
Sent: 17/02/2022 5:08:55 PM

Subject: Submission: DA2021/2362 - 1105 Barrenjoey Road & 43 Iluka Road Palm Beach NSW

Attachments: Submission DA2021 2362 1105 Barrenjoey Road Palm Beach 20220217.pdf;

Attention Adam Mitchell

See attached submission on DA2021/2362 - 1105 Barrenjoey Road & 43 Iluka Road Palm Beach NSW

Regards
Sue Young

Northern Beaches Council

Attention: Adam Mitchell

Submission: DA2021/2362 - 1105 Barrenjoey Road & 43 Iluka Road Palm Beach NSW

I object to DA2021/2362 due to the numerous non compliances contained in the application including but not limited to those listed below. The non compliances result in an overdevelopment of the site making this proposal inconsistent with the Palm Beach Locality.

LEP 4.3 Height of Buildings

There is no justification for the height to exceed the LEP limit of 8.5 metres by a massive 2.46 metres. Compliance is reasonable and expected as there are no constraints on the site.

The SEE is contradictory stating on page 19 that the site is *not flood prone* yet using flooding on page 30 as a justification for the Clause 4.6 variation request. On page 33 the SEE states that the *site has no special physical or engineering constraints*. The Northern Beaches Flood Hazard Map shows that the site is not within a risk area and council's Natural Environment Referral response states *There are no applicable flood related development controls*.

The Clause 4.6 request must be rejected.

DCP A4.12 Palm Beach Locality

The proposal is as an overdevelopment inconsistent with the desired future character of the Palm Beach Locality.

DCP B3.6 Contaminated Land and Potentially Contaminated Land

IF LAND IS CONTAMINATED OR POTENTIALLY CONTAMINATED a report prepared by a suitably qualified professional assessing the contamination and a Remediation Plan prepared in accordance with the relevant legislation is to be provided.

The Preliminary Site Investigation report states in the Executive Summary that the soil sampling was limited and *there remains a potential for contamination associated with historical use of the site as a service station*. The former service station included a mechanical workshop.

As the proposed development includes extensive excavation for a basement level, a Detailed Site Investigation as per State Environment Planning Policy No. 55 Remediation of Land should be provided as part of the assessment process to determine the need for Remediation Plan prior to determination of the DA.

DCP B4.22 Preservation of Trees and Bushland Vegetation

Removal of all the existing trees is proposed with limited opportunity for replacement due to non compliant setbacks and limited area for deep soil planting.

DCP B5.15 Stormwater

No stormwater quality system is proposed.

DCP B6.3 Off-street Vehicle Parking Requirements

The number of parking spaces required does not comply as any reasonable person would consider the serviced apartments "media rooms" with ensuites the equivalent of bedrooms.

It is essential that the maximum number of parking spaces is provided as the proposal is traffic generating and on street parking in the vicinity of the proposal is severely limited.

The proportion of tandem parking exceeds the DCP by 21%.

DCP C1.1 Landscaping

Limited deep soil planting area available due to basement level and extensive paving.

DCP C1.4 Solar Access

One apartment does not comply

DCP C1.12 Waste and Recycling Facilities

No separation of commercial and residential storage areas.

DCP D12.1 Character as viewed from a public place

The proposal does not achieve the desired character of the locality as it will dominate the streetscape. The bulk and scale is not minimised and non compliant setbacks do not allow for sufficient landscaping. The excessive height negatively impacts the amenity and views of neighbouring properties.

DCP D12.5 Front Building Line

Setbacks to front and secondary frontage are not compliant.

DCP D 12.6 Side and rear building line

Upper level non compliance.

D12.8 Building envelope

There appears to be no statement in the SEE *indicating compliance with the building envelope control.*

DCP D12.9 Landscaped Area – General

Insufficient landscaped area, and limited area for deep soil planting.

Conclusion

I object to the proposed development due to the numerous non compliances with planning regulations that compound to result in a proposal of excessive bulk and scale that is out of character with the Palm Beach Locality.

I am also concerned about the risk of contamination on the site due to its former use as a service station as the Preliminary Site Investigation is limited.

Regards

Sue Young

17/2/2022