
From: Damien Hatfield
Sent: 17/07/2023 9:20:30 AM
To: Alex.keller@northernbeaches.nsw.gov.au; Council Northernbeaches Mailbox
Subject: DA2023/0894 18 ROCK BATH ROAD PALM BEACH
Attachments: 1_5__R_A_L_S_T_O_N__R_O_A_D__P_A_L_M__B_E.pdf;

Please see attached letter.

Many thanks.

Damien Hatfield

15 Ralston Road
Palm Beach NSW 2108
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15 RALSTON ROAD PALM BEACH

16th July 2023

Alex Keller
Assessing Planner
Northern Beaches Council

Alex.keller@northernbeaches.nsw.gov.au
council@northernbeaches.nsw.gov.au

Dear Alex,

DA2023/0894 - 18 ROCK BATH ROAD PALM BEACH

I am writing to lodge an objection to the above Development Application. I am a resident of Palm Beach and a regular swimmer and surfer at Palm Beach. 'Pegasus' is an iconic building at Palm Beach, nestling gently into the headland above the swimming pool, being accessed through the council stairway from Florida Road down to the swimming pool.

Apart from the over development of the site, this proposed development shows a clear non-compliance with many Council controls –

B6.1 Access driveways and Works on the Public Road Reserve

The design of all Access Driveways shall be in accordance with the current edition of following Australian Standards:

- *Australian Standard AS/NZS 2890.1-2004: Parking Facilities - Part 1: Off-Street Car Parking.*

Access Driveway profiles shall conform to the profiles as illustrated in Appendix 10 - Driveway Profiles (which prescribe a maximum gradient of 1:4 for driveways within the road reserve –
Non-Compliant.

The access driveway through the council reserve is not only non-compliant in its profile, exceeding the 1:4 gradient for over 35 metres of the driveway, half the length of the driveway, but also the proposed driveway is supported by a 4 metre high wall that extends for over 10 metres through the council reserve.

C1.24 Public Road Reserve - Landscaping and Infrastructure – Outcomes –

- *Desirable character of the Pittwater streetscape.*
The proposed driveway through the council reserve **is not compliant** with the desirable character of the Pittwater Streetscape.
- *Consistency in the design and construction of landscape works in the road reserve –*
Non-Compliant – the 4 metre high wall that extends for 10 metres through the council reserve is not consistent with the council controls nor the surrounding streetscape

D12.1 Character as viewed from a public place – control outcomes

- *To achieve the desired future character of the Locality –* **Non-Compliant**
I do not think this development is the desired future character of Palm Beach

- *To ensure new development responds to, reinforces and sensitively relates to the spatial characteristics of the existing built and natural environment – **Non-Compliant***
This over-development blatantly ignores the sensitivity of the iconic site, the headland of Palm Beach.

D12.2 Scenic protection - General

The site is part of the State Environmental Planning Policy – Resilience and Hazards, due to its coastal headland location (SEPP {Resilience and Hazards} Chapter 2).

Non-Compliant - This proposed development's design does not consider the sensitivity of the site, nor the impact the over development will have on the iconic headland.

D12.3 Building colours and materials – Controls - External colours and materials shall be dark and earthy tones

Non-Compliant - The proposed development is white/off white – contrary to the Development Control

D12.5 Front building line - 6.5 or established building line, whichever is the greater

Non-Compliant - The front building line is 1 metre

D12.6 Side and rear building line Land zoned E4 Environmental Living - 2.5m to at least one side; 1.0m for other side; 6.5m (rear) unless Foreshore Building Line applies

The western side boundary is not dimensioned, but it looks to be well under one metre.

The swimming pool extends over the foreshore building line - **Non-Compliant**

D12.13 Construction, Retaining walls, terracing and undercroft areas

Controls

Lightweight construction and pier and beam footings should be used in environmentally sensitive areas –

Non-Compliant - the proposed development is of heaving concrete and masonry construction

Where retaining walls and terracing are visible from a public place, preference is given to the use of sandstone or sandstone like materials –

Non-Compliant - the proposed driveway will cause an unnecessary stormwater hazard down the council easement from Florida Road to the swimming pool; it will involve the removal of vast amounts of vegetation and it proposes a 4 metre high retaining wall for the at least 10 metres of the driveway on council reserve land.

In the provision of outdoor entertaining areas, preference is given to timber decks rather than cut/fill, retaining walls and/or terracing.

Non-Compliant – the proposed development is excavating the site massively and building with concrete and masonry construction

*Undercroft areas shall be limited to a maximum height of **3.5 metres**. Adequate landscaping shall be provided to screen undercroft areas.*

Non-Compliant There is a stretch of the driveway on council land extending to **4 metres** above natural ground line, extending for over 10 metres in length. This will be a horrendously insensitive imposition to the council stairway reserve.

D12.14 Scenic Protection Category One Areas – there are multiple areas of non-compliance with the outcomes of this control.

Outcomes

- *To achieve the desired future character of the Locality –*
Non-Compliant as noted above, I do not think this development is the desired future character of Palm Beach
- *To preserve and enhance the visual significance of district and local views of Pittwater's natural topographical features such as, ridges, upper slopes and the waterfront.*
Non-Compliant - This iconic location, within full view of the beach will be massively excavated, and the driveway will cause an unsightly high wall in a Council stretch of pathway down to the swimming pool.
- *Colours and materials recede into a well vegetated natural environment–*
Non-Compliant - the proposed colour scheme is white and off white.
- *To maintain and enhance the natural environment of Pittwater as the predominant feature of the landscape with built form being a secondary component –*
Non-Compliant - The proposed built form will dominate the iconic headland, not be a secondary component as the control outcome outlines.
- *To preserve and enhance district and local views which reinforce and protect the Pittwater's bushland landscape and urban form to enhance legibility.*
Non-Compliant – district and local views will be dominated by this proposed development, a white concrete beacon on the headland.
- *To encourage view sharing through complimentary siting of buildings, responsive design and well-positioned landscaping.*
Non-Compliant This proposed development will dominate the headland, blocking iconic views of the southern headland of Palm Beach
- *To ensure sites are designed in scale with Pittwater's bushland setting and encourages visual integration and connectivity to natural environment.*
Non-Compliant – this proposed development is over scaled and dominates the headland, visibly dominating, not integrating with the site, nor does it connect sensitively to the surrounding natural environment.
- *Development shall minimise any visual impact on the natural environment when viewed from any waterway, road or public reserve.*
Non-Compliant – the visual impact of this proposed development from the beach, waterways and public reserves is not minimised, but an over-development in scale and material finishes.
- *The development must incorporate the use of unobtrusive and non-reflective materials and the colours of exterior surfaces shall help blend structures into the natural environment. Applicants are to demonstrate that proposed colours and materials will be dark and earthy –*
Non-Compliant – the proposed finishes are white and off-white in colour.

I'm sure you would be fully aware of all the above observations of non-compliance with Council Controls, but I did observe that the Development Application Statement of Environmental Effects summary seems to have missed most of the above points,

Kind regards



Damien Hatfield