
Sent: 23/08/2021 5:30:40 PM
Subject: DA2021/1032, Lot 20 DP 13291
Attachments: Castle Family Submission Opposing DA 2021.docx;

Dear Tom,

Thank you for granting me an extension of time until tomorrow.

Please find my submission. I repeat my request for you and any appropriate staff member to check the view, amenity and ambience from our family property at 2 Delecta Avenue Clareville.

I also repeat my offer to provide any further information you might require and would like to be kept closely in touch with all council communications in relation to this DA, which I strongly believe should be rejected for the reasons contained in my submission and those of all the adjoining neighbours.

Thanks and best wishes

David Castle



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Castle Family Submission Opposing DA 2021/1032 – 8 Delecta Avenue Clareville - 23/8/21

Family Background

My father first “discovered” Clareville in about 1964, when he first bought our family “retreat” at 2 Delecta Avenue. At that stage all the houses were small and respected the natural environment. My family has regarded this property as our second home for the last 57 years. My parents, sisters, our three adult children and nine grandchildren all love the area and would hate to see it destroyed by inappropriate development. We love the area so much that, despite covid, we are in the process of completing renovations.

We love the beach, the trees, the whole natural environment and the respectful built environment. We do not appreciate overdevelopment or the increased traffic in the area.

Summary

- 1) Instead of respecting the natural and built environment, in such a special area, the developer has chosen to maximise its footprint.
- 2) On its own calculations the landscape area is 52.2% versus the required 60%.
- 3) This is bad enough but the real landscape percentage is a totally unacceptable 39.80%.
- 4) The last nail in the coffin is the proposed demolition of a historic melaleuca, when this could have been avoided by appropriate and respectful design.
- 5) Even in a pandemic, there has been an overwhelming rejection from neighbours – well beyond those notified by the council.
- 6) The neighbours most affected have gone to the trouble and expense of engaging an expert local architect.
- 7) That architect has indicated multiple reasons for rejecting this development in its present form.
- 8) Regrettably for the community, each development which pushes or exceeds the bounds of what is permissible creates a dangerous precedent resulting in the boundaries being extended – contrary to the public interest.

Size and Scale

Local residents in the community generally rely on local planning regulations to preserve the natural and built environment.

The area objective is *“to continue to provide an informal relaxed casual seaside environment”*. *“The locality will remain primarily low-density residential area with dwelling houses a maximum of two stories in any one place in a landscape setting, integrated with the landform and landscape”*. *“Future development will maintain a building height limit below the tree canopy, and minimise bulk and*

scale. Existing and new native vegetation, including canopy trees, will be integrated with development. The objective is that there will be houses among the trees and not trees among the houses”.

Contrary to the objectives of the zone, LEP and DCP, this developer proposes a reduced landscape area of 52.2%, versus the planning controls requirement of 60%. This is completely unacceptable and should be refused. Full details of the unacceptable size and scale are contained in the report from David Tory, architect, the whole of which we agree with, adopt and incorporate in this objection.

Since reading the report of Mr Tory, we are appalled at the material provided by the developer in support of this DA. It now appears quite conclusively that the actual landscape percentage is 39.80% – which is completely unacceptable. We accept the statements by Mr Tory, as an expert, that the roof garden should not be treated as landscape area and that the wheel strips should not be treated as reducing the built area. These attempts to circumvent the planning regulations are completely unacceptable.

The discrepancy of 39.80% versus the requirement of 60% is a stark and compelling reason, of itself, for rejecting this DA.

Destruction of a Landmark Melaleuca

The arborist’s report submitted by the developer describes this magnificent historic tree as 18 m in height of mature age and in good condition. We submit that no new plantings can possibly substitute for the destruction of this tree and that such destruction is inconsistent with the above-mentioned objective that “there will be houses among the trees and not trees among the houses”. How long (if ever) will it take for any new plantings to cover the same area and be a suitable replacement?

Surely this development should be re-designed to fit in with, and take account of, the historic natural landscape and not require the destruction of a beautiful, mature, landmark, historic native tree.

