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**From:** John Garner  
**Sent:** 19/10/2023 2:32:59 PM  
**To:** Council Northernbeaches Mailbox; Adam Croft  
**Subject:** TRIMMED Mod 2023/0474 1 Bilambee Lane, Bilgola Plateau / FAO Adam Croft

Hi Adam,

I refer to our recent discussions in regard to the proposed s4.55 modifications to the existing DA with the following comments –

I request further detail in regard to these proposed modifications, as in my opinion there does not appear sufficient detail in the attached drawings/information package to fully assess the likely impacts of these changes. This is in particular reference to the following -

Drawing Title - East Elevation – How is this covered colonnade to be treated in regard to –

- Outdoor space for the intended user of the commercial area – is the intention of this modification to reduce the net lettable area of commercial space to reduce the overall parking requirements in the basement carparking area i.e., a reduction of construction cost in the basement parking component, which upon completion is to be activated and used as ancillary space to the commercial area. Isn't this in fact just circumventing the allowable carparking requirements on paper, when the actual use/guidelines are as per what is currently approved ?
- My assumption would be a subsequent DA would be required, for the activation of outdoor space upon completion. This would circumvent the requirement for more parking as no further allowance could be made with the building complete.
- How does the proposed outdoor use effect the immediate neighbours – I can't really interpret what and how much noise could be generated from the drawings provided.
- Is there any acoustic studies / consideration been assessed for this proposed this modified area to the neighbours in the adjacent housing. It would be my opinion the sound generated in a covered colonnade could reverberate quite considerably.
- I do not agree with the Urban Design Referral Response – “The public footpath area should be activated with active shopfronts or café/restaurant seating plan”. As outlined in the original submission / and my subsequent objection where there were approximately 14 tables as per the original DA drawings. My assumption at that time was that there could approximately 50 people sitting at Café / restaurant until whatever trading hours were deemed acceptable. This was supported in the Land and Environment Court and the tables were subsequently removed, as if approved with those drawings on that basis it could have been implied an approval existed for this outdoor space/use. No consideration has been given to any of these issues. If this

recommendation is acted upon it would be in direct contradiction to what was agreed/approved previously in the Land and Environment Court

- An observation on the current usage in the café located in the adjoining shops, is that patrons actually sit across the road on the council verge, which if replicated would be metres from where I sleep
- Has any consideration been given for the commercial area in regard to the restriction on hours of operation and when deliveries might be made ?
- How are the proposed 7 carpaces at street level to be treated as an exclusive use when the access is from street level. How does this impact the existing carparking for the existing users businesses /and flow on effect to the surrounding residences.

Once again, my overall opinion is that this proposed development and subsequent modifications will ultimately provide a poor design outcome. It lacks considered appreciation for the nearby residents, who will ultimately have put up with this poor design

Thanks for your consideration in these matters and I look forward to hearing from you in due course

John Garner

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[Redacted signature block]