includes the following commentary: <i>“The district is expected to see an 85 per cent proportional increase in the 65-85 age group and a 47 per cent increase in the 65-84 age group is expected by 2036. This means 20 per cent of the District’s population will be aged 65 or over in 2036, up from 16 per cent in 2016”.</i> The Proposal has not provided any data in relation to the demographics of the expected users of the club. However, anecdotally, it is expected that the registered club would be frequented by an older demographic.

Planning Priority	Planning Priority Comment	Alignment						
<p>Planning Priority N4 - Fostering healthy, creative, culturally rich and socially connected communities.</p>	<p>Social connectivity, as well as access to opportunities for recreational physical activity are essential to improved mental and physical health outcomes. By relocating the golf clubhouse and co-locating it with an upgraded WRC, the Planning Proposal will improve opportunities for recreational activities and social connectivity.</p>	<p>The DPPOM contemplates the future relocation of the golf club to the District Park and Table 5 authorises the lease/licence of community land for registered clubs:</p> <table border="1" data-bbox="890 331 1487 465"> <thead> <tr> <th data-bbox="890 331 975 376">Proposed use</th> <th data-bbox="978 331 1193 376">Land to which authorisation applies</th> <th data-bbox="1197 331 1487 376">Express authorisation of lease, licence or other estate for:</th> </tr> </thead> <tbody> <tr> <td data-bbox="890 380 975 465">Combined sports community club building</td> <td data-bbox="978 380 1193 465">Land categorised as Sportsground for the use of the new combined sports club</td> <td data-bbox="1197 380 1487 465">Distribution of alcoholic beverages, restaurant food and entertainment, along with the sale and hire of sports equipment associated with use of the park. Any other activities for which a registered club would be licensed.</td> </tr> </tbody> </table> <p>The Proposal is therefore consistent with the Plan of Management. The co-location with other sporting facilities and the existing golf course would likely assist with creating socially connected communities given the range of activities available at the site.</p>	Proposed use	Land to which authorisation applies	Express authorisation of lease, licence or other estate for:	Combined sports community club building	Land categorised as Sportsground for the use of the new combined sports club	Distribution of alcoholic beverages, restaurant food and entertainment, along with the sale and hire of sports equipment associated with use of the park. Any other activities for which a registered club would be licensed.
Proposed use	Land to which authorisation applies	Express authorisation of lease, licence or other estate for:						
Combined sports community club building	Land categorised as Sportsground for the use of the new combined sports club	Distribution of alcoholic beverages, restaurant food and entertainment, along with the sale and hire of sports equipment associated with use of the park. Any other activities for which a registered club would be licensed.						
<p>Planning Priority N6 - Creating and renewing great places and local centres, and respecting the District's heritage</p>	<p>District Park is one of Warringah's most significant open spaces. The Park is well used and valued by the community. The Planning Proposal will facilitate and enable the golf club and WRC to foster the development of a social and recreational hub that will bring the community together for range of social and recreation purposes.</p>	<p>The addition of a 'registered club' will revitalise the site and provide a greater diversity of activities at the site.</p>						

4. Is the Planning Proposal consistent with a council Local Strategic Planning Statement that has been endorsed by the Planning Secretary or Greater Cities Commission, or another endorsed local strategy or strategic plan?

The Proposal is consistent with the following Council adopted plans: Local Strategic Planning Statement (Towards 2040), Community Strategic Plan (Northern Beaches Community Strategic Plan 2040), and the District Park Plan of Management (refer Tables 3-5). It is noted that Council's LSPS was supported by the then Greater Sydney Commission on 20 March 2020 for consistency with the Greater Sydney Region Plan and North District Plan.

Table 3 Local Strategic Planning Statement (Towards 2040)

Priority	Alignment
Sustainability <ul style="list-style-type: none"> Priority 6 High quality open space for recreation 	The Proposal will allow the use of the site for a multifunctional purpose, providing opportunities for social interaction close to transport and a local centre that will accommodate a greater range of compatible uses than that currently permitted. The use as a registered club must be ancillary to a recreational use.
People <ul style="list-style-type: none"> Priority 11- Community facilities and services that meet changing community needs Priority 12- An inclusive, healthy, safe and socially connected community 	The Proposal will enable the lodgement of a DA that will allow for the delivery of social infrastructure that will address the changing needs of the community, including those of the ageing population. The redevelopment of the site will adopt a place-based approach, conserving its local identity and social significance through the adaptive reuse of the site.
Great Places <ul style="list-style-type: none"> Priority 17- Centres and neighbourhoods designed to reflect local character, lifestyle and demographic changes 	As above.
Jobs and Skills <ul style="list-style-type: none"> Priority 30 - A diverse night time economy 	The Proposal will provide additional employment opportunities.

