
Sent: 12/08/2019 11:15:58 PM
Subject: Independent Public Hearing Wednesday August 14, 2019
Attachments: Condon Submission to IPH Wednesday August 14, 2019.docx;

Hi Carly,

We would appreciate that this document be provided to the panel members before the hearing so that they have time to assess it.

In view of the fact that we are away and are unable to attend personally, and in view of the errors in the council document, it would be great if the hearing could be delayed until our return.

In any case, circulation to the panel would be greatly appreciated prior to the meeting.

Many thanks,

Barry and Glyn Condon

TO: INDEPENDENT PUBLIC HEARING (Wednesday August 14,2019)

RE: DA2018/0865

FROM: Barry and Glynnis Condon

1 Spicer Road, Oxford Falls. 2100

When the original application for a 90 place child care centre was lodged, the Council elected to limit attendees to 60 places, to "prevent adverse impacts upon surrounding natural and built environments and to prevent any change in character to the locality". We submit that this should remain the position.

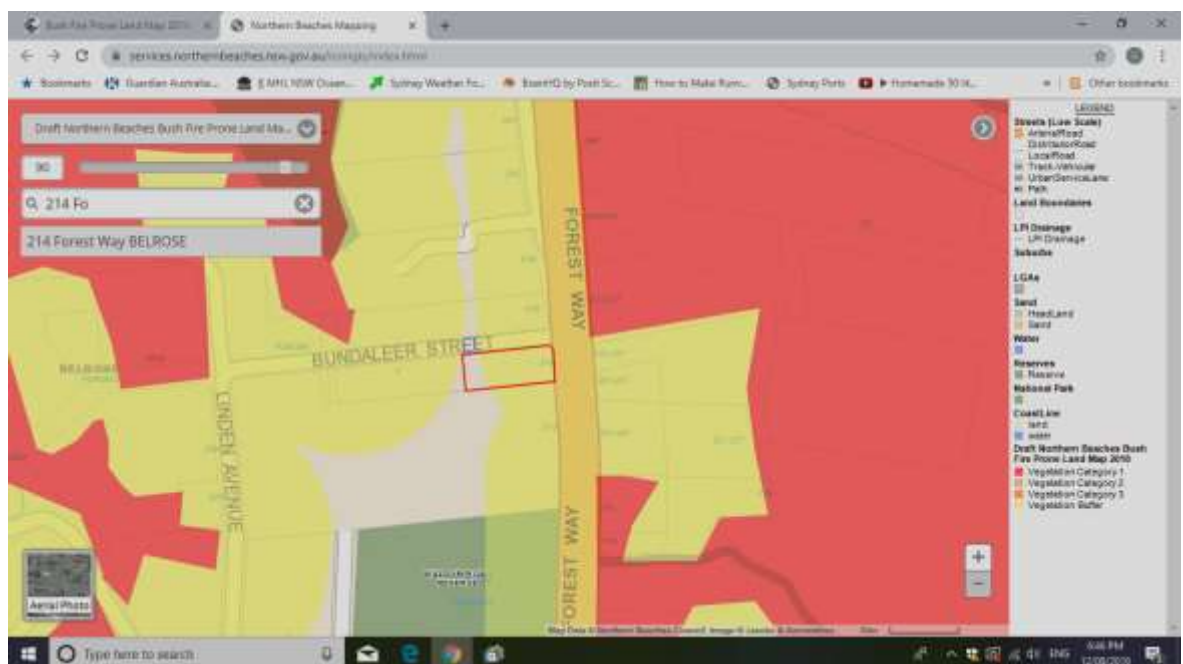
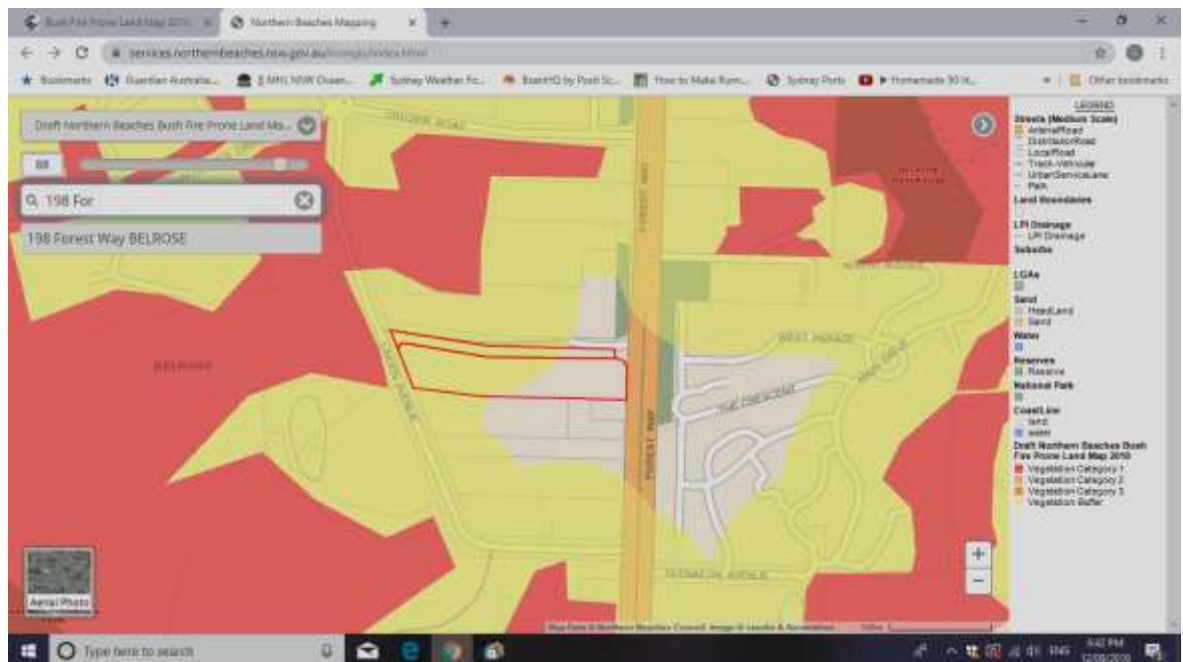
We oppose any increase in the number of attendees for the following reasons:

