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14/07/2025

MR Daryl OConnor
- 39 Bilwara AVE
Bilgola Plateau NSW 2107
[REDACTED]

RE: REV2025/0005 - 337 Lower Plateau Road BILGOLA PLATEAU NSW 2107

I have made previous submissions on this matter, along with other residents who would be negatively impacted by this proposed development. I am writing again to wholeheartedly endorse the submission by Matt and Emilie Field lodged directly to the Panel today. Their submission neatly encapsulates what we, the residents, see as initiatives seeking to both circumvent the Council's guidelines and to ride roughshod over the legitimate concerns of those directly impacted by this proposal. We trust that the Panel's deliberations give due consideration to the surrounding community's expressed fears, which this development seeks to dismiss.

Whilst this latest submission from Matt and Emilie Field has gone directly to the Panel, I wish to also acknowledge it within this Submission section of Council's website and accordingly have pasted it below with their consent.

OBJECTION TO DA2024/0303 - 337 LOWER PLATEAU ROAD, BILGOLA PLATEAU

Dear Panel members of North Beaches Council

Based on the information in the assessment report contained in the agenda it is my strong opinion that this application should be refused. The proposal remains non-compliant with key planning instruments and fails to overcome the serious concerns that led to its initial refusal. Despite amendments, the development remains unsuitable for this environmentally sensitive and geotechnically challenging site. The proposal is inconsistent with the Pittwater Local Environmental Plan (LEP) 2014, the Pittwater 21 Development Control Plan (DCP), and the objectives of the Environmental Planning and Assessment Act 1979.

1. Unsafe and Non-Compliant Site Access

Council's own assessment confirms that access remains significantly compromised:

- ☐ The driveway's top transition exceeds a 5% grade, making safe egress visibility difficult and hazardous;
- ☐ Sightlines for vehicles exiting the site are constrained, and there is no clear evidence that these have been adequately resolved;
- ☐ The driveway width at the passing bay is narrow

Even with upgrades, the steep and narrow nature of the driveway poses ongoing safety risks to pedestrians, vehicles, and emergency access. This is a serious shortfall that cannot be addressed through conditions of consent. The proposal does not meet the required access

and safety standards under AS2890.1:2004 or Council's DCP.

2. Construction Logistics Are Unworkable

Council has explicitly stated:

"It will not be feasible for trucks to enter the site or turn... a condition will be imposed preventing trucks from accessing the property."

This directly undermines the feasibility of the development.

☐ Subdivision and site works require demolition equipment, excavation machinery, concrete trucks, delivery vehicles, and more.

☐ Prohibiting truck access creates an unresolvable logistical and safety issue.

☐ This restriction will disrupt local traffic, as construction vehicles will be forced to park or reverse along a narrow residential street.

☐ Parking on a narrow street, with a blind corner, with no pathways or on street parking places a major danger to pedestrians. Particularly school children, including my own, who use this narrow section of verge to navigate their way to school.

A condition that prohibits trucks - while approving a development that requires them - is inherently contradictory. A development that cannot be safely constructed should not be approved.

3. Geotechnical and Environmental Risks

The site includes:

☐ A 32.36 metre elevation change from front to rear;

☐ Two intersecting watercourses;

☐ Heavily vegetated steep slopes and rock outcrops.

These features make the land highly sensitive to erosion, stormwater runoff, and geotechnical instability.

While amended plans have been submitted, Council originally refused the application in part because:

"The site is considered unsuitable... due to insufficient information to satisfy Council that essential services, including safe access and stormwater and drainage, can be provided."

Those issues remain unresolved:

☐ Stormwater plans are still subject to conditional approval;

☐ Development will disturb watercourses and riparian areas;

☐ There is ongoing risk of landslip and runoff impacting neighbouring properties.

Subdivision should not be approved where safe servicing and environmental protection cannot be guaranteed at the subdivision stage.

4. Tree Loss and Ecological Damage

The Arboriculture Impact Assessment reveals:

☐ The site has 261 trees;

☐ 68 will be removed (14 prescribed and 54 exempt);

☐ Tree 97, a prescribed high-retention-value tree, will be removed for infrastructure.

Despite claims of biodiversity protection, this level of vegetation loss - particularly in a bushland setting near watercourses - will:

☐ Fragment habitat;

☐ Disrupt erosion control;

☐ Diminish the character of the Bilgola Plateau landscape.

Even "exempt" trees contribute to the environmental structure of the land. The DCP requires that vegetation be protected where it provides ecological, aesthetic, and stabilising

functions. This proposal does not comply.

5. Visual Impact, Privacy, and Amenity

The Council's conclusion that:

"Future development on these allotments are unlikely to result in significant view loss impacts"

is strongly disputed.

As neighbouring residents overlooking the development site:

- ☐ We will be directly affected by the loss of privacy screening from trees;
- ☐ Future dwellings will dominate the visual outlook from surrounding homes;
- ☐ The clearing and regrading of the land will permanently alter the natural landscape and diminish amenity.

This violates the Bilgola Plateau Locality Statement (A4.3), which aims to:

- ☐ Maintain the bushland character of the escarpment;
- ☐ Preserve residential privacy and outlook;
- ☐ Avoid intrusive visual impacts in low-density areas.

6. Substantial Unresolved Issues and Public Interest

This application was previously refused for valid planning and environmental reasons. Those reasons still stand.

Furthermore, this proposal has attracted 15 unique public objections. It was referred to the panel due to public opposition and remains contrary to the public interest.

The attempt to override the original refusal with minor documentation updates - while leaving core deficiencies unresolved - reflects a lack of genuine responsiveness to the community's concerns or the Panel's determination.

Conclusion

This application should be refused. It is:

- ☐ Unsafe: due to constrained access, steep grades, and unresolved visibility issues;
- ☐ Unworkable: construction cannot proceed without truck access;
- ☐ Environmentally damaging: significant tree loss and watercourse disturbance will degrade the site;
- ☐ Inconsistent: with the objectives of the LEP, DCP, and s1.3 of the Environmental Planning and Assessment Act;
- ☐ Contrary to the public interest, based on strong and sustained community opposition.

We respectfully request that the Panel uphold the original refusal of DA2024/0303.

Kind Regards

Matthew and Emilie Field

10 Yarrabee Place, Bilgola Plateau