
From: DYPXCPWEB@northernbeaches.nsw.gov.au
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To: DA Submission Mailbox
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30/05/2025

MR Stewart Worsley
280 Lower Plateau RD
Bilgola Plateau NSW 2107
[REDACTED]

RE: DA2025/0431 - 282 Lower Plateau Road BILGOLA PLATEAU NSW 2107

To: Northern Beaches Council - Development Assessment Team
Re: Objection to DA2025/0431 - Proposed Second Dwelling at 282 Lower Plateau Rd, Bilgola Plateau NSW 2107
From: Stewart Worsley
Address: 280 Lower Plateau Rd, Bilgola Plateau NSW 2107
Date: 29/05/2025

Dear Council,

I write to lodge a formal objection to Development Application DA2025/0431, which seeks consent to construct a second dwelling at 282 Lower Plateau Rd, Bilgola Plateau. As the immediate neighbour at 280 Lower Plateau Rd, I strongly object to this proposal on several grounds. The development fails to comply with the Pittwater Local Environmental Plan (LEP) and Pittwater Development Control Plan (DCP), and will have serious and unreasonable impacts on the privacy, amenity, environmental character, and parking in the local area.

1. Overlooking and Privacy Impacts

The proposed second dwelling is sited far too close to the south western and rear boundaries and in an elevated position that causes severe privacy breaches. The Statement of Environmental Effects (SEE) falsely claims there are "no overlooking concerns," but this is demonstrably incorrect. The proposed dwelling would directly overlook our main family living area, daughter's bedroom, daughter's shower, ensuite bathroom, and into our backyard, resulting in an unacceptable and intrusive loss of privacy. The SEE also avoids any meaningful discussion of the effect the proposed development will have on the occupants of 280 Lower Plateau Rd, despite the fact that we are the most directly and significantly impacted neighbouring property. This omission is both misleading and unacceptable.

- Based on the RL data provided in the application:
- Our rear back door is at RL 107.
- The second dwelling's ground floor begins at RL 110.6, with an average standing eye height of approx. 1.7m above floor level (RL 112.3), placing a person's eye level roughly 5.5m above the floor level of our home.

- From this elevated position, there is a clear, direct line of sight into private, sensitive areas of our home.
 - Photos have been attached taken from within our home from the rooms we are most concerned about being looked into by the neighbour. Red lines have been drawn on to the photos to roughly indicate the expected eye level of someone standing inside and looking out from the north western side of the proposed second dwelling.
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2. Non-Compliant Setbacks

- The rear setback proposed is insufficient and fails to meet the minimum 6.5m setback required under the Pittwater DCP.
 - Both 280 and 282 Lower Plateau Rd have a significant upward slope from the street to the rear boundary. As the proposed dwelling is pushed closer to the rear, its elevation increases, exacerbating both visual bulk and privacy impacts.
 - The reduced rear setback not only affects our property but compromises amenity for all neighbouring properties, not just those directly to the rear.
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3. Parking Deficiencies

- The application claims that 2 parking spaces are sufficient. This is incorrect under Pittwater DCP B6.3, which requires:
 - 2 spaces for the existing primary dwelling (3 bedrooms); and
 - 1 additional space for the secondary dwelling.
 - The proposal fails to provide this third parking space, and there is no possible position on the property at 282 to create the required - and practically absolutely necessary - additional parking area:
 - The existing garage is only a two-car garage.
 - The driveway leading up to that garage services only that garage and has a fall much greater than the allowable 1:20 for a compliant hardstand parking space.
 - The front of the property offers no alternative, as it is constrained by a large established tree and steep sloping terrain across the entire frontage up to the main dwelling, which spans the full width of the property.
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4. Environmental Living Zoning Conflicts (C4 Zone)

- The site is zoned C4 - Environmental Living under the LEP. The objectives of this zone include:
 - To provide for low-impact residential development;
 - To ensure development does not adversely affect special ecological, scientific, or aesthetic values;
 - To ensure development is integrated with the landform and landscape.
- The area of the property where the second dwelling is proposed is not "lawn and scattered rocks" as described in the master plans. This is incorrect. In reality, it is an area of bush vegetation and boulders, containing over a dozen fully established native grass trees (*Xanthorrhoea*) which are protected under the Pittwater LEP.
- The scale, bulk, and siting of the dwelling fails to integrate with the landform, and does not preserve or protect the ecological or visual values of the site. The proposed structure would

also dominate the view from within the rear of our house and from anywhere in our backyard. Any ability to enjoy the natural aesthetic and peaceful character of the surrounding environment would be taken away from us entirely.

- The application describes the second dwelling as being intended for "two families", but proposes to place both families into a single structure, with no recognition of the intensification of use or how that conflicts with the limitations of the site and zoning.

5. Inaccuracies and Omissions in Statement of Environmental Effects

- The SEE fails to mention critical privacy concerns that arise from the bedroom and living room windows facing directly into our living areas and backyard.
- The SEE refers only to the deck and living areas being "away" from neighbours but omits the real, direct privacy intrusions from habitable room windows.
- The claim that the rear setback variation will not cause amenity impacts is inaccurate, as demonstrated above.

6. Council's Own Landscape Referral Response Does Not Support the Proposal

It is understood that Council's internal Landscape Referral Response does not support this application. This position should be given appropriate weight, and refusal of the application should follow accordingly.

Conclusion

The proposed second dwelling is non-compliant with several critical planning instruments and would have a serious, ongoing impact on the privacy, amenity, environmental character, and functionality of our property and neighbourhood. The development:

- Fails privacy and setback controls;
- Fails parking provisions under the DCP;
- Fails to meet zoning objectives under the LEP;
- Contains misleading and incomplete information in the Statement of Environmental Effects.

Furthermore, the property at 282 - given its topography, zoning, and the constraints imposed by its existing main dwelling - is inappropriate and inadequate for the addition of a second dwelling.

I strongly urge Council to reject this Development Application in full.

NB: 1. There is no option to attach photographs to this submission. Please be aware that I have emailed photographs to Anais and council directly and these photographs form part of this submission.

2. I intend to add further information/evidence to this submission prior to the date of determination of the DA application.

3. The owner of 284 Lower Plateau Road (the property located next door to the 282 Lower

Plateau Road) is currently away and has therefore been unable to make a submission. Anais confirmed that a late application received by the owners of 284 Lower Plateau Road would be considered by NB Council prior to a determination being made.

4. I, and the other owners of 280 Lower Plateau Road, were not notified of the development application.

Yours sincerely,
Stewart Worsley
280 Lower Plateau Rd
Bilgola Plateau NSW 2107