
Sent: 18/07/2020 2:40:56 PM

Subject: DA 2020/0552- 181 Allambie Rd, Allambie Heights. NSW 2100

To Whom It May Concern

Please find below and contained my submission re the above DA. I do not support this DA for a range of reasons. The first and foremost reason is that this land is Crown Land and it is not a permissible use for development such as this, to be placed on Crown Land. There is no legal basis for development such as this to proceed, given the zoning of this land. On this basis alone the DA must be rejected.

Below I have also listed other reasons I wish to object to this development.

1. BUSHFIRE PRONE LAND

The proposed development is on Bush Fire Prone Land, which is not suitable for seniors housing. The Rural Fires Act (Planning for Bush Fire Protection 2006) specifically discourages locating such residential developments within bush fire prone land.

2. FLORA and FAUNA

The site contains bushland that is contiguous with the Manly Warringah War Memorial Park. All bushland within the site will be managed to maintain fire fuel levels at less than 10t/ha. (meaning it will be culled significantly).

The removal of vegetation will mean the loss and modification of habitat and connectivity. The development will remove about 6.8 (6,800 m²) of native vegetation on and adjoining the site. A total area of approximately 0.56ha (5,600m²) of native vegetation will be cleared.

The Outer Protection Area (OPA) requires an additional clearing of approximately 0.12ha (1,200m²) of bushland in moderate and good condition.

The development would impact on the habitat of native fauna, including threatened species.

The development will result in the loss of potential foraging habitat for threatened fauna species. "Eight threatened fauna species were observed using the site during the current and previous on-site surveys."

The proponent's own biodiversity assessments identified eight threatened species at the subject site...even more than the initial application ... which confirms the rich biodiversity of this area.

Eastern Pygmy Possum, Large eared Pied Bat, Square Tailed Kite, Grey Headed Flying Fox, Powerful Owl, Large Bent Winged Bat, Red Crowned Toadlet, Little Bent Winged Bat.

The development will result in the loss of potential breeding habitat for threatened species.

"The grass swale habitat for the Red-crowned Toadlet will be entirely removed as a result of the proposal."

To try and compensate for the impact of threatened species the D.A outlines the intention of purchasing Bio-banking credits. This acknowledges that they realise there will be a loss, however we maintain that this system is significantly flawed.

The existing weed and deterioration of some of the site indicates that existing environmental management strategies are not working. More development will cause more deterioration.

3. HERITAGE CONSERVATION AREA AND WAR MEMORIAL PARK

The site is adjacent to land identified as a Heritage Conservation Area in Manly Warringah War Memorial Park.

Clearing on the edge of the park creates a much larger impact than the sum total of flora removed because it takes away an important vegetative buffer creating cumulative land degradation. The park will be left vulnerable to edge effects due to the removal of shrub and canopy layers within the adjacent APZ.

This land was set aside in the 1920's to be protected for generations to come. Manly Dam Reserve is additionally a "living" war memorial- in fact the only war memorial in Australia to be created by conserving natural bushland. The entirety of the Park acts therefore as the Memorial.

4. LOSS of TREES

Of the existing 107 trees within the relatively cleared area of the site, 85 are proposed to be removed. This is unacceptable as significant habitat will be lost for native fauna and significant flora will be destroyed.

5. EXCAVATION

The extensive excavation would alter the natural landscape, topography and hydrology of the site. This will negatively impact on both the flora and fauna. Significant erosion of the area will result over time in soil degradation and consequential loss of habitat for threatened species which live in this area.

6. RIPARIAN LAND

The development site is located at the headwaters of Curl Curl Creek, which flows through Manly Warringah War Memorial Park to Manly Reservoir. The development would be located on land identified as a riparian buffer within the Curl Curl Creek catchment.

The majority of the area proposed for development is mapped as 'Waterways and Riparian Lands' (Warringah DCP 2011) based on the Riparian Buffer around Curl Curl Creek (Warringah Creek Management Study 2004).

The Protection of Waterways and Riparian Lands Policy states that: "Development within waterways and riparian land should be avoided".

7. CATCHMENT SENSITIVITY

Curl Curl Creek catchment has very high ecological value and less than 10% connected impervious area. The sensitivity of Curl Curl Creek catchment means that even small land use changes could substantially affect aquatic ecosystems.

Curl Curl Creek, the main feeder creek to Manly Dam and Manly Lagoon (for which the subject site is a watershed) is home to the only population of Climbing Galaxias fish in Sydney. This is a Gondwanan relic- thought to have survived in this creek for 60 million years. It climbs up sheer rocks using its fins and breathes through its skin, but its continued existence depends on clean unsullied freshwater.

The lake into which this creek drains (Manly Dam) is the last place in Sydney where humans can still swim in unpolluted fresh water.

8. POTENTIAL IMPACTS

Potential impacts of the proposed development include:

- Increased erosion and sedimentation, especially during the construction phase;
- Increased stormwater runoff due to an increase in impermeable surfaces;

Decrease in water quality and increase in nutrient loads;
Potential contamination of natural areas downstream in Manly Dam Reserve

9. CROWN LAND & ZONING ISSUES

The development would be located on Crown land that was reserved for public and semi-public use.

This Crown Land parcel is not zoned for medium density so how could an additional 24 units possibly be approved here. Apartment buildings are not listed as a permitted use in the low density R2 zone. (WLEP2011)

The original lease was to the Benevolent Society who originally established a facility for disadvantaged elderly people. This current proposal by Allambie Heights Village is for over 55s "Luxury" units which seems to be totally contrary to the spirit of the original lease and at odds with the provisions of the Local Environment Plan.

