

Memo

Planning and Development Services

To: All Councillors
From: Malcolm Ryan
Director Planning and Development Services
Date: 2 October 2008
Subject: Requested information on Harbord Diggers from Councillor De Luca
Link:

Councillor De Luca has requested information on Harbord Diggers arising from a request from a resident.

The following information is supplied in response:

1. *The DA clearly breaches the LEP for Freshwater Beach. The LEP advises that any DA on the Harbord Diggers site must be have regard to an "approved and detailed masterplan." There has been no masterplan submitted, this could lead one to suspect that the Harbord Diggers Club is attempting to "ram" this DA through as something bigger and more controversial is imminent. Do you know of any other plans that the Harbord Diggers may have?*

A Staged Development Application (DA2008/1163) was lodged on 11 August 2008 for a residential development on the Harbord Diggers site consisting of 10 buildings containing a maximum of 31 dwellings.

The Desired Future Character Statement for the H1 Freshwater Beach locality states the following;

'If the existing approved building and car parking areas are to be expanded, regard must be had to any approved and detailed masterplan for the site.'

The masterplan referred to in the Desired Future Character statement is therefore only required to address the redevelopment of the existing approved building and car parking areas. The residential component of the development is to be the subject of a development application.

The requirement for a Master Plan within WLEP 2000 is construed as requiring a Development Control Plan (DCP) under Section 74D of the Environmental Planning and Assessment Act 1979 (the Act). A draft DCP is therefore required to be submitted for the proposed redevelopment of the existing building and car parking areas.

A draft DCP for the redevelopment of the existing building and car parking areas was submitted for assessment on 18 August 2008. The draft DCP will be advertised in accordance with Clause 19 of WLEP 2000 following the receipt of all the required documentation. There are still some significant issues outstanding before this can take place.

2. *This DA has significant issues associated with the visibility of the Freshwater Headland as well significantly increasing Traffic in an area where Traffic is already a major issue with residents of the area.*

An 'Assessment of Traffic and Parking Implications' prepared by Transport and Traffic Planning Associates dated August 2008 was submitted with the Staged Development Application. The Report will be reviewed by Council's Traffic Engineer and any advice provided by Council's Traffic Engineer will be taken into consideration in the assessment of the development application.

3. *My wife and two daughters live across the road in 6 The Drive, Freshwater and I am also concerned about the impact of changing the access ways of the club so as to ensure that the patrons of the Harbord Diggers (that have been sold too much alcohol) are to be deposited at Carrington Pde. These drunken patrons then become the responsibility of the residents surrounding the club as the club has clearly dealt with them.*

Management of the sale of alcohol is not a matter for Council to consider.

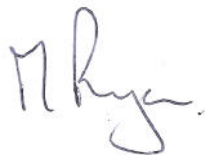
4. *There are numerous other breaches that The Harbord Diggers own Planning and Traffic Consultants have highlighted in their reports, as well as other issues that other residents will have.*

Response covered under answer two.

Whilst pre-lodgment consultation with adjoining property owners is strongly recommended, there is no legislative requirement for an applicant to consult with adjoining property owners prior to the lodgment of either a development application or a draft DCP. All adjoining and nearby property owners have the opportunity to comment on both the draft DCP and the Stage 1 development application during the notification periods.

All issues raised in submissions received during the notification period for each application will be taken into consideration.

The Development Application will be reported to the Warringah Development Assessment Panel, and the draft Development Control Plan will be reported to Council.



Malcolm Ryan

Director Planning and Development Services