
Sent: 31/07/2023 1:16:44 PM
Subject: DA 2023/0894 18 ROCK BATH RD PALM BEACH Submission
Attachments: PBWBA DA 2023-0894 18 ROCK BATH RD JULY 2023 FINAL.pdf;

Richard West
PBWBA



The Palm Beach & Whale Beach Association Inc.

www.pbwba.org.au | PO Box 2 Palm Beach NSW 2108

Northern Beaches Council
Planning and Development
Att: Alex Keller

30th July 2023

DA 2023/0894 18 ROCK BATH RD PALM BEACH

SUBMISSION - OBJECTION

We refer to DA2023/0342 at 18 Rock Bath Road, Palm Beach and submit our concerns regarding the Development Application lodged for this property.

The property, known as "Pegasus", is located in arguably the most iconic location on the southern headland of Palm Beach above the ocean pool. It can be seen from kilometres away from the land and the sea.

The Community relies on the legislated planning instruments and Northern Beaches Council (NBC) to ensure that DAs comply with the current Pittwater LEP2014 and Pittwater21DCP.

We note this property is zoned C4 Environmental Living.

Objectives of this zoning are -

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To provide for residential development of a low density and scale integrated with the landform and landscape.
- To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.

The proposed dwelling appears to breach both the LEP zone objectives listed above and DCP D12 and C1.23 in particular:

- D12.1 Character as viewed from a public place
- D12.2 Scenic protection - General
- D12.3 Building colours and material
- D12.10 Landscaped Area - Environmentally Sensitive Land
- C1.23 Eaves

We believe that the proposed dwelling breaches the DCP and **does not** achieve the desired future character of the Locality. As stated in the Pittwater21 DCP:

The Palm Beach locality will remain primarily a low-density residential area with dwelling houses in a landscaped setting, integrated with the landform and landscape with minimised bulk and scale. Existing and new native vegetation, including canopy trees, will be integrated with the development. Contemporary buildings will utilise facade modulation and/or incorporate shade elements, such as

pergolas, verandahs and the like. Building colours and materials will harmonise with the natural environment. Site disturbance should be minimised.

1. The dwelling **is not** integrated with the landform and landscaping. Landform, landscape and particularly native vegetation should be integrated with the building design to screen the visual impact of the built form. In this case the landscaping and vegetation appear to be secondary.
2. The proposed dwelling will be a dominant feature of the headland. The bulk and scale of the building **is not** minimised particularly when viewed from the beachfront and ocean. The dwelling does not nestle into the vegetation within the ridgeline. It is bulky, heavy and obtrusive.
3. The colours and materials of the development **do not** harmonise with the natural environment. Darker, earthy tones are required.
4. The proposed dwelling **does not** respond to, reinforce and sensitively relate to the spatial characteristics of the existing built and natural environment and **is not** of a scale and density that is in scale with the height of the natural environment.
5. Site disturbance **is not** minimised. Significant excavation is proposed adjacent to the western boundary which will be further complicated by the proposed retention of the existing retaining wall.
6. The dwelling **does not** reflect the coastal heritage and character of Pittwater. The dwelling **does not** incorporate eaves on all elevations as required.

The proposed dwelling is located at the end of an unmade road (paper road) section of Rock Bath Road north of Florida Rd/Whale Beach Rd junction. Access to the existing dwelling is by foot only. There is a popular, well used public pathway, located on the western side of this unmade road, which leads to the ocean pool below. The proposed building of a driveway on an unmade public road is no doubt a complex, bureaucratic procedure and we rely on Council and other govt agencies to **ensure that public access to the existing public walkway is maintained and accessible at all times and that this section of the unmade Rock Bath Road will remain in public hands and not just become a private access road for the exclusive use of nos 16 and 18.**

At present there are Development/Modification Applications being considered by Council at 10, 12-14 and now 18 Rock Bath Rd as well as several nearby in Florida Rd and Whale Beach Road. This section of road - Florida/Whale Beach/Rock Bath - is narrow and winding with minimal on-street parking and no footpaths. The entrance to no 16 and 18 Rock Bath Rd is located between 2 Florida Rd and 413 Whale Beach Rd on a section of road which has double white lines and is on a blind corner. Given the size of several of the dwellings proposed in the DAs currently before or recently approved by Council we believe a comprehensive, thorough and holistic approach must be taken for the management of traffic and parking for all the developments during what could be at least a two year plus construction period which will affect the entire vicinity. The roads are often blocked or encroached upon by construction equipment, very large trucks and other vehicles and the road structure itself is problematic. The safety of pedestrians and other road users must be ensured at all times and is of the utmost importance.

Prof Richard West AM
President