



31 January 2023

Northern Beaches Council
Attention: Gareth David
PO Box 82
MANLY NSW 1655

Via email: Gareth.David@northernbeaches.nsw.gov.au

Dear Gareth,

Re: Request for additional information relating to DA2022/1732 at 1015 Barrenjoey Road, Palm Beach.

We acknowledge your correspondence dated 16 December 2022 and we thank you for meeting with us to further articulate these concerns. In response to the matters raised, we proffer the following response:

1. Alterations and additions to the dwelling

We acknowledge that the existing storage area at the north-east corner of the site is not shown on the plans referenced in Development Consent N0678/10. However, we note that the structure is shown on all civil and stormwater plans stamped and referenced in the construction certificate issued by DM Certifiers, and as such, it is our opinion that the structure does form part of the existing development consent.

We also note that the plans stamped and referenced in the construction certificate include a pathway and awning that run across the width of the site forward of the approved garage. In response to concerns raised by Council in relation to the front setback and landscaping forward of the dwelling, the setback of the proposed additions has been increased by 2.8m, from 3.295m to 6.095m, to generally align with the location/setback of the existing awning and pathway. As such, Council can be satisfied that the proposed additions at the upper floor do not reduce the landscaped area at the site compared to that approved in the existing development consent, and the front setback of the proposal is consistent with that of the existing dwelling.

To further assist in softening the visual impact of the proposed additions and to enhance landscaping across the site, additional landscaping is proposed at the frontage of the site. Whilst canopy trees may have been shown in this area on the approved landscape plan referenced in N0678/10, there are no trees currently within this area, and as such, the proposed development will result in the enhancement of canopy trees at the subject site compared to that which currently exists.

The proposed additions are still located forward of the 10m minimum setback applicable to Barrenjoey Road. However, the proposed non-compliance is considered to be reasonable in consideration of the context of the site, where the works are to be well screened from Barrenjoey Road and where the shared driveway provides sufficient spatial separation to the street.

Whilst it was suggested during the meeting that there is high pedestrian movement past the Barrenjoey Road frontage of the site, it must be highlighted that the shared driveway does not contain a footpath and is not a pedestrian thoroughfare. The use of the shared driveway is limited to that of the occupants of the five other dwellings that the driveway serves. It should also be noted that there is also no footpath along this stretch of Barrenjoey Road, and as such, the suggestion that there is high pedestrian movement past the Barrenjoey Road frontage is considered to be unfounded.

The minor departure from the prescribed building envelope is also acknowledged. However, the proposed additions are visually recessive to the massing and scale of the existing dwelling and the proposal is consistent with applicable variations associated with the estuarine and flood affectation of the land. In the absence of any adverse impacts associated with the proposed additions, the variation is considered to be reasonably applied.

2. Swimming pool location

In response to concerns raised in relation to the proposed swimming pool, the plans have been amended to remove the swimming pool from the proposed development.

The proposed development is an appropriate response to the individual constraints and circumstances of the subject site. We acknowledge that the proposal involves non-compliances with Council's DCP controls, however we ask that Council apply flexibility in this regard, consistent with the provisions of 4.15(3A)(b) of the EP&A Act, noting that the outcomes of these controls are nonetheless achieved and that a high-quality architectural design solution is achieved.

Should you have any queries regarding the information above, please do not hesitate to contact me on 0472 65 74 74.

Yours sincerely,



Rebecca Englund
Director | Northern Beaches Planning