

Parks, Reserves and Foreshores Referral Response

Application Number:	DA2024/0774
Proposed Development:	Construction of a dwelling house including swimming pool
Date:	05/08/2024
To:	Nick England
Land to be developed (Address):	Lot 1 DP 1086858 , 6 Mitchell Road PALM BEACH NSW 2108

Reasons for referral

This application seeks consent for any application on land or land being adjoining or adjacent to any parks, reserves, beaches, or foreshore

And as such, Council's Parks, Reserves and Foreshores officers are required to consider the likely impacts of the proposal.

Officer comments

The development site adjoins the locally listed heritage item identified within the Pittwater Local Environmental Plan (PLEP) as "The Bible Garden". Physically the development lot and the Bible Garden are separated in the majority by landform elevation including large rock ledges.

It is noted that following amendments to PLEP the proposed development is permissible. The proposal does not impact upon solar access to the Bible Garden and the restriction of height control at 74.5 AHD is appropriate in conserving the views to surrounding areas from the Bible Garden. The existing trees and vegetation of the Bible Garden are separated from the proposed works by elevation as well as natural landscape features (ie. rock ledges) such that impacts are not anticipated.

However it is considered that a more concise design proposal of the proposed retaining wall interface with the Bible Garden is required for Parks Reserves and Foreshores Referral to accurately assess the development application. Concerns are raised in relation to the transition at the boundaries between the Bible Garden and the development site in terms of the documents retaining walling. It is noted that the proposal includes the construction of a new balustrade for the Bible Garden and minor repair works.

In more detail behind the existing balustrade exists established and continuous hedge planting (Buxus) and sandstone paving behind the hedge and it is unknown if these will also be impacted by the construction of the proposed retaining wall. Section 01 of drawing DA15 indicates that new retaining walling is proposed to align with the existing balustrade of the Bible Garden, however it is anticipated that over excavation for typical retaining wall construction will result in excavation further into the Bible Garden, and this is not indicated on the Plans and thus the extent of impact to the Bible Garden is likely to include removal of all hedges and removal in part of the sandstone paving. This is not supported and detail information shall be provided on an alternative retaining wall alignment, consistent with requirements that include extent of excavation for walling works, that may include piling methodology to reduce any excavation, and furthermore any retaining walling option shall consider drainage collection and dispersal.

Based on the above uncertainty regarding the proposed retaining walling adjacent to the Bible Garden, Parks Reserves and Foreshores Referral require additional detailed information.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Parks, Reserves and Foreshores Conditions:

Nil.