

Dear Council,

We are the owners of the property to the immediate south [REDACTED] We note the following concerns.

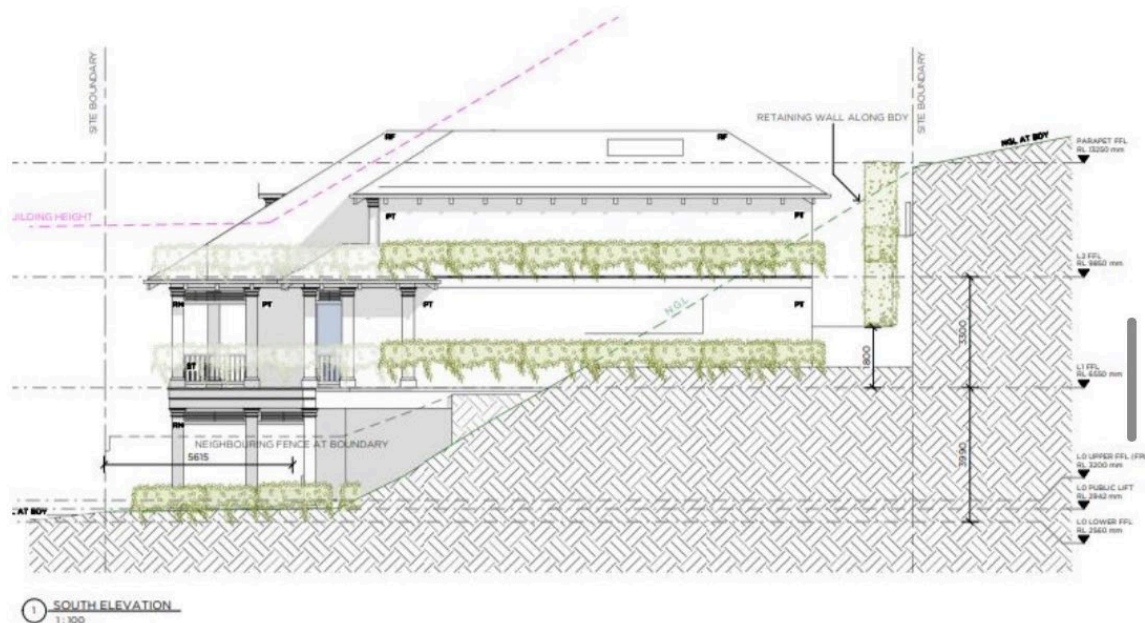
1. Non compliant height & bulk significantly affects the amenity of our home

The proposed height breach of almost c.12m is extreme, significantly eclipsing both heritage listed Barrenjoey House and our home. The size/bulk totally “hems” us in, as most of our home is set back from the road and totally overwhelms us, wherever we are in our property. We have view loss impacts of water views, as well as views of the Heritage listed Norfolk pines, and up to the north of the site. This is a direct result of the height/excess bulk/encroachment of the building envelope near our side of the property. The amenity of our private open space, and entertaining deck is affected by the “caged in” feeling, and we would receive less solar access than a design that adheres to the height, setback and envelope controls. We ask council to please recognise this. This was also pointed out by the Design & Sustainability Panel’s report. The size of the 2 apartments on the non compliant third level is very excessive, 4 bedrooms and 5 bathrooms each.

View from our sunroom will be affected by the height/envelope breach with view losses to the north.



This is what we would be staring at from the sun room - the non compliant top level and non compliant set back is a huge impost. Note/compare the position of the fence in both pics for scale.



The below pic is from our entertaining patio. If the envelope and setbacks are breached, we will feel hemmed in, be solar impacted and suffer view losses of the sea and heritage listed Norfolk pines.



The below suggests the water views will be wiped out by the height of the non-compliant driveway right on our boundary. The yellow portion is the balcony in the picture above.



The main areas of our house and master bedroom are set well off the road, so excess bulk would also hamper the view from the master and make us feel very hemmed in.



While we don't think the top level should be permitted at all, (trying to justify exceeding the height limit for a whole full level doesn't seem to be in the spirit of 4.6 or the Palm Beach locality statement which prefers 2 storeys), reducing it to 1 apartment of a few bedrooms and bathrooms, and setting it way back to the rear, off the road and significantly away from our boundary is a reasonable way to achieve less bulk. This is key to us retaining our private open space amenity, views and solar access. The height would also seem less of an issue if the top level was removed altogether or confined to 1 apartment, totally set back on all 3 sides.

