Since this development application has yet been determined by the Land & Environment Court I would like to make this submission.

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DA2022/0469 Former Fish and Chip Shop

Barrenjoey House (established 1923) is a prominent local landmark and is in the most significant area of early 20 century Palm Beach which also includes Palm Beach Ferry, Gonsalves Boatshed (established 1919), Winten House (another heritage property) and is the site of this development application now referred to the Land & Environment Court. The area is unique in that it retains the character of a largely intact seaside village on the northern fringe of metropolitan Sydney in the style of its buildings and their modest scale and Barrenjoey House is central to it.   As such this location has aesthetic, historic and social value which is important not only to current residents and visitors but also for generations to come.   it is hugely important to residents and visitors alike and is the gateway to Palm Beach for visitors arriving by car, bus or ferry.   The strip in which this development sits, also including Barrenjoey House, forms one side of a large open square facing the water across Crown Land comprising Pittwater Park, a low key car park and a children's playground.   It is much used by the community.

The size and scale of this development is not only non-compliant with Pittwater Council LEP but would completely disrupt this setting and have an adverse impact on the heritage significance of the site.   The first Heritage assessment was unequivocal in its rejection of the proposed development stating:

"The impact of so large a building on Barrenjoey House has been a central concern expressed by Council. The scale and height of the building remain problematic and with this obvious and apparent difficulty the request through a Clause 4.6 Objection is not well founded and is unreasonable, posing a clear conflict with the heritage considerations that the proposal must address.

"The current proposal has not brought the development to a format acceptable in heritage terms. The design changes suggested may be helpful in determining how the scheme can avoid its current problems – scale, bulk, height, length and a design character which is not respectful of the locality, or its desired future character as expressed by the Council.   Therefore Heritage is unable to support the proposal."

Only minor changes have been made since.

The development would diminish the heritage value of Barrenjoey House and the surrounding area and it is detrimental to the sense of place so important to local residents. The Pittwater Council DCP clearly expresses one of its important aims as follows:

"maintain the natural beauty of the area by retaining natural landforms, minimising land excavation and fill, and by minimising erosion, pollution and other forces that may impact on the landscape"

This development includes an extraordinary amount of excavation on a site containing large boulders of unknown depth which are adjoining and shared with neighbouring houses.   There is considerable risk for neighbours and this is increased as the application does not conform to the required setbacks, will involve installing piles to hold back the slope and proposes to cut into a large boulder shared with its neighbour to the south. The setback defined for a development adjoining a heritage property is not observed either which contributes to the proposed building overwhelming Barrenjoey House.   These controls should be enforced as they have been for all the developments nearby. There is an approved development for this site which does not have the same disastrous effect on the environment, neighbours, or the historical significance and this should stand.

Rosemary Edgell Bush