In the Council's Development Assessment Report, by way of supporting an increase to 90 places, the 'Background to Application' (page 5, para 4) states 'Council has approved two other child care centres in the B2 Oxford Falls Locality under WLEP 2000 with a maximum of 90 places, these being 198 Forestway, Belrose and 214 Forestway, Belrose. It is noted that there are a number of similarities between this current application and the two above mentioned examples, namely, the number of child care places (90 places), the hours of operation, compliant car parking and the fact that both sites are bush fire prone land with waste water being treated onsite.'

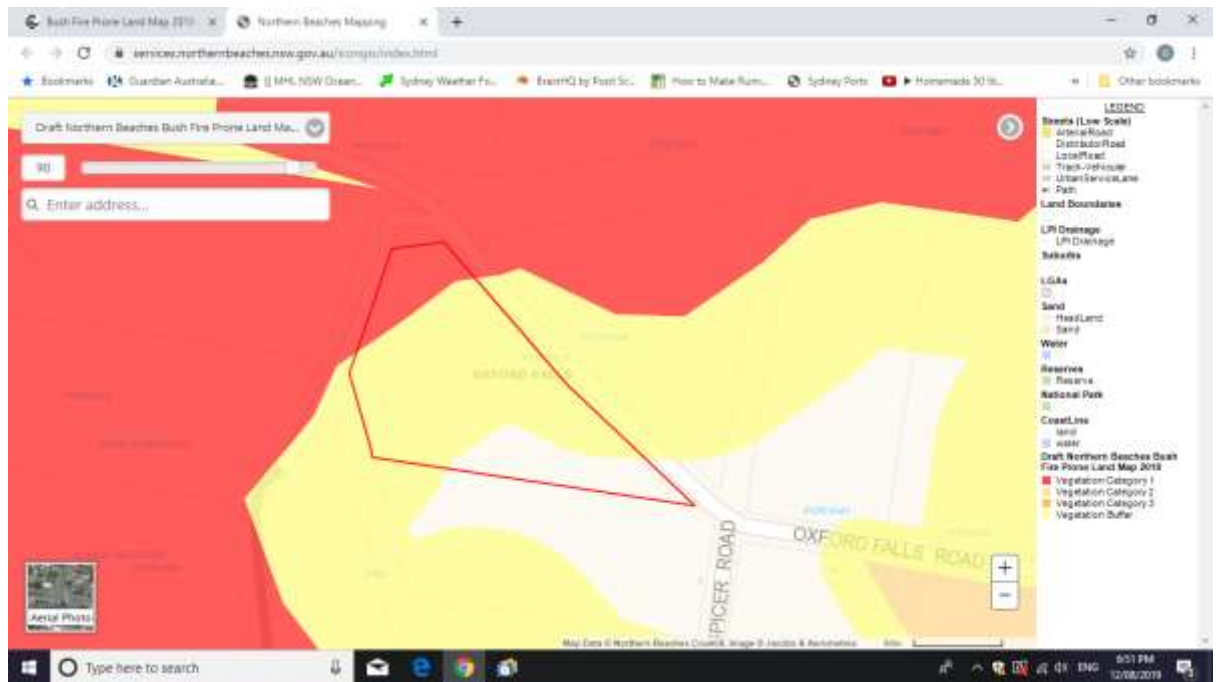
This is both incorrect and misleading –

- Both properties (198 and 214 Forestway, Belrose) are in C8 Locality, not B2 Locality as stated; and thus have different locality statements. In the case of 214 Forestway there is no application or approval for a child care centre. 198 Forestway has been approved but not yet built. Both of these properties are surrounded by other developments such as large educational facilities, seniors' living centres, retail nurseries and extractive industry, as against the rural homes in the case of the Loel application.
- Neither of the Forestway properties drain to the Narrabeen Lagoon, as they are on the western side of Forest Way.
- Access to both Forest Way properties is by double lane highway as opposed to a single lane bridge at the western entry to Oxford Falls Road West and a frequently closed causeway at the eastern access to the Loel property. Both being long day care centres, the drop off and pick up times are largely at peak hour, which a double laned highway is designed to cope with, not so Oxford Falls Road West. The single lane bridge linking Oxford Falls Road and Morgan Road is a major blockage in peak hours, and increased childcare numbers at Loel's property will only make that worse.
- Parking - the 198 Forestway parking facility accommodates 39 cars, as opposed to 29 under the Loel application. This is 10 fewer, or 1/3 reduction in car spaces.
- Bush fire prone status –please refer to the pictures below that show both Forestway properties have no areas of Category 1 Vegetation, as

opposed to the Loel property which has a portion of the property with higher risk vegetation. In fact a fire in August 2017 destroyed the multiple tenanted dwelling at the top of this site, for which we presume existing use rights remain which will enable another dwelling to be built.



The Loel property bush fire risk is shown below:



- Septic Management – 198 Forestway has approval for an effluent dispersal system. The site has ample area to accommodate this requirement. The Loel application has only received certification despite a number of years operating without the required efficiency reports, and has a problematic LAA of only 1235 sq m. Another issue is the suitability of the material in the LAA which may have been uncertified anyway, and perhaps not suited for the purpose of absorption and dispersal of the waste water.
- To ameliorate the potential public health hazard in a period of high rainfall, a 35KL tank is to be installed.
 - Where will this tank be fitted into a site already looking for space?
 - How will the contents of this tank be dispersed, when after the rain stops, the normal use of toilet facilities continues and must be dispersed as usual over the LAA?
- At any given time it is usual for some child in the centre to be on antibiotics. It is known that antibiotics kill septic systems. A visual inspection as done by Simmat to certify the Oxford Falls system is not a scientific test on efficacy. It should require lab testing of discharged water to satisfy the public health risk to users of the Narrabeen Lagoon.

This whole issue would be obviated if the faecal waste from this child care centre was discharged to the sewerage line which runs past the property. The property owner told us that Sydney Water advised him that he could be connected to this sewerage line via a junction box.

This proposal should be deferred until this connection is properly explored and the above mentioned inaccuracies in the Council document are clarified.

Thank you for your consideration,

Barry and Glynnis Condon