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**From:** Matthew's iObject EML  
**Sent:** 6/10/2023 3:44:58 PM  
**To:** Olivia Ramage; Council Northernbeaches Mailbox  
**Cc:** Lachlan Breington; Geoff Webster  
**Subject:** TRIMMED: Response to amended plans (29/09/23) for re-exhibition per DA2023/0246  
**Attachments:** OBJ21(S)-B2(RA2) Hillcrest Ave 18.pdf;

Dear Olivia,

Thank you for the opportunity to submit a planning response concerning amended plans registered 29 September 2023 for re-exhibition per DA2023/0246 at No. 18 Hillcrest Ave, Mona Vale.

The attached response letter has been prepared on behalf of No. 12 Hillcrest Ave, MONA VALE adjacent, owned by Mr Geoff WEBSTER & Mrs Ruth DOWNES.

Upon receipt, I kindly request that Council respond by email to [REDACTED] acknowledging receipt of this planning response letter.

I look forward to having a discussion with you on the revised proposal's planning impacts, and would welcome the opportunity for a site meeting when convenient.

Sincerely,

**Matthew Powell**

BPlan (UNSW), RPIA (No. 79157)  
PRINCIPAL TOWN PLANNER  
W: [www.iobject.com.au](http://www.iobject.com.au) | [REDACTED]



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Hub Customs House  
Level 3, 31 Alfred Street  
SYDNEY NSW 2000

**Ref: OBJ21(S)-B2(RA) Hillcrest Ave 18**

6<sup>th</sup> October 2023

The General Manager

**C/O: Ms Olivia RAMAGE**

Northern Beaches Council

PO Box 82

MANLY NSW 1655

**RE: SINGLE RESPONSE TO AMENDED PLANS (REVISION C) – DA2023/0246,  
NO. 18 HILLCREST AVE, MONA VALE**

Dear Olivia,

Thank you for the opportunity to submit a planning response concerning **amended plans** registered **29 September 2023** for re-exhibition per **DA2023/0246** at **No. 18 Hillcrest Ave, Mona Vale**. This plan set (Revision C) follows NBC's Development Determination Panel meeting on 13 September, which resolved to defer the matter accordingly:

*THAT Council as the consent authority, **defers** Application No. DA2023/0246 for construction of a secondary dwelling at Lot 1 DP 818730, 18 Hillcrest Avenue MONA VALE, to enable a redesign to address the reasons for refusal.*

*The amendments must be submitted to Council by 28 September 2023.  
If nothing is received by 28 September 2023 the application will be  
determined by way of refusal as set out in the Recommendation.*

This subsequent response has been prepared on behalf of **No. 12 Hillcrest Ave, MONA  
VALE** adjacent, owned by **Mr Geoff WEBSTER & Mrs Ruth DOWNES**.

Numerous issues continue to persist, posing negative impacts upon my Clients' amenity.  
This formal objection thus provides a summary of grounds for my Clients' continued  
objection in relation to the following issues:

- 1. Local Character and Scenic Protection**
- 2. Zoning**
- 3. Landslip**

# Response to Amended Plans 2:

## DA2023/0246

### SUBMISSION DETAILS

<b>DA Address:</b>	18 Hillcrest Ave, MONA VALE
<b>DA Reference</b>	<b>DA2023/0246</b>
<b>Neighbour:</b>	Mr Geoff WEBSTER & Mrs Ruth DOWNES ( <i>Primary Objector</i> ) Owners of: <b>No. 12 Hillcrest Ave, MONA VALE</b>
<b>Stage</b>	Response to Post-Panel Amended Plans (Revision C)
<b>DA description:</b>	Alterations and additions to residential development – construction of a secondary dwelling.

# 1. Local Character and Scenic Protection

## ***DCP A4.9 Mona Vale Locality / DCP D9.1 Character as viewed from a public place / DCP D9.2 Scenic protection - General***

In relation to DCP Sections **A4.9, D9.1 and D9.2**, the location of the second iteration of amended plans continue to perpetuate fundamental siting issues that will continue to cause major disruption to natural features made prominent by the fact that a green corridor is preserved (up until this point) for the enjoyment of this visual landscape. Instead of seeking to protect Bungan Headland, the revised proposal continues to run counter to the typical rear setback pattern.

DCP A4.9 seeks the following desired character for the Mona Vale Locality:

*Existing residential areas will remain primarily low-density with dwelling houses a maximum of two storeys in any one place in a landscaped setting, integrated with the landform and landscape.*

Integration means to form, coordinate, or blend into a functioning or unified whole. Without this approach, any proposal in this context would introduce a disruptive voice into the urban fabric. Rather than providing a united approach to management of the landscaped setting, a contrarian approach would instead lead to its disintegration. Thus, for a proposal to coordinate or blend into the surrounding landscape, it would need to maintain the generous rear setback from the headland bluff, as previously described.

