
Sent: 27/04/2020 1:02:19 PM
Subject: Development Application DA2020/0279 Proposed Alterations & Additions to 6 Monterey Road, Bilgola Plateau
Attachments: clip_image004[2].jpg; IMG_2230.JPG;

Dear Maxwell,

Development Application DA2020/0279 Proposed Alterations & Additions to 6 Monterey Road, Bilgola Plateau

During our previous phone conversation with regard to the above DA, I advised that neither I, nor my neighbours of Nos. 3, 4 & 8 Monterey, and possibly Nos. 12, 14 & 16 of Mariposa Road had received the written notification from council with regard to the proposed extension. As at today's date, we still have not been officially informed. I would like council to look into this matter and advise why the notification process was not adhered to.

Further to earlier email, I would like to clarify a few of my concerns with you regarding the DA for No. 6 Monterey. These concerns relate to the following:

1. The bulk and scale of the proposed development;
2. The height of the proposed development to the rear; and
3. The Land Uses with respect to vegetation, particularly in relation to the front setback.

1. The bulk and scale of the proposed development

The application refers to a 'minor' addition although looking at the plan the combined footprint will take up a substantial amount of space, nearly doubling the current floor space ratio. Will council please advise if this is in accordance with the building envelope and allowed land use within the site zoned E4 – Environmental Living under the Pittwater Local Environmental Plan (LEP) 2014? I also note that the front top balcony vergola will extend beyond the building line, which was part of the initial concern in the previous DA No. 0887/03.

2. The height of the proposed development to the rear.

I am concerned that the height of the development to the rear of the property will have an adverse impact on my property even though the DA Subject Site 3.2 states "The proposal is unlikely to present any detrimental visual impact when viewed from surrounding allotments." In this regard, I had a mutually friendly conversation with Kingsley, the owner of No. 6, a week ago. I sought clarification from him as to the height of the proposed construction outside the only existing window on the eastern side of my property.

Kingsley told me that his understanding of the roof construction was that the highest point would come below my eastern window and that I would still be able to retain my existing pleasant vegetation and ocean view without being confronted with a dark grey tiled roof directly outside the aforementioned window. Kingsley said he would contact the builder to confirm the information he gave me and would advise me. To date I have not had an answer.

In order to avoid any misunderstanding, I am requesting height poles be erected showing the exact height and length of the western side extension.

3. The Land Uses with respect to vegetation, particularly in relation to the front setback.

There appears to be some confusion in the Statement of Environmental Effects document dated March 2020, between clauses 3.3 and 3.6.

Clause 3.3 titled 'Land Uses' states 'The site is lightly vegetated within the front setback area and this vegetation is proposed to be retained. The rear setback contains more substantial vegetation around the allotment boundary.'

This contradicts Clause 3.6 titled 'Vegetation' which states 'The subject site contains scattered large vegetation mainly confined to the sites front setback, along with maintained gardens and shrubs and to the rear boundary lines. The general siting of the additions and alterations will not require that any substantial vegetation be removed.'

There are currently two palm trees on the front setback which have a former 'history' with Council. In this regard, I would like to draw Council's attention to the previous DA for this property, DA No. 0887/03. This development application raised many objections from residents in Monterey Road resulting in numerous attendances at Council Meetings. On-site visits were made by planning inspectors which led to subsequent viewing by the then Mayor Lynne Czinner, Deputy Mayor Patricia Giles and a number of other Councillors.

Together with matters raised by residents and of particular relevance to Council was a large Norfolk Pine which was previously in the position where the 2 palm trees are now situated on the front setback of the property.

At the time, it was unanimously agreed by Council that as a condition of the Consent No: N0887/03 made on 8th July 2005 being approved, that the Norfolk Pine be removed. The following clause was inserted in the Consent under 'Matters to be Satisfied prior to the issue of the Construction Certificate':

*B15. Removal of the existing Norfolk Island Pine within the front setback of the property and that two extra canopy trees be provided onsite and placed **so as to not impact on the neighbours ocean views.***

Clearly the existing palm trees on the front setback on the western boundary, which are the original replacement trees for the Norfolk Pine, in relation to Clause B.15 of the Consent for DA No. 0887/03, are not in accordance with this requirement and are therefore relevant to this current DA application with respect to 'Vegetation'.

I have attached a photo of one of the actual trees in question and its impact on the ocean views of neighbours as well as a photo of a full grown palm tree of the same type showing the potential height these trees are capable of achieving (see attached two images).

The tree shown in the photo on the western side of the front setback has become taller and is about to throw out more growth. The fronds have spread to create a wide bloc almost the width of the front set back. This has resulted in the ocean and Newport Reef view from my dining/ living and entertainment area space been extinguished. They will also impact my upstairs rooms taking out what is left of the ocean and reef. Other neighbouring properties will also be impacted to the same extent.

On the 25th May, it will be 50 years since my husband and I moved into our new house at No. 8 Monterey Road and I am so grateful for every day I have been here. In the past there has been no less than 7 occasions where our lovely outlook has been diminished to enable various closely aligned neighbours front, sides and back to achieve their outcomes. In every instance they already had spectacular views from their properties, but somehow required some of mine. I have been told many times Council places emphasis on 'View Sharing' and in this area I feel I have well and truly paid my dues. I am well aware that I do not 'own the view' but then neither do they!

With this in mind I respectfully request Council take clause B.15 into consideration when considering this Development Application.

I look forward to your response on the various matters I have raised regarding Development Application DA2020/0279 Proposed Alterations & Additions.

Yours sincerely

Tanya Rosen