Table 4 Community Strategic Plan (Northern Beaches Community Strategic Plan 2040)

Goal	Alignment
Outcome – Community and belonging <ul style="list-style-type: none"> Goal 9 - Influence- Our community is inclusive and connected”. 	The Proposal will allow the use of the site for a multifunctional purpose, providing opportunities for social interaction close to transport and a local centre that will accommodate a greater range of compatible uses to that currently permitted.
Outcome- Housing , Places and Spaces <ul style="list-style-type: none"> Goal 11 – Influence- Our local centres are vibrant and health, catering for diverse economic and social needs. 	The Proposal will enable the lodgement of a DA for a registered club that will allow delivery of social infrastructure that will address the changing needs of the community, including those of the ageing population. The redevelopment of the site will adopt a place-based approach, conserving its local identity and social significance through the adaptive reuse of the site.
<ul style="list-style-type: none"> Goal 12 – Influence- Our community has access to spaces that enable healthy and active living and allow for a broad range of creative, sporting and recreational opportunities to be enjoyed. 	The Proposal will contribute to the diversity of creative opportunities that can be enjoyed at the WRC site.
Outcome – Vibrant Local Economy <ul style="list-style-type: none"> Goal 15- Influence- Our centres are sustainable encompassing a diverse range of businesses that attract 	In addition to the above, the Proposal will provide additional employment opportunities.

Goal	Alignment
visitation and provide work, education, leisure and social opportunities.	

Table 5 District Park Plan of Management

Objective	Alignment
<ul style="list-style-type: none"> Establish a balanced and values-based approach to the management of the Park. 	Community consultation undertaken to date is overwhelmingly in support of the Proposal.
<ul style="list-style-type: none"> Provide a flexible framework within which Council can respond to current needs and opportunities, as well as to future directions and pressures as demands on the Park change. 	The Plan of Management contemplates the future relocation of the golf club to the District Park and authorises the lease/licence of community land for combined sports and community club buildings for “activities for which a registered club would be licenced”.
<ul style="list-style-type: none"> Reflect the values and expectations of the Warringah and wider community and people who will use and enjoy the Park”. 	As above.
<ul style="list-style-type: none"> Address the recommendations of State, metropolitan, regional and local strategic plans and studies on needs and demands for sporting, recreation and community facilities. 	The Proposal is consistent with applicable strategic plans as set out in this Proposal.
<ul style="list-style-type: none"> Be consistent with Warringah’s Community Strategic Plan and other strategies, plans and policies. 	As above.

5. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

The Proposal is consistent with the following State Plans and Strategies:

- NSW State Plan 2021
- NSW State Infrastructure Strategy 2022-2042
- Future Transport Strategy
- NSW Ageing Strategy 2016 – 2020

6. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Proposal is consistent with applicable State Environmental Planning Policies (see Table 6).

Table 6 Compliance with State Environmental Planning Policies (SEPPs)

SEPPs (as of June 2023)	Applicable	Consistent	Comment
(Biodiversity and Conservation) 2021	Yes	Yes	The Proposal itself does not propose to clear vegetation or affect land subject to potential koala habitats, foreshore or waterways areas, water catchments, strategic conservation areas.

SEPPs (as of June 2023)	Applicable	Consistent	Comment
			Further information will be required at the DA stage to assess the impacts of proposed vegetation removal that would be required to construct a building that may be used as a registered club.
(Building Sustainability Index: BASIX) 2004	Yes	Yes	The BASIX provisions relate specifically to residential accommodation and would not apply to a registered club.
(Exempt and Complying Development Codes) 2008	Yes	Yes	The Proposal does not propose any building works or changes to this policy.
(Housing) 2021	Yes	Yes	The Proposal does not propose building works or changes to this policy.
(Industry and Employment) 2021	Yes	Yes	The Proposal does not propose any changes to advertising and signage. The land is not located in the Western Sydney employment area.
No 65 – Design Quality of Residential Apartment Development	Yes	Yes	The Proposal does not propose building works or changes to this policy.
(Planning Systems) 2021	Yes	Yes	The Proposal does not affect the assessment of any State significant development, State significant infrastructure, regionally significant development or land subject to a Development Delivery Plan.
(Precincts – Central River City) 2021	Yes	Yes	Land subject to the Proposal is not identified within a State Significant Precinct, Sydney Region Growth Centre, Homebush Bay area or Kurnell Peninsula area.
(Precincts – Eastern Harbour City) 2021	Yes	Yes	Land subject to the Proposal is not identified within a State Significant Precinct, Darling Harbour, City West, Walsh Bay, Cooks Cove or Moore Park Showground.
(Precincts – Regional) 2021	Yes	Yes	Land subject to the Proposal is not identified within a State Significant Precinct, Activation Precinct, Kosciuszko Alpine Region or Gosford City Centre.
(Precincts – Western Parkland City) 2021	Yes	Yes	Land subject to the Proposal is not identified within a State Significant Precinct, Sydney Region Growth Centre, Western Sydney Aerotropolis Penrith Lakes, St Marys or Western Sydney Parklands.
(Primary Production) 2021	Yes	Yes	Land subject to the Proposal is not primary production and rural development, state significant agricultural land, a farm dam and other small-scale and low risk artificial waterbody, a livestock industry, sustainable aquaculture or within the Central Coast plateau area.