DCP A4.9 goes on to stipulate:

*A balance will be achieved between maintaining the landforms, landscapes and other features of the natural environment, and the development of land. As far as possible, the locally native tree canopy and vegetation will be retained and*

*enhanced to assist development blending into the natural environment, and to enhance wildlife corridors.*

The right balance in this scenario does NOT involve adding a built form on the edge of a headland bluff – this would mean compromising the essential landscape and scenic values of the area. A balanced approach must take into consideration both the development potential of the land (which has alternative locations upon which to site a secondary dwelling), together with landform and landscape considerations – and decide which must take priority. Under the revised proposal however, balancing these different considerations cannot mutually occur at the same without drastically harming the coastal scenic and landscape setting.

Balancing the significance of natural landscapes with that of built forms requires a meaningful step away from the headland bluff to protect the visual catchment of the green corridor along the land-to-water interface. Thus, even a down-scaled secondary dwelling built into the side of the headland bluff will harm the coastal landscape, appearing out-of-place when viewed from Bungan Beach, the opposite headland, and the Ocean.

The Assessment Report's original reason for refusal states:

*Given the adverse visual impact upon adjoining properties and the public domain, the site is not considered to be suitable for the proposed development.*

*...the proposed development is inconsistent with the provisions of Clause A4.9 Mona Vale Locality of the Pittwater 21 Development Control Plan. Particulars:*

*i) The proposed secondary dwelling is sited in an environmentally sensitive area and is not considered to be an appropriate location, as it is inconsistent with the prevailing low density character of the surrounding locality.*

Per Figure 1 below, Bungan Headland is typified by significant rear setbacks from the cliff edge with ample green curtilage. The proposed secondary dwelling continues to be sited in an environmentally sensitive area – which the Assessment Report considered to be an inappropriate location. The scaling-back may reduce somewhat the visual impact upon adjoining properties, however the public domain impacts will still be profound. The general location continues to represent a disfigurement of the coastal landscape and silhouette - where clearly no comparable precedent along this section of the headland exists.



**Figure 1: Aerial of Bungan Headland showing green bluff edge corridor (Source: Client 2023)**

The second version of amended plans hence represent once again a totally insufficient response to the clear gravity of the problems created by the siting in general. The siting will ultimately interrupt the consistent pattern of coastal built forms, at the unnecessary expense of neighbouring and public amenity. A completely different approach is thus needed to offer a compliant development scenario that meets DCP requirements relating to character and scenic protection.

**Proposed Solution:** Re-siting the secondary dwelling closer to the main dwelling (eg. via attached or semi-detached additions).

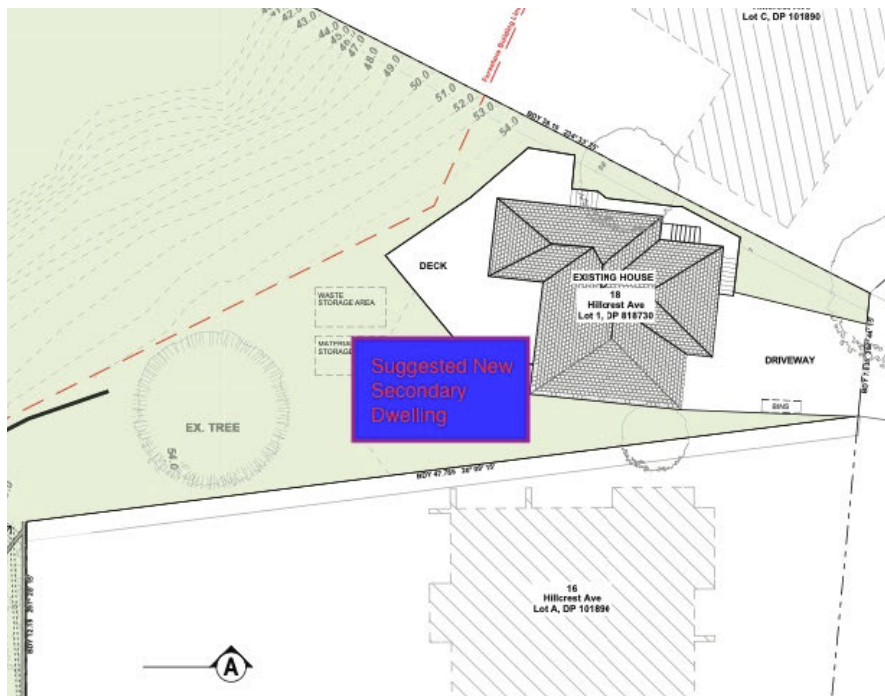


Figure 2: Suggested new location of the proposed secondary dwelling (Source: iObject 2023)

