



8th March 2019

RE: Integrated Development Application – 2615//752038.

181 Allambie Rd. Allambie Heights 2100.

RFS reference, D18/7788 DA18102315699 GB. Date 18.1.1019.

Northern Beaches Council Reference DA2018/1667

Dear Sir / Madam,

In response to the above document dated 23.10.2018.

Council requested general terms of agreement to this matter. Could I please be given a copy of all correspondence to the RFS to which this document refers.

Please find below a copy of the

*Northern Beaches Council Bush Fire Assessment Report of SFPP at 181 Allambie Rd. Allambie Heights.
30/5/2018 (NBCBFAR)*

which was submitted to RFS for their consideration as consent authorities under Integrated Development.

We believe that all issues raised in your response (see below) have been addressed in this report.

Specifically our response to each can be found in italics.

1. A revised bush fire assessment report is required which includes, but is not limited to the following information
 - If asset protection zones external to the site are to be considered as part of this assessment, details must be provided prior to consent being granted.
External APZ's have not been relied on but their presence and value are acknowledged.
 - The proposed "Pool Building" and it's additional uses form an integral part of the facility and needs to be considered against the Special Fire Protection Purpose development requirements of s.4. PBP-2006
See NBCBFAR Page 7
 - The proposed internal road shall be assessed against the requirements of s.4.2.7 PBP-2006
See NBCBFAR Page 9
 - Details of use of the Sydney Water easement as a driveway for the proposed development.
There are no plans to develop the driveway as an easement
 - Updated details on the removal of the remnant bushland within the Sydney Water easement.

There are no plans to remove the remnant bushland

- Referencing of the proposed buildings shall be updated and consistent throughout the report and plans provided

References are provided in the original assessment attached

- 2 The vegetation classification of “Mallee Mulga” for calculating the bushfire attack level (BAL) is not supported. Where a mix of vegetation types exist, the type providing the greatest hazard is said to predominate.

The type of vegetation which predominates as a hazard must include an assessment of the likely direction of the fire and the size of the vegetation remnant. In this instance fire coming across the contour from the west through tall heath is the predominant risk.

See NBCBFAR Page.3



8th March 2019

**Re: Application Number: DA2018/1667
Natural Environment Referral Response - Riparian
Reasons for referral**

Dear Sir/Madam,

The Natural Environment Referral Response – Riparian (Please refer Appendix 1 below) states that the council Council's DCP and Protection of Waterway and Riparian Lands Policy require consent for “development within land, and located within 40 metres of land, containing a watercourse, and land mapped as “DCP Map Waterways and Riparian Land”.

Application of Policy

Council's officer has failed to provide any reasoning for the refusal and has made no reference to or rebuttal of the Waterway Impact Statement and other supporting documents submitted by the proponent. The policy should not be applied as a blanket veto but as its states requires consideration by the council officer on the impacts on drainage requirements. The site conditions and the impact of the proposal should be considered against the policies intent.

The land proposed for development does not have the “very high ecological value” as the officer infers through reference to the Warringah Creek Management Study 2004 and the impact of the development does not diminish the values of the contiguous bushland in fact they increase them please refer below.

The intent of the policy is fully met by the proposal with regard to the use and improvement of degraded lands. The proposal provides a positive impact on the riparian lands ecology fire management and the detention of water and infiltration of water into the soil with regard to water shed characteristics and flooding.

Council's Natural Environment Unit officers have not considered the impact fairly but have applied a blanket application of policy and should have provided detail in the refusal as to why the intent of the policy had not been met. Specifically they should have considered the likely impacts on drainage regimes and riparian vegetation and associated animal habitats.

The width of the riparian zone required by the office of water for a class 1 creek (Strahler classification) is 5 metres on both sides measured from the top of bank. The Office of Water is flexible with regard to the location of the overall 10 meter width, ie if it comes closer on one side it might drift wider on the other, in this instance the width of bushland on the west bank is huge 100 metres + and would easily compensate for any reduction on the eastern side

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Water Shed Characteristics

In the first instance the Warringah Creek Management Study 2004 has failed to ground truth or define the man made stone gutter as such and has defined it erroneously as a first order creek (Strahler).

