

Stephen Crosby & Assoc. Pty Ltd

2nd February 2021

The General Manager
Northern Beaches Council
725 Pittwater Rd,
DEE WHY, NSW 2099

ATTN: Gareth David, Planner

**RE: DA FOR A RAMP & PONTOON WITH 2 PILES
51A BEACONSFIELD ST, NEWPORT, NSW 2106
Lot 6 DP 39111
For: L. & E. Miles
DA2020/1587**

Response to submission by BBF Town Planners dated 26 January 2021 on behalf of the owners of the neighbouring property, No. 61 Beaconsfield St. Newport.

The submission raises a number of issues, which shall be addressed in turn.

1.0 MINIMUM FRONTAGE FOR WATERFRONT DEVELOPMENT

The submission states "This DCP Control does not permit the type of development proposed considering the subject site is not a waterfront property to the Pittwater and that right of ways are not considered to have water frontage" then going on to say "it is acknowledged that the access handle (of the subject site) down to the water is not technically a right of way". The subject site has a water frontage, defined by its MHW (by title) of 7.4m. The BBF submission implies the site has a 3m water frontage and this is not the case.

2.0 JETTIES

The submission refers to the application being for a "jetty", repeating the word "jetty" 12 times. The submission is for a ramp and pontoon for the launching and retrieval of small craft that are stored on the freehold land above the MHW.

VISUAL IMPACT

References are made in the submission to existing private jetties, and a local marina, stating that the proposed ramp and pontoon will create an unacceptable visual impact.

Council's Natural Environment- Coastal Department have assessed the proposal against the requirements of SEPP (Coastal Management) 2018 and determined "the application does comply". Furthermore this Department assessed the proposal against Pittwater LEP 2014 and Pittwater 21 DCP Section D15.12 and stated "An analysis of the proposal demonstrated that the proposed development will not adversely impact on the visual amenity of the foreshore".

NAVIGATION ISSUES

The submission wrongly asserts there will be a berthing area seaward of the proposed pontoon, and this is drawn on an aerial photograph included in the submission. No berthing area is proposed as the owners of No.51a are well aware there is not the waterway for a permanent berthing area in front of their proposed pontoon. The pontoon is for launching and retrieving small craft, not permanently berthing a vessel.

Access to the berthing area at No.51 to the east is from the south and is unaffected by the proposal. Access to the berthing area at No.61 to the west would be from the S-W or S-E, coming out of the channel. The proposed pontoon is 4.5m from the eastern end of the 8m long berthing area at No.61 allowing adequate room to swing a vessel into the pontoon from the S-E to tie up.

The submission states the proposed "jetty" does not align with the orientation of the property boundaries. Any person with an understanding of D15.13 of the PDCA 21 dealing with Lateral Limit Lines knows these division of waterway lines are drawn at 90 degrees to the foreshore, in the same way jetties and the like are traditionally built.

Transport for NSW (Maritime) have assessed the proposal from their vessel and determined there are no navigation issues. The submission states, "the navigation of the public is not a concern for the RMS." This is not the view of the applicant and should not be considered reason to refuse the submission on navigation grounds.

We trust these comments allay any concerns Council might have in relation to the matters raised in the objectors' submission. Please contact the owner Luke Miles on 0424 758 583, or myself on 0409 047 513 if you wish to discuss any matters raised here.

Yours sincerely,



STEPHEN CROSBY
STEPHEN CROSBY & ASSOC. PTY LTD