
Sent: 28/11/2023 3:39:58 PM

Subject: Objection to DA2023/1658 for proposed development at 948 Barrenjoey Road, Palm Beach 2108

Dear Northern Beaches Council,

I am the property owner and resident of 946 Barrenjoey Road, Palm Beach, immediately adjacent to the above property at 948 Barrenjoey Road, and I wish to make a submission **against** DA2023/1658.

The DA proposal is largely focused on replacing an old inclinator, track and associated structures with a new one, **but there is a very significant change - the expansion in length.**

I have studied the on-line plans and documents in relation to this proposed development, and my main concern relates to the extension of the current track from Landing L2 to Landing L3. There is no track there at present.

The proposed extension from L2 to L3 will bring not only the track but the associated structures at L3 (the new landing itself, and a guard rail) across some not very wide steps (about 90cm), hitherto shared between the two properties and my **ONLY** access point to the garden area at the rear of my property. A long time ago 946 and 948 were one combined lot, so some areas were shared through goodwill.

As the current inclinator track runs further up from the street, it veers closer and closer to the boundary line, so by the top of this proposed extension it would be even closer to the boundary line than it is now at the bottom near the street. From Section 2 of the documentation I looked at, **the guard rail and proposed landing at L3 would bring the incursion towards the boundary line even closer, making it perhaps just 30-40cm away from the boundary line - nowhere near the prescribed distance of 2 metres for constructions to be away from a side boundary**, as per C1.19 (explained to me today by Nick England, Planner).

If this extension from L2 to L3 were to go ahead in its current form, access from the front of my property to the back (which is only possible on this north side) will be so severely restricted that my access to the back via the current shared steps will be perhaps limited to around only 30cm wide - ie the width of steps not occupied by the proposed guard rail and landing structures at L3 as they encroach on these steps. That means that any tree work, clean-ups or repairs required at the back of my property will be almost impossible from an access point of view, because the proposed inclinator track extension and related structures proposed around these steps removes two-thirds of the current access, leaving some 30cm only.

I have no objection to replacing the inclinator track in the proposed development, but only up to Landing 2. I DO OBJECT MOST FORCEFULLY TO THE EXTENSION TO LANDING 3 for the reasons I have stated.

There are two other issues, just to mention briefly (perhaps the owners at 948 should know this):

(i) there is an upper controller for the current track, clearly within my side of the boundary on your diagrams, and I do not wish it to be used any longer, and consider its use a form of trespassing;

(ii) any workmen undertaking the proposed inclinor work will NOT be permitted to trespass across the boundary line into my property, in particular if the proposed extension to L3 were to take place. It is my right to allow or disallow the use of my property for any purpose. This would make the proposed extension from L2 to L3 almost impossible without trespassing, given the narrow working space available around that stepped area and without workmen infringing into my side of the boundary constantly at that point, because it is a narrow area already.

I have never lodged a complaint against a DA in all my 40 years living here. But this is a step too far. **I cannot accept a plan which will restrict access to the back of my property to a narrow 30cm passage, and I cannot accept any development that is closer to the boundary line than prescribed by law.**

Thank you for your consideration of this matter. I would greatly appreciate confirmation that you have received this. Objections have to be received by December 13th.

Sincerely,
Dr Robert H Woog