The definition of this stone gutter was raised at the Pre-lodgement meeting by council's staff and it was agreed at that meeting that the gutter above the road way would not be defined as a creek and the gutter below the road would be defined as a creek. This demarcation was agreed to by the proponent's ecological representative on the condition that the land east of the creek could be included in the APZ. It was understood at that meeting that council's officers recognised that the development would in no way impact on the flow regimes entering this gutter because the development site is below the gutters watershed / catchment. Importantly the gutter is not located where a stream would naturally occur.

The NSW Office of Water Mapping has not described a stream on the development site. This further supports the proponents claim that the development site and the gutter has inconsequential topographical influence on the Manly Dam Curl Curl creek watershed.

There is a strong argument that can be made that the creek-line begins beyond the properties southern boundary.

The development site is located on land which has very poor infiltration (shallow soil on broad sandstone benches) and would absorb minimal water as the Hydrologists report and the water management plan address.

All water landing on hard surfaces will be detained and released at rates which have been modelled and found appropriate and in keeping with industry standards.

Council's officer cites that,

"The Geomorphic diversity is also very high, providing a wide range of habitats and supporting excellent native species richness." Warringah Creek Management Study 2004

In fact the geomorphic diversity on the portion of the site proposed for development is very low and will not be impacted by the proposed development. The development site is a wide grassy paddock which is roughly dish shaped and has no outcropping rock or "Geomorphic diversity" within it.

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Ecology

Total Earth Care's representative also clearly described, at the Pre-lodgement meeting and in the supporting reports, that the soil east of, and contiguous to the gutter was highly disturbed and that the vegetation had low native species diversity and low species richness and was predominantly weeds. The location of the proposal was to take advantage of this disturbance and in response to the poor quality of the bushland on the gutter edge.

The proposed development has been designed to allow passage for native animals through the development site. In no way has the development reduced the *"high level of connectivity of natural vegetation"* (**Natural Environment Referral Response – Riparian**) on the site.

The few trees that are to be removed have been planted and although they are native they are not natural vegetation and can be replaced and improved upon as the council officer concedes in the response to the **Natural Environment Referral Response Biodiversity** (NERR - Biodiversity) that, *"The proposed works to improve the local habitat associated with the eastern drainage channel are supported, and it is accepted that these works may result in better water management, including improved flow rates, better aquatic habitat, healthier bushland and a reduced weed seed source to the important Curl Curl Creek catchment downstream."*

The proposed works do not significantly reduce the *"high connectivity of natural vegetation"*

This concession was made in the biodiversity report but should also have been made in the NERR Riparian. The statement is contrary to councils Waterway and Riparian Lands Policy but meets the intent of the policy.

The same report has also correctly not included the contiguous grassland / man made road culvert and overflow line on the mown lawn area as a creek.

One purpose of the NO APZ in riparian lands policy is that, native bushland would require clearing to install the APZ. The land within the eastern 5 meters is currently very weedy and very few native shrubs are found within it. Few shrubs will require removal to establish an APZ. All native trees and grasses will be retained and as discussed in the Application of the policy The Office of Water are flexible with regard to the location of Riparian Vegetation.

The replanting of the eastern bank within that 5 meters should only be of native grass species and well spaced trees (non-contiguous canopy), this will comply with the APZ and concurrently provide excellent and better habitat than currently exists.

Managed native grass land under sparse tree canopy is a commonly occurring plant assemblage and is very suitable as bandicoot and terrestrial mammal habitat.

The creek is a man-made channel excavated into solid rock and the existing naturally occurring floristic assemblage is not representative of a riparian community and the rock channel is not conducive to establishing a full floristic assemblage of riparian species.

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With regard to Red-crowned Toadlets and their habitat. No Red-crowned Toadlets have been found on site during repeated studies and over 10 site visits. An inexperienced and unqualified field assistant claims to have heard a call however, subsequent studies located a *Crinia signifera* making the misidentified call.

