
Sent: 13/08/2019 11:08:04 AM
Subject: Mod2019/0325 Lot 811 Willandra
Attachments: Mod2019-0325 Lot811Willandra subm FoNLC.doc;

Submission attached.

Friends of Narrabeen Lagoon Catchment



P.O. Box 845, Narrabeen NSW 2101

10th August 2019

To: CEO, Northern Beaches Council
Email: council@northernbeaches.nsw.gov.au
Attention: Alex Keller, Principal Planner

Re: Mod2019/0325 - DA2014/1180

Address: Lot 811 - 76 Willandra Road, Oxford Falls

Dear Sir

We wish to object to the modified application for the construction of a boarding house with 15 boarding rooms, 1 onsite manager room and 8 car parking spaces.
Reasons for objection:

The proposed modifications include:

- Adding 2 additional boarding rooms and 1 onsite manager room;
- Adding additional communal living area and storage area;
- Adding 4 additional car parking spaces.

The existing approval is for 13 rooms and 4 car parking spaces.

The proposed modification is for 16 rooms and 8 car parking spaces.

The modification would increase the number of rooms and car parking spaces and decrease the landscaped area from 97.86% (approved) to 97.51% (proposed).

Additional reasons for objection:

- Use prohibited in standard zone(s) equivalent to the B2 Locality
- Incompatibility with WLEP2000 B2 Locality Desired Future Character
- Incompatibility with WLEP2000 General Principles
- Impact on Natural Drainage Area
- Unsuitability in Bushfire prone area
- Unsuitability for On-site effluent treatment and Soil type
- Impacts on Flora and Fauna and Conservation Values
- Other Environmental Impacts

SEPP (Affordable Rental Housing) 2009

The non-urban land is deferred under the WLEP2011. However, In the last draft environmental planning instrument that was the subject of community consultation the subject site was zoned E3 (environmental management). Boarding houses are a prohibited use within the E3 zone and similar zones that apply to non-urban land.

The site is not located in a land use area to which SEPP (ARH) is applicable.

Pursuant to clause 26 of the SEPP its operation is confined to the following land use zones or within a land use zone that is equivalent to any of those zones:

- (a) Zone R1 General Residential,*
- (b) Zone R2 Low Density Residential,*
- (c) Zone R3 Medium Density Residential,*
- (d) Zone R4 High Density Residential,*
- (e) Zone B1 Neighbourhood Centre,*
- (f) Zone B2 Local Centre,*
- (g) Zone B4 Mixed Use.*

The operation of the SEPP is confined to land use zones within urban areas and does not apply to non-urban land. The non-urban B2 Oxford Falls Valley Locality in which the site is located is not equivalent to any of the urban land use zones to which the SEPP is applicable.

Site Unsuitability

The site is not suitable for the proposed boarding house development.

There are no significant services within walking distance of the proposed boarding house. The non-urban land is not located near to facilities and residents are more likely to own cars. This would increase the area used for car parking on an informal basis and further impact on the environment.

It is also noted that the social impact assessment suggests an outdoor barbecue area. This is not appropriate in this location due to high bush fire risk.

WLEP2000

Desired Future Character

The desired future character of the Oxford Falls Valley Locality is:

The present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed as follows.

Future development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses.

The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be located and grouped in areas that will minimise disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services.

Development in the locality will not create siltation or pollution of Narrabeen Lagoon and its catchment and will ensure that ecological values of natural watercourses are maintained.

The proposal is a Category 2 use that is not compatible with the desired future character of the B2 Locality. The development does not protect the natural landscape or ecological values within the catchment and would change the character of the non-urban land. Under Clause 12 of WLEP2000 Category 2 uses that are not consistent with the desired future character or general principles would not be permitted.

The development would have a negative impact on the site's unique environmental features and result in cumulative damage to the environment.

Density Control / Intensity of Use

The density control of a single dwelling per 20 hectares in the B2 Locality is intended to protect Narrabeen Lagoon Catchment. The building is much larger than a domestic scale structure for a single dwelling and has a higher intensity of use.

The increased number people compared with a single dwelling would also increase the intensity of use. This in turn would have direct and indirect impacts on the surrounding bushland area, which the proposal states is to remain 'undisturbed'.

The proposed boarding house is not a low impact / low intensity development.

