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**Sent:** 24/11/2018 11:09:59 PM  
**Subject:** DA2018/1692 Lot 810 Willandra Rd Subm  
**Attachments:** DA2018-1692 Lot810 WillandraRdSubmFoNLC.doc;

Submission attached.

# Friends of Narrabeen Lagoon Catchment



P.O. Box 845, Narrabeen NSW 2101

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24<sup>th</sup> November 2018

To: CEO, Northern Beaches Council  
Civic Centre, 725 Pittwater Road  
Dee Why NSW 2099

**Re: DA2018/1692**

**Address: Lot 810 DP 752038 – No. 74 Willandra Road, Oxford Falls**

Dear Sir

**We object to the DA for a boarding house with 28 boarding rooms.**

The proposed 28 room boarding house is inappropriate in this location and would have a significant impact on the non-urban land.

The proposal does not comply with the housing density that restricts development to one dwelling on the subject site. The standard density control for the B2 Oxford Falls Locality in WLEP2000 is one dwelling per 20ha.

The previous application for a boarding house with 17 rooms resulted in a 73% increase in density. The current application for 28 rooms, with an additional 11 boarding rooms, greatly exceeds the density constraint for the subject site.

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.

The proposal will change the character of the non-urban land in this vicinity.

The proposal includes the construction of a basement car park that would intercept and alter sub-surface hydrology, particularly as the building is located on a natural drainage line.

The APZ would be extended and result in the additional loss of vegetation in the Sandstone Gully Forest within sloping land to the west of the development.

An outline of reasons for objection include:

- Incompatibility with WLEP2000 B2 Locality Desired Future Character

- Inconsistent with WLEP2000 General Principles and Schedule 5
- Impact on Natural Drainage Area
- Impact on Wheeler Creek catchment
- Bushfire prone area and APZ requirement
- Excavation for basement car park and sewer connection
- Impacts on Flora and Fauna and Conservation Values
- Other Environmental Impacts

The boarding house use is prohibited in standard zone(s) for non-urban land equivalent to the place based B2 Oxford Falls Locality Statement.

### **SEPP (Affordable Rental Housing) 2009**

In the draft standard local environment plan that was put on public exhibition in conjunction with the draft WLEP2011 the subject site was zoned E3 (environmental management). This was considered to be the most accurate translation of the Locality Statement into the standard instrument LEP.

Boarding houses are a prohibited use within the E3 zone, as well as other zones that apply to non-urban land.

The site is not located in 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.

The previously exhibited proposed land use zone for the site is E3 Environmental Management, "which would have the effect of prohibiting a boarding house".

### **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.*

*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 consistent with the above requirements of the desired future character of the B2 Oxford Falls 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. This Category 2 development should not be permitted, as it does not satisfy the prerequisites for approval under Clause 12 of WLEP2000.

### **Density Control**

The lot size of 2.92ha (5.34ha combined with Lot 807) is significantly smaller than the required minimum of 20ha for a single dwelling in the non-urban Locality in which the site is situated. The density control in the B2 Locality is intended to protect Narrabeen Lagoon Catchment.

The boarding house proposal would allow at least 30 residents to occupy the premises, which is considerably more than would occupy a residential dwelling.

The increased number of people would increase the intensity of associated uses, and result in direct and indirect impacts on the surrounding bushland area.

The proposed boarding house with 28 rooms and accommodation for a manager is not a low impact / low intensity development compared with a single dwelling.

### **GENERAL PRINCIPLES**

#### *44 Pollutants*

The cumulative impact of , on-site effluent and waste-water disposal 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 a 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 sited and designed to maintain and enhance natural watercourses and aquatic habitat.

## **NATURAL DRAINAGE AREA**

The development site is located over a natural drainage line within the catchment of Wheeler Creek. The drainage line was well defined at the base of a natural gully located at the headwaters of a waterway which flows towards Wheeler Creek. The drainage line could also be described as an ephemeral watercourse.