SEPPs (as of June 2023)	Applicable	Consistent	Comment
(Resilience and Hazards) 2021	Yes	Yes	<p>The site is not mapped as containing land identified as 'coastal wetlands', 'littoral rainforest', or proximity to either on the 'Coastal Wetlands and Littoral Rainforests Area Map'.</p> <p>The site is located within a 'coastal use area' and a 'coastal environment area'. The SEPP requires consideration of certain environmental issues which are required to be addressed at DA stage.</p> <p>The site is located within an urbanised area located more than 2km from the coastal foreshore. The Proposal will not adversely affect any ecological, natural or scenic qualities of the foreshore or broader coastal zone. The Proposal will not cause any loss or disruption of public access to the foreshore area.</p> <p>A Preliminary Site Investigation (PSI) prepared for the clubhouse DA (NEO Consulting, February 2023) noted that the continuous use of the land as recreational indicates low potential impact of any contamination. The PSI found no exceedance of the NEPM Health and Ecological Assessment Criteria for Commercial/Industrial (D) sites from soil samples and no visible indications of contamination or contaminating sources. NEO Consulting concluded that the required considerations of CI 4.6 of the Resilience and Hazards SEPP are satisfied.</p>
(Resources and Energy) 2021	Yes	Yes	The Proposal does not affect any land containing mineral, petroleum and extractive material resources.
(Sustainable Buildings) 2022	No	N/A	This Policy commences on 1 October 2023. The Proposal does not propose any building works or changes to this policy.
(Transport and Infrastructure) 2021	Yes	Yes	The Proposal does not propose building works or changes to this policy.

7. Is the Planning Proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

The Proposal is consistent with applicable Ministerial Directions (as shown in Table 7):

Table 7 Compliance with Ministerial Directions

Directions (as of August 2023)		Applicable	Consistent	Comment
Focus area 1: Planning Systems				
1.1	Implementation of Regional Plans	Yes	Yes	The Proposal is consistent with the objectives and actions of the Region Plan (see Section B, Question 3).
1.2	Development of Aboriginal Land Council land	No	N/A	
1.3	Approval and Referral Requirements	Yes	Yes	The Proposal does not include any provisions that require the concurrence, consultation, or referral of development applications to a Minister or public authority and does not identify development as designated development.
1.4	Site Specific Provisions	Yes	Yes	The Proposal will allow the proposed additional permitted use on the relevant land without imposing any development standards or requirements in addition to those already contained in the LEP. The Proposal does not contain or refer to drawings that show details of any proposed development.
Focus area 1: Planning Systems – Place-based				
1.5	Parramatta Road Corridor Urban Transformation Strategy	No	N/A	
1.6	Implementation of North West Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A	
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A	
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A	

Directions (as of August 2023)		Applicable	Consistent	Comment
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	No	N/A	
1.10	Implementation of the Western Sydney Aerotropolis Plan	No	N/A	
1.11	Implementation of Bayside West Precincts 2036 Plan	No	N/A	
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	No	N/A	
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	No	N/A	
1.14	Implementation of Greater Macarthur 2040	No	N/A	
1.15	Implementation of the Pyrmont Peninsula Place Strategy	No	N/A	
1.16	North West Rail Link Corridor Strategy	No	N/A	
1.17	Implementation of the Bays West Place Strategy	No	N/A	
1.18	Implementation of the Macquarie Park Innovation Precinct	No	N/A	
1.19	Implementation of the Westmead Place Strategy	No	N/A	
1.20	Implementation of the Camellia-Rosehill Place Strategy	No	N/A	
1.21	Implementation of South West Growth Area Structure Plan	No	N/A	
1.22	Implementation of the Cherrybrook Station Place Strategy	No	N/A	
Focus area 2: Design and Place				
Focus area 3: Biodiversity and Conservation				
3.1	Conservation Zones	No	N/A	The Proposal does not contain environmentally sensitive areas, land within a conservation zone or identified for environment conservation or protection purposes.
3.2	Heritage Conservation	Yes	Yes	The Proposal does not affect existing heritage provisions in the LEP.
3.3	Sydney Drinking Water Catchments	No	N/A	