Incompatibility with the built environment

Until fairly recently, even houses on the waterfront respected the natural and built environment and took steps to minimise their visual impact and footprint. This is certainly not the case with the proposed development. Not only does it maximise its footprint but, as indicated above, exceeds the requirements of the DCP. Obviously, in the public interest, this development should be refused, redesigned and resubmitted.

It would have been desirable for the new owners to have discussed, in advance, with their neighbours (including us) their plans for a reasonable extension or replacement – rather than to have it thrust upon all of us with minimum time to respond. All too often new owners in beautiful,

historic, unspoiled areas seek to maximise their investment and the size and scale of their development – without consultation or regard to the natural and built environment. This attitude of “if it’s available then why not” has resulted in beautiful areas of Pittwater, Balmoral and Mosman (for example) being over-developed and spoiled. Council has to stand by its planning laws which require this precinct to remain a “low-density residential area”. Allowing this development will only encourage more non-compliant monstrosities.

Our neighbour, Greg Koops, has expressed it well when he states that “the proposed annex at the back is out of all proportion to what has been a beach house treading relatively lightly on the environment”... “it appears that much of this will be replaced in our eye line by brick and parked cars and people on a terrace”. Our sightlines are similar and we will certainly not appreciate looking at brick, parked cars and people on a terrace who will be able to look straight up at our place and threaten our privacy and the amenity of our house, garden and lawn.

Additionally, the design appears to mask the almost certain use of the building or buildings as two separate units – enabling the back half to be leased to short term tenants who traditionally may not respect the peace and tranquillity of the local precinct. These tenants and their use of the terrace will be right “in our face” and constitute a potential loss of privacy, as well as a source of noise and lack of tranquillity.

At the time of writing this I’m aware of at least 12 near neighbours opposing this development. These are reasonable people, who, like us have bought in this area for peace and tranquillity and would not oppose a more modest renovation in keeping with the existing built and natural environment. No doubt council officers will see for themselves the areas of concern and will speak to as many local residents as possible. In any event, Council should take note that this proposed development is completely out of character with what is acceptable in this area and for that reason alone should be opposed.

The unique nature of this special part of Pittwater is eloquently described by the architect, Mr Tory:
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“The aims and objectives of the LEP and the DCP are focused upon the maintenance of the character of the unique individual environments of Pittwater, in this case Clareville Beach and Delecta Avenue: protecting and enhancing the natural environment, and respecting and enhancing it’s natural beauty; and controlling the bulk and scale of development”.

We respectfully accept, adopt and incorporate the whole of the report by Mr Tory as part of this submission. As a local, experienced and highly qualified architect, he is much better equipped than we are to express the technical, design and other reasons why this excessive development should be rejected.

[View](#)

This development will be front and centre in our view of the northern part of Pittwater (which view is of great importance to our entire family and visitors). Council officers are invited to inspect the

view, local ambience and amenity from our place and adjoining properties. As submitted by some of our neighbours, the massive over-development fronting Delecta Avenue will destroy our enjoyment of the natural environment and will not be masked by any trees or vegetation.

Metal Roof

The proposed new metal roof will be front and centre in our view. We would definitely like to be consulted about the colour of the paint used as we have past experience of unacceptable reflection from previous metal roofs on the waterfront.

Traffic Impact

As many of our neighbours have already submitted, the traffic in Delecta Avenue is already out of control. Garbage trucks invariably miss our place because of the impossible corner at the bottom of the street. All too often we have seen trucks and even buses failing to navigate this corner. The smell of burning rubber from vehicles repeatedly attempting to do so can make our deck impossible to be on. The proposed massive development will require constant trucks and other traffic and for this reason alone should be scaled down or rejected.

Conclusion

There has been overwhelming rejection of this development, in its present form, by immediate neighbours and the community generally. If we had been consulted in advance, we would have had the opportunity of agreeing upon a reasonable development respecting the current built and natural environment. This development not only pushes the boundaries, but vastly exceeds them – so for that reason should be rejected.

We would welcome the opportunity of conferring further with council officers and we repeat our invitation to inspect the view and ambience from our place – as soon as covid permits.

Regards

The Castle Family per David Castle

