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13/08/2021

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**RE: DA2021/1164 - 521 Barrenjoey Road BILGOLA BEACH NSW 2107**

Submission for DA2021/116521 Barrenjoey Rd Bilgola

I am firmly opposed to this proposal, also horrified to discover in an E4 zone, that an applicant seeks approval for the construction of a massive concrete tiered dwelling comprising 7 separate levels over the entire site, plus a swimming pool on top.

Whatever happened to the requirement for homes in E4 zones to touch the ground lightly? This building does not comply with the development control clause D3.14 that states that lightweight construction and pier and beam footings should be used, with timber decks, rather than cut and fill. This DA resembles a concrete bunker instead.

This particular development, because of its huge footprint below ground, will also require the construction of temporary site access, while delivering months of traffic obstruction to a very busy road. The Geotechnical report has stated: "There will need to be erosion and runoff control measures in place and jersey kerbs and a rock catch fence placed along the edge of Barrenjoey Road." This will not only impact visual amenity it will also affect traffic and cyclist amenity.

Significant site preparation work includes excavation to depths of approx. 20 metres, with a tunnel excavation for a length of approximately 20 metres into rock, at a depth of up to 20 metres. The installation of a car turntable. [L]Installation of two internal lifts (height of 14 and 20 metres)

The construction of new entrance works in the road reserve - an SP2 Zone (RMS) outside the site boundary, on public land that will require extensive landscaping, services reticulation, retaining walls, handrails and concrete driveways.

The removal of 30 trees, including endangered species, spotted gums, angophoras, macrozamia - increasingly rare remnant bushland.

[L]The description and diagrams accompanying this DA show clearly that it does not comply with the Pittwater LEP 2014. The following objectives must be met for E4 Environmental Living:  
- To provide for low-impact residential development in areas with special ecological, [L]scientific or aesthetic values. [L]- To ensure that residential development does not have an adverse effect on those values. [L]- To provide for residential development of a low density and scale integrated with the [L]landform and landscape. [L]- To encourage development that retains and enhances riparian and foreshore vegetation [L]and wildlife corridors.

Despite being partially concealed underground in order to diminish the actual visual scale of a building which extends over 31 metres, it does not integrate with the landscape as required.

The bulk and scale of the proposed development creates an unwelcome precedent on the Bends and certainly remains out of character with the area. It would severely impact the greatly admired bushy landscape character for all those travelling along the Bilgola Bends. The tree

clearing and building being proposed will form a large visual scar in the contiguous bushland lining the winding road.

Located in such a prominent position, this development, should it be approved, will send a very strong message to all entering the northern end of the peninsula, that our local planning controls have failed. Its visual impact on the main access road will affect a considerable proportion of the local and tourist population, effectively blighting the highly valued natural bushland entrance to Bilgola and Avalon.

In deciding whether to grant approval for earthworks, the consent authority must consider the following matter - "the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development". Well this site consists of sandstone and siltstone bedrock that underlies the slope at around 1 metre depth according to the Geotechnical Report (Douglas Partners 2021) - which will be fractured and drilled using jackhammers and hydraulic rock splitters. The report is inadequate because it does not address the detrimental effect this will have on drainage patterns and soil stability, or the fact that recent landslips have occurred in front of numbers 517 and 519 Barrenjoey Rd and Barrenjoey Terrace. RMS repaired this landslip on Barrenjoey Road in 2019, installing a new guardrail, retaining wall and barrier to presumably protect the area from further landslips, erosion etc. There is a high likelihood that this proposed excavation may have a similar impact and could lead to further landslips, with the intense vibrations from drilling into rock, destabilizing the surrounding area. The proponent has also failed to identify that the site is located in an area identified as "Geotechnical Hazard H1".

This is very reckless non-compliance when considering the depth of drilling and substantial excavation required for the underground lift wells etc. Bobcats and front end loaders will be emptying tons of rock and debris and fill into skip bins alongside Barrenjoey Road. Excessive impacts to amenity are associated with such a major excavation exercise to remove over 1500m<sup>3</sup> in volume with heavy trucks, over a period of months. All residents and particularly the birds and wildlife, in the enclosed basin of Bilgola would be impacted by the vibrations, noise and dust.

This DA fails to comply with Clause B4.22 - Preservation of Trees and Bushland Vegetation. L  
SEP There are 30 significant value trees to be removed on the site, mostly angophoras. It is currently a beautiful endangered forest, with large tree roots holding the soil together, stabilising a steep slope with landslip potential. There are even 6 trees to be removed from the road reserve. Clearly the degree of site disruption required for this building's design does not "minimise the impact on remnant native vegetation, including canopy trees and understorey vegetation, and on remnant native ground cover species."

The Arborist's report notes many endemic trees are proposed to be removed, which will create an ugly gap in otherwise contiguous vegetation, identified as an Endangered Ecological Community. This loss of canopy impacts the landscape quality, the view corridor and importantly the ecological network of plant and animal species that are becoming increasingly isolated in ever-diminishing islands of natural habitat.

Ensuring the continuing health of the trees to be retained is problematic and certainly can't be guaranteed when the site presents such considerable construction challenges. The negative impacts to existing trees will bring about their demise when natural drainage lines are diverted, wind tunnels opened up and when soil profiles are altered, compressed or smothered.

Inadequate construction certification frequently tolerates sub-standard tree protection measures, so that trees become stressed, perhaps dropping branches within the 10/50 zone, instigating their removal later on.

Trees live in association with other trees and plant species, so although 11 trees are being

retained on the site, the removal of their biologically-connected relationships with so many other trees in this forest, through the destruction of sub-surface mycelium, increases the risk of survival for those few trees being "retained". I'm also concerned about the loss of wildlife corridors along this busy road, once yet another block has been denuded.

Garages and parking requirements will be the dominant feature from the street perspective. The width of the visible structure is over 50% of the frontage and is therefore non-compliant. The proposed height is 10m when it should be 8.5m, the boundaries are non-compliant and the driveway setback is also non-compliant. The excessive bulk and scale of this development will be further exposed should the remaining trees ultimately not survive the construction process.

There are so many development breaches occurring now in Pittwater ward, that every cashed-up developer is emboldened to excavate extensively in landslip zones, decimating the environment, to build something resembling an RSL club. Massive excavation cavities exist at the moment in Palm Beach and also in Riverview Rd Clareville, causing alarm at the scale of DA's being passed in sensitive environments. Enforcement of development controls in 'protected' E4 zones is not occurring as they once were. It indicates that the state govt system of Independent Planning Assessments plus the wealthy developer's fast track to the Land and Environment Court are costing local councils far too much to fight. It is a tragedy for the biodiversity that Pittwater was once known for fiercely protecting. The northern beaches LGA is experiencing some of the greatest tree loss on private land in NSW. This is one of the key reasons why such highly visible disrespect for this beautiful landscape must not proceed. Many in the community would like to see this land along the Bends returned to public ownership with strong council protection to retain the iconic bush and rapidly diminishing canopy cover.

Please reject this application and ensure that Pittwater's environment protection zoning is strengthened in the forthcoming review.

Yours sincerely,  
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