Directions (as of August 2023)		Applicable	Consistent	Comment
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	No	N/A	
3.5	Recreation Vehicle Areas	Yes	Yes	The Proposal does not enable land to be redeveloped for a recreation vehicle area.
3.6	Strategic Conservation Planning	No	N/A	
3.7	Public Bushland	Yes	Yes	Further information will be required at the DA stage to assess the impacts of proposed vegetation removal that would be required to facilitate the construction of a building that could be used as a registered club.
3.8	Willandra Lakes Region	No	N/A	
3.9	Sydney Harbour Foreshores and Waterways Area	No	N/A	
3.10	Water Catchment Protection	No	N/A	
Focus area 4: Resilience and Hazards				
4.1	Flooding	Yes	Yes	The Proposal does not rezone any land. There are no objections to the Proposal in relation to flooding.
4.2	Coastal Management	Yes	Yes	This matter will be assessed at the DA Stage.
4.3	Planning for Bushfire Protection	No	N/A	
4.4	Remediation of Contaminated Land	Yes	Yes	Based on the existing land use, it is unlikely that contamination will be an issue, and nonetheless contamination will be assessed at the DA stage.
4.5	Acid Sulfate Soils	Yes	Yes	The presence of acid sulfate soils can be mitigated by way of the acid sulfate soils management plan.
4.6	Mine Subsidence and Unstable Land	No	N/A	
Focus area 5: Transport and Infrastructure				
5.1	Integrating Land Use and Transport	Yes	Yes	The additional permitted use will require an assessment of traffic impacts at DA stage, however based on the size of the proposal, this can be assessed at the DA stage.
5.2	Reserving Land for Public Purposes	Yes	Yes	The Proposal alters the permitted uses on Council owned "community" land consistent with the DPPOM.

Directions (as of August 2023)		Applicable	Consistent	Comment
5.3	Development Near Regulated Airports and Defence Airfields	No	N/A	
5.4	Shooting Ranges	No	N/A	
Focus area 6: Housing				
6.1	Residential Zones	No	N/A	
6.2	Caravan Parks and Manufactured Home Estates	No	N/A	
Focus area 7: Industry and Employment				
7.1	Business and Industrial Zones	No	N/A	
7.2	Reduction in non-hosted short-term rental accommodation period	No	N/A	
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A	
Focus area 8: Resources and Energy				
8.1	Mining, Petroleum Production and Extractive Industries	No	N/A	
Focus area 9: Primary Production				
9.1	Rural Zones	No	N/A	
9.2	Rural Lands	No	N/A	
9.3	Oyster Aquaculture	No	N/A	
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A	

Section C – Environmental, social and economic Impact

- 8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?**

The Flora and Fauna Constraints Report provides an assessment of the biodiversity conditions at the site and the potential implications for the Proposal. A technical review of this report identified some inconsistencies and information gaps. However, these gaps and inconsistencies should be addressed at DA stage and do not preclude the Proposal from being supported from an ecological perspective.

- 9. Are there any other likely environmental effects of the Planning Proposal and how are they proposed to be managed?**

Table 8 provides a review of other likely environmental effects and how they will be managed.

