

Livia Kekwick

From: David James <dj6331@gmail.com>
Sent: Monday, 8 March 2021 11:45 AM
To: Council Mailbox
Subject: submission on DA 1480/2021 and DA 1489/2020
Attachments: Bush Fire Prone land map (2).jpg; Pittwater Council letter to Warriewood Grove Residents Association (2).PDF

Categories: Nicole

For attention of Anne Marie Young

Dear M/s Young

DA 1480 and DA 1489. Submission on questionable permanency of proposed fire access to public street/s

Issues: Both D.A. propose only one permanent post-construction emergency vehicle access and resident escape roadway to be constructed (perhaps) via unmade section of Forest Rd which is and remains merely a paper road, in respect of which there is no evidence of any kind by way of a Council resolution or even a theoretical inclination by NBC to extend it westwards.

Confronted by the lack of any such evidence of viability of a Forest Rd access, the Traffic Study (NLA Transport Consultants) proposes at P14 p 4.1.2 to use a supposedly interim road access for construction purposes only via Jubilee Avenue, which it then postulates is to be closed off on completion of construction. However this option is entirely dependent until such time as Council might expend resources on an extension of Forest Rd westwards. Even so that would if it eventuated thus leave only one permanent connection to a public road, i.e. onto Forest Road.

This appears to me untenable in terms of public safety and good bushfire practice.

The proposed temporary usage appears to be in part across a private road and also over a concrete bridge over Narrabeen Creek that was built, maintained and insured by the developers and subsequently by the residents of Bert Close (Warriewood Grove). *vide attached letter from Pittwater Council*. This supposedly temporary nature of the proposed usage, as indicated above in the NLA Transport Report, is entirely dependent on whether or not there can be any future resolution of an apparently intractable, multitude of issues regarding access to and from Forest Rd.

Any additional traffic from this development has been consistently and strongly opposed by residents of Bert Close across what they assert is their road and bridge as being unreasonable and contrary to the original intent of the (Warriewood Grove) Bert Close Consent Conditions imposed by Pittwater Council, i.e. that the roadway running off the termination of Jubilee Ave cul-de-sac and the bridge itself is to be (and was) constructed and maintained in perpetuity by Warriewood Grove. See attached document from Pittwater Council.

I contend that the current applications in both DA's, 1480 and 1489, for a three-lot subdivision backing directly onto adjoining RU2 land, designated on NBC maps as Bush Fire Prone land (in the same ownership parcel), consisting of "rugged heavily timbered country" brings into play the relevant rules of PBFB 2019 for sub divisions of more than 3 lots on Rural Zoned land.

The NLA Traffic Report for DA 1480 (and 1489, being identical) are therefore, I claim, subject to and should be read in conjunction with Cl. 5.1.1 of PFBP 2019.

Further, inasmuch as the subdivision layout proposes to site a significant portion of the general access and emergency vehicle outer ring road, through and across the adjoining land zoned RU2, I believe such use would be a loose and wrongful application of the planning principles underlying permissible usages on RU2 zoned land in that, while it is not denied that a road can be constructed for the purposes of usage generated by and across the RU2 land, what is proposed is for the sole benefit and use of traffic solely generated by and on the adjoining RU3 land.

I therefore argue that would be a wrongful usage of RU2 land. On this ground alone the DA 1480 and DA 1489 should be refused.

I also contend that the very paucity and, to me, some doubtful contentions regarding local traffic effects within the NRL Traffic study, and within the two Development Applications generally, and the absence any reliable information as to just how the sole proposed permanent road access, consisting of a linkage to Forest Rd public road system and beyond, is to be designed or achieved within the stringent constraints of PFBP 2019, remains highly conjectural with the reasonable impression that it likely will never eventuate.

I say, in consideration of known past bushfire impacts within adjoining Ingleside Chase that extreme care must be exercised by Council in considering this application, such that the nature of the current highly uncertain state of permanent long term access by residents and emergency vehicles onto and from a public road, indicates that requirements of cl.3.4 and cl 5.1.1 PFBP 2019 be satisfactorily resolved, precedent to any approval for these two DA's, 1480 and 1489/2020.

Additionally, these two DA's would in any case and in my opinion require S.100b determination by RFS as a precondition to the further progress of assessment, which on present indications should be refused.

David James

3 Bolwarra Rd

Nth Narrabeen. 8/03/2021

2 Attachments



MONA VALE

INGLESIDE

WARRIEWOOD

ELANORA
HEIGHTS

NORTH



Pittwater Council

All Correspondence to be addressed to General Manager

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8am to 5pm Mon - Fri
Phone 9970 1207 Mobile 0419 629 007

7 May 2002

Warriewood Grove Neighbourhood Association
4 Valley Place
WARRIEWOOD NSW 2102

Attention:- J A McGrath

Dear Sir,

Re: Access to Townhouses at the end of Jubilee Avenue

Reference is made to your letter dated 12 April 2002 concerning issues relating to the western end of Jubilee Avenue.

Further to Council's letter dated 4 April 2000, Council confirms that the accessway from the cul-de-sac in Jubilee Avenue to the Warriewood Grove subdivision is a private accessway. The accessway, including the bridge, forms a private driveway and is the responsibility of the owners who use the driveway to access their properties. Council is responsible for maintenance of Jubilee Avenue up to the end of the cul-de-sac. This approach is consistent with all other driveway accesses within Council road reserves i.e. the property owner is responsible for the maintenance of the driveway between the kerb and the property boundary.

X With regard to access to the Church and School development from Jubilee Avenue, Council advises that the Traffic Committee has approved the provision of double separation lines on the curve with a break opposite the school entrance to encourage drivers not to cut the corner. This work is to be carried out in the near future. When road widening is provided in the future, in conjunction with adjacent development, Council may consider constructing a centre island, if the problem persists.

Please contact the above mentioned officer if you have any enquiries regarding the private accessway; and the undersigned on 9970 1177 regarding traffic controls in Jubilee Avenue.

Yours faithfully

Paul Davies
A/MANAGER - URBAN INFRASTRUCTURE