10. INDIRECT IMPACTS

The development would reduce the viability of adjacent habitat for native fauna due to noise and artificial light spill.

The intensity of use associated with the 24 apartments (with 2-3 bedrooms) would have indirect impacts on bushland areas in and adjoining the Manly Warringah War Memorial Park.

The direct and indirect impacts are not compatible with conservation values of Curl Curl Creek Catchment and Manly Warringah War Memorial Park.

11. STORMWATER IMPACTS. (Precedent from Manly Vale Public School)

The expansion of the nearby Manly Vale Public School (DA 2015/0597) was ultimately approved by the Regional Planning Panel (on the casting vote of the Chairman) and against Northern Beaches Council staff advice. This development, also adjoining the War Memorial Park is on a similarly steep slope (draining into Manly Creek). Since construction commenced, there have been over 20 shocking pollution events recorded with silt, sediment and mud flowing into local waterways. The EPA and Northern Beaches Council, have extensive documented evidence of the failure of stormwater management controls in times of heavy rain on land with a high gradient.

12 2019 LPP Refusal Requirement 6 regarding APZ:

The proponent is still relying on documents from a previous agreement with Warringah Council with a previous lessee (The Benevolent Society) on CROWN LAND. New documents from NBC and Sydney Water have not been forthcoming despite plans being on the table for many years. It is stated that they will both "will be ratified" once DA is approved - should this not be approved first?

"Requirement 6 - Written Agreement with Northern Beaches Council and Sydney Water regarding offsite APZ's Response:

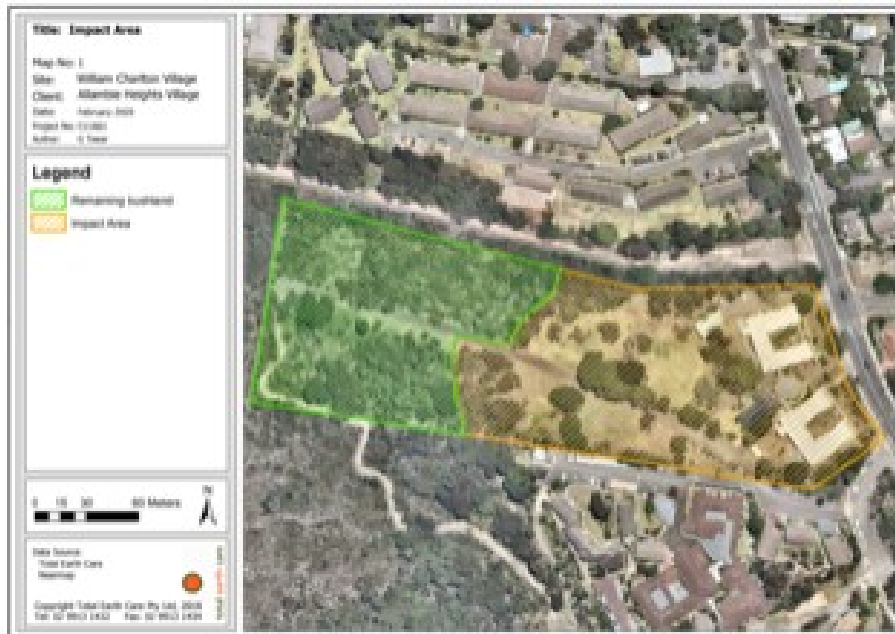
Reliance is made on:

An existing APZ within the Manly Warringah War Memorial Park (MWWMP) which, by written agreement with the former Warringah Council (now NBC). A formal written agreement with Northern Beaches Council will be ratified once the Development Application has been approved and will be included as a condition of consent.

An APZ within Sydney Water land to the north of the site. A formal written agreement with Sydney Water will be ratified once the Development Application has been approved and will be included as a condition of consent."



Figure 1. Site Locality





2.7 Bush Fire Prone Land

The property has been mapped as being bush fire prone by NBC. See Figure 3 and Figure 4.

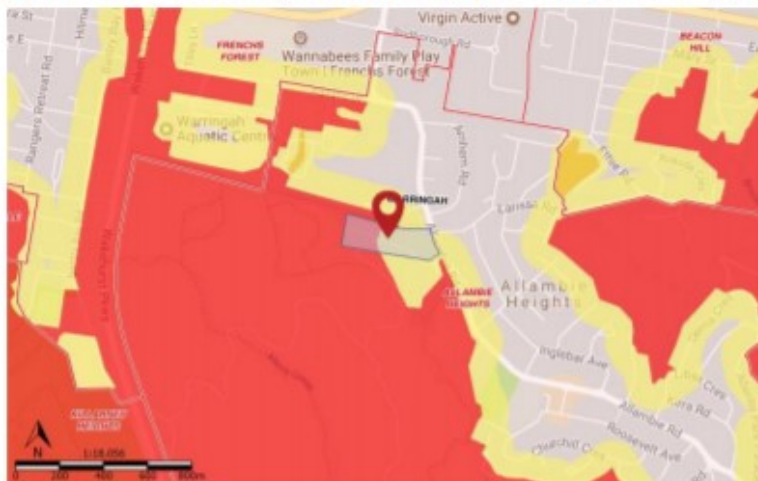


Figure 3. Bush Fire Prone Land - Landscape Scale

Regards

Bronwyn Morris