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Subject: Online Submission

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RE: DA2020/0661 - 7356 / 1167221 Huston Parade NORTH CURL CURL NSW 2099

Northern Beaches Council
(via online submission form)

9th July 2020.

To the Assessing Officer,

RE: Development Application DA2020/0661 - Optus Mobile Pty Ltd Proposed 'Construction of a Telecommunications Facility with associated equipment' at John Fisher Park.

Thank you for the opportunity to make a submission in relation to the above listed development application.

I am opposed to the proposed development application, for the reasons outlined below.

Development Within a Riparian Area

The proposed development footprint is located within a riparian buffer zone. Industrial development of this nature is not suitable for this location. The Greendale Creek - Curl Curl Lagoon - Curl Curl beach corridor is very fortunate to contain very limited development east of Harbord Road. The development which does occur within the riparian corridor is limited to asphalt netball courts at the John Fisher Netball Courts. Whilst I believe this level of development is also inappropriate within a riparian buffer zone, they are at least of benefit to all in the community as a public recreational asset. The proposed telecommunications facility is of a private, commercial nature and is thus entirely unacceptable for such a location.

This proposal for development within the riparian zone is inconsistent with the John Fisher Park Plan of Management(1). The Plan of Management (PoM) states:

- "Over the long term (15 - 30 years), and if opportunities for the provision of alternative sporting facilities become available (either through reconfiguration of fields in the area subject to this Plan or other sites in Warringah), sporting facilities within 40 metres of the top of creek and lagoon bank will be relocated. The area within 40 metres of the top of creek and lagoon bank will then be revegetated with endemic native vegetation appropriate to re-establishing a functioning riparian zone." (p.54) (Listed as a High Priority.)
- "Ensure a 40 metre buffer zone from the top of Greendale Creek be maintained throughout the park for any new development, with the exemption of pathways." (p.56) (Listed as a High Priority.)

It is clear from the above that no new development within 40 meters of the top of Greendale Creek is consistent with the PoM, and indeed existing developments (in the form of sports

fields) should be relocated where possible. This document was adopted by Warringah Council in 2001, surely our understandings and appreciations for environmental protection have advanced, not regressed since then? This proposed development would represent an egregious and retrograde step in the conservation history of John Fisher Park.

The riparian zone is an ecologically significant area that hosts threatened ecological communities. This is exemplified by the EPBC Act Protected Matters Report. The report outlines that the surrounding environment supports 2 listed threatened ecological communities, 66 listed threatened species, and 56 listed migratory species. The applicants Statement of Environmental Effects recognised that the site is within DCP threatened high conservation habitat and DCP wildlife corridors.

The EPBC protected matters report lists the two threatened ecological communities as:

- Coastal Swamp Oak (*Casuarina glauca*) Forest of New South Wales and South East Queensland ecological community (likely to occur within area); and
- Coastal Upland Swamps in the Sydney Basin Bioregion (may occur within area).

Whilst these are the nationally significant ecological communities, ecological communities of local significance must also be considered. Warringah Council's Warringah Natural Area Survey (2005) (2), also identifies two communities that occur in the subject area:

- Coastal Banksia-Eucalypt Scrub; and
- Swamp Oak Forest (which the EPBC refers to as Coastal Swamp Oak).

Costal Banksia Eucalypt Scrub is identified as an intermediate form of Coastal Dune Forest and Coastal Dune Heath. Just 7% of Coastal Dune Forests estimated original extent remained at the time of publication in 2005, making this ecological community locally endangered. None of this remnant bushland is a part of National Parks in the former Warringah LGA.

Swamp Oak Forests are listed as an endangered ecological community in NSW. As of 2005, there was about 30.3ha of Swamp Oak Forest in Warringah, representing an estimated 34% of its original extent. 81% of its remaining extent is outside of National Parks in the former Warringah LGA (p.39).

The above demonstrates the local significance of these two communities. Their lack of protection in National Parks locally should encourage local government to take proactive steps in rehabilitating their local extent where possible. This is in line with the John Fisher Park PoM which encourages the revegetation of the riparian buffer zone, which would have comprised the original extent for these ecological communities.

The applicant takes a circumscribed approach in its statement of Environmental Effects, by assessing the impacts against the relatively small number of tube stock species planted on the site. It fails to consider how this development will impend on the future re-vegetation of the riparian buffer zone, as the John Fisher Park PoM outlines is a desired outcome. Moreover, I am concerned that the approval of this development will set a precedent for further development within the Curl Curl Lagoon riparian buffer zone. This is obviously an unacceptable outcome.

The applicants Flora and Fauna Assessment and Biodiversity Management Plan outlines some of the potential impacts of the development including; increasing sediment flow into the lagoon, the spread of weeds, soil or plant disease, and the impacts associated with excavating materials from the previous landfill below the site. These are unacceptable risks to the fragile Curl Curl Lagoon environment, which the local community has fought to rehabilitate for many

years. Whilst mitigation steps can be taken, they demonstrate why any new development within the riparian buffer zone is unacceptable.

Impact on Visual Amenity

The proposed development is not in keeping with the existing visual amenity of the site. The development is a commercial, industrial development proposed within an area which is enjoyed by the general public for recreation and appreciation of the nature and ecology.

This private infrastructure should be located by Optus at a more suitable site elsewhere.

Suggested Conditions of Development

My overarching recommendation is that this development application should be rejected. Council should not support any new development within this fragile riparian buffer zone of Curl Curl Lagoon.

In the event that the application is approved, I believe the following conditions may ameliorate the impact of the proposal:

- The size of the offset and revegetation area should be significantly increased, so that the net impact of the project is to substantially increase native vegetation cover within the riparian buffer zone.
- Given Optus Mobile Pty Ltd is proposing to capitalise on the development of the riparian zone for financial gain to the detriment of the environment and community amenity, it should make financial contributions to conservation projects and restoration of the riparian zone around Curl Curl Lagoon for the lifetime of its operation.
- The suitability of this site and potential alternatives should be reviewed regularly, with a view to returning the area to riparian buffer zone as soon as possible, in line with the objectives of the John Fisher Park PoM.

Kind Regards,

Jaden Harris
North Curl Curl

(1) Available at: <https://files.northernbeaches.nsw.gov.au/sites/default/files/test-gab/jfppom.pdf>

(2) Available at:

https://www.warringahurbanfringeassociation.org.au/_files/Files/GIPA_August_2014/Response/