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**Sent:** 1/06/2020 11:07:17 AM  
**Subject:** DA 2019/1478 1 Narrabeen Park Parade- Latest Submission  
**Attachments:** Sem Second Submission.docx;

Attn: Tony Collier

Dear Sir

Herewith attached my latest submission.

Susanne Morris

CEO  
Northern Beaches Council  
Attn: Tony Collier  
By Email : [Council@northernbeaches.nsw.gov.au](mailto:Council@northernbeaches.nsw.gov.au)

**Objection to Re-Notification- Additional Information-**  
**DA2019/1478**  
**1 Narrabeen Park Parade, North Narrabeen.**  
**Susanne Morris**

Dear Mr Collier,

- 1 This submission is to be taken in conjunction to my previous submission and raises serious new objections to the new documentation submitted for this D.A.
- 2 **Importantly it is to be noted that the original documentation did not fully detail the scope and intended use of the Outdoor Dining Area and the structures thereon.**
- 3 These are now contained in the newly submitted Plan of Management, Acoustic Report and Arborist Report.
- 4 I note the existing 10x4 metre seated Outside Dining Area has expired and now requires renewal. **I have no issue with that.** However the proposed extension of the Outside Dining area seating has not been detailed.

**Objections**

**Scope of proposals**

- Of serious concern is that the new documentation goes beyond the scope an Outside Dining Area, into a new business activity, namely the creation of an Outside Dining area as a outside music venue with amplified music on the Council managed Crown land of Lake Park Reserve. The proposed performance hours are Midday to 10pm, 7 days a week.
- Stand up cocktail parties for 180 till midnight and 2am New Year's Eve.
- Private functions (unspecified) on this parcel of Crown land.
- Noise created by the above causes an intolerable noise nuisance- there is already an NBC noise abatement order in place for this outside area.

- **All the above are solely for private commercial purpose, remuneration and resale value**, without public benefit.
- The alienation of Crown Reserve by the unauthorised existing and proposed new structures, with associated operational issues, e.g. service vehicles, parking, hours, client numbers and noise is all for **private benefit rather than public benefit**.
- The large timber pergola proposed as the outside music facility is a permanent structure which destroys the integrity of the original Mckinnon Store. It provides no weather or sound protection unless additionally enclosed. The applicant's PoM (p4) anticipates that it will provide "weather protection from wind and rain; ability to temporarily enclose.; Facilitate acoustic treatment for the control of sound..". The pergola is bad enough, without these additional requirements. These are powerful arguments **against** the imposition of such a bulky unsightly structure on the Reserve.
- Importantly the proposal for outside amplified music and the various actual and proposed structures are inconsistent with the recreational zoning of this Crown Land governed by the Lake Park Trust and classified as Public Purpose for Public Recreation.
- Such a venue would be out of character and will severely impact the ambience of the Reserve. Outdoor Dining Areas are for seated Outdoor Dining with table service only, and entertainment or music should not be allowed.

### Social Impact

- The Reserve is noted for its family atmosphere; children, parents, grandparents, locals and visitors from the Lakeside Caravan Park, Nippers, Learn to Swim programs, schoolchildren from the Coastal Environment Centre who are educated on the natural environment. Amplified music on this site echoes and reverberates like an echo chamber.
- It is adjacent to the footpath which forms part of the 36 km NBC Coast Walk.
- The surrounding dwellings are all zoned R2 residential, as is the Restaurant itself and the proposals would severely impact the social and environmental parameters of the zone.
- Sleeping patterns and quiet enjoyment in particular of children and babies will be adversely impacted, at nearby residences and especially at the Caravan Park.

- Amplified music, parties, stand up drinking, cocktail functions and revelling are entirely at odds with the above.

### Environmental Impact

There would be a significant impact on native bird species which use the 6 historic Norfolk Pines for roosting and nesting, including Osprey and White Bellied Sea Eagle.

Humans can't cope with the din, why should birds. It would be a tragedy if these birds disappeared.

Unauthorised lighting on and around the Pines detracts from the environment for birds and people and should be removed. They spoil the natural ambience.

As custodians of Lake Park Reserve, I urge NBC to invoke the spirit of the Outdoor Dining Policy and also the Outdoor Dining Guide, namely:

- “Fostering neighbourhood amenity through minimising additional noise, visual and other impacts.”
- “Entertainment and amplified music are not permitted within the outdoor dining area.”
- “alcohol in outdoor dining areas...can only be served in conjunction with a meal. **No outdoor dining approval will be granted for the consumption of alcohol only.**”
- “Proprietors must supply table service to the outdoor dining area”
- “Hours...generally...7am to 10pm”.

### **Why should One restaurant be an exception to the above principles?**

#### Alienation of Reserve Land

Once again, the spirit of the Policy, and of the Guide, could not be clearer. The Outside Dining Area is a part of a Public Recreation Reserve, **not** an outside extension of the Restaurant.

- “temporary use of public domain, not permanent fixtures”.
- “Must be mindful other users”.
- “..a clear view to the outdoor dining area from inside the restaurant ...to ensure effective monitoring”.
- “Plants and planter boxes generally not supported” (the DA proposes landscaping).
- “Development consent required for installation of any external lighting”.

- “Chairs tables small barricades and umbrellas” **not** large fixed posts, benches, stone baskets and a pergola.
- “Barriers or structures around the area give the appearance that the public space has privatised and become an obstacle to access and movement will generally not be supported. Privatisation of the public space results in reduced accessibility, visibility and safety to the public”. P6. **I agree!**
- “Barriers which enclose outdoor dining area will only be supported where... restaurant is in a designated Alcohol Free Zone” This is not an AFZ, therefore no permanent barriers here.
- “Visually pleasing contributing to the creation of an appealing streetscape”.
- “ All outdoor dining furniture... must be removed... outside the approved hours..”. **Clearly impossible** with permanent vertical railway sleeper posts and benches enclosing the entire area.

The Outside Dining Area is to appear to be, and be available as, what it is; namely part of the Public Recreation Reserve, not just a part of the Restaurant.

#### Re the “Petition”

- Borderline meaningless.
- No signatures.
- No dates.
- Proposals vague.
- Compiled and lodged long after closing date for original Notification, but before Re-notification particulars available.
- No opportunity to see proposals.

#### In Summary:

- No amplified music outside.
- No pergola.
- No outside parties or functions.
- No posts and bench tops fencing off outside dining area.
- Reasonable hours, not 2.00am New Years Eve.

Yours faithfully

Susanne Morris.