
Sent: 10/06/2019 3:42:48 PM
Subject: DA2019/0409 at 1113 Oxford Falls Rd
Attachments: FoNLC DA2019-0409 Por1113 OxFallsRd 20190610.doc;

Submission attached.

Friends of Narrabeen Lagoon Catchment



P.O. Box 845, Narrabeen NSW 2101

www.narrabeenlagoon.org.au

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,

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

Judith Bennett