2. Geotech report is completely deficient and unacceptable - it doesn't even match the new plans

The Geotech report has not been updated for the new plans and design. And to add further insult, the detail in the existing one is also grossly deficient. This is a basic requirement for submission. The shared rock on the boundary at the site of proposed deep excavation extends under the footings of our house. This Geotech report is an extremely important consideration for the assessment of the impact to our property. We implore council to ensure they/we are given a detailed report ASAP so we can properly consider and understand the risks to our house/land.

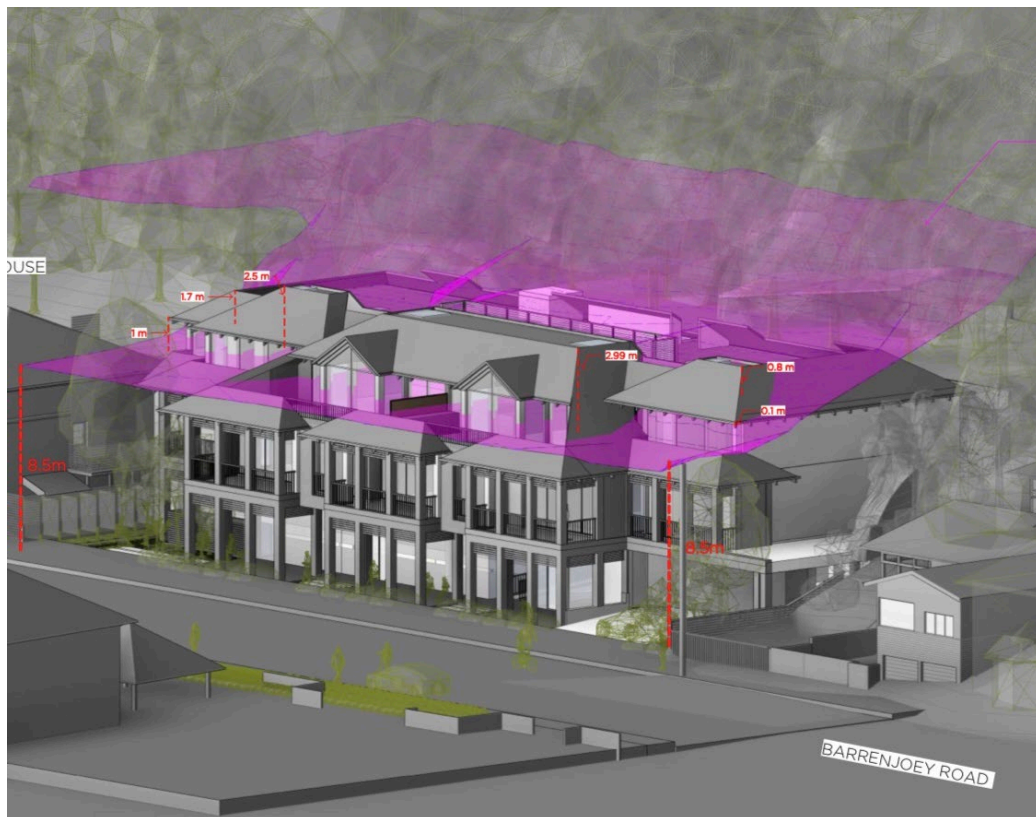
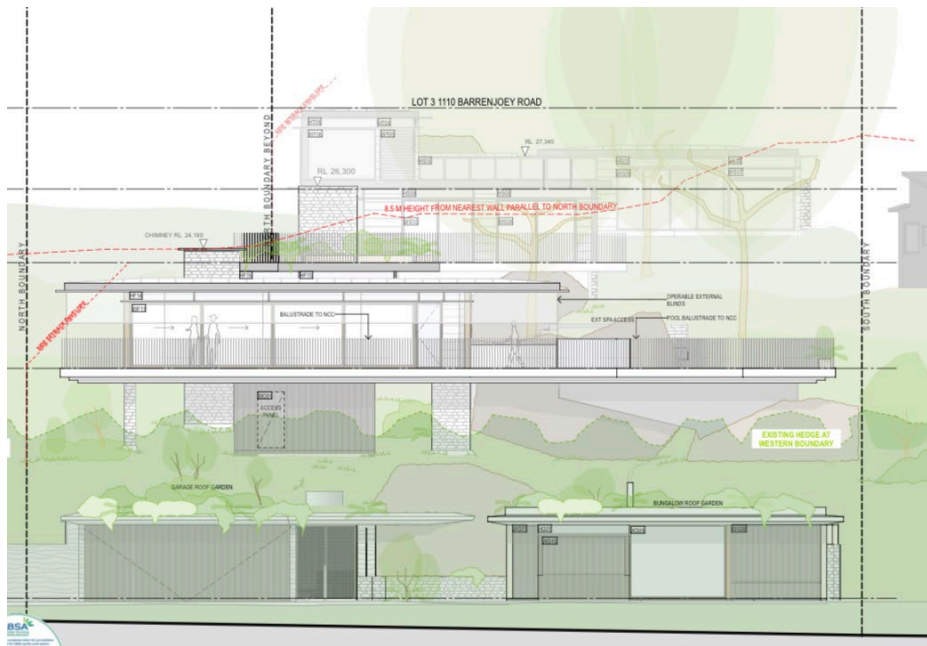
How did this happen and why should we, facing proposed 10m+ significant excavation right ON our boundary (and shared rock) have not been furnished with this already? It's unacceptable and we are very disappointed council failed to check this basic requirement of the plans matching the report. We deserve a fair process as rate payers and adjoining land owners.