## 2. Zoning and Secondary Dwelling

### *LEP Zone C4 Environmental Living*

The objectives of the C4 Zone are:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To provide for residential development of a low density and scale integrated with the landform and landscape.*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.*

The Assessment Report provided the following summary reasons for refusal:



*the proposed development is inconsistent with the objectives of Clause Zone C4 Environmental Living of the Pittwater Local Environmental Plan 2014. Particulars:*

*i) The proposed development disrupts visual continuity and the aesthetic values of the area. It does not provide for low impact residential development in an area of special aesthetic value.*

*ii) The proposed development is not appropriately integrated with the landform and landscape as it dominates and augments the existing landform.*

Inadequate foreshore vegetation and protecting the aesthetic values of the North Mona Vale Headland remain as unresolved points of concern in the revised scenario. Although a secondary dwelling is permissible within the C4 Zone, the revised proposal is considered to fall short of certain Zone objectives to warrant approval, as outlined:

- The proposal does not adequately enhance foreshore vegetation by reinstating native flora essential to the local ecosystem. The site has been in long need of bush rehabilitation – and planting side setback landscaping will do little to remedy the situation.
- The aesthetic values of the North Mona Vale Headland have not been properly considered in the design and siting of the building, as discussed already.
- An analysis of the proposed development found that the density proposed may be possible under the zoning, however in the current permutation does not suit the landform and landscape. The proposal has therefore cannot be evaluated as providing for residential development of a low density integrated with the landform and landscape.



**Figure 3: Existing rear setback landscaping at the subject site (left) and No. 16 (right) (Source: iObject 2023)**

**Proposed Solution:** Ensure any amended plans are strictly of single-story scale and meet all relevant Zone objectives.

## 3. Landslip

### *LEP 7.5 Coastal risk planning*

#### *DCP B3.4 Coastline (Bluff) Hazard*

The subject site is identified as 'Geotechnical Hazard H1' on the Geotechnical Hazard Map and 'Bluff/Cliff Instability' on the Coastal Risk Planning Map. Local advice received regarding at least two landslips on North Mona Vale Headland in the last 12 months alone warrant further investigation and are matters of public record. For example, the bluff on the upper side of No. 154 sustained a recent landslide, after heavy runoff from the subject site (above) descended below.

In accordance with DCP B3.4:

*Development must not adversely affect or be adversely affected by geotechnical and coastal processes nor must it increase the level of risk for any people, assets and infrastructure in the vicinity due to geotechnical and coastal processes.*

The revised proposal seeks to sink the new secondary dwelling within the side of the headland bluff. Concern is raised that building such a structure in a coastal hazard zone in such a manner may present an unnecessary landslide and coastal erosion risk. Recent cases of coastal inundation on the Northern Beaches (eg. Collaroy) have shown that coastal processes and the exposure to coastal hazards, particularly in severe weather events, could cause catastrophic damage to property seaward of the hazard line.

Corroboration of the Applicant's claim that the proposal will unlikely cause detrimental increases in coastal risks to other development or properties may not be upheld by other geotechnical and coastal hazard experts. The location of the proposed new structure seems to discount specific design principals for Coastline (Bluff) Hazard sites (DCP B3.4), thus greater weight needs to be applied to ensuring a measured response is applied in reducing the risk and costs of landslip.

Given the topography and history of the site, concern is raised the revised building may in fact increase the level of landslide risks to No. 12 adjacent. Evidence of local cracking and movement highlights this possibility, offering a clear picture of the tenuous soil structure under which the development is proposed.

**Proposed Solution:** Enforce a 10-metre rear building setback from the bluff edge, consistent with surrounding development patterns.





**Figure 3: Base of the Beach Track with evidence of landslip below (Source: iObject 2023)**

# Conclusion

Based on the above preliminary evaluation of **amended plans** registered **29 September 2023** per **DA2023/0246**, the revised proposal still does not merit approval in my professional opinion. Significant non-compliances persist in relation to Local Character and Scenic Protection, Zoning, and Landslip and the Cliff Track, requiring urgent attention.

For any questions in relation to this Response Letter, please phone me on 0431 141 707 or email: [matthew@iobject.com.au](mailto:matthew@iobject.com.au).

Yours sincerely,

Matthew Powell

# Matthew Powell

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