Table 8 Assessment of Environmental Effects

Environmental Effects	Proposed Management
Traffic and Transport	<p>Registered club, as an additional permitted use, may generally contribute towards changed traffic and parking impacts on surrounding areas, both during construction and operation. As noted in the Warringah Golf Club Plan of Management (August 2023) and Traffic Impact Assessment (15 November 2022) that accompanied the application for 'demolition works and construction of a golf club house and associated facilities' and was subsequently approved (DA2022/2081), the general operations of a registered club is not distinctly different to the approved clubhouse. Due to the operations by the Warringah Golf Club, the traffic volume generated by it operating as a registered club is not likely to significantly increase above a clubhouse operation, and so the likely impacts on the road network are same as under a clubhouse operation. Both documents provide traffic mitigation measures aimed at effectively alleviating any potential traffic impacts. Consideration has also been made for times when the registered club may be used for functions or events. The traffic impacts arising from scheduled functions/events can be appropriately managed to be consistent with the Plan of Management and through conditions of consent as part of a future Development Application.</p>
Coast and Catchments	<p>The applicant would need to address relevant provisions of the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> relating to the Coastal Use Area and Coastal Environment Area at the DA stage.</p>
Landscaping	<p>A Statement of Landscape Intent would need to be submitted with any DA.</p>
Flooding and Stormwater Management	<p>A Flood Impact Assessment and Stormwater Management Plan would need to be submitted with any DA.</p>
Noise	<p>Any DA lodged will be subject to assessment by Council's Environmental Health officer. Acoustic impacts can be assessed at this stage and can be mitigated by way of conditions of consent.</p>
Contamination	<p>A Preliminary Site Investigation (PSI) prepared for the clubhouse DA (NEO Consulting, February 2023) noted that the continuous use of the land as recreational indicates low potential impact of any contamination. The PSI found no exceedance of the NEPM Health and Ecological Assessment Criteria for Commercial/Industrial (D) sites from soil samples and no visible indications of contamination or contaminating sources. NEO Consulting concluded that the required considerations of CI 4.6 of the Resilience and Hazards SEPP are satisfied.</p> <p>Notwithstanding, based on the existing land use, it is unlikely that contamination will be an issue, and nonetheless contamination will be assessed at the DA stage.</p>
Acid Sulfate Soils	<p>The presence of ASS can be mitigated by way of an ASSMP.</p>
Heritage	<p>The E-spatial viewer does not reveal any State Heritage items on the site. There are no locally listed items on the site. Any development approval can provide standard conditions of consent in relation to unexpected finds procedures.</p>

10. Has the Planning Proposal adequately addressed any social and economic effects?

Social effects

The DPPOM contemplates the future relocation of the Warringah Golf Club clubhouse to the District Park and use as a registered club.

Registered club, as an additional permitted use, may be subject to various negative social impacts including anti-social behaviour, intoxication of patrons and noise pollution.

The Warringah Golf Club Plan of Management (August 2023) provides measures to manage potential negative social impacts, addressing noise generation, operation hours, behaviour of patrons, responsible service of alcohol, safety and security, and neighbourhood amenity.

Further, there is a current 'Heads of Agreement' for the Warringah Golf Club's proposed clubhouse (dated 20/08/2020), which restricts the use of poker machines for the duration of the twenty-year lease term on the subject land. This negates any need to address 'gambling' as a potential social impact.

Any Liquor License granted for the new clubhouse will be subject to the conditions of such a license, and conditions of consent can be applied to a DA to further mitigate some potential negative social impacts, including operating hours and noise generation.

Economic effects

The proposal will contribute towards increased employment opportunities during construction activities and will return to previous level (as experienced with the existing clubhouse) once the club is operating.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the Planning Proposal?

Yes. The Proposal will not require any changes to the delivery of public infrastructure to the land. The site is in an established urban area and benefits from access to a range of existing facilities and services, including utilities.

The site is near several public transport services, including bus services along Pittwater Road which provides connections to the Manly Town Centre and the wider Northern Beaches. The site is located approximately 3.5 km from the Manly Town Centre, which provides additional public transport connections to the Sydney CBD, North Sydney CBD and Chatswood.

Section E – State and Commonwealth interests

12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Department of Planning, Housing and Infrastructure (DPHI) issued a Gateway Determination on 21 February 2024 followed by an Alteration of Gateway Determination on 21 March 2024.

In accordance with these documents, the Planning Proposal has been referred to NSW Liquor and Gaming for consultation. Any response will be considered as part of the assessment of this Planning Proposal. This section will be updated accordingly.

The Gateway Determination did not specify consultation with any other State or Commonwealth public authorities.

Part 4 – Maps

The Planning Proposal will amend the WLEP Additional Permitted Uses Map (Sheet APU_008) to identify a portion of the subject site as 'Area 19E'.

The existing Additional Permitted Uses Map is shown in Figure 3. The proposed Additional Permitted Uses Map is shown in Figure 4.

Figure 3 – Existing Additional Permitted Uses Map (Sheet APU_008)