3. Over development

The southern end of the Barrenjoey House precinct, along our entire boundary will appear grossly overdeveloped if this is approved in its current form.

1. 1110 has an approval for a 5 level house and secondary dwelling cascading up their entire site,
2. The row of green pine trees that was required between 1102/1110 in the 2014 approval is to be removed. The oversized shop top apartment development would then visually look like it connects to the house above.
3. This would represent an overdevelopment of the southern part of the precinct, sprawling up the hill with no greenery separating the properties. And it's actually an E4 Environmental Zone! It would be a complete eyesore when viewed from a public space and the water. I urge council to look at the plans together, to get a feel for the extent of overdevelopment (see below).
4. See site coverage for the whole precinct below, the adjoining blocks have some decent greenery and site coverage, while the Blue shaded area for the southern site (all along our boundary) has significant site coverage with minimal greenery (1110 landscaping plan was approved despite non compliance).

1102 and 1110 buildings will appear connected, some 8 storeys cascading up the hill. And given there's no hedge, the majority site will be covered by bulky buildings. Doesn't seem suitable for the area, or the E4 zone.





4) Montages don't show true extent of size and scale

The developer is highly misleading and deceptive in the presentation of the montages. They significantly misrepresent the height of the proposal vs Barrenjoey House and ours, very deliberate and difficult for the community to assess. It also erroneously shows a large shrub ON OUR property, to make out as if there's less overdevelopment on our end. This "plant" was removed last week on council property where the proposed "driveway" will be.

Montage:



Actual size: red is 8.5m height limit



5. Design

Despite being an improvement, the design is still not in keeping with the seaside village feel required by the Palm Beach Locality. Some members of the community suggested it looks more like a chalet, better suited for a snowfield. We believe it is overcomplicated by the many “poles” holding up the small balconies. The Design & Sustainability panel’s prior suggestion of some awnings/shutters was a good one, and more akin to the coastal hamlet/village feel.

6. Traffic and parking issues

The proposal has non compliant parking numbers and the suggestion that only 2 cars fit on the existing site is completely false. This Google image shows 4 and we can attest that more were often stacked in the back, with workers and staff parking on the council land in front - unable to get a park during their shifts. There are already significant parking issues around this area (you can check council records for my numerous complaints of being unable to get out of my home) and this would further exacerbate the bottleneck and traffic concerns.



Secondly is the issue of general road safety. The exit for the public car park is a few metres on the other side of the road from the proposed driveway. There would be 3 sources of traffic coming/turning onto the road at the site of the driveway: 1) the exit of the public car park, 2) the driveway and 3) oncoming traffic. It’s extremely dangerous and needs consideration, we often have close calls leaving our home just with the current situation.

Summary

In summary, we ask that council consider the long term impact of this proposed development, with various non compliances including height breach, envelope, setback, parking spots etc.

This is a site next to a heritage item, within an important iconic coastal precinct. It is a flat, easy to build on site. Exceptions for non compliance should be reserved for situations where compliance is difficult to achieve, not for the economic benefit of a developer and 2 apartment owners on the non compliant top level. The community loses out big time. We don't see any good reason for council to approve the multiple non compliances.

Members of the community need to rely on Council to enforce the LEP and DCP controls, and we ask that you do that to the full extent possible and **DISALLOW** this proposal in its current form.

We welcome you to visit our property to get a feel for the impact this development will have on our property and the area.

[REDACTED]

Kind Regards,

Prue Rydstrand

To note:

FYI, despite the developer's protestations that the site is different heights due to previous activity, I highlight the below pictures. These show the developer moving around big rocks and soil, and disrupting the ground during the "demolition". A free for all given Council didn't require a construction certificate. And now there's an "uneven" block???



