

Heritage Referral Response

Application Number:	DA2024/0774
Proposed Development:	Construction of a dwelling house including swimming pool
Date:	30/07/2024
To:	Nick England
Land to be developed (Address):	Lot 1 DP 1086858 , 6 Mitchell Road PALM BEACH NSW 2108

Officer comments

HERITAGE COMMENTS		
Discussion of reason for referral		
<p>The proposal has been referred to Heritage as the subject site adjoins and includes part of a heritage item</p> <p>Bible Garden - 6A Mitchell Road</p>		
Details of heritage items affected		
<p><u>Statement of Significance</u></p> <p>The Bible Garden at Mitchell Road, Palm Beach is an item of local significance for Pittwater and possibly of State heritage significance for New South Wales. It is the result of the creativity of Gerald Hercules Robinson, a devout Christian who was inspired to construct a garden of biblical plants in a magnificent natural setting. As a rare example of its type of designed landscape it has provided and continues to provide inspiration to visitors of all religions as a place for quiet contemplation of the wonders of creation</p> <p><u>Physical Description</u></p> <p>The Bible Garden is located to the east and south of the driveway, with a series of lawn terraces between slopes and garden beds. Sandstone retaining walls replace the earlier concrete block walls constructed along the northern edges of the terraces. Major trees include a wild stone fruit tree, cypress and evergreen oak on the Mitchell Road boundary, two large pines, a mulberry and a carob on the flat northern area of the garden and a number of trees along the eastern boundary. An ornamental pond is located on the flat area towards the centre of the flat northern area of the garden and there are two metal garden sheds along the eastern boundary. From the elevated driveway there is a sheer drop of about 8 metres to the lawn in front of the residence below.</p>		
Other relevant heritage listings		
SEPP (Biodiversity and Conservation) 2021	No	
Australian Heritage Register	No	
NSW State Heritage Register	No	
National Trust of Aust (NSW) Register		
RAIA Register of 20th Century Buildings of Significance	No	
Other	N/A	

Consideration of Application

The proposal seeks consent to demolish the existing dwelling and construct a new dwelling on the subject site. This includes a garage and access corridor at the top of the site, with the remainder of the house including the living and bedroom levels at the bottom of the site below the elevated driveway. Heritage notes there is some inconsistencies between the architectural and civil plans as well as the supporting reports that will need to be addressed. In addition there is some missing information that will need to be provided.

The civil plans include a driveway turning bay with barriers that is not reflected in the architectural plans. Further this turning bay appears over the top of identified trees T5-T7 that are noted as being retained in the arborist report. The arborist report is also silent on the large tree within the Bible Garden that is located near to the proposed garage and potential impacts of works on this tree. These matters will need to be addressed and inconsistencies resolved.

The proposal also relies on excavation adjoining the Bible Garden with the removal of the existing retaining walls and fencing and their reconstruction. However there is no construction methodology or indication of the level of disturbance to the Bible Garden and plans for its restoration post works for the dwelling. Given this uncertainty Heritage cannot determine the level of impacts to the item and its significance. The proposal must also confirm the extent of works to the driveway, including if it relies on adjusting the upper portions such as widening which will result in the removal of Bible Garden fabric. Heritage also notes that the proposal must also be referred to Park Assets regarding the proposal's impact to the Bible Garden.

Upon receiving this additional and updated information Heritage will continue its assessment of the proposal.

Consider against the provisions of CL5.10 of PLEP.

Is a Conservation Management Plan (CMP) Required? No

Has a CMP been provided? No

Is a Heritage Impact Statement required? Yes

Has a Heritage Impact Statement been provided? Yes

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Heritage Advisor Conditions:

Nil.