

From: Peter McCallum
Sent: 7/11/2024 6:02:59 PM
To: Council Northernbeaches Mailbox
Subject: DA2024/1327 - 7 Pacific Road Palm Beach
Attachments: McCallum submission DA2024_1327.pdf;

submission regarding DA2024/1327 - 7 Pacific Road Palm Beach

Please find attached our submission regarding the proposed development at 7 Pacific Road Palm Beach

Please do not publish my phone number or email address

Kind regards
Peter McCallum


5 Pacific Rd, Palm Beach

7 November 2024

General Manager
Northern Beaches Council
P.O. Box 882
Mona Vale NSW 1660

Attention: Development Assessments Officer:

Dear Development Assessments Team,

RE: DA2024/1327 - 7 Pacific Road Palm Beach

This submission in relation to development application DA 2024/1327 proposing A new Granny Flat & Garage, Lift and Stair to an existing dwelling.

This submission is expressed as a neighbour that shares a boundary with the development site from 5 Pacific Road Palm Beach.

The DA for 7 Pacific Rd has many issues for us regarding items relating to visual privacy, view sharing and existing land slips.

Visual privacy. The Applicants Statement of Environmental Effects (SEE) states that "The proposal has been designed to minimise overlooking into living areas and private open spaces". Visual privacy is impacted to 5 Pacific Road where the occupants of 7 Pacific Road will be able to, from inside of the proposed development, look over and down into our property, there is no discussion in this application to provide screening to protect the privacy we currently enjoy from the occupants of 7 Pacific. Specifically the stairs surrounding the proposed lift tower are clad only in glass providing a substantial view towards the ocean, and into our property.

View sharing is impacted. The Applicants SEE states that "The design of the garage minimises the visual impact to the street with a ridge height only 3m above the road level, and the width of the garage occupying 40% of the frontage." As the current carport at 7 Pacific is at street level, there is currently no impact on the view when viewed from the street, as currently there is a 100% view across the entire frontage of the applicants property, as demonstrated by the photographs in their own SEE. All adjoining properties have built to a compliant height level to maintain ocean views across 100% of the property when viewed from the street. What is not mentioned in the Applicants SEE is that some of the views currently enjoyed when viewed from the street are iconic views of the area that includes headlands.

The Applicants proposal seeks to utilise the LEP clause 4.3 (2D) to vary the height for land with a slope in excess of 30%, however the proposed site for the development does not have a slope in excess of 30%, the 30% quoted in the Applicants SEE is for the site slope of the entire property. We cannot see any justification to allow for use of LEP Clause 4.3 (2D) and the 8.5 metre height limit should be maintained in the development, as has been done with adjoining properties development applications.

Existing land slips. The whole of the Applicants submission to council, does not, as far as I have read, include management of the existing land slip in the road reserve fronting the Applicants address. As the applicant is seeking to build up to the front boundary with zero setback means that the development is immediately adjoining the existing land slip in the road reserve. I have yet to find in any of the Applicants documents show how demolition, waste management or construction of the proposal takes this land slip into consideration. We feel that this should be addressed in detail as the proposed road opening for the new driveway will sit on an existing land slip.

Additionally, the existing driveway and carport, both slated in this application to be demolished, these are both of considerable concrete bulk and in my opinion could be considered a massive structure currently residing in and over the road reserve. With the removal of this mass of concrete I cannot see how the applicant intends to shore up the road reserve under the current carport and driveway to prevent future land slip within the road reserve once the existing carport and driveway are demolished as they are currently shoring up this part of the road reserve.

Further land slip concerns: When the current owners took possession of 7 Pacific road, they had many different trades come to the property to complete various work at the property. During this time many of the trades parked their vehicles on the road in front of 5 Pacific road. At this time I noticed a crack in the asphalt appear, parallel to the edge of the road for about 10 metres underneath the parked vehicles. When I notified Council of this, Council responded by placing a series of timber bollards across the front of 5 Pacific Road to prevent parking too close to the edge of the road. This response by council was completed within a week of me notifying them as the asphalt cracks were clearly new with the probability of continuing to grow.

The new bollards did keep parked vehicles away from the roads edge, it also had a knock on effect of any parked cars in front of 5 Pacific road would now prevent a clear path for the scheduled bus service from negotiating around the parked vehicles. This section of Pacific Road is very thin and any parked vehicles have an effect on larger vehicles using the roadway such as busses, garbage trucks and fire trucks.

Should you wish to inspect the development site from our property, please contact the undersigned.

Yours Faithfully

Peter McCallum
5 Pacific Road Palm Beach