
Sent: 13/08/2024 12:11:37 PM
Subject: Fwd: PBWBA Amended plans 1102 Barrenjoey Rd

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It is a mystery to me why the proponents are still putting forward various schemes for the 1102 Barrenjoey Rd site and still not comprehending the significance of the LEP and DCP, including context and heritage, height bulk and scale, setbacks, appropriateness of the typology etc., Nothing has changed in the allowable conditions. What is affecting (infecting) the process is the effects of Clause 4.6, which gives the developer considerable leverage to change (through variations) to overturn the intent of the DCP.

The most appropriate statements made in Dr Richard West's presentation still stand.

The PBWB Association, The Northern Beaches Local Planning group (chaired by Peter Cotton), NBC officers, Bill Tullock, Robert Mackinnon and others have clearly spelt out these simple issues and their consequences and are still being challenged! The process has been a travesty of process that I presume the Land and Environment Court could remedy with a refusal. Then the proponent can get on with a reprogrammed project in an appropriate and responsible way to take advantage of being in the vicinity of Barrenjoey House and its curtilage. Since when has the area been available to Apartments anyway. The PBA and PBWB Association has been able to resist any formal applications up until now and I am unaware this restriction has changed. Any formalisation of Apartments is a serious change and could be the beginning of a privatization process for Palm Beach which removes the very public nature and attraction of the locality.

The western elevation as drawn, with an apparent alignment to Barrenjoey House, is a red herring. Once viewed obliquely the image reveals an overbearing and bulky building missing the Barrenjoey House Scale and typology that presumably attracted the proponents in the first place. The architects have (unwittingly in my view) made this abundantly clear with the rest of their presentation, which simply adds to the incomprehensible solution.

Incidentally, no one has challenged the Heritage Report and the lack of reference to Indigenous interests within the site. Aboriginal artefacts including a burial site at the Swaggs site north of Barrenjoey House are reported to be still there unless removed by recent clearing. One can assume there could be similar interest in the 1102 site.

Even the Council has added to the confusion by offering solutions to resolve the application against the time honoured protocol in Council's procedures to be neutral. The problem is a willingness to ignore the LEP and DCP and apply Clause 4.6 to achieve a result. The developer's planner appears willing to explore this path vigorously as in previous applications. You should look at the last application for the site to bear this out. Richards reference to Abby Galvin (the current Government Architect) is a timely response for a character/context driven solution.

The logistics for construction on the site are daunting (in the extreme). Building 14 metres below the water table on a constricted site on an increasingly busy Road defies common sense. Dealing with the disruption locally physically and politically will test the resilience of the developer.

My view is that The Court must refuse this current application as unapplicable to the area until the proponent changes the programme to remain within the LEP and DCP and the context of Barrenjoey House. The result will be a precursor to the Swaggs site at 1128.

Robert McKinnon

Secretary Palm Beach and Whale Beach Association



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