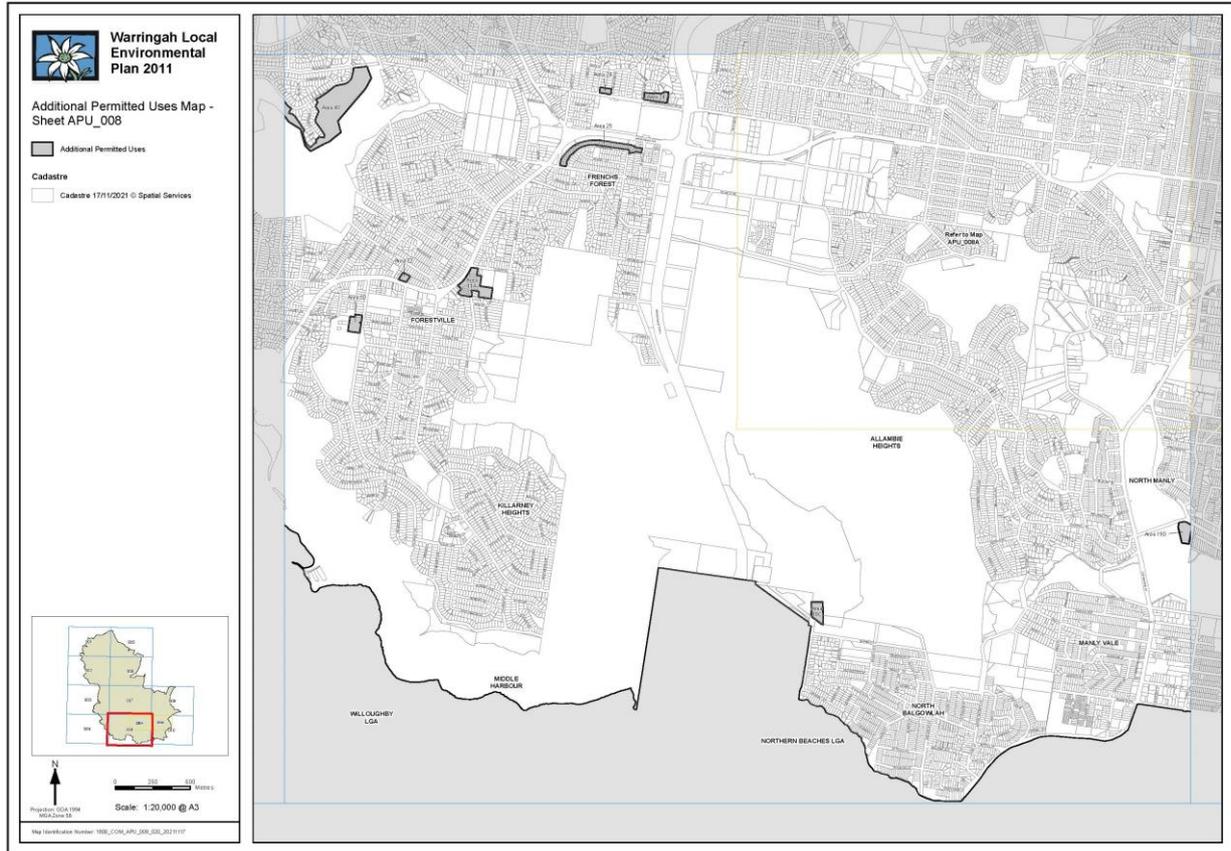
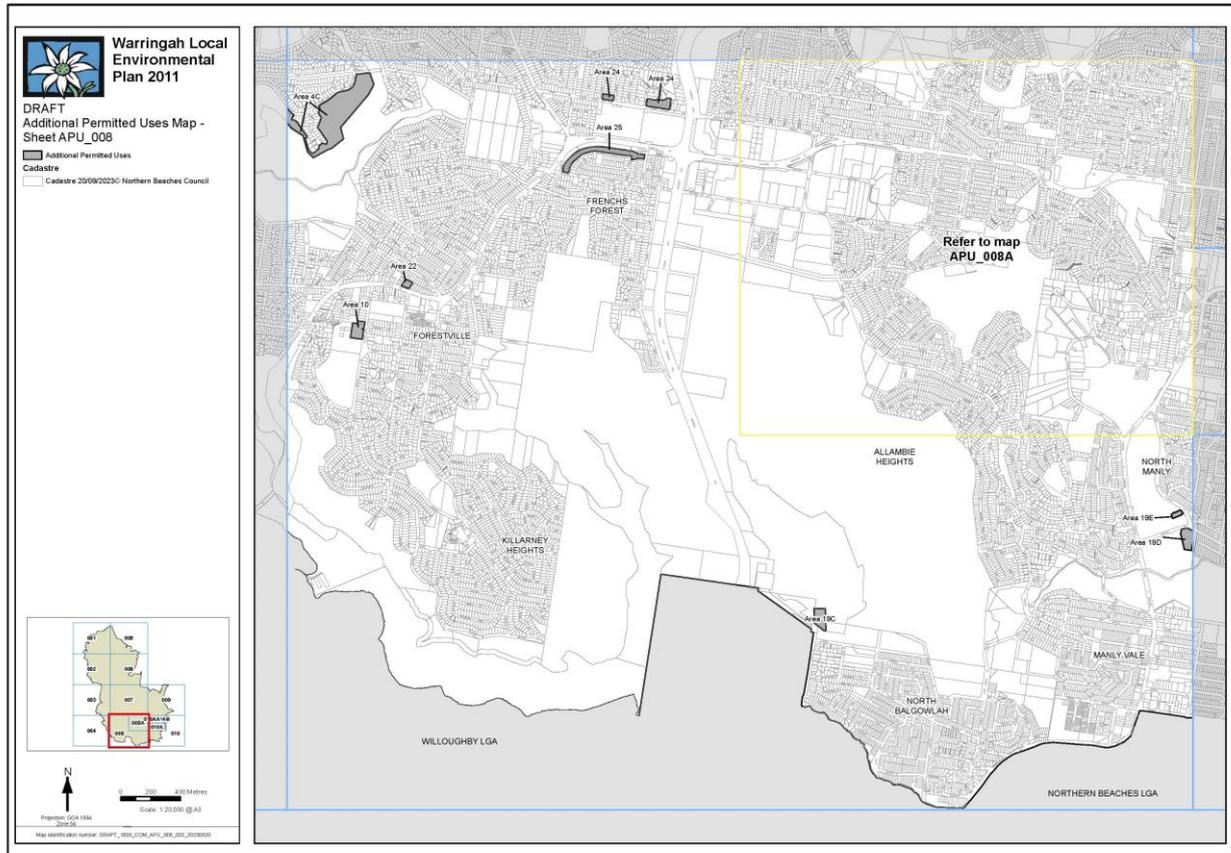