Siting of Development

The proposed building footprint would overlap the upper slope of a valley, which is a sub-catchment of Wheeler Creek. The building would be located only 50 metres from a watercourse.

The relatively flat land on the eastern side of the site would be more suitable for development than the valley slope.

The development on the slope would disturb soils, change hydrology and prevent re-vegetation intended to restore habitat, ecological values and prevent further erosion.

GENERAL PRINCIPLES

44 Pollutants

The cumulative impact of rainfall runoff from the development site would risk pollution of soils and waterways within Narrabeen Lagoon catchment.

56 Retaining unique environmental features on the site

The location of the development would result in the removal of good quality bushland from considerable area within the site. The proposal does not adequately protect the native flora on the site.

60 Watercourses and aquatic habitat

The development is not consistent with the General Principle 60, as it does not adequately protect the watercourse or aquatic habitat on-site or downstream.

The development is NOT sited and designed to maintain and enhance natural watercourses and aquatic habitat.

The proposal does not satisfy requirements of the desired future character that:

- *the ecological value of natural watercourses are maintained*
- *The natural landscape including landform and vegetation will be protected and, where possible, enhanced.*

BUSHFIRE PRONE AREA

The site is located in a bushfire prone area that is not suitable for a boarding house.

APZ

The APZ requirements include a minimum of 43m to the west and north west and 39 metres to the north north west. The extent of cleared land required for APZ conflicts with the requirement to protect bushland and the catchment. The site is not suitable for the extensive APZ requirements.

The proposed building is exposed to the north and north west with a three storey height that increased exposure to bush fire. According the Planning for Bushfire Protection 2006: *The higher the building and greater its bulk, the greater the exposure of the building to radiant heat, wind turbulence and ember attack.*

It is noted that: "The land to the west and south has already been cleared (50-80 metres) and therefore does not pose a bushfire threat." This extensive clearing has inflicted considerable damage which should be rectified to restore habitat values and protect the catchment.

The APZ for the proposal would overlap a wide area within the riparian buffer on the eastern side of the creek. The APZ would be managed as an inner protection zone resulting in the ongoing removal of vegetation that is required to protect the slope and catchment of the creek.

The site is less than 100m from a watercourse, which is located 50m down-slope.

SOILS

The development is on sloping land, which increases the potential for soil erosion and siltation. If this occurs, it would adversely affect the downstream watercourse.

The 'soil landscape has a very high soil erosion hazard'. Slopes should be re-vegetated and bushland restored in areas that have been cleared.

FLORA & FAUNA

The site has been identified as core habitat for native species of fauna, including threatened fauna. The site in its natural condition supported dense and diverse habitat.

Bushland regeneration should take place to prevent further environmental damage and restore the natural landscape where unauthorised clearing has taken place.

CONSERVATION VALUES

The Warringah Biodiversity Conservation Study (September 2011) assigns the following Conservation Values to the area in which the site is located:

- Conservation Significance – Creek: Category A (Wheeler Creek Catchment).
- Conservation Significance – Connectivity: Regional Core
- Conservation Significance Rating: Very High

The boarding house and APZ would be located in regional core habitat within the Wheeler Creek Catchment.

ENVIRONMENTAL IMPACTS

Under s79 C of the EP&A Act matters for consideration include the likely impacts of that development on the natural environment in the locality.

The boarding house would be located in non-urban land in the Narrabeen Lagoon Catchment. The site lies within the Wheeler Creek Catchment and contains a valley with a tributary of Wheeler Creek, which has high conservation value.

The environmental impacts associated with the boarding house, car parking, APZ etc. are NOT compatible with the DFC.

The boarding house would have direct and indirect impacts on the environment and a significantly greater impact than a single dwelling due to the scale of development, number of inhabitants, increased hard surfaces, APZ etc. The development would result in immediate, ongoing and cumulative impacts on the surrounding area.

Mitigation measures

The mitigation measures associated with the development proposal do not compensate for the extensive removal of bushland for APZ, disturbance of soils and changes to hydrology. Storm-water mitigation measures such as the rubble drains are not a substitute for the existing bushland and natural landforms.

Environmental concerns include the adverse changes to the natural landscape, including the loss and incursion of core habitat for native flora and fauna. Cumulative impacts associated with siltation, stormwater runoff and increased nutrients include the pollution of downstream waterways and weed invasion.

For the above reasons, we believe that the proposal should be refused.

Yours sincerely,