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

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

## **BUSHFIRE PRONE AREA**

*Hazardous fuels surrounding the proposed boarding house consist of forest vegetation located within the immediate vicinity of the building footprint (north, north-west and west) transitioning to tall heath vegetation approximately 120m to the east of the building.*

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

## **APZ**

The APZ requires clearing of bushland from the slopes of the natural gully, including the rocky ridge areas along the western slope. The increased size of the boarding house would require additional clearing of vegetation in Sandstone Gully Forest.

The proposed development site requires clearing of good quality bushland in a natural gully that also provides habitat for native fauna. The gully forest contains moderately dense ground cover including ferns which are characteristic of moist habitat areas.

The proposed increase in the size of the dwelling and associated APZ does NOT protect the natural landscape and vegetation on the site and is not consistent with the DFC for the B2 Locality.

Re the DFC requirement that: “Buildings will be located...in areas that will minimise disturbance of vegetation and landform”. The NE corner, which is near to Willandra Road, contains an area that has been disturbed previously. Vegetation removal and soil disturbance could have been restricted to this area.

## **EFFLUENT TREATMENT**

In Council's Onsite Sewage Management Strategy (2006) constraints include:

- Greater than 100m to permanent water and
- Not located upstream of sensitive bushland

Wetland buffer areas are located to the north and south of the development site.

## **SEWER CONNECTION**

The applicant has obtained approval from Sydney Water for a connection to the main sewer line. We wish to object to the extension of the sewer line to the subject site.

This sewer extension would require excavation within the environmentally sensitive Wheeler Creek catchment. It would also facilitate more intensive urban development in non-urban land, where this land use is not intended.

## **SOILS**

*The soil landscape is 'Lambert' (Chapman and Murphy, 1989). This soil landscape has a very high soil erosion hazard, largely because the sandy soil has minimal coherence, and would be readily mobilised by concentrated flow.*

The removal of natural vegetation and disturbance of soils will increase the potential for erosion and siltation within the catchment.

## **FLORA & FAUNA**

The site provides core habitat for native fauna, including threatened fauna. The site in its natural condition supports a dense and diverse habitat. This includes a ground layer of vegetation that comprises shrubs, ferns and vines.

### **Sandstone Gully Forest**

- *This vegetation community comprises just over 40% of Lot 810 and mostly within the central portion of the Lot.*
- *The height of the canopy is approximately 17-22m tall and up to 25m tall in the more sheltered areas. The projected foliage cover is moderate, around 30-45%. The canopy height decreases towards the edge of the Banksia Scrub.*
- *The mid-storey is moderately dense and diverse with a number of shrubs and small trees varying between 1 and 10m tall. The projected foliage cover of the mid-storey within quadrat 1 was 40-50%.*
- *The ground layer of vegetation (to 1m tall) is moderately dense but comprises more small shrubs, herbs, ferns and vines than it does grasses.*

## **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 a gully in the Narrabeen Lagoon Catchment. The drainage line lies within the Wheeler Creek Catchment and flows towards a tributary of Wheeler Creek, which has high conservation value.

The environmental impacts associated with the boarding house, APZ, on-site effluent treatment or sewer connection, basement car park, driveway and car parking etc. are NOT compatible with the DFC.

The boarding house would have direct and indirect impacts on the environment and would have a greater impact than a single dwelling due to the increased number of inhabitants, increased demand for on-site effluent treatment 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 urban runoff, which contains a high phosphorus content that will favour weeds and inhibit the growth of native phosphorous intolerant plants. Cumulative impacts include the encroachment of urban development within non-urban land loss of core habitat, changes to streamflow and degradation of downstream waterways within Wheeler Creek Catchment.

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

Yours sincerely,

A handwritten signature in black ink, reading "J. C. Bennett". The signature is written in a cursive style with a large, stylized initial "J".