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**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
**Sent:** 31/03/2025 7:23:23 PM  
**To:** DA Submission Mailbox  
**Subject:** Online Submission

31/03/2025

MR CRAIG SMITH  
233 WHALE BEACH RD  
WHALE BEACH NSW 2107  
[REDACTED]

**RE: Mod2024/0705 - 231 Whale Beach Road WHALE BEACH NSW 2107**

The General Manager Northern Beaches Council  
By email: council@northernbeaches.nsw.gov.au  
Cc: Anaiis Sarkissian

Dear Sir/Madam,

Re: Section 4.55(2) Application Lot B DP 316404, 231 Whale Beach Road, Whale Beach NSWDA 2020/0442 I refer to the application for a Section 4.55(2) Modification to amend REV2021/0034 and subsequent modifications for a Shop Top Housing Development at the above address dated 6 December 2024 (the "Modification").

Since the development was approved by Council on 6 December 2021, there have been continual incremental changes and modifications that, whilst might be described as "minor" by themselves, have a cumulative effect such that the current plans are very different from those originally approved. It has been extremely difficult for local residents to follow the repeated modifications and technical documents, and I urge Council to consider that this development is now too far from the original proposal and a new DA is appropriate.

The proposal to amend parking bays and footpaths on Surf Road is of particular concern with increased safety risks. Our suggestion is that the Shared Zone should be moved west to the top of Surf Rd where it intersects with Whale Beach Rd (hopefully this in place before any development commences to improve safety)

That we were very concerned that the carpark within the applicants development would/could require drivers to reverse out of the carpark as there is no turning bay. This is utterly unacceptable as there are many pedestrians about and a blind corner just to the west with no line of sight. Perhaps a turntable is the answer.

We want the Loading Zone to remain where it was originally approved just east of the driveway. To place it on the west of the driveway would obstruct line of sight of drivers coming down Surf Rd

That there would be double lines or a single unbroken line in the middle of Surf Rd from Whale Beach Rd to The Strand and that there would be unbroken Yellow Lines indicating No Stopping on both sides of Surf Road again from Whale beach Rd to The Strand (if it complies with Austroads Guidelines)

We suggested that we can create three new parking bays adjacent to the timber bollards, east and adjacent to the Surf Club's grassed parking area (see image below). At the moment, it's illegal to park there because being a Shared Zone, at law, motorists must park in Marked

Bays. By creating three Marked Bays there, we get the extra parking that the applicant is seeking without compromising the safety of pedestrians or motorists going up Surf Road. There must be a Loading Zone and it is far better situated on the flatter area to the east of the applicants driveway.

That we create a new marked bay for Council employees especially as the Rangers cannot park there on hot days and it's too far to park elsewhere.

Im also very concerned that no consideration has been given to potential slippage (at the very least onto Surf Rd in front of 233 Whale Beach Rd) Given the proximity of and the scale of the excavation and build further assessment is required. I note there have been at least two separate slippage incidences in front of 233 Whale Beach Rd both reported to council. I also note there is no reference to this matter in the Geotechnical report.

As stated through a long drawn out process of systematic changes, the footprint of the building has expanded well beyond that anticipated by the original plans and many other incremental changes have resulted in significant differences. I would be happy to meet with Council to try and understand why a new DA should not be submitted so that all the neighbours and the many visitors to Whale Beach can judge this current proposal on its merits.

Yours faithfully  
Craig Smith