Regardless of the presence or otherwise of threatened Fauna no significant areas of habitat will be effected by the development. A narrow band (less than 8 metres wide) of poor quality, weed infested bushland will be weeded and native shrubs thinned to reduce fire risk.

Passive Recreation

Curl Curl Creek and its tributaries also provide high landscape and passive recreation value to the area”.

This site is not open to the public and is very infrequently used for passive recreation. The passive recreational value of this land will be vastly increased by the location of this development. 100's of residents and friends are likely to use the bushland frequently in the future.

A managed grassland within the APZ/Riparian area allows the residents to access the gutter.

Conclusion

In conclusion the bushland within proximity of the gutter will not be significantly impacted upon by installing the APZ. In fact weed management will have a beneficial impact and the establishment of a native grassland will also be hugely beneficial. The increased use of this neglected area will increase its value to the community. The intent of the Policy is clearly met.

All of these issues have been addressed in the Waterway Impact Statement submitted as part of the current application.

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Appendix 1.

Natural Environment Referral Response - Riparian Reasons for referral

This application seeks consent for the following:

- _All Development Applications on land, and located within 40 metres of land, containing a watercourse, or
- _All Development Applications on land containing a wetland, or located within 100m of land containing a wetland,
- _All Development Applications on land that is mapped as "DCP Map Waterways and Riparian Land".

And as such, Council's Natural Environment Unit officers are required to consider the likely impacts on drainage regimes.

Officer comments

“According to the Warringah Creek Management Study 2004, the site possesses a first order stream, which flows in a southerly direction. The creek forms part of the Curl Curl Creek/Manly Dam catchment and according to the Creek Management Study is a Category A Catchment which is characterised as

“very high ecological value; with less than 10% connected impervious area. This provides a high level of connectivity of natural vegetation in the floodplain and riparian zone of Curl Curl Creek and reasonable habitat for dispersal of native terrestrial fauna species. Geomorphic diversity is also very high, providing a wide range of habitats and supporting excellent native species richness. Curl Curl Creek and its tributaries also provide high landscape and passive recreation value to the area”.”

In addition, the catchment is known habitat to a range of native and threatened fauna species including Red Crowned Toadlet.

The APZ of the proposed development extends into riparian lands, contrary to Council's DCP and Protection of Waterway and Riparian Lands Policy.

The applicant was advised during the Pre-lodgement Meeting process that this is unlikely to be supported.

On this basis, the development application is recommended for refusal.

Referral Body Recommendation

Recommended for refusal

Recommended Natural Environment Conditions:

Nil.

Application Number: DA2018/1667

To: Lashta Haidari

Land to be developed (Address): Lot 2615 DP 752038 , 181 Allambie Road ALLAMBIE HEIGHTS NSW 2100

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JACKSON TEECE

Project Number: 2017 019

8.3.2019

Project Name: 181 ALLAMBIE RD, ALLAMBIE HEIGHTS NSW 2100

Lot 2615 DP 752038, 181 Allambie Road – ALLAMBIE HEIGHTS NSW 2100

#DA 2018/1667

Jackson Teece comments to the Urban Design Referral Response

The following comments are made, and should be read, in conjunction with the Urban Design Referral Response to the Northern Beaches Council DA Application #DA2018/1667.

Jackson Teece has reviewed the Urban Design Referral Response, dated 25/2/2019, and offers the below comments.

Gregor Strachotta

Senior Architect

Jackson Teece Architects

Attached:

SK 001 - View 1 close up from South West of - Bldg. B

SK 002 - View 2 from South West – Bldg. B

SK 003 - View 3 from South East – Bldg. B

Building Length and Massing

The discussed design approach, of providing 3 smaller blocks, was reviewed previously and it would have been a poor project outcome in regards to the increase of travel distances, an unproportioned larger carpark and larger footprint and a further encroachment into the valuable bushland.