Figure 4 – Proposed Additional Permitted Uses Map (Sheet APU_008)



Part 5 – Community Consultation

The Planning Proposal application was placed on non-statutory public exhibition for 14 days. 39 public submissions were received, of which 33 were in support of the proposal, three objected to the application, and three appeared to be neutral. A summary of the matters raised in the objections to the Proposal is provided in Table 9.

Table 9 Issues Raised in Public Submissions

Objections	Comment
<p>Loss of sports courts identified in the District Park Plan of Management.</p>	<p>Section 4.2.3 of the District Park Plan of Management (DPPOM) provides background information relating to District Park, including that the Warringah Recreation Centre has six tennis courts, three squash courts and futsal courts. The DPPOM Actions include:</p> <ul style="list-style-type: none"> • Support provision of additional futsal/multi-use synthetic courts at locations which could include Warringah Recreation Centre and the Calabria Club. • Investigate upgrading tennis and squash courts at Warringah Recreation Centre • Identify suitable locations for multi-purpose sports courts catering for informal netball, basketball and other court sports at locations which could include Warringah Recreation Centre and Nolan Reserve. • Investigate the feasibility of additional squash courts. <p>Whilst the approval of the DA would prevent the provision of additional courts at the Warringah Recreation Centre, and reduce the number already constructed, it does not ‘approve the clubhouse’, as the approval of a DA is required. Nor does the DPPOM strictly outline that the Warringah Recreation Centre (WRC) must accommodate any additional courts or sporting facilities. The DPPOM suggests further investigations.</p> <p>The proposal is consistent with the DPPOM. Council is preparing a masterplan for the WRC site which will be subject to future consultation. Notwithstanding, the loss of sports courts does not preclude support of the Proposal.</p> <p>The proposal ensures that the use as a registered club must be ancillary to a recreational use. Therefore, the Proposal will not result in a change to the quantum of land used for recreation purposes.</p>
<p>Vegetation removal</p>	<p>The Flora and Fauna Constraints Report has been reviewed by GHD’s Ecologist and Council’s Biodiversity Team. Whilst some gaps and inconsistencies have been identified in the report, these can be addressed at the DA stage.</p>
<p>Licensed alcohol and gambling venue</p>	<p>The objection expresses concern at the social impacts of alcohol and gambling if the venue is a licensed venue.</p> <p>The proposal does not stipulate whether or not gambling would be permitted at the club. By definition a Registered Club “means a club that holds a club license under the Liquor Act 2007”.</p> <p>The consumption of alcohol does contribute to social problems, as discussed in the objection and as is commonly understood.</p>

