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**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
**Sent:** 12/07/2025 4:44:12 PM  
**To:** DA Submission Mailbox  
**Subject:** TRIMMED: Online Submission

12/07/2025

MR Daniel Fitch  
24 Burrawong RD  
Avalon NSW 2107  
[REDACTED]

**RE: DA2024/1091 - 5 / 1 Careel Head Road AVALON BEACH NSW 2107**

I write as a resident of Burrawong Road, a quiet residential street home to many young families, to strongly oppose the proposed development at the end of our street, including the accompanying traffic re routing scheme that would direct vehicles down Burrawong Road.

**1. Impact on community safety and amenity**

Redirecting development traffic onto Burrawong Road will significantly increase traffic volume on a currently low-traffic, family-centred street. This presents a major danger to children, pedestrians, cyclists and older residents. The character of our street-as a peaceful, safe environment-is under serious threat.

**2. Planning grounds for objection**

As recognised under accepted grounds for objection in planning law, adverse impacts on traffic, safety, street network suitability and community amenity are all valid and critical considerations. Councils routinely refer such proposals to traffic engineers; if Burrawong Road does not safely accommodate increased vehicle load, that alone justifies refusal or redesign.

**3. Legal avenues and enforcement precedent**

Should the council nonetheless approve this application or the traffic changes, I will pursue all available legal recourse, including:

- Objection and appeal through the Land & Environment Court of New South Wales, which provides a formal legal pathway for dissatisfied objectors to challenge council decisions on development applications and safety grounds.
- If necessary, seeking party status (e.g. co-respondent) in any appeal to ensure my rights and voice are represented throughout the legal process.

**4. Historic example - Perth Freight Link (Roe 8)**

A strong precedent exists in the case of the Perth Freight Link (Roe 8), where community groups successfully took legal action, challenging environmental approvals and procedural fairness. Although the final High Court outcome did not ultimately block the project, courts scrutinised procedural compliance, traffic and environmental impacts, showing that well-founded legal objections can significantly influence outcomes. This example demonstrates that legal challenges grounded in traffic safety and procedural error are not merely theoretical, but practical and influential.

**5. Summary and final position**

For these reasons, I respectfully but firmly request that the council refuse or substantially modify the development unless traffic access is re-routed away from Burrawong Road. Should the council fail to protect the safety and character of our street, I will not hesitate to engage legal representation and pursue every avenue, including an appeal to the Land & Environment Court.

Please confirm receipt of this objection and advise whether my submission will be formally

considered. I also request a copy of the traffic impact assessments and any engineering evaluations relied upon in this matter.