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Subject: Online Submission

31/03/2021

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RE: REV2021/0006 - 181 Allambie Road ALLAMBIE HEIGHTS NSW 2100

I object to the proposed development for the following reasons:

OPEN SPACE

The application does not take into account the benefits of the cleared area for the use of residents and visitors. Until 2009 we had a close relative living at the Benevolent Society aged care facility (William Charlton Village) for several years. During that time the outdoor area was used on many occasions. The well maintained lawn, trees and outdoor seating provided a park-like environment in which residents could walk or sit and enjoy the natural surrounds.

The landscape area provides a transition between the bushland to the west and existing buildings to the east. The outdoor use of this open space has health benefits for residents and is compatible with protecting the natural landscape. However, the proposed development would extend across the entire cleared area, as well as encroach upon surrounding bushland.

On the adjoining site to the south, the footprint of the Allambie Heights Village (formerly Lutheran Homes) complex extends almost to the boundary of the site, with minimal open space. The adjoining open space is also available for these residents.

The Allambie Heights Village complex abuts Manly Warringah War Memorial Park (MWWMP). This development has had adverse impacts on the MWWMP due to the removal of trees and understorey vegetation for asset protection purposes.

ENVIRONMENT

The proposed development is not appropriate for this location and would have a detrimental impact on the environment of Manly Dam Catchment.

The site is Crown land in which the bushland is contiguous with MWWMP. It encompasses an extensive riparian buffer at the headwaters of Curl Curl Creek, which flows into Manly Dam.

The riparian buffer is mapped on the Warringah DCP 2011 Waterways and Riparian Land.

Council's Protection of Waterways and Riparian Land Policy states:

"Development within waterways and riparian land should be avoided." (3.3 (d))

Curl Curl Creek has been classified as a Group A creek. The Council Policy gives priority to the protection of riparian land within Group A catchments.

In the riparian area runoff derives from subsurface and overland flow within the grassed area and an excavated channel that diverts flow around the perimeter of the grassed area.

The creek channel could be reinstated to a more natural form with in-stream features to improve aquatic habitat. "Piped or channelised watercourses shall be reinstated to more natural forms where possible." (Policy 3.1(c))

The key distinctive feature of the riparian land is that it remains undeveloped land with trees and vegetation that allow for greater infiltration and attenuation of runoff.

The asset protection zone for the development also overlaps riparian land.

"Bushfire asset protection zones shall be maintained outside of riparian land." (Policy 3.1(b))

The remnant bushland to the west and south west is contiguous with the Manly Warringah War Memorial Park. This bushland would become part of an outer asset protection area.

The removal of vegetation from bushland areas will reduce diversity, connectivity and habitat values.

The proposed development is not compatible with the heritage conservation values of the adjoining reserve.

The protection of Manly Dam and Curl Curl Creek is dependent on the protection of surrounding areas within the catchment. This includes the protection of riparian land and bushland areas.

PLANNING CONTROLS

The development is not consistent with the following requirements:

SEPP (Housing for Seniors or People with a Disability) 2004

Compatibility Criteria

The proposed development is not compatible with the surrounding land uses, in particular, Manly Warringah War Memorial Park.

Clause 25(5) (b)

(i) The development is not compatible with the surrounding natural environment and will adversely affect bushland and riparian land within Manly Dam Catchment .

(v) The apartment complexes are out of character with the low density residential area. The bulk, size and scale of the development greatly exceed that envisaged for a low density locality.

Clause 27 Bushfire prone land

The development would be located on bushfire prone land within 100m of vegetation category 1.

Clause 33 Neighbourhood amenity

(b) The subject site is adjacent to a Heritage Conservation Area (HCA) in Manly Dam Reserve. The proposed development would have a detrimental impact on the HCA.

Clause 40 Development standards - height

4 (a) "the height of all buildings in the proposed development must be 8 metres or less."

The building height exceeds 8m at various locations.

Warringah LEP 2011

Land Use Table

Apartment buildings are not listed as a permitted use in the low density R2 zone.

Zone Objectives

The development does not satisfy Zone R2 objective to provide for housing "within a low density residential environment".

The development is not compatible with the protection of the natural environment of Warringah.

5.10 Heritage conservation

The development is on land that is within the vicinity of a heritage conservation area (HCA) and would adversely affect the heritage significance of the HCA within Manly Dam Catchment.

6.2 Earthworks

The development would have a detrimental effect on existing drainage patterns and soil stability in the locality.

The development would be located on a riparian buffer and has the potential for adverse impacts on Curl Curl Creek and its catchment.

6.4 Development on sloping land

The development would impact on existing subsurface flow conditions.

Warringah DCP 2011

E2 Prescribed Vegetation

The development would fragment bushland habitat with high conservation significance.

E6 Retaining unique environmental features

The development would be located on a riparian buffer, which is a distinctive feature of the site. The bushland, which is also a distinctive feature of the site, would become part of an APZ.

E7 Development on land adjoining public open space

The development will be a threat to the adjoining bushland reserve, with potential impacts on vegetation, waterways and aquatic habitat.

E8 Waterways and Riparian Lands

The Development does not comply with the requirements of Council's Protection of Waterway and Riparian Land Policy.

The development and associated works are not located outside land identified as Waterways and Riparian Land.

The Asset Protection Zone (APZ) extends into land identified as Waterways and Riparian Land.

Warringah Council Creek Management Study 2004 (WCMS)

Re Seniors Housing SEPP (formerly SEPP5)

This Policy does not apply to:

(a) land described in Schedule 1 (Environmentally sensitive land).

The WCMS states:

"It is recommended that an application for exemption from SEPP5 be made for land identified on the Warringah Local Environmental Plan on the basis of it being 'environmentally sensitive land':

- all land within riparian zones of any creeks;
- all land within riparian buffers of Group A and Group B creeks; and
- all land within the catchment of Group A creeks."

The subject site is land within a riparian buffer and catchment of a Group A creek.

The WCMS recommendation is that this land be identified as 'environmentally sensitive' for the purposes of seniors housing.

This recommendation relates to the compatibility criteria and is a further indication that the site is not suitable for the proposed development.