	<p>Notwithstanding, the existing Warringah Golf Club currently operates as a 'registered club'. The proposal will therefore not result in a net increase in registered clubs. This is, however, not strictly a planning matter.</p> <p>The social impact of alcohol and gambling have been addressed in section 10 in this Planning Proposal.</p>
Traffic	As discussed in the assessment report, Council's Traffic Engineering Coordinator has no objections to the proposal.
Golf is an elitist sport	Golf as an activity may not be financially accessible to all, however this is not strictly a matter for planning consideration. The equitable provision of a variety of activities is within the remit of Council.
The land should be used for a better purpose or more public recreation	<p>The proposal is consistent with the DPPOM. Council is preparing a masterplan for the WRC site which will be subject to future consultation.</p> <p>The proposal ensures that the use as a registered club must be ancillary to a recreational use. Therefore, the Proposal will not result in a change to the quantum of land used for recreation purposes.</p>
Encroachment into the riparian lands including earthworks and increased impervious areas	The Flora and Fauna Constraints Report has been reviewed by GHD's Ecologist and Council's Biodiversity Team. Whilst some gaps and inconsistencies have been identified in the report, these can be addressed at the DA stage.
Impacts of the proposal on Brookvale Creek, vegetation, Flooding and Acid Sulphate soils as identified in the District Park Plan of Management	These matters have been addressed in Section C of this report and do not preclude supporting the Proposal.

The outcomes of the preliminary non-statutory exhibition was considered at the Council meeting on 24 October 2023. The Council recommendation was to request a Gateway Determination from DPHI. Council has now received a Gateway Determination and in accordance with the conditions, the Planning Proposal and supporting documentation will be publicly exhibited for 20 working days. Statutory exhibition will take place from 2 April 2024 to 30 April 2024.

Part 6 – Project Timeline

Table 10 *Project Timeline*

Stage	
Consideration by Council	October 2023
Council Decision	October 2023
Gateway Determination	February 2024
Council request Alteration of Gateway Determination	March 2024
DPHI issued Alteration of Gateway Determination	March 2024
Changes to Planning Proposal undertaken in accordance with Gateway Determination	March 2024
Commencement and completion of statutory public exhibition period	April 2024
Post exhibition consideration of submissions	May 2024
Post-exhibition review	May 2024
Consideration by Council	June 2024
Commence finalisation of LEP	June 2024
PCO drafting of amendment to LEP	July/August 2024
Gazettal of LEP amendment	September 2024

Appendices

Appendix A

AHIMS Search



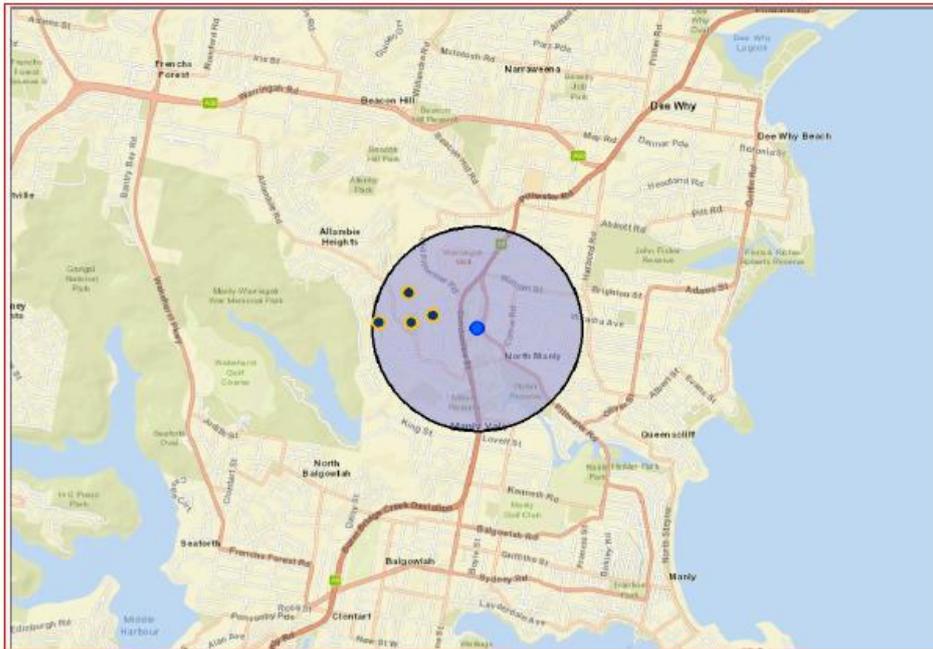
Rochelle Barclay
230 Harbour Drive
Coffs Harbour New South Wales 2450
Attention: Rochelle Barclay
Email: rochelle.barclay@ghd.com

Date: 14 August 2023

Dear Sir or Madam:

AHIMS Web Service search for the following area at Address : 292 CONDAMINE STREET NORTH MANLY 2100 with a Buffer of 1000 meters. conducted by Rochelle Barclay on 14 August 2023.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

4	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](https://www.legislation.nsw.gov.au/gazette) (<https://www.legislation.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