A different, more successful Urban Design approach has been considered and forwarded for approval, one that is assuring the discussed valuable street articulation, allowing for an individualised build form and individualised experience for the residents. 3 main strategies have been crystallised and applied from the start to achieve the above.

1. Firstly, the design has allowed for a playful articulated façade, including a selection of human scale gestures, natural materials and well-proportioned window and balcony compartments.
2. Secondly, to support the Urban strategy, the design allows for 4 visual pleasing breaks in the facades. As in the attached renderings, 4 intentionally placed visual building separations have been established. Those 4 separations stop the balconies and the facade is sensibly treated differently by allowing for a vertical elongated larger set of windows, which help distinguish the visual break of the building in rhythmical portions. Landscaping strategies will help further to emphasize the experiential juncture by adding a distinct identity to each of these articulation gaps.
3. Additional to the above 2 strategies, the project allows for curved building forms, that gently curve away from the semi-private road.

While the building is longer than other buildings in the area, we feel that its placement and specific site planning asks for a different strategy. It expresses itself in a vertical contour, complementing the falling and rolling landscape surrounding it, by revealing itself only in smaller portions at a time.

JACKSON TEECE

Amenity

From the beginning the Project was focused on creating useable private and communal open spaces, allowing for clear and safe routes for the residents while hiding most of the car-parking in order to celebrate the natural setting of the hill. The result is a project that, while complimenting the Landscape with a calm architectural approach, allows for ample private and communal space that is intertwined within a key landscape strategy.

The space between Building A and B is articulated by a protective human scale roof spine, leading the users along a 2.1m wide path through the space along various semi-private subspaces to arrive at their private Apartment entries. To define the main arrival at the east, an opening has been introduced to that level, to create a relationship to the natural deep soil ground, where 3 larger trees are placed, connecting the 2 levels and beyond. This is allowing for a notable 3 dimensional arrival experience. To further distinguish various areas, ample planters, differing in heights and screens serve as buffer spaces, creating privacy. Two gathering spaces for the resident have been established, that let the residents pause and meet and interact within the building complex. With the buildings guiding the space between Building A and B, both ends of that space has been designed to allow for visual connections, such as views and glimpses to the existing large Eucalyptus tree to the east and the lush Bushland to the west.

Jackson Teece believes that the attached 3D images will communicate the above strategy of creating articulation, individual amenity reflecting an individual and human scale and well-proportioned build form, complementing the lengthened rolling terrain.

JACKSON TEECE

Direct Comments to Response letter:

- ***Institutional in appearance;***

The design has been directed by principles that are in line of smaller and exclusive residential developments. The balconies are uniquely shaped; they are distinctive in appearance and character with individual circular skylights. The materials and their textures, such as high quality bricks and segmented glass panels, keep in line with a human scale experience, resembling the experience of a small community.

- ***Mix, Mass, Scale and Built Form;***

The built form of the 2 buildings are nestled and aesthetically placed within the rolling terrain of the hill, it resembles being part of it. Instead of being multiple objects, the building seeks a symbiosis with its natural rolling urban context. The same strategy also allowed the overall building footprint to be kept at a minimum.

- ***No articulation and no real private curtilage for the apartments;***

The project has visual pleasing breaks in the facades, which address articulation.

Additionally the building is curving away from the road, revealing itself only in portions at a time.

Numerous planter beds and screens have been strategically placed, creating privacy and different spaces in size and in quality.

- ***Block B 's 'homogenous in typology, no real character of individual identity to each of the apartments';***

The small 24 Unit development allows for multiple ways of suggesting identity. There are 2 unit typologies within the curved buildings, allowing for differing angles and views. With a differing Landscape and the uniquely shaped balconies, each Apartment offers a different experience to its user.

- ***Long linear dark undercroft or 'lack of' any sense of connection with the natural bushland vistas'***

Jackson Teece, together with Arterra, has further developed that threshold between building and Landscaping and sees this as an extensively planted area, connecting the building with the environment and allowing for undisturbed bushland vistas.