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**Sent:** 26/01/2021 1:48:31 PM  
**Subject:** Online Submission

26/01/2021

MR Chris Hornsby  
- 25 Utingu PL  
Bayview NSW 2104  
warriewood.community@bigpond.com

**RE: DA2020/1517 - 45 Warriewood Road WARRIEWOOD NSW 2102**

Warriewood Residents Association Incorporated  
25 Utingu Place  
BAYVIEW NSW 2104

26 January 2021

Mr. Ray Brownlee  
Chief Executive Officer  
Northern Beaches Council  
PO Box 82  
MANLY NSW 1655

DA2020/1517 43-45 Warriewood Road, Warriewood

Dear Mr. Brownlee,  
Attention: Anne-Marie Young

The Warriewood Residents Association wish to make this submission on DA2020/1517 @ 43 to 45 Warriewood Road, Warriewood.

The following issues are raised in relation to the proposed development. They highlight the continuing need to ensure development achieves the planning objectives set out for the valley in Councils LEP, DCP and the suite of Planning Policies and documents specifically relating to Warriewood Valley.

The development should also be consistent and compatible with adjoining and nearby development.

The issues raised below generally relate to design matters that are inconsistent with the planning documents for the valley or the need for additional detailed information to ensure safe development.

All of these issues could be dealt with by amendments to design, submission of additional information and or imposing of appropriate development consent conditions.

It is also important to note that Council has a responsibility to ensure compliance with any development consent in the Warriewood Valley.

**Street Tree Planting and Landscaping- Warriewood Road and Lorikeet Grove**

One of the primary objectives of the Warriewood Valley Roads and Landscape Masterplans is to establish safe tree lined avenues, for the long term amenity of the Warriewood Valley. This is best achieved by locating the tree planting strip between the kerb-line and pedestrian pathway.

The Concept plan submitted shows the tree planting strip opposite to that required.

This issue can be addressed through amended plans or a condition which is enforced.

#### Creek line Corridor Width.

The proposed development shows all of the land between Lorikeet Grove and the Narrabeen Creek line as a single lot.

The Planning for Warriewood Valley and its related Developer Contribution Plan provide for dedication of a 25-metre-wide strip on the development side of the defined creek line corridor. The shared pedestrian cycle-way must be located outside the creek line corridor as has occurred upstream along Narrabeen Creek, and continue the idea and amenity for all users. Under no circumstances should the development result in any payment for additional dedication of land beyond the 25metre wide strip. Particularly as water management facilities required to achieve the water management controls are partly in this land.

The ongoing ownership and management of this land is rightly the future land owners, not Council.

In order to connect the shared pathway to the development downstream and maintain its character of a pathway along the creek tree-lined on both sides rather than a roadside pathway, the pathway should be relocated away from the roadway for both safety and aesthetics.

#### Street Tree Planting

Street tree planting MUST be in accordance with the Warriewood Valley Landscape Masterplan Specification in terms of planting and protection. Previous developments have not achieved these requirements resulting in pot bound trees and damage due to incorrect protection.

The almost absolute failure to achieve the masterplan objectives on the development to the south is a result of these failures as well as poor species selection. If these roads are to achieve the standard of street trees in older developments Council will have to address the failure at ratepayers' expense or leave the community and residents with a substandard outcome.

This can be avoided by delaying street tree planting until most of the dwelling construction has been finalised and holding a bond to ensure the developer carries out the planting as required. Species selection to match other existing avenues in the Valley is appropriate. In this regard it should be noted that planning for the Valley ensured that all services were to be underground, in part to facilitate planting of street trees that could potentially connect over the road pavement resulting in the tree lined avenue objective of the Warriewood Valley Landscape Masterplan. This issue can be addressed by careful conditioning of any Consent.

#### Construction Traffic

Traffic generated by the subdivision itself and the following residential development would need to pass through what will be established residential streets to the south with subsequent noise, congestion and safety issues unless it is required to access the site independently. Conditions of consent should require ALL construction traffic and parking to be provided directly to the site from Warriewood Road. This condition is not unreasonable as it occurs in other congested areas, and from the plans there is ample site to avoid excessive inconvenience and damage to the local community and residents.

The vast majority of construction traffic for the eventual residential development will be associated with the unit construction.

Any subdivision consent needs to facilitate access to the unit site directly from Warriewood road. This will require one of the proposed residential lots along Warriewood Road to be reserved to allow access to the future unit site.

A covenant should be applied to the unit site to ensure that the builder utilises this direct access thus preventing construction traffic from using the residential roads to the south.

#### Land Contamination

SEPP 55 places a clear onus on developers and Council to ensure that residential development is not impacted by previous contamination.

This site, as for most of the valley was used for intensive agriculture (glasshouses) for years when agricultural chemical use was not well managed or controlled. The chemicals used in this period included DDT and other products no longer acceptable as safe.

The site has also been subject to varying amounts of uncontrolled land fill. This is a very important issue because surrounding sites also had intensive agriculture that overtime was largely unregulated.

The Warriewood Ingleside Land Contamination Study addressed these issues and made specific recommendations for further investigation as part of any Development Application process.

It is unclear as to whether the Contamination Study provided with the application sufficiently addresses these issues, in the findings and recommendations.

Was there sufficient (if any) testing of soil in the glass houses themselves for such chemicals. Surely a number of testing sites should have been within individual glasshouse areas as well as any apparent areas where waste might have been disposed of. It is well known that the closure of the glass housed was partly due to the overuse of chemicals and the consequent drop in production as food standards changed along with plant resistance to them increased. Council officers should refer to the WI land Contamination study and be absolutely certain these issues have been addressed to an appropriate level BEFORE consent is contemplated. The glass houses have over time been damaged by hail and more recently have been demolished.

It is unclear what steps have been taken, if any, to ensure that glass fragments (which the EPA advise constitute contamination) have been removed from the soil remaining on the site. Council must also ensure this issue is addressed before contemplating any approval.

For the reasons outlined above the Warriewood Residents Association would like council to have strict conditions included in the consent that are binding on those issues covered in this letter and those submitted by residents most effected in the development.

Yours faithfully,

Chris Hornsby  
President WRA

cc. Members of WRA, Ward Councillors