
From: [REDACTED]
Sent: 4/07/2024 11:31:29 AM
To: Council Northernbeaches Mailbox; Simon Ferguson Tuor; Steven Findlay
Subject: TRIMMED: Submission: DA 2024/0530 and REV2024/0021 -
CONFIDENTIAL SUBMITTER DETAILS PLEASE

Hello,
Please find below my submission concerning the two DA's currently on public exhibition for the Total Tools applications.

I REQUEST THAT ALL MY PERSONAL DETAILS REMAIN CONFIDENTIAL. I have received harassment from my submission identified on Council's DA website regarding the initial DA. I have been advised by Councillors and the State MP it is permissible to redact my personal details.

Thank you, **CONFIDENTIAL [REDACTED] **
CONFIDENTIAL.

REV 2024/0021 - Statement of Environmental Effects

1. Building colour on SEE cover is not accurate, it was painted red by the developer after the original DA was lodged and before REV2024/0021 was lodged.
2. Reference is made to Council's Traffic Engineer's concerned which still remain unresolved. Leasing parking spaces from an adjacent tenancy to meet quotas is unheard of. If there is a change of use onsite, will a caveat be placed on this property to ensure that any change of use DA has these parking spaces omitted? Additionally, if the unit is sold, is there a caveat on the unit's title stating the aforementioned agreements and limitations?
3. The SEE does not mention the site is directly adjacent a residential area. It is not "*within the wider industrial precinct*", it is at the edge and the impacts are much greater than being '*within*'. These impacts therefore have not been assessed by the applicant and need to be.
4. The surrounding units are not just hardware and building suppliers as stated (the property adjacent is, which is also this DA's applicant). Onsite is also a ballet school, martial arts, wine marketing firm, a bike shop, a mechanic, cafe, boat building, boat supplier and small goods, to name a few. There are many large and very large trucks that access the site in addition to children accessing businesses. A bottleneck on Bassett St is already formed when a truck reverses out.
5. 5. .(5.1) "*The main building façade will remain unchanged.*" Facade definition: the principal front of a building, that faces onto a street or open space.
The building has been painted red by the applicant from an earthy, compliant grey, a marked change to what is a prohibited colour of the Pittwater DCP. It is not 'unchanged' as the SEE states.
6. 6. .(6.3) "*The proposal use of the unit will not reduce the amenity of any nearby properties.*" A subjective statement that is not based on any evidence or analysis. A submission of a Bassett St Resident included photos of the illegal red facade reflection on the inside of their property. Red walls can disrupt sleep, increase respiration rate, and raise blood pressure. There is possible litigation from this. This is just another example. This SEE statement needs to be supported by evidence, rather than just

making blank statements.

The SEE is a document that outlines the environmental impacts of a proposed development and outlines any steps taken to protect the environment and manage impacts. The aforementioned statement by the applicant shows a total disregard for the importance and value of an SEE when there clearly are impacts that need to be mitigated.

7. 7. .(6.4/A4.9) "*It is considered that the proposal is consistent with the desired character of the locality by providing for a **new vehicle sales premises** which will serve the industrial and commercial needs of the local residents and will support the desired future character of Mona Vale as a centre for retail and commercial activities*".
THIS SEE IS FOR A NEW VEHICLE SALES PREMISES??!?! This is the mockery of the SEE. A red building with very large vehicle turn over is not consistent with the desired character of the area. With the traffic generated by the Cafe, and reversing truck, coupled with traffic from Mitre 10, it is going to be a bigger bottleneck.
8. 8. .(B6.7) "*The change of use from one light industrial use to another similar use will have little impact on the local road network. The vehicular access to the site is via the existing driveways from Bassett Street.*" This change of use is very different to the prior business. Active Trees had offices in the front area, having general once in before work/once out after work vehicle movement. It was not a shop with a constant flow of traffic. There is also often a bottleneck with a large truck reversing and cafe clients needing to enter or exit the premises, with traffic also backed up to enter and egress Mitre10.
9. 9. .(7.9) "*The public interest. The proposal will not unreasonably impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered not to be contrary to the public interest*". This statement again makes a mockery of the SEE process. There has not been any effort to assess the potential impacts and mitigate them, only say that there is no impact, which is incorrect. The parking spaces, traffic and red colour building have already been identified by Council and residents as being impacts, so why are they not assessing these and mitigating these - they have already been identified? This SEE has not been prepared to do its job.

DA2024/0530 - FOR THE PROPOSED EXTERNAL BUILDING IDENTIFICATION SIGNAGE - SEE

1. The SEE shows photographs of the facade prior to being painted red - it should also have the developer's changes to having already painted it red.
2. (4.0) "*Portion of façade to be painted in select red colour.*" This is in contradiction to the SEE of REV2024/0021 where upon it states (5.1) "*The main building façade will remain unchanged.*"
Facade definition: the principal front of a building, that faces onto a street or open space. Thus the whole facade, not partial, is painted red. This is a marked, obtrusive change from an earthy, compliant grey, to what is a prohibited colour of the Pittwater DCP.
3. . "*The installation of the signage will not result in any increase in site coverage, or the removal of any vegetation or reduction in landscaped area.*"
As the SEE front cover shows, there was no signage there prior so this is a 100% increase.

4. 4. .(2. and 3.) *"The subject site is located within an industrial area, and the proposal is therefore not considered to result in any adverse impacts for any sensitive land uses."*
"The proposal provides for business identification signage which is flush with the existing building and will therefore not detract from any existing views or vistas within the locality."

This is another failure of not providing any evidence nor undertaking analysis, the SEE has not been used as an assessment tool. There are VERY sensitive land uses directly adjacent - residential - a sensitive landuse.

5. 5. .*"The proposal provides for appropriate building identification signage which is in keeping with the scale and characteristics of the site and building"*. Another generic statement. There was no signage on this building as the covers of the SEEs show. I don't believe other signage on the site has Development Approval.
6. (9.3 - colours) *"The controls suggest that building finishes should be primarily dark earthy colours. The works will see the painting of the building is our in colours to match corporate identity of the proposed business use and as there are no defining colours or styles for development in the locality, the use of colours directly associated with the proposed use are not considered unreasonable in this instance."*

This statement again makes a mockery of the SEE process. There is very much defining colours in the area - earthy tones. The red colour is actually a prohibited colour for any development in Pittwater. Just because it is a corporate colour doesn't mean this gives licence to paint. Apparently this is not unreasonable according to the applicant, however this is a prohibited colour - I'm therefore not sure what would be considered unreasonable to them? The changed colour to a red facade has completely impacted on the existing views and vistas as opposed to what was there prior to the repainting. It is actually beneficial that the red has already been painted as it accurately demonstrates the significant visual impact that the red colour has on the locale, rather than just residents' hearsay. The internal impacts, as shown by an adjacent resident's submission, completely show the serious impacts this colour has on the surrounding areas and the residents.

7. (6.3) *"The development has been designed to comply with the requirements of Council's Pittwater 21 Development Control Plan" and "It is considered that the proposed design respects the desired character objectives of the DCP in that it reinforces the existing commercial character of the area and is compatible with the existing uses in the vicinity."*

Again, inaccurate statements just to tick a box that the applicant has submitted an SEE - this DA talks only about signage and paint. The paint does not comply. It is therefore impossible to state that the development has been designed to comply with the DCP - this SEE has been prepared totally against the merits of an SEE and is making a mockery of the process. The existing development had a paint colour that made it compatible. The new red colour makes it **TOTALLY INCOMPATIBLE AND OUT OF CHARACTER** - it changes the whole street character, just as Mitre 10 did with all their signage. This is exactly what the Pittwater DCP was protecting the locale from. It sets a dangerous precedence.

8. 8. .(6.6) *"It is considered that the proposal, which seeks consent for the installation of business identification signage to support the proposed use of the existing premises as a hardware and building supplies premises, will not unreasonably impact upon the amenity of adjoining properties or upon the character of the surrounding area. The proposal is considered to be well designed having regard to the relevant provisions of the Council's LEP and DCP"*.

Again a very subjective statement that is not based in reality. There is **NO OTHER COLOUR THAT WOULD IMPACT MORE ON THE LOCALE THAN RED AND DOES NOT IN ANY WAY MEET THE DCP REQUIREMENTS**. It is totally non-complying.

9. 9. .(6.9) *"The public interest - The proposal will not unreasonably impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered not to be contrary to the public interest."*

This statement is a total fabrication of the facts - the red is a prohibited colour under the DCP, is shown (by another objector) to seriously impact on the health and wellbeing of residents adjacent and totally changes the street frontage of Bassett St after Jedda Place to the west. This sets a DANGEROUS PRECEDENT and the work Council has undertaken to ensure all the buildings west of Jedda Place compliment the eucalypt and casuarina species and parklands that are significant in this area and are important habitat for the gliders/possums and bird species.

10. 10. .(7.0) *"Conclusion. As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested"*.

This paragraph also makes a mockery of the SEE process - to say that the prohibited colour red does not have a significant impact on the environment, scenic quality of the area nor the amenity of adjoining allotments shows a complete disregard for the DA process, but so does undertaking all work associated with DAs prior to consent, so we shouldn't be surprised.



Council cannot legally provide consent to these applications given that there are many inaccuracies in both DAs SEEs, and one also refers to the DA being for a vehicle sales show room - which it is not - demonstrating the lack of care in the document's preparation (and disregard). To say that the development meets all criteria when it so blatantly ignores existing controls and locale facts is astonishing. At least it makes it a very simple process for Council to reject both DAs.

Thank you for registering my objection to these DAs and to Council staff for ensuring the development, which has already been illegally completed, meets your controls, like so many other good businesses and citizens with their own DAs on the Northern Beaches have had to. This blatant disregard for proper planning process must not be rewarded, nor set a precedence.