
Sent: 4/09/2019 12:01:01 PM
Subject: Att: LOCAL PLANNING PANEL Item 3.5
Attachments: DA2018-0409 Por1113 Oxford Falls LPP 20190904.doc; FoNLC DA2019-0409 Por1113 OxFallsRd 20190610.doc;

Dear Carly / Bronwyn

Please find attached an address to the Panel meeting for this afternoon from 1pm.

I was to speak on behalf of Friends of Narrabeen Lagoon Catchment.

However, I have to leave the meeting early and it is unlikely that I will get the opportunity to speak.

I spoke with Bronwyn this morning and she suggested I forward the comments by email.

I hope they will be received in time.

Thank you.

Yours sincerely

Ann Sharp

Ph: 0414 383 459

To: NORTHERN BEACHES LOCAL PLANNING PANEL

4th September 2019

Re Item 3.5 – DA2019-0409 – Por 1113 Oxford Falls Rd, Oxford Falls

Dear Panel Members

Friends of Narrabeen Lagoon Catchment support the Council recommendation of refusal for this application. Our reasons include the following:

- The proposal will result in urban encroachment of non-urban land in the Oxford Falls Valley Locality.
- Urban development on non-urban (rural) land is contrary to the planning objectives in the Greater Sydney Commission North District Plan.
- The proposal is an over-development and would change the character of the scenic rural valley.
- The excavation for underground parking would remove a substantial volume of rock and soil and irreversibly alter the natural landscape and landform.
- The extensive earthworks will risk siltation and pollution in Middle Creek and its tributary.
- The urban development is not a low impact use and will have a significant environmental impact within the rural valley.
- The development proposal is a Category 2 development that is not consistent with the Desired Future Character statement in the B2 Oxford Falls Valley locality.
- The proposed buildings, internal roads and associated services, would change the character of the non-urban locality: the development is not a low intensity or low impact use .
- The proposal will result in a significant increase in hard surface areas, including internal roads.
- The proposal will require the removal of numerous trees that contribute to the landscape character.
- The development is not consistent with General Principles in WLEP2000, including Cl 56 'retention of unique environmental features' and Cl 58 'protection of existing flora'.
- The development is not sited or designed to protect or enhance the adjoining vegetation corridors along Middle Creek and its tributary (Cl 60).
- The development and APZ requirements encroach upon the riparian buffer of waterways.

Yours sincerely

Ann Sharp

Friends of Narrabeen Lagoon Catchment



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To: CEO, Northern Beaches Council
Email: council@northernbeaches.nsw.gov.au

10th June 2019

DA2019/0409

Lot 1113, DP 752038, Por 1113/752038 Oxford Falls Road Frenchs Forest, NSW 2086
Construction of a 41 ILUs, internal roads, on grade and basement car parking spaces

Dear Sir

We wish to object to the proposal for the following reasons:

The site is located on non-urban land in the upper catchment of Middle Creek, which flows to Narrabeen Lagoon.

The proposal includes the removal of many trees and undergrowth, rock outcrops and natural features that contribute to the landscape character of the non-urban locality.

The new development proposal includes an increase in car parking provision from 36 to 95 parking spaces including excavation for basement car parking.

WLEP2000

Under WLEP2000 the proposal is a Category 2 use.

Desired Future Character:

In our view, the proposal is not consistent with requirements of the desired future character of the B2 Oxford Falls Valley Locality. We consider that the proposal:

- would change the character of the non-urban land,
- is not a low intensity or low impact use, and
- does not protect the natural landscape, including landforms and vegetation.

WLEP2000 General Principles

Clause 60 states: *"Development is to be sited and designed to maintain and enhance natural watercourses and aquatic habitat."*

The development is not sited and designed to achieve this outcome. An internal road and an APZ are located adjacent to the natural drainage line on the southern side. The proposal will limit the scope for a vegetation corridor in alignment with this tributary creek and also within the riparian buffer of Middle Creek. A detention basin outlet is proposed within 40 metres of Middle Creek.

Also, the proposal is not consistent with Clause 56 *Retaining unique environmental features*, Clause 58 *Protecting existing flora* and Schedule 6 *Preservation of Bushland*.

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Excavation

The proposal includes extensive excavation for basement car parking. The excavation will require the removal of rock outcrops, which are a distinctive feature of the site. The extensive removal of soil and rock will also change the natural landform and hydrology of the site, including the subsurface flow to waterways.

APZ

The site contains bushfire prone areas and the proposal would have a disproportionate impact on the bushland environment due to APZ requirements and perceived threat.

The APZ is within the riparian buffer of Middle Creek and the tributary located on the adjoining property to the south. The APZ is not compatible with the protection / enhancement of a riparian buffer and vegetation corridor along Middle Creek and its tributary to the south.

The fuel reduction requirement for the APZ is unsuitable for a creek and vegetation corridor and would result in ongoing land use conflict between hazard reduction and the enhancement of riparian / vegetation / wildlife corridor.

Riparian land

The width of the vegetation corridor adjacent to a waterway is a relevant consideration. A corridor width of only 10m alongside a waterway is too narrow for sustainable management of native vegetation due to edge effects.

The Warringah Creek Management Study 2004 recommends riparian rehabilitation take place in the upper reaches of Middle Creek. The APZ and close proximity of internal roads would limit the scope of this rehabilitation.

The 10m width is not adequate to achieve many of the functions associated with riparian vegetation, as outlined in the Water Impact Statement report (WIS).

The WIS also states:

- *“Retained vegetation alongside stream, creeks and waterways can provide essential habitat for the movement of native flora and fauna through otherwise cleared areas.”*
- *“The width of the riparian zone will determine the level of protection afforded to the waterway that it surrounds.”*

Catchment issues

The proposal would result in hard surface areas within the creek catchment. The health of waterways is dependent on the retention of natural areas within the catchment. The

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substantial areas of hard surfaces are associated with an increase stormwater pollutants and cumulative impacts.

Changes to hydrology and soil moisture would affect species composition, density and habitat values associated with vegetation in the riparian corridor.

Northern portion of site

The northern part of the site is not protected “in perpetuity” and the amended plan does not prevent a subsequent application for development on the northern side of the internal road.

Re the unformed road reserve:

The APZ would alienate control of public land 'in perpetuity' and restrict options for the future use and management of the public land. The proposal would adversely affect the environment, and also public amenity associated with pedestrian use, as it restricts the scope for a vegetation corridor, trees and shade along the north side of the unmade road reserve. The Planning for Bushfire Protection (2006) requires that the APZ should be contained within the subject site.

Public transport

The development is located beyond the 400 metres requirement to public transport and will make future seniors occupants reliant upon a vehicle. The provision of a bus is an unenforceable condition, as the ILUs will be strata titled.

PAC Report

In conclusion, the proposal is contrary to the Planning Assessment Commission (PAC) Report (2009) recommendation that a catchment wide study is required prior to urban development of non-urban in Narrabeen Lagoon Catchment:

“The identification of any areas for future urban development in the area must result from comprehensive environmental studies of the cumulative impact of development on the entire area and not solely on the impacts on the individual sites.”

The subject site is part of the deferred area where the State Government has stated that it is necessary to undertake further extensive investigations and studies to evaluate the whole deferred area to determine if any areas should be developed.

Yours sincerely,

Friends of Narrabeen Lagoon Catchment



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A handwritten signature in black ink that reads "J. C. Bennett